



Submission to the DHS to provide comment on the Action Plan Consultation Framework for Addressing Violence Against Women and their Children

March 2012

Introduction

As the peak body for ethnic and multicultural organisations in Victoria, the ECCV advocates and lobbies all levels of government on behalf of multicultural communities. We advocate on any issue that is of concern to our members. In keeping with this, the following submission is made with a view to the specific concerns and needs of women and children in refugee, migrant and culturally and linguistically diverse (CALD) communities.

The ECCV would like it to be noted that this submission is not made because violence is more endemic, or profound in CALD communities, it is made because there are access and equity issues and additional measures that need to be considered, in order to better support CALD women and children who experience violence.

Prevention, intervention and response strategies may need to overcome additional barriers in order to reach women in CALD communities. These barriers vary from woman to woman and from community to community, with different women being affected in different ways and to varying degrees by factors such as:

- Language barriers.
- Unfamiliarity with support services and being unsure how to access these.
- Lacking awareness with regard to legal rights and options as they pertain to violence.
- Culturally unresponsive support services.
- Distrust of authorities, due to negative experiences in country of origin and in Australia.
- Discrimination.
- Pre arrival experiences and possible trauma.
- Reduced networks of support due to migration.
- Settlement demands, such as the priority of finding housing, work, schooling for children and connecting with a new community.

As mentioned, women's experiences vary depending on the length of time they have been in Australia, their age and their particular circumstances. That said, all of the above needs to be considered in order to create an Action Plan that will work for CALD women and their children.

The following submission is based on information gathered from a review of available literature and stakeholder consultations undertaken by the ECCV. The stakeholders consulted included representatives from ethno-specific organisations, services for ethnic families, multicultural women's and education centres and women's health and family support services. A wide range of staff, managers and seniors managers took part in this process.

CONSULTATION QUESTIONS

1. Does the Consultation Framework provide balance in terms of addressing all forms of violence against women and their children?

The ECCV commend the Victorian Government's commitment to addressing the many forms of violence that effect women and children in Victoria and we are very pleased to have the opportunity to contribute through this submission.

We are pleased that this framework recognises that violence against women occurs due to gender inequality, stereotypes and broader cultures of violence. We welcome the Government's ambition to address this via primary prevention strategies.

Although the framework makes mention of many forms of violence that may be experienced by women and children in Victoria, our consultations revealed concern over potential gaps, which will be discussed in greater detail in our response to question 5.

In order to ensure that all forms of violence experienced by women in CALD communities are addressed, extensive and ongoing consultation with individual communities is required. This is necessary if we are to recognise the significant diversity of experiences and circumstances that exist between and within Victoria's CALD communities. Different experiences and contexts can influence the forms of violence that individual women may be exposed to. It is essential that violence prevention, intervention and response strategies recognize the "complex dynamics of violence against different groups of women".¹

Our consultation processes have also revealed significant concern over the inclusion of sex trafficking and female genital mutilation (FGM) in this particular Action Plan. It was felt that, as this framework is one which seeks to identify and address all forms of violence against women and their children, it is appropriate that these particular forms of violence are acknowledged and recognized in the Action Plan. However, it was argued that these complex areas require a more targeted response on terms of distinctive policy frameworks (that address the human rights and sexual and reproductive health context) as well as specific and targeted resourcing. At present, the framework does not tie any specific actions to FGM or sex trafficking, which leaves these matters identified, but not addressed. The ECCV feel that this framework should acknowledge these forms of violence and, in terms of action, make reference to separate, specifically targeted and resourced Action Plans committed to these matters.

The issue of FGM is a matter that has serious effects in Victoria's CALD communities. It is essential that any action taken in this area is driven by those who are effected, with support in terms of resourcing and, where appropriate, equal partnerships with CALD women's and community organisations. These organisations need to be recognized for the important work that they are already undertaking in order to respond to gendered violence issues in their communities.

The ECCV would also like to commend the work of the Family and Reproductive Rights Education Program (FARREP) and advocate for enhanced resourcing from the Department of Health to be directed to this program.

