



## HUMAN TRAFFICKING WORKING GROUP

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## 'MAIL-ORDER BRIDES' IN AUSTRALIA

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### Table of Contents

<b>1. Introduction</b> .....	<b>2</b>
1.1 Terminology .....	2
1.2 History and context .....	2
<b>2. Internet Introduction Agencies</b> .....	<b>3</b>
2.1 Websites .....	3
2.2 Additional services offered .....	4
2.3 Representations of women .....	5
2.4 Registration of introduction agents in Australia .....	5
<b>3. Media Representations of 'Mail-Order Brides'</b> .....	<b>8</b>
3.1 Negative experiences for Filipina brides .....	8
3.2 Risks for Australian men .....	9
3.3 Positive experiences .....	10
3.4 Myths and stereotypes .....	10
<b>4. Violence against women</b> .....	<b>12</b>
<b>5. Nexus between 'mail-order' introduction services and human trafficking</b> .....	<b>14</b>
<b>6. The way forward</b> .....	<b>15</b>

## 1. Introduction

The topic of 'mail order brides' is frequently associated with trafficking in persons, sexual exploitation, and slavery. The following Sections explore the extent to which foreign women enter into relationships with Australian men and subsequently migrate to Australia and consider the history of 'mail-order brides' in Australia, as well as current statistics and trends in spousal migration. The effect of the internet on this phenomenon is also examined, followed by a discussion of related legislative issues, such as the registration of matchmaking services and websites in Australia,

Information regarding women from Russia and the Philippines in relationships with Australian men is used to demonstrate issues and concerns regarding 'mail-order brides'. This focus is explained by the fact that majority of foreign women in relationships with Australians appear to arrive from Russia or the Philippines. Moreover, the vast majority of the literature relating to 'mail-order brides' in Australia focuses on these two countries, especially in relation to exploitation of and violence against women. Issues and materials relating to Russian and Filipino women will be used as a demonstration of the broader concerns relating to 'mail-order brides' in Australia.

### 1.1 Terminology

The term 'mail-order bride' is controversial and subject to misinterpretation. It appears that the label arose from the many 'pen pal' services used as introduction agencies, both through magazines such as *Australian Singles* as well as internet websites. The term, however, carries negative connotations, relating to both the women and the men involved. In her article about Asian-Australian relationships and marriage, Kathryn Robinson, for instance, argues that the term reinforces stereotypes about Asian women and their relationship with Australian males. She discusses media assumptions and popular stereotypes about these relationships, referring to the opposing views presented by the media in which the 'brides' are referred to as either 'grasping opportunists' or 'sex slaves'.<sup>1</sup> In the absence of more neutral terminology, however, this report will continue to use the term 'mail-order bride' to refer to women who have entered into marriage with a foreign partner through an introduction or 'pen-pal' agency.

### 1.2 History and context

The number of marriages between Australians and non-nationals has been steadily increasing for a number of years. It is difficult to determine the exact number of 'mail-order brides' who migrate to Australia, as comprehensive information about how foreign women are initially introduced to their Australian partners is unavailable. Although statistics concerning the applications and grants of fiancée and spouse visas exist, not all of the women who have been granted a partner visa would have met their husband or fiancée through an introduction agency. It should therefore not be assumed that all holders of fiancée or spouse visas are necessarily 'mail-order brides', and the information relating to these visa subclasses is only intended as an approximate guide to the incidence of marriage as a result of an international matchmaking agency.

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<sup>1</sup> Kathryn Robinson, 'Of Mail-Order Brides and 'Boys Own' Tales: Representations of Asian-Australian Marriages' (1996) 52 *Feminist Review* 53.

The most recent statistics from the Department of Immigration and Citizenship (DIAC) confirm the general increase in spouse and fiancée visas in recent years,<sup>2</sup> with 6,541 prospective marriage visas issued in 2007-2008,<sup>3</sup> and approximately 42,500 grants of partner visas planned for 2008-09.<sup>4</sup>

Filipinas have been recorded as entering Australia as wives or fiancées of Australian partners since the early 1970s.<sup>5</sup> Immigration reports show that although there were 700 Filipinas with Australian husbands in 1976, this number had increased by 164 percent by 1984,<sup>6</sup> with approximately 1729 fiancée and spouse visas issued to Filipinas in the 1983/1984 period.<sup>7</sup>

There is a dearth of information concerning the immigration of Russian women into Australia on spouse or fiancée visas. While it has been reported in the media that in the 2002-03 financial year 191 Russian women were granted prospective spouse visas in Australia,<sup>8</sup> it is not clear where this information was sourced. Regardless, it seems clear that although Russian women were not entering Australia as spouses as early as, for example, women from the Philippines, currently more and more women from Russia immigrate as partners of Australian men. This can be linked at least in part, to the wide availability of websites specifically catering for men seeking Russian partners. ‘

## 2. Internet Introduction Agencies

### 2.1 Websites

The introduction of internet dating services has had a considerable impact on the number of Australians who are able to pursue relationships with non-nationals. Elena’s Models<sup>9</sup> and ‘Russian Brides’,<sup>10</sup> are examples of two Australian-based websites.

There are several ‘mail-order bride’ websites accessible online, many of which contain little substantive information in regard to their services. Several sites seek the entry of an email address, which is potentially used for the purpose of illegal ‘spamming’ of customers. There are some legitimate ‘mail-order bride’ websites, all of which take the form of dating or introduction services, whereby the payment of a subscription fee allows a male customer to view the profiles of women interested in meeting foreigners with a view towards marriage. This distinguishes some internet matchmaking agencies from internet dating sites such as [www.rsvp.com.au](http://www.rsvp.com.au), as many sites are clearly catering for those seeking marriage or a long-term relationship, rather than casual dating. Another distinguishing feature is the gender-specific nature of the material, as the websites exclusively cater for Western men seeking to marry foreign women. Women

<sup>2</sup> *Migration Program Statistics* (2009) Australian Government - Department of Immigration and Citizenship <<http://www.immi.gov.au/media/statistics/statistical-info/visa-grants/migrant.htm>> at 12th May 2009.

<sup>3</sup> Department of Immigration and Citizenship, 2009, *Population Flows: Immigration Aspects 2007-08 Edition*, 40.

<sup>4</sup> This figure includes spouse, fiancée and interdependency visas.

<sup>5</sup> Fadzilah M. Cooke, ‘Australian – Filipino Marriages in the 1980s. The Myth and the Reality’ (1986) Centre for the Study of Australian-Asian Relations, Research Paper No. 37, 1.

<sup>6</sup> Fadzilah Majid Cooke, *Australian-Filipino marriages in the 1980s: an exploratory study into reasons for marriage in the context of Australian and Philippine socio-economic conditions* (Masters’ Thesis, Griffith University).

<sup>7</sup> Fadzilah M. Cooke, ‘Australian – Filipino Marriages in the 1980s. The Myth and the Reality’ (1986) Centre for the Study of Australian-Asian Relations, Research Paper No. 37, 1.

