

Animal abuse - Victim Experiences

Cautionary note: some people may find reading these victim experiences distressing or traumatising.

These de-identified victim experiences summarise the content of interviews undertaken with people who have experienced domestic and family violence and legal system engagement. The interviewees' names and some minor details of their narratives have been changed to protect their identities. In many cases the names have been selected by the interviewees.

The key words align with the contents covered in the National Domestic and Family Violence Bench Book.

Bianca

Key words: [Animal abuse] [Children] [Coercive control] [Emotional and psychological abuse] [Exposing children to domestic and family violence] [Factors affecting risk - strangulation] [Following, harassing and monitoring] [Legal representation and self-represented litigants] [Parenting orders and impact on children] [People living in regional, rural and remote communities] [People with children] [Physical violence and harm] [Property proceedings] [Protection orders] [Relocation] [Systems abuse] [Women]

Bianca and Tom were in a relationship for 13 years and have three children who were between pre and primary school age at separation. Both Bianca and Tom are tertiary educated with professional qualifications. Apart from when the children were infants, Bianca worked in professional, well-remunerated employment and was the sole income earner for most of the relationship. Tom had worked sporadically early in the relationship but stopped working soon after the birth of their first child and hasn't worked since.

Bianca met Tom through a mutual friend when she was in her late teens. It was her first intimate relationship. Tom had been in a previous relationship where his partner alleged domestic violence. Bianca says she has always been a high energy, driven sort of person who likes to get things done. Tom on the other hand lacks motivation and found employment difficult to maintain despite being highly intelligent. Bianca tended to 'mother' Tom from early in the relationship and took on all of the household duties while also working full-time, without being conscious of or concerned by the imbalance. This however emerged as a problem after the birth of their first child when Bianca's attentions necessarily turned to the baby, and she began asking Tom to help around the house. He mostly resisted, and when Bianca insisted, he did so begrudgingly. Even when Bianca was recovering from C-section births, Tom would refuse to bring the baby to her for feeding during the night, claiming there was no point in both of them being tired.

Over time, Bianca and Tom argued often about the division of labour. As the demands of children and work grew, Bianca felt that Tom's failure to contribute in any useful way was unreasonable and intolerable. Tom claimed Bianca was constantly nagging him and trying to control him, and he would frequently become angry and verbally abusive towards her. She had experienced trauma as a child and suffered Post Traumatic Stress Disorder (PTSD) for many years as a result. Before and after the birth of their third child, Bianca began experiencing anxiety and panic attacks reminiscent of her earlier years. When hospitalised, she felt a sense of safety and calm that she realised was absent from her home life. Tom resented her time in hospital; he told her she needed to get over it, and that it was too much for him to have to look after the house and children while she was away receiving treatment.

After Bianca and Tom built their home on a small rural block, Tom developed an obsession with guns. He purchased five guns and went hunting most weekends. Tom's firearms licence required him to secure the guns in a safe in the house; Bianca had to constantly ensure that he complied with these requirements as he was lax. Tom regularly spoke about guns and shooting in conversation, he read books about serial killers and snipers, he would make home-made guns in his shed, and he even explained to Bianca on one occasion the steps involved in administering lethal poison without leaving a trace. As their relationship deteriorated, Bianca observed veiled threats in these behaviours and found them intimidating and troubling. During the relationship, Tom shot and killed Bianca's dog and pony for no valid reason. He also deliberately released her hand-raised cockatiel into the wild.

Bianca describes three physically violent incidents that occurred in the course of an otherwise increasingly dysfunctional relationship. As the situation worsened, Bianca felt she was constantly 'walking on eggshells' around Tom, trying to placate him and take the pressure off him so as to avoid any escalation of his anger, but his behaviour continued.

The first incident was when Bianca and Tom's first child was aged two. They had been arguing and Tom picked Bianca up under her arms and threw her across the room and into a door frame, causing bruising to the back of her head. Tom is more than a foot taller than Bianca, thick set, muscular and immensely strong. Bianca was in shock and terrified; she retreated to the other end of the house unable to comprehend what had happened. In the days following she sought help from a counsellor (who she continued to see for many years) and told Tom that it must never happen again.

