

LEGAL STUDIES

Media File: Family Law- Domestic Violence

1. The article "Older women abused at home" 20/07/09 SHM talks about an elder women Josie Jackson who has been married for 39 years but suffers regular physical and emotional abuse from her husband. She had finally divorced her husband at the age of 58. This article address the emerging issue of domestic violence by elders, as the article states 1 in 4 women reporting domestic violence was over 45 years old.
2. Domestic violence relates to criminal law as it is considered assault under offence against the person under the *Crimes Act 1900 (NSW)*. This act refers domestic violence as violence within a defined domestic relationship i.e. marriage, de facto and encompasses a wide range of behaviours including physical/ emotional/psychological/sexual abuse and social isolation. ADVO is a court order made under amendment of this act that restricts the behaviour of an alleged offender to prevent threatened violence.

However, it may also be related to family violence under family law as section 60D of *Family law reform Act 1995 (Cth)* states that, family violence means conduct...that causes member of the person's family to fear for his/her own personal well-being/safety. A Family Court injunction can also be sought from the Local/Family Court under this act offering similar protection as AVOs.

A case law in relation to domestic violence is in the marriage of O'Dea 1980. In this case, the wife was subject to assault and harassment by the alcoholic husband. The Family Court granted her an injunction to restrain her husband from entering the home.

3. The Law relating to domestic violence in NSW has undergone numerous changes over the past decades. Historically, both society and the law failed to respond to domestic violence against married women on the grounds that the woman and her husband are 'unito caro'. As the values of society changes laws are reformed to offer more protection for domestic violence victims. The main agencies of reform include:

- (i) **Law reform commissions:** Which undertakes investigations/enquiry and makes recommendations to the Attorney general for law reform.

The NSW Law reform commission report 103: Apprehended violence order, inquired Part 15A of the Crimes Act 1900 (NSW) that dealt with AVO proceedings. Key areas of reform included:

- Protection of children and victim of sexual assault in AVO proceeding
- Provision of telephone interim orders

This was thus adopted in the *Crimes Amendment (Apprehended violence) Act 2006 NSW*.

- (ii) **Federal Parliament:** is the main law making body that implement law reforms for family law.

Many parliamentary reforms are made in particular to AVOs.

- *Crimes (Apprehended violence Act) 1999 NSW* introduced two categories of AVO: Apprehended domestic violence order (ADVO) and apprehended personal violence order (APVO).

- *Crimes (Domestic and personal violence) Act 2007 NSW* repealed and re-enacted part 15A of the *Crimes Act 1900 NSW* as a principal stand alone act.
- The *Law enforcement (power and responsibility) Act 2002 NSW* was amended to enable:
 - Police to demand disclosure of identity of defendant to an AVO
 - Automatic interim AVO if there is a charge of serious offence

(ii) **Courts** – adjusts issues of justice and inadequate laws through the process of common law.

In 1996, Robert McEwen used ‘battered woman syndrome’ as a defence for killing her husband Thomas Hodgson. This sets a precedent and act as a common law reform for domestic violence.

I recommend that future reform should be the establishment of a national AVO, so victims do not need to reapply if they move to another state.

4. The law and the legal system are generally effective in achieving justice and in addressing the issue of domestic violence. However, there are still many areas of law that needs extra concern and reform.

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| Protection | <i>Effectiveness:</i> an ADVO and Family Court injunction can be applied that offers legal protection for victims. An interim AVO may also be applied to offer immediate protection. |
| | <i>Ineffectiveness:</i> Many of the cases are dealt with in the criminal law system, therefore it may be difficult for the wife to prove her case beyond reasonable doubt. |
| Accessibility | <i>Effectiveness:</i> The Women’s Legal Resource Centre helps women with advice and produced kits on divorce assault and victims’ compensation. |
| | <i>Ineffectiveness:</i> women face many psychological/practical barriers that prevent their access to law. These include: <ul style="list-style-type: none"> • Fear of reprisal • Responsibility of children • Lack of knowledge of the legal system • Financial consequences • Language/geographical barriers |
| Resource efficiency | <i>Effectiveness:</i> The introduction of Federal Magistrates Service (FMS) to hear many aspects of family law that was originally heard in Family Court. |
| Enforceability | <i>Effectiveness:</i> Once the AVO is breached, the offender may be charged under criminal law and be arrested. Similarly with the breach of injunction, offender may face imprisonment, fine. |
| | <i>Ineffectiveness:</i> Police and society more reluctant to intervene private family matters. A study shows neighbours are more likely to report a case of burglary than domestic violence. |

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| Equality | <i>Effectiveness:</i> An ADVO is not only available to married relationship but also de-facto, and same-sex relationships under NSW law. |
| | <i>Ineffectiveness:</i> The law itself is a factor in the subordination of women, therefore it is a natural discriminant and may make female uncomfortable in such a confrontationist surrounding. |

Older women abused at home

Adele Horin

JOSIE JACKSON was married for 39 years and suffered regular physical and emotional abuse until she finally kicked her husband out. By then she was 58 and he 66.

