Recommendations for improving cultural competency when working with ethnic minority families in child protection systems in Australia

Abstract

Australia's research and knowledge base on cultural competency has been slow to develop. To help address this gap, the New South Wales (NSW) Department of Family and Community Services (FaCS) funded a large scale study in this area, which included a detailed literature review. The paper reports on key findings from that review including that collectivist values are at odds with 'child-centred' philosophies of child protection; there is an inherent tension between the right to equal protection from harm and the right for respect in cultural differences in parenting and family functioning ('cultural absolutism' versus 'cultural relativism'); there are factors that uniquely characterise 'the migrant context' (especially lack of awareness of child protection laws and systems, economic disadvantage, and fear of authority); and that cultural competency is separable from cultural awareness and cultural sensitivity, and also different from addressing language barriers. However, in reviewing the literature it became apparent that the specific roles and responsibilities of workers, agencies, and systems were not clearly delineated. Thus this paper also aimed to address this unmet need. Identifying their unique roles and responsibilities can help ensure that the delivery of child protection services are efficiently and effectively mobilised from both the 'top' and 'bottom' to benefit all ethnic minority families. Moreover, any implementation of cultural competency needs to move beyond the emphasis on culture and acknowledge the dimensions of inferiority and oppression to truly promote value for diversity and protect ethnic minority children from the dangers of systematic disadvantage that institutional racism represents.

Keywords

1 Introduction

1.1 Background: Why was this literature review conducted?

In 2009 the New South Wales (NSW) Department of Family and Community Services (FaCS) estimated that 15% of children in the child protection system were from families that spoke a language other than English (LOTE) at home, and that when adjusted for the large over-representation of Indigenous children (at approximately 25%) the proportion of LOTE children increased from 15 to 20%. This is nearly on par with the representation of people from non-English speaking backgrounds (NESB) in Australia's general population at 24% (Australian Bureau of Statistics; ABS, 2007). Yet despite the relatively proportionate representation of ethnic minority families in the child protection system, little research has been conducted on their needs and how best to meet them.

The lack of research in this area is widely acknowledged among researchers and policy makers in Australia (Myfanwy, Higgins, valentine and Lamont 2011; Bromfield & Arney, 2008; Cashmore, Higgins, Bromfield and Scott 2006; Babacan 2006; Kaur 2007, 2012). In comparison, the body of literature on cultural competency is more developed in comparable white majority but still multicultural countries like the USA (e.g. Korbin 2008; Connolly, Crichton-Hill and Ward 2006; Fontes 2005) and UK (e.g. Maitra 2006; Thoburn, Chand and Proctor 2005; Owusu-Bempha, 1999). Having said that, in 2002, Welbourne of the UK commented that "culturally competent practice with a strong commitment to the principles of empowerment and of countering oppression and discrimination is so fundamental in child protection interventions that one might expect a well developed literature on the subject … in fact the literature is surprisingly small" (p. 345). It seems then that the literature has been slow to develop across multicultural countries, but particularly so in Australia.

One reason that may account for the absence of an extensive national knowledge base on the issues that surround the nexus of culture and child welfare is that representation of ethnic minority groups may have been too small to conduct empirically rigorous research on their needs and experiences (Chand and Thoburn 2006). As Chuan and Flynn (2006, p. 23) explain,

> Despite the development of policies and sincere attempts by agencies (in Australia) to meet best practice principles around respect for cultural identity, there is a degree of ad-hoc response and inadequate preparation of staff. As long as numbers of CALD (Culturally and Linguistically Diverse)

clients remain small, it is difficult for agencies to develop the skills of staff and to have resources fully developed. The lack of 'critical mass' of CALD children make evaluation and planning a low priority given the demands of service delivery.

Thus, small sample sizes seem to have constrained the development of Australia's research and knowledge base. To help address the gap, FaCS funded a large three-year study (postdoctoral fellowship) into the needs of CALD children and families in the NSW child protection system. The study was comprised of three exhaustive stages: (i) a literature review, (ii) 120 case file reviews, and (iii) qualitative interviews with 29 CALD client families and 17 child protection caseworkers. The results of the latter two stages are not the focus of this paper as they have been reported on elsewhere; this paper reports on the key findings from the literature review.

Because of the 'slow start' in Australia, this review borrows heavily from the international literature. However, limitations associated with transferability need to be acknowledged. The main minority groups represented in child protection systems in the USA, UK, and Australia differ from one another. In NSW some of the main groups of people involved with the child protection process include Lebanese, Samoans, Tongans, and Vietnamese (FaCS 2007), however some of the main groups in the USA include African Americans (Brissett-Chapman 1997; Jiminez 2006) and Native American/Alaskan Natives (Futa, Hsu and Hansen 2001), and in the UK include African-Caribbeans and South Asians such as Indians and Bangladeshis (Thoburn et al. 2005). Also, minority groups in each of these three countries differ in respect to their overall position in society, their reasons for migration and their experiences of living in their host country.

Despite these differences, however, there are two important similarities in regards to working with ethnic minority communities in these child protection systems, which justify and validate the use of international literature to help inform Australia's research and knowledge base on cultural competency. Firstly, they all face the inherent challenges of dealing with a clientele that is culturally, linguistically, racially, and religiously diverse. The second similarity is that in all three countries the child protection system is 'child-centred' in philosophy, consistent with the United Nations (UN) Convention on the Rights of Children (CRC). This philosophy may be at odds with the cultural values of collectivist groups that value the family over the individual. As such, the role of collectivism and how it may contribute to cultural tensions that underpin the debate between cultural absolutism and cultural relativism are explored more fully in this paper.

1.2. Defining the client group: Who are ethnic minority families in Australia?

This paper uses the term 'ethnic minority' instead of CALD or NESB to refer to families that differ from the white English speaking mainstream, as well as Indigenous Australians, because it better captures the fact that they differ on several important variables other than culture and language including race, religion (O'Hagan 1999), socioeconomic, political, and/or cultural power (Sawrikar and Katz 2008). This is important to establish because if differences in variables other than culture are not acknowledged, and there is an emphasis on culture above all else, there is a risk that the customs, lifestyle, and beliefs of one ethnic group may be considered inferior to another's (Chau, Yu and Tran 2010; Johnson, Antle and Barbee 2009; Shalhoub-Kevorkian 2005). Indeed, despite the many differences between ethnic groups, the term 'cultural competency' indicates that there is an emphasis on cultural differences above all else. At the very least, this begs the important question: what is culture?

