



Doris is a fictional character. Read the case study in full and find out what the legal and non-legal issues are by clicking on the highlighted text on the next page.

Blue boxes represent legal issues. Orange boxes represent non-legal issues.

Doris

(Same Sex Domestic Violence, Elder Abuse, Disability, Centrelink, Pet Abuse)

Doris is 78 years old and she lives in a cottage in the Blue Mountains with her long term “companion” of 40 years, Cecily. They have two cats, Hansel and Gretel, and a canary called Manwell.

Doris was once married for a few years to a man but that relationship ended, as “something was just not right”. Doris met Cecily a year later and they enjoyed each other’s company so much that they decided to live together. Doris bought the cottage and together Doris and Cecily paid off the mortgage over the years.

Doris lives off the single age pension and a small amount of savings that she saved whilst she was working. Doris suffers from diabetes and has arthritis in her wrists, which makes doing simple tasks difficult. Cecily is 66 years old and continues to work part time at a florist but she would like to retire soon. Cecily also acts as Doris’s carer, preparing meals, cleaning and helping Doris dress and undress.

Doris doesn’t have many friends and she lost contact with her family years ago. Doris’ family didn’t like the kind of relationship she was having with Cecily. Doris spends most of her time at home – she enjoys reading and she has recently discovered online shopping, and has made a few small purchases.

Over the past year Doris has noticed that Cecily has become more “snappy” towards her Cecily often yells at Doris calling her an “old silly woman” and resents Doris’ recent online spending habits. Cecily often says things like “it’s because of you that I have to keep working”, “someone has to pay the bills around here”, “I cook, clean, do the shopping for you, while you just sit there!” “I do everything for you, I gave up everything for you, you treat me like I’m dirt!”.

Doris has noticed Cecily drinking a lot more Sherry and the yelling getting worse after she has had a few glasses. Doris feels like she is “walking on egg shells” when she is around Cecily and she is scared that she might say something that will make Cecily snap.

Case Study - Doris

Ask
LOIS



Cecily has threatened that they will have to get rid of Hansel, Gretel and Manwell as they can't afford to keep them, Cecily once picked up Gretel and held her over the verandah threatening to drop her. Doris had to plead with Cecily to stop. After that incident they agreed that Cecily should control all of the finances. Doris now has to ask for money if she needs to buy anything, including her medications.

Last week Cecily had an outburst and she pushed Doris into the wall, Doris fell to the ground and broke her right shoulder. When the ambulance arrived Cecily told the ambulance officers that Doris is getting clumsier in her old age and that she tripped over her skirt.

Doris is in the hospital and a nurse asks her if she feels safe at home, Doris starts crying telling the nurse that she doesn't feel safe anymore and that she doesn't know what to do.

The nurse has contacted your service for assistance.



Legal and Non-Legal Issues

Doris is 78 years old and she lives in a cottage in the Blue Mountains with her long term “companion” of 40 years Cecily.*

**Doris may be in a same sex relationship. As she is using language such as “companion” she may not be “out” as a lesbian or as same sex attracted. Handy Tip! Make Doris feel comfortable and then ask her direct questions about her relationship with Cecily. It is easier for gay and lesbian clients if you ask them about their relationship rather than leaving it to clients to “out” themselves. (LINK to LGBTIQ PAGE)*

They have two cats, Hansel and Gretel, and a canary called Manwell.

Doris was once married for a few years to a man but that relationship ended as “something was just not right”. Doris met Cecily a year later and they enjoyed each other’s company so much that they decided to live together. Doris bought the cottage and together Doris and Cecily paid off the mortgage over the years*.

** If Doris and Cecily separate, Doris will need to get legal advice regarding the property as Cecily will have rights to the cottage as her de facto partner. See our webinar on ‘Property Settlement’. (LINK to FACT SHEET)*

Doris lives off the single age pension and a small amount of savings that she saved whilst she was working*.

** If Doris is in a same sex relationship and receiving the single age pension she may get into trouble with Centrelink. In 2009 the laws changed to view same sex couples as equal to heterosexual couples for Centrelink purposes. Doris may not have been aware of this new law or has preferred to not “out” herself to Centrelink. If Doris needs legal advice about this issue she can contact the Welfare Rights Centre which is a specialist legal centre that deals with Centrelink issues: www.welfarerights.org.au*

Doris suffers from diabetes and has arthritis in her wrists, which makes doing simple tasks difficult*.

** Women who have disabilities experience a greater rate of domestic violence than women without disabilities particularly from paid and non-paid carers. See the Disability Services page for more information about domestic violence and disability. (LINK to DISABILITY PAGE)*



Cecily is 66 years old and continues to work part time at a florist, she also acts as Doris' carer preparing meals, cleaning and helping Doris dress and undress*.

** If Cecily is acting as Doris' carer she may be entitled to the Centrelink Carer's payment. See the Centrelink website for more information. (LINK to www.centrelink.gov.au)*

Doris doesn't have many friends and she lost contact with her family years ago. Doris' family did not like the kind of relationship she was having with Cecily*.

** Doris has become socially isolated from her family and doesn't have many friends. For gay and lesbian people experiencing domestic violence, they may face increased challenges accessing informal support due to not being "out", due to a lack of family support and due to not wanting to lose their connection to the gay and lesbian community by disclosing violence. See www.anothercloset.com.au for more information about domestic violence in gay and lesbian relationships.*

Doris spends most of her time at home – she enjoys reading and she has recently discovered online shopping, and has made a few small purchases.

Over the past year Doris has noticed that Cecily has become more "snappy" towards her, Cecily often yells at Doris calling her an "old silly woman" and resents Doris' recent online spending habits. Cecily often says things like "it's because of you that I have to keep working", "someone has to pay the bills around here", "I cook, clean, do the shopping for you, while you just sit there!" "I do everything for you, I gave up everything for you, you treat me like dirt!"*.