The second incident was some years later, by which stage they had three young children. Bianca had arrived home late after a long and demanding day at work. Tom hadn't fed the children or made any attempt to prepare them for bed; the house was in chaos and Tom was playing violent computer games. Bianca was angry and frustrated with Tom's selfishness and lack of effort. Tom called her a 'fat cunt' (knowing that this was particularly hurtful to Bianca who had suffered an eating disorder) and pushed her into the wall. In front of the children, he threatened to shoot himself in the head, and then walked out to the car parked in the yard. He was due to go hunting the next morning and he normally locked his guns in the car the night before. Bianca feared that he was going to retrieve a gun from the car and carry out his threat of suicide, so she rang the ambulance. Multiple ambulance and police officers arrived. Tom was taken to the hospital for review and then spent a couple of nights at his mother's house. On this occasion, Bianca did not tell police about the violence and abuse in the relationship; she didn't want to get Tom into trouble or make him angrier and therefore more abusive. She felt that if she decided to leave, she would need a plan to get away quickly to somewhere safe.

After the second incident, Bianca rang a domestic violence support service for some advice about how she might safely leave the relationship. Bianca believed they were more interested in reporting the incident to child safety than giving her any support as the victim of abuse. She felt insulted that a judgement had been made about her ability to protect her children and that she may be exposing them to harm by staying with a suicidal partner.

Bianca decided she needed to address the relationship problems with Tom before making any other decisions about leaving. She wrote him a letter and let him know that she wouldn't tolerate verbal or physical abuse and that they needed marriage counselling. Tom agreed and for a time, things improved between them. Soon enough though, Bianca reverted to taking on most of the household and parenting responsibilities and continuing to work full-time so as to avoid any instance where Tom may become angry and abusive. Tom spent most of his days playing computer games even when their youngest child was home from pre-school. The relationship deteriorated further: the arguments continued, and Bianca discovered that, at two separate times, Tom had placed a key logger on her computer in order to log her internet activity. When confronted, Tom claimed that he was trying to keep Bianca safe, a story she rejected. She told him she had nothing to hide, he could have all her passwords, but it was not acceptable for him to secretly monitor her.

One night, after a particularly heated argument, the third incident occurred. Tom started drinking scotch and went on to drink most of the bottle. He rarely drank alcohol; this was out of character. As Tom became more intoxicated, he became emotional about his past failed relationships. He said he should just die, and could understand how murder-suicides happen. He also threatened to wake the children up and ask them which parent they loved most. Bianca was very concerned by this talk, but felt it was likely to be caused by the alcohol, so suggested to Tom that he go to bed. She then tried to get up from the couch and Tom grabbed her tightly by the wrists and held her in place for three hours, both by the wrists and through the weight of his body on hers. Meanwhile, he used Bianca's hands to hit himself hard and repeatedly in the face, saying 'I'd rather you punch me than leave me'. Bianca's hands turned blue, and despite her pleading, Tom would not release his grip, saying he couldn't let her go because she would escape and the police would take his guns away. Later, Bianca pleaded with him not to kill her, at which point he released his hands and placed them around her throat, squeezing tightly and saying 'you stupid woman, of course I'm not going to kill you; the reason I haven't already is that I don't want to'. Terrified for her life, Bianca decided to try and settle Tom down: telling him it was all a misunderstanding, that they could work it out in the morning after some sleep. Tom grabbed her by the wrists again and dragged her down the hall and into bed with him where he continued holding her. Bianca waited for him to fall asleep, got her phone out of her back pocket, switched it to silent mode, and texted two friends she knew would respond at that hour of night. They called the police and Bianca fled to the neighbour's house and waited. She felt she had no other choice, but was also extremely worried that Tom would wake up and a hostage situation may arise given that the children were still asleep in the house.

The police arrived promptly; they removed Tom and took him to the watch house and located the guns. The police initiated a protection order application on Bianca's behalf and the matter was dealt with the following day. Bianca was traumatised and exhausted and unable to properly process what was going on. The magistrate told Tom he didn't have to agree to an order naming the children as it would have family law implications for him. The police prosecutor asked Bianca if she would agree to a one-year order without admissions where the children weren't named. She wanted the matter over and felt sorry for Tom who was crying, so she agreed. Bianca later regretted this decision as the 'no admissions' condition meant that she had no evidence of domestic and family violence that she could use to substantiate her claims in the subsequent parenting proceedings in the Federal Circuit Court. She was however satisfied that it was appropriate not to have the children named on the protection order as she was and remains committed to the children having a relationship with their father. Bianca was informed by police shortly after Tom's guns were confiscated that they had been released to Tom's brother (with Tom's consent), who holds a valid gun license. In releasing Tom's guns to his brother, Bianca is concerned that he now has ready access to them.

