



The meanings of rights in refugee settlement

Australian Research Council Linkage Project



Never Stand Still

Arts & Social Sciences

School of Social Sciences

A STEP IN THE RIGHT DIRECTION

THE MEANINGS OF RIGHTS ACROSS CULTURES:
AN EXPLORATION OF THE INTERPRETATION OF THE
HUMAN RIGHTS FRAMEWORK IN REFUGEE SETTLEMENT
MID-PROJECT REPORT

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PROJECT PARTNERS:



[The UNSW Centre for Refugee Research](#) contributes to increased understanding of forced displacement and settlement, and uses research evidence to advocate for improved refugee protection and support. CRR project team: Honorary Professor Eileen Pittaway, Dr Linda Bartolomej, Prof Richard Hugman, Dr Rebecca Eckert, Geraldine Doney and Kristy Ward.



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[AMES](#) and [Diversitat](#) (Melbourne, Geelong) provides settlement services to assist refugees in their first years in Australia. They partner with community and volunteer groups, governments, TAFEs and universities to undertake research, raise awareness, and build networks to improve refugee services. Project team: Melika Sheikh Eldin, Jennie Blencowe and Carmel Carroll



[TMSG](#) (Townsville) provides initial and longer-term settlement support to refugees. TMSG partners with local services and the local Council, to support and increase understanding of refugee needs. They support local, national and international students to gain practical strengths-focused work experience with refugees. Project team: Meg Davis and Gabe Cairns

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INTRODUCTION

This is a mid-project report of a three-year Australian Research Council funded project ‘The meanings of rights across cultures: an exploration of the interpretation of the human rights framework in refugee settlement’. This project is a partnership between the UNSW Centre for Refugee Research (CRR) and five refugee settlement services in three states: TMSG (Townsville), QPASTT (Brisbane), STARTTS (Sydney), AMES (Melbourne) and Diversitat (Geelong).

This report provides background information, a summary of what participants shared in the first year of fieldwork, and future project activities and outcomes. A longer mid-project partner briefing with additional information about methodology and fieldwork analysis has been provided to the project partners. A summary report will also be available on the project website, and sent to all project participants.

BACKGROUND TO THE PROJECT

The Centre for Refugee Research and its partners developed this project in response to growing awareness that family conflict and separation are amongst the most painful problems for refugee families and communities settling in Australia¹. In CRR projects, issues of family conflict were frequently attributed by community members to the ‘human rights’ in Australia.

Newly arrived refugees welcome the human rights which life in Australia promises, but often have incomplete understandings of ‘human rights’ and how they are reflected in Australian law and practice. Many report that concerns over the meaning of rights, or how information about rights is presented, leads to misunderstandings and confusion about the rights of different groups in Australia. Changes in women’s and children’s rights are especially contentious. Instead of

¹ Doney, 2011; Doney et al 2009a; Doney, Pittaway and Vu, 2009b; Doney and Pittaway, 2010; Doney et al, 2010, Pittaway and Muli, 2009.

being seen as positive, these rights may be seen as a problem for the family or community. In some cases, the consequences of these changed rights can be seen to negatively affect settlement.

Just imagine 20 years in suffering, then you reach here and face some of these issues . . . “rights” destroy our families – our women leave and our children rebel against us. (Refugee community member, Melbourne)

This project therefore aims to improve the settlement of refugees by increasing our knowledge of the different ways that resettling communities understand and adapt to human rights and law in Australia, and by enhancing the work of services and communities in supporting this aspect of resettlement.

The project is taking place over three years (2014-2016), and involves research consultations and interviews with refugee men, women and young people and with settlement services. The project draws on CRR’s ‘Reciprocal Research’ method², based on human rights and community development frameworks. This approach engages people from refugee backgrounds and service providers as active research participants and strives to ensure they gain some value from their involvement. It recognises and draws on the capacities and capabilities of refugee community members.

Using reciprocal research, the project team is gathering ideas and information to understand the different ways that ‘rights’ are conceptualized, experienced and practiced by different groups. This will enable the development of theoretical models and practical tools that support refugees to settle with safety and dignity while living within the legal frameworks of their new country.

