

Following, harassing and monitoring - 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.

Barbara

Key words: [Coercive control] [Economic abuse] [Emotional and psychological abuse] [Monitoring] [Older people] [People with disability and impairment] [Physical violence and harm] [Protection orders] [Sexual abuse] [Social abuse] [Women]

Barbara was a 65 year old woman referred to the Seniors Legal and Support Service by a community health service following concerns that she was being physically, sexually, financially and psychologically abused by her husband of six years, Stan.

It was initially difficult to speak to Barbara as her husband was controlling and would not allow her to have contact with people he did not know. Barbara had reported to her community health service worker that her husband abused her by:

- > Shouting, swearing and name calling.
- > Rarely leaving her alone so that she was unable to have contact with anyone without his knowledge or presence. Barbara's only outing and contact with friends was through Church as she was permitted to attend the Sunday service.
- > Intentionally tripping her on a number of occasions while knowing that she had multiple health problems and was physically frail.
- > Sexually abusing her on a regular basis and refusing to take "no" for an answer.
- > Terrifying her to the point that she feared taking any action in case he retaliated with abuse.

In addition, Barbara was financially dependent on her husband and he controlled all their finances. She was unable to receive social security benefits because of her husband's income and assets. Barbara owned the house she and her husband were living in and she was fearful that he would "trash the house" if she left him.

Barbara informed the Seniors Legal and Support Service that her husband became abusive soon after they married. His son was also disrespectful towards Barbara and she was anxious that he would move in with them. Barbara had no contact with her own daughter from a previous relationship although she did have a close relationship with her sister who lived in Adelaide. Her sister contacted her by phone daily but was unable to provide practical assistance due to distance. Her sister was also afraid of Stan.

Barbara had become socially isolated during her marriage to Stan and had lost contact with many friends and family at his insistence. She had several serious medical conditions and had been advised that her prognosis is poor and she should not expect to live long.

Barbara instructed the Seniors Legal and Support Service that she would like her husband out of her life so that she could "live in peace" for the remainder of her life.

The solicitor and social worker made initial contact by phone when Stan was at work. Barbara was provided with immediate advice on her options for a DVO and an ouster condition. Barbara was reluctant to act on this fearing that her husband's abuse and violence would escalate if he discovered she had sought legal advice. Domestic violence counselling and support was provided to Barbara in partnership with community services to help her make clear decisions about her safety and future. Safety plans put in place while Barbara continued to live with her husband.

The Seniors Legal and Support Service solicitor helped Barbara to draft a DVO application with ouster condition when Barbara decided she would separate from her husband. Care was taken to ensure her safety during this process - Barbara was only seen in a safe place, and phone calls were only made to her mobile at times when it was safe to ring. The Seniors Legal and Support Service solicitor provided legal representation for her DVO application.

The solicitor also provided advice regarding Stan and Barbara's Binding Financial Agreement and liaised with Barbara's community health service worker to assist with an application to Centrelink for income support.

Later, the solicitor also assisted with a divorce application while the social worker continued to provide emotional support and counselling as Barbara coped with the trauma of living with an abusive spouse and then made adjustments to living on her own. A psychology service referral was given but Barbara's frailty and unwillingness to trust "officials" meant she did not take this up.

With assistance over 15 months, Barbara was able to remove her husband from her home and live without violence, fear and anxiety. Barbara also wanted closure by ending the marriage and all efforts were made by the Seniors Legal and Support Service to expedite a divorce application, however, Barbara passed away prior to the hearing.