



“The impact of domestic violence on any individual, family, or community is highly traumatic for all concerned. It becomes even more complicated when ethno cultural and religious factors are central to the family system (Cwik, 1995).

Jewish Care Victoria is the leading community support organisation for the Victorian Jewish Community. A pioneering organisation with a long history of influence, Jewish Care was first established in 1848 as the Melbourne Jewish Philanthropic Society and today is a large, thriving organisation responsive to the changing needs of the Jewish Community of Victoria. Jewish Care has over 600 staff and 400 volunteers. Its foundation values of kindness, family, respect and charity underpin a clear vision and mission to support and enhance the wellbeing of the Jewish Community of Victoria by offering a breadth of programs for individuals and families.

In addition to a range of aged care and disability services, Jewish Care’s Individual and Family Support Division, funded by the community, works with the most vulnerable members of the community through the following services:

- Information and Access service
- Complex Care – Service Coordination program
- Housing Support
- Mental Health Promotion
- Individual and Family Counselling
- Financial Counselling
- Emergency Aid program

Jewish Care is a family service provider and member of the Inner Middle Integrated Family Services Alliance.

Jewish Care welcomes the opportunity to make a submission to the Victorian Royal Commission into Family Violence. We would also welcome the opportunity to contribute to future discussions that seek to provide further clarity about the needs of the Jewish Community or in relation to any policy or funding considerations in the area of Family Violence.

This submission is informed by Jewish Care’s work with women and children who have experienced family violence, in addition to the services we provide to the ultra-Orthodox Jewish Community.

The submission is divided into two sections. Firstly, it makes a series of recommendations about how to improve responses to family violence which will promote the safety of women and children from the Jewish Community. In the second section, the submission examines the needs of ultra-Orthodox religious women and children in the Jewish Community who experience family violence as they are unlikely to access secular services. As such, any response framework that fails to understand and sensitively incorporate their specific cultural and religious requirements will ultimately put at risk women and children from this specific group.

Section 1. The need for a Jewish specific response to family violence

The Victorian Jewish Community consists of 52,000 people. Its fabric is woven from peoples from around the world including Israel, South America, Eastern European, and South Africa alongside

those who have lived in Australia for multiple generations. How Judaism is expressed is as diverse as the languages spoken.

Jewish Care recognises that the specific religious and cultural traditions of the Jewish Community have at times created hurdles to the effective identification and protection of women and children who are forced to live with family violence. The major factors contributing to such barriers include:

- A belief that mainstream systems of protection are not sensitive to the needs of Jewish women and children to continue to live in a tight knit community after the involvement of police, community and health related systems;
- A tradition in which Rabbis have been central figures of advice and action for Jewish women and children even though the Rabbis may not have had up to date knowledge and skills to be able to effectively ensure that women and children were safe in the short and long term;
- Jewish women may be frightened to access mainstream alternative accommodation options because they do not provide for or support the continuation of their religious or cultural practices;
- A heavy reliance on keeping individual problems, such as family violence and child sexual abuse, within the community itself so as not to be seen to bring shame onto the community for exposing these problems to the non-Jewish Community.

It is the view of Jewish Care that despite the best endeavours of previous governments, the current family violence service system is fragmented with inadequate resources directed toward supporting women and children from the Jewish Community who have been affected by family violence. There remain significant gaps to accommodation options for those attempting to leave violent relationships and a lack of support and therapeutic services offered to women and children in the aftermath of family violence that are both sensitive to and able to engage women and children from the Jewish Community. Jewish Care applauds the establishment of this Royal Commission as an important initiative aimed at highlighting these gaps and advocating for change.

In order to overcome these restraints, it is the view of Jewish Care that the following recommendations for reform be considered:

- State Government to provide funding to Jewish Care to run community and professional education about the needs of Jewish victims of family violence to ensure that their responses are culturally relevant, sensitive and respectful.
- State Government to provide funding for Jewish Care to run a Jewish specific crisis support program for women and children leaving relationships in which they have been the target of violence from husbands and partners.
- State Government to continue to fund a Jewish Community Police Liaison officer whose role it is to work across Jewish Community to improve the accessibility of Police and legislatively sanctioned intervention for women and children from the Jewish Community.
- State Government to provide funding for Family Violence Outreach Legal Services to be provided in Jewish Community Organisations.
- State Government ensures that Family Violence Case Management Services/Court Support be provided by sub-contracting arrangements from entry point agencies to ethno-religious agencies where there is a clear need identified by the woman for an ethno-religious response.

