



## ECCV Submission to the Royal Commission into Family Violence

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**June 2015**

The Ethnic Communities' Council of Victoria Inc. (ECCV) is the Voice of Multicultural Victoria.

As the peak body for ethnic and multicultural organisations in Victoria, we are proud to have been the key advocate for culturally diverse communities in Victoria since 1974. For 40 years we have been the link between multicultural communities, government and the wider community.

We aim for a culturally diverse and harmonious society that is just, fair and inclusive where all people have the opportunity to participate in and contribute to, community life. We advocate for freedom, respect, equality and dignity for multicultural communities and strive with others, to build a strong, vibrant Victorian community.

This submission is informed by several roundtables and community consultations on family violence and elder abuse ECCV has conducted since 2012. These consultations included representatives from ethno-specific family violence services, ethno-specific family and children services, ethno-specific aged care providers, ethno-specific senior groups and representatives from local government.

ECCV conducted a roundtable on men's health from cultural and linguistically diverse communities in 2014. ECCV will continue to explore ways to engage with cultural and linguistically diverse men on this very important issue.

The submission is separated into two parts: Family Violence and Elder Abuse. In both cultural and linguistically diverse and the wider community, family violence is vested in gendered applications of power. Elder abuse is part of the family violence spectrum. Like other forms of family violence, elder abuse is about one person having power and control over another person.

### **Summary of recommendations**

The recommendations listed in this submission relate to both family violence and elder abuse. ECCV recommends the following:

1. Improved ethno-specific data collection by government departments, health services and family violence services
2. Employment of bilingual workers in family violence services, justice and police services to ensure best practice in the delivery of culturally proficient services and models of care
3. An accredited interpreter must be provided to the people experiencing family violence
4. Compulsory professional development training for police and family violence workers on how to work with interpreters

**Patron**  
The Right Hon Malcolm Fraser AC, CH,  
former Prime Minister of Australia

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5. Compulsory cultural competence training for all government agencies who deal directly with the community and for all service providers
6. More long term funding for primary prevention strategies and promotion targeted for culturally and linguistically diverse communities
7. Crisis assistance should be available to all women in Victoria, regardless of visa status
8. Stronger partnerships between family violence services and ethno-specific services to deliver better intervention and crisis intervention for culturally and linguistically diverse women
9. Introduction of accreditation and compulsory family violence training for funded and voluntary family violence services
10. Further development and continuation of elder abuse community education programs for culturally and linguistically diverse communities, with any campaigns regarding elder abuse must be informed by the targeted culturally and linguistically communities
11. An understanding of culturally and linguistically diverse community perspectives be included in professional education for general practitioners and other aged care service providers
12. Proper resourcing for mainstream services, such as Seniors Rights Victoria, to engage with culturally and linguistically diverse clients and ethno-specific agencies to ensure improved delivery of elder abuse services to cultural and linguistically diverse communities
13. All aged care and bilingual aged care workers are resourced with ongoing professional development and training to identify and properly address elder abuse
14. Culturally and linguistically diverse specific information is provided within existing elder abuse training

## **Part 1: Family Violence**

### **1.1 Overview**

ECCV welcomes the opportunity to make a submission to the Royal Commission into Family Violence. Violence in cultural and linguistically diverse communities is no more endemic or profound in the wider community. The difference for cultural and linguistically diverse women is the difficulty in accessing appropriate services.

The Multicultural Victoria Act 2011 and the Charter of Human Rights and Responsibilities Act 2006 recognise Victoria's diversity and provides for equality and recognition before the law and protection of cruel and degrading harm. This submission provides recommendations to ensure these requirements are met for the cultural and linguistically diverse communities.

In Victoria, there is only one accredited family violence service, InTouch, Multicultural Centre Against Family Violence, that specialises in providing crisis response to cultural and linguistically diverse women experiencing family violence. Victoria's population includes 46.8% of Victorians who were either born overseas or have at least one parent born overseas.<sup>1</sup> One dedicated multicultural domestic violence services does not provide sufficient coverage to all culturally and linguistically diverse women seeking family violence services.

