

**Formal Submission on the Blueprint for the domestic  
and family violence response in NSW**

**Submitted by  
Fighters against child abuse Australia [FACAA]**



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## **About the author:**

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Adam Washbourne is the founder and President of the charity group Fighters against child abuse Australia. He founded the charity July 2010 to fill a big gap that he saw within the community and to bring about an end to an issue that has plagued our nation for far too long now.

Adam has a Diploma of Community services (Welfare) specializing in child trauma counselling and has worked in the field for the past 10 years since completing his degree. Adam is also a martial arts instructor and has been teaching children how to defend themselves for the past 19 years.

Adam has worked for various community centres, mental health facilities and martial arts schools but currently counsels for FACAA and teaches for KMA martial arts in Liverpool Sydney, one of Australia's premier martial arts schools.

This submission was prepared by Fighters against child abuse  
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## **About Fighters against child abuse Australia**

### **Our Vision,**

To end child abuse once and for all.

### **Our Mission,**

To empower every victim of child abuse to become a survivor, to bring justice back to our legal system and to outrage those who are unaffected by child abuse as much as those who are.

FACAA has been working actively for the past 6 years to end child abuse within Australia. We are currently running a survivor's healing programs, educational and legal reform programs, domestic violence programs, anti bullying programs and a social media awareness campaign which regularly receives over 4 million unique views making it the single most successful social media campaign of its kind in Australia.

FACAA is a national organisation that has full deductible gift recipient status as a public benevolent society. We have survivors of child abuse in our programs aimed to end child abuse once and for all by healing the survivors, raising awareness of child abuse, a legal reform and educational reform campaign and several other programs, from every part of Australia and our social media awareness campaign has members from all over the world.



## **Introduction**

Domestic and family violence, it stops here. Is a brilliant name for a program aimed at stopping one of the most endemic problems to befall Australian society.

Sadly it is just a part of life in Australian society that domestic and family violence just happens and we are to look the other way because it's none of our business.

Nothing could be further from the truth, ending child abuse (FACAA are one of the few charities that recognize that domestic and family violence are in fact forms of child abuse) in all its forms is everyone's business and ending domestic and family violence will lead to less child abuse all around.

At FACAA we know that children who grow up around domestic and family violence are up to 80% more likely to go onto be in abusive relationships themselves and thus keep the cycle of child abuse happening. If and when we put a stop to domestic and family violence we will be taking a serious step towards wiping out child abuse as a whole.

It stops here has long been a catch cry of the FACAA members when talking about ending problems that have been with us for far too long. To actually end domestic and family violence will be a monumental task, however if we don't ever start the fight how can we ever win it ?

Domestic and family violence must be stopped, for far too long now it has just been accepted as a part of life and children have grown up in homes that should be sanctuaries but are instead places of brutal violence where they would see one of the people that means the most to them in the world physically and emotionally destroy the other person that means the most to them in the world, in the most horrendous way possible.

Domestic and family violence, it stops here !



## **Recommendations**

FACAA know that the problem of domestic and family violence is a very deep and very multi layered problem, there are several reasons that it happens and as such will need a multi layered and multi faceted approach.

1. *We believe the domestic violence shelters that were closed must be re-opened and male only shelters must be opened up.*
2. *The website itself needs to be much more technically sound. It will re-inforce an abuser's false claims that there is no way out for a victim if they log onto a webpage and get error after error.*
3. *Financial isolation needs to be recognized as a form of abuse and as such it must be a crime to financially isolate a spouse or partner.*
4. *We need greater support from everyone involved with the process, from every single police officer to family GP's and counsellors. Everyone must know how to talk to and handle victims of DFV.*
5. *Family courts MUST STOP overriding apprehended violence orders and force children to spend time with their abusers.*



## Explanation of each recommendations

- 1. We believe the domestic violence shelters that were closed must be re-opened and more including men only shelters must be opened up.*

FACAA currently has several programs aimed at ending all forms of child abuse but two main programs aimed at ending domestic and family violence itself. The first is a direct intervention program where we go in with the assistance of local police officers and get the victims and their families out of the house and into a shelter. This program has been made quite difficult of late due to mass closures of domestic violence shelters. It is estimated that the federal spending cuts in regards to domestic and family violence have seen the closure of 74% of all shelters. The fact is those beds were not re-allocated but just literally cut forcing several survivors of domestic violence to literally have no where to go. This is unacceptable because part of the modus operandi of a domestic abuser is to isolate their victim. If the victim is already feeling like there is no where for them to go and then they get turned away from a shelter due to lack of beds, it will certainly crush their spirit and re-affirm everything their abuser is telling them about having no way out.