It is widely accepted that culture is difficult to *define* because it is a dynamic and fluid process of interpretative construction and reconstruction across people, groups and generations (Korbin 2002; Quin 2008) and because individual differences within members of a group make the differentiating borders between cultural groups 'fuzzy'. On the other hand, it is easier to *describe*. For example, Markward et al. (2000, p. 238) describe culture as:

> Reflecting the beliefs and norms that determine the social acceptability of behaviour, the relationships that are likely to occur or that are permitted by groups; how we solve problems, how we communicate and what kinds of solutions we prefer to utilise in different situations; the rules of intergenerational relationships, responsibilities and obligations; and how we view the world and our collective place in it.

Thus, culture is that amorphous 'thing' that defies an objectively determined checklist as if it were a fixed, monolithic or static entity (Korbin 2002), and yet becomes reified because it is somewhat consensually and implicitly understood across people and time. Because of this, heuristic descriptions of culture are possible. Indeed, heuristics are arguably necessary to ensure that a meaningful analysis and application of the role of culture are not excluded from research and debate because of the difficulty associated with defining it. Here the heuristic distinction between individualism and collectivism has been used to serve this purpose. It is also consistent with other seminal researchers in the field (e.g. Maitra, 2005; Shalhoub-Kevorkian, 2005; Al-Krenawi & Graham, 2001; Hesketh, Shu Hong & Lynch, 2000; Owusu-Bempha, 1999).

At the most basic level, individualism is a cultural paradigm that views the individual to be the basic unit of society whereas collectivism views the family to be the basic unit of society (Bond 2002; Hofstede 2001; Triandis 1990). More nuanced differences between individualism and collectivism include that individualistic cultures value independence, autonomy, initiative and uniqueness; emphasise that individuals have the right and responsibility to look after themselves; stress horizontal relationships based on equality; and tolerate deviations from the norm to a greater extent. Contrarily, collective cultures value social order, harmony, support and roles; in collective cultures the family provides security in exchange for loyalty and obedience; inequality (usually based on age and gender) is seen as appropriate and acceptable; and members tend to be more homogenous as deviations from the norm are not tolerated as greatly (Sawrikar 2005).

In the seminal study by Hofstede (1980), the USA, Australia and the UK were, in close order, the top three ranking (white majority) countries in 'individualism' and this trend has persisted over time (Hofstede 2001). As an example, some of the largest ethnic minority groups in Australia are Italian, Chinese, Vietnamese, Filipinos, Indians, and Malaysians (ABS 2007), all of whose cultures rank high on 'collectivism' (Hofstede 1980, 2001). Thus in broad terms the culture of the white majority can be described as individualistic and the cultures of ethnic minority groups are seen to be typically collectivist.

1.3 The subject matter: Why is it important to explore the needs of ethnic minority families in the child protection system?

Because of cultural differences, families that originate from collectivist cultures but enter child protection systems in primarily individualistic countries arguably experience some challenges which are not experienced by their white counterparts. For example, parents of ethnic minority children may not understand why child safety is so valued or why the needs of parents are not being equally taken into account because children in collectivistic societies, based on their young age, are the least powerful group. In individualistic cultures, there is a more overt striving toward equally distributed power relationships among family members[1] (Hofstede 1980). Thus, the very concept of a 'child-centred' approach to child welfare may be culturally foreign to them and inconsistent with their cultural paradigm.

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[1] Having said that, the family violence literature indicates that hierarchical structures in the family tend to be overt, regardless of cultural background. Thus, we acknowledge that there are some such areas of applications that highlight the reductionistic deficiency of the dichotomy between individualism and collectivism.

Families that originate from collectivist cultures may also experience similar kinds of challenges to their white counterparts but more intensely. For example, the trauma of separation from family is indeed universal but it may be heightened in children from ethnic minority families since family cohesion and dependency are definitive characteristics of collectivism. Korbin (2002) has pointed out that parents from individualistic cultures have a tendency to rear children towards self-sufficiency earlier than their collectivist counterparts because self-sufficiency is valued.

Thus, because the child protection system is predicated on the basis of an individualistic 'child centred' conception of society, it has the potential to undermine the well-being of ethnic minority children and their families. In other words, intervention may be detrimental to, rather than protective of, children and families from these groups (Jones 1993). Workers may not address the harm suffered to children because they believe the parents are behaving in culturally appropriate ways, or conversely they may remove children from loving and caring parents whose parenting practices are different from the white mainstream.

Arguably then, 'cultural competency' could be defined as the delivery of services that appropriately and sufficiently take culture and cultural differences into account without compromising the equitable provision of protection from harm to all children; it is cognisant of and equipped to deal with cultural differences because in doing so it offers the best possible protection to all children from harm. However, in order to be effective, it must operate at three levels – the child protection workers who have face to face contact with client families, the locally-based organisation in which they work and the child protection institution itself. That is, cultural competency is seen to occur at the levels of workers, agencies, and systems, and if a service high on cultural competency is not provided at all three levels then there are two main risks that children and families from ethnic minority groups can become subject to.

The first risk is institutional racism, which would occur if the culture, practices and policies of the child protection intervention are predicated on one ethnocentric (and specifically, Eurocentric) standard of parenting, family functioning, abuse and neglect. That is, the child protection system is unaware of, insensitive to, and/or ill-equipped to address cultural differences in these variables. This risk is seen as a measure of qualitative disadvantage.

The second risk is inefficient or ineffective service delivery, which would occur if cultural competency is left to individual practitioners or agencies. Thus, only some children and families receive an intervention high on

cultural competency because they happen to be matched to a competent worker or locally-based agency. This risk is seen as a measure of quantitative disadvantage.

Both these risks can leave ethnic minority groups vulnerable to systematic disadvantage. Indeed, McMahon and Allen-Meares (1992) in their content analysis of 117 articles reviewing some form of social work intervention argued over two decades ago that most of the articles recommended an individualistic practice urging clients to adapt to an oppressive environment, indicating that this is a long standing and significant issue for ethnic minority families in child protection systems of white majority countries.

