Parents’ rights, children’s rights?

*Issues for refugee families in Australia*

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Introduction

Background to this project

In recent projects of the Centre for Refugee Research, issues of family conflict, violence and separation in settlement have arisen as amongst the most pressing and painful problems being experienced by refugee families and communities settling in Australia. Refugee communities have described how family issues are exacerbated by other challenges facing new arrivals, such as inadequate and overcrowded housing, language difficulties, unemployment, financial stress, and the stresses of adjusting to new physical and social systems. Conversely, family conflict and breakdown contributes to the social, financial, housing and emotional pressures on resettling refugee families, and has adverse effects on physical and mental health, education and employment. It negatively impacts refugee communities, refugee service providers and the broader community.

Concern about challenges facing refugee families resettled to Australia is shared by refugee communities and refugee service providers with whom we work, including Relationships Australia.

In 2010 CRR initiated a project, with Relationships Australia in New South Wales (NSW) as one of three partner organizations, to begin to explore challenges for refugee families and identify policy and practice changes to improve family settlement outcomes. As part of this project, an analysis of data from previous CRR projects was undertaken, which identified four key issues of concern to refugee communities:

- The incidence of intimate partner and family conflict and violence in refugee families leading in many cases to family breakdown and separation;
- Child protection and parenting issues, including high levels of interaction with and fear of child protection agencies;
- Severe intergenerational conflict, in particular between adolescents and their parents, leading to family breakdown;
- The continuing violence and risks experienced by women who enter Australia on a 204 Women at Risk Visa (and other visa categories).

An overarching issue is confusion in newly arrived communities about the meaning of rights in Australia, especially women’s and children’s rights, the responsibilities which accompany these rights, and the legal, social and cultural implications of ‘rights’ for individuals, families and communities.

A second part of this joint project was to conduct community development-based staff and community consultations with CRR’s project partners. The consultations were
designed to explore issues of concern to the participants, and identify a range of strategies to address identified problems, including small, practical projects that could be implemented by the service or by refugee community organisations. The consultations engaged the knowledge and capacity of refugee community members and service providers in identifying solutions to family problems in their communities and client groups, using the Centre’s Reciprocal Research methodology. With Relationships Australia, the targeted family issue explored was child protection and related family issues.

**Reciprocal research consultation**

A day of training and consultation with Relationships Australia (RA) staff was conducted in August 2010. The aim of the consultation was to familiarize staff with the Centre’s reciprocal research methodology in preparation for a consultation with community members. This engendered discussion around the staff’s observations of current experiences of and services for refugee families involved in the child protection system and the resulting impact on families.

In October 2010 a community consultation was held with people from African backgrounds resettled to Australia, in partnership with Relationships Australia and Sydwest MSI. This consultation explored participants’ family life in settlement and interactions with child protection agencies. A group of community members were selected by the consultation participants to attend a meeting with representatives from local service providers (including police, Department of Community Services and Centrelink) in December 2010. The community representatives will present the outcomes of the consultations, including the group’s recommendations to achieve improved.

**This report and next steps**

This report presents the outcomes of the Consultation with refugees from African backgrounds. Outcomes of the consultation with RA staff is available separately. Both reports include recommendations identified by participants to address problems in refugee families. The consultations’ outcomes and the solutions suggested by community members and RA staff highlight the inter-connectedness of family issues with other settlement challenges.
Family life and resettlement challenges in Australia

Resettling refugees arrive in Australia with very diverse backgrounds, skills, family structures and experiences. However, all have faced persecution, violence, deprivation, and violations of their rights that Australians cannot imagine, and on arrival in Australia, all are faced with a multitude of challenges.

This consultation focused on parent-child relationships in families, and interactions between families and child protection authorities. In discussing family problems participants in this consultation identified many settlement challenges that strongly interact with and influence their family life in Australia. It is impossible to consider family issues without considering the context and circumstances in which family life occurs; and settlement challenges and problems deeply and integrally influence family life and relationships for resettling refugees.

While the circumstances for every family are different, participants discussed their experiences of key settlement problems that negatively impact on family relationships, particularly with youth.

- Housing problems – housing that is unsuitable and unaffordable causes financial and relationship problems in refugee families.

- Unemployment – leading to family dependence on Centrelink payments, financial stress and payment to young people of the Youth Allowance - all of which interact to undermine previous family roles and negatively impact relationships, particularly with youth.