As for the idea that male only shelters must be opened up is due to the fact that it is estimated that 15% of all domestic violence victims are male and males are banned from most domestic violence shelters. But where to those 15% of victims go if they need to escape ? Yes they are the minority but if we want to end all domestic and family violence we must include men in that plan to do so.

The importance of victims of DFV to have somewhere to

go can not be understated.

*2. The website itself needs to be much more technically sound. It will re-inforce an abuser's false claims that there is no way out for a victim if they log onto a webpage and get error after error.*

Now we at FACAA are well aware that it's technically very difficult to get a website with the sheer volume of usage that this help webpage would have technically perfect. However we believe that due to the nature of the abuse the users who would be relying on the website to help them have endured, this website needs to be technically perfect.

You have to remember the nature of domestic and family violence and the nature of their abusers. DFV abusers use isolation tactics to mentally break their victims down. They often use sayings like "There's no way out, no one will help you" and if they log onto a website seeking help and get technical errors, you can be sure their abuser will cease on that and tell their victims "see not even the website will help you" This will rob them of what little courage they have left to fight and get out of their situation.

It might not sound like much but if the website runs smoothly it will give the victims seeking it's help a lot more confidence that they are doing the right thing. FACAA had 2 of our counsellors and 6 of our clients try the website out. They all came back with the same report. Errors on errors, one client even said "I couldn't handle the page anymore it was almost like it was just designed to frustrate me" .

Here is a review from one of our counsellors who is also a DFV survivor.

*"It bothers me that the tool kit is based on people attending a consultation workshop. Most people with domestic violence issues don't think their behavior is violent and do not take responsibility for their actions ever, the tool kit does not explain how this is going to be averted, also, there are no consequences explained for not attending, it comes across as a band aid solution to people who have been raised to consider their behavior as normal. In the consultation paper it asks questions of how services now have helped or not helped, when i was in my old marriage i was alienated from anyone inclusive of family that would disrupt control, their suggestions on spreading the word will need to include compulsory attendance seminars at work places, schools, and a yearly reminder for people on centerlink aid who have been on the system after an x amount of time. With no repercussions in sight, i don't know anyone who could possibly take the whole thing seriously. This is why i think its vague and could cause problems."*

This is another review written by one of our clients who has a background in web design.

*"Firstly they need to have more reliable help on their site, if their links don't work, its not helpful to someone with limited time online. Secondly, If we don't know what their task force will be about, then they may as well be useless. If the Domestic violence awareness is to be taken seriously, perpetrators should be excluded from their family, spouse and work until they attend their seminars and meetings on how they deal with it, else, when dealing with someone who doesn't think they are doing anything wrong, we have further abuse happening because they were dobbed in. How many cases have there been that have had a spouse report only to then end up further abused for defying the abuser? How many trials have there been that have given the abuser some benefit to the*

*doubt of "if no one saw me abuse did it really happen? there are no pressed repercussions, telling the world what they already know with this "blue print", that domestic violence exists will not change anything, repercussions need to affect the abuser enough to affect their need to control and abuse. So far we're still dealing with a slap on the wrist. If their lives are affected by their behavior in saying that they need to take time off work to attend these rehab, away from their spouse and children. Then that is more realistic than saying, look this is what you do that we frown upon. "*

These reviews were the two best reviews done by survivors of DFV. We hope this provides a direct insight into the technical problems of the website itself. The other comments on the website were that the Personal Safety survey needed to be dropped because it was giving literally different results with the same answers put into it. This leads us to believe that the results given to the site may be misleading.

*3. Financial isolation needs to be recognized as a form of abuse and as such it must be a crime to financially isolate a spouse or partner.*

One of the most common ways a DFV abuser isolates their victims (aside from literally dividing them from their friends and families) is through financial isolation.

Often the abuser will do things like take cards of their victim, make sure the victim's pay goes into the abuser's bank account then not give them access to the funds and even take money straight from the victim's wallet. This will force the victim to have to ask for money for everything which degrades and demoralizes the victim. It makes them

feel isolated and alone because they know they can't run without money, they know they can't buy food or pay bills without their abuser, this makes them feel reliant on the person who is abusing them.