1.4 Aims of the significance of this literature review

The risks of institutional racism and inefficient or ineffective service delivery to ethnic minority families become more probable when there is a lack of clarity on the specific roles and responsibilities of each tier involved in service delivery. In fact, one important finding from the literature review was that a clear delineation of roles and responsibilities was notably absent. Thus, the aim of this paper is two-fold: (i) to summarise what has been found so far about the needs, challenges and experiences of ethnic minority groups in the child protection system to help inform the research and knowledge base in Australia, and (ii) to make recommendations regarding the specific roles and responsibilities of workers, agencies and systems in providing cultural competency.

The results of the first aim can be used to help identify *all* the relevant variables required to build cultural competency and thus help avoid the possibility of institutional racism. The results of the second aim can help ensure that service delivery is efficient and effective for *all* children and families from ethnic minority groups. In other words, if all three tiers respond appropriately and can identify their part in maintaining a culturally competent service, then service delivery for ethnic minority families can be mobilised in a structured way from both the 'top' and 'bottom'. This will ensure that the responsibility to provide cultural competency does not fall on individual caseworkers and nor does it remain a policy objective at the institutional level with no impact on frontline workers.

2   Results

2.1   Reviewing the literature on the needs of ethnic minority groups in child protection systems and cultural competency: What do we know so far?

The relevant literature reveals several issues of which three are seen to be particularly important: (i) the tension between 'cultural absolutism' and 'cultural relativism', (ii) factors that uniquely characterise 'the migrant context', and (iii) the need to clearly identify the exact nature of cultural competency. These are discussed below.

2.1.1 The tension between 'cultural absolutism' and 'cultural relativism'

When working with ethnically diverse groups, an inherent tension between the 'right to sameness' in protection from harm and the 'right to difference' in parenting and family functioning is revealed. In the literature, the two opposing points of the tension are referred to as 'cultural absolutism' and 'cultural relativism'. To more clearly clarify the issue: all children have the same right to a safe childhood. However, all children are also unique and different, and one of the most important contributors to differences between people is culture.

One way to reconcile the dilemma is to treat all people 'equally' by disregarding the role of culture entirely and focusing only on the safety of a child. This approach is typically justified on the basis that is it 'colour blind' and as such offers the same protection to all children. The literature on child development indicates that milestones such as language, cognitive and emotional development occur universally, supporting the tendency to treat child protection as a culture-neutral issue. However there is an overwhelming body of evidence to show that culture is not simply a superficial addition to the biological development of children, but is a core part of the developmental process. Thus, a 'colour blind' approach has been shown to be inappropriate for child protection purposes and can lead to unethical and unsafe practice. Indeed, Bell (2007, p. 6) notes that "for years the US has tried to be a 'colour blind', 'melting pot', and consideration of the dynamics of culture, race and ethnicity have been selectively ignored by science".

Moreover, judgments about the safety of children are not always obvious and this is especially so with cases of physical and emotional abuse. As a counter example, the threat to a child's physical and psychological well-being is usually not debated between workers in cases of sexual abuse (Fontes 2005). However, caseworkers are more likely to differ from one another in their assessment of the safety of children, and parents' culpability, in cases of physical and emotional abuse. For example, the results of the case file reviews and qualitative interviews (Stage 2 and 3 of this study) showed that physical abuse was the most common primary type of abuse or neglect for ethnic minority families and that physical discipline was commonly cited by ethnic minority

parents as culturally acceptable. Similarly, Chang, Rhee and Weaver (2006, p. 889) note of Korean families in the USA,

> It is critical that child protection workers exhibit cultural sensitivity toward the parental use of corporal punishment as a child rearing practice and make efforts to understand the bitter feelings and resentment such parents have when being accused of child maltreatment. It is very likely that immigrant Korean parents who are accused of physical abuse are embarrassed and may not understand why such a child rearing practice is considered child maltreatment in this country.

These findings highlight the difficulty of trying to draw an objective line between 'culture' and 'abuse'. Indeed, Gough and Lynch (2002, p. 341) point out that culture is actually embedded within 'objective' tools that assess the safety of a child, making it difficult to assess (levels of) 'harm' in different cultural contexts. They note that,

> Culture is perhaps the most basic issue for child abuse and child protection. It is the context in which children live and something to which they contribute. It is the backdrop against which all circumstances and events affecting children occur. It provides the basis for both our definitions of abuse and neglect and the responses we have developed to protect children and prevent abusing acts from occurring and recurring.

Thus, not only is it inappropriate to ignore culture, but it is also not possible to separate culture from abuse. If workers, agencies and the child protection system assess abuse and neglect against the cultural norms of the majority group (either implicitly or explicitly) this approach is referred to in the literature as 'cultural absolutism'. According to this view, culture can be distinguished from abusive or neglectful behaviours and that attempts to do so will help protect all children from harm, regardless of their cultural background. The problem with cultural absolutism in child protection work is that children who are not at risk of harm may be labelled as such because the imposition of a 'universal' standard of parenting and family functioning has been used to make judgments and decisions about children from ethnic minority groups; it is akin to a 'bottom-line' and 'colour blind' approach justified in the name of equitable child protection. Moreover, this universal standard tends to be ethnocentric because it reflects the norms of the dominant culture (Chand 2000).

The use of one standard may mean that parents from collectivist cultures can be mistakenly seen as placing the needs of adults and elders above the needs of children. At its worst, 'accusations' about the nature and quality of

their parenting can be interpreted as a method for assimilating ethnic minority families to be aligned with mainstream norms (Sawrikar 2009), and any assertion that their parenting is questionable or ill-intentioned can be met with great hostility. This hostility to the CPS was confirmed in Australia in a recent study by Pe-Pua and colleagues (2010) who found that Muslim Australians feel that the CPS undermines their status as parents.

