

# Culturally appropriate service provision for children and families in the NSW child protection system

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## Introduction

In July 2007 Community Services commissioned the Social Policy Research Centre (SPRC) at the University of New South Wales to conduct a large scale research project on how to best meet the cultural and linguistic needs of children and families in the child protection system.

This Research to Practice Note draws out key practice implications and strategies for working with CALD families in culturally appropriate ways based on the literature review, 'Culturally appropriate service provision for culturally and linguistically diverse children and families in the New South Wales (NSW) child protection system (CPS)<sup>1</sup>'.

The broad aim of the research was to bridge the gap in research and knowledge on the needs of CALD children and families in the child protection system.

The lack of research on specific cultural groups or cultural issues in Australian child protection<sup>2 3</sup> has raised significant attention for research into the needs of culturally and linguistically diverse (CALD) groups. In light of this unmet need, Community Services has made a commitment to establish evidence based practice and policy for CALD communities.

## Background

### The general experiences, challenges and needs of CALD children and families in Australia

The hardships and stressors migrants experience can impinge on their ability to provide good care for their children. Having an awareness of common stressors migrant families perceive or experience can help increase sensitivity to their cultural needs.

The literature identified a number of stressors CALD families experience. These are:

#### *Migration stress*

CALD families migrating to a new country often experience language barriers, insecurity about finances, employment and housing, a lack of traditional support mechanisms such as family and friends, and racism or misunderstandings due to cultural differences. Second and third generation CALD families are also not immune to these stressors.

#### *Acculturative stress*

Acculturation is a dynamic process that is reactive to developmental, contextual, and societal factors<sup>4</sup>. A source of stress for immigrants across generations is the conflict they experience between cultural preservation and cultural adaptation, often resulting in them feeling like they are leading double lives<sup>5</sup>.

#### *Displaced sense of belonging and cultural identity*

Individuals who are visibly different from the mainstream community may question their sense of belonging and cultural identity<sup>6</sup>. Regardless of how long immigrants and refugees have lived in Australia, they feel distinct from other Australians because of cultural practices and beliefs, language, race, physical appearance, religion and skin colour being the most significant<sup>7</sup>.

Individuals from CALD backgrounds may feel and identify themselves as Australian, but mainstream Australians and CPSs may treat them differently which can make them feel socially excluded.

### ***Racism and discrimination***

Racism refers to the pre-judgement of an individual from a racial group based on a negative stereotype<sup>8</sup>. Discrimination refers to the enactment of racism.

Perceived and actual racism and discrimination across NSW can be a significant stressor for CALD families. At the individual level racism can be exemplified by racial taunting or scape-goating and failure to commit to equal opportunity and multicultural policies at the institutional level.

### ***Intergenerational conflict***

The process of acculturation can create intergenerational tension within CALD families. Conflict between children and their carers can result if children reject traditional values and integrate with the local culture<sup>9</sup>, which can bring CALD children to the attention of CPS. Intergenerational conflict can also produce role reversals where children act as mediators and/or interpreters for their caregivers.

### ***Low English proficiency***

Low English proficiency can limit the capacity of CALD families to integrate socially and economically in Australia. CALD families may not actively seek out support services because they lack English proficiency and are not aware of what is available to them or local services do not disseminate information.

Agencies need to promote their services in a 'culturally friendly' way and provide translated information pamphlets to avoid systemic barriers where families do not uptake services which then could give rise to child protection issues.

### ***Insufficient awareness of institutional systems and local services available***

Some CALD groups, particularly newly arrived immigrants, may not be aware of how child protection works and the operations of institutional systems. Low English proficiency prevents or inhibits awareness of available services and results in individuals not actively seeking out services.

### ***Loss or lack of extended family, social and community supports***

Newly arrived immigrants often lose their extended family and other community supports and accessing family support in the new country can be affected by whether there is an established CALD group. Some CALD groups are strongly collectivistic and are more likely to rely on the family and community support that is available in line with collectivistic values of the family rather than on the state.

### ***Socioeconomic disadvantage***

Poverty and unemployment are significant stress factors for CALD groups, particularly newly arrived immigrants and can contribute to the likelihood of child abuse<sup>10</sup>. The impact of economic stress can reduce parents' responsiveness, warmth and supervision and increase the use of inconsistent disciplinary practices and harsh punishment.

## **Cultural appropriateness practice**

### ***Cultural sensitivity and cultural awareness***

Cultural sensitivity requires an awareness of one's cultural needs, ethnicity, culture and religious beliefs<sup>11</sup>. Cultural identity in CALD families is central to group membership and personal identity. CALD families can feel misunderstood if workers see their cultural practice as being inappropriate. This can result in families becoming defensive and feeling pressured to conform to practices and

values of another culture instead of recognising or acknowledging the harm their parenting is causing their children.

