

SESSION 6:

“YOU ARE NOT ALONE”

SERVICES WHICH ARE AVAILABLE TO HELP

Time: 2 hours - ⌚



*“We arrive with nothing - we do not
understand the system, we are like babies -
naked and helpless in the new country”
(Interview with Sudanese woman, 2003)*

Introduction

In Sessions 7, 8 and 9, we bring together all the information which has been presented in the training session so far and use it to look at how we as service providers, can work most effectively with refugee women and communities. In Session 7, we explore how we can respond to immediate needs of refugee women, and look at the range of services which are available to them. In Session 8, we look at how we can address the psychological needs of women and their families. Session 9 looks at the background information we need in order to do this successfully. While the material in these sessions has been presented separately, it is all interlinked and together starts to build an effective response to refugees who are experiencing domestic and family violence.

In this session, we examine the role of support services and the challenges faced in ensuring that domestic and family violence services are accessible to refugee communities.

Refugees, local neighbourhood centres, women's health centres, police, community services and ethno-specific services all play a role in supporting refugee women in domestic violence situations. For refugee women experiencing domestic violence, particular major barriers still exist when they start using services. Key service providers need to be aware of some of the issues facing refugee women and increase their accessibility and responsiveness to these women.

It may be that refugee women require one or several support systems at any one time. In this instance, a worker should be guided by the woman about her needs and requirements. In this session, service providers are urged to discuss options and increase their accessibility to refugee women and their families.

Session Objectives:

The information presented in this session will enable participants to:

- Make links between appropriate settlement service provision and domestic violence prevention
- Identify a range of strategies for working with refugee families and communities
- Suggest ways in which to remove some of the barriers faced by refugee women when accessing services in Australia
- Become familiar with relevant legal issues and places of referral.

PRESENTER'S NOTES

Presenters must read and be familiar with the course material for this session before conducting the training. Section 1, **SESSION CONTENT**, is background material for the facilitator. This material can also be given as class handouts if required. Section 2, **SESSION MATERIALS**, includes a suggested running order, a power point presentation, audio visual materials and activities to use when presenting this training session. Small copies of the power point slides are included in the text to indicate where they will be most useful. Larger copies of the PowerPoint slides are printed at the end of the section and can be photocopied as Session Handouts.

It is important that the Course Content of this session be made available to all participants

SESSION CONTENT

“You are not alone”: Services Which are Available to Help

(NB this session is based in part on “The Ultimate Betrayal – an examination of the experience of domestic and family violence in Refugee Communities” written by Eileen Pittaway, and commissioned and funded by the Domestic Violence Clearing House, UNSW).

EXAMINING EXISTING SERVICE PROVISION

Entitlements to settlement services

Australia accepts about 12,000 people each year through the Refugee and Special Humanitarian program. On arrival, they are granted permanent residency and provided with a comprehensive range of settlement services. In examining the services provided by the Australian Government for refugees, it is important to define the terms we are using. “Resettlement” is a program of the United Nations High Commissioner for Refugees, in partnership with a small number of mainly developed countries, including Australia. It is a solution offered to some refugees who have sought refugee in a country other than their own, and for whom it is unlikely that they will be able to either return home in the near future, or settle permanently in the country in which they have sought asylum. “Settlement” is the term used in Australia to describe the range of services offered to migrants and refugees to enable them to settle into Australia when they first move here. There is a special category of settlement services offered to refugees and those who enter Australia on humanitarian visas. These are provided or co-ordinated by the Integrated Humanitarian Settlement Services program (IHSS). They include on-arrival accommodation for three weeks, immediate access to income support through Centrelink, English classes and assistance in finding work.

Entitlement to settlement services varies according to the type of visa which refugees receive from the Australian Government, and the manner in which they enter the country. The “Off Shore Program” includes those people officially recognised as refugees and granted refugee status at an overseas site, such as in a camp or an urban refugee area, and then accepted to resettle in Australia as part of our Refugee and Humanitarian Program. Their airfare is paid by the Australian Government.

Others in the Off Shore Program enter on Special Humanitarian Visas (SHP). These are often cases of family reunion and people who are sponsored by community groups. These are not refugees as defined in

the Refugees Convention, but are persons who have suffered significant human rights abuses, and come from refugee-like backgrounds. Their fare to Australia is not paid by the Australian Government and they are not entitled to the same level of service provision as those refugees who are selected for resettlement overseas.

Refugees who apply for asylum within Australia are included in the “On shore Program”. A small number of these are granted permanent protection visas (PPV), which entitles them to the same level of service provision as refugees who are resettled to Australia. Those refugees who arrive by boat, and who are placed in detention centres while their case is being determined, are granted temporary protection visas (TPV) if their case is successful. These visas are for a period of three years with access to restricted service provision. Some refugees live in the community while their case is being considered. They are usually on a bridging visa (BV), and have no entitlement to settlement service provision.

These differences in service entitlement can be very perplexing for workers not actively engaged in the refugee field and who might not know which visa their client holds. This can be particularly confusing because clients from the various visa categories often relate very similar pre-arrival experiences. Full details of the various visa categories and settlement service provision can be found on the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) website, at <http://www.immi.gov.au>.