¹ Poljski C. 2011, *On Her Way: Primary prevention of violence against immigrant and refugee women in Australia*. MCWH: Melbourne: 12

The ECCV recommend:

1. That extensive consultation with CALD communities be undertaken to ensure that all forms of violence against women and children in these communities are understood and targeted by the Action Plan.
2. That the proposed Action Plan acknowledge FGM and sex trafficking as forms of violence against women and children and be able to make reference to separate, specifically targeted and resourced Action Plans that indicate strong Government commitment to addressing these matters.
3. That the Department of Health continue and enhance the resources that are directed to the FARREP program.

2. Does the Consultation Framework provide the right balance between prevention, early intervention and response?

Stakeholders consulted by ECCV have welcomed the recognition in this framework of the importance of prevention, early intervention and response in terms of eliminating all forms of violence against women and children.

Also expressed were concerns over the fact that investment in prevention may be arrived at via a reduction in investment towards early intervention and response. It is essential that all three of these factors be considered at least equally important in eliminating violence against women and that resourcing be allocated on this basis.

While stakeholders are hopeful that adequate investment in prevention strategies can, in time, reduce the need for early intervention and response, it needs to be recognized that this is a process that will take time and that, at present, a strong system of response is essential. This is evidenced by the 14.6% increase in reported family violence incidents between 2010-2011. As such, we recommend that current funding in the area of response be increased and that enhanced funding for intervention and prevention, though also essential, not detract from this.

In view of this, some stakeholders have recommended that prevention work requires its own dedicated approach and resourcing. This is due to the very different nature of the work undertaken to prevent violence and the universal approach that is required. Prevention is about redressing historical gender inequalities and the subordination of women, it requires the invalidation of deeply engrained patriarchal norms that affect the way women are viewed and treated, individually and systemically. The work and time required to eliminate these perceptions and attitudes should not be underestimated. The framework recognises that prevention work is essential to the task of eliminating all forms of violence against women and children. In the context of this framework, the concern arises that if we are to adequately resource preventative work, in a way that recognises its essential role, we will be pulling resources from the same pool required for the important areas of intervention and response.

Further to this, the feedback we have received from our consultations has revealed that, insofar as CALD women are concerned, current prevention and early intervention strategies are not working

well. This is evidenced by the vast overrepresentation of CALD women seeking access to crisis (response) services. It has also been found that, at the response level, CALD women are not encountering services which are culturally and linguistically appropriate (aside from being chronically over-stretched in terms of general resources). This results in increased numbers of CALD women, as compared to other Australian women, returning to those who have perpetrated violence against them. All of this indicates that the current resourcing allocations across prevention, intervention and response are not sufficient as CALD women are not being adequately reached, or assisted by them. If we seek to address and eliminate all forms of violence against all women and children in Victoria, it is clear that greater investment is needed.

The ECCV recommend:

4. That the Victoria Government considers a primary prevention specific Action Plan complete with resource allocation that is commensurate with the importance of this work. It is important that a CALD specific resource allocation be made in order to overcome barriers to access and to support culturally responsive programs.
5. That increased resourcing of prevention work not result in the reduction of funds allocated to early intervention and response.
6. That the current resourcing of early intervention is enhanced in recognition of chronic underinvestment in this area and that a CALD specific resource allocation be made in order to overcome barriers to access and to support culturally responsive intervention strategies.
7. That the current allocation of funds to response be increased, in recognition of the increased and continuing demand on these services and supports. This should include CALD specific resource allocation in order to overcome barriers to access and to provide culturally appropriate responses and support

3. Will the Action Areas improve primary prevention, early intervention and responsiveness?

In principle, the ECCV support the specific Action Areas that have been identified by this framework. However, stakeholder consultation has revealed concerns regarding the lack of detail as to how these actions will be carried out. In terms of addressing all forms of violence against women in CALD communities, the success of this hinges not just on what we seek to achieve, but upon how this task is approached.