² Hugman et al 2011a, 2011b; Pittaway and Bartolomei 2009; Pittaway et al 2010

The general activities of the project are

- Year one (2014): project setup and initial workshops and desk research
- Year two (current): intensive fieldwork; develop and trial training resources; continue academic research
- Year three (2016): final data analysis and academic research; revise training and develop other resources; run 'roundtables' in project sites to share findings and develop local responses; write-up and share project findings, resources and recommendations.

YEAR ONE WORKSHOPS

The year one workshops were held between May and November 2014 and were cohosted by CRR and the project partners in Sydney, Melbourne, Newcastle³, Geelong, Brisbane and Townsville. Separate workshops were held with people from refugee backgrounds and with settlement service providers (some of whom also came to Australia as refugees). The purpose of the workshops was to introduce participants to the project and to begin to explore perceptions, understandings and experiences of human rights and law in Australia.

Following these workshops, CRR hosted a partner meeting at University of New South Wales, attended by two staff and two refugee community representatives from each partner organisation. Participants reviewed the progress of the project as an overall research team, discussed emerging themes, and trialed research methods planned for the 2015 fieldwork.

The next section of the report provides a brief overall analysis of the information shared in the Year 1 workshops, followed by a summary of what participants said in the workshops, an outline of the emerging project themes, and recommendations from participants.

WHAT THE YEAR ONE WORKSHOP PARTICIPANTS SAID

The introductory workshops confirmed that overall, new arrivals value the human rights they have in Australia, but that there are still strong contentions amongst refugee communities about some rights, especially rights for women and children. There is, however, great diversity within and between groups from refugee backgrounds. The following section is a summary of the information shared by participants in the year one workshops.

³ Although initially intended as one of the regional research sites, STARTTS' Newcastle hub has not continued in the project, and alternative consultations are scheduled for Wollongong.

WHERE AND WHAT DO WE LEARN ABOUT HUMAN RIGHTS?

People intrinsically have a sense of rights. (Service Provider, Geelong)

Almost all participants reported they had no formal education about human rights, but had learned about rights through informal channels, including through family, religious and cultural influences. Some participants in both service provider and community groups had been introduced to a notion of human rights at school, and a few had received limited formal human rights education, in Australia or overseas, in university programs such as Social Work and Media. Amongst community participants, several reported they learned a little about human rights in refugee camps from NGOs such as Red Cross, UNHCR and UNICEF, and from government departments such as Immigration and Centrelink, after arriving in Australia, but that this information was minimal and often contradictory.

Many community members felt that, as refugees they understand more about human rights than the wider Australian community, who have not had to fight for their rights.

If you ask the mainstream Australian people, what are human rights, they wouldn't even think or even know. . . We know more about it because we have had to seek for it; and they probably don't even realise how privileged they are. But for us getting to that point, it's a struggle every day. (Refugee community member, Melbourne)

General life experience was similarly seen as shaping awareness of human rights. In particular, experiences of discrimination and violence were felt to likely increase awareness of personal and community injustice, even if that experience was not explicitly understood or expressed in terms of human rights.

Both community and service provider participants felt that in spite of limited formal training, most people understand what

rights are. They shared the view that rights are commonly conceptualised as a set of human values, without necessarily being identified as ‘human rights’ or associated with an international legal framework. Participants identified respect, freedom, dignity, equality, autonomy and social justice as key values underlying their understandings of human rights: there was strong cross-cultural similarity in this. They felt that family, especially parents, played the central role in developing these values and their knowledge about ‘rights’.

Many participants expressed the view that, while we have rights as individuals, respecting the rights of others is essential for a harmonious community. Developing awareness of the rights of others was seen as occurring within a cultural as well as a family context. For example, participants from African nations discussed ways in which the notion of mutual respect was centrally important in their upbringing, community identity and community interactions. It was from this notion of mutual respect that they felt that rights relating to trust, reciprocity, protection and safety could be understood in some African cultures.