"He didn't mellow with age," she said. "But the kids were bigger so by the end it was less physical abuse and more emotional. He had a wicked mouth."

Domestic violence has usually been thought of as a crime against younger women. But a study shows that one in four women who report physical violence from their partner is 45 or over. Yet these women are largely invisible, and too few services are available to help them.

The report, *The Disappearing Age*, was commissioned by the Older Women's Network and will be released today by the Minister for Women, Verity Firth.

It shows a large number of older women may have endured a lifetime of family violence – and the violence becomes more complex as they age. For example, some women come under pressure from grown-up children to stay and care for their ageing fathers.

"When you're older it's really hard to start your life over," said Ludo McFerran, the author of the report, which draws on Australian Bureau of Statistics crime data. "Even more than younger women, older women want to stay in their own homes wherever possible. Some think the answer is to wait for the so-and-so to die."

The report says older women thought refuges were not for them



Josie Jackson ... suffered for 39 years. Photo: Edwina Pickles

fear they would be placed in an aged-care facility.

Ms McFerran said the challenge was to respect the choices of older women to stay at home but to find ways to make their life safer.

This included encouraging the use of security-call buttons, more domestic violence outreach services and support groups, and better training of general practitioners in detecting signs of domestic violence, and in referrals.

Sonia Laverty, of the Older Women's Network, said violence against older women would increase with an ageing population. The impoverishment of some older women, and increasing homelessness, made it imperative that older women benefit from affordable housing initiatives.

Family Law – Same sex relationships

1. The article “PM faces stoush over gay marriage” 14/07/09 SMH talks about the push for Rudd Government to extend gay couples the right to marry or at least a nationally recognised system of civil unions. Rainbow Labor, a cross-factional organisation of gay, aims to propose changes to the current Labour’s policy at its national conference this month.
2. Same-sex relationship relates to alternate family arrangement (i.e. other than marriage) under family law. Same-sex relationship does not fit with the legal definition of marriage as the Hyde vs. Hyde (1866) case defined marriage as the voluntarily union for life of one man and one woman, to the exclusion of all others. The *Property Relationships Act 1984* provided protection to people in same sex relationship in a wide of situations e.g. property division, inheritance etc.

A case law in relation to same sex relationship is in the case of Hope and Brown v HIB Health Fund Limited 1994, in which they were denied the right to apply for health insurance as a family. The court ruled in favour of them and recognised this discrimination and their right as a family.

3. Prior 1999, same sex couples were excluded from every law that accorded rights and responsibilities based on their relationship. As the societal values/moral changes to become more acceptable of the relationship, reforms are initiated to make same-sex relationship legally recognised. The main agencies of reform include:
 - (i) **Law reform commission** – Australia Law reform commission (ALRC) has recommended the right of adoption to be extended to same-sex couples, as the Adoption Act 2000 (NSW) only allowed married, heterosexual de facto couples and single people to adopt.
 - (ii) **Parliament** – Rallies and demonstration would be herald across the nation this month to push the Rudd Government to reform marriage laws to allow same-sex marriages or system of civil union.

Previously, many other reforms have been passed to extend the recognition of same-sex relationship these include:

- *The Property (Relationships) Legislation Amendment Act 1999 (NSW)* has amended the definition of de facto in the *De Facto Relationships Act 1984* to include same-sex relationships. De Facto is now defined as relationship between two adult persons who live together as a couple, and who are not married to another/related by family. Note the term two adults, rather than a man and women. The De Facto Relationships Act 1984 has been renamed the *Property Relationships Act 1984*.
- As the definition of de facto has been amended, many other legislations are thus amended.
 - (i) Amendment to *Human Tissue Act 1983(NSW)* included same sex partners as the ‘senior next of kin’ in relation to the death of a partner.
 - (ii) Amendment to *Wills, Probate and Administration Act 1898 (NSW)* allowed same-sex partners to make burial arrangement for deceased partner.
 - (iii) Amendments to the *Coroners Act 1980 (NSW)* included same sex relationship as ‘senior next of kin’ and allowed them to request an inquest.