In the framework there are 3 Action Areas that make particular reference to “diverse communities” and “culturally specific services” communities. These are:

- P7:** work with specialist agencies to implement a range of targeted prevention strategies in diverse communities and for women with disabilities.
- E13:** Work with mainstream and culturally specific services to identify violence and respond more effectively
- R31:** Support service delivery that responds to women and children from diverse communities and with multiple and complex needs, including women with disabilities

Before discussing these actions, it is important to note that CALD women and children should not be

defined only in terms of their cultural connections, as they are also members of the wider Victorian community. In this light we need to recognise that the Action Areas that do not explicitly refer to diversity have the potential to benefit all women, including CALD women, if these are delivered in an accessible and culturally responsive manner. All the actions delivered by the proposed Action Plan need to commit to principles of access and equity. The ECCV also advocate for cultural competence and language service training for all government staff who work in services designed to assist women and children experiencing violence, this includes Family Services, Child Protection Services and the Victoria Police.

It does need to be acknowledged that, for some women, targeted approaches and supports need to be made available, in order to overcome the additional forms of marginalization that women and children in CALD communities can face. In order to deliver the Action Areas listed above, stakeholders have advocated for approaches that are women-driven, culturally specific and locally based.

In terms of prevention strategies, the ECCV endorse those put forward by the Multicultural Centre for Women's Health (MCWH) in the 2011 publication *On Her Way: Primary prevention of violence against immigrant and refugee women in Australia*.² Central to this approach is the recognition that CALD women and their representative groups should act as the driving and guiding force of change in their communities. It is vital that CALD women's groups are better resourced to enable this to occur. It is also very important that other CALD community agencies, leaders, faith-based and multifaith groups work in collaboration with CALD women's groups to advocate for an end to violence against women and children.

Change can only occur when communities acknowledge that violence occurs and that it is wrong. This requires a public rejection of violence and violence supporting attitudes by women, men, young people, political leaders, community leaders and faith leaders. There can be no acceptance of cultural or religious defences for violence or inequalities within communities. In this regard, women's groups can work effectively with other community and faith based leaders in order to advocate for zero-tolerance towards violence. This also requires work around bystander violence in CALD communities, whereby those who are aware of violence are encouraged to report it and given the information they require to do so. Local community and women's groups need to be supported and resourced in a manner that allows them to advocate, educate and partner with others around these issues.

In consultation with CALD women and their representative organisations, local level, community based, ethno-specific education programs need to be undertaken. These programs need to engage communities around a number of issues, including rights based education, women's support and information programs and initiatives aimed at challenging dangerous concepts of masculinity, identifying different forms of violence and violence supporting behaviours.

Information provision is essential to eliminating violence against women in CALD communities. Individual community consultation and partnership is important when information sources are designed. This will assist in ensuring that they convey messages in ways that are culturally responsive and will have the greatest impact. Information related to legal rights and responsibilities, support mechanisms and advice should be available in a variety of in-language formats, including printed, audio, and visual (e.g. short films and instructive DVDs) formats. These can be promoted and disseminated via ethno-specific, multicultural and women's community organisations, who are already well placed as trusted sources of information. The ethnic media should be employed as an important tool for the dissemination of information. This medium has the ability to reach emerging

² Poljski C. 2011, *On Her Way: Primary prevention of violence against immigrant and refugee women in Australia*. MCWH: Melbourne:

and well established CALD groups, as well as those who may be isolated, or have limited literacy. As in all communities, different age groups may access different kinds of information sources. This is why it is important that a range of sources, including traditional and more innovative forms (such as social networks and online forums) need to be simultaneously employed, if they are deemed appropriate and accessible by the community concerned.

There are also issues related to the timing of information provision. ECCV consultations revealed that many of those arriving in Australia are given information related to rights and responsibilities, as they pertain to family violence. However, the context under which this information is provided, that being during the stressful and fast paced process of settlement, may lead to this information being overlooked. This speaks to the need for information provision and education that is ongoing and constantly reinforced through local-level community education and consciousness raising programs.