The Role of Holistic Settlement Services

Drawing on information presented so far, a picture is emerging of domestic violence in refugee families being exacerbated by a number of cumulative risk factors created by the intersection of various events and experiences of the refugee journey, with other socio-cultural triggers. Based on this understanding, it is apparent that the “conventional wisdom” that refugee women will be adequately served by the same services as other immigrant women, is misconceived (Pittaway, 1999). The issue of domestic violence in refugee communities needs to be addressed in the context of the complex and closely interrelated events and circumstances which impact on the lives of newly arrived refugees. If we can ensure that some of the compounding factors are alleviated, then we would expect a corresponding decrease in domestic violence.

Difficulties in the settlement environment include: anxiety about family and friends left behind; guilt; feelings of helplessness in an unfamiliar environment; racist based attacks; isolation and fear; and dislocation from culture. Kaplan & Webster (2003, p.108) note that the quality of the settlement environment has the power to either mitigate the traumatic effects of violence and human rights violations or to exacerbate the legacy of violence. The importance of quality and effectiveness in post-migration service provision is also discussed by Silove, who states that “post-migration stresses appear to exert a largely independent impact on

post-traumatic stress symptoms, thereby adding to the effects of pre-migration trauma” (Steel, Silove, Bird, McGorry & Mohan, 1999, in Silove, 2003). Despite this knowledge, refugees, service providers and researchers have reported continual problems with settlement services over many years (Iredale et al, 1996; Pittaway, 1991).

Central then to working with refugees is the provision of adequate and effective on-arrival and continuing settlement services. It is said with pride that Australia has the best resettlement services in the world (Piper & Aristotle, in Australian Refugee Rights Alliance, 2000). However, for many refugee women, for a variety of reasons, some settlement services are still inaccessible. More specialist services are available in urban areas, but increasingly, refugees are being sent to rural areas on arrival in Australia. The type of services provided also varies from state to state.

Torture and Trauma Rehabilitation Services

Access to effective torture and trauma services is essential for the wellbeing and successful resettlement of refugees. Australia is considered to be a leader in the provision of torture and trauma services to resettled refugees. The services in Australia offer excellent care to many people in the refugee population, but most are stretched beyond their capacity to take on extra clients. In some cases, there are waiting lists of weeks and months, even for quite urgent cases.

“I am not mad!!”

Some refugees are reluctant to use these services. Comments such as “We are not mad” and “It is shameful to go to a place for crazy people” are quite often made to generalist workers who suggest referring refugees for counselling or therapy. Sometimes these comments are based on a simple misunderstanding of the services offered. This can be compounded if the refugees do not come from a social environment in which the provision of mental health services is part of the normal social infrastructure.

Other refugees report attending clinics and programs and finding the services offered to be very alien to what they expect or feel comfortable with. Many of the services offered in Australia rely on western frameworks, and some refugees find these very alienating, and after a couple of visits, they refuse to return. Comments are also made which indicate that refugees feel that some workers do not understand the level of horror and trauma that they have experienced, with one woman saying “They have no idea what it is like in a camp” (Sudanese woman, in Bartolomei & Eckert, 2004). It has been reported that the message is spread in some communities that the torture and trauma services are not suitable for their people. In some case, this is patently true. The challenge to us as service providers is to explore alternative and culturally appropriate ways of working with clients from the refugee communities. There are some excellent examples of this happening and these will be explored in the final section of this paper.

The Need for Professional Interpreters

The issue of access to qualified and experienced interpreters is a major challenge, commented on by all service providers, many refugees interviewed in 2003 and 2004 about settlement services, and service providers taking part in the NSW domestic violence project (Bartolomei, Ekhardt, Coutsonicas & Wellesley-Cole, 2004). It is an interesting challenge, because the most urgent need for interpreters is often from the most newly arrived communities. Conversely, it is these communities who have the least qualified interpreters to work with their own groups. An additional complication is the small size of emerging communities. Many people do not want interpreters whom they know personally to assist them with an interview on issues as sensitive as domestic and family violence. Because of this, some refugees opt out of seeking help, because they either do not trust the confidentiality of the interpreter, or are scared of being publicly humiliated.

The impact of rural resettlement

Another area of settlement service provision which deserves further attention is the delivery of services to rural communities of resettled refugees. The current policy of placing refugees in small country towns has the potential to be mutually beneficial for both the local communities and the refugees, but this is dependent on a number of important factors. The first is the presence of a supportive and welcoming community group. The second is access to the specialist services that traumatised refugees will need, as well as the strengthened lines of support necessary for people who work with them. When working with people who have experienced the level of trauma common amongst the newly arriving African refugees, the likelihood of secondary traumatisation for workers is very real. A breakdown of country placements is leading to an “urban drift” of refugees moving from rural placements to seek their own communities in the cities.

The fact that service providers in NSW are experiencing so many concerns over the wellbeing of refugee families, and are feeling unable to respond adequately to the incidence of domestic and family violence in these communities, suggests that the settlement services and other important factors are not currently responding fully to the needs of many newly arrived refugee families.

