



Empowering Communities
through Knowledge
and Research.

www.achrh.org

3rd Floor
20 Collins street
Melbourne 3000

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**It is a privilege for the Australasian Centre for Human Rights and Health
to make a submission to the Senate Enquiry into**

Domestic violence and gender inequality

Organization Description and History

The Australasian Centre for Human Rights and Health was launched on September 2012. The Centre'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.

The Centre primarily works with immigrants from the Indian Subcontinent and South Asia. ACHRH is a think tank that engages in community based research and organises evidence based community education activities.

ACHRH commenced a campaign against dowry in Australia in 2012 based in evidence collected by the Centre following contact with survivors of domestic violence from South Asian communities .

ACHRH looks to find new and innovative methods of action research, to find new solutions to old problems. For example one current project uses *community participatory theater* to explore issues of gender power imbalance, gender inequality, and domestic violence in the Indian and Asian community

ACHRH supports migrant settlement into Australia through cultural awareness, understanding and appreciation among migrants of Australian mainstream cultural values. ACHRH has designed Australian Culture Awareness course for migrants titled "Mutual Cultural Respect" to attain

this goal. ACHRH will address the issue of Gender inequality and domestic violence in CALD women

Gender Equality for CALD Women

Recommendations

- 1. Strengthen CALD women's rights organisations' access to existing and new funding streams; as well as reinforce recognition that the failure to support women's organizations means failure to secure gender equality and women's rights.**
- 2. Ensure CALD women's rights activists are invited to take a position at the table where policy making agenda is discussed**
- 3. Family Violence protection laws need to pay attention to the issue of financial abuse in the context of a new marriage for example dowry related coercive demands for exorbitant money and gifts**
- 4. Cutting budgets of CALD women will not enhance gender equality. Financial support through Centre link support for CALD newly married women who are victims of domestic violence is essential. They have been brought in to Australia on non-permanent residency visas for example spousal visa , visitor's visa , bridging visa or spouse of student visa holder or spouse of 457 visa holder .**
- 5. Husbands of such women should be held fully responsible and taxation system should be used to support this group of women**
- 6. Centre link support and Medicare support is central to gender equality and empowerment of CALD women with no rights in Australia**
- 7. Evidence strongly supports the idea that a higher status for women leads to less traditional gender attitudes. (The World Bank Policy Working Paper 2007). Asian CALD women should be placed at high status positions to fight the patriarchal attitudes.**

Introduction

(Esqueda & Harrison 2005 in Vichealth 2013) have shown that women from minority ethnic and racial groups who are exposed to violence are viewed less sympathetically and are taken less seriously than are women from majority groups. The Australasian Centre for Human Rights and Health's goal is to work towards mainstreaming the issues surrounding gender inequality and Family and domestic violence (FDV) in Asian communities. For example issue such as dowry, domestic violence related murders and suicides in the Australian Indian and Chinese community; pointing to evidence of female feticide is currently being practiced among the Australian- Indian and Chinese communities as described by UN expert Christopher Guilmoto speaking on SBS Radio (2015).

Australia is a nation of migrants. Twenty eight percent Australians are born overseas and another 25% have one parent born overseas (ABS2013). One third of migrants come from India and China. The Australasian centre for human rights and health (ACHRH) works in the area of intervention and prevention of domestic violence in CALD women from the Asian region.

ACHRH was the first organisation to commence community awareness raising program around Dowry demands for exorbitant gifts and cash in the context of a new marriage with an anti-dowry petition that was commenced in 2013. A significant amount of community discussion and media attention has been paid to the issue, and dowry related problems have been uncovered in Asian, Middle-Eastern and African communities. The Royal Commission received a significant submission from ACHRH on the above topic but ACHRH was not given a chance to give evidence. Many representations to the Ministers office on this issue have been made. ACHRH is not invited to discussion forums or policy making forums or key events hosted by the Office of Women. The result is inadequate representation of issues that affect CALD women from Asia.

ACHRH provided 150 hours' worth of unpaid medical, medico-legal and advocacy support for CALD victims of DV, but with no rights in Australia. For example those on non-permanent residency visas for example where spousal visa is cancelled, married women here on visitor's visa, bridging visa or spouse of student visa holder or spouse of 457 visa holder. Such women are not entitled to Medicare, Centre link or transport support. Temporary housing support is provided by Salvation Army and Safe Steps but victims can be asked to leave anytime with no support provided to find a home.

Financial Abuse in the context of a new marriage

Dowry as a factor towards gender inequality and Family and Domestic Violence(FDV).

