

Identifying the woman, the client and the victim

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Sexual assault and domestic violence services for women of culturally and linguistically diverse backgrounds

The author examines the adequacy of sexual and domestic violence service providers in accommodating for the specific needs of victims from culturally and linguistically diverse (CALD) backgrounds, drawing on a study of 11 Victorian women from Chinese, East Timorese and Vietnamese backgrounds. In recognising the totality of the intersection of both gender and racial oppression CALD women experience, she highlights the specific needs of CALD victims and the barriers they face in accessing services. Finally, she explains how such needs and barriers are addressed, if at all, by existing service providers, as well as government policies which establish and inform service delivery provision.

Sexual and domestic violence service providers are an integral part of Victoria's emergency and health service provision. Today, services such as the Women's Domestic Violence Crisis Service of Victoria (WDVCS) and the 15 government-funded CASAs in Victoria, as well as other service providers, provide important and much needed assistance to victims of sexual and domestic violence. However despite the existence of such services, sexual and domestic violence is a crime that remains severely under reported, and its services under utilised.

In 2002, the Australian Bureau of Statistics' *Crime and Safety Survey* estimated that 28,300 women across Australia experienced 62,700 incidents of sexual assault in the previous 12 months (Australian Bureau of Statistics, 2002). Of these, only 20 per cent notified the police about the most recent incident, a decline from the 1998 *Crime and Safety Survey* which approximated that 33 per cent of victims reported the most recent incident to police (Australian Bureau of Statistics, 1998). The *Crime and Safety Survey* 2002 found that although 87 per cent of female sexual assault victims accessed some sort of support, 68 per cent of victims sought support from either a friend or colleague, and 41 per cent told a family member, with only 20 per cent seeking assistance from a medical practitioner and 18 per cent from a crisis helper (Australian Bureau of Statistics, 2002).

More recently the 2005 *Crime and Safety Survey* approximated that 44,100 victims across Australia experienced 72,000 incidents of sexual assault. Of these victims, 34 per cent did tell the police, 65 per cent sought help from a family member and only four per cent of victims sought assistance from a crisis helper (Australian Bureau of Statistics, 2005), a dramatic decrease from the 2002 statistics.

Further, it has been identified that culturally and linguistically diverse women are both more vulnerable to sexual and domestic violence and are less able to seek redress. The Office of Women's Policy's (Victorian OWP) *Women's Safety Survey* indicates that only four per cent of CALD sexually victimised women reported the most recent incident to police (Victorian OWP, 2002). While such statistics and broader literature reveal that *some* victims make use of rape crisis centres, refuges, emergency housing and domestic violence services, these findings also infer that many do not.

Given the low reporting rate and the high percentage of victims who find support from family and friends rather than established sexual and domestic violence service providers, questions arise as to why such services are not being utilised by victims. Furthermore, given that both mainstream and ethno-specific services do exist and are utilised by some victims, Graycar maintains that "there appears to be a lack of services for certain vulnerable populations such as NESB and Indigenous persons" (Graycar, 1999, p. 3).

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The importance of this issue stems from the distinct cultural nuances which CALD women bring to our society. The language barrier hinders CALD women's access to support services. Additionally, cultural and institutional barriers mean this access becomes insurmountable. As such, the following section will highlight the cultural barriers CALD women experience, with a particular emphasis on the family structure and how the structure of CALD families influence CALD women's help-seeking behaviours, and thus why current service provisions, founded upon white liberal feminism are inadequate in dealing with CALD victims.

Research findings

In conducting a thorough literature review it was found that although experiences in accessing domestic violence service providers of CALD women overlap to some extent with those of the majority, Lievore noted that "the specificities of their lives may have different consequences for the nature and severity of sexual assault and for the particular significant factors such as shame ... privacy and family" (Lievore, 2003, p. 116). Cultural barriers are influenced by migration history, family structure, gender roles, acculturation and religious tradition (Manderson & Rae, 2003; Volpp, 1994; Wang, 1996; Yoshioka, DiNoia, & Ullah, 2001). As Sokoloff and Dupont highlighted, different cultures define violence differently, thus there are varying perceptions of what constitutes severe versus milder forms of abuse within minority groups (Sokoloff & Dupont, 2005).

The South Central Migrant Resource Centre also looked at the needs of CALD victims. They found that the understanding of crime varies across cultures. These victims do not perceive themselves as 'victims of crime' *per se*, therefore do not believe they have rights as victims, nor do they consider themselves eligible for victim assistance services (Migrant Resource Centre South Central, 2004). Likewise the Queensland Immigrant Women's Support Service (IWSS) acknowledges that CALD women "often struggle with the Australian definition of sexual assault and domestic violence ... particularly within marriage", believing that as a wife, it is their 'duty' or their 'role' (Immigrant Women's Support Service, 2005).

Such findings are particularly important in highlighting the urgent need for education, not only for CALD communities, but society in general. A greater understanding of victim's rights, and what constitutes a victim, is essential in ensuring that services are utilised by all victims. Thus considerations of cultural factors must be taken into account in order to guarantee accessible and suitable services to CALD victims.

