

FECCEA applauds Royal Commission into Family Violence report and recommendations

The Victorian Royal Commission into Family Violence has made a number of recommendations pertaining to culturally and linguistically diverse (CALD) women and communities.

FECCEA Chairperson Joe Caputo said, “We applaud the Victorian Royal Commission for ensuring the breadth and scope of the report and recommendations extends to include women from CALD backgrounds, who are a vulnerable group.”

Women from CALD backgrounds who experience family violence are often reluctant to disclose the violence due to a range of factors including language barriers, social isolation, mistrust of police and the justice system, shame and stigma associated with seeking help, lack of culturally competent services and immigration status. In some CALD communities, women experience specific forms of family violence including forced marriage, dowry-associated violence, female genital mutilation, and violence from the extended family.

The report considers the needs and experiences of people from CALD communities who are affected by family violence, including approaches to prevention of violence in migrant communities, raising community awareness and increasing knowledge about family violence. Specific issues relating to access to services are also examined in the report, including overcoming language barriers and the appropriate use of interpreters.

FECCEA commends the Victorian Government on its commitment to implementing all 227 recommendations from the report.

“These reforms will make a significant difference to the lives of women from CALD backgrounds who experience family violence” said Mr Caputo. “The recommendations made in this report will improve access to culturally appropriate family violence services, increase the appropriate use of interpreters, and importantly work to prevent violence in our communities.”

The report makes recommendations to broaden legal and community understandings of family violence:

- Amend the *Family Violence Protection Act 2008* (Vic) to expand the statutory examples of family violence to include forced marriage and dowry-related abuse;
- The Victorian Department of Health and Human Services, in collaboration with the Victorian Multicultural Commission, community organisations and other relevant bodies, develop a strategy for informing service providers, specialist family violence services and other community organisations about the health impacts of female genital mutilation, emphasising that it can be a form of family violence and a criminal offence.

FECCEA’s research on language services has identified a number of gaps in the training of interpreters and implementation of language services policies, particularly in relation to health, legal and domestic violence matters. As such, it is positive to see the inclusion of recommendations in relation to interpreters and language services:

- Update Victorian Government guidelines on policy and procedures in using interpretative services to specifically deal with family violence – in particular, the risks of using perpetrators, children and other family members as interpreters, as well as using the same interpreter for both perpetrators and victim;
- The Magistrates’ Court of Victoria allocate specific funding for family violence interpreters and develop court guidelines for booking interpreters in family violence matters;
- Victoria Police amend the Code of Practice for the Investigation of Family Violence to emphasise the risks associated with using children as interpreters, using the same interpreter for both perpetrator and victim, as well as to provide practical guidance to officers on the use of interpreters. Training should be provided at all appropriate levels of the Police on the amended Code of Practice requirements relating to interpreters;
- The Victorian Government, as member of the National Accreditation Authority for Translators and Interpreters Ltd, will work with the other members of the authority to ensure that accreditation and testing processes and approval of translator and interpreter courses require an understanding of the nature and dynamics of family violence.

The Royal Commission recognises that the immigration status of women who experience family violence has a significant impact on their experience of that violence and their ability to leave a violent relationship. The report recommends:

- The Victorian Government, through the Council of Australian Governments, encourage the Commonwealth Government to broaden the definition of family violence in the *Migration Regulations 1994* (Cth) so that it is consistent with the *Family Violence Protection Act 2008* (Vic) and to ensure that people seeking to escape violence are entitled to crisis payments (regardless of their visa status).

The Commonwealth Government plays an important role in addressing family violence in our communities, including jointly administering the *National Action Plan to Reduce Violence Against Women and the Children* with State and Territory

governments. FECCA will be approaching the Commonwealth Government to encourage the implementation of particular recommendations nationally, including changes to eligibility for crisis payments and changes to the family violence exception for migration.

FECCA also recommends the implementation of the Australian Law Reform Council's recommendations in relation to migration law, made in its 2011 report *Family Violence and Commonwealth Laws – Improving Legal Frameworks*, to further strengthen the migration framework for women experiencing violence.

You can read the Victorian Royal Commission into Family Violence report here:

http://files.rcfv.com.au/Reports/RCFV_Full_Report_Interactive.pdf.

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