



Submission to the Inquiry into Family, Domestic and Sexual Violence

Committee on Social Policy and Legal Affairs

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Introduction

"In the winter of 2014 I was a new bride, smiling as I toasted my husband in front of friends and family thinking "how can anyone be this perfect?" Little did I know, the person I'd just promised to love for the rest of my life would become my oppressor.

Within a month of the wedding I was in Melbourne. A place where I'd been promised I could build a life, undertake PhD studies in special and inclusive education and continue my career working with differently-abled children. But this was not to be.

As soon as we arrived my husband's behaviour began to change. It was months before he allowed me to have a key to our apartment and when I suggested we take a trip into the city centre or have people around for dinner he would tell me how dangerous Australia was, how people could not be trusted unless you really truly knew them.

Isolated in the apartment, I had no access to a computer, the Wi-Fi password would change every week and even the TV was password protected. So I found myself passing the days gazing over the ledge of our balcony, watching the tiny people toing and froing in the street below, waiting for 3:00 pm when friends and family in my home country would begin to wake and I might receive a message from home. Decisions about what I would wear, what I could eat, where I could go and who I could speak to were made without my consultation. Forbidden from earning money of my own, every purchase in our lives was decided upon by my husband.

I missed my family. I missed travelling and learning new skills. I missed the sense of connection I used to have with friends and colleagues. I missed teaching children and the sense of purpose this gave me."

Ash, inSpire for Change Victim-Survivor Advisory Group
Member

inTouch Multicultural Centre Against Family Violence (inTouch) welcomes the inquiry into family, domestic, and sexual violence adopted by the House Standing Committee on Social Policy and Legal Affairs. We welcome the opportunity to provide this submission to the Inquiry.

We would like to acknowledge the significant work and focus of successive Commonwealth Governments to issues relating to family, domestic and sexual violence. We commend the work that has been undertaken as part of the National Action Plans, and the resourcing of initiatives to research, respond to, and prevent violence against women and children in Australia.

In particular, we would like to highlight the ground-breaking reforms in Victoria since the Royal Commission into Family Violence. This Royal Commission highlighted the catastrophic impacts of gender inequality and family violence on our community. It also highlighted the gaps in the services system and made recommendations to improve services from prevention, early intervention right through to crisis support.

We acknowledge the ongoing commitment and resourcing by the Federal and State Governments to reduce violence against women and children in our communities. However, as we will highlight in this submission, there is still a significant amount of work that needs to be done to ensure that victim-survivors are provided with the support they need, and that men are who use violence are held accountable for their actions and work is done to change their behaviour.

inTouch works exclusively with clients from migrant and refugee backgrounds. We provide case management and support to victim-survivors of family violence, and we provide group work and case management to men who have used violence and are seeking to change their behaviour. As we will discuss in this submission, family violence in the communities that we work with, requires a different approach than that of mainstream service provision. The intersections of being a migrant or refugee, culture, and family violence, cannot be overstated. It is our view, that an intersectional approach to family violence policy and



service provision will help the government better address family violence across all communities in Australia.

Family violence in migrant and refugee communities stems from gender inequality, as does family violence across the rest of our society. Family violence can however manifest differently in migrant and refugee communities. There are unique and complex forms of family violence that many of our clients experience. In the first part of this submission, we will discuss dowry abuse, forced marriage, family violence perpetrated by extended family members, labour and domestic servitude, as well as the impacts of visa status on our clients (terms of reference (e) and (h)). Following on from this discussion, we highlight some of the main barriers our clients face when they are seeking support and safety (terms of reference (d) and (f)). We will then provide some insights from our program working with men from migrant and refugee backgrounds who use violence, and will discuss its effectiveness and some of the challenges we have faced (terms of reference (g)). Our submission will conclude with a discussion of the ways that COVID-19 has exacerbated the disadvantage and risk that our clients face (terms of reference (i)).

Our submission makes a number of recommendations to reduce the barriers that our clients face when they are seeking safety through the services system. Most importantly, we hope to highlight that it is critical to adopt an intersectional framework and perspective in government policy which acknowledges the diverse needs of diverse communities. Culturally responsive practice and support available in community languages can enhance pathways to safety by engaging both victim-survivors and individuals who use violence from migrant and refugee communities.

Furthermore, we will highlight the financial disadvantage that so many of our clients face as a result of the family violence they've experienced and their migration status. As will be discussed, a significant number of our clients are temporary visa holders, many of whom are unable to access social security and government support.

About inTouch

inTouch provides integrated, culturally responsive services to migrant and refugee communities. Over the past 35 years, we have addressed the specific needs of communities and helped over 20,000 women experiencing family violence. In the 2019-20 financial year, inTouch provided services to 1311 women from 98 different countries, and 1277 of their children.

We have become a critical piece in Victoria's family violence response system. In 2016, the Royal Commission into Family Violence in Victoria recommended that the government fund inTouch to better support the system in meeting the needs of individuals from refugee and migrant backgrounds experiencing family violence. As a leading expert working with these communities, the reach and impact of inTouch's work has significantly increased.

inTouch works across the family violence continuum, from prevention and early intervention, to crisis intervention, post-crisis support and recovery. Our services and programs include:

- An integrated, culturally responsive model based on inLanguage, inCulture case management. Our case managers are highly diverse, offering direct client services in over 25 languages. They have a unique understanding of a client's lived migration experience, cultural influences, and the barriers faced when trying to seek help.



- An in-house accredited community legal centre, the only one of its kind in a specialist family violence service, which provides legal advice, court advocacy and immigration support to inTouch clients.
- Capacity building of specialist and non-specialist family violence providers, and community organisations to better deliver support to refugee and migrant women experiencing family violence. This includes a public training calendar.
- An early intervention program, Motivation for Change, working directly with men from culturally and linguistically diverse communities who use violence towards their families.
- A recovery program, inSpire, helping women and children move on from experiencing family violence.
- A victim-survivor advisory group called Inspired for Change, comprised of former inTouch clients. This advisory groups helps to guide and inform many of our programs.

inTouch provides assistance to women who are victim-survivors of family violence. The overwhelming majority of our clients have experienced family violence perpetrated by their male partner and/or other family members. The issues that we have identified and the recommendations that we make in this document are based on the experiences of these women and their children.

A snapshot of our clients

Almost half of our clients at inTouch in the 2019-20 financial year were aged between 25-34 years of age. Just under 30 percent of our clients were aged between 35 and 44. Just under 30 percent of our clients arrived in Australia within the last three years. Just under half of our clients – 46.1 percent – arrived in Australia less than five years ago.

Table 1. Client age groups

	Number of clients	Percentage
0-14	4	0.4
15-24	124	9.5
25-34	623	47.5
35-44	376	28.7
45-54	127	9.7
55-64	39	3
65+	17	1.3
Not recorded	1	0.1
Total	1311	100.2

Our clients come from many places around the world – most notably from India, Vietnam, China, Afghanistan, Iran, Philippines, Pakistan, and Sri Lanka.

Approximately 30.5 percent of clients are homeless at the time in which they present to our service. These clients are either staying with friends or family, or are living in other temporary housing. Just under 12 percent of our clients are in emergency accommodation. Just under 37 percent of our clients receive no income at all when they present at inTouch – this includes no income from Centrelink or other government



social security payments. Approximately a quarter of our clients receive some form of Centrelink payment – the majority of those receive parenting payments. Just under a quarter receive income from employment.