In Africa, respect is one of the very common kinds of teaching. Parents would normally teach their kids and actually, they take it to the next level! You respect everyone! A stranger, you respect! You don't argue with another! ... that is just how their culture has been, because people trust each other, kids are trained to respect adults, so then adults respect kids. (Refugee community member, Brisbane)

As also discussed below, such presentations of an idealized, just community was frequently at odds with other information shared by the same participants about the high prevalence of violence and human rights violations in their pre-arrival communities.

Whilst understandings of human rights are shaped by these various factors, participants discussed how understandings and attitudes to rights are not static, but can change over time and context. Their discussion also highlighted that ‘human rights’ cover many aspects of the human condition, and that a

person can be fully cognitive and accepting of rights in one area, for example the right to free speech, or to be free from violence, and totally ignorant or rejecting about rights in another, such as women's rights or the right to religious freedom.

LEARNING ABOUT RIGHTS AND LAW IN RESETTLEMENT

I've been here five years and there are no community development specific programs that really discuss human rights in communities. . . What you discuss is basic living. . . No-one tells you about rights. (Refugee community member, Brisbane)

Overall, participants felt that there was little systematic education for new arrivals about rights, laws and rules in Australia. They felt that the information that was provided, was given too early and was not repeated or adequately reinforced throughout settlement.

Community members shared other ways in which they became aware of rights, law and culture in Australia over time. Information shared by longer settled community members was seen as most influential, despite not always being accurate.

You hear from people who have been here before you. . . Especially the adults, they rely so much on information they hear from other people in their own community. Even if there are services - we want to hear from our local sources. . . And sometimes that may not be true information, it might be . . . distorted a little bit [others agree and laugh]. (Community member, Brisbane)

Service providers and community members saw children and youth as having more opportunities to learn about rights and cultural practices in Australia than their parents and elders. They often learn English quickly and so are able to absorb information about rights and life in Australia from services, media and their peers. They are expressly taught about child protection at school. Their compulsory attendance at school

also means they are more likely to be mixing with non-refugee peers and other community members, and generally be more exposed to Australian society. Participants felt that young people may not be explicitly learning about 'rights' through this exposure, nor necessarily learning accurate information about law, rights and culture in Australia. However, they felt that this peer- and observational- learning has a very strong influence on young people, whether correct or incorrect.

HUMAN RIGHTS ISSUES AND CONTENTIONS IN SETTLEMENT

Community participants acknowledged their safety and identified a range of rights they enjoy in Australia, compared to their pre-arrival experiences. They also identified a broad range of human rights concerns in their settlement.⁴ These included difficulty with English, unemployment, lack of recognition of skills and qualifications, and especially experiences of discrimination and racism in their settlement. Many described discrimination having a pervasive negative affect on their access to other rights too, such as employment and housing. All groups also raised separation from extended families and lack of access to family reunification as a negative and distressing human rights concern. They saw these issues intersecting with problems relating to understandings of human rights and law in Australia.

Participants reported that family issues are exacerbated by other resettlement challenges, and conversely, that family conflict contributes to the social, financial, housing and emotional pressures in resettlement, with adverse effects on physical and mental health, education and employment. It negatively impacts refugee communities, refugee service providers and the broader community.

⁴ Concerns about asylum seeker rights: This project is focused on meanings and experiences of rights for people resettled to Australia. In all introductory workshops, concerns were also raised about limited rights for asylum seekers in Australia and in offshore detention. CRR shares these concerns. As asylum seekers have different (and additional) human rights issues compared to resettled community members, they are outside the scope of this project. CRR continues to work through other avenues and with other groups to advocate for the rights of asylum seekers in Australia.

Issues of cultural integrity and identity presented another set of challenges. The main contentions identified were differences (and conflicts) between rights in Australia and traditional and cultural practice; and the perception of a 'hierarchy' of rights in Australia: 'first children, then women, and men last'.

