

Practice Paper  
**Working with people from culturally  
and linguistically diverse  
backgrounds**

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## Introduction

*Intervention within a family on the grounds of suspected abuse should not be inhibited or delayed by cultural considerations. At the same time, a knowledge of the cultural framework in which the action or inaction occurred is vital in guiding the intervention and producing a result which is beneficial to the child (Child Protection in Non English Speaking Communities, Culture - No Excuse, NSW Child Protection Council, 1993: 5).*

Queensland has a culturally diverse population. People living in Queensland come from more than 200 different birthplaces, speak more than 150 languages and identify with more than 100 different religions<sup>1</sup>.

Based on data from the ABS 2006 Census, 17.9% of Queensland's population identified as being born overseas<sup>2</sup>. Between 2004-05 the greatest migration to Queensland was from Sudan, Liberia, Sierra Leone, Afghanistan, Kenya, Burundi, Egypt, Thailand, Iran and the Democratic Republic of Congo<sup>3</sup>.

It is generally acknowledged that child abuse and neglect occurs within all cultural and socio-economic groups within the community. At the same time, it is also widely acknowledged that there are a range of barriers to the identification and reporting of child abuse for some parts of the community as well as potential challenges to effective intervention.

The purpose of this paper is to provide departmental officers with information and advice to assist them to work effectively with children, families and other people who are from culturally and linguistically diverse backgrounds.

A separate practice paper, Working with Aboriginal and Torres Strait Islander People, is available on the department's Infonet site.

## Background

### 1. Legislative and policy context

Queensland is a culturally diverse state and works to protect children and young people of diverse cultural, linguistic, ethnic or religious backgrounds who have been harmed or who are at risk of harm. Departmental officers working with children, young people and families from culturally and linguistically diverse backgrounds do so in a context supported by legislative and policy requirements, including:

- the United Nations Convention on the Rights of the Child
- the Queensland Government's Multicultural Policy 2004: Multicultural Queensland - making a world of difference
- the *Child Protection Act 1999*
- the Child Safety Practice Manual, Department of Communities, Child Safety
- Department of Communities, Child Safety Policy No. 458-2, Cultural diversity data collection and reporting.

### 2. Terminology

The following information aims to provide some distinctions about the terminology used in the practice paper, and clarification of terms that are sometimes confused. The definitions provided are not intended to be prescriptive.

1 Message from the Minister for Small Business, Information Technology Policy and Multicultural Affairs, Honourable Chris Cummins MP, viewed June 2006

2 Multicultural Action Plan 2007 - 2009, Department of Child Safety, p.3

3 Multicultural Action Plan 2007 - 2009, Department of Child Safety, p.3

## Culture/cultural identity

There are many different definitions of “culture”. One quite useful definition of culture is “an integrated pattern of human behaviour that includes thoughts, communications, actions, customs, beliefs, values, and institutions of a racial, ethnic, religious, or social group”<sup>4</sup>.

There are a number of **important considerations** that need to be kept in mind in relation to “culture” and “cultural identity”, including:

- everyone has a cultural identity, however it is not always recognised or defined by the person themselves. Sometimes, culture is seen simply as “just the way we do things”.
- culture and cultural identity are dynamic and constantly changing
- while culture plays an important role in influencing beliefs, values and behaviour, there are a number of other factors that are also important - these factors are referred to in a later section of this paper
- given these other factors, there are differences within any culture
- people may be influenced by and identify with more than one culture or cultural group
- it is the choice of the individual as to which culture they identify with regardless of their cultural background.

## Culturally and Linguistically Diverse (CALD)/Non-English Speaking Background (NESB)

The term “culturally and linguistically diverse” (CALD) is commonly used to describe people who have a cultural heritage different from that of the majority of people from the dominant Anglo-Australian culture, replacing the previously used term of people from a “non-English speaking background” (NESB).

The term CALD is more inclusive, although less specific than NESB and is generally used in this paper. It can also be taken to reflect the diversity of the entire population.

## Migrant

Migrants are people who have left “their country of origin voluntarily to seek a better life for a range of personal and economic reasons. They have made the choice to leave, had the chance to plan and prepare for migration and generally can return at any time if they wish”<sup>5</sup>.

## Asylum seeker

An asylum seeker is someone who has applied for recognition and protection as a refugee (in Australia, this means a Protection visa applicant) but has not had their application for refugee status finally decided. Some people seek asylum having arrived in Australia on a visitor’s visa or student visa, while others arrive without an authorised entry visa.

Asylum seekers who are found to be owed Australia’s protection under the Refugees Convention, and who satisfy health, character and security requirements, are granted a permanent Protection visa. Not all asylum seekers will ultimately be recognised as refugees.

## Refugee

The United Nations defines a refugee as a person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his (or her) nationality and is unable or, owing to such fear, is unwilling to avail himself (or herself) of the protection of that country...”<sup>6</sup>.

4 Cross, T.L., Bazron, B.J., Dennis, K.W. & Isaacs, M.R. (1989). Toward a culturally competent system of care, as cited by Mo Yee Lee in A Solution-Focused Approach to Cross-Cultural Clinical Social Work Practice: Utilizing Cultural Strengths (2003: 385)

5 Centre for Multicultural Youth Issues, Information Sheet No.11 - Refugee and CLD Young People: Definitions

6 The 1951 United Nations Convention relating to the Status of Refugees

Unlike migrants who have chosen to leave their country of origin, refugees are forced to flee in order to survive. Furthermore, refugees do not have the same opportunity or time to plan for their move to Australia that migrants have, and may never be able to return to their home country.

### **Unaccompanied Humanitarian Minor**

An unaccompanied humanitarian minor is a person under 18 years of age who has been granted a visa under Australia's humanitarian program and who does not have a parent to care for them in Australia. An unaccompanied humanitarian minor is not an Australian citizen and may have entered Australia as either a refugee or asylum seeker. An unaccompanied minor may be a "ward" or "non-ward".

A **ward** is an unaccompanied humanitarian minor who does not have a suitable relative in Australia to care for them, and who enters Australia either: without an adult; or with an adult who is under the age of 21; or with an adult who is over the age of 21 but not a relative.

A **non-ward** is a person under 18 years who enters Australia in the charge of, or for the purposes of living in Australia under the care of, a relative of the person who has turned 21 years of age and who is not the parent of the person.

The Minister for the Department of Immigration and Citizenship is the guardian of unaccompanied wards only.

## **Overview of cultural diversity and services**

Queenslanders who may identify as being from a culturally and linguistically diverse background include recently arrived migrants and refugees, migrants and refugees who have lived in Australia for some time, as well as people whose parents or earlier ancestors migrated to Australia. The latter are sometimes referred to as second or third generation Australians.

Australian South Sea Islanders are another distinct cultural group with a unique history who are part of Queensland's diverse population. This community was mostly unacknowledged until the 1990's. In 2000, the Queensland Government issued a Recognition Statement of the Australian South Sea Islander Community.

Detailed statistics about cultural diversity within Queensland, based on 2006 census data, are available in the resource *The People of Queensland Statistics from the 2006 Census*, available through the Department of Immigration and Citizenship website.

### **1. Geographic location**

People born overseas live in many locations around Queensland however, according to the 2006 Census many of the local government areas (LGAs) with the highest number of overseas born persons are located in the south-east corner of the State<sup>7</sup>.

