

People from culturally and linguistically diverse backgrounds - Key Literature

Australia

Allimant, Annabelle, and Stephanie Anne, 'No Room... Homelessness and the Experiences of Women of Non-English Speaking Backgrounds' (Paper presented at 5th National Homelessness Conference, Adelaide, 21st-23rd May 2008).

This paper examines service responses to women from non-English speaking backgrounds (NESB) who have experienced domestic and family violence. NESB women are likely to be accompanied by children and abusers may misinform them that they will be deported without their children if they leave the relationship (see pp5, 8, 9).

Allimant, Annabelle, and Beata Ostapiej-Piatkowski, 'Supporting Women from CALD Backgrounds Who are Victim/Survivors of Sexual Violence: Challenges and Opportunities for Practitioners' (Australian Centre for the Study of Sexual Assault Wrap No 9, Australian Institute of Family Studies, 2011).

This publication identifies specific personal barriers for women from CALD backgrounds: failure to recognise sexual violence; physical and emotional isolation; cultural barriers such as spiritual beliefs, rituals, traditions and world-views; fears about breaches of confidentiality; residency status; and access to income support. Additionally, it notes systematic barriers for women from CALD backgrounds: language barriers; lack of informed understanding; racism and discrimination. The paper identifies particular issues for those from countries where the laws or culture do not recognise a woman's right of control over her body.

AMES Australia and Department of Social Services (Cth), *Violence against women in CALD communities: Understandings and actions to prevent violence against women in CALD communities* (AMES Australia and Department of Social Services (Cth), 2016).

This report focuses on preventing violence against women in CALD communities. It summarises the outcomes of a project focusing on the primary prevention of violence against women in CALD communities. Factors contributing to violence in CALD communities include: unequal and disrespectful relationships between men and women, and rigidly stereotyped gender roles and identities; factors that support the learning of violent behaviour and permit violence to occur with impunity; and factors that intersect or interact

with gender inequality to shape particular patterns of violence or increase the risk of violence occurring (e.g. poverty) (p.8). Specific factors relevant to understanding violence against women in CALD communities are summarised in Table 1 (pp.9-10).

Australian Bureau of Statistics (ABS), *Personal Safety, Australia, 2016*, ABS cat no. 4906.0 (2016).

The most recent large-scale prevalence study in Australia is the 2016 Personal Safety Survey showing that since the age of 15, one in six Australian women reported experiencing physical or sexual violence from a current or former partner, and one in four Australian women reported experiencing emotional abuse by a current or former partner. While age, gender and frequency of experiences were taken into account in this data, no information is sourced on the ethnic identities of participants and no information is provided around the number of participants who were born overseas.

Cavallaro, Lisa, *'I Lived in Fear because I Knew Nothing': Barriers to the Justice System Faced by CALD Women Experiencing Family Violence* (InTouch Multicultural Centre Against Family Violence, Victoria Law Foundation, 2010).

This qualitative research identifies that CALD women face barriers in accessing the justice system and in going through the justice and support systems. It suggests that CALD women are less likely to report violence in the first place, and, in cases when they do report, they are often quickly discouraged from progressing further with their complaints and may disengage prematurely from support. Discusses obstacles faced throughout the legal process, including language difficulties, intimidating court processes, prejudicial attitudes and inadequate support from services.

Dimopoulos, Maria, 'Implementing Legal Empowerment Strategies to Prevent Domestic Violence in New and Emerging Communities' (Issues Paper 20, Australian Domestic & Family Violence Clearinghouse, 2010).

This paper identifies issues faced by new migrants, including language issues, economic difficulties, housing barriers, unemployment and cultural difficulties (p5). It emphasises lack of fluency and literacy in English as barriers to accessing justice for recent migrants and notes limited awareness of family and domestic violence laws. With respect to perpetration of domestic violence, see 'Role of culture/application to Australian law' (p14-16), which disputes the applicability of a 'cultural defence' - and 'Challenging stereotypes about violence in communities', specifically in the context of Muslim communities.

Flood, Michael, 'Engaging Men From Diverse Backgrounds In Preventing Men's Violence Against Women' (Paper presented at Stand Up! National Conference on Eliminating All Forms of Violence Against CALD Women, Canberra, ACT, 29-30 April 2013).

In this paper, the author explores intersections of gender, difference, and violence against women, focusing on men from diverse backgrounds. Relevantly, the author discusses the ways in which men from different social locations do not benefit from patriarchy equally, and that 'Particular groups of men may be both oppressed and oppressing, e.g. in oppressive relations with women' (p3). He goes on to discuss how 'Experiences of immigration and resettlement shape men's experiences of violence' (p7), and how to engage CaLD men in the prevention of violence (from p8).

George, Amanda, and Bridget Harris, *Landscapes of Violence: Women Surviving Family Violence in Regional and Rural Victoria* (Centre for Rural and Regional Law and Justice, Deakin University, 2014).

