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***Dowry Abuse and South Asian Populations in
Australia: Identifying Core Features, Exploring
Community Narratives and Developing Resources for
Prevention and Intervention***

**TINASHE DUNE, JULIANA NKRUMAH, SHARMILA FALZON, KITTU RANDHAWA,
HINA KHAN, TAMIMA RAHMAN & RITESH CHIMORIYA**

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Dowry Abuse and South Asian Populations in Australia: Identifying Core Features, Exploring Community Narratives and Developing Resources for Prevention and Intervention

**Project Report for City of Parramatta Council and
Western Sydney University**

PROJECT REPORT

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Tinashe Dune

Juliana Nkrumah

Sharmila Falzon

Kittu Randhawa

Hina Khan

Tamima Rahman

Ritesh Chimoriya

Author/s

Dune, T., Nkrumah, J., Falzon, S., Randhawa, K., Khan, H., Rahman, T. & Chimoriya, R.
School of Health Sciences and School of Medicine
Western Sydney University

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Executive Summary

Introduction

City of Parramatta Council is committed to working with its communities to prevent and respond to domestic and family violence. In 2022, the City of Parramatta endorsed its first Prevention of Domestic and Family Violence Action Plan (City of Parramatta Council, 2022)¹. It was in the development of this Action Plan; the Council became aware of dowry abuse via case studies presented at the community consultations.

Dowry abuse is defined as ‘any act of violence or harassment associated with the giving or receiving of dowry at any time before, during or after the marriage’ (United Nations Division for the Advancement of Women, 2009)². It is not a uniquely religious practice and affects women and families of various backgrounds (Jopson, 2017)³.

The issue of dowry abuse is of particular concern to the City of Parramatta Council. Communities from South Asia⁴ have indicated via their participation in the consultation process for the Prevention of Domestic and Family Violence Action Plan; that dowry abuse is of concern to them. The community is one of the largest within the local government area. Approximately 49.5% of City of Parramatta’s residents are born overseas, with approximately 11% being born in India and a further 1.5% being born in Sri Lanka (Australian Bureau of Statistics, 2016)⁵. Thus, making India the top country of birth, after Australia within the local government area.

The issue of dowry abuse is of particular concern across Australia as well. In 2018, the Australian Senate conducted the enquiry: “*Practice of Dowry and the Incidence of Dowry Abuse in Australia*” (Commonwealth of Australia, 2019)⁶. A total of twelve recommendations were made from that enquiry.

In 2019, City of Parramatta supported a motion that its peak body Local Government New South Wales (NSW), advocate that NSW Government amend the Crimes (Domestic and

¹ City of Parramatta Council, ‘*Prevention of Domestic and Family Violence Action Plan*’ (2022), https://www.cityofparramatta.nsw.gov.au/sites/council/files/2022-05/2022-2025-Prevention_of_DFV_Action_Plan_Interactive_RGB.pdf

² United Nations Division for the Advancement of Women, *Good Practices in Legislation on 'Harmful Practices' against Women*, UN DAW (2009).

³ Debra Jopson, “The secret scourge of family violence and murder in Australian Hindu and Sikh communities”, ABC News (2017), <http://www.abc.net.au/news/2017-12-18/scourge-familyviolence-in-hindu-and-sikh-communities/9257724>

⁴ South Asian communities are communities of people who have settled in Australia but whose ancestors originate from countries such as Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka

⁵ Australian Bureau of Statistics, *Census of Population and Housing* (2016), <https://www.abs.gov.au/census>

⁶ Commonwealth of Australia (2019), *The practice of dowry and the incidence of dowry abuse in Australia. Report – Parliament of Australia* (aph.gov.au)

Family Violence) Act 2007 to recognise economic abuse, and within that inclusion dowry abuse, as a form of economic abuse. Moreover, as part of this motion, Council committed to working with community groups to develop education campaigns about economic abuse, including dowry abuse.

In trying to develop a community response, Council became aware that there was dearth of information about dowry abuse beyond anecdotal stories/ case studies. There is very little formal Australian literature, on the actual presentation features, prevalence, and rate of dowry abuse. It was also unclear whether local service providers were seeing women experiencing dowry abuse, and what the actual responses of the services were to this issue.

Therefore, there was a need to develop data to increase understanding of the issue. Council also recognised that it aligned with Recommendation 8 of the *“Practice of Dowry and the Incidence of Dowry Abuse in Australia”* which stated:

“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” (Commonwealth of Australia, 2019)⁷.

Therefore, Recommendation 8 cemented the direction and rationale for this project.

An additional reason that there is a focus on South Asian communities is that the practice of dowry is a very common cultural practice, within the communities. With many such unions being free of abuse, neglect, or exploitation. There is also common knowledge and awareness of what is dowry within the community, despite it being illegal in India (O’Connor and Lee, 2022)⁸.

The way dowry is practiced is also consistent within many South Asian communities; in that, it is always a cash gift or other material gifts of significant monetary value given by the bride-to-be’s family to the groom’s family (Commonwealth of Australia, 2019)⁷. Therefore, the prevalence of the practice and consistency in which it is applied to multiple communities; makes it easier to conduct research and develop meaningful conclusions.

This project, therefore, seeks to fill in this gap in knowledge by exploring case files related to dowry abuse as well as engaging with the perspectives of South Asian women and service providers to better understand how to define, identify and address this type of domestic and family violence.

⁷ Commonwealth of Australia (2019), *The practice of dowry and the incidence of dowry abuse in Australia*. [Report – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au)

⁸ O’Connor, M., & Lee, A. (2022). The health impacts of dowry abuse on South Asian communities in Australia. *The Medical journal of Australia*, 216(1), 11–13. <https://doi.org/10.5694/mja2.51358>

Research Aims and Objectives

This research, funded by both Western Sydney University and the City of Parramatta Council, aimed to develop data and evidence about the incidence, rate and impact of dowry abuse within the South Asian community of Western Sydney.

The objectives of this project were:

1. To develop and run a community-led, culturally competent research project that captures community voices and strengths.
2. To create high quality data that can be utilised in advocacy initiatives and training programs for communities and front-line professionals.
3. To build the capacity of community and service providers to prevent and address dowry abuse.

Research Design and Method

This project utilised a mixed methods research design to develop data and evidence about the incidence, rate and impact of dowry abuse within the South Asian community of Western Sydney. South Asian women around the City of Parramatta local government area who were survivors of dowry abuse and providers of services that support South Asian people who are, have been or may be victims of dowry abuse, were included.

To better understand the dowry abuse of South Asian women, two methods were used to collect the qualitative data: focus group and case files. To better understand the dowry abuse clients and cases, two quantitative techniques were used, namely case files and online survey to collect numerical data.

The research methodologies utilised in this project include:

1. Survey – Demographic details about the South Asian women and service providers who participated in the focus groups were collected via a short survey.
2. Focus Group – Focus groups were conducted to better understand the experiential narratives of people who have survived dowry abuse and service providers who support people in these circumstances.
3. Textual Analysis – Case files from partnering domestic violence services located within and/or who provide service in the Parramatta Local Government Area (LGA) were reviewed to help identify core features of dowry abuse in relation to South Asian populations from 2013 to 2020.

Summary of Qualitative Findings

Dowry abuse is a multi-faceted and lucrative phenomenon that targets victims across the world. Despite the general understanding that the practice is wrong, and even illegal in India, it continues to persist and manifest in different ways. Victims who fear the stigma, and repercussions of reporting the abuse on their family, may not be able to receive the help they need until it is too late. As the practice is not criminalised in New South Wales, other practical suggestions were made. These consisted of generating greater awareness for

frontline staff such as police and simplifying the Family Court legal proceedings for victims including property and parenting settlements.

Summary of Quantitative Results

Findings from Demographic Survey

Eight service providers participated in the service provider focus group. The focus group participants all identified as female, with half of the participants with a South Asian cultural background. The participants all stated that they had completed education up to a tertiary level and had their length of professional experience in their respective fields ranging from 4 to 30 years. Half of the participants identified that they support over 20 women who have experienced dowry abuse each year.

Five South Asian women participated in the focus group for people who survived dowry abuse. Four completed the demographic survey. All participants were born in India, and their length of stay in Australia ranged from 4 to 49 years. All participants had completed their education at a tertiary level, with a minimum qualification at a bachelor's level. All had at least one child in their care, and the majority were currently in a relationship.