### **2. Birthplaces of overseas-born persons**

Figures published by the ABS in March 2006 for migration to Australia as a whole showed that for the period between 1996 and 2005, the major region with the largest growth was Sub-Saharan Africa, with an annual average increase of 6 per cent. Also, of the 50 most common countries of birth:

- persons born in Sudan had the largest average annual increase of 28 per cent, followed by
- persons born in Afghanistan (12 per cent), Iraq (10 per cent), and Zimbabwe and Pakistan (8 per cent each)<sup>8</sup>.

7 The People of Queensland Statistics from the 2006 Census, Department of Immigration and Citizenship, 2008, page 75

8 The People of Queensland Statistics from the 2006 Census, Department of Immigration and Citizenship, 2008, page 75

### 3. Services and organisations

A range of services, organisations and resources are available to people from culturally and linguistically diverse backgrounds, including:<sup>9</sup>

- the **Queensland Multicultural Resource Directory**, available through the Multicultural Affairs Queensland website - this directory provides a comprehensive listing of some 1500 key organisations with an ethnic and community focus in Queensland
- the **Translating and interpreting service**.

Such services and organisations can provide important links and resources for departmental officers, when responding to and providing information about child protection matters relating to children and families from culturally and linguistically diverse backgrounds.

#### Settlement Services

The Department of Immigration and Citizenship funds migrant community services to respond to the settlement needs of recently arrived humanitarian entrants and family stream migrants who have limited proficiency in the English language.

Commonwealth funded settlement support to eligible refugee and humanitarian entrants is provided for up to 6 months after their arrival in Australia and includes support with initial information and orientation, immediate and long-term accommodation, establishing a household and early health assessment and intervention.

Due to the nature of settlement work, settlement workers may be directly involved in supporting families that disclose or present child protection issues.

#### Other services

A number of other organisations receive funding to provide specialist services. Examples of such organisations include:

- Ethnic Communities Council of Queensland (ECCQ) - a State peak organisation representing the interests of people from culturally and linguistically diverse backgrounds. ECCQ provides a health program funded by Queensland Health, as well as other services.
- Queensland Program of Assistance to Survivors of Torture and Trauma (QPASTT) - a state-wide service for people who have experienced or witnessed torture and trauma
- Immigrant Migrant Women's Service - a service for women and children of non-English speaking backgrounds, who have experienced domestic violence or sexual assault
- Family Planning Queensland - receives funding for and coordinates the Multicultural Women's Health Project, an education program about Female Genital Mutilation (often referred to as FGM).

Some Commonwealth and State departments and agencies also have officers or units which focus on people from culturally and linguistically diverse backgrounds, for example:

- Centrelink - employs Multicultural Service Officers
- Queensland Transcultural Mental Health Centre (Queensland Health) - works with other agencies to promote the mental health and wellbeing of culturally and linguistically diverse communities
- Queensland Police Service - has Cross Cultural Liaison Officers and a Cultural Advisory Unit.

### Practice principles

The following key practice principles should guide all interventions when working with children and

<sup>9</sup> Multicultural Affairs Queensland, Queensland Government 2010

families from culturally and linguistically diverse backgrounds:

- access and equity
- valuing and respecting diversity
- the welfare and interests of the child are paramount.

### 1. Access and equity

*...many agencies state that they treat every service user and potential service user in an equal manner. However, because of... barriers experienced by people from a NESB... further measures such as access to a range of specific supports may be needed in order to achieve equitable outcomes (The ABC of 'Access and Equity', Multicultural Disability Advocacy Association).*

The principles of access and equity are central to an inclusive society in which all people are able to fully participate and government services meet the needs of all people who are entitled to them.

**Access** refers to the principle that “services should be available to everyone who is entitled to them and should be free from any form of discrimination irrespective of a person’s country of birth, language, culture, race or religion”.<sup>10</sup> This means that any barriers to access should be removed.

**Equity** is about ensuring that all people are given the opportunity to access and participate fully in programs and services and to achieve equitable outcomes. It is not about treating all people equally or the same, as this would not necessarily lead to equity in access or outcomes.

### 2. Valuing and respecting diversity

*People from all over the world have come to call Queensland home. The State is growing rapidly and cultural diversity is increasing. One of our great strengths is our diverse community (Queensland Government Multicultural Policy: Multicultural Queensland - making a world of difference, 2004: 2).*

The Queensland Government and the Department of Communities are committed to the principle of valuing cultural diversity. While much of the content in this paper includes a focus on issues and challenges that departmental staff may face in working with people from culturally and linguistically diverse backgrounds, every opportunity to value diversity in all areas of the department’s business should be promoted.

This includes valuing diversity in the workplace, valuing and respecting the positive parenting practices of people from other cultural backgrounds, and valuing the contribution of carers from diverse backgrounds.

### 3. The welfare and interests of the child are paramount

The United Nations Convention on the Rights of the Child consists of four key principles, including “non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the view of the child”.<sup>11</sup>

In Queensland, the *Child Protection Act 1999* explicitly states that the “Act is to be administered under the principle that the welfare and best interests of a child are paramount.”

All Australians, irrespective of their culture, ethnicity, race, religion or language are expected and required to adhere to Australian laws.

<sup>10</sup> Charter of Public Service in a Culturally Diverse Society, Department of Immigration and Multicultural Affairs (1998: 3)

<sup>11</sup> UNICEF - Convention on the Rights of the Child, viewed July 2006

While culture cannot and should not be used as an excuse to override the rights of the child, some newly arrived migrants and some members of established communities may be unfamiliar with aspects of Australian legislation, including legislation relating to child protection.

There may also be different views about what constitutes child abuse and neglect in their country of origin. This does not mean that the welfare and interests of the child should not be paramount in all decisions but rather, differing approaches to parenting and a lack of understanding or appreciation of the norms and standards expected in Australia could be factors that are encountered and need to be responded to.

## Key issues and considerations for enhancing practice

The following key issues and considerations are aimed at assisting departmental officers to enhance their practice when working with children and families from culturally and linguistically diverse backgrounds.

### 1. People from CALD backgrounds are not homogenous

The need to recognise that people from culturally and linguistically diverse backgrounds are not homogenous is consistently noted in literature and research relating to cultural diversity. There are many different cultural and ethnic groups, considerable diversity within each of these groups, as well as many other factors which affect each person's identity. Similarly, a person may have a bicultural or multicultural heritage.

While a person's cultural, ethnic, or religious identity is likely to have a significant influence, either conscious or unconscious, on their beliefs, behaviour, values and attitudes, there are a range of other factors that are relevant. These include, for example:

- the person's age, gender, education and socioeconomic status
- the person's level of proficiency in English
- the reason for migration and how long they have been living in Australia
- whether the person is a first, second or later generation Australian
- the extent to which they identify with a particular cultural or ethnic group
- the person's level of acculturation into the dominant Australian culture
- other individual factors.

Recognising that each child and family will be unique, while at the same time being aware of the potential influence of specific cultural factors, will assist departmental officers not to make assumptions based on stereotypes when working with people from culturally diverse backgrounds. Assumptions obscure proper assessments and limit the intervention and the development of trust.

Avoid making assumptions by:

- asking for clarification when needed
- checking that what has been discussed is properly understood
- acknowledging limited understanding and asking for assistance to increase understanding.

### 2. Develop a working knowledge of the migration experience

*Migrating to a country with little concept of the host culture and language is a stressful experience. It involves leaving behind a family, a place in society, and sometimes a basic ability to communicate with those around you. It can lead to a loss of identity and a loss of self (Child Protection in Non English Speaking Communities, Culture - No Excuse, A report prepared by the NSW Child Protection Council, 1993: 5).*

It is widely recognised that migration to another country is stressful and involves a period of significant adjustment (which occurs over time) commonly referred to as the **settlement process**.