Determining how many culturally and linguistically diverse women access family violence services in Victoria is important. Data collection is important to assist services with understanding local

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<sup>1</sup> Victorian Multicultural Commission (2014) *2011 Census: A snapshot of our diversity*, <http://www.multicultural.vic.gov.au/population-and-migration/victorias-diversity/2011-census-a-snapshot-of-our-diversity>, accessed 28 April 2015

demographics, such as ethnicity and languages spoken in the communities they service. This will assist government departments and services to share information, to plan and resource family violence services appropriately.

Each woman experiences family violence in different ways and in different cultural and physical settings. Family violence services need to be integrated and flexible to meet the needs of all women experiencing family violence. Service delivery must acknowledge the diversity of women and their diversity of needs.

Many cultural and linguistically diverse women have been disillusioned with their experiences in reporting and seeking help for family violence. This has led women to withdraw family violence complaints or stop using services. Integrated service models provide better outcomes to women experiencing family violence.<sup>2</sup> Such services provide for better referral pathways to family violence services, and provide the opportunity for co-case management with ethno-specific services to ensure culturally and linguistically diverse women are completely supported throughout their journey.

There are many ethno-specific services and community health organisations responsible for delivering excellent, innovative and culturally proficient work in primary prevention, intervention and crisis intervention work. Many of these services do not receive funding for their services or receive limited funding, despite the success and efficacy of their work in family violence and elder abuse. ECCV recognises the work of organisations such as:

- Australian Muslim Centre for Human Rights
- Cohealth
- inTouch Multicultural Centre Against Family Violence
- Jewish Taskforce Against Family Violence and Jewish Care
- Multicultural Centre for Women's Health
- Victorian Arabic Social Services
- Victorian Immigrant and Refugee Women's Coalition
- Victorian Refugee Health Network

ECCV supports the submissions made by these organisations, as they provide great insight on the barriers and possible solutions for cultural and linguistically diverse women experiencing family violence.

There are a disproportionate number of culturally and linguistically diverse women in Victoria's correctional facilities. In 2009, 25% of the total number of women imprisoned in Victoria were from culturally and linguistically diverse backgrounds.<sup>3</sup> Many are in prison as a direct result of

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<sup>2</sup> InTouch Multicultural Centre Against Family Violence (2010) *"I lived in fear because I knew nothing" Barriers to the Justice System Faced by CALD Women Experiencing Family Violence*, Melbourne, Victorian Law Foundation

<sup>3</sup> Centre for Human Rights of Imprisoned People (2010) *Culturally and Linguistically Diverse Women in Victoria prisons*, <http://www.flatout.org.au/wp-content/uploads/2012/04/Culturally-and-Linguistically-Diverse-Women-in-Victorian-Prisons1.pdf>, viewed online 11 May 2015

experiencing family violence. ECCV supports the submission by Flat Out, an organisation which supports and advocates for criminalised women.

#### **Recommendation 1**

ECCV recommends improved ethno-specific data collection by government departments, health services and family violence services.

### **1.2 Barriers**

Cultural and linguistically diverse women and children face additional barriers accessing family violence services. This section provides recurrent themes that culturally and linguistically diverse women have identified as barriers for them in accessing services. This should inform prevention and intervention strategies to accessing family violence services, justice and protection services. It should be noted that these barriers vary between individuals and between communities.

Cultural and linguistically diverse lesbians, gays, bisexuals, transsexuals and intersex (LGBTI) also experience family violence. The barriers discussed below are even greater for the LGBTI community as they also experience additional discrimination based on their sexuality.

#### *Language and cultural barriers*

Language remains an important barrier for women who attempt to access family violence services. For women who have little to no English language skills, it is very difficult to contact the police or access services.

Relying on children to act as interpreters in these situations will further traumatise the children. This can lead to negative emotional and psychological well-being on the child.<sup>4</sup>

Cultural and linguistically diverse women have had bad experiences when dealing with police and family violence services. Services are still hesitant to use interpreters to assist with talking to women experiencing family violence. It is important culturally and linguistically diverse women are provided with as much information and support as they need, in the language they prefer. If there is no trained bilingual staff available, an accredited interpreter must be provided to the people experiencing family violence.<sup>5</sup>

ECCV supports the use of bilingual workers to work with culturally and linguistically diverse women. Bilingual workers provide a culturally competent model of care for ethnic communities with cultural and linguistically diverse women are more comfortable speaking to people from their own culture.