Table 2. Client's main income source

Income source	Percentage of clients
Newstart	4.10
Parenting payment	15.10
Disability support pension (Centrelink)	1.10
Youth allowance	0.20
Age pension	0.60
Carer allowance	0.50
Carer Payment	0.40
Other government pensions and allowances nec	3.90
Employee income	24.60
Unincorporated business income	0.40
Other income nec	2.40
Nil income	36.90
Don't know	9.90
Total	100

As a result of the COVID-19 pandemic, our contact with clients increased significantly this financial year. In 2018-19, inTouch supported 1430 individual clients, with whom 21,520 contacts were made. In the 2019-20 financial year, 1311 clients were contacted on 27,512 occasions. A larger portion of these contacts were made in the final quarter of the year, which is distinctly when the COVID-19 pandemic was affecting Victoria.



1. Family violence in migrant and refugee communities

Terms of reference

- e) All forms of violence against women, including, but not limited to, coercive control and technology-facilitated abuse.
- h) The experiences of all women, including Aboriginal and Torres Strait Islander women, rural women, culturally and linguistically diverse women, LGBTQI women, women with a disability, and women on temporary visas.

In this next section, we will discuss some particular types of family violence that women from migrant and refugee backgrounds experience. Although many of these types of family violence are the same as those that take place within the broader Australian community, some forms of family violence are specific to, or more prevalent, in some of the migrant and refugee communities that we work with. These include dowry abuse, forced marriage, family violence perpetrated by extended family members, and forced labour and domestic servitude. These are forms of family violence that we regularly see in the communities that we work with. It is our view that the general family violence services sector must be trained to better recognise and understand such forms of family violence.

1.1 Dowry abuse

The tradition of dowry giving is practiced across many cultures and traditions. At its best, dowry is the tradition of gift-giving around the time of marriage. It is part of the marriage ritual and can include a gift of money, property, gold, and livestock. In some cultures, dowry is given from the woman's family to the man's family, and in other cultures, the man's family gifts the dowry to the woman's family. There is no set amount of dowry expected as part of a marriage.

Dowry abuse is a form of economic abuse in a relationship. It is when the individual using family violence exerts pressure, unreasonable expectations and ongoing demands on a woman in relation to her dowry. Dowry abuse can be perpetrated by, and be towards, extended family members, and can have a significant impact on a woman's family back in her home country. It can lead to physical, psychological, economic, or sexual abuse, and has sometimes led to suicide or murder.¹

Dowry abuse has now been recognised by the Victorian State Government as a form of family violence. The expansion of the definitions of family violence across all other jurisdictions, including federal family law legislation to include dowry abuse, would have a significant impact on the way that women who experience this form of family violence, can seek assistance and support. Further, having more awareness amongst family violence services about dowry abuse and how it can increase the risk to the safety of women and children would be beneficial.

1.2 Forced marriage and human trafficking

As per the Criminal Code Act 1995 (Cth), forced marriage is defined as marriage that lacks the consent of one or more of the people being married. In Australian and international law, forced marriage is considered a slavery-like practice. It can also involve human trafficking.

¹ inTouch, Position Paper: Dowry Abuse, (Melbourne: inTouch, 2019). Available at https://intouch.org.au/wp-content/uploads/2019/02/inTouch_PositionPaper_DowryAbuse_February2019.pdf



inTouch works with clients who have experienced forced marriage. Forced marriage can take different forms. Some of our clients who have experienced this have been forced or coerced to marry through extensive pressure or threats by family members. Other clients have been deceived about who they're marrying. We have also had clients that were taken overseas to be married – without their knowledge or consent.

It is not always easy to identify that forced marriage has occurred and it's not unusual for our clients themselves to be unaware that they are victims of this crime. This is particularly the case for those who consented to the marriage as a result of deception or coercion. Importantly, many clients are reluctant to disclose this information for fear of having their families charged by the police.

Alongside such cases, inTouch has provided assistance to clients who have been deceptively or forcibly removed from Australia and 'sent back' to their home country. In this case it is usually the men in the relationship or the man's extended family, who decide they no longer want to sponsor the woman, or don't want to meet their sponsorship obligations such as tending to her health care needs.² As stated by researcher Marie Segrave, what is evident in these cases "is the utilisation (or attempt to) of the migration system as one means through which to further exercise control and abuse."³

CASE STUDY

Our client was coerced by her family to marry an Australian man. The man paid a dowry to her family and sponsored the woman to come to Australia. When she arrived, she learnt that the man was more than twice her age, and had significant psychiatric issues as well as drug and alcohol dependency. The man's family had wanted the marriage for the man so that he had somebody to look after him. Our client was forced to serve the man and his family with domestic duties as well as with his personal care. She was also sexually assaulted by the man.

CASE STUDY

Our client married an Australian man and moved to Australia to live with him. She was on a temporary spousal visa while she lived with him. They had one child together who was born in Australia. The man was very violent and caused her hospitalisation multiple times. If she disclosed the family violence, he threatened to cancel his sponsorship and deport her without her child. He controlled all their finances and limited her interactions with others.

One day, the man offered our client a family holiday back to her home country to see her parents. He told her that she would need to fly back first, and he would follow with their child once he had made arrangements for their child's passport.

Upon arriving in her home country, our client realised that her husband had only purchased a one-way ticket for her. He didn't join her and he kept their child in Australia. He also cancelled his visa sponsorship application.

Our client remained in her home country for one year until she could save the money and arrange for a new visa to come back to Australia to reunite with her child.

² Marie Segrave, Temporary Migration and Family Violence: An Analysis of Victimisation, Vulnerability and Support (Melbourne, VIC: School of Social Sciences, Monash University, 2017) p 60.

³ Marie Segrave, Temporary Migration and Family Violence: An Analysis of Victimisation, Vulnerability and Support (Melbourne, VIC: School of Social Sciences, Monash University, 2017) p 61.



1.3 Family violence perpetrated by extended family members

Another complexity that can arise for migrant and refugee women experiencing family violence is violence perpetrated by extended family members. In many cultures, it is the norm for a woman to live with her husband's family when she marries him. inTouch works with women who have suffered physical, psychological, financial and other forms of family violence not only at the hands of her husband, but also his family. In some situations, the perpetrator's extended family may carry out threats of harm to her family back in their home country.

Our clients can find this difficult to explain to mainstream service providers. Through our work across the family violence sector, it is our understanding that there are many mainstream service providers who would value training and education on diverse family dynamics. Migrant and refugee women can feel their experiences of family violence from extended family members are not well understood and are minimised due to Australian laws and the focus on traditional nuclear families. For example, an inTouch client struggled to explain to a mainstream service provider the level of risk she continued to face to her safety from the perpetrator's family, despite the perpetrator being in prison.

1.4 Forced labour and domestic servitude

inTouch has provided services to many women who have also become victims of domestic servitude and forced labour. These clients have either been forced into domestic servitude for their husband and his extended family, or have been forced to work in the family business for no payment and for long periods of time. These clients are often abused and assaulted and isolated from the outside world. Some of these clients were also victims of forced marriage, sponsored to come to Australia on a partner visa for the purposes of exploitation in domestic servitude and forced labour.