Domestic Violence Service Provision

At present, many refugee and domestic violence workers do not feel well enough informed about the dynamics or prevalence of domestic violence in refugee communities to be able to offer appropriate services. A number of workers from refugee services have identified the need for training and skills development in identifying and responding to domestic and family violence. Domestic violence workers have identified the need for training and skills development in working with refugee families. They report that

they do not have the resources to deal with this problem and that they often do not have the cultural knowledge necessary to work at this level with these communities. Training and models of best practice are often not available. They also report government and non government service provision is under resourced and is not adequate to deal with the need for services for these women and their families (Domestic Violence Working Group, 2003; Pittaway 2004).

Eligibility for Services and Entitlements of Humanitarian Entrants and PV Holders				
IHSS Services	Refugees	SHP Entrants	PPV Holders	TPV Holders
Initial Information & Orientation Assistance	✓	✗	✗	✗
Accommodation Support	✓	✗	✗	✗
Household Formation Support	✓	✓	✗	✗
Early Health Assessment and Intervention (EHAI)	✓	✓	✓*	✓*
Proposer Support	✗	✓	✗	✗
Community Support for Refugees	✓	✓	✗	✗
Longer-term Settlement Services				
Migrant Resource Centres/Migrant Service Agencies/Community Settlement Services Scheme	✓	✓	✓	✗
Adult Migrant English Program	✓	✓	✓	✗
ESL-NA for minors	✓	✓	✓	✓
Immigration				
Commonwealth funded airfare	✓	✗	NA	NA
Family Reunion	✓	✓	✓	✗
Right of Re-entry	✓	✓	✓	✗
Permanent Residence	✓	✓	✓	✗
Employment				
Work Rights	✓	✓	✓	✓
Job Network: Job Matching**	✓	✓	✓	✓
Rent Assistance**	✓	✓	✓	✓
Health				
Medicare**	✓	✓	✓	✓
Health Care Card**	✓	✓	✓	✓
Maternity Allowance**	✓	✓	✓	✓
Program of Assistance for the Survivors of Torture and Trauma (PASTT)	✓	✓	✓	✓
Education				
Public Education (school-aged)	✓	✓	✓	✓
HECS***	✓	✓	✓	✓
New Apprenticeship**	✓	✓	✓	✓
Social Benefits				
Newstart Allowance**	✓	✓	✓	✗
Rent Assistance**	✓	✓	✓	✓
Family Tax Benefit**	✓	✓	✓	✓

Entrants may also be eligible for other social benefits. Further information on entitlements can be obtained from www.centrelink.gov.au or contact Centrelink on 13 1021. For information in other languages call 13 1202.

* Only PV holders released from Immigration Detention are eligible for EHA.

** If assessed as otherwise eligible.

*** Special conditions apply, see www.hecs.gov.au

Source: Department of Immigration, Multicultural and Indigenous Affairs (2003) *Australia's Support for Humanitarian Entrants*, http://www.immi.gov.au/search_for/publications/ashe.pdf, p. 5.



STRATEGIES FOR WORKING WITH REFUGEES

Use of appropriate and sensitive language and culturally acceptable images

The use of appropriate language when discussing domestic violence is central to being able to openly build the community's involvement in prevention and education activities. The language that is commonly used by workers in domestic and family violence support can alienate communities from participating in dialogue. For example, here are some of the comments from communities who participated in the project:

- “In all communications, put across the key message that “domestic violence is wrong” instead of the message that “In Australia, domestic violence is wrong”. The latter message implies that it may not be wrong in other countries. Domestic violence is wrong everywhere, it is never acceptable”.
- “Explain what domestic and family violence is, what the consequences are. Don't just say “Men should not ill-treat or beat their wives”. This is not addressing the issue”.
- Explain the realities of the law, so that people can appreciate the significance of what they are being told, and what the difference is between the situation here, and that at home.
- In some communities, the defining paradigm of how life is looked at is “Honour versus Shame” as opposed to “Success versus Failure” as it can appear to some communities in Australia. By using the concepts of honour and shame in communications, the message may be taken more easily.
- Use short sentences, with imagery, which is more suited to an oral tradition compared to a written one. Many refugees had reduced access to schools in their countries of origin for significant periods of time, which impacted on their literacy.
- Somali participants indicated that English should be used as the “official” written language, as many Somali are not literate in their own language. At least the youth learn to read and write English here, and so can translate for their families.
- A similar case exists for people from Sierra Leone. While most of them speak Krio, this is not a written language, and therefore

English is used as the “official” written language. A significant number of people speak English as well as Krio, and a significant number also write English.

- When talking to men, filter out the “feminist influences”. Otherwise men will think that this is “the Queen’s country” and turn-off; thus perpetuating the myth that “there is too much freedom for women” here.

STRATEGY

Prevention and education sessions on domestic violence for men, women and youth to assist in transforming community attitudes.

Refugee communities highlighted the value of developing and conducting a variety of prevention and education awareness activities that aim to promote changes in community attitudes, knowledge and reduce the risk of violence in families.

There are various ways in which this could be done:

- Educate the men in specific groups, and in their own language. Topics can include: gender roles, expectations of women, and parenting.
- Educate the women alone, in specific groups, and in their language.
- Have sessions with men and women alone.
- Have sessions with the youth all together (male and female).
- Have sessions in small groups, in larger groups, and in family groups.
- Include domestic and family violence information sessions as part of a normal social cultural event.
- This information (especially the law aspect) could be given as part of Initial Information and Orientation Advice services – ie. on arrival in Australia.
- Increase awareness and sensitise the women/community groups to the issue, so that women are aware of the issue and may be able to support their colleagues who are in these situations.
- Educate the youth on their rights and responsibilities in relation to gender and sexual attitudes and behaviour.

