



Empowering Communities
through Knowledge
and Research.

Australasian Centre for Human Rights and Health

www.achrh.org

3.3/20 Collins Street, Melbourne

Victoria 3000. Australia

12 April 2017

“Family Law support for culturally diverse communities affected by Family Violence”

Foreword

The Australasian Centre for Human Rights and Health (ACHRH) is grateful for the opportunity to present this submission “*Family Law support for culturally diverse communities affected by Family Violence*” to the PARLIAMENTARY INQUIRY INTO A BETTER FAMILY LAW SYSTEM TO SUPPORT AND PROTECT THOSE AFFECTED BY FAMILY VIOLENCE

This submission addresses the following terms of reference

- how the family law system can more quickly and effectively ensure the safety of people who are, or may be affected by family violence, including by:
 - a. facilitating the early identification of and response to family violence; and
 - b. considering the legal and non-legal support services required to support the early identification of and response to family violence;

- how the family law system can better support people who have been subjected to family violence recover financially, including the extent to which family violence should be taken into account in the making of property division orders;
- how the capacity of all family law professionals—including judges, lawyers, registrars, family dispute resolution practitioners and family report writers—can be strengthened in relation to matters concerning family violence

Recommendation 1-Legal and justice systems interventions are critical to violence reduction in immigrant communities and resources should be allocated accordingly.

Recommendation 2 – ACHRH recommends that Family Laws should be culturally sensitive to uphold immigrant women’s rights and to include definitions of culturally harmful practices such as dowry and bride-price also known as Lobolo in some cultures.

Recommendation 3- Family Laws to be amended to include ‘dowry’ and ‘bride-price’ or Lobolo as wealth belonging to the payer and to be returned fully after breakup of the marriage.

Recommendation 4- Cultural education on dowry and bride-price also known as Labola should be provided for Judges, Magistrates, and Police.

Recommendation 5- ACHRH respectfully recommends that this Parliamentary hearing make a request to the Attorney General’s office to examine the insertion of term “dowry extortion” as an example of extortion .

Recommendation 6- Strongly worded statement describing penalty for making false statements. One such penalty would be charge of perjury with ramifications for permanent residency status.

Recommendation 7- We recommend formation of a National Steering Committee on Dowry and Lobola, a group comprising community leaders and legal experts among others, under the guidance of the Federal Government

Information about the Australasian Centre for Human Rights and Health (ACHRH)

The ACHRCH was launched in September 2012.

ACHRH's vision is to create happy communities. Our mission is to build individual and community resilience through harmony in the home, positive mental health, and mutual cultural respect.

ACHRH primarily works with and provides services to immigrants from the Indian Subcontinent and South Asia. ACHRCH undertakes community research, and runs targeted evidence based programs designed to challenge entrenched cultural biases against women and girls. In addition, to its front line work, ACHRH is the only Australian based think tank which focuses on finding solutions to the problem of gender power imbalance, gender inequality, and domestic violence in the Indian and South Asian community. ACHRH regularly makes submissions to influence government policy.

ACHRH commenced a campaign against dowry in Australia in 2012. In 2015 ACHRH made a submission in to the Victoria Royal Commission into Family Violence (**RCFV**). As a result of the work undertaken by ACHRCH, the RCFV recommended that the definition of economic abuse under section 6 of the *Family Violence Protection Act 2008* (Vic) be expanded to include dowry related abuse.¹ .

ACHRH supports migrant settlement into Australia through cultural awareness, understanding. Further the ACHRH works to ensure that migrant communities have an appreciation of Australian mainstream cultural values. ACHRH has been funded by the Commonwealth of Australia to run an ACHRH designed Australian Culture Awareness course for migrants titled "*Mutual Cultural Respect*". In 2016, ACHRH received a Multicultural award for Innovation for "*Mutual Cultural Respect*" program.

ACHRH completed an action research project with South Asian using theater –*Natak Vihar* Sanskrit for theatre space in 2016 and hosted a National Anti-dowry Summit in 2017. More information can be obtained by visiting www.achrh.org

¹ Recommendation 156 of the Royal Commission into Family Violence, March 2016.

Method

ACHRH considers that dowry and dowry related abuse is a catalyst for emotional, physical abuse, violence in the Indian, the South Asian, Chinese, African and the Middle-Eastern communities.

This position is based on:

- information received by, and consultation with members of the Indian and other Asian communities;
- the media. A recent media report has linked two domestic violence deaths to dowry (The Herald Sun 23/4/2015)
- action research based on the Indian community in Australia, conducted in collaboration with the University of Melbourne and clinical data of its Founder and Director, Dr Manjula O'Connor, Psychiatrist.

Role of the Family Law System in Preventing Family Violence Family violence is a complex problem with multiple interacting factors at play leading to the development of ecological model of family violence. The role of societal and cultural factors are considered important in genesis of family law (WHO 2012).

ACHRH considers that the Family law plays a significant role in maintaining the human rights of women and children by:

- acting as a deterrent to potential perpetrators of family violence; and
- reinforcing the benefits of law and order to the community as a whole.

Strong and responsive law and order structures ultimately reduces the violence level. This was highlighted in Steven Pinker's book 'The Better Angels of Our Nature', where he states that rates of family violence are lower in well-functioning states with strong law and order as opposed to states where law and order is not well maintained.

Primary prevention aims to lower the rate of partner violence at a community level and stop violence before it starts (WHO 2012) .

Secondary Prevention involves activities that focus on reducing the rate of repeat violence against women who have already experienced abuse. This could include for example screening women for partner violence in health care settings, to enable early identification and referral to support services.

Tertiary prevention programs are designed to mitigate the negative impacts of violence that has already occurred. A well-functioning Family Law system, acts as a tertiary prevention program, by giving women and children the means to escape family violence situations. Ensuring there is access to Family Law system protects women and children and, accordingly, reduces the negative impacts of family violence.

Family law systems, also have a crucial role to play in lowering family violence across all communities including those that are culturally and linguistically diverse (**CALD**). By taking a strong stand against family violence, the family law system acts as deterrent by sending a positive message to the whole community of unacceptability of certain practices (STRIVE 2011) and helps play a role in Primary Prevention.

Recommendation 1-Legal and justice systems interventions are critical to violence reduction in immigrant communities and resources should be allocated accordingly.

Dowry or Bride Price

In the CALD communities, there are a number of barriers which act to impede the lowering the rates of family violence. Vichealth (2013) research shows in CALD communities there is greater acceptance of practices which maintain attitudes that are supportive of violence against women, these include, a culture of male dominance, and gender inequality which in turn upholds societal expectation of male privileges (Pease 2012). This leads to higher probability of partner violence (WHO 2012).

Dowry demands or bride-price also known as Lobolo is one such practice that strengthens the patriarchy, by maintaining and perpetuating a groom's sense of entitlement over the bride, and her wealth (Rao and Bloch 2002). In the long run this practice contributes to a culture which devalues and demeans women.

Dowry is defined by the Merriam -Webster dictionary as money or property that a wife or wife's family gives to her husband when the wife and husband marry in some cultures . Based on published research with Victorian Indian population (Colluci and O'Connor et al, 2013; O'Connor and Colluci 2016, O'Connor 2017) ACHRH has refined the definition to include dowry as "substantial gifts" given in the context of a marriage, where the value of "substantial gifts" is not commensurate with the income of the families (RCFV Report 2016, Vol 5 p 113).

The harmful impacts of coercive dowry demands by the groom and his family are well documented in the Indian academic and popular literature. Further, this archaic practice is also documented in other countries for example China, Pakistan, the Middle East and Africa.

There is evidence that dowry demands exists in Australia and is causing significant physical and mental health damage to women of certain ethnic groups (see Australasian Centre for human rights and health submission to the Victorian Royal Commission into Family Violence). Indeed there have been media reports of one suicide in Victoria (Times of India 25/6/2016), and two homicide which are linked to "inadequate dowry" – one of Indian and another of Chinese woman (Aragoon 2015)

International research on prevention of violence report by STRIVE (2011) cites research which shows that owning property acts as a protective factor against dowry related harassment in India.

Although a substantial proportion of all women in India are given dowry and an unknown number suffer non-violent dowry demands, only 3% of the *propertied* women faced dowry related beatings compared with 44% without property (Bloch and Rao 2002). Studies have shown a similar correlation between property ownership and lower levels of dowry beatings in Sri Lanka.