In Australia, the experiences of Indigenous Australians on issues relating to assimilation are far better documented than those of migrant or ethnic minority families. For example, Lancy (2012) reports that Indigenous Australians have a much more lassaiz-faire approach to parenting than Anglo Australians, and this often leads to accusations of neglect. As it has been noted, "the existing child protection system; the laws, values, and assumptions of the 'dominant culture' are embedded in the mire of failure of successive governments to provide culturally sensitive programs"[2] and Barber, Delfabbro and Cooper (2000, p. 5) claim that the "the treatment of minority and indigenous children by the child welfare system reflects systematic racial bias right across the western world". To avoid the real or perceived coercion to downplay their cultural heritage, it is important that child protection service is delivered in a way that focuses on the safety of the child, but also demonstrates an awareness of their different cultural context, and their right to be different.

The counter-position to cultural absolutism is known in the literature as 'cultural relativism'. In this approach to child protection work, reliance is placed on cultural awareness and sensitivity. The difficulty with this approach is that children who are being abused or neglected can be placed at risk of not being detected (Koramoa, Lynch and Kinnair 2002) because practitioners falsely assess abusive behaviour by parents as culturally appropriate. Cultural relativism argues that culture cannot be separately distinguished from abusive or neglectful behaviours and that any attempt to do so will reflect a judgment on that culture as if it deviates from a norm that is not even applicable to that group, but the right to express one's culturally determined form of parenting and family functioning does not also give parents the right to harm children and justify it as a 'cultural practice' (Korbin, 2002). One of the most dramatic examples of this conflict relates to female genital mutilation (FGM), in which harm occurs but is perceived as a responsible act because parents are ensuring their daughter's place in society (Khaja, Barkdull, Augustine and Cunningham 2009; Westby 2007).

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[2] http://www.aija.org.au/TherapJurisp06/Papers/Nethercott%20%20PPT.pdf

Since the tension between cultural absolutism and cultural relativism is inherent to child protection work in multicultural contexts, and since an inherent tension cannot by definition be resolved, the tension is seen as best addressed with education – by simply being aware of the pitfalls associated with each point of the tension. In other words, the failure to provide cultural awareness, sensitivity and competency compromises cross-cultural parity in child protection to all children in the same way that an over-reliance on cultural factors can, and knowledge about the risks that cultural absolutism and cultural relativism pose to children from ethnic minority backgrounds is the best defence against these risks.

Additionally, the debate between cultural absolutism and cultural relativism reflects *theoretical* differences (in the 'right to sameness' in protection from harm regardless of cultural background and the 'right to difference' in cultural standards of parenting and family functioning), and yet still requires the *practical* implementation of these rights. As Koromoa et al. (2002) argue, some sort of 'middle ground' between absolutism and relativism is necessary. However, this 'middle ground' is not really determinable by any objective criterion because there is no continuum between ignoring culture on the one hand and complete cultural relativism on the other. Thus, the issue is not *whether* to take into account the role of culture (in line with a 'colour blind' approach) but to determine the *way* it should be taken into account. (And ultimately individual caseworkers implement the role of culture in their everyday practice based on their own personal values, the quality of their supervision, the extent and diversity of their professional and personal experiences and the demographic of the local population in which they work but such micro-level variables are beyond the scope of this paper). In this way, understanding culture can enhance the ability to protect all children without impeding it.

2.1.2 Factors that uniquely characterise 'the migrant context'

In addition to being aware of the pitfalls associated with cultural absolutism and cultural relativism, it is also important that the three tiers involved in intervention – workers, agencies and the system – understand the unique 'migrant context' of ethnic minority families. For example, the literature identifies a number of ways in which the migrant experience can affect families' engagement with the child protection system. These include migration stress (Giglio 1997), acculturative stress (Berry 1980), displaced sense of belonging and cultural identity (Omar 2005), perceived or experienced racism and discrimination (Cazaneve and Maddern 1999; Feagin and McKinney 2003), intergenerational conflict (Chung 2001); disrupted family dynamics such as reversal of traditional gender roles (Westby 2007); low English proficiency (Sawrikar 2009), insufficient

awareness of institutional systems such as child protection agencies and their statutory power; fear of authority because of past experiences with child protection agencies or other authority bodies in their country of origin (Sawrikar 2011a,b); fear of being denied citizenship if they come to the attention of authorities (Giglio 1997); insufficient awareness of local community services available (Giglio 1997); and loss or lack of extended family, social and community supports (Chand 2000). In addition, some parents may be suffering from post-traumatic stress disorder (PTSD) because of traumatic experiences in their home countries, and this may disrupt their ability to parent effectively.

Thus, there are a whole raft of factors that can characterise 'the migrant experience' and which differentiate ethnic minority groups from their Indigenous and white counterparts. However, three factors in particular stand out in the literature for ethnic minority groups in the child protection system: (i) lower awareness of the child protection system and its statutory power, (ii) economic disadvantage, and (iii) fear of authority.

Lower awareness of the child protection system and its statutory power

Compared to Indigenous and white Australians, ethnic minority families have relatively less awareness of child protection issues and systems (Babacan 2006). As a result of their history with the child protection system, producing the 'Stolen Generation' when Aboriginal children were forcibly removed from their parents due to assimilation policies and often into non-Indigenous care (Richardson, Bromfield and Osborn 2007), Indigenous Australians are more familiar with how the child protection system works, and what kind of information they should or should not divulge to prevent their children from being removed from the home by authorities. Similarly, white Australians are also generally more aware of what the child protection system is, and that its role is to protect children from harm (Sawrikar 2011b).

However, the context for many ethnic minority families is different. Sometimes, they come from countries which do not have a child protection system or the vigilance with which child protection issues are enforced is comparatively low. As a result, their awareness and knowledge of concepts such as 'child welfare' and that there are government departments in Australia that are responsible for protecting child welfare, can be completely foreign or unknown to them.

Because of this lack of awareness, ethnic minority families may disclose sufficient information about their family dysfunction/s to warrant their child's removal from the home. For example, in the qualitative interviews (Stage 3 of this study) one caseworker said[3],

> *In some countries, they don't have child protection laws ... [so] a lot of the time they're [CALD families] giving really honest answers ... [like] 'yeah, I hit him' ... They give you enough information to remove the child because they don't understand the process. If they know you're going to take their kid, they're going to alter them [their responses], just like Anglo and Aboriginal families that are clearly aware of DoCS[4]' role.*

Thus, it is important for caseworkers to understand that lack of awareness of child protection issues and systems may bring them to the attention of child protection authorities, and that this comparative lack of awareness is unique to ethnic minority groups. (By analogy, caseworkers who are aware of and sensitive to the unique context of the 'Stolen Generation' for Aboriginal Australians will be better able to intervene with Indigenous families).

