



ACHRH
Empowering Communities
through Knowledge & Research

ACHRH
Newsletter
Special
Anti-dowry
Edition
April 2016

HEARTFELT GRATITUDE for supporting the transformation of our anti-dowry petition into Law

Respected Members of Parliament, Media partners and Supporters,

I write to show our deepest regard and to thank you for supporting our perilous journey as we campaigned in the streets against dowry in Victoria, Australia.

We were graciously supported by the media- both mainstream and the ethnic media.

The victims were courageous in speaking out their experiences of trauma and torture suffered at the hands of their husbands and mother-in-laws due to "insufficient dowry".

We at the Centre (ACHRH) recognized that the ancient and antiquated system of dowry is out- lawed in India since 1961 but continues to flourish with the Indian diaspora in Australia.

We saw the evil consequences including murders, mental illness, physical abuse and on-going slow torture.

The Royal Commission and the **successive Victorian Governments** have supported and listened to our pleas on behalf of hundreds of voiceless women. Our petition was tabled in the Victorian Parliament 3 times with new sets of signatures and now it is LAW.

The Royal commission report acknowledged the submission by the Australasian Centre for Human Rights and Health and accepted its recommendation to implement its petition against dowry.

Recommendation 156: The Victorian Government amend section 6 of the Family Violence Protection Act 2008 (Vic) to expand the statutory examples of family

violence to include forced marriage and dowry-related abuse [within 12 months].

In Volume 5 page 113 the Royal Commission wrote: Dowry is gifts that are multiple times the annual income of the family. This is the definition of dowry that was provided by ACHRH.

In the last paragraph of pg 113 it reads **THE AUSTRALASIAN CENTRE FOR HUMAN RIGHTS AND HEALTH (ACHRH) submitted that dowry plays a significant adverse role in leading to emotional and physical abuse and has harmful impacts on mental health. the Centre highlighted a greater need for awareness and education and called for Family Violence protection act to be amended to include dowry as an example of financial abuse and to make giving and taking of dowry illegal.**

Please accept my heartfelt Gratitude

Manjula



Manjula O'Connor

Royal Commission into Family Violence recognizes Dowry-related violence

We have won the fight against dowry! Our petition against dowry is fully accepted by the Royal Commission.

Dowry demands to become an offence under the Family Violence law of Victoria within one year!

'Dowry' refers to money, property or gifts transferred by a woman's family to her husband upon marriage. Sometimes, dowry demands can be for substantial amounts of money which are multiple times the annual income of a bride or the groom's family. The Commission heard that misuse of dowry was a 'substantial problem' and a particular concern in Indian, Pakistani, Sri Lankan and, increasingly, Middle Eastern communities.

The Commission also heard that a demand for dowry is unlawful in some of these overseas jurisdictions. Socio-economic status affects the amount of dowry to be paid. Dowry-related violence commonly involves claims that dowry was not paid and coercive demands for further money or gifts from a woman and her extended family. In some cases a man will use a prospective entitlement to permanent residency in Australia as a bargaining tool to attract a higher dowry price from his future spouse and her family.

This abuse can be aggravated by a woman's uncertain visa status. Good Shepherd Australia New Zealand and Wyndham Legal Service noted that dowry-related violence 'typically co-existed with visa and migration challenges for women who were often in Australia on spousal visas and more limited in their options'.

During the community consultations the Commission heard directly from women who had experienced dowry-related abuse. One woman said her husband had threatened to report her to immigration authorities if she did not give him money from her parents: The fact was I was being [pressured] to get money from my parents. He said he needs some dowry. He had a huge house but because I couldn't work because of visa restrictions, I was told to get money from my parents. I have some photos of how much gifts my parents gave—the rings, the gold ... All these gifts were exchanged during the marriage ceremony but they were not happy with this. When I said my parents couldn't afford it and he said then he'd write to the Department of Immigration and I'd be asked to go back to India.

Women who sought assistance experienced difficulty because there was a lack of understanding about dowry and its misuse: Dowry is a main issue and it's not being recognised here. You go to the police and they have no idea what you're talking about ... here it's hard because the police don't know what it means.

For some women the money their families have spent on dowry also acts as a barrier to their leaving their abusive partners.

The Royal Commission report said "The Australasian Centre for Human Rights and Health submitted that dowry plays a 'significant adverse role' in leading to emotional and physical abuse and has harmful impacts on mental health. The centre highlighted the need for greater awareness and education and called for the Family Violence Protection Act 2008 (Vic) to be amended to include misuse of dowry as an example of economic abuse or to make the 'taking and giving of dowry illegal'".

Recommendation 156: The Victorian Government amend section 6 of the Family Violence Protection Act 2008 (Vic) to expand the statutory examples of family violence to include forced marriage and dowry-related abuse [within 12 months].

