



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## China

China – CHN40037 – Domestic violence –  
Legal penalties for perpetrators – Domestic  
violence services

20 March 2012

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**1. What are the legal penalties for perpetrators of domestic violence, especially in Liaoning Province?**

While there is currently no national level standalone law for domestic violence, there are several national laws and regulations prescribing punishments to assault and domestic violence perpetrators ranging from mediation, to fines and detention, to several years' imprisonment. However, some reports are critical of the extent to which these laws offer protection to victims for several reasons: domestic violence is not clearly defined; there is a high standard of evidence required when making a claim; and some crimes are only investigated if a victim chooses to pursue the matter. Liaoning Province also has regulations covering domestic violence, but a copy of this law could not be located.

### **Legal penalties**

National level laws that provide legal penalties for perpetrators of domestic violence are the *Law of the People's Republic of China on Penalties for Administration of Public Security 2005*, the *Criminal Law of the People's Republic of China 1997*, and the *Marriage Law of the People's Republic of China 2001*. The *Law on the Protection of Women's Rights and Interests 1992* prohibits domestic violence but does not prescribe a punishment for offenders. Liaoning Province also has regulations covering domestic violence – the *Regulations about Treating Domestic Violence in Liaoning Province 2000* – but a copy of this law could not be located.

#### *Marriage Law of the People's Republic of China 2001*

Article 3 of this law specifically prohibits domestic violence, though it does not provide a definition of what constitutes domestic violence. Article 43 provides an avenue for mediation between the family members, conducted by a neighbourhood or village committee. Article 43 also states that the public security organ will stop the violence if the victim so requests. Article 45 states that the public security organ will investigate it further if the domestic violence 'constitutes a crime' and the victim may also institute a voluntary prosecution through the people's court.<sup>1</sup> The 2011 United States Department of State (USDOS) *Human Rights Practices* report states that the Marriage Law has been criticised by experts for being too general, difficult to implement and failing to define domestic violence.<sup>2</sup>

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<sup>1</sup> *Marriage Law of the People's Republic of China 2001*, Promulgated 10 September 1980, Amended 28 April 2001 <http://www.fmprc.gov.cn/eng/3625/3630/t18322.htm> – Accessed 10 May 2006

<sup>2</sup> United States Department of State 2011, *2010 Human Rights Report: China (includes Tibet, Hong Kong, and Macau)*, 8 April, Section 6, <http://www.state.gov/j/drl/rls/hrrpt/2010/eap/154382.htm> – Accessed 7 March 2012

*Law of the People's Republic of China on Penalties for Administration of Public Security 2005*

This law prescribes penalties for the following crimes<sup>3</sup>:

<b>Article</b>	<b>Crime</b>	<b>Punishment</b>
Article 43	Intentionally hurts someone	Between five and ten days detention, and a fine of between 200 and 500 yuan
	Intentionally hurts someone, if the circumstances are relatively minor	Maximum five days detention, and maximum 500 yuan fine
	Intentionally hurts someone under a number of serious circumstances (e.g. injuring a pregnant woman or injuring someone more than twice)	Between ten and fifteen days detention, and a fine of between 500 and 1,000 yuan
Article 45	Maltreats a family member, who demands handling of the matter	Maximum of five days detention or a warning

*Criminal Law of the People's Republic of China 1997*

While this law does not mention domestic violence specifically, it prescribes penalties for perpetrators of physical and sexual violence. Human Rights in China noted in 2006 that the penalties are lighter when the victim is a family member, for example 'the mistreatment of a family member carries a maximum sentence of two years, whereas the maximum sentence for the intentional injury of a non-family member is set at three years'.<sup>4</sup> The table below lists a number of penalties for violence in *Criminal Law of the People's Republic of China 1997*.<sup>5</sup>

<b>Article</b>	<b>Crime</b>	<b>Punishment</b>
Article 234	Intentionally injures someone	Maximum three years imprisonment
	Intentionally injures someone causing serious injury	Between three and ten years imprisonment
	Intentionally injures someone causing death or serious deformity	Minimum ten years imprisonment, life imprisonment, or death
Article 235	Negligently injures someone	Maximum three years imprisonment