The problem of dowries or bride prices, is also prevalent in certain African communities. In the African tradition dowry related violence generally takes a different form. The man pays bride-price also known as Lobolo to her family before the marriage. The price is negotiated beforehand and depends on her education, and other characteristics. In African tradition the bride price does not escalate into coercive demands after the marriage. It is paid in cows or \$1000 per cow to families back in Africa, usually countries from the horn of Africa or to the parents here. The amount can be anything up to \$100,000.

At the National Anti-dowry Summit hosted by ACHRH in Melbourne on 13/12/16 (Appendix 3 – ACHRH Newsletter. Report attached) two prominent African leaders – one from Victoria and the other from Brisbane spoke about the harm caused by the sense of entitlement and ownership over the wife conferred by the payment of bride-price. The woman is unable to leave her husband as she has been “paid for.”

On the other hand many African women consider it an honour that her father has been paid for her upbringing and are reluctant to give up the tradition. A breakup of marriage as a result of for example domestic violence can therefore be difficult. Another form of the violence directed against young African women in Australia occurs where her parents have already accepted a higher bride price from a man whom she does not wish to marry. And according to one case (personal communication) the new man who was the young woman's preferred partner was beaten and thrashed by her biological family and told to disappear.

The Victorian Royal Commission into Family Violence report (2016) observed that the dowry problem in Victoria is substantial, and evidence of its existence is to be found in South Asian, African and other ethnically diverse communities and made a recommendation (#156) to include dowry in the Family Violence Protection Act of Victoria 2008.

Recommendation 2 – ACHRH recommends that Family Laws should be culturally sensitive to uphold immigrant women's rights and to include definitions of culturally harmful practices such as dowry and bride-price also known as Lobolo in some cultures.

The phrase "dowry violence" refers not to the dowry paid at the time of the wedding, but to additional escalating, coercive payments demanded by the groom's family after the marriage. The additional dowry is often paid to stop the husband from systematically beating and /or abusing the new wife. Research into dowries in India (Bloch and Rao 2002) has shown that women whose families pay smaller dowries suffer increased risk of marital violence. So do women who come from richer families, from whom resources can more easily be extracted. This point has been noted in Victoria (see Appendix 1 - letter written by wife, a dowry victim-attached). The young woman in this letter describes her harsh experience when she married an Australian-Indian man who was disappointed at the lack of dowry brought by her.

Many Australian-Indian residents will return to India to have an arranged marriage. These grooms are able to command big dowries, due to their residency status in Australia - a first world country. After the new wife's arrival in Australia, a substantial percentage of men start to make further demands (RCFV Report 2016) that are often coercive. When they are rejected by the new bride violence against her begins, followed by the breakup of the marriage with significant mental health damage for her. (Appendix 2 – academic paper by Dr Manjula O'Connor 2017 –attached).

The cultural tradition holds that the daughter-in-law's gold jewellery and other material wealth such as a car, white goods, furniture etc. is kept in India by the mother-in-law, while substantial cash given as dowry is transferred into the groom's hands . In many instances the young women bring bed linen, kitchen utensils, furniture etc. from their country. The amount of dowry paid can run into upwards of hundred thousand dollars.

The RCFV, also observed that the problem of dowry demands is "exacerbated" by the fact the women are often dependent on their husband's for their Australian visas or residency. Even in circumstances, where women do try to seek help, they are unsuccessful due to cultural and linguistic barriers, and a lack of mainstream awareness about dowry demands. Some women have complained that "they were made to look foolish when they made a request to commence legal proceedings to reclaim their dowry and/or been suspected of making false claim of permanent residency status

under the Immigration Law as the husband denies ever making demands for more dowry or hurting the woman. This can have dire consequences for the woman's future. But despite making false statements in legal jurisdictions her husband continues life uninterrupted in Australia, with her wealth under his control, while the woman feels powerless, unheard, devalued and humiliated, often developing depression, Post-Traumatic Stress Disorder or Panic Attacks" (personal communication Dr. Manjula O'Connor).

Recommendation 3- Family Laws to be amended to include 'dowry' and 'bride-price' or Lobolo as wealth belonging to the payer and to be returned fully after breakup of the marriage

Recommendation 4- Cultural education on dowry and bride-price also known as Labola should be provided for Judges, Magistrates, the Police.

ACHRH suggest that the term 'dowry extortion' applies to cases such as this and although extortion is a criminal offence in the Commonwealth Criminal Act, it is unlikely to be used by a spouse whereas the words 'dowry extortion' would be understood by the victims, the police and Judiciary and act as very strong deterrent.

Recommendation 5- ACHRH recommends that this Senate hearing make a request to the Attorney General's office to examine the insertion of term "dowry extortion" as an example of extortion.

Clinical cases seen in Dr. Manjula O'Connor's Psychiatric Practice have revealed serious difficulties encountered by majority of victims when reclaiming dowry, in part due to straightforward denial by husbands of ever taking any dowry (Personal Communication, M O'Connor 2017). This problem of denial needs to be tempered by the knowledge that arranged marriages held in India are most often held in strong traditional custom and dowry gifting is an inevitable part of such marriages. Strongly worded statement clearly stating penalty for making false statements will have a deterrent effect. ACHRH strongly recommends such perjury like any other criminal offence should have ramifications for Australian permanent residency status

Recommendation 6- Strongly worded statement describing penalty for making false statements. One such penalty for perjury would be ramifications for Australian permanent residency status.

In Australia, following the breakup of a marriage, as per the Family Laws all household goods, cash, gold etc. go into the pooled family wealth to be divided up. Often the husband has lived in Australia for a longer period of time and, as a result, has more assets than the wife. Further, there are no specific protections in the law which address the issue of women who have provided a significant dowry. As a result the woman is unable to re-claim her dowry.

A court may consider a dowry like payment as an “initial contribution” made by the wife, which would justify a finding that the wife is entitled to a greater percentage of the asset pool in the divorce.² However, in a number of cases women have made applications to the Family Court of Australia seeking that divorce applications be heard and determined in India so that issues of dowry payments can be properly ventilated.³ Further, the court will only take into account family violence in assessing a party's contributions in the most “exceptional” cases.⁴

In India, the law considers dowry as '*stridhan*' or '*woman's wealth*' and is the sole property of the woman. Upon breakdown of the marriage the law dictates that all the

² See the case of *Yellin v Temple* [2013] FCCA 360. See also comments of Judge Monahan in *Mehra v Bose* No.3 [2013] FCCA2273, at [68] (**Mehra**).

³ See for example *Mehra and Russel v Russel* (No..5) [2012]FAMCA 917. Also observe in the case of *Singh v Singh* 44 Fam LR 85, the court granted an injunction preventing the wife from commencing proceedings under the *Dowry Prohibition Act* 1961.

⁴ *Kennon and Kennon* [1997] FamCA 27

dowry must be returned to her. The ACHRH considers that if such an approach should be adopted by the Australian Family Law. Alternatively, further training should be given to judicial officers and lawyers about the operation of dowry, and the proper allocation of dowry in a divorce. This would ensure that women leaving dowry demand situations, can recover amounts, often paid under duress, to their husbands. Further, such reform would also be fundamental to changing community attitudes towards dowry.

The ACHRH recommends that the Family Law System needs to implement change to ensure that the plight of women who are victims of dowry demands is properly recognised.

Similarly, a culturally sensitively framed law targeted at African communities, which allows men to reclaim the bride –price may make it easier for women to obtain divorce and enhance safety for themselves and their children.

The couples, the Police and the Courts would find direction if the Family Laws were sensitive to the problems being caused by this cultural tradition.

Australia is a land of immigrants and we are a multi-cultural society. South Asian migrants are now the 3rd largest migrant group after the English and the Chinese (ABS 2014). The ancient cultural tradition of dowry taking and giving is not likely to disappear, it may however change over time. We believe that a clear guidance from the Family Law to return dowry or bride-price to the payer following break up of marriage will assist in lowering violence related to this practice in diverse communities.

Dowry and Lobolo are nationwide issues with limited awareness of their role in Family Violence. Awareness of a problem is the first step towards solving the problem.

Accordingly we recommend formation of a National Steering Committee on Dowry supported financially and administratively by Federal Government. Dowry giving and taking is an ancient practice and is not likely to disappear, it may however change over time and we aim for it to become merely a symbolic practice.