Some culturally and linguistically diverse women have had negative experiences when seeking help from police or mainstream family violence services. Conscious or unconscious bias can influence police officers and service providers when they are responding to women from another culture.

<sup>4</sup> Immigrant Women's Domestic Violence Service (2008) *What about the Children? The Voices of Culturally and Linguistically Diverse Children affected by Family Violence*, Melbourne, State of Victoria

<sup>5</sup> InTouch Multicultural Centre Against Family Violence (2010) *"I lived in fear because I knew nothing" Barriers to the Justice System Faced by CALD Women Experiencing Family Violence*, Melbourne, Victorian Law Foundation

**Recommendation 2**

ECCV recommends employment of bilingual workers in family violence services, justice and police services to ensure best practice in the delivery of culturally proficient services and models of care.

**Recommendation 3**

ECCV recommends that an accredited interpreter must be provided to the people experiencing family violence.

**Recommendation 4**

ECCV recommends professional development training for police and family violence workers on how to work with interpreters

**Recommendation 5**

ECCV recommends compulsory cultural competence training for all government agencies who deal directly with the community and for all service providers.

*Knowledge and access to services*

Many culturally and linguistically diverse women do not know of family violence services available to them. For humanitarian visa entrants, family violence is only small part of the orientation process. Therefore they remain unaware of their legal rights and avenues of support.

Better resources and targeted and culturally appropriate promotion must be funded and delivered to ensure all culturally and linguistically diverse communities are aware of the issues of family violence and of the services available.

Through ECCV's consultation, many communities have been critical of current primary prevention strategies. Current primary prevention campaigns fail to target culturally and linguistically diverse communities. In Victoria Our Watch has funded two primary prevention projects, for one year, targeting the Indian and Arabic speaking communities. This is a good initial step in directing primary prevention services and promotion on the culturally and linguistically diverse community. Unfortunately with short term funded primary prevention projects, these projects cannot be sustained without funding. Therefore the outcomes of these projects will dissipate over time.

For true minimisation and eradication of family violence, men must be included as part of the solution to this issue. Men's Behaviour Change must also target and be appropriate for men from cultural and linguistically diverse communities. Currently there are two known cultural and linguistically diverse Men's Behaviour Change programs running in Victoria: a Vietnamese targeted program run by Relationships Australia and a South Asian targeted program run in Kildonan. Unfortunately there is no ongoing funding for either program.

**Recommendation 6**

ECCV recommends more long term funding for primary prevention strategies and promotion targeted for culturally and linguistically diverse communities.

*Immigration and migration experience*

Immigration status uncertainty can be a barrier to reporting family violence. Fears of losing their visa status or their partner being the primary visa holder discourages women from reporting family violence and seeking help.

Pressure of settlement and torture and trauma experienced by newly arrived migrants can lead to power imbalances in the family, which can be a factor towards family violence. This can also be a barrier to seeking help, as there are genuine fears of deportation or lost economic stability.<sup>6</sup>

For all culturally and linguistically diverse communities, the migration experience is an important factor in shaping their perceptions of government and services. For those who have left totalitarian regimes, they continue to fear and be distrustful of authority figures such as police and the courts. As a result, they are less inclined to report family violence occurrences to the appropriate authorities.

Another barrier is women's fear of ostracization from their community due to the stigma and shame related to reporting family violence. Women have reduced networks of support due to migration. Being ostracized and losing their community network is added trauma for newly arrived women.

This ostracization not only happens to women experiencing violence, in our consultations, one service provider spoke of a man who was ostracized from his community for reporting family violence experienced by a friend.

International students are particularly vulnerable, as they are not eligible for certain types of assistance. Due to funding requirements, services are restricted on who they are able to provide services to. Services cannot provide funded services to women with temporary or tourist visas, such as international students. Service providers at our consultations have noted many international students are seeking assistance after they have been turned away from most mainstream family violence services.

#### **Recommendation 7**

ECCV recommends that crisis assistance should be available to all women in Victoria, regardless of visa status

### **1.3 Service delivery**

inTouch Multicultural Centre Against Family Violence is the only family violence service catering to culturally and linguistically diverse women. More funding and resources are necessary to provide adequate services to culturally and linguistically diverse women in metropolitan and regional Victoria.

