

VICTORIAN MULTICULTURAL COMMISSION

SUBMISSION TO THE VICTORIAN GOVERNMENT ROYAL
COMMISSION INTO FAMILY VIOLENCE

Response to Issues Paper

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Executive Summary

The Victorian Multicultural Commission (VMC) provides independent advice to the Victorian Government that informs legislative and policy frameworks, and the delivery of services to people from culturally and linguistically diverse (CALD) backgrounds. Operating under the *Multicultural Victoria Act 2011* (the Act), VMC is the main link between Victoria's CALD communities and the Victorian Government. The work of the Commission also includes state wide consultations via a network of eight regional advisory councils (RAC) and annual targeted community consultations to determine the needs of Victoria's diverse communities.

A key function of the VMC is to provide the Victorian Government with advice on multicultural affairs. In order to do this, the VMC regularly consults CALD communities and provides research and advice to the Minister for Multicultural Affairs on matters relating to the VMC's objectives. This entails special focus on systematic and community-wide settlement and service issues.

This submission addresses family violence experiences of women and their children from culturally and linguistically diverse (CALD) communities in Victoria, identifies the barriers that disproportionately affect CALD women and their children including the subjective threshold with disclosing family violence, and finding assistance and accessing culturally-appropriate support services.

Key Issues

The VMC's submission identifies a number of significant concerns regarding:

1. Women and their children who experience marginalisation due to culture, ethnicity and/or uncertainty or fear around visa or immigration status experience heightened vulnerability to family violence.
2. Inadequate data and information on women and their children of CALD background within Victoria's family violence system for preventing violence against women contributes to a lack of understanding about magnitude and nature of family violence in CALD communities.
3. The following are contributing factors to levels of family violence in CALD communities:
 - a. Pre-settlement experiences, including trauma and dislocation
 - b. Social isolation in rural, regional and urban CALD communities
 - c. Impact of low English proficiency, including use and availability of interpreters
 - d. Lack of culturally-appropriate support services and early intervention programs
 - e. Cultural attitudes

Findings and Recommendations

Findings

The VMC's findings are as follows:

- a) There needs to be formalised requirements for the introduction of mandatory fields for ethnicity or option of self-identification on core CALD data elements (such as country of birth, year of arrival, language spoken at home and proficiency in spoken English) across the family violence system more generally;
- b) There needs to be an increase in the utilisation of arrival and settlement settings as an opportunity to disseminate vital information regarding the rights and entitlements of women

- and their children in the migration context, so that the rights of victims to access the family violence system occur as a result;
- c) Service providers and organisations within CALD and new and emerging communities need to engage in family violence prevention and early intervention by:
 - i. Encouraging community and religious leaders to promote respectful relationships with women and their children in families through community strengthening initiatives
 - ii. Targeting school-based education programs for young people that aim to shape appropriate attitudes towards women and foster respectful relationships;
 - d) There is a lack of culturally specific possibilities for perpetrator accountability, including culturally specific Men's Behaviour Change Programs (MBCP) throughout Victoria; and
 - e) There is a need for an integrated, multi-agency whole-of-government service strategy that addresses the diverse experiences of family violence as experienced by CALD communities.

Ultimately, there is a need to identify and understand through further research how CALD women and their children continue to fall between the gaps in the community's and system's response to family violence. Responding to family violence is a complex and long term task which requires targeted resources to permeate all levels of the justice and service sectors alike.

Recommendations

The VMC recommends:

1. That there is a need to increase in long-term funding for:
 - a) Service providers and organisations providing culturally-appropriate family violence prevention efforts and support services; and
 - b) Further specific research into all aspects of family violence as experienced by CALD communities.
2. Key service providers record routine administrative data including ethnicity when they first engage with people from CALD backgrounds in relation to family violence matters.
3. The protective consideration of resident women and their children regardless of immigration status within systemic family violence responses.
4. Better equipping service providers to engage in family violence prevention and early intervention with CALD communities through tailored responses to community needs.
5. Continued support for current Men's Behaviour Change Programs (MBCP) and extension of similar programs to meet the needs of specific community subsets.
6. The Victorian Government support a culturally responsive and effective multi-agency strategies that support people from CALD backgrounds (men, women and children) to foster respectful relationships and sound parenting practices.

Introduction

VMC Submission

1. The VMC submission seeks to promote greater understanding of family violence in Victoria's diverse communities and assist the Royal Commission in considering the particular needs and cultural nuances of addressing family violence matters in these communities.
2. This submission has specific regard to the Victorian Royal Commission into Family Violence: *Terms of Reference: Item 6* - addressing the needs and experiences of people affected by family violence with particular regard to people from CALD communities.¹ The VMC recognises that the term 'CALD' embraces all facets of diversity and encompasses the differences that exist in Victoria's population.
3. The VMC specifically responds to questions 17-19 as posed in the *Issues Paper*.² It also raises matters which should be considered more broadly in the context of CALD communities and family violence.
4. This submission is expressly concerned with levels of compromised safety (i.e., safety from harm and also legal status) and welfare of CALD women and their children due to the various barriers they face in understanding their rights and accessing support. Family violence occurs regardless of culture, ethnicity, linguistic background, sexuality, age, socio-economic status or religious belief. CALD women and their children face significant barriers and disadvantage in access to services, exacerbated by data gaps and heightened vulnerability in relation to uncertain legal status.

