

Submission to Institutional Response to Child Sexual Abuse in Out-of-Home Care Consultation Paper

I am a qualified Social Worker with Masters Degree in Social Work (MSW) from University of Queensland (UQ) (██████) and Bachelor of Arts (Psychology) degree from UQ in ██████. I have over 13 years experiences post qualification working in: child protection, family support, domestic violence, policy and research roles. I am the Director of JK Diversity Consultants which specialises in working with culturally and linguistically diverse (CALD) communities. As a Consultant I have prepared Psycho Social Assessment reports for: Child Protection Court proceedings, Legal Aid Qld, Migration Review Tribunal and Local Magistrates Court. I am a current member of the Australian Association of Social Workers (Membership number: ██████) and also volunteer on the Queensland AASW Branch Management Committee (<http://www.aasw.asn.au/queensland/branch-management-committeebmc>).

I am writing this submission as an Independent advocate and researcher who is concerned about the needs of children and young people from culturally and linguistically Diverse (CALD) backgrounds who are at risk or have experienced child sexual abuse in institutional settings.

Lack of awareness and primary prevention

Child sexual abuse can occur in any community. However, in my experience, I have noticed that there is a lack of awareness about child sexual abuse in a number of culturally and linguistically communities. There needs to be more primary prevention work done on child sexual abuse that reaches these communities, and also on abuse and neglect more generally. Newly arrived asylum seeker and refugee families receive orientation information within the first six months they are in Australia. However, there are limitations on how much information they are able to fully understand at this stage of their arrival. Often, issues related to child sexual abuse arise after these initial months and because people may not have understood or received the relevant information, they have a lack of knowledge around acceptable behaviour and what to do when they are subjected to inappropriate behaviour.

There are other groups of newly arrived migrants such as international students and those arriving on skilled migrant visas who do not receive any initial orientation information on abuse, acceptable behaviour or appropriate parental practices.

It will be useful to have recommendations or actions that look at ensuring information is available to migrants, asylum seekers and refugees, in relevant translations and in accessible language, so that they have the resources that can increase their capacity for better understanding acceptable community standards and what to do when they or their children are subjected to abuse.

Awareness-raising and community primary prevention work can be done through a number of means including posters, television campaigns and online. For newly arrived migrant and refugee communities, there is a need for the information to be culturally tailored and culturally relevant, having regard to the background of trauma that some newly arrived people may have experienced. It is useful to have a different approach to the delivery of information for those who are newly arrived and have a humanitarian background, including that the information needs to be delivered ongoing basis. All information needs to be mindful of culturally relevant considerations including ethnicity, gender and religion.

An example of an interesting approach to child safety work examining is a UK initiative – Safer Sikhs Partnership (<http://www.safersikhs.org/>).

There may also be value ensuring the capacity of services such as Kids Helpline and teachers generally is enhanced in working with children from culturally and linguistically diverse backgrounds on the issue of child sexual abuse.

It is vital that in addressing institutional child sexual abuse, there is an adequate approach to building capacity of relevant workers to address the issue. The issue of forced marriage is an example where there is legislation in place to address it, but there is no provision for capacity building and as a result, I have been seeing that teachers not able to respond appropriately to the issue.

It is also ideal if more work can be done in relation to awareness-raising and primary prevention in antenatal and early childhood years, nurse visiting programs and parenting programs, when people from culturally and linguistically diverse backgrounds have given birth in Australia.

Accessing support services

In my experience, families from culturally and linguistically diverse backgrounds where the children have experienced sexual abuse, struggle to know where to go to for support. They are not necessarily familiar with counselling, therapy and mental health services. In the school context where there is a guidance counsellor, it may be picked up that the child is struggling. However, there is low literacy of support services in this area.

Patterns of abuse

Drawing on my recent experience from child protection, I have been noticing that paedophiles target vulnerable women who have children, where the mother may have history of child sexual abuse, as well as mental illness, drug and alcohol addiction. Professionals and the service systems need to look at how to improve supports for vulnerable people, vulnerable women with children. The women can sometimes then partner with those who then try to access and abuse their child or children. Due to the challenges of having a child as a victim and witness in the criminal justice system, perpetrators can avoid criminal convictions and go on to repeat these cycles of abuse within other families. Sometimes, where the victim is a male child, the child can then go on to abuse other children, including their siblings.