In terms of effectively providing information on an ongoing basis, the role of bilingual women's health workers cannot be overestimated. Bilingual workers have the capacity to deliver information in a "culturally appropriate manner to large groups of women, particularly those with low levels of literacy and who cannot access information in written or through electronic media, in settings familiar to women".³ Familiar settings can include ethno-specific community organisations and Migrant Resource Centres (MRCs), which are well placed, in terms of rapport and trust, to deliver these programs, but require the resources necessary to increase their capacity to do so.

The MCWH provides a useful model of best practice with relation to bilingual women's health promotion programs. For over three decades the MCWH has used a holistic, peer-education model known as the woman-to-woman approach, which is "participatory in design and respects women's experiences and knowledge"⁴. Women's health education sessions are delivered in communities and workplaces by trained bilingual health workers and are conducted in the preferred language of the participants. Between July 2009 and June 2010 MCWH conducted 319 multilingual health education sessions in 15 languages, which equates to 4502 contacts with women.⁵ The MCWH stress the importance of programs that are delivered over a period of time with the same group of women, allowing workers to build rapport and earn the trust and confidence that is needed to discuss sensitive issues. It has been observed that "one off, or standalone violence prevention sessions for women may be more intimidating, even ineffective".⁶

Just as the woman-to-woman approach can work for women, bilingual education and behaviour change programs are also important for men. An example of this approach at work is the Vietnamese specific Men's Family Violence Group piloted by inTouch Multicultural Centre Against Family Violence (inTouch), with support from partner agencies Relationships Australia Victoria, Kildonan Uniting Care and Djeriwarrah Health Services. This program, which continues to run, though significantly restricted by the lack of any on-going funding, was piloted between March and June in 2010. The pilot project, which required the training of bilingual group facilitators, was delivered to a group of six Vietnamese speaking men, over a period of 15 weeks. The impetus for this program was the high number of women contacting inTouch who were experiencing violence, but did not want to leave their partner and were in search of other interventions.⁷ It was also recognised that Men's Behaviour Change programs can also be helpful in ensuring the safety of women who are leaving, or have left a relationship. As inTouch has noted "CALD men with limited competency in English simply do not know about Men's Behaviour Change programs or understand

³ Poljski C. 2011: 52

⁴ Op. cit: 53

⁵ ibid

⁶ Op. cit: 52-53

⁷ *Vietnamese Men's Family Violence Program – Evaluation Report*, 2011, inTouch Multicultural Centre Against Family Violence, Victoria: 3

what it is about. It has been identified that proficiency in English is a significant predictor of whether people have seen, read or heard anything in the media about gendered violence”⁸. The program was delivered in a way that was culturally responsive, with bilingual facilitators working with men on issues related to their pre-migration and settlement experiences, their cultural and individual concepts of gender and domestic violence and to explore the issue of family violence, its effects on women and children and the imperative for behaviour change. The culturally specific approach taken was fundamental in engaging participants in the program. As was expressed by the partner of one of the project participants:

“Engaging in mainstream group sessions with interpreters is perceived as being disadvantaged. Vietnamese men do not want to be seen as being inferior to other participants who have English proficiency. There is no way that my partner would have attended this program if it was not delivered in Vietnamese.”⁹

This program continues to attract referrals and expressions of interest, however, as already mentioned, inTouch and their partners are currently struggling to keep this program available, due to a lack of resources.

It has been found that family unity is very important to many migrant and refugee groups¹⁰, due in part to the dislocation of migration and the leaving of broader support networks. This speaks to the need for messages that speak not just about what shouldn’t be occurring, but about what should be occurring in order to build stronger and safer family environments, healthy relationships and equitable and positive child rearing practices. Bi-lingual parenting and family strengthening programs can be of great assistance here.

There are a variety of models for positive, local, community orientated, family strengthening programs. Programs that were noted by our stakeholders include the Supported Playgroups for Migrant and Refugee Families and other family related programs offered by the Victorian Co-operative on Children’s Services for Ethnic Groups (VICSEG). Also commended were the programs being undertaken by the North Yarra Community Health Mental Health and Social Connectedness Working Group, particularly the Living in Harmony, Men’s Health 4 Family Harmony and Young Women’s Leadership programs.