STRATEGY

Effective use of media campaigns.

Mainstream media and alternative media such as ethnic newspapers, multicultural radio programs, and internet pages have also been identified as culturally appropriate educational tools. The use of large scale programs must include the involvement of community members.

- Community TV (eg channel 31), or SBS
- Community radio, in relevant community languages
- Use of internet to provide this information, especially for men and young people.
- Publicising existing domestic violence hotline numbers in all the above means
- Using a prominent sporting or other well-known member of the community to promote the message that violence in families and communities is unacceptable.

STRATEGY

Empowering women with information and skills to reduce their vulnerability to domestic violence.

Women and children are most often the victims of domestic and family violence. In 2003, The United Nations High Commissioner for Refugees developed Guidelines for Prevention and Response to Sexual and Gender Based Violence against Refugees, Returnees and Internally Displaced Persons. This report stated; *“In most cultures, women are regarded as subordinate to, and are rendered dependent upon men. These unequal power relations leave women at a double disadvantage: women are at greater risk of physical and psychological abuse; and, if subjected to such abuse, they generally have few options for redress and/or economic self-sufficiency”* (2003, p.37)

One of the main reasons for developing empowerment strategies was so that the communities could participate in their own languages, particularly for those women who were not literate or fluent in English, or who tended to be at home.

Where women were experiencing domestic and family violence, they felt that if they were linked into vocational programs or employment, they would have a better chance of breaking away from the violence in the home.

Supporting women's social groups and recreational type programs can also play a major role in empowering refugee women. These programs and projects can provide a safe place where women can feel they are respected and where trusting relationships can be a support during times of crisis.

Many women felt that this strategy was not for domestic violence issues alone. It was identified that there was a huge need for general programs such as health, parenting & financial management training and courses.

STRATEGY

Partnerships with ethno-specific social/community workers and specific domestic violence services.

There are very few bi-lingual /bi-cultural domestic violence services available. The communities believed that where there are no bilingual/bicultural service providers, then partnerships should be formed with ethno specific organisations. Only with effective community partnerships will domestic violence services be able to meet the cultural and linguistic needs of refugee communities. Partnerships would advantage all domestic violence support workers. These partnerships would facilitate discussion and actions on sensitive subjects, so that good outcomes are achieved for women from a particular community.

STRATEGY

Identify and use early intervention / mediation methods. Improve availability and use of counselling services.

Some communities have developed intervention and mediation methods by using community elders in domestic and family violence situations. These models of intervention should be explored as viable strategies. They may need to be resourced and supported in order to achieve the best outcomes. The elders would be involved at an early stage as mediators to a couple with problems. This early assistance may help them to resolve the issue without resorting to violence. The elders would be both male and female. These models of intervention have been effective in countries of origin. The key issue is to address the issue at an early enough stage between individuals in a relationship (eg. when there is verbal abuse and before it escalates to physical abuse).

SOME MODELS OF GOOD PRACTICE

The following models of best practice are offered as examples of effective service delivery to refugee communities. Key service providers are encouraged to contact these services and discuss their projects, training and programs. These services have made significant in-roads in accessing and supporting refugee women who are experiencing domestic and family violence. There are many services that are not listed here that also provide excellent projects and programs for refugee women and their families.

Contact details for the services mentioned can be found at the end of this session.

Immigrant Women's Speakout

Domestic Violence Project for Immigrant and Refugee Women

This project provides casework to women to understand their situation and the options available to them by: providing information on available support services such as social security, housing benefit, legal protection and others; supporting women in the decision making process; referring women to other services for accommodation, counselling and legal advice; and helping women apply for permanent residence.

While individual migrant and refugee women are supported through casework, the project also tries to improve conditions through policy and advocacy work. The project also works in educating the larger community about the issues faced by migrant and refugee women in domestic violence by providing specific training for service providers.

Auburn Migrant Resource Centre

Early Intervention Family Support Project (families with children 0-8)

This project provides early intervention and family support to newly arrived migrant and refugee families with children 0-8 years. It assists families to meet the developmental needs of children and to build their capacity to better access support structures to support their children. The project works with newly arrived migrant and refugee families in a developmental and supportive role assisting to improve their own skills, relationships and self-sufficiency.

Early Intervention Family Support Project (families with teenagers)

The project provides early intervention family and parenting support to migrant and refugee families in the Auburn area, with the aims of minimizing family disharmony and building the capacity of families to better support their relationship needs. It will be working specifically with families with teenage children to address particular challenges faced by these families, including issues arising from the intergenerational gap.

Afghan Women Speakout

A community study on the health needs of Afghan women and their families in Bankstown and surrounds

In 2002, Bankstown Area Multicultural Network Women's Health Promotion Seeding Grants application to Women's Health, South West Sydney Area Health Service (SWSAHS) was successful in obtaining funds to conduct a community study of the health needs of Afghan women and their families in Bankstown and surrounding areas. A research project – the Afghan Women Speakout – was comprised of a literature review, a community profile and community consultations. A report with recommendations was produced.