Background

Definitions of Family Violence

5. The VMC recognises the *Family Violence Protection Act 2008* definition of family violence as any behaviour that is physically, sexually, emotionally or psychologically abusive, threatening or coercive; or a behaviour that in any other way controls or dominates a family member.³ Family violence is a gendered crime as it is overwhelmingly men who perpetrate violence against women; although children, elderly persons and men may also be affected by family violence.
6. The VMC seeks to establish a clear picture of the extent of family violence as experienced in CALD communities. The terms 'family violence', 'domestic violence', 'intimate partner violence' and 'violence against women' are often used synonymously to cover a range of acts of violence that include behaviour intended to exercise control and abuse over women and their children.
7. The VMC submits that all forms of family violence are experienced in CALD communities as mainstream communities. The VMC notes that CALD women experience more diverse forms of family violence beyond the mainstream.
8. The following behavioural examples are generally accepted as forms of violence against women and their children.

a) **Physical** (e.g. hitting, slapping, choking, stabbing)⁴

- b) **Sexual assault or violence** (e.g. rape and assault with intent to rape, incest, indecent assault, sexual offences against young people (up to and including 17 years of age), offences against people with impaired mental functioning, forcing someone to watch pornography)⁵
 - c) **Technology-facilitated stalking** (e.g. using technology such as the internet or mobile phone as a means to harass, stalking with the intention of causing physical or mental harm to another person)⁶
 - d) **Emotional or Psychological** (e.g. socially isolating a person from family, friends, culture, threats against children, threats of self-harm)⁷
 - e) **Economic Abuse** (e.g. financial exploitation – withholding finances, controlling partner/family finances)
 - f) **Elder Abuse** (e.g. any act that harms an older person within a relationship where there is an implication of trust, including acts of financial abuse, physical abuse, sexual abuse, psychological abuse, social abuse and neglect)⁸
9. The following behavioural examples affect women and children from CALD backgrounds more particularly and illustrate the broader impacts of violence on extended families, kinship networks and community relationships.
- a) **Human Trafficking, Slavery and Slavery-Like Offences** (e.g. forced marriage, servile marriage, use of partner migration as a method of exploitation)⁹
 - b) **Female genital mutilation** (e.g. a practice that is a gender-based health and human rights violation and is deeply rooted in tradition and culture for non-medical reasons)¹⁰
 - c) **Spiritual Abuse** (e.g. a person being forced to attend religious activities against their wishes, or being stopped from participating in the religious or cultural practice of their choice)¹¹

CALD Communities and Reporting Family Violence

10. Family violence occurs on a continuum from physical and sexual violence through to psychological, economic and emotional abuse. For women and children from CALD backgrounds, family violence also includes wider context of gender-specific harm including: sexual violence; forced marriage; female genital mutilation and honour killings. Family violence is the leading contributor to death, disability or illness in women aged 15-44 years.¹²
11. The prevalence of family violence within CALD communities is not readily quantifiable due to under-reporting and barriers to disclosure. Despite these significant issues, research suggests under-reporting is not unusual for CALD women as it is generally influenced by a higher subjective threshold, misunderstandings of what constitutes family violence in Victoria, a lack of information about legal and human rights more generally, and fear of engaging with authorities.¹³
12. The *International Violence Against Women Survey* found women from English-speaking backgrounds reported higher levels of physical, sexual and any other violence compared to women from a non-English speaking background (NESB).¹⁴
13. The Australian Bureau of Statistics (ABS) *Personal Safety Survey, 2012*, found that there has not been a decrease in the number of women experiencing violence in Australia.¹⁵ It was reported that Australian-born women were more likely to report experiencing violence since the age of 15 than those born overseas (44 per cent and 33 per cent respectively).¹⁶ Research

findings have identified four main factors which contribute to under-reporting of family violence incidents by NESB women. These are:¹⁷

- a) Personal;
- b) Cultural and religious;
- c) Informational/language and
- d) Institution/structural.

Additional reasons may be due to cultural factors which can influence the way people from different cultures respond to surveys.¹⁸

14. Homicides related to family violence incidents reveal that CALD background is a factor. The Victorian Systematic Review of Family Violence Deaths (VSRFVD) reviewed a total of 545 homicides between 2000 and 2010 in Victoria. Of these 545 homicides, 288 homicide deaths (53 per cent) resulted from 271 separate incidents and deemed VSRFVD-relevant.¹⁹ An intimate relationship between the deceased and offender existed in 47 per cent of all homicides and was the most common form of family violence homicide reported.²⁰ A CALD background was reported in 10 per cent of the 271 VSRFVD-relevant homicide incidents.²¹
15. Among ten of the completed reviewed cases, either the victim or perpetrator of violence (or both) were born outside of Australia. A CALD background was a particularly salient feature in four of the incidents. Relevant factors that shaped the survivors' experience of violence included:²²
 - a) cultural and language barriers;
 - b) traditional views of marriage;
 - c) social isolation; and
 - d) a reluctance to speak out about abuse due to the negative perceptions of others.

