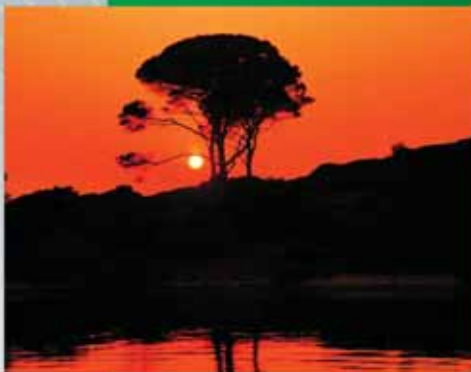


“But here, life is different...”

A service response for the prevention and
intervention of family violence within the
Southern Sudanese community in Australia



A TRAINING MANUAL AND DVD

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“But Here Life is Different . . .”

A service response for the prevention and intervention of family violence within the Southern Sudanese community in Australia

A Training Manual and DVD

December 2008

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- Sudanese Community Association of Australia
- Victoria Legal Aid
- Victoria Police
- Women's Health East

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1. Introduction

1.1 Background

Settling in Australia can be a long and difficult process for refugee families. Many people from refugee backgrounds have experienced repeated exposure to traumatic events prior to their arrival in Australia, including torture, time spent in dangerous refugee camps and loss or separation from close family members and friends. In addition to this, the process of settlement and adjustment to a complex and unfamiliar society is often a baffling and stressful experience for families. This places huge demands on families who are also struggling with coming to terms with a different set of societal and cultural rules. Such pressures can contribute to family conflict and relationship breakdown.

The Migrant Information Centre (Eastern Melbourne) (MIC) received funding from the Australian Government, Office for Women to develop and implement a project to draw on the knowledge and strengths of the Southern Sudanese community around issues of family violence. As a newly arrived refugee community, the Southern Sudanese have identified family breakdown as a significant issue that is impacting on family relationships within the community. Coupled with this is a lack of comprehensive understanding amongst some members of the Southern Sudanese community around Australian laws and practices and community services available to assist with family conflict and family violence.

Throughout this training package, the term Family Violence will be used. This is consistent with the recent publication, *Practice Guidelines: Women and children's family violence counselling and support*¹. This is discussed in greater detail in *What is Family Violence and who is affected by Family Violence? A context for practice* (page 13).



1 Greal, C., Humphreys, C., Milward, K., and Power, J. (2008), *Urbis Practice guidelines: Women and children's family violence counselling and support programs*, Department of Human Services Victoria

1.2 Purpose and structure of the manual and DVD

This manual and DVD have been designed for the use of service practitioners from community, health, legal and government agencies in Australia who work with Southern Sudanese families. This resource explores issues of family violence within the Southern Sudanese community based on community consultations held with Critical Reference Groups comprised of Southern Sudanese men and women, Southern Sudanese community elders and leaders and Southern Sudanese bi-cultural practitioners.

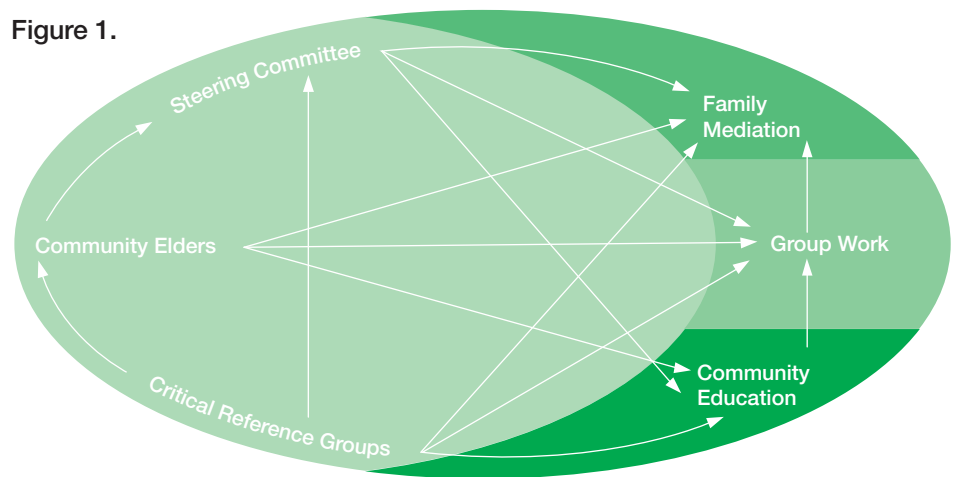
The manual and DVD present methods for implementing culturally appropriate best practice service models in the prevention and intervention of family violence. The methods presented are based on models developed and piloted by the Migrant Information Centre (Eastern Melbourne) with the Southern Sudanese community in Eastern Melbourne in 2007 and 2008. The piloting phase allowed for work implemented to be evaluated and allowed the methods and ideas presented in this resource to be refined. The manual and DVD have been endorsed by the Southern Sudanese community in Eastern Melbourne, including the critical reference groups, the Sudanese Community Association of Australia and the Bor Community Association of Australia.

The information presented within this resource will allow for culturally appropriate responses to family violence within the Southern Sudanese community to be adopted and implemented within the community service sector across Australia for the benefit of women, children and men from Southern Sudanese backgrounds.

2. How this Resource was Developed

Using an action research model, MIC project workers worked closely with Southern Sudanese community members, community elders and mainstream service providers. Information gathered from each group at every stage of the project was documented and analysed before each additional stage of the project was decided upon and ideas were put into practice. This process has allowed for the project to be community driven, and has culminated in the best practice approaches outlined in this resource. The project structure is illustrated in Figure 1.

Figure 1.



2.1 Critical Reference Groups

Two critical reference groups were established – one with men and the other women from Southern Sudanese backgrounds. The critical reference groups were split by gender to allow for topics covered to be discussed openly, without bias or shame. These groups met monthly with project workers from the MIC. One bi-cultural worker was also present at every meeting, to act as an interpreter and assist with facilitation. The bi-cultural workers also contributed to the discussion and were able to elaborate on issues raised and explain cultural understandings. The reference group members provided much useful knowledge, direction and feedback on each component/phase of the project. There were 12 men's and women's critical reference group meetings in total between September 2007 and December 2008.

The purpose of the critical reference groups was to:

- identify the settlement and cultural issues impacting on families that can contribute to family violence
- provide an overview of Southern Sudanese culture and traditions in the prevention and treatment of family violence in the Sudan
- identify culturally appropriate service responses within an Australian context of migration and resettlement
- provide feedback on the development and implementation of each phase of the project including the development of the DVD and manual

Critical reference group members were chosen to predominantly represent two Southern Sudanese tribal groups, Dinka and Nuer, which are the largest within the Eastern Region of Melbourne and were therefore thought to be the most appropriate tribal groups to include in the project. There was also a smaller representation of Equatorial tribal groups on the reference groups, as there are also many people identifying as Equatorial in the Eastern Region of Melbourne. Seven women and seven men from Dinka, Nuer and Equatorial tribal groups were invited to participate in the critical reference groups and each person was reimbursed for his/her time.

Over the sixteen month period, some of the women who participated in the critical reference group changed. Four women were no longer able to attend meetings because they moved out of the area and it was too far to travel. In June 2008, four additional women were invited to become participants and they attended meetings between June and December 2008. The seven men remained constant for the duration of the project.

Critical reference group participants were selected on the basis of skills which are outlined below and their commitment to contribute to the project, meet monthly and support families in the prevention and treatment of family violence. The skills required for critical reference group participants included:

- a knowledge of Southern Sudanese and Australian cultural responses to family violence
- good analytical and critical thinking skills
- good communication skills
- good life skills and wisdom
- commitment to working with the community and supporting their settlement
- an openness to change and an awareness of the social cost of not tackling family violence in the community
- an understanding and opinion about the negative impact of family violence on families and the community

2.2 Steering Committee

Local community service providers were invited to join the Steering Committee for the project, which met bi-monthly between September 2007 and December 2008. Service providers represented on the steering committee included:

- Centrelink, Box Hill
- Child Protection, Department of Human Services
- Eastern Access Community Health Service
- Eastern Community Legal Centre (ECLC)
- Eastern Domestic Violence Outreach Service (EDVOS)
- Ringwood Family Relationships Centre (FRC)
- Immigrant Women's Domestic Violence Services (IWDVS)
- Ringwood Magistrates Court
- Sudanese Community Association of Australia
- Victoria Legal Aid (VLA)
- Victoria Police (Nunawading Police Station)
- Women's Health East (WHE)

The role of the steering committee was to:

- provide expertise, advice, recommendations and support for each phase of the project
- plan and assist in the development and implementation of culturally appropriate service responses to overcome gaps in the service system as identified by the Southern Sudanese community
- share resources, knowledge and skills
- reflect on the learning and information gathered from the critical reference group meetings
- promote the development of the project to interested parties (i.e. own agencies, clients, relevant networks, etc.)
- give feedback and endorse the manual and DVD
- allow each member to feedback and give direction on the structure of the project to assist in monitoring and evaluation

Steering committee members were also approached to assist with other aspects of the project, including making presentations at community education sessions and community elder training sessions.

2.3 Service Model Development and Implementation

The action research model used throughout the development of the project allowed for critical reflection and implementation of changes as the piloting period progressed. A culturally appropriate service model, using a family therapy/counselling framework was initially developed to assist families experiencing or at risk of experiencing family violence, to stop violence and ensure the safety of women and children. The model was strongly endorsed by community elders, the steering committee and the critical reference groups, as it was based on the traditional Southern Sudanese model of resolving family disputes including relatives and community elders from within the community. This model was piloted for four months, between December 2007 and March 2008.

a) Implementation of the model

The service model relied on self referral or referral by an elder, family member or service provider for counselling for clients outside of the legal system and referral from police, family violence services or local courts for those accessing legal services. Upon attaining a referral, the counsellor would talk to the person referred to the program and obtain their consent to contact their spouse. The counsellor would then ask the client to nominate community elders and/or relatives who they would like to participate in a group counselling session with the counsellor and the couple. The objective of the group counselling session was to address the issues of family violence and family conflict, in a forum that recognised and respected traditional roles and responsibilities.

In each case, a risk assessment was undertaken by the family counsellor to determine whether contacting the spouse of the client who presented and their nominated community elders and/or relatives would be safe. Six referrals were made by women who became aware of the project and contacted the MIC for assistance. One referral was made by a settlement worker at the MIC. Training on the use and intentions of the model was held for Southern Sudanese community elders in December 2007 to January 2008.

b) Barriers to participation

Many barriers were faced in successfully implementing the family therapy/counselling model, these were:

- **Men were unwilling to participate in this model.** In six cases, Southern Sudanese women approached the MIC, wanting to participate in the program. In every instance that the husband was contacted and the service was explained, the husbands were unwilling to participate. The critical reference groups (both men and women) had been involved in the development of the model and expected that the men would be willing to engage with this program. These groups included elders who also were supportive of the model.

Southern Sudanese culture is based on a patriarchy where men are the head of the family and they have the responsibility for disciplining their wives and children. These practices are viewed as normal within Southern Sudanese culture and were widely practiced in the Sudan. Critical reference group members reported that some Southern Sudanese men in Australia view

Australian laws, which uphold human rights and hold men accountable for violent behaviour as a challenge to Southern Sudanese culture and their cultural identity. Some individuals view Australian culture as biased towards women and undermining to male authority.

As a result, it was difficult to engage violent men in the program as this appears to require a significant cultural change in perceptions and the roles and responsibilities of both men and women in the family as well as elders and relatives. The Community Education and Awareness Raising Program was included as part of the project to assist this change and those who participated indicated that they understood and accepted that change was necessary in Australia. However, this shift in thinking and the processes involved in defining cultural identity as distinct from the right to safety and non-violent relationships will take time (see *Community Education and Awareness Raising Programs with the Southern Sudanese Community* page 68).

- **Support for women and children.** When the men refused to participate in the counselling model, follow up support was offered to the women through the family support services and family violence counselling services. Children's services including counselling and participation in group programs were also offered to women with children where appropriate.
- **Community elders and relatives were unwilling to participate in the group counselling sessions.** The primary reason identified by the counsellor and bilingual project workers for the nominated elders' refusal to participate was that the husbands, relatives and elders nominated by these women had not participated in the Community Education and Awareness Raising Program (see page 68) and community elders training (see page 47) and were consequently not familiar with the project. As a result, they were not ready to challenge their own or other men's behaviour and their role in the family.

Critical reference group members suggested that community elders and relatives may have been unaware of the intentions of the program and may have felt threatened by it or thought that it intentionally tried to break up families. One elder reported to the family counsellor that he felt it was not his place to participate in assisting a particular family and thought that by participating in the program he would be putting his own family at risk of stigmatisation or harm from others within the Southern Sudanese community.

Further, all of the women who sought assistance from the program nominated relatives and/or community elders from the Equatorial region of Sudan. As the project specifically targeted community members from the Dinka and Nuer tribes residing in the Eastern Suburbs of Melbourne (who were invited to participate in the Community Education and Awareness Raising Program and the Elders Training sessions), who are the largest groups settling in Melbourne, Equatorial elders and relatives who were nominated by presenting clients were not familiar with the project.

- **Western counselling and therapeutic responses are not widely understood within Southern Sudanese culture.** The traditional Southern Sudanese method for overcoming family conflict is based on a mediation model, where issues are addressed in a concrete manner, behaviours are challenged and individuals are offered advice and suggestions for overcoming their grievances (see *Southern Sudanese Family Mediation and Australian Family Mediation: A Comparison of Two Methodologies* page 34).

For elders and relatives to participate effectively in therapeutic interventions, understanding the issues underlying family violence and implementing knowledge of these within a therapeutic environment would be necessary. This would require each individual to undertake extensive education and training on family violence, therapy and counselling practices and confidentiality and privacy laws.

It was originally anticipated that the Elders Training Program delivered by MIC in December 2007 and January 2008 developed for community elders living in the local area would cover these issues, however, most elders who were called upon to participate in the group counselling sessions were not living in the local area and had consequently not participated in the training. Further, given the limitations of the project, the training program delivered was insufficient to cover the training needs of the community elders and other community members who were called upon to attend counselling sessions.

c) From counselling to mediation

In order to overcome some of the challenges faced in implementing the original model, the critical reference groups were consulted. Through suggestions made by bi-cultural workers, MIC practitioners and critical reference group members, it was decided that a shift from the therapy/counselling model to a model of mediation was necessary. Mediation is more understood within a Southern Sudanese cultural framework and is a short term intervention that can achieve safety for women and children.

Critical reference group members identified that families would be more responsive to mediators from Southern Sudanese backgrounds, rather than mediators from non-Southern Sudanese backgrounds. Consequently, bi-cultural project workers completed Level 1 and 2 Family Mediation Training at the Family Mediation Centre in Moorabbin in 2008. Southern Sudanese mediators and the family counsellor worked in partnership to ensure the safety of women and children.

In the mediation model, the bi-cultural workers adopt the role originally appointed to community elders and relatives in the counselling service model. The mediation model consequently allows the bi-cultural workers to work with clients within a framework that recognises traditional Southern Sudanese culture, whilst having an ability to critically assess and challenge inappropriate behaviours and ideas. The mediation model is discussed in greater detail in *Family mediation with the Southern Sudanese community in Australia* (page 50). The mediation model was piloted for seven months between April and October 2008.

d) Working alongside the community to promote the project

Whilst the mediation model was being piloted, critical reference group members suggested approaching more community elders and leaders from all Southern Sudanese tribes, including leaders of Southern Sudanese tribal and community associations and church groups across Melbourne to further promote the project and gain wider support within the community. The critical reference group participants advised project workers that as elders and leaders become aware of the project and voiced their support of it, men might feel more comfortable to participate.