<sup>3</sup> *Law of the People's Republic of China on Penalties for Administration of Public Security 2005*, promulgated 28 August 2005, (effective 1 March 2006), China.org.cn [http://www.china.org.cn/china/LegislationsForm2001-2010/2011-02/11/content\\_21899252.htm](http://www.china.org.cn/china/LegislationsForm2001-2010/2011-02/11/content_21899252.htm) – Accessed 12 March 2012

<sup>4</sup> Human Rights in China 2006, *Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women in the People's Republic of China*, June, paragraph 70, <http://hrichina.org/public/PDFs/HRIC-CEDAW-REPORT.6.26.2006.pdf> – Accessed 15 December 2006

<sup>5</sup> *Criminal Law of the People's Republic of China 1997* (中华人民共和国刑法) (Adopted at the Second Session of the Fifth National People's Congress on July 1, 1979, Revised at the Fifth Session of the Eighth National People's Congress on March 14, 1997)

Article 236	Rapes a woman	Between three and ten years imprisonment
	Rapes a woman under a number of serious circumstances	Minimum ten years imprisonment, life imprisonment, or death
Article 237	Forces, molests, or humiliates a woman	Maximum five years imprisonment
	Forces, molests, or humiliates a woman in public	Minimum five years imprisonment
Article 260	Mistreating family members (perpetrators of this crime are only investigated if they are sued)	Maximum two years imprisonment, criminal detention or surveillance
	Mistreating family members causing severe injuries or death	Between two and seven years imprisonment

*Law on the Protection of Women's Rights and Interests 1992 (Amended 2005)*

This law prohibits domestic violence and requires government and non-government organisations to prevent and stop domestic violence; however, as mentioned earlier, there is no punitive component. Article 46 states:

Domestic violence against woman is prohibited.

The state shall take measures to prevent and stop domestic violence.

The public security organs, civil affairs, judicial and executive organs, autonomous organizations, social organizations at the grass-root in the township and rural areas should take measures to prevent and stop domestic violence within their responsibilities, provide the women victims with remedies.<sup>6</sup>

*Regulations about Treating Domestic Violence in Liaoning Province 2000*

One report, dated from 2003, was located that refers to Liaoning regulations in effect during 2000 that cover domestic violence in that province. A copy of these regulations could not be located.<sup>7</sup> The report states:

In Liaoning Province the provincial public security organs and judicial departments issued “Regulations about Preventing and Combating Domestic Violence” and “Regulations about Treating Domestic Violence in Liaoning Province” in 2000.

“As such cases usually happen in rural areas, this is where we concentrate our work and conduct legal education.” Wang Shizheng, an official of the Liaoning Provincial Security Bureau said.<sup>8</sup>

<sup>6</sup> *Law on the Protection of Women's Rights and Interests 1992* (China), promulgated 3 April 1992, (amended 28 August 2005), Wellesley Centers for Women, Article 46, <http://www.wcwonline.org/pdf/lawcompilation/TheRevisedLawProtection.pdf> – Accessed 12 March 2012

<sup>7</sup> Searches were conducted of various Chinese law websites, Liaoning government websites, news and media, and general internet searches.

<sup>8</sup> ‘Domestic Violence Holds the Spotlight’ 2003, China.org.cn, 11 December <http://www.china.org.cn/english/China/82194.htm> – Accessed 14 March 2012

## Commentary on effectiveness/accessibility of laws

Reports were located that criticise the effectiveness of Chinese laws in adequately addressing the issue of domestic violence. Both Human Rights Watch and the United States Congressional-Executive Commission on China (CECC) question the effectiveness of Chinese laws in combating domestic violence. The CECC states that the laws are ‘incomplete and inconsistent, and appear to reflect the government’s reluctance to intervene in domestic violence disputes’.<sup>9</sup> Human Rights Watch states that:

Beyond inadequate definitions, the implementation mechanisms in Chinese domestic violence law are problematic and prevent the laws from being fully effective. Article 46 of the Law on the Protection of Rights and Interests of Women prohibits domestic violence and requires various organizations to prevent and stop domestic violence within the scope of their respective duties. However, under Article 260 of the Criminal Law, domestic violence is not considered a crime unless serious injury is sustained, or if the following two conditions are met: (1) the victim files a complaint; and (2) the mistreatment occurs under flagrant circumstances. Article 43 of the Marriage Law also requires a complaint by the domestic violence victim before the neighborhood or villager committee will intervene. Requiring a direct victim complaint in most cases of domestic violence leads to the gross under-reporting of these cases in China.<sup>10</sup>