The community consultations with Afghan women represented the views of 47 women, and a total of 305 members of the Afghan community. The project explored: the most important health issues affecting refugees or recently arrived immigrants; ways of improving health through Afghan women identifying how their own emotional and physical health might improve; and the type of support required to use services.

SPECIALIST SERVICE PROVISION

Transcultural Mental Health Centre (TMHC) Clinical Services Unit

The TMHC Clinical Services unit was set up to meet the needs of NESB people who live in NSW and who experience mental health problems. The Clinical Service provides:

1. Telephone consultations to health, welfare and other relevant professionals, carers and consumers about: advice on the impact of culture and language on mental health; information about and referral to community support services, ethnic community organisations or bilingual health/ mental health professionals; consultations on cross cultural issues; consultation on service delivery issues with individuals and groups; and specialist clinical intervention by bilingual sessional workers (the Clinical Brokerage Program).
2. The Clinical Brokerage program provides sessional employment of skilled bilingual clinicians whose role is to provide short term clinical intervention. The role of the bilingual sessional workers is to: provide assessments and clarification of diagnosis; assessment of cultural issues; assessment about the social, political and religious aspects of the client's presentation; development of general, medication and rehabilitation care plans; psychoeducation for family members and relatives; and group intervention with a focus on mental health promotion and prevention.

On average, 30% of clients (per year from 1997-2000) are from a refugee or asylum seeker background.

Service for the Treatment and Rehabilitation of Torture and Trauma Survivors (STARTTS)

Early Intervention Program (EIP)

This program is designed to assess the needs of refugees soon after arrival in Australia to ensure they are connected to appropriate services. The EIP focuses on early intervention as current research indicates that the earlier problems associated with torture or trauma are identified, the greater likelihood of a successful recovery.

Where a client has primary needs arising from torture or trauma experiences, their case is managed by an EIP counsellor where they are

offered short to medium term counselling to assist them with dealing with the effects of past experiences. Referrals are made for their other needs. In appropriate cases, group work may also be offered. Clients requiring longer term intervention may be referred to STARTTS General Services for further assistance.

Families in Cultural Transition

Families in Cultural Transition is a group program which helps participants to understand the impact of migration on the family and family dynamics, and helps in the settlement process. The groups use the *Families in Cultural Transition Kit*, which covers: the migration and settlement process; support systems; money and budgeting; trauma and healing; families, parenting and gender issues; and enjoying the new environment. The groups are run by trained bi-lingual facilitators for three hours a week over ten weeks. The groups are run in a range of community languages and at convenient locations throughout Sydney.

Safe Families Project

Fairfield Immigrant and Refugee Women's Network

The Safe Families Project is an initiative of the Fairfield Immigrant and Refugee Women's Network, in partnership with the Fairfield Domestic Violence Committee, the NSW Strategy to Reduce Violence Against Women, Regional Violence Prevention Specialist and the Fairfield City Council.

The aim of the project is to reduce the incidence of domestic violence in Non English Speaking Background (NESB) communities.

The Safe Families Kit is intended to assist in the provision of information sessions to people for whom English is not the first language, in a setting where several languages are spoken. The kit has also been developed with an awareness that some participants' literacy skills in their first language may also be low. Plain English and illustrations have been used to convey clear messages and facilitate communication.

The Safe Families package is designed to be used in a number of environments including classroom situations such as Adult Migrant English Programs and other English language courses and a range of NESB contexts such as groups run by community and neighbourhood centres.

Education Centre Against Violence (ECAV)

The Education Centre Against Violence (ECAV) is a NSW Health statewide, specialist organisation auspiced by the Western Sydney Area Health Service. ECAV provide specialised training, consultancy and resource development to NSW Health and interagency workers who provide services to children and adults who have experienced sexual

assault, domestic violence and/or physical and emotional abuse and neglect.

ECAV provides courses for Health, Government and non Government interagency workers.

ECAV courses reflect current research and best practice incorporating adult learning principles, utilising the participant's knowledge and are respectful of diversity of culture and experience.

LEGAL SERVICES

Domestic Violence

The NSW Crimes Act 1900 includes domestic violence legislation. This legislation allows a Local Court to make an order to protect a woman against violence, abuse, intimidation, harassment or damage or threatened damage to property by another person. It can also protect children and other family members.

An Apprehended Violence Order is not a criminal charge, but if the person breaches the terms of the Apprehended Violence Order, it is then a criminal offence and the police can arrest and charge that person.

A police officer or chamber magistrate (at the local court) can help make an application for an Apprehended Violence Order. The court can arrange interpreters free of charge for women who require one.

Violence against women is never excusable. Many forms of violence are crimes. A victim of violence is never responsible for the violence. Violence happens in all cultures. Religion and culture are not the cause, or an excuse for violence.

(Adapted from Women, Violence and the Law, Violence Against Women Specialist Unit, July 2003)

Family Law Matters

The Family Law Act 1975 is a federal act that covers divorce, property of married couples, spousal maintenance for married persons and all issues relating to children whether these children have parents who were married, in a de facto relationship or have never lived together.

The Property (Relationships) Act 1984 is a NSW Act that covers people living in or separating from a de facto relationship. A de facto relationship is broadly defined in the Act as a close personal relationship between two adults, whether related to each other or not, who are living together, one of whom gives the other domestic support and personal care.