<sup>8</sup> Misha Ketchell, ‘From Russia With Love’ *The Age*, 18 February 2004, 4.

<sup>9</sup> Elena’s Models, *Elena’s Models: Meet the Love of Your Life* (2009) Elena’s Models <<http://www.elenasmodels.com>> at 12 May 2009.

<sup>10</sup> Russian Brides, *Russian Brides* (2009) <<http://www.russianbrides.com.au>> at 12 May 2009.

are able to create profiles and add information but contact on these websites generally appears to be initiated by men.

The sites have a variety of membership options, ranging from one month to twelve months, with the cost per month decreasing the longer the subscription period. Monthly payment requirements vary greatly and may also determine access to the email addresses of female members. Some websites allow men to register and set up a profile for free, however, these services all prevent direct contact with women until a fee is paid.

Of the numerous sites available, several are aimed at Australian men, though none exclusively target Australian clientele. The United States (US), Canada, the United Kingdom (UK), and South Africa also feature prominently as target markets of English language websites. One of the few Australian-based websites, [www.elenasmodels.com](http://www.elenasmodels.com) 'a dating agency that specialises in introducing Russian and Eastern European women with western men', is based on the Gold Coast, Queensland, and run by Ms Elena Petrova, a Russian-born woman who married her South African husband after meeting him through an online introduction agency. While her service does not promise marriage to subscribers, it is aimed at those 'serious about finding a quality partner and changing [their] li[ves] for the better'.<sup>11</sup> Although only two of the sites surveyed appear to be Australian-owned and run, many US websites are available for use by Australian men.

## 2.2 Additional services offered

The majority of websites offer a variety of complementary services in addition to introductions. For an extra fee, [elenasmodels.com](http://www.elenasmodels.com) offers translation services to clients, and, on similar terms, will provide an 'individualised search', through which the agency's staff find matches they believe to be best suited to that particular client.

Some sites also offer organised overseas tours where men and potential wives can meet. These tours appear to be used by men as an alternative to paying for someone else's airfare in pursuit of a face-to-face meeting and also provide an opportunity to meet several women on the same tour. The 'A Foreign Affair' website offers men a choice of nearly forty so-called 'romance tours' throughout Russia, Central and South America, and Southeast Asia.<sup>12</sup> Similarly, the website [russianbrides.com.au](http://www.russianbrides.com.au) offers a 'Casanova Tour', which it advertises as complimenting its introduction service by allowing its 'clients [to] meet marriage minded Russian girls, with a joy of Playboy mansion style models in between!'<sup>13</sup> While the majority of websites claim to focus on arranging meetings and romantic connections rather than providing sexual services, the images and descriptions of the abovementioned tours are overtly sexual, with sites displaying photographs of men sitting on chairs watching young women walk around them in bikinis, or closely inspecting a woman's breasts.<sup>14</sup> The tours are recommended by websites as a good opportunity for meeting women in person, and establishing closer connections with the women previously met online. However, the websites' images and promotional material for the tours unambiguously imply that they offer the possibility of sexual activity.

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<sup>11</sup> Elena's Models, *Elena's Models: Meet the Love of Your Life* (2009) Elena's Models <<http://www.elenasmodels.com>> at 12 May 2009.

<sup>12</sup> A Foreign Affair, *A Foreign Affair Romance Tours: Meet 500 to 2000 Beautiful Women During Our Tours* (2009) <<http://www.loveme.com/tour>> at 12 May 2009.

<sup>13</sup> See, for example, Russian Brides, *Russian Brides Romantic Tours* (2009) <[http://www.russianbrides.com.au/love\\_tours/index.html](http://www.russianbrides.com.au/love_tours/index.html)> at 12 May 2009.

<sup>14</sup> Russian Brides, *Russian Brides Romantic Tours* (2009) <[http://www.russianbrides.com.au/love\\_tours/index.html](http://www.russianbrides.com.au/love_tours/index.html)> at 12 May 2009.

Further, some websites offer men advice on how to obtain both temporary and permanent visas for women they meet overseas: the 'A Foreign Affair' website offers such advice for movement into the US through a Russian-born US attorney practicing in immigration law, who was herself a 'mail-order bride'.<sup>15</sup> Currently no site appears to offer equivalent advice to Australian men.

### 2.3 Representations of women

Many websites feature a negative portrayal of Western women. For example, the website [russianbrides.com.au](http://russianbrides.com.au) suggests that:

Russian women do not suffer from the "Cinderella syndrome" so common to Australia [sic], US or UK females. Over-independence and feminism have not spoiled Russian women [and they maintain a] belief in traditional family values. Unlike their Western sisters they still put family ahead of [their] career.<sup>16</sup>

This statement seemingly implies that not only will Russian women be more compliant with their husband's wishes, but that Western women are undesirable as partners. Not all websites contain such sensationalist claims, however, as sites such as [elenamodels.com](http://elenamodels.com) focus instead on the positive attributes of Russian women, such as their desire to marry and care for a family.<sup>17</sup>

To some extent these websites commodify the women involved, with sexually suggestive images and pictures used to attract Western men. They do not, however, correspond to the media stereotypes about 'mail-order bride' sites in which the women are presented as a product available for 'purchase' from a catalogue. Despite the language and images used, the focus of the sites is mainly assisting the introduction of consenting adults with a view to serious relationships.

There are, on the other hand, sites that sell books and manuals said to assist Western men in finding and successfully marrying foreign women. The site [iideasstore.com](http://iideasstore.com), which sells a variety of information related to travelling in and moving to the Philippines, also offers books offering tips on 'finding the Filipina of your dreams'<sup>18</sup> and 'how to marry and migrate the Filipina of your dreams'.<sup>19</sup>

### 2.4 Registration of introduction agents in Australia

Victoria and Queensland are the only Australian states to specifically regulate introduction agencies. The legislation of both states focuses on protecting consumers from being exploited by introduction agencies; there does not appear to be any discrete goal of preventing the exploitation of foreign women in Australia. Other states, such as New South Wales, rely on

<sup>15</sup> A Foreign Affair, *Visa Information* (2009) <<http://www loveme.com/information/prg2b7.shtml>> at 12 May 2009.

<sup>16</sup> Russian Brides, *Russian Brides* (2009) <<http://www.russianbrides.com.au>> at 12 May 2009.

<sup>17</sup> Elena's Models, *Elena's Models: Meet the Love of Your Life* (2009) Elena's Models <<http://www.elenasmodels.com>> at 12 May 2009.

<sup>18</sup> iideas Store, *How to Meet and Marry the Filipina of Your Dreams: Filipina 101* (2008) <[http://www.iideasstore.com/filipina\\_101.html](http://www.iideasstore.com/filipina_101.html)> at 12 May 2009; see also <<http://www.filipina101.com>>.

