



AustralAsian Centre
FOR HUMAN RIGHTS & HEALTH

Founded September 2012

www.achrh.org

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Introduction to the AustralAsian Centre for Human Rights and Health hence forth known as ACHRH.

Vison and Mission

ACHRH vision is to create happy communities. Our mission is to stop domestic violence, build individual and community resilience through harmony in the home, positive mental health, and mutual cultural respect among the South Asian communities.

ACHRH primarily works with and provides services to immigrants from the Indian Subcontinent and South Asia. ACHRH 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 has a strong, demonstrative track record of harnessing relationships in the Community and has a solid record of managing government funds. ACHRH is a 9 year old Victoria based NFP charity registered with Federal Government's ACNC .

Projects that have reached deep into the Australian South Asian Community

Dowry abuse campaign

ACHRH commenced a campaign against dowry in Australia in 2012. In 2015 ACHRH made a submission into the Victoria Royal Commission into Family Violence (RCFV). As a result of the work undertaken by ACHRH, 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. And It Became Law In Victoria In March 2019. ACHRH is currently working with Federal Government to include dowry abuse in the Family Law Act. ACHRH leads the National Dowry Abuse working Group comprising the peak bodies of DV workers.

ACHRH hosted a National Anti-dowry Summit in 2017 in Melbourne and second summit in 2019 in partnership with University of New South Wales in Sydney. More information can be obtained by visiting www.achrh.org

The dowry abuse campaign triggered Federal Senate Hearing into The practice of dowry and the incidence of dowry abuse in Australia. It received about 80 submissions and made 12 recommendations. The Federal Government response was tabled in 2023.

ACHRH received a three-year Department of Social Services grant in partnership with Harmony Alliance, \$495,000 to work on creating a **National Platform for the Prevention of Dowry Abuse**. The project aims to identify the drivers behind dowry abuse in Australia, pinpoint gaps in knowledge, and find community-led solutions to prevent dowry abuse, such as the delivery of education programs for community groups. So far, the project is on track to meet all objectives outlined in the Activity Plan. Professor Manjula O'Connor is the Principal Research Investigator. The project is being delivered by ACHRH in partnership with Harmony. An academic paper titled "Health impacts of dowry abuse in Australian Indian community" published in Medical Journal of Australia can be found on www.achrh.org

Supporting new migrants

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 **Victorian Government Multicultural award for Innovation** for "Mutual Cultural Respect" program.

Mutual Relational Respect

Prevention of domestic violence and mental health awareness in Indian communities including the broader South Asian community. ACHRH has extensive project work experience. It has delivered 50 Mutual Relational Respect interactive workshops in Victoria and Australia since 2017. The workshops aim to educate the participants around the drivers of family DV them from happening in the first place.

MRR workshops also educate communities on mental health, suicide prevention and help seeking, especially effective online workshops were delivered over two years of COVID isolation period.

Community participatory theatre Natak Vihar.

In 2016 Natak Vihar was conducted and 4 workshops and 4 performances involving 172 people was held and is filmed. Please visit achrh.org to see the film on Natak Vihar.

It gave rise a four-year community participatory action research project titled '**United We Stand**'.

In 2020 -2024 January ACHRH worked in India Delhi and Lucknow Maharaja Bijli College to **deliver HOPE workshops to students** .HOPE uses video clips to educate participants around how gender norms are formed and contribute to family violence , and how family violence can be stopped. Ongoing relationship continues with India.

Community participatory theatre 2021-2024. “Sneh Theatre”.

In 2021 ACHRH received Victorian Government grant to conduct community education around early intervention and prevention of domestic violence using community participatory theatre over three years 2021-2024. We call it “SNEH Theatre”.

The performances have been filmed and a documentary film will be screened widely, The final evaluation report will be released at the AGM in December 2024.

Summary

The AustralAsian Centre has expertise in prevention of family domestic violence and encouraging early intervention among Australian South Asian communities. ACHRH led the successful dowry abuse public campaign leading to inclusion in the Victorian Family Violence protection Act 2008. ACHRH has reached thousands of South Asian community members through its F2F workshops, online workshops, films, events, and quarterly newsletters.

Inquiry into family violence orders

The Committee will inquire into and report on how to provide better access for victim-survivors in the family law system to Family Violence Orders (FVO) and the effective enforcement of those orders.

The inquiry will have regard to:

1. The risk of an escalation in the aggressive and violent behaviour of the perpetrator and heightened risk to the partner and children during family court proceedings.
2. The current barriers for litigants in the family law system to obtain and enforce FV IVOs, including but not limited to:
 - a. the additional difficulty for victims of violence in the family law system to attend multiple courts for their family law order proceedings and an FVO
 - b. the intersection between FVOs and parenting orders, including that a family court parenting order may override an FVO
 - c. the availability of wrap-around support services and security for victims of violence.
3. How FVOs could be more accessible for victims of violence going through the family law system, including but not limited to:
 - a. making it easier to apply for and enforce an FVO

- b. co-location arrangements that would allow an application or enforcement of an FVO to be heard in the same physical location as the Federal Circuit and Family Court of Australia
 - c. the legal and non-legal support services required to promote early identification of and response to family violence.
4. Any other reform that would make it safer and fairer for victims of violence in the family law system who need the protection of FVOs.

ACHRH makes submission and the following recommendations in response to

Inquiry into family violence orders

The authors of the most hard-hitting Australian Child Maltreatment Study 2022 state¹

“Child protection is everyone’s responsibility. Historically it has been siloed from other services, frequently leading to the fragmented management of co-occurring child protection, health and social problems in the community. Widespread implementation of evidence-based interventions addressing family risk factors for child maltreatment such as parental conflict, mental illness and substance use is critical to the prevention of health risk behaviours and mental illness.