Response

Issues Paper: Question 17

Are there specific cultural, social, economic, geographical or other factors in particular groups and communities in Victoria which tend to make family violence more likely to occur, or to exacerbate its effects?

Legislative Frameworks and Access to Justice for CALD Women

16. A range of Commonwealth and State legislation stipulates the provision of equal access to government services and for these services to be delivered in accordance with human rights obligations.²³ Under the United Nation's *Convention on the Elimination of All Forms of Discrimination against Women* (ratified by Australia on 17 August 1983), the Australian Government has an international obligation to undertake all appropriate measures to eliminate prejudices and stereotyped gender roles. In 2008, the Australian Government announced the development of a national plan – *Time for Action: the National Council's Plan for Australia to Reduce Violence against Women and Children*.
17. *Victoria's Advantage*, the Victorian Government's Multicultural Affairs and Citizenship policy context is linked to policies framing a response to violence as well as policies designed to create cultural and attitudinal change regarding inequity, to empower women, and to promote

non-violent and equitable communities and organisations in Victoria. Women from CALD backgrounds are affected by violence in specific ways and these policies can be used as preventative measures.²⁴

A Snapshot of Victoria's Cultural Diversity

18. At the 2011 Census, 26.2 per cent of Victoria's population were born overseas and 23.1 per cent of Victoria's population speak a language other than English (LOTE) at home.²⁵ [See **Appendix 2**: summary of population diversity profiles by local government area.]
19. Ethnicity and culture have largely been recognised as important social determinants of health. Residents of migrant and refugee background often face a variety of challenges in supporting their health and wellbeing, including gaining access to culturally appropriate services. In particular, women from migrant and refugee backgrounds are reported as being at greater risk of poorer health and wellbeing.²⁶ Compared with those who have social and economic advantages, disadvantaged groups generally are more likely to have shorter lives.²⁷ Both Greater Dandenong and Brimbank reflect greater disadvantage and also have a higher proportion and number of Victorians born overseas. [See **Appendix 3**: most disadvantaged municipalities across Victoria.]

Familial Types and Data Collection

20. The lack of current, readily available and accessible data prevents effective identification of the prevalence of family violence in CALD communities - limiting the extent to which resources can be effectively invested in education, prevention strategies and front line services. In practical terms, this means that local councils and service providers are more likely to respond to family violence issues in their area, rather than being able to plan in advance and effectively coordinate and integrate service provision for CALD women in need.
21. The broad definition of family violence within the *Family Violence Protection Act 2008* is intended to cover the full range of behaviours relevant to family violence and intimate relationships. 'Family member' as defined in the act does not take account of relationships beyond those recognised as family relationships in Australian culture. Having regard to the criteria in s 8(3), such relationships may be 'family-like' but this is not explicit for people of culturally diverse backgrounds. For example, family structures of some CALD groups include patriarchal, extended families, success, unity and reputation of the family unit and the patrilineal kinship structure of several generations extending to a wider network of family relationships in CALD culture.
22. Current data does not capture rates of family violence in diverse communities. In part this is due to information about cultural background and language-spoken information not routinely or uniformly collected across service providers, government departments and data systems. Generally, the disclosure of CALD background by a service user is voluntary and certain data fields (i.e., country of birth and year of arrival) may not be mandatory, further limiting the systematic collection of CALD data in relation to family violence.
23. The prevalence of family violence is generally established through surveys, rather than by numbers reported to police. These population surveys however are not always accessible to women from a NESB.²⁸ CALD women as a population group are also under-represented or under-counted in the Census, due to low English proficiency and lack of familiarity with the Census form.²⁹ Lack of English language proficiency can also limit ability to report family

violence, exacerbate social isolation, and creates a barrier to accessing support. [See **Appendix 1**: regional data on the number of self-assessed women with low English proficiency.]