Economic disadvantage

Chand (2000) asserts that ethnic minority children are introduced into the UK child protection system because of 'exposure bias' – the increased likelihood of coming to the attention of child welfare agencies because of socioeconomic disadvantage. That is, because ethnic minority groups are highly represented among the poor or socio-economically disadvantaged, they tend to access social welfare services more. In turn, they can become exposed to other service providers including those in child protection. Thus, socioeconomic disadvantage leaves ethnic minority groups open to systematic exposure to child protection authorities and in turn entry into the child protection system.

Extensive evidence for the role of poverty has also been found in the USA (e.g. Fontes, 2002; Miller, Cahn and Orellano 2012; Webb, Maddocks and Bongilli 2002). For example, in her study of three Boston child welfare agencies, Gordon (1988) found that immigrant children were over-represented in caseloads in comparison to

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[3] The name of the caseworker has not been provided here to protect their confidentiality.

[4] At the time, FaCS was known as the Department of Community Services (DoCS).

their proportion of the Boston child population, but not in comparison to the proportion among the poor (cited in Cahn 2002, p. 464). More recently, that poverty is a profound risk factor for maltreatment was substantiated in the study by Drake and Jonson-Reid (2011), *The National Incidence Study of Child Abuse and Neglect*. To our knowledge, the extent to which socio-economic disadvantage is related to the experience of ethnic minority families in Australian child protection systems still remains for future empirical investigation.

Fear of authority

Another major issue for ethnic minority families is that they often fear authority because of the shame it will bring to the family. Although issues to do with family name and standing in the community are not exclusive to collectivist cultures, they are more strongly valued in these groups. Thus, any knowledge to members of their community that their family has come to the attention of a child protection authority can bring great shame to the family name (Yick 2007) and cause significant damage to inter-personal relationships, the level of community support they can rely on, and the respect they receive in the future. Such compromises to family name and standing can cause ethnic minority families to experience social isolation from a community they arguably depend on heavily as migrants in a host country, where lack of belonging, social isolation, and perceived or experienced racism or discrimination may be common issues that they face.

As they have much to lose for 'loss of face' in terms of support from extended families and communities, ethnic minority families may fear authority much more than mainstream families. Given this, it is important for caseworkers to demonstrate their awareness of such issues, for example by raising them with families and assuring them of their professional duty to protect the family's confidentiality, especially with ethnically-matched caseworkers and interpreters (Chand and Thoburn 2005). Having said that, it is also important that they point out that because of their legal duty of care, they have the power and responsibility to breach their assurance of confidentiality. Further, it is important not to misjudge any culturally-related fear of disclosure as evidence that the family is uncooperative or hostile. Similarly, their fear of loss of face may also cause members of the family to retract allegations of abuse or downplay the magnitude of family dysfunction when talking to caseworkers.

2.1.3 What exactly is 'cultural competency'?

In the UK, O'Neale (2000) notes that the following qualities of professionals are important for ethnic minority families: being sensitive, open-minded, respectful; acknowledging that caseworkers do not always have the answer; seeking advice from independent workers from the same community or faith group and/or who speak the first language of the family; not appearing arrogant or superior, and being open and honest; and being aware of the impact of racism and racial abuse, and how to challenge racism (cited in Chand and Thoburn 2005)

To be able to attain such professional characteristics of cultural competency, it is important that caseworkers self-reflect on their own general style or approach towards cross-cultural learning, and whether there is a need to be (more) embracive of the complexity associated with child welfare practice for ethnic minority families. Lee and Greene (2003) propose that there are four stances of cross-cultural learning that are based on a caseworker's cultural knowledge and sensitivity. These four stances may help caseworkers in their endeavour to understand their current and ideal approaches to cross-cultural child protection work.

According to these authors, when cultural knowledge and sensitivity are both high, a caseworker may be described as having an approach or stance to cross-cultural work that is 'reflexive'. If cultural knowledge is high but sensitivity is low, then a caseworker's approach is said to be a 'stance of information'. If cultural knowledge is low but sensitivity is high, the stance is described as one of curiosity. Finally, the 'stance of ethnocentrism' suggests that both cultural knowledge and sensitivity are low.

While the four stances can be helpful for gauging one's general approach to cross-cultural learning, this paper sees cultural competency to be more than just cultural knowledge and cultural sensitivity. Cultural competency is a fluid, dynamic and on-going process (Quin 2008), and as such, is not an attainable state from which competency no longer grows or from which competency will not diminish. This is because there are cultural differences even between ethnic minority groups, and some communities are new and emerging, making it crucial to remain continuously aware and up to date on how culture and child welfare are interwoven for different cultural groups and how best to apply that knowledge on a case by case level with individual families.

Thus, there is a component of cultural competency that pertains to identifiable and specific knowledge and skill, but there is also a component that is independent of 'concrete' knowledge and reflects a more diffuse level of aptitude and confidence. In this way, awareness of cultural norms (cultural knowledge) and respect for cultural differences (cultural sensitivity) are not sufficient for cultural competency. Cultural competency is seen to develop from, and continues to be informed by, cultural awareness and cultural sensitivity but ultimately is

distinct from these two constructs because it reflects the balance between cultural awareness and sensitivity on the one hand, and the consideration of non-cultural factors on the other. In doing so, cross-cultural parity in child protection work increases; all children regardless of their cultural background receive more equal protection from harm.

To put it another way, cultural awareness is seen to refer to knowledge of what the cultural norms regarding parenting and family functioning of a group *are*. Cultural sensitivity is seen to refer to the capacity to know *how* to take these norms into account when working with families from a particular cultural group. Finally, cultural competency is seen to refer to the capacity to know *when* (and when not to) consider cultural factors with ethnic minority families. Thus, cultural competency allows for child protection laws to be interpreted in ways that take into account cultural differences in parenting and family functioning without compromising the equitable protection of all children from harm regardless of their cultural background; it balances cultural awareness and sensitivity with parity in child protection service delivery across cultural groups.