<sup>19</sup> iideas Store, *How to Meet and Marry the Filipina of Your Dreams: Filipina 202* (2008) <[http://www.iideasstore.com/filipina\\_202.html](http://www.iideasstore.com/filipina_202.html)> at 12 May 2009; see also <<http://www.filipina202.com>>.

generic fair trading legislation<sup>20</sup> to prosecute introduction agents found to have acted improperly.<sup>21</sup>

## Victoria

The *Introduction Agents Act 1997* (Vic) came into operation on July 1, 1998 'to provide for fair trading within the introduction agency industry by setting minimum standards for the industry and establishing a means of disqualifying certain people.'<sup>22</sup> The Act emerged in response to unfair and unscrupulous practices and low standards of professionalism that were seen to have become a feature of the introductions industry.<sup>23</sup> No information is available about the number of introduction agents registered in Victoria.

The *Introduction Agents Act 1997* (Vic) places a variety of restrictions on any person who carries on a business, the work of which involves introducing one person to one or more others who might be interested in having a personal relationship with the person, or in attending a social outing with the person.<sup>24</sup> Excluded from this definition of 'introduction agents' are persons performing such an activity with a community purpose and not for personal gain,<sup>25</sup> for no profit,<sup>26</sup> as mere publishers of advertising (for example, a newspaper, magazine, or radio station),<sup>27</sup> as a mere provider of information (for example, websites where there is no time-based subscription fee or fee over AUD 100),<sup>28</sup> as organisers of a public event (such as a dance),<sup>29</sup> or as a licensee or approved manager of a brothel.<sup>30</sup> It appears, then, that 'mail-order bride' websites which charge fees based on the duration of subscriptions (such as those outlined above) will not be considered information providers under the Act and will thus be considered to be introduction agents.

A person seeking to act as an introduction agent must not be excluded from doing so by virtue of being a minor or an insolvent under administration, being a licensee or approved manager of a brothel, having been convicted of a serious offence (that is, fraud, dishonesty, drug trafficking and violent crimes with a sentence of three months or greater) within the previous five years, or falling within one of several other specified classes.<sup>31</sup>

Persons seeking to act as an introduction agent must then provide to the Secretary of the Department of Justice written notice, in the required form, of his or her intention.<sup>32</sup> This must occur at least 30 days before the person commences to act as an introduction agent, otherwise

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<sup>20</sup> *Fair Trading Act 1997* (NSW).

<sup>21</sup> See, for instance, *Director-General of the Department of Fair Trading v Joanna Monaghan and 1 Ors* [2003] NSWSC 1099.

<sup>22</sup> Section 1 *Introduction Agents Act 1997* (Vic).

<sup>23</sup> Victoria, Department of Justice, *Introduction Agents Act – Options Paper: Modernising Victoria's Consumer Policy Framework* (2008) *Consumer Affairs Victoria* <[http://www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV\\_Publications\\_Consultations\\_Reviews\\_3/\\$file/Introduction\\_Agents\\_Act\\_Options\\_Paper.pdf](http://www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV_Publications_Consultations_Reviews_3/$file/Introduction_Agents_Act_Options_Paper.pdf)> at 12 May 2009, 7.

<sup>24</sup> Sections 4–6 *Introduction Agents Act 1997* (Vic).

<sup>25</sup> *Introduction Agents Act 1997* (Vic) s 8(1); also note that 'community purpose' means any philanthropic or benevolent purpose (including the promotion of art, culture, science, religion, education, medicine or charity), or a sporting or recreational purpose (including the benefiting of any sporting or recreational club or association): *Introduction Agents Act 1997* (Vic) s 8(2).

<sup>26</sup> Section 9 *Introduction Agents Act 1997* (Vic).

<sup>27</sup> Section 10 *Introduction Agents Act 1997* (Vic).

<sup>28</sup> Section 11 *Introduction Agents Act 1997* (Vic); s 5 *Introduction Agents Regulations 1998* (Vic).

<sup>29</sup> Section 12 *Introduction Agents Act 1997* (Vic).

<sup>30</sup> Section 13 *Introduction Agents Act 1997* (Vic).

<sup>31</sup> Section 14 *Introduction Agents Act 1997* (Vic).

<sup>32</sup> Section 15(1)(a), (c) *Introduction Agents Act 1997* (Vic).

he or she will operate as an introduction agent illegally.<sup>33</sup> Subsequently, within one month of each anniversary of the date of this notice, the person must provide the Secretary with a statement of specific details of the individual or corporation providing the introduction services, including any charge, conviction or guilty plea for an offence.<sup>34</sup>

The *Introduction Agents Act 1997 (Vic)* places a variety of restrictions on introduction agents' conduct, particularly advertising, hiring and management of staff, and use of client information,<sup>35</sup> as well as requiring that clients and agents subscribe to certain agreements in the performance of introduction services.<sup>36</sup> The Act also provides for various methods of enforcement.<sup>37</sup>

In October 2008, Consumer Affairs Victoria released an options paper in which it analysed the Act and found that introduction agencies were the subject of excessive regulation. The paper recommended the repeal of the *Introduction Agents Act 1997 (Vic)* and the establishment of a negative licensing system in its place, similar to the protection provided through generic fair trading legislation in New South Wales.<sup>38</sup> Nevertheless, the Victorian Government is yet to legislate to this effect.

## Queensland

The *Introduction Agents Act 2001 (Qld)* was introduced 'due to continuing unfair trading practices in parts of the industry, which have led to considerable consumer detriment'.<sup>39</sup>

The Act essentially mirrors the *Introduction Agents Act 1997 (Vic)*. The Queensland legislation extends the requirement of notice in the Victorian legislation to require that any business, the work of which involves introducing people who are interested in having a personal relationship or attending a social gathering must be licensed as an introduction agent to work legally.<sup>40</sup> Excluded from the definition of an introduction service are: services operating for a community purpose, services that do not primarily seek to make profit from the meeting, services that merely publish details of people seeking personal relationships in the mass media, and services that merely provide information.<sup>41</sup> Also excluded are organised social activity providers, providers of neighbourhood information and welcome services, and prostitution providers.<sup>42</sup> As with the Victorian legislation, the exemption for information providers does not apply where there is a time-based subscription fee, thus 'mail-order bride' sites, even where 'personal services' or 'individual searches' such as those discussed earlier are not offered, are still likely to fall within the scope of the Act where there is a monthly fee.

Licensing is administered by the state's Department of Employment, Economic Development and Innovation. To apply for a licence, a person must be at least 18 years old, must not be bankrupt, not have been convicted of a disqualifying offence in the last five years,<sup>43</sup> not have

<sup>33</sup> *Introduction Agents Act 1997 (Vic)* s 15(1)(b).

<sup>34</sup> *Introduction Agents Act 1997 (Vic)* s 35; *Introduction Agents Regulations 1998 (Vic)* s 9.

<sup>35</sup> See, generally, Part 3 *Introduction Agents Act 1997 (Vic)* 3.

<sup>36</sup> See, generally, Part 4 *Introduction Agents Act 1997 (Vic)*.

<sup>37</sup> See, generally, Part 6 *Introduction Agents Act 1997 (Vic)*.