Human Rights Watch noted in 2011 that the Anti-Domestic Violence Network of China Law Society (ADVN) ‘criticized the current Marriage Law for requiring victims of domestic violence to provide what the organization considers to be impossibly high standards of proof of long-term physical abuse’.<sup>11</sup> The 2011 USDOS report notes that the laws do not adequately define domestic violence and their stipulations are too general.<sup>12</sup> The report also states that there is a requirement in the judicial system that the perpetrator must confess to the crime in order for the judge to rule against them:

Because of the judicial standard of ruling out “all unreasonable doubt,” even if a judge was certain that domestic violence was occurring, he or she could not rule against the abuser without the abuser’s confession. Only 10 percent of accused abusers confessed to violent behavior in the family, according to 2009 data from the Institute of Applied Laws, a think tank associated with the court system.<sup>13</sup>

Freedom House’s 2011 *Countries at the Crossroads* report criticises the effectiveness of this law:

Sexual harassment, gender discrimination, and domestic violence are all barred under the amended 2005 Law on the Protection of Women’s Rights and Interests. However,

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<sup>9</sup> Congressional-Executive Commission on China 2008, *Government Improves Anti-Domestic Violence Efforts; Victim Protection Remains Limited*, 20 December

<http://www.cecc.gov/pages/virtualAcad/index.php?showsingle=115327> – Accessed 19 March 2012

<sup>10</sup> Human Rights in China 2006, *Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women in the People’s Republic of China*, June <http://hrichina.org/public/PDFs/HRIC-CEDAW-REPORT.6.26.2006.pdf> – Accessed 15 December 2006, Para 67

<sup>11</sup> Human Rights Watch 2011, *World Report China 2011: China*, 24 January <http://www.hrw.org/en/world-report-2011/china> – Accessed 19 March 2012

<sup>12</sup> United States Department of State 2011, *2010 Human Rights Report: China (includes Tibet, Hong Kong, and Macau)*, 8 April <http://www.state.gov/j/drl/rls/hrrpt/2010/eap/154382.htm> – Accessed 7 March 2012

<sup>13</sup> United States Department of State 2011, *2010 Human Rights Report: China (includes Tibet, Hong Kong, and Macau)*, 8 April <http://www.state.gov/j/drl/rls/hrrpt/2010/eap/154382.htm> – Accessed 7 March 2012

relevant definitions and avenues of recourse remain unclear, limiting the effectiveness of these legal provisions.<sup>14</sup>

## **Government considering enacting standalone domestic violence law**

Articles from *China Daily*, *Xinhua Press* and *China News Service* dated from October 2011 and February 2012 report that anti-domestic violence legislation has been put on the legislative agenda of the National People's Congress (NPC) in 2012.<sup>15</sup>

## **2. What protection is provided by State authorities for the victims of domestic violence?**

Reports indicate that despite several laws requiring the public security forces to stop domestic violence, they remain ineffective in some instances. The Public Security Bureau (PSB) in Liaoning Province has put measures in place to combat domestic violence, such as ensuring police participation in anti-domestic violence symposiums and workshops in the past five years, but the implementation of these measures is unclear.

The 2011 USDOS report into Human Rights Practices in China notes that even though the government supports domestic violence shelters and some courts were beginning to implement certain protections for domestic violence victims, 'official assistance did not always reach victims, and public security forces often ignored situations of domestic violence'.<sup>16</sup>

In 2010, the tribunal received advice from Elisabeth Alles, Director of the *Centre d'études sur la Chine moderne et contemporaine* who has conducted research on the Hui ethnic minority in Henan province, on the likely response of the police to a woman seeking protection from domestic violence. Her advice states:

In general in the case of dispute between a woman and her husband, she has to seek the members of resident committee. There is not specific service in the Public Security Bureau for this kind of situation. To resolve this type of family conflict, it depends on relations between the couple and its neighbourhood and the point of view of members of resident committee.<sup>17</sup>

In 2008, Institute of Applied Laws under the Supreme People's Court issued a trial Guidance on Marital Cases Involving Domestic Violence.<sup>18</sup> The guidance allows victims of domestic violence to apply for an order of protection through the court.<sup>19</sup> The terms of the protection order can vary, with some orders restricting the perpetrator from entering within 200 metres from the victim and some prohibiting the perpetrator from beating or verbally abusing the