Findings from Case Files

Researchers analysed 294 case files, dated from 2013 to 2020, from three services who self-identified that they had clientele that fit the research profile. Of the files examined, 49 case files were identified as having documented cases of dowry abuse. This equated to an average of 6.12 cases of dowry abuse per year, that were documented.

The summary of findings from the case files were:

- The case files identified that most of the clientele were female (83.7%) and were born in India (79.5%).
- At the time they sought assistance, over half of the cohort were unemployed, and 10.2% were without working rights in Australia.
- The majority of the cohort were on spousal visas (57.1%) or had Australian permanent residency (18.4%).
- The cohort were fairly proficient in the English language—nearly 90% had adequate to very good English language skills; and that Punjabi was the most common first language (42.8%) followed by Hindi.
- The majority were also not in any relationship (89.8%)—they identified as either abandoned by their spouse, recently divorced, currently divorcing, estranged, separated, sponsorship withdrawn, or their spouse was still abroad.
- Within the case files, details about their marriages, dowry and wedding gifts were also collected. India was the most common country where their marriage had occurred (75.5%) and registered (71.4%).

- Only 59.2% of the cohort reported their wedding expenses. The value of these expenses ranged from AUD\$12,000 to AUD\$80,000, with a median value of AUD\$25,000.
- Cash gifts were noted as separate to wedding expenses. The value of the cash gift ranged from AUD\$42,000 to AUD\$195,000. Cash gifts were used to pay for the groom's student tuition fees which were acquired in Australia, as well as the wife's visa processing charges and relocation charges.
- Other forms of dowry were also reported, including gold (55.1%), property, cars, and the women's salaries earned from certain time (as determined by the groom's family).
- Demands for gifts were continuous and abusive, including instances of sexual extortion.

Case Study

Priyanka's story highlights how dowry abuse continues to persist and targets victims in South Asia as well as overseas. Her story demonstrates how those on temporary and volatile visas, in particular, face additional barriers while seeking help. This highlights the need of greater awareness of dowry abuse and the support services available for all victims, irrespective of their visa status, so that many others like Priyanka get the chance to break free from the cycle of dowry abuse.

Case Study: Priyanka

Priyanka, a 35-year-old woman of South Asian descent and a single mother to a 4-year-old, is a survivor of dowry abuse.

Priyanka was born in India and had recently completed her bachelor's degree when her family arranged her marriage with Vikram, who was undertaking his postgraduate studies in Australia. Priyanka's family was ecstatic for her to start a new life in Australia and considered the requests for wedding gifts made by the groom's family to be customary. Her family ended up spending around AUD\$60,000 in wedding costs, yet they were content as they knew that Priyanka's cousin had recently spent AUD\$100,00 when she married an Australian resident. Priyanka's wedding gifts included gold, conventional in an Indian wedding, and a cash gift of AUD\$45,000, which was an alternative to a property or car since the groom lived overseas. The cash gift was to be used to cover the visa processing charges and relocation cost for the bride as well as the groom's tuition fees in Australia. The newly married couple moved to Australia a few months after the wedding.

Priyanka was aware of the wedding gifts and had simply overlooked it considering it to be the standard in an Indian wedding. However, she was not prepared for the continuous demand for gifts and sexual extortion that followed after her arrival to Australia. Priyanka shortly gave birth to a baby boy, and she presumed that the physical and emotional abuse would stop. However, Priyanka's family was asked to pay even more considering the new addition to the family and because Priyanka was unable to work as she was caring for the

newborn. Priyanka was constantly threatened that she will be taken off the dependent visa she was on, which was tied to her spouse's student visa, and Vikram took full advantage of her fear of abandonment.

The dowry abuse continued four years into the marriage and Priyanka had no hopes of a promising future for herself and her son. She felt isolated in a foreign country and was doubtful if any support would be available for a person in a temporary visa. Then came the fear of the possibility that Vikram may inflict physical abuse on her toddler. Priyanka reached out to her cousin who was living in Australia and sought help. Priyanka gathered all her essential belongings and she and her son moved to her cousin's house. As advised by her cousin, Priyanka then sought help from domestic violence support services.

Recommendations

1. That the Federal Government prioritise the implementation of Recommendation Five of the 2018 Senate Enquiry: *Practice of Dowry and the Incidence of Dowry Abuse in Australia*.
2. That Federal Government, State and Territories adapt a consistent definition of dowry abuse to enable the identification of abusive, problematic behaviour.
3. That Federal Government, State and Territories create resources and provide training to assist in the identification and response to dowry abuse for:
 - a. The police forces, with aim to create institutionalised change.
 - b. Domestic and family violence sector with aim to increase cultural competency, relevance, and sensitivity of service delivery.
 - c. Legal professionals to develop strategy to improve immigration and family law outcomes for victims.

That this training be in addition to the 'complex forms of violence' training already available.

4. That the Federal government work collaboratively with the State and Territory governments to develop a 'one stop shop' integrated service that responds to dowry abuse, intimate partner violence and family violence for Australian residents without citizenship status.
5. That the Federal government reform the *Family Law Act (1975)* to provide victims with recovery pathways for assets provided as dowry, upon the dissolution of the marriage.

Chapter 1: Introduction

Literature Review

New South Wales (NSW) has a large, vibrant multicultural community. The practice of dowry remains a central marriage custom in many of the communities. With the prevalence of this practice, many of our community members have also expressed that dowry abuse also affects our communities. As such, there is a growing need to address this issue and examine the central characteristics of dowry abuse (Segraves & Vidal, 2019)⁹.

In 2018, the Senate undertook an inquiry into the “*Practice of Dowry and the Incidence of Dowry Abuse in Australia*” (Commonwealth of Australia, 2019)¹⁰. The inquiry recognised dowry abuse as a form of economic abuse; and therefore, concluded not to recommend separate national legislation against dowry. Instead, it recommended the current domestic and family violence legislation at a Federal and State level be amended to recognise economic abuse; and within the definition of economic abuse include dowry abuse.

A further 11 recommendations were made by the inquiry (Commonwealth of Australia, 2019)², which covered areas such as immigration law, family law, and State and Territory jurisdictional legislation. Of particular concern to this project are the recommendations made on harmonising state legislation; collecting data to determine the extent and nature of dowry abuse; and working with local communities to train frontline professionals and raise awareness within the communities regarding the issue.

The cultural practice of dowry relates to money, property, goods or other gifts that are transferred by a person to their partner's family before, upon or after marriage (Commonwealth of Australia, 2019)². The working group extend this definition to include immigration practices and processes such as the visa applications, family/ spousal sponsorship, and the obtainment of Australian citizenship.

Dowry abuse is defined as ‘any act of violence or harassment associated with the giving or receiving of dowry at any time before, during or after the marriage’ (United Nations Division for the Advancement of Women, 2009)¹¹. It is not a uniquely religious practice and affects women and families of various backgrounds (Jopson, 2017)¹².

⁹ Segrave, M., & Vidal, L. (2019) Dowry abuse: It's a growing problem in Australia, but new laws aren't the answer. Monash Lens. <https://lens.monash.edu/@politics-society/2019/03/08/1373642/dowry-abuse-its-a-growing-problem>

¹⁰ Commonwealth of Australia. (2019) *The practice of dowry and the incidence of dowry abuse in Australia. Report – Parliament of Australia (aph.gov.au)*

¹¹ United Nations Division for the Advancement of Women, *Good Practices in Legislation on 'Harmful Practices' against Women*, UN DAW (2009).

¹² Debra Jopson, “The secret scourge of family violence and murder in Australian Hindu and Sikh communities”, ABC News, (2017), <http://www.abc.net.au/news/2017-12-18/scourge-familyviolence-in-hindu-and-sikh-communities/9257724>

The abuse also does not occur in isolation, and it is common for overlap to ensue between the economic violence, and other forms such as physical and sexual abuse (Vidal and Saca, 2018)¹³.

