Double jeopardy

Violence against immigrant women in the home

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reports on a study investigating the particular problems faced by immigrant women in violent relationships

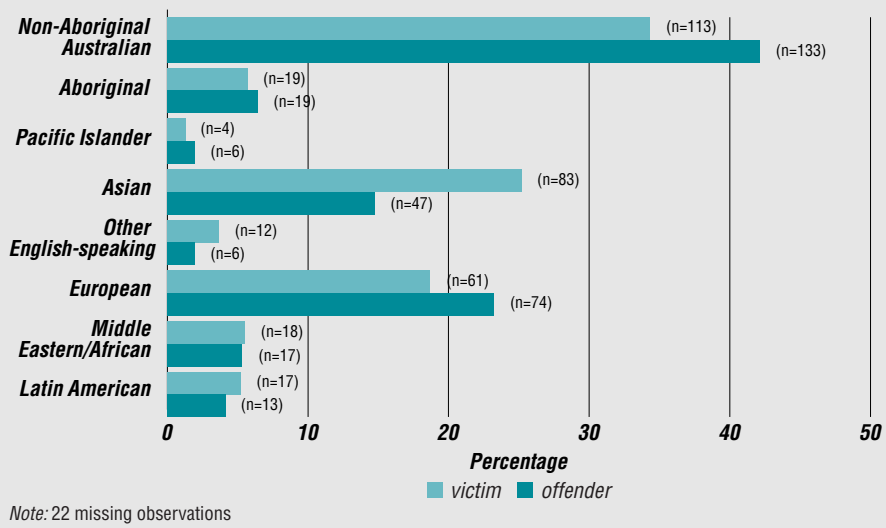
Both the alleged high prevalence of wife battering and/or its non-reporting among the overseas-born have been issues of some concern to many (Gilmour 1990). A major literature review on attitudes about wife battering throughout the 1980s conducted for the Office of the Status of Women concluded that overseas-born battered women were disadvantaged through isolation, indigenous cultural values, and failure of shelters to meet their cultural needs (Easteal 1988). Other researchers have noted the 'invisibility' of immigrant victims of violence in the home (Smith 1988). For instance, a study conducted by the Victorian Community Council Against Violence (1992) found that 70 per cent of the women with non-English-speaking backgrounds who were interviewed had minimal knowledge about what the law provides for domestic violence victims. This can translate into decreased likelihood of escape from the violent situation and helps explain why a disproportionate number of women killed by partners were born overseas (Easteal 1993).

The Study

Given the covert nature of violence against women, and the possibly even greater secrecy within migrant communities, it is not surprising that there has been little empirical evidence gathered to substantiate these concerns.

The research reported here was conducted in order to shed more light on this important subject. Information was gathered both from survivors of domestic violence and a variety of practitioners in contact with them. Two surveys were used to obtain the backgrounds and experiences of almost 800 victims, including overseas-born and Australian-born women.

Figure 1 Cultural identity of victims and offenders, from residents in refuges, December 1993 – February 1994



Note: 22 missing observations

First, in September 1993, staff in legal aid offices around Australia and at the Darwin Domestic Violence Legal Help Service completed forms for 472 clients whose cases were related to domestic violence; then between December 1993 and the end of February 1994, another 332 women were surveyed in the ACT, New South Wales, Queensland and Victorian refuges.

In order to maintain a sense of the women's individuality (often lost when dealing with numbers), 21 of the immigrant victims were interviewed. Staff from the refuges involved in the survey component were asked to announce that interview participants were needed for the project, and the first to volunteer were selected. The interviews were unstructured, and included open-ended queries about childhood, marriage, migration, history of violence, and the steps taken to counter the abuse. The interviews were transcribed and then rewritten in the form of life histories, edited to protect interviewees' anonymity.

The observations and viewpoints of practitioners in three different fields were gathered: 69 legal aid practitioners and 117 ethnic welfare agency staff from all states and territories, and 214 refuge workers from the ACT, Queensland, New South Wales and Victoria completed questionnaires. In addition, in November 1993, a form was completed by police on 'domestic' calls in New South Wales, South Australia, Tasmania, and the ACT. Data were collected on background variables such as alcohol use, weapon, time of day and outcome of the police call, and the country of birth for offenders and victims. The Northern Territory police and the Victorian Police Department provided raw data from their own collection. Where appropriate this information was merged with the survey data to form 3,061 incidents.