Consequently, the president of the Sudanese Community Association of Australia was approached and he assisted project workers in organising a series of meetings for community elders (including community association leaders, religious leaders and respected tribal elders) to learn about the project. During the meetings, the critical reference group members spoke about their involvement in developing the mediation model and bi-cultural project workers explained the practical implications of implementing the model.

Although many community elders present at these meetings expressed their support for the project and encouraged the use of the mediation model generally within the wider Southern Sudanese community, there were no referrals made by community elders into the program at any point during the project. This is discussed further in *Family mediation with the Southern Sudanese community in Australia* (page 50).

3. What is family violence and who is affected by family violence? A context for practice

Family violence occurs within all communities. Family violence is a widespread social issue that can affect individuals and families across a range of demographics including socio-economic groups and cultural groups and communities. Critical reference group participants indicated that there are numerous barriers for Southern Sudanese women and men in accessing mainstream family violence support services for assistance. The barriers that were reported by critical reference group participants included:

- a perceived lack of understanding within the Southern Sudanese community about what different family violence services offer
- a fear that if people do approach mainstream community services, workers will not understand Southern Sudanese culture, including how disputes in families are traditionally overcome and the significance of traditional family and gender roles and responsibilities
- a fear that because many Australian couples get divorced, Australian community service providers may try to force women and men to separate and/or divorce against their wishes
- Southern Sudanese women are often expected to follow traditional methods for overcoming family conflict, consulting relatives and keep family problems 'within the community' including where there is family violence

3.1 Definitions and terminology

Having a common understanding of the term family violence is important for community service providers, to allow for consistency in their approach to working with families. Just as important however, is the acknowledgement of understandings and interpretations of the term family violence amongst individuals of Southern Sudanese backgrounds with whom practitioners are working. Sometimes, the two definitions or interpretations of the term may be inconsistent, meaning that it may be necessary for practitioners to discuss these with clients to avoid misunderstandings.

For the purposes of this resource, the term *family violence* will be used to refer to the same definition recommended in the recent publication, *Practice Guidelines: Women and children's family violence counselling and support programs*² and the definition and amendments made in the *Family Violence Protection Bill (2008)*³.

2 Grealy, C., Humphreys, C., Milward, K., and Power, J. (2008) *Urbis Practice guidelines: Women and children's family violence counselling and support programs*, Department of Human Services Victoria

3 *Family Violence Protection Bill (2008)* Parliament of Victoria

The term *family violence* will be used to acknowledge violence that can occur between all family members. A *family member* is defined under the *Family Violence Protection Bill (2008)* to include many kinds of familial or similar relationships including violence between extended family members. A *family member* is defined as:

*...many types of current or former relationships in a domestic environment. In relation to 'a relevant person', a family member may constitute a current or former spouse or domestic partner; a person who has or has had an 'intimate personal relationship' with the relevant person; a child of someone who has or has had such a relationship with the relevant person; or a child who normally or previously resided with the relevant person.*⁴

The definition in Practice Guidelines: women and children's family violence counselling and support states:

*Family violence is the repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member(s), or someone with whom they have, or have had, an intimate relationship. Violent behaviour includes not only physical assaults but an array of power and control tactics used along a continuum in concert with one another, including direct or indirect threats, sexual assault, emotional and psychological torment, economic control, property damage, social isolation and behaviour which causes a person to live in fear.*⁵

Further, the Family Violence Bill Protection Bill (2008) acknowledges:

*Family violence is also defined as behaviour which causes a child to hear or witness or otherwise be exposed to the effects of [violent] behaviour. Examples may include not only overhearing or witnessing abuse but also comforting or providing assistance to a victim of physical family violence, cleaning up a site after a family member has intentionally damaged another member's property, or being present when police attend an incident of physical family violence.*⁶

3.2 Family violence and the Southern Sudanese community

This resource acknowledges that family violence can occur within all communities and cultures and within any familial or intimate relationship. When working with Southern Sudanese families and communities, the notion of family can include partners, members of one's immediate family (children, parents, siblings), extended family members, which the Southern Sudanese community in Australia often refers to as relatives or in-laws (see *Southern Sudanese Family Mediation and Australian Family Mediation: A Comparison of Two Methodologies* page 34) and members of one's community or tribal group.

Traditional Southern Sudanese ideas around what constitutes violence and what is cause for serious alarm or action to be taken is different from how these ideas are contextualised within Australian culture and under Australian laws. Within Southern Sudanese culture, although violence is considered unacceptable in most circumstances, discipline of wives and children by husbands and fathers is seen as acceptable and appropriate behaviour.

4 *Family Violence Protection Bill (2008)*
Parliament of Victoria

5 Domestic Violence Victoria (DV Vic)
(2006) *Code of practice for specialist family violence services for women and children*, DV Vic, Melbourne

6 *Family Violence Protection Bill (2008)*
Parliament of Victoria

Members of the Southern Sudanese community will sometimes distinguish between levels of violence in families based on perceived seriousness of harm caused. If severe injuries are caused requiring medical attention, some people will consider this as going beyond regular discipline. However, discipline including hitting, punching, slapping, kicking, etc. leading to minor bruising is not usually considered to be violence. The Southern Sudanese community often sees violence as a direct result of some other action or incident, rather than a separate issue or incident. Consequently, Southern Sudanese community members will often focus on what caused the violence to occur rather than addressing the violence as an issue in itself.⁷ This will be discussed in greater detail in *Resolving Family Conflict: Sudan and Australia* (page 26).



7 Reference group meeting notes
September – December 2007

4. Refugee Journeys: From Sudan to Australia

There are millions of refugees in the world. Refugees are men, women and children who have often experienced extreme physical and emotional violence in their country of origin and are seeking a place of safety or sanctuary in a foreign country. Refugees are unable to return to their home country for genuine fear of persecution on the grounds of race or ethnicity, religion or membership to a particular social or political group.

4.1 The history of the war in the Sudan

Sudan has endured a long history of bloody conflict, which has spread over two civil wars. Sudan's first civil war began around the time of independence in 1956. During the first civil war, an estimated 500,000 people were killed and thousands more were violently displaced. The fighting began as tensions between the government and the southern population grew to a head.

To escape the conflict, many thousands of people fled to other parts of the Sudan or to neighbouring countries such as Kenya or Egypt.⁸ A peace agreement, known as the Addis Ababa Agreement was reached in 1972, whereby the southern region of Sudan was granted some autonomy. However, this agreement proved only to be a temporary cease-fire, as tensions began to mount again when, in 1983 the former Sudanese president Gaafar Nimeiry, attempted to impose Shari'a (Islamic law) throughout the country. This started Sudan's second civil war, which some have claimed to be a continuation of the first civil war⁹.

With the outbreak of the second civil war, the Sudan People's Liberation Army (SPLA), under the leadership of John Garang began fighting a guerrilla war against the Government of Sudan with the objective of creating an independent southern state for the people of the south of the country. The second civil war took place mainly in Southern Sudan as government forces attacked and raided villages, resulting in the deaths of close to 2 million people and the displacement of over 4 million more, many of whom were forced to flee their homes and seek refuge in neighbouring countries such as Egypt, Ethiopia, Kenya and Uganda¹⁰.

More recently, through the 1990s and into the new millennium the janjaweed, a militia group, tolerated by the northern Sudanese government, swept through villages and towns in Southern Sudan and in Dafur indiscriminately attacking the local tribal populace, forcing people to flee their homes¹¹.

The second civil war officially ended in 2005, with the signing of a peace agreement, however, fighting still continues to the present day. Internal displacement within the Sudan or seeking refuge within a neighbouring county was for many, the start of a long and perilous journey. Many people became separated from their families as they fled for their lives, walking together with others, desperate to reach the Sudanese boarder.

8 Johnson, Douglas Hamilton, International African Institute, (2004) *The Root Causes of Sudan's Civil Wars*, James Currey Publishers

9 Eprile, Cecil (1974) *War and peace in the Sudan 1955 - 1972*. David and Charles, London

10 Ibid.

11 US Department of State: Bureau of African Affairs (2007) *Background Note: Sudan* <http://www.state.gov/r/pa/ei/bgn/5424.htm> at April 2, 2008



For people who escaped to neighbouring Ethiopia, they were forced to flee again in 1992, when civil war broke out, crossing the border back into Sudan and then to Kenya¹². Many Sudanese refugees who are now in Australia lived in the Kakuma and Dadaab refugee camps in Kenya and camps around Gambella in Ethiopia and in northern Uganda. Others, mostly from northern Sudan have arrived in Australia via Cairo in Egypt.¹³

4.2 Life in the refugee camps

Seeking refuge in neighbouring countries, Southern Sudanese refugees spent many years living in large, dangerous refugee camps in neighbouring countries. Conditions in the camps were extremely poor and people often had to struggle just to receive the basics for survival such as clean water and food. Shelters were basic and built to be temporary. There were also widespread reports of attacks on people.¹⁴ Many people had no choice but to live in these fearful and difficult conditions within secondary countries of asylum while they waited for their refugee claims to be processed.



12 Deng, Gabriel (2008) *Kakuma Camp and Refugee Arrival*

13 Department of Immigration and Citizenship (2007) *Sudanese Community Profile* <http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-planning/pdf/community-profile-sudan.pdf>

14 *Ibid.*

4.3 Resettling in Australia

Each year the Australian Department of Immigration and Citizenship (DIAC) identifies the number of refugee visas that will be granted as well as the countries that will be given priority for granting visas under the Humanitarian Program. To be granted a Humanitarian visa, people must meet the following criteria:

Refugee Category for people who are subject to persecution in their home country and who are in need of resettlement. The majority of applicants who are considered under this category are identified by the United Nations High Commissioner for Refugees (UNHCR) and referred by UNHCR to Australia. The Refugee visa categories includes *Refugee (200)*, *In-country Special Humanitarian (201)*, *Emergency Rescue (203)* and *Women at Risk (204)* sub-categories.

Special Humanitarian Program (SHP) for people outside their home country who are subject to substantial discrimination amounting to gross violation of human rights in their home country. A proposer (known as a sponsor under the Migration Program) who is an Australian citizen, permanent resident or eligible New Zealand citizen, or an organisation that is based in Australia, must support applications for entry under SHP (202 visas).¹⁵

Most Sudanese refugees who arrived in Australia after 2001 came to Australia under the Special Humanitarian Program, applying for resettlement whilst in the refugee camps outside of the Sudan.¹⁶ Most Sudanese refugees who entered Australia under this program would have applied for refugee status with UNCHR whilst they were in the refugee camps in Africa. Individuals and families are then placed on a waiting list for resettlement to countries who have accepted joint responsibility for resolving refugee problems.

These countries (including Australia) work in partnership with the UNHCR under the policies set out in the United Nations 1951 Convention relating to the status of refugees (the Refugees Convention) and the United Nations 1967 Protocol¹⁷. By making contact with a proposer in Australia, individuals are able to elect to resettle in Australia over other countries.

When people are accepted to resettle in Australia, they enter with a visa that entitles them to permanent residency and to apply for Australian Citizenship after the prescribed waiting period. Over the past decade, the Sudanese community has been one of the largest growing communities, with the Sudanese population increasing in Australia at an average of 34% each year since 1997.¹⁸ This trend is evident in Victoria, where from 2002 to 2007 the highest number of Humanitarian Entrants (by country of birth) resettled in Victoria were from the Sudan.¹⁹

15 Department of Immigration and Citizenship, www.immi.gov.au/immigration

16 Department of Immigration and Citizenship (2007) *Sudanese Community Profile* http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-planning/_pdf/community-profile-sudan.pdf

17 Department of Immigration and Citizenship, www.immi.gov.au/immigration

18 Department of Immigration and Citizenship (2007) *Sudanese Community Profile* http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-planning/_pdf/community-profile-sudan.pdf

19 Department of Immigration and Citizenship (2007) *Settlement Trends and Needs of New Arrivals – Victoria* http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-planning/_pdf/community-profile-sudan.pdf at April 2, 2008



5. The challenges of resettlement and the strengths of refugees

Resettling in a foreign country is an ongoing process that often continues for many months or years after arrival. The experiences of people relocating to another country such as Australia are always unique, even amongst individuals from the same family or ethnic group, meaning that there is no one refugee resettlement experience. Some individuals report never feeling completely integrated into a new country or society, despite having lived in a country for many years, while others may feel settled more quickly.

Humanitarian entrants generally have the highest settlement needs because of their experiences prior to arrival in Australia, which may have included persecution and violence perpetrated against them, loss of family and friends and insecure living conditions for extended periods.²⁰ Highlighted below are some of the challenges and issues faced by people from refugee backgrounds, specific but not unique to the Southern Sudanese community when resettling in Australia.

5.1 Expectations and realities of life in Australia

Most refugees will arrive in Australia with some expectations and hopes about what their new life might be like. These expectations however are often not the realities people find themselves within, leaving individuals sometimes feeling confused, disappointed and unsuccessful. Unforeseen difficulties often arise in:

Employment. Individuals often have difficulty gaining suitable employment in Australia. Skills and qualifications obtained overseas are often not recognised in Australia and refugees are forced to undertake bridging courses (which can be timely and expensive) or accept employment that is inappropriate or below their skill level.

Financial opportunities. Individuals sometimes have the expectation that they will have sufficient finances to support relatives overseas when they arrive in Australia. However, often refugee families are reliant on Centrelink payments or earn a low wage. This means that families who do send money back sometimes struggle financially in Australia and those who do not can feel as though they have 'failed' and let relatives or friends down. This can lead to increased anxiety or stress for individuals and create tensions within families.

Insecure Housing. Some refugees come to Australia without any idea about the housing market and systems for acquiring accommodation in Australia. With the property market becoming increasingly expensive and with rental properties in high demand, many individuals and families find it difficult to attain appropriate, affordable, secure housing.

20 Department of Immigration and Citizenship (2007) *Settlement Trends and Needs of New Arrivals – Victoria* http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-planning/_pdf/community-profile-sudan.pdf at April 2, 2008

Cultural practices. Some traditional practices refugees bring with them may be considered inappropriate in Australian society and under Australian law. This can be challenging for individuals, who have undertaken such practices for many years and may see opposition to these as an attack on personal identity and cultural rights and responsibilities.

5.2 Cultural differences

Navigating a new culture can be difficult for newly arrived refugee individuals and families. Challenges faced include:

New language, customs, societal structure, gender roles. Apart from negotiating a new language and culture, one major challenge for some families are the more equal and largely undefined gender roles in Australia. This may be quite confronting for many refugee families, who are used to structured systems whereby males and females have defined roles and responsibilities in families, workplaces and in public places or at community gatherings and events.

Interpreting Australian laws. This can take time and be confusing, as Australian laws may directly contradict those of the country of origin.

Education barriers. Disrupted or lack of education due to the refugee experience means that many children and young people will not be at the same level of education as their peers. Some adults may have missed out on formal education, decreasing employment opportunities.

Feeling 'stuck between two cultures'. Having a dual frame of reference (culture from country of origin and Australian culture) for interpreting society and navigating through life can be confusing. Many individuals from refugee backgrounds may consequently experience feelings of uncertainty, displacement and lack of belonging.²¹

5.3 Supports in Australia

Resettling in Australia means that many people will lose the emotional and community support networks that were relied upon in individuals' country of origin or first country of refuge. Lack of support networks in Australia is increased due to:

Geographic location of relatives and friends. Individuals and families may have come from small communities and be used to having relatives and friends in walking distance or very close proximity. People may consequently find living in Australian suburbs, without friends and relatives nearby isolating.