The new laws, as reflected in recommendation 156 (page 87) of the Royal Commission into Family Violence report, will revolutionize how victims in Australia can seek justice and protection and raise the consequences faced by perpetrators.

The Royal Commission into Family Violence published their Summary and recommendations in March. You can access the report at this link:

http://files.rcfv.com.au/R.../RCFV_Full_Report_Interactive.pdf

As specified in its terms of reference, the Commission’s task was to identify the most effective ways to:

- prevent family violence
- improve early intervention so as to identify and protect those at risk
- support victims—particularly women and children—and address the impacts of violence on them
- make perpetrator accountable
- develop and refine systemic responses to family violence—including in the legal system and by police, corrections, child protection, legal and family violence support services
- better coordinate community and government responses to family violence
- evaluate and measure the success of strategies, frameworks, policies, programs and services introduced to put a stop family violence.

The pleas of the ACHRH were heard and the petition against dowry accepted. This is an incredible win for the future for so many women and children impacted by an archaic system which is not acceptable. The petition is appended from page 4.

Support Us

ACHRH is an NGO and as such relies heavily and extensively on the mission partners and the wider community for support. If you would like to support us and get involved in any way then please do contact us, either via the website:

<http://www.achrh.org/>

Or Facebook (click the follow the link):



ACHRH organised a street march through CBD on 14 December 2014. The march started from Federal Square and reached the Victorian Parliament, chanting “sorry, sorry no dowry”. There more than 50 members of Indian community all wearing red, the traditional colour of the bride. The team of volunteers were addressed by the Former Premier Ted Baillieu, Dr Manjula and a young victim of dowry abuse. Dozens signed the ACHRH anti-dowry petition. The Walk against Dowry called for the practice to be banned under Victorian law, saying it was a “significant contributor” to family violence. The centuries-old tradition, where the bride’s family gift cash and valuables to the groom’s family, has been illegal in India since 1961, but remains widespread and has been transported to Australia. The Herald Sun article dated 23/4/2015 by Ashley Aragoon reported two dowry related deaths in Victoria. ACHRH 's made a big submission to the Royal Commission. ACHRH’s campaign against dowry has received extensive media coverage since 2013.

Some examples of our anti-dowry campaign...



A silent majority of Indian community signed the ACHRH petition at Diwali festival 2015.



Australasian Centre for Human Rights and Health



www.achrh.org

Petition to Ban Dowry for Australian Indian residents

Petition Summary & Background

Wedding Day should be a happy day, but this is hardly a day to celebrate for many Indian women and their families when there are demands being made by the groom's family. The demands can be for gifts, cash, gold, furniture, payment for a car, expensive clothes for his family. Then over and above that the bride's family has to spend money on the elaborate wedding that may last up to 4 days. The expense adds up to multiple times the parent's annual income.

India is celebrating in the glory of its global economic achievement but the decades old issue of "dowry related domestic violence, suicide and homicide" affecting its young women citizens- whether they live in India or in foreign lands continues to be a thorny issue for Indians everywhere.

What is dowry?

Dowry is a practice defined as giving gifts, cash, gold, household furniture, cars etc in the context of marriage for up to seven years after marriage. Dowry has been a part of Indian marriage ceremony for centuries. Dowry in ancient times was meant for the financial security of the bride. Dowry was the daughter's share of the family inheritance while the sons inherited the ancestral property and family wealth. The meaning of Dowry has changed over time.

Evils of Practice of Dowry

This practice has now evolved into a social evil and its meaning has changed over the past decades. Now it is compulsory for bride's family to give extensive dowry. It is no longer voluntary. To stop the abuse India banned dowry in 1961 but the practice of making unashamed demands for dowry by the groom's parents has continued to rise. There are constant reports of dowry deaths, domestic violence associated with criticisms of insufficient gifts and offerings according to the academic literature. Greed and demands for dowry is responsible for cruelty and torture against the brides and even death by murder or suicide. There is research evidence from Victoria that the practice of dowry in Australia is flourishing (O'Connor et al 2013¹) and is a significant contributor towards domestic violence against Australian Indian women, depression and suicidal thinking. The problem is worsened when the young women living in India are married off to Indian men living away from India for example in Australia.

¹ Manjula O'Connor and Erminia Colluci -2013 "Exploring Domestic Violence And Social Distress In Australian Indian Community Through Community Theater" under Review.