(iv) Amendments to *Victims Support and Rehabilitation Act 1996 (NSW)* allowed same sex partner to apply victim's compensation following death of partner of an act of violence.

(v) Amendment to the *Guardianship Act 1987 (NSW)* permits same sex partners to be able to make decisions about partner's medical/dental treatment.

(iii) **Court** – common law has led to the case of law reform especially in the area of same-sex relationship.

In 1996, Justice Hodgson made a lesbian partner pay child maintenance of \$150,000 for two children born via artificial insemination.

I recommend that future reforms should include the unification of state laws towards same-sex relationship to develop a federal law that governs all states.

4. The legal system has always been struggling to achieve equality for same-sex couples. However, in recent years it had become more accepting by providing many remedies. The effectiveness of the remedies are outlined below:

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| Protection | <i>Effectiveness:</i> many statutes and common laws have been established to provide protection and recognition to same sex couples. |
| | <i>Ineffectiveness:</i> many gay and lesbian couples are not willing to openly declare their relationship to the public due to shame/embarrassment. Therefore it may be hard for the legal system to offer protection. |
| Accessibility | <i>Ineffectiveness:</i> Many same-sex couples are uneducated about their right, this prevents them accessing to law. This is especially the case of non-English speaking background couples. |
| Resource efficiency | <i>Ineffectiveness:</i> Same-sex couples did not have access via the Family law Act 1975 and the de facto relationships act 1984 to resolve problems over property. They therefore need to use the Equity and Division of Supreme court which is more expensive and complex |
| | <i>Effectiveness:</i> Property (Relationship) Act 1984 NSW provided an avenue for property division between same-sex couples. |
| Enforceability | <i>Effectiveness:</i> The Anti-discrimination Act 1977 (NSW) makes it unlawful for anyone to discriminate a person based on their cultural, age and sexuality. |
| | <i>Ineffectiveness:</i> It is hard to enforce as discrimination of same-sex relationship exists widely in society and may be extremely difficult to prove. |
| Equality | <i>Effectiveness:</i> Same-sex couples have now gained equal rights as de-facto couple in areas of property dispute, death of partner, inquests, and interstate |
| | <p><i>Ineffectiveness:</i></p> <ul style="list-style-type: none"> • Same-sex couples are not eligible to adopt a child as a couple • Not allowed to be legally married or enter into civil union in NSW • Same-sex couples are not recognised by immigration laws |

stouish over gay

PM faces

marriage

Phillip Coorey
Chief Political Correspondent

THE Rudd Government is facing a concerted push from within to extend to gay couples the right to marry or at least have access to a nationally recognised system of civil unions.

The effort to amend Labor's platform at the party's national conference this month is looming as one of the more significant policy showdowns that party officials are anticipating.

Rainbow Labor, a cross-factional organisation of gay, grassroots ALP members, has been working behind the scenes on proposed policy changes, despite a stated refusal by the Government to consider change.

The three-day conference concludes on August 1, which is also the national day of action for same-sex marriage. Rallies will be held in capital cities across the nation and a large demonstration is being planned for outside the Darling Harbour conference venue.

The group has been lobbying conference delegates, the Attorney-General, Robert McClelland, and MPs, including the ministers Anthony Albanese and Tanya Plibersek, whose inner-city electorates have large gay populations.

Labor's current policy opposes gay marriage. It supports nationally consistent, state-based civil union schemes based on the Tasmanian scheme introduced in 2004.

Labor's policy does not support schemes that "mimic marriage or undermine existing laws that define marriage as being between a man and a woman".

One of the proposals before the conference will be to remove from Labor's policy this definition of marriage. Others will focus on gay marriage and a national scheme of civil unions.

A co-convenor of Rainbow Labor, Michael Vaughan, said only three jurisdictions - Tasmania, Victoria and the ACT - have civil unions. There was a lack of consistency among the three schemes and there was no provision for civil unions in any other state or territory.

"That, as a policy, hasn't worked," Mr Vaughan said of

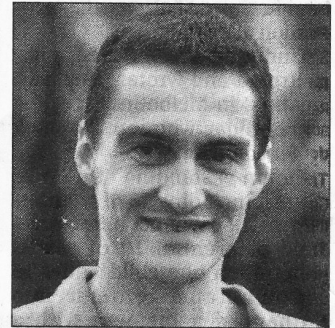
Labor's existing policy. "NSW doesn't even have anything."