Lack of knowledge about community services. Community, health and welfare services that may be of assistance may not be known to newly arrived individuals and families, who may not have had similar services available in their country of origin. This may be due to language barriers and lack of awareness of their existence. This may also be due to a lack of understanding about the services offered and how services can assist individuals and families.

21 Mitchell, Jenny., Kaplan, Ida., Crowe, Louise (2006) *Two cultures: one life*, Community Development Journal Volume 42, Numer 3 pp. 282 – 298

Lack of transport. Many newly arrived people do not have driver's licences or cars, so are reliant on public transport to reach their friends, relatives and to access services. Lack of English language skills and knowledge of the public transport system may make using public transport difficult for some people, meaning that support networks may be hard to access as frequently as one might like or be used to.

Negative media portrayals, racism, stereotyping. These can create an added layer of challenges for newly arrived people from refugee backgrounds, making people feel 'different' and as though they must prove themselves to the wider community in order to be accepted.

5.4 The refugee experience

Having been forced to flee from home villages, towns or cities, all people from refugee backgrounds have experienced some loss and devastation. When resettling in Australia, people from refugee backgrounds bring with them the scars and memories from that which they have overcome. For some people, unwanted thoughts and feelings may severely impact on daily activities, making it difficult to go about their lives and participate fully in society. Some of the extreme difficulties that people from refugee backgrounds may have experienced include:

- Fear, persecution, death, destruction, destitution, torture, trauma, abuse, sexual assault, rape
- Loss of family members and friends through death or separation
- Interrupted or lack of education
- Living away from one's home country, in a country of refuge or refugee camps for many years prior to arriving in Australia

5.5 Strengths brought by refugees

Despite the numerous challenges faced by many people from refugee backgrounds when settling in Australia, there are also some joys and prosperous times enjoyed. Many people report taking pleasure in resettling in Australia, feeling safe, free and fortunate to have an opportunity to build a new life. People from refugee backgrounds also bring with them many positive attributes, which contribute to the rich and multicultural Australian society. Such attributes include:

- Resilience
- Specialised skills and knowledge
- Cultural and ancestral knowledge
- Culturally enhancing contributions to society (such as diverse food, language, music, dance, etc.)

6. Southern Sudanese families and relationships²²

In Southern Sudanese culture, families are central to communities. Within the family unit, which includes mothers, fathers, children and extended family members, there is an expectation that men, women and children will all observe certain behaviours, adopting roles and taking on responsibilities within the family as defined by traditional societal norms. Young people are taught to both value and respect these traditions and to uphold them as a part of their culture and identity.

6.1 Marriage

Within Southern Sudanese culture, marriage is considered an arrangement or agreement between two families, with the primary aims of producing children and strengthening community ties. Sexual relationships outside of marriage are not widely accepted nor acknowledged as legitimate. Although in modern times, some people both in Sudan and in Australia are now choosing their own partners, traditionally, it is the parents or extended families who decide who a young man or a young woman should marry.

Decisions of suitable spouses (for both men and women) are based on the reputation of the prospective spouse's family and the chance to build a relationship with that family, as well as the character of the prospective spouse. Families often strongly encourage their son or daughter to marry a particular person so that they can build a relationship with another family for personal interest or financial benefit for their own family.

Men and women often marry others from within their own tribal group, although a marriage outside of one's own tribal group is socially acceptable and not uncommon. When a woman marries a man from a tribe distinct from her own, she is expected to adopt the cultural and traditional practices of her husband's tribe. Children are considered to have the tribal identity of their father.

6.2 Dowry

Once there is an agreement between families that a marriage will take place, a dowry or bride price is paid by the man's family to the woman's family. The price of the dowry is based upon the wealth of the man's family and the character of the woman. In the Sudan, cows are usually used as currency to pay the dowry amongst nomadic groups. However, many Nilotic people use money to pay the dowry. Other groups use goats, sheep, pigs, spears, cultivating or farming equipment or other kinds of commodities. A normal dowry price can range from 50 to 100 cows (although prices well above or below this range have also been reported), cash to the equivalent of AU\$10,000 - \$20,000 or 30 goats or sheep.

²² Information for this section was gathered from members of the Southern Sudanese community living in the Eastern Region of Melbourne, who participated in the Critical Reference Group meetings for this project between September 2007 and December 2008. This information is consistent with the information gathered by Springvale Monash Legal Service Inc. as documented in their paper, *Comparative Analysis of South Sudanese Customary Law and Victorian Law* (2008), Springvale Monash Legal Service Inc.



Currently, for marriages of Southern Sudanese couples in Australia, most families follow the tradition of paying a dowry. Some families pay the dowry through an exchange which takes place amongst relatives of the bride and groom in the Sudan or other African countries, while others pay the dowry in Australia. Some families choose to pay part of the dowry by traditional commodity such as cows through the exchange in Africa and part of the dowry through money in Australia.

For Southern Sudanese families wanting to pay a certain number of cows worth of Australian dollars, the community currently equates one cow to approximately AU\$250. Consequently, some Southern Sudanese men in Australia are forced to work for many years or take out huge personal loans to afford the cost of getting married. This system is proving very difficult and sometimes impractical for men in Australia, who are often left in debt for many years. Once the dowry has been paid, the marriage ceremony takes place and the relationship becomes official. Polygamy is legal and common in the Sudan, as having numerous wives (and subsequently numerous children) signifies wealth and prosperity.

6.3 Roles and responsibilities in the family

Because of the payment of the dowry by a man's family to the woman's family, the man is seen as responsible for and *in charge* of the wife and the family. This means that within Southern Sudanese marriages, the man or husband assumes the role as the head of the family. The man is responsible for making all decisions within the family, which can take place sometimes without consultation with his wife and children. Women and children are brought up to be subservient to their husband and father and it is not uncommon for men to discipline their wives and children using physical means when they are unhappy with them.

Discipline can include hitting, kicking, slapping, punching, etc. causing minor bruising and red marks. When serious harm is caused, such as major bruising, bleeding, internal or head injuries or life threatening injuries, this is seen to go beyond usual discipline and becomes unacceptable violence as seen by the community.

Within marriage relationships in Southern Sudan, the man or husband is usually the only person within the family with an income (unless there are older children who are also working). The man is exclusively responsible for managing the family's finances, usually giving women an allowance or money on a needs or regular basis. Women are responsible for the household, including looking after children and all household duties. Women's responsibilities include cooking, cleaning, maintaining the home, entertaining guests and sometimes gardening or collecting water and firewood.

Children are seen as 'belonging' to their father, the dowry representing a payment not only for a wife, but also for any subsequent children as a result of the marriage. Children are usually desired by couples as they are seen as necessary to protect their father's clan and lineage. The first child of a couple is often born within the first year of marriage and it is not uncommon for families to have over five children.

Gender roles and responsibilities are defined and nurtured from a young age. Boys are socialised to become young men, often accompanying their fathers to run errands or to social gatherings with other men. Girls are reared to become wives and mothers and are often expected to assist their mothers with household duties and care of younger children from a young age. In Australia, many Southern Sudanese young people encounter difficulties in trying to follow the traditional gender and cultural roles (as their parents expect them to), whilst growing up and attending school within the Australian context.

6.4 In-laws and extended family

When a woman marries, she becomes a part of her husband's family and is expected to treat her husband's relatives as her own relatives. In Southern Sudanese culture, the members of the family who are closest to both husbands and wives are the *in-laws*. In Southern Sudanese culture, the term *in-laws* does not usually refer to the parents of one's spouse. In-laws are the people who are closest to the husband, commonly his brothers. If a man does not have any brothers, in-laws can also include cousins, step-brothers, uncles and close friends of the husband.

Distant relatives or close friends often assume the role of the in-laws in Australia, where many people may not have close relatives. Sisters and other women are rarely considered to be in-laws.

In-laws are also usually the people who a wife feels closest to from within her husband's family. Wives are encouraged to respect and care for the in-laws (traditionally, in-laws lived with or near to the family, so wives were expected to



cook, clean and attend to the needs of unmarried in-laws) and in return, they are the first people who she is encouraged to approach with any issues or concerns. Although the husband's parents are also referred to as mother in-law and father in-law, they do not hold the same responsibilities as the in-laws do.

The in-laws often contribute to the dowry payment, and are usually the first people who a prospective wife meets from a man's family. For these reasons they are seen to have authority to become involved in the affairs and issues between husbands and wives and to assist in problem solving and decision making for the family.

When a woman is experiencing conflict within her family, particularly with her husband that they are unable to resolve amongst themselves, she is expected to report the issue to her in-laws as a first point of contact.

6.5 Divorce

Although divorce is uncommon in the Sudan, it does occur. Both in the Sudan and Australia, many members of the Southern Sudanese community see divorce as an act that brings shame upon families. Couples who divorce (particularly women) are often known to have a bad reputation, which means their children and sometimes their grandchildren and extended family are stigmatised within the community for years to come.

In Australia, single mothers are seen as especially 'bad', and similarly become extremely vulnerable, as they are sometimes approached by men within the community, making sexual advances. Despite making the decision to leave their husbands, both in the Sudan and in Australia, there have been instances where separated women have decided to return to their husbands, seeing no other option due to overwhelming feelings of shame and social isolation brought upon them by the community.

In the Sudan, if a couple separates and they do not have any children, the dowry is expected to be returned to the husband's family. If the couple has children, the children are required to remain living with their father, as they are seen to belong to him, because of the dowry that was paid. Young children are usually allowed to remain with their mother until they reach seven or eight years, at which time they are expected to live with their father.

When couples separate, mothers have a right to see their children; however, they are not allowed to be involved in decisions that are made around their children. Children are consequently raised by their step-mothers (other wives of their father) or paternal aunts or grandmother (if the husband does not have any other wives). Consequently, many women feel trapped and choose not to leave their husbands for fear of permanent separation from their children, seeing no other option than to remain in unhappy or violent relationships.

7. Resolving family conflict: Sudan and Australia

In Southern Sudan, families had distinct methods for overcoming conflict between family members. These practices are deeply entrenched within the culture, having been practiced by Southern Sudanese community members for many generations. These practices are different from the way that Australian family laws have been developed to overcome family conflict.

Understanding these cultural methods is crucial for working with Southern Sudanese families who are experiencing family conflict, including where there have been incidences of family violence. In conjunction with an acknowledgement of the traditional methodology involved in overcoming family conflict and family violence, interpretations of particular concepts and terminology is also necessary to ensure that service providers and community members have shared understandings around the issues being discussed.

7.1 Language and terminology

When working with members of the Southern Sudanese community, it is important to consider both the use of language and terminology and the meanings each party is attributing to each term. Making assumptions can lead to misunderstandings between workers and community members. If there is any kind of dispute or conflict within a family, many Southern Sudanese community members will refer to this as a *family problem* or a *domestic problem*, which needs to be *solved*.

Consequently, Southern Sudanese community members may not always explicitly state or name violence as such, even when directly referring to it. Being aware of this language may assist community service providers in effectively communicating with community members. Similarly, family violence may need to be defined within an Australian context, including an Australian legal framework to ensure that community members are aware of what it means to be a perpetrator or a victim of family violence under Australian laws.

When referring to confidentiality, it is important for community service providers to check with community members as to their understanding of this concept. Traditionally, within Southern Sudanese culture if something is stated to be confidential, it is widely understood to mean that the information is privy to all members of the sub-tribal group, even to those people who did not receive the information first-hand. The notion of confidentiality meaning that the information cannot disperse beyond those immediately privy to it (such as to those within a consultation room with a practitioner) is foreign. Although some members of the Southern Sudanese community in Australia have adopted the western notion of confidentiality, others may refer to the Southern Sudanese interpretation of the word.

7.2 Traditional Southern Sudanese methods for overcoming family conflict and family violence

In the Sudan, if there is any kind of family conflict, which one or more family members feel cannot be resolved within the family unit, relatives of the husband (the wife's in-laws) are called upon to assist (see Figure 2).

In-laws are approached where matters are not resolvable within the family unit, where two or more family members cannot reach an agreement about a particular issue or where one family member is unwilling to discuss an issue. Instances may also arise whereby one family member feels unable to raise a particular issue with another family member due to fear of being persecuted by that person. This may be the case where there have been incidences of family violence. The victim (often a woman) may feel unable to approach her husband to rationally discuss this and may instead go to the in-laws to seek refuge and assistance. Nevertheless, traditionally, husbands and wives are encouraged to solve conflict together within the family unit.

When the in-laws are called upon, they will listen to each disputing family members' concerns, often visiting or meeting with each family member separately. Through these meetings, the in-laws will try to decipher the *cause of the problem*. In investigating the cause of problems, the in-laws will use cultural understandings and expected gender and family roles as their point of reference. This means that if a particular family member is not fulfilling his or her expected role or duties within the family, this can be seen as the cause of the problem. Once the cause has been discovered and each party has been heard, the in-laws will make recommendations to the family about what they should do to overcome the issue to *solve the problem*.

Family violence is not usually addressed as an independent or isolated issue. Instead, family violence is thought of as actions that have been brought about as a direct result of some external or other action. Consequently, in discovering and addressing the basis of the problem (what caused the violence) there appears to be a common assumption that the violence will automatically cease, so it does not need to be addressed as a separate issue. Although violence is not condoned, it is similarly not condemned as the foremost issue within family conflicts. At times, the violence is neither named nor even mentioned, as it is considered to be the direct result of an underlying issue and therefore unnecessary to be discussed or addressed directly.

In some Southern Sudanese tribes men are not criticised in front of their wives, as this is seen as undermining the husband's authority and position within the family. For this reason, men and women often meet with the in-laws independently. For other tribes, mistakes of one partner may be pointed out in front of the other partner, however, it is made evident that it is the action or behaviour that is being criticised, not the person. Consequently, sometimes people are not held accountable for their actions. Many family conflict issues, including where there has been family violence are *resolved* in this way.

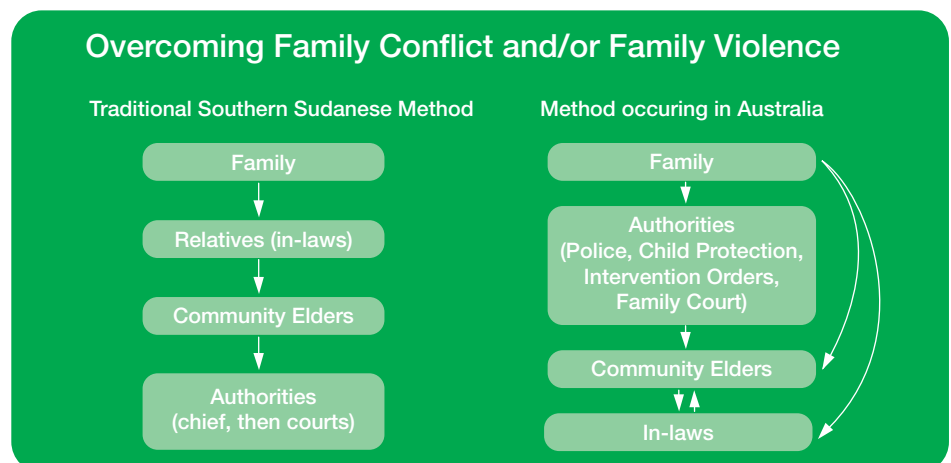
Some instances of family conflict cannot be overcome with the assistance of the in-laws. This may be where the in-laws cannot see a reasonable solution to the problem or when one or more family members do not follow the recommendations and advice given by the in-laws. In these circumstances, families may consult more distant relatives, sometimes including the woman's relatives as well as the man's (see Figure 2). The relatives listen and follow a similar process to that of the in-laws, listening to each family member to discover the cause of the problem, then offering advice to each disputing family member in order to solve it.