24. It is appreciated that police are often dealing with families at a time of crisis. However, the importance of capturing ethnicity for more timely and culturally appropriate future responses is vital. The Victorian Family Violence Database notes that Victoria Police have an opportunity to record ethnic appearance, country of birth and risk factors on a data field included on the Family Violence Incident Report (L17).³⁰ However, this action is not mandatory, and information is collected only when ethnicity and/or language difficulty is apparent or disclosed.
25. The Victorian Courtlink database does not currently routinely collect cultural background and language-spoken information. The Victorian Civil and Administrative Tribunal (VCAT) only collect information about cultural background and primary language when an interpreter is required.³¹

Culturally Appropriate Services

26. While recognising the primary focus of support agencies and partner agencies is the safety and welfare of women and their children, and not demographic data collection, the importance of accurate recording cannot be underestimated. The capacity to collect administrative data assists in addressing broader cultural and organisational issues such as cultural competence training, supporting resource material and prioritising of CALD data.³²
27. Administrative data gaps contribute to lower rates of recording family violence in diverse communities and affects the provision of support mechanisms. Mainstream service providers need to be better equipped to meet the needs of CALD communities. For example, the Victoria Police *Code of Practice for Investigation of Family Violence*,³³ recommends culturally-sensitive practices including the use of interpreters at the earliest opportunity and at every stage while providing assistance, to avoid subjective assessment based on the officer's own belief system or practices. There is some evidence that interpreter services are not fully utilised.³⁴ Interpreters are necessary to protect women and their children and make it easier for them to seek support from the police, support services and the courts.

RECOMMENDATION 1 - IMPROVE DATA AT SOURCE

The VMC recommends key service providers record routine administrative data including ethnicity when they first engage with people from CALD backgrounds in relation to family violence matters.

Cultural Factors

28. Assessments of what constitutes family violence are relevant in relation to diverse communities. Diverse understandings of what constitutes family violence and violence-supportive attitudes can be influenced by culturally-specific norms and social relationships, especially in cultures with strong patriarchal expectations and attitudes.
29. There is evidence that some CALD community subsets hold strong patriarchal views about gender roles, sometimes exacerbated by religious or cultural pressures that deter women from reporting family violence. These include stigma attached to separation, single motherhood and divorce, as well as the real fear of being ostracised from the community.³⁵ Entrenched patriarchal cultural beliefs can create difficulties for women in recognising what constitutes

family violence within the family structure and prioritising of the family structure can create the appearance of condoning violence-supportive values and practices.

Refugee and Asylum Seekers Settlement Experience

30. The pre-settlement experiences of refugees and asylum seekers can leave these community subsets more vulnerable to the occurrence of family violence more generally.³⁶ Many refugees and asylum seekers arrive with higher levels of vulnerability and chronic health conditions due to the following factors:³⁷
 - a) Experiences of violence and abuse of human rights, including death, torture and gender and sexual-based violence;
 - b) Forced displacement;
 - c) Suffered loss and separation from family members;
 - d) Prolonged periods in refugee camps;
 - e) Limited access to health, education, employment and income; and
 - f) Deprivation of cultural and religious practices.
31. Research highlights the relationship between the refugee and settlement pre-migration experiences that interrelates with constructs of tradition, patriarchy and gender. On arrival, CALD women experience liberalising of attitudes towards gender roles, however some CALD men do not accept a shift in power dynamics in a relationship.³⁸

Housing Affordability and Family Violence

32. Housing affordability can affect a woman's decision to leave a violent relationship. Family violence is the most common factor contributing to homelessness among women and children.³⁹ An overarching issue escalating the likelihood and continuation of family violence is the availability of housing for both survivors and perpetrators of family violence. In 2011, 36 per cent of all homeless people were recorded as being born overseas, many were identified as homeless because they lived in severely overcrowded dwellings.⁴⁰
33. In 2012-2013, an estimated 36,060 people from CALD backgrounds (16 per cent) received assistance from a specialist homelessness agency (SHA) which indicates that people born overseas are under-represented as clients of SHA compared with their representation in the Australian population (26 per cent).⁴¹ Overseas-born clients most often reported 'domestic and family violence' as the main reason for seeking assistance (26 per cent).⁴² Women who lack permanent residency status are particularly vulnerable to homelessness due to their lack of citizenship.

Rural and Regional Communities

34. Research suggests rural immigrant and refugee women face greater barriers compared to other women, including being isolated on rural properties and unable to access informal or formal support.⁴³ These barriers also perpetuate the likelihood that incidents of family violence are statistically under-represented for women living in rural areas. The experience of violence and its additional impacts on women and their children in rural and regional areas are compounded by the barriers in seeking assistance and justice in rural and regional settings. These include geographical isolation, social isolation and visibility.⁴⁴ Social and geographic isolation can be exacerbated by a woman's disconnect from family support, which can prevent the disclosure of violence.⁴⁵