The South Asian community is defined as communities of people who have settled in Australia but whose ancestors originate from countries such as Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

Research Gap

The issue of dowry abuse is of particular concern to the City of Parramatta Council. The Council recognises that their community is diverse; and therefore, uniquely affected by dowry abuse. Through their relationships with local domestic and family violence services, the Council has recognised that dowry abuse is a significant issue with the newly arrived and established migrant communities. In 2019, the Council initiated the passing a motion at the Local Government NSW Conference that Local Councils advocate to the NSW Government to enact legislative reform to recognise dowry abuse as a form of economic abuse within the NSW domestic and family violence legislation.

As of 2020, the state of Victoria has legislated against dowry abuse. As well, the national migrant and refugee women's alliance – the Harmony Alliance has been funded to develop a national framework for the prevention of dowry abuse.

Currently, there is a dearth of data on the research and best practice models about dowry abuse in Australia and how it manifests in communities and services. This project, therefore, seeks to fill in this gap in knowledge by exploring case files related to dowry abuse as well as engaging with the perspectives of South Asian women and service providers to better understand how to define, identify and address this significant issue of domestic and family violence.

Research Aims and Questions

This research, funded by both Western Sydney University and the City of Parramatta Council, aimed to develop data and evidence about the incidence, rate and impact of dowry abuse within the South Asian community of Western Sydney. This project aimed to better understand dowry abuse, its characteristics, as well as the factors that aid, or limit its intervention. This project sought to work towards prevention, and intervention of this issue, as well as increase the availability of appropriate resources for individuals affected. The data and evidence generated from this project can be used across the community, from advocacy to the training of frontline professionals.

¹³ Vidal, L., Saca, P (2018) The Practice of Dowry and the Incidence of Dowry Abuse in Australia. (Submission to the Senate Standing Committee on Legal and Constitutional Affairs). Good Shepherd Australia New Zealand and inTouch Multicultural Centre Against Family Violence

Research Objectives

1. To develop and run a community-led, culturally competent research project that captures community voices and strengths.
2. To create high quality data that can be utilised in advocacy initiatives and training programs for communities and front-line professionals.
3. To build the capacity of community and service providers to prevent and address dowry abuse.

Research Questions

1. What are the characteristics and manifestations of dowry abuse?
2. What socioecological factors influence its perpetuation or reduction?
3. What strategies can be implemented to address and/or prevent dowry abuse?

Chapter 2: Design and Methodology

Research Design

This project utilised a mixed methods research design to develop data and evidence about the incidence, rate and impact of dowry abuse within the South Asian community of Western Sydney. The mixed methods research design enabled us to capture the holistic accounts and multiple realities of dowry abuse (Liamputtong, 2017)¹⁴.

The project involved the analysis of anonymous case files from domestic and family violence services and a community legal service based within and/or who provide service in the Parramatta Local Government Area (LGA). Analysis was undertaken to identify key insights of the practice. Case file data were explored for descriptive statistics, but analysis was focused on the qualitative narratives therein, to produce rich and nuanced data focused on the meanings and interpretations that participants attribute to experiences of violence (Liamputtong, 2017)¹⁴.

Relevant to this form of research is the use of thematic or conceptual analysis to identify the core and intersecting meaning that emerge in from the data (Liamputtong, 2017)¹⁴. Given the use of qualitative methods, replicability or generalisability was not sought, with data saturation being the goal. Adequate number of participants were recruited to ensure data saturation as well as diversity of perspectives and experiences. As such, the rigour of the study was measured by its trustworthiness (e.g., credibility, transferability, dependability, and confirmability).

Selection of Participants

In this project, the participants included South Asian women and domestic violence service providers. South Asian women around the City of Parramatta Council area who were survivors of dowry abuse were included. Providers of services that support South Asian people who are, have been or may be victims of dowry abuse were also included.

South Asian Women

Women who self-identified as the following were included in the research:

1. Being of South Asian descent AND
2. A survivor of dowry abuse/domestic violence AND
3. Having engaged with support services in relation to dowry abuse

¹⁴ Liamputtong, P. (2017). *Research Methods in Health: Foundations for Evidence-Based Practice* (3rd ed.). South Melbourne, Vic.: Oxford University Press.

Service Providers

Providers were invited to participate in this research if they were:

1. Service providers or community support people who engage with South Asian communities AND
2. Have encountered victims or perpetrators of dowry abuse in their work

Participants Recruitment

South Asian women and service providers were recruited to participate in a demographic survey and a virtual focus group based wholly on conceptual questions.

South Asian Women

South Asian women were purposively sampled through the project partner networks (e.g., City of Parramatta Council, Settlement Services International, Indian (Subcontinent) Crisis Support Agency, SEVA, Indian Support Centre, and Western Sydney Community Legal Centre). Given the exploratory nature of the project, recruitment was restricted to the project partners. Women who openly identify as being survivors of dowry abuse were asked to snowball recruit other women who meet the selection criteria to participate.

City of Parramatta Council approached relevant services via email to recruit women known to services who have experienced dowry abuse. Case workers asked women in the course of their service delivery (e.g., email, face to face, text message, phone) who have experienced dowry abuse if they would be interested to participate in a focus group. The women were given a week to express their interest. The names of women who agreed were shared with the City of Parramatta Council chief investigator who passed these to the project's multilingual (English, Urdu and Hindi) WSU research assistant and research officers. The research officers then contacted the women who expressed interest in participating to explain the study to them and organise the dates for participation. They reiterated that participation or not, is entirely voluntary and will not have any impact on the services they receive/d. They were advised that their participation or not, will not be shared with the service, and will therefore be confidential.

Women who were interested in participating were asked to contact the multilingual (English, Urdu and Hindi) WSU research assistant who then organised for the participant to join a focus group at a pre-specified time and physical place. Women were provided with the Participant Information Sheet (PIS) and Consent Form to review before participation at which time they were able to ask questions. The PIS and Consent Form were provided in English and Hindi and also read verbatim in both languages before the focus groups to ensure clarity and understanding by all. Women read and signed the consent form prior to participation.

Service Providers

Providers were purposively sampled through the project partner networks (e.g., City of Parramatta Council, Settlement Services International, Indian (Subcontinent) Crisis Support Agency, SEVA, and Indian Support Centre). Providers who support victims and survivors of

dowry abuse were asked to snowball recruit other providers who meet the selection criteria to participate.

Providers who were interested in participating were asked to contact the multilingual (English, Urdu and Hindi) WSU research assistants who then organised for the participant to join a focus group at a pre-specified time and physical or virtual place. Providers were provided with the PIS and Consent Form to review and sign via email before participation at which time they were able to ask questions. The PIS and Consent Form were provided in English and summarised before the focus groups to ensure clarity and understanding by all.

Qualitative Methods

To better understand the dowry abuse of South Asian women, two methods were used to collect the qualitative data: focus group and case files.

Focus Group

Focus groups were conducted to better understand the experiential narratives of people who have survived dowry abuse and service providers who support people in these circumstances. South Asian women and service providers were asked to participate in an online focus group on Zoom to discuss their perceptions of dowry abuse with respect to:

1. Core features
2. Chronology
3. Socioecological barriers to support
4. Socioecological facilitators of support
5. Available resources
6. Recommendations for prevention and intervention

The qualitative data included focus group participants responses to the following questions:

1. How would you define dowry abuse?
2. When does dowry abuse happen?
3. What stops women from getting support during dowry abuse?
4. What helps women get support during dowry abuse?
5. What resources are available to help women, children, and families?
6. What suggestions do you have for reducing dowry abuse in your community?

Case Files

Case files were sourced from project partner organisations including those sourced or held by Indian (Subcontinent) Crisis Support Agency, Cumberland Women's Health Centre, and Western Sydney Community Legal Centre. The data were in qualitative form and consisted of case files from 2013 to 2020. Through textual analysis, the case files were reviewed to help identify core features of dowry abuse in relation to South Asian populations.

Quantitative Methods

To better understand the dowry abuse clients and cases, two quantitative techniques were used, namely case files data and online survey technique to collect numerical data. The case files provided a summary of women's experiences of abuse while online survey provided the demographic data of women and service providers who participated in the focus group.

Case Files

The case files were sorted out according to the dowry abuse case criteria. The selected cases files were solely based on the dowry abuse and had the following characteristics:

- The client of case file should belong to South Asian countries.
- The case files should be under the year bracket of 2013 to 2020.