If the relatives are unable to resolve the conflict, respected community elders or leaders are often called upon by the family to assist (see Figure 2). Community elders and leaders are members of a community who are widely respected due to their age, their social position (such as tribal or religious leaders) or elected community leaders (office bearers within community, sub-tribal Associations, etc.). The community elders or leaders called upon will usually be known to the family and will often be from the same tribal group.

The community elder or leader nominated to assist the family will again meet with the disputing family members to try to find the cause of the problem, before offering solutions. This may be done by elders visiting and meeting with each party on one or several occasions (see Case Study 1, page 32), or in the form of traditional Southern Sudanese style family mediation, which is discussed in detail in *Southern Sudanese Family Mediation and Australian Family Mediation: A Comparison of Two Methodologies* (page 34).

If the family can still not overcome the issue with the assistance of the community elders or leaders, the matter would then be referred to the village or town Chief or Sultan. If an agreement cannot be reached with the Chief/Sultan, the matter would be passed on to the authorities, such as the Police and the Courts (see Figure 2).

Figure 2.



Family conflict issues, including instances of family violence, rarely reach the stage of the authorities in Southern Sudan. When matters do reach this stage, the case is usually treated very seriously, often involving life threatening harm to others or murder. If cases do reach this stage, someone will usually be charged with a criminal offence, which is largely frowned upon by members of the community. Subsequently, the authorities are rarely involved in family affairs, even where there have been instances of violence.

7.3 Overcoming family conflict and family violence in Australia

In Australia, the system for assisting families who are experiencing family conflict or family violence is quite different to the system used in Southern Sudan. In Australia, when there is violence within a family, regardless of the cultural origin of the family, the Police are often the first point of contact (see Figure 2). Police are often called by women and children, who fear for their own safety or for the safety of other family members. Police are also sometimes called by concerned neighbours or friends of the family.

When the Police attend a family violence incident, they may put an interim intervention order in place or contact Child Protection or other family violence services. On occasions, the perpetrator (often the man) will be removed from the house. Although some Southern Sudanese community members (predominantly women) have reported preferring the Australian system, as it ensures safety of women and children as a priority, this method is unfamiliar to many others, often creating difficulties for families who find themselves immersed within it.

The role of the Police in Australia does not appear to be well understood by the Southern Sudanese community. Some community members expect the Police to allow the Southern Sudanese community to follow traditional methods of overcoming family conflict and make an exception for them under the Australian Law. Others expect that the Police will adopt the role of the traditional community elders or leaders or the in-laws, investigating the cause of the conflict within a family before undertaking any action. The idea of assessing and condemning the use of violence as an isolated act is unfamiliar and misunderstood. Some individuals have interpreted harsh penalties for use of violence as Australian society's prejudice against men or see the entire Police system as favouring women and children at the expense of men.

For some Southern Sudanese families who have experienced family violence, the women and children want the violence to stop, but do not want the man removed from the home, as they do not want their family to be separated. There is an assumption held by some Southern Sudanese community members that if the Police are called to a family violence incident, men will automatically be involuntarily removed from the home for a number of months, Child Protection services will become involved and the family will be forced to separate. On some occasions, victims resist calling the Police to report incidents of family violence, for fear of separation from their spouses or children. It appears that there is also little knowledge of community and family services, such as family counselling or family mediation services.

Although some community members may know the names of agencies, they may not know the services that are offered or how to access them. It is not usually until the violence has escalated that services become involved.

Consequently, some Southern Sudanese community members appear to be utilising some aspects of the traditional system, while simultaneously navigating their way through the Australian legal and community services systems. Once the Police are involved with a family who is experiencing family violence, men and women sometimes turn towards the familiar cultural methods known to the community.

Community elders or the family's relatives may be called upon to assist the family in crisis by the Police, community service workers, relatives of the family or other community members who know of the family's troubles (see Figure 2). However, such processes are not formalised and are often done in an unstructured manner. In these circumstances, community elders or the family's relatives can feel as though there is no role for them, as the matter is out of the hands of the community and is being managed by the authorities and service providers. There are also feelings of powerlessness - the community elders or the family's relatives feeling ineffective in putting measures in place to assist the family within the Australian legal context.

In other cases, families are not reporting incidences of family violence to the Police, but are following traditional cultural methods, seeking the assistance of their in-laws or the community elders, who advise the family of how to overcome their grievances (see Figure 2). There have been incidences whereby community elders and in-laws have encouraged victims of family violence not to contact the Police or community support services but to let the Southern Sudanese community solve the problem internally.

This often creates feelings of confusion and tension for victims of family violence, as their loyalties become split between following traditional methods which may appear appropriate to other members of the community and utilising the Australian system, which, although may ensure safety, may separate families and stigmatise the victim within the community.

Nevertheless, where traditional methods are followed and there are incidents of repeated or severe family violence, matters are often eventually brought to the attention of the Police, who put interventions in place that may contradict those offered by the community elders or in-laws. This again leaves the family's relatives and the community elders and leaders feeling undermined and ineffective in assisting families and the Southern Sudanese community feeling unable to effectively rely on traditional methods for resolving family conflict.

7.4 Difficulties for women within the Southern Sudanese model

- People in the community, including elders, relatives and friends often pressure women to go back to their husbands once the cause of the problem has been solved (e.g. money issues have been resolved). However, the man's violent behaviour may not have been addressed or acknowledged. This means that women who refuse to go back to their husbands can be repeatedly 'encouraged' to go back and are often stigmatised within the community, causing social isolation.
- Women can be labeled as 'trouble makers' which can have repercussions for them, their children and their extended families. There have been incidents where the husbands of other women in the community forbid their wives to associate with the woman who refuses to go back to her husband, and forbid their children from playing with the children of this woman. Often women find this pressure too much and decide to return to their husbands.
- Single women can be seen as flirtatious by some men in the community. Rumors can sometimes be spread about women having relationships with other men in the community, just because they are single. This can cause further stigma and shame for women.
- Women are sometimes condemned for going to Police prior to consulting relatives or community elders. There appears to be a widely held view that women and men should follow traditional methods for overcoming family conflict and only contact Australian authorities and services (such as Police and family violence services) once these methods have been exhausted.



Case Study 1- Community responses to one family's conflict

This case study was written by a Southern Sudanese elder in Melbourne. The names and identifying features about the family have been changed to maintain confidentiality.

Background

John and Rachel and their two children, aged 2 and 4 years have been in Australia for two years. On their arrival in Australia, the couple reported to be happily married. Problems began arising for the family a few months after their arrival.

Family Conflict

John became very unhappy with Rachel because he felt she was undermining his position as head of the family. She was finding it very easy to settle into life in Australia. She spoke English well and had obtained a drivers license. John was struggling with English and had only recently gained employment, despite applying for jobs since the family arrived in Australia. John felt as though Rachel was not respecting him as the head of the household and this upset and angered John.

John became very controlling of Rachel. He would not let her leave the house, even to go to Centrelink. If it was essential that Rachel went out, John would accompany her everywhere. The couple began to fight over financial issues. John and Rachel were receiving Centrelink payments until John gained full time employment, at which time both John and Rachel's Centrelink payments stopped. Although John was the single income earner for the household, he refused to make any financial contribution to the house or give any money to Rachel. John stopped paying for childcare for the children, so the children were left in the full time care of Rachel. This meant that Rachel was forced to stop attending English classes, and she became largely confined to the house.

An incident occurred where the couple fought and John hit Rachel. The Police were called to the house. Rachel decided to leave the relationship and went into a refuge. While she was in the refuge, Rachel phoned her parents in the Sudan to tell them what had happened. Rachel's father was very angry that she had left her husband and her family home. Rachel's father ordered Rachel to go back home, as being in a refuge would bring shame on her and on her entire family. Rachel decided to leave the refuge and go back home. John had since moved out of the family home and was living with friends in the community.

Intervention

An elder heard about the couple's problems through the community. The elder approached John at a community gathering and asked him what had happened between him and Rachel. John informed the elder that his wife was very stubborn and did not respect him as the head of the family and this was causing all of the problems in the family. John denied that he was withholding money from Rachel. John informed the elder that his relatives had also become involved and they suggested to John that he should leave Rachel and marry someone else. John informed the elder that he was missing his children and was finding it difficult to manage by himself. John found it hard to keep up with the rent and could not cook for himself.

The elder then went to visit Rachel at her house. Rachel had stopped attending community gatherings, as she did not want to face the community. The elder informed Rachel that she had spoken to John and she told Rachel that John had denied withholding money from her. Rachel explained that she was unhappy with her husband, because he had not been giving her any money for food, clothing or for the children. Rachel explained that she was afraid of her husband and his violence and that is the reason that she had fled to the refuge. Rachel also disclosed that before she went to the refuge, she had become pregnant to John. Rachel informed the elder that she would not return to John unless he apologised to her. However, Rachel was concerned as to how she would manage without him with the new baby. Rachel was happy for the children to see their father and allowed the elder to assist in organising visits for John to see the children. The elder advised Rachel not to involve the Police but to let the community resolve the family's problem.

Mediation

Elected elders in the community who had heard about the problem went to visit Rachel at home. The elders listened to her story and acknowledged that John was wrong in withholding money from Rachel. The violence was never mentioned by the elders as it was not considered 'serious', as Rachel was not exhibiting any severe injuries (broken bones, open wounds, internal injuries, etc.). The elders advised Rachel that she should allow John to come back home if he agreed to give her some money.

The elders also went to visit John. The elders challenged John's behaviour and told him that he was wrong to withhold money from his wife. The elders advised John to give Rachel money. They also told John that his violence was not justified, as his wife had good reason to be angry with him. The elders told John that if he started giving Rachel money, the problem would be resolved and he could go back to his wife and she would have no reason not to take him back.

After a few months, John began working part time and Rachel's Centrelink payment was started again. John agreed to allow Rachel to have full use of this money and also agreed to contribute to the household payments.

During this time, Rachel was pressured by community members such as relatives and friends in Australia to allow John to move back into the family home. She was told that as John had agreed to give her money, she should allow him to move back home. Both Rachel and John's relatives overseas also contacted Rachel to advise and encourage her to take John back. On their visits, the elders reminded Rachel that it looks highly unusual for a Southern Sudanese woman to not allow her husband to move back home after their conflict had been 'resolved'. However, Rachel informed the elders that she was still afraid of her husband's violence.

After four months, Rachel eventually decided to allow John to move back into the family home. The elders continued to visit Rachel and John to follow up on whether John had honoured his agreement. The elders often visited Rachel at home, when they knew John would be out, to allow Rachel to speak freely. The elders also spoke with John at community gatherings and at Church. This continued for a few months, until the elders were satisfied that the problem was resolved and the couple was happy.

The perception from the community is that the couple is now happily living together. The conflict occurred over three years ago and the couple has remained together since their reunification.

8. Southern Sudanese family mediation and Australian family mediation: A comparison of two methodologies

In both Australia and the Sudan, when dispute or conflict arises within a family, which cannot be resolved by the members of that family alone, many people rely on family mediation. In the Southern Sudanese context, this involves implementing family mediation in a range of circumstances, including where there has been family violence. In Australia, family mediation is only undertaken with families when violence has occurred, if an assessment has concluded that it is appropriate and does not place the woman and children at risk, thus bringing about the first obvious difference between Southern Sudanese and Australian mediation practices.

Although the term *family mediation* is used in both Australian and Southern Sudanese cultural contexts, exactly what is meant by the term, including the processes and practices involved, when it is used and the ways in which family mediation is conducted, is distinct.

This chapter gives a detailed account into the differences and similarities between family mediation within Australian and Southern Sudanese cultural contexts, outlining how each is practiced. The idea of common terminology is also explored to highlight the idea that although common words are often used, the two cultures sometimes prescribe different meanings to these terms, which may cause misunderstandings between Southern Sudanese Australians and community service providers in Australia.

8.1 Terminology and understandings

The term *family mediation*, although used in both Sudan (it is directly translated from many Southern Sudanese languages) and in Australia, the meaning attached to the word is distinct between cultures. In Southern Sudanese culture, *family mediation* is taken to mean the discussions and negotiations that occur to reunite a family. In this way, family mediation has the direct intention of maintaining the family unit and preventing separation.

This is clearly distinct from western understandings of family mediation, which is taken to mean the discussion and negotiation of issues affecting a family (often in relation to the division of joint property and negotiating child care arrangements) for the best outcomes of the child. Subsequently, in undertaking family mediation within a Southern Sudanese context, Southern Sudanese mediators have the direct intention of reuniting the family, whereas this is not the case within Australian and other western contexts.

Similarly, the notion of *separation* (of a couple) also has a different meaning in the Southern Sudanese cultural context. From a western perspective, separation is usually taken to mean a period where a couple is not together. Whether the couple will reunite in the future or not is unspecified. From a Southern Sudanese cultural perspective, separation literally translates to mean the period of time where the couple is waiting for reunification.

8.2 Australian mediation practices

There are different models of family mediation currently being practiced in Australia. The differences depend on the reason that a family seeks mediation (i.e. property disputes, parenting arrangements, etc.) and the place that the family goes to undertake the mediation (Family Mediation Centre, Family Relationships Centre, Family Dispute Resolution Practitioners). The Family Law Amendment (Shared Parental Responsibility) Act 2006²³ saw a shift in terminology for some agencies from *family mediation* to *family dispute resolution*; however, for the purposes of this manual, the term *family mediation* will be used. Similarly, although the authors recognise the different family mediation models being practiced in Australia, Australian family mediation will be discussed generally, unspecific to but incorporative of the different models.

Commonly, in Australian models of family mediation one or two mediation practitioners undertake family mediation. Upon receiving a referral, a mediator or intake worker will meet the client for the first time and do an intake and assessment. This mediator or intake worker will brief a second mediator (if there is more than one practitioner working with a family), or the mediator undertaking the mediation of his/her findings prior to the joint mediation sessions beginning. In some cases, joint mediation sessions may not be considered appropriate, so shuttle mediation is undertaken, where the couple stays in separate rooms or separate buildings and negotiations take place through the mediator(s) who move between the two parties.

Before the mediation sessions can begin, the clients must understand the conditions under which the mediation is taking place. For some families, mediation will be voluntary; however, under the Family Law Amendment (Shared Parental Responsibility) Act 2006²⁴, it is mandatory for families to undertake mediation around parenting agreements prior to a court application being made for a parenting order. The only exception to undertaking mandatory family mediation is when family violence has occurred²⁵. Once the clients are aware of this, the mediator(s) will explain the stance or position of the mediators and the confidentiality of proceedings. In some models, where parents meet to discuss parenting arrangements, mediators inform the clients that they are not completely neutral as they are acting in the best interests of the child/children of the couple and will consequently always promote ideas that will achieve this.