Section 2. The need for specific response to promote the safety of women and children in the ultra-Orthodox Jewish Community

There is a unique pocket of the Jewish Community that is less affected by and responsive to the mainstream. These are the families of the ultra-Orthodox communities. These communities ascribe to deeply religious values and are typically insular, following traditional ways originating in Eastern Europe many hundreds of years old. Members of this group face specific issues causing poor employment uptake and poverty¹.

Although each subgroup of Orthodox Jews presents idiosyncratic differences, a number of similarities are shared:

1. The community is centred on the synagogue; the geographic proximity provides a sense of belonging to a large communal family, which resembles their own daily home life.
2. Gender roles are clearly defined. Men devote much of their time to Torah (Old Testament) study; women often provide the sole family income in addition to being in charge of the household.
3. The Torah and the Talmud (oral law) provide strict guidelines about aspects of daily living including marriage, divorce, family relationships, sexual behaviour, charity, observance of the Sabbath and holidays, and dietary laws (*kashrut*), among others (Margolese, 1998).

Strictly Orthodox Jews find it almost impossible to live outside one of the few enclaves in Melbourne. These enclaves, offer kosher butchers and grocers, synagogues, prayer and study houses, schools, ritual baths and other services essential to the maintenance of Orthodox Judaism. Communities are generally close-knit, with many family and neighbourhood ties. Women may have very few dealings outside the community.

It is estimated that some 5,500 of the Victorian Jewish Community identify themselves as ultra-Orthodox including 2,000 from the Adass community².

The following analysis provides an examination of the obstacles facing the ultra-Orthodox community and makes recommendations about how these obstacles can be addressed.

- **Social Campaigns aimed at preventing Family Violence are not accessible by the ultra-Orthodox community**

Mainstream messaging through social campaigns, promotional materials, educational sessions in their current format have little impact on the ultra-Orthodox Jewish Community.

Ultra- Orthodox Jewish people are typically opposed to the viewing of television and films as well as reading secular newspapers or books. Many families within the ultra-Orthodox community do not have televisions or computers in their home. The ultra-Orthodox community is self-sufficient having

¹ Markus, A. & Munz, M. (2012) "Poverty and Emergency Relief in the Jewish Community Report"

² <http://artsonline.monash.edu.au/gen08/files/2012/12/gen08-report2-jewish-continuity-full-report.pdf>

their own newspapers, their own communications. Significant periods of a man's day are spent in religious study. Children go to Jewish religious day schools within the community which limits exposure to mainstream influences. Their world is governed by strict traditions and rituals. Mixing with others is limited and when it occurs it is generally restricted to community male leaders.

It is the recommendation of Jewish Care that:

- To be equally effective, primary prevention strategies need to be ethno-specific and the delivery of key messages need to take into account the communication structures and information mediums most relevant to the particular community.
- Schools based primary prevention programs to be inclusive of minority religious day schools.
- Formal communication structures existing within Jewish Community Organisations are utilised as part of the development of social media and primary preventions campaigns. To ensure that members of the Victorian Jewish Community have equitable access to the information.

- **Single entry points to specialist family violence services are unlikely to be accessed by the ultra-Orthodox Jewish Community**

Whilst single entry pathways provide for streamlined entry into the service system for a significant majority of the community, the ultra-Orthodox will not engage with these entry points. Beyond a lack of knowledge about the service system as a whole, and reluctance to interact outside their community, many of these single entry points are managed by Church based not for profit organisations. This in itself serves as a significant barrier to engaging any community that is not part of the dominant culture and is particularly true for people from minority religions.

CALD women do not always access family violence, police or legal services in the first instance, but may be referred via culturally-specific organisations (including religious organisations). Partnerships between services are therefore vitally important in ensuring equitable access for CALD women and religious minority groups. (InTouch 2010)

Cross Sector Partnerships are crucial. Increasingly access to information and services is being provided within single entry points, integrated service delivery, and local area planning frameworks. Ethno specific service providers have become increasingly marginalised from the family violence service system through lack of formal representation and active partnership approaches.