On the evening of the third incident the police had asked Bianca if she wanted to have Tom charged with deprivation of liberty. She declined, and police did not take any steps to obtain evidence of the offence, for example photos of bruising on Bianca's wrists caused by Tom's grip. Some months later however, after time with her counsellor, Bianca made a complaint and gave a statement. Tom was represented, and on advice on the morning of the trial, accepted a plea bargain and pleaded guilty to common assault in lieu of deprivation of liberty. No conviction was recorded and Tom was ordered to observe a six month good behaviour bond and pay a \$500 fine. For Bianca, this was some acknowledgement of Tom's violence towards her, though somewhat mitigated; and she avoided the ordeal of cross-examination, which she had endured from Tom personally only weeks earlier at the hearing for the variation of the police-initiated protection order.

Bianca applied prior to its expiration to vary the police-initiated protection order by extending it for another year. The magistrate refused to grant a temporary order to bridge the gap between lodgement and expiry, insisting that the matter be heard. Tom made a cross application alleging abuse by Bianca in the form of name calling. Both applications were heard together. Bianca prepared all of her own affidavit material and engaged a barrister for the hearing. Bianca felt highly distressed and vulnerable in the courtroom and PTSD evidence was tendered to support a claim for protected witness status. The magistrate rejected the submission concluding that Bianca was articulate and intellectually well-equipped and did not require protection during the proceedings. As a result, Tom, self-represented in this matter, was permitted to cross examine Bianca for three hours. Tom taunted and demeaned her with his questions—Bianca felt it was another version of the abuse she had long-experienced—and the magistrate gave him considerable leeway. Bianca felt that the magistrate was demonstrating the need for procedural fairness, but equally that her evidence had been taken seriously. The Magistrate granted Bianca the one-year extension and dismissed Tom's application.

While the criminal and protection order matters were being dealt with, Bianca sought to address parenting and property issues.

A property settlement was reached with Tom fairly quickly, though Bianca queries its fairness. They jointly owned an unencumbered house worth \$300,000. Bianca was the sole income earner and principal homemaker throughout the relationship. Tom made negligible homemaker contributions and earned no income. Bianca had accumulated \$160,000 in super. Tom received the unencumbered house property, and Bianca received \$85,000 in cash (paid by Tom's mother) and some furniture of little value.

The parenting proceedings were more prolonged and complex, requiring an interim and final hearing in the Federal Circuit Court. Essentially, Bianca sought to relocate to an area where she felt safer while maintaining her job position and yet still continuing the arrangements with Tom for some weekend contact. Relocation necessarily involved the children changing schools, and this became a central issue of contention. At the interim hearing, Bianca was ordered to resume living with the children in a certain area and to return them to the local primary school. The interim order was very difficult for Bianca because it meant that she had to live in a small, rural town close to Tom and his family; she avoided going to shops or community spaces for fear of coming into contact with them. She needed medication to cope with her heightened anxiety. These circumstances continued for more than a year pending the final hearing and orders. After considerable expense and time, the final orders endorsed Bianca's initial application. She and the children, and her new partner and his two children, now live in the area she originally proposed, and Tom's contact arrangements continue unchanged.

Bianca and her new partner have bought a house, and they are settling in well together with their children as a combined family, while contact arrangements with Tom are mostly straightforward and without incident. Tom's moods around contact times remain unpredictable, and Bianca has developed ways of dealing with his moods so that her safety isn't compromised.

For the past five years post separation, Tom commenced a campaign of complaints to QPS and Child Safety regarding allegations of risk to the children in Bianca's care. While the process of investigation of Tom's complaints by these systems was humiliating and stressful for Bianca, both QPS and Child Safety have deemed Tom's complaints unsubstantiated on each occasion. Bianca has experienced numerous police welfare checks at her home, and felt violated by the unnecessary intrusion of these systems into her private life once again. Recently Tom has been encouraging the children to use their smart phones to covertly record their mother in her home and to 'airdrop' these recordings to him. Tom continues to denigrate Bianca and her partner in the children's presence. Bianca is concerned about the emotional harm caused to the children through their continued involvement by Tom and worries about the long-term psychological impact of Tom's sustained manipulation of the children upon them. It is difficult for Bianca to effectively parent under these circumstances. Tom has also deliberately contravened the Family Court Orders in place, retaining the children longer than permitted and picking them up from school on days when they are not in his care. Bianca believes that these actions are designed to continue to impress upon her that he is "in charge" and that she remains at the mercy of his unpredictable moods and behaviours. Bianca continues to feel helpless and traumatised but has little faith in the systems set up to support survivors of DFV in dealing with these more insidious and subtle manifestations of coercive control – especially technology facilitated abuse and the involvement of the children.