The clients are then explained the steps involved in the mediation process, as well as the ground rules for participating in sessions. The ground rules normally include: not interrupting when somebody is speaking, the two parties listening to one another and talking respectfully to each other during the session. In addition, the mediator(s) may tell clients to write down what each wants to comment on while the other person is speaking.²⁶

23 Family Law Amendment (Shared Parental Responsibility) Act 2006, Australian Government

24 Family Law Amendment (Shared Parental Responsibility) Act 2006, Australian Government

25 Ibid.

26 Family Mediation Centre (2005) *Mediation Training Manual*, FMC Relationship Services

8.3 Traditional Southern Sudanese mediation and comparisons with Australian models

In traditional Southern Sudanese culture, family mediation will usually occur after the relatives or in-laws have tried to assist the family and have been unsuccessful. In Australia, this process is also sometimes followed; however, as some Southern Sudanese community members do not have close relatives in Australia, the family mediation may be undertaken as the first intervention.

The Southern Sudanese model of family mediation has much in common with Australian models of family mediation; however, there are also significant differences. In Southern Sudanese culture, as family violence is not distinguished as a separate issue from family conflict and thus, family mediation can occur to assist with any kind of family conflict or dispute.

a) Traditional mediators

Family mediation is never done by one or two mediators – family mediation is done collectively and is known as collective mediation. In the Southern Sudanese model, the main mediator is commonly known as the *Chairperson*. The Chairperson is elected by the Office Bearers within the relevant community Association.

There are numerous Sudanese community Associations in Australia, usually tribal groups managed by elected committee members who hold different positions including a Welfare Officer. The Welfare Officer is responsible for the well being and welfare of the members of the Association. The Welfare Officer is mandated to appoint an elder or elders to resolve disputes that might arise among families or individuals, thus assuming responsibility of the Chairperson for family mediation.

The role of the Chairperson is to reside over the session, help direct the discussions and ensure that equal air time is given to both parties to speak. According to Southern Sudanese culture, women should never be in the Chairperson role (because women are traditionally considered to lack the knowledge and skills in problem solving that men have). Current mainstream mediation practices undertaken in Australia, informed by feminism and postmodern theories would obviously consider this opinion sexist and consequently inappropriate; however, this is the dominant traditional view within the Sudan.

As the Chairperson does not work alone, others must be appointed to assist in the mediation. This group, known as *traditional mediators* normally varies from 3 to 10 people but can sometimes be more people. The traditional mediators often include relatives from the sides of both parties and are usually a mix of males and females (mothers, fathers, uncles, aunties, brothers and sometimes sisters) who are nominated by either the Chairperson or the community Association elders.

The main role of the traditional mediators is similar to second or additional mediators in Australian models in that they assist the chairperson in helping the couple to effectively discuss their issues and possibly reach a binding agreement. Traditional mediators will be chosen if they are known to have the knowledge, ability and skills to help solve the family's issues.

b) Mediation practice

Once the Chairperson is appointed to deal with a particular conflict, he approaches each party individually at different times. Before commencing each interview, the Chairperson will introduce himself (even though the parties will most likely already know the Chairperson), advising them that he has been appointed by the community Association to coordinate and facilitate discussions between them to try to resolve the family conflict for the benefit of the family. After this, the Chairperson will assure each party that the interview will be confidential in the sense that he will not tell the husband and wife what each of them has said. This process is similar with current policy practice at Family Mediation Centres in Australia which state: "Each family member is seen individually and is informed that this separate session is confidential. This enables parties to talk about issues openly in the knowledge that this information will not be shared. It also enables family dispute resolution practitioners to gather more information and assess carefully the appropriateness of family disputes resolution".²⁷

At the conclusion of each individual interview, each party will be asked if he/she is willing to attend a joint mediation session, usually referred to as a gathering to discuss the issues with his/her partner. Participating in a joint mediation session is completely voluntary; however, one or both parties may be strongly encouraged to participate by their relatives, community elders or the Chairperson. If both parties agree, a meeting will be arranged, at a place identified as appropriate by the Chairperson. The gathering may take place at the home of the couple, the home of a relative, the home of the Chairperson or another place identified as appropriate.

The Chairperson begins proceedings, explaining to all present that they have gathered together because community members have noticed that there is a dispute between the couple. The Chairperson informs the couple that traditional mediators are gathered to facilitate communication but the final resolution of the problem lies with them. The Chairperson also advises the couple that in order for the two of them to achieve their goals and expectations during mediation, it is important that they be open, frank and honest with each other.

In addition, the Chairperson explains to the couple the different steps that will be followed in the mediation process (that each party tells his/her story; each mediator will restate the key issues he/she thinks have been raised; allowing room for discussion of the key issues; drawing up binding agreements and finally checking with the parties whether there is any objection on the agreement).

Part of the role of the traditional mediators is to detect the weaknesses and strong points of each party and to assist the couple to reach a genuine and acceptable agreement. Consequently, in the Southern Sudanese model of mediation, traditional mediators and Chairpersons are not neutral which means that although mediators begin proceedings with an open mind, mediators look for the causes of problems, which may be assigned to each party. Once causes are identified, the traditional mediators do not explicitly state that one party is at fault, nor do they explicitly blame one person, but instead offer advice to each party, to encourage them to change their behavior for the benefit of their relationship. This is done by pointing out each party's weaknesses.

Another difference between Australian and Southern Sudanese styles of mediation is the notion of confidentiality. Although the word confidentiality is used in both contexts, the Southern Sudanese traditional understanding of the word is incongruous with the commonly known western definition. In the Southern Sudanese model, the Chairperson will usually inform all present that confidentiality should be maintained. Confidentiality in this context means that the issues discussed during the session can be disclosed to others who were not present, as long as the information does not spread outside of the sub-tribal group. The Chairperson and traditional mediators will, in many cases, be from the same sub-tribal group. Further traditional Southern Sudanese mediation practices are not usually child-centred and considerations of the children are usually only made after those of the adults.

Before the mediation proceedings begin, the Chairperson informs the traditional mediators that he has met the wife and husband individually and each one was able to tell him his/her story. The Chairperson explains that the joint mediation session will allow each party to again tell their stories to all present at the gathering. The Chairperson looks for discrepancies in the stories that were told to him when he met with each party individually and the stories that they present to the group of mediators, to see if one or both parties have been exaggerating or understating the truth.

In addition, the Chairperson explains the ground rules to all present. Typical ground rules include, listening very carefully to everything being said, speaking respectfully to one another at all times and never interrupting when someone else is speaking, as everyone will have their chance to speak.

The Southern Sudanese mediation process is usually undertaken in one long session, which can take many hours, often an entire day. In Australia, the time allocated to sessions is limited (usually up to 3 hours). If negotiations require more time than this, another session can be organised. Due to waiting lists and other restraints, sessions in Australia may be several days or possibly weeks apart.

As one community leader stated, "Problems can be solved if both parties are open, flexible and receptive to good advice. No behavioral change can be imposed on an individual but this change must come from within with support from traditional elders". This belief in Southern Sudanese culture is passed down from community elders and leaders to younger members of the community, when conflict arises. This is often used as a starting point for the mediation.

Each party is then invited to give their opening statements to the group, explaining in their view the course of events leading to conflict between themselves and their partner. Each person is given the same amount of time to speak. The traditional mediators are then given time to ask questions of each party to clarify points and ensure that they understand the issues presented.

Another difference between the traditional Southern Sudanese mediation model and Australian models is that no notes are taken during mediation sessions. In the Southern Sudanese model people are expected to remember everything that was said, making mental notes of questions that they wish to ask each party and points that they wish to raise. The traditional mediators will usually give all of their points at once, raising numerous issues and questions before a chance is given for each party to respond.

Once parties have responded, the Chairperson again asks the traditional mediators if there are further points that they wish to clarify. Once the traditional mediators are satisfied that all issues have been adequately covered, the Chairperson lists the key issues raised by each party. Traditionally, this is done verbally, but in Australia, sometimes the key issues are written down.

After having listed the key issues, time is given to the couple to negotiate each of the issues. This is a crucial part where resolution of the issues in the disputes commences. The Chairperson often reminds the couple of the ground rules before this phase commences. Negotiation over key issues can take many hours and often continues until each party is satisfied that an agreeable solution is reached. Each party is given a chance to speak in turn to raise objections and ask questions of the other party. Once all key issues have been discussed, the agreements reached by each party on each key issue are listed by the Chairperson. The couple has another chance to discuss and alter these agreements, until each party is satisfied.

Once agreements have been reached on all key issues, the couple is encouraged to shake hands. According to Southern Sudanese culture, a hand shake on an occasion such as this is a sign of unity and forgiveness. The Chairperson will usually advise the couple to now put aside past grievances and focus on the future. There is an emphasis on learning from the mistakes made in the past, to have a happy and healthy relationship in the future. This concludes the mediation session.

c) Follow up

To make sure the couple respect the agreements made, two or more of the traditional mediators present during the session (usually including the Chairperson) are elected to make regular, surprise visits to the house of the couple. The Chairperson and traditional mediators speak with the couple (separately and together) to find out how each party has been finding the new agreements. The visiting usually continues for a few months, to ensure that there has been a change in the behaviour of one or both parties. Once the Chairperson and traditional mediators are satisfied that each member of the couple is respecting the agreements made during mediation, they will stop formally visiting the couple.

If one or both parties are not honouring the agreements made during the mediation, the elders strongly reinforce the previous recommendations made to each party, during the follow up visit, instructing the individuals how they can change their behaviour to solve the problem. If after numerous visits one or both parties are not honouring their agreements, the elders may inform the couple that they can no longer assist them. In these cases, sometimes Australian service providers are called upon to assist or the case will end up in the police and court systems.

In Australian mediation services, once mediation sessions are completed there may be follow up appointments made by one or both parties, or by the mediation service. Alternatively, one or both parties may be linked into other community or support services, who may track the progress of their client(s). If the case is in the court system, one or both parties may be mandated to follow the agreements as set about in mediation sessions. However, there is no standard procedure for tracking clients or ensuring that agreements are honoured, nor is there time allocated by mediation services for on-going follow up or support for the clients.

9. Resolving family conflict in Australia

Case Study 2 – Traditional Southern Sudanese family mediation in Australia

This case study was written by a Southern Sudanese elder in Melbourne, who was appointed as a mediator to work with a family about their conflict. The names and identifying features about the family have been changed to maintain confidentiality.

Background

Mr. Peter Opoka aged 32 years and Mrs. Grace Acayo aged 27 years were married in a refugee camp in Africa in 2000. Both are from the same tribe and in accordance with Southern Sudanese culture the man paid a dowry to his wife's family prior to the marriage. The couple reported that when they were first married, they were very happy.

Before the marriage Mr. Peter Opoka applied for a Humanitarian Visa to Australia and successfully passed the interview. In 2001, whilst the couple was waiting for their visas to migrate to Australia, a son was born. Three months later, visas were granted for the family to resettle in Australia.

The couple came to Australia and settled in Melbourne. After three months Mr. Opoka was employed in a factory and he earned good wages. Mrs. Acayo did not work as she had low English language proficiency and she was attending English classes. Their child was in child care whilst she attended English classes. A second child was born in 2003, almost two years after arriving in Australia.

Family Conflict

Not long after coming to Australia, the couple started to quarrel. Mrs. Acayo reported that she wanted money to be sent to her relatives overseas while Mr. Opoka wanted money to be saved for their children's education. Mr. Opoka did not allow Mrs. Acayo to have her own ATM card and did not give her sufficient amounts of money to adequately take care of herself and the children.

After the birth of their second son, the couple began to fight. There were repeated incidents of physical violence. Each person blamed the other for starting the fights. Police attended the family home on four occasions. It was revealed that on several occasions, Mr. Opoka had punched and kicked his wife. Mrs. Acayo disclosed that she had tried to defend herself by fighting back, also punching and kicking her husband and had torn his clothes. Mr. Opoka decided to leave the family home and went to live with a friend.

Mediation

The welfare officer of a Sudanese Community Association appointed an elder to help resolve the disputes that led to the separation of Mr. Opoka and Mrs. Acayo. The elder was appointed because of the knowledge, age and trust that the community has in him.

The appointed elder approached both the husband and the wife individually at different times. Before commencing each interview, the elder introduced himself (even though they already knew him) and advised them that he had been appointed by community members to coordinate and facilitate discussions between them to try to resolve the family conflict for the benefit of the family. After this, the elder assured the couple that the interview would be confidential in the sense that he would not tell the husband and wife what each of them told him. The elder also had to make sure that both parties accepted this assistance to help them resolve their disputes.

To attain relevant information from the couple, the questions that the elder asked included:

- Can you please tell me exactly what happened in the disputes that led to separation?
- What do you think are the root causes of your family problems?
- To what extent do you think these issues affect the children?
- What needs to be done to help resolve the problem?
- Are you willing to come together and discuss the issues with your partner?
- Are you confident to say what you want in the presence of your partner?
- What do you think the children want from you as parents?
- How would you like things to be after family resolution?
- What changes would you like your partner to make for a successful resolution?
- What are you ready to give so that your partner rebuilds trust and confidence in you?
- What made you leave home and stay with your friend? (Mr. Opoka)
- How did you feel when your husband left home? (Mrs. Acayo)

By asking such questions, the elder was establishing the foundation for assessing whether mediation would be appropriate for this couple. This process enabled him to understand the intention and interests of each party. When the couple reported that they were willing to discuss the issues, this indicated that they wanted family resolution.

The elder spent one hour with each person on three alternative days. He met Mrs. Acayo at her house and met Mr. Opoka at his friend's house. During the visits, the elder explained the mediation process and asked many questions to establish the issues of each person. He also tried to find out whether both parties were willing to sit together and negotiate the issues in the dispute.

During the first meeting, Mr. Opoka reported that by leaving the family home he would avoid being removed by the Police. This would have been shameful for Mr. Opoka. Mr. Opoka stated that he felt his life was very difficult and disclosed that he was considering leaving Australia and going to America. He also reported considering finding another suitable woman to marry him. Mr. Opoka disclosed that he had an affair with a single mother who lived next door to his friend's house. Another friend of the family learnt of the affair and told Mrs. Acayo.

Although Mrs. Acayo lived apart from her husband, she was very hurt when she learned about her husband's affair. Mrs. Acayo reported to Centrelink that she had separated from her husband. Centrelink provided her with a '*Single Parent Payment*' and she was able to access her own money. Child support was deducted from Mr. Opoka's income. Mrs. Acayo was pleased to have access to her money as she was able to adequately support herself and her children.

At the initial meetings with both parties, the venue for the joint mediation meeting was discussed. Culturally, it would not have been appropriate to meet in the house of Mr. Opoka's friend. Similarly, Mr. Opoka would feel uneasy meeting in his former home, the house where his wife now lived alone with the children. This is because Mr. Opoka felt ashamed and frustrated that he had been forced out of the family home. Part of Mr. Opoka's frustration was around the investment that he felt he had made in his wife and children. Mr. Opoka had saved a lot of money to pay the dowry for his wife, then to buy airfares for his family to come to Australia and now felt as though his wife had betrayed him by forcing him out of their house. So the elder suggested that the meeting be conducted in his house and both the husband and the wife agreed to this.

As traditional family mediation is never conducted by just one person (see page 36), the elder then nominated 5 men and 5 women and invited them to attend the session. The elder asked if either person had any objections with members that were nominated prior to commencing the mediation. In this case, there was no objection from the parties.

As people gathered in his house, the elder explained to the couple that they had gathered together because community members had noticed that there was a dispute between them that had led to their separation. The elder also informed them that traditional mediators were gathered to facilitate communication but the final decision for resolving the problem lay between them. For the couple to achieve their goals and expectations, this required that they be open, frank and honest with each other. The elder then asked each of the couple to put aside past grievances and "focus on the future".