Mr Vaughan acknowledged a national civil union scheme would have a greater chance of success at the conference than gay marriage.

A spokesman for Australian Marriage Equality, Rodney Croome, said civil unions were second-best.

The first proposal at the conference will be for gay marriage. Based on lobbying efforts so far, Mr Croome estimated gay marriage would garner about 30 per cent of the vote, not enough to be adopted but enough to send a message.

"It's important for this issue to be debated at the ALP national conference even if it is voted down, because it will show the ALP is willing to engage with



Rodney Croome ... civil unions "second-best". Photo: Roger Lovell

contemporary social issues, and it will show the gay community their views are being taken seriously," Mr Croome said.

"It's an important first step. Repeated surveys show that a majority of gay and lesbian Australians want the right to marry, and not a second-best civil union scheme."

Over recent years, the ALP national conference has increasingly become a stage-managed affair designed to springboard Labor towards the next election.

Senior party officials said yesterday that the gay marriage push had the potential to rival the demands on procurement of Government goods and services and industrial relations that will be put by the trade union movement. These, too, are unlikely to succeed, but will dominate the conference agenda.

Source: 14/07/09 SMH

Human rights – Domestic issue: asylum seekers

1. This article 'Refugee boat had 194 on board' 29/06/09 talks about 194 asylum seekers mostly Afghan/Iraqi men being intercepted 43km northwest of Christmas Island. It was the largest number of asylum seekers on a single vessel in 8 years and has put pressure on immigration detention resources. This article thus arises the human right issue on the status/right of refugee, which may sometimes be unprotected due to state sovereignty.
2. Asylum seeker relates to the area of human rights under international law. As defined in the 1951 UN Convention Relating to the Status of Refugees (Refugee convention), refugee is defined as person who:

is outside their country and cannot return because of a well-founded fear of persecution on the basis of race, religion, nationality or political opinion. Asylum seekers are those who are seeking refugee status in another country.

This act is also the first international agreement covering the most fundamental aspects of a refugee's life, however only to Europeans before 1st January 1951. Its Protocol 1967 removed this geographical and time limitation.

Under international law, many international/regional treaties exist to offer protection for asylum seekers:

- Universal Declaration of Human Rights (1948) article 14- the first international document that recognises the right of individuals to seek and enjoy asylum
- International Covenant on Civil and Political Rights (1966) article 2,12,13- ensure civil and political rights of all individual, guarantees freedom of movement and prohibits forced expulsion.
- International Covenant on Economic, Social and Cultural Rights (1966) article 6,13- gave all individual the right to work and be educated.
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) article 3- offers rights to refugees not to be returned to a place where they fear persecution.
- Convention on the Rights of the Child (1989) article 22- offers special protection for children seeking asylum
- Declaration on the Elimination of Violence against Women (1993)- recognised the particular vulnerability of refugee women.

A case law in relation to refugee is between Al-Kateb v Godwin which held that unsuccessful asylum seekers, who could not be removed to another country, could continue to be held in immigration detention indefinitely.

3. Previously, Australia had always established a negative attitude towards foreigners, starting from the discriminatory White Australia policy to the Tampa crisis. As the government become more aware of the importance of human rights/dignity, reforms are implemented to soften its refugee laws.
 - A 3 year **Temporary Protection Visas (TPVs)** was abolished on 9 August 2008, meaning that all initial applicants now receive a permanent protection visa, offering them more rights/protection.

- **Pacific solution** is abolished also on 9 August 2008. Under the policy, asylum seekers intercepted before they reach the Australian mainland are processed at camps on Nauru and Manus Island, in Papua New Guinea.
- As of 1st July 2009, new regulation to the Migration Regulation 1994 removed the '**45 day rule**', which denied work rights to those who applied for protection after 45 days of arriving in Australia.
- 25/06/09, a Bill was proposed to incorporate '**New Direction in Detention policy**' into legislation. This reflects the government's new detention value to keep mandatory detention as a last resort at any time.
- 25/06/09, a Bill proposed to abolish immigration **detention debts** for asylum seekers was passed in lower parliament.
- November 2008, the Australian government released a draft model for a system of **complementary protection**. This protects people that do not fit into the criteria of refugee but are at risk of serious Human Right problems.