Recommendation 7- We recommend formation of a National Steering Committee on Dowry and Lobola, a group comprising community leaders and legal experts among others, under the guidance of the Federal Government

If given an opportunity, we would be keen to appear in front of the enquiry to explain and expand on the subject matter,

References

- Aragoon A. Herald Sun. 3/4/2015. Dowry links to murders in Victoria.
<https://www.google.com.au/search?q=Aragoon+A.+Herald+Sun.+2015.dowry+related+murders+in+Victoria&oq=Aragoon+A.+Herald+Sun.+2015.dowry+related+murders+in+Victoria&aqs=chrome..69l57.1818j0j8&sourceid=chrome&ie=UTF-8>
- Australian Bureau of Statistics (2013-14). Migration Australia 2013-14. Viewed 11/4/15.
<http://www.abs.gov.au/ausstats/abs@.nsf/mf/3412.0/>
- Australasian Centre for Human Rights and Health. 2015. Submission to Royal Commission into Family Violence. Refusal to comply with dowry demands leads to violence and murder in Australia dowry related family violence. www.achr.org.
- Colucci, E., O'Connor, M., Field, K. Baroni, A., Pryor, R., & Minas, H. (2013). Nature of domestic/family violence and barriers to services among Indian immigrant women. *Journal Alterstice, special issue Family Violence in Culturally Diverse Communities.*
- Francis Bloch, Vijayendra Rao. 2002. Terror as a Bargaining Instrument: A Case Study of Dowry Violence in Rural India. *American Economic Review* 92(4):1029-1043
- O'Connor Manjula & Colluci Erminia. 2016. *J of Transcultural Psychiatry*. Vol 53(1), 24-44.
- O'Connor Manjula. 2017. Dowry related domestic violence and complex post-traumatic stress disorder- a case study. *Australasian Psychiatry*. 28 March 2017. DOI: 10.1177/1039856217700464
- Pease Bob. 2010. *Unearned advantage in a divided world*. Zed Books. London; New York.
- Pinker s Steven. 2011. 'The Better Angels of Our Nature. Why violence has declined '. New York, NY: Viking.
- Royal Commission into Family Violence Report and Recommendations. Vol 5. Page 113. 2016.
- STRIVE research consortium. UK. 2011. WHAT WORKS TO PREVENT PARTNER VIOLENCE? An evidence overview. Lorri Heise .

<https://assets.publishing.service.gov.uk/media/57a08abde5274a31e0000750/60887-PartnerViolenceEvidenceOverview.pdf>

- Times of India. 25/6/2016. In-laws held in Oz woman suicide case.
<http://timesofindia.indiatimes.com/city/hyderabad/In-laws-held-in-Oz-woman-suicide-case/articleshow/52909533.cms>
- WHO. 2012. Understanding and addressing violence against women. Health consequences.
http://apps.who.int/iris/bitstream/10665/77431/1/WHO_RHR_12.43_eng.pdf

Appendices attached

- [Appendix 1- Letter from a wife –victim of dowry abuse](#)
- [Appendix 2- Academic paper by Dr Manjula O'Connor ' Dowry related domestic violence and complex PTSD'](#)
- [Appendix 3- ACHRH Special Anti-dowry Summit Newsletter](#)

Acknowledgment

Thanks to Priya Wakhlu, Solicitor for reviewing the document

Many thanks to women who bravely share their stories so other lives may improve

Contact Person

For Further information please contact

Letter from a new wife on dowry

Dowry is the practice where the bride brings in money or property to her husband's house, with its value demanded by the groom and his family and often accompanied by ill treatment of the bride if the demands are not met.

Under the 1961 Dowry Prohibition Act, offering or accepting dowry is prohibited and is a punishable act that calls for imprisonment up to two years. Yet the practise continues throughout all tiers of society and sadly **affluence and education has still not combated dowries in India and Australia.**

Affluent Indian families

Amongst the literate and the affluent communities of modern day India, dowry is not an acceptable norm. The era of forced arranged marriages are giving way to a more liberal process. A girl can choose her partner and **neither the bride-to-be nor her family see the need to offer dowry for a good marriage alliance.**

There are families who will reject marriage proposals for their daughters if someone seeks dowry; this is now possible as the modern day Indian girl is highly educated, independent and has the freedom to choose her groom. *However this does not completely protect all young brides from the consequences of the dowry.*

My name is _____ (name changed to protect the identity) I am 31 year-old modern girl raised and educated in India. My parents are educated and belong to the middle strata of society. Like every girl I have dreamt about my wedding day since adolescence.

I dated a guy online who lived in Australia and I decided to get married to him with the blessing of both parents. *The matter of dowry was not discussed as myself and my parents considered it to be a vicious practice.* I left my parents and job back in India to live a Happy Life with my husband in Australia and my parents believed I would be treated the way I was treated back home.

Few weeks after I arrived in Australia, I felt that my husband was not happy that my parents didn't give him and his extended family expensive gifts on wedding.

My parents did give me some money to carry on, which he took by saying we live together so I am going to handle that. Whenever I used to ask him for money like I need to buy something, he would taunt me by saying did you use to get money at your home? *Your parents didn't give you much money for Australia so just survive without it.*

Even when I started working, I was not allowed to buy things on my own or check money online. I had to ask him 100 times before buying anything.

He used to help his family financially but I could not send anything to my family because I am a girl and didn't bring any dowry with me.

I was asked to stop talking to my family because he didn't like them and had been threatened million times that I would be sent back to India if I do not agree to his terms.

The mentality of these guys has not changed at all, even if they have become citizens of Australia. They think women should bring dowry to compensate them for taking on the burden of marrying a woman. Once married the woman is to be just confined to household chores and should not utter a word. Whether she is educated, working, earning income is immaterial.

Sent to
abuse , 2014.

Consultant Psychiatrist by a patient , victim of dowry

Dowry-related domestic violence and complex -post-traumatic stress disorder: a case report

Australasian Psychiatry

1–3

© The Royal Australian and
New Zealand College of Psychiatrists 2017

Reprints and permissions:

sagepub.co.uk/journalsPermissions.nav

DOI: 10.1177/1039856217700464

journals.sagepub.com/home/apy



Manjula O'Connor Hon Sen Fellow, Department of Psychiatry, The University of Melbourne, Melbourne, VIC, Australia

Abstract

Objectives: This paper draws attention to the mental health impact of coercive practice of dowry demands, associated with domestic violence (DV) in an immigrant woman.

Methods: This study was based on a case report and selective literature review.

Results: This case history illustrates the serious mental health impacts of repeated emotional and physical trauma inflicted by a husband who was dissatisfied with his wife's dowry. Bio-psycho-social / cultural aspects of mental health treatments needed to be augmented with attention to safety, advocacy, and access to support networks.

Conclusions: Cultural factors are important determinants of mental illness. Psychiatrists need to be aware of DV and dowry when treating immigrant women.

Keywords: domestic violence, immigrant woman, dowry, mental illness

Globally 1 in 3 women suffer domestic violence.¹ Australia is no exception.² Domestic violence (DV) is increasingly being recognized for its serious mental health consequences^{1, 3} and is found to be responsible for 8% of burden of health, predominantly mental health, for women aged 15–44 years, greater than smoking or hypertension.⁴ DV is a complex issue. The ecological model of Heiss et al.⁵ illustrates the interactions between societal, cultural, family and individual factors that can give men the position of power, dominance and control over women and children. The social model of women's mental health posits that women's social positions make them more prone and vulnerable to poor mental health outcomes.⁶ South Asian cultures predominantly practice patriarchy, a practice that disadvantages women at multiple levels: societal, familial and individual.⁷ Dowry is a South Asian cultural practice where harassment by in-laws on issues related to dowry is reported to be a major factor associated with poor mental health and suicides in women⁸ and is also a determinant of DV.⁸ Notably, the husband's unsatisfactory reaction to dowry is said to be strongly associated with common mental disorders in Indian literature.⁹

Australia is a highly multicultural country.¹⁰ The intermingling of many different cultures and ethnicities results in hybrid identities and hybridization of cultural practices.¹¹ In this rapidly changing trans-migratory world, studying the lives of individuals is crucial to the study of cultural factors, which are increasingly recognized as important determinants of mental health.¹¹

This paper presents a case report of a South Asian migrant woman, victimized by the social practice of dowry in Australia, associated with DV and its serious impact on her mental health

Case report

Ms A is a 25-year-old, recently separated woman referred by her general practitioner for the treatment of mental health impacts of DV. She was married in an arranged marriage in India to an Australian-Indian resident. A day after the marriage he stopped talking to her, he seemed annoyed and his mother repeatedly complained about dowry gifts being insufficient and of poor quality. Over the next week Ms A increasingly became anxious and sad. Over three ceremonies her parents had given extravagant gifts comprising gold and cash, expenses totalling over AUS\$70,000. Indian culture is virilocal (i.e. the son stays with the family and his bride moves in).⁴ Accordingly, Ms A moved in with her in-laws. Her personal gold jewellery was taken by her mother-in-law ostensibly for 'safe guarding' (but never returned). Ms A anxiously realized she was in a hostile environment from which escape was difficult. Divorce was not an

Corresponding author:

Manjula O'Connor, 3/20, Collins Street, Melbourne, VIC, 3000, Australia.