The National Population Council (1988) defined settlement as “The Process by which an immigrant establishes economic viability and social networks following immigration in order to contribute to, and make full use of, opportunities generally available in the receiving society.”<sup>12</sup>

Another common concept relating to the experience of being exposed to a different culture is that of **culture shock**. Culture shock occurs “when an individual’s basic values, beliefs, and patterns of behaviour are challenged by a different set of values, beliefs and behaviours.”<sup>13</sup>

There are a number of stages that a person who has migrated is likely to go through as they adjust to living in their new country (Babacan & Gopalkrishnan, Lynch & Hanson). These are:

- an initial period marked by high expectations and a positive outlook, sometimes referred to as the **“honeymoon” phase**. This phase may last from a month to a year
- a period of dissatisfaction, the **“frustration” phase** in which there is a realisation that previously held expectations are not being met and that previously used problem-solving strategies are not effective. This phase may be marked by anger, frustration and withdrawal. The phase usually lasts between two and five years, and is a vulnerable phase “where the role of the professional in assisting a person to adjust is important”.<sup>14</sup>
- a “coping” phase in which the person has worked out how things operate and what are the norms in the new society, even if they are not entirely comfortable with them. In this stage there are less frustrations and trust starts being established in the new society.
- an “adjustment” phase where the individual begins functioning effectively and comfortably in the environment and feels a sense of belonging and understanding of the host culture.

Although the migration and settlement experience will be unique to each family and individual depending on a range of factors, there are a number of common stressors and challenges that most migrants are likely to experience.

Some of the stressors experienced during the settlement process include unemployment or underemployment resulting in financial stress; the loss of support systems and networks such as extended family and friends; the need to understand systems and practices that may differ significantly from their country of origin; decisions about where to live and the need to find suitable housing; and in the case of people from a non-English background, the need to learn a new language. Also, in some situations not all members of the family may have been supportive of the decision to migrate.

Raising children is at times stressful for most or all parents. For newly arrived migrants, “typical” stressors will be present in addition to the stressors associated with the migration experience.<sup>15</sup>

The various stressors associated with the migration and settlement experience can place all members of the family under significant pressure, and could potentially increase the risk of child protection concerns arising and of family breakdown occurring. An understanding of the impact of the migration experience and the settlement process is important to ensuring effective intervention when working with people from diverse backgrounds, particularly people who have **recently settled in Australia**.

12 Babacan, H. , & Gopalkrishnan, N. , ' Post Traumatic Experiences of Refugee women' in Rabin C. (ed.) Understanding Culture and Gender (2005)

13 Developing Cross-Cultural Competence, A Guide for Working with Children and Their Families, Lynch and Hanson (2004: 26

14 Babacan, H. , & Gopalkrishnan, N. , ' Post Traumatic Experiences of Refugee women' in Rabin C. (ed.) Understanding Culture and Gender (2005)

15 Child Protection in Non English Speaking Communities, Culture - No Excuse, A report prepared by the NSW Child Protection Council (1992: 13)

### 3. Develop an understanding of the refugee experience

*Refugees have escaped situations that have endangered their lives and their psychological health and wellbeing. Refugees seek a new life in Australia not due to free choice, but in order to be protected. Refugees have to leave their country under extreme and harsh conditions, which does not allow them the benefit that migrants have in financially and psychologically preparing for life in another country. They have often lost family, seen and experienced atrocities, spent years in refugee camps or in transition from one country to another and ultimately suffered a high level of trauma. Refugees rarely have the chance to make plans for their departure: to pack their belongings or to say farewell to their friends and families. They often have little idea about the country in which they are resettling and the nature of the society there (Refugee and CLD Young People: Definitions, Centre for Multicultural Youth Issues).*

In addition to the common stressors associated with the migration experience, people who have been resettled in Australia as refugees face additional pre-migration, as well as heightened post-migration stressors and issues. Unlike other migrants who have had the opportunity to choose where they would like to migrate to and plan for their migration, refugees leave their home country to escape persecution, often without any possessions. It has been noted that refugees “do not settle as easily as immigrants selected on family or skill criteria, and that they normally endure longer unemployment and poverty.”<sup>16</sup>

Refugees may also have experienced oppressive and abusive regimes in their country of origin resulting in a high level of suspicion and mistrust for government officers and officialdom. Given the length of time that many refugees spend in camps prior to their resettlement, it is also likely that children and young people will have had a limited and disrupted education. In the overcrowded conditions of the camps, children and young people, as well as adults, are vulnerable to abuse and exploitation, and their health is likely to have been compromised.

Refugees are likely to have experienced any or all of the following:

- denial of human rights
- forced separation from members of their family/family fragmentation
- witnessing family members being tortured or killed
- being tortured themselves
- exposure to violence
- physical, emotional and sexual abuse
- illness and starvation
- exploitation
- in the case of some children and young people, being forced to fight as soldiers.

As a result of these experiences, many refugees develop post-traumatic stress disorder or depression. In an unpublished conference presentation, Peter Shaw from On TRACC in New Zealand highlights the impact of trauma on refugee children and young people.<sup>17</sup> In this paper it is noted that children are not resilient to the torture and trauma, and that young children who experienced trauma are particularly vulnerable to ongoing mental health problems.

The paper further highlights that, at the very least, refugee children are at risk of experiencing emotional, cognitive and physical developmental delays. The reasons cited for this vulnerability include that:

- they have had their sense of safety violated prior to their resettlement

<sup>16</sup> Jupp, J. (2003) cited in Taylor, J. ‘Refugees and social exclusion: What the literature says’

<sup>17</sup> Shaw, P. Refugee Children - Rebuilding Fragmented Lives, On TRACC Transcultural Care Centre (2006)

- despite the relative safety of their new environment, their daily care is provided by their parents and other family members who are themselves often traumatised.

Many asylum seekers have the added stress of uncertainty in relation to their application for protection and the often negative portrayal of asylum seekers. People who have been detained while their application for refugee status has been processed may also have experienced further trauma.

It is important for departmental officers to understand the impact that the refugee experience is likely to have had on individuals, as well as refugees' possible responses to departmental intervention. A lack of understanding or knowledge of departmental processes may contribute to the child, parents or family reliving past traumas.

For detailed information specific to engaging refugee young people, including practice principles, practical strategies and case studies, refer to the [Good Practice Principles Guide for Working with Refugee Young People](#).<sup>18</sup>

#### 4. Develop a working knowledge of differences in child rearing practices

While culture should not be seen as an excuse for child abuse or neglect, it is important to recognise that approaches to parenting may vary considerably across different cultural groups.

The literature suggests there is broad cross-cultural acceptance that sexual abuse of a child constitutes child abuse. However, views on the use of corporal punishment and physical discipline and whether these constitute child abuse may vary significantly. Corporal punishment, including what would be considered severe corporal punishment within Australia, may be regarded by the parent as simply disciplining their child in order to meet their responsibility to encourage the child to become a responsible citizen. "Corporal punishment, or spanking (as it is more commonly called), is widely supported throughout the world ...only five or six countries worldwide have legislated against any form of spanking".<sup>19</sup>

There may be varying views about the age at which a child can be left unsupervised or even left to supervise other children based on cultural norms, as well as cultural differences relating to views about who is responsible for parenting, with some cultures seeing this responsibility as being shared by the extended family or even the community. A family's child rearing practices may also be affected by a lack of support from extended family and friends, especially when they have migrated to Australia without their extended family.