It can take these clients a considerable amount of time to find the opportunity to seek assistance. Many clients aren't aware of their rights, who they can seek help from, and what support services are available to them. In our experience, men use the woman's lack of knowledge of Australian systems to generate fear in her, make threats, and keep her isolated.

CASE STUDY

Our client came from south-east Asia. She married an Australian citizen and is in Australia on a partner visa. Her husband has taken her passport and money away. Our client is expected to wake up at 5am every morning to cook and clean for her husband and his family. Her husband and his family beat her and threaten to harm her family in her home country if she does not abide by their instructions. When she is not undertaking domestic work, she is expected to be in her room. She is only allowed to eat food scraps and leftovers and is not allowed to leave the house unaccompanied.

1.5 Visa status: Women on temporary visas experiencing family violence

Visa and migration status have an enormous impact on our clients who are experiencing family violence. We estimate that approximately between 50 and 70 percent of our clients are women on temporary visas. Temporary migration status can be used as an additional tool for coercion and control by perpetrators of family violence. There are significant barriers many of these women face when they are seeking support from health and family violence support services. Furthermore, many of these women are in Australia



without other family or friendship networks, and may depend on the individual using violence for social and community connections.

Migration status “creates additional leverage for violence and control” alongside the “acknowledged levers of financial, emotional, technological, physical and sexual abuse that occur across situations of family violence.”⁴ An inherent power imbalance exists when a woman is being sponsored by her partner in Australia or is in a relationship with an Australian citizen/resident. This power imbalance is being used as a form of family violence for many of our clients. For example, her Australian citizen or permanent resident partner can threaten to retract their visa sponsorship or any offer to sponsor the woman if she discloses or reports the violence in the relationship. In situations where a woman is migrating with her partner who is being sponsored for employment or educational purposes, the woman’s migration and financial status depends entirely on her partner. This power imbalance is being used by men as another form of family violence.

CASE STUDY

John and Maria are in a relationship and have a 10-month old baby together. The baby was born in Australia. John is an Australian citizen and Maria is from a European country. John has offered to sponsor Maria and the two have submitted a partner application so that Maria can remain in Australia with him and their child.

John has been abusive towards Maria, using physical, emotional and other forms of family violence. He threatens to withdraw his visa sponsorship if she reports or discloses the family violence to anyone. He threatens to have her deported and keep their child in Australia.

Maria is terrified of being separated from her child and does not disclose the violence to anyone.

For our clients on temporary visas who have Australian-born children, further complications can often arise. In addition to her migration status, the child(ren) can be used as additional leverage by the individual using violence. For example, the woman may be threatened to be deported without her child(ren) or threatened to have her visa sponsorship withdrawn if she discloses the family violence. Out of fear of having to leave their child(ren) behind, many women remain in relationships with an abusive partner.

CASE STUDY

Dilara has travelled to Australia multiple times as a visitor. She met Abraham – an Australian citizen – many years ago and they have two children together who were born in Australia. Dilara and Abraham submitted a partner visa application whilst Dilara was in her home country, with Abraham sponsoring her so that she can move to Australia permanently. Whilst waiting for the outcome of her visa, Dilara travelled to Australia on a visitor visa.

Abraham has been having violent outbursts towards Dilara which are getting more severe. Dilara is worried for her safety and would like to leave the relationship. Abraham is threatening to withdraw his sponsorship and cancel the partner visa application if she leaves him or reports the violence. He threatens to keep their children in Australia and have her deported.

Women on temporary visas can be restricted in terms of the health and housing services they can access, and there are often conditions and limitations on their working rights and what social security they are eligible for, if any. Many of our clients at inTouch are not eligible for Centrelink payments and have to pay

⁴ Marie Segrave, Temporary Migration and Family Violence: An Analysis of Victimisation, Vulnerability and Support (Melbourne, VIC: School of Social Sciences, Monash University, 2017) p 1.



for their own hospital and medical costs. If the woman requires housing support, there are limited options for her outside of immediate crisis housing. Due to the limited space and funding, refuges may be reluctant to accept referrals for a woman on a temporary visa knowing she may have an extended stay there due to the lack of stable housing options for her to go to. Furthermore, women who aren't eligible for Centrelink payments including Special Benefits, are ineligible for many housing services.

Although some women may be able to fund these supports privately, a considerable number of our clients face extreme economic disadvantage and poverty as a result of the family violence they've experienced. It is often the case that the individual using family violence has limited the woman's ability to access her own financial resources, or he has taken her savings. As mentioned earlier, in 2018-19 36 percent of our clients at inTouch had zero income at the time of presenting at our service. A victim-survivor's restricted access to support services and precarious financial situation is a major barrier to leaving an abusive relationship.

1.6 Women from migrant and refugee backgrounds in regional and rural communities

Research shows that women who are living in regional and rural areas are more likely to experience family violence than women who live in urban areas.⁵ Victim-survivors who live in regional and rural areas can experience additional barriers to disclosing family violence and seeking safety and support. These barriers include social isolation and issues around confidentiality, where they may feel that living in a small community many people know one another. inTouch clients in regional and rural communities, may find it difficult to engage with local services due to language barriers and the lack of culturally safe and responsive service provision.

CASE STUDY

Arun is an engineer from overseas who has secured employment in a regional Victorian town. His new company has sponsored him on a temporary skilled visa along with his wife Priya and their two children. The two children attend the local primary school. They depend on Arun's income for day-to-day living.

Arun has been increasingly abusive and violent towards Priya. He is physically, sexually, financially and emotionally abusing her. Priya has considered leaving Arun but has no financial independence while in Australia. She is ineligible for public housing and doesn't have access to free public health. Priya considers leaving the country with her children, but knows that Arun would not allow it. She stays in the relationship with Arun, as she feels she has no way of leaving and no other options.

Recommendations⁶

1. That the **Commonwealth Government include dowry abuse in its definition of family violence as a form of economic abuse, and that there is a national definition used across all Australian jurisdictions.** Having a consistent definition of family violence across Australia will provide certainty to victim-survivors and deliver a strong message to individuals using violence. Dowry abuse is a social problem present in Australia, and in order for our society to address it successfully, it needs to be recognised by law.

⁵ Monica Campo and Sarah Tayton, 'Domestic and family violence in regional, rural and remote communities: An overview of key issues', (Melbourne: Australian Institute of Family Studies, 2015).

⁶ Some of these recommendations have been made by our organisation on previous position papers and government submissions.