Perhaps most importantly, this paper argues that cultural competency is more than just the provision of an interpreter. This is because language differences are not the same as cultural ones. In the case file reviews (Stage 2 of this study), it was found that caseworkers have a tendency to reduce cultural issues to language ones as if the provision of an interpreter or bilingual caseworker is sufficient for meeting the cultural needs of ethnic minority families. Caseworkers often reported in their case file notes that "an interpreter was provided" under the section which required them to comment on cultural issues and how they have been addressed. Thus, language and culture are distinct from one another, and addressing language differences should not be seen as sufficient for addressing cultural ones.

2.2 The roles and responsibilities of child protection workers, agencies and the system

The second aim of this paper was to use the results of the literature review to propose a set of recommendations regarding the roles and responsibilities of each tier in the child protection response – the frontline workers who have face to face contact with ethnic minority children and families, the locally-based agency in which individual practitioners deliver their child protection services and the policies and procedures espoused by the child protection institution itself. By doing so, the risks of institutional racism and inefficient and ineffective responses to all children and families from ethnic minority groups can be minimised.

Although the one-to-one relationship between families and caseworkers is generally seen to be the most crucial aspect of culturally competent practice, it is not the sole responsibility of frontline caseworkers to deliver culturally sensitive and appropriate services. Individual caseworkers need to be culturally aware and knowledgeable as well address their own conscious or unconscious racist or discriminatory biases (Johnson, Clark, Donald, Pedersen and Pichotta 2007), but they also need to be supported by their local area-based agency and the state government-based child protection department else there could be systematic biases that introduce ethnic minority families into the child protection system and which cause some of these groups to be over-represented.

Indeed, it is often very difficult to discern the extent to which over-representation of ethnic minority children in the child protection system reflects the true prevalence of abuse or neglect for that ethnic group, or is the result of culturally biased institutional processes and organisational practices known as 'institutional racism' (Feagin and McKinney 2003). In other words, over-representation could partly reflect true cross-cultural differences in the prevalence of abuse or neglect as well as institutional biases (Duartes and Summers 2012; Derezotes and Snowden 1990) and it is important to address and minimise the contribution of the latter.

Thus, maximised cultural competency can only be achieved if all these levels – workers, agencies and systems – are addressed. Each of these are equally important tiers of engagement for delivering culturally appropriate child protection services and need to work in a holistic fashion to ensure that culturally appropriate service delivery is mobilised in a structured way using both a 'bottom-up' and 'top-down' approach. If the work is left solely to caseworkers who are not supported by their management or institution, good practice will only be available to a few lucky ethnic minority families. As Hackett and Cahn (2004, p. 17) put it, "unless the institution is willing to change, nothing will change". On the other hand, there is little point developing multicultural policies if they are not going to be implemented by the caseworkers and local child protection agencies.

Thus, a cross-reference 'guiding framework' can help caseworkers, agencies, and the system itself, feel confident that they are meeting their requirement to fulfil and uphold ethnic equality, and that they are doing so in an appropriate way. Although not sufficient or exhaustive, this basic 'guiding framework' is seen to consider some of the necessary responsibilities for each tier.

2.2.1 Child protection workers

Based on the literature review, seven recommendations for improving cultural competency at the level of caseworkers and case managers were identified:

1. *Receive training in cultural competency:* Responsibility for working with ethnic minority families should not be placed solely on caseworkers from ethnic minority backgrounds themselves. One reason for this is because "even if workers are matched for race, the diversity (of the UK) means that all workers are likely to be providing services to families whose language, cultural heritage, social background, and/or religious affiliation differ in at least some important respects from their own" (Chand & Thoburn, 2005, p. 177). Also, ethnic minority families may request to have a caseworker from a different cultural background to themselves (see recommendation # 2 below), in which case the non-matched caseworker would need to be able to deliver a culturally appropriate service. Thus, training in cultural competency is essential for *all* social workers, and "organisations should not expect cultural competency to emerge simply by having a culturally diverse workforce that is representative of the local population" (Sawrikar and Katz, 2008). In fact, ethnic matching may be 'a quick band-aid solution'. Dugdale (2006) has found anecdotal evidence of mainly white (social work) teams in the US viewing a black colleague as 'the expert' on ethnic minority issues instead of being informed themselves (cited in Sale 2006, p. 29). Not only can this unequally distribute case loads, especially in highly culturally diverse areas, but it also runs the risk of over-estimating the ability of caseworkers from ethnic minority backgrounds to provide the culturally-related 'comfort' ethnic minority families are assumed to seek and require. At the very least, the benefits of cultural competency training for all staff are ultimately for ethnic minority families. As Gray (2003, p. 373) found, when "befriending and participating with (migrant) families … the effect was to overturn stereotypes and defeat stigmas, gaining the trust of families and enabling disclosures".

2. *Offer client families an ethnically-matched caseworker:* Some families may prefer to have a matched caseworker because they believe they will understand their culture better or because they have to for language reasons. However, other families may prefer to have a non-matched caseworker if they fear that a matched caseworker would disclose their family's private affairs to their community, which in turn would result in family shame and 'loss of face' (Sawrikar 2013a). Thus, it is important to offer choice to client families about whether they prefer a matched or non-matched worker. Offering and meeting such preferences are seen to exemplify culturally appropriate service delivery. It also enhances engagement with and disclosures from the family. However, although matched caseworkers can offer cultural awareness and

sensitivity (and even this is not always the case if differences in class, gender, or religion within ethnic groups produces biases and misunderstandings (Korbin, 2002), they can also over-identify with their matched client families. If this occurs, they may minimise the level of risk that a child is experiencing, affecting their ability to discern between that 'shade of grey' where culturally-embedded practices may not actually be justified. Having said that, over-identification is a risk whenever there is a commonality between a caseworker and client family and so the needs and preferences of the client family are seen to come first, and managing any potential over-identification is seen as the responsibility of competent case managers.

