

**Royal Commission:**

**About me:** I am sixteen years old, and I am writing in this commission as my life has been changed due to my father's domestic violence, in having to live through it, and I am still currently in fear of what will come next. Living with domestic violence has opened me up to an unjust reality of which many victims before have had to go through, and victims after may have to go through if change doesn't occur. I feel I have truly watched humanity at its worst, I used to believe the law protected the innocence in people, the children and victims, but after going through such processes I have realised and been told that my father has a right to me, something of which if it comes to it would waver me and my sibling's welfare and safety.

I have had people, lawyers and system workers tell me what is in the best interest of me without asking me, without listening to me and without living what I have had to live through. I have been told arrangements of which I have to time spend with my father that mediators, lawyers and councillors have made in my fathers' favour. I was not asked, not considered, not thought about, I was his property, there was no way of escaping. I was to stay silent, something of which my father always encouraged... but to have people in the system say the same as him, created a sense of hopelessness.

I was told that it was "mum and dad issues", but I had been abused too, all of me and my siblings suffering was always overlooked, as people believed that it was beneficial for us to have time spending with our father. When time spending was forced by my father, cruel comments such as 'well if he was so bad you wouldn't be here spending time with him', the lack of understanding and ignorance – children like me and my siblings should not be placed into cars, into houses or in contact with someone that made a concise decision to cause harm to us, our mother and our pets.

It is hard to hear the things adults have said to me about how they feel about domestic violence when never going through it, but it's the children that understand, its children like me and my siblings that need protection. We as victims already go through so much in the home, but also outside the home with my father's smear campaigns, lies, his friends saying that I am the monster, but none of that mattered, it's all outside noise until someone in a position of power (in the legal system) chooses to believe him over you, and tells you the same. This is what has to change, there needs to be a way of actually protecting children like me and my siblings, a belief that no matter what others say the system will protect children from their abusive fathers. Because currently the abuse only stops when the perpetrator chooses to stop it, of which in many/most cases won't ever happen leaving many children and family's having to suffer for years.

**What causes domestic, family and sexual violence?**

The cause of domestic family violence (in my experience, and from victims/perpetrators I have met) is perpetrators sense of entitlement. It is their fundamental belief that their wife and children are supposed to cater to their needs, listen to them without question and live in a 'dictatorship' like household. It is the entrenched mindset that women and children are property, of which are to be seen and not heard.

Perpetrators have clear views on gender roles, of how women/girls are to act, speak, do, and present themselves, to of which a level that does not intimidate their inferiority, and of how boys and men are to act, speak, do and present themselves.

The behaviour is then escalated through social groups, courts and legal proceeding that further entrench this idea of entitlement, by providing abusive fathers with mostly guaranteed mandatory access due to their fathers' rights, of which trumps children's/women's safety and welfare.

This idea of mandatory access given to fathers placing children in unsafe homes, I believe is another fundamental flaw in the system, that causes domestic and sexual violence to continue and escalate.

It is the scenario of which if such abuse happened to a neighbour, or stranger, there would be no means to have any time spending or contact. This is a major issue, that places children, the most vulnerable citizens in severe danger, of which they need protection.

### **What works, or will work, to prevent domestic, family and sexual violence?**

I think what will work to prevent 'domestic, family and sexual violence' is the system needs to aim to give families and women their independence despite abuse. There needs to be recognition behind abusive techniques, coercion, financial abuse, controlling behaviours that can impact families/women trying to leave abusive relationships.

There needs to be unity between the federal and state court, to stop the fact of federal courts overruling intervention, protection, restraining orders. The family courts need to listen and act upon family violence differently to divorce cases, as too many children are being placed into the care of their abusive fathers. There needs to be a child voice in court cases, for them not to be silenced and to be heard. There needs to be more awareness and belief in children and mothers about domestic violence claims, children and mothers don't make such things up, and they need to be adequately listened to and believed about their situation/case.

There needs to be in formal mediation, or systems such as decisions made about children, the removal of parental consent, as perpetrators won't allow children to participate in discussions or choices that directly affect them. Having the parental consent necessary in some systems (formal mediation) gives perpetrators a way of stopping children's ability to access and participate, leading to children not having the opportunity to be heard, to 'defend' themselves and their family as well as a right to seek safety.

Things such as parental consent create barriers for children and families trying to escape and leave domestic violence situations, as everything seeks my father's approval, of which is many/most cases will not be granted. This is an issue when trying to relocate homes, or change schools, in any effort to move away from an abusive situation, barriers will arise due to parental consent, this provided perpetrators with ways to trap women/families with the use of the children, through his rights.

All systems need to be paired with a fundamental change in belief of which would mean, that it should not be victims proving why they should be not having to time spending with their abuser, instead it should be if anything perpetrators needing to prove themselves in being safe to be allowed to time spend with children. There needs to be an avenue that victims can access independently that would allow them to find and have safety, as well as children being able to be removed from custody without consent notices that need to be run past the perpetrator, as currently things like these trap families and children from being able to escape and attempt to live a life free of abuse.

There needs to be a safety in the system, that despite peoples (public) common misconceptions, the law should be able to protect victims. It should be in spite of others' beliefs and thoughts surrounding D.V, the courts and law should be there to help victims and children. It needs to have the child rights enshrined into the family courts, because children are not too young to talk about what they have already been through, they have lived it, and deserve the right to seek safety and a way to be heard. There needs to be a removal of the idea of the best interest of the child is to have time spending with their fathers even if they are abusive, this places children into mandatory life-threatening danger.

### **Summary**

To end this submission, the main point, among many other points is that victims need to be protected, that should be every systems priority: lawyers, mediators, facilitators, courts, psychologist, councillors, and rehabilitators of perpetrators, the victim's safety and welfare should be the main priority. There needs to be the fundamental notion that children are no longer property, and we have to be able to have a say and not get told what is in the best interest of them without being asked. There needs to be enough change, so that perpetrators are unable to trap families due to their 'father rights' to their child, rights need to be removed over children after abuse has been reported, filed and evidenced.