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<sup>14</sup> Freedom House 2011, *Countries at the Crossroads 2011 – China*, 10 November <http://www.unhcr.org/refworld/docid/4ecba65032.html> – Accessed 19 March 2012

<sup>15</sup> China mulls domestic violence law' 2012, *China Daily*, 28 February [http://www.chinadaily.com.cn/usa/china/2012-02/28/content\\_14715048.htm](http://www.chinadaily.com.cn/usa/china/2012-02/28/content_14715048.htm) – Accessed 16 March 2012; 'China considers separate law against domestic violence' 2011, *Xinhua Press*, 29 October. [http://news.xinhuanet.com/english2010/china/2011-10/29/c\\_131219487.htm](http://news.xinhuanet.com/english2010/china/2011-10/29/c_131219487.htm) – Accessed 14 December 2011; Xu, A. 2012 'China considers law on domestic violence', *China News Service*, 29 February <http://www.ecns.cn/2012/02-29/9213.shtml> – Accessed 15 March 2012

<sup>16</sup> United States Department of State 2011, *2010 Human Rights Report: China (includes Tibet, Hong Kong, and Macau)*, 8 April, Section 6, <http://www.state.gov/j/drl/rls/hrrpt/2010/eap/154382.htm> – Accessed 7 March 2012

<sup>17</sup> Alles, E, 2010, Email to RRT Research & Information: 'Discrimination against Hui', 20 January.

<sup>18</sup> US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 10 October, p.168

<sup>19</sup> Yufei, Z. 2009, 'Marital Rape and Violence in Cohabitation to be Defined as Domestic Violence', *All China Women's Association*, 23 December [http://www.womenofchina.cn/Issues/Rights\\_Protection/214889.jsp](http://www.womenofchina.cn/Issues/Rights_Protection/214889.jsp) – Accessed 20 May 2010

victim.<sup>20</sup> An emergency order can last for five days, and a longer term order can last from 3 to 12 months depending on the circumstances.<sup>21</sup> In the first 12 months after the guidance was implemented, the nine courts involved in the trial had issued 11 protection orders.<sup>22</sup> No information was found about whether this trial was extended or expanded since 2009.

In 2008, four government ministries and numerous other government organisations jointly issued the Opinions on Preventing and Deterring Domestic Violence on 31 July 2008. These opinions required ‘public security officers to respond to complaints’.<sup>23</sup>

Wellesley Centers for Women reported in 2009 that some provinces and cities have ‘examined ways to concretely operationalize the Opinions’, though the report did not state whether Liaoning Province was one of those provinces.<sup>24</sup>

## Liaoning Province

One report dated from 2002, refers to Liaoning Province’s regulations regarding domestic violence. The article states:

Liaoning Province’s measure requires local police “to rush to the scene within half an hour of receiving a call for help, escort victims out of harms way immediately, and take victims to local refuges.”<sup>25</sup>

More recent reports concerning Liaoning Province note that the police force is participating in training workshops to prevent domestic violence. In 2012, representatives from Liaoning Province Public Security Bureau attended an Anti-Domestic Violence Symposium organised by the All-China Women’s Federation, a non-government women’s rights organisation supported by the Communist Party of China.<sup>26</sup> Reports state that the representatives ‘introduced local legislative efforts, summarized innovative practices used and put forth various suggestions’.<sup>27</sup> In 2007, a workshop on the prevention of domestic violence, jointly funded by the Chinese and Australian governments, was held in Liaoning Province.<sup>28</sup> More

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<sup>20</sup> Wellesley Centers for Women 2009, ‘New and Emerging Developments in Gender and Law in China’, *Nancy Gertner Human Rights Paper Collection*, 21-24 September

<http://www.wcwonline.org/pdf/free/EmergingGenderLawInChina.pdf> – Accessed 16 March 2012

<sup>21</sup> Wellesley Centers for Women 2009, ‘New and Emerging Developments in Gender and Law in China’, *Nancy Gertner Human Rights Paper Collection*, 21-24 September

<http://www.wcwonline.org/pdf/free/EmergingGenderLawInChina.pdf> – Accessed 16 March 2012

<sup>22</sup> US Congressional-Executive Commission on China 2009, *Annual Report 2009*, 10 October, p.168