Amongst other things, the Act sets out the law on spousal maintenance and property division.

The Child Support (Assessment) Act 1989 is a federal act that deals with child support for children whose parents have separated. All parents are expected to contribute to the financial support of their children regardless of whether they were married, in a de facto relationship or have never lived together. The amount paid by the parent not living with the children (non-resident parent) will be calculated according to the income and financial circumstances of both parents.

If a parent chooses, the Child Support Agency will assess and collect the child support contributions to be made by the non-resident parent and then pay them to the resident parent. Alternatively, parents can organise a private arrangement for the collection of child support.

Separation and divorce usually creates considerable upheaval in people's lives, particularly for refugee women who have come through so much trauma and loss to further experience the emotional turmoil of divorce. It is very important that women have access to good legal advice and emotional support after separation. In most instances, it is sensible to keep the two areas separate and not to look to a lawyer for emotional support or take legal advice from anyone unqualified in law.

Legal advice in family law is available from the Legal Aid Commission, community legal centres, LawAccess and private lawyers.

(adapted from Women and Family Law, Women's Legal Resource Centre, 7th Edition, 2001)

Victim's Compensation

If a person has been injured in NSW as a result of a crime, they may be eligible to make an application for compensation to the Victims Compensation Tribunal under the Victims Support and Rehabilitation Act 1996. Victim's compensation is a scheme which tries to assist the victim of crime rebuild their life after trauma and pain.

Victim's compensation is available for people who have been victims of assaults and includes victims of domestic violence and sexual assault.

Applications for compensation should usually be made within 2 years from the assault, but in certain circumstances such as cases of child abuse, domestic violence and sexual assault, it is possible that an application will be accepted outside the two year period.

Unlike many legal matters, applying for victim's compensation does not require the victim to appear in court. A decision will be made on the written evidence provided to Tribunal with the application.

The Tribunal pays a solicitor's costs for the preparation of the application. This does not come out of the victim's award of compensation. Since legal help is free for the victim, it is recommended that all applicants for

compensation have legal assistance in the preparation of their application.

A victim of crime can also apply for up to 20 hours of free counselling through the Victims Compensation Tribunal. This can be in addition to or as an alternative to applying for compensation.

Legal advice on victim's compensation can be obtained through community legal centres, the Legal Aid Commission, LawAccess and private solicitors.

Child Protection and the Law

The Children and Young Persons (Care and Protection) Act requires service providers who suspect a child of being at risk of harm to report that risk to the Department of Community Services.

The Ombudsman Act requires that any allegations of child abuse by employees of specified government and non-government agencies (generally those with responsibility for the care of children) must be reported to the Ombudsman's Office within three weeks of the incident occurring.

The Child Protection (Prohibited Employment) Act requires employers to confirm that all employees, both paid and unpaid, are not prohibited persons. A prohibited person is one who has been convicted of a serious sex offence, which is an offence which would be punishable by 12 months imprisonment or more if the offence had occurred in the state of NSW. A list of such offences includes sexual abuse of a child, assault, carnal knowledge and acts of indecency.

The Commission for Children and Young People Act 1998 requires employers to conduct employment screening known as the "working with children check" on all preferred applicants for child related employment. These checks can be done by the Commission for Children and Young People, Department of Community Services or other designated agencies.

Interpreter services

Lack of fluency in the English language is often one of the biggest barriers affecting refugees and migrants when they try to find assistance. Even when people have a functional but limited grasp of English, workers should never assume that people are fluent in all areas of language. We tend to learn language in blocks as we need it – for example – we may learn about transport systems, or food, but not have a vocabulary much beyond that. It is therefore essential the workers take responsibility for making sure that refugees who come for assistance can fully express their problems and understand the assistance they are offered. The best way to do this is to use a professional interpreter. There are problems relying on friends and family to interpret. There may be issues of confidentiality. Women may not want friends or community members to

know what is happening to them. Children are sometimes asked to translate things which are beyond their vocabulary or comprehension.

Interpreting and translation services are available through the NSW State Government Community Relations Commission (CRC).

Face to face interpreting services are provided 24 hours a day 7 days a week. These services may be obtained from anywhere in the State by telephoning 1300 651 500 and for the cost of a local call.

Further information about CRC:

Website: www.crc.nsw.gov.au

Interpreter and translator bookings may be made in person at Commission Offices in:

Sydney:

Counter service available from 8:00 am to 5:00 pm, Monday to Friday at Level 8, 175-183 Castlereagh Street, Sydney NSW 2000

Fax: (02) 8255 6711

TTY: (02) 8255 6758 (For the hearing impaired who have a telephone typewriter)

Newcastle:

Government Office Block
117 Bull Street, Newcastle NSW 2300 MAP

Tel: (02) 4929 4191

Fax: (02) 4929 7369

Wollongong:

State Office Block
84 Crown Street, Wollongong NSW 2500

Tel: (02) 4224 9922

Fax: (02) 4224 9933

SESSION MATERIALS

“You are not alone”: Services which are Available to Help

(NB This session is based on “The Ultimate Betrayal – an examination of the experience of domestic and family violence in Refugee Communities” written by Eileen Pittaway, and commissioned and funded by the Domestic Violence Clearing House, UNSW).