Cultural awareness training within the family violence system, increased uptake of language services and the funding of CALD peak bodies (Intouch) is welcomed. However these approaches absent of an active connection between ethno specific services and the family violence system do not lead to improved outcomes for ethno-religious women, particularly Orthodox and observant Jewish women and their children. The approaches required for equitable access in each local planning area (DHHS region) will be varied depending on the ethnic/religious make up of that area.

Funded entry point and integrated family violence support/service providers have a responsibility to ensure their services are as accessible as possible, to rigorously address deficiencies and to have some understanding of what is the most appropriate service response for the cultural and religious groups that live in their catchment (InTouch 2010). A requirement to pro-actively partner with ethno-specific services relevant to the local area is a crucial element of bridging the gap between the Jewish Community and the entry point system.

It is the recommendation of Jewish Care that:

- Single entry point providers include representation from ethno-religious/ ethno-specific services as they relate to the particular CALD needs of the catchment.
 - Family Violence resources to be delivered in ethno-specific services.
 - A No Wrong Door approach, or soft entry points be supported, acknowledging that women from the Victorian Jewish Community will access Jewish specific services for assistance prior to, if at all, utilising mainstream service provision.
 - Resourcing of assisted entry processes to ensure women who present to ethno-religious services can access integrated family violence services
 - An in-reach approach be adopted that engages community leadership in recognition that success relies on capacity to effect change from within.
- **The ultra-Orthodox community are unlikely to report family violence to mainstream legal, police and support systems.**

As a closed community, there is limited engagement by the ultra-Orthodox community with mainstream service providers. In addition, the Jewish history of persecution and discrimination has led to the ultra-Orthodox community being suspicious of non-Jewish authorities, resulting in reluctance to engage/report.

Compounding this is the interpretation of *mesirah*, a Rabbinic law that forbids one Jewish person from reporting wrong doings of another Jewish person to a non-Rabbinic authority. A person who violates this law is known as a *moser* and can be ostracised from the community. Although this law is not intended to apply to the reporting of legitimate crimes, a community that is yet to fully recognise and define family violence is likely to be reluctant to report such acts to the police without Rabbinic approval. The Royal Commission into Institutional Child Sexual Abuse highlights the veil of secrecy that results from the upholding of *mesirah*.

Interventions that target the Orthodox Jewish Community must acknowledge the significant role of the Rabbi and Jewish traditions.

In addition to Australian law and courts, the ultra-Orthodox community has a parallel system of its own laws and courts.

Marriage and family is the back bone of the Jewish religion. Arranged marriages are a prominent feature of the ultra-Orthodox community. Match makers seek to match like families based on hierarchy and status. A family tainted with a disclosure of family violence or child abuse, risks severely impacting on the ability for a marriage to be arranged, and with the significant role of the

family in Jewish ritual and tradition, this is considered an untenable outcome for many. Because of the shame associated with family violence within the Orthodox community survivors of abuse are often afraid to commit a *shonda*, or to bring embarrassment upon their families and community.

Compounding the risks, where a man or woman cannot be matched, searches will go beyond the local community and include arranged inter-country marriages. Like other newly arrived immigrants these individuals find themselves at even greater disadvantage should their marriage become abusive.

When divorcing, a couple requires both a civil decree and a religious divorce, Religious divorces are arranged by a Beth Din (Rabbinic tribunal) and include the delivery of a *gett* (Jewish Divorce Document) from the husband to the wife. Jewish law requires that both parties participate in this ceremony willingly and without coercion. There are cases when a party refuses to cooperate (most often the husband) making it impossible for the other to remarry or move on. A woman who is refused a get is referred to as an *agunah* (a chained woman). Gett refusal is often another form of abuse as it enables one party (the man) to exercise inappropriate power and control over the other. Without a Gett, the divorce is not recognised under Jewish law even if Australian courts grant the divorce.

Without understanding and respecting the ethno-cultural-religious factors unique to the Orthodox Jewish Community, any endeavours resulting from the Royal Commission that do not prioritise tailored approaches will fail to ensure there is equitable access to information and services for women of minority groups.