Immigration Status and Partner Migration

35. Women without permanent residency continue to represent the most disadvantaged group of family violence clients.⁴⁶ A significant number of women who seek assistance from family violence crisis services are living in Australia on temporary or provisional visas.⁴⁷ Australian migration law disproportionately impacts newly arrived women without permanent residency. It places these women in a position of dependency on their spouse due to their own tenuous legal status, which usually requires the continuation and success of their marriage.⁴⁸
36. Research suggests immigration status can increase a woman's vulnerability to family violence according to their eligibility to apply for the *Family Violence Provision*. For example, Prospective Marriage Visa (for fiancés) holders are precluded from accessing the family violence exception to obtain permanent residence.⁴⁹ [See **Appendix 7**: details of the family violence exception.]
37. This dependent state can also lead to greater harms being perpetrated on these women and at the least can exacerbate existing controlling and abusive behaviours against them. For example, exploitation as experienced by survivors in case studies reviewed by the VMC included:
- a) **Sexual violence** (e.g. a woman being forced to watch pornography);
 - b) **Financial abuse** (e.g. a woman being exploited for her wealth and assets);⁵⁰
 - c) **Threats of deportation** (e.g. a woman's husband and members of his family regularly threatened deportation if requests were not complied with, a woman's fear of contacting police were perpetuated by her husband who took advantage of her lack of English and lack of knowledge about immigration law)⁵¹; and
 - d) **Shame and stigma** (e.g. a woman associated shame with failing to build a safe home for her family).⁵²
38. Research has identified that women who are sponsored to enter Australia as wives or prospective spouses are more likely to be at risk of violence, including lethal violence, than women who are Australian citizens or permanent residents.⁵³ The broader literature on violence against migrant spouses, particularly those without permanent residency, suggests that the topic of human trafficking involving partner migration is an important area for further research. [See **Appendix 8**: details of partner migration.]

RECOMMENDATION 2 - INTEGRATED SYSTEMS

The VMC recommends the protective consideration of resident women and their children regardless of immigration status within systemic family violence responses.

Issues Paper: Question 18

What barriers prevent people in particular groups and communities in Victoria from engaging or benefiting from family violence services?

Barriers to Reporting and Seeking Intervention

39. Women from CALD backgrounds arrive in Australia under different circumstances, including as migrants, refugees, asylum seekers, international students or unaccompanied minors. Many have different levels of education and literacy, limited host-language skills, lack of family and

community support networks, little financial security and minimal understanding of how to navigate social services and support systems/agencies.

40. The literature indicates that cultural barriers increase the complexities of family violence in CALD communities. Thus newly arrived women are often particularly isolated, often knowing no one other than their partner's immediate family. These circumstances significantly compound barriers to access the right services and support in the event of family violence occurring, and may contribute to increased risk of violence.
41. An individual's willingness to report a family violence incident may depend upon knowledge within the Australian context. This may present a conceptual challenge to women from CALD backgrounds such as:

The concept of family violence as a crime in Australia may be misunderstood by CALD women⁵⁴ and thus contribute to a reluctance to report family violence. This variability is confirmed by VicHealth's recent national survey into community attitudes towards violence against women.⁵⁵ The level of understanding and attitudes towards violence against women differs for persons born in non-main English speaking countries and main English speaking countries. Results of the survey demonstrated people born in a country in which the main language is not English are less likely than Australian-born persons to have a:⁵⁶

- a) High level of understanding of violence against women
- b) Low level of endorsement of violence-supportive attitudes
- c) High level of support for gender equality

42. These survey results do not necessarily support the proposition that immigrant communities bring violence-supportive cultural norms with them as they settle in Australia. Rather the results may be related to circumstances such as **social isolation** which has been identified as a barrier to seeking intervention and particularly affects women in refugee and rural communities. Limited services in rural locations such as limited crisis accommodation, limited independent funds, geographic isolation, less access to legal, support and health services and the 'digital divide' are all contributing factors.⁵⁷ Supports for CALD women in the regions are also more limited than those in metropolitan areas as adequate access, ability and affordability to access information are significantly less.⁵⁸
43. The following findings illustrate additional barriers CALD women and their children face to seeking support with family violence when compared with the mainstream population.
 - a) **Cultural norms and practices** variously protect against and increase the risk of violence as new arrivals may be exposed to negative factors that increase the risk of violence-supportive attitudes. For example, greater access to violent pornography and objectification of women in Western media has the potential to impact protective cultural norms. Violence and conflict may also be effected by acculturation stress – that is, the conflict between cultural preservation and cultural adaptation.⁵⁹
 - b) **Cultural stigma and consequences of speaking out in relation to abuse** compound a fear of humiliation and rejection experienced by CALD women if they pursue assistance externally from within their community.⁶⁰ Reporting family violence can result in a CALD woman being excluded by her family or community. This signifies the importance of strengthening social connection to community and culture.

- c) **A fear and distrust of the police, justice system and support services** often dissuade CALD women from reporting family violence, due to negative past experiences. Research indicates women from CALD backgrounds are less likely to access mainstream services because of a perception that these services would not understand their particular situation and respond appropriately.⁶¹ CALD women need to be assured that reporting will not contribute to negative stereotyping of their community and culture.⁶²
 - d) **The limited availability of culturally appropriate and ethno-specific services**, including culturally sensitive translators can prevent CALD women and their children from accessing support.⁶³ The **barrier of communication or language** is very significant when services cannot respond appropriately. Research suggests services fail to effectively respond to meeting language barriers when they:⁶⁴
 - i. Engage inappropriate interpreters (e.g., wrong language/dialect)
 - ii. Fail to consider the gender of the interpreter
 - iii. Do not readily engage professional interpreters
- 44. The availability and consistent use of interpreters** remains a priority issue, as gaps in this area can create significant problems, including lost information, and ultimately loss of confidence in the justice system which can further traumatise the woman or child.
- 45. Access to support services** for newly emigrated women or refugees can be further limited in circumstances where the person is dependent on the perpetrator for residential or citizenship status.