Bianca also experiences continuing stress in relation to the level of debt she has had to incur to meet legal expenses associated with the protection order, parenting and property matters. She estimates this at more than \$100,000. Bianca has borrowed from family and on credit facilities, and the repayments are unmanageable. While Bianca earns an annual salary of around \$90,000, debt costs are disproportionate to normal living expenses and the costs associated with bringing up children. Tom pays no child support. Bianca has been unable throughout all these matters to obtain legal aid due to her income level. She has however been able to obtain Victim Assist for some relocation costs and the installation of a home security system.

Bianca has spent considerable time, personal effort, resources, and compromised health on securing her own safety, protecting the wellbeing of her children, and ensuring the children's relationship with their father, while coping personally with long-term domestic and family violence. She feels the police have been attentive, supportive and respectful in all their dealings with her. She will always value the support given by a particular female police officer at any hour of the day and night. Bianca also respects the court system and the judicial officers making the decisions, although she found those processes traumatic. She is proud of the time and effort she spent in preparing affidavit material for these proceedings, and believes it helped to achieve the best outcome for her children and herself.

Jennifer

Key words: [Animal abuse] [Coercive control] [Damaging property] [Economic abuse] [Emotional and psychological abuse] [Following, harassing and monitoring] [Myths] [Older people] [People living in regional, rural and remote communities] [Police-initiated orders] [Protection orders] [Risk] [Sentencing] [Victim experiences of court processes] [Women]

Jennifer and Frank are in their sixties and were in a relationship for five years. They have both been married previously and have adult children. Jennifer has always worked in various skilled positions, and entered retirement well self-funded, with superannuation savings and an unencumbered house property. Frank did not complete high school, however Jennifer believes he is highly intelligent with good commercial sense, and runs a seemingly successful business. Their relationship progressed quickly, and before long Frank had moved into Jennifer's house. Frank had told Jennifer that he was divorced, but she learned much later, after having contact with his first wife with whom she became friends, that Frank had lied about this. Frank ran his business in a rural town a few hours' drive from where Jennifer had been living for many years. Given the uncertain economic climate, Frank convinced Jennifer that it would be prudent to move to the town and keep a better eye on the business. Jennifer believed Frank was envisaging a 12-month plan, which she embraced as a welcome change from city life. With Frank's strong encouragement, Jennifer bought an acreage property on the outskirts of the town, funded by a mortgage using the equity in her house, with Jennifer and Frank as joint borrowers.

While Jennifer very much enjoys the rural setting and lifestyle, she describes signing the contract on the property as 'signing her death warrant'. Having moved in—along with Jennifer's two much-loved, blind and aging dogs—Frank became immediately violent. Jennifer is a confident and capable person, and thought Frank respected her for this; and yet if Frank didn't get his own way, he began damaging the flooring and woodwork, breaking things, and throwing objects across the house, including coffee cups past Jennifer's head, into the wall. One winter evening, having urged Jennifer to have a shower upstairs, Frank propped the pool gate open allowing one of her dogs to wander in and fall into the pool, leaving it to drown. At Jennifer's inconsolable distress, Frank said aggressively 'he's dead, fucking get over it'. Jennifer believes that Frank resented her self-confidence, and relished trying to 'bring her to her knees'. When they bought identical smartphones, their accounts were synchronised inadvertently, and Jennifer became aware that Frank was having relationships with other women, as she was able to read the incoming and outgoing text messages. Frank quickly arranged for the accounts to be desynchronised. The situation was intolerable to Jennifer, and she felt she had to bring an end to the relationship; with the help of her family, she managed to get Frank to move out of the house.

