

**Submission
No 20**

INQUIRY INTO PARTIAL DEFENCE OF PROVOCATION

Name: Mrs Jaspreet Kaur

Date received: 10/08/2012

I am Jaspreet Kaur, sister of Manpreet Kaur. Manpreet was killed by her husband Chamanjot Singh. Chamanjot only got six years imprisonment. Only six years imprisonment for taking someone life. This case was not provocation case but Jury accept all what Chamanjot said in the court room. In the law of books it is written that maximum sentence for manslaughter is 25 years, so why Judges only give up to maximum 10 years sentence, why not 25 years. I did not get justice in this case. I want justice in this case and want to save the future community, if law of provocation will be abolish in the NSW.

Kind regards,
Jaspreet Kaur

FOR THE ATTENTION OF THE LEGISLATIVE COUNCIL SELECT COMMITTEE

I am Jaspreet Kaur, I am writing this letter for my deceased sister, Manpreet Kaur. We are four sisters and one younger brother. Manpreet was the third daughter of my parents. Manpreet was elder than me. Manpreet was a very charming girl. We both grew up together in India. My mother passed away in 2006. I came to Australia first; one and half years later Manpreet came to Australia. Manpreet and Chamanjot both studied International English Language System in India. Manpreet was about to come to Australia on her behalf only, but while studying together they both fell in love. While studying their teacher recommends them that why don't from one of you go on student visa and other will go on dependent visa. After some time they both talked with their parents that they are in love and want to get married.

After some days, Chamanjot's parents met with my father and asked for the marriage of Manpreet and Chamanjot. My father was bit hesitant about this proposal because Manpreet was older then Chamanjot, but Chamanjot and his parents said we don't have any problem. Then my father agreed for their marriage. Chamanjot's family decide that Manpreet will go on student visa and Chamanjot will go on dependent visa. Chamanjot's parents said we don't have any money, Manpreet's father will have to spend all money for their expenses (Manpreet's college fees and airfares). My father agreed, he said I will arrange all money. My father was running very small business. It was very hard for him to arrange all that money but he agreed. My father and our whole family know how my father arranged all that money. My father spent money for their sponsorship as well.

Manpreet and Chamanjot got married on 14th September 2008. She was really very happy for getting married. I was not able to attend her marriage because I had university exams in Sydney. Manpreet came on 29th January 2009 in Australia on student visa. Due to some

reasons Chamanjot's visa was delayed. Manpreet was living with me in Sydney. I was really very happy to see Manpreet in Sydney. We both were studying in the same college in Sydney. We both used to go to college together every day. Chamanjot came on 12th May 2009 to Sydney. While Chamanjot was in India, Manpreet was missed him too much. She was eagerly waiting for him. After his arrival they started to live together. Chamanjot's behaviour was straight away changed after arriving in Sydney. Manpreet started complaint to me about Chamanjot's behaviour. When I met him I also feel that he is not behaving like he was behaving in India, his behaviour was totally changed. I was thinking that his main motive was to come to Australia, because his parents were not able to spend money to send him Australia. He was not in love with Manpreet, but Manpreet loved him too much.

Chamanjot was not working much; Manpreet was working as well as studying. Chamanjot was always suspicious of Manpreet while she was talking on phone or while some time she got late by 5 or 10 minutes. Sometimes trains got in late, that's why Manpreet got late to reach home but Chamanjot always start fighting on these small matters. Chamanjot did not even like when we both sisters were talking on the phone. If my father called her from India then also Chamanjot did not like it.

In August 2009 Chamanjot physically beat Manpreet while they lived in Homebush; Manpreet had some marks on her face and arm. I met Manpreet in the city and she was crying and showed me those marks and she told me that last night Chamanjot beat her. I said to her, let's go to the police station, we will lodge a complaint against him, but she said don't worry, he is my husband and one day he will be good man and he will understand the relationship of husband and wife. Whenever they had a fight she always told me. Manpreet was a very loving and caring girl.

Now the case is provocation - in this case where is the provocation? In the court, Chamanjot said last night Manpreet told him that I never love you, I only love the guy name called Preet and Chamanjot said after listening to this I was out of my mind and I don't know how all this happened. So where is the evidence of this conversation? Deceased is not alive. Where is Preet? Where is the evidence of Preet? I asked to the crown prosecutor and detectives did you find that guy to whom Manpreet had affair? Did you find anything from Manpreet's phone records that she was talking with Preet? They said we don't have any evidence and we do not find any guy from Manpreet's phone records, and we don't know who this guy is. Chamanjot said this guy Preet is in Sydney, so if he is in Sydney, why detectives could not find him? Chamanjot was lying in all these matters. So how you can say this is the case of provocation. Chamanjot said my brother-in-law spoke with him over the speaker phone from India and used abusive language, so where is the evidence of this conversation? They didn't take any statement of my brother-in-law. How court and Jury believed on Chamanjot's statement? Chamanjot said, Manpreet and her father told him several times that they will kick him out from this country, so again same question where is the evidence? Did they ask to my father if he said to him these words or not? They took the statements of my father and sister from back home in India but the crown did not show them in the court in front of Jury.

The Jury just accept all his lies because they were not shown all the evidence to prove he lied. If Chamanjot was out of his mind then how could he run away, how he was talking with his mother after this incident? Chamanjot spoke with his mother for approximately 200 minutes after this incident, from the park which is outside of his house. While he ran away he had his passport with him, this matter was hidden from the Jury. If he was out of his mind, how could he think to take his passport with him when ran away? He withdrew money from different ATM's before he came home and murdered Manpreet. Why did he withdraw money. He knew what he was going to do. Chamanjot was caught in Melbourne, if person is out of mind

how he can arrange all this? These matters were also hidden from the Jury that he was caught in Melbourne.

As per the doctor witness, the doctor said Manpreet had more than 22 cuts on her body. Doctor said she got them in self defence. If Chamanjot was out of his mind how come he hit several times? Chamanjot slit Manpreet's throat eight times, this shows he was in his control. While their housemates were knocking on the door, Chamanjot said from inside, brother I will open the door in two or three minutes. If the person is out of his mind, how can he speak so calmly while doing this? This case is not a provocation case. Chamanjot said his parents spend all their life savings, he was again lying, I have all the receipts that my father spent all that money, I have given all receipts to the crown but they were not shown in the court room, I don't know why all these matters were hidden from Jury.

What Chamanjot said in the court room - everything was accepted. Without any proof and evidence, how it is possible to accept what he said? This is not justice for my sister and my whole family.

I asked the DPP lawyer, can we reappeal in this case? He said we have 28 days to think either appeal or not. But after a few days he said we can't appeal. Why can't we appeal in this case? This case was all about Chamanjot's lies.

It's my humble request to you all, if you can dig out this case and find out something to appeal, because everything was hidden and the Jury believed only his lies. I want justice. Only six years imprisonment for take someone's life. If law of provocation was abolished in some states why not in NSW?

If this is the law of NSW, then anybody can kill someone because they know if they say in the court, I lose my self control, they will get out after three or four years then one day crime

will be at very high level. Now any man knows to say that his wife said, I do not love you, I am going to leave you and he will get away with murder and only go to prison for a small number of years.

Thanks and regards,

Jaspreet Kaur

1/07/12