<sup>38</sup> Victorian Department of Justice, *Introduction Agents Act – Options Paper: Modernising Victoria's Consumer Policy Framework* (2008) 17-18, available at [www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV\\_Publications\\_Consultations\\_Reviews\\_3/\\$file/Introduction\\_Agents\\_Act\\_Options\\_Paper.pdf](http://www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV_Publications_Consultations_Reviews_3/$file/Introduction_Agents_Act_Options_Paper.pdf) (accessed 12 May 2009).

<sup>39</sup> Explanatory Memorandum, *Introduction Agents Bill 2001 (Qld)* 1.

<sup>40</sup> Sections 9, 18 *Introduction Agents Act 2001 (Qld)*.

<sup>41</sup> Sections 11–14 *Introduction Agents Act 2001 (Qld)*.

<sup>42</sup> Sections 15–17 *Introduction Agents Act 2001 (Qld)*.

<sup>43</sup> Section 21(c) *Introduction Agents Act 2001 (Qld)*. Disqualifying offences include various serious offences, particularly sexual offences, under the *Criminal Code*, as well as offences that are drug-related, linked to the provision of prostitution, or constituted by fraud or dishonesty: sch 2

been a licensee or an approved manager under the *Prostitution Act 1999* (Qld) in the previous five years, and must not be the subject of a current order by a court not to be involved in the business of an introduction agency.<sup>44</sup> A licence may only be granted where the chief executive is satisfied that the person is a suitable person to hold a licence.<sup>45</sup> This requires the chief executive to consider whether the person or any associate has been convicted of any offence under the Act or other fair trading legislation within the last five years.<sup>46</sup> Applicants are required to undergo a criminal history check<sup>47</sup> and pay licence fees of approximately AUD 500 a year.<sup>48</sup>

The Act also places restrictions on introduction agents' conduct, particularly their advertising, hiring and management of staff, and use of client information,<sup>49</sup> as well as requiring that clients and agents subscribe to certain agreements in the performance of introduction services.<sup>50</sup> The Act also provides for various methods of enforcement of its provisions.<sup>51</sup> No information is available about the current number of introduction agents registered in Queensland.

### 3. Media Representations of 'Mail-Order Brides'

#### 3.1 Negative experiences for Filipina brides

In 1988-89, several articles appeared calling for the end of Filipino 'mail-order' bride services and agencies, arguing that women usually enter such marriages as a result of desperation induced by poverty.<sup>52</sup> This sentiment was echoed the following year by the Anglican Church in its calls for tighter regulation of mail-order services brides in Australia.<sup>53</sup> The Church's concerns stemmed from a report it had produced which found that poverty induced women into entering marriages with limited knowledge about their husbands and without adequate information on various support services available to them in Australia.<sup>54</sup> The Anglican Church was particularly critical of the fact that introduction agencies were, at that time, not licensed and therefore not bound by any guidelines. Furthermore, they expressed concerns about the accessibility of support services in Australia, arguing that many 'mail-order brides' live in isolated or remote areas.<sup>55</sup>

In regards to the statistical incidence of Filipina/Australian marriage, it has been noted that

In 1971, there were fewer than 1000 Philippines-born women in Australia. By late 1985 the number had risen to 19 000. Additionally, during the 1987-88 financial year, Australia accepted 6362 adult immigrants from the Philippines. More than 65 percent of them were women.<sup>56</sup>

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*Introduction Agents Act 2001* (Qld).

<sup>44</sup> Section 22 *Introduction Agents Act 2001* (Qld).

<sup>45</sup> Section 20(1) *Introduction Agents Act 2001* (Qld).

<sup>46</sup> Section 20(2) *Introduction Agents Act 2001* (Qld).

<sup>47</sup> Section 23 *Introduction Agents Act 2001* (Qld).

<sup>48</sup> Section 19(2)(c) *Introduction Agents Act 2001* (Qld); s 8 *Introduction Agents Regulation 2002* (Qld).

The exact amount varies depending on whether a one, two or three year licence is obtained..

<sup>49</sup> See, generally, Part 4 *Introduction Agents Act 2001* (Qld).

<sup>50</sup> See, generally, Part 5 *Introduction Agents Act 2001* (Qld).

<sup>51</sup> See, generally, Part 6 *Introduction Agents Act 2001* (Qld).

<sup>52</sup> 'Church Assails Bride-Ordering' (12 May 1988) *The Globe and Mail* (Toronto) 12 May 1988, 14.

<sup>53</sup> Wanda Jamrozik, 'Mail-Order Marriages Concern Church' (23 Jan 1989) *The Sydney Morning Herald* (Sydney) 6.

<sup>54</sup> Wanda Jamrozik, 'Mail-Order Marriages Concern Church' (23 Jan 1989) *The Sydney Morning Herald* (Sydney) 6.

<sup>55</sup> Wanda Jamrozik, 'Mail-Order Marriages Concern Church' (23 Jan 1989) *The Sydney Morning Herald* (Sydney) 6.

<sup>56</sup> Wanda Jamrozik, 'Mail-Order Marriages Concern Church' (23 Jan 1989) *The Sydney Morning Herald* (Sydney) 6.

In 1993, the disappearances and deaths of 18 Filipina women in the preceding six years prompted calls for a national inquiry into the 'mail-order brides' industry in Australia.<sup>57</sup> In July 1993, a group of Melbourne lawyers were said to be preparing a brief on the incidents to strengthen the push for a Royal Commission and the re-opening of some of the investigations; this, however, never eventuated.<sup>58</sup> Jocelyne Scutt was quoted as stating that the misconception that 'women from the Philippines [...] will be perfectly submissive, a servant' possibly contributed to the significant levels of domestic violence perpetrated against Filipina brides.<sup>59</sup> Former Philippine President, Corazon Aquino supported the push for an inquiry, suggesting that the Australian and Philippines governments join together to conduct a wider investigation of the 'mail-order bride' industry.<sup>60</sup>

More recently, the murder-suicide of a 24 year old Filipina 'mail-order bride' and her eight-month-old son in 2004 was considered indicative of the isolation and lack of support felt by many new Filipina brides when they move to Australia.<sup>61</sup> A former Filipina bride who had been previously married to an Australian, and who now performed charity work for Filipina women, suggested that many brides had unrealistic expectations of what life in Australia would be like. Often, she said, the 'husbands are old drunks' who 'demand too much' from their wives.<sup>62</sup>

### 3.2 Risks for Australian men

Potential risks for men seeking 'mail order brides' have been identified by the Australian media. In 2003, *Channel Nine's* 'Sixty Minutes' TV program aired a story entitled 'Russian Roulette', suggesting that men should be wary of Russian 'mail-order brides'. The program claimed that many Russian women with profiles on online introduction agencies only married Western men in order to financially exploit them and gain permanent residency in Australia for themselves and their families.<sup>63</sup>

The more extreme potential risks were displayed in October 2002, when Mr Peter Hughes, a school-teacher from Bathurst, New South Wales, was found bound, gagged, and murdered in a Moscow airport hotel room. While never confirmed, there was media speculation at the time that Hughes was a victim of a 'mail-order bride' scam, though Russian police believed robbery to be the motive behind the killing.<sup>64</sup> More recently, in 2007, 56-year-old South Australian man Desmond Gregor was held hostage in Mali as the result of an internet dating scam. Mr Gregor's captors lured him to the African country by posing as a woman romantically interested in him. Upon his arrival, Mr Gregor was kidnapped and a AUD 100,000 ransom demanded, however, Australian authorities worked with Mali's national police to secure his release without payment after 12 days.<sup>65</sup>

<sup>57</sup> Ian Munro, 'Push For An Inquiry Into Filipino Deaths' (4 July 1993) *The Sunday Age* (Melbourne) 4.

