

Recommendations

Recommendation 1

4.28 The committee recommends that the term 'economic abuse' is included as a form of family violence in subsection 4AB(2) of the *Family Law Act 1975*, and the subsection provide a non-exhaustive list of examples of economic abuse, including dowry abuse.

Recommendation 2

4.51 The committee recommends that the Australian government work with the states and territories to harmonise existing legislation providing for intervention/violence orders to explicitly recognise dowry abuse as an example of family violence or economic abuse.

Recommendation 3

4.54 The committee recommends that the Australian government give further consideration to legal and decision making frameworks to ensure that victims of dowry abuse are not disadvantaged in family law property settlements, given the community concerns about inconsistent approaches under the current family law framework.

Recommendation 4

5.31 The committee recommends that the Australian government:

- give further consideration to the recommendation of the Victorian Royal Commission into Family Violence to broaden the definition of family violence in the Migration Regulations 1994; and
- ensure that those who are forced to marry their partner or experience family violence from their partner and/or their partner's family members are protected through the family violence provisions in the Migration Regulations 1994, such that the regulatory framework is consistent with the policy intention to protect victims of domestic or family violence within the migration context.

Recommendation 5

5.67 The committee recommends that the Australian government act to address the injustice whereby family violence protection is not available to victims on many temporary visas and consider:

- extending the family violence provisions in the Migration Regulations 1994 beyond temporary Partner visa holders, Prospective Marriage visa holders who have married their sponsor and dependent applicants for a Distinguished Talent visa, to apply to other family visa subclasses; and

- the creation of a temporary visa—for example a 'Woman at Risk in Australia' visa—to be available for non-family temporary visa holders who have suffered serious and proven family violence including dowry abuse.

Recommendation 6

5.71 The committee recommends that the Australian government ensure decision makers consider the nature of alleged family violence when making an assessment on whether the relationship was genuine prior to it ending.

Recommendation 7

5.76 The committee recommends that the Australian government consider innovative use of the sponsorship mechanism and the new family sponsorship framework to prevent previous perpetrators from sponsoring multiple spouses, and by requiring sponsors to provide disclosures and give undertakings in relation to their circumstances and to dowry.

5.77 The committee also recommends that the Australian government look explicitly at ensuring that the work of the Department of Home Affairs is included in National Family Violence Prevention Strategies, not just from the point of view of access to visas, but also visa processing and assessment.

Recommendation 8

6.27 The committee recommends that the Australian government, together with state and territory governments, work with culturally and linguistically diverse communities and service providers in order to determine ways in which to establish a firm evidence base on the incidence of dowry abuse.

Recommendation 9

6.30 The committee recommends that the Australian government work with the States and Territories to improve and strengthen the governance of data collection practices and standards by implementing a system to capture and measure the extent and incidence of all forms of family violence in Australia, including dowry abuse as a form of economic abuse.

Recommendation 10

6.63 The committee recommends the Department of Social Services Family Safety Pack is provided individually to all visa applicants in their first language, such as during the health examination required as a condition of their visa application.

Recommendation 11

6.67 The committee recommends that the Australian, state and territory governments engage with stakeholders in order to develop ongoing education and awareness raising campaigns about family violence, including dowry abuse, in conjunction with the development of further training of frontline professionals

including social workers, police, doctors, judges and decision makers in the Department of Home Affairs.

Recommendation 12

6.68 The committee recommends that the Australian government include dowry abuse as a possible indicator of exploitation for the purposes of divisions 270 and 271 of the *Criminal Code Act 1995* and ensure that this is included in any training programs.

