

Women's Policy Statement 2012

Supporting Australian Women from Culturally and Linguistically Diverse (CALD) Backgrounds

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About FECCA

The Federation of Ethnic Communities' Councils of Australia (FECCA) is the national peak body representing and advocating for culturally and linguistically diverse (CALD) communities. Our role is to advise, advocate, and promote issues on behalf of our constituency to government, business and the broader community.

FECCA promotes Australian multiculturalism, community harmony, social justice, community participation and the rejection of discrimination, so as to build a productive and culturally-rich Australian society.

FECCA's policies are designed around the concepts of empowerment and inclusion and are formulated with the common good of all Australians in mind.

Recognising Issues Affecting Women from CALD Backgrounds in Australia

Women from CALD backgrounds are more likely to experience the double-disadvantage of cultural diversity and gender that can result in their needs and issues being neither recognised nor addressed either adequately or at all.

The following section outlines the key issues that FECCA has identified as factors impacting on the health and well-being of some CALD women. FECCA is aware that for many CALD women, these issues are only a snapshot of the myriad of intersectional challenges they face on a daily basis. CALD women who are particularly vulnerable are those who have complex needs and yet are not eligible for government services or assistance or have very limited access to what may be available. Women in this situation include recently arrived or temporary immigrants, especially those on 457 visas, the families of skilled migrants, sponsored relatives, international students and immigrants who have been living in Australia for a relatively short period, but are no longer eligible for settlement assistance.

FECCA is concerned that the unmet needs of these women will in the long-term have serious social and economic consequences on the women themselves, their families and the Australian society of which they are a part. CALD women who come individually or with partners under any visa category but refugee/humanitarian constitute the vast majority of Australia's yearly permanent intake but are not entitled to any settlement supports. Without opportunities to connect with people beyond the workplace and/or immediate sponsor, women are more likely to be isolated in their homes and hence at risk of long term social exclusion. There is a high risk of disengagement, both by the women

and any dependents of such families, which runs the risk of causing long-term societal and individual problems.

Factors Impacting the Health and Well-Being of Women from CALD Backgrounds living in Australia

Discrimination

- Women who are visually or identifiably 'different', such as Muslim women who wear hejab, have been subjected to racial vilification and discrimination in areas such as accommodation and employment.¹
- Citizenship testing and increasing the qualifying time from 2 to 4 years marginalizes women from CALD backgrounds, as they are less able to access English classes due to family commitments and cultural restrictions pertaining to the participation of women in the wider community.²
- Studies have shown that many employers' recruitment practices discriminate against candidates who do not have Anglo-Saxon sounding names.³

Education, employment and income parity

- Lack of appropriate, available and accessible English language programs has a significant impact on the self-esteem of women from CALD backgrounds and their capacity to obtain meaningful employment or further education.⁴
- Other issues that impact upon the capacity of women from CALD backgrounds to gain meaningful employment include problems obtaining the accreditation of overseas qualifications, access to training, lack of bridging courses, access to education options in regional areas and unclear career paths and education choices.⁵
- Despite skill shortages, many migrant women are prevented from practicing their professions in Australia because of citizenship processes and/or a lack of recognition of their qualifications.⁶
- There is currently a lack of funded and targeted employment programs that focus on the transition needs of newly arrived immigrant women.
- Many newly-arrived CALD women have been in the receiving end of unscrupulous RTOs which are still receiving government funds despite their exploitation of ethnic communities.
- As a consequence CALD women are over represented in insecure and lower wage jobs. Costs of seeking justice are beyond the reach of many, particularly those affected by unfair treatment at work.⁷
- The affordability of both university and Technical and Further Education (TAFE) is steadily rising, and many recently arrived immigrants are not eligible for higher education loans. The increasing cost of TAFE education is concerning as TAFE has

been shown to be a critical springboard for self-determination and participation in society.

- Changes regarding Welfare to Work have increased the pressure on single mothers putting the safety of their children at risk.
- The cost of available childcare is high, precluding many women from CALD backgrounds from participating in employment or further education.
- There is inadequate provision for CALD women who have aged care responsibilities, particularly where their culture dictates that they are to stay home and be the primary care-giver.