This report considers domestic and family violence faced by women and children in Victoria living in regional and remote areas, with a specific focus on CALD women. It notes that CALD women face additional barriers and have diverse needs, but often have more limited access to appropriate services, particularly in regional and rural areas' (p 39). The report discusses the various barriers facing CALD women, including limited knowledge of the available services and supports, fear of experiencing cultural insensitivity and racism, fear or insecurity in the presence of police, or lack of awareness of social, legal and financial rights and their immigration status (pp 51-55).

Gray, Lauren, Patricia Easteal and Lorana Bartels 'Immigrant Women and Family Violence: Will the New Exceptions Help or Hinder Victims?' (2014) 39(3) *Alternative Law Journal* 167.

This article reviews the relationship between domestic violence and immigration law.

Mitra-Kahn, Trishima et al, *Invisible women, invisible violence: Understanding and improving data on the experiences of domestic and family violence and sexual assault for diverse groups of women: State of knowledge paper* (Australia's National Research Organisation for Women's Safety (ANROWS), 2016).

In relation to culturally and linguistically diverse women, the paper provides an overview of the existing research on: the prevalence of domestic and family violence and sexual assault; the perpetration of domestic and family violence and sexual assault; the nature of domestic and family violence and sexual assault experienced by these women; and response behaviours (pp.21-25). Key findings include that, '[c]ulturally and linguistically diverse women are underrepresented in population-based studies on the prevalence of domestic and family violence and sexual assault. Given the great variations in lived experience and socio-demographics of culturally and linguistically diverse women, it is difficult to make

qualified generalisations on the nature and perpetration of violence against these women and their response behaviours' (p.25)

Pittaway, Eileen, and Rebecca Eckert, 'Domestic Violence, Refugees and Prior Experiences of Sexual Violence: Factors Affecting Therapeutic and Support Service Provision' in Zannettino, Lana, et al (eds), *Improving Responses to Refugees with Backgrounds of Multiple Trauma: Pointers for Practitioners in Domestic and Family Violence, Sexual Assault and Settlement Services (Practice Monograph 1, Australian Domestic & Family Violence Clearinghouse, 2013).*

Discusses the need for support service providers to understand the pre-arrival experiences of refugees, which is characterised by high levels of violence. Notes a need for cultural sensitivity, and knowledge about increased vulnerability of refugee women as a result of past trauma, anxiety, guilt and shame about family and friends left behind (esp. p 11). In relation to perpetration of domestic violence, pp11-12 may be of relevance, noting that while the gendered nature of domestic violence transcends culture, 'For many refugees who come to Australia from protracted refugee situations, their cultural heritage is also complicated by an overlay of 'refugee culture', built up over years in refugee sites in countries of asylum' which protects traditional norms of family and community.

Rees, Susan and Bob Pease, [Refugee Settlement, Safety and Wellbeing: Exploring Domestic and Family Violence in Refugee Communities](#) (VicHealth, 2006).

This paper, part of the Violence Against Women Community Attitudes Project, explores a variety of aspects of domestic and family violence in refugee communities. It explores the application of intersectionality to both understanding and responding to men's violence against women from p18, emphasizing that 'Intervention strategies against domestic and family violence in refugee communities need to both ensure that they don't reinforce cultural values that tolerate violence against women and simultaneously be mindful of not undermining cultural differences that can promote wellbeing and enhance settlement' (p3). Pp4-5 summarise the key findings of the report on the interrelation between men and women refugees' settlement experiences and patriarchy, including the effects of isolation, unemployment, trauma and alienation, gender roles and cultural change on domestic and family violence experiences and perpetration.

Taylor, Natalie, and Judy Putt, '[Adult Sexual Violence in Indigenous and Culturally and Linguistically Diverse Communities in Australia](#)' (2007) 345 *Trends and Issues in Crime and Criminal Justice* 1.

This paper reports on findings from a study investigating sexual violence and people from CALD backgrounds. The paper reports on a focus group of 268 CALD women (pp 2-3): many of the women stated that they believed rape could not occur within marriage since the marriage contract implied consent; sexual violence is not discussed among members of such communities, especially when occurring within marriage;

and there were varying levels of awareness about sexual violence being a crime in Australia. Interviewed support workers identified a number of factors which seemed to increase the risks of sexual violence towards CALD women: lack of family ties in Australia, pregnancy and social isolation; lack of permanent residency and fear of deportation if she does not cooperate with her partner; poor police and legal responses to requests for assistance; lack of awareness of rights; sense of obligation to stay; cultural traditions of male dominance; little community knowledge of the rights of victims/survivors of sexual violence; socioeconomic disadvantage due to unemployment, poverty etc. and cultural stereotypes

Tayton, Sarah, et al, 'Groups and Communities at Risk of Domestic and Family Violence: A Review and Evaluation of Domestic and Family Violence Prevention and Early Intervention Services Focusing on At-Risk Groups and Communities' (Report, Australian Institute of Family Studies, 2014).