Email: manjud@bigpond.com

option, a sign of shame and failure. The following week her father visited Ms A. She was traumatized by her mother-in-law exploding at him, she was dishonoured by insufficient dowry gifts and threatened to send Ms A home. Her father cried and pleaded, that would dishonour his family. He said he had spent all his life savings. Ms A felt deeply sad, helpless and humiliated. The mother-in-law relented.

Some months later, Ms A arrived in Melbourne. Her husband started making escalating demands for money. She told him he had to follow the tacit culturally accepted agreement (where the father gives a dowry, and the husband takes care of the new wife). Her 'backchat' angered him, he hit her, and slept in a separate room. She asked why he was rejecting her, he yelled abuse and hit her again saying she was costing him too much. She was given little food to eat, no access to money, and lost weight. She was often kicked out of the house on cold nights and not allowed back for hours. She would go and sit in the park nearby, alone, fearful, tearful, sad, and becoming suicidal. His sister and mother-in-law arrived from interstate, and both made threats to her life on a number of occasions. She recognized the ominous threats were dowry-related. She reported that she knew that dowry demands can lead to murders in her culture. She felt acutely fearful and ran out of the house and went to the police station obtaining an intervention order against him and his family.

Mental health examination revealed a sad, anxious, and fearful young woman who was suffering daily panic attacks. Sleep was disturbed with nightmares. She had poor concentration, low appetite and low energy. She reported intrusive thoughts and flashbacks of physical violence, threats to her life, and criticisms of her on the basis of insufficient dowry with frequent periods of disassociation and panic attacks. She felt suicidal but did not attempt suicide. Her self-score on the post-traumatic stress disorder (PTSD) checklist PCL-5¹² was 80 out of a possible 80. The Clinical Global Impression (CGI) score was assessed as 3/10. The core symptoms of PTSD were hyperarousal, intrusion, and depersonalisation. There was no previous history of mental illness.

Her treatment comprised bio-psycho-social approaches. She was commenced on escitalopram 20 mg daily and diazepam 5 mg nocte. Culturally sensitive trauma-based cognitive behavioural therapy (CBT) was commenced on a weekly basis. She was referred to specialist domestic violence services for safety provision. Her husband withdrew his support for her spousal visa, an application for permanent residence on grounds of DV was made. She was not eligible to receive unemployment benefits and unable to look for a job. She was provided pro bono psychiatric reports to support the intervention order against her husband, and for the immigration department, supporting her application for residency.

Progress

She received weekly trauma-focussed CBT, and crisis support. For example, she telephoned in a panicked state that her Australian residency visa was in doubt. She was advised to do slow rhythmic breathing and take clonazepam 0.5 mg. An urgent consultation with an immigration agent was arranged. Another time she reported seeing her ex-husband standing within 50 meters. She suffered an acute attack of de-personalisation needing telephone support. She suffered nightmares, panic attacks and fear. Sometimes she felt he was standing right behind her looking over her shoulders. She knew that to be not real. At other times she had to confront him in court hearings, each contact with him led to panic attacks and depersonalisation.

Escitalopram was changed over to des-venlafaxine 50 mg, due to severe insomnia and extreme anxiety, mirtazapine 30 mg nocte was added. Due to the ever-present fear of being stalked, quetiapine 100 mg nocte was prescribed. She took clonazepam on a prn basis. This combination gave her partial relief from fear, anxiety and insomnia. The PCL-5 score dropped to 55–60. Her mental state fluctuated and concentration remained low. She started applying for jobs. She was introduced to a non-governmental organization with a social network of young women with similar issues. She noted difficulty in trusting people. Her CGI score hovered at around 5–6/10

Discussion

This case report shows a previously demonstrated complex association between dowry demands, DV and mental illness.^{8,13} The husband's dissatisfaction with the dowry appeared to be the major driver of rejection, abuse, violence and threats. Demands for dowry are shown to be an independent risk factor for common mental disorders and suicidal ideation.⁹ In this longitudinal study dowry demands turned out to be a stronger predictor of mental illness in women than DV and husband's alcoholism. To our knowledge this is the first case report that draws attention to the association between dowry-related DV and complex PTSD. This case reveals how bullying behaviour, abuse of power and control, escalating coercive dowry demands leads to 'intimate terrorism'¹⁴ with increasing fear and threats to life and PTSD.³ Despite its illegality, dowry-related murders in India have steadily increased in the past decade.^{15,16} They are attributed to a toxic mix of patriarchy, greed and materialism.^{15,16} The exact prevalence of dowry-related DV is unknown in Australia but dowry-related DV is documented in a previous qualitative Australian research study,¹³ two dowry-related murders are reported in Victoria¹⁷ and the problem is considered substantial.¹⁸

As the result of repetitive stress from which there is limited escape, associated with feelings of shame, worthlessness, and defeat, some have identified a variant of PTSD, termed 'complex PTSD',¹⁹ a diagnostic category suggested for ICD 11 but not present in DSM-5.²⁰

Research is needed to determine prevalence of dowry-related DV in Australia, its impact on mental health and optimal treatments.

Disclosure

The author reports no conflict of interest. The author alone is responsible for the content and writing of the paper.

Funding

The author received no financial support for the research, authorship, and/or publication of this article.

References

1. World Health Organization. Intimate partner violence and women's physical and mental health in the multi-country study: an observational study. *Lancet* 2008; 371: 1165–1172.
2. Australian Bureau of Statistics. Personal safety survey, <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4906.0Chapter7002012> (2013, accessed 14 March 2017).
3. Oram S, Khalifeh H and Howard LM. Violence against women and mental health. *Lancet Psychiatry* 2016; 4: 159–170.
4. Vichealth. The health costs of violence: measuring the burden of disease caused by intimate partner violence. 2006, www.who.int/bulletin/volumes/84/9/06-030411.pdf.
5. Heise L, Ellsberg M and Gottemoeller M. Ending violence against women. Baltimore, MD: Johns Hopkins University School of Public Health, Center for Communications Programs, 1999, pp. 89–93.
6. World Health Organization. Women's mental health: an evidence based review, [pps.who.int/iris/bitstream/10665/66539/1/WHO_MSD_MDP_00.1.pdf](http://www.who.int/iris/bitstream/10665/66539/1/WHO_MSD_MDP_00.1.pdf) (2002, accessed 14 March 2017).
7. Srinivasan S, Bedi AS and Institute of Social Studies (Netherlands). *Domestic violence and dowry: evidence from a south Indian village*. The Hague: Institute of Social Studies, trove.nla.gov.au/work/2773335?selectedversion=NBD41272237. (2006, accessed 14 March 2017).
8. Jeyaseelan L, Kumar S, Neelakantan N, et al. Physical spousal violence against women in India: some risk factors. *J Biosoc Sci* 2007; 39: 657–670.
9. Shidhaye R and Patel V. Association of socio-economic, gender and health factors with common mental disorders in women: a population-based study of 5703 married rural women in India. *Int J Epidemiol* 2010; 39: 1510–1521.
10. Australian Bureau of Statistics. Australia's population by country of birth, <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Latestproducts/3412.0Main%20Features32014> (2015, accessed 12 February 2017).
11. Kirmayer L. Beyond the new cross cultural psychiatry, cultural biology, and discursive psychology and ironies of globalisation. *Transcult Psychiatry* 2006; 43: 126–144.
12. Weathers FW, Litz BT, Keane TM, et al. The PTSD checklist for DSM-5 (PCL-5). Scale available from the National Center for PTSD, www.ptsd.va.gov (2013, accessed 12 December 2016).
13. O'Connor M and Colluci E. Exploring domestic violence and social distress in Australian-Indian migrants through community participatory theater. *J Transcultural Psychiatry* 2016; 53: 24–44.
14. Johnson MP. Patriarchal terrorism and common couple violence: two forms of violence against women. *J Marriage Fam* 1995; 57: 283–294.
15. Babu GR and Babu BV. Dowry deaths: a neglected public health issue in India. *Int Health* 2011; 3: 35–43.
16. Kumari R. Brides are not for burning: dowry victims in India. New Delhi: Radiant, 1989, pp. 23–29.
17. Aragono A. Dowry links to murder and family violence. *The Herald Sun*, 23 April 2015, p. 3, <http://www.heraldsun.com.au/news/law-order/dowry-link-to-murders-and-family-violence-in-victoria/news-story/65da7055d98a3eece3435076fbacff70>.
18. Royal Commission into Family Violence. Vol 5, p. 114, www.rcfv.com.au (2006, accessed 12 December 2016).
19. Marinova Z and Maercker A. Biological correlates of complex posttraumatic stress disorder—state of research and future directions. *Eur J Psychotraumatol* 2015; 6: 25913.
20. American Psychiatric Association. Diagnostic and statistical manual of mental disorders – DSM-V. Washington: American Psychiatric Association, 2013.