Action Petitioned for

1. We the undersigned are concerned citizens who urge the Australian Government to address and act on the issue of dowry as a cause of domestic violence
2. We demand legal ban on dowry in line with the Indian laws, for Australian residents who get married abroad for example in India. Also for those who have been married recently within the past seven years we ask that any demands for gifts and/or cash from the bride’s family be made illegal
3. Domestic Violence laws in Australia have the provision of claiming financial abuse as Domestic Violence.
4. We also demand dowry related crimes are considered Economic abuse under the Victorian Family Violence legislation 2008 and like Family Violence are made punishable offences with civil and /or criminal penalties.
5. We also demand that dowry should be returned to the victim (protected person) under directions of the court and a treaty set up with the Indian Government to facilitate implementation of the Australian court judgments in India, making it easy for victims to reclaim the dowry and bring back to Australia.
6. We also seek that the Commonwealth Family Law legislation be amended to include dowry as a financial contribution made by the woman and that contribution be taken into account when dividing marital property so that the woman gets the benefit of it. In case of Muslim Law, it should be given to the wife at the time of separation as required under that Law.

PETITION

To the Legislative Assembly of Victoria

The petition of:

The undersigned concerned members of public of Victoria

Draws to the attention of the House:

Our serious concern that dowry demands, demands for money and gifts in the context of a new marriage (up to seven years) is a significant contributor to family and domestic violence within certain cultural communities of Victoria. We are concerned that this pattern is similar to the one reported in India, with documented evidence of extensive domestic violence in the context of demands for dowry and gifts by the groom and his family.

The petitioners therefore request that the Legislative Assembly of Victoria

Amends Family Violence Protection Act 2008 - SECT 6 as soon as possible to add the word ‘Dowry or coercive demands or pressure to supply gifts or cash in the context of a new marriage (up to seven years)’ under the examples cited in Section 6 titled “ Meaning of Economic Abuse”

SERIAL NO	Printed Name	Signature	Address
1.			
2			

Shattered dreams: the women tormented by dowry abuse

Neelima Choahan – The Age

Published: April 7, 2016 - 8:37PM

theage.com.au
THE AGE

Premier weighs levy to help house victims



The wedding album is the perfect advertisement of a big, fat Indian wedding. Colourful, traditional and opulent.

The glossy images document the seven days of the Sikh ceremonies: there are the women singing at the sangeet; here's the henna for the mehendi.

There is the photo of the father of the bride handing over a pile of banknotes to the groom, and giving 22-carat gold jewellery to the extended family of his soon-to-be son-in-law. All part of a lavish dowry.

Amid it all is the bride: Simran (not her real name), beautiful and young.

Simran said her family had spent \$100,000 on the wedding and gifts, but that wasn't enough for the groom, considered a prime catch because of his permanent residency visa in Australia.

She said her three years of marriage had been littered with increasing demands for money, and escalating violence when those demands were not met.

Dowry was banned in India in 1961, but many victims complain authorities fail to grasp that the cultural practice exists in Australia.

Now the Royal Commission into Family Violence has recommended that within 12 months the Victorian government should include dowry-related abuse as a form of family violence - in particular [economic abuse](#).

Premier Daniel Andrews has said he will implement all recommendations of the 1900-page report.

Manjula O'Connor, an Indian-born psychiatrist and Australasian Centre for Human Rights and Health director, has been campaigning to ban dowry in Australia. She said the recommendations would give greater clarity to authorities, and a voice to the victims.

"When the young women goes to the police and say, 'He has kept my dowry, he has got my gold, and all the cash', police say to the girls, 'We don't know what you mean by dowry?'" Dr O'Connor said.

"When they explain it is a gift, [the police] say, 'Why did you give so much gifts in the first place?' They have no cultural awareness of the pressure the family are under to give these huge amounts of gifts."

What this will do is make them [the women] feel heard and validated, and it will allow the judiciary to document, and the police to document the words 'dowry-related gifts' in their statement."

In 2014, former Victorian premier Ted Baillieu [tabled a petition in State Parliament](#) calling for the practice of dowry to be made illegal in Victoria.

For Simran, the relentless coercion for money spelt the end of her young dreams.

Married at just 20 to a man she had barely exchanged a few words with, the law graduate hoped for a happy wedded life. Just like in the movies.

"I thought I would look beautiful on my wedding day, pose for a lot of photos, go for a honeymoon," Simran said. "I will cook for him, he will be happy. He will help me too. We'll go to the movies, for a drive."

Now Simran is in a safe house somewhere in Melbourne, battling memories of the physical, verbal and economic abuse, and struggling to rebuild her life.

She said the recommendation would make it easier to ask for help in a foreign land.

"It means when we go to the police and complain, they won't say, 'What is dowry?'" she said. "When I told a social worker about the abuse, she said, 'It sounds like a story.' I said, 'This is not a story; this is my life.'"

For help or information regarding domestic violence, call the Sexual Assault, Domestic Family Violence Counselling Service on 1800 737 732, or visit 1800respect.org.au

This story was found at: <http://www.theage.com.au/victoria/shattered-dreams-the-women-tormented-by-dowry-abuse-20160407-gnznrx.html>



Simran at her wedding. Photo: Supplied

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