Leadership and decision making

- Women consist of more than 50.8% of our society⁸ and yet only a fraction participate in leadership or hold decision-making positions.⁹
- CALD women are further under-represented within the cohort of women who do participate in leadership and decision making positions.
- CALD women's participation at grassroots level is not documented even if they represent a significant number of volunteers in schools, community and learning centres, and other locally-based organisations.
- The inordinate processing delays in skills recognition, as discussed above, also disadvantages highly qualified CALD women who could otherwise occupy leadership and decision-making positions.
- Society's attitude towards CALD women who show the capacity to lead and engage in mainstream issues is not always positive and sometimes verges on ignorance about the educational qualifications CALD women have and their country of origin's educational standards.

Work-life balance

- Women are bearing a heavy burden for unresolved issues involving changing social roles and responsibilities.¹⁰
- Women with family/carer responsibilities carry an excessive share of unpaid work, including child care, elder care and associated housework. The imbalance of paid work and family/carer responsibilities has a direct impact on their life outcomes, including their social and economic status, participation in public life, health and emotional wellbeing.¹¹
- CALD women generally are not able to access the full benefits from superannuation because they are mostly in casual and precarious work, and often in and out of work due to family responsibilities and/or unavailability of jobs.
- Due to attitudes about the role of women in some cultures, some CALD women do not feel able to advance their education or employment goals. In order to develop the confidence to develop and pursue their goals outside the household, CALD women need their strengths and capabilities to be recognised, both within and outside their communities.

Safety and equality at work

- CALD women are more vulnerable to harassment, bullying and accidents at work.
- Women with low English ability and/or awareness of Australian workplace laws and entitlements are at high risk of harassment, bullying, and underpayment.¹²
- Further, CALD women who are either unaware of their rights, or have insecure working arrangements, are reluctant to report bullying and harassment in their work environment because they are fearful of retaliation or losing their jobs. Many women in this situation have low proficiency in English and lack of awareness about their rights, which compounds their disadvantage and vulnerability.
- Australia's reluctance to ratify the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (1990) increases the vulnerability of immigrant employees, many of whom are women. The UN convention, which draws upon the International Labour Organisation's (ILO) earlier work including the *Migration for Employment Convention* (1949) and *Migrant Workers (Supplementary Provisions) Convention* (1975), reinforces the human rights of immigrant workers, including protecting them from forced labour, harassment or intimidation as well as promoting their dignity and right to cultural and religious expression.¹³
- In 2011, the International Labour Organisation adopted the *Domestic Workers Convention* (2011), which acknowledged the particular challenges faced by domestic workers. The Convention is made with the aim of transforming instances of exploitation of domestic workers towards a human rights based approach. As recognised by the ILO:

Considering that domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights...¹⁴
- The situation as recognized above by the ILO is unfortunately true in the case of some CALD women in Australia, especially those who are part of the insecure workforce, and are particularly vulnerable to exploitation at work.

Safety at home—family and domestic violence

- Family violence affecting CALD women is often a hidden issue albeit it is significant within the community.¹⁵
- There is a great need for newly arrived communities to be provided with education about the rights of women and children.
- Police and the legal system generally lack awareness of cultural sensitivities and practices in relation to family and domestic violence in Australia's CALD community.¹⁶
- Women from CALD backgrounds have problems obtaining access to existing resources and structures in the family law system.¹⁷

- The risks and disadvantages for a woman of disclosing violence in a relationship are magnified for people whose first language is not English.
- Mental health and substance abuse problems will grow amongst domestic violence survivors.¹⁸

Lateral violence

- Lateral violence (intra-racial conflict) is often caused by disempowerment of whole communities and includes behaviours such as: gossiping, jealousy bullying, shaming, social exclusion, family feuding, organisational conflict, and physical violence.¹⁹
- Women from communities that are experiencing disadvantage or disempowerment may be particularly vulnerable to such violence.
- Women should be aware of their rights and obligations in relation to lateral violence to ensure that it is minimised in CALD communities.

Safety in the community

- CALD women and children from minority groups—such as identifiably ‘different’ backgrounds experience racism in the form of abuse and violence.
- Young women from new and emerging communities and especially vulnerable to threats to their personal safety, insecure employment and poor health outcomes.
- Victims of rape and sexual assault have poor access to the judicial system—evidenced by under-reporting rates.²⁰
- Research continues to demonstrate that some immigrant women in Australia have been subject to human trafficking, including in the hospitality and sex industries.²¹
- Women are not always able to safely and reliably get to their destinations using public transport.
- CALD women who do not have support systems in Australia and yet are not eligible for multicultural or settlement services can experience significant vulnerability due to social and community isolation.

