

SUBMISSION

INQUIRY INTO RAISING CHILDREN IN THE ACT

BY

CANBERRA REFUGEE SUPPORT

**MIGRANT AND REFUGEE
SETTLEMENT SERVICES (MARSS)**

**ST VINCENT DE PAUL SOCIETY
CANBERRA/GOULBURN**

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MARSS Australia Inc.
Migrant and Refugee Settlement Services



St Vincent de Paul Society
CANBERRA/GOULBURN
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INTRODUCTION

The Team, comprising Canberra Refugee Support (CRS), Migrant and Refugee Settlement Services (MARSS) and the St Vincent de Paul Society Canberra Goulburn (the Society) welcome the opportunity to make a submission to the inquiry into raising children in the ACT by the Standing Committee on Health and Community Wellbeing. Our organisations deliver a range of programs that provide a variety of social support services that address the needs of many vulnerable individuals and families in the ACT region.

In this submission, the team will highlight the challenges families and communities with migrant and refugee backgrounds experience in raising their children in the ACT. Being culturally and linguistically diverse (CALD), these individuals, families and communities are exposed to challenges that the general population may not have to deal with. As will be pointed out in the main body of the submission, the continuous evolution of the demographic makeup of the Territory makes it imperative to pay attention to the needs of this cohort in our population.

The recommendations in this submission, if taken on board and implemented, will make a great impact within migrant and refugee communities and in the ACT as a whole.

WHO IS A CHILD?

The United Nations Convention on the Rights of the Child¹ classifies a child as every human being below the age of eighteen years unless under the law applicable to the child, the majority is attained earlier.

The ACT Children and Young People Act 2008² classify a child as a person who is under 12 years old and a young person as a person who is 12 years old or older, but not yet an adult (18 years old).

In this submission, the use of terms “children” and “young people” refers to individuals who are under 18 years old. The terms children and young people will be interchangeably used to refer to the same population cohort, being individuals from migrant and refugee backgrounds who are under 18 years old.

THE RIGHT OF THE CHILD

The United Nations Convention on the Rights of the Child (CRC) comprises 54 Articles that together set out commitments by members towards the holistic development of children. States Parties in paragraph 6 of the preamble to CRC acknowledges the important role that family and community units play in the wellbeing of the child. It states: *‘Convinced that the*

¹ [The United Nations Convention on the Rights of the Child \(November 1989\)](#). Accessed on April 09, 2024

² ACT Legislation Register. [Children and Young People Act 2008](#). Accessed on April 09, 2024.

family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.”

It becomes imperative to recognize the key influence of community in child upbringing, especially for a cohort that is culturally and linguistically diverse (CALD).

Additionally, the CRC as an overarching treaty sets out the fundamentals for the welfare, protection, and total development of children across the world. Specifically, to children who due to geographical location qualify as being among the culturally and linguistically diverse (CALD) cohort, the under-listed articles are of particular significance:

- **Article 29 Clause C:** States Parties agree that the education of the child shall be directed to the development of respect for the child's parents, his or her own cultural identity, language, and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.
- **Article 30:** In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.
- **Article 31 Clause 1:** States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
- **Article 31 Clause 2:** States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Although not legally binding, the Australian Government in ratifying CRC in December 1990 has a duty of care to ensure that children in Australia (including those from Migrant and Refugee backgrounds) enjoy the rights³ set out in the treaty.

In the Australian Capital Territory (ACT), the ACT Children and Young People Act 2008 makes provisions for children and young people who ordinarily live in the ACT; or who do not ordinarily live in the ACT, but who are in the ACT⁴.

Part 1.2 Clause 7⁵ hold a lot of significance to our submission with the provision:

The objects of this Act include—

³ Australian Human Rights Commission (AHRC). [What are children's rights?](#) AHRC Website. Accessed on April 09, 2024.

⁴ ACT Legislation Register. [Children and Young People Act 2008, Section 5, Page 3.](#) Accessed on April 09, 2024.

⁵ ACT Legislation Register. [Children and Young People Act 2008, Section 7, Page 4.](#) Accessed on April 09, 2024.

- (a) providing for, and promoting, the well-being, care and protection of children and young people in a way that— (i) recognises their right to grow in a safe and stable environment; and (ii) takes into account the responsibilities of parents, families, the community and the whole of government for them; and
- (b) ensuring that children and young people are provided with a safe and nurturing environment by organisations and people who, directly or indirectly, provide for their wellbeing, care, and protection; and
- (c) preventing abuse and neglect of children and young people by providing whole of government assistance to children and young people, their parents and families, the community, and others who have responsibility for them.

These provisions extend equal rights to children and young people within the ACT and recognize that a conducive environment is an essential element to the growth and well-being of children and young people.

