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.