PERCEPTIONS OF CONFLICT BETWEEN HUMAN RIGHTS IN AUSTRALIA AND TRADITIONAL CULTURE AND IDENTITY

Many community members said they feel that people from refugee backgrounds are expected to change to 'fit in' with the 'Australian culture' and with Australia's approach to rights. They felt their culture is judged negatively compared to 'the Australian culture' and 'Australian rights', resulting in defensiveness and isolation. Some saw this as a challenge to their cultural identity, and 'Australian rights' being in conflict with their traditions.

There is actually discussion in regards to newcomers who arrive in Australia: should they forget their culture and identity...should you forget about your own human rights and fit into the human rights that fit into Australia? (Refugee community member, Brisbane)

While there is great diversity among refugee populations, the majority of participants described traditional practices that are different to gender roles, norms and rights in Australia. These included

- **The man's absolute responsibility as breadwinner and protector of his family**, and the woman's counter responsibility to care for home and children and to be under a male family member's authority. This contrasted with the Australian context in which men may struggle to find work, and refugee women have a role outside the family (including an obligation to attend classes or to work), access to money through Centrelink or employment, rights to equality and state protection.

- **Community-led responses** to issues in the community, including matters that are considered ‘private’ such as family conflict. In Australia, government rather than community authorities are seen as having a stronger (and sometimes interventionist) role in responding to issues in the community including those relating to family life.
- **Parents having authority over their children including through physical punishment**, with other community members also having a role in both caring for and disciplining children. This was seen as contrasting with the situation in Australia, where physical discipline is not allowed and the perception is that children are less respectful and less obedient to their parents.
- **A focus on collective rights and individual responsibilities to the community**, rather than on individual rights. Participants from Vietnam, Burma and some of the African nations explained how the focus within their societies is on community need and wellbeing: *“We never think of individual human right...the way we raise it is around the collective rights or needs”*. This was in contrast to perceptions by both refugees and service providers that the focus in Australia is on individual rights. Notions of individuality and individual rights, in particular for children, were seen by some participants as a threat to community and family integrity.

In discussing how rights and culture are different in Australia, several participants presented a somewhat ideal picture of their pre-arrival community life. They described families living in relative harmony, accepting their gendered and social roles and the imposition of family or community authority. Yet they described how this also commonly entailed profound inequality, wide acceptance of family violence and community shaming, and unfair community justice. The view of community participants seemed to be that, previously, things worked because people conformed to what was expected of them and prioritised community wellbeing above individual rights.

There was not universal agreement in the workshops about equal rights for women and children in Australia. A small number of community participants disputed whether human rights are relevant to their culture at all⁵. However, while some community participants saw rights and laws in Australia negatively affecting their family or culture, others saw settlement as an opportunity to ‘throw out’ negative aspects of traditional cultural norms, whilst retaining the positive.

The good side of the culture you accept and the bad side of the culture you have to throw it away. . . There's an opportunity here to change things. (Refugee community member, Townsville)

A few community members expressed concern that ‘rights’ in Australia are occasionally used in a negative way; that “*a positive right can become a negative power*”. They cited examples of children misusing information about child protection to manipulate parents or avoid discipline, or of women falsely reporting their husbands for domestic violence. While participants sometimes presented such examples as an indictment against the underlying right or legal protection, others saw it (perhaps more correctly) as a misinterpretation or misuse of that right by an individual, that did not negate the overall value of the right. As this arose in most of the community consultations, it appears to be a common debate within communities.

In several workshops, participants shared examples where behaviour within communities that is outside Australian norms or law (such as physical discipline or domestic violence) has been justified on the basis of culture. There was no consensus between participants as to whether these kinds of examples are widespread or infrequent. Questions were raised about whether it is better to overlook family violence to maintain family integrity, and whether there should be some

⁵ This is a common argument against the universality of human rights, but is contradicted by the historical and philosophical foundations of the international rights framework. The relevance of human rights across countries and cultures will be discussed in a subsequent report and one of the academic papers for this project.

mechanism to enable traditional resolution of disputes rather than resorting to State intervention in family life. Some felt that there is a case to be made for prioritising the rights of ‘family’ or ‘community’ over individual rights. While there were many different opinions about this, there was general agreement that issues of family conflict in refugee families in Australia are significant and more needs to be done to support family unity and harmony, rather than separating individuals. It was also seen as important to view the family as part of a community and to provide more community education.