Issues in disclosing child sexual abuse

I have been seeing that often, when a child from a culturally and linguistically diverse background tells their parent of the abuse, there is a silencing effect where the parent does not believe the child.

Some of the barriers to disclosing or reporting child sexual abuse that people from culturally and linguistically diverse backgrounds experience are largely due to the shame, stigma and the denial in some communities that child sexual abuse does not occur in their communities. Often, people from these communities do not know who to speak or disclose to. Police officers are not often seen as appropriate to report the abuse to because they are largely a male workforce, can be perceived as being complacent, and may not be taken seriously.

Lack of data

In a cultural context, there is no research on child sexual abuse and culturally and linguistically diverse communities. It is recommended that research be conducted, focussing on what institutional child sexual abuse looks like in culturally and linguistically diverse communities in Australia. We need to know what the evidence in this area is and whether in certain communities, there are higher rates of child sexual abuse – such as communities where there is a history of sexual and gender violence for example.

Data about the cultural/linguistic background of perpetrators could be sought from Corrections. It does not appear to be data that is publicly reported on. However, this information could be useful for preventing, identifying and responding to child sexual abuse.

Institutions of concern

In my experience, there is concern about faith-based institutions broadly, whether they be temples, synagogues, churches or mosques. There appears to be inadequate working with children checks being undertaken, and a need to upskill volunteers and religious clergy in the area of child sexual abuse. More education with faith-based councils may be a promising area to work in to address these concerns.

Other institutions of concern include private tutor arrangements, sporting clubs, dancing organisations and cultural camps.

Immigration detention

There is not enough known about child sexual abuse in immigration detention. In recent times there has been an increasing silencing effect on asylum seekers and refugees through the introduction, for example, of the Border Force Act, which has been very silencing. There is no legislation in place in Australia to protect everyone's human rights, particularly asylum seekers and refugees. There are increasing limitations placed on refugee advocacy groups and community legal services, as well as the tightening of resources of the Australian Human Rights Commission. All of these silence abuse, including child sexual abuse.

It is suspected that there are high numbers of unaccompanied humanitarian minors offshore and onshore that may have experienced child sexual abuse while in detention, including by immigration detention staff, but there is no way for victims to report due to the lack of transparency, the silencing and also their fear of deportation if they do report such abuse.

Out-of-home care

Lack of data

There continues to be no national data on how many children from culturally and linguistically diverse backgrounds are in out-of-home care. I have addressed this in my [submission](#) to the Senate Standing Committee on Community Affairs' inquiry into out-of-home care. I note that one of the Standing Committee's recommendations is that gaps of data for children in out of home care and who are from culturally and linguistically diverse backgrounds be addressed (Recommendation 2).

Recently the Victorian inquiry on child protection recommended better reporting of children from culturally and linguistically diverse backgrounds in out-of-home care but this public reporting does not appear to be occurring.

Kinship care

In my experience, I've noticed that there are inadequate checks being undertaken for kinship carers (in culturally and linguistically diverse and Aboriginal and Torres Strait Islander communities) when compared to the processes in place for other carers. There is also generally a lack of training for carers to address the need for them to be better equipped to deal with traumatised children. I have also observed that if there are no regularly visits by child protection officers in kinship care arrangements, there is a greater likelihood or chance that there may be abuse occurring.

In relation to kinship care among culturally and linguistically diverse communities, it appears that foster care agencies struggle to get extended family members to become carers. It may be that better checks need to be undertaken to ensure that extended family members do not undertake the role of carer, simply due to the financial incentive to do so, and to ensure that they have the child's best interests at the forefront.

Lack of education about sex and sexuality

It appears that children in out-of-home care generally do not receive adequate education on sex and sexuality, particularly around safe sexual practices. Those with a background of trauma, abuse and neglect may struggle to identify 'stranger danger' and struggle with making rational choices. For those who move schools and homes, they may miss out on some education. There is a need for better education for child protection officers and youth workers in this area as well.

Risky environments

Those who are in out-of-home care and located in regional and remote areas or in locations such as farms, which are largely out-of-sight, can be at high risk of abuse and neglect. There can also be backgrounds of chronic family violence and substance abuse in households of children in these locations, where the abuse is never reported.

This makes it vital that children are taught early about healthy relationships and their rights to be safe in school and regularly. In some communities, safety is sought by ensuring that the children go to boarding school.