Frank's intimidation and abuse of Jennifer escalated on separation. Jennifer was forced to make the total monthly mortgage repayments on the property as Frank refused to contribute. Her retirement income could not sustain this substantial outlay; and soon she had no choice but to sell her city property, and apply the funds to discharge the mortgage, taxes and other outstanding expenses. Jennifer is unable to sell the acreage property due to a depressed real estate market, and even if she could, she would not have sufficient funds to buy where she had lived previously. She feels trapped and vulnerable in a small town where Frank also lives and runs his business. And yet she felt that in order to function in that environment she must adopt a cordial attitude to Frank, or life would be unbearable. Frank is a tall, extremely heavy man, with an aggressive demeanour. Initially after separating, Frank would come around to the house and offer to help with the pool and other jobs; however the situation would often deteriorate quickly and, if Jennifer didn't accede to his various demands, Frank would yell profanities at her, and take the pool equipment or the car, returning them only when he decided Jennifer was behaving properly. Frank then began stalking Jennifer by coming to the house at night, peering into and rapping on windows, and going through the garbage bins and letterbox. Jennifer became increasingly fearful of Frank's behaviour, and called the police on a number of occasions.

For the most part, Jennifer feels the police were approachable enough, but ineffective in advising her of her rights or available protections; one officer referred to an incident as 'just a domestic'. This was the case until one day Frank arrived at the house demanding that he and Jennifer resume living together; he threw a coffee cup over the balcony, and when Jennifer tried to close the automated swing door as he was storming out of the garage, he stopped the door in its tracks, buckled and broke it, and told her, 'I'll get you, you fucking bitch'. That night, once police were alerted, they took charge of the matter, and obtained a temporary protection order on Jennifer's behalf and charged Frank with intimidation and criminal damage to property. Jennifer recalls feeling dumbfounded by their heavy-handed turnaround, and terrified of how Frank would react, most particularly towards her, given the comprehensive and damning statement she had provided the police. She also didn't realise she would end up in court.

Jennifer felt frustrated and diminished by the court process. She was cross examined by Frank's lawyer for a lengthy period, and subjected to attacks on her character and behaviour. The prosecutor did not interview Jennifer prior to the hearing, and therefore had little or no understanding of the facts and context of the matter, most importantly the history of Frank's domestic and family violence towards Jennifer. Frank behaved inappropriately in the courtroom, and the (visiting) Magistrate threatened his removal from the court room. He also gave inconsistent evidence, which on the criminal damage charge wasn't believed, and ultimately he was fined, and a conviction recorded. He was acquitted of the intimidation charge as the Magistrate found there was a lack of evidence. Jennifer believes that had she been given an opportunity to provide a full account of the facts and context to the prosecutor, this would have been conveyed to the Magistrate. When she walked out of the courthouse, Frank yelled abuse at Jennifer and told her he was going to get her. Frank has recently successfully appealed the conviction, and successfully contested the issue of a final protection order.

Frank has never paid for the damage to the garage door, and while the Magistrate said the civil matter could be dealt with at a courthouse located in another town, the legal, travel and associated costs would have been prohibitive to Jennifer. She was also unable to claim on insurance without bearing a disproportionate penalty. There is some prospect of Jennifer claiming victim compensation; however she has not felt strong enough to begin this process.

Jennifer believes that she has done all she can to secure her home with cameras, lights and locks, and yet she feels profoundly unsafe. He has continued to intimidate her from the neighbours' fence line and from the street and elsewhere in the small town. Frank has also ingratiated himself to some of her children and their partners undermining her own relationship with them in his efforts to hurt and distress her emotionally. Despite having obtained the order on her behalf in the first instance, the police have now told her there is nothing more they can do for her. At this stage, Jennifer fears for her life and future, and can see no legal recourse for her protection. She has also discovered that Frank has had similarly violent relationships with other women in the past and also that Frank has told neighbours that Jennifer is mad and unbalanced.

Lisa

Key words: [Animal abuse] [Breach of protection order] [Children] [Coercive control] [Damaging property] [Economic abuse] [Emotional and psychological abuse] [Exposing children] [Following, harassing and monitoring] [Legal representation] [Myths and misunderstandings] [Parenting orders] [People affected by substance misuse] [People with children] [People with disability and impairment] [Physical violence and harm] [Pregnant women] [Protection orders] [Risk] [Sexual and reproductive abuse] [Social abuse] [Systems abuse] [Victim experiences of court processes] [Women]

Lisa and Sean were in a relationship for four years, and had a child together who was aged around two years at separation. Also living with them was Lisa's primary school aged child from a previous relationship. Both of these children have disabilities and special needs. Lisa has adult children too; they have families of their own and live independently. Sean was still married to someone else when he and Lisa met through work. Lisa did not complete high school; however she has spent some years studying to gain qualifications that will enhance her employment prospects. Sean qualified in a trade and has held a well-remunerated position for at least as long as Lisa has known him. Sean has an illicit drug habit and misuses alcohol.