PERCEPTIONS OF A HIERARCHY OF RIGHTS – CHILDREN, WOMEN, MEN

Participants from diverse ethnic backgrounds presented the view that there is a ‘hierarchy’ of rights in families in Australia.

This is becoming very common within communities, that they are even making fun of it. They are saying . . . “Don’t you know with this [Australian] government? First it’s my kids, second it’s my wife, third it’s my dog, then myself. . . Things have changed my friend!” . . . It is said in a satirical way, but . . . (Refugee community member, Brisbane)

Some participants had been introduced to this notion of a hierarchy of children’s/women’s men’s rights before they arrived in Australia, from fellow refugees or from other community members already resettled to Australia. In a few cases participants said they had received this message in formal pre-arrival settlement orientation programs, including in video representations of life in Australia.

Most men and women saw this apparent hierarchy being the reverse of traditional patriarchal family and community structure noted above. They felt this is a significant factor contributing to family disharmony in settlement, with problems between parents and children, and changes in family roles and power.

CHILD RIGHTS ABOVE PARENTS RIGHTS?

The majority of both community and service provider participants felt that, for some children, greater awareness and assertion of their rights in Australia results in changed family dynamics, family conflict and, in some cases, family separation.

The children know their rights! So when we deliver information about family and children's rights, the parents don't want to send their children anymore. They say, "When the children come to know their rights, all of the families split." And this is harder than their experiences in the refugee camp. (Service provider, Brisbane)

While most children remain responsive to and respectful of their parents' authority, participants felt that some young people misunderstand the extent of their rights and misuse or inappropriate 'rights' language.

I had a group [of new students] who were saying, 'Hang on, what if I don't want to wear those shoes?'...'It's my right to have my hair like this!'. ... And basically couldn't understand why I was telling them [they] have to wear a school uniform. (Service provider, Brisbane).

Service providers as well as community participants also described many parents feeling disenfranchised and powerless as a result of new expectations and rules around child rearing and discipline, along with a lack of awareness of alternative parenting practices.

Parents feeling really confused by it - the right of the children over a parent can be misinterpreted - when people want to practice family values but they are feeling like they have no tools, [and are] not aware of their own rights as parents. (Service provider, Newcastle)

Others pointed out an important additional problem, that many new arrivals lack their previous support networks. Participants shared ways in which they traditionally approached child-rearing, which often involved a whole-of-community approach. New support networks were seen as very difficult to establish in Australia. An example was provided of a neighbour reporting a single refugee parent to police for leaving her children sleeping while she quickly went to the local shop, rather than seeking to assist her.

This kind of example has led to fear within some communities about child protection interventions in their families. The intervention of government agencies in family life was a new thing for many new arrivals, with participants reporting that many refugee parents feel unsupported and undermined by child protection agencies, which were perceived to listen more to and to favour children's rights above parents'.

When there is an issue with a family and the police, I always feel as if the police go more to the kid than the parent, because they feel as if the parents are doing wrong. (Refugee community member, Brisbane)

In addition to deep concerns about refugee children being removed from their families by authorities, examples of children leaving their family due to intergenerational conflict were seen as negative consequences of the 'rights' in Australia: "they have that freedom of Australia but they do not learn right from wrong".

WOMEN'S RIGHTS ABOVE MEN'S RIGHTS?

Similar to children, women were seen as having more rights in Australia compared to their pre-arrival life (and seen by many as having more rights than men.)

When we were in Africa, my husband, he was head of the family and head of me. [He could] say to me "do this, do that! I'm head of the family!". But. . . when we come here, my husband can't say to me "do this, do this!", because I know my rights! It's a big, big conflict in the family" (Refugee community member, Townsville)

Women's rights are elevated by having access to education and work, some control of family spending through direct receipt of Centrelink payments, as well as rights to equality and to legal protection from family and other violence. While not all people resettled to Australia are from backgrounds where gender roles are rigid or fixed, there was discussion in all workshops about how challenging it is to adapt to changed gender norms and expectations in Australia.

