

Australasian Centre for Human Rights and Health Inc



ACHRH

Empowering Communities
through Knowledge & Research

Second National Dowry Summit

April 2019
Newsletter

Breaking News

ACHRH petition to include dowry abuse as an example of economical abuse proclaimed law in Victoria on 29 March 2019!



Manjula
O'Connor

THE SECOND NATIONAL DOWRY ABUSE SUMMIT

UNSW LOWY RESEARCH CENTRE, SYDNEY 22 FEBRUARY 2019

The Second National Dowry Abuse Summit initiated by the Australasian Centre for Human Rights and Health (ACHRH) and supported by the UNSW School of Psychiatry, the UNSW Gender Violence Research Network, the UNSW Australian Human Rights Institute and the Peak bodies supporting victims of family violence- inTouch, AWAVA, Harmony Alliance, Good Shepherd and White Ribbon Australia. The Summit was held to coincide with the release of the Senate Inquiry into Dowry and Dowry Abuse Report in Australia.

Attended by 115 people, the most striking feature about the second National dowry abuse summit was that it included the combined mind power of the academics, Politicians, women with lived experience from all states of Australia and from India attended. Young people from across Australia, key service providers, the Policy makers and the Chair of Senate Hearing into dowry abuse Senator Louise Pratt. In addition, Australian-Indian and Australian-African communities were represented. Scientia Professor Henry Brodaty, Chair of School of

Psychiatry UNSW, opened the Summit by emphasizing the harmful impacts of family violence on mental health and the disempowering role of economical abuse including the newly identified and legislated dowry abuse. The Shadow Minister for Prevention of FV the Hon Linda Burney was our Chief Guest. She made an important and landmark announcement that if elected she and ALP will implement all the recommendation of the Senate Report, the key recommendation being that dowry abuse need to be included in the Federal family law act. Julian Hill MP



A/Prof Susan Rees, Former Victorian Premier Ted Baillieu, Dr Manjula, Julian Hill MP, Senator Louise Pratt, Professor Henry Brodaty

spoke about why and how he triggered Senate Inquiry into dowry abuse. He stated that he had previously attended the ACHRH's First National Summit into Dowry Abuse in 2016 and heard and met actual victims of dowry abuse in Victoria and since then had researched the issue for himself. He found that this was a very real and a serious threat to women's life and health. Julian felt we needed to shine light on this unknown form of abuse in Australia. Senator Louise Pratt who chaired the Senate Inquiry into dowry abuse spoke about her surprise and shock at the extent and depth of the problem of family violence related to dowry abuse in Australia. Former Victorian Premier Ted Baillieu spoke about his support for the ACHRH campaign since his term as the Victorian Premier in 2012. He helped to put dowry abuse on the national agenda by tabling the ACHRH petition in the Parliament of Victoria in 2014. The petition was an innovative idea by ACHRH to include dowry abuse into the Family Violence Protection Act of Victoria as an example of economic abuse initiative. The words of petition were included in the recommendation #156 by the Royal Commission into Family Violence report in 2016, and has become a part of Victorian Legislation on 27 March 2019

Dr Manjula O'Connor Executive Director ACHRH, the organization that led the public campaign against dowry and dowry abuse in Australia in 2012, welcomed the Senate Report into dowry abuse. The report recommends the inclusion of the phrase 'dowry abuse' in the family Law Act. Manjula urged the Australian Government and State Governments to support the human rights of migrant women who are being abused by perpetrators, unsupported by the immigration system and international laws that fail to protect the transnational victims, who

generally are women. And protect the perpetrators who tend to be citizens or permanent residents of first world countries.

“Mental health of dowry abuse victims is damaged and yet there is little research to fully understand this issue”, said Associate Professor Susan Rees.

The Summit amalgamated the intellectual, the factual with heart tugging emotional stories of trauma and damage to women subjected to financial exploitation called dowry abuse.

