Culturally and linguistically diverse engagement principles
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Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
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The Disability Royal Commission carries out its work on the traditional lands of First Nations peoples. We pay our respects to Elders past, present and future, and we acknowledge the ongoing endurance and resilience of First Nations peoples including First Nations people with disability. We carry out our work so that we may contribute to a more just and inclusive Australia.

*Respectful Listening* by Wiradjuri artist and lifelong disability advocate, Uncle Paul Constable Calcott.
Our purpose

The Royal Commission was established on 4 April 2019 to inquire into:

• what governments, institutions and the community should do to
  ◦ prevent and better protect people with disability from experiencing violence, abuse, neglect and exploitation, in all settings and contexts
  ◦ achieve best practice to encourage reporting of, effective investigations of, and responses to, this conduct (including addressing failures in, and impediments to, reporting, investigating and responding to such conduct)

• what should be done to promote a more inclusive society that supports the independence of people with disability and their right to live free from violence, abuse, neglect and exploitation.

In carrying out its work, the Royal Commission must have regard to a number of matters, including:

• all forms of violence against, abuse, neglect and exploitation, of people with disability, whatever the setting or context

• all aspects of quality and safety of services, including informal supports provided by governments, institutions and the community to people with disability, including the National Disability Insurance Scheme and the NDIS Quality and Safeguarding Framework agreed by all Australian Governments in 2017

• the specific experiences of violence against, and abuse, neglect and exploitation of people with disability as they are multi-layered and influenced by experiences associated with their age, sex, gender, gender identity, sexual orientation, intersex status, ethnic origin or race, including the particular situation of First Nations (Aboriginal and Torres Strait Islander) people and culturally and linguistically diverse people with disability

• the critical role of families, carers, advocates, the workforce and others play in providing care and support to people with disability

• examples of best practice and innovative models of preventing, reporting, investigating or responding to violence against, and abuse, neglect or exploitation of, people with disability

• the findings and recommendations of previous relevant reports and inquiries.
Culturally and linguistically diverse people with disability

In addition to our rich First Nations people’s cultures and languages, Australia is a nation built on and enriched by the migrant experience and is consequently one of the most diverse countries in the world.¹ Since the post-war migration boom in 1945 seven million permanent migrants have settled in Australia, contributing economically and socially to create a vibrant, multicultural nation with over 270 ethnic groups.² This Royal Commission acknowledges the great strengths that cultural and linguistic diversity and multiculturalism bring to Australia and the positive contributions of migrants that Australia has benefited from.

Culturally and linguistically diverse people account for almost one third of Australia’s population.³ Available data suggests that culturally and linguistically diverse people with disability have similar rates of disability to that of the broader Australian population.⁴ Despite this, our work to date indicates there is a lack of data and research regarding culturally and linguistically diverse people with disability. The Royal Commission Terms of Reference specifically require us to find out more about the situation of culturally and linguistically diverse people with disability and their experiences of violence, abuse, neglect and exploitation and the barriers that may increase their risk of exposure.⁵

People with disability from culturally and linguistically diverse backgrounds are not just one community. Diversity exists both within and across Australia’s culturally and linguistically diverse communities, with people belonging to many different cultural groups with different needs, experiences and views.

Hearing first hand from a broad range of culturally and linguistically diverse people with disability, their families, carers and advocates about their experiences of violence, abuse, neglect and exploitation is vital to the work of the Royal Commission. We understand that trust is critical in this process. It is also important that we listen to the experiences of the broader communities including cultural and faith leaders, community groups and organisations within the culturally and linguistically diverse disability and the multicultural sectors. To help build this trust, the Royal Commission approach to engagement will be culturally appropriate, responsive and safe, ensuring that culturally and linguistically diverse people with disability are at the centre and are provided with supports that reduce barriers and enable their participation throughout this inquiry.
What we mean by culturally and linguistically diverse

The Royal Commission uses the term culturally and linguistically diverse to describe and reflect the diverse range of people from culturally and linguistically diverse backgrounds. The Royal Commission will use an inclusive definition that encompasses:

• people born in a non-English speaking country and who have a cultural heritage different from the dominant Australian culture

• migrants and refugees (including asylum seekers) who identify as being from a culturally and linguistically diverse background. This includes those who are recently arrived as well as those who have lived in Australia for some time

• people born in Australia who identify as being from a culturally and linguistically diverse background, even where their families have been settled for several generations

• people with dual heritage.