3. *Use interpreters appropriately:* Ethnic minority families not proficient in the mainstream language (e.g. English in Australia) will require the use of interpreters. In NSW, child protection policy mandates the use of accredited interpreters, and the use of children for this purpose is not permitted. Offering ethnic minority families the choice to have a trusted confidante present with the accredited interpreter, can help provide additional support and act as an advocate for their needs. However, using accredited interpreters does not necessarily address the issues outlined by Chand (2005, p. 809) who notes that there is a "need to ensure that interpreters are available when required; that they are clear about their roles and responsibilities; and that they can accurately and sensitively communicate with the families". He also points out that, "the presence of an interpreter will often raise the anxiety levels of the social worker … there may be a pressure to try and balance being concise with trying to convey the message appropriately. One obvious consequence in achieving this balance is that the attention of the social worker may become misdirected towards issues of language, instead of concerns about the child". One way of addressing some of these issues may be to use bilingual child protection workers instead (resources permitting), as they are more aware of child protection issues and the messages that need to be conveyed. Other factors that may be useful to consider include the gender of the interpreter either for cultural or religious reasons or in cases of domestic violence and sexual abuse (Sawrikar 2013b), and whether a linguistic match is preferred by a family to help overcome any fear of shame (e.g. an Arabic-speaking Lebanese interpreter may be used with an Arabic-speaking Sudanese family).

4. *Seek advice and information by consulting with relevant caseworkers and community groups:* It is important to consult with bilingual or multicultural caseworkers and any local ethnic advocacy and community groups for advice, support, and feedback. This can help build cultural awareness and

knowledge, but it also enhances the capacity of child protection workers to respond to new and emerging groups for whom there is a need to keep this kind of professional knowledge up-to-date.

5. *Avoid the use of, or reliance on, negative stereotypes:* When learning about the needs of a particular ethnic minority family, it is important to avoid any tendency to negatively stereotype them based on pre-conceptions or beliefs that fundamentally differ from one's own. That is, it is important to self-reflect on one's own personal and cultural norms of 'acceptable' parenting and be vigilant on any personal prejudices or biases that may affect substantiations, assessments, and judgments of child abuse or neglect.

6. *Refer families to both mainstream and culturally tailored services:* Referring ethnic minority families to universal parenting programs about acceptable forms of discipline (e.g. 'Triple P') can help ensure that they are aware of services available to them in their local community, as well as promote their sense of inclusion in mainstream services (Babacan, 2006). In terms of tailoring services so that they are culturally appropriate, Family Group Conferencing (FGC) has been shown as an effective way of developing an intervention with ethnic minority families because it increases their sense of empowerment (Ban & Swain, 1994). The use of kinship carers is also helpful because it is in line with a communitarian/collectivistic paradigm and thus can help minimise the trauma associated with a child's removal for any child.

7. *Focus on child safety without losing focus on cultural factors:* To help avoiding swinging between the two ends of the 'absolutist-relativist pendulum' it may be useful to emphasise that both the caseworker and the ethnic minority family have in common a desire to protect the child's welfare. By using this is the basis for moving forward with a family, harmful parenting (despite any well-intentions claimed by parents behind the harmful act) can be better addressed. However it is also important for caseworkers to acknowledge that differences in social power exist between the dominant white majority culture and the cultures of ethnic minority families and that these differences may underpin the dynamics between an individual caseworker and ethnic minority family because the caseworker may be seen as a representative of practices, policies and laws that reflect individualistic, 'child-centred', norms of parenting, family functioning, abuse and neglect, and against whom they perceive they have less social power to justify why they differ from the status quo. Thus, caseworkers should not downplay or shy away from discussions on culture or racism. Acknowledging that these issues do emerge in multicultural child protection practice can aid the development of an appropriate intervention for an individual ethnic minority family. It also helps avoid

implicitly condoning any denial of abuse or neglect in that family's home. Being aware of typical issues for ethnic minority families in the child protection system can also aid appropriate engagement with them, most especially their lack of awareness about child protection agencies and their statutory power, socioeconomic disadvantage and fear of authority because of possible shame on the family. Having said that, awareness of these (and other unique) stressors to 'the migrant context' should not be used to stereotype the needs of an ethnic minority family (Dean 2001), but simply to gain a contextualised understanding of the client family and 'where they are coming from'. Also, when making risk of harm assessments for children from ethnic minority backgrounds, it is important that appropriate weight is given to the extent that family cohesion is acting as a protective factor as this is a crucial element of collectivism and in turn can aid the use of a 'child-centred but family focused' approach to child welfare (which really is of benefit to all children, not just those from collectivist cultures). Finally, remaining vigilant on the need to distinguish between the 'needs' of children and what is 'ideal' for children, is crucial (Maitra 2005). What may be seen as a 'need' is not necessarily universal, and may more reflect a (cultural) 'ideal' the caseworker personally endorses.

2.2.2   Child protection agencies

Based on the literature, eight recommendations for improving cultural competency at the local area-based agency level where caseworkers and case managers work include:

1. *Improve the overall service of the centre:* such as the welcoming atmosphere, the ethos of the centre which promotes user participation, the specific services that the centre offers, and helpful staff. This is beneficial for all families regardless of their ethnicity.

2. *Recruit staff from ethnic minority groups* that reflect the local demographic.

3. *Employ at least one 'multicultural caseworker'*: Some areas may have clients from many different cultures speaking many languages, and so it is not practicable or reasonable for caseworkers to learn sufficient knowledge about the cultures of all their clients. Thus, a 'multicultural caseworker' would represent a 'point of call' or 'go-to' person that can direct other caseworkers and case managers to any necessary or relevant resources and training. They would also be responsible for developing and/or maintaining links with community groups to ensure they are flexibly responsive to local needs and diversity.

4. *Provide training to interpreters* so that they are sensitive to child protection issues.

5. *Develop brief 'cultural fact sheets' for caseworkers* for some of the more common ethnic groups in the local community.

6. *Invite members of different local communities to share their cultural knowledge* and experiences as migrants/minority groups.

7. *Develop and translate 'information booklets' for families:* These brief documents should contain the definitions of abuse and neglect that child protection authorities use, and descriptions of the usual institutional processes and procedures that child protection agencies follow and why. This can help all families (from both the majority and all minority groups) better relate to and understand the role of child protection agencies. Importantly, providing example scenarios can be helpful for families to relate to situations that could cause them entry into the child protection system. Finally, these booklets should also contain information about early intervention and preventative services and programs so that they can be empowered to address family dysfunction before it potentially escalates into a child protection matter.

8. *Actively develop and continuously maintain links with relevant groups* such as community, ethnic, and/or religious groups in the local area.