Lack of human rights protection to certain groups of CALD women

- Women residing in Australia on temporary and secondary visas lack significant legal and non-legal protections as victims of domestic and family violence. They fall out of the protection provided by the DV/FV provision. These women are those who hold a Prospective Marriage Visa, Secondary Applicants for Permanent Visas, and Temporary Visa holders such as international students or spouses of international students, tourists, working holiday, employer nominated and/or spouse of employer nominated visa holders.
- These women lack the legal rights to access basic support services including social security, Medicare, legal assistance of seek refuge at shelters, if violence occurs or is reported.

- The extent of violence some of these women experience include harassment from families abroad and the use of social media and internet to inject fear in the victim.

Social inclusion and participation

- Given that the vast majority of Australia's yearly permanent intake are no longer connected with systems such as the AMEP, and local settlement services, and that service eligibility ceases for all visa categories after five years' residence, most CALD women are at risk of significant social exclusion. Previously well-functioning women and their families could develop complex needs. They are less likely to support children's education adequately, with consequent adverse impacts for family members over the long-term.²²
- Even with employment, current housing, household energy and related costs make ESL classes at commercial rates unaffordable. Today's CALD women are more likely than previous generations of immigrants to be in poverty.²³
- Without structured opportunities to connect with people beyond the workplace and/or immediate sponsor, women may not benefit from access and equity policies and programs, including the measures outlined in this paper.²⁴
- Social inclusion research literature and the Australian Social Inclusion Board acknowledge that :
 - To be socially included, people must be given the opportunity to:
 - secure a job;
 - access services;
 - connect with family, friends, work, personal interests and local community;
 - deal with personal crisis; and
 - have their voice heard.²⁵
- Current settlement services restrictions are counter to the Australian model of multiculturalism and to the substantial body of research evidence underpinning past policy and program parameters. For further information, see FECCA's 2011 submission to the Department of Immigration and Citizenship, *Settlement is a life-long process*.²⁶

Physical and mental health

- Women from CALD backgrounds identified important health issues including doctors lack of use of interpreters, need for greater access to medical specialists, waiting lists, the need for health information and prevention programs in languages other than English, and the lack of culturally and language appropriate doctors, nurses, meals on wheels providers and personal carers.²⁷
- Mental health issues for women from CALD backgrounds include the impact of isolation from their extended family, the isolation of ageing, the need for greater social connectedness and the isolating impact of caring for children and home responsibilities.²⁸

- In light of the research evidence about the link between isolation and poor mental health and social functioning, CALD women who are not currently eligible to settlement services—and who have no means of accessing structured opportunities to participate in broader Australian society—are at risk of poorer health outcomes.

Access to contraception

- Women from CALD backgrounds are less likely to talk to their GP about contraception—according to one study, women who spoke a language other than English at home accessed contraception at half the rate of other Australian women.²⁹
- Women from a non-English speaking background are less likely to use the Combined Oral Contraceptive Pill (the pill).³⁰
- At the same time that women from a non-English speaking background have lesser awareness of contraception options—and thus rates of unplanned pregnancy amongst young women in newly arrived communities are increasing—these women experience ostracism at the hands of family and community members, and are also unaware of specialist support services.
- While reproductive health is very important to CALD women, awareness and effectiveness of services is lacking.³¹

Disability

- Women from CALD backgrounds with disability face severe problems accessing services and participating in society.
- Women with disability from CALD backgrounds and their carers are at risk of experiencing violence and finding it difficult to access appropriate services and assistance to address such violence.³²
- Service providers are often ill-equipped or unable to provide for the needs of women from CALD backgrounds with disability.³³

Access to housing

- Women experiencing domestic violence are at high risk of homelessness. CALD women also face cultural and language barriers to accessing domestic violence support services, women's refuges and shelters, and homelessness support services.³⁴
- Cultural beliefs and stigma in CALD communities can also inhibit women's ability to access appropriate services, and can contribute to homelessness being 'hidden'.³⁵
- Lack of appropriate homelessness services, including a lack of translators can preclude women from CALD backgrounds from accessing or even being aware of such services.³⁶

- International students, single women and women under sponsorship arrangements are particularly vulnerable to remaining in abusive home environments due to the threat of homelessness.
- Access to transport and other facilities including community services is often poor in areas where housing is relatively affordable or where newly arrived immigrants are placed.
- Homelessness, employment and poverty are closely linked. A recent study has shown that adults born in countries where English is not the main language face a much higher risk of poverty (15.8 per cent using the 50 per cent poverty line) than those born in Australia (10.6 per cent), or in an English speaking country (11.7 per cent).³⁷