When Lisa and Sean moved in together, Sean wanted Lisa to stop work and be a stay-at-home mum. This was unfamiliar to Lisa as she had always worked to support herself and her children through years of mostly single parenting. Initially, she was thrilled by Sean's generosity and the prospect that they could establish a happy, stable family life together without the pressure of her having to earn money. Over time however, Lisa realised that this was Sean's way of asserting his control over her. Details also emerged about Sean that she hadn't previously been aware of, in particular his history of serious drug use and ongoing use. In the first year of their relationship, Sean expected Lisa to support him through the difficulties he was experiencing in divorcing his wife and then with the illness of a close family member. Despite also having to study and care for a child with disabilities, Sean insisted that Lisa's focus be on him. This was an intense time for Lisa; she miscarried, and then later successfully conceived.

During Lisa's pregnancy, Sean's behaviour towards Lisa became violent and abusive, and his drug use increased. He objected to Lisa making contact with her former work colleagues (especially males), and monitored her Facebook activity. The reception on Lisa's phone network was so poor that Lisa was mostly unable to call friends. Sean, on the other hand, was in regular phone and Facebook contact with female friends, one of whom sent him provocative photos of herself. When Lisa suggested this was inappropriate, Sean got angry and told her she was jealous and paranoid. When Sean was coming down from a drug bender, he would anger easily, and shout at and belittle Lisa's other child. This infuriated Lisa and she tried to stand her ground with him; Sean told her she wasn't allowed to shout. On one occasion, Sean returned home, smashed his phone in front of Lisa, and then flung a heavy jacket and zipper across her pregnant stomach resulting in bleeding and long-term injury to the child. She spent over a week in hospital and was distressed knowing that her other child was in Sean's care while he and friends had long sessions of alcohol and drug taking.

After their child was born, they moved to an isolated regional town so that Sean could take up a higher-paid position. Lisa only had access to the Centrelink family allowance payments to buy groceries, clothes and other household expenses. Sean made the mortgage repayments on the house and spent the balance of his wage as he wished. When Lisa asked him to supplement the family benefit payments, which were insufficient to cover the family's needs, he would become aggressive and argumentative. Lisa was blamed for living costs and anything else that Sean refused to take responsibility for, including falling asleep at the wheel while driving, with Lisa and the children as passengers. Lisa has an 'inside' dog that she and her other child remain very close to. Sean made the dog live outside with his own dog, which inevitably resulted in fights. Sean told Lisa she needed to put her dog down; she resisted and kept the dog.

Sean made no effort to help with the care of the children, the dogs or the home. Lisa attended to all of these things even when their child was an infant and awake through the night with feeding and teething troubles. Early one morning, Lisa asked for help with the baby; Sean told her she was lazy, and went back to Facebooking his friends. Again, Lisa was exasperated by his response and kicked a large, empty water bottle along the floor towards him. Sean grabbed and threw her against the wall, dislocating and disfiguring her shoulder. While Tina screamed in pain, Sean yelled abuse at her for an hour before driving her to the hospital. He then apologised profusely, begging that Lisa not pursue charges. The hospital gave Lisa the name of a local domestic and family violence service, and referred them both to joint counselling, which they attended briefly. Sean refused a recommendation to attend all male counselling.