In responding to such situations, it is important that departmental officers do not simply ignore the practice as being "cultural" but at the same time consider the most effective way of intervening. Dr Ron Frey, in an address to the Multicultural Child Safety Forum held in June 2006, suggests an approach that uses a series of questions to **initiate a discussion with the parents**, or at least a thinking process about cultural issues which may or may not be in the interest of the child. The questions include:

- Does it appear that the practice in question is being committed with the intention of assisting the child (in which case, the parent's concern for the child needs to be honoured however one might feel about the practice)?
- How do the parents explain the practice and what do they hope to achieve by using the practice?
- Is this in fact a cultural practice, or is it more likely to be idiosyncratic to the parent or family? This may require advice from a person from the particular culture.

<sup>18</sup> Victorian Settlement Planning Committee 2005

<sup>19</sup> Frey, R. The Practice of Discipline: The Child's Right to a Culture vs. The Child's Right to Safety - speech presented at the Multicultural Child Safety Forum, Logan (June 2006)

- Even if it is widely practised within a culture, is it nonetheless controversial within the culture (as is corporal punishment within the Anglo-Australian culture)?
- Are there other practices which are safer which might achieve the same results without endangering the child?
- How open is the parent to considering these alternatives, particularly if they believe that doing so might assist their child?
- Is there reason to believe that this practice distresses, endangers, or has a negative impact on the child?
- Who has the best relationship with the parents to raise these concerns?

It is important to appreciate that, particularly for recently arrived migrants and refugees, there may have been a lack of formalised child protection responses in their country of origin and the concept of child protection may be quite foreign.

For general information about families and children of the Islamic faith, refer to the [Parenting Booklet for Muslim Parents and Service Providers](#).<sup>20</sup>

## 5. Find out about traditional cultural practices

*No-one should condone, in the name of culture and tradition, any practice that is harmful to a child. However, there is also the risk that harm may result from inappropriate intervention by ill-informed ethnocentric childcare or health professionals (A Continuum of Child-Rearing: Responding to Traditional Practices, Koramoa, Lynch and Kinnair, 2002: 416).*

Distinguishing between traditional cultural practices that are harmful to the child and those that are either beneficial or at least not harmful is one of the challenges facing professionals working with children and families from diverse cultures.

For example, traditional health practices such as cupping, pinching, or rubbing (which is also known as coining) which are used for treating a range of ailments amongst many people of South East Asian origin may cause marking on the skin. However, as is noted in a multicultural health resource issued by Queensland Health, practitioners “should be careful not to mistake the ...skin alterations and scarring for the results of abuse”.<sup>21</sup>

On the other hand, female circumcision or female genital mutilation is recognised as a harmful traditional practice, and is illegal in Australia. It is identified as a criminal offence in Queensland under the *Criminal Code Act 1899*, section 323A and 323B.

Female genital mutilation is a traditional practice that occurs within some ethnic groups originating from the Horn of Africa (such as Eritrea, Ethiopia, Somalia and Sudan) as well as from countries in the Middle East, Latin America and Asia.<sup>22</sup>

Some of the reasons given for female genital mutilation include “cultural, gender and group identity, social cohesion, virginity and family honour, necessity for marriage, fertility and cleanliness, beauty, a rite of passage, religious beliefs and income for traditional practitioners”.<sup>23</sup> However, it is widely accepted that the practice can result in significant physical and mental health issues for females throughout their lives, including sexual and reproductive health problems.

<sup>20</sup> Al-nisa' Youth Group Inc.

<sup>21</sup> Community Health Profile - Cambodians, Queensland Health website, viewed May 2006

<sup>22</sup> Reyes, A. Girl-child Issues and Female Genital Mutilation in Reproductive/Sexual Health Education in Australia (2003)

<sup>23</sup> Reyes, A. Girl-child Issues and Female Genital Mutilation in Reproductive/Sexual Health Education in Australia (2003)

One of the major challenges faced in addressing the ongoing occurrence of female genital mutilation concerns identifying and responding to families who wish to continue the practice and take their daughters overseas, often back to their country of origin, to have the procedure performed there.

Traditional practices which do not place a child at risk of harm may strengthen the child's sense of cultural identity and should be respected as representing an important aspect of the child's right to culture. However, any "tension...between cultural tradition and human rights should always come out on the side of human rights".<sup>24</sup> Therefore, in situations where a traditional practice causes harm, the child's right to safety and protection needs to take **precedence**.

One of the main challenges for child protection workers in relation to working with culturally and linguistically diverse children and families is to determine when a particular practice that may not be common within the dominant Australian culture falls beyond the point of being acceptable within the wider community's rules and laws and therefore constitutes abuse or neglect. When responding to a child protection issue within the context of cultural diversity, it is also important to be aware of the potential for certain practices to be explained by a parent as being acceptable within a particular culture when this may in fact not be the case.

Advice about responding to these challenges may be obtained from a colleague who is from the same ethnic background as the family, from a service that works with members of the particular ethnic community or from a respected member of the ethnic community. However, when seeking such advice, ensure the family's identity is protected.

## 6. Consider intergenerational issues and their impacts

*Because of English-speaking skills and a more advanced knowledge of the ways of the host country, young people may become responsible for facilitating parental contact with the outside world of the host culture. In turn, this may undermine parental authority and status and have destabilising and adverse effects on family stability and cohesion, and a young person's life-cycle development (Coping in a new world, Queensland Transcultural Mental Health Centre and Youth Affairs Network of Queensland 2001: 21).*

Intergenerational issues within families from culturally and linguistically diverse backgrounds feature strongly in much of the literature relating to cultural diversity.

While cross generational tension or even conflict could be seen as fairly typical of many Australian families, there are a number of specific factors that may impact on intergenerational relationships within families from culturally and linguistically diverse backgrounds. There may be particular cultural views about the roles of elders, parents, men, women and children that impact upon intergenerational relationships.

Most parents, irrespective of their cultural identity, want the best for their children. Many people who migrate to Australia may have made the decision to do so in part to secure a good future for their children. This can lead to parents having very high expectations of their children, including expectations regarding the child's educational performance. As noted previously, the migration experience is stressful, and these stressors can contribute to tension within the family, as all family members adjust to life in a new country.

For some larger families and those who have been sponsored to migrate by other family members, there may be issues related to finding and sharing accommodation with extended family as well as a shared financial burden during the settlement process. These factors may contribute to stress within the family and to intergenerational issues.

<sup>24</sup> Aldunate, R. Issues for Women of Non-English Speaking Backgrounds (1999)

Another important factor in relation to intergenerational issues concerns the rate of acculturation of various family members. Children and young people from migrant backgrounds often acculturate more rapidly than their parents, especially if they have migrated from a non-English speaking country. Given their daily exposure to the host culture and language through school attendance, they may become proficient in English before their parents, and are exposed to and take on some of the behaviours and attitudes of their peers who are part of the dominant culture.

This can lead to a number of challenges for the family, with the parents sometimes being concerned about their child's loss of cultural identity, and a potential role reversal as the parents need to rely on the child's language proficiency to interpret and negotiate for them in various situations. Similarly, because of various factors such as the financial pressures that face many migrants and the loss of support networks that were available in their country of origin, children may need to take on additional responsibilities such as caring for younger siblings or finding work to contribute to the family income.