<sup>23</sup> Congressional-Executive Commission on China 2008, *Government Improves Anti-Domestic Violence Efforts; Victim Protection Remains Limited*, 20 December

<http://www.cecc.gov/pages/virtualAcad/index.php?showsingle=115327> – Accessed 19 March 2012

<sup>24</sup> Wellesley Centers for Women 2009, ‘New and Emerging Developments in Gender and Law in China’, *Nancy Gertner Human Rights Paper Collection*, 21-24 September

<http://www.wcwonline.org/pdf/free/EmergingGenderLawInChina.pdf> – Accessed 16 March 2012

<sup>25</sup> ‘Provincial Laws Fight against Brutality in the Home’ 2002, China.org.cn, 3 December

<http://china.org.cn/english/government/50197.htm> – Accessed 14 March 2012

<sup>26</sup> ‘ACWF Hosts Anti-Domestic Violence Symposium’ 2012, Women of China, 1 March

<http://www.womenofchina.com.cn/html/report/3972-1.htm> – Accessed 13 March 2012

<sup>27</sup> ‘ACWF Hosts Anti-Domestic Violence Symposium’ 2012, Women of China, 1 March

<http://www.womenofchina.com.cn/html/report/3972-1.htm> – Accessed 13 March 2012

<sup>28</sup> ‘Sino-Australian Anti-Domestic Violence Workshop Held in Liaoning Province’ 2007, All-China Women’s Federation, 27 July <http://www.womenofchina.cn/html/node/88334-1.htm> – Accessed 14 March 2012

than 130 people attended, including members of the Liaoning Province PSB and the Ministry of Public Security.<sup>29</sup>

### 3. What services are available from the State and NGOs for victims?

The services available for victims of domestic violence include legal resources centres, shelters and telephone hotlines.

The 2011 USDOS *Human Rights Practices* report notes the number of domestic violence victim's shelters in China.<sup>30</sup> The report cites statistics from the All-China Women's Federation:

According to ACWF statistics, in 2008 there were 27,000 legal-aid service centers, 12,000 special police booths for domestic violence complaints, 400 shelters for victims of domestic violence, and 350 examination centers for women claiming to be injured by domestic violence nationwide. Most shelters were operated by the government, some with NGO participation. During the year the government provided 680,000 office spaces in government buildings for women's resource centers.<sup>31</sup>

The UN Secretary-General's database on violence against women stated in 2008 that a telephone hotline for reporting domestic violence, known as 'Dial 110', was set up by the public security authorities in a number of Chinese cities.<sup>32</sup> This was part of the 'Opinions on Preventing and Deterring Domestic Violence' issued by various government ministries on 31 July 2008, requiring:

Public security officers to respond to complaints made through the "110" telephone emergency hotline (Article 8); requiring hospitals and healthcare workers to undergo training programs to prevent and curb domestic violence (Article 11); and requesting All-China Women's Federation offices to establish domestic violence hotlines (Article 13).<sup>33</sup>

A 2006 article from *The Independent* notes that '[n]inety per cent of cities and provinces in China have now established regulated legal and counselling centres and advice lines for female victims of domestic violence'.<sup>34</sup>

Despite these services, a Human Rights Watch report from 2012 is critical of the government's approach to supporting domestic violence victims. The report states:

Although the government acknowledges that domestic violence, employment discrimination, and discriminatory social attitudes remain acute and widespread

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<sup>29</sup> 'Sino-Australian Anti-Domestic Violence Workshop Held in Liaoning Province' 2007, All-China Women's Federation, 27 July <http://www.womenofchina.cn/html/node/88334-1.htm> – Accessed 14 March 2012

<sup>30</sup> United States Department of State 2011, *2010 Human Rights Report: China (includes Tibet, Hong Kong, and Macau)*, 8 April, Section 6, <http://www.state.gov/j/drl/rls/hrrpt/2010/eap/154382.htm> – Accessed 7 March 2012

<sup>31</sup> United States Department of State 2011, *2010 Human Rights Report: China (includes Tibet, Hong Kong, and Macau)*, 8 April, Section 6, <http://www.state.gov/j/drl/rls/hrrpt/2010/eap/154382.htm> – Accessed 7 March 2012

<sup>32</sup> "'Dial 110" telephone hotline domestic-violence reporting centres' 2009, The UN Secretary -General's database, 10 July,