Issues Paper: Question 19

How can responses to family violence in these groups and communities be improved? What approaches have been shown to be most effective?

Review of Support Services

- 46.** The VMC conducted multicultural community consultations throughout Victoria in April-May 2015, including eight women-only and three service providers forums. Service providers perceived and articulated the barriers faced by CALD women in much the same way as the literature review revealed. A general consensus on ways in which support services and access might better respond to the barriers included:
- a) More information about women’s rights, family violence and immigration to be provided to women on arrival in Australia;
 - b) Greater dissemination of information and education for CALD communities about local service providers and service system;
 - c) Targeting CALD women through community forums and workshops was suggested as an effective way of reaching CALD women on ‘healthy relationships’, ‘respectful relationships’, ‘confidence building’ and ‘safe futures’;
 - d) Expanding opportunities to engage in social, community and work activities outside the home. For example, volunteering opportunities and speaking women’s groups; and
 - e) Written information should be provided in a multilingual form, including job advertisements, migration advice and local services.

47. Service providers agreed that uncertain immigration status increased a woman's vulnerability to family violence, making it harder for a woman to leave a family violence situation and reducing her options upon leaving. Service workers gave numerous examples of perpetrators readily exploiting the fear of deportation - predicated on loss of access to their children, which was a compelling disincentive to disclosure of abuse.
48. The majority of service providers identified there are gaps in prevention and early intervention programs for CALD women related to the capacity and cultural appropriateness of some services to cope with diverse communities. Questions of community acceptability of, and access to, programs are relevant for all at-risk groups and communities.
49. All service providers reported the increased challenges involved in providing support to women with limited or no English proficiency. The use of interpreters in smaller communities created issues of confidentiality, as the likelihood of the interpreter knowing the victim or perpetrator is increased as is the fear that their confidentiality could be breached.
50. Overall, service providers highlighted the need for collaborative partnerships and integrated approaches with settlement and CALD specific agencies which have greater established relationships of trust and who can also engage effectively with women from CALD backgrounds. There is a clear need to ensure practitioners working in those services have access to sufficient cultural competence⁶⁵ training to support culturally-sensitive and responsive service delivery to the particular needs of CALD communities.

Cultural Diversity Planning

51. Government departments are required to develop cultural diversity plans under the *Multicultural Victoria Act 2011* to demonstrate the services and supports they provide for CALD communities.⁶⁶ Cultural diversity plans – or their equivalent – help to ensure service information is readily available to non-English speaking communities, cultural competency training for employers and engage community stakeholders in the development of policies, programs and services, which will affect them.
52. The Victorian multicultural policy *Victoria's Advantage* supports a complementary approach to fostering cultural competence - as it relates to the particular needs of migrants, refugees and asylum seekers - across government and mainstream services, by ensuring staff are properly trained to be culturally responsive.⁶⁷
53. A recent Victorian Auditor-General Office (VAGO) audit report - *Access to Services for Migrants, Refugees and Asylum Seekers*, recommended that cultural diversity plans include explicit reference to cultural competency training and that this could be incorporated into the delivery of services for CALD communities.⁶⁸ This would help embed multicultural awareness and increase accountability regarding access that effectively meets the needs of migrants, refugees and asylum seekers.

Effective Practice Evidence

54. There is a lack of qualitative evidence about effective primary prevention strategies and practices focused on family violence prevention against CALD women in Australia. Research suggests that this may be due to a range of factors, such as short-term funding arrangements of programs and lack of evaluation capacity within the support sector.⁶⁹ The disadvantages that arise from this were a significant theme in the VMC community consultations. Research indicates that funding arrangements need to be for longer terms and better coordinated to

enable the family violence sector to provide high quality services and build on knowledge, trust and expertise.⁷⁰ Longer term funding could ensure full program development and lasting outcomes.

55. The Victorian Government's *Action Plan to Address Violence Against Women and Children* recommends using a strong, practical approach to inform targeted primary prevention⁷¹ measures alongside early intervention⁷² measures and response⁷³ strategies. Victoria's state responsibility is to ensure long lasting change across the community, and reduce violence against women and their children.
56. The rationale for targeting primary prevention efforts within CALD communities includes:
- a) The broad consensus in the literature that prevention efforts in CALD communities needs to be tailored to the needs of specific communities⁷⁴ and for culturally-appropriate strategies to address the core issue of respectful and equitable relationships to improve the status of women;
 - b) Some settlers to Victoria are refugees who have experienced war, civil unrest and/or dislocation and are likely to have had a high level of exposure to known risk factors for violence prior to their arrival. These include economic deprivation, disruption to cultural and social organisation, trauma, torture and witnessing or being subject to violence;⁷⁵ and
 - c) Seeking to ensure a higher level of support exists for attitudes linked with the acceptance and perpetration of violence against women and their children in CALD communities, particularly among men.