- Racism and discrimination contributing to problems in education, job seeking, employment and social inclusion

- Pressure on children and youth, including peer expectations, education problem, high drop out rates and high levels of community freedom

- Centrelink payments to youth not being used to contribute to family expenses; and youth payments often being greater than the payment made to the traditional head of the household.

- Removal of children by child safety authorities, and lack of access to mediation and conciliation before family separations.

Housing problems

A shortage of affordable housing and lack of sufficient income combine to put pressure on living conditions and create stress in families.
“due to the extended family system in the African families, the accommodation is not appropriate to the children we have, the children make noise and fight over the resources and the neighbours call the police and sometimes children are taken away for making noise and disturbing other families. So family structure is one of the problems we have in this country.”

“it is because of accommodation that sometimes children are complaining, the houses are sometimes 2 or 3 rooms with 7 children and their parents.”

Housing stress contributes to young family members spending significant time away from home, or feeling they will be better off living separately from their family.

“Money means resources in terms of housing - to accommodate the large families so that the children will be then more likely to stay at home.”

Housing stress is exacerbated by the way total household income is calculated for Centre link payments, with payments to youth counted as part of the total family income and intended to contribute to family expenses. However many families report that youth believe it is the parents responsibility to cover all household expenses, and do not contribute to family bills including rental payment. This increases the financial stresses within families and contributes to conflict within the family.

**Unemployment**

Participants described the problems they experience in finding employment. They strongly expressed how their lack of employment is a problem not only for them as individuals, but also for their family. Lack of employment and financial resources undermines the parent’s authority and capacity to provide for their children’s needs, and contributes to family conflict.

“If parents are getting employment then they can provide for their children and the children will listen to them. We need money and employment so that we will be seen as a parent”

“Some of us have completed schools and have education from our own areas but when we come here they are not recognized and we need to go back to school. So
what we need here is, when we come as parents let them give us jobs, we feel confident enough to work, and earn money. And when we work and earn money we are able to control our children because our children get to know that we are endeavouring to take care of them”

Barriers to employment for refugees include

- Educational and employment barriers stemming from the refugee experience
- Overseas qualifications and experience not being recognised
- Drivers license is needed for many jobs but the time and financial costs for getting a licence make it impossible for refugees to do so
- Discrimination in job seeking and employment

“When we come here, we don’t have the Australian experience, we can’t get experience if we aren’t given a chance to be able to get into the working force.”

Participants felt strongly that if they were only able to work, many of their problems, including problems with their families, would diminish. The payment of Centrelink benefits to children further serves to undermine the authority of the parent and the respect the child accords them, especially as the youth payment is often more than the payment to the father.

“It is when we work we become useful. When we become useful [our children] must respect us. But when they find out that we are not working and [Centrelink] are giving them money and giving us money and their money is more than ours there is no respect, that’s where the problem is”

“Even what the children get is more than what we the parents get, so it is like we are disempowered, they don’t respect us because their earnings are more than ours”
Racism, discrimination and cultural understanding

Participants described encountering racism and discrimination in many situations, including housing, education and employment. Their children experience bullying and racism at school. They reported that as African adults they are also treated differently, including by the police and in the child protection system, because of their race.

“In the actual Australian culture they have their own problems and they are not being treated in the same way as our community is being treated”

“If you call the police, and you call for help, they know from your tone if you are a migrant and they don’t come on time.”

They felt that there are many challenges in integrating African and Australian culture, but that the expectation is that the changes and learning are all expected to come from their side.

“So when the Australian system tries to force the African culture to change when the traditions are unchangeable, you get this. They don’t mix, one will be up on top the other down”

“You need to go to the source of the problem and if the source of the problem is lack of understanding we need to address that problem. It’s not just about the communities understanding Australia but about the importance of DOCs, and the police and the government understanding families, it goes two ways.”
Refugee youth and family relationships

Influences on youth - schools, peers, Australian culture

Refugee children often adapt to their new surroundings and culture at a much faster rate than the adults in their family, in part due to cultural immersion in the local education system and a strong need to ‘fit in’, especially to avoid bullying. The child’s knowledge and negotiation of the new system can diminish the authority of the parents.

“After we came to Australia, as soon as we arrived in the Sydney international airport, our children don’t listen to us”

“The issue most of us parents are facing is of course, most African families, when they get to school, after 6 months or 1 year it seems the children knows everything what’s happening in Australia, especially the teenagers”

The families spoke of conflicts within the family arising when children adopt customs that are not acceptable to the family’s expectations or culture, furthering cultural confusion and alienation within families.