Victims Who Seek Help

Immigrant battered women were more highly represented in shelters, legal aid and ethnic welfare services than in police call-outs. This suggests that migrants are less likely to see the police as an option. Most respondents emphasised that some immigrant women lack knowledge of legal and refuge services, so it is likely that those women who have accessed help may represent only the tip of the iceberg.

The hands that inflict the abuse may be those of a partner who accompanied the victim (of the 194 overseas-born survivors in the refuge sample, 86, or 44.3 per cent, had migrated to Australia with the perpetrator), a member of her ethnic group that she has met in Australia, an Australian-born male, or an immigrant from another country. The police, and refuge (Figure 1) and legal aid (Table 1) samples consisted overwhelmingly of couples of the same ethnicity. Asian women who were sponsored by non-Asian partners were the most frequent exception.

Just over half of the Asian refuge residents were involved with an Asian male. Broken down by country of birth, women from the Philippines were most likely not to be married to their countrymen – only three of the 32 Filipino women (for whom information was available). This contrasts with the other principal Asian group, the Vietnamese: 28 of the 31 Vietnamese women, whose partner's ethnicity was known, were married to Vietnamese men.

More than two-thirds (68.6 per cent) of the refuge residents born outside of Australia spoke a language other than English in their home. Of these, 42.9 per cent spoke a European language, 37.6 per cent an Asian language, 15.8 per cent Middle Eastern, and 3.8 per cent a Pacific language. Almost half (45.4 per cent) these immigrants required an interpreter. About one quarter of the non-English speakers who attended legal aid required an interpreter while 30.5 per cent spoke a language other than English in their home.

Recommendations

The Australian Law Reform Commission (1994) recommended that all data on prospective sponsors' previous sponsorships be collected by the Department of Immigration and Multicultural Affairs (DIMA) and placed in a central database accessible to immigration posts around the world. The report also suggested that any record of violence should be checked where there had been at least one prior sponsorship and such information be relayed to the woman in an individual interview. Similar recommendations were made in a report by Iredale, Innes and Castles (1992) but were rejected by DIMA on the grounds that they would encroach on the privacy rights of the men.

While it is easier to highlight the smaller population of serial sponsors, the sponsored women in the present research were all the first wives that their violent partners had brought to Australia. Simply targeting serial sponsors is not enough. Unless information is available on men who have assaulted previous partners (sponsored or not), sponsored wives will be at risk without warning. Civil libertarians are likely to take a different view; however, the rights of all women to live safe from violence should supersede men's privacy rights.

Domestic Violence and Correlates

Among both the victims of domestic violence and practitioners who work with them, some expressed the view that the migration experience contributed to the abuse in the home. However, every woman in the interview sample who had migrated with her partner mentioned that the onset of abuse had preceded migration. Information from surveys also confirmed that for many, the domestic violence was not a consequence of the move to Australia but took place in the homeland, where wife abuse was more accepted. Although migration can play a role in contributing to violence, violent antecedents before immigration should be noted.

Survivors and practitioners mentioned changes in gender roles in Australia, isolation, lack of support, language problems and downward mobility as potentially contributing to the violence. In Australia, the nuclear family can undergo stresses as traditional roles shift. The combination of unemployment or underemployment for men, paid employment for women, and the assimilation of the younger generation may erode hierarchies based on age and sex. In Laotian and Khmer cultures, for example, women are expected to stay at home and spend their time caring for their husbands and children (Ho 1990). They may not be able to do so here.

Life in Australia can also mean learning to manage without a network of extended kin; solicitors, refuge workers and ethnic welfare staff all concurred that this seems to be particularly true for Asian women sponsored by non-Asian men. The interview sample contained one Malaysian and three Filipino women who fit this category. None had any of their own family in this country and their partners had not allowed them to become active in ethnic community agencies or networks.