This report sets out the findings of research into domestic and family violence (DFV) prevention initiatives focused on groups and communities identified as being at greater risk of experiencing DFV and/or having difficulty accessing support services. It finds that CALD women are particularly likely to lack information or be financially marginalised compared to other women (p 24). It notes that the CALD community is significantly diverse, including 'refugees and asylum seekers, newly arrived migrants on temporary or permanent visas, people from well-established communities and international students' (p 26). It identifies that cultural issues and immigration intensify complexities associated with Domestic and Family Violence in the form of compounding factors including: isolation from established family and social support networks; language barriers; a lack of knowledge about legal rights and financial support services; fear of deportation or visa cancellation; high dependence on partners; lack of employment or occupational skills; "traditional" ideas about the role of women; cultural stigma; fear and/or distrust of the police; limited availability of culturally appropriate services (p 27).

Of some relevance to responding to perpetration of domestic and family violence in CALD communities, section 6.3 'CALD Women' (from p50) discusses effective prevention practices in CALD communities generally. While aimed at community-level initiatives, it notes some relevant considerations that may need to be made, such as the need to educate men and communities 'as a whole' (p51), and briefly highlights 'The complexity of dealing with the impact of trauma for both victims and offenders, particularly in relation to refugees: "Perpetrators have also been victims."(Roundtable participant, NSW).' (p52)

Vaughan, Cathy, et al, 'Promoting Community-Led Responses to Violence against Immigrant and Refugee Women in Metropolitan and Regional Australia: The Aspire Project' (State of Knowledge Paper 7, Australia's National Research Organisation for Women's Safety Landscapes, October 2015).

This state of knowledge paper examines a broad range of national and international research to present the current knowledge about family violence against immigrant and refugee women. While the paper identifies critical evidence on the topic, it acknowledges that much of the available literature has methodological issues, including incomplete and inconclusive prevalence data; small sample sizes; and conceptualising family violence in ways that are not recognised by immigrant and refugee communities.

The paper finds:

- > Overall immigrant and refugee women report similar forms of family violence as women from non-immigrant backgrounds, however there are some differences in the types of violence experienced and the structural contexts where it takes place.
- > The constraints produced by immigration policies are of significant concern, where women depend on perpetrators for economic security and residency rights.
- > Many immigrant and refugee women are motivated to resolve family violence without ending relationships and breaking up families, for reasons including immigration concerns and family and community pressures.
- > There is scant evidence that the increase in criminal justice responses to family violence, such as “mandatory arrest” and “pro-prosecution” approaches, are helpful for immigrant women, and may deter them from seeking assistance in crisis situations.
- > In relation to perpetration of domestic violence by men from CALD backgrounds, ‘Engaging men and boys (p41) is of most relevance, exploring effective prevention strategies and engagement.

Zannettino, Lana, ‘Refugees, Sexual and Domestic Violence and Prior Experiences of Trauma: Introduction and Context’ in Zannettino, Lana, et al (eds), *Improving Responses to Refugees with Backgrounds of Multiple Trauma: Pointers for Practitioners in Domestic and Family Violence, Sexual Assault and Settlement Services* (Practice Monograph 1, Australian Domestic & Family Violence Clearinghouse, 2013).

This research identifies that within the refugee context, several compounding issues are identified as being relevant in the domestic abuse context, including heightened gender inequality resulting from external pressures that lead to more extreme cultural practices concerning women and girls than in the traditional society; and men’s traditional identities and roles being threatened by their experience of trauma and persecution, and time they spend in refugee camps, which they suggest results in an increase in violent behaviour. This can also be exacerbated by symptoms of post-traumatic stress disorder and other psychological problems (esp. p 7). Furthermore, in understanding the perpetration and experience of violence by refugees, the authors emphasise the need to understand the intersectionality of gender oppression with other factors such as race, ethnicity, sexuality and class, and that ‘This means that strategies for violence prevention need to acknowledge culturally-specific factors in particular communities rather than attributing blame to a particular culture for violence’ (p8).

International

Mederos, Fernando, *Accountability and Connection with Abusive Men: A New Child Protection Response to Increasing Family Safety* (Family Violence Prevention Fund (US), 2004).

Although directed at child protection workers, 'Chapter 2 highlights some of the racial, cultural and socio-economic factors that will be relevant to working with perpetrators of violence and attempts to deconstruct some of the myths surrounding the nature of violence in non-Caucasian communities.' The chapter notes that, 'In each culture, there are values, traditions and practices that facilitate abusive and coercive relationships, and there are also values, traditions and practices that support and promote functional and respectful relationships' (p11). It also highlights that 'Culturally-based explanations or excuses for violent behavior should not be used as primary indicators of dangerousness or of capacity to change, since cultural origin is not a predictor of capacity for violence' (p11).