Financial abuse and unfettered control of resources by one intimate partner over another is a cause of power imbalance and gender inequality in a domestic situation. Dowry is a form of financial abuse that perpetuates gender inequality and is a leading factor responsible for female feticide in India (Hesketh et al 2012). Dowry is a stated demand and unstated expectation of substantial gifts in the context of a marriage. In some cultures it is the man, while in others it is the woman who receives dowry. Eventually the woman has to "pay" the price – she will suffer violence or emotional abuse because either too much money was paid to her family or not enough money was received from her family. **Dowry is a custom that is being practised in Australia by many ethnic sections –Indian, Pakistani, Bangladeshi, Chinese, Middle-Eastern, and African.** (Commonwealth of Australia DSS 2015; Australasian Centre for Human Right And Health submission to the Victorian Royal commission into Family violence, 2015). At least two murders related to dowry demands have come to light (See Herald Sun Report in Attachment 3).

The system of dowry is evil, it has no pace in today's world. It is kept in place by greed and the patriarchal powers of society (Babu and Babu 2010). Men say 'ah, but it is the mothers-in-law who are greedy and demanding'. Careful analysis reveals that women are actually acting on behest of men. She is rewarded with special privileges if she stays complicit – privileges like public respect, awards, money, and prestige come her way. If she speaks out

against the custom she will be ostracised, socially excluded and no one will want to marry her daughters, she will be shunned by society (Jack and Ali 2010).

Dowry is different to gifts that are within the means of family. African women too receive dowry. ACHRH discussions with the African women indicates that the bride price is fixed up front in an open community type setting, the price is negotiated between the groom and the bride's family. That price does not go up arbitrarily unlike the Indian context. But it is also open to abuse, many men feel unable to pay the amount as that takes away resources from his own family (SBS Documentary September 2015 Negotiating for a wife: Australian men pay dowries so they can marry. Dowry is alive and well in Australia). In the Indian context there is expectation that each festival, each birthday, each significant event in the life of the groom's biological family will be met with gifts from the bride's family. The Indian law criminalised dowry in 1961, it defined dowry as giving and taking gifts in the context of marriage for up to 7 years after marriage. How can the practice of dowry still go on in India? The patriarchal structures ensure the expectation of dowry is kept alive and a socially mediated unstated social pressure to give dowry is maintained (Babu and Babu 2011). The number of deaths recorded in National Family and Health Survey of India (NFHS2010) recorded increase in dowry deaths as compared to the last survey held in 2006 (Babu and Babu 2011).

In the absence of "Sufficient dowry" the new bride is subjected to domestic violence. The expat Indian grooms are especially contributing to raising the dowry amount (Parliwala and Uberoi 2008) for a number of reasons. They can get away with it, for example due to different laws in Australia and India. Dowry enhances patriarchy, gender power imbalance and inequality. Boys and men are rewarded, mothers with male babies are rewarded while those women pregnant with female babies are forced to abort, beaten, even thrown out of the family home (Evan Grae "It's a girl" 2014). This bestows a sense of entitlement among men. It was noted by Coroner Ian Grey in Sargun Ragi's murder inquest. Mr Singh he said was motivated by a 'culturally entrenched' attitude of 'male entitlement' (Corners inquest report 2015).

The daughter on the other hand is a losing proposition (Evan Grae "It's a girl" 2014). *"The three deadliest words in the world are It's a girl"*. (Evan Grae documentary it's a girl). **Is there an abnormally high male babies born to Indian and Chinese communities in Australia? The answer is** provided by Christopher Guilmoto, an UN gender expert (SBS Radio 21/8/2015). He says the Indian and Chinese communities combined account for a *"missing 1395 female fetuses" between 2003 and 2013 in Australia. Between the decade studied (2003-2013) the sex ratio was 105.7 males per 100 females for Australia as a whole. For Indian born parents the ratio was 108.2 boys per 100 girls, and for Chinese-born parents, average of 109.5 boys were born for every 100 girls."*

The Australasian Centre for Human Rights and Health has had its anti-dowry petition tabled 3 times in the Parliament lower house, three times- twice by The Hon Ted Baillieu in 2014 and once by Heidi Victoria MP in 2015. We urge the Governments across Australia to legislate and act against the practice of dowry in Australia.

Research evidence (The World Bank policy working paper 2007) shows higher status and higher income and education has a positive societal effect, not simply an individual effect. It changes social normative behaviours. The reversal of preference for sons in South Korea is attributed to increased education, higher income and status of women and lower secular beliefs in Buddhism (shown to be correlated with strong patriarchal attitudes).

Attachments

1. Letter from a victim of dowry abuse
2. Petition against dowry
3. Media Coverage on dowry

Summary

There is a need to create equality for CALD women from ethnic and racial groups who are exposed to violence are viewed to overcome less sympathetic and less seriously view of this group than women from majority groups. There is an urgent need for the State and Federal governments to support the CALD organisations how are engaged in the task of challenging social and cultural norms that support gender inequality.

Evidence strongly supports the idea that a higher status for women leads to less traditional gender attitudes. (The World Bank Policy Working Paper 2007). There is a need for Federal and State Governments to take affirmative action to place Asian **CALD women at high status positions.**

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Contact details

Dr Manjula O'Connor
MBBS FRANZCP M Med DPM
Executive Director, Australasian Centre for Human Rights and Health