Before proceeding with mediation, the elder informed the 5 men and the 5 women that he had met the wife and husband individually and each had explained their story to him. He then explained that this mediation session will allow each couple to tell again their stories to mediators and for an outcome to be reached. The elder then explained the ground rules by telling all present that when one person is talking the other person should listen very carefully, speak respectfully and never interrupt. He also reassured the parties that as all present were from the same sub tribe in Sudan, matters discussed will remain confidential (see page 38).

The elder then asked the couple "Who would like to talk first?". There was no answer to this question as the woman said that her husband should talk first and the husband said his wife should talk first. The elder then told them that it is important that one person accepts going first. There was a minute of silence, which indicated that the couple was reflecting on what to do. Soon the husband broke the silence by saying "I am ready to go first". The elder thanked the husband and asked him to give his statement.

Mr. Opoka talked for about 50 minutes and the traditional mediators then asked questions to clarify some of the points raised. One of the questions asked to Mr. Opoka was "Why did you decide to have an affair?". He answered "I was unhappy and depressed in my marriage with Mrs. Acayo. I was looking for love, consolation and breathing space and I believed I could only find this with the other woman and not with my wife".

After having heard from Mr. Opoka, Mrs. Acayo was then give equal time to tell her story. After she had finished her statement, mediators asked questions to clarify some points raised by her. One of the questions put to Mrs. Acayo was "Why do you fight over money?". She answered, "Since Mr. Opoka has been working I have never seen his salary and I do not know how much money he has and what he is spending the money on. Mr. Opoka does not want me to ask him about his salary. When I did ask him, he always got cross and verbally abused me and then we would physically fight". When the couple finished giving their statements, the elder then checked with the mediators to ascertain whether there were areas that still needed clarification. It was generally agreed that all areas of conflict had been explored. The next step was to list down the key issues raised by both parties.

Key Issues:

Mrs. Acayo's concerns:

- Mr. Opoka's affair with another woman.
- Mr. Opoka not telling Mrs. Acayo how much money he was earning and what he was spending his money on. Mr. Opoka also denied Mrs. Acayo the right to have her own ATM card to access the couple's joint bank account.
- Because Mr. Opoka was the only person with access to a bank account he was the person responsible for paying the family's bills, however, he would not always pay the bills on time, which frustrated Mrs. Acayo.
- Mrs. Acayo wanted Mr. Opoka to help her with caring for the children.
- Mrs. Acayo wanted Mr. Opoka to assist her with some of the housework.
- Mrs. Acayo wanted to apply for a Humanitarian Visa for her brother to come to Australia. Mrs. Acayo did not understand how to fill out the application forms. Mr. Opoka had refused to assist her with filling the forms, which frustrated and upset Mrs. Acayo, as she was keen to assist her brother, who was in a refugee camp in Africa.
- Mr. Opoka was forbidding Mrs. Acayo from visiting her friends, which upset Mrs. Acayo.
- Mrs. Acayo did not like Mr. Opoka coming home late at night.

Mr. Opoka's concerns:

- How to pay for the children's education.
- Deciding whether to send money to Mrs. Acayo's family in Africa including how much money and how frequently.
- Mr. Opoka thought that Mrs. Acayo listened too closely to what he considered to be 'bad advice' from others within the community about how to behave within the family. For this reason, Mr. Opoka was forbidding Mrs. Acayo from visiting her friends.
- Mr. Opoka believed that Mrs. Acayo was telling lies to relatives in Sudan about him and their family in Australia. This upset Mr. Opoka.

After having listed the key issues, time was given to negotiate each of the issues. This is a crucial part or stage where resolution of the issues in the disputes commences. The couple was also reminded to respect the ground rules stated at the beginning of the meeting and the elder emphasised that when one person is talking, the other should listen carefully and no interruption allowed; they were also reminded to talk respectfully. Negotiation over key issues took a long time. An opportunity was given to each party to talk and ask questions to the other.

After six hours of discussion, the couple made the following agreements:

- Mr. Opoka to stop the affair immediately.
- Mr. Opoka to inform Mrs. Acayo every fortnight of his income and Mrs. Acayo to be involved in decision making about the use of the family's income.
- Mrs. Acayo and Mr. Opoka to have separate bank accounts and each person keeps his/her own ATM card.
- Mr. Opoka to help with domestic work (cleaning, washing and ironing) and childcare every weekend.
- Mr. Opoka to assist Mrs. Acayo in lodging an application for a Humanitarian Visa for her brother.
- Mrs. Acayo to visit friends whenever she chooses.
- The couple will save \$100 every fortnight for their children's education.
- The couple will send money overseas once a month at an agreed amount to each of their families in turn.
- Mrs. Acayo to stop listening to unhelpful outside advisors.
- Mrs. Acayo to stop giving untruthful information to parents and relatives overseas.
- The couple realised that the nature of Mr. Opoka's work sometimes required him to come home at 11pm, when he was working the evening shift. It was agreed that Mr. Opoka should come home immediately following his shift on these occasions.

As a traditional practice indicates, the elder invited the couple to shake hands to signify "unity" and "forgiveness". This was followed by a deep smile from the parties and applause from traditional mediators. This was a symbol of appreciation to the couple for their efforts and reconciliation. The couple re-united the same night.

Post Mediation

To make sure the couple respected the agreement, two men (including the elder) and one woman were elected by mediators present to make regular surprise visits to the house of the couple to follow up. After four months of surprise visits, the three delegated members discovered that the wife and the husband had respected the agreements made during mediation. They had implemented all the agreements and reported to be living a happy, peaceful family life. There was no longer any violence in the home. Among the Southern Sudanese community, this couple is spoken of as a "model of family resolution".

10. Implementation and use of recommended approaches

The approaches outlined in the following chapters of the manual are recommendations based on programs developed and implemented with the Southern Sudanese community in 2007-2008 by the Migrant Information Centre (Eastern Melbourne).

The Migrant Information Centre (Eastern Melbourne) recognises that the approaches outlined in this manual are not the only responses that will be effective to assist the Southern Sudanese community with issues of family violence. Instead, the authors acknowledge that there is much more learning to be gained and perceive the documentation of these approaches as the beginning of an ongoing learning process which will constantly be reviewed and updated with every program implemented and with every consultation undertaken with Southern Sudanese community members and community service workers. Documentation and sharing of this learning will allow for effective development and review of the approaches outlined and practiced, enabling further development within the sector.

The process for adopting, implementing and reviewing the service model of community education, group therapy and mediation approaches outlined in this manual will be the responsibility of each individual service. Further, implementing these approaches calls for all services to have an integrated and collaborative approach to working with the Southern Sudanese community around issues of family violence, for the benefit and safety of all women, children and men from Southern Sudanese backgrounds.



11. Working with Southern Sudanese community elders and leaders

Community elders and leaders are known to be both respected and influential within the Sudanese community in Australia. When implementing any kind of prevention or intervention program or strategy, it is important for service providers to contact and consult with Southern Sudanese community elders and leaders. Discussing proposals with community elders and leaders prior to implementing programs is necessary to ensure that ideas are appropriate for the community and will have the support of the elders and leaders. This will allow for interventions to be widely recognised within the community whilst allowing the elders and leaders (and other community members) to have some ownership of the programs and strategies implemented.

11.1 Identifying community elders and leaders

There are many different tribal and sub-tribal groups represented amongst people from Southern Sudanese backgrounds living in Australia. Many tribal groups have specific representative community associations in capital cities across Australia. Many are listed in local community directories or can be found online. It could be useful to contact local Southern Sudanese community members to ask them for contact details of community elders and leaders from different tribal groups who live in the target area. If this is not possible, the Sudanese Community Association of Australia can be contacted:

Sudanese Community Association of Australia

Postal Address: PO Box 2328, Dandenong North 3175

Phone: (03) 9706 8933

Fax: (03) 9706 8833

E-mail: gai123@hotmail.com

11.2 Engaging with community elders and leaders

Once service providers have identified appropriate elders with whom to consult, one or several meetings can be arranged to discuss the interventions proposed. When meeting with community elders and leaders, service providers must clearly explain all aspects of the proposed program, including:

- A program outline, clearly explaining the project and who it is targeting
- The aims and intentions of the program, including what it hopes to achieve and how it hopes to benefit the Southern Sudanese community
- How the program will be implemented (Who? Where? When?)
- How community elders can be involved in the program

Meetings with community elders and leaders should be a mutual exchange, where service providers can both offer information to community elders and leaders, while gaining useful and valuable ideas for implementing the program successfully. Service providers must be aware that some ideas or plans for the program may not be seen as appropriate by some community elders and leaders. These discrepancies should be discussed to ensure that the interventions proposed are not going to deter community members from engaging with the program, whilst ensuring that the program's aims and intentions are not compromised. If there are many issues to be discussed, several meetings may be required.

11.3 Benefits of working with community elders and leaders

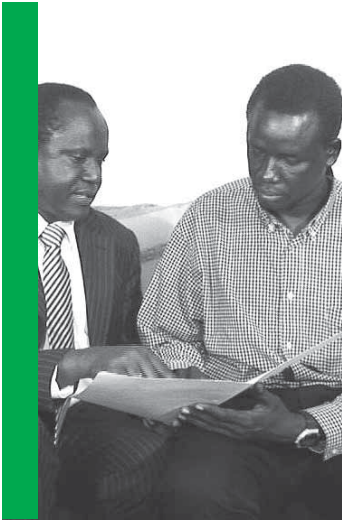
Working with elders and leaders will enable community members the opportunity to have some ownership of the intervention or program proposed. Once community members are aware that community elders and leaders have been consulted and are involved in the intervention, some individuals may be more likely to both attend programs and accept the ideas presented. Community elders and leaders can be invited to attend programs, or to formally welcome or open sessions (such as an information session), where appropriate.

Working with community elders and leaders also allows for service providers to gain specific knowledge and direction. These consultations can open a dialogue between service providers and community elders where a range of issues can be explored. Consulting community elders and leaders allows for Southern Sudanese community representatives to have their ideas heard and acknowledged by community service providers who may assist in trying to implement ideas through service programs and other interventions.



Community elders and leaders may be able to assist service providers in the development and implementation of the intervention proposed by:

- providing specific cultural information and advice for engaging with the target group
- providing specific cultural information and advice for the development and implementation of programs
- encouraging community members to attend a program
- providing contact details of other community elders and leaders (such as church leaders) who may be able to assist in the promotion of programs
- providing feedback to service providers about the perception of the program within the community



12. Family mediation with the Southern Sudanese community in Australia

Family mediation services can be beneficial to Southern Sudanese families who have experienced any kind of family conflict, including where family violence has occurred.

The family mediation approach presented below acknowledges traditional Southern Sudanese culture, including use of family mediation whilst recognising and working within the Australian context, where human rights are upheld, including the right for everyone to live in safety without violence. This may not be the only method for successfully working with the Southern Sudanese community around family violence issues; however, this method allows an opportunity for men and women to discuss issues affecting their lives in an environment that is familiar and comfortable for them, whilst workers are able to offer psycho-education and support and promote and uphold safety for women and children.

12.1 Cultural context for family mediation

Changes in attitudes and behaviours for the Southern Sudanese community will come slowly for many. Resettlement to Australia for the Sudanese community has meant that individuals and families have had the experience of being suddenly immersed in a new physical and cultural environment, whilst also being told that ideas and way of life that they have been practicing for generations are wrong, including the way that families are structured and the way that family members interact with each other.

Family mediation, using a Southern Sudanese-specific framework appears to be an appropriate method for engaging with the Southern Sudanese community around issues of family violence because:

- Attending mainstream services, including family support services, family violence services and family mediation services can be extremely threatening. Some individuals worry that they may not be believed and that workers will not respect or have an understanding of Sudanese culture, including their beliefs, practices and ideas about families. There is also a myth amongst some people in the Southern Sudanese community that because Australia has a high divorce rate, community services may try to separate husbands and wives.
- Both the term and the practice of family mediation, although distinct in both Sudanese and Australian contexts is familiar to the Southern Sudanese community. Services that provide family mediation services, may encourage engagement if it is made clear that the service acknowledges or understands traditional Southern Sudanese culture.

- Family mediation practices in Australia, although distinct from Southern Sudanese mediation practices also have similarities. Family mediation using a Southern Sudanese-specific framework allows for family violence issues to be addressed and psycho-education about human rights and women's rights explored in a familiar, non-threatening environment. This is due to the traditional Southern Sudanese idea that violence is caused by something else and the best way to overcome this is by talking about it. Consequently, family mediation creates an opportunity for individuals and families to feel comfortable to sit and talk together with workers and/or with other family members (if clients feel safe to do so) to discuss issues affecting themselves and their family.

12.2 Program design and development

a) Program aims and objectives

The aim of a Southern Sudanese-specific family mediation program to prevent family violence should always be to minimise risk and advocate for safety for all family members, in particular women and children, within a context that is familiar and comfortable for the Southern Sudanese community.

Program objectives are to:

- Create a safe and comfortable space, using culturally appropriate methods for Southern Sudanese women and men to discuss family conflict and family violence issues.
- Provide psycho-education for women and men about human rights, women's rights, children's rights, power and control, safe and happy relationships in Australia, appropriate behaviours in Australia, anger management and conflict resolution.
- Provide education about Victoria Police and Australian State and Commonwealth court systems, including intervention orders and the rights of individuals under Australian law.
- Provide knowledge and empower women and men to make informed decisions about the issues affecting their lives.
- Support women and men to provide safe and happy environments for their children.

b) Planning a program

When designing any kind of program, it is always useful to consult the target consumer group for the program. In planning a family mediation program with the Southern Sudanese community, it would be useful to consult members, including men and women and community elders who live or work in the local area. The consultations will assist in developing a service that is useful and beneficial for the community and it will give an opportunity for service providers to promote the service to the community whilst developing rapport and gaining trust.

Other issues for service providers to consider when designing a project for the Southern Sudanese community are:

- **Be aware of terminology and cultural understandings.** Cultural understandings and meanings attached to family mediation, separation, confidentiality may differ and need to be discussed with clients (see page 34).
- **Create a positive image of the program within the community.** Work alongside members of the Southern Sudanese community, including community elders and bi-lingual workers to promote positive ideas about the program within the community. This will take a long time and services may face resistance to participation by some community members.
- **Be aware of gender.** Although in traditional Southern Sudanese mediation, men are always mediators, in Australia, women should always be offered the choice of working with a male or a female worker. Men will usually prefer to work with male workers, and this is a good way to engage men in a service.
- **Ensure that the program allows for workers to be flexible.** Flexibility is required both in the service provided and how the service is provided. Workers may sometimes need to act as mediators, counsellors, support workers and educators all within the same role. Workers may also need to provide consultations at the office and in an outreach capacity, allowing the flexibility to best suit the needs of the client, to ensure successful engagement in the program.
- **Create an integrated service response.** Collaborating with other local agencies to create an integrated service response can be beneficial. Workers from different services can work together and have a consistent approach, to provide the best possible outcomes and support for a family.

12.3 Community engagement and participation

a) Resistance to participate and challenges for service providers

There may be resistance from within the Southern Sudanese community to participate in the program. Resistance may be due to a range of reasons:

- **Traditionally, families do not talk about family issues outside of the family or tribal group.** Accessing a service and talking to strangers about personal family problems is often seen as a last resort, particularly for men. Some women have seen the benefit of community services and are often the first person in the family to access a service. However, family

mediation services cannot take place without the agreement of both parties to participate.