Those who are brought to Australia to marry someone from their culture who is already a permanent resident or citizen seem to experience particular isolation and were identified by practitioners as particularly vulnerable to abuse – abusive behaviour perpetrated both by the husband and sometimes by his extended family. The two Turkish brides interviewed had no relatives here in Australia and their parents had essentially entrusted the care of their daughters to the parents of the grooms, who violated that trust either by overt abuse themselves or by complicity in silence. As 'Ruziye' recounts:

'My husband's family implemented this curfew on me. They made everything so difficult. I wasn't allowed to listen to radio, watch television or video. They didn't do

Table 1 Ethnic identity of victims and offenders in domestic violence cases that were dealt with by legal aid offices, nationwide, September 1993

	Domestic violence victim's ethnic identity									
Offender's Ethnic Identity	Non-Aboriginal Australian (n=274) %	Aboriginal (n=30) %	Other English-speaking (n=21) %	European (n=33) %	Asian (n=24) %	Middle Eastern (n=9) %	African (n=4) %	Latin-American (n=2) %	Pacific Islander (n=4) %	Unknown (n=41) %
Non-Aboriginal Australian	78.0	13.3	48.0	21.6	44.8	–	25.0	–	–	75.6
Aboriginal	3.1	73.3	–	2.7	–	–	–	–	–	–
Other English-speaking	5.8	–	28.0	–	3.4	–	–	–	–	–
European	6.2	–	4.0	59.5	6.9	11.1	25.0	50.0	–	7.3
Asian	–	3.3	–	2.7	27.6	–	–	–	–	2.4
Middle Eastern	–	3.3	–	–	–	77.8	–	–		4.9
African	–	–	–	2.7	–	11.1	50.0	–	–	–
Latin-American	–	–	–	–	–	–	–	50.0	–	–
Pacific Islander	1.0	6.7	4.8	–	–	–	–	–	100.0	2.4
Unknown	5.8	–	16.0	10.8	17.2	–	–	–	–	7.3
Total	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**

Note: In 31 cases the ethnicity of the offender was unknown.

any shopping. We were hungry for days. They kept me in total isolation.'

Expressions of control

The manifestations of violence described by both women and practitioners were physical, emotional, sexual and economic. Emotional abuse, which is focused on erosion of self-esteem and the ultimate seclusion of the victim, can be more extreme and more easily facilitated with immigrant survivors because of the victim's increased isolation.

`Language and cultural barriers often make it more difficult to access and understand information and therefore reinforce fears, hopelessness and isolation.' (South Australia legal practitioner)

Financial abuse, such as deprivation of food and clothing, may be more common among migrants when the women lack knowledge about government allowances. In a number of these cases, they did not know about their rights to Family Allowance or Social Security payments, and their husbands took total control of the finances and either did not allow their partners any money or doled out a pittance.

'Women who can't speak English have no confidence to leave their partners. They depend on their partners in finance and they are not aware of their rights. They don't know that they can get financial assistance from the Department of Social Security.' (Multicultural welfare agency, New South Wales)

Many of the women told of some type of sexual assault by a husband. For most, this was a fairly continuous part of the marital relationship and therefore tended to be normalised by the women. According to interviews conducted for *Quarter Way to Equal* (1994:83), many migrant women have 'a limited concept of sexual assault in general, equating it with assault and vaginal penetration, and no concept of sexual assault within marriage'. Further, mythology about 'real' rape and 'victim blaming' continues to exist within at least a segment of our community. It has been speculated that such beliefs are more common in some of our migrant cultures (*Quarter Way to Equal* 1994).

The current research found that some of the women did not define a sexual act perpetrated by their partner without their consent as violence, or they tended to minimise its impact. As difficult as it can be for someone born and raised in this country to understand fully her rights to safety from her husband, it can be harder for a woman from a culture in which sexual stratification is more entrenched and the husband's power less curtailed. As 'Noraika', a survivor from Malaysia, recounts:

'The sexual thing in the bed was getting worse, too. I didn't know that if your husband took what you didn't want and he took it and this was anal, I thought he had the right to do that. But I didn't feel good and I used to cry. I felt it wasn't right. I felt really dirty. I didn't feel that he honoured me. But I thought that as I was married to him it can't be rape. It's only just now that things are changing, that women are being informed that when you say no it means no and anything else is rape.'

Alcohol

Although more than half of the offenders who came in contact with either the police or with legal aid were alcohol-affected, among some immigrant groups (such as Asians and Middle Easterners), both perpetrator and victim were more likely to be sober. Victims in all samples were less likely to be affected by alcohol, but the likelihood increased if the partner was drinking (Figure 2).