The ECCV wish to reemphasise the importance of consultation with individual communities and CALD women’s groups in order to identify forms of violence and formulate effective and tailored actions for prevention, intervention and response.

In view of the above, the ECCV submit that the potential effectiveness of the Action Areas proposed will depend on the strategies that are used to achieve them.

The ECCV recommend:

8. That accountability and auditing processes are enhanced to ensure that all government support services are equally accessible and responsive to all Victorians.
9. That the Victorian Government invest in on-going cultural competence training, conducted on collaboration with multicultural and ethno-specific agencies, for those who work in services that assist women and children experiencing violence. This should include Family Services, Child Protection Services and the Victoria Police.

⁸ Op. cit: 4

⁹ Op. cit: 15

¹⁰ Poljski C. 2011: 53

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10. That those work in services that assist women and children experiencing violence, including Family Services, Child Protection Services and the Victoria Police, are made fully aware of their obligations to use language services and that they are trained to use these services more effectively.
 11. That anti-violence programs and initiatives in CALD communities be headed and guided by CALD women from the affected communities.
 12. That any 'mainstream' partnerships with CALD women's groups, ethno-specific, or multicultural groups be at least equal in terms of input and resourcing.
 13. That the Victorian Government increase investment in the training and retention of bilingual health and community workers to facilitate local, culturally specific and appropriate education and information campaigns to men and women from CALD communities.
 14. That ethno-specific, CALD women's and migrant organisations be resourced in a manner that allows them to create accessible information and maintain on-going education programs denouncing violence against women and children and reinforcing rights, responsibilities and options for those experiencing violence.
 15. That consultation be undertaken with individual communities and women's groups to create tailored and culturally appropriate strategies for prevention, intervention and response.
 16. That resources be made available to support CALD community specific Men's Behaviour Change programs and programs promote healthy relationships and families.

4. Should particular Action Areas be prioritised?

The ECCV recommend that Action Areas P7, E13 and R31 be given priority in recognition of the marginalisation and barriers to access that CALD women and children can experience. At present, CALD women do not have access to the same knowledge, support and services as other Australian women and this is a form of discrimination that needs to be addressed.

Our stakeholders have recommended that the new Action Plan include a CALD community specific funding allocation. It is not our intention that funds be removed from mainstream services, but that additional funding be allocated for the purposes of CALD community specific programs and resources.

In the current framework, two of the three Action Areas that mention diverse communities also focus on women with disabilities. This provokes concern over a potential scramble for prioritization and resources between these two vulnerable groups. CALD women, women with disabilities and women with complex needs need to be supported separately, in order that they may be supported sufficiently.

With regard to this the ECCV wish to reinforce the importance of Recommendations 4, 6 and 7 of this submission.

5. Are there any gaps in the Consultation Framework that should be considered?

It is hard to identify gaps if we are not fully aware and informed about the varying types of violence that women and children in different communities may be exposed to. As the MCWH have pointed out, few studies across and within ethnic communities have been conducted in Australia to determine the prevalence and dynamics of violence against women and children.¹¹ This speaks to the need for local community consultation and for research into these issues. The manner in which this research is carried out is of great importance. Researchers with experience and expertise in culturally appropriate, in-language research need to partner with ethno-specific agencies, CALD women's groups and multicultural agencies. Such collaborations must be equal, meaning that community agencies and organizations should be resourced in order to assist with research.

Consultation for this submission has revealed some emerging areas of concern, however more research is needed to ascertain the prevalence of these issues and the action that needs to be taken. It is also important to note that these issues are not all unique to CALD communities, though in order to best prevent, intervene and respond to them, CALD community specific approaches need to be developed. In other instances, education and anti-discrimination campaigns and measures need to be applied universally, in order to address violence directed at CALD women from other members of the wider Victorian community.

