



Submission No 17

**Inquiry into Slavery, Slavery-like conditions and People
Trafficking**

Organisation: Shakti Migrant and Women's Support Group

Shakti Migrant & Refugee Women's Support Group Melbourne Inc.

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Parliament House
Canberra, ACT 2600
Australia

RE: NEW INQUIRY INTO SLAVERY, SLAVERY-LIKE CONDITIONS AND PEOPLE TRAFICKING

Thank you for inviting Shakti to participate in the Inquiry as a community group and interested stakeholder with considerable experience in the area. We are privileged to have been invited and given the opportunity to participate in the AIC and AFP Forum on People Trafficking where we introduced our organisation and our key concerns around the issue of forced marriage and slavery-like practices affecting migrant and refugee women in Australia. We are now further encouraged that the Human Rights Sub-committee of the Joint Standing Committee on Foreign Affairs, Defence and Trade are taking further consultation on this matter.

About Shakti

Shakti Migrant & Refugee Women's Support Group Melbourne Inc. is a not for profit women's organisation working in the area of women's empowerment and capacity building of migrant and refugee women. We aim to work towards ending all forms of discrimination and violence against women of varying ethnic backgrounds.

We are a member organisation of Shakti Community Council Inc. (New Zealand), a leading specialist provider of domestic violence intervention services in Asian, African and Middle Eastern communities. Forced marriage, dowry-related violence, and people trafficking in Asian, African and Middle Eastern communities are thus issues closely related to the heart of the work we do.

At the Australian Federal Police and Australian Institute of Criminology Forum on addressing Demand in Human Trafficking' in June 2012, we voiced our views and shared experiences on how slavery, slavery-like conditions and people trafficking in ethnic minority communities are manifested through age-old traditions and cultural practices in the communities we service. Representatives of Shakti were also present in the lobbying on the issue of trafficking and forced marriage within immigrant communities at the United Nations for the 52nd



CEDAW Alternative Report Session in July 2012.

We would like to use this opportunity to submit recommendations that we consider relevant to your office's Inquiry, specific to the issue of forced marriage as a form of slavery-like practice.

Recommendations we believe relevant to this Inquiry are:

- **Need to establish an inter-agency approach to monitor and facilitate the stopping of trafficking through forced marriage inter-state and internationally including work with Embassies and Immigration**

We recommend that authorities recognise forced marriage as a form of human rights abuse and an offence relating to child abuse, domestic violence and immigration fraud. This would involve inter-agency cooperation and a Working Group to exercise their regulatory powers to ensure safety of victims. For instance, in the event the Police encounter an incident of a non-Australian citizen person being trafficked for marriage, Police involved in investigation of forced marriage claims, should be able to alert the relevant Embassy of the non-resident victim and Immigration where necessary.

Immigration needs to place greater scrutiny on these cases to identify if forced marriage is present and work with the Police and Courts to notify of and address such cases. We also advocate for lifting the age of consent for sponsoring spouse's Immigration applications to at least 21 years of age.

We recommend greater international co-operation in forced marriage cases due to the extreme risk of victims' safety both in Australia and overseas. The process would involve reviewing systems of collaboration between Interpol and Immigration, embassies, and overseas agencies that work with women and children. An exemplary model for this operation is the United Kingdom's Forced Marriage Unit that works very closely with South Asian Embassies to address forced marriage and human trafficking cases.

- **Training of judiciary in understanding the risks and effects of forced marriage unto trafficked women and girl-children of Asian, African and Middle Eastern origins.**

Family Courts and Criminal Courts need to include greater awareness of the dynamics, issues and effects of forced marriage. If forced marriage is identified in a case such as child custody cases amongst migrant and



refugee women, special consideration must be given to the intergenerational health, education, employment and socioeconomic effects of forced marriage on the children from those marriages. This is in recognition of the significant impact that forced marriage, can have on not only the victim mother of a forced marriage but their children as well.

- **Creating specific protocols, culturally-appropriate emergency resources and facilities for trafficked victims experiencing forced marriage or dowry-related violence with culturally-competent service providers**

Safety protection orders related to forced marriage be granted on the spot by courts and the police. This would necessitate the development of a forced marriage category or code in application to assist victims of forced marriage and agencies advocating on behalf of victims of forced marriage. Victims of trafficking and forced marriage should also be supported with a culturally-competent service provider in terms of emergency accommodation, food and necessary support to aid their transition to safety.

We trust that our submission be considered and hope that it provides insight for the purposes of this Inquiry. We look forward to the outcomes and kept in touch on funding@shakti.org.nz.

Thank you again for providing the opportunity to consider our submission.

Best regards,

Shasha Ali

International Development Coordinator

Shakti Community Council Inc.

On behalf of Shakti Migrant & Refugee Women's Support Group Melbourne Inc.