These types of situations can potentially place the child in a position of power over the parents, and at the same time expose the child prematurely "to 'adult' problems in the family...without the skills or experience of an adult".<sup>25</sup>

There are a number of references in the literature to parents being concerned about their authority being undermined as a result of interventions by professionals in relation to child protection. Further, young people's access to income support from Centrelink may also be seen as an issue by some parents as undermining them by encouraging young people to leave home if there is conflict within the family. Research from the United Kingdom also suggests that "some minority ethnic parents may use more punitive parenting measures in Britain than they would if still in their countries of origin to try to curb some of the western influences on their children".<sup>26</sup>

At the same time, it has been noted that some families may try to preserve traditional cultural values that they recall from their country of origin but which may have adapted and changed over time in the country of origin.

It is useful for departmental officers to have an understanding of the various intergenerational issues that may be present in families from culturally and linguistically diverse backgrounds when intervening in child protection matters. However, it is also important to be aware of the risk of automatically assuming that any intergenerational conflict is a conflict about "cultural identity" based on differing levels of acculturation between generations, as this can lead to an escalated perspective in which the problem is seen as almost insurmountable.

## **7. Be aware of barriers to identifying and reporting child abuse**

*Often parents from a non-English speaking background are socially isolated and have little or no access to information about child care and support services. This isolation can allow abuse to be hidden, placing further stress on children and parents (Child Protection in Non English Speaking Communities, Culture – No Excuse, A report prepared by the NSW Child Protection Council, 1993: 34)*

Barriers to identifying and reporting child abuse and neglect within families from culturally and linguistically diverse, and particularly from non-English speaking backgrounds, are consistently identified in the literature relating to child protection and cultural diversity.

Some of the potential personal and systemic barriers which are most commonly identified include:

- a lack of understanding, especially amongst recently arrived migrants and refugees, of

<sup>25</sup> Child Protection in Non English Speaking Communities, Culture – No Excuse, NSW Child Protection Council (1993: 14)  
<sup>26</sup> Barn cited in Child Welfare for Minority Ethnic Families, The Research Reviewed, Thorburn, Chand and Procter, (2005: 83)

parenting norms and child protection laws in Australia which may differ significantly from those in their country of origin

- a limited ability, for some people, to read, speak or understand English
- the social isolation faced by some families who are part of a minority ethnic group and limited awareness of, or access to, support services or to services that would identify abuse
- interrelated experiences of disadvantage faced by some people from culturally and linguistically diverse backgrounds such as financial limitations due to limited availability of affordable housing, employment and educational opportunities and unfamiliarity with surroundings
- a denial that child abuse occurs within a cultural or ethnic community by some members of that community
- a fear or suspicion of authorities and government officials based on pre-migration experiences
- a reluctance to seek support because of the stigma associated with seeking help from outside of the family group
- a fear of jeopardising the person or family's residency status in Australia, particularly in circumstances where this status is tenuous or not permanent
- the desire to protect the reputation and standing of the family and the view that problems are most appropriately dealt with within the family or by others within the cultural community, such as community leaders, elders or religious leaders
- an unwillingness of some professionals to intervene on the basis of an abusive practice being viewed as "part of a culture"
- a previous experience of culturally insensitive interventions by professionals
- a fragmented approach by services that may work in isolation, without linking with existing services that have the trust of families from culturally and linguistically diverse backgrounds
- gender power imbalances which can lead to abusive situations not being reported due to fear of being judged or harmed.

It is important for departmental officers to be aware of these potential barriers and to consider and implement ways of seeking to overcome, or where possible, removing them. Some of the ways in which this can be done are outlined below (refer to Effective approaches to practice).

## 8. Understand the impacts of racism and discrimination

*Nationwide data collected by Kids Help Line ...indicates...young CALD people...were 40 per cent more likely to telephone...about bullying, and significantly more likely than their Australian counterparts, to be experiencing continual harassment and bullying often motivated by, or related to, racial and cultural differences (Coping in a new world, Queensland Transcultural Mental Health Centre and Youth Affairs Network of Queensland 2001: 19).*

Some people from culturally and linguistically diverse backgrounds are likely to have experienced racism and discrimination as a part of their daily life in Australia and possibly in their country of origin. This experience may be even more marked for members of ethnic groups who are visibly different from the majority of Australians.

The Human Rights and Equal Opportunity Commission defines racism as "an ideology that gives expression to myths about other racial and ethnic groups that devalues and renders inferior those groups, that reflects and is perpetuated by deeply rooted historical, cultural and power inequalities in society".

Discrimination refers to situations where “a person or a group of people are treated less favourably ...because of race, colour, national or ethnic origin; gender or marital status; disability; religion or political beliefs; sexual preference; or some other central characteristic.” Discrimination, like racist behaviour, can be either overt and direct or covert and indirect. Indirect discrimination occurs when “a practice or policy appears to be fair because it treats everyone the same way but actually disadvantages people from a particular group”.<sup>27</sup>

Another important concept relating to discrimination is ethnocentrism. Ethnocentrism refers “to the belief that one’s own culture is superior to the culture of other people”.<sup>28</sup> While it is critical to ensure that situations in which a child is being harmed or at significant risk of harm are not dispelled as simply “cultural”, it is also critical for practitioners to be aware of the potential for prejudice and ethnocentrism to inadvertently affect their assessment.

The experience of racism and discrimination is an additional and significant stress factor for those people who are subject to it, and research shows that it contributes to a climate of insecurity and a view of the dominant social environment as hostile and threatening. It also has significant impact on families and children who experience it in terms of their socioeconomic status (for example through limiting employment and educational opportunities), access to goods and services, and their overall participation in, and contribution to, society.

The experience of racism for children can have a negative effect on self-esteem, lead to withdrawal, feeling anxious and depressed, the rejection of culture and parental values and a sense of confusion about one’s identity.<sup>29</sup> For young people particularly, it can negatively effect the process of “successfully integrating aspects of both the host culture and culture of origin into their lives”.<sup>30</sup>

Research from the United Kingdom stresses the need for an awareness of the impact of racism and racist abuse on some people from minority ethnic groups as critical to working effectively with people who are members of these ethnic groups.

## 9. Recognise stressors potentially contributing to domestic and family violence

*Changing views regarding gender roles often lead to conflict and domestic violence may occur. Some men, threatened by the freedoms and new way of life possible in Australia, may resort to violence as a means of maintaining traditional roles, their status as family head, and the power and control that goes with it (Diversity Training Manual, Immigrant Women’s Support Service, 2002: 25)*

There are a number of factors that may be relevant when responding to child protection concerns relating to domestic violence in families from culturally and linguistically diverse backgrounds.

There is an increasing recognition that children are affected by domestic violence in a range of possible ways which may include being physically harmed or threatened as well as manifesting negative behavioural and psychological reactions.

Some people who have migrated may have come from countries and cultures in which gender roles and expectations differ from those that are widely accepted in Australia. Exposure to Australian social values which are supportive of the rights of women can lead to many women and girls challenging traditional gender roles.

<sup>27</sup> Human Rights and Equal Opportunity Commission Website: Frequently Asked Questions, viewed July 2006

<sup>28</sup> McConnochie et al (1988) cited in Babacan, H.: I Still Call Australia Home - An Exploration of Issues Relating to Settlement and Racism (1998)

<sup>29</sup> Racism. No Way: Recognising racism in schools, viewed July 2006

<sup>30</sup> Coping in a new world, Queensland Transcultural Mental Health Centre and Youth Affairs Network of Queensland (2001: 27)

At the same time, for some men who have been used to being seen as the “head” of the family, this challenge may be seen as particularly threatening to their status and may be heightened by their own difficulties in adjusting to a different culture. This can lead to conflict within the family and increase the risk of domestic violence occurring.