<sup>58</sup> As evidence by a search of royal commission reports available on the Australian Parliamentary Library's website: <http://www.aph.gov.au/library/INTGUIDE/law/royalcommissions.htm#1977>.

<sup>59</sup> Ian Munro, 'Push For An Inquiry Into Filipino Deaths' (4 July 1993) *The Sunday Age* (Melbourne) 4.

<sup>60</sup> 'Probe Deaths of Mail-Order Brides in Australia, says Aquino' (6 July 1993) *The Straits Times* (Singapore).

<sup>61</sup> Duncan Macfarlane, 'Murder-Suicide Highlights Plight of Mail Order Brides' (16 Feb 2004) *The Australian* (Sydney) 4.

<sup>62</sup> Duncan Macfarlane, 'Murder-Suicide Highlights Plight of Mail Order Brides' (16 Feb 2004) *The Australian* (Sydney) 4.

<sup>63</sup> Channel Nine TV, 'Russian Roulette', *Sixty Minutes* (11 May 2003) available at <http://sixtyminutes.ninemsn.com.au/article.aspx?id=259032> (accessed 12 May 2009).

<sup>64</sup> Mark Forbes, 'Moscow Victim A Teacher' (10 Oct 2002) *The Age* (Melbourne) 8.

<sup>65</sup> 'SA man "duped" by internet dating, brother says' (11 Aug 2007) *ABC News*, available at [www.abc.net.au/news/stories/2007/08/11/2002620.htm?section=austra](http://www.abc.net.au/news/stories/2007/08/11/2002620.htm?section=austra) (accessed 3 July 2009).

### 3.3 Positive experiences

Despite the mainly negative press coverage of the 'mail-order bride' industry, positive experiences have also been reported. In December 1989, Ms Eloisa Escio-Musson wrote of the mixed feelings she experienced during the early days of her marriage to an Australian man.<sup>66</sup> She described experiencing considerable fear and uncertainty as a result of being separated from the support networks of her family and friends, losing skilled employment and the ability to earn a wage, and being resented by her husband's adolescent children. Nevertheless, she characterised these feelings as a challenge, similar to other challenges present in 'normal' marriages, and suggested the perception of 'mail-order brides' as victims is not representative of the experience of most of women.

Similarly, in April 2000, a report in the *Sydney Morning Herald* presented a positive view of the process of finding a foreign spouse. The article contradicted the stereotype of 'mail-order brides' as uneducated, subservient, and unwilling to enter into foreign marriages by interviewing Russian brides who were university-educated and just as determined to find a spouse as their Australian male counterparts. The article suggested that '[c]omputers have opened up trans-global options for romance'<sup>67</sup> which provide a greater footing for equality between men and women seeking foreign spouses.

The view was also expressed that Australian men searching for 'traditional family' women, as many of the international dating sites promote their females, felt it was well within their rights to do so; some of the men seeking 'mail-order brides' were said to believe themselves to be 'refugees from a style of local feminism which encourages women to put careers ahead of children and to regard men as the enemy'.<sup>68</sup> Despite highlighting the positive experiences of some clients, in analysing the approach of many agencies, the author argued that '[t]he subtext is clear: here are exotic white women who know their place'.<sup>69</sup>

### 3.4 Myths and stereotypes

These and other news articles demonstrate the stereotypes perpetuated through media coverage of inter-racial marriage, spousal immigration, and introduction agencies. As noted earlier, the term 'mail-order bride' continues to be used, even though the myths commonly associated with the women and men involved have been challenged.

It is often assumed that relationships which commenced through introduction agencies or online dating sites are 'loveless' and 'desperate'. Kathryn Robinson further demonstrates that the term 'mail-order bride' has been generally applied to relationships between Australian men and foreign women, using the negative and sensationalist media representations of the marriage between Western Australia's iron-ore magnate Lang Hancock and his former maid, Philippine-national Rose Porteous (née Lacson) as a celebrated example.<sup>70</sup>

#### Russian women

The idea that Russian women possess traditional values in relation to gender roles is supported somewhat by Russian studies expert, Judith Armstrong, who argues that World War II and its

<sup>66</sup> Eloisa Escio-Musson, 'Now, I Have No Regrets' (11 Dec 1998) *The Sydney Morning Herald* (Sydney) 17.

<sup>67</sup> Amanda Phelan, 'Reds in the Beds' (1 Oct 2000) *The Sydney Morning Herald* (Sydney) 49.

<sup>68</sup> Amanda Phelan, 'Reds in the Beds' (1 Oct 2000) *The Sydney Morning Herald* (Sydney) 49.

<sup>69</sup> Amanda Phelan, 'Reds in the Beds' (1 Oct 2000) *The Sydney Morning Herald* (Sydney) 49.

<sup>70</sup> Kathryn Robinson, 'Of Mail-Order Brides and 'Boys Own' Tales: Representations of Asian-Australian Marriages' (1996) 52 *Feminist Review* 53 at 54–55.

resulting social problems in Russia, such as alcoholism and emotional absence, have caused Russian women to focus on establishing their power in the home.<sup>71</sup> These traditional values should not, however, be confused with subservience, as the belief that Russian women and mail-order brides generally are passive and compliant may have been a contributing factor in the high incidence of domestic violence against them.<sup>72</sup>

Elena Petrova of the website [elanasmodels.com](http://elanasmodels.com) also notes that '[i]n Russia, a girl feels incomplete if she doesn't have a family. She can have the greatest career but she will still be unhappy if she isn't married and doesn't have a family.'<sup>73</sup> Ms Petrova herself left a successful career and relatively high income in Russia after meeting her South African husband through a marriage agency. However she denies that she is in the 'mail-order bride business', insisting she is instead involved in the 'dating business'.<sup>74</sup>

### Filipino women

Chris Cunneen and Julie Stubbs, who have been examining the issue of foreign marriages for several years, found that between 1989 and 1992, Filipina women in Australia, aged between 20 and 39, were six times more likely to be victims of homicide than Australian women. This rate of homicide also exceeded that for Filipino men during the same period.<sup>75</sup> In the cases for which information was available, none of the perpetrators were Filipino. All but one of the perpetrators were married to or intimately involved with their victims.<sup>76</sup> The average age difference between the victims and perpetrators was 13 years, though in one third of the cases, the difference exceeded 20 years, and in one case 38 years.<sup>77</sup> This finding is unsurprising in light of other studies conducted in the mid-1990s which found that Australian men taking Filipino women as wives or as potential spouses were generally much older than these women.<sup>78</sup>

Of those cases where there was sufficient information available to identify the circumstances in which the couples initially met, three quarters met in the Philippines and half of these quite clearly involved marriage agencies.<sup>79</sup> In one case, a man had contacted an introduction agency seeking a Filipino wife only days prior to killing the Filipina woman he was already married to.<sup>80</sup>

Cunneen and Stubbs note that

[w]omen who emigrate to Australia as the sponsored partners of Australian residents are likely to be particularly vulnerable [and] may be dependent on their partner in many ways including for

<sup>71</sup> Cited in Misha Ketchell, 'From Russia With Love' (18 Feb 2004) *The Age* (Melbourne) 4.