Mainstream family violence services need more assistance with providing culturally competent services to culturally and linguistically diverse women. Integrated services are one way to provide holistic services which provide best possible care to women and children experiencing family violence. Co-case management with ethno-specific services would provide better culturally appropriate services to cultural and linguistically diverse women.<sup>7</sup>

<sup>6</sup> Ethnic Communities' Council of Victoria (2013) *Women Surviving Violence Cultural Competence in Critical Services*, Research Paper, Melbourne

<sup>7</sup> InTouch Multicultural Centre Against Family Violence (2010) *"I lived in fear because I knew nothing" Barriers to the Justice System Faced by CALD Women Experiencing Family Violence*, Melbourne, Victorian Law Foundation

In many instances, interpreters have not been used by Victorian Police and mainstream family violence services. ECCV recommends that police and family service providers are provided with professional development training for working with interpreters.<sup>8</sup>

There are many organisations providing voluntary family violence services to culturally and linguistically diverse women. To ensure the safety of these women and of the volunteers, the Victorian government must put in place practicable, accountable and cost effective accreditation standards for all family violence services, funded and voluntary, to ensure all professional and safety standards are met.

**Recommendation 8**

ECCV recommends stronger partnerships between family violence services and ethno-specific services to deliver better intervention and crisis intervention for culturally and linguistically diverse women.

**Recommendation 9**

ECCV recommends the introduction of accreditation and compulsory family violence training for funded and voluntary family violence services.

## Part 2: Elder abuse

### 2.1 Overview

Since 2012, the ECCV has run a project in partnership with Seniors Rights Victoria to raise awareness of elder abuse in six ethnic communities. This project has involved close consultation with ethnic communities to develop key messages and identify barriers to support. This project resulted in a production of *Within My Walls*, a community education DVD and resource on elder abuse. Bilingual workers have been trained and are now delivering community education to older people, in their first language, including pathways to support. This has resulted in tangible increases in referrals to Seniors Rights Victoria. These stakeholder consultations inform the elder abuse section of this submission.

Elder abuse is part of the family violence spectrum, recognised under the Victorian Family Violence Protection Act 2008. Like other forms of family violence, elder abuse is about one person having power and control over another person.

Elder abuse includes criminal acts such as physical assault, fraud, coercive and threatening behaviour, exploitation, mistreatment and neglect.<sup>9</sup>

Elder abuse has different manifestations than other forms of family violence. Although more women than men suffer from elder abuse, there is a significant number of older men (25%) who experience elder abuse, according to Senior Rights Victoria client data. Unlike other forms of family

<sup>8</sup> Ethnic Communities' Council of Victoria (2013) *Women Surviving Violence Cultural Competence in Critical Services*, Research Paper, Melbourne

<sup>9</sup> Senior Rights Victoria (2015), *What are the types of elder abuse?*, <http://www.seniorsrights.org.au/toolkit/toolkit/what-is-elder-abuse/#item-2>, viewed on 11 May 2015

violence, elder abuse is perpetrated equally by both men and women, most often by the adult sons and daughters of older people.<sup>10</sup>

There is no evidence of higher prevalence of elder abuse in cultural and linguistically diverse communities, however it is likely to be more hidden and under-reported. Migration history leading to an increased dependence on adult children may result in increased risk of elder abuse amongst older migrants.

## **2.2 Barriers**

There are many barriers facing older people from culturally and linguistically diverse communities in reporting abuse. Although there is beginning to be an understanding of elder abuse in the wider community, cultural and linguistically diverse communities are just beginning to understand the concept of elder abuse. More work needs to be done to educate cultural and linguistically diverse ageing communities on what is elder abuse.

The barriers discussed below have come through various ECCV consultations organised to inform the ECCV Elder Abuse project.

### *Language and literacy*

Culturally and linguistically diverse seniors are unaware of services available to them, as there is limited information in their language and a lack of bilingual services. This restricts the range of options for seeking help. When translated written material is available, it may not be understood due to low levels of literacy in the first language. Older migrants may depend on adult children for translating documents or navigating the service system, which can leave them vulnerable to financial and social abuse. Due to low levels of literacy and trust of family members, older migrants may sign documents that they do not understand, which can lead to financial abuse, and even homelessness.

### *Fear for consequences*

Many culturally and linguistically diverse seniors do not want to report elder abuse, because they fear that it may exacerbate their current situation.