Show sections 3 and 4 of the From Horror to Hope Video 

Introduction

It is essential to make refugee women feel comfortable in client interactions. Workers need to exchange information with their clients in a positive way to ensure that the woman's story is heard, accepted, understood and validated. All refugee women have experienced some level of trauma associated with war and oppression. Experiences such as major losses, including loss of home, family members, and country are central to the refugee experience. All refugee women were forced to leave their country and undertake dangerous journeys to places of safety.

Seeking safety from domestic violence situations can be equally as traumatic, and service providers need to be equipped with the knowledge and understanding of relevant laws that aim to support refugee women.

In all dealings with refugee women who are experiencing domestic violence, it is the priority of the service provider to ensure the physical and emotional safety of the woman and her children. All service providers must have strong interpersonal skills and good communication techniques.

Use PowerPoint Number 49



**In all professional dealings with
Refugee women the following points
must be the main focus for all workers:**

- The rights and responsibilities of both the worker and the refugee women clients are clearly explained and promoted throughout all client contact
- All dealings should show a commitment to empowering refugee women to resolve their own issues through enhancing their knowledge, self-esteem and awareness of appropriate support systems
- Any indicators of risks or safety will be responded to according to the individual's circumstances, while still in accordance with an organisation's processes and procedures



Use PowerPoint Number 50



**Key issues to remember when
advocating or working with
refugee women and their families**

- Always be welcoming and put the woman at ease
- Assess language needs and determine the correct language or dialect, arrange for an interpreter if required.
- Make sure that the information given is clear and understandable
- If she wants to share it, listen to the woman's story, including her refugee journey
- Identify the main issues and clarify your understanding
- Agree on the steps to be taken
- Always state the limitations of what you can do, be honest
- Include other non offending family members if the woman wants the support
- Acknowledge her refugee background when appropriate



WHAT THE WOMEN WANT IN REGARD TO PREVENTION & EDUCATION MODELS

Discussion point



These are professional skills which we should all employ when working in service provision. What additional skills are needed when working with refugee women?



Use PowerPoint Number 51



Services which refugees need



Activity: Brainstorm



Where are you likely to access the services in your area? List the answers on the white board or butchers paper.

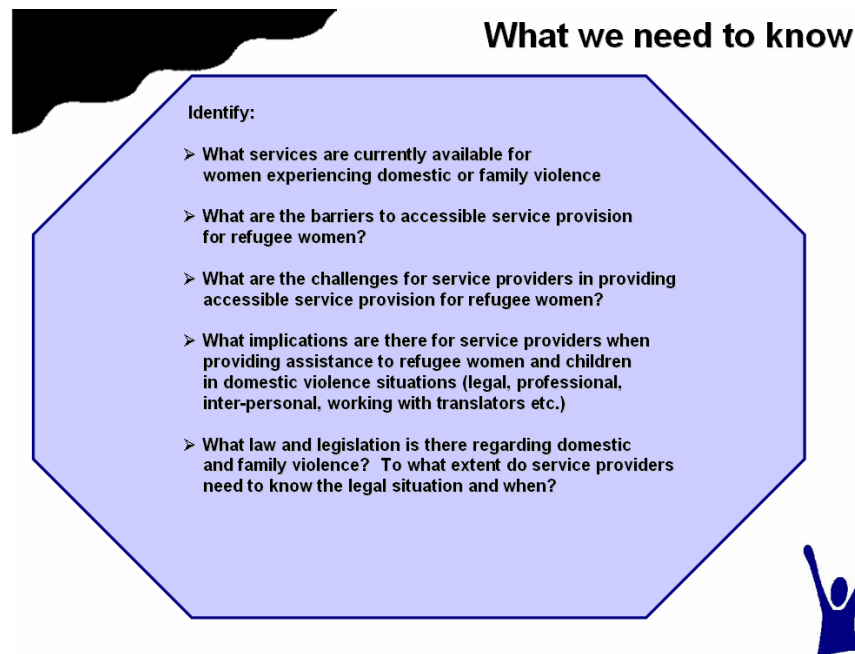
Strategies for working with refugees

Some of the most powerful voices in refugee communities are the voices of the community themselves, in particular those of the elders. Their ideas and suggestions for prevention and education programs can be the key to identifying what may assist in trying to prevent violence against women and children. Activities and strategies must include the refugee communities, and workers from government and non government services. Preventing domestic and family violence in refugee communities must involve identifying and removing the factors that make women and children vulnerable to violence. Refugee communities are wanting to work in partnership with service providers on this sensitive issue. They feel that strategies and programs designed, developed and implemented in partnership are the best model for prevention and education.

What We Need to Know

In this session we look at the range of information we need to have to work with refugee communities.

Use PowerPoint Number 52



What we need to know

Identify:

- What services are currently available for women experiencing domestic or family violence
- What are the barriers to accessible service provision for refugee women?
- What are the challenges for service providers in providing accessible service provision for refugee women?
- What implications are there for service providers when providing assistance to refugee women and children in domestic violence situations (legal, professional, inter-personal, working with translators etc.)
- What law and legislation is there regarding domestic and family violence? To what extent do service providers need to know the legal situation and when?

Activity: small group work



List the challenges you might meet in your work with regard to gaining the knowledge needed and accessing these services for refugee women. Suggest what you and your organisation will have to do to face some of these challenges.