It was six months before Lisa was given an appointment for surgery to correct her serious shoulder injury. Meanwhile, she endured significant pain, and Sean subjected her to further violence. A particularly frightening incident involved Sean lifting Lisa up and throwing her through a door frame. She managed to head butt him and knock out two of his front teeth. She later suffered another miscarriage and prolonged bleeding. When it came time for Lisa's surgery, a family member came to help out. This angered Sean too. When they left, Lisa was exhausted, managing her post-operative pain with medication, looking after the baby and older child, and sleeping on the couch to avoid confrontation with Sean. One evening, he demanded that Lisa have sex with him—as he always had—and, for the first time, she refused. He followed her around the house obsessively, and when in the baby's room, punched his fist through the wall beside her head. The next morning, Sean left for work as if nothing had happened. Lisa packed up the children and her belongings, contacted the local domestic and family violence service and organised a Centrelink support payment, and drove to another state. Lisa arranged for her other child to stay with the child's father with whom she has a healthy and constructive relationship; and Lisa and the baby went into temporary crisis accommodation until she could get set up in a rental house. She asked Sean to send money to assist as she knew he had extra cash.

Lisa had settled the children into their new home when Sean arrived wanting to see them, and seeking a reconciliation. Lisa agreed on the basis that they live in a city location. They moved into Sean's former marital home (of which he was now the sole owner under Family Court orders) and resumed an intimate relationship. Lisa insisted on a lease in the event that things did not work out with Sean. She paid the rent and utilities bills, and Sean made the mortgage repayments. Before long, Lisa experienced further serious health problems, and required extended hospital treatment. Sean refused to take leave from work to care for the children, so she was forced to take them with her to the hospital. At this point, Lisa told Sean to leave the home as she'd had enough. She asserted her rights as lessee of the property. Periods of making up and breaking up followed, however they continued sexual relations.

Sean's lawyers served an eviction notice on Lisa claiming that the property was to be sold. She vacated, and Sean moved back in; he had no intention of selling the property. Sean would often stay over at Lisa's new address, and she agreed to informal and regular overnight contact arrangements. When she refused further sexual relations, and soon after her hospital treatment, Sean made an application for 50/50 shared residence of their child, notwithstanding the child's very young age and special needs. Lisa applied for a protection order against Sean, but he persuaded her to withdraw it before service claiming that he would otherwise lose his job.

Over the following twelve months, the windows in Lisa's house and car were repeatedly smashed, and her house was broken into on multiple occasions. She is certain that Sean and his friends were the offenders. Sean also parked out the front of the house from time to time in different vehicles, and publicly abused and demeaned her on Facebook. On police advice, Lisa obtained a temporary protection order against Sean. Sean also made a cross application falsely alleging that Lisa misused alcohol during her pregnancy causing long-term harm to their child. Both applications were heard together: Lisa was granted a 12 month protection order; and Sean's application was dismissed. Lisa reported a breach of the temporary order involving Sean and others throwing rocks through her car windscreen and into her house near sleeping children. Police told her they were busy, and a photographer would attend in 24 hours. The current order allows Sean to ring the children at certain hours over the weekend. He is often stoned or drunk when he calls, and Lisa can never predict whether he'll be cooperative or aggressive.

Family Court parenting and property proceedings resulted in Sean having fortnightly access; there were two family reports prepared but the findings were not followed by the court. Lisa suspects that the protection order hearing was deferred pending the outcome of the Family Court matters, which were scheduled for a later time. Sean was told by the judge at the interim hearing that he would not succeed on his shared residence application; he persisted regardless.

Sean was legally represented, Lisa was not. She has been unable to access Legal Aid, and continues to do her best to manage these legal matters herself, with considerable difficulty. Lisa is however appreciative of the understanding and practical help she has received from local community legal services, domestic and family violence services, and court support. Lisa is still concerned for her own safety and the safety of her younger child. She believes that Sean is incapable of taking proper care of the child who often returns home after contact visits with cuts, bruises and rashes. Lisa felt frustrated and intimidated by the delays in the resolution of the protection order and parenting and property matters, and Sean's contribution to that delay.

Sandra

Key words: [Animal abuse] [Breach of protection order] [Children] [Coercive control] [Emotional abuse] [Exposing children] [Following, harassing and monitoring] [Myths and misunderstandings] [People affected by substance misuse] [People with children] [People with disability and impairment] [Physical violence and harm] [Protection orders] [Risk] [Sexual abuse] [Systems abuse] [Victim experiences of court processes] [Women]

Sandra and Gary lived in a defacto relationship for some six years, though not continuously due to Gary's violence towards Sandra. They have two children together, both boys, aged approximately three and one on separation; the younger boy has a serious genetic disability with limited life expectancy. Sandra had previously been in an abusive relationship, and suffers from post-traumatic stress disorder as a result of a physical assault by a stranger. She completed secondary education and is employed in a sales position. Gary is on a disability support pension, earns little or no additional income, and has an alcohol and drug dependency. Gary has had protection orders made against him in two different states as a result of his perpetration of domestic and family violence in two separate prior relationships.