2. **Recipients of all types of visas be made directly aware of their rights and entitlements multiple times within the first five years of their migration to Australia.** This includes at visa application point, when their visa is granted, at point of arrival, as well as within six months and twelve months of migration to Australia.
3. **Thorough, detailed and nationally consistent risk assessments that can identify modern-slavery offences.**
4. Increase the **skills of migration agents, lawyers and departmental staff** about risk factors associated with forced marriage, human trafficking, and servitude.
5. **Bridging visas for all temporary visa recipients who are experiencing family violence in Australia.** The family violence provisions (Migration Regulations 1958 (Cth) provide some victim-survivors who have experienced family violence in Australia with a pathway to leave the abusive relationship and remain in the country. In their current form, the family violence provisions are only available to people who are on particular spousal visas. We believe that similar opportunities should be provided to recipients of other visa streams. Women who are on student visas, visitor visas, or temporary work visas should have access to a bridging visa of up to 12-months to provide them with the opportunity to move on from the dangerous situation they find themselves in. As part of the bridging visa, the women should have access to support services they need including healthcare, income support, working rights, and housing. At the conclusion of the 12-month period, the woman should have the right to apply for a different visa type in Australia in accordance with her needs and eligibility.
6. **Expansion of family violence provisions to include offshore temporary partner applicants.** We have a number of clients who have lodged their partner visa applications offshore and are visiting Australia to be with their partner and in many instances, their Australian-born children, awaiting the outcome of their applications. When these women experience family violence, they are often extremely restricted in terms of the support services that are available to them. We believe these women should also be eligible to apply for the family violence provisions and support services to safety.
7. **Expansion of the family violence provisions to include extended family members as perpetrators.** The family violence provisions are currently only available if the family violence has been perpetrated by the sponsor (ie. the partner). A significant number of our clients experience family violence that is not perpetrated by the woman's partner sponsor. As per some cultural traditions, many of our clients live with extended family members including their partner's family. Family violence can be perpetrated by multiple people including members of the woman's own family and her husband's family.
8. **Expand and tailor services for regional and rural communities experiencing family violence.** The government must expand family violence support services in regional and rural communities. This is particularly important as government visa programs continue to encourage people to move to regional areas. Women who experience family violence in regional and rural communities need to be able to access support services in the ways that women in cities do. Whilst supported and resourced by the government, these services must be community driven so that they are tailored to suit the needs of that specific regional or rural community.

Visa streams that require migrants to live and work in particular regional and rural zones must also allow for exemptions if there is family violence. These women must have the opportunity to leave

the abusive relationship and find safety outside of the region they have been designated to live in by their visa.



2. Escaping family violence: Barriers to accessing support and safety

Terms of reference

d) The way that health, housing, access to services, including legal services, and women's economic independence impact on the ability of women to escape domestic violence.

f) The adequacy of the qualitative and quantitative evidence base around the prevalence of domestic and family violence and how to overcome limitations in the collection of nationally consistent and timely qualitative and quantitative data including, but not limited to, court, police, hospitalisation and housing.

Access to services including housing, legal services, and economic independence, absolutely affect a woman's ability to escape family violence. Access to these services are critical for women who are seeking safety away from family violence.

The needs and access to these services are interwoven. Approximately a third of our clients at inTouch arrived in Australia within the past four years. Along with the family and domestic violence our clients experience, many of them also face housing insecurity, financial problems as a result of financial abuse, and are often unaware of any legal assistance available to them.

2.1 Access to stable, affordable housing and housing services

Access to safe, affordable, and stable housing is one of the greatest barriers faced by our clients who are escaping family violence. The vast majority of inTouch clients at any given time are homeless, or have experienced homelessness or have been at risk of homelessness. This is driven by family violence. Our clients experience homelessness either because they have been forced to leave the home due to the danger they face from family violence, or because the perpetrator has been removed from the home, and the woman cannot maintain rental, mortgage, and other household payments on her own.

Almost half of our clients at inTouch are women on temporary visas, including those on spousal visas, student visas, and working visas. Many of these women do not have relatives or a close network of friends who they can choose to stay with. Many women who have been in Australia for a short period of time share the social networks and families of their partner. For these women, finding somewhere to live after leaving family violence can be very challenging, and out of desperation and a lack of options, many women are choosing to remain in the abusive household.

When our clients become homeless, it can be for extended periods of time due to the barriers they face in the housing services sector as well as private rental sector. These barriers are determined by a number of factors, including their visa status, their migration status – with a large portion of our clients having arrived in Australia in the past five years and not having an extensive rental history – and also their employment and financial status. As mentioned earlier, a large number of our clients are on low or no income. These factors are contributing to the barriers our clients face at each stage of engagement with homelessness and housing services.

In instances where child protection services are involved, women are often given the choice to either have their children removed if they remain in the abusive situation, or the women are encouraged to leave the violent household and seek support from a housing service.

Crisis support and accommodation



Our clients who are in critical or dangerous situations can access support through the Victorian crisis response service safe steps Family Violence Response Centre. safe steps provide short-term emergency housing and services to all women and children who require it, without any particular visa criteria.

Our case managers have however reported that refugees may be reluctant to take clients who have no income – such as temporary visa holders – as they won't have anywhere to leave to. Some of these clients may therefore be placed in motel accommodation instead. Whilst motel accommodation is a viable option for those who require urgent safety, staying in a motel with multiple children is difficult for many of our clients. Many motels don't have cooking facilities and being in one room with multiple children can cause distress and other incidental problems.

CASE STUDY

Hamile and her six primary school aged children were placed in a motel after escaping family violence. The crisis support service advised Hamile that she should expect to stay in the motel for a short period of time, and that soon afterwards a housing service would assist her in finding long-term suitable housing for her and her family. Hamile was paying for a portion of the costs of the motel. There were no cooking facilities in her motel room.

The housing service Hamile was referred to required her to attend their offices by 9am to join a queue of others also seeking housing support. However, Hamile was unable to get to the service by 9am because she needed to get her children to school. The housing service provided her with some funding towards the cost of the motel, but when this expired, she was advised that they could no longer assist her.

Hamile and her children spent over 12 months in the motel.

Our clients who are on student visas or working visas are anxious about being in a refuge as this can mean they need to breach the conditions of their visa in order to stay in the refuge. For example, students are often advised they can no longer attend their classes due to security risks – which are crucial conditions the refuge or women's shelter must make for the safety of the woman and everyone else in the refuge. Attending class and adhering to course requirements are conditions of student visas. This can therefore make women on student visas reluctant to seek assistance in a shelter for fear of their visa being cancelled.

Other forms of transitional housing such as rooming houses or boarding rooms are another essential service provided to women who are in crisis and face homelessness. However, the state of many of these types of accommodation have been reported extensively by the housing support sector.⁷ In line with the views of many in the housing sector, our clients also report that some of these types of emergency accommodation women are placed in are overcrowded, dirty, and many of our clients are fearful of their environments. Additionally, the individual and fundamental needs of our clients in these environments may not be met – such as sufficient space for prayer and dietary requirements. These environments can incidentally cause distress and other problems for many of our clients.

CASE STUDY

Jessie is an international student living and studying in Melbourne. Her boyfriend has been violent towards her and after many attempts, she has decided to leave him. A crisis service referred her to a women's refuge. She has been advised by the refuge that she can't attend her classes.

⁷ Northern and Western Homelessness Networks, A Crisis in Crisis: The appalling state of emergency accommodation in Melbourne's north and west, 2019, Melbourne.



Jessie decides not to stay in the refuge because she is worried about her visa. Her family back in her home country are paying her student fees and she is terrified of failing.

Working with housing services

Women who have been through crisis housing are then referred to homelessness services. These services provide assistance to women to secure longer term housing. A designated housing worker will assist the woman to ascertain her needs, and try to match her with any availability in the private, community or public housing sector.

In most circumstances, the woman is expected to make financial contributions towards the cost of where she is living. This is another barrier for our clients. As discussed earlier, many of our clients receive no income and many are on temporary visas ineligible for Centrelink payments. Housing services are therefore unable to provide support or solutions to these clients.