Furthermore, case files and all the client related information were de-identified, that is any data that specifically identifies clients were erased/discarded and were not included in analysed data. Information collected from case files were demographic details such as sex/gender, age, postcode, arrival in Australia, visa status, migration pathway, employment status and economic group.

Demographic Survey

Focus group participants were asked to complete the demographic survey, and include a pseudonym, after they completed participation in the focus group. They were reminded before completing this survey that it is completely voluntary and will be used to collect demographic details, including age, ethnicity, religious beliefs, employment status, and marital status.

The demographic details of the focus group participants were collected to give context to their perspectives and diversity. The items on the survey comprised of information regarding their education, years of experience for service providers, income level, age, arrival to Australia, employment status, religion, and language proficiency. There was some variation between the surveys for South Asian women group and the service provider group. For example, the South Asian women group contained questions regarding relationship status, and family dynamics, which were not present on the service provider questionnaire.

Chapter 3: Qualitative Findings: Online Focus Group and Case Files

Summary

In this project, a total of eight service providers and five South Asian women participated in the focus groups, which was adequate to reach data saturation in this pilot study.

It is understood that dowry is a cultural tradition with deep history, the manipulation of which has resulted in dowry abuse. The stigma and general lack of awareness from parties involved has meant that women affected have not been able to receive the support they need. Importantly, it was clear that there are several structural and legal frameworks that have negatively impacted outcomes for women affected. There was also the mentioning of legal proceedings overseas that may affect how survivors choose to carry out legal measures here.

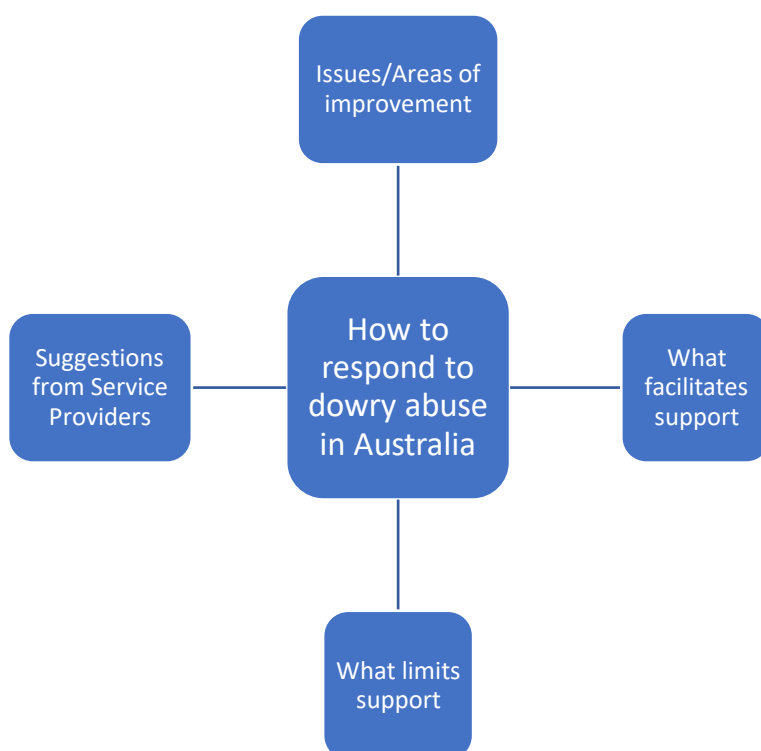


Figure 1: Framework for responding to dowry abuse in Australia

Focus Group – Service Providers

Overarching Theme

How to effectively address dowry abuse in Australia

Core features of dowry abuse:

*‘when people become, in a sense, become greedy or beyond imagination and keep demanding of the woman and her family to keep paying more and using practises like **coercion** and **physical abuse**, **emotional abuse**, **threats to put the woman in a place where the family and the woman lose all sense of joy in being in that relationship.**’*

Service providers ‘follow the money trail’ when it comes to dowry abuse, as it is shrouded in stigma and shame, generally undertaken discreetly. There was consensus regarding the key characteristics of the abuse, which can include physical abuse, financial abuse, emotional abuse, and coercion. There is also a tangible threat of abandonment that may result if women and their families do not fulfil the dowry demands. Women facing dowry abuse in Australia are often on temporary visas and have a limited understanding of the options available to them or feel that there are no resources due to their visa status. These fears are also amplified by the stigma that can follow once individuals voluntarily, or involuntarily leave a relationship by being ‘abandoned’.

Dowry is a criminalised practice in India, but one steeped in deep tradition, evident in its continued practiced in India, as well as other parts of the world, such as Australia. The tradition of the bride’s family gifting the groom and his family with money and possessions has been subverted to a distinctive form of family and intimate partner violence, stemming from issues with payment. The value of a dowry can vary, according to the groom’s education, career, status, and country of residence, but it was agreed that the figure is around a minimum of \$100,000 for women marrying Australian residents.

Chronology of dowry abuse:

*‘It doesn't end even when she walks away. The **pressure is still there**, the **shame is still there**, the **guilt is still there**. They're all things that she's got to deal with way after.’*

Service providers agreed that the effects of dowry abuse persist long after a marriage is dissolved. Whilst there is greater abuse faced during the marriage, women are still subject to shame and abuse before a marriage and after the marriage has ended. It was indicated that, more broadly, this is due to the way society itself perceives women and the importance that is placed on their success in marriage and family life. This continued shame, stigma, and perceived lack of support may also be a major factor in stopping women from seeking help in these circumstances. The shame is also attached to the victim’s family, which can serve to further impede any chance of the victims coming out with their experience.

'we do have people who are male victims here in Australia where the resident is female and she does exactly the same and the abuse is the same.'

Despite traditionally being given by the bride's family, abuse cases where the groom's family has given the dowry, were also briefly mentioned. This represents a small subset of the population but has the same characteristics of abuse and coercion, as those of the opposite gender. The woman holds the power, as she is generally established in Australia in terms of career and will coerce the man for money and other assets. It should be noted that, along with the threat of deportation which exists for women in this situation, men have the additional threat being blackmailed and falsely accused in local courts or overseas in India, where a death penalty applies.

Socioecological barriers to support:

*'I just I think because it is so much **behind closed doors**, it's **the family presents nicely in the community** and people think well of that. And I guess it's **partly our fault as a society because we haven't made enough noise about dowry abuse to, to open people's eyes**'*

Another factor hindering the outcomes available for victims is the secrecy that exists in undertaking the dowry and subsequent abuse. This leads to only victims experiencing the shame and stigma once breakdown of the relationship ensues and allows perpetrators and their families to continue living as they were. However, service providers stated that if physical abuse is inflicted on the children in the relationship, women are likely to seek help.

There is also the belief that there may be no mechanisms or resources for dowry abuse, as it is not recognised in Australia. This has meant that some women only come out when physical abuse is involved. As the dowry aspect still remains taboo, this physical abuse pathway may be the best possible chance of helping women in these situations.

Women experiencing dowry abuse are also likely to be isolated from the community, with limited knowledge regarding local procedures and resources. This greatly reduces their chances of seeking help, and as some providers said, they may not even be aware that they are in a situation of abuse. Service providers suggested that women be more engaged with the community so they can gain a better understanding of the support systems and networks in place for them.

Overall, the majority demographic of women in these situations is newly arrived migrants in Australia, whose confidence in reporting the abuse only dwindles due to these factors.

Socioecological facilitators of support:

*'There are **some literature around some of the government sites**, but it's **very, very loose and it certainly doesn't deal with a lot of the complicated scenarios**'*

The knowledge and awareness of dowry abuse differs from provider to provider, and many are still unaware of the tradition. Those that are aware may still be unable to identify dowry when cases become more complex. This has been changing recently, with more training and education for service providers available, but this is still undertaken voluntarily and may not be widespread.

An organisation working with legal and court documents of women who have experienced domestic violence found that despite numerous cases having characteristics of dowry, none were explicitly linked to the practice. Instead, they were classified only as family and intimate partner violence. This can be linked to the failure of police and the legal system to recognise dowry abuse as an act of family abuse and financial coercion.

Whilst NSW police in “culturally sensitive” areas are becoming educated on dowry abuse and asking specific questions regarding the circumstances in these situations, they still have limited power. Police are only able to intervene when there is physical violence or threat of harm and may not take action unless there is physical violence when service providers provide them with information about these cases.