It is important for workers to be aware of their personal judgements. Mislabelling parent behaviour that is culturally normal, by applying western values, can cause additional trauma and social harm to abused children<sup>12</sup>.

Working with CALD children and families requires understanding their unique needs, being culturally sensitive, and not imposing ethnocentric values and unnecessary interventions. Workers can overlook child maltreatment and misdiagnose it as a normative cultural practice in order not to be seen as racist or culturally unaware. It is important for workers to avoid false positives and false negatives.

Fear of being labelled culturally unaware can impact on caseworkers' ability to manage CALD families who are in denial of abuse or neglect in the home. If the safety of the CALD child in their parents care is compromised without a doubt then they should be removed. However if there is ambiguity about the severity of abuse and neglect then caseworkers need to assess whether the parenting norms for CALD families have been violated.

### ***Child centred approach***

A child centred and family focused approach values children and their right to be kept with their parents. Parents should be seen as having the responsibility to care for their child's safety, as compared to a right to care for their children.

In decision making, when child abuse or neglect is substantiated, caseworkers must weigh up the severity of harm against the trauma that would incur to children removed from their parents<sup>13</sup>.

### ***Best interest of child***

Children's best interest is focusing on the experience of the child rather than on the intent of the caregiver<sup>14</sup>. A decision to intervene may not be in the child's best interest if it causes more trauma to the child.

Separating children from their family can be a greater source of harm to the CALD child or their family. State intervention in the family life of an already-oppressed group can leave children vulnerable to all forms of abuse<sup>15</sup>.

### ***Cultural competency***

Often CALD caseworkers are seen as 'cultural experts' and relied upon to work with CALD families. All workers though have the responsibility to address the cultural needs of CALD families. It is important to be self aware and understand any personal bias, prejudices and, racist thoughts and feelings<sup>16</sup>. Gaining cultural competency training assists in working more efficiently and effectively with CALD clients.

## **Practice implications**

- Demonstrate your awareness of how acculturative stress may underlie or contribute to immigrants cultural context and challenges in Australia.
- Be aware and celebrate cultural difference and acknowledge human sameness
- Be aware and acknowledge that perceived and actual racism and discrimination can be a significant stressor for CALD families and avoid downplaying its effect because of the discomfort it gives to them or the family.
- Remain mindful of how intergenerational conflict can give rise to challenges such as culture clashes and role reversals between children and their carers.
- Clearly and explicitly tell CALD children and families upfront that they represent Community Services and their role is to protect children from harm and abuse and that they have the authority to remove children based on what families say.

- Let CALD children and families know that you are aware that your presence may remind them of past experiences but that these are not relevant to their current circumstances.
- Help CALD families understand the role, practices and policies of Community Services and other agencies, institutions and organisations.
- Let CALD families know that all matters are kept confidential, unless required by law.
- Provide translated pamphlets and information about family and relationship services available in the local community.
- Be aware how you respond to a CALD accent and do not assume that the person needs an interpreter.

## **Common issues of CALD children and families in the child protection system**

### ***Lack of Awareness about Community Services and its statutory power***

CALD families may not be aware that Community Services has the statutory power to remove children and as a result freely disclose personal information about dysfunctional family patterns. In comparison families who are aware of Community Services role have informed choice of what they wish to disclose.

### ***Fear of authority***

CALD families can have misconceptions of the role of Community Services and may fear them due to negative experiences of authorities in their home country.

CALD families may have a fear of Community Services because of the shame it can bring onto their family name and do not want to lose face with the extended family and wider community.

### ***Common issues when selecting an interpreter:***

All ethnically matched interpreters may not always offer the assumed cultural support, empathy and understanding to CALD families, because of regional, class or religious differences between sub-groups from the same ethnic background.

Gender matching the interpreter with the client family may be necessary because of cultural norms or in domestic violence or sexual abuse circumstances where it may be inappropriate.

Caseworkers in NSW are required to use an interpreter and not depend on a child, friend or relative to translate. It is unethical and unprofessional to use children as interpreters. A child may not understand the exact nature of the problem being discussed and parents may not want children to know everything about their particular problems or it may be inappropriate for them to know<sup>17</sup>.

### ***Tensions for CALD children and families in the child protection system***

CALD families may feel misunderstood by a non-ethnically matched caseworker. Ethnically-matched interpreters can more accurately represent the voices of CALD families and offer empathy and understanding of cultural nuances in their interpretation. CALD families can see support as intrusive<sup>18</sup> fearing a breach of confidentiality and lose standing in the community.

In traditional gender role cultures where men are considered superior to women, women may fear reprimand if they tell of the abuse occurring at home, despite wanting to seek help. This may be exacerbated in cases where sexual abuse either for women or children is raised<sup>19</sup>. Not all families abide by strong gender roles so it is important not to stereotype the individual family as 'traditional'.