BACKGROUND DATA ON MIGRANT, REFUGEE AND ASYLUM SEEKERS

The Australian Bureau of Statistics⁶ estimates in the 2021 Census Report that on census night, 28.7% of the 454,000 residents in the ACT were born overseas. Essentially, 1 in 3 people in the ACT come from a culturally diverse background. Canberra was officially declared a “Refugee Welcome Zone”, in 2015 and at the time, there were people of almost 200 different nationalities resident in the ACT. In 2019 the ACT Government officially joined the Welcoming Cities Network. This is a network of cities, shires, towns, and municipalities committed to an Australia where everyone can belong and participate.

Individuals and families from migrant and refugee backgrounds who are key factors in the diversity matrix of our communities face many challenges both from their home countries and in Australia where they seek safety. The Refugee Council of Australia reports that 390 children⁷ from refugee backgrounds have spent time in Australia’s detention facilities between 2018- 2023. The associated trauma that these children and young people experience travels on to affect their settlement and social integration outcomes in our communities.

The National Youth Settlement Framework⁸ emphasises the role of trauma in the settlement process of young people and children into Australian society by highlighting that young people or children from “migrant or refugee backgrounds have faced a number of traumatic experiences prior to arriving in Australia irrespective of whether they have arrived through the off-shore or on-shore migration pathways.”

The Framework states some of the challenges faced by young people from migrant or refugee backgrounds during settlement as “learning a new language; understanding and navigating

⁶ Australian Bureau of Statistics (28 June 2022), [Snapshot of Australian Capital Territory](#), ABS Website, accessed 31 January 2024.

⁷ Refugee Council of Australia. [Statistics on people in detention in Australia](#). Published on January 28, 2024. Accessed on April 12, 2024.

⁸ MYAN (Australia), 2016, [National Youth Settlement Framework. 2nd Edition](#). Accessed on April 10, 2020

an unfamiliar culture and society (including complex social systems and structures such as education, health, welfare and the law) that require a high level of accountability; understanding and managing pre-migration trauma and low or changed socio-economic status.”

For this submission, a summary of the additional challenges experienced in their settlement is provided here:

- Adapting to new family forms, structures, and dynamics, where many young people live in families significantly altered as a result of the migration or refugee experience.
- Negotiating changes in values and expectations surrounding gender relations, including more rights and freedoms for (young) women.
- Adjusting to a new education and employment system, often with disrupted or limited formal schooling before arrival in Australia.

PROGRAMMATIC OBSERVATIONS AND EXPERIENCES

In the ACT, team members from Canberra Refugee Support, Migrant and Refugee Settlement Services (MARSS) and the St Vincent de Paul Society Canberra Goulburn (the Society) confirm observing similar challenges through their programming among young people from migrant and refugee backgrounds in the ACT as highlighted in the National Youth Settlement Framework.

The Team Members have observed that children and young people from migrant and refugee backgrounds:

- Experience difficulties in participating in extra-curricular activities. This is often due to issues with affordability, access to transport and a parent or guardian to take them due to other caring or employment commitments.
- Have daunting and complex carer responsibilities due to the non-existence of support networks. For these families, this can create an isolating effect that has an impact on how children and young people in these communities are raised.
- Have complexities with accessing medical care. From outright inability to access and to complexities developed due to years of exposure to trauma, people of refugee background become more vulnerable health-wise.
- Experience challenges accessing appropriate housing. Without a housing history and in some cases, a stable stream of income, these families are unable to compete in the private rental market. Insecurity and the threat of homelessness affect the ability to properly raise children and young people.
- Do not experience a smooth transition process from IEC to mainstream schools and from high school to secondary. Students transitioning from an IEC to a mainstream school are not always given adequate support to cope with the academic and social

challenges that arise during the transition. Not all mainstream schools have enough trained EALD (English as Additional Language/Dialect) teachers to support the students who need more intensive support. While some schools have a School Youth Health Nurse who can provide some pastoral care, this service is not available at all schools.

- Face difficulties in getting access to community halls and spaces to organize programs for children and young people. This affects their ability to organize community-bonding events.

It is important to note that no two circumstances and situations are the same for many individuals and families in this cohort of our population. This is largely due to varying arrival circumstances which has implications on the varying visa and work rights conditions. The team therefore provides support to this cohort on a case by case on an ongoing basis. This can be a frustrating process for both organisations and individuals/families involved. The uncertainty sometimes generated by this process has implications on the ability to properly pay attention to children and young people among them.

RECOMMENDATIONS

In the face of the ACT's changing demographic dynamics and in the spirit of making the ACT a welcoming city, the team make the following recommendations as an addition to the existing support programs⁹ that the ACT Government implements for the CALD community.