1. Abusive Tactics outlined below are often used by abusers when children and adolescents are involved in separation following domestic abuse. Such behaviour can trigger mental illness, behavioural issues, substance use in children. And cause anxiety stress, depression in the caring parent usually the mother.
2. Perpetrators use child access as an excuse to ring, blackmail, threaten the main carer with reporting victimised parent to the courts for minor issues or illnesses that may delay supervised access. The mothers from CALD background are suffering the most. She may not have a car or have vulnerable employment, but the abuser has the right according to the

¹ The Australian Child Maltreatment Study: National prevalence and associated health outcomes of child abuse and neglect. Coordinating author: Ben Mathews. Medical Journal of Australia. 2022 Supplement

parenting orders to insist that she take public transport or a taxi to bring the child to visit him, at an added expense to herself, money that she does not have. Abusers abuse the family law orders that threaten the mothers that the Courts will give the child to the abusive father should she not co-operate with his any unreasonable demand. This kind of behaviour causes immense anxiety and trauma to already traumatised mother and children. One 2019 review analyzed 25 studies and concluded that children were significantly more likely to have anxiety and depressive disorders if their parents had an anxiety disorder. If mother is anxious the child become anxious.²

3. Parenting orders rely heavily on Family Law Court Report writers. Previous Intervention Orders and history of domestic abuse and coercive controlling behaviours of abusive husband and father is often minimised, denied, downplayed as having no impact on children's wellbeing and mental health. Australian Child Maltreatment Study 2022 shows that children exposed to domestic abuse, and violence grow up to have anxiety, fear and PTSD. Visting the abuser has the potential to retraumatise many such children.
4. Children who refuse to visit their abusers should not be forced to visit their abusers. And any vexatious litigation, blackmail, threatening messages, technology facilitated abuse to threaten the caring parent should qualify for FVO . The abused parent should have the right to apply for such order at the court
5. Abusive partners deliberately attempt to distance a child from their other parent or parental figures. The migrant women particularly suffer from this type of abuse. In the Indian and the broader South Asian tradition children are culturally deemed to belong to their father, and not the mother. The separated fathers and their families instil in their child negative picture about their mother and her family. The children are often taught to not speak to their mother, abuse her, call her names. I have seen children kick and break things in mother's house on access

² Lawrence PJ, Murayama K, Creswell C. Systematic Review and Meta-Analysis: Anxiety and Depressive Disorders in Offspring of Parents With Anxiety Disorders. *J Am Acad Child Adolesc Psychiatry*. 2019 Jan;58(1):46-60.

visits. The abused parent should have the right to apply for FVO at the Family Law Courts

6. Some abusers coach children to say they were harmed by their caregiver / other adults.
7. Abusers may also falsely accuse their ex-partner of parental alienation.
8. Experience of ongoing coercive control, abuse, threats, child coaching should not be dismissed by Family Law Courts as unworthy of attention. It is rendering the victim usually women powerless, unheard and traumatised which in turn affects their children's future mental health.

Recommendation 1: Experience of ongoing coercive control, abuse, threats, child coaching should not be dismissed by Family Law Courts as unworthy of attention. Abusive parents should be issued FVO to restrain their behaviours.

Counter-parenting

1. Counter-parenting is when an abuser works against the other caregivers instead of cooperating.
2. They may intentionally oppose the other caregivers on all major parenting decisions. This may be done in order to be difficult, to upset the other caregivers, or to gain the child's favour.
3. For example:
 - a. deliberately disrupting a child's routine or schedule (for example, disrupting naps, changing feeding times, arriving for a visit just before school)
 - b. encouraging the child to break rules or be insubordinate
 - c. undermining the boundaries or rules set by other caregivers
 - d. Neglectful or abusive parenting
 - e. This abuse may be emotional, verbal, physical, or even sexual in nature. The abuse may be subversive, especially if they're currently involved in a custody battle, to avoid losing contact with their children.
 - f. Subversive abuse may look like neglect. For example, the abuser might neglect to feed or wash the child. They may also

deliberately put the child at risk of harm — for example, by not applying sunscreen or using a safety belt in the car.

4. The family law system is traumatising women and children as it does not take notice of post separation Family Violence and coercive control.

Recommendation 2: Restraining orders against abusers who engage in counter-parenting behaviours should be issued by the Family Law courts.

5. Victims usually poor women who are forced to self-represent in Family Law Courts due to lack of funds. The lack of respect for such women is palpable in the courts. Women are anxious, stressed, not legally savvy, poor, legal aid is not available.
6. Women are traumatised and seek mental health support from professionals. Over multiple session the clinicians listen to the trauma being caused by the Family Law Courts and provide trauma counselling. Their reports are dismissed by the Courts as biased. Professionals are duty bound to be objective, not biased. Family Law Court Report writers are privileged who downplay the actual abuse, coercive control and trauma caused by the abuser in their reports. This is miscarriage of justice. Truth is downplayed. There is nothing worse than the trauma caused by the Justice System.

Recommendation 3: Government makes legal aid funding available more freely to women with income below \$50000, not \$30000 as is the current situation

Recommendation 4: That courts treat the victims and parents who are often suffering from trauma induced anxiety and stress in trauma informed, respectful and careful manner.

7. Duty lawyers should be made freely available.

8. Treating mental health professional reports should be regarded seriously , with respect and given due weight , not treated as biased reports.