The women with lived experience came from India, Sydney, Victoria, Adelaide, Brisbane dug deep into their painful deep memories, emotional reserves and found strength to explain to the world and other women in similar positions that dowry abuse is harmful to mental health, is harmful to women and men and children, and harmful to societies. Dowry abuse is seen in many migrant communities in Australia and is causing a great deal of suffering to the women. The continuing demands for funds cash gifts before, during and after the wedding is extortion and coercive.

It is important that the message is conveyed to younger generations to stop this form of abuse. The young people at the Summit were represented by contestants of Miss/Mr/Mrs South Asia Pageant and they came from all states including Western Australia.

The Summit closed with a Resolution agreed to by all the delegates - We the delegates of the Second National Dowry Summit held at the UNSW Sydney on February 22, 2019 support the Recommendations of the Senate Inquiry into the Practice of Dowry and the Incidence of Dowry Abuse in Australia and call on all political parties to implement the findings and recommendations as a matter of urgency.

We also support the establishment of a working group to explore the viability of implementing domestic and international approaches, advocacy and strategies to address dowry abuse.



Dr Manjula with Ms Linda Burney Shadow Minister for Prevention of Family Violence

National Dowry Summit Feedback

Ms Sameema Zahra PhD Candidate, School of Historical and Philosophical Inquiry, University of Queensland

When I told my friends that I am going to Sydney to attend a summit on Dowry Abuse and its solutions, their first response was, "is there such a thing as dowry abuse in Australia?" In a way I was not very different from them in my awareness of the presence of dowry abuse in Australia sometime back. Being an Indian living in Australia I was well aware of the effects of dowry on the lives of young girls and their families. I had also heard stories of abandoned brides of NRIs and also rich Middle Eastern sheiks. However, I had no idea of the abuse of women due to dowry demands rampant in Australia and how it is affecting not only the mental health of women but also their families, both before marriage and after marriage. The summit was both an eye opening, chilling realization of such practices that reduce women's very being to a replaceable commodity and was also a concrete action plan to face these challenges and eradicate



such abuse. It was interesting to note that abuse arising from practices so deeply rooted in communities cannot be dealt with merely by making laws. What stood out for me was that the approach that we need to deal with such culturally ingrained practice is to work on two levels; on a legal political level to make laws that recognize the presence of such abuse and includes preventive and retributive measures to eradicate it, on the other hand to work on the level of communities and educate them in recognizing and fighting such abuse.

Ms Kanika Paruthi-Story of survival, hope and resilience

Thank you to ACHRH for having me at the event. I wanted to attend this event since I have suffered Domestic violence including Dowry and Financial abuse as well although I come from an educated background. I never knew that this has become a part of our society as such that even when we were asked to host a big fat wedding and gifts to relatives, we were not alarmed by these demands thinking that everybody does that hence considered them to be normal. I am so happy and proud to see that Manjula mam and ACHRH has been working tirelessly to help such women. Honestly, I am glad to have witnessed this abuse myself because of which I understood this problem more deeply. This seminar also focused on the help which should be offered to women who undergo abuse and who were on temporary visas.

Since the same happened to me I can say that too that there is a lot of gap between the system, which is being exploited by a large number of men, moreover, it is a shame that they are able to get away easily after doing such wrong deeds.

When I attended this event, I understood that there are so many women who have been abandoned and tortured by these men. I met 2 ladies who suffered abuse and are currently staying in India. Their stories were very painful. It is sad that our governments have not taken a strict action against these men although it is not impossible for them to do so. I felt that even my condition would have been worse if I had to go back to India, but I was saved to a large extent since my family logically understood the situation and did not leave me on my own only to die later in such toxic marriage as it has happened in so many cases. They supported me to be here and recreate my life again. If I was in India the societal pressure would have been enough to put me down. The recommendations laid down by ACHRH will definitely help the victims to get out of the



DesiAustralia.com South Asian Media - Photos: Harmohan Wallia

crisis and receive the genuine help that they deserve to get.