Recommendation 1: Increased funding for recreational and sports activities for children and young people from migrant and refugee backgrounds. This has the potential to create leverage for children regardless of their social or income backgrounds. It will also contribute to creating a sense of community among young people in the ACT.

Recommendation 2: Increased publicity for the Individual Learning Plans (ILPs). Families from culturally and linguistically diverse (CALD) backgrounds often don't know about ILPs and how they work. If families know more about them, they can hopefully access greater education outcomes for their children if they are struggling with learning at school.

Recommendation 3: Institute a childcare support scheme for people from asylum-seeking backgrounds as the existing eligibility criteria exempt many families within this cohort. This will have the potential of freeing families to be able to work without that limitation.

Recommendation 4: Improved access to social & family support services for migrant and refugee community members. This community need access to basic medical care (including bulk billing General Health Practitioners), access to affordable driving lessons and access to technology for education & training.

⁹ ACT Government. "[Multicultural Communities](#)" Act Government Website. Accessed on April 11, 2024.

Recommendation 5: Provide funding for public schools to invest in structures and systems that ensure that schools optimize the partnership with parents in raising the children. This could include providing funding to cater for community coordinators, to provide a liaison function between teachers/schools and the CALD community.

Recommendation 6: Institute more programs that address social isolation. There is also a need to commit funding to address the social isolation aspect of Domestic and Family Violence Support programs. This is significant for families in this cohort, who are vulnerable people and may have children who have experienced trauma.

Recommendation 7: Provide funding for schools to adequately provide the necessary academic and pastoral care support for students transitioning from IEC to mainstream schools for at least the first 18 months.

THE ORGANISATIONS INVOLVED

Canberra Refugee Support (CRS¹⁰)

Canberra Refugee Support (CRS) is a volunteer organisation that provides practical good neighbour support to asylum seekers and refugees in the ACT. CRS assist asylum seekers and refugees to become engaged, independent, and accepted in the local Canberra community as soon as possible. This can be a challenge for people who live with uncertainties associated with temporary visas and who may be denied the right to work.

CRS is a not-for-profit organisation, with no offices or employees. The organisation covers its overheads through its membership fees, directing donated funds towards assisting the asylum seekers and refugees we support. CRS also provides practical support and links with other services to assist with accommodation, furniture, local services, schooling, English language training, health care, jobs, and networking in the Canberra community.

Migrant And Refugee Settlement Services (MARSS¹¹)

Migrant and Refugee Settlement Services (MARSS) is a Canberra-based community not-for-profit organisation that provides a range of settlement services to migrants, refugees, humanitarian entrants, and asylum seekers in Australia. It was established in 1980 as a Migrant Resource Centre and incorporated in 1983. MARSS helps new arrivals successfully settle into their new communities by providing them with the support and resources they need to build a new life in Australia.

MARSS provides a wide range of services, including assistance with finding housing, accessing health care, and enrolling in education and training programs. The organisation also provides language and cultural support services to help clients better understand and navigate Australian society.

MARSS is funded by the Australian government and ACT government and operates in partnership with other community organisations, agencies, and local businesses. The

¹⁰ Read more about: [Canberra Refugee Support \(CRS\)](#). Accessed on April 12, 2024

¹¹ Read more about: [Migrant and Refugee Settlement Services \(MARSS\)](#). Accessed on April 12, 2024

organisation is committed to promoting social inclusion and supporting the successful settlement of migrants and refugees in Australia.

[St Vincent De Paul Society Canberra/Goulburn](#)¹²

St Vincent de Paul Society Canberra/Goulburn (the Society) is a member-based lay Catholic organisation that has been assisting people experiencing poverty and disadvantage in the region since 1895.

As a registered charitable not-for-profit organisation, the Society operates in the Australian Capital Territory and surrounding southern and western regional areas of New South Wales. We seek to shape a more just and compassionate society by working to address the causes of poverty and injustice, with a focus on prevention and early intervention. Our programs broadly address needs around housing, homelessness, social isolation, income support, psychosocial support, and energy needs.

Specifically, the Migrant and Refugee Program aims to connect and empower children from migrant or refugee backgrounds so they can thrive in their new communities. By connecting volunteers with more vulnerable children, we aim to build relationships between individuals, communities, and relevant service providers. The Society also provides good neighbourly support for people from a refugee or asylum seeker background in need of emergency assistance through our Caritas Christi conference. Volunteers will visit people in the homes to hear their stories and establish what they need in terms of financial and well-being support.

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¹² Read more about: [St Vincent de Paul Society Canberra/Goulburn](#). Accessed on April 12, 2024