Almost 40 per cent of refuge residents thought that alcohol had contributed to their partners' violent acts. For example:

'He gets drunk very often and it occurred when he was drunk because he was good other times.' (El Salvadoran survivor, age 42)

'Often he would drink and get drunk with his friends, and become abusive in front of them and hit me when they left if I said anything.' (Greek survivor, age 56)

Employment

It is not only the unemployed and/or the poor who beat their wives. However, unemployed people are involved in most of the domestic violence cases that reach the police, legal aid, ethnic welfare agencies and refuges. Where information on the offenders' employment status was available, almost three-quarters of offenders at police incidents were unemployed, more than one-third of these long-term. The legal aid data showed a higher proportion of offenders employed (45 per cent). The refuge respondents' information about employment was similar, with 42 per cent of the violent partners employed full-time. Seventy-four of the 183 refuge residents whose partners were unemployed believed that unemployment had contributed to the violence.

Immigrant perpetrators were more likely to have jobs than were the non-Aboriginal Australian-born. Four-fifths of the Latin American men had jobs, followed by 59.1 per cent of Pacific Islanders, 54.3 per cent of Middle Easterners, 54.0 per cent of Asians, 49.4 per cent Europeans, 38.2 per cent of Australian-born, 33.9 per cent of English-speaking background migrants, and 33.3 per cent of the Africans in the sample.

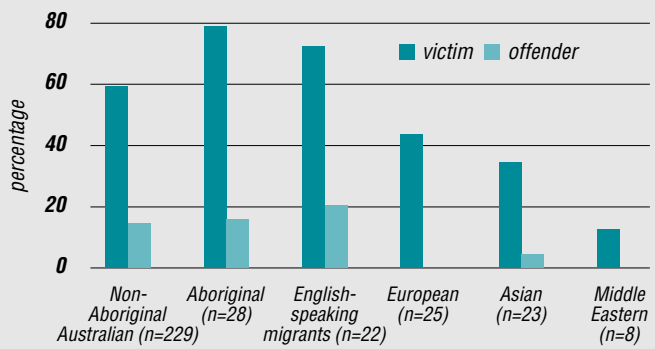
Recommendations

Education should be targeted at ethnic communities to increase an understanding of the nature of violence against women and its various manifestations. Women should also have an understanding of what their financial rights are in Australia.

The acceptance of alcohol abuse needs to be examined, and consideration given to implementing education campaigns similar to those in the United States that discourage excessive drinking. The possible correlation between intoxication and violent behaviour should be identified in the media and by the government in its relevant policies and agenda.

The non-acceptance of education and training credentials and subsequent unemployment or downward mobility should be addressed in order to increase job placement opportunities for those who migrate to Australia.

Figure 2 Consumption of alcohol by domestic violence offenders and their victims in legal aid cases, by ethnicity of the victims, nation-wide, September 1993



Note: Excluded from the figure due to small numbers: all African (3), Latin American (1) and Pacific (4) victims all no alcohol; African (3) and Pacific (4) offenders also all no alcohol while the one case with a Latin American victim, alcohol was a variable with the offender.

Leaving a Violent Partner

Domestic violence occurs on a continuum, beginning with emotional and verbal abuse and ending with murder. The earlier a woman has access to help, the less likely she is to end up dead.

For women of any culture who are trapped by low self-esteem, the lack of skills or knowledge to be self-supporting, and the fear of retaliation, escape from a violent partner can be problematic. It is obvious that those who cannot speak English experience many disadvantages to achieving adequate support, but the English-speaking immigrant woman may also have difficulties. She is in a new country with different systems of government and criminal justice, where even things that one takes for granted – what

number to call for emergency or directory assistance, or how to look up a service in the Yellow Pages – may be quite different from what she is used to. And like her non-English-speaking 'sisters', the English-speaking immigrant may have no family or support network in Australia; she may be as alone in some ways as the non-English speaker.

Staff from refuges, legal aid and ethnic welfare agencies overwhelmingly agreed that for women from overseas, there may be even more barriers to leaving a violent partner, with refuge workers identifying Asian women as the most likely to experience difficulties. If the community is small and close-knit, a lot of pressure may be exerted on the woman to remain with her husband.