- Sibling violence, with reports that sisters are experiencing violence from brothers, who may see themselves as acting in the place of an absent father, or alongside a father in order to maintain control over female family members.
- Forced marriages, which may include women (including under-age girls) being sent abroad, without consent, to be married. This can also apply to women being sent to Australia, without consent, in order to be married to an Australian resident.
- Differing concepts between and within communities as to what constitutes violence against women and children.
- In some communities, women's fear of being ostracised and losing access to children in the event of leaving a violent partner.
- The increased vulnerability to violence that is experienced by women from CALD communities who have a disability. The Australian Human Rights and Equal Opportunity Commission (HREOC) has noted that people with a disability, who are from CALD communities are confronted with "multiple layers of discrimination"¹². Women in this situation face the same access issues as other CALD women, but these are compounded by the marginalisation that they may experience due to their disability. CALD women with disabilities are discriminated against by myths, misconceptions and negative stereotypes about disability and ethnicity held by some in the general community. They may also be made vulnerable to violence and mistreatment due to culturally specific stigma and prejudice towards disability within their own communities.
- Verbal and other violence that is experienced by women from CALD backgrounds, in public spaces, by people outside of their communities, that is related to their ethnicity or religion.

¹¹ Op. cit: 32

¹² Australian Human Rights Commission, 2000, *On the Sidelines: Disability and People from Non-English Speaking Background Communities*, Australian Human Rights and Equal Opportunity Commission, Sydney:11

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- Systemic discrimination that is experienced by CALD women in terms of employment, housing and access to government support services, which leaves them more vulnerable to violence and exploitation.
 - The need for CALD specific education and campaigns regarding the developmental and other problems that can occur in children who live with and experience family violence.
 - There have also been calls for CALD community specific education programs and campaigns around the issue of elder abuse, as a form of family violence. The ECCV are currently active in CALD community specific projects to prevent elder abuse and to inform service providers, families, communities and elderly people, in a culturally responsive manner, about the forms and impacts of elder abuse and how these can be addressed. More information on this work can be found in the ECCV report *Reclaiming Respect and Dignity: Elder Abuse Prevention in Ethnic Communities*.

The ECCV also submit that the proposed Action Plan needs to place a stronger emphasis on preventing violence against women in the workplace. It has been observed that refugee and migrant women are well-represented in the growing number of Victorians working in precarious, casual or contract work.¹³ The industries and types of workplaces in which immigrant and refugee women are concentrated have been identified as harbouring a high prevalence of workplace violence.¹⁴ These include manufacturing (as factory workers and outworkers), retail and hospitality. As has been pointed out by the MCWH, manufacturing has been specifically identified as “an industry in which tough environments prevail, where aggressive communication and violent workplace cultures are often normalized”.¹⁵ Women from newly arrived groups may not be aware of their rights at work and women in precarious employment are not in a strong position to ensure that these are upheld.

The risk of workplace violence is also increased for women working in Australia on Subclass 457 visas. Women on such visas are contracted to particular employers and should their employment be ceased, their visa is no longer valid, requiring the visa holder to leave the country or find a new sponsor within 28 days.

Threats of deportation, fear of job loss, lacking awareness of complaint mechanisms and, for some, a combination of all of these factors create a situation in which workers are less likely to report workplace violence.¹⁶ This increases CALD women’s vulnerability to workplace violence and exploitation.

Stakeholders consulted by the ECCV commended the recognition of the need for a prevention, intervention and response system that is underpinned by robust data collection and improved information sharing. It was noted that information related to languages spoken and ethnicity were often not captured by current government data collection processes. This data is vital for improved insight into the issues that affect women and children from CALD communities and to designing strategies that support them.

The ECCV recommend:

¹³ Poljski C. 2011: 27

¹⁴ *ibid*

¹⁵ *ibid*

¹⁶ Joint Standing Committee on Migration, 2007. *Temporary visas...permanent benefits: Ensuring the effectiveness, fairness and integrity of the temporary business visa program*. The Parliament of the Commonwealth of Australia: Canberra. Accessed on 20 April 2011 from <http://www.aph.gov.au/house/committee/mig/457visas/report/fullreport.pdf>, as cited in Poljski C. 2011: 23