“The kids think they have right over their families which is contrary actually to the African tradition and is also a conflict of interest among the family members”

“…in African context this is the vision: that parents are the ones that are supposed to lead.”

Parents feel that the message their children get in Australia, from schools, the police and their peers, is that they have freedom, but that no responsibility is attached to that freedom. They feel dismissed and disrespected by both their children and by a system they see as failing to impart messages of responsibility and respect to family and society.

“So according to this child protection system which says that children have got their rights and because of these rights which means that parents have got no rights, they don’t listen they don’t respect us and they don’t consider us to be human beings”

“…So we are confused; so does freedom mean that children have no responsibilities at all, what about other people?”
Parents are however also concerned about the pressures on their children at school, especially for those children who have had limited or no schooling before arriving in Australia, who struggle to keep up in an age-determined school class. They feel this contributes to their children wanting to conform in other ways, and to high school drop out rates among refugee youth.

**Centrelink payment to young people and the impact on family**

“Centrelink gives extra money to kids but fails to tell them their responsibilities”

Consultation participants expressed frustration at the many ways in which Centrelink payments to refugee youth impact on their families. It contributes to a shift in power between adolescents and adults who are already experiencing an overwhelming change in family dynamics.

“We know that Australian children who have stayed longer at home because of the resources, parents working full time and children get support. When we come as Africans it is the reverse, children are getting youth allowance, parents are getting NewStart so now who is the parent and who is the child is not clear”

It provides freedom through money resources to youth, enabling youth to spend money and time away from the family, including on drugs, alcohol or other items not approved by parents.

“They [the children] get the money from the atm, they can use the money, they can go to the train stations, hang with their friends, they can go to the shops and even hang out in the nightclubs which traditionally is not part of our culture, but the parents doesn’t have the right to make the kids stay home and that is really causing a lot of problems in the families”

Parents are concerned that although children are provided with their payments, there is little support to educate them in the use of that money. This is a significant issue as many families have come from environments where they have had no money at all and the
children have no experience in managing money. Without education they also fail to understand their responsibilities in managing money, which parents report often lead to them getting into trouble, for example through fines for ticket evasion. Parents are frustrated that the fallout from misuse of the child’s allowance reflects back to the family.

“When we come with our children they are not used to using money that much in Africa, so when we come here and money has been given to them it is good, we are happy but you cannot give a gun to someone that is not trained, they will misuse it, so giving them the money and they are not being training on how to meet their responsibilities they misuse their money and this brings disrespect to their parents”

“Kids’ turning 16 they are given their right to live on their own by the government, but when they create problems outside they are not treated as adults the problem reflects back to the family...”

Parents also feel the Centrelink system encourages children to live apart from the family; and where the child lives with the family it causes significant family conflict if the child does not understand their responsibility to contribute a share of their income to household expenses.

“His money is going to his account from Centrelink, and we ask them to contribute because the money given by Centrelink is for the family not for him to be pocket money. So when we asked him to contribute at home they will say “I don’t care, otherwise I will call the police”. This is what is happening in our families”
Interactions with police and DoCS

“We ran from our homes for fear of persecution, intimidation and harassment but still what we experience in this country is the same thing because of the intervention of the community services and police”

The community members expressed deep concern about the impact of child protection systems on their relationships with their children. They see their capacity to effectively parent as undermined by threats of intervention by police and DOCS. They see the child safety messages their children receive as distorted and a source of disempowerment and confusion, including because of the threat and misuse of “000”.

“The child will be given triple zero and will be told if something happens push these three buttons and the police will come and assist you. Sometimes the children push the three buttons and then the police come get the children. They will make up a story that my mum is doing this, they are not protecting me, they do not give me food, and abusing me and DOCS will step in they won’t get the whole picture of the problem at home from the parents so what they do is just to remove the children.”

The participants feel they are treated differently by the system because they are African: that assumptions are made about interactions within African families. They feel that as parents their voices are not heard and that in the face of the child protection system they are powerless. They feel under attack as Africans and refugees and that family separation is too easily seen as the only solution rather than mediation or reconciliation.