<sup>72</sup> Misha Ketchell, 'From Russia With Love' (18 Feb 2004) *The Age* (Melbourne) 4.

<sup>73</sup> Misha Ketchell, 'From Russia With Love' (18 Feb 2004) *The Age* (Melbourne) 4.

<sup>74</sup> Misha Ketchell, 'From Russia With Love' (18 Feb 2004) *The Age* (Melbourne) 4.

<sup>75</sup> Chris Cunneen & Julie Stubbs, 'Male Violence, Male Fantasy and the Commodification of Women Through the Internet' (2000) 7(1-3) *Domestic Violence: Global Responses* 5 at 6.

<sup>76</sup> Chris Cunneen & Julie Stubbs, 'Male Violence, Male Fantasy and the Commodification of Women Through the Internet' (2000) 7(1-3) *Domestic Violence: Global Responses* 5 at 6.

<sup>77</sup> Chris Cunneen & Julie Stubbs, 'Male Violence, Male Fantasy and the Commodification of Women Through the Internet' (2000) 7(1-3) *Domestic Violence: Global Responses* 5 at 6-7.

<sup>78</sup> Kathryn Robinson, 'Of Mail-Order Brides and 'Boys Own' Tales: Representations of Asian-Australian Marriages' (1996) *Feminist Studies* 52 at 53-68; James Tan & Graham Davidson, 'Filipina-Australian Marriages: Further Perspectives on Spousal Violence' (1994) 29(3) *Australian Journal of Social Issues* 265-282.

<sup>79</sup> Chris Cunneen & Julie Stubbs, 'Male Violence, Male Fantasy and the Commodification of Women Through the Internet' (2000) 7(1-3) *Domestic Violence: Global Responses* 5 at 7.

<sup>80</sup> Chris Cunneen & Julie Stubbs, 'Male Violence, Male Fantasy and the Commodification of Women Through the Internet' (2000) 7(1-3) *Domestic Violence: Global Responses* 5 at 7.

information about their new home, support in becoming settled in Australia and in terms of their immigration status and access to citizenship.<sup>81</sup>

Filipina and other Southeast Asian women are identified by both the authors and other government and non-governmental organisations as particularly at risk due to the stereotypical view of Filipina women as 'compliant, ultra-feminine and servile'.<sup>82</sup> Writing of the perception of Asian and Pacific women in the United States, Sankar Cho holds that an increased risk of violence stems from what she characterises as 'racialised ascriptions (exotic, hyper-eroticised, masochistic, desirous of sexual domination) that set them up as ideal-type gratifiers of western neo-colonial libidinal formations'.<sup>83</sup>

In 1990, the Philippines Government enacted anti mail-order bride legislation through *Republic Act No 6955*,<sup>84</sup> which makes it illegal to 'match' Filipino women with foreign nationals for marriage, whether through personal introduction or by way of mail-order. Unfortunately, the rapid rise in the use of the internet makes this legislation quite ineffectual — a website based outside the Philippines is likely to be able to match individuals just as easily as any business inside and thus avoid the legislation's jurisdiction.

#### 4. Violence against women

Stereotypes regarding 'mail-order brides' and foreign women who marry Australian men have also been linked to incidents of domestic violence and abuse. On its website,<sup>85</sup> the Centre for Philippine Concerns Australia (CPCA) states that 'in 34 cases documented since 1980, involving 42 Filipino women and children, six children and twenty-six women have been killed, one woman survived an attempted murder, five women and two children have disappeared, [and] two women died in a mass suicide incident.'<sup>86</sup> A number of these deaths and incidents of violence have been subsequently linked to negative stereotypes or expectations of 'Asian' women, and their role as wives or de facto partners. Outlined below are two representative cases that were brought before Australian courts, and the subsequent media and community response to the decisions.

##### Sokol

Rowena Sokol, a 17-year-old woman, was killed on February 27, 1987 by her husband, Christopher John Sokol, from whom she had recently separated. They had married in the Philippines when Ms Sokol was 15 years old, and they subsequently had a child together. Police reports indicated that the couple had been having marital problems, mainly resulting from Ms Sokol 'wanting to be free' and wishing to go out and socialise. There were previous incidents of domestic violence reported, some of which were witnessed by Ms Sokol's acquaintances. These incidents lead to a separation, and at the time of her death Ms Sokol was living with a friend. After arriving at the house at which she was staying, on the pretext that

<sup>81</sup> Chris Cunneen & Julie Stubbs, 'Male Violence, Male Fantasy and the Commodification of Women Through the Internet' (2000) 7(1–3) *Domestic Violence: Global Responses* 5 at 8.

<sup>82</sup> Chris Cunneen & Julie Stubbs, 'Male Violence, Male Fantasy and the Commodification of Women Through the Internet' (2000) 7(1–3) *Domestic Violence: Global Responses* 5 at 8.

<sup>83</sup> Sankar Cho, 'Converging Stereotypes in Racialized Sexual Harassment: Where the Model Minority Meets Suzie Wong', in adrien Wing ed, *Critical Race Feminism* (1997) 205.

<sup>84</sup> *Republic Act No. 6955 1990* (Philippines).

<sup>85</sup> Centre for Philippine Concerns Australia, *Violent Deaths and Disappearances of Filipino Women and Children in Australia since 1980* (2008) available at <http://cpcabrisbane.org/CPCA/Deaths.htm> (accessed 12 May 2008).

<sup>86</sup> Centre for Philippine Concerns Australia, *Violent Deaths and Disappearances of Filipino Women and Children in Australia since 1980* (2008) available at <http://cpcabrisbane.org/CPCA/Deaths.htm> (accessed 12 May 2009).

he needed their son's immunisation papers, Mr Sokol shot her five times, and hit her in the head with the butt of the rifle.<sup>87</sup>

At trial, Christopher Sokol pleaded not guilty to murder, but guilty to the charge of manslaughter on the basis of diminished responsibility. This was accepted by the court, and Justice Findlay imposed a sentence of 10 years' penal servitude with a non-parole period of six years, as well as the direction that, whilst in custody, the applicant be given psychiatric treatment as might be considered appropriate. The length of the sentence was later appealed by Mr Sokol,<sup>88</sup> but this was rejected on the grounds that Justice Findlay had taken all necessary factors into account, and the sentence was not excessive.