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17. Consultation and equal research partnerships with CALD women's, multicultural and ethno-specific organisations to identify emerging and continuing forms of violence in their communities and to create strategies in order to address them.
 18. That the proposed Action Plan place more emphasis on action to prevent, intervene and respond to workplace violence and that this include specifically targeted campaigns, information and support mechanisms for CALD women.
 19. That a whole of government approach is taken to capturing and sharing data on service users and that this include mandatory recording of the following:
 - Language spoken
 - Language preference
 - Country of origin
 - Self-ascribed ethnicity

6. How can future governance arrangements most effectively engage partners across government and community?

In order to better engage with CALD communities, CALD representation needs to be present throughout all levels of the governance structure. This will work to ensure cultural competence and improve the likelihood of community engagement. This should include more prominent responsibility for the Minister for Multicultural Affairs and Citizenship, in terms of primary prevention, early intervention and response.

The need for locally based programs speaks to the need for a bigger role for local governments, with an emphasis on shared partnership projects with ethno-specific and multicultural women's and community organisations.

The ECCV recommend.

20. That CALD communities be represented across all three levels of governance. This includes strong representation on the Family Violence Statewide Advisory and Family Violence Regional Integration Committees. This also requires more prominent responsibility for the Minister for Multicultural Affairs and Citizenship.
21. That the responsibility of local government be increased in order to recognise the importance of local community based knowledge, programs and activities around the issue of violence against women and children.

7. What are the potential barriers and risks to be managed and mitigated in delivery of the actions?

Although there is a consensus that CALD community specific programs are required in order to prevent, intervene and respond to violence against women and children, there is a risk that this targeted approach may add to misperceptions and increased stigma around CALD communities.

Many CALD communities already experience negative attitudes and behaviours from those outside their community, a problem that is not assisted by recurrent misrepresentations and stereotyping by media and prominent public figures. It has been found that this “impacts profoundly on affected communities’ willingness to seek out legal redress for such issues as family and domestic violence, for fear of contributing to media misrepresentations and stereotypes of new and emerging communities as ‘problem’ communities.”¹⁷

There is a risk too that CALD women may be essentialised and that communities may be insulted by implications that female safety and female empowerment are exclusively Western, or Australian values, which they are not accustomed to. This undermines the agency that is present and activism that is already undertaken by CALD women in their communities. This also underestimates the high level of progressive attitudes, education and civic commitment that exists within CALD communities.¹⁸

In order to guard against further stigmatisation, the Victorian Government needs to be sure that people in CALD communities and those outside of them understand that CALD communities are deserving of priority, not because they are more violent, but because they are often marginalised due to additional access barriers that need to be overcome.

There is also concern regarding growing cynicism in CALD community organisations and frustration about the experience of being consulted, yet remaining chronically under-resourced. This relates particularly to the high level of pilot programs that communities become invested in, only to see them disappear due to a failure to fund them recurrently. This leaves a sense of scepticism and disappointment in the communities involved, a barrier which needs to be overcome via demonstrated, ongoing commitment and equal collaboration.

The ECCV recommend:

- 22.** That the Victorian Government clearly emphasise that programs are directed at CALD communities in order to overcome marginalisation and barriers to access. This will assist in avoiding misperceptions regarding violence in CALD communities. .
- 23.** That the Victorian Government work in an ongoing way with CALD communities, in equal and collaborative partnerships and make enduring commitments to the communities’ needs, in terms of prioritisation and resourcing.

¹⁷ Dimopoulos, M. 2010, *Implementing Legal Empowerment Strategies to Prevent Domestic Violence in New and Emerging Communities*, Australian Domestic & Family Violence Clearing House, The University of NSW, Sydney: 4

¹⁸ Op. cit: 7

8. What other issues need to be considered?

If you would like to provide comment on any specific action areas as set out in the Consultation Framework, please specify the number of the action area(s) on which you are commenting. For example P1, E12 or R29.

Though we recognise that this is a Victorian Government framework, if all forms of violence against women in Victoria are to be eliminated, the Victorian Government should lobby the Federal Government on behalf of women who are made more vulnerable to violence due to their visa status.

Earlier in this submission, mention was made of the increased risk of violence to which women on Subclass 457 visas are exposed. There are other visa categories that need to be considered.