[See **Appendix 4**: a snapshot of how these initiatives are tailored to meet the needs of CALD communities.]

RECOMMENDATION 3 - RESOURCE SERVICE PROVIDERS (mainstream and culturally specific) TO CATER FOR VULNERABLE COMMUNITY SUBSETS

The VMC recommends better equipping service providers to engage in family violence prevention and early intervention with CALD communities through tailored responses to community needs.

Priority Groups for Primary Prevention Strategies

57. Newly arrived women share some common issues that impact on their experiences of violence and their potential access to opportunities for prevention.⁷⁶ Anecdotal evidence obtained from the VMC's community consultations also identified a number of issues commonly experienced by women from diverse communities. These included:
- a) Settlement demands, such as accessing culturally-appropriate private or public housing;
 - b) Pressures of finding employment and educational opportunities;
 - c) Complicated financial arrangements (i.e., dependent financial status);
 - d) Access to health care or income support is variable for holders of certain visas;
 - e) Limited access to English language services;
 - f) Fragmented public and private transport options; and
 - g) Limited affordable childcare
58. The *On Her Way* publication recommends key primary prevention strategies against violence for various groups of immigrant and refugee women, that includes women on:⁷⁷

- a) permanent and temporary visas;
 - b) refugee and humanitarian visas;
 - c) skilled migration visas;
 - d) family migration visas;
 - e) Subclass 457 visas;
 - f) student visas;
 - g) bridging visas;
 - h) Women from well-established CALD communities; and
 - i) Women in insecure employment
59. The diversity of these priority groups requires tailored primary prevention strategies to address CALD women’s specific contexts and risks of family violence. The barriers faced by CALD women and their children reinforce the need for community-led approaches and preventative strategies including, community leadership training and mentoring, and education programs for young people.⁷⁸

Access to Men’s Behaviour Change Programs

60. The City of Whittlesea suggests that CALD communities are more likely to access external family violence services that will support maintaining or reconciling relationships.⁷⁹ It is therefore vital to include men from CALD backgrounds in early intervention programs. This includes the need for recognition that CALD specific Men’s Behaviour Change Programs (MBCP) are necessary to enable CALD men to embrace behavioural change and move towards non-violent behaviour.
61. Early intervention responses to family violence include MBCP. Little research exists regarding the success of these programs in engaging men from CALD communities and there is limited access to mainstream programs for CALD men due to cultural and/or language barriers.
62. Programs promote a ‘web of accountability’, including for women whose partners are engaged with an MBCP who may not previously have been connected with support.⁸⁰ Feedback from the program is that men experience participation as a significant and meaningful consequence for creating change.⁸¹
63. The need for a specific CALD MBCP was identified by Northwest Men’s Integrated partnership in 2008, driven by the high number of Vietnamese women contacting InTouch Multicultural Centre Against Family Violence.⁸² The pilot program ‘Vietnamese Men’s Family Violence Program’⁸³ was delivered in 2010 over a period of 15 weeks.
64. Following the recommendations of the first evaluation report,⁸⁴ a third Vietnamese men’s group, ‘Vietnamese Men’s and Family Violence Group’ ran in 2011 for 15 weeks with a male and female Vietnamese speaking facilitator. The project has enabled the consolidation of a model for family violence work with CALD communities, and specifically for MBCP work. The project has made a start with Vietnamese men in Melbourne’s Northwest. Certainly, referral sources have encouraged the development of MBCP groups for Indian, Arabic-speaking and African men. [See **Appendix 9**: MBCP evaluation – Three key areas of learning and growth.]
65. Similarly, the South Asian Men’s Behaviour Change Program⁸⁵ was developed in response to the significant proportion of CALD men entering the Kildonan Uniting Care MBCP. The program is based in Melbourne’s northern suburbs but open to all Victorian men from the southern

region of the Asian continent, which comprises Bangladesh, Bhutan, India, Maldives, Pakistan and Sri Lanka.

RECOMMENDATION 4 - MEN'S CULTURALLY APPROPRIATE PROGRAMS

The VMC recommends continued support for current Men's Behaviour Change Programs (MBCP) and extension of similar programs to meet the needs of specific community subsets.