ACHRH

Empowering Communities
through Knowledge & Research



National Anti-Dowry Summit Special

January 2017
Newsletter

The Australasian Centre hosted the very first National Anti-Dowry Summit for Human Rights and Health. Overseas Medical Graduate Association sponsored us and The University of Melbourne came on board as academic partners. The aims of this National Summit were two fold. Firstly, to create awareness on the issue of harms posed by dowry across Australian ethnic groups and to highlight why legal protection as recommended by the Royal Commission's recommendation #156 is crucial to protect Australian ethnic women. The Recommendation is to make dowry a statutory example of economic under the Family Violence protection act of Victoria. The second aim was to have the words "dowry extortion or demands" included in 3rd National Plan to reduce violence against women and children

Our research has revealed that dowry related domestic violence is not limited just to the Indian subcontinent. At this National Summit we heard from speakers from India, African communities; from interstate participants based in Adelaide, Sydney, Brisbane and Melbourne. The speakers stressed the need to break the culture of silence around dowry that devalues women. The dowry she brings measures the worth of woman, it strengthens patriarchal systems and leads too domestic and family violence.

How common is this problem? We desperately need research to determine the extent of this problem. As a guide, in my practice as a psychiatrist, I have consulted several hundred victims from the Indian Subcontinent over the past 4 years and half of them described dowry related violence. In African communities, the problem may have similar

prevalence as noted by two African leaders. I described serious mental health impacts of dowry related domestic violence for example Post-Traumatic stress disorder, Panic Attacks, Major Depressive Illness and Suicidal behavior were present in majority of victims.



Manjula
O'Connor

Women who refuse to comply with dowry demands face abandonment by husbands, uncertain visa status, lack of State support e.g. Medicare Centre link, for women on 457 and student visa partner visa there is no support for services. ACHRH and I offer pro-bono support to such women. They also face enormous challenges in claiming back thousands of dollars' worth of gold, cash furnishings. Dowry needs a mention in Australian Family Laws. In Africa, the men pay dowry to their father in-laws. This custom leads to a culture of 'ownership of women', and divorce becomes near impossible. Read more about it in this newsletter

Invited VIP guests including Justice Victoria Bennett, and a number of her Associates from the Federal Family Court. Federal MP's Tim Wilson, Julian Hill, State MP s Jude Pereira and Georgie Crozier and Nina Springler, Asst. Commissioner of Police Dean McWhiter, The Melbourne University's academics, lawyers, activists, business leaders and interstate representatives from Adelaide, Sydney and Brisbane. Community representatives from African, Turkish, Sri Lankan and

Indian communities. We were very proud to have a number of strong women, survivors of dowry abuse and the volunteer team of ACHRH, Dr Ree Boddie of ThinkPrevent and Ms Dipa Rao. NGOs namely AMES, White Ribbon, and Good Shepherd were present to lend their support.

Please read speech by two African leaders. In addition, a young Indian-Australian Dowry abuse survivor who spoke about her trauma she faced in Melbourne. I have been repeatedly told stories where the Australian-Indian men say 'it takes \$50,000 to keep a new wife from India for the first year' and therefore they want compensation. My reply to those young men "You chose to marry her knowing that this is the cost of getting married, if you are poor don't get married. Extortion of money is a crime. It must stop."

Ms Dipa Rao ran interactive workshop on solutions to dowry related problems. All discussions held at the summit were recorded and are being analyzed by the University of Melbourne's Academic Team. The findings will be written up as a paper. It will be circulated to all the participants before being sent on to the State and the Federal Governments.

We are grateful to all the participants for lending their voice and very hopeful this National Summit will provide a pathway to a future without dowry demands and related domestic violence in Australia.

Please enjoy the newsletter

manjula

From the Board of ACHRH

Dr Manjula O'Connor! She is pictured here

Dr Manjula receiving The Indian Sun's "Female Person of the Year 2016 Award". Members of the Indian community voted for her to receive this highly prestigious accolade. It is a special recognition of her tireless work against family violence in Melbourne.



Exciting News for 2017!

Ø MCR to be a part of gender equality-training program for volunteers in Victoria.

Award for Our Centre

Victoria's Multicultural Awards for Excellence acknowledge significant achievements and services of individuals and organisations who have actively supported cultural diversity and made a positive impact in promoting community harmony.

ACHRH was awarded VMC Certificate of Merit for 2016!! It is an award for INNOVATION and ACHRH received The Certificate of Merit for designing the Mutual Cultural Respect Program. This interactive program raises awareness in culturally respectful manner around gender etiquette and gender based issues in the context of multicultural Australian.

You can read more [at this link](#).

Fear of misuse of dowry -abuse laws is misguided

Dr Manjula Datta O'Connor - Executive Director, Australasian Centre for Human Rights and Health

The Participants who were invited guests, luminaries and VIP s had to put their heads together and answer the question - is it possible to continue the tradition of dowry without harm and how to help those who are current victims of dowry abuse and in the future.

We heard from speakers from India, South Sudan, and other African communities; interstate participants based in Adelaide, Sydney, Brisbane and Melbourne all contributed to discussion on "coercive dowry related demands" and associated domestic violence as being practiced in many ethnic communities of Australia. The need to break the culture of silence around dowry was palpable in the room.

I received an email today from a woman saying that new brides will misuse the laws just as they are doing in India. I did some research and it turns out to be a false assumption or mis-propaganda that most women misuse anti-dowry laws. Only about 9% cases are reported to be false dowry cases and this is on line with general misuse of laws. Any law can be misused; this is not specific to dowry laws.

In India fear of 'misuse' overlooks the awful fact that one woman per hour, every day is being murdered for dowry in India according to 2012, 2013 and 2014 surveys. Yet a handful of women who so called "misused the law" have been made examples of in the media and in law. The Indian supreme court in 2005 stated that by misuse of the legal provisions, the Anti-dowry law (498A) a new legal terrorism can be unleashed by women. According to the academic Sharmila Lodhia, *Indian patriarchy is being recast in law portraying women as those who threaten to destabilize the sanctity of the Indian family, and who are therefore deemed undeserving of the law's protection.*

Listening to the Indian-Australian women, I have learnt that the suffering, humiliation and misery wrought by dowry demands is immense. It causes mental illness and suicidal thoughts. Marriage is an act of trust and love in respectful and equal situation. Money transactions in the form of dowry as a pre-condition of marriage or making demands after the marriage make it a business transaction, and devalues the conjugal bond, and trust. It is hard enough living with the extended family. A silent majority of mothers-in-law is caring and make sure they support the couple in bonding process but many others out there are less so. I have heard stories of evil mothers-in-law who sleep with their sons while the new wife sleeps on the floor or in a

separate bed One mother-in-law told her new daughter-in-law 'my son will not speak to you until he gets more cash' who replied back 'when I earn I will give it to him'. Mother-in-law replied 'no the money must come from your father (in India)'. This is blackmail. I have heard young men say 'it takes \$50,000 to keep a new wife from India for the first year and therefore they want compensation. My reply to those young men is "You chose to marry her knowing this. It is the cost of getting married; if you are poor and cannot afford a wife then do not get married. Demands for money is extortion. Extortion is a crime. It must stop."