** Making a partner feel guilty is a form of emotional/psychological abuse, which is a form of domestic violence. See the fact sheet 'Emotional Abuse is Real'. (LINK to [FACTSHEET](#))*

** Doris can also call the Elder Abuse Helpline on 1300 651 192.*

Doris has noticed Cecily drinking a lot more Sherry and the yelling getting worse after she has had a few glasses*.

** If Doris wants to apply for an Apprehended Domestic Violence Order (ADVO) she could request an order that says the defendant is not allowed to contact the protected person within 12 hours of consuming alcohol or drugs. This is an additional order, which can be included in AVOs. See the AVOs resource page for more information (LINK to [AVO Resources page](#)) and our webinars and factsheets on AVOs (LINK to [PAST WEBINARS](#)).*



Doris feels like she is “walking on egg shells” when she is around Cecily and she is scared that she might say something that will make Cecily snap.

** Feeling scared of a partner or feeling like you are “walking on egg shells” is a sign of domestic violence. See the Legal Aid Legal Issues for Older people pamphlet ‘Are you experiencing violence or abuse?’ for more information. (LINK to FACTSHEET)*

Cecily has threatened that they will have to get rid of Hansel, Gretel and Manwell as they can’t afford to keep them, Cecily once picked up Gretel and held her over the veranda threatening to drop her. Doris had to plead to Cecily to stop*.

** The abuse of pets/animals is a form of psychological abuse, which is a form of domestic violence. The RSPCA runs a ‘Safe Beds for Pets’ Program, which provides low cost accommodation for, pets whose owners are escaping an abusive relationship. See the RSPCA website for more details: www.rspcansw.org.au/programs/safe_beds_for_pets*

For more information, see our webinar and factsheet on ‘Domestic Violence and Pets’ (LINK to PAST WEBINARS).

After that incident they agreed that Cecily should control the finances. Doris now has to ask for money if she needs to buy anything, including her medications*.

** Doris is experiencing financial abuse, which is a common form of domestic violence. See the Power and Control Wheel for more insight into how financial abuse is used for power and control. (LINK to DIAGRAM)*

Last week Cecily had an outburst and she pushed Doris into the wall*.

** The violence in Doris’s relationship has now escalated to physical abuse. Physical abuse is a form of domestic violence. See the fact sheet ‘Domestic violence and your safety’ for more information about the forms and dynamics of domestic violence. (LINK to FACTSHEET)*

** The latest incident of physical abuse by Cecily would be grounds for police to apply for an Apprehended Domestic Violence Order for Doris’ protection. If Doris was not “out” as having a relationship with Cecily, an ADVO can still be applied for on the grounds that Doris and Cecily are “flat mates” and/or that Cecily is Doris’s carer. The police could also charge Cecily with assault.*

** Doris can still have an AVO for her protection and continue to live with and be cared for by Cecily if that is what she wants. See the pamphlet ‘Apprehended Violence Orders’ for more information (LINK to PAMPHLET) and our past webinars and factsheets on AVOs (LINK to PAST WEBINARS).*



** Doris should keep a diary of all the incidents of abuse she experiences including verbal, psychological/emotional and physical abuse. This will assist her with applying for an AVO as well as recording any breaches of the AVO. See the 'AVO Breach Book' for more information. (LINK to AVO Breach Book)*

** Doris can be referred to the Women's Domestic Violence Court Advocacy Service for help with going to court and applying for an AVO. (LINK to WDV CAS)*

Doris fell to the ground and broke her right shoulder. When the ambulance arrived Cecily told the ambulance officers that Doris is getting clumsier in her old age and that she tripped over her skirt*.

** Cecily lying about what happened to Doris is another sign of domestic violence, as she does not own up to her actions.*

Doris is in the hospital and a nurse asks her if she feels safe at home, Doris starts crying telling the nurse that she doesn't feel safe anymore and that she doesn't know what to do.

The nurse has contacted your service for assistance.

** Doris may need the support of a specialised gay and lesbian support service to assist her with the stress of her relationship being abusive and breaking down. See the LGBTIQ page for specialist services (LINK to LGBTIQ PAGE)*

** Doris may want to talk to a Gay and Lesbian Liaison Officer (GLLO) who is a police officer that is specifically trained in gay and lesbian issues and can assist gay and lesbian people to feel comfortable reporting violence to the police. See the NSW Police 'Sexuality and Gender Diversity Page: www.police.nsw.gov.au/community_issues/gay_lesbian_and_transgender_issues*

** Doris can also be referred to The Aged Care Rights Services (TARS) which includes the Older Persons Legal Service which is a specialised legal service for older people in NSW.*

**Doris should be asked about her caring needs and if she can stay in the cottage by herself or whether she will need alternate accommodation.*

**Doris may be entitled to the Centrelink Crisis payment which can assist people who are escaping domestic violence. See the Living without violence 'Centrelink and Domestic Violence' fact sheet for more information. (LINK to FACT SHEET)*



** Doris should seek legal advice about personal injury and victims support – to ensure that she knows about all her legal options as a victim of violence. For more information on victims support see the Victims Services website: www.victimsservices.lawlink.nsw.gov.au*

** For more information, see our webinar and factsheet on ‘The New Victims Support Scheme’ (LINK to PAST WEBINARS).*

** Doris may benefit from having counselling to help her heal from the domestic violence that she has experienced. Victims Services offers 10 hours of free counselling for victims of crime including victims of domestic violence. For more information see the Victims Services website for details: www.victimsservices.lawlink.nsw.gov.au*