Difficulties for individuals and for families caused by the different (and in many cases diminished) role of men in the family emerged as a very important and painful issue in the workshops. There was a sense that men are disempowered, in part due to difficulties learning English and to not being able to work to provide for their family, and in part due to greater attention to women's equality and children's rights in Australia.

[The men] just couldn't cope with the lack of opportunities, feeling "Why should I go to English class, I should be working!" Because of that change, and the system not recognising that the man comes with skills, and Centrelink going to the mum . . . their role is taken away. (Service Provider, Newcastle)

Participants reported that there are no easy responses because, while it is challenging, people do have to adapt to the changed opportunities, roles and rights for men and women in settlement.

Related issues of family violence and family separation were mentioned in most workshops but not explored in detail due to the limited time and scope of these introductory workshops. However, these issues are being explored more deeply in the current fieldwork.

HOW ARE HUMAN RIGHTS REFLECTED IN SERVICES?

Similar to the views of community members, service providers reported that detailed and consistent information about rights and laws in Australia is not routinely provided in settlement orientation programs. They felt that some practical aspects of Australian law are addressed, such as those relating to road rules and public transport, but that broader education on human rights principles in Australian law (such as equality of women and the rights of children) is more ad hoc and less consistently available to all new arrivals.

Several service provider participants felt that their engagement with clients was informed by a commitment to refugees' human rights even when it was not expressed in those terms. For example, they discussed the importance of service provider/client relationships based on trust and respect, and of the clients' right to self-determination in choosing whether and how to access services that are offered. Working flexibly and acknowledging clients' diversity was seen as a commitment to their rights, as well as helping to build knowledge about refugees' experiences and cultures and informing appropriate and effective programs within the acknowledged time and resource constraints of service providers.

How do we work together with all these different backgrounds . . . to be able to adjust your practice and transition to more flexible delivery? It's a two way street of engagement. (Service provider, Townsville)

WHAT YEAR ONE PARTICIPANTS WANT FROM THIS PROJECT

In discussing what would be most useful from this project, both service provider and community groups in the introductory workshops stressed a need for tangible project outcomes. While they shared several existing positive approaches to problems raised in the workshops, they felt there is a strong need to develop additional responses. They suggested the need for ideas on how to improve service delivery, development of practical resources which are widely accessible and which produce learning that has a longer term impact, and assistance to increase refugee communities' resources to support their members in the settlement process.

“These workshops are really needed for us to get familiar with a new society because that is what is missing here. To also feel valued with our input in society. (Refugee community member, Brisbane)”

Community members felt that making recommendations to services and to relevant authorities, based on the evidence gathered in this project, could contribute to greater awareness of positive cultural aspects of their communities, and increased consultation with communities.

EMERGING PROJECT THEMES

The key human rights issues raised in these initial workshops are outlined below. These issues are being further explored in the current fieldwork, and additional themes have arisen. Most of these concerns intersect with each other, as well as with other settlement challenges.

State vs community management of family life

Most refugees have come from situations where the state is absent, weak or hostile in its policing and justice roles. Alternative community-based responses to community issues and needs have thus been a necessary and valuable feature of people's pre-arrival lives (if not necessarily fair, equitable or accountable). State intervention in family life in Australia is therefore a new thing to many new arrivals, who may not even be aware of the legislation and policy governing what is lawful within families.

Information sharing and leadership in communities

A related research theme is the role played by communities and community leaders in sharing information about rights and law in Australia, and in responding to issues that relate to this. Information shared within communities is very powerful and has an important role in helping people to understand and adapt to rights issues in Australia, or has the potential to perpetuate misunderstandings and inappropriate responses.

Men's status and identity in settlement

A palpable concern expressed by both men and women is that the social and community structures that provided men with their role, authority and status prior to resettlement, are very much changed in Australia. This is especially the case as employment and leadership opportunities are, at least initially, quite limited. Many expressed concern that depression is a common result, but that there is little to assist men to adapt to these changes.

