

Dr Manjula O'Connor

MBBS FRANZCP DPM M Med.

Consultant Psychiatrist

13/8/2018

Submission to Senate enquiry into “The practice of dowry and the incidence of dowry abuse in Australia “

I am grateful to the Senate for this opportunity to present my views as a Psychiatrist with expertise in family violence in diverse communities and dowry abuse .

I am a Psychiatrist, a campaigner, an advocate against dowry and an academic. I Chair Family Violence Psychiatry Network at the Royal Australian NZ college of Psychiatrist. I run private practice in Psychiatry with expertise in migrant mental health and treatment of victims of family violence.

As the Founder of the Australasian Centre for Human Rights and Health I mobilised the community into a sustained advocacy campaign against dowry abuse and related violence leading to new anti-dowry law in Victoria- a first in western nations of the world. The new law will support the long term aim to stop family violence in culturally diverse communities

I hold an academic position of Hon Senior Fellow at the department of Psychiatry at the University of Melbourne . And conducts regular research projects and uses research evidence to support her work against domestic violence in migrant communities . I have published in national and international journals and is a reviewer in peer reviewed journals. I regularly speaks at local and international conferences and have presented paper on dowry related abuse in Germany at World Psychiatric Association in 2016 meeting and in Dublin at International Women Mental Health Meeting in March 2017.

Method and prevalence of dowry

I will describe two of my cases out of approximately 180 cases of family violence in Indian and South Asian community that I have seen in the past 3 years alone. Analysis of my patient data set shows that about 40% of all violence was committed due to dowry related extortion and coercive demands between 2015-2018 .

My figures show that the rate of demands has reduced slowly coming down from 75 % In 2012 , down to 30% in past 12 months , averaging at 40% for the past 3 years

I ascribe that to the publicity of the Victorian anti-dowry laws.

I will describe the deeper cultural meaning of arranged marriage and dowry abuse and possible action forward to stop this harmful cultural practice

Dr Manjula O'Connor

MBBS FRANZCP DPM M Med.

Consultant Psychiatrist

I would be honoured to appear in front of the enquiry and further explain my evidence and conclusions.

Case 1

Poona presented in a highly distressed state wishing to die. She was referred by Safe Steps

She said she is not happy because her arranged marriage has broken down. She was married on 27/4/2017 in India. Poonam was working in Dubai as a receptionist and very happy in her routine. She was ordered to return back to India by her father to marry the Australian-Indian groom. His family had made an offer of marriage to her father.

She was reluctant but gave in as her father threatened to disown her. She said she started talking to him and found that he was likeable. She finally gave in and got married. As per the Indian culture she said she moved out of her parents' home to live with his parents, waiting for partner visa.

She said she was humiliated by her mother in law who started to complain about 'lack of dowry'. She was critical and humiliating "you have brought nothing. No gold, no gifts". At the time of marriage Poonam reported that her parents made it clear to his family that they have nothing to give in dowry. They accepted the situation and seem comfortable with the idea. However they appeared to change their tune after the marriage.

Her husband then asked her to get cash from her parents to pay for her partner visa and tickets to Australia. That amount was approximately \$6000. With a recently widowed mother and no source of income she said she does not have that money. He said she had dishonoured his mother and family by not bringing enough gifts.

Her husband at this point decided she should travel to Australia on tourist visa and not wait for partner visa. She says it was all a plan to get her here on tourist visa so that he could reject her easily if he was dissatisfied, without any consequences for him.

She arrived in Australia on 27/3/2018 on tourist visa. Dowry is a subject in India that has multiple layers of meaning. The parents are societally pressured to give exorbitant gifts to their daughter. Gold, household furnishings, car, white goods etc, enough expensive gifts that are several times the

Dr Manjula O'Connor

MBBS FRANZCP DPM M Med.

Consultant Psychiatrist

income of the family and often bankrupts them. The grooms family greedily anticipate and feel entitled to receive free gifts that according to the Indian law and the ancient cultural tradition are meant only for the bride's use and future. In greed the in-laws and husband confiscate her gold, cash and other gifts that were meant for the bride. The young women and their parents have been hoodwinked by society into believing that it is their duty to give and the grooms have been groomed to believe that they are entitled to receive the bride's family wealth. Any brides parents not willing to give dowry are judged as too mean or too poor or not respect worthy. And the brides feel embarrassed as to why her parents did not give them more, as that would have spared her the humiliation of her family being judged as lower class than the groom and not good enough.