Addressing elder abuse may mean a loss of accommodation, especially if an older person is dependent on their abuser economically and for their housing or personal care.

Many culturally and linguistically diverse communities have a strong tradition of adult children caring for their elderly parents. There is a stigma attached to going into residential care. Fear and stigma of being sent to residential care, may lead to a refusal to disclose elder abuse. Threats of residential care, which play on a fear of losing cultural and community connections, can be a form of emotional abuse.

Visa restrictions may limit options to address elder abuse. Seniors on Parent Contributory visas are not eligible for some services. Often assets are transferred to adult children or sold to pay for the cost of the visa. In this case, seniors may be completely dependent on their family and have no alternative recourse for independent income.

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<sup>10</sup> Senior Rights Victoria (2014), *Annual Report 2013-14*, <http://seniorsrights.org.au/wp-content/uploads/2014/03/Seniors-Rights-Victoria-Annual-Report-13-14-Web.pdf>, viewed on 11 May 2015



*Social isolation and familial ties*

There is fear of losing familial relationships if elder abuse is reported in culturally diverse families. It could mean, not just losing the relationship with the abuser, but also with the extended family. This concern is heightened where there is a high level of dependence on the family. For many, family is their lifeline. Threats to withdraw access to grandchildren can be a form of emotional abuse or coercive behaviour by adult children.

Many do not want to take legal action against family members. They may choose to endure elder abuse rather than risk losing relationships with family, particularly where there is a lack of awareness of other non-legal courses of action.

*Social stigma*

There may be stigma about accepting help outside the family, due to cultural expectations of family caring for older family members. To admit that there is a problem within the family may be shameful and prevent people seeking help.

Where adult children are the abusers, the older person from cultural and linguistically diverse backgrounds may have a deep sense of shame, and feel they have failed as a parent in some way. Men may see elder abuse as a women's issue and be more reluctant to identify themselves as victims of abuse.

Many migrant communities are close-knit and there is fear of what other people may think. They may choose to socialise less to protect the good name of the family.

ECCV has had proven success through using bilingual workers to deliver community education developed through close consultation with target communities, and in partnership with service providers and ethno-specific organisations. Working with the community ensures community education programs are properly targeted to cultural and linguistically diverse communities.

**Recommendation 10**

ECCV recommends further development and continuation of elder abuse community education programs for culturally and linguistically diverse communities, with any campaigns regarding elder abuse must be informed by the targeted culturally and linguistically communities.

**2.3 Accessing services**

Accessing services continues to be a problem, as there are few cultural proficient or ethno-specific services accessible to provide assistance to seniors who experience elder abuse.

Many mainstream services are not adequately funded or resourced to provide culturally appropriate or language specific services to culturally and linguistically diverse seniors. The lack of resources to provide for bilingual workers, or at the minimum, interpreters, increases the vulnerability of culturally and linguistically diverse seniors.

There are many bilingual workers involved in the delivery of aged care services. They are not provided with adequate professional development or training to identify and deal with elder abuse among their clients. Better resourcing and funding is needed to ensure all aged care workers,

including bilingual workers are provided with ongoing professional development and training to identify and properly address elder abuse.

There are limitations on culturally proficient and ethno-specific services who do provide elder abuse services. For example, some services have regional restrictions, seniors who require these services may not be eligible as they live outside of the prescribed geographic boundaries.

General practitioners have been identified as an important avenue for disclosure of elder abuse by culturally and linguistically diverse seniors. There is potential to provide professional development to general practitioners to identify elder abuse and assist seniors with the reporting of elder abuse.

**Recommendation 11**

ECCV recommends that an understanding of cultural and linguistically diverse seniors community perspectives be included in professional education for general practitioners and other aged care service providers.

**Recommendation 12**

ECCV recommends mainstream services, such as Seniors Rights Victoria, be properly resourced to engage with culturally and linguistically diverse clients and ethno-specific agencies to ensure improved delivery of elder abuse services to cultural and linguistically diverse communities.

**Recommendation 13**

ECCV recommends that all aged care and bilingual aged care workers are resourced with ongoing professional development and training to identify and properly address elder abuse.

**Recommendation 14**

ECCV recommends that cultural and linguistically diverse specific information is provided within existing elder abuse training.

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