<http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=24389&baseHREF=country&baseHREFId=346> – Accessed 13 December 2011

<sup>33</sup> Congressional-Executive Commission on China 2008, *Government Improves Anti-Domestic Violence Efforts; Victim Protection Remains Limited*, 20 December

<http://www.cecc.gov/pages/virtualAcad/index.phpd?showsingle=115327> – Accessed 19 March 2012

<sup>34</sup> Kirby, T. 2006 'It's a woman's world', *The Independent*, 8 March

<http://www.independent.co.uk/news/world/politics/its-a-womans-world-469102.html> – Accessed 19 March 2012

problems, it continues to stunt the development of independent women's rights groups and discourages public interest litigation.<sup>35</sup>

## Liaoning Province

Women's Watch China (WWC), a non-profit women's rights organisation, stated in 2005 that a hotline run by the All Women's Federation in Liaoning received 'more than 30,000 calls to date; more than 60% are related to domestic violence'.<sup>36</sup> WWC also noted that there are 23 women's shelters in Liaoning Province, catering to women who are victims of domestic violence; however the number of women who actually use these shelters is very low.<sup>37</sup> The shelters are located in the local communities and WWC suggested that women are reluctant to avail themselves of assistance at the shelters because they are located so close to where the women live.<sup>38</sup>

### 4. What is the attitude of the authorities and of society generally to domestic violence and victims of domestic violence?

Sources indicate that domestic violence is generally perceived by police and society to be a private family matter, and this has led to a reluctance of police to intervene in domestic violence cases. Domestic violence remains widespread in China – the All-China Women's Federation (ACWF) released survey results in 2008 stating that one third of the 267 million families across the country have experienced domestic violence.<sup>39</sup>

A 2011 article published by *Bloomberg*, a business news website, comments on the ACWF survey results. The article notes that in traditional Chinese culture, there is 'intense social pressure' preventing people from admitting that their family is imperfect, and that this may explain why '33 per cent of respondents said there was abuse within their marriage but only 5 per cent described their family as unhappy'.<sup>40</sup> The report suggests that 'many Chinese do not consider domestic abuse a problem'.<sup>41</sup>

This belief contributes to reluctance on the part of police to investigate complaints. A 2008 report from *Red Net*, a Hunan-based news website, states:

[E]ven though the criminal law does not exclude private matters, police are reluctant to deal with "family affairs", China Politics and Law University professor Xia Yinlan says. Police start investigating a domestic violence case only after someone is killed or

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<sup>35</sup> Human Rights Watch 2012, *World Report 2012 – China*, 22 January

<http://www.unhcr.org/refworld/docid/4f2007e4c.html> – Accessed 19 March 2012

<sup>36</sup> 'Domestic Violence is on the Rise, yet Few Women Accept Help from Women's Shelters' 2005, Women Watch China, 16 January <http://www.womenwatch-china.org/en/newsdetail.aspx?id=1513> – Accessed 14 March 2012

<sup>37</sup> 'Domestic Violence is on the Rise, yet Few Women Accept Help from Women's Shelters' 2005, Women Watch China, 16 January <http://www.womenwatch-china.org/en/newsdetail.aspx?id=1513> – Accessed 14 March 2012

<sup>38</sup> 'Domestic Violence is on the Rise, yet Few Women Accept Help from Women's Shelters' 2005, Women Watch China, 16 January <http://www.womenwatch-china.org/en/newsdetail.aspx?id=1513> – Accessed 14 March 2012

<sup>39</sup> While the original survey results could not be located, they are cited in: United States Department of State 2011, *2010 Human Rights Report: China (includes Tibet, Hong Kong, and Macau)*, 8 April, Section 6, <http://www.state.gov/j/drl/rls/hrrpt/2010/eap/154382.htm> – Accessed 7 March 2012

<sup>40</sup> Minter, A. 2011 'When a Woman Dares to Say "He Hit Me" In China', *Bloomberg*, 15 September <http://www.bloomberg.com/news/2011-09-14/when-a-woman-dares-to-say-he-hit-me-in-china-adam-minter.html> – Accessed 9 March 2012

<sup>41</sup> Minter, A. 2011 'When a Woman Dares to Say "He Hit Me" In China', *Bloomberg*, 15 September <http://www.bloomberg.com/news/2011-09-14/when-a-woman-dares-to-say-he-hit-me-in-china-adam-minter.html> – Accessed 9 March 2012



seriously injured. “That only brings perpetrators of crime to justice but does not help prevent such incidents it does not protect the victims’ rights or interests, either.”<sup>42</sup>