Regarding my future plan I am currently studying and once I finish that and start working, I would definitely



be a part of an organization which is there for helping such women. I cannot express that in words that how blessed I feel to have received immense support from my family, Manjula mam, my university and people around me in here. I want to ensure that I pass on this support to other women in need as well. This is actually become a purpose of my life. So, right now I am busy in laying a strong foundation for myself by settling down after which this new journey will begin for me.

Youth Engagement

Ms Poonam Prajapati, Mrs South Aisa WA Winner 2018

I would like to thank all for inviting me form WA to attend Second National Dowry Abuse Summit on 22/02/19 at UNSW Sydney.

It was my pleasure to be a part of this conference. I got the opportunity to meet so many inspiring speakers –

The Hon Linda Burney, Julian Hill MP, Former Premier Ted Baillieu and my co-contestants from Miss South Asia Australia Pageant.

Dowry related violence is a serious problem that affects the lives of women. Dowry includes, gifts, money, goods or property given from the bride's family to the groom or in-laws before, during or any time after marriage.

After attending Summit this year, I discovered these practices are happening in Australia too. Couples get married in India, but the demands are being made in Australia. There were two survivors who came from India to share their stories. After listening to their stories, I couldn't stop my tears; it was heart breaking. Bride's family took loans, sold land to fulfil the demands of groom's family. On top of that they were asked to pay for her Visa and flight ticket.

There were very sad examples on both sides and in that sense it is very important to make sure that dowry abuse does not happen in either direction.

After attending this conference, I believe that women's safety must be the priority. It is essential that all women's, regardless age, visa status, nationality, culture, religion, sexuality should have access to support. We urge careful considerations in relation to dowry abuse in Australia. I also believe that survivors of dowry related violence often required similar services and support as survivors of Domestic violence. These women require transport to shelter, emergency services, support programmes, health and medical care and legal assistance.

I as a responsible citizen of Australia will work towards the prevention of Dowry abuse in Western Australia with dedication, devotion and determination.



Panel Discussion: Dr Sahlu Nigam, Chaplain Duku Atuku, Pallavi Sinha, Professor Louise Chapel, Ms Saru Nigam

Launch of United We Stand

Nishanthi Navaratne - ACHRH Volunteer

As a volunteer working with Dr O' Connor I had the opportunity of attending the event "United We Stand Launch" which was held at Drill Hall in West Melbourne on 7th of December 2018. The evening was inspiring and exciting and it opened the mind of many people to be more sensitive and aware of the challenges of family life and the impact of domestic violence on family harmony. There were speakers from different expertise and experiences, and they were able to share their journey in dealing with and helping others with similar issues.



The issue of family violence and domestic disharmony is difficult to communicate considering the cultural nuances and upheld views about power imbalances within family. It was interesting to watch the videos made by a dedicated group, who wanted to communicate and educate, domestic violence and family harmony, within communities

What I found interesting about these videos is the simple manner it's presented but at the same time delivers the message very effectively. It's a great educational tool to take to the community as it can reach the understanding of the audience of any level and can help people to look more deeply into the challenging aspect of family violence and recognise the importance of creating family harmony, also the videos were well done taken in to consideration of the subtle and sensitive aspect of family violence, within South Asian communities. Dr Manjula and the team need to be commended for their dedication and hard work and the commitment to improve the life and well-being of all, including those of South Asian background. It is important to note that family violence is not limited to any cultural group or a community. It is a global issue and could affect anyone.



Legislating on Transnational Dowry Abuse: A Ray of Hope from Australia

Lawyer/Advocate Dr Shalu Nigam (Delhi, India)

Dr Nigam is a lawyer and a researcher working on gender, governance and human rights issues for several years in India. She has written several articles, research papers and books and currently is practicing in Delhi. She attended the Second Dowry Abuse Summit in Sydney from India at the invitation of ACHRH.