We also recognise that people who are deaf or hard of hearing and who use Auslan or another sign language as their first language share a distinct, rich culture and language. Some members of the Deaf community identify as being culturally and linguistically diverse.
Australia’s culturally and linguistically diverse landscape

The 2016 Census identified:

- **28%** of the Australian population were born overseas
- **49%** of Australians have one or both parents born overseas
- **300** languages spoken in Australian homes
- **21%** of Australians spoke a language other than English at home.
  - After English, the next most common languages spoken at home were Mandarin, Arabic, Cantonese and Vietnamese
- **83%** of the overseas-born population lived in a capital city compared with 61% of people born in Australia
  - Sydney had the largest overseas-born population
- **1.4 million** Centrelink customers were born overseas in over 240 non-English speaking countries

Figure 1: Australia’s culturally and linguistically diverse landscape infographic.
What we know

‘People from culturally and linguistically diverse backgrounds – in particular newly arrived migrants such as refugees and special humanitarian entrants – can be particularly vulnerable. Those with disability are likely to experience multiple disadvantages. Lack of accessible information, communication difficulties or cultural sensitivities and differences can create barriers to services and support.’ –


Our research so far reveals that:

• people from culturally and linguistically diverse backgrounds have rates of disability, and profound or severe disability, similar to the rest of the Australian population

• around 29% of people living with profound or severe disability in Australia are considered to have a culturally and linguistically diverse background

• 25% of people with profound or severe disability don’t speak English at home

• more culturally and linguistically diverse people with disability live in major cities than regional or remote areas

• people with disability from culturally and linguistically diverse backgrounds have historically had much lower use of disability services – about half to one-third of Australian-born people – despite no evidence they needed less help

• Australia is resettling more people with disabilities due to changes in visa health requirements.

Building evidence and understanding

We do not have a complete picture of the experiences of people with disability from culturally and linguistically diverse backgrounds. This is because there are gaps in data due to inconsistent methods of collection and limited academic research written about culturally and linguistically diverse people with disability. A number of factors contribute to this lack of information and understanding about culturally and linguistically diverse people with disability, including:

• that the diverse range of culturally and linguistically diverse people with disability in Australia may not understand the word ‘disability’ in the same way as people who are not from a culturally and linguistically diverse background
• a lack of familiarity about formal disability supports among people from culturally and linguistically diverse communities, particularly those from new and emerging communities, which may impact on our understanding of how disability is managed in culturally and linguistically diverse communities

• a lack of accessible information, language barriers and cultural practices might impact the way people with disability from culturally and linguistically diverse background understand disability and how it is managed

• a preference among some people with disability from culturally and linguistically diverse backgrounds for informal care arrangements such as family and community.

In order for the Royal Commission to develop a more comprehensive understanding of the experiences of culturally and linguistically diverse people with disability, data and research will be one focus of our inquiry.
Barriers to engagement and priority groups

In addition to acknowledging that the migration journey can be a life-changing experience, available evidence suggests that some people with disability from culturally and linguistically diverse backgrounds may face multiple barriers because they belong to particular groups. These groups may be especially vulnerable and marginalised, with individuals more at risk of exposure to violence, abuse, neglect and exploitation. Acknowledging these barriers will help the Royal Commission develop engagement strategies that are fit for purpose:

- Culturally and linguistically diverse women with disability may be more vulnerable to violence and abuse, including forced sterilisation, use of sedation and restraints and financial abuse.\(^{12}\)
- Culturally and linguistically diverse women with disability are also less likely than other women to report acts of violence, particularly domestic violence and sexual assault.\(^{13}\) This may arise due to multiple barriers, including linguistic and cultural barriers and lack of knowledge of the criminal justice system.
- Young people with disability from culturally diverse and linguistic backgrounds face intergenerational and cross cultural challenges which may compound their vulnerability.\(^{14}\)
- Men from a culturally and linguistically diverse background face issues of isolation, exploitation in the workplace and social isolation, which can lead to neglect and poor health and mental health outcomes.\(^{15}\)
- Culturally and linguistically diverse people with disability in new and emerging communities including refugees or asylum seekers, face compounding issues such as intergenerational trauma, past experiences of torture and trauma, poor health literacy and distrust of and/or unfamiliarity with complex Australian service systems. This may reinforce a reluctance to access formal support services.\(^{16}\)
- Asylum seekers also face uncertain immigration pathways and outcomes which, whilst unresolved, may mean a reluctance to identify as having a disability for fear this may impact on visa status, as well as an inability to access services available to permanent residents (for example, the health system and NDIS).\(^{17}\)
Our Commitment and Approach

Violence, abuse, neglect and exploitation of people with disability is a whole of community issue and affects people from all cultural backgrounds. The Royal Commission wants to engage with culturally and linguistically diverse people with disability, their families, supporters and advocates in ways that proactively enables their involvement in its work.

People with disability will be central to our engagement and it is critical that a diverse range of voices are heard. This will help to ensure the experiences of culturally and linguistically diverse people with disability are reflected in Royal Commission work and reports.

We recognise there are considerable challenges to people speaking out about their experiences, including the distress it may cause. There may also be cultural understandings around making complaints and dealing with conflict, which differ from the approach or expectations of the dominant culture. We are committed to providing supportive processes that are safe, build trust and are culturally appropriate. We will do this in two ways.

Hearing your voice
1. Empowering individuals and their supporters

We will:

• be mindful that terms such as disability, violence, abuse, neglect and exploitation may not be well understood and/or may be confronting or distressing
• use culturally inclusive language and other approaches such as multicultural media to inform people’s understanding and awareness of the issues and support them to share their stories
• build the cultural capability of Royal Commission staff
• promote and use professionally qualified and accredited interpreters
• recognise people’s strength and resilience
• acknowledge the central role families and communities play in many cultures
• seek feedback from people with disability from culturally and linguistically diverse backgrounds regarding our engagement.