While it is difficult for most women to disclose domestic violence, there are often additional barriers to disclosure for women from diverse cultural backgrounds, including:<sup>31</sup>

- a fear of being blamed and isolated from their communities, families and friends and the social stigma attached to domestic violence
- language barriers
- a lack of knowledge of the Australian legal system
- a fear of not being believed, especially when the abuse is perpetrated by partners who may be respected community members
- a fear of retaliation and being regarded as bringing dishonour to the family
- a lack of support networks, especially for women who have recently arrived in Australia, and a limited knowledge of services that may be able to assist
- the inability of some service providers to respond effectively to women from a culturally and linguistically diverse background
- in some situations, a view of domestic violence as “normal” based on past experiences from their country of origin.

Many of the above obstacles to disclosure are also relevant for children living with domestic violence.

A separate practice paper, Domestic and family violence and its relationship to child protection, is available on the department’s Infonet site.

## Effective approaches to practice

*There are no recipes or blueprints for working with people from specific cultural backgrounds (Diversity Training Manual, Immigrant Women’s Support Service, 2002: 120).*

It is neither feasible nor appropriate to provide a prescriptive approach for working with people from specific ethnic, cultural or linguistic backgrounds. However based on the information and issues previously outlined in this paper, a number of effective approaches to practice are available for implementation by departmental officers, when intervening with children and families from culturally and linguistically diverse backgrounds.

### 1. Use appropriate terminology and avoid stereotyping

It is critical for staff working with children and families from a culture or ethnic group different from their own to recognise the uniqueness of all people and avoid stereotyping or making assumptions based on a person’s ethnicity, religion, culture or language. It is also important to be aware of the potential sensitivities around the use of some terminology.

Using terms such as “culturally and linguistically diverse”, “non-English speaking”, or “migrant” when referring to someone could be offensive as it may be taken to imply that the person is being categorised or is not part of the broader Australian community. For example, while it may be accurate to describe someone who has recently settled in Australia as a “migrant”, this would not be appropriate after a certain period of time unless the person chooses to self-identify in that way.

<sup>31</sup> Diversity Training Manual, Immigrant Women’s Support Service (2002: 33)

## 2. Develop cross-cultural competence

*It would be wonderful if, with the wave of a magic wand, we could all possess the skills and attitudes that it takes to be cross-culturally effective. But, unfortunately, there are no shortcuts and there is no magic wand. Acquiring the skills is a lifelong process (Developing Cross-Cultural Competence, A Guide for Working with Children and Their Families, Lynch and Hanson, 2004: 73).*

The term “cultural competence” is increasingly being used in relation to working effectively with people from culturally and linguistically diverse backgrounds. There are a number of different definitions provided for the term which typically include reference to organisational systems, policy and practice, as well as to individual workers.

The Standards for Cultural Competence in Social Work Practice published by the National Association of Social Workers (USA) state that:

*“Cultural competence refers to the process by which individuals and systems respond respectfully and effectively to people of all cultures, languages, classes, race, ethnic backgrounds, religions, and other diversity factors in a manner that recognises, affirms, and values the worth of individuals, families, and communities and protects and preserves the dignity of each”.*

While acknowledging both the individual and systemic/organisational context, this section focuses on the development of cultural competence at the individual level. Cultural competence at a personal level encompasses the worker’s attitudes, knowledge and skills, and requires an acceptance that long-term, ongoing and persistent development is required.<sup>32</sup>

There are **three key elements** that are commonly identified in the development of cultural competence.<sup>33</sup> These are:

- developing cultural awareness, including self-awareness about one’s own culture
- acquiring knowledge about other cultures
- developing cross-cultural skills.

**Developing cultural awareness, including self-awareness** about one’s own culture, and associated values and assumptions on behaviour and interactions, is the first step towards developing cultural competence (Lynch and Hanson, 2004). This can often be difficult for people who belong to the dominant Anglo-Australian culture, as “culture” and “cultural diversity” are typically seen as pertaining to “others”. This process includes acknowledging any personal biases and stereotypes, recognising the influence of cultural norms and attitudes, and valuing cultural diversity and the validity of differing beliefs and values.

**Acquiring knowledge about other cultures** is another key element to developing cultural competence, and may be achieved by interacting with people from other cultural backgrounds in both professional and personal life, talking with service providers and community organisations who work with culturally diverse people, researching, watching films or documentaries or reading about other cultures and cultural diversity, and participating in workshops and seminars.

It is unrealistic to expect departmental officers to gain a thorough understanding about every cultural and ethnic group within Queensland. However, identifying the various cultural and ethnic communities that live in the area where you work and developing some understanding about their cultures is a useful starting point.

<sup>32</sup> Guidelines for Culturally Competent Organisations, Minnesota Department of Human Services, (2004)

<sup>33</sup> James, D. Cultural Competence Health Article, Healthline, viewed June 2006, <http://www.healthline.com/galecontent/cultural-competence>

**Developing cross-cultural skills**, the third key element of cultural competency, includes:

- effective cross-cultural communication
- working with interpreters and translators
- developing collaborative models with ethno-specific agencies and those working with people from culturally and linguistically diverse backgrounds
- establishing effective relationships with people from culturally and linguistically diverse backgrounds
- reflecting on and learning from each interaction with people from different cultures to inform future practice
- monitoring access to services by people from culturally and linguistically diverse backgrounds through data collection
- identifying practices and systems that hinder cultural competency
- identifying and implementing approaches that remove any barriers to working effectively with people from culturally and linguistically diverse backgrounds.

As with the development of cultural knowledge, there are many ways in which these skills can be acquired. The development of cultural competence needs to be seen as an ongoing process, and every interaction with people from different cultures should be viewed as a learning experience.

### **3. Collect and record accurate information about cultural, linguistic and religious identity**

*How people identify themselves is a key to their self-image. For instance, a person born in Australia to Chinese parents may identify as Chinese, as Chinese Australian, or as Australian. It can lead to misunderstandings if practitioners assume rather than ask individuals how they identify themselves, and about the impact and influence of their cultural background on their life (from Diversity Training Manual, Immigrant Women's Support Service, 2002: 118).*

The identification and collection of accurate and complete information about the cultural, linguistic and religious backgrounds of children and families is critical to ensuring that the needs of the child can be appropriately met, as well as providing an important resource for service planning and for identifying any possible gaps in terms of access to child protection and family support services by parts of the community.

There are a number of provisions in the *Child Protection Act 1999* about the need to take account of the ethnic, religious and cultural identity or values of the child. The timely collection of information is a prerequisite to ensuring that these provisions are met.

It is important not to make assumptions about a person's cultural, linguistic or religious background and not to assume that a person's country of birth is a reliable indicator of cultural identity. Give each individual the opportunity to self-identify this information by asking them to do so. If the person is unable to provide this information, for example due to a child's young age, obtain the information from another reliable source, such as a parent.

At the same time, officers should be aware of potential difficulties that they may encounter when trying to collect this information. For example, some people may for various reasons be sensitive or suspicious about the purpose for collecting this information.

These cultural, linguistic and religious sensitivities may be able to be allayed by explaining that the information is being sought to ensure that the needs of the child and the child's family can be appropriately responded to. Giving assurances about the department's privacy and confidentiality policies may also assist.