Cunneen and Stubbs argue that this case is a clear demonstration of the use of violence to maintain control,<sup>89</sup> where the female spouse's resistance to such control is unexpected due to perceptions of Filipinas as being 'meek, docile slaves'.<sup>90</sup> It was also clear that Ms Sokol feared for her life, having separated from her husband and sought legal assistance,<sup>91</sup> yet this protection proved ineffective. It should also be noted that Mr Sokol received the minimum sentence for manslaughter, despite the fact that the killing was arguably premeditated. Cunneen and Stubbs further argue that the sentencing comments reveal the idea that Rowena Sokol was partly responsible for her death, as she was presented as manipulative, unloving, and uncaring.<sup>92</sup>

Schembri,

Ms Generosa Bongcodin and her husband Mr Charles Schembri had married in the Philippines after meeting through an introduction agency. The couple later divorced, and evidence was presented at trial that their separation was due to verbal and physical violence experienced by Ms Bongcodin. Disputes arose over custody of their daughter and it was claimed that Mr Schembri continued to use their child 'as a means of hurting Generosa',<sup>93</sup> threatening to kill her if she refused to let him spend time with the child. He had also stopped her weekend access after discovering that Ms Bongcodin had male visitors when the child was present.<sup>94</sup>

Ms Bongcodin died as a result of strangulation on July 9, 1989. According to the court testimony, Mr Schembri was frustrated about the failure of his marriage, as well as his custody arrangements. On the day of her death, Ms Bongcodin had agreed to visit him to discuss access. Mr Schembri had also told her that she could have access to their child on that day, when he had actually previously taken the child to his mother's house. The court heard that Mr Schembri had offered Ms Bongcodin money to stop contacting him and their child. When she refused, the accused choked her until he believed she was dead. He pleaded guilty to manslaughter at trial, and was sentenced to eight years imprisonment.

On reflection, the plea of manslaughter arguably seemed inappropriate given the facts of the case. Although it was claimed that the killing was not premeditated, this contradicts the evidence that Mr Schembri had arranged the meeting and had taken away their child, so that he could be alone with Ms Bongcodin. There was also evidence that two years before the killing,

<sup>87</sup> *Christopher John Sokol v DPP* (unreported, Supreme Court of NSW, Court of Criminal Appeal, Lee CJ, Wood and Matthews JJ, 2 Feb 1989).

<sup>88</sup> *Christopher John Sokol v DPP* (unreported, Supreme Court of NSW, Court of Criminal Appeal, Lee CJ, Wood and Matthews JJ, 2 Feb 1989).

<sup>89</sup> Chris Cunneen & Julie Stubbs, *Gender, 'Race' and International Relations* (1997) 84.

<sup>90</sup> Kathryn Robinson, 'Of Mail-Order Brides and 'Boys Own' Tales: Representations of Asian-Australian Marriages' (1996) 52 *Feminist Review* 53, at 54.

<sup>91</sup> Chris Cunneen & Julie Stubbs, *Gender, 'Race' and International Relations* (1997) 91.

<sup>92</sup> Chris Cunneen & Julie Stubbs, *Gender, 'Race' and International Relations* (1997) 114.

<sup>93</sup> Chris Cunneen & Julie Stubbs, *Gender, 'Race' and International Relations* (1997) 70.

<sup>94</sup> Women's Coalition Against Family Violence, *Blood on Whose Hands* (1994) 132.

Mr Schembri had sent her a newspaper clipping which outlined the death of a Filipino woman and had written an approving message which insinuated that the 'unfaithful' woman had deserved to be killed.<sup>95</sup> However, the court was also told that Ms Bongcodin was manipulative, demanding money from Schembri, and basically 'using him' for a passport to Australia. This seems to have made the court more sympathetic to Mr Schembri, despite his history of domestic violence.

#### Other deaths and disappearances of Filipina 'mail order brides'

There have been substantial numbers of documented deaths or disappearances of Filipina women and children in Australia. According to the CPCA, there have been 34 cases involving 42 Filipino victims, and most of the perpetrators were non-Filipinos. The website of CPCA sets out a complete list of victims and their name.<sup>96</sup>

Sheila Jeffreys from the Coalition Against Trafficking of Women argues that there is

an interesting problem in relations between the genders in Australia [...]. A lot of men aren't able to let go of their privileges and relate on an equal level with women. They expect women to fit into the traditional family that the man controls, and sometimes controls through violence [...]. The power dynamic is inevitably unequal [...]. The woman comes from a situation that she is desperate to leave economically. She is forced into a situation where she will be sexually used for a living. There cannot be equality, and for some men this is actually terribly exciting.<sup>97</sup>

This polemic statement might be dismissed by some, but it provides one possible motivation for the number of beatings, disappearances, and deaths of Filipinas outlined above.

## 5. Nexus between 'mail-order' introduction services and human trafficking

It is difficult to establish concrete links between 'mail-order' introduction services and trafficking in persons, and there are no available domestic immigration statistics to support any such link. It has been argued, however, that a significant number of trafficked women from the Philippines have been involved in marriages to Australian men. Ms I Cabilao Valencia Minda, Director of the Migrant Integration and Education Office, claims that 'the practice of some unscrupulous agencies/individuals of matching Filipinos for marriage' perpetuates trafficking schemes in foreign countries.<sup>98</sup> While Ms Minda offers no concrete data on this issue, the high levels of exploitation of and violence towards women from the Philippines could demonstrate the risk of trafficking involving Filipina women. Similar issues of exploitation have arisen in the context of marriages between Australians and non-nationals generally,<sup>99</sup> as a result of various factors including lack of support networks, limited English skills or cultural barriers, and differing attitudes towards dealing with domestic violence across cultures.<sup>100</sup>

<sup>95</sup> Chris Cuneen & Julie Stubbs, *Gender, 'Race' and International Relations* (1997) 70.

<sup>96</sup> Centre for Philippine Concerns Australia, *Violent Deaths and Disappearances of Filipino Women and Children in Australia since 1980* (2008) available at <http://cpcbrisbane.org/CPCA/Deaths.htm> (accessed 12 May 2009).

<sup>97</sup> Misha Ketchell, 'From Russia With Love' 918 Feb 2004) *The Age* (Melbourne) 4.

<sup>98</sup> I Cabilao Valencia Minda, 'Responding to the needs and interests of women in intermarriage: the Philippines experience', speech delivered at the *International Council on Social Welfare 31st International Conference*, Kuala Lumpur, 20 Aug 2004, 163–164.

<sup>99</sup> Australian Law Reform Commission, *Equality Before the Law: Justice for Women*, Report No 69 Part 1 (1994).

<sup>100</sup> See, for example, Chris Cuneen & Julie Stubbs, 'Violence Against Filipino Women in Australia: Class, Race and Gender' (1996) 4(1) *Waikato Law Review* 131 at 137-139; Uma Narayan, "'Mail-Order' Brides: Immigrant Women, Domestic Violence and Immigration Law' (1995) 10(1) *Hypatia* 104 at 145.