There are also limitations in service provider responses to women experiencing dowry abuse on temporary visas. Many providers do not respond to women who are on temporary visas, leaving them in vulnerable positions. The threats of deportation and their volatile tourist visa may also cause them to stay in these relationships and leave them in vulnerable situations.

Others will not provide viable support options to women who have chosen to stay with their partner, narrowing down the options available for people in these situations. It was noted that the “solution the system offers you is to separate.”

Recommendations for prevention and intervention:

‘a localised response by a referral like an easier referral network or partnerships, something a little bit out of the box that we can do to work together, because I think the structural issues that are affecting this as well, like the fragmentation of the service system and the underfunding of the service system, kind of contributes to what we’re seeing on the ground.’

Gaps in legislation and the family law system that further hinder outcomes for victims were addressed. There are no avenues in the family law legislation for women to recover any of the assets or money she gave away during the marriage as they are deemed “gifts” and not marital assets. This also applies to any money that was transferred overseas to the groom’s family. Victims may feel “entrapped” in these relationships, knowing that they have spent hundreds of thousands of dollars which they can never recover and hence, discouraging them from leaving the marriage.

Another limiting factor to women coming out with their experiences and beginning legal proceedings is the implications it may have overseas. When dowry, or issues related to

dowry abuse, is mentioned in courts or legal proceedings here, either party can use this information as evidence in Indian courts. This evidence can be used to launch legal action in India against the other party, which can have significant implications. This is another reason people may be hesitant to report dowry abuse.

In Australia, there is a growing movement to changing laws around coercion and financial control, which service providers referenced. It was agreed that firstly, however, a comprehensive definition of dowry abuse, and its relation to these practices should be established and disseminated. It was also suggested that police would have more power to be able to identify dowry abuse and “say this is wrong”, which they currently cannot do.

Providers agreed that the ideal solution for dowry abuse would be the formation of an integrated response, which would comprise of the different structures that are involved. This would reduce the strain on service providers from having to manage the complex immigration and legal aspects, on top of their normal caseloads. This coordinated response would also be able to target the cases effectively and efficiently, as it was mentioned that some of the issues with responding to dowry abuse currently can be attributed to underfunding and structural fragmentation.

Focus Group – South Asian Women

Overarching Theme

How to effectively respond to dowry abuse in Australia

Core features and chronology of dowry abuse:

‘we have discovered...what I called serial abuses- so they get one woman and squeeze her and her family for all the money or pecuniary interest and then they chuck her away, divorce her, whatever and send her back to home country and they will find another one...’

Throughout the discussion, it is made evident that victims of dowry abuse are essentially viewed as expendable. The marriages have become a source of income, being used to finance a perpetrating partner’s lifestyle and expenses. This idea is reinforced by the notion of “serial abusers”. Participants’ discussions highlight that as dowry abuse begins to be understood and responded to, new and different patterns of execution arise. Serial abusers did not exist twenty years ago, or were not as common, as they are now.

The lack of accountability from the family asking the dowry, as well as the stigma surrounding the victim that limits them from speaking up, have helped cultivate these adaptable perpetrators moving from victim to victim, letting them flourish. The blame appears to shift from the perpetrator and their family to the victim and their family, disenfranchising their ability to speak out. The victims are not able to relay their experiences to any future victims as they are not perceived as reliable, and the cycle continues.

Socioecological barriers to support:

'There is an element of guilt, they felt their family is invested so much financially into this marriage...' and 'if she does take a step in stopping it maybe the family back home will be you know brunt it all'

One of the major barriers preventing women from leaving their abusers, or reporting their abuse, was identified as the impact it would have on her family. Most victims in Australia are on temporary visas, or in volatile positions in areas of their life, such as their financial status. As such, the uncertainties presented with leaving their abuser and reporting the crime may be unappealing.

Leaving the marriage may also negatively impact their family's prospects overseas. Stigma and conversation surrounding the victim's separation may hinder the remaining single family members' marriage prospects. This would have major impacts in a community where marriage is highly sacred and linked to a range of other socio-economic factors. For these reasons, participants also agreed that when victims do seek help, it is usually when they have exhausted every other avenue that is available to them.

Similarly, the knowledge that significant contributions have been made by the victim's family, mainly pecuniary, may discourage them from seeking support. The understanding, in most cases, that the family's life savings essentially have been invested into the marriage may elicit guilt when the idea of reporting the abuse, and breaking the marriage, is initiated. These feelings of guilt are likely only compounded by the general stigma surrounding the dissolution of marriages in these communities.

'...I think any marketing campaign is not going to stop dowry abuse because it is linked to so many other issues underneath it...' and '...if I was going to make 100 grand by getting my son married to someone, I might be tempted too...'

The complexities surrounding the root of dowry abuse and the cultural stigmas surrounding it have meant that criminalising it, or producing marketing materials denouncing it, has not had any substantial effect in reducing it. The issue is that these social customs and norms have been strongly ingrained and seem to prevail any message stating, or enforcing, the contrary. Abolishing the practice would entail major shifts in societal perceptions of dowry and importantly, remove the high demand that exists for it.

As a result, the focal point for these discussions were on better identifying instances of dowry abuse, and effectively responding to victims.

Recommendations for prevention and intervention:

'...when the victim does come in, ask few more questions, unpack the situation little bit further take a little more time to ask those questions'

Suggestions have been made for frontline professionals to better detect instances of dowry abuse. Greater education and awareness raising on the fundamental signs and characteristics of dowry abuse will allow victims to receive the help they need. Currently, not all police officers receive training on dowry abuse, which is culturally specific and already difficult to identify for those with basic training. This has meant that many women have not had their circumstances accurately evaluated, subsequently failing to receive outcomes that match their situation.

Dowry abuse is a complex issue with features that can overlap with other forms of intimate partner violence and family violence. When coupled with the limited training that professionals have regarding dowry abuse, this means that aspects of dowry abuse are not accounted for when responding to the victim. This ultimately results in incomplete outcomes for the dowry abuse survivors. Dowry abuse is hidden in all forms of intimate partner and family violence, and questioning from the point of understanding by services is the way to reveal dowry abuse.

Chapter 4: Quantitative Results: Case Files and Questionnaire Data

Findings from Demographic Survey

Service Provider

Eight service providers participated in the focus group and completed the demographic survey. All service providers were female, and half of the participants identified their ethnic and racial group as Indian (n = 4) with one participant each identifying their ethnic and racial group as Akan group of Ghana, Caucasian and Chinese. One participant did not identify their ethnic or racial background. Most of the participants had completed master's level of education (n = 6). Their length of service ranged from 4 to 30 years, and half of the participants supported over 20 women who have experienced dowry abuse each year. Most participants preferred not to answer their income level (n = 6, 75%) and two participants responded as mid income range. The details on the demographic characteristics are provided in Table 1.

Table 1: Demographic characteristics of service providers

Characteristics (n (%) or mean, SD)	Service providers (n = 8)
Gender (female)	8 (100%)
Ethnic and racial group	
Indian	4 (50%)
Chinese	1 (12.5%)
Caucasian	1 (12.5%)
Other	1 (12.5%)
Not disclosed	1 (12.5%)
Education	
Master's	6 (75%)
Bachelor's	1 (12.5%)
Vocational	1 (12.5%)
Duration of Service	Mean = 14.5, SD = 10.14 (Ranged from 4–30 years)
Language*	
English	4 (50%)
Hindi	2 (25%)
Punjabi	1 (12.5%)
South Indian (Tamil and Telugu)	1 (12.5%)
Akan (Fante and Twi)	1 (12.5%)
Chinese (Mandarin and Cantonese)	1 (12.5%)
Not disclosed	2 (25%)
Age	
35-44 years	2 (25%)
45-54 years	1 (12.5%)

55-65 years	2 (25%)
65+ years	3 (37.5%)
Number of women who have experienced dowry abuse supported each year	
0-10	3 (37.5%)
21-50	2 (25%)
51+	2 (25%)
Not disclosed	1 (12.5%)

*Numbers do not add up as the majority of participants were multilingual

South Asian Women

Of the five South Asian women who participated in the focus groups, four completed the demographic survey. The participants had diversity in terms of length of stay in Australia, which ranged from 4 to 49 years. Their stay in City of Parramatta Council also ranged from 2.5 years to more than 20 years. One of the participants was aged 35-44 years, two were aged 45-54 years and one was above 65 years of age. Majority of participants were currently in a relationship (n = 3), and one was separated but not divorced. All four participants had completed at least bachelor's level of education (n = 2 bachelors and n = 2 masters). In terms of their occupation, one participant preferred not to disclose, one was retired, one was employed full time and one was currently seeking an opportunity. Majority of participants had a single child (n = 3) and one had more than two children. All participants were born in India. Majority of the participants preferred not to disclose their income level.