The experiences of those clients who do receive referrals and support to housing services are mixed. Whilst some find the experience helpful and empowering, many of our clients note significant difficulties through the process. For example, some of our clients feel that they are expected to accept any housing that is found for them. Some of our clients report that their housing support worker disengages with them if they refuse a housing option due to the location or other reason.

Anecdotal information from our case managers and clients indicates that experiences with housing services depend considerably on the specific housing worker. Some housing workers are familiar with the barriers faced by migrant and refugee women who experience family violence. They are therefore proactive in their approach to working with our clients and to meet their specific cultural needs.

CASE STUDY

Meryem is in Australia on a visitor visa. She has been here visiting her partner who had promised to sponsor her to stay. Her partner has been violent however, and one day out of fear Meryem left the home and was referred to crisis accommodation. After a few days in a women's shelter, Meryem was referred to multiple housing services. The services would not take on Meryem's case because she is not eligible for Centrelink and has no income.

Finding long-term accommodation

Our clients face considerable barriers to finding long-term accommodation. As discussed earlier, 30 percent of our clients have arrived in Australia in the past five years. They have spent a considerable if not most of this time with their ex-partner, and have very limited if any rental history. In addition, many of our clients are low/no income earners and are unemployed. These factors make our clients undesirable candidates for rental properties.

A number of our clients have found places in share housing. Whilst this has been a viable and useful option for some, there can be complications for vulnerable clients. It can also be difficult for those who have children. Clients who are renting a room or a bed in a share house are frequently left off the lease agreement and the leaseholder may not want to officiate the agreement by signing any documentation that will assist our client to obtain rent assistance and support through Flexible Support Packages (funded by the Victorian State Government only). We have also had clients who have been exploited in these situations by the leaseholder, charging high rates of rent and in one particular case, our client was forced into servitude.



Public housing is a very attractive option for many of our clients. As well-known across Victoria, the waitlists for public housing are very long. Most of our case managers report that whilst applications that are submitted for women experiencing family violence are prioritised by the Department of Health and Human Services, women and families face significant wait times of over one to two years.

CASE STUDY

Mae is on a spousal visa in Australia and recently left her abusive husband (also her visa sponsor). She has been homeless since she left him and unable to secure any private rental accommodation. She works for a restaurant who will only pay her cash-in-hand. She hasn't lived in Australia previously and therefore has no housing or employment references. She has been advised by a private real estate agent that she would be unable to find a suitable rental property.

'Stuck' in transition

inTouch currently has a number of clients who have remained in motels or other transitional housing for extended periods of time. At the time of writing this submission, one client has been living in shared accommodation through a not-for-profit housing service for two years. Another client has very recently secured a private rental after staying in a motel room for one year with her six children. A third client has been living in shared accommodation through another not-for-profit organisation for eight months. Although this client is happy there, she is unable to have her children live with her and is seeking long-term, affordable housing options.

2.2 Barriers to accessing legal services

Many of our clients at inTouch are not aware of the legal services that may be available to them. This is particularly the case for those who are on low or zero incomes, and also those who are temporary visa holders. Australia's migration and legal systems are complex to navigate for many of our clients at inTouch. As discussed earlier (see pages 8-10), this complexity is an additional barrier to accessing services and is being used by individuals using violence to coerce and control them

For people who have only recently arrived in Australia and have experienced family violence, dealing with legal systems can be daunting, can generate fear, and can be traumatic. For example, many migrant and refugee communities are fearful of police and child protection due to previous experiences in their home countries. Many people who are new to Australia are unaware of their entitlements and what services they can access for support.

Lack of knowledge of Australian systems makes women more vulnerable to having negative experiences with support services, migration and legal systems. For example, women are often misidentified as the perpetrator or primary aggressor in situations of family violence.⁸ That is, police misidentify the woman as the respondent in a family violence intervention order and the man as the victim. The risk of being misidentified is even greater amongst migrant and refugee women, as well as Aboriginal and Torres Strait Islander women.⁹ Our case work also reflects this to be a frequent issue among our client group. This can lead to criminalisation of victim-survivors of family violence. Further, some victim-survivors have been

⁸ Madeleine Ulbrick and Marianne Jago, 'Policy Paper 1 'Officer she's psychotic and I need protection': Police misidentification of the 'primary aggressor' in family violence incidents in Victoria, Women's Legal Service (2018).

⁹ No To Violence, NTV Discussion Paper: Predominant Aggressor Misidentification and Victim Misidentification (2019), p8.



coerced or deceived into undertaking criminal activity by their partner, as part of the cycle of power and control.

The inTouch Legal Centre was established in response to the recognition of the barriers that many migrant and refugee women experiencing family violence face when they require legal assistance. Our Legal Centre provides legal advice and representation on very complex legal matters that reflect the difficulties our clients face, in areas such as intervention orders, migration law, family law, property settlement, and victims of crime compensation. Many of our clients experience challenges as a result of the intersection of these aspects of the legal and migration systems. It has therefore been incredibly valuable to be able to provide such legal services in-house. This includes legal representation and guidance for clients who are non-residents or non-citizens, whose legal matters stretch over international jurisdictions.

The barriers to accessing legal services, and the complexities that many of our clients face when they require legal support, can therefore dramatically influence their ability to escape family violence.

2.3 Financial security and economic independence

A considerable number of our clients face extreme economic disadvantage and poverty. In 2018–19, 35 percent of our clients at inTouch had zero income at the time they presented to our service. Anecdotal information provided by our case managers indicate that the vast majority of women who present to our service with zero income are on temporary visas

In that same financial year, just under 30 percent of our clients were on some form of government payments which were predominantly parenting payments, and over 65 percent were not in employment.

Our clients' low income can be attributed to a number of reasons. Many of our clients are on bridging visas who don't have working rights. Many of our clients are on student visas and can only work minimal hours. All of our clients have experienced family violence and in the vast majority of these cases, have experienced some form of financial abuse, where the perpetrator has taken her savings, or restricted her ability to work and earn her own income.

Many of our clients are ineligible for Centrelink payments as a result of their visa status. Those who are on particular bridging visas, tourist visas, and student visas are generally unable to access Centrelink payments for themselves. Our clients who are unable to access social security, are often unable to access free public health and housing services.

When a victim-survivor is on little or no income, she often feels compelled to stay with her abusive partner in order to meet the financial and day-to-day needs of her children, including public school tuition fees that may not be subsidised due to her visa status.¹⁰

2.4 Lack of language and cultural support in service provision

Language barriers can "prevent CALD women from accessing services and information and can affect decisions to disclose experiences of violence to police".¹¹ Lack of readily available, language-appropriate

¹⁰ National Advocacy Group on Women on Temporary Visas Experiencing Violence, 'Blueprint for Reform: Removing barriers to safety for victim/survivors of domestic and family violence who are on temporary visas' (2019).

¹¹ Alissar El-Murr, Intimate Partner Violence in Australian Refugee Communities (Australian Institute of Family Studies, 2018). Available at <https://aifs.gov.au/cfca/publications/cfca-paper/intimate-partner-violence-australian-refugee-communities/>



information across the family violence sector and policing, can exacerbate these barriers. Furthermore, individuals using family violence can use low levels of English language literacy to further control and coerce.

