

The system itself has become weaponised, a tool for perpetrators. A rich perpetrator (male, in the case I am thinking of) can too easily inflict a Family Violence Order on his (impoverished, female) victim. And in that case, the presiding judge turned out to be as big a simpleton (by virtue of his legalistic training) and as prone to illegitimate influence, as any barrister or politician. Legal and political systems are failing miserably. The terms of reference for this inquiry reflect an oversimplification of family violence and the law. Empowering victims is well and good - provided that the court has correctly identified the victim and perpetrator.

Culpability is seldom a "zero-sum game," in any case: and yet this is precisely the assumption of our adversarial legal system. Unscrupulous legal representatives, armed with knowledge of how the legal system may be manipulated to their client's advantage, are destined to prevail. Their arsenal of underhand tactics includes abuse of FVOs in service of the miscarriage of justice. Court-appointed psychological "experts" play no small role in this farce.

In our country, access to justice is denied absolutely to those without financial means. In our experience, even "legal aid" is a complete fiction, a sick joke with a fatal punchline. For most, I suspect, access to justice is a costly exercise in futility. Injustice, however, is richly dispensed via the Family Court: to those who have, even more shall be given! The disingenuous conduct of barristers, psychologists and judges is, in our view, nothing short of criminal.

Wealth discriminates against the poor. Social inequality both exemplifies and compounds injustice. The judge, who sits above and presides over the law, has risen like scum on the surface of a polluted lake. In direct consequence of our experience in the Family Court, we pour contempt on your (bourgeois) "equality before the law." If not for all, then justice for none. Greater access to justice is an outstanding imperative for any civic-minded lawmaker. In our case, court fees, costs of representation, etc. are forbiddingly prohibitive, for justice ever to see the light of day. It is shameful, and intolerable, that good people (including innocent female victims of devious male perpetrators) are all but destroyed by a corruptible, morally bankrupt, smug and self-serving Family Law system.

Equitable access to justice can only be instated by means of a fairer distribution of wealth and resources. The abolition of social hierarchy would go a long way towards ameliorating violence and injustice, in both domestic and judicial contexts. The latter, in our experience, is the more brutal, adding humiliating insult to injury.