Most women and men will admit that they have met at least one woman who has been through dowry torture, both in India and Australia. Dowry demands and extortion is a human rights abuse. Then why are some opposing this law here in Australia- A law that will help the vulnerable immigrant women of our community. The research shows that part of the answer lies in the concept of "Patriarchal Bargain". In this system, those who make a deal-to stay silent get rewards from the patriarchal system- social recognition, social inclusion, community awards and power. Whereas those who speak out are castigated, socially excluded, vilified, and made to look like peddlers of hate and home breakers. In search of personal pursuit of power, some are willing to sacrifice the human rights of dowry victims. My private Psychiatric practice figures show that more than 50% of all domestic violence in Indian community is linked with greed for more dowry. We need culturally sensitive law that will pick up and punish culturally nuanced abuse of power. Sometimes generic laws are not enough. I acknowledge that creating law is only a small part of the picture, educating communities both in Australia and in India is key to removing the culture of silence around dowry, and getting rid of the expectations of unearned riches by men and their parents. As dowry related violence is also present in other ethnic communities a law to enhance identification, to act as a deterrent and to punish the perpetrators of this crime is clearly a part of the solution.

I hope our Politicians and Policy makers will protect the vulnerable women with culturally sensitive laws. We hope we will get national and state laws. We trust Premier Daniel Andrews will keep his word and the Victorian Government will enact the Royal Commission into Family

Violence's recommendation #156. Dowry Demands will become a statutory example of Family Violence Protection Act of Victoria.

Aside from the community members, education for police, judiciary, the service providers and doctors will be needed. Very often, the doctors are the first point of contact for victims of dowry violence. They can do a lot to help by identifying and referring appropriately. It was therefore a matter of great honour that the Overseas Medical Graduate Association sponsored this National Anti-Dowry Summit and have committed to work together with ACHRH to fight the scourge of dowry and domestic violence

The workshop aimed to find answer from the participants as to what is the best help for dowry victims. Is it possible to continue the tradition of dowry without harm? Please read more about 'Reflections on the workshop' by Dipa Rao in this newsletter.



Reflections on the workshop

Dipanjali Rao - Workshop Coordinator

The National Anti-Dowry Summit comprised of a two-hour workshop, designed for participants to both express their individual thoughts, and to engage and discuss with other participants. The participants were organised into groups so that each group was represented by a variety of occupations - academics, lawmakers, service providers and members of the medical profession. Each table also had one dowry abuse survivor. A case study that centered on a woman who has experienced dowry-based abuse was presented. Although the woman was a fictional character, the case study was based on real life experiences of women who have experienced dowry abuse.

The case study posed questions to the participants as to how the survivor could have better been served, and how Australia can better help women in her situation in the future. Drawing from their experience and expertise, participants put down their thoughts, and then the discussion was opened up among the groups. The room was abuzz with activity as participants got the opportunity to address each question individually and as a group. The groups were tasked with working with other participants in the group and drawing on each other's knowledge to come up with recommendations for each question posed to them. Towards the end, a nominated person from each group presented the recommendations for each question to the rest of the groups. All the content generated in the workshop will form part of the research project being undertaken by Melbourne University.



Dipa Rao and Amy Piedalue from University of Melbourne explaining how the workshop will run.

Feedback from a participant – Emma Macey Storch (documentary filmmaker)

"Congratulations to Dr Manjula and the team at ACHRH. The anti-dowry summit in December was a truly amazing and heart-warming experience. From the hard hitting personal stories we heard to the shocking statistics often ignored - it was clear that everyone at the event felt hope and a real commitment to see things change."



Spotlight - Dowry Related Violence Issues in African Australian Communities of Queensland

Sharon Orapeleng, Executive Committee Member - White Ribbon - Queensland; Member - National CALD Reference Group - White Ribbon

Background

Across the African continent, the tradition of the dowry remains a key pillar of unifying a man and woman in marriage. Among the Southern African tribes, the process is known as *Lobola*. In Nigeria it is called *Ikpo Onu aku Nwayi*, and in the East African state of Tanzania it is referred to as *Mahari*.

The practice of paying what is known as the bride price was borne from the cattle-based wealth with the more cows being paid a reflection of status of the groom's family. This bride price in African

context is a payment or compensation for what is known as the "loss" of a daughter in the family as she goes to settle with her new family and husband. Bride price is seen as a gift and in today's society, this gift has transformed from typically livestock to money equivalent and other significant gifts.

Issues

Africans in diaspora including African Australians still uphold this practice of paying for the bride, although there are current discussions that this practice is outdated and has lost its significance as women tend to be victims at the hands of callous husbands who mistreat their wives because they say they have paid for her. This does not mean that mistreatment of wives did not occur in the past, however with the increasing standard of living and the status of the economy it places more pressure for the groom and his family to pay more for the bride price resulting in increasing issues with dowry related violence.

Increasing marriage dissolution is not only a problem of Caucasian Australians but many people in the migrant communities are faced with same problems that often lead to marriage breakdown. Although there is not systematic collection of data on marriage breakdowns in Australian migrants and the factors leading to divorce in this cohort, there are many anecdotal evidence especially in the African Australian communities that often expectations that comes with the practice of paying for the wife plays a significant role.

The traditional roles of between a man and a woman are often different from the place of origin. In Australia, women are able to obtain education, get a job and do anything to be a contributing member of the Australian community. This often causes adjustment problems with the men who still believe that because they have "paid" for the woman, she must continue to do as he says.

The process of negotiating dowry often puts a lot of pressure on the woman and her family. In African context, the marriage is not only between a man and a woman but it's a marriage of families' even communities. There are often increased demands for the exchange of gifts, which can also lead to competition from other wealthier suitors for the woman's hand. Rather than marriage based on love the family may pressure the woman to marry the man who is able to pay more for the dowry. This pressure from the family and often communities on the bride often leads to the bride "losing her voice" and accepting a less favourable husband based on the economy rather than love. When issues happen in the marriage, the bride often has nowhere to turn for support or help because the family's interest will be for her to work it out than leave as in many cases they will be unable to pay back the dowry.

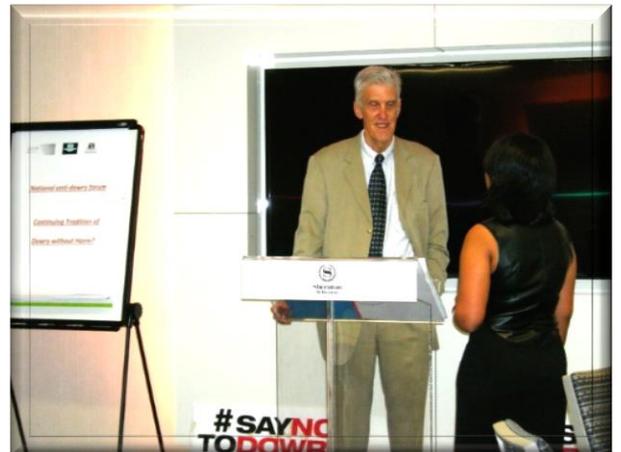
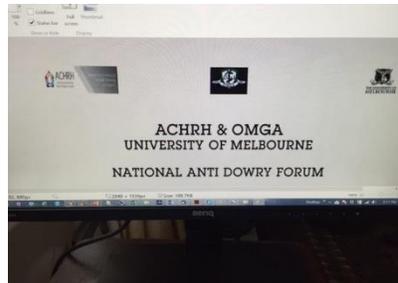
Upon dissolution of marriage, the groom and his family often seek for the return of the dowry, and this often causes many issues including dowry related violence.



Most African Australian women experiencing dowry related violence will not seek help due to the very public nature of dowry payments and community expectations. The negotiations involved in marriage dissolutions are often very traumatic for the woman as in most cases she will be blamed for the problems that have led to the dissolution of her marriage. She may be asked to “do as the husband says” and work on the marriage.

What needs to happen

- There is a need to have a conversation with migrant communities including African Australians to determine how prevalence are dowry related issues, the impact it has, and where people can get help when there are issues of dowry related violence.
- The practice of dowry cannot be banned in the African context as it was meant to be a gift for the daughter to the family and most families this is still the case, *however the economy-based marriages of the modern times has significantly changed this practice.*
- Clear definitions of what dowry related violence look like and community awareness is needed.
- National guidelines for migrant communities and those working with migrant communities around domestic violence on dowry related violence need to be developed.
- Targeted research to better understand the problem



Dowries enshrine and perpetuate gender inequality

Duku Atuko

My views and thoughts are based on my pastoral work and concerns rather than as a representative of the South Sudanese community as this community is a diverse cultural mix and not all of them share these concerns. I would want to argue in this paper that dowry payment, wherever practiced, is a system that establishes, enshrines and perpetuates gender inequality. Most Australians have long forgotten the practice as it seems to have died a natural death. Nevertheless, the practice has again resurfaced in Australia mainly among emerging migrant communities. Various governments, if at all aware, have largely neglected or paid a blind eye to the problem, for the sake of being consistent with multi-cultural policy wishing to not be seen as interfering in peoples' cultural practices. I come from one of such an emerging group - the South Sudanese community.