2. Connecting with communities

We will:

• use the expertise of a diverse range of community organisations and leaders, including faith leaders to ensure that our engagements are culturally appropriate, and effective in encouraging people to participate in Royal Commission work
• use existing cultural events (arts, sport, festivals, feasts, cultural cafes) to promote awareness of Royal Commission work
• use community outreach approaches to meet people with disability in their own communities
• co-design engagements with culturally and linguistically diverse people with disability and their advocates where possible.
The Royal Commission has drawn its Guiding Principles from a range of sources and in particular, acknowledges the Accessibility Strategy and the expert insights from those organisations who participated in our consultation process and national roundtable on 26 May 2020.

The following principles provide guidance to the Royal Commission to assist us in ensuring that we follow a process of meaningful engagement and reflect our priority of genuinely listening to and working alongside culturally and linguistically diverse people with disability

Applying a disability-led approach

Culturally and linguistically diverse people with disability and those who live with disability, including parents and family members, will be at the forefront of the Royal Commission work. We will:

• ensure recognition and respect for culturally and linguistically diverse people with disability, recognising they are experts regarding their own experiences and how their culture shapes those experiences and their wellbeing
• use the cultural knowledge and strengths of people with disability
• recognise that the term ‘disability’ and beliefs about physical and emotional well-being vary between individuals and between cultures, and may influence people’s understanding about rights
• ensure culturally and linguistically diverse people are at the centre of our engagement purposes whose collaboration and specific viewpoints are sought
• respect cultural norms and conventions by ensuring, where appropriate, consideration is given to the roles of individuals, families and community.

Ensure engagements are culturally appropriate, safe and trauma informed

We will create a culturally safe environment where cultural diversity is valued, and participants feel safe to express their views. We are committed to engagement that is culturally appropriate, safe and trauma informed and will:

• recognise the diversity and uniqueness of culturally and linguistically diverse peoples with disability, including their different languages, cultures, religious observances/faiths, histories and differing migration experiences
• seek to create trust in the Royal Commission by ensuring our engagements are undertaken in ways that are respectful of community, social and cultural contexts
• seek to ensure that culturally and linguistically diverse people with disability, their families and communities share their culture and cultural expertise

• ensure participants receive culturally appropriate support throughout their interactions with the Royal Commission and that there are safe ways for people to withdraw from participation should they experience distress.

Applying a rights-based framework

In conjunction with other national legislation, Royal Commission engagements are underpinned by international obligations:

• recognition and respect for the human and civil rights of culturally and linguistically diverse people with disability, as enshrined by key instruments such as the United Nations Convention on the Rights of Persons with Disabilities, International Covenant on Economic, Social and Cultural Rights and International Convention on the Elimination of all forms of Racial Discrimination

• respect for individual rights and self-determination, and respecting and responding sensitively to cultural identity, values and responsibilities

• recognition of prior and informed consent and respect for an individual’s autonomy and right to participate (or not) in engagements and to nominate appropriate support person/s

• respect for, and facilitation of, a person’s right to share their stories and experiences in their first language and by other means which enable participation.

Supporting cultural diversity and inclusiveness

The Royal Commission supports the practice of inclusive and accessible engagement with culturally and linguistically diverse people with disability and will:

• aim to ensure engagement is based on the priorities and aspirations of culturally and linguistically diverse people with disability, their families, advocates and communities and is underpinned by an approach that supports their perspectives

• ensure our engagements acknowledge differing views which may reflect the cultural context (for example the concept of disability, domestic violence as taboo and gender roles)

• recognise and seek to engage with identified vulnerable groups such as young people, women, LGBTIQ+ and those who face multiple and additional barriers

• recognise the differing perspectives of culturally and linguistically diverse community members from a range of ages and specifically acknowledge and consider the views and experiences of young people as distinct from older people in their communities.
Participatory, accessible and responsive engagement

Through culturally safe and inclusive engagements we will seek to provide opportunities which maximise participation and build trusted relationships and mutual respect by:

- being aware of the complexities of communicating with people from culturally and linguistically diverse backgrounds, we will seek to facilitate accessible and responsive communication, including the use of a person’s first language, appropriate interpreting and bilingual services that respect community and cultural sensitivities
- observing community values, norms and protocols including ensuring appropriate consultation and negotiation of processes and involvement
- recognising that culturally and linguistically diverse people with disability and other stakeholders are equal participants in our engagements
- seeking out a diverse range of community and faith leaders and organisations with strong and trusted community connections to assist us with developing targeted engagement activities and reaching people with disability from culturally and linguistically diverse backgrounds
- seeking feedback from culturally and linguistically diverse people with disability on our engagement methods to ensure continuous improvement.
To complement our Engagement Principles, the Royal Commission will develop an action plan to ensure our principles become practice. The Royal Commission is committed to continuous improvement and will monitor our progress and seek feedback on our work.
Endnotes