Women's rights and roles

Related to this, are issues of how people adapt to different expectations around men's and women's role within the family and community, and to equality, rights and protection mechanisms for women in settlement. Men and women raised concerns about conflict as a result of changing roles and rights. Women raised the associated difficulty for women who have new 'outside' roles while still being fully responsible for supporting home and family, including supporting their husband with his problems, in some cases also while facing domestic violence.

Shame in communities

The issue of 'shame' in communities, common in people's narratives about their pre-arrival life, appears to play an ongoing role in individual, family and community responses to changes in rights and law in settlement. Participants describe how shame influences behaviour, discouraging people from acting outside enduring community norms, and ostracizing people who transgress those norms from already small communities.

Family/community vs individual rights

Some participants shared the view that Australia 'destroys our families' by focusing on individual rights. Finding ways to frame human rights in a collective way and identifying areas of commonality was seen as a way to enable better understanding of the diverse cultural and religious influences on communities' responses to human rights in Australia.

Changed parent/child dynamics

The roles and power between parent and child are mixed up for many refugee families in settlement. This appears to strongly influence overall family relationships and in some cases, family integrity. As noted elsewhere, community participants feel that children are given information and encouraged in values (for example through school), that are inconsistent with the family's, and that their role providing control and guidance for their children is consequently weakened in settlement.

Conflicted cultural identity

Young people described how they have different ‘masks’ or identities to fit in with the Australian or home ‘culture’ depending on their situation at the time. While for some young people this represents learning to live skillfully between different cultures, others expressed it as a source of anguish or confusion, with imminent potential for family conflict if their outside persona is discovered. The small size of communities and the issue of community shame contribute to this being a problem for young people.

Intersection between settlement difficulties and rights issues

Settlement difficulties, such as housing, racism, work, isolation and low income, intersect with and impact on how people understand and respond to changed individual and family rights and law in the Australian context. As such, broader settlement problems (especially lack of work and English difficulties) seem to exacerbate difficult family relationships and vice versa.

RECOMMENDATIONS RE HUMAN RIGHTS FROM YEAR ONE PARTICIPANTS

The following list summarises suggestions made by participants in the year one workshops, about helping people to understand human rights and law in settlement. Many have been made by communities, services and researchers previously, but it appears that the rights issues they relate to have not yet been adequately addressed. Project activities that respond to these recommendations are also noted below.

More education about rights and law that is accurate and consistent for all family members, and available at different times through the settlement process. Such education should include building advocacy and community development strengths in communities.

A training resource about rights and law in Australia is being developed in the project and will be trialed with different groups in late 2015 and 2016. Partners have also been offered training for their staff and service provider networks about different aspects of human rights and settlement.

Building stronger links between services, government agencies and communities to learn from each other to better support more recently arrived refugees. This might occur through the sharing of information and good practices between services and by community leaders.

Building links and opening communication between different stakeholders is one of the strengths of a reciprocal research approach. In this project this goal is realized through opportunities for increased communication and understanding between services and different community groups at the local partner level. Part of the reciprocal research methodology also involves bringing together representatives from services, government and community, to share perspectives and to plan responses at a local or wider level. This process will be undertaken at national and local levels in 2016.

Assistance to support family integrity, including joint provider/community approaches and programs to support

families and to facilitate adaptation before conflicts arise rather than only providing intervention when there is a crisis.

Strengthening support for and access to Families in Cultural transition (FICT) programs to enable families to discuss their settlement experiences and gain knowledge about life in Australia in a culturally supportive environment.

Training materials currently being prepared and other written resources will be useful FICT tools and will be supported by the training of trainers program in 2016.

Incorporating community development programs into settlement services including HSS, to assist communities in building their social capital in settlement and ensure that information shared in communities is accurate and supports positive community engagement.

Increased employment of bicultural workers in settlement services and improved training, both to facilitate effective settlement support for new arrivals and to support community development through providing employment pathways.