Children who are experiencing abuse and/or neglect by one or both of their caregivers may want to seek assistance and protection from Community Services but due to intergenerational conflict between their caregivers and themselves they fear if they tell it may compromise the family name and standing in the community and therefore downplay the magnitude of the family dysfunction and risks to themselves.

The relationship between the worker and family and the personal and professional qualities of the workers, is the major contribution to personal satisfaction for CALD families in the child protection system<sup>20</sup>. Demonstrating cultural awareness, sensitivity and competency are crucial for helping to overcome any fear that CALD children and families may have about caseworkers not being aware of, misunderstanding or disrespecting their cultural needs.

Characteristics of professionals that are viewed favourably by clients are accuracy, honesty, empathy, warmth, genuineness, reliability, being a good listener, providing accurate and full information about services available and agency processes and being available at times of stress.

Also being sensitive, open-minded, respectful, acknowledging that they do not always have the answer, seeking advice from the same community or faith group who speak the same language, and who are not arrogant or superior.

It is important to de-centre your own cultural values and norms to make sense of and avoid making 'moral' judgements on the needs of other families. If families view workers as racist or having negative stereotypes about them and feel they are expected to conform either overtly or covertly to the mainstream family norm, they will reject them and become defensive for overlooking their family needs and judging their culture.

Collectivist families strongly resist interference in family lives by outsiders and child rearing practices are considered strictly the family's own business. It is important that CALD families feel safe that Community Services workers are there to assist their family rather than remove their children.

### **Practice implications**

- Acknowledge CALD families may not be proficient in English and speak to them in a respectful manner
- Be aware of intra-group variations provide families with choice whether the interpreter is ethnically matched or only linguistically matched.
- Offer CALD families the opportunity to request a gender matched interpreter if required or appropriate.
- If a CALD family wishes to use a trusted confidante they should be used in conjunction with accredited interpreters.
- Do not raise or repeat information in a disrespectful way. Do not correct the person's grammar.
- Make sure CALD families are aware that using an ethically-matched interpreter may cause them to fear a breach of confidentiality and assure them that interpreters are accredited and must keep all matters confidential except by law.
- Offer CALD families who speak another language from a different country the option of having a non-ethically matched interpreter.
- Offer CALD families the option to select a trusted person to act as a confidante and interpreter in conjunction with accredited interpreters.
- Caseworkers can also get support from ethno-specific workers or organisations.
- Tell the person that you understand fear is in part related to cultural factors, specifically if the community was to hear of the abuse it would compromise the family's name.
- Probe the family to gauge the extent they perceive or experience their fear as a result of cultural pressure to remain silent about the abuse compared to their fear of the abusive spouse/partner as disclosure to an authority can invite more abuse.
- Remind the victim of abuse (physical, emotional, sexual) that abuse happens to women of all cultures and extensive support is available in the community to help them. This can decrease any isolation they may feel.

- Let children and parents know that you understand they have different needs. Both children and parents can benefit from mediation from the caseworker to facilitate overcoming family barriers.
- Obtain training in cultural awareness and sensitivity
- Share information you have acquired with CALD families and ask them about the extent cultural norms are relevant to the family.
- Be aware of cultural factors that may be influencing the family's circumstance and ask them to reflect on these.
- Obtain training in cultural competency and gain a sense of efficacy for being able to interact with CALD groups from a variety of backgrounds without extensive information about that group.
- Assess the strengths and weaknesses of CALD groups and give due weight to the protection offered by the family.
- Do not impose individualistic cultural norms and values about self sufficiency over family dependency.
- The general principal is to keep families together unless there is current safety and future risk of harm to CALD children.

## Conclusion

This research to practice note explores the experiences, needs and challenges of CALD children and families in the child protection system and provides strategies for caseworkers working with CALD families.

CALD families often have a lack of awareness about Community Services and their statutory power and have a fear of authority due to past experiences. They also fear a breach of confidentiality with ethically matched interpreters and shame on family.

In a traditional gender role women can fear abuse by a paternal caregiver despite wanting to seek help. Intergenerational conflicts between children wanting to seek help and caregivers wanting to protect the family name.

The issues for caseworkers is determining and assessing instances of abuse or neglect in the best interests of the child for CALD children coming who have caregivers with different parenting styles and norms, while adhering to child protection law.

It is crucial to have timely interpreters trained in and sensitive to the needs of families in child protection. It is important not to heavily rely on CALD caseworkers as being the 'cultural experts'. In overcoming risks training in cultural competency will help caseworkers and managers work more efficiently and effectively with CALD families and children and not attribute blame for the occurrence of abuse or neglect for a CALD child to their culture.

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