

## Royal commission recommends dowry related abuse to be a statutory example of Family Violence Protection Act

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Hundreds of thousands of Rupees in cash gifted to Australian-Indian groom as dowry

The submission to the Royal Commission into Family Violence by the Australasian Centre for Human Rights and Health concerned itself with the dowry system in the South Asian communities of Victoria. There is evidence that the custom of dowry is being practiced in Australia according to a number of submissions to the Victorian Royal Commission, for example by the Women's Legal Service, InTouch Multicultural Centre against Family Violence and by the Australasian Centre for Human Right and Health.

Dowry is defined as gifts, given or taken in the context of a marriage that are valued at multiple times the annual income of the families. At least two murders related to dowry demands have come to light in Victoria according to The Herald Sun. The system of Dowry has been termed human rights abuse by the UN. Dowry is attributed to cause about 8200 deaths in India according to the National Family Health Survey of India (2010). The system of dowry is evil, it has no place in today's world. It is kept in place by the patriarchal powers of society. Men say 'ah, but it is the mothers-in-law who are greedy, demanding and wield power'. Sociologist Martin Rew and others argue that mothers and wives are inextricably connected with maintaining patriarchy, male honour and prestige. She is rewarded with special privileges if she stays complicit –privileges like public respect, awards, money, and prestige come her way. Dowry enhances patriarchy i.e. male dominance, 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. 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' Dowry is different to gifts that are within the means of a family. 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 but the practice has continued and transported to Australia through the diaspora.

South Asia generally has seen the rise of wealth and with that there is a trend of increasing greed and demands for exorbitant amounts of cash, expensive gifts such as a car, house, and gold for relatives. Academics in India have called for dowry to be termed public health issue.

#### Abnormal low female to male ratio in India, China and Australia

The daughter is a losing proposition according to an award winning documentary film by Evan Grae titled "It's a girl" . It starts with "*The three deadliest words in the world are It's a girl*". The parents educate her, invest emotional energy but unless they give dowry she will not be offered a hand in marriage. The social pressures that maintain this tradition have been transported to Australia. Palriwal and Uberoi (2008) in their book Migration and Marriage write that the dowry value of an Indian groom who is a resident of first world country such as USA, Canada, Australia, UK , Europe goes up and can run into hundreds of thousands of dollars. The National Family survey of India 2010 identified female babies in India are being aborted skewing the male to female ratios to abnormal sex ratios. In parts of the country there are 1000 men to 967 women according to the national survey. **Is it happening in Australia? The answer is YES**, and is provided by Christopher Guilmoto, an UN gender expert( SBS Radio 21/8/2015). He says Indian and Chinese communities combined account for a "missing 1395 female foetuses" 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 gender inequality caused by dowry is making us all into unwitting participants in perpetuating domestic violence, not out of choice, but because we are silenced, suppressed, scared and subservient. We see no evil and do not want to speak of this evil but silence must be broken. The Australasian Centre for Human Rights and Health broke the silence and against the wishes of certain sections of the community it commenced an anti-dowry petition in 2013 which has been signed by more than 500 members of Indian community . It seeks to place dowry under the Economical abuse section of the Family Violence legislation of Victoria, 2008. The petition received extensive media coverage was tabled in the Victorian Parliament lower house by The Hon Ted Baillieu in 2014. Finally, the momentous day has arrived. The Royal Commission heard the pleas of the victims and the helpers. Page 113 of Volume 5 states "*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 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.*"

The historic Royal Commission has recommended that **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].**

## Attachments

1. Letter from a victim of dowry abuse
2. Petition against dowry

## Further Reading

Australasian Centre for Human Rights and Health Submission to Victorian Royal Commission into Family Violence. SUBM.0168.001.0004 "Refusal to comply with dowry demands leads to family violence and death "  
<http://www.rcfv.com.au/getattachment/43B1945E-83EC-490D-B1F9-73B44B79CC2E/Australasian-Centre-for-Human-Rights-and-Health>

Babu and Babu . 2011. Dowry a neglected public health issue in India. International Journal of health. 3(2011)35-43

Evan Grae. 2013. 'It's a girl'. <http://www.itsagirlmovie.com/>

Palriwala Rajni, Uberoi Patricia. Ed. 2008. Marriage, Migration and Gender. Sage Publishers. Delhi.

Martin Rew, Geetanjali Gangoli , Aisha K. Gill Violence between female in-laws in India. Journal of International Women's Studies Vol. 14, No. 1 January 2013

SBS Radio 21/8/2015. In some cultures it's a girl is still unwelcome news  
<http://www.sbs.com.au/radio/storystream/news-its-girl-still-unwelcome-some-cultures-australia>

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Appendix 1

## **Family Violence Protection Act 2008 of Victoria**

### **Current meaning of economic abuse** Page 13

#### **(Dowry will be added as an example under this section within 12 months)**

For the purposes of this Act, economic abuse is behaviour by a person (the first person) that is coercive, deceptive or unreasonably controls another person (the second person), without the second person's consent— (a) in a way that denies the second person the economic or financial autonomy the second person would have had but for that behaviour; or  
(b) by withholding or threatening to withhold the financial support necessary for meeting the reasonable living expenses of the second person or the second person's child, if the second person is entirely or predominantly dependent on the first person for financial support to meet those living expenses.

Examples—

- Coercing a person to relinquish control over assets and income;
- Removing or keeping a family member's property without permission, or threatening to do so;
- Disposing of property owned by a person, or owned jointly with a person, against the person's wishes and without lawful excuse;
- Without lawful excuse, preventing a person from having access to joint financial assets for the purposes of meeting normal household expenses;
- Preventing a person from seeking or keeping employment;
- Coercing a person to claim social security payments;
- Coercing a person to sign a power of attorney that would enable the person's finances to be managed by another person;
- Coercing a person to sign a contract for the purchase of goods or services;
- Coercing a person to sign a contract for the provision of finance, a loan or credit;
- Coercing a person to sign a contract of guarantee;
- Coercing a person to sign any legal document for the establishment or operation of a business