'Cambodian groups have more difficulties than others for the following reasons: their community is rather small, so they live very close to one another and whatever happens to this family, it seems like the whole community knows about it. They try to stop women separating from the husbands.' (Vietnamese refuge worker, New South Wales)

Fear of deportation may play a role in keeping the sponsored (primarily Asian) women in violent relationships due to their lack of information about new domestic violence provisions implemented by DIMA, or due to the limitations of those amendments (discussed below in the recommendations). Sponsored women who were interviewed had very little idea of what their rights were, and their violent husbands took advantage of that ignorance, using threats and false information to control the wives' behaviour and stop them from leaving.

Next to Asian groups, those from the Middle East were assessed by practitioners as having greater problems in accessing services and information, with factors concerning the strength of the community and its pressures being again most frequently cited.

Immigrant women from a variety of countries may be pressured to remain in violent marriages by the need to continue providing financial support to their families in the homeland (Lawton 1992). Moreover, lack of support may derive from cultural norms that blame women for the violence, as identified in a study of violence among Indo-Chinese immigrants (Dang and Alcorso 1990).

In some societies, including many Asian cultures, women are socialised to believe that they have no rights to divorce or custody of children; marriage is considered to be permanent. Norms emphasise the need to stay silent and remain married no matter what, on pain of stigma and ostracism (Bone 1988). As one Vietnamese ethnic welfare worker wrote:

'In Vietnam, men have the right to hit their wives so it was accepted. There is an adage, 'If you married with a dog you have to follow him for all your life.'

Indeed, practitioners from all groups saw a major source of difficulties to be the culture of origin with a strong emphasis on keeping spouse abuse secret or, at the most, just within the family. This mitigates against the women disclosing their situations.

'We were taught "wash your linen in your own home". Therefore, the women try to keep the secret until it is very serious. Some women keep quiet because they don't want to upset their family members. This does not mean they can't get support from them, but they'd rather suffer by themselves than share the problems with others.' (Chinese-Australian refuge worker, New South Wales)

'There is somewhat of a stigma attached to making this information public. Besides, in particular cultures – for example, more conservative Latin America – there can be a tendency towards blaming the victim.' (Spanish-speaking welfare agency, New South Wales)

In addition to the issues already discussed, the inability to contact the police can hinder the immigrant woman's departure from the violent home. Women from Pacific, Asia, Middle East and Latin America cultural backgrounds were likely to state that they had difficulties in contacting the police – some because they could not speak English, and others because, although they could speak English, they found it impossible to talk about personal problems in their new language.

Turning to the police can be problematic for women who come from countries where the police function differently and are feared and mistrusted; some of the women did not know either their legal rights, or that, in Australia, police are supposed to play an interventionist role. In addition, women may be concerned about the perceived prejudice of the police; in several cases the survivor's previous experience with police, within the context of the violence, contributed to her reluctance to contact them again.

The difficulty of leaving a violent relationship is increased for some immigrant victims by little or no knowledge about refuges; others had heard about them but had been given a negative image, often by their sole conduit of information – their husbands.

'Very often people don't know about them, what they are, what they can offer. Particularly men describe them as "bad" houses. Women are embarrassed to ask openly about these shelters.' (Romanian Community Welfare Worker, Western Australia)

When they did try to get into a refuge, there was not always adequate availability of space. In addition, many women experienced difficulties relating to cultural differences and loneliness. The communal component of life was also difficult for some women to adapt to.

'I have to share the accommodation with other residents in a refuge. I found it very hard to live in a community house.' (Vietnamese survivor, age 30)

'Living with women from other cultures is difficult around cultural differences – from food to music to parenting to everyday lifestyle. I would prefer a refuge with other Turkish women.' (Turkish survivor, age 32)

In a similar vein, being the only person who is from a particular country or the only woman who speaks a particular language could be difficult.

'Speaking little English and therefore unable to communicate with other women.' (Ukrainian survivor, age 38)

Thus, as a consequence of their traditional cultural values, lack of knowledge about resources and support, and difficulty in accessing the police, immigrant women may be significantly more isolated than their Australian-born 'sisters', and more hampered in their ability to leave their violent partners. It should be noted that, despite this, most respondents felt that they had been treated better here in Australia than they would have been in their homeland. Although only a minority believed that the incidence of violence against women was higher in their country of origin, the majority plainly evaluated Australian culture as more supportive and Australian police and courts as more apt to recognise such violence as criminal.