Although interpreters are used in some settings, these can also cause problems. For some newer and emerging communities, the woman may be reluctant to engage an interpreter because they may know each other. Some workers in family violence settings may not be skilled at working with interpreters and may not be facilitating the process effectively enough. In addition, some interpreters are not skilled at interpreting in a family violence context, and may not interpret the information between the case manager and the client directly.

Related closely to language is the provision of culturally-responsive services. The role of culture in a person's identity, on their relationship and marriage, and their relationship with their family and community is very important. It is our experience that culturally safe and responsive service provision can be an excellent tool to support women experiencing family violence. Workers who understand particular cultural expectations, traditions, beliefs, and practices can help to relate more closely to a client and their experience. It is our experience that clients can feel there is little cultural sensitivity in mainstream service provision, and can experience cultural stereotyping,¹² which can cause them not to engage with services.

Culturally-responsive service provision, such as bilingual or multilingual family violence service practitioners, can help to understand the issues that clients from migrant and refugee communities face. For example, being able to relate to cultural practices around dowry, or the relationships between extended family members. In some cultures, there are strong notions of privacy and silence in regards to family relationships.¹³ These are critical concepts for many of our clients and a lack of understanding in mainstream services can lead to the exacerbation of barriers.

2.5 Lack of quality data collection in the family violence services system

As part of the reforms since Victoria's Royal Commission, a new framework for the collection and sharing of data across the family violence services system has been established. This system – the Multi-Agency Risk Assessment and Management Framework – seeks to establish high-level and consistent risk assessments across Victoria:

"The MARAM Framework can be used by all services that come into contact with individuals and families experiencing family violence. The MARAM Framework aims to establish a system-wide shared understanding of family violence. It will guide professionals across the continuum of service responses, across the range of presentations and spectrum of risk. It will provide information and resources that professionals need to keep victim-survivors safe, and to keep perpetrators in view and hold them accountable for their actions."¹⁴

A crucial component of the MARAM Framework when it is implemented will be the collection of data – both qualitative and quantitative – regarding the profiles, experiences, and needs of migrant and refugee

¹² inTouch, "I lived in fear because I knew nothing" – Barriers to the Justice System Faced by CALD Women Experiencing Family Violence (Melbourne: inTouch, 2010). Available at <https://intouch.org.au/wp-content/uploads/2018/11/Barriers-Justice-System-Faced-CALD-Women-Report.pdf>

¹³ Alissar El-Murr, Intimate Partner Violence in Australian Refugee Communities (Australian Institute of Family Studies, 2018). Available at <https://aifs.gov.au/cfca/publications/cfca-paper/intimate-partner-violence-australian-refugee-communities>

¹⁴ Family Safety Victoria, Family Violence Multi-Agency Risk Assessment and Management Framework: A Shared Responsibility for Assessing and Managing Family Violence Risk, (Melbourne: Victorian Government, 2018), p5.



communities. Although some existing risk assessment forms and programs have options to collect some of this information, it is our understanding that in most cases, this information is not consistently collected. We believe this is the result of a lack of skills among staff in the family violence services sector in understanding the importance of language and culture to a client's experience.

Recommendations

9. **Expansion of language services and culturally responsive practice in family violence service provision.**

Support and information that is offered in different languages can make an incredible difference to the outcomes for women who are seeking support. It is critical to ensure that systems and processes are robust to be able to identify and respond to the often-multifaceted presentations of family violence. Offering and expanding programs that are culturally safe and responsive, and linguistically tailored would increase the reach and effectiveness of support services.

10. **Increased government funding and resourcing to ensure there is adequate emergency, medium-term, and long-term housing** for people who are homeless or at risk of homelessness.

11. Women and children who are leaving situations of family violence require safety and stability. We believe **more fit-for-purpose accommodation** that can meet the needs of these clients is crucial.

12. **Urgent housing and support services are required for women who are on temporary visas.** Many of these clients are ineligible for a range of support services including public health, social security and housing support, making them incredibly vulnerable.

13. **Specific and customised housing support and resources for migrant and refugee women** experiencing family violence is required.

14. **Increased funding and resources for community legal centres** to be able to provide legal services to vulnerable communities who have complex legal issues.

15. **Nationally consistent risk assessment and data collection that values cultural and linguistic diversity and data.** Staff across the family violence services sector to be adequately trained to understand the importance of this data and how to collect it.



3. Working with men from migrant and refugee backgrounds who use violence

Terms of reference

g) The efficacy of perpetrator intervention programs and support services for men to help them change their behaviour.

Since the Victorian Royal Commission into Family Violence, there has been a noticeable shift in discourse around family violence policy in Victoria. Historically and traditionally, policies, practices, and services around family violence have predominantly put the onus on victim-survivors to access assistance and make any changes to their lives. The Royal Commission helped to shift the narrative in this way, ensuring that whilst funding and services should continue to support victim-survivors, there should also be more work done to hold men accountable for their actions. With this new focus on men's behaviour, more resources and funding were granted for perpetrator interventions and programs.

inTouch was funded by Family Safety Victoria to run a specialist program for men from migrant and refugee communities who use family violence. The program, Motivation for Change (MFC), was established in 2018 and provides intensive group work as well as one-on-one case management support for participants, using our inLanguage, inCulture service delivery model. The program is holistic, trauma-informed and culturally accessible to engage men. The program is held over 15-weeks where group sessions are held for men to reflect on their behaviour and learn ways to relate to people without using violence. Alongside the group work, one-on-one case management support is also provided that assists men to discuss their situation, issues to help change their behaviour, and find out how to access other services, such as settlement support services.

The MFC program has had an excellent retention rate with approximately 90 percent of participants completing the full program. Furthermore, the MFC program is consistently full and there are frequent waitlists.

We believe the high retention rate and popularity of our program is predominantly due to the fact that an inLanguage, inCulture model eliminates some of the key barriers men from migrant and refugee backgrounds who use violence face when they engage with services. Our facilitators and case managers are able to speak the same language as the client, whilst also unpacking some of the cultural traditions and norms that may be perceived by the man as justification for their violent behaviour. Furthermore, an understanding of the migration journey, as well as past and present trauma experienced by the client is acknowledged, and any challenges they face integrating into mainstream services is considered.

In 2019, Family Safety Victoria commissioned an evaluation of perpetrator programs in Victoria. One of the programs that was evaluated was inTouch's MFC program. As per our observations, the high referral rates to our program, the high completion rates, and the anecdotal feedback we receive from our facilitators, case managers, and clients, provides us with a view of the effectiveness of the program.

We have been advised by clients through the program that they felt a sense of ease and belonging working with facilitators and case managers who are from the same cultural background as them. Clients have acknowledged feeling hopeful for their future in Australia, after seeing that their case manager is someone from their same culture and who has lived through a similar migration experience, lead a successful life in the community here. The delivery of the program in the language of the client also helps to eliminate any language barriers.



