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Partnerships create strong support net to help border migrants experiencing family violence

The ongoing support a community legal centre offers people from Culturally and Linguistically Diverse backgrounds can be of major benefit for those who have been through terrible ordeals.

This saves them additional stresses, such as dealing with a different person for every different matter, having to re-tell their story continuously, and developing trust repeatedly. Additionally, working in partnership with a service like Centre Against Violence (CAV) that understands all the needs of victim-survivors also helps create a strong support net. Hume Riverina Community Legal Service is on-site to provide legal assistance, casework and ongoing support to women with increased vulnerability and experiencing or at-risk of family violence.

In Chanda's* situation, this joint approach gave her the support, care and confidence she needed to move on with her life having endured a scenario brides from overseas must dread. Having moved to Australia five years earlier, Chanda was separating from her abusive husband, Ishaan*, after a horrendous marriage.

“Without the support of CAV, my lawyer Jodie and Gateway Health, I would not be standing where I am today. There would have been no chance of me moving ahead if no one was there to support me.”

Arranged marriage, new home, foreign country

Chanda met Ishaan for the first time on their wedding day. Married in India in 2012, Chanda had no say in choosing her husband. Within days of getting married, Chanda fell pregnant. In May 2013, Chanda moved to Australia with her newborn baby to join her husband, who had been living here since 2005.

Daily abuse takes toll

Over the years, Ishaan beat Chanda regularly. She was forced to cook, clean and attend to all his needs. She also fed his extended family every night. Chanda wasn't allowed a bank account and Ishaan refused to let her leave the home most days. In time, Ishaan's sister also started abusing Chanda. In 2018, she gave birth to their second child. Constantly abused and told she was dumb and stupid, Chanda felt trapped.

“Because of my Indian background, it was very hard to get out of the situation. There was so much pressure not to leave from family and friends because it was against my culture. Speaking with CAV made me realise it was okay to leave. They were there for me and I felt really supported. They didn't judge me for something I was doing that was not in my culture.”

Finding strength to make change

Chanda was a timid, quiet young woman, petrified of her husband. But one day, after a particularly bad beating her older son witnessed, she called the police. They came and she told them what she'd been through. Police applied for a full Intervention Order (IVO) against Ishaan and charged him with assault, and linked Chanda in with CAV. She had no idea how to navigate life without him, let alone understand her rights or the law in Australia.

Knowledge on rights helps in tough situation

As part of more than two years negotiation, the family home hold was put on the market and sold. With Chanda fearful of becoming homeless, it was the advice from HRCLS lawyer Jodie Wells that gave her comfort and a bit of fortitude to speak up.

“She told me to talk to the real estate and tell them I would not be moving out until I found somewhere else to go. I thought because there was a 30-day settlement in place that I would just have to leave. It was little tips and advice like that which really helped me stand up in those situations.”

On with life

In 2020 Chanda signed Consent Orders for a property settlement. Her settlement receive \$62,000 cash and \$45,000 in a super split. The property settlement meant Chanda now had security and the potential for a stable future after staring down the barrel of poverty.

“It was a huge relief; it meant I can now buy a home for my kids. After I separated, I had no money at all, and one time I had to borrow from my best friend to buy food for my kids.”

Ongoing legal advice makes difference

Along with the IVO and property matters, Jodie helped Chanda with a child support review, and also an Administrative Appeals Tribunal hearing to prevent Ishaan from claiming his living expenses as child support. Chanda was grateful for Jodie’s advice and guidance throughout the process, as well as how she simplified information to ensure Chanda understood what was going to happen.

“If I was a bit concerned about something, Jodie advised me clearly and would tell me everything I needed to know. She also told me what she was doing was free, and I didn’t have to pay for it. She was really helpful with getting child support for me, and fully explained things.”