Recommendations

The principal solution must lie in improving communication, with women migrating to this country being provided with material that explains where they can go for help. Ethnic welfare agencies can play a more important role in transmitting such information to clients. To do so, however, practitioners need to be fully informed about current legislation and services. Support groups and phone services could be set up through these agencies, to provide counselling, advice and information.

In July 1994 the government announced that videos targeting spouse and fiancée immigrants would be screened in all immigration offices overseas, and these applicants would learn about their legal rights and the available support services. Similar information needs to be provided for all woman who migrate to this country, either prior to their departure or as part of DIMA's settlement services. Women should receive booklets in their own languages that

provide contact numbers, summarise the relevant legislation and outline the role of the police and the availability and functions of women's services.

Practitioners working in relevant fields had further suggestions for improving access of services and provision of information. These included: supplying to women who arrive in Australia with little or no family support the phone number of a woman from their own background who can act as a mentor; disseminating information on domestic violence issues and services (including phone numbers) by advertising in the most prominent community-language media; and educating children within the school system about domestic violence, perhaps with pamphlets in different languages.

There is also a critical need for more refuge accommodation, and for an expansion of funding to refuges. Refuges must tackle issues of cultural difference, either by modifying existing practices in refuges catering for people of many cultures, or by establishing ethno-specific refuges. At the very least, there is a need for more multilingual practitioners and a greater appreciation of different customs and values, with the food requirements of various immigrant groups taken into account. Liaison with ethnic agencies and cultural sensitivity training for shelter practitioners could help to make refuges more palatable for immigrant victims. More counselling services are needed in languages other than English, and more bilingual follow-up practitioners should be available for ethnic women when they move out of the refuges.

In recent years the immigration laws have been changed to assist domestic violence victims by ensuring that they will not be deported. From April 1991 victims were allowed to apply for permanent resident status on domestic violence grounds. At that stage, however, the provisions only applied to women who had taken out a domestic violence order against their partners, or whose partners had been convicted of physical assault. Fiancées were added to these special provisions in December 1992 (Mottee 1992; Bowrey 1992). However, this provision only protected those who were prepared to take legal action. In July 1995 the provisions were again liberalised, so that women only had to make a statutory declaration, and secure similar declarations from two competent professionals in different fields. Provision was also made for situations in which the sponsoring spouse had abused another family member, as suggested by the Australian Law Reform Commission (1994).

These are moves in the right direction, but need to be followed through. It is important that policy-makers and professionals recognise that physical violence is only one end of a wide spectrum of abuse. There is also a need for more flexibility by DIMA. As proposed by the Law Reform Commission, provisions should apply to women who are sponsored as fiancées in cases where the engagement is broken because of the sponsor's violence.

The Future?

Survivors and practitioners have conveyed a picture of the special issues and experiences that immigrant women may encounter which doubly jeopardise their right to a life safe from violence. Their isolation emerges as the key to understanding a lot about what distinguishes their victimisation. It is isolation that provides a greater scope for much of the violence, especially economic, emotional and sexual, and it is isolation that prevents the women from getting out. If some of the recommendations presented in this paper are implemented, then that isolation will be countered with information and resources, and the promise of a better future for immigrant women in Australia can become a realistic aim.

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DOMESTIC VIOLENCE FORUM

The Minister assisting the Prime Minister on Women Affairs, Senator Jocelyn Newman, called a Domestic Violence Forum in Canberra on the 23–24 September. Kate Funder, AIFS Principal Research Fellow, represented the Australian Institute of Family Studies at the Forum which was attended by Commonwealth, State and Territory representatives, service providers and representatives from non-government organisations – about 150 in all. The forum was chaired by Kathleen Townsend, Head of the Department at the Office of the Status of Women. Dr Di Herriot, who is in charge of work on domestic violence in that Office was involved in the organising.

Recommendations put forward by the Forum will be considered at the Domestic Violence Summit in June 1997 which will be attended by Ministers – Commonwealth, State and Territory – and by relevant Heads of Departments. Recommendations from the Summit will be considered by the Council of Australian Governments and the Standing Committee of Attorney Generals.

The Forum was structured around keynote speakers and working groups divided into four streams to consider: policy development for the provision of services to victims of domestic violence; services to perpetrators; legislative reforms; and the directions of research and prevention programs. Proceedings of the Forum will be made available in the near future.