As per the report titled Crimes in India 2016, published by the National Crime Record Bureau of India, death of 7621 women is registered as dowry death under Section 304B of the Indian Penal Code. This implies that more than 21 women die every day because they could not fulfill dowry demands made by their husbands or in-laws. Also, 1,10,378 cases have been registered under Section 498A for cruelty against married women by her husband and in-laws. The conviction rate is as low as 39.1 percent in cases of dowry deaths and 9.5 percent in cases of domestic violence. The Indian society seems to have become deaf to screams of women who are being burned alive or murdered because of dowry and the legal system seems to have become immune. The fierce resistance initiated by the women's movement in India during the decades of 80s against the stove deaths' of newly married brides seems to have perished gradually, while currently, the narrative of abuse of dowry law dominates the judicial discourse. This has resulted in increase in the culture of violence against women with impunity that has also travelled across borders with people who are migrating to the developed world in order to fulfil their career or life aspirations. Amidst this disheartening situation, I found a ray of hope when I attended the Second Dowry Summit in Sydney Australia last week jointly organized by the Australasian Centre for Human Rights and Health and the University of New South Wales.

In this Summit, several of the survivors of transnational violence from India and elsewhere shared their lived experiences of the manner in which they have been abused because of dowry. The common pattern that emerged across those real lives stories is that the NRI men marry Indian women, demand huge dowry, sexually exploit them, then these men go abroad promising these young brides that they will arrange for the visas for women, but many keep on waiting. Men never respond while women are being abused by their in-laws here or are thrown out of their matrimonial houses. In other cases, even if women are being called by spouse to join him abroad on temporary visas, they are being abused and forcefully repatriated. In a foreign land, without the knowledge of language, laws or rules, many women face isolation, alienation and humiliation. They are being

tortured and exploited because of their vulnerable situation. Being in the foreign soil, these men enjoy the immunity from the Indian laws because the Indian government has no jurisdiction there. Even otherwise, the manner in which Indian laws are being implemented, women hardly receive any justice. Also, foreign laws do not recognize marriages performed on Indian soil, so many men remarry there. Most of them commit the crime with impunity because of the lacunae in the laws and also because of lax attitude of the government. Back in India, women survivors run from pillar to post to seek justice and wait for years, but nothing happens. Their children suffer in the process.

Distraught by such situation, eight women have filed a Public Interest Litigation last year before the Supreme Court of India. The Court has issued notice to the Centre asking it about the steps being taken by the government to tackle this issue. Meanwhile, the Ministry of External Affairs in India, under pressure, has introduced a Bill on Registration of NRI Marriages on 9th February 2019 before the Rajya Sabha. This Bill provides for registration of marriage by the NRIs within 30 days of solemnization of such marriage, impounding of passport in case the marriage is not being registered within 30 days and amendments in the Criminal Procedure Code pertaining to provisions such as uploading summons on the website of Ministry etc. However, these half-hearted efforts have not focused on the issues relating to provisions of interim relief to the women and children affected by such marriages or penalizing the guilty husbands. Further, not much research is being done in this field as there is no such data that exist pertaining to number of women who are being duped into marriage by NRI men. Several women who have been abandoned by their NRI husbands or even otherwise are living in a vulnerable situation. No efforts have been made to address the situation of these deserted abandoned women. This Bill has been currently referred to a Committee.

Amidst this chaotic situation as prevalent here, I came across the Legal and Constitutional Affairs Reference Committee Report or the Senate Report on the Practice of Dowry and incidences of dowry abuse in Australia. This exhaustive report discusses about fine nuances of the issue of dowry abuse, bride price and other forms of economic violence women face across several cultures, in great details in the light of provisions of family violence law in Australia. Based on submissions made by different experts and groups working on the issue of dowry violence and while considering the socio-legal situation as exists, the Senate report focuses on the issues of multi-culturalism in Australia, sees dowry abuse as a human rights issue and made several recommendations to provide relief to women who are being victimized. Also, in this one-day Summit, several of the politicians and leaders in Australia talk positively about accepting the recommendation of this report and addressing the issue of dowry abuse.