"It's done in English. But, at the same time, if somebody doesn't understand things, they can explain in, say Hindi or Gujarati or a different language, because they're multilingual."
(MFC participant)¹⁵

"It's on our own language so we understand 100%. If course go to English rather than my own language, or go other languages, we might not understand. On other programs we just say "Yes, yes, yes" but don't understand." (MFC Participant)

Furthermore, the program unpacks cultural practices and views in a way that is nuanced. It helps to challenge the behaviour of the men by other men from their own culture. This is also effective in discussing and addressing behaviours that may be considered taboo in their particular culture. For example, case managers from the same cultural background as their clients have developed effective strategies to discuss sexual violence and abuse with their clients, in ways that overcome previously stigmatised conversations, whilst holding the men accountable and not-colluding. As stated in the evaluation report:

"[...] the program incorporated shared cultural norms, including facilitators belonging to the two cultural groups. For example, South Asian participants connected over shared family rituals such as marital contracts, which is not possible in mainstream groups. This in turn eased group dynamics, so much so that participants had to be 'pushed out the door' at the conclusion of the group."¹⁶

Another crucial aspect of our perpetrator intervention program is the family safety work. Family safety work is an integral part of MFC for accountability, risk management and safety of women. Case management and other support to current/former partners of all men who participate in the program (where applicable) is provided through our main inTouch Client Services Team. Policies and procedures were developed to ensure that all women who engaged with the program were provided with pathways to safety and support, with their wellbeing always being the highest priority of the program. Thorough reassessments of risk factors are undertaken throughout their engagement with the program.

The COVID-19 pandemic had a significant impact on our MFC program. As a result of the Federal and State government public health directives, inTouch suspended the group work elements of the MFC program between April and July. Our MFC case managers continued to provide case management remotely and encouraged their ex or current partners to continue to engage with our main Client Services team. During this challenging period, many of the men in the program were regularly contacting our MFC team, expressing that they wanted to maintain their engagement with the program. Many of the men also expressed their concerns and lack of knowledge and understanding of the public health directives. The challenges with language and literacy were a barrier for many of these men to adequately and effectively engage with mainstream men's behaviour change programs. Our MFC case managers continued to the best of their abilities in these difficult times, to keep these men "in view". The continued engagement of the men with the program and their expressions of wanting to remain connected, reflected the important and valuable role the program plays in the men's lives. Despite the disruption to group work, all of the men who participated in the first three groups of 2020 remain engaged with the program. Most of these have re-engaged with online groups in July, the others have continued one-to-one case management support.

¹⁵ Deloitte and Family Safety Victoria, Evaluation of new community-based perpetrator interventions and case management trials: Final evaluation report (Melbourne: Family Safety Victoria, 2019).

¹⁶ Deloitte and Family Safety Victoria, Evaluation of new community-based perpetrator interventions and case management trials: Final evaluation report (Melbourne: Family Safety Victoria, 2019), p48.



CASE STUDY

Ahmad and Gul are from Afghanistan. Ahmad moved to Australia in 2011. In early 2013, he started daily use of methamphetamine to which he developed an addiction. In 2013, Ahmad had his driver's license suspended for three years and subsequently lost his job.

His wife Gul and their three children arrived in Australia in 2018. Ahmad was using violence against his partner and their children. He was threatening to have Gul deported and to kill himself. On one particular occasion, Ahmad threatened to burn down the house and he set fire to some of his children's clothing. Police were called and an interim intervention order was taken out. Child Protection were involved. Ahmad became homeless.

Ahmad was referred to our MFC program. He was allocated to an MFC case manager who was also from Afghanistan and spoke the same language. Ahmad's case manager referred him to drug and alcohol services, as well as housing services.

Ahmad participated in MFC's group work program where his violent behaviour towards his family was discussed and questioned. Together with others from his cultural and language background, facilitators questioned and challenged his views and behaviours relating to power, coercion and control in his family.

When Ahmad was engaged with the MFC, his ex-wife Gul was referred to our main Client Services Team. Through a case manager who spoke her language, inTouch was able to provide Gul with the referrals and support that she needed to navigate herself through the system to seek help.

Despite the success of this program in engaging with men who have used violence, the lack of ongoing funding has presented significant challenges for our organisation. . As each funding round comes to an end, there is little known about whether the program will continue, despite the fact that there is continued participant, community and stakeholder interest. This means that staff begin to look for other work, and leave the program, which is a significant concern due to the difficulty of recruiting suitably qualified staff to run an inLanguage, inCulture program for men.

Recommendations

16. The adoption of an **intersectional approach to perpetrator interventions**. Diverse communities require a diverse response to perpetrator interventions.
17. **Ongoing commitment and funding for programs such as inTouch's Motivation for Change program**. Ongoing commitment from Commonwealth and State Governments will ensure these programs continue and can be evaluated without losing staff and having gaps in service provision as a result of lack of uncertain funding.
18. Using **data from such perpetrator intervention programs to inform Commonwealth and State government policy** in relation to perpetrator interventions and early intervention strategies to address gender based violence.



4. The exacerbation of disadvantage during COVID-19¹⁷

Terms of reference:

i) The impact of natural disasters and other significant events such as COVID-19, including health requirements such as staying at home, on the prevalence of domestic violence and provision of support services.

As an organisation that works with migrant and refugee communities experiencing family violence, we would like to highlight some particular groups in our communities who have missed out on much of the support from the government in its COVID-19 response. In particular, this submission will highlight the difficulties and disadvantages that temporary visa holders have been experiencing during COVID-19.

Women from migrant and refugee communities who experience family violence, face a multitude of barriers to seeking support and safety. Under normal circumstances, these barriers are amplified for women who are in Australia on a temporary visa. The COVID-19 pandemic and the necessary shut-downs that ensued, have caused incredible instability and disadvantage for many of these women. At the time of writing this submission, the vast majority of our clients who are on temporary visas have experienced homelessness or are at risk of homelessness. Most of them have lost their income. These clients have experienced family violence, away from their families, their friends and communities back in their home countries, and are now facing poverty and disadvantage in Australia during a pandemic.

The next section of this submission will discuss some of the impacts of the pandemic on our clients. Through this discussion, we hope to highlight the importance of financial security, housing stability and safety for all people in Australia, regardless of their visa status.

4.1 Lack of access to financial support for women on temporary visas

In 2018-19 (pre-COVID-19), our statistics showed that 36 percent of our clients received no income at the time of presenting at our service. Only 25 percent of our clients had income from paid work, and approximately 29 percent of our clients receive some sort of a government allowance or payments (half of which receive parenting payments such as Family Tax Benefits). Only 10 percent of our clients were receiving Jobseeker allowance at the time of presenting at our service.

For many women, becoming financially independent after leaving an abusive relationship is challenging under normal circumstances. As COVID-19 restrictions took hold, a large number of our clients who were on temporary visas had their income significantly reduced or cut completely. Many of these clients worked in nail salons, beauty salons, in childcare, and hospitality services. These clients had not only experienced family violence and were seeking safety and stability, but were now dealing with unemployment and lack of income.

Some of our clients on temporary visas have been able to access limited Centrelink payments such as Special Benefits or Jobseeker payments, and some with Australian-born children have been able to access payments such as Family Tax Benefits.

¹⁷ This section has partly been taken from the inTouch Submission to the Select Committee on COVID-19, June 2020.



However, a large number of our clients on temporary visas, in particular those on bridging-visas, student visas and visitor visas, have not been eligible for any income support from the Government. These clients have been relying on loans from friends as well as food and vouchers from charity groups.

inTouch has been able to provide some of these clients with some support through the Victorian State Government's Flexible Support Packages (FSP). According to our records, during March and April 2020 when the COVID-19 restrictions were most strict, inTouch had a 50 percent increase in the number of requests for vouchers for essential items of food and rent assistance. On average, over 70 percent of FSP requests came from women on temporary visas.

