



## Tools to Build African-Australian & CaLD Men as Leaders in the Prevention of Domestic Violence Project

### SUMMARY

#### Australian Human Rights Commission.

*In our own words. African Australians: A review of human rights and social inclusion issues (2010).*

In 2006, a total of 248,699 people born in Africa were living in Australia (ABS 2006).<sup>1</sup> This figure represents 5.6% of Australia's overseas-born population and around one per cent of the country's total population. Since then, around 50,000 more migrants born in Africa have arrived in Australia. They come from nearly all countries on the African continent, representing a diverse range of cultures, religions and language groups. The majority (72.6%) are from Southern and Eastern Africa, with 22.9% from North Africa (which includes Sudan) and 4.5% from Central and West Africa.

Around 100,000 people (41%) of the total African population in Australia were born in South Africa. Other large communities include Zimbabwe (8.1%), Sudan (7.7%), Mauritius (4%), Kenya (4%) and Ethiopia (2.3%).

*In our own words* is a presentation of the issues, solutions and best practice as identified by African Australians from a national perspective and in a human rights context. Over 2500 Africans took part in 50 community meetings + service providers and over 100 submissions. Here are some extracts that are relevant to the project.

The Commission's project was also informed by a number of other guiding principles, including:

- the importance of **The First Voice** of African Australian communities which involves consultation on the basis of respect and equality, collaboration on the basis of ownership and participation, and action on the basis of substantive equality
- understanding that **identity and language** are major contributors to people experiencing social inclusion and exclusion
- the need to **build evidence of good practice** in relation to social inclusion and human rights
- the need to employ and promote a '**strengths-based**' approach to the consultation process and in the development of 'next steps'
- the need to be **solutions-focused**, without minimising evidence of disadvantage and exclusion.

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<sup>1</sup> Australian Bureau of Statistics, 2006 Census: People Born in Africa.

## **Engaging with the justice system**

Engaging with the legal system and relationships with law enforcement agencies emerged as areas of significant concern for African Australians.

Community members who took part in consultations said they found the Australian legal system complex, confusing and overwhelming.

They also identified a number of specific areas of concern, including:

- lack of awareness of the law, which can inadvertently result in contact with the police and courts
- language barriers with police and courts
- limited awareness of family and domestic violence laws, particularly among newly-arrived communities
- concerns around the child protection system and interventions by child protection agencies
- underreporting as victims of crime, often due to a lack of confidence in the system
- difficulties accessing affordable legal assistance, leading to situations where people self-represent.

## **Low awareness of Australian laws**

There was a widespread view expressed during community consultations around the country that African Australians, especially those who were newly-arrived, had very low levels of understanding of Australian legal system and its laws.

This lack of knowledge means that African Australians can quickly find themselves involved in a legal issue, leaving them feeling shocked, anxious and confused.

In addition, a lack of understanding of how Australia's justice system works can leave many African Australians in a very vulnerable position. This problem can be further compounded by a lack of accessible information as the law is written in English.

Most African Australians who took part in the consultations said a key priority was to increase their knowledge of Australian law and the legal system as a whole. They were especially keen to receive information on child protection and family law, including domestic violence.

Service providers and stakeholders reiterated the importance of building legal 'literacy' among African Australian communities. They suggested legal information should be shared with communities on an ongoing basis.

A number of good practice models were identified, including community policing awareness programs provided across a number of states and territories, as well as police participating in orientation programs for newly-arrived communities under the Integrated Humanitarian Settlement Strategy.

## **Language barriers**

Issues relating to language barriers and difficulties accessing interpreters featured in a number of consultations.

## **Relationships with police and law enforcement officials**

African Australians, especially young people, raised a number of concerns about their relationship with police and law enforcement agencies, including:

- perceptions of being targeted by police, security guards and transit officers
- feelings of being ‘over policed’ in public spaces where young African Australians gather
- the extended surveillance on African Australian Muslims by federal police.

Participants in community forums in other states and territories also raised concerns about perceived stereotyping of African Australians by police and law enforcement officials. There was a widespread view that further efforts were needed to counter what community members viewed as ‘entrenched stereotypes’ among police – often perpetuated by the media – of young African Australian men belonging to gangs. They believed this had been a significant factor in undermining relations between police and African Australian communities.

Mutual distrust between African Australian communities and law enforcement agencies was identified as a significant barrier by community members, service providers and other stakeholders.

Community members expressed the view that some law enforcement officials, especially police and sheriffs, lacked cultural awareness.

## **Non-reporting of crime**

Examples were given of people who had been assaulted but did not report the incident to police. The reasons for non-reporting included a fear of authorities (often based on perceptions of police from their country of origin) and a fear of being seen to ‘make trouble’. However, the primary factor was a lack of confidence that the matter would be properly investigated.

Some young African Australian women said they would feel particularly vulnerable about reporting a crime to police, especially a crime that had been committed against their own person.

Suggestions included making information about victim support services more accessible to African Australian communities, using peer education strategies to share information within communities and building greater cultural awareness among police officers:

*For instance, a woman may not tell a police officer who is a male that she is experiencing domestic violence because it might be culturally inappropriate for her to share that kind of information with a man.*

Community focus group, South Australia

## **Relationship with the courts**

African Australians said they lacked understanding of how Australia’s court system worked and expressed concerns about the impact this had on some community members. Courts were also perceived to be intimidating and extremely formal. The legal language used also made proceedings difficult to understand.

## **Access to legal services**

Access to legal services, including legal aid and legal representation, was raised by a number of people as an issue of growing concern. A chief barrier was cost. Several African community workers and leaders also spoke of the increasing number of people in their communities who ‘self represented’

in court as they did not understand that they could get free legal advice or, in some instances, legal aid.

