

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Submitted online

15/8/2018

**Submission in Response to the Senate Inquiry
The Practice of Dowry and the Incidence of Dowry Abuse in Australia**

Thank-you for the opportunity to make a submission in response to the Senate Inquiry on the practice of dowry and the incidence of dowry abuse in Australia.

The Women's Council for Domestic and Family Violence Services (WCDFVS) endorses the submissions made by the Harmony Alliance – Migrant and Refugee Women for Change and the submission by Australian Women Against Violence Alliance (AWAVA) in relation to the dowry abuse.

ABOUT THE WOMEN'S COUNCIL FOR DOMESTIC AND FAMILY VIOLENCE SERVICES

The WCDFVS is the peak non-government body in Western Australia committed to improving the lives of women and children in society, and ensuring they live free from family and domestic violence. The organisation provides a voice on domestic and family violence issues to help facilitate and promote policy, legislative and programmatic responses relevant to women and children who have experienced domestic and family violence.

The organisation has five core functions: promoting the protection of women and children through representing their needs to policy and decision makers; representation and advocacy on a range of national committees and advisory bodies; community education; research and training on emerging issues and trends related to FDV; and information and referrals to sections of the community that would provide appropriate help to women and children.

The WCDFVS has a few key goals:

- To strengthen their unified voice on domestic and family violence issues.
- To maintain the Women's Council for Domestic and Family Violence Services (WA) as an independent viable and credible organisation.
- To improve the access of women and children to Women's Refuges and services who are experiencing domestic and family violence.

- To provide leadership in the area of domestic and family violence issues to key stakeholders and the community.
- To increase the community awareness of the incidence, effects and responses to domestic and family violence.
- To collaborate with key stakeholders in the development of policies, legislation and programs which impact on women and children experiencing domestic and family violence.
- To ensure access and equity for all members in remote/rural locations.

Gendered Nature of Dowry Abuse

Dowry is the practise in some cultures of the exchange of gifts at the time of a marriage. The exchange can be from the wife's family to the future husbands family or vice versa. The gifts can be substantial in nature and include direct cash, gold jewellery and/or property. The practise of dowry may be associated with future abuse and controlling behaviour usually by the husband and his family.

The payment of a dowry is reflective of a patriarchal practise that sees women as chattels that have a price, they can be purchased, when a dowry is paid. Or a woman has a value attached to them and the value of gifts that she brings is then owned by the husband.

Dissatisfaction with the amount of dowry paid or acquired after marriage can contribute to domestic and family violence in the marriage. This abuse and violence of the wife can be at the hands of the new husband and/or his family members.

Where the practice of dowry occurs in Australian communities the added issues of women on temporary visas, who have come to Australia to marry but are not on a partner visa are at further risk. The lack of provisions in the Migration Act to cover all dependant visa categories with DFV provisions puts many women further at risk of DFV. Their temporary visa status may result in them not leaving a violent partner due to the threat and fear of deportation.

Currently we have no idea of the numbers of women who are or have experienced abuse and coercive control behaviour from a partner that is in part linked to issues with their dowry. It is only this year that there has been a national call to collect data on the numbers of women and children in Australian refuges, who have experienced DFV and are on temporary visas without access to Centrelink or Medicare. Many of this group would also have been subject to dowry abuse as a part of the pattern of DFV behaviour.

Anecdotally the WCDFVS has heard of women being afraid to leave a violent partner here in Australia because of fear of the repercussions to her family in her country of origin. Cattle given as dowry would be taken and her family would suffer.

We spoke with a young Sudanese woman raised in Australia whose dowry price was \$40,000. The money, when paid was divided between her parents, aunts and uncles.

Recommendations

1 That the Australian Government expands the definition of family violence in the Family Law Act 1975 to include dowry abuse.

2 Under the fourth National Action Plan to Reduce Violence against Women and their Children there is a project to collect data on dowry abuse. This could be introduced as standard practice at clinics and service providers dealing with cases of domestic, family and sexual violence. Given the sensitive nature of this

information, it would need to be collected in a culturally competent and trauma informed manner.

3 The Migration Act 1958 and associated regulations should be expanded to include dowry abuse, and should be applicable to all relevant visa categories. The current family violence provisions are primarily available to partner visa applicants, which excludes many women on other kinds of visas at risk of dowry abuse. At a minimum, family violence provisions should be extended to all other 'dependent' visa categories, such as secondary applicants to skilled and student visas

4The government is should ensure that all relevant information outlining rights and responsibilities of residents and citizens in Australia, includes information regarding zero-tolerance of violence in any form, including dowry abuse. This information should include details of where to seek help for both victims and potential perpetrators. It could be included in pre-arrival stages of migration, including the letter of visa grant.

Once again we thank you for the opportunity to provide input to this consultation. If you would like to discuss the contents of the submission further, please contact Kedy Kristal, Policy Officer, using the details below.

Kedy Kristal

Policy Officer

Women's Council for Domestic and Family Violence Services