Our case managers have reported their own feelings of "helplessness" working with clients during this difficult time, as they are unable to refer their clients on bridging or students visas, and any others unable to access Centrelink supports, to any forms of assistance. As one case manager reported, "aside from the Flexible Support Packages, which have their limitations, there really is nothing else out there to support these women."¹⁸

CASE STUDY

Chrissy is in Australia on a bridging visa, awaiting the outcome of a permanent residency application she made through the family violence provisions. She was working part-time in a nail salon which was closed down due to the COVID-19 restrictions. Chrissy was immediately retrenched from her job. She no longer has any income and is ineligible for Centrelink payments. She is borrowing money from her friends to pay her rent and buy food. She can't go back to her home country because the borders are closed. She is still recovering from the family violence she experienced by her ex-husband.

CASE STUDY

Penny is in Australia on a student visa. She was living with her Australian partner for over 12 months. In January 2020, she moved out of the home because her partner was extremely abusive, and she rented a room in student accommodation. Whilst studying, she was also working 20 hours per week in a restaurant. When the restaurant closed as a result of the pandemic, Penny became unemployed. She is currently staying with friends as she was evicted from her student accommodation. Penny is ineligible for any Centrelink support and has been relying on food and material aid from community organisations.

4.2 Homelessness and housing insecurity for women on temporary visas

Women on temporary visas often face multiple barriers to accessing stable and affordable housing. Housing services often require the woman to have permanent residency/citizenship or income support before they can provide her with ongoing assistance. Immediate crisis housing and accommodation may be available for temporary visa holders who are experiencing family violence. However, due to limited space, refuges may be reluctant to accept referrals for a woman on a temporary visa knowing she may have an extended stay there due to lack of stable housing options for her to go to.

The COVID-19 pandemic has further exacerbated this situation for many of our clients. Some refuges have had to reduce the number of places they have available due to physical distancing requirements, reducing an already limited resource. Our clients who have lost their jobs and income sources are finding themselves in extremely precarious situations where they are unable to secure stable or long-term housing. Many are

¹⁸ inTouch Case Manager, Client Services Team, June 2020.



staying with friends or relatives. Many are borrowing money or seeking assistance from charities to pay rent.

This hardship and housing insecurity has led some of our clients to return to the perpetrator of family violence.

CASE STUDY

Joyce is on a student visa. Her baby was born in Australia three months ago. The father is an Australian man who was very violent towards her. When Joyce decided to leave the relationship, she called safe steps and together with her baby, was placed in crisis accommodation. Joyce currently has no income, and due to the nature of her visa, is ineligible for any Centrelink payments. She has nowhere to live.

4.3 Socially isolated and unable to return home

Alongside the immense financial and housing stress the current COVID-19 pandemic has caused or exacerbated for our clients, we are also aware that for many of our clients, returning to their home country is not an option. There are many reasons for this including the lack of flights and the closing of some borders. For our clients who are on student visas, returning home after investing so much in their education, is not a viable option. For our clients who are on spousal visas, the stigma of returning home after a 'failed' relationship that our client ended, is too difficult to bear.

4.4 Prolonged uncertainty in the legal system

Awaiting final intervention orders, family law proceedings, as well as migration matters such as the outcome for particular visa applications, is nerve-wracking and can be difficult to manage and navigate for many of our clients who have experienced family violence. The necessary COVID-19 restrictions that have been in place for public health reasons, added further challenges for many of our clients. For example, clients who are applying for permanent residency through the family violence provisions require final intervention orders in place. During COVID-19 the courts have instead been issuing interim orders which leaves many of our clients in uncertain circumstances, with no access to the things they need the most, including Medicare, social security, and public housing.

4.5 The challenge of holding perpetrators accountable during COVID-19

Since 2018, inTouch has run the Motivation for Change (MFC) program for men from migrant and refugee communities who use family violence. The program has been very successful, with a 90 percent completion rate. MFC conducts group work activities with a similar curriculum to men's behaviour change programs, but also provides one-on-one case management to the participants. In most cases, group work is conducted in-language by specialist facilitators. Our MFC case managers also provide cultural and language support to the men who are engaged with the program. The partners of these men are also referred to our main Client Services Team for case management support to ensure partner contact and safety.

Due to COVID-19 restrictions, inTouch suspended MFC group work, which drastically changed the work that we do with men who use violence. Although we have continued to provide one-on-one case management remotely, our ability to keep the men 'in view' whilst working on their behaviour has been hampered. As a result, helping to mitigate the risk of them breaching existing obligations such as intervention orders, has



been challenging. Furthermore, many of the men in the program lost their sources of income as a result of the pandemic. Many have expressed their lack of knowledge and understanding of COVID-19 government rules and public health restrictions due to low levels of English language and systemic literacy. These challenges with language and literacy is also an additional barrier for many of these men to adequately and effectively engage with mainstream men's behaviour change programs. Some of the MFC participants are also at risk of homelessness and without our continued engagement with them, may be likely to disengage from services.

4.6 Weaponisation of COVID-19

We are aware of accounts where COVID-19, the government restrictions, and other aspects of the current pandemic are being used by abusive partners to control women. Our clients have reported that their current or ex-partners have used elements of the pandemic to generate and exacerbate fear or have put them at risk by breaching social distancing laws. For example, we have had clients report that their partner has invited friends into their home and later told the woman that the visitors were infected with COVID-19 to generate fear and distress in the woman. Another client advised our case manager that her ex-partner had threatened to infect her with the virus.

4.5 No safe time to call

We have had a number of clients express that there is no longer a safe time to talk to their case manager and they have subsequently disengaged from our service. Social distancing laws and shut downs have meant that many of these women are isolated at home with their abuser who is no longer attending work.

Recommendations

19. **Urgent financial support for temporary visa holders.** Although some State Governments have recently announced financial support for temporary visa holders, we believe urgent funds are required Australia-wide. Our clients are women (and in some cases their children), who have experienced family violence in Australia, away from their families, their friends and communities back in their home countries. They are now facing poverty and disadvantage in Australia during a pandemic and require urgent financial assistance.



5. Conclusion

Family violence takes different forms across various parts of our community. Whilst the causes of family violence may be the same, the ways in which it occurs and impacts communities can vary tremendously.

In this submission, we have highlighted some of the different ways that family violence can manifest in the migrant and refugee communities that we work with. We have discussed dowry abuse, forced marriage, family violence perpetrated by extended family members, issues around forced labour and domestic servitude, as well as the impacts of temporary visa status on our clients.

Along with detailing the types of family violence that exists in the communities that we work with, we've also sought to highlight the unique barriers that our clients face when seeking safety and support through the services system. Language and cultural barriers were discussed, as well as the barriers to financial security and housing stability. Our discussion of the impacts of the COVID-19 pandemic on our clients provided insights into the exacerbation of these barriers. This pandemic has shown us how vulnerable many of our clients are when they experience family violence in Australia. In particular, women who are on temporary visas.

It is our view that in order to engage with victim-survivors and individuals who use family violence who are from migrant and refugee backgrounds, the services sector must have a better understanding of the diverse needs of these communities. Furthermore, government policy and the services sector must acknowledge and understand the important role that culture and language can play in providing a pathway to safety, stability, and behaviour change.