Making services more accessible

Refugee women have identified a range of challenges which they face when accessing services.

Use PowerPoint Number 53




Service Provision Issues Identified By Refugee Women

- A need for **bilingual/bicultural domestic violence workers**
- A **mistrust, fear and previously negative experiences with state authorities in country of origin, such as police, courts, magistrates etc**
- Lack of **knowledge about the legal system**
- Lack of **access to interpreters, and the effective use of interpreters**
- Lack of **flexibility in existing service responses**
- Lack of **support services offered locally**
- A **need for community based approaches including prevention and educational programs**
- The **need for an early intervention and prevention programs for refugee families**




Use PowerPoint Number 54




Making Services More Accessible

Issue	Suggested Actions
Lack of bilingual workers from specific communities	Many community organisations who have bilingual/bicultural staff are willing to work in partnership with other organisations
Lack of specific data relating to refugee communities	Sources for population data on refugee communities are available via DIMA. Most local migrant services will also have adequate population data that they are willing to share.
Confidentiality issues within small Communities when dealing with DV issues	All service providers are urged to work within their relevant policies and procedures, this includes ethical codes of practice. Client's rights should be explained and confidentiality ensured.




Use PowerPoint Number 55



Making Services More Accessible

Issue	Suggested Actions
Lack of resources, especially when there are diverse refugee communities in one local area	Identify refugee communities and reallocate within existing resources to ensure access by refugee communities
Interpreter service charges, which particularly affects not for profit organisations	Organisational budget should make reference to the need for funds for interpreter services charges, some services may be entitled to exemptions
Client referrals getting lost between agencies and lack of follow up of clients	Procedures should be developed that ensure an agency does complete clients interactions with appropriate follow up, this may be completed by phone or email and need not take too much time, only with monitoring can a worker be certain that clients referrals are followed through.



Activity: group work



Split the class into small groups. Divide the services listed in the first exercise between the groups and ask them to suggest how these services could be made more accessible for refugee women.

Law and legalisation relating to domestic and family violence

“In our country the man gets the custody of the children when separation happens, this is why women will not create any trouble because women worry about losing their children, But here in Australia the women will deal with the problems because the law will protect her and her children and she can then get custody of her children.” (Iranian focus group 2004)

A broad understanding of the laws relating to violence against women is essential in order to effectively assist women. It is impossible to develop an in-depth knowledge of the complexities of these laws in a short training course. This session aims to provide participants with a broad overview of what legal assistance is available to women who experience domestic and family violence, and appropriate places to which to refer them.

Use PowerPoint 56



LEGAL ASSISTANCE	KEY ISSUES
Domestic Violence Legislation	NSW Crimes Act Apprehended Violence orders Role of police and local courts Domestic violence is a Crime
Family Law Matters	Divorce Property settlements Matters relating to children Child support
Victims Compensation	Financial compensation for victims of assaults Counselling services
Child Protection and the Law	Service Providers role in reporting child at risk of harm role of Dept. of Community Services Responsibilities of employers



Activity: Group Work



Divide the participants into four groups and provide them with copies of the law and legalisation relating to the Domestic & Family Violence handout. Allocate one topic to each group and ask them to prepare a role play for the larger group in which they demonstrate the services available to women experiencing domestic and family violence. They can model their role play on cases that they have heard about, or on the cases presented in the training materials.

CONTACT DETAILS FOR SERVICES

**The Deli Women's and Children's Centre
Art for Empowerment Project**
Tel: (02) 9667 4664

**Immigrant Women's Speakout
Domestic Violence Project for Immigrant and Refugee Women**
Tel: (02) 9635-8022
Email: women@speakout.org.au
<http://www.speakout.org.au/>

Auburn Migrant Resource Centre
Tel: (02) 9649 6955
<http://www.amrc.org.au/>

Bankstown Area Multicultural Network

Tel: (02)9791 9765

Tel: (02)9796 4950

Email: swshaccdo@bamn.org.au

**Transcultural Mental Health Centre (TMHC)
Clinical Services Unit**

Tel: 1800 648 911

<http://www.tmhc.nsw.gov.au>

**Service for the Treatment and Rehabilitation of Torture and
Trauma Survivors (STARTTS)**

Tel: (02) 9794 1900 (Carramar, NSW)

Tel: (02) 9646 6666 (Auburn, NSW)

<http://www.swsahs.nsw.gov.au/areaser/startts/services/fict.asp>

<http://www.swsahs.nsw.gov.au/areaser/startts/aboutus/index.asp>

Safe Families Project**Fairfield Immigrant And Refugee Women's Network
(FIRWN)**

Tel: (02) 9725 8978

FAIRFIELD DOMESTIC VIOLENCE COMMITTEE

Tel: (02) 9609 7400

**Violence Against Women Specialist Unit
Communities Division, DOCS, Ashfield**

<http://www.lawlink.nsw.gov.au/vaw>

Telephone (02) 9716 2061/2062

Facsimile (02) 9716 0341

Education Centre Against Violence

<http://www1.health.nsw.gov.au/ecav/>

Ph: (02) 9840 3737 Fax: (02) 9840 3754

E-mail: ecav@wsahs.nsw.gov.au