After interacting with women survivors, researchers, organizations working in the field and leaders, I sensed commitment and solidarity and felt optimistic that at least the issue of dowry has been raised somewhere in the positive spirit. Further exploration reveals that not only in Australia, but also in UK, USA and several other countries, their state governments have realized that the issue of dowry abuse or bride price as existed in other cultures, is affecting the large number of women who migrate or are residing in those countries and therefore, they are debating to enact laws to curb dowry abuse.

The discourse on dowry abuse, bride price or similar such arrangements relating to payments relating to marriages which affect women and children in many ways across different cultures, therefore, is regaining momentum across the globe and raises hope that in India too it will be addressed in the similar spirit paving way to allocations of funds for research, collation of data, changing the narrative from the myth of misuse and abuse of law to actually addressing the real issue and providing relief to women and children who suffer due to such dowry abuse. Such steps do not in any manner imply accusing one culture or the other, rather these are the ways to address the issues of gender injustice that exists everywhere. In almost every culture, women are facing disadvantages in one or the other way. Economic violence against women exists in one form or the other and exist all over.

What is required is the inter-country and intra-country coordination and above all a commitment by the state governments at the national as well as the international level to prevent violence, to protect women and children and to provide relief to those affected. In the globalized world, where cultural baggage including customs, traditions and practices, is easily being carried across political boundaries, it becomes necessary for the Governments across the countries to understand the nuances and impact of such influx and strategize the efforts to prevent violation of women's rights as human rights. Rather an international consortium may be established to specifically address such issues pertaining to women and children is essential. CEDAW provides a basic framework to examine all forms of violence against women, however, to specifically deal with the issue pertaining to violence or coercion for payments or transactions in relationships and its impact on women and children, a precise women's rights instrument could be evolved globally. Dowry abuse has resulted in death of many women and is also making severe impact on the lives of numerous others. It has to be addressed in whatever ways possible. Screams of those women who have been abused need to be heard and be acted upon. Women cannot be forced to stay at the receiving end forever for whatever reasons.

Nevertheless, such efforts being made by the organizations and governments across the world provide a ray of hope that patriarchy could be smashed to pave way for gender equality and justice. More specifically, the step of providing platforms where the survivors or women with lived experiences share their stories of pain and courage

through the prism of the language of rights and justice is essential and this Summit has successfully done the same. Similar such forums at global level where women from different cultures, different situations and different experiences could come together to voice their concerns and could garner support, nurture solidarity and cherish bond of togetherness, may help in long run. In a male-dominated masculine world, it is about being a human, being a woman and cherishing the commonality of womanhood.

The author is a lawyer and a researcher working on gender, governance and human rights issues for several years. She has written several articles, research papers and books and currently is practicing in Delhi. She may be contacted shalu_nigam@rediffmail.com

Follow us on Twitter!!

[@ACHRH MELBOURNE](https://twitter.com/ACHRH_MELBOURNE)



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

Media Engagement

The ACHRH has been making waves in the media – the following is a list of mentions of the ACHRH:

- ABC radio – World News, RN, ABC News
- ABC digital news- by Hayley Gleeson
- ABC television news- by Naomi Selvaratnam
- SBS digital news by Mosiqi Acharaya
- The Age – Article by Jewel Topsfield
- The Sydney Morning herald - Article by Jewel Topsfield
- Daily Telegraph– Article by Clarissa Bye
- The Australian –Article by Sue Smethurst, published in Enquirer
- The BuzzFeed.News –digital news

The ACHRH has also received the following mentions:

Victorian Parliament (and recorded in Hansard) -- Role of ACHRH and Dr Manjula in attaining the difficult goal of inclusion of words dowry abuse in Family Violence Protection Act by MP Heidi Victoria, MP Gabrielle Williams, and MP Danielle Green.

Federal Parliament -- MP Julian Hill.

**# SAY NO
TO DOWRY**