Six months after arrival Poonam stated that she asked her husband to apply for a spousal visa but he started abusing her telling her it was too expensive. She said she told him that she had no access to money. Her father had died in India and she was not earning anything here

27/6/2018 and then threw me out of the house"

Impact on mental health

She reported feeling acutely suicidal as she was made homeless by her husband. She has attended emergency at Monash medical centre on 14/7/18 and at Western General Hospital on 28/7/18

The Western General Hospital referred her to Safe Steps and she is living in a safe house and no longer homeless.

She is on tourist visa making her ineligible for Centre Link support or Medicare cover. She is unemployed and has no source of income. Mental state examination revealed a very distressed and tearful woman, and speaking only of suicide as a solution to her problem. Her painful thoughts were persistent, intrusive and distressing. Thoughts of feeling cheated and betrayed, humiliated, subjected to physical violence, emotional abuse, sexual abuse. Rejection from own family in India and fear of returning back. Feeling alone and unsupported. Extreme Sleep deprivation

She was in severe state of anxiety and depression with intrusive thoughts, severe insomnia and loss of appetite. I diagnose her as suffering from Acute Stress Disorder. She needed Clonazepam 0.5 mg nocte and Lexapro 10 mg daily. She needs trauma therapy and supportive therapy support with medico-legal reports.

She was homeless now in a safe house, on tourist visa making her ineligible for Centre Link support. She is unemployed and has no source of income.

She has no Medicare cover and no money she was seen pro bono and free medico-legal support was provided

Dr Manjula O'Connor

MBBS FRANZCP DPM M Med.

Consultant Psychiatrist

Poonam is a victim of family domestic sexual violence perpetrated by husband in Australia and Mother-in-law in India. It appears that the problems started as mother-in-law incited her son against Poonam for being too independent and too outspoken. It is well known that mothers-in-law in India jealously guard their controls over their sons and any threats to their close relationship with son is a threat to their own survival. Poonam posed a threat being an independent minded strong woman. Her Australian-Indian husband rejected her after subjecting to severe emotional abuse, sexual abuse and physical violence, such as slapping, pushing, and one attempt at choking her.

Her marriage is broken. Sadly her family have stuck to their belief that her life is only with her husband. She has lost her identity and purpose in life. They are not willing for her to return back to them in India.

A number of times her mother-in-law mentioned "insufficient dowry". It played a role in mother-in-law's anger highly likely she conveyed her dissatisfaction to her son in Australia adding fuel to fire. He started demanding money and criticising her for not honouring her mother enough. It eventually added to a number of factors that led to severe abuse and violence and abandonment.

Case 2- Neema

Neema was married in arranged marriage to her husband on 17 February 2016 and engagement occurred in September 2015. An elaborate marriage ceremony was held and all the functions were paid by her parents. In addition expensive gifts like diamond jewellery for her mother-in-law, clothes cash gold watches chain bangles would be given to her sister-in-law and brother-in-law as well as husband. After the marriage her husband started to demand her father pay for their honeymoon to Paris. She says he forcibly asked her to send them text messages demanding her father pay for their honeymoon to Paris. After marriage she relocated to his parents' home as per the Indian custom and he took her ATM card and withdrew roughly \$2000 of her account. He said he will keep that for honeymoon. He also kept her multicurrency card that is quite hard to obtain in India. Then her mother-in-law started complaining "what have you given us"

They wanted furniture and she said her father replied that he will pay for the furniture in Australia. In March 2016 she said she arrived in Australia on tourist Visa and once again her father was forced to pay for the tickets.

In Australia he kept her isolated did not introduce her to any friends and told her she just had to stay home. There was no money given to her. He kept all the cash he took out of her ATM. He would not allow her to apply for jobs. She became sick very often for three months he refused to take her to GP. One day he was extremely upset because she spent \$30 on groceries. He smashed the heavy Iron Gate onto her foot, refused to take her to the doctors.

Dr Manjula O'Connor

MBBS FRANZCP DPM M Med.

Consultant Psychiatrist

She said she was all alone in the house all day, had nothing to eat and her father had to give her \$500 to spend on food . Her gums were bleeding possibly due to inadequate diet, lack of fresh fruit and greens in her diet .