Access to Court Based Services

66. The Magistrates' Court of Victoria Family Violence Court Division (FVCD) and Specialist Family Violence Service signal a repositioning of courts within the community to better align the justice response to family violence with state wide policy developments and the service system.
67. Training and specialisation is a significant focus for the role of judicial officers and family violence. The Victorian Magistrates' Court recent response to family violence included a strategic priority for professional development. That is, all Magistrates (not just those sitting in specialist lists or divisions) will be required to undergo two days of specialised training in family violence.⁸⁶ The Magistrates' Court also seeks to improve and encourage state-wide consistency and best practice in the Court's response to family violence by improving responses to CALD clients.⁸⁷
68. Victoria's Neighbourhood Justice Centre provides targeted intervention connected with a community engagement approach to encourage a more personalised sense of accountability. CALD offenders have a greater stake in complying with the court's decision to avoid being shunned by their families, or being considered to have brought great shame upon their families or the community.⁸⁸
69. Evidence suggests that CALD women are generally discontented with the court system. Issues raised included inconsistent legal outcomes, infrequency of responses encouraging women's restoration, limited access to financial resources and inadequate addressing of the needs of CALD women in the justice response.⁸⁹

Access to Interpreters

70. An eleven-year trend analysis indicated the proportion of applicants and respondents receiving a translation/interpreter service at a Victorian court for family violence matters as small (less than 5 per cent).⁹⁰ Anecdotal evidence from judicial officers suggests that the number of people from CALD backgrounds making applications for intervention orders is much higher than interpreter statistics suggest.⁹¹

[See **Appendix 6** for data on the number of affected family members requests for an interpreter in family violence cases across Victoria's courts between 2013-2014.]

Effective Service Support Models

71. **A Multi-agency Integrated Approach Service Model** - Australian research found that CALD women feel more comfortable accessing settlement services, rather than mainstream services, and had an expectation that these services would be able to address all of their diverse needs.⁹² A high level of trust is embedded in CALD specific services placing increased pressure on existing CALD services where mainstream services lack the capacity, or expertise, to address the diverse needs of CALD communities.⁹³

72. Research suggests that integrated, comprehensive and collaborative models of service delivery are likely to be particularly successful in addressing the interrelated factors that affect CALD women experiencing family violence and facilitating access to assistance.⁹⁴ Whittlesea Community Futures recommended adopting an integrated family violence service model that addresses empowering CALD women, building the capacity of community and religious leaders, education programs targeting young people, reducing recidivism and early intervention in the settlement process.⁹⁵
73. Key success features of an international best practice approach to family violence (United Kingdom’s Multi-Agency Risk Assessment Conference) are:
- a) Multi-agency integrated approach
 - b) Shared understanding of risk factors and intervention
 - c) Enables a comprehensive and client-centred response
 - d) Provide a forum for sharing information and taking actions to reduce harm to high-risk family violence survivors.
74. Women from CALD backgrounds are identified in the Victorian Government’s Common Risk Assessment Framework as one of the groups at greatest risk of family violence.⁹⁶
75. The ‘Hume Strengthening Risk Management Project’ and the ‘Northern Integrated Family Violence Service’ (NIRR) are local examples of the use of multi-agency integrated approaches to address family violence and strengthen family violence risk management. The focus of the NIRR project was primary prevention aimed at community and religious leaders. Research has indicated that both survivors and perpetrators make disclosures of family violence to religious leaders and seek their advice and assistance in family violence situations.⁹⁷ Community leaders might play a greater role in engaging with or challenging perpetrators alongside a justice approach.
76. Women from CALD backgrounds may encounter attitudes within their own communities that are unsupportive or that encourage actions that potentially put them at greater risk, such as returning to an abusive relationship.
77. Interventions aimed at empowering community and religious leaders as ‘change agents’ encourage leaders to respond appropriately to individual disclosures of family violence within their communities and ensures responses meet its outcomes for everyone by meaningful participation of diverse groups.
78. **A Model for Change** – International evidence has successfully identified the complex factors contributing to violence against women and their children as being embedded in the broader social practices and cultural values of society. A key underlying factor was adherence to rigid or narrow gender roles and stereotypes.⁹⁸ Broader attitudinal and cultural support for violence also contributed.
79. Our Watch has designed the ‘emerging theory of change’ to align with the outcomes and objectives of the *National Plan to Reduce Violence against Women and their Children 2010-2022*. It is based on six interrelated principles including:⁹⁹
- a) ‘Build a movement’ to prevent violence through collaboration and partnership at all levels of government, organisations, service sector, schools and workplaces;
 - b) Identify and address the root causes of violence against women and their children;

- c) Undertake different approaches to create change at individual, community and institutional levels;
 - d) A long-term program with initiatives that reinforce each other to maximise change;
 - e) Whole-of-population approach, tailored for different groups in society; and
 - f) Continuous evaluation and further research.
80. This requires harnessing the promotion of change and shifts in attitudes and behaviours in family units and through organisations and entities such as workplaces, schools, sports clubs, community groups and tailored approaches in partnership with CALD communities. As part of an holistic effort, all strategies are based on consultation with, and participation and consideration of the needs and ideas of different CALD groups, promoting self-advocacy and capacity building to promote respectful relationships.

RECOMMENDATION 5 - DEVELOP A CULTURALLY RESPONSIVE MULTI-AGENCY STRATEGY

The VMC recommends that the Victorian Government support a culturally responsive and effective multi-agency strategies that support people from CALD backgrounds (men, women and children) to foster respectful relationships and sound parenting practices.

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