Programs to strengthen engagement between schools and refugee parents, including finding ways to improve communication between teachers and parents.

The project team is meeting with Community Hubs representatives to consider how to build on its infrastructure and strengths to address issues about rights in settlement.

Strategies to increase awareness in the general population of the refugee journey and strengthen knowledge of and respect for cultural diversity, to assist in reducing discrimination.

What seems to be difficult is that people don't really understand why you leave your country to come here. But it's not our plan to come here; it just happened . . . So maybe to set up a program . . . for Australians to understand what is a refugee; that your rights have been violated; we went through more difficult things. Most of the people don't know . . . (Refugee community member, Townsville)

CONCLUSION AND NEXT STEPS

The year one workshops provided valuable project data as well as an essential platform for the more in-depth consultations and interviews of the year two fieldwork. With some local variations, separate consultations have been held with adult men and women, male and female youth, and with service providers in each research site. In-depth interviews are also being conducted in each location to contribute to an overall understanding of the issues and follow up particular concerns and questions identified in the consultations.

In the latter part of 2015 and early 2016, the research team will undertake training with diverse groups, to pilot and refine training to meet the information needs about rights and law in Australia identified in the fieldwork. This will be a complementary resource to the existing booklets about human rights in families in Australian law and policy. These booklets are available [on the CRR website](#).

The fieldwork and training resource development is being conducted at the same time as continuing academic research and analysis of the research data, from which further responses to concerns raised in the project will be identified. A number of academic and conference papers are also being written, to contribute to the theoretical framework and conceptual debates around understandings of human rights in refugee settlement. Conference presentations on project findings will take place in Melbourne in October and Canberra in December 2015.

Further dissemination activities at local and national levels are planned for the second half of 2016, as outlined in the Recommendations section of this report. The project will be completed at the end of 2016.

We deeply thank all partners and participants for their contributions to these initial phases of the project.

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REFERENCES

- Doney, G.** (2011) [Hear our calls for action: Report of Dialogues with women from refugee background in Australia.](#) Project report, ANCORW/Centre for Refugee Research, UNSW, Sydney.
- Doney, G, Eckert, R & Pittaway, E** (2009a) [African women talking: we want the best thing for our family.](#) Research Report, Commissioned by ACCES Services Inc, Queensland, Centre for Refugee Research, UNSW, Sydney.
- Doney, G. and Pittaway, E.** (2010) [Its not all right: Rights in refugee families in Australia.](#) Research Report, Centre for Refugee Research, UNSW, Sydney.
- Doney, G, Pittaway, E, and Vu, T** (2009b), [Unsung heroes: An evaluation of AMES' community guides program](#) AMES/ Centre for Refugee Research, UNSW, Sydney
- Doney, G, Pittaway, E, Lee, J, Holtz, K and Aitken, H.** (2010) [Parents' rights, children's rights? Issues for refugee families in Australia.](#) Project report, Centre for Refugee Research, Sydney
- Hugman, R, Bartolomei, L & Pittaway, E.**2011a 'Human agency and the meaning of informed consent: reflections on research with refugees', *Journal of Refugee Studies*, vol. 24, no. 4, pp. 655-671.
- Hugman, R, Pittaway, E. & Bartolomei, L** 2011b, ['When "do no harm" is not enough: the ethics of research with refugees and other vulnerable groups'](#), *British Journal of Social Work*, vol. 41, no. 7, pp. 1271-1287.
- Pittaway, E & Bartolomei, L** 2009, ['Innovations in research with refugee communities'](#), *Refugee Transitions*, Issue 21, pp. 24-27.
- Pittaway, E, Bartolomei, L & Hugman, R** 2010, ['Stop stealing our stories:the ethics of research with vulnerable groups'](#), *Oxford Journal of Human Rights Practice*, vol 2, no. 4, pp. 229-251.
- Pittaway, E & Muli, C** (2009) [We Have a Voice - hear us: The Settlement experience of refugees and migrants from the Horn of Africa.](#) Research Report, Commissioned by the Horn of Africa Relief and Development Agency.