My recommendation for future reform include ratifying all parts of human rights treaty/conventions on refugees into domestic legislation and establishing an Human Rights Act under the criminal law, in which all breaches are subject to severe punishment.

4. Asylum seekers are a group of extremely vulnerable people, therefore many international/domestic measures are implemented. However the effectiveness is often questioned, as Australia has always been accused to violate human right laws.

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| <p>Protection</p> <p>International law is usually ineffective in protecting asylum seekers due to state sovereignty. Unless the conventions/treaties are ratified and incorporated into domestic legislation or interpreted by court, state are not obliged to follow international law. This is with the case of Refugee Convention, Australia are not obliged to provide asylum as it had only incorporated the definition of 'refugee' into Migration Act 1958. Similarly, mandatory detention still exists in Australia even though ICCPR provides that no person shall be subjected to arbitrary detention.</p> |
| <p>Accessibility</p> <p>Australian Government is effective in trying to make its asylum as accessible by providing assistance during time their application are processes. This includes financial assistance, professional assistance to prepare a protection visa application and a temporary eligibility for Medicare.</p> |
| <p>Resource efficiency</p> <p>Time and cost of the court is minimized through a 'group' determination of refugee status, which is when a group of civilians fleeing for similar reason are process at the same time.</p> |
| <p>Equality</p> <p>Asylum seekers are treated unequally through restricted movement in mandatory detention and constrained working/education opportunities.</p> |
| <p>Enforceability</p> <p>The Refugee Convention does not have a mechanism to monitor state obligations and commitments towards asylum seeker.</p> |

Refugee boat had 194 on board

Tom Arup, *June 29, 2009 SMH*

A BOAT carrying 194 people, the largest number of asylum seekers on a single vessel in eight years, has been intercepted 43 kilometers northwest of Christmas Island.

Australian officials had tracked the small wooden fishing boat, which defense sources said was overcrowded, since Friday after it left Indonesia.

Those on board, almost all men, are understood to be Afghan or Iraqi, and are being processed in immigration detention on Christmas Island. No children were aboard.

It is the 16th boat to arrive in Australian waters this year, during which time authorities have intercepted 867 asylum seekers.

Arrivals by boat this year are well up on the 161 last years, but still far below the heights of 2001, when 5516 arrived.

The latest arrival could increase the pressure on resources at the Christmas Island immigration detention facilities, which at present hold 479 asylum seekers. Yesterday's arrival, and a further 54 people from a boat intercepted last week, will add a further 248.

The Immigration Minister, Chris Evans, yesterday rejected reports that the facilities were being stretched by the large numbers arriving by boat in the first half of the year.

"Christmas Island can accommodate up to 1200 people across the range of facilities," he said. "The island's facilities can adequately accommodate the 479 unauthorised boat arrivals currently on the island and will cope with the latest arrivals."

The Government has contingency plans to expand capacity on the island to 1400 by using tents and local halls.

Senator Evans attributed the large number aboard the boat yesterday to a sharp rise in people seeking asylum globally because of the wars in Afghanistan and Iraq.

A report released by the United Nations High Commissioner for Human Rights this month showed a 28 per cent increase in the number of people seeking asylum worldwide over the past year. The same report found that at the end of last year 42 million people worldwide had been forcibly uprooted from their homeland by conflicts.

The Opposition spokeswoman on immigration, Sharman Stone, said the latest arrival could be directly attributed to the Federal Government's softer immigration regime.

"This week we have seen another softening," Dr Stone said, referring to legislation to remove charges levied against people for their time spent in immigration detention. "No wonder we have seen a boat this big.

"We know from asylum seekers who travel on these boats that the people smugglers watch the online Australian media, so they would have known what happened in Parliament and now they are saying come on down."

The boat carrying 194 people was first detected by an RAAF surveillance plane on Friday night, 437 kilometers from Christmas Island. It is understood to have sailed between Java and Sumatra en route to Australia.

It was monitored by HMAS Pirie on Saturday until it reached Australian waters at 2am yesterday, when it was intercepted.

Human Rights – International issue: slavery

1. The article 'Anti-slavery candidate fans hope' 13/07/09 talks about how thousands of slaves/former slaves puts their hope on senator Messaoud Ould Boulkheir, who has promised that in power he would public slave owners and free their human property. This article arises the human right issue of slavery, which is still widespread in Mauritania. An estimated 600,000 slaves i.e. almost 1 in 5 exists in the country's 3.2 million people.
2. Slavery is a breach of Civil and Political Right recognised under international law as a violation of human rights. As article 1.1 of the Slavery Convention 1926 defines slavery as:

'...the status/condition of a person over whom any/all the power attaching to the right of ownership are exercised...'