DFV abusers will even waste all of the household's money on seemingly useless items or gamble it or drink it or whatever manner they chose but the end result is that the family will have no funds until the next payday. This is a way to financially isolate their victims and forces them to ask friends and family for money (which has a double bonus for the abuser of further isolating them from friends and family because money issues will often cause a wedge between people who were once friends) which makes them feel like failures unable to provide for their family which further depresses the victim.

All of these methods are ways that abusers financially isolate their victims. It is a deliberate plan to cause emotional and psychological harm to the victim to further separate them and take them of any pride they may have left after surviving their abuse. With their victim being depressed already to further depress them helps the abuser maintain control of the victim. They are all designed to emotionally and psychologically damage the victim and force them into submission. For this reason these tactics need to be made criminal, in order to deter others from employing these tactics against future victims.

*4. We need greater support from everyone involved with the process, from every single police officer to family GP's and counsellors. Everyone must know how to talk to and handle victims of DFV.*

Everyone who has interaction with DFV victims needs specialized training in how to cope with and best assist them. Not a huge long course but they do need to know things like believing the victim of DFV can literally save their life, while turning them away because you think they are "trying to get back at an ex" can literally see them get killed. That is the reality that everyone needs to know from the desk constables at the local police station all the way up the chain to the top, as well as local GPs, counsellors, case workers, anyone involved with DFV victims needs to understand that believing them and showing them compassion and understanding is the most important thing. If you question them or challenge them then all you are doing is forcing them into their shells and back to their abusers.

The courses also need to make those with a helping relationship with DFV aware of the fact that there is no shame in asking for help with DFV, that DFV knows no gender, no age, no religion and no socio-economic status. There is no "type" of DFV victim and anyone can be struck by it. When they ask for help it is super important that they are not judged because the reality of the situation is that they may only ask for help once.

The course could be done online and produced relatively cheaply using youtube clip technology and quick online testing followed by a short video submission featuring a

case study. Something that simple literally 10 hours work could be easily put together by an organization with a good understanding of DFV such as FACAA quickly and relatively cheaply. However the importance of such a course to educate everyone who has a helping relationship with DFV victims can not be understated.

*5. Family courts MUST STOP overriding apprehended violence orders and force children to spend time with their abusers.*

This is one of our recommendations that we at Fighters Against Child Abuse Australia feel most strongly about. Time and time again we get our clients literally pleading with us, at the end of their rope with no where else to turn because the family courts have made an order that a child has to have unsupervised visitation or worse full time custody with an abusive parent.

One case we will call Jane, Jane inboxed FACAA with her phone number begging us to call so we did. She told us that her ex husband had been convicted of molesting her daughter and other children but the family court had awarded him weekend unsupervised custody. They also said that if he does not get custody he does not have to pay child support. Now the thing is Jane was told at the time of his arrest that if she got out and maintained an AVO on her ex husband he certainly wouldn't get even partial custody of his kids, at best he could hope for supervised visits in the visitation centre. Sadly that was not the case and now Jane was so scared she wanted to run away with her kids. We at FACAA advised her not to do this and to get her legal aid lawyer to have the AVO renewed thinking maybe it had run out. Jane's ex husband's legal team had the charges thrown out of the family court because they could be prejudicial to their

client (and rightfully so !) FACAA once again advised her to take the legal route and appeal the decision to grant unsupervised visitation and to have his past crimes not heard. The next judge upheld both decisions and told Jane not to be spiteful and use her kids as weapons.

Sure enough Jane's ex husband molested his children again week after week. Jane took them to the doctors and took them to be examined on our advice. The doctors put a report in with FaCS and the report was dismissed as Jane trying to get back at her ex. We then rang her legal aid lawyer on her behalf to try to get him to act but were told that there was nothing he could do. We then hired her a private lawyer who had another appeal launched with the new evidence and because there was now a clearly established pattern of behaviour the crimes were allowed and custody was removed.

Jane's ex was then arrested and charged with child molestation again. This time he received a custodial sentence and is still serving his time.

None of this can help fix Jane's children, they were still abused yet again and didn't have to be. There was an AVO in place against the man because he had previously molested his children and the family courts knew this yet still handed them over for partial custody. The family court literally handed a child molester his victim and forced them to go and be molested knowing full well what he was.

Sadly this is by no means an isolated case, at FACAA we hear Jane's story over and over again. We used the story featuring child sexual assault but the fact is family courts ignore AVOs all the time. They literally send children back to abusers and when the kids come home with black eyes or welts on their buttox the other parent is labelled a trouble maker or a vengeful ex.