Women on skilled migration visas are vulnerable to violence due to the two year waiting period they must undergo before they are entitled to support mechanisms, including Centrelink payments. This means that they may be more dependent on abusive partners and employers during this period. Partner dependence is increased for women who are secondary visa holders in this category, as their visa is tied to that of their partner. While it needs to be acknowledged that women in this category are entitled to Family Violence Provisions (FVPs), allowing victims of family violence to continue their application for permanent residence and apply for Centrelink support, it would appear that women in this category are not always aware of FVPs¹⁹. This speaks to the need for these provisions to be better publicised. This applies also to women on parent visas and spouse visas.

Women who hold secondary Subclass 457 visas are not entitled to FVPs, leaving them particularly vulnerable to violence, as their ability to remain in Australia is dependent on the continuation of their relationship with the primary visa holder. This applies equally to women on secondary student visas, who are also ineligible for FVPs.

Racism, discrimination, language barriers, financial constraints, limited housing options and access to support can coalesce to make women on student visas vulnerable to partner violence as well as workplace violence and violence in their homes and on campus. Despite the fact the most high profile cases of violence against international students have involved male victims, "Female students are more likely than their male counterparts to experience discrimination, physical abuse, sexual harassment and social exclusion during their stay in Australia"²⁰. Female students who have a male partner on a secondary student visa may also find themselves at increased risk of violence. It has been found that male partners may resent the female visa holder's ability to have them deported, which can lead to attempts to assert their masculinity via controlling and violent behaviours.²¹ Although the ability to have a partner deported is essential for the safety of female students, this and all of the above speaks to the need for increased support for international students experiencing violence.

¹⁹ Poljski C. 2011: 21-22

²⁰ Deumert A, Marginson S, Nyland C, Ramia G and Sawir E. 2005. *The social and economic security of international students in Australia: Study of 202 student cases (Summary report)*. Monash Institute for the Study of Global Movements, Monash University: Clayton. Accessed on 29 April 2011 from

<http://education.monash.edu.au/centres/mcrie/docs/202interviewsupdated060605.pdf>, as cited in, Poljski C. 2011: 24

²¹ Poljski C. 2011:24

Female asylum seekers who are awaiting the outcome of their protection visa application have also been found to be at increased risk of violence.²² In this case, if a woman experiences violence, her entitlement to support is dependent on the type of bridging visa she has been given. Depending on her visa, a woman in this situation may not be eligible for programs designed to assist people who are awaiting visa outcomes, leaving her to rely on charities and at risk of unsafe living arrangements.²³ Women who are dependents on a protection visa application may be unwilling to report family violence, for fear this may affect their visa application process and outcome. Women on bridging visas who are not asylum seekers are also vulnerable due to this fear.²⁴ In addition to this, the options for female asylum seekers leaving a violent partner are limited because women's refuges have only limited capacity to support them, given their uncertain future in Australia and the length of time that they may require crisis accommodation.

The ECCV recommend:

24. That the Victorian Government work with educational institutions to develop and implement improved violence prevention, intervention and response strategies for international students.
25. That the Victorian Government work alongside the Department of Immigration and Citizenship to ensure that information regarding Family Violence Provisions is accessible and widely publicised in workplaces, healthcare centres, educational institutes, community organisations, migrant resource centres and other spaces where migrant women will be likely to encounter the information.
26. That, in order for the proposed Action Plan to eliminate all forms of violence against women and children in the state of Victoria and to recognise such violence as a violation of human rights, the application of protections and the reduction of vulnerability must apply equally to all women in the state, regardless of their visa status.
27. That it is appropriate in this context that the Victorian Government seek to better protect female workers against violence and human rights violations in the workplace by urging the Australian government to ratify the *International Convention on the Protection of Rights of all Migrant Workers and Members of their Families*.

For more information on the above submission please contact:

Susan Timmins, ECCV
Policy Officer.
Phone: (03) 9349 4122
Email: stimmins@eccv.org.au

²² Op. cit: 20

²³ ibid

²⁴ Op. cit: 25

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