Often men do not wish to engage with the service and follow traditional methods first, going to their relatives and/or community elders for assistance. Cases are usually only seen by community services where relatives and community elders have not been able to assist or where police and or courts are involved with the case. Some women have only felt justified in the eyes of the community in accessing a service where they have attempted to seek resolution using traditional methods, and these have failed.

- **Gaining trust.** It may take a long time for some members of the Southern Sudanese community to gain the trust of the community service sector in Australia, as it is a system that is completely different to systems and services in the Sudan. Talking to strangers about intimate personal issues is a completely new and foreign idea that seems wrong to many. As discussed in earlier chapters, western constructs of confidentiality and neutrality are unknown to many members of the Southern Sudanese community and this can create mistrust of services and workers.

Some community elders, although supportive of the model have also been somewhat resistant to use it when cases have arisen within the community (including within their own extended families). Some community elders have taken on their traditional role, mediating between a couple themselves, instead of referring into the program, only seeing the need for the service to become involved if they cannot resolve the conflict.

Conversely, other community members and community elders have encouraged individuals and families to participate in the program but have then been criticised within the wider Southern Sudanese community for compromising their culture. This pressure to keep family issues within the Southern Sudanese community (and within tribal groups) may have deterred others from participating in the program.

b) Encouraging participation and engagement

Community service providers can encourage participation and engagement in a family mediation program by:

- **Having a Southern Sudanese male worker approach men.** In Southern Sudanese culture, and amongst Southern Sudanese community members in Australia, when a couple separates or if it becomes known to the community that a family is experiencing conflict, many community members will approach both the man and the woman to offer their advice and assistance. This often occurs without invitation from the family.

By having a Southern Sudanese worker (preferably male) approach the man, the worker can engage with him as both a concerned member of the community and as a worker at a community service. As the worker builds trust and rapport with the man, the worker can begin to explain the mediation service, its intentions and the outcomes it could bring for the family. Southern Sudanese men have been responsive to this and have agreed to participate in the service when approached in this way.

- **Working alongside community elders and leaders.** Talking with community elders and leaders about the intentions of the program and encouraging community elders and leaders to discuss these with the wider community. Building rapport and trust will take a long time. Service providers need to work with community elders and leaders over many months and years to build this relationship.
- **Mandating participation.** Men have been most responsive to the mediation program when they have been strongly encouraged or mandated by courts and/or Child Protection services to engage.
- **Working with courts, Child Protection, family violence services and the police.** Involving local community services including legal and protective services will allow for a collaborative approach and an integrated service response to family violence in the Southern Sudanese community to be implemented in the local area.

12.4 Program implementation

a) Considerations for service providers and practitioners

When implementing a family mediation program with the Southern Sudanese community to assist families experiencing family conflict and/or family violence, service providers need to be aware of the following issues:

- **Have a team approach, inclusive of Southern Sudanese and non-Southern Sudanese workers.** Some clients may prefer to work with practitioners from the same tribal group so that information is not spread from outside their sub-community. For others it is the opposite, with clients preferring to work with practitioners from outside of their tribal group (either Sudanese or non-Sudanese workers), so that the information does not become known within their own community group. Practitioners need to talk with clients about this to determine which is appropriate.

Further, having one or more practitioners involved with the family (such as a mediator and a family support worker or one Southern Sudanese and one non-Southern Sudanese worker) allows for collaborative case planning and case conferencing. Practitioners can meet together before and after each meeting with a family member to plan, make assessments and discuss cultural understandings before the next meeting. This also ensures that the family receives consistent messages from all practitioners.

- **Women are usually the first to make contact with a service.** Women usually present seeking assistance with a family conflict or family violence issue. The depth and frequency of the violence may not be disclosed initially to practitioners. Some women may feel more comfortable talking more indirectly about violence, before rapport and trust is built with practitioners. Talking in the third person may also be beneficial as individuals can remove themselves from the situation initially (using 'she'/'her' instead of 'me').

Practitioners will need to discuss different options with women, including counselling and going into refuge as well as the mediation program, to determine the best way to proceed for the woman.

- **Risk assessments must be undertaken regularly.** Practitioners will need to undertake a risk assessment in the initial consultation to determine whether contacting the woman's husband or partner will put her and her children at further risk and if mediation is a viable option for the family. The woman will be able to provide direction on this, including the best way to engage her husband if she wants the mediation to go ahead. Several consultations with the woman may need to occur before this assessment can be made. She may also advise on whether some of the family's relatives or trusted community elders should also be contacted. Risk and safety need to be monitored at every stage throughout the mediation process.
- **Contacting the woman's partner can only be done once it is determined that it is safe to do so and only with the woman's permission.** Practitioners will need to decide the best way to contact the woman's partner. The woman will be able to offer advice as to the best way to do this. The engagement method specified above, where a Southern Sudanese male worker contacts the man appears to be the safest option. To decrease risk to the woman and children, it may not be appropriate in some cases for practitioners to mention to the man that they have had contact with his wife.
- **In traditional Southern Sudanese culture, violence is not seen as an issue on its own.** Traditionally and amongst many Southern Sudanese community members in Australia, violence is seen as being the direct cause of something else. In traditional Southern Sudanese mediation, violence is never addressed as an issue on its own. Practitioners may have to spend a long time discussing western ideas around violence, including psycho-education about human rights, women's rights, children's rights, power and control, safe and happy relationships in Australia, appropriate behaviours in Australia, anger management and conflict resolution before mediation can occur. Some individuals may find these ideas threatening and be resistant to accepting them.
- **It is difficult to change culturally entrenched ideas about family, roles of men and women and self perceptions.** Practitioners may have to spend a long time discussing these with clients.
- **Provide education about the role of Police and State and Commonwealth court systems and laws, where appropriate.** This may include specific information about clients' intervention orders and the rights of individuals under Australian State and Commonwealth laws.
- **Shuttle mediation appears to be useful for clients.** Some couples may prefer to participate in shuttle mediation rather than having joint sessions. This allows for each person to openly express him/herself in an environment where they feel comfortable. Timelines for working with clients also needs to be flexible, as shuttle mediation may continue for many weeks or months as the family situation changes.

- **Joint mediation sessions should be arranged only at the discretion of practitioners and if both parties agree to participate.** Several individual shuttle mediation sessions may need to be undertaken prior to a joint session taking place. Some clients may wish to invite relatives, community elders or other supports to attend the sessions with them. As traditional Southern Sudanese mediation is undertaken by several mediators, this could assist in allowing some clients to feel safe and comfortable. If clients feel threatened, it will be difficult for them to talk openly and individuals may become defensive.
- **Be flexible with meeting times and venues.** It may suit some clients to meet in the family home (especially for women who may be the full-time carer of several children). This may also allow for anonymity for some clients who may not want to be 'seen' accessing a particular service. Consultations may sometimes need to take place after hours.
- **Ensure clients always phone before 'dropping in'.** For clients attending the service at an office, practitioners need to ensure clients always phone workers before attending to avoid running into their partner/former partner at the office, in the street of the agency, local shops, etc. to avoid potentially unsafe situations arising.
- **Initiate contact with clients.** Practitioners may need to phone some individuals regularly to maintain contact and keep individuals engaged with the service.
- **Be aware of clients' perception of the service.** When engaging with clients, practitioners should ensure that they are sensitive to ideas that may be held about the intentions of mainstream family services. Some members of the Southern Sudanese community may believe that it is the intention of the service to separate the family and feel threatened by this, leading to disengagement with the service. When mentioning separation as an option, it is important for practitioners to also mention other options, so that the clients do not feel as though practitioners are encouraging separation over other options.
- **Use positive language.** This has been found to be beneficial and something to which the Southern Sudanese community responds well. Instead of talking about 'family conflict', practitioners could discuss 'how to have happy, healthy families' or 'safe and happy relationships'.
- **In traditional Southern Sudanese culture, marriage is bound in personal identity.** Women view themselves very strongly as 'belonging' to the family into which they marry and children are seen to 'belong' to their father. When a first child is born, the man and woman become known as 'father of (name of first born)' and 'mother of (name of first born)'. Family relationships are consequently more than bonds between people but are actually who you are. This makes it extremely difficult for both men and women to leave marriages. This is especially difficult for women, as in doing so some feel as though they are losing their identity and destroying the identity of their husbands and children.

Challenges for Southern Sudanese women leaving relationships include:

- being blamed by the Southern Sudanese community for separating the family, causing shame for her family in Australia and in Africa
- other men and women within the Southern Sudanese community will strongly encourage her to reunite with her husband and tell her that she is a 'bad wife' or 'bad mother'
- other women within the Southern Sudanese community will stop socialising with her and not let their children play with her children as they do not want the reputation of associating with her, forcing her into social isolation

b) Challenges for practitioners

- **It is difficult to engage with men.** Some men will only engage with the service when they are mandated or strongly encouraged by courts or Child Protection services.
- **When men do engage, it is difficult to get men to acknowledge their use of violence and its unacceptability.** The learned behaviour of Southern Sudanese men for centuries is that disputes are solved by force (who is bigger and stronger) and, in addition, men own their wives (due to the dowry system²⁸) and can consequently discipline them if they find it necessary. It will take a long time for these ideas to shift. Practitioners need to be sensitive to this and work on these ideas, with both men and women so as not to deter clients from attending the sessions.
- **Some clients will constantly change their minds about participation.** At one consultation they may agree to participate in mediation, then not attend the set appointment time. At the next consultation they may inform practitioners that they no longer want to participate. Often people are heavily influenced and persuaded by others such as friends and relatives. This can be frustrating for practitioners and difficult for case planning. Practitioners need to be flexible and supportive of these decisions and suggest counselling to assist in decision making processes.
- **Southern Sudanese practitioners may find working with members of their own community within a western framework challenging.** Having to discuss issues around the unacceptability of violence within families, discipline of wives and children and other cultural issues may be confronting for some workers. The Southern Sudanese community may expect and pressure bi-cultural workers and mediators to behave in a particular way, following traditional Southern Sudanese practices. Debriefing and supervision to discuss these issues is essential for workers.
- **Sometimes even though there is on-going family violence, women refuse to leave their husbands.** This can be confronting for practitioners who may be concerned for the safety of women and children and may have to inform the family that they will need to notify Child Protection services if they are concerned about the safety of the children.

28 It should be noted that many Southern Sudanese women accept the dowry system and believe that it is a symbol of their value within the community (see page 22).

- **Intervention orders are not always understood or followed through by some clients.** Often women who take out intervention orders will then contact their husbands, who in turn sometimes come back to live with the family before the separation period has expired. Practitioners can find this frustrating and can hold concerns for the safety of the woman and her children. Practitioners need to be supportive of clients to make their own decisions, but may need to inform the family that they will notify Child Protection services if they are concerned about the safety of the children.
- **Sometimes clients participate in traditional Southern Sudanese family mediation or family resolution strategies (consulting relatives and elders) at the same time as they are participating in the mediation service being offered by the agency.** This may be difficult for workers, as the advice that relatives and elders give to clients may contradict the work that is being undertaken by practitioners. Clients can become confused or put themselves at risk by not wanting to undermine relatives and elders. Practitioners need to explore and discuss with clients if these traditional methods are being followed in parallel with the work they are doing, to adequately offer support and assistance.

Sometimes, cases that are referred to the agency would have already been through the traditional system, and the community elders and relatives have not been able to assist the family. Consequently, the nature of the conflict, violence and ongoing dispute may be very severe and complex.

- **Blame will often be attributed to one party by one or both clients.** In viewing conflict, the Southern Sudanese community will often deem one party 'right' and the other 'wrong' and therefore blame that person for being the cause of the family conflict and family violence. Practitioners may need to spend a long time discussing this, as well as ideas around responsibility for one's own actions and inactions.

c) Presenting Issues and Practical Solutions for Practitioners

There appears to be some similar themes amongst the issues experienced by clients. The issues often come from the area of lacking particular abilities. These include a lack in ability to:

- tolerate frustration (becoming very angry and/or use violence as an immediate response)
- soothe self (becoming very upset and unable to calm down)
- delay gratification (having to reward self even if this is inappropriate – i.e. buying things with family money that the family cannot afford)
- self-reflect (inability to take responsibility for one's own actions)

It could be helpful for practitioners to work with clients to tease out if one or several of these issues are relevant to them and if so, work out what would be beneficial to the client to increase their capacity in a particular area. Responses may include work on anger management, relaxation, financial management and conflict resolution strategies.



Case Study 3 - Mediation with the Southern Sudanese community in Australia: 'Achol and Bol'

The following is a case study drawing together several issues that can contribute to family conflict and illustrating how family mediation can assist.

Background

Achol and Bol have been married for ten years. They were married in Southern Sudan before they were forced to flee their village, when militia swept through in the night setting fire to houses and shooting indiscriminately at their neighbours and relatives. The family escaped to Uganda where they lived in a refugee camp for three years, before a relative sponsored them to come to Australia three years ago. Bol and Achol have six children. Their oldest two children were born in Sudan, two were born in Uganda and the youngest two have been born in Australia.

In Sudan, Bol worked for a government department in the local area. He was one of the junior managers and he earned a good wage. Bol was well known and liked within the local community as his large family was well respected in the village. After she was married, Achol lived with Bol's family in the village. She stayed at home and cared for her young daughters, assisted Bol's mother with the household duties and cared for Bol's younger brothers and sisters.

Bol and Achol report being happily married in the Sudan. Despite the difficulties and uncertainties of the refugee camp, the family managed to stay together and Bol is proud of bringing his family safely to Australia. Since arriving in Australia, Achol has learnt English quickly and has made many friends. She is involved in the local church community and has recently joined a Sudanese women's sewing group being run at the church. Bol already had a good level of English when he arrived in Australia and now feels uncomfortable about his wife also gaining this skill. When the family first arrived in Australia, Bol applied for many jobs in local and state government, however, all of his applications were unsuccessful. Bol joined a job-network, but he has still been unsuccessful in finding work that he would find fulfilling. Disheartened, Bol has been spending his days visiting friends and spending time at the local shopping centre.

Family Conflict

The family survives on the Centrelink payments that both Bol and Achol receive. Achol thinks that Bol has not got a job because he is being lazy and he is too proud. She reports that Bol only wants a job that will bring him accolades within the Southern Sudanese community in Australia and she berates him for not wanting to help the family financially. Achol reported that Bol has stopped contributing to the financial cost of the household and does not help her with the bills, rent and food or with the cost of extra things for the children. Achol is struggling to meet these costs with her Centrelink payment alone.

Bol reports that because Achol is receiving more money than him in her Centrelink payment (as Achol receives the payment for the children), it is her responsibility to provide for the family. Bol spends a major part of his Centrelink payment sending money to his parents in Africa, who rely on him for support. He does not discuss this with Achol. Bol is annoyed that Achol spends so much time away from the house, as he feels that she is not fulfilling her responsibilities as a 'good wife' and 'good mother'. Bol thinks that the women in her sewing group must be encouraging her to spend more time away from the house and this angers Bol, who believes his wife should be at home.

The couple has been arguing over money a lot recently. On one occasion, when Bol and Achol were arguing, Bol became aggressive and beat Achol. Achol reports that Bol hit her in the face and then kicked her in the stomach. One of the children heard her parents fighting and phoned the Police. The Police attended the scene and called an ambulance, who took Achol to the hospital where she spent the night. An intervention order was issued and Bol went to live at a friend's house. As the children were witness to the violence, Child Protection services became involved, and after meeting with Achol, they assessed that there was no risk to the children and withdrew from the case.