Findings from Case Files

Of the 294 case files examined, 49 case files of dowry abuse victims from South Asian decent were identified and were analysed to reflect their experiences of abuse. The case files from the years 2013 to 2020 were included in this study. The number of case files provided varied across different years ranging from 1 to 10 per year, and an average of 6.12 cases per year. Figure 2 demonstrates the distribution of case file per year.

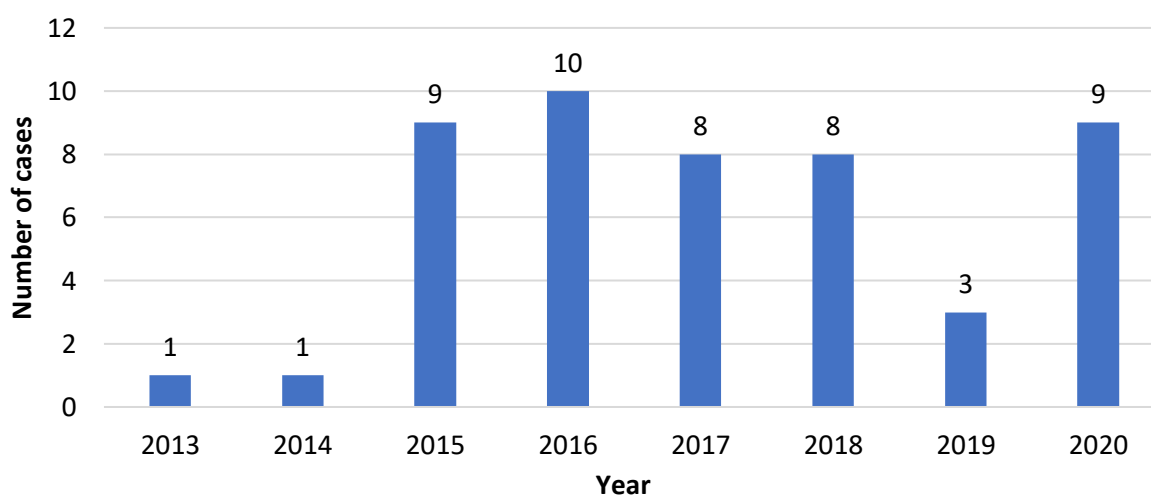


Figure 2: Number of eligible case files provided by service providers per year

Sociodemographic Characteristics

As shown in Table 2, majority of the victims in the cases were female (n = 41, 83.7%) and born in India (n = 39, 79.5%). Over half of the victims were currently unemployed, with 10.2% without working rights in Australia. Small minority of the victims were in a marital or living together relationship (n = 5, 10.2%). Most of them had completed graduate level of education (graduate: n = 29, 57.1% and postgraduate: n = 2, 4.1%). Nearly 10.2% required an interpreter.

Table 2: Sociodemographic characteristics of victims identified from case files

Characteristics (n (%) or mean, SD)	All eligible cases from South Asian decent (n = 49)
Gender	
Female	41 (83.7%)
Male	8 (16.3%)
Country of birth	
Fiji	4 (8.2%)
India	39 (79.5%)
Pakistan	2 (4.1%)
Other*	4 (8.2%)
Employment status	
Full-time employment	13 (26.5%)
Part-time employment	10 (20.4%)
Unemployed - not having working rights	5 (10.2%)
Unemployed	20 (40.8%)
Student	1 (2.0%)
Current marital status	
Separated/ Divorced/ Estranged/ Abandoned	44 (89.8%)
Married or living together	5 (10.2%)
Education	
Postgraduate	2 (4.1%)
Graduate	28 (57.1%)
High school or below	19 (38.8%)
English language proficiency	
Very good	3 (6.1%)
Good	18 (36.8%)
Adequate	23 (46.9%)
Requires an interpreter	5 (10.2%)

*Includes Malaysia, Nepal, Qatar, and Sri Lanka

Immigration History

As shown on Figure 4, almost all victims (n = 45, 93.9%) had their visa status in case files. Most common visa status was spousal visa (n = 28, 57.1%), followed by Australian permanent residency (n = 9, 18.4%). Other visa status included dependent visa with partner having student or work visa (n = 3, 6.1%), Australian citizenship (n = 2, 4.1%), bridging visa (n = 2, 4.1%), and visitor visa (n = 1, 2%). Similarly, 37 victims (75.5%) had their partner's visa in

the case file, of which 13 (26.5%) were Australian citizens, 19 (38.8%) were Australian permanent residents, and 5 (10.2%) were on a temporary visa.

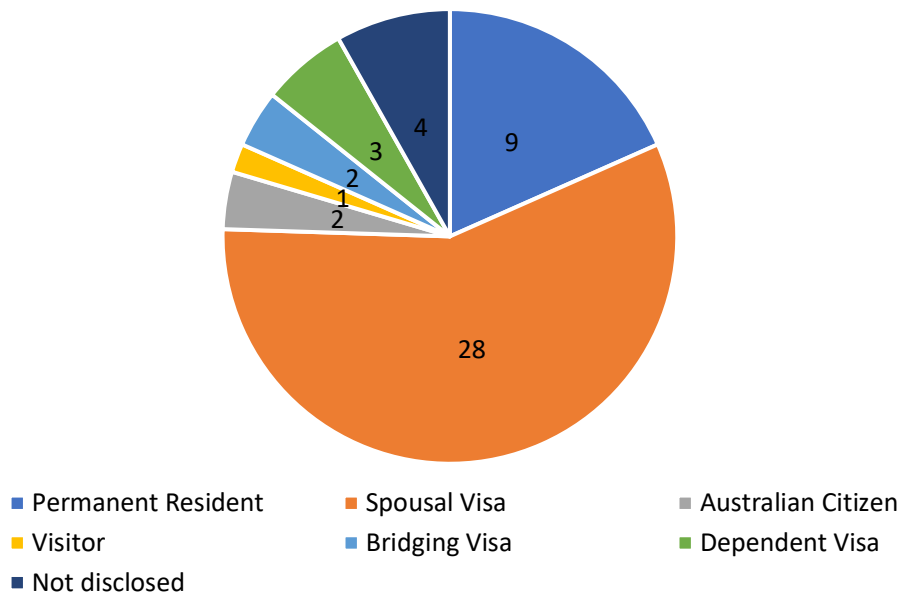
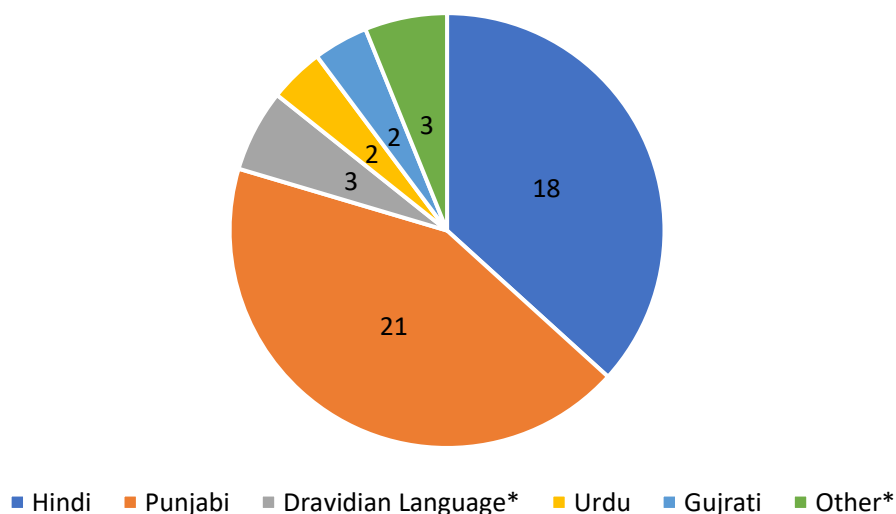


Figure 3: Number of case files according to victim's visa status

Language Skills

Nearly 90% (n = 44) of victims had adequate to very good English language skills. As shown in Figure 3, Punjabi language was the most common language (n = 21, 42.8%) followed by Hindi language (n = 18, 36.7%). There were equal proportions of people who had Urdu and Gujarati languages as their first language (n = 2, 4.1%). Similarly, there was one victim (2%) each who spoke Nepalese, Arabic, Bengali, Malayalam, Telugu, and Tamil. Hindi language was the most common second language (n = 20, 40.8%) for people who did not identify Hindi as their first language, making almost 77.5% (n = 38) of total victims having proficiency in Hindi language. Similarly, 4 people (8.1%) had Punjabi as second language and 1 person (2%) had Bhasa as a second language.