Gary's violence towards Sandra began around six months into their relationship. He would strike out at her physically, splitting her lip; emotionally abuse her, diminishing her self-esteem; and be forceful in his sexual demands, which Sandra would strongly resist rather than acquiesce to. Sandra has a horse she has cared for and been emotionally attached to for many years. Gary would threaten to shoot the horse, or slit the horse's throat; he also threatened to kill Sandra's parents. The violence continued after their first child was born when, for example, Gary karate kicked Sandra in the leg while she was holding the young child. Both Sandra and the child were hospitalised, and Child Safety formally intervened and arranged for their temporary safe accommodation. Sandra has not ever fully recovered from her leg injury, which requires expensive surgery.

Sandra confided in close friends about the violence she was experiencing and her concerns about bringing up children in that environment. Whilst she was alert to their advice to leave the relationship, she also believed that doing so was likely to escalate Gary's violence. Sandra sought counselling during the relationship, intentionally without Gary's knowledge, to develop strategies to cope with the violence. Sandra had attempted on numerous occasions over the years to leave the relationship and relocate to areas a considerable distance away from Gary to ensure her own and her children's safety. On the birth of the second child, Sandra and the first child moved into a refuge while the newborn was being treated in intensive care at a nearby hospital for his disability related problems and before relocating the three of them to another city. On each occasion, Gary would track down Sandra and the children and seek to re-enter their lives. Focused on acting in the best interests of the children, Sandra would allow Gary to return provided he could be a responsible father towards the boys, not get into trouble with alcohol or drugs, not be violent, and not attempt an intimate relationship with Sandra.

However Gary's violence and dysfunctional behaviour continued. Sandra reported the violence to police in a range of locations, and obtained protection orders either on her own behalf or police-initiated. Following instances of attempted strangulation, stalking and telephone harassment Gary was convicted of breaches of these protection orders, resulting in brief periods of incarceration in the local watch house and suspended sentences. Gary was never charged with criminal assault or stalking.

When Sandra and the children finally left, she obtained a temporary protection order against Gary stipulating email contact only between them, as well as Family Court parenting orders stipulating that Sandra have residence of the children and Gary have contact with the first child every second weekend, and the second child for 8 hours of every second weekend. Gary paid Sandra negligible child support; Sandra was supporting the children almost entirely from her own resources. Sandra had been concerned about Gary's veiled threats not to return the older child to her, when this in fact transpired and the child remained with Gary for 28 days without attending school for eight of those days. Sandra qualified for Legal Aid and, after some delay, succeeded in child recovery proceedings against Gary. Whilst Sandra believed that Child Safety was diligent in its conduct of their part of the proceedings, she expressed frustration that police did not intervene immediately due to a belief that they have no powers in Family Court matters.

Subsequently, Gary sought a variation of the Family Court parenting orders to alter changeover from a supervised contact centre to parent-managed arrangements. In time, Sandra agreed, hoping that this would help the children feel more normal and relaxed about moving between parents; she also acknowledged that the contact centre was expensive and involved lengthy car trips, which weren't good for the children. During these negotiations, Gary succeeded in securing repeated adjournments of the final protection order hearing on the basis that the Family Court orders ought be finalised first. Once finalised, on an occasion when she felt too intimidated by Gary to be present for the changeover, Sandra asked a male friend to be there on her behalf; he was intoxicated and an altercation ensued with Gary and his new partner. Soon after, the final protection order hearing took place, and while Sandra obtained a two-year order against Gary, with the children named as protected parties, Gary applied for and obtained an identical order (commonly referred to as a cross order or mirror order) against Sandra.

Sandra reported that on the many occasions she'd had contact with police, she experienced understanding and supportive officers who were focused on ensuring that she and her children remained safe. There was only one occasion she recalled when an officer doubted the veracity of her account that Gary had arrived angry and intoxicated at her home at midnight while she and the children were asleep then escaped without trace; and queried why she hadn't taken photographs of Gary trying to enter the house. Sandra also believed that her experiences of the legal and court processes were generally positive, and despite not having perpetrated violence against Gary, she felt safer overall for having the final protection order, and confident that she would never be in breach of the order against her.