This act is also the first international treaty adopted by the League of Nations (predecessor of UN) that commits governments to abolish slavery.

Under international law, many international/regional treaties exist to offer protection for slaves, but more so to eliminate slavery.

- Universal Declaration of Human Rights (1948) article 4- states that no one shall be held in slavery/servitude and slave trade shall be prohibited in all their forms.
 - The International Covenant on Civil and Political Rights (1966) article 8- also states that no one shall be held in slavery/servitude.
 - The Convention on the Rights of Children (1990)- article 27, gave children a level of life that permits self-development, ensuring they are not involved in slavery.
 - ILO Convention (No. 24) concerning forced/compulsory labour (1930)- broadens the slavery convention to broaden the definition of slavery to include forced/compulsory labour.
 - ILO Convention 105 concerning the Abolition of forced labour (1957)- states slavery must be prohibited as means of political coercions, use of economic development, labour discipline, and racial/social/religious discrimination.
 - African Charter on Human and Peoples' Rights (1981) article 5- stipulates that all form of exploitation and degradation of man particularly slavery and slave trade... shall be prohibited.
3. Historically, slavery occurs in all civilisations as a common aspect of life. As society develops, people become more aware that this is a strong violation of human rights, and many reforms are implemented. However, developing countries of Mauritania is still taking small steps.
 - Mauritania officially banned slavery on 5 July 1980.
 - On 8th Aug 2007, Mauritania's National Assembly unanimously adopted a law criminalizing slavery, which continues to exist in Mauritania in both traditional and contemporary forms. The law makes slavery punishable by 5-10yrs in prison.

The new law is a very positive first step, but it is only one step. Many future reforms are recommended by Amnesty international to effectively eradicate slavery. They address areas including:

- Awareness campaign to spread the news that slavery is a criminal offence

- Monitoring and implementation mechanism that would apply the law
 - Investigate allegations of slavery
 - Mediate the release of slaves and award compensation.
4. Although many international/domestic laws are available that outlaws slavery, it still exists in Mauritania today, especially in the countryside. Therefore these laws are ineffectiveness in reaching justice for slaves.

Protection

International law is ineffective in the protection of slavery due to state sovereignty of Mauritania. Although Mauritania has signed UDHR, ICCPR, CROC and ILO conventions, it has not been ratified into domestic legislation, therefore it's not obliged to follow international law and eradicate slavery.

Accessibility

The law is not accessible, as it doesn't address the issue of financial dependency slaves have on their master. Without access to land and income generating activities, they would remain their role as slaves.

Also many slaves are uneducated and barely know how to read and write, thus they are unaware of their rights.

Enforceability

There is a lack of enforceability in the law as police don't have the mentality and definitely don't have the resources to implement the law

Equality

The law obviously fails to address the issue of equality for slaves as they are completely discriminated against. They are prevented from owning land, accessing water and running in elections and some cannot even get married without master's permission.

Anti-slavery candidate fans hope

Nick Meo in Nouakchott, Mauritania

July 13, 2009

A YEAR after she ran away from her master, Barakatu Mint Sayed prays that next Saturday's election will mark the beginning of the end of slavery in Mauritania.

Like thousands of other slaves and freed slaves across the Saharan country, her hopes are fixed on a man born to slave parents, who has sworn to put an end to the practice if elected president. Messaoud Ould Boulkheir, 66, a former public servant, has promised that in power he would punish slave owners and do everything he could to free their human property.

His prospects of winning power are growing by the day - and he is being hailed as Mauritania's brightest star by his supporters. "He is the Obama of Mauritania," said Boubacar Messaoud, an architect and veteran anti-slavery campaigner in the north-west African state. "He is going to bring change, and he represents social justice and equality."

Mauritania is one of the last places where slavery is still widespread. Officially it has long been abolished, but the law has never been enforced, and there are an estimated 600,000 slaves, almost one in five of the country's 3.2 million people.

Change will come too late for Mrs Sayed, a black African from the country's Haratine caste who was born into slavery about 40 years ago and is illiterate.

But she knows Mr Boulkheir's victory could transform the future for her daughter and grandchildren, whom she had to leave behind in captivity when she finally escaped. "All that is needed to free the slaves is will power," Mr Boulkheir said.