Two sources were located stating that traditional Chinese culture, as practiced in rural areas in particular, considers women to be inferior to men, and this belief contributes both to the frequent occurrence of domestic violence and the unwillingness of women to report the abuse. The founder of a domestic violence help centre in Beijing, Wang Xingjuan, was quoted in 2011 stating:

“Chinese women feel ashamed when this happens to them, and there are still so many people who think it’s a normal event ... It’s a slow process. We’ve had hundreds of years where men were simply allowed to beat their wives... The culture is deeply rooted, and for many, it’s still taken for granted that women are inferior to men.”<sup>43</sup>

Similarly, a 2010 article from the *Inter Press Service* states:

In rural areas in particular, the long-standing idea that women should be in subordinate positions to men is a primary contributor to abuse. In China, as in many other countries, domestic violence is considered a private matter and this makes it difficult for women in distress to seek help.<sup>44</sup>

The same sentiment is echoed by Julie Broussard, Country Program Manager of UN Women China, who said in 2011 that ‘[i]n China, domestic violence is traditionally regarded as a private family matter’.<sup>45</sup> A recent high profile domestic violence case also suggests this is a prevailing belief. Li Yang, the founder of a well-known English language school in China, abused his American wife Kim Lee in 2011.<sup>46</sup> Lee subsequently published photos of her injuries on a Chinese social networking site.<sup>47</sup> When the abuse was made public, Li made the following comments in interviews with the media:

‘I hit her sometimes but I never thought she would make it public since it’s not Chinese tradition to expose family conflicts to outsiders.’<sup>48</sup>

‘A husband beating his own wife cannot be called a problem, some of my friends have told me. Many Chinese people think the same and they prefer to keep silent because they believe it is simply family business not to be disclosed.’<sup>49</sup>

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<sup>42</sup> Lee, S. 2008 ‘Pulling no punches against domestic abuse’, RedNet, 25 November <http://english.rednet.cn/c/2008/11/25/1643889.htm> – Accessed 14 March 2012

<sup>43</sup> McLaughlin, K. 2011 ‘China’s domestic violence problem’, *Global Post*, 15 September [http://www.salon.com/2011/09/14/china\\_domestic\\_violence/](http://www.salon.com/2011/09/14/china_domestic_violence/) – Accessed 13 March 2012

<sup>44</sup> Moxley, M. 2010 ‘For Too Many, Domestic Violence Part of Family Life’, *Inter Press Service*, 5 October <http://ipsnews.net/news.asp?idnews=53071> – Accessed 13 March 2012

<sup>45</sup> Wu, J. 2011, ‘Kim Lee takes on domestic violence’, China.org, 29 November [http://www.china.org.cn/china/2011-11/29/content\\_24028436.htm](http://www.china.org.cn/china/2011-11/29/content_24028436.htm) – Accessed 13 March 2012

<sup>46</sup> Wu, J. 2011, ‘Kim Lee takes on domestic violence’, China.org, 29 November [http://www.china.org.cn/china/2011-11/29/content\\_24028436.htm](http://www.china.org.cn/china/2011-11/29/content_24028436.htm) – Accessed 13 March 2012

<sup>47</sup> Wu, J. 2011, ‘Kim Lee takes on domestic violence’, China.org, 29 November [http://www.china.org.cn/china/2011-11/29/content\\_24028436.htm](http://www.china.org.cn/china/2011-11/29/content_24028436.htm) – Accessed 13 March 2012

<sup>48</sup> Zhao, Y. 2011 ‘Renowned teacher admits abusing his wife’, *China Daily*, 13 September [http://www.chinadaily.com.cn/cndy/2011-09/13/content\\_13670686.htm](http://www.chinadaily.com.cn/cndy/2011-09/13/content_13670686.htm) – Accessed 9 March 2012

<sup>49</sup> Minter, A. 2011 ‘When a Woman Dares to Say “He Hit Me” In China’, Bloomberg, 15 September <http://www.bloomberg.com/news/2011-09-14/when-a-woman-dares-to-say-he-hit-me-in-china-adam-minter.html> – Accessed 9 March 2012

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