*Dravidian language includes Malayalam, Telugu and Tamil and other includes Nepalese, Arabic and Bengali.

Figure 4: Number of case files according to victim's first language

Wedding, Family, and Dowry

Majority of the victims were not in any relationship (n = 44, 89.8%), either abandoned (n = 5, 10.2%), recently divorced (n = 2, 4.1%), currently divorcing (n = 3, 6.1%), estranged (n = 2, 4.1%), separated (n = 27, 55.1%), sponsorship withdrawn (n = 4, 8.2%), or spouse still abroad (n = 1, 2.1%). Similarly, one victim was married (2%) and three were living together (6.1%). Forty victims had only been married once (81.6%) and nine victims had been married more than once (13.3%).

India was the most common country where their marriage had occurred (n = 37, 75.5%) and registered (n = 35, 71.4%). Two of the victims who were married in India had not ever registered their marriage. Similarly, four people were married and acquired registration in Australia (n = 4, 8.1%), two people in Pakistan (n = 2, 4.1%), and one each in Nepal, Sri Lanka and Bangladesh (n = 1, 2%). Three victims married had married in Fiji (n=3, 6.1%), of which one registered in Fiji (n=1, 2.0%) and the remaining two in Australia (n=2, 4.1%).

Fifteen victims (30.6%) had their family in Australia. Eleven victims (22.4%) had at least one child, and four (8.2%) had two children. Over one third of the victims had in-laws in Australia (n = 21, 42.9%).

Only 59.2% of the victims reported their wedding cost, with majority reported in Australian dollar ranging from AUD\$12,000 to AUD\$80,000 and a median value of AUD\$25,000. Similarly, those who reported in Indian rupee ranged from 5 lakhs (roughly around AUD\$9000) to 25 lakhs (roughly around AUD\$45,000). Some victims reported that their wedding cost included the visa and relocation cost.

Dowry/wedding gifts were also reported in the case files. Gold was paid as a dowry/wedding gifts by most of the victims (n = 27, 55.1%). Similarly, 9 people (18.3%) reported cash gift in the wedding, which ranged from AUD\$42,000 to AUD\$195,000. The cash gift was reported to be used for spouse's tuition fee in Australia, visa processing charges and relocation charges. Other forms of wedding gift reported were property (n = 1, 2%), car (n = 1, 2%), and salaries since certain time (n = 6, 12.2%). Abuse, framed as "wedding gifts", was also recorded. Of particular concern was sexual extortion (n = 2, 4.1%) and continuous demand for gifts (n = 3, 6.1%).

Chapter 5: Summary and Interpretation of the Findings

Qualitative Findings Summary

Dowry abuse is a multi-faceted and lucrative phenomenon that targets victims across the world. Despite the general understanding that the practice is wrong, and even illegal in India, it continues to persist and manifest in different ways. Victims who fear the stigma, and repercussions of reporting the abuse on their family, may not be able to receive the help they need until it is too late. As the practice is not criminalised in NSW, other practical suggestions were made. These consisted of generating greater awareness for frontline staff such as police and simplifying the legal proceedings for victims which involves a range of aspects, including property and parenting settlements.

Quantitative Findings Summary

Findings from Demographic Survey

All eight service providers who participated in the focus group were female. Most participants identified their ethnic and racial group as Indian, and most had completed master's level of education. Their length of service ranged from 4 to 30 years, and half of the participants supported over 20 women who have experienced dowry abuse each year. Of the five South Asian women who participated in the focus groups, four completed the demographic survey. All participants were born in India, and their length of stay in Australia ranged from 4 to 49 years. All participants had completed at least bachelor's level of education and had at least one child. The majority of the participants were currently in a relationship.

Findings from Case Files

Between 2013 and 2020, 49 case files of victims were identified out of the 294 case files examined, with an average of 6.12 cases per year. Most victims were female (83.7%) and born in India (79.5%). Over half were currently unemployed, with 10.2% without working rights in Australia. Most were on a spousal visa (57.1%), followed by Australian permanent residency (18.4%). Nearly 90% of victims had adequate to very good English language skills. Punjabi was the most common language (42.8%) followed by Hindi.

Majority of the victims were not in any relationship (89.8%), either abandoned, recently divorced, currently divorcing, estranged, separated, sponsorship withdrawn, or spouse still abroad. India was the most common country where their marriage had occurred (75.5%) and registered (71.4%).

Only 59.2% of the victims reported their wedding cost, with majority reported in Australian dollar ranging from AUD\$12,000 to AUD\$80,000 and a median value of AUD\$25,000. Some victims reported that their wedding cost included the visa and relocation cost. Gold was paid as a dowry/wedding gifts by most of the victims (55.1%). Similarly, some victims

reported cash gift in the wedding, ranging from AUD\$42,000 to AUD\$195,000, which was used for spouse's tuition fee in Australia, visa processing charges and relocation charges. Other forms of wedding gifts reported were property, car and salaries since certain time. Abuse was also reported, such as sexual extortion and continuous demand for gifts.

Interpretation of the Findings

Given the exploratory nature of this study, in-depth qualitative study with South Asian women yielded important insights about the features, chronology, community role, resources and supports that perpetuate or prevent dowry abuse. Moreover, the focus groups with the service providers helped to better understand systemic facilitators and barriers to prevention and intervention. Alternatively, the quantitative findings from the demographic survey provided a context to their perspectives and diversity. Similarly, the case files demonstrated the prevalence of dowry abuse among South Asian women.

Dowry abuse has features that overlap with other forms of intimate partner violence and family violence, in particular coercive control. However, findings from this study have shown that, due to its complexity, it is a separate form of intimate partner and family violence. The study shows that there is a need for developing a consistent definition of dowry abuse, which takes into account its features and presentations in families.

Dowry is a deep-rooted cultural tradition, eliciting substantial financial commitments from families. Marriages are also culturally important to South Asian families. These factors contribute to the stigma associated with dowry abuse and possibly the lack of acknowledgement and/or awareness within South Asian communities about the abuse.

The practice of dowry continues within South Asian countries, despite its contentious legality, and within diaspora South Asian communities in Australia. Dowry is a legal practice within most Australian States and Territories, with the exception of Victoria. Therefore, considering these factors the study highlights that community education and awareness approaches to address dowry abuse may not be effective.

The wider social services, health and legal services sectors in Western Sydney are not extensively aware of dowry abuse. This lack of awareness could have impacted how victims were/ were not assisted. Thus, the study reveals a need to take a comprehensive approach to increase knowledge of dowry abuse within the wider social services, health, and legal services sectors in Western Sydney, and work towards improving responses.

The adverse impacts of dowry abuse are far reaching for the victims— there are financial and legal consequences, as well as significant impacts on the victim's wellbeing and safety. The study also demonstrates that dowry abuse disproportionately affects women who are not Australian citizens, women who are unemployed and who are not likely to have work rights in Australia. Therefore, due to their migration and economic circumstances, the victims have limited access to legal, social and health services.