Family courts need to be held accountable for their decisions because currently they are acting with complete immunity from any and all responsibility of their rulings. When they knowingly ignore an AVO placed there by the courts for the protection of a victim of DFV they might as well be assaulting the victim themselves. If there is an AVO in place there is a very good reason for it because those are not easy to get. If you have doctors or school teachers saying they think the child is being abused you can't label the parent who is doing the right thing as a trouble maker surely logic tells you to listen and help the child.

Family courts **MUST** stop knowingly sending children into the hands of their abusers. Especially in the case of DFV abusers because DFV child abusers are commonly other forms of abusers as well. If there is an AVO in place for the protection of the child then the family court **MUST NOT** break that AVO and knowingly send the child into the hands of a DFV abuser.



## **The impact of DFV on society as a whole**

The full impact of DFV on our Australian society can never accurately be measured. Sadly because it is so ingrained and such a big part of our society most people can't even imagine a world without DFV. We at FACAA know differently, we know for a fact that it can and will end one day soon.

So just how much of an impact does DFV have on our everyday lives. Well firstly it is estimated that children growing up in DFV homes are 80% more likely to be in a DFV situation in their adult lives. This means that those who witness DFV in their childhood are more than likely to perpetuate it either as abusers themselves or as victims. Sadly with the cycle continuing over and over again it becomes generational and literally never ending. But in all honesty what can we expect, as children you model your behaviour off your parents and if they are either being beat up or beating someone up what behaviours does that teach. It teaches that you are either not worth defending yourself and deserve to be beaten by your partner or it teaches you that the way to handle frustration and anger issues is to physically take it out on your beloved partner.

With people growing up with those rules in place how can they possibly reach their full potential in society ? How many of them will grow up to self medicate with drugs and alcohol and commit all the social problems associated with addiction (petty crimes, robbery, assaults), how many of them will end up as long term unemployed who are unemployable due to their trauma, how many of them will turn out to violence themselves and end up in the states prison or mental health systems.

Sadly accurate estimates can not be made in terms of dollars and cents, however the perspective from a child will give you some insight into the human cost.

Imagine for a second you are growing up with two people who you adore, they are both your absolute world they have been there since you can remember and they are both so precious to you that when they are not there you get anxious and nervous.

Now imagine these two people who you adore start yelling at each other, yelling turns to screaming, screaming turns to constant screaming to a point where you can't speak without the screaming erupting.

Then one day it stopped but not for a good reason, it stopped because one of the people who means the whole world to you balled up their fist and hit the other person who means the whole world to you.

They said they were sorry and they brought some very nice flowers so hopefully they meant it. One of your parents has a big owie on their face and now seems a little scared of your other parent.

Everything seems ok but then one day the screaming starts again, this time it's worse than before. This time your parents are very scary, they are both up in each other's faces and both being very scary then bang, bang bang bang bang the hits just keep coming, your whole world is lying on the floor bleeding and the other is on top punching them over and over again, you go to jump in between them to make them stop but you get thrown off, your head hurts and they are still screaming, this time they are blaming each other for the fact that you're hurt, why won't they just stop yelling don't they know it's making your head hurt worse. Now the police are here and the ambulance people too, they are saying you have

to go with them to hospital, but where are they taking your parents ?

Weeks later and both your parents are dressed up, you have to tell these strange people what happened that night over and over again, they keep asking which of your parents is to blame and which one you want to live with, well that's easy both of them ! Yes one just hurt the other one and yes you got hurt but they are sorry and you forgive them, why do they keep making you choose ? Why can't you just go home and be with both your parents ? Who are these people making you talk about the bad night ? What's going on why are they saying someone is going to jail...

This is the sad reality of too many Australian children, they grow up with DFV and like any other form of child abuse it robs them of their potential before they can even imagine it, their sense of self before they know what self is, it steals their innocence way before it naturally turns into maturity and takes away their sense of inner security before they know how to feel anything but safe and secure. No child should ever live through this so ending DFV is one of the most important tasks ever undertaken.



## **References**

Direct anonymous interviews with 100 FACAA members who have survived child rape and who have faced their abusers in the legal system and interviews conducted anonymously with criminal lawyers who have defended child rapists successfully as well as interviews with various community workers including Dr Capelhorne of the United Gardens methadone clinic.

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White Ribbon.org

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