In response to these problems, the Philippines Government has not only banned internet introduction agencies but has introduced a system of mandatory counselling and guidance for those who intend to travel abroad as fiancées or spouses of non-citizens. This system attempts to provide adequate information and advice on the realities and potential dangers of migration and ‘intermarriage’.<sup>101</sup> The Philippines Department of Social Welfare and Development has also established a *Special Project for Women in Especially Difficult Situations*, which provides repatriation and financial assistance, as well as crisis counselling to ‘mail order brides’ who have suffered abuse.

## 6. The way forward

Although there is no evidence to suggest definite links between trafficking in persons and ‘mail-order’ introduction websites, this document demonstrates that foreign women who form relationships with Australian men are at risk of exploitation, as well being as more likely to experience family violence. Accordingly, at the beginning of any initiative to address the problems associated with ‘mail order brides’ has to be a formal acknowledgement by government agencies that violence against foreign women is a serious social and immigration issue. This should be followed by practical steps to further investigate and prevent acts of violence or exploitation against spouse or fiancée visa holders.

It has been recognised that migrant women are particularly susceptible to family violence. A factor that contributes to this issue is that the lack of informal support networks, as well as isolation from family and friends may increase their vulnerability.<sup>102</sup> It may also contribute to a lack of knowledge or understanding of the immigrant’s rights under Australian law, as many migrant women may not be in regular contact with the general Australian community, and thus may not be aware of laws and responsibilities.<sup>103</sup> The Australian Government should attempt to address this problem by providing women entering Australia on spouse or fiancée visas with comprehensive information about their basic legal rights as well as general information on family law and family violence provisions in Australia. The Government should also take steps to ensure migrant women are aware of the support services and specialist legal centres available for assistance in this area.

Violence against women is generally under-reported due to factors such as fear and perceptions of a poor response resulting from the criminal justice system.<sup>104</sup> These factors are often exacerbated for migrant women who are exposed to violence from their partners,<sup>105</sup> as ‘women from different cultures may be especially reluctant to approach the police, particularly where they are afraid of being deported’.<sup>106</sup> Fear of the shame of separating from their spouse or reporting incidents of domestic violence may also result in exploitation or continuing

<sup>101</sup> I I Cabilao Valencia Minda, ‘Responding to the needs and interests of women in intermarriage: the Philippines experience’, speech delivered at the *International Council on Social Welfare 31st International Conference*, Kuala Lumpur, 20 Aug 2004, 165–166.

<sup>102</sup> E Odhiambo-Abuya, ‘The Pain of Love: Spousal Immigration and Domestic Violence in Australia – A regime in Chaos?’ (2003) 12(3) *Pacific Rim Law & Policy Journal* 673 at 696-698.

<sup>103</sup> E Odhiambo-Abuya, ‘The Pain of Love: Spousal Immigration and Domestic Violence in Australia – A regime in Chaos?’ (2003) 12(3) *Pacific Rim Law & Policy Journal* 673 at 696-698.

<sup>104</sup> Carina Hickling, ‘Standing up for Basic Rights: A case study of Illawarra Filipino Women’s Group’, paper Presented at the *1<sup>st</sup> International Conference Women and Politics in Asia*, Halmstad, Sweden, 6-7 June 2003; E Odhiambo-Abuya, ‘The Pain of Love: Spousal Immigration and Domestic Violence in Australia – A regime in Chaos?’ (2003) 12(3) *Pacific Rim Law & Policy Journal* 673 at 695-696.

<sup>105</sup> Carina Hickling, ‘Standing up for Basic Rights: A case study of Illawarra Filipino Women’s Group’, paper Presented at the *1<sup>st</sup> International Conference Women and Politics in Asia*, Halmstad, Sweden, 6-7 June 2003, 1, 5-7.

<sup>106</sup> Australian Law Reform Commission, *Equality Before the Law: Justice for Women*, Report No 69 Part 1 (1994) para [10.18].

abuse.<sup>107</sup> Reports suggest that immigrant women may also be too ashamed to seek assistance from domestic violence support groups or agencies.<sup>108</sup> Nevertheless, specialist services such as the Immigrant Women's Support Service,<sup>109</sup> or community legal centres such as the Women's Legal Service,<sup>110</sup> provide a less formal environment where foreign women may feel more comfortable in discussing issues relating to their personal lives and circumstances. The further development of similar community centres should be encouraged, as well as increased funding provided for existing services which assist foreign women experiencing violence and/or exploitation.

In response to repeated reports of violence against Filipina women in relationships with Western men, the Government of the Philippines not only banned internet introduction agencies, but also introduced a system of mandatory counselling and guidance for those who intend to travel abroad as fiancées or spouses of non-citizens, as well as developing repatriation and financial assistance programs for spouses within to return to the Philippines. This system attempts to provide adequate information and advice on the realities, and potential dangers, of migration and 'intermarriage'.<sup>111</sup> Similar mandatory sessions and services could be provided for women who have recently entered Australia, to enhance their awareness of rights and available facilities, as well as to demonstrate the government's commitment to the protection and support of foreign women in relationships with Australian men.

Both the Victorian and Queensland legislation regulating introduction agencies focuses on domestic consumer protection and makes no attempt to provide for the safety and wellbeing of 'mail-order brides'. It also seems that the *Introduction Agents Act 1997* (Vic) may be repealed in the near future if the recommendations of Consumer Affairs Victoria are followed.<sup>112</sup> However, while introduction agencies remain specifically regulated it would make sense for such regulation to extend to protecting 'mail-order brides'. This could be achieved by requiring introduction agencies to provide minimum levels of information to women entering Australia as spouses or potential spouses, regarding their rights and the potential difficulties of marrying a foreign spouse and moving to a new country.

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<sup>107</sup> Chris Cuneen & Julie Stubbs, 'Violence Against Filipino Women in Australia: Race, Class and Gender' (1996) 4(1) *Waikato Law Review* 131 at 137-139.

<sup>108</sup> See, for example, *Kaur Manjeet* (2001) MRTA 2657, 6.

<sup>109</sup> For further information, see Immigrant Women's Support Service, [www.iwss.org.au](http://www.iwss.org.au) (accessed 28 May 2009).

<sup>110</sup> For further information, see Women's Legal Service, [www.wlsq.org.au](http://www.wlsq.org.au) (accessed at 28 May 2009).

<sup>111</sup> I Cabilao Valencia Minda, 'Responding to the needs and interests of women in intermarriage: the Philippines experience', speech delivered at the *International Council on Social Welfare 31st International Conference*, Kuala Lumpur, 20 Aug 2004, 165–166.

<sup>112</sup> Victoria, Department of Justice, *Introduction Agents Act – Options Paper: Modernising Victoria's Consumer Policy Framework* (2008) 17–18 available at [www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV\\_Publications\\_Consultations\\_Reviews\\_3/\\$file/Introduction\\_Agents\\_Act\\_Options\\_Paper.pdf](http://www.consumer.vic.gov.au/CA256902000FE154/Lookup/CAV_Publications_Consultations_Reviews_3/$file/Introduction_Agents_Act_Options_Paper.pdf) (accessed at 12 May 2009).