Women in detention centres

- Women are particularly vulnerable in penitentiary settings, and there are risks that their privacy, physical and mental health, and personal safety needs may not be met in detention.³⁸
- When the Australian Human Rights Commission visited one detention centre in 2012 its staff interviewed women who were pregnant and had not been able to appropriate health appointments, and women who had no private place to exercise out of the heat and felt that men were more often 'chosen' to participate on exercise 'excursions' away from the facility.³⁹

FECCA's Position on Policy and Programs for Australian Women from CALD backgrounds:

FECCA Supports:

- The Australian Government's initiatives under its *National Plan to Reduce Violence Against Women and their Children*.
- The promotion of immigrants' rights through international law and agreements including the International Labour Organisation's *Migration for Employment Convention* (1949) and *Migrant Workers (Supplementary Provisions) Convention* (1975).
- Efforts to lobby the Australian Government to ratify the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*.
- The incorporation of the principles in the ILO's *Convention on Domestic Workers* into relevant State and Territory employment legislation.
- Efforts to ensure that the Australian Social Inclusion Board's principles, policies and programs are consistent with the entitlements of all CALD women and their families.

- The full implementation of Access and Equity policies within the public sector to ensure that all service users are effectively represented in decision making.
- A national stocktake of women-led and grassroots community actions to promote cross cultural respect and understanding.
- The provision of Australian Government support to assist community-level programs that promote community cohesion and harmony.
- A national action plan to address the needs of international female students in Australia to be developed and resourced, including acknowledging and supporting those organisations that are currently delivering service to this group.
- Government assistance to improve the participation rate of CALD women on Boards and in other decision-making and leadership positions.
- Government acknowledgement and assistance to community organisations that are already building leadership capacity of CALD women on limited resources.
- The implementation of initiatives that support and increase women's economic participation and security;
- An overall approach that ensures women's right to an equal place in society is respected and promoted.
- A strength-based approach to program development that assists CALD women while also recognising their skills, capabilities and strengths so as to encourage them to feel empowered to develop and pursue their own goals.

FECCA's Recommendations for the Formulation of a Responsible and Effective Women's Policy

Policy Objectives

- The elimination of all discrimination and harassment against women, whether it is on the grounds of gender, religion, sexual orientation, marital status, pregnancy, breast feeding, race, ethnicity or age.
- Advocating to ensure the rights of women to freedom from violence and oppressive acts, including domestic and family violence, detention that compounds pre-existing trauma, detention without fair trial or justifiable reasons and traditional practices detrimental to the health and well being of women and girls.
- Advocating to restore CALD women's entitlements to access Government sponsored opportunities for social inclusion, on an equal basis with other Australians.
- Advocating to ensure that the right of women to access services, information and opportunities that will optimise quality of life.
- Supporting women to fulfil their responsibility in seeking to build a society that nurtures these rights.
- Supporting women in greater participation in leadership roles in all sectors of community, government and business life.

Supporting Australian Women from Culturally and Linguistically Diverse (CALD) Backgrounds

FECCA believes that the following would positively address issues confronting women from CALD backgrounds:

A strong commitment to eliminate discrimination against women from CALD backgrounds by publicly advocating and enforcing existing anti-discrimination legislation and community inclusion policies.

A strong commitment to building the participation of women from CALD backgrounds in all parts of Australian life by:

- Supporting an increase in the participation of women on Boards and in decision-making positions on committees at all levels of government, business and community organisations.
- Developing programs and mechanisms that enable the women's groups to contribute to decision-making within government.
- Targeting leadership courses to CALD women and the availability of advanced training to improve the skills of current women leaders.
- Commissioning research to determine the proportions of women from CALD who participate in Boards and decision-making positions.
- Increase resources for initiatives that target the participation of women from CALD backgrounds, for research into women's issues and for specific policy advocacy around gender issues.
- Greater promotion of women's interests through International Women's Day, Human Rights Day and other initiatives.

A strong commitment to ensuring settlement services are available and accessible to women who need them by:

- Restoring all CALD women's entitlements to the AMEP and eligibility to access specialist ethno-specific services, and Migrant Resource Centres, regardless of visa entry and length of residence.
- Engaging specialist CALD workers who are aware of the particular needs of immigrants including women and children.
- Ensuring that settlement and multicultural services are provided on the basis of need rather than being constrained by short-term budget concerns. The relatively small cost of settlement services (the national cost of open access MRCs was less than \$40 million in the early 2000s) pales in insignificance compared to the cost of doing nothing, which will result in increased mental and physical health costs, greater participation in the justice system, community disharmony due to dysfunctionality and crime etc.