Language difficulties, especially for members of newly-arrived communities, were raised as a key barrier to getting appropriate advice or services. In addition, African Australian women said that social isolation, limited English language and a lack of knowledge of Australia's justice system and their legal rights left them feeling vulnerable.

Co-location was seen as a particularly effective way of reaching out to African Australians, especially when information sessions could be organised through the migrant resource centre. This helped build awareness of legal issues and also meant community members were more likely to feel comfortable about accessing the service if a legal issue did arise:

A 'good practice' example identified was the **NSW Legal Assistance Forum**, which is working with Blacktown Local Court on the feasibility of a free legal information and basic legal representation service for the Sudanese community. They have also developed a Sudanese Community Legal Resource/Referral Guide.

### **Child protection**

People participating in community consultations said that information about the child protection system was a pressing concern for newly-arrived African Australians.

Many expressed frustration, anger, dismay and despair at the impact that child protection interventions were having on their families and the number of out-of-home care placements involving African Australian children. They also expressed the view that many child protection workers did not have sufficient cultural understanding of African Australian families and lacked skills in cultural competency, with interpreters often not used or used inappropriately.

They said there was confusion in African Australian communities about how the legal system conceptualised child abuse and they wanted to know more about the legal definitions and standards.

Service providers and stakeholders also highlighted the urgent need to increase resources for programs that provide information and build legal 'literacy' on child protection issues among African Australian communities, especially newly-arrived families.

### **Family violence**

A number of African Australian communities that participated in the consultations expressed deep concern at levels of family violence, which many viewed as a growing problem.

The changing roles and dynamics within families following settlement in Australia – including the roles of women, men and young people – were seen as a major factor contributing to family violence. There was also concern raised about violence or threats of violence directed by young people against their elders.

However, some community members, especially some of the older women, felt that legal approaches and service interventions to address family violence were based on an understanding of 'family' that was not relevant or appropriate to new communities.

Further, it was felt that in some instances these interventions exacerbated the issue within communities and contributed to family breakdown.

Some African Australians said that they felt uncertain about reporting family violence because of a fear of police and law enforcement agencies, as well as a fear that children or women may be removed from the family home.

It was also suggested that there were very few options available for men who wanted assistance to address violent behaviour, including a lack of bilingual counsellors or support workers.

The majority of respondents expressed the view that African specific organisations should be equipped to play a more significant role in preventing family violence:

*Issues around family violence are issues that the community is trying to openly address, but wanting to do it in a way that is culturally appropriate.*

Community focus group, Tasmania

Information to build legal understanding on the issue should be targeted to specific communities, rather than treating African Australian communities as “if we were all the same”.

In addition, people delivering information about family violence and prevention should be “well known, credible, trustworthy and a member of the targeted group”, such as community or religious leaders.

Other factors that were seen as critical in developing effective programs to address family violence included:

- ensuring communities do not feel they are being targeted as ‘problem’ communities
- recognising pre-arrival experiences, including torture and trauma, and its impact on family violence
- incorporate culturally relevant notions of ‘family’
- building trust in government and policing organisations
- adopting a whole-of-community approach, which involves the participation of both women and men in the communities.

Community education was viewed as being the most effective approach for preventing family violence, while collaboration between mainstream providers and ethnic community representatives was seen as essential to developing effective, culturally appropriate programs.

### **Building positive gender relations**

An important issue to emerge on numerous occasions during the consultations was the need to support women and men build positive gender relations.

Community members said that the ‘culture shock’ experienced by newly-arrived African Australian men was of particular concern, while a number of men expressed the view that their traditional position as ‘family provider’ had been undermined by the many changes they encountered after arriving in the country:

*We come here and we find we can’t get a job and then I am not helping my family but my wife is getting a job. It is not good to show myself to the community when it is like this.*

Community focus group

There was significant discussion about the changing household roles of women and men and the expectations of life in Australia, as well as the stress and tension of trying to maintain traditional

African cultural practices while also adjusting to the values of a new society. This can present a number of challenges for maintaining strong, healthy and positive family relationships.

Community members expressed the view that the impact of all these changes posed a growing problem, especially among newer arrivals, and there was an urgent need to work with African Australian communities to address the issue.

Some examples of good practice initiatives identified during the consultations included the **Bridges for African Men and Families Program** (Relationships Australia, Hobart); the **Men and Family Relationship Program** (Spectrum Migrant Resource Centre, Melbourne); and the **African Men's Group** (Metropolitan Migrant Resource Centre, Perth).

### **Addressing intergenerational issues**

African Australian young people often adapt more quickly than their parents to life in Australia, including developing strong English-language skills. A number of African Australian parents said that they often relied on their children to interpret for them in various situations. This had a significant factor in changing family dynamics, as well as undermining the parents' feelings of self esteem.

Certain programs and services for young people – such as the payment of Youth Allowance through Centrelink – was seen as undermining the authority of parents and weakening their role to provide for, care for and discipline their children.

Another issue raised during consultations was the specific challenges for young African Australians to reconcile their traditional cultures and values with an alternate set of expectations held by other young Australians. This can lead to feelings of confusion and isolation, as well as difficulties with cultural integration. Community leaders also expressed concern that they were 'losing' their young people:

*Our young people are becoming lost to us. They are not listening to their families and their elders, and they are getting mixed up with problems, drugs, and police.*  
Community focus group, Victoria

To address these issues, the Somali Women's Group received a grant from the Australian Council for Arts to run the **Poetry Jam Arts Project**, which seeks to improve links and communication between young people and elders in their community through traditional poetry and hip hop music

### **Priority areas of action**

*In our own words* has heard from African Australians who have identified areas that require urgent action, these include:

- racism and discrimination
- child protection and family violence
- increasing legal 'literacy' particularly in and around family law.