The nature of information to be collected and recorded by departmental officers, when intervening with people from CALD backgrounds, is outlined in the Department of Communities, Child Safety Policy No. 458-2, Cultural Diversity Data Collection and Reporting.

#### 4. Develop effective cross-cultural communication skills

*Communication, both verbal and nonverbal, is critical to cross-cultural competence. Both sending messages and understanding messages that are received are pre-requisites to effective interpersonal interactions. Because language and culture are so inextricably bound, communicating with families from different cultural and/or sociocultural backgrounds is very complex (from Developing Cross-Cultural Competence, A Guide for Working with Children and Their Families, Lynch and Hanson, 2004: 61).*

An understanding of some general principles and guidelines for effective cross-cultural communication can assist staff to be more effective when communicating with children and families from a cultural background different from their own. Lynch and Hanson (2004)<sup>34</sup> identify the importance of understanding that there are cultural differences in non-verbal communication, and of acknowledging cultural differences rather than minimising them in relation to cross-cultural communication.

Non-verbal communication can vary significantly across different cultures, and may sometimes even have an opposite meaning. For example, maintaining eye contact is valued during interpersonal interactions in most Anglo-based cultures, and is seen as conveying trustworthiness and sincerity. However, in a number of cultures, making eye contact with someone in authority is seen as a sign of disrespect, and in some cultures eye contact between strangers may be considered shameful. Similarly, smiling or laughing in some cultures may be used when describing an event that is confusing, embarrassing or even sad.

There are also cultural differences relating to physical proximity and social distance; touching and other physical contact; physical postures and gestures. Nodding a head is generally taken as a sign of understanding or agreement in mainstream Anglo-based cultures, however in some other cultures it may only signal an acknowledgment that you are speaking without implying either understanding or agreement. While it is not reasonable to expect anyone to know the range of non-verbal communication patterns across cultures, it is important to be aware of the potential for misunderstanding in these areas.

In some cultures there is a strong imperative to avoiding a display of disagreement and conflict. Individuals may appear to agree to a plan of action to avoid what they experience as an embarrassing or challenging situation, with no real capacity or intention to comply with the plan.

Acknowledging and respecting cultural differences rather than minimising them is important for effective cross-cultural communication, with the following characteristics being identified as common to effective cross-cultural communicators (Lynch and Hanson 2004):

- having respect for people from other cultures
- making continued and sincere attempts to understand the world from others' points of view
- being open to new learning
- being flexible
- having a sense of humour
- tolerating ambiguity well

<sup>34</sup> Developing Cross-Cultural Competence, A Guide for Working with Children and Their Families, Lynch and Hanson, (2004: 61)

- approaching others with a desire to learn.

Some other practical guidelines include:<sup>35</sup>

- use an accredited professional interpreter when a person is unable to communicate effectively in English (see below)
- check and use correct pronunciation of names and the correct or preferred way of addressing a person (for example, formally or informally)
- use plain English and clear enunciation
- use concrete instead of abstract language and avoid the use of idioms, irony, sarcasm, slang and jargon
- be patient, receptive and listen carefully to everything that is said
- avoid any tendency to equate the person's level of language skill or accent with level of intelligence or credibility
- ask open-ended questions and be aware that the repeated "yes" answers may mean different things in different cultural contexts
- make sure that the other person understands what you have said and that you understand what they have said. This can be done by asking the person to tell you what they have understood you have said and by paraphrasing back to them what you understand they have said.

Finally, it is useful to reflect on each cross-cultural interaction to identify those things that went well and areas that could be improved.

## 5. Utilise interpreters

*The Queensland Government recognises that a significant number of people do not speak English at all or well enough to communicate adequately with officers of Queensland Government agencies... agencies should provide an interpreter in situations where a non-English speaking client has difficulty communicating in English (from Queensland Government Language Services Policy, 2004: 8).*

Interpreters should be engaged in any situation where a child or family member has difficulty communicating in English. Wherever possible, a professional, qualified interpreter who has been accredited by the National Accreditation Authority for Translators and Interpreters (NAATI) should be used. They operate under a code of ethics and have been trained in areas such as maintaining confidentiality and accuracy.

As noted previously, children sometimes become proficient in English more quickly than their parents. However, as noted in the Queensland Government Language Services Policy, "Children and young relatives are not appropriate interpreters in any context." (from Queensland Government Language Services Policy, 2004: 10). Similarly, the use of other family members or friends of the family as interpreters is also problematic and needs to be avoided. Some of the problems with using family members or friends as interpreters include the potential for embarrassment for all parties, and the increased risk of miscommunication and lack of privacy.

The need for an interpreter may not always be obvious, as some people may be able to converse at a basic level in English but not necessarily fully understand the language used by professionals. If there is any doubt about the person's ability to fully comprehend what is being communicated, an interpreter should be used.

<sup>35</sup> Child Protection, Students from a non-English Speaking Background, Department for Education and Children's Services, South Australia (1996: 26) & Diversity Training Manual, Immigrant Women's Support Service (2002: 123)

When engaging an interpreter it is important to confirm the language and dialect needs of the client, any gender preferences that they might have in relation to the interpreter and the preferred interpreting mode. Interpreting services may be available both on-site and through telephone interpreting.

Telephone interpreting has the benefits of being more readily available in regional areas and offering access to interpreters in a greater range of languages through a national network. On the other hand, on-site interpreting has the benefit of allowing for visual and non-verbal cues which can facilitate the communication, as well as the possibility of continuity as the same interpreter can be requested and used.

Another critical consideration when engaging an interpreter is to check that the interpreter is acceptable to the child and parents. In some circumstances, especially in smaller or emerging communities in which there are a limited number of accredited interpreters, the interpreter may be known to the child or family which could significantly inhibit or otherwise compromise the interaction.

Some suggested guidelines for staff when working with interpreters that are referred to in the literature include:

- brief the interpreter beforehand wherever possible, explaining the purpose of the interview or meeting
- allow for the extra time that is likely to be needed when using an interpreter
- introduce yourself and the interpreter to the client and explain clearly who you are and what your role is
- speak directly to the client rather than addressing the client through the interpreter and look at the client when speaking and listening to them
- maintain control of the interview
- pause often to allow the interpreter to speak
- speak clearly and somewhat more slowly but not loudly
- avoid using slang or technical jargon
- make sure that the interpreter understands any difficult concepts that you are trying to convey
- periodically check on the client's understanding of what has been said by asking them, through the interpreter, to repeat in their own words what has been communicated
- summarise what has been agreed during the meeting and check if the client has any questions
- debrief the interpreter if necessary after the interview once the client has left.

Information about translating and interpreting services is available through the Multicultural Affairs Queensland website.

## **6. Establish links with service providers and ethnic community organisations**

*The insufficient partnership between the child safety services, community service providers in child safety and CALD communities was highlighted as a barrier to a better understanding of child safety legislation (from Changing the Wheels: Child Safety Concerns in Queensland, 2005:23).*

There are a number of ethnic community organisations and service providers with strong links to people from culturally and linguistically diverse backgrounds throughout Queensland. Establishing links with these services can assist departmental staff to develop their knowledge about working

with diversity, as well as the particular needs of children and families.

Establishing such links could lead to useful opportunities for working collaboratively to support children at risk and families, and facilitate appropriate referrals to relevant services. Bicultural support workers who can assist both families and departmental staff in their interactions may also be available.