The relevant literature identifies a number of needs and rights which all sexual assault victims share in common. These include the right to:

- be treated with dignity, respect, sensitivity and understanding;
- privacy and confidentiality;
- be believed;
- information including legal and referral process, emergency housing; and
- control decision making (Scott, Walker, & Gilmore, 1995).

Further, in addition to the general needs of all sexual assault victims, the specific needs of CALD victims have been identified as also including:

- access to and availability of women interpreters;
- linguistically appropriate information;
- cultural sensitivity and understanding; and
- appeasement of fears and apprehension regarding confidentiality (Ciurak, 1986; Graycar, 1999).

Additionally, barriers to disclosure of sexual violence need to be addressed in order to guarantee culturally sensitive and appropriate service for CALD victims. There are a host of individual, cultural and structural barriers that these victims are confronted with when deciding whether or not to disclose

sexual violence to service providers and the police, as well as whether to remain or leave the abusive relationship.

These barriers include the following: shame related to family honour; women's responsibility to keep the family together; fear that confidentiality will not be respected; lack of trust; notion that women should tolerate violence; fear of escalating violence; language barrier; and lack of culturally specific services (Ciurak, 1986; Ely, 2004; Laster & Taylor, 1994; Maglizza, 1986; Partnership Against Domestic Violence, 2000; Schetzer & Henderson, 2003; Shui-Thornton, Senturia, & Sullivan, 2005).

Other barriers are: lack of awareness regarding domestic violence; marital conflict perceived as 'ordinary'; and concern for their children (Shui-Thornton et al., 2005); fear of retaliation and shame (Manderson & Rae, 2003; Shui-Thornton et al., 2005); and, alienating service delivery (Alcorso & Schofield, 1991; Victorian Law Reform Commission, 2004).

Gill (2004), Lievore (2003) and Scheelbeek (1991) identify language, racism, sexism, and monocultural nature of the criminal justice system as barriers, while other authors identify fear of deportation (Easteal, 1996; Jiwani, 2001; Victorian Law Reform Commission, 2004); fear of isolation, and absence of extended family in Australia (Bagshaw, Chung, Couch, Lilburn, & Wadham, 2000).

Ciurak (1986), Martin (1998), and Schetzer and Henderson (2003) identify lack of knowledge and understanding of their cultural backgrounds by workers in mainstream services and the general community as a barrier to the disclosure of sexual violence.

Through interviews with 11 participants, it was found that the generalist mainstream services that they accessed were often at odds with the needs of CALD communities, CALD women and their families. Language, cultural and institutional barriers often work to prevent CALD women from seeking such assistance, therefore limiting their access to justice. Consequently, the benefits of applying a minority socio-legal feminist perspective emerged, given that such a framework highlights the exclusion of CALD women from the purview of white liberal feminism and services founded upon white liberal feminism.

Through interviewing the participants, it became clear that although sexual assault/rape victims do share some experiences, the specific experiences of CALD victims cannot be generalised as being shared by all sexual assault/rape victims. This is because their culture, religion, family, community and ethnicity all play a significant role in the way CALD victims experience the trauma of such violence; and further, how they then deal with this, whether it's through counselling, involving the police, or keeping the 'secret' within the family, to avoid shame and embarrassment. Whilst sexual violence does not discriminate on the basis of race, it emerged that the effects of such violence against CALD women severely impacted on CALD victims help-seeking behaviours.

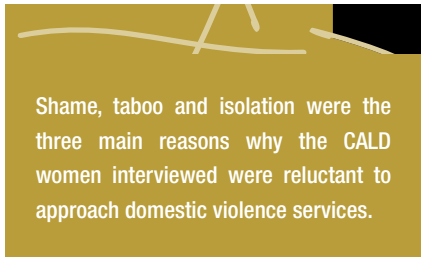
Themes emerging from participant interviews

Although the data collected were obtained from services operating in metropolitan Melbourne, such findings (although based on a very small sample), may provide a platform that can be used by services throughout Australia, given that Australia prides itself on being a multicultural country. All participants stated that generally, CALD women keep abuse to themselves, or within their family. As such, it was noted by one participant that "people, whatever their background, generally don't have an awareness of sexual assault services" (Migrant Resource Centre Northwest, 2005).

The *specific* needs and barriers of CALD women, and the adequacy of existing services, as identified by the participants were: shame; limited access to linguistically appropriate information; unawareness of women's rights; lack of bi-lingual and ethnic employees; use of interpreters and counsellors; counselling practices; appropriateness of current services; and tension between remaining and leaving abusive relationships.

Shame

It was made clear that CALD women are reluctant to seek outside assistance in the first instance. Shame, taboo and isolation were the three main reasons why



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the CALD women interviewed were reluctant to approach domestic violence services. The notion of shame was closely linked to the dishonour of the family name if a woman was to speak openly about the abuse she was suffering at home, which would then result in the 'loss of face' for not only her husband/partner, but also herself as well as her family.

Lack of access to linguistically appropriate information

In relation to access to linguistically appropriate information, funding restrictions was a main concern in guaranteeing that *all* minority groups received the appropriate information regarding sexual violence service providers. Some participants also expressed concern for small and emerging CALD communities, as they tend to be disadvantaged in terms of receiving linguistically appropriate and accessible information.