“The government they interfere without knowing the problem inside, you can’t judge the book by its cover you need to read what’s inside but the police and DoCS they just read the outside and they end up asking the family to split. The mother runs in this direction, the father in the other. They just say we don’t need domestic violence they don’t know what’s going on inside”
“Having difficulties with communication this is one of the strongest priorities; wherever the problems is approached by police or DoCS or the schools the problem is not being addressed, they are not looking into solutions for the problem the children are just being taken away”

“The biggest problem facing the community is the situation with DoCS once again, when teenagers tell of their stories at home or make up stories they are taken away and put in another place, they leave them to do whatever they want with no rules”

“…We have different family units, they have a different make up and before you know it the guns, the fire dept the police are coming to attack, as if there’s a war zone, they are under attack”

“Things that should be handled within the family, the police take it as their responsibility to intervene in a very heavy handed manner, and most of the time the consequence is that the children are being
taken away from the parents, that is the major problem, police intervention in community affairs not being sensitive to what happens within the family”

“You see the children are down and parents are up, the weight...balancing. Here if you look down here you will see that children are being supported by the police and DOCS and Centrelink and the impact of not listening to the parents leaves their demands in suspension, no one listens to them”
Impacts of child removal - risks to children, impacts on parents

“It’s as if I am alive but I am dead because of my kids’ issues”
“When you separate the family it leaves the parents with feelings of powerlessness, you feel so powerless that you have come to a country that is strange to you and people are now coming to run your family on your behalf, particularly the men, because when you do that they no longer feel like they are the head of the family, they feel powerless and there is some frustration on everybody and there is division in the family because the family is no longer united”

“Because if you take the child from the mother it’s like you kill her, you are pushing her to be crazy she is going to be so depressed”

“...why are we denied our rights to bring up our children?”

“[We are] very concerned about children being taking away whilst children are breastfeeding, that is the biggest human rights violation. That is inhumane to take the child away from their mother, especially when they are being breastfed, who is going to breastfeed this child, who is going to nurture them?”
Participants expressed concern that the child protection system has negative impacts on families and on parents, but that it also fails to achieve what it purports to achieve – safety and better outcomes for children. They are concerned about the lack of supervision and support for children removed from their family or choosing to live independently, with school drop outs, street life, drug and alcohol use and teen pregnancy among their concerns.

“They children, after they are taken away they are left like frogs to survive in the world on their own, they can’t really make decisions. Some families believe that they are like frogs surviving in the wilderness...the streets.”

They also expressed strong concern that children placed in care are placed in an environment alien to the family’s culture, making sustainable reconciliation at a later stage even more difficult.

“If the small children are taken away from the mother they are going to put them in different culture, different from Sudanese community, if they put them in the community then they have the same culture so now when the children come back they are not listening to their mother because they have not been in a different culture”
Suggestions for change

Prevention and Communication

• Focus on prevention of problems
• Help families live together rather than separating them
• Intervention steps to be taken prior to police involvement
• Address problem of misunderstandings through improved communication
• Empower and support parents

“the first solution is to give the family support so that they will be united with a common purpose”
• Consult with African elders to explain African communities and culture
• ‘roundtable’ discussions between community elders and parents

“The solution is a round table, with all the people – mothers, fathers, elders, church leaders but our table decided not to have the police, DOCS or Centrelink because they just wanted the community. Because in their community they know the culture, the elders have rights to tell the family you have to do this and they know what is going on inside the family”

• Community leaders need to be involved in the settlement process of newly arrived refugees

“We see the solution as the leaders of the community who should be looking after these teenagers not left to their own decision making…”
• Allocate a social worker to support each family and assist them to solve problems

“If a mother has a problem with the child and she has just settled in this country she does not know fully the rules of this country we believe the government should assign a social worker to that woman to teach her how to take care of her children, to teach her what to do when the child misbehaves instead of taking the child away from her”

Service providers

• Education about youth allowance for families – youth and parents

• Multicultural police force

“The police force in Australia does not presently represent the multi cultural nature of our country, most of the police officers come from an Australian background...fast track Africans and other migrants into the police force, so then when we see the police force we will think that they are part of us not people coming in to separate our families”

• Services and organisations working to empower parents

“Respect the rights of families to bring up their children according to their cultures and beliefs”

• Improved training for migrant resource centre employees

• Cultural awareness training for DoCS employees and foster care parents

• Face-to-face education regarding available services and organisations

• Improved cooperation between community leaders and service providers “Train community leaders as liaison officers to address minor issues involving family conflict”
Practical assistance

- Financial education for parents and children
  “we need training, we need train the parents on handling money and training children on how respect their parents by meeting their responsibilities at home, paying their bills, paying the rent...”

- Improved counselling services
  “We love our children. We want our children to grow up. We want to teach them, we want them to be good children”

  “Provide counselling services, and meet with elders and other prominent people from the community before taking away the children”