She went to India for a wedding . He refused to let her enter the house . He has kept all her gold jewellery, her expensive clothes. The dowry given in India

Her parents were present in the interview with her . They were extremely distressed. They recognised this to be a case of dowry abuse. He was given huge gifts . His anger was all about her father's refusal to pay for the furniture as demanded by his parents .

Social media contacts by victims internationally

In past 3 months since the publicity of new Victorian anti- dowry laws reached India and through my Face Book posts I have been contacted by eight women from India and New Zealand expressing deep sadness at being abandoned by husbands who have taken substantial dowries and ran off to Australia with no chance of them being able to reclaim their dowry or the perpetrators held accountable.

Meaning of dowry in Indian marriage

The arranged marriage is far more meaningful with deep cultural meaning for Indian women than it is to their Australian-Indian husbands . It often takes just a few months and lack of regard for the cultural meaning of arranged marriage , in a self-centred , greedy , in a gesture of abuse of power they choose to discard her after subjecting her to mental torture and physical violence . For the women it spells the end of their dream life as a married woman. In India the life of a woman is successful only when she is married. Hence this marriage means loss of respect, loss of status and loss of new identity forced upon her by society and implemented by families. The laws are needed to protect women from this evil tradition

The practice of dowry and dowry gifts are to be understood at two separate levels with multiple layers of meaning . The practice of dowry is societally enforced . Parents are forced to give exorbitant gifts to their daughters-gold , household furnishings , car, white goods etc ,enough expensive gifts that are several times the income of the family and often bankrupts them .

The gifts of dowry on the other hand is greedily anticipated by grooms family who feel entitled to receive free gifts .The gifts according to the Indian law and the ancient Indian cultural tradition dowry gifts are meant only for the bride's use and her future security. But greed and as expression of male/groom's superiority the in-laws and husband confiscate her gold, cash and other gifts meant for the bride .

Dr Manjula O'Connor

MBBS FRANZCP DPM M Med.

Consultant Psychiatrist

The young women and their parents have been hoodwinked by society into continuing the practice of dowry believing that it is their duty to give and the grooms have been groomed to believe that they are entitled to receive the bride's family wealth.

Any brides parents not willing to give dowry are judged as too mean , too poor and not respect worthy by the socially conscious/greedy grooms .The brides have internalised this societal construct. The process of criticism of not enough dowry gifts by husband and his mother should anger the bride , instead it makes her feel ashamed, embarrassed and she questions as to why her parents did not give more , as that would have spared her the humiliation of her family being judged as lower class than the groom and she not good enough for him .

In Australia dowry abused women on temporary visas suffered multiple layers of disadvantage . Poonam was forced to marry him, her family were poor and did not give dowry making her vulnerable to mother-in-law's anger who incited her son . He as a husband was not that keen to marry her anyway as he had a Caucasian lover and a son by her. The pre-existent seeds of doubt in his mind were reinforced by his mother. This led to him inviting her here on tourist visa to "test her". She was found wanting which was almost predetermined . She is now homeless, stateless, unwanted by anyone . She has lost identity and lost purpose in life , lost her control over her life that she previously had . It is no wonder that she feels suicide is the only way out for her . Indian women have the highest suicide rate of any women in the world. Poonam's case explains why dowry cases are associated with suicidal behaviour .

Nima's case explains why we need anti-dowry laws in Australia combined with extradition treaty with India so they the grooms cannot escape with their crimes and ill-gotten fortune. Please read the Article in the Indian express written on 13 August

Recommendations

- 1. The two cases above demonstrate the need for anti-dowry laws in Australian Family Law Act where coercive demands and extortion is defined as a crime**
- 2. Bi- national agreement with India to prosecute the Australian-Indian men whether the crime is committed in India or Australia**
- 3. Extradition treaty with India so the perpetrators can be returned back to Australia or India to face charges and to be held accountable. At the moment there is no accountability for dowry abuse**
- 4. Women on temporary visas are extremely vulnerable and should be protected by granting them support services entitled to permanent residents**

Dr Manjula O'Connor

MBBS FRANZCP DPM M Med.

Consultant Psychiatrist

-
- 5. Women on temporary visas subjected to violence should be considered humanely by Immigration Department and granted permanent residency**

Attachment – Indian Express Newspaper Article dated 13/8/2018 .