Thus, this study demonstrates a need for a targeted service for women who do not have Australian citizenship that integrates assistance to navigate the migration and legal system, with assistance to address the intimate partner and family violence. Moreover, due to the community's lack of knowledge and awareness of dowry abuse, the study also demonstrates that the onus continues to sit with services to 'see' and 'name' the abuse. Therefore, the study reiterates the importance of all domestic and family violence services, health services, community services and the police to be culturally appropriate and knowledgeable about dowry abuse.

The study displays the significant financial commitment the victims and their families have made to the spouse and the spouse's family. Victims reported a wide range of wedding gifts in the form of gold, property, and cars. Wedding costs and cash gifts included visa processing and relocation charges, as well as costs for spouse's tuition fees in Australia. The victims were unable to pursue compensation or recompense for these expenses. Thus, the study reiterates the need for legal reform at Federal and State level so that the practice can, at least, be brought into a legal framework, and victims and their families can pursue compensation from perpetrators.

Study Limitations

The findings of this study should be considered in light of some limitations. While the focus groups with service providers and South Asian women exposed the critical issue of dowry abuse, overall generalisability of the findings are limited due to the small sample size for this element of data collection. The perspectives offered may not necessarily be representative of the larger population of South Asian women in NSW or Australia. Nonetheless, the number of study participants was adequate to reach data saturation.

Among the case files, less than half were explicitly labelled as dowry, despite them having an element of coercive control and financial abuse. Others were labelled as domestic violence or another issue but failed to identify the dowry element. As dowry abuse is often not explicitly labelled, many victims may have been excluded from our analysis of the case files. Nevertheless, 49 case files (2013-2020) of victims from South Asian descent were identified and analysed to reflect their experiences of abuse.

This study did not explore the issue of human trafficking, slavery and forced marriage, which are often linked with dowry abuse. This has been raised in the 2018 Senate Enquiry: *Practice of Dowry and the Incidence of Dowry Abuse in Australia*, which suggests that reform regarding dowry abuse must consider other offences such as human trafficking, forced labour and domestic servitude (Commonwealth of Australia, 2019)¹⁵. Therefore, it is recommended that future studies explore the issue of human trafficking.

Nonetheless, given the dearth of research on dowry abuse in Australia, this study provides novel data and evidence about the incidence, rate and impact of dowry abuse within the South Asian community of Western Sydney.

¹⁵ Commonwealth of Australia (2019), *The practice of dowry and the incidence of dowry abuse in Australia. Report – Parliament of Australia (aph.gov.au)*

Chapter 6: Recommendations and Conclusion

Recommendations

Recommendation One: *That the Federal Government prioritise the implementation of Recommendation Five of the 2018 Senate Enquiry: Practice of Dowry and the Incidence of Dowry Abuse in Australia.*

The findings of the research show that the majority of the victims were on spousal visas. It also demonstrated utilisation of the migration pathway to Australia as a key factor in the abuse. There is recognition that there are larger cohorts of victims who are not able to access the family violence provisions afforded to Spousal Visa holders. These victims remain even more vulnerable to the abusive whims of their partner and families.

Therefore, this study strongly supports, the implementation of Recommendation Five of the 2018 Senate Enquiry: Practice of Dowry and the Incidence of Dowry Abuse in Australia:

“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.” (Commonwealth of Australia, 2019)¹⁶*

Recommendation Two: *That Federal Government, State and Territories adapt a consistent definition of dowry abuse to enable the identification of abusive, problematic behaviour.*

The findings from both focus groups— service providers and South Asian women— emphasised the need to form a comprehensive and consistent definition of dowry abuse as dowry abuse can manifest in different forms, and service providers cannot always distinguish between the type of violence. Data from case files demonstrated that dowry was ambiguously and inconsistently defined by the community as ‘wedding costs’ or ‘wedding gifts’; with the abusive behaviour catalogued separately. Of the myriad of case files, less than half were explicitly labelled as dowry, despite them having an element of coercive

¹⁶ Commonwealth of Australia. (2019) *The practice of dowry and the incidence of dowry abuse in Australia. Report – Parliament of Australia (aph.gov.au)*

control and financial abuse. Others were labelled as domestic violence or another issue but failed to identify the dowry element.

Therefore, a consistent definition would assist service providers to identify and respond appropriately. It would also assist community members to recognise problematic, abusive behaviour.

Recommendation Three: *That Federal Government, State and Territories create resources and provide training to assist in the identification and response to dowry abuse for:*

- a. The police forces, with aim to create institutionalised change.*
- b. Domestic and family violence sector with aim to increase cultural competency, relevance, and sensitivity of service delivery.*
- c. Legal professionals to develop strategy to improve immigration and family law outcomes for victims.*

That this training be in addition to the 'complex forms of violence' training already available.

Findings from the focus groups identified that service providers and other professionals who serve as first point of contact for victims of dowry abuse required consistent, up-to-date information about dowry abuse, domestic and family violence and migration. They also consistently spoke of service providers who struggled to understand how to assist women who did not have access to the full suite of governmental assistance and who concurrently had to navigate the complex migration and legal systems. This led to inconsistent and inappropriate assistance being offered.

Analysis from the case files also noted the impact of inconsistent knowledge and practice. For example, a lot of details were not recorded or done so inconsistently across clients and services. As the case files span from 2013 to 2020, the analysis has also revealed the changes in language that have ensued over the years. Only terms like coercive control were used to describe the cases in 2014, and there was no consistent mention of dowry abuse.

Thus, the findings demonstrate the need for comprehensive training that is inclusive of cultural competency, legal information, and the practice of dowry abuse. The training needs to be targeted and tailored to the needs of the police, DFV response services, and legal professionals.

Recommendation Four: *That the Federal government work collaboratively with the State and Territory governments to develop a 'one stop shop' integrated service that responds to dowry abuse, intimate partner violence and family violence for Australian residents without citizenship status.*

Findings from the focus groups consistently outlined the complexities service providers faced when they attempted to assist women who did not have access to the full suite of governmental assistance and who concurrently had to navigate the migration and criminal legal systems. Service providers noted that they were not always resourced or funded to provide the complex assistance required— leading to many women not receiving the adequate assistance.

An integrated, coordinated response to dowry abuse would assist in ensuring that dowry abuse cases are effectively and efficiently addressed. A 'one stop shop' service would provide legal assistance to navigate the criminal, family, and immigration legal systems, as well as provide casework and counselling services. This will ensure that victims receive the appropriate assistance. A service like this could also be able to resource other domestic and family violence response services; and thereby would reduce the strain on service providers from having to manage the complex immigration and legal aspects by themselves.

Recommendation Five: *That the Federal government reform the Family Law Act (1975) to provide victims with recovery pathways for assets provided as dowry, upon the dissolution of the marriage.*

Under the Australian law, there are currently no mechanisms to address dowry abuse. The Family Law Act (1975)¹⁷ does not adequately or consistently enable victims of dowry abuse to recover the dowry provided by the victim or their family in the event of divorce proceedings, including those gifts exchanged in other jurisdictions.

The study findings demonstrated that the average value of the dowry paid by the victims was AUD\$25,000. This was in addition to tuition fees and visa processing fees paid by the women. The financial contributions made by the victims' families to secure the marriage are significant. The contributions are paid to the victims' spouse and/or his family, while the victim receives little to no benefit from these contributions.

Under the Family Law Act (1975)¹⁶, these significant financial contributions are labelled as "gifts"; thereby negating their inclusion in property settlements during divorce proceedings. Therefore, nullifying pathways to pursue compensation or recompense in for these expenses under the existing Family Law framework.

Thus, there is a need to reform the Family Law Act (1975)– so that the practice can, at least, be brought into a legal framework where victims and their families can pursue compensation from their perpetrators.

Conclusion

Given the dearth of research and best practice models about dowry abuse in Australia, this project sought to explore case files related to dowry abuse as well as engage with the perspectives of South Asian women and service providers to better understand how to define, identify and address this significant issue of domestic and family violence. This project found that dowry abuse is a multi-faceted and lucrative phenomenon that targets victims and continues to persist and manifest in different ways. The case files of victims from South Asian descent demonstrated the prevalence of dowry abuse, and the need for increased support especially among those from India. As the practice is not criminalised in New South Wales as is in India, generating greater awareness for frontline staff such as police and simplifying the legal proceedings for victims are warranted.

¹⁷ Family Law Act (1975), <https://www.legislation.gov.au/Details/C2019C00101>