It is the recommendation of Jewish Care that following be developed

- Tailored community education program aimed at increasing Rabbinical involvement in reporting/utilising police and legal services.
 - Tailored community programs aimed at educating boys and young men from within the ultra-Orthodox community about respectful attitudes and practices
- **Ultra-Orthodox women and children will not access mainstream refuges, crisis accommodation and support programs.**

Ultra-Orthodox families are 5-6 times more likely to have 4 or more children than the wider Victorian Community. It is not uncommon for families to have 10-12 children or more. It is well known that traditional refuges do not have capacity to accommodate women with multiple children. In addition to family size, *kashrut* requirements, the need to be close to Synagogues, Jewish religious schools, ritual bath houses, and community centres all act as barriers to Orthodox Jewish women accessing the existing refuge/crisis accommodation system. The small geographical space that these communities occupy make it near impossible to establish a refuge that is able to remain secret, highlighting the need to explore alternate models of safe 'crisis' housing for women and their children.

The Family Violence Protection Act 2008 and Family Violence Protection Amendment Regulations 2013 provide for the safety of women and children through its authority to direct a perpetrator to

leave a residence and enforcement of intervention orders. There remain situations, where for added safety, women are required to relocate their families to other suburbs or even States/Territories. Relocation and resettlement brings with it financial burden, emotional distress, physical upheaval and social disconnect.

Relocation is not an option for the ultra-Orthodox unless they are prepared to give up their cultural and religious practices; **prepared to make a choice between being Jewish and being safe**. This trade-off should be unacceptable in a service system that intends to be respectful of cultural and religious diversity.

It is the recommendation of Jewish Care that

- The current Family Violence refuge and crisis accommodation provision needs to be researched with a particular focus on its functionality/appropriateness and utilisation by women of minority religions.
- As required the specific needs of ethno religious crisis accommodation options should be considered as part of family violence responses to CALD women.

Summary and Conclusion

In order to ensure opportunities for equitable access to information and service provision for all women and children living with family violence, Jewish Care makes the following key recommendations:

RECOMMENDATION 1: That the Royal Commission recognises that ethno-specific services have more than a peripheral role to play in the promotion, prevention, early intervention and service delivery of Family violence activities and must be resourced adequately to meet the needs of their specific communities.

RECOMMENDATION 2: That the Royal Commission recognises that the needs of minority religions differ from culturally or linguistically diverse communities and require an approach that actively engages ethno-specific agencies in a planning and implementation.

RECOMMENDATION 3: That the Royal Commission recognises that local planning for family violence responses from promotion to intervention must include the active engagement of ethno-specific services within that specific area to ensure relevance and equity of access and resource.

RECOMMENDATION 4: That the Royal Commission recognises that there are pockets within the Jewish Community, more specifically, the ultra-Orthodox community who do not respond to mainstream promotion, prevention and early intervention activities; experience significant barriers to reporting family violence; and are unlikely to engage in mainstream service responses given their adherence to strict religious and cultural practices.

RECOMMENATION 5: As such, a unique response must be considered that meets the needs of the ultra-Orthodox Jewish Community and has potential to be transferrable to other unique communities particularly those with ethno-cultural-religious factors not easily met within the current CALD frameworks and understandings.

The emerging responses from the Royal Commission into Family Violence should include the following elements

- action needs to occur at the local level to effectively impact what is a major social issue across the diversity of communities that make up Australia;
- local planning for family violence must include ethno-specific/ ethno-religious services;
- for the success of any initiatives, **community leadership needs to be effectively engaged to create by-in and manage issues of distrust;**
- any activity whether it be promotional or service delivery needs to be delivered by and from within ethno-specific communities;
- promotional messaging needs to be culturally specific and religiously relevant;
- soft entry points are essential and should be resourced as a strategic component of the Family Violence service system to encourage disclosure and help seeking;
- the crises support needs of ethno-specific communities differ from mainstream communities and as such should be prioritised both through future research and in service planning.

BIBLIOGRAPHY

Cwik, M. (1995). Couples at risk? A feminist exploration of why spousal abuse may develop within Orthodox Jewish marriages. *Family Therapy*, 22, 165-183.

Elana Grodner and Jay Sweifach (2004) Domestic Violence in the Orthodox Jewish Home: A Value-Sensitive Approach to Recovery *AFFILIA* , Vol. 19 No. 3, Fall, 305-316

InTouch Multicultural Centre Against Family Violence (2010) Barriers to the Justice System Faced by CALD Women Experiencing Family Violence

Margolese, H. (1998). Engaging in psychotherapy with the Orthodox Jew: A critical review. *American Journal of Psychotherapy*, 52, 37-53.