

Cultural and Spiritual Abuse

What is cultural and spiritual abuse?

Cultural and spiritual abuse is a type of emotional abuse where a person uses a cultural or spiritual identity to control another person.

This is often seen as a pattern of behaviour over a period of time where the abuser might criticise, shame or belittle their partner's beliefs to exert control over them.

Is it illegal?

Cultural and spiritual abuse is a type of emotional abuse which in Tasmania is a specific offence under the Family Law Act 2004.

The Act states that "a person must not pursue a course of conduct that he or she knows, or ought to know, is likely to have the effect of unreasonably controlling or intimidating, or causing mental harm, apprehension or fear in, his or her spouse or partner".

There are serious penalties for carrying out this type of abuse, including going to jail.

What can it look like?

- Your partner not allowing you to speak in your primary language, or to speak to your children in that language.
- Not being allowed to attend your church or place of worship, or to have contact with other people who share your beliefs.
- Not being allowed to observe religious holidays, or attend cultural events.
- Your partner making you convert to their religion, when you do not have a faith or do not believe in the faith you are being told to convert to.

Case Study: Carla and Richard

Carla immigrated to Australia with her family when she was 17, and has close ties to her church and members of her community from her country of birth. Carla has been in a relationship with Richard for about a year. Richard was born in Australia, and is not interested in religion, but knows Carla is religious.

When Carla and Richard move in together, Richard asks Carla to stay at home on Sundays rather than go to church. When Carla still goes, Richard makes fun of her for believing in God, and tells her that the church just wants her money.

When Carla is allocated to prepare food for her congregation, Richard tells her she cannot spend any of his hard-earned money on the food, and Carla feels embarrassed when she can only bring a small plate to share because most of the money she earns goes towards their household expenses.

Carla's birthday is coming up soon, and Richard tells her she cannot invite any of her church friends to her party because they are all boring and do not drink.

Carla finds herself spending more time with Richard and his friends because it makes Richard happier, which means less arguing, but Carla feels lonely as she doesn't have much in common with Richard's friends.

Richard has told Carla that he is glad that she's around more, and it'll make things easier when they have kids as she won't fill their heads with all the religious nonsense.

Contacts

- **In an emergency situation or if you are in immediate danger, call Police on 000.**
- Family Violence Counselling and Support Service, phone 1800 608 122.
- Engender Equality, phone 03 6278 9090.
- Women's Legal Service Tasmania telephone advice line, phone **1800 682 468**.

This publication is intended to give general information. Whilst we have made every effort to ensure the contents of this publication are accurate at the time of writing, the law and services can change. Legal and service exactness is not possible in a publication of this nature, and this publication should not be used as a substitute for legal advice.

Women's Legal Service Tasmania does not accept responsibility for any loss, damage or injury, financial or otherwise, suffered by any person acting on information contained in the publication or omitted from it.

February 2021