Unawareness of women's rights

It was identified that many CALD women do not see their experiences as domestic or sexual violence. Additionally, the Chinese community representative maintained that racism, language and communication act as significant barriers. Likewise, the broad Australian definition of domestic violence suggests that CALD women may have difficulty in recognising that domestic violence does not just involve physical abuse. Viewed through a human rights perspective, participants in this research highlighted the fact that most CALD women are not aware of their rights as citizens, nor as victims. This ultimately influences the women's own perceptions of themselves, the abuse they suffer and their right to access services.

Lack of bi-lingual and ethnic employees

The lack of bi-lingual and ethnic employees within existing services was shown to precipitate the under-utilisation of services by CALD women. Given that CALD women are reluctant to seek outside assistance in the first instance, some of the research participants argued that the presence of an ethnic worker, who speaks the language and understands the culture, would be of added value to the service.

Use of interpreters and counsellors

While participants encouraged the employment and utilisation of interpreter services, many highlighted the fact that some interpreters, whilst skilled in the art of interpreting, failed to receive cultural training. Likewise, the lack of culturally trained and experienced interpreters suggests that women pass through a number of interpreters. This acts as a barrier and stems from the fear that their personal issues will become public if more people know about it. This was also an issue with the use of counsellors.

Appropriateness of current services

When questions were asked pertaining to culturally appropriate services currently available to CALD women, a majority of participants expressed that they did not feel that mainstream services were neither appropriate nor adequate in accommodating for the needs of CALD women. Stemming from the lack of culturally appropriate services, some participants alluded to the reality that for CALD women, it may be better for them to remain in the relationship despite the violence because services simply are not culturally sensitive or appropriate.

Women who stay versus women who leave

It was identified by research participants that there exists a tension between what the woman wants and what service providers impose on her. As a result, CALD victims' decisions to remain in an abusive relationship, for whatever reason, are at odds with that of mainstream services. It was argued, predominately by smaller community and ethno-specific services, that mainstream service providers fail to consider the imminent cultural repercussions CALD women face when they leave their abusive partner, as leaving the relationship often means ostracising herself from her family and her community.

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Overall, participants highlighted and emphasised the urgent need to not only educate CALD women and communities about such services, but to also equip services with the right training, people and practices in order to deliver culturally appropriate and sensitive service to CALD victims of sexual and domestic violence. Participants believed that while women may not seek the assistance of services immediately after learning of their existence, the knowledge that services are there, and are culturally appropriate, staffed with ethnic and or bi-lingual employees, will help ensure that women are willing to approach service providers when they decide to do so.

Conclusion

CALD victims are doubly disadvantaged: being women, as well as being outside the dominant cultural group. If mainstream feminist services employ a 'one-size-fits-all' approach, this does not acknowledge the importance of factors such as race and culture. Many CALD women need a more tailored response – one that considers their culture and all that it encompasses (Donnelly, Cook, Van Ausdale, & Foley, 2005).

From my exploratory research findings, mainstream services may not be well equipped to accommodate for the needs of CALD women nor their multiplicity of identities given that they are founded upon white, liberal feminism, heavily geared towards formal, rather than substantive justice.

As Richie argued, mainstream services render *every woman* as being a “white ... woman who could turn to ... a police officer or a law to protect her from abuse” (Richie, 2000, p. 1135). The failure of liberal feminism in acknowledging and including other forms of oppression CALD women face can be seen as the sacrifice of substantive justice in favour of “consistent application of the legal principle” (Massaro, 1989, p. 2103). As such, liberal feminism runs the risk of rendering immigrant women’s experiences and beliefs as unimportant and meaningless, further denouncing CALD victims’ lived realities and belief systems.

Culture plays a significant role in how domestic violence is perceived, how the issue is dealt with, and further, the options available to victims. Thus it becomes important to explore the cultural barriers CALD women face, how these barriers influence CALD victim’s help-seeking behaviours, and thus why current service provisions are inadequate in dealing with CALD victims.

The multiplicity of CALD women’s identities compels us to delve deeper in order to uncover the specific cultural milieu that may render them reluctant to seek such service assistance and support. In doing so it is important to recognise the totality of the intersection of both gender and racial oppression CALD women experience, which is further compounded by the inflexible structure of current mainstream service providers. Thus the recognition of the multiple layers of oppression faced daily by CALD women is increasingly important in ensuring that they have equitable and suitable access to domestic and sexual violence services.

This article provided an overview of my research findings, and highlighted and emphasised the importance of utilising the experiences and expertise of culturally and linguistically diverse women and their communities. Further, by listening to these women’s stories, in conjunction with the application of minority socio-legal feminism, this alternative framework lends itself to the improvement of service delivery provision to CALD victims. I argued that the very infrastructure of white liberal feminism, and services based on white liberal feminism are not inclusive of all women and thus many women’s voices were and continue to be ignored. Thus I presented that minority feminism is necessary, if not essential, in recognising the inequalities these women experience, and therefore required in delivering justice – substantive justice – to CALD victims of sexual and domestic violence.

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