When responding to specific child protection cases, ensure that the child and family's privacy are protected and that informed consent is given for the involvement of an ethnic community organisation or service provider in each case.

For information about ethnic community organisations and service providers, refer to the Queensland Multicultural Resource Directory, available through the Multicultural Affairs Queensland website.

## 7. Utilise culturally appropriate placements

*Inappropriate placements and practice compound earlier harm and leave some young people confused about their histories, culture and identity, with low self-esteem and, for some, long term mental health problems (from Developing Cross-Cultural Competence, A Guide for Working with Children and Their Families, Lynch and Hanson, 2004: 135-136).*

In situations where children and young people are placed in out-of-home care, it is necessary to ensure that they maintain their links with their family and kin and with their ethnic, religious and cultural identity and values.

Under the *Child Protection Act 1999* (the Act), consideration must be given to placing the child with kin as the first option. The Act defines kin as:

- (a) any of the child's relatives who are persons of significance to the child
- (b) anyone else who is a person of significance to the child.

While placement with a kinship carer may allow for the child's cultural, linguistic and religious identity to be maintained, there are some important factors that need to be taken into account when considering kin for approval as kinship carers. For certain communities there is a strong cultural tradition of maintaining the honour of the family. In these situations it is possible that both parents and even the child could experience considerable shame about the decision to remove the child. This could lead to the family being resistant to a placement with kin, and may not be in the best interests of the child.

Another factor that needs to be considered in terms of placement with kin, especially in smaller communities, is the potential risk to the kinship carer if the family is not supportive of the arrangement.

Key areas that would require assessment in this context include:

- the family members' acceptance of the obligations of being an approved carer, including establishing their ongoing suitability
- whether a family member is prepared to work with the department to protect the child in the face of possible family pressures or conflict, particularly if the parents' contact with the child is restricted
- the views of the child about placement within the family network
- their ability and willingness to meet the standards of care in the statement of standards (for example, the carer is not permitted to use corporal punishment for managing the child's

behaviour even if corporal punishment is normally used with the carer's own children).

Irrespective of whether the placement is with kin or with another carer, it is critical to thoroughly consider the cultural identity and needs of the child in the case plan and placement agreement. This should include all aspects of the child's culture, ranging from their continued participation in religious activities and occasions through to ensuring that any specific dietary needs are met. When doing this it is essential not to make assumptions about the child's needs based on a perceived cultural identity, but to check with the child and family.

For information regarding Islamic observance, refer to the [Parenting Booklet for Muslim Parents and Service Providers](#).

## 8. Ensure a culturally appropriate response

*The researchers concluded that what workers need when providing services to families of a different ethnic or faith group from their own is "not so much the need for a set of guidelines about race or ethnicity for workers to follow, but a leap of imagination and extra sensitivity to be made in order to empathise with families" (Brandon et al. 1999, cited in Developing Cross-Cultural Competence, A Guide for Working with Children and Their Families, Lynch and Hanson, 2004:145).*

As noted previously, various provisions in the *Child Protection Act 1999* relate to the need for culturally responsive interventions across the continuum of child protection. These provisions are supported by departmental policies, procedures and resources.

Examples of strategies and processes that can be undertaken to enhance case practice and ensure that responses are culturally appropriate, are outlined below. The examples provided are not meant to be prescriptive or exclusive but are intended to generate ideas that can be applied at the local level.

It is important to recognise that cultural considerations need to be taken into account during all child protection phases (intake, investigation and assessment and ongoing intervention) involving children and families from culturally and linguistically diverse backgrounds.

### Strategies for ensuring a culturally appropriate response

The below examples of strategies and processes for ensuring culturally appropriate responses for children and families from culturally and linguistically diverse backgrounds, are categorised under three key areas, including case work, professional development and community engagement.

**Case work** strategies for ensuring culturally appropriate responses, include:

- assigning case workers from the same cultural background as the family, where possible and appropriate and considering the allocation of officers to particular cases where issues such as the age or gender of the worker may impact on the effectiveness of the intervention (due to the child's or family's cultural beliefs)
- ensuring that accredited interpreters are used in all interactions with families who are unable to communicate proficiently in English, and utilising a person from the child's or parent's cultural community as a support person (for example, during meetings)
- ensuring that case plans fully account for any actions needed to support the maintenance of the child's cultural identity
- ensuring that families are asked about the possibility of identifying a kinship carer, if a child is removed from their parents.

**Professional development** strategies for ensuring culturally appropriate responses include:

- utilising the knowledge of departmental staff from culturally and linguistically diverse

backgrounds about specific cultural considerations, and engaging these staff to facilitate discussions about cultural diversity in team and staff meetings

- utilising team and staff meetings to invite guest speakers from a cultural community or service provider that works with people from culturally diverse backgrounds, and to identify, recognise and share examples of good practice that have occurred with specific children and families
- identifying professional development needs and opportunities relating to cultural competence through the Performance and Planning process, for example, participating in cross-cultural training, developing an understanding of a particular cultural or ethnic group in the community, establishing links with local multicultural services and discussing individual cases relating to culturally and linguistically diverse children and families in supervision sessions.

**Community engagement** strategies for ensuring culturally appropriate responses include:

- identifying any emerging issues relating to child protection amongst cultural and ethnic communities in the local area
- identifying and actively engaging with culturally and linguistically diverse communities living in the local area
- liaising and consulting with local service providers working with culturally and linguistically diverse communities
- identifying multicultural initiatives in Child Safety Service Centre or regional planning processes, such as operational plans
- encouraging staff members to self-nominate as a key contact person for matters relating to a particular ethnic community – this may involve the nominated officer proactively developing knowledge about the particular culture and links with local members of that community.

Other strategies for ensuring culturally appropriate responses to children and families may also be relevant having regard to the role and function of the departmental employee. For example:

- the Placement Services Unit for a region, may monitor and review data at a local level about culturally and linguistically diverse children and families, to identify and respond to possible issues relating to the level of culturally appropriate placements being achieved for children requiring out-of-home care placements
- the CSSC or region may identify the need to run a foster carer recruitment campaign, specifically targeting families from culturally and linguistically diverse backgrounds
- staff within a CSSC may establish a collection of resource materials that includes information about culturally and linguistically diverse communities and relevant services and organisations within the local area
- the CSSC manager may raise awareness about any systems and practices that constrain cultural competency, and request that the senior practitioner facilitate or hold a workshop on ways in which services and practices can be enhanced to be more inclusive at a local level.

For detailed information specific to working with refugee children and young people, including practice principles, practical strategies and case studies, refer to the [Good Practice Principles Guide for Working with Refugee Young People](#).<sup>36</sup>

<sup>36</sup> Victorian Settlement Planning Committee 2005

## Conclusion

*The overarching conclusion from social work research is that, irrespective of the broad approach or specific methods used, it is the relationship between the family members and the worker, and the personal and professional qualities of the worker, that make the major contribution to outcome. The particular characteristics associated in many studies with a positive outcome are accurate empathy, warmth and genuineness (Child Welfare for Minority Ethnic Families: The Research Reviewed, Thorburn, Chand and Procter, 2005: 139).*

Queensland has a culturally diverse population, and child protection services provided by the department need to be inclusive of all children and families who are part of our multicultural society. The development of culturally competent practice is an ongoing process, and there is no recipe or formula for ensuring success in working with children and families from diverse backgrounds.

However, a commitment to developing the skills and knowledge to provide inclusive child protection services and to work effectively with diversity, is critical to ensuring that the needs of all children living in Queensland are met.

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