- Supporting the capacity building of peak women's organisations at local/state/territory levels.
- Supporting the existing initiatives of grassroots-based women's groups.
- Supporting the establishment of community hubs, such as women's friendship centres, faith centres and other civil society groups, to provide informal support to women.
- Funding ethno-specific, gender and culturally sensitive specialist services, such as counselling for survivors of torture, ethno-specific early childhood and child care services, cross cultural training of employees across sectors, and bridging employment programs.⁴⁰

Improving the safety of women from CALD backgrounds with regard to family relationships, in the community and at work by:

- Providing education programs throughout the CALD community about domestic violence, the law and the rights of women and children.
- Monitoring the engagement of women from CALD backgrounds with the family law system.
- Developing cultural competency skills programs for staff who work in the area of violence against women including service providers, police and staff in the Family Relationships Centres.
- Including women from CALD backgrounds in decision-making with regard to safety policies in the areas of transport and other public sectors.
- Developing research to identify areas of under-reporting of violence and problems with access to services.
- Developing programs and providing resources to target human trafficking and the exploitation of women from CALD backgrounds.
- Providing resources and materials for women from CALD backgrounds in the workforce to improve their understanding of workplace rights and entitlements including in relation to workplace bullying and violence.

Improving access to health and disability services by women from CALD backgrounds by:

- Developing processes that include women with a disability in decision-making.
- Support advocacy groups that provide services to women from CALD backgrounds in the areas of health and disability.
- Support and provide specific funding for community based organisations and groups to collate and analyse data on the prevalence of chronic and preventable health issues for women from CALD backgrounds and implement health education programs specifically designed for women from CALD backgrounds.

- Ensure that health promotion campaigns and materials are available in languages other than English and that information is disseminated and promoted in ways that are accessible to women from CALD backgrounds.
- Promote the importance of cultural competencies development for health and disability services focusing particularly on service provision to CALD women.

Improving the employment conditions for women from CALD backgrounds by:

- Improving current access to ESL programs through the creation of more flexible arrangements for the English language allowance so that women can be allowed to commence the learning when they are ready and there is greater variety in the structure and nature of classes for which women can apply including the provision of classes after hours.
- Providing employment assistance programs and advice for women from CALD backgrounds so they are supported in developing skills to prepare for interviews, write resumes, understand the nature of the Australian workforce, learn about basic employment rights, and address other employment related issues.
- Supporting women from CALD backgrounds without Australian qualifications to be able to receive timely recognition of prior learning and accreditation of their skills.
- Conducting research into the impact of the Australian Fair Pay Commission on the wages and conditions of women from CALD backgrounds.
- Support the introduction of minimum wage levels that will allow women from CALD backgrounds to participate fully in society.
- Providing more childcare places and increasing the training of childcare workers.

Promoting access to leadership positions by CALD women by:

- Improving the process for recognizing the skills and qualifications of overseas trained women from CALD backgrounds, including the provision of bridging courses to enable overseas trained professionals to meet the standards for recognition by Australian professional organisations.
- Providing Government-funded HELP style student loans that immigrants can use to access bridging courses.
- Providing resources for professional bodies, which regulate the practice of the professions, to aid in the recognition of skills gained overseas.

Developing programs to address problems for women from CALD backgrounds with regard to the work/life balance by implementing the recommendations of the HREOC Report 'It's About Time: Women, men, work and family'.

Recognising the role that women and family structures play in providing emotional care and support through an increase to family reunion entitlements, corresponding to recent increases to Australia's skilled migration program. The

discrepancy between the skilled migration and family reunion programs is likely to have negative social and community impacts well into the future.

Supporting vulnerable employees and refugees by assisting organisations that advocate for review of relevant legislations on immigration, ratification of the Migrant Workers' Convention and strict application of the Refugee Convention.

Developing support programs for men, particularly from newly arrived communities, to educate and assist them in accepting the different roles for women in Australian society.

Sources

This policy has been formulated using feedback, comment, information, consultation and advice from the following:

1. FECCA's members and their networks across Australia;
2. Service providers, case workers, healthcare professionals, workers and volunteers;
3. Federal, State and Local Government agencies;
4. Advocacy bodies, peak bodies and professional organisations;
5. Community leaders and members; and
6. Individual comment and experience.

Endnotes

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