

*I am a mother to a daughter who is not here. She was murdered by her father when she was just four and a half years old.*

*Her father, Greg Hutchings, was abusive. He was controlling and manipulative, he was intimidating and threatening. Not at first, of course, but once I was pregnant this behaviour began escalating. When our daughter, Eeva, was two years old I found the strength to leave him. I wanted a better life for Eeva and for myself. Greg was not happy with my decision to separate and told me he would take me to court and take Eeva away from me. This is exactly what he did.*

*Greg was not physically violent, and without the physical evidence of his abuse I had nothing I could prove during our family law proceedings. He was intelligent and well spoken, presented well, and wasn't outwardly overwhelmed by the legal system. He wrote untrue and derogatory things about me in his affidavits. His mother supported him and wrote similar affidavits. The family law system seemed to disregard all our affidavits as they apparently see them as 'he-said, she-said' scenarios.*

*Greg's initiating application outlined terms I did not find too unreasonable and to which I was willing to agree. However, when I arrived at court, he presented me with several pages of amendments to his application. I found these demands completely unreasonable but was encouraged to negotiate to come to an agreement, or else the proceedings could take upwards of 18 months. I felt pressured to give in to Greg's demands. I did not feel heard in my concerns. After all, there was no proof of him being abusive, or so I thought. I didn't understand that his behaviour to this point was textbook domestic violence.*

*I was afraid of Greg. I had been 'walking on eggshells' around him for years and chose my words carefully, especially when he had been drinking. He told me all*

*the problems in our relationship were my fault and that I was the unreasonable, controlling one. He had isolated me, and I had no support.*

*When I told Greg I wanted to separate he did not agree and made us see several counsellors together. After a particular session the family therapist phoned me, concerned for my safety. She gave me the number of a domestic violence hotline. When I phoned them I was directed to a nearby women's shelter. The women working at the shelter helped me draft a domestic violence order application outlining all of Greg's abusive behaviour. But when it came time to lodge the application I was too scared and did not lodge it. We were about to commence mediation and I was afraid of angering Greg before the process as he would likely make it very difficult for me. I was terrified of losing Eeva to him as per his threat.*

*We were able to agree to a Parenting Plan where Eeva would live with me and spend time with Greg. This was mostly followed for a couple of months, and Greg was often abusive at handovers. Suddenly, and without notice, Greg moved interstate and the Plan was abandoned. He visited Eeva three times in the months following. Then we heard nothing from him.*

*During the following year I made plans to visit some family overseas, as I had done previously. Greg made contact and I advised him of these plans. He requested to spend time with Eeva before our departure and I agreed. He then refused to return her to me for three weeks, during which time he lodged his initiating application in the Federal Circuit Court. Our trip was cancelled. We went to court. I was terrified. I had never been in a court room before and his presence made me feel ill. I agreed to terms I was not happy with, scared that if I did not agree I would be seen to be obstructing his relationship with his child. It became very apparent to me that Eeva's best interests were not Greg's focus. He wanted to hurt me. I felt completely powerless.*

*The orders were made and I had to hand Eeva to Greg for weeks at a time. I was concerned for her emotional and psychological wellbeing. After the first visit, Greg did not return Eeva to me on time. He was reprimanded by the court. The second time, Eeva did not want to go. I had to force her to go to him while she was crying in my arms that she did not want to. When she came home weeks later, we travelled overseas as per our court orders. A couple of days after our return, as ordered by the court and against all of my intuition, I handed Eeva over to Greg again, for what would be the last time.*

*It was Christmas. Eeva and I were both looking forward to celebrating together once she came home in January. But Greg did not return her. He claimed to have gastro. I gave him the benefit of the doubt. After the third day and as per his suggestion, I drove four hours to collect Eeva from him. They had vanished. It would be 17 days before they were found. Greg had killed Eeva and then himself. He had told me he would use the courts to take Eeva away from me and that is exactly what he did.*

*At no point was his abusive behaviour taken into consideration by the systems in place meant to keep our children safe. At no point did I feel I could safely voice my concerns, and be heard, rather than seen as trouble making or as trying to take away his 'rights' to see his child. Greg's pattern of controlling and manipulative behaviour continued through our relationship and into our separation process, and he simply used the family law system and these legal proceedings as part of his control and manipulation of me. Eeva's safety and wellbeing was never truly his priority.*

*That my daughter Eeva is not here today is a direct result of the failings of the system - the lack of support for families experiencing domestic violence; the inability of the system to see how it can be used by perpetrators to further control and manipulate victims. These are failings which impact on families like mine every day.*

*I thank you for looking seriously at the proposals put forward by Women's Legal Service Queensland. A more informed system with specialist domestic violence professionals including judges and family report writers may have given better consideration to my situation. A specialist domestic violence court certainly would have helped acknowledge and respond to the family violence that Eeva and I had experienced.*

*Hopefully you can see why it is so important to look at these family law issues and the possible changes that could be implemented to make family law safer for children. A DV informed family law system would have undertaken a thorough DV risk assessment in our case and this may have identified Greg's spiraling mental health issues that I and the court were unaware of, at the time the orders were approved.*

*His mental health decline along with his DV history increased his risk markedly and made him a very dangerous person for Eeva to spend time with.*

*Sincerely,*

*Michelle Dörendahl*