I am glad that the Victorian Royal Commission Report into Domestic Violence, 2016, has mentioned dowry, for the first time, as a cause of gender and domestic violence. The report however, does not go into much detail as to how the dowry system affects every aspect of life in the communities where it is practiced. I was born and raised in such a system and I want to share my experience and views with the hope that it can shade more light, on what is often hidden or unknown to most people in societies that have long stopped practice of the dowry system.

In my pastoral work, I have spoken to a number of recently married young people who have expressed concern in the ever increasing amounts of money demanded in dowry, some of which I have witnessed. I share their concerns.

The amount demanded varies from one cultural group and family to another and ranges from \$20,000 to \$80,000 excluding other expenses for the wedding or marriage ceremony. This is often too much money for a young couple intending to start a family, let alone a newly arrived unaccompanied minor.

Let highlight my concerns based on my own family. My mother having been bought by dowry did 75% of domestic duties. She used to wake up early and went to work on farm with my father till noon time. By this she shared in the remaining 25% of non-domestic duties. After farm work, she returns and starts the cooking, doing everything which went with that - including preparing and grinding or pounding, collecting water and firewood, doing the washing for everyone in the family which included extended relatives. If she got any help it was often from the girls.



In addition to her heavy domestic work, my mother gave birth to a new baby every two years. Unfortunately for her she had to nurse four pairs of twins and three other single born. All these within war, displacement and refugee life. Her life finally succumbed – and died before any of her children became adult. When the children were born, it was mostly my mother's responsibility to practically care for us. My mother also had to obey and meet the demands of my father, who used to go and drink every single evening. Such demands would include allowing him to control family finances, even if she worked for it. Sometimes she must stop doing anything even for the kids and attend to his needs first. And if she wanted to go for a visit, even to her own relatives and family, he had to grant such permission.

If my mother refused to comply in any of these, my father had the right to discipline her by beating. As a child, I don't remember any occasion in which she left home because of a fight or quarrel with my dad. The general norm was, once dowries were paid, a wife is expected to bear with the 'reasonable' demands of a man.

I would wish to think of this as something in the past. But it isn't.

In my pastoral work, I have heard of men who have gone back to marry from their countries of origin and paid lots of dowry. The married woman then joins her husband, settling in Australia. Last year one of such woman was beaten severely for not doing as she was told and later died of her injuries. She had only been in the country for six weeks. It betrays the trust of authorities and any upright thinking person that the partner who is entrusted with orienting his 'loved' wife to life in here would end up as her killer in such a very short time.

In one of the congregations, it was reported that three women had died over the last five years in what was clearly seen as dowry related domestic violence. A well published case is that of Suzil Oghia in October 2016. After a temporary separation the perpetrator partner was told, if he wanted to resume his relationship, he would have to pay the family dowry¹.

Apart from the direct threat of violence, dowry payment has some serious impact on the mistreatment of women and preferential treatment of children based on their gender.

Women are often treated as slaves or as men's property. They have to work harder and longer, and bear children as many as it is practically possible even if their health is failing. The dowries paid had to be recovered in economic terms.

Since women are seen as property, a man could have as many as he or his family can afford. This increased the marginalisation of the woman within the context of being one wife among many. She has to justify herself for her husband's marital love, as his privileges become more pronounced.

The attitude that wives can be bought through dowry and can be controlled, dismissed or replaced by another at the husband's will gives some men permission to not only abuse their wives but to put them under increased and constant physical risk of injury, particularly if he already has another woman in mind.

The dowry system allows women rights to be trampled upon. Once a woman is married, all she is and has and will have technically belongs to the husband's family. In the event that he dies, she and any properties are to be inherited by the husband's brother. In most cases, when it came to making decision in critical circumstances her views are not considered. In Australia, this means a woman cannot own a house, a bank account, a car or even learn to drive.

More disturbing is the well-documented issue the girl-child lacking behind in education in third world countries. This can be attributed to dowry-related discrimination. When financial resources get scarce, the boy-child had to take preference. In my family, my father only sent the boys to school. Girl-child education was seen as not serving the long-term interests of the family, once they got married away.

Forced and child marriage are caused by dowry more than anything else. Parents who are in financial need or simply greedy for money can often enter some sort of arrangement to have their young daughter married off for the best financial return. The younger the girl the less resistance she can be.



¹ <http://www.dailytelegraph.com.au/woman-told-friend-she-had-a-feeling-she-would-be-killed/news-story>

Men who have married very young underage girls have ended up in Australia through the migration system, and I come across many of these once teenage mothers still suffering the psychological impact. In Australia, often young girls are taken for 'a holiday' which ends in confiscation of passport and forced marriage.

The dowry-system, where it is practised has been in place for time immemorial.

No one understands why it was instituted. In almost all South Sudanese cultures, dowry payment is how marriage is customarily legalised. For some it is spiritual in the way that they seek to meet the unpaid dowries of dead ancestors.

In whichever way one looks at any dowry-system in any culture, even with the best of intentions, in my opinion, it is a system that establishes, enshrines and perpetuates gender inequality regardless of whether it is paid by the groom's or bride's family. It should be seen for what it truly is – a system that promotes gender discrimination, exploitation and violence in what should be an intimate, mutual and loving relationship.



Speech by dowry abuse survivor

Thank you Manjula Mam for giving me this opportunity to share my nightmarish experiences of abuse at the hands of my ex-husband & in-laws in Melbourne.

I belong to a cultured educated Punjabi Sikh family from India. Unfortunately, it is true that sons are considered more valuable than daughters in my society. The family believes that daughters are a burden and that they are 'paraya dhan' that is, not belonging to the family. The parents are mere custodians of the daughter, hence the huge pressure and feeling of responsibility of the parents to get her married.

So it's natural for the girl from very early age to dreaming about her future family & about the future husband. I too had similar feelings, hopes and dreams of a loving family and an ideal husband. But I never knew that this beautiful dream of mine will be shattered and turned into a nightmare soon.

I am a Professional and I always wanted a career and become independent. My family and I decided upon a match on a matrimonial website as this family belonged to the same caste, social standing and culture as we.

After meeting the parents, I had couple of telephonic conversations with him and he came across as quite a generous human being with culture and values. I said "YES" and he agreed to come to India to meet up. We agreed to celebrate the marriage during the visit. We were married in a simple manner in a temple. I felt blessed that my in-laws welcomed me into their family like a daughter.

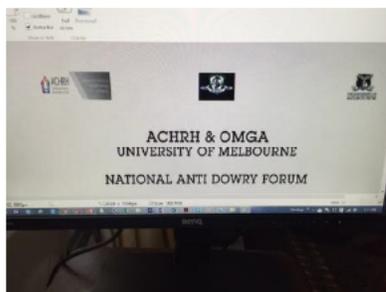
However, a day before he was to return to Australia, he asked me to ask my parents to fund him to buy a house in Australia. When I expressed my shock, he got angry and verbally abusive. My parents had no option but to give in and gave his parents cash. After he left, his parents became more demanding. If their demands for a lavish party, expensive gifts for their family and relatives and furnishing their son's house in Australia were not met then they threatened me, I could not join my husband in Australia. My parents gave into their demands as they were very scared about my future.

Overall, my parents incurred a total expenditure of \$150,000 on wedding and jewellery worth even the expenses for my honeymoon were given by my parents. I had no friends or relatives in Australia and had to bear the sexual, emotional and psychological abuse all alone. My mother-in-law demanded cash from my parents to furnish our new apartment in Australia but I refused.

He took away all money that my parents gave me. He wouldn't give me even one dollar. I got job far away from home. He would keep calling me through the day and did not permit me to work overtime. I was also forced to give up most of the salary I got.

When things became very difficult for me, I decided to tell my parents everything. They were very upset and booked the first flight they could get. He was enraged and tried everything to stop my parents' visit, threatening violence. He would harass me to pay his credit card bills and house loan. One day I refused and he became extremely agitated and began to beat me and choke me. My husband called the police and told them that I was trying to kill him. Two police women arrested me and issued an intervention order against me. The police did not believe me that I was, in fact, the victim.

I could not return home after being released by police. I was in night clothes and had no money or credit on my phone to make a call. I slept in train stations for three nights crying and considered committing suicide several times as I saw no hope since there was not a single person I could appeal for help. Then began another part of my journey of my life, as I tried to pick up the threads of my life all over again. It has been a traumatic experience but one that has been worth it, re-building my career, my self-confidence, my self-worth, and most importantly, belief in myself.