2.2.3   Child protection system

Finally, six recommendations based on the literature review regarding the roles and responsibilities of the child protection system itself, relating to structural support and management of issues relating to culture and ethnicity, include:

1. *Develop two types of program models – mainstream and multicultural (Babacan, 2006)*: (a) a 'mainstream' program of service delivery is delivered as part of core business but targets specific cultural groups, so that ethnic minority families perceive they are receiving an integrated and therefore seamless service in which culture is not treated as a marginalised issue and which ethnic minority families often see as better resourced; (b) a 'multicultural' program of service delivery is comprised of either ethno-specific services that target specific ethnic groups or multicultural services that target culturally diverse communities; such 'units' can streamline the process of accessing culturally appropriate information and increase the visibility of the efforts of child protection agencies to address cultural issues for ethnic minority families in terms of cultural knowledge and bridging across diverse groups. Importantly, the two mainstream and multicultural

program models need to be bridged to ensure that culture, ethnicity, and language are neither under- or over-emphasised to the exclusion of other important factors such as class, gender, ability, sexuality, and spatial location.

2. *Provide on-going training to all staff in cultural competency*: This is important because cultural competency is a fluid, dynamic, and on-going process and so refreshing this knowledge base is important. It also needs to remain continuously up-to-date to meet the needs of new and emerging communities that enter the child protection system. Finally, the typically high turn-over of staff in child protection work means that new groups of staff continually need to be trained.

3. *Review risk of harm assessment tools* that gauge the strengths and needs of minority ethnic families and risk of harm for minority ethnic children, and consult with local ethnic community leaders and groups to ensure the assessment items are culturally appropriate and sensitive.

4. *Make relevant policies widely available and easily accessible to child protection staff and agencies* so that they are easy to refer to if required. These can include, for example, anti-racist and anti-discriminatory policies, multicultural policies, and equal employment opportunity policies.

5. *Monitor and routinely collect data on indicators of ethnicity*: These can include variables such as country of birth, cultural ancestry/identity, language/s, religion, etc. This is important to help improve the accountability and performance measurement of the CPS (Tilbury, 2006).

6. *Develop outreach programs* to provide community education and increase awareness in ethnic communities about the role of child protection agencies and child protection issues generally. This can help minimise the future development of over-representation of minority groups unaware of the purpose and/or statutory power of child protection authorities.

3 Discussion and conclusion

It is only in the last ten or so years that research into the needs of ethnic minority families in Australian child protection systems, and what would constitute as culturally appropriate service delivery for them, has received any real attention and garnered some momentum. Thus, the lack of a well-developed research and theoretical

knowledge base affects the ability to provide intervention high on cultural competency to all ethnic minority families and thus offset any systematic disadvantage they may otherwise be at risk of experiencing.

This review has explored the international literature to help inform the needs, challenges and experiences of minority ethnic families in the NSW child protection system and used the findings to categorise some of the respective roles and responsibilities of child protection workers, agencies, and systems. One limitation of this review of course is that although the international literature can provide general lessons for caseworkers, organisations and policy makers, Australia's particular ethnic mix and history of migration still requires an evidence base specific to this country. Thus, there is an urgent need for more Australian research.

Nevertheless, it seems that for caseworkers, some of the main lessons for practice to improve cultural competency include an awareness of the complexities of cross-cultural working, sensitivity to the experiences of others, and a desire for continuous improvement. For locally-based organisations, having resources and structures in place that reflect an acknowledgment of the importance of culture are paramount for good practice, and finally, the child protection institution itself needs a culture where diversity is embraced and cultural knowledge and sensitivity help make it reflexive and responsive in efficient and effective ways.

Ultimately, culture is but one part of the equation and the development of cultural competency can help workers, agencies and systems contextualise the needs of their families in ways that treat them as 'families' rather than 'ethnic minority families'. The subtle but important distinction is that cultural awareness and sensitivity should simply be used to help understand 'where the minority ethnic client is coming from', rather than as evidence for the diagnosis of abuse or neglect. Indeed, abuse and neglect occurs across all cultures, and being aware of cultural norms and traditional practices only really allows caseworkers to be able to tailor generic services and programs in ways that are culturally appropriate. Thus, cultural competency allows caseworkers to move beyond that human tendency to stereotype – a tendency that helps 'chunk' the complexity associated with ethnic diversity – and move from a stance of 'ethno-centricism' to a stance of 'reflexivity' (Lee and Greene 2003).

The individual relationship between the caseworker and the ethnic minority family in the frontline provision of services is the most crucial aspect to culturally appropriate and therefore effective service delivery. However, this one-to-one relationship requires structural support from the organisation to be systemically effective for *all* minority ethnic children and families that enter and are in the child protection, and not just those individual

families that benefit from the provision of services by individual staff high on culturally competency. In the words of Mason et al (2002, p. xxii),

> Professionals who do not constructively engage with difference – and by this we mean from an assumption of equality and non-pathology – significantly lessen the chances of developing creative ways of working with people both within and across cultures ... Engaging with difference enables us to explore the ties that bind and the ties that separate ... Practitioners will then be enabled to develop cultural competency and thus play a positive role in eradicating racism and promoting and valuing diversity.

Similarly, Phillips (1995) notes that "child abuse and protection are generally discussed from a framework of individual pathology rather than within the framework of inferiority-oppression and considering the politico-cultural and economic context of the group" (cited in Shalhoub-Kevorkian, 2005, p. 1266) and Shalhoub-Kevorkian (2005, p. 1266) notes that "the power of difference – particularly where one ethnic or racial group is considered inferior in customs, lifestyle, and beliefs – is a vital adjunct to the study of child protection".

Moreover, 'culture' is not just an issue for ethnic minority groups. Culture is pervasive and provides the context that gives meaning to what constitutes abusive or neglectful behaviours among caregivers from all cultural groups. While it is not easy to judge which behaviours compromise the safety of children and to assess the risk of harm across all the various cultural groups, it is still a necessity in multicultural countries in which there are a significant proportion of minorities to the white majority.

Cultural dimensions do matter when examining the ethics of autonomy ... "Do not onto others as you would have them to onto you. Their tastes may be different" (Pedersen 1989, p. 651, cited in Yick 2007, p. 283).

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