***Our Anti-dowry ambassadors
Sadhna Smiles Telstra Business
Woman 2013 and Rohini Kappadath
Telstra Business Woman 2015***

Australia's first anti-dowry summit held in Melbourne



Dipanali Rao

Dipa is an IT professional whose interests lie in politics, gender and development. She enjoys singing, music and cooking and tends to buy books she never reads

Anti-dowry summit calls for national laws against the practice

Australia's first anti dowry summit held in Melbourne yesterday renewed calls for a national law against dowry extortion. Organised by ACHRH, the Australasian Centre for Human Rights and Health, the summit gathered academics, legal professionals, service providers, politicians and members of the medical community in a workshop setting to talk about dowry and its impact, and how the system could better prevent violence and help survivors.

The practice of dowry is an ancient tradition whereby a bride brings an agreed amount of property or money to her husband on their marriage. If a marriage ends, the husband usually keeps the valuables.

It is not known how widespread marriage dowries are in Australia, but the practice remains common in south Asia, the Middle East and Africa.

Dr Manjula O'Connor from ACHRH called for a federal law against dowry demands.

"We want laws that make it a civil or a criminal offense to extort dowry," O'Connor said. "We can't ban dowry, but we can prevent people from making such demands," she said.

"The problem is the dowry is given in India and it is left in India with his parents... but the marriages are breaking up in Australia. So it is creating a lot of judicial kind of issues."

Dean McWhirter, Assistant Commissioner of Victoria Police, who opened the event, said that Victoria Police have identified that the police force needs better education on the issue on dowry demands, especially in relation to incidence of family violence. He called for detailed research into the incidence and prevalence of dowry.



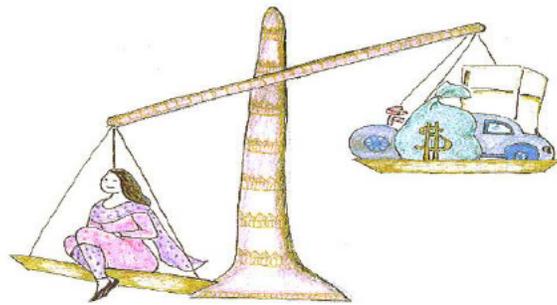


The forum also heard from a survivor who talked of her abuse at the hands of her ex-husband and in-laws in the face of escalating dowry demands. The system failed her, and she spent three days and nights at train stations, unable to go home because the police slapped an intervention order against her based on an allegedly false report of violence by her ex-husband. She and her family ended up paying \$45,000 to her ex-husband's family in addition to the wedding expenses, and she has been unable to recover \$50,000 plus worth of her jewellery.

Acknowledging the bravery of the survivor in speaking up, Greens MP and spokesperson for Family Violence Nina Springle said that community support and education on this issue is paramount. However, we could do more by way of understanding communities, she said.

"Victoria is lacking in our understanding of cultural competence, and the fundamentals of collectivist and individualist cultures, and how challenging it is for these two spectrums account the needs of survivors from collectivist cultures to interact," she said. There may be a need to change the structural responses to cultural issues like dowry to take into account.

Recommendation 156 from the Royal Commission Against Family Violence was made as a result of a submission by ACHRH. It recommended that the examples of family violence be amended to include dowry related abuse. The Andrews Labor government in Victoria has committed to implement all the recommendations of the Royal Commission. The results of the workshop at the anti-dowry summit will form part of a research project on dowry by Swinburne and Melbourne University.



Australia's first anti-dowry summit held in Melbourne

www.indianlink.com.au

Anti-dowry summit calls for national laws against the practice. DIPANJALI RAO reports.

You can read the Indian Link article written by Dipanjali by clicking on the marriage picture.

Cultural awareness training for new migrants

Rachel Kleinman

Published: December 4, 2015 - 6:00PM

The following story was found at <http://www.theage.com.au/national/cultural-awareness-training-for-new-migrants-20151203->

theage.com.au
THE AGE

New migrants arriving in Australia should undergo cultural awareness training about issues such as family violence, child abuse, and sexual harassment and drink driving, a migrant advocacy group says.

The call follows a survey of Melbourne migrants that identified large gaps in their knowledge of laws relating to such issues.

A group of 212 migrants received training from the Australasian Centre for Human Rights and Health on legal requirements and cultural expectations related to respectful behaviour towards women and gender equity. Some other legal issues, such as drink and drug-related driving offences, were also addressed.

Tanzanian Joy Khamis, 28, who currently lives in Geelong on a student visa, said the training provided a lot of information about "things that could get a person into trouble in Australia, things they might not know otherwise". She has been in Australia since 2013, and said it would have been more useful to receive the training when she first arrived.

Of the students and permanent residents who took part in the training session, called Mutual Cultural Respect, 79 per cent said it improved their knowledge of Australian laws. Some had already lived here for several years. Of the participants, 83 three per cent said it improved their understanding of community standards.

The centre for human rights and health was founded by Manjula O'Connor, a psychiatrist and Melbourne University associate professor who treats migrant women facing family violence. Dr O'Connor said people from other cultures needed education.

"Of course their values will be different. They need support to learn about the social and cultural values of mainstream Australia," she said. Dr O'Connor wants the pilot training scheme, funded under previous federal Social Services Minister Kevin Andrews, rolled out more widely.

Controversy about Australia's capacity to integrate new arrivals has reignited in the wake of the Syrian refugee crisis and the Paris terror attacks. A Department of Social Services spokesman said refugees resettled by the humanitarian program underwent a cultural orientation program. There are no such requirements for people coming to Australia on student, family or skilled migration visas.

Australia received 190,000 migrants on skilled visas and family visas in 2014-15. On June 30 this year, there were also 375,500 student visa holders in Australia. In addition, the country accepted 13,750 refugees in 2014-15.

Kevin Andrews launched the Mutual Cultural Respect evaluation report in Melbourne on December 9., 2015

Support Us

ACHRH is an NGO and as such relies heavily and extensively on the mission partners and the wider community for support. If you would like to support us and get involved in any way then please do contact us, either via the website:

<http://www.achrh.org/>

Or Facebook (click the image to follow the link):



find us on
Facebook

VMC Certificate of Merit for Mutual Cultural Respect Program.



**Victoria's Multicultural Awards
for Excellence 2016**

Award for Community Innovation

Certificate of Merit

awarded to

*Australasian Centre for
Human Rights and Health*

Handwritten signature of Helen Kapalos in blue ink.

Helen Kapalos
Chairperson
Victorian Multicultural Commission

Handwritten signature of Daniel Andrews in blue ink.

Hon Daniel Andrews MP
Premier of Victoria

Handwritten signature of Robin Scott in blue ink.

Hon Robin Scott MP
Minister for Multicultural Affairs



WHERE TO GO FOR HELP

- **POLICE IN EMERGENCY -- 000**
- **YOUR GP -- they are helpful, easy to reach, they will refer you to the right place.**
- **NATIONAL SEXUAL ASSAULT, DOMESTIC AND FAMILY VIOLENCE COUNSELLING SERVICE -- 1800 RESPECT**
- **INTOUCH MULTICULTURAL CENTER AGAINST FAMILY VIOLENCE -- 1800 755 988**
- **WOMENS DOMESTIC VIOLENCE CRISIS SERVICE (WDVCS) 24 Hour state wide line 1800 015 188**
- **MEN'S 24 HOUR REFERRAL SERVICE 1800 065 973 (FREE CALL VICTORIA ONLY)**
- **VICTORIA IMMIGRANT AND REFUGEE WOMEN'S COALITION 03 9654 1243**
virwc@virwc.org.au, www.virwc.org.au
- **WOMEN'S INFORMATION & REFERRAL AGENCY (WIRE) 03 9348 9416**
inforequests@wire.org.au
- **DR MANJULA O'CONNOR, FOUNDING DIRECTOR ACHRH 03 9654 5271**
manjula@achrh.org

WHY GET HELP?

- ❖ Domestic Violence damages our culture
- ❖ Domestic violence breaks our homes
- ❖ Domestic Violence causes:
 - Anxiety,
 - Depression,
 - Suicide,
 - Homicide in women, men and children

WHAT CAN YOU DO?

- ❖ Support those who may be victims
- ❖ Encourage victims to seek help and become survivors
- ❖ Encourage perpetrators to seek help
- ❖ DO NOT BE SILENT ON DOMESTIC VIOLENCE

Say No to Domestic Violence