Intervention

Achol contacted the Migrant Information Centre (Eastern Melbourne) after she heard about the Southern Sudanese Family Mediation Program from an information session she had attended. The family mediator, who is from a Southern Sudanese background met with Achol for an initial consultation. During the consultation, although Achol did mention that Bol had been violent, the focus of Achol's concern was around money and Bol's lack of financial contribution to the household.

Although she did not mention it, the family mediator was concerned that this incident of physical violence was not the first. Achol informed the family mediator that she felt safe to participate in a joint mediation session with her husband, and was keen for this to go ahead, so that they could discuss the issues affecting their family.

Achol reported that she had been to her in-laws and told them about her concerns with Bol. The in-laws spoke with Bol and Achol separately to hear about the conflict from both sides. The in-laws advised Bol that he should contribute some money to the household and they advised Achol to spend more time at home and to stop listening to the 'bad ideas' of the women in her sewing group. Achol advised that Bol gave her some money for a few weeks, but then withdrew his support. Achol told the mediator that she tried to talk to him about this but he became angry and defensive. Achol then reported this to the in-laws and asked them to talk to Bol again, but still he refused to contribute any money to the household. During the initial consultation, the mediator discussed ideas about violence, human rights, power and control and safety with Achol and a risk assessment was undertaken.

After the consultation, the family mediator met with the family support worker and another mediator from a non-Southern Sudanese background to discuss the case. It was decided that Achol should be consulted, to hear her thoughts on contacting

Bol to participate in a joint mediation session. Achol informed the mediator that she thought she would remain safe if contact was made, as many people in the community already knew about their separation and were meeting with Bol to discuss their situation. Achol had been in contact with Bol and had seen him once when she asked him to come to the house to look after the children, so she felt safe to meet with him and did not think this would place her at risk.

The mediator referred Achol to the family support worker, who began to meet with Achol regularly to provide extra support to her and the children whilst she was going through the mediation process.

Mediation

The Southern Sudanese mediator contacted Bol, phoning him on his mobile. The mediator knew Bol from Sudanese community gatherings that they had both attended. The mediator asked Bol if he could come to visit him at his friend's house and went to visit him the same day. The mediator firstly spoke with Bol generally, asking him about how things were going. At the initial consultation, the mediator informed Bol that he had assisted other families in his situation through his job at the MIC and asked Bol if he wanted to continue to meet with him to discuss the problems that he was having with his family. Bol agreed and began to meet with the mediator regularly.

The mediator met with Bol and Achol separately several times to decipher the key issues that each perceived as most important and additional supports that each might find useful. The mediator also spoke with both Bol and Achol about use of violence, human rights, women's rights, power and control and acceptable behaviours in Australia. The mediator also spent a long time discussing the intervention order with Bol and explaining to him what it meant, how breaches of the order could occur and the possible consequence for Bol if the order was breached.

The mediator offered counselling to Bol and Achol, but neither accepted it. The family support worker offered to organise a referral to a children's counselling and support group for the older children, which both Bol and Achol agreed to.



Achol informed the mediator and the family support worker of the pressure that she was experiencing from the Southern Sudanese community to allow her husband to return to the house. Achol was upset and worried about the reputation that she had gained within the community for being a 'bad wife' and the cause of the family problems and the rumours that had started to circulate about her having boyfriends. Achol was also worried about the shame her separation would bring on her family in Africa.

Once the mediator had developed a good rapport with Bol, the mediator mentioned contacting his wife to discuss the issues. Bol agreed that this was a good idea. The couple began to participate in shuttle mediation, discussing the key issues with the mediator and informing him of what each thought the other party should do to solve their problems. After several weeks of shuttle mediation, the mediator suggested to both Bol and Achol the possibility of having a joint session, with both of them together to discuss their individual concerns. The mediator suggested that Bol and Achol might like to invite their relatives to attend and also the family support worker. Achol was keen for this to go ahead. Achol reported wanting to discuss the issues with her husband so that the conflict could be resolved. Achol thought the requests that Bol was making of her were unreasonable and wanted to discuss these in an environment where she felt safe.

Bol however, refused. Bol reported that he did not want to participate in the joint session. Bol expressed anger at being separated from his wife for so long and frustration of a system that did not respect his position as the head of his family and that mandated he remain away from his family. Achol phoned Bol to encourage him to participate in the joint mediation session, but this did not change his mind. Achol became frustrated with Bol and told him that she did not want him to come back to the house to live with her and the children unless he agreed to participate in the joint mediation session where they would work together to discuss the issues affecting each of them.

To date, there has been no progress in organising the joint mediation sessions, however, the shuttle mediation did produce some tangible results for the couple. With the support of the family mediator and the family support worker, both Bol and Achol agreed that every second weekend, Bol could see his children at a relative's house. Achol now drops the children at the house on the designated day in the morning, an hour before Bol arrives at the house, where he spends the day with the children. The relative takes the children back home later in the afternoon. This arrangement has been successful for Bol, Achol and the children.



13. Southern Sudanese women's support and discussion group

A group program for women can be an effective intervention for women who are experiencing or at risk of experiencing family violence. A group allows for women to explore ideas around cultural and personal identity, offers women new ways to view their relationships with their husbands and their children and ultimately empowering women to make informed decisions about the issues affecting their lives and the lives of their children. Although a group of this kind may lead to women making on-going changes in their lives, these changes happen very slowly and it may take several group programs before women feel confident to accept and implement the ideas and learning gathered.

13.1 Program Design and Development

When designing a program for Southern Sudanese women who are experiencing or at risk of experiencing family violence, a number of considerations must be made.

a) Program aims and objectives

Developing a group program for Southern Sudanese women will be dependent on the participants that the group is targeting, including their previous experience in being in a group program and exposure to ideas around family violence. The aims and objectives of the group will consequently reflect the group's participants.

Some key objectives to consider are to:

- provide support, empowerment and assistance to Southern Sudanese women to make informed decisions to enable them to create a safe family environment for themselves and their children
- promote safety of women and children
- create an environment where women who are experiencing or at risk of family violence feel safe and able to seek support
- assist participants to identify and favour new narratives that are focussed on self actualisation
- empower participants through allowing a space for leadership, self-expression and ownership of personal space
- allow an opportunity for regular reflection on personal situations, sharing ideas and allowing time for discussion

b) Planning a program

- **Use indirect approaches for discussing family violence.** Direct approaches used in family violence groups to generate discussion about family violence are not always appropriate for women from Southern Sudanese backgrounds. Program content requires an indirect approach, using impersonal, general ideas



for discussion around family violence to build trust amongst the women and encourage them to talk about their own experiences. Once participants gain more confidence in discussing personal issues, facilitators may start to introduce more direct ideas about family violence.

- **Plan to be flexible as group programs may change.** Facilitators will need to plan to provide a flexible group program that enables women to develop trust and confidence in talking about their experiences and relationships. Facilitators will need flexibility to take the group at the pace of participants, which may require more time to focus on particular issues and ideas than may be planned. Facilitators may wish to plan for a second or third eight-week program to follow an initial program, to explore issues further and allow for participants to feel comfortable sharing personal information about themselves and their relationships.
- **Eight weeks will not be sufficient time to empower Southern Sudanese women to make informed choices about their lives.** A number of cultural issues impact on group programs with Southern Sudanese women who have experienced or are at risk of family violence. For many Southern Sudanese women, the idea of a support or discussion group will be unfamiliar and facilitators may need to spend the initial sessions discussing with participants group processes.

Similarly, a minimum of eight weeks is required to increase participants' understanding of family violence within an Australian context. This will involve in-depth discussions around defining abuse and discussing violence as a human rights issue rather than a cultural issue (e.g. some Southern Sudanese women may believe that family violence is acceptable in Southern Sudanese culture but not acceptable in Australian culture). It may take many weeks for Southern Sudanese women to become familiar with these ideas and even longer for these to become acceptable ideas.

- **Provide childcare.** Childcare is essential for Southern Sudanese women to attend group programs, as it is common for Southern Sudanese women to have numerous children in their full time care. Childcare will make the program more accessible for some participants.
- **Allow double time for groups that require interpreters.** Group programs for women that require interpreters need a minimum of double the time planned for an English speaking group to explore the same issues and strategies that could empower participants to make informed choices to ensure their safety and that of their children.

c) Engagement and participation

- **Use positive, non-threatening language in all advertising.** When advertising for a group program through flyers or letters, positive and non-threatening language that does not refer to family violence should be used to encourage maximum participation. Attending a group program for victims of family violence is not culturally acceptable and participants who are known to attend such a group may be stigmatised within the community. To avoid this stigmatisation, the group can be advertised as a general discussion group for women or a discussion group about families and relationships in Australia.

- **Collaborate with a bi-cultural worker.** Having a bi-cultural Southern Sudanese worker (preferably a female) to attend the group to interpret rather than an interpreter can have a positive impact on the group. A bi-cultural worker will provide consistency for participants and rapport can be developed with the bi-cultural worker as it develops with other facilitators. Interpreters may be known to participants and may be different each week, making it difficult or uncomfortable for participants to disclose personal information during group sessions. The bi-cultural worker may also wish to participate in group discussions, offering examples and asking questions along with participants. This has shown to make participants feel more comfortable in participating in group discussions as well as break down barriers that participants may feel between workers and themselves. A bi-cultural worker will also be able to encourage women who they know in the community to attend the program, increasing participation.
- **Make follow up phone calls.** The bi-cultural worker should phone all participants on the day of the group session to remind participants to attend. Southern Sudanese culture is an oral culture, where information is traditionally passed between community members by word of mouth. Phoning community members who have received flyers on the day of the session (or the day prior to the session) is an effective and culturally appropriate way to ensure greater numbers for participation. Attendance lists, including full contact details of participants should be taken at all sessions. This will provide project workers with a useful data base/contact list of interested people who can be easily contacted and invited to future sessions.

d) Theoretical frameworks

The therapeutic approaches deemed most appropriate for the development and implementation of a Southern Sudanese women's support group to assist women who have experienced or are at risk of family violence is narrative therapy using a social construction and feminist theoretical framework.

Even though cultural ideas around dominant patriarchy and strict traditional gender roles within Southern Sudanese culture must be acknowledged and understood by facilitators, the group should be conducted from a feminist perspective recognising the right for all women to be empowered to make informed decisions about their lives. This can be done within a framework that provides alternative options and ideas on the roles of men and women.

Narrative therapy is recommended for its usefulness when working cross culturally as it respects different constructions of reality and acknowledges the participant's expertise regarding their own life stories. This shifts the focus away from the counsellor's expertise and opens the way for increased collaboration in the therapeutic process.

The social construction theoretical framework considers the ways in which people's social and interpersonal reality is culturally constructed. Social constructions can be defined as the beliefs, values, customs, labels, laws, division of labour, in essence the social reality of the group. In this way societies construct the lenses through which their members interpret the world. In the context of a group such as this, it is important to acknowledge the cultural constructs that participants use to interpret their own lives, including their relationships, ideas of self and their families. This will also effect how



participants respond and engage with ideas and discussion topics raised within the group.

13.2 Program Implementation

a) Considerations for facilitators

- **Be aware of terminology and cultural understandings.** Confidentiality has a different meaning in Southern Sudanese culture. In Southern Sudanese culture, confidentiality involves maintaining family problems within the tribe. It is culturally unacceptable to talk about family problems outside the extended family or tribe. For groups that include women from different tribes, there is a need to define what is meant by confidentiality within an Australian context at the commencement of each group. However, it takes considerable time for participants to trust each other and believe that information disclosed during the group will not be spread widely amongst the community.
- **Allow time for socialising.** Participants often arrive late and enjoy spending time casually socialising together before the group commences. Time needs to be set aside for this, as it provides an opportunity for regular social interaction that many participants may lack in their lives. Regular contact with other women in this context could lead to a decrease in social isolation for some participants.
- **Provide new knowledge to participants.** Although it may take some time, providing participants with access to new knowledge will allow for participants to become empowered to make informed decisions about their lives and the lives of their children. Providing clear accurate information will allow women to become aware of services and options available to them and may assist women at risk to seek help if they need it.
- **Allow time for questions and discussion.** Some participants may find it easier to discuss difficult or personal issues in their first language, even if they have high level English skills. Speaking in one's first language may allow for participants to more easily express themselves. Some participants may also feel more comfortable speaking about personal issues in their first language, as this places a protective barrier between the participant and the facilitator.

Facilitators should allow plenty of time for participants to disclose personal stories and information about their lives (including time it will take for interpreting). Facilitators may also use stories and examples shared by participants to demonstrate points being raised if appropriate. Using examples raised by participants contextualises western ideas being introduced within a context that is familiar to participants. This may make these ideas more relevant for Southern Sudanese women, as it places western ideas and concepts within a context that may be more familiar to them.

- **Be cautious with use of metaphors and conceptual thinking.** Metaphors and abstract concepts are not always understood by Southern Sudanese community members in the same way that they may be understood within a mainstream Australian group, given the differences in cultural constructions and understandings. Nevertheless, metaphors are often used within traditional Southern Sudanese culture so can be implemented by practitioners, as long as meanings and understandings are fully discussed with participants.

- **Set tasks for participants to 'try out' at home.** Using clear, tangible strategies and ideas that participants can implement at home will assist participants to engage more closely with topics. It will also allow for facilitators to use the previous session's ideas as a starting point for future sessions, as a discussion can be initiated about how participants implemented ideas discussed in the previous week. Such discussions may assist participants in linking ideas presented back to their own lives and families.
- **Include a second activity.** Participants may find it beneficial to have a second component incorporated into the group, such as relaxation, gentle exercises or an activity such as sewing. This may increase participation and set a casual and inclusive mood for the session.

b) Discussion Topics

Discussion topics will vary based on the participants in the group, including their prior experience of support groups and exposure to ideas about family violence within an Australian context. Facilitators may find it useful to identify possible topics for discussion with participants in the initial sessions.

Some possible topics to include are:

- Group processes
- Defining violence and abuse: Australian and Southern Sudanese contexts
- Conflict resolution
- Anger management
- Risk and safety
- Healthy relationships between husbands and wives
- Impacts of violence on children
- Effective communication

13.3 Conclusion

Support and discussion groups for Southern Sudanese women who have experienced or are at risk of experiencing family violence can assist in providing an opportunity for gaining support that they might otherwise lack. Groups allow women to explore new ways of interpreting their lives, including their relationships with their husbands and families, through gaining new knowledge and ideas with which to interpret the world.

Through regular discussions, women may learn about appropriate behaviour of men and changes that they can make to protect themselves and their children. Groups also allow women the support to make difficult decisions about their relationships, acknowledging the cultural constraints that may ultimately effect these changes. There needs to be consideration for the time it can take for Southern Sudanese women to feel comfortable with the group process and accept and acknowledge the ideas presented. This will be longer than an eight week program, so this must be considered by facilitators and agencies when preparing to implement a group of this kind.

14. Community education and awareness raising programs with the Southern Sudanese community

To adequately address family violence in the Southern Sudanese community, preventative approaches must be implemented to compliment and work beyond the intervention strategies utilised. Through widespread dissemination and acceptance of new ideas around appropriate behaviours, values and attitudes that promote human rights, equality between men and women and the safety of women and children, it is anticipated that family violence within any community will decrease.

The promotion of alternative viewpoints around the issues that may lead to incidents of family violence can be achieved through the education of community members, creating an increased awareness and shift in patterns of thinking around the effects that negative opinions and subsequent actions can have on oneself and on others.

14.1 Identification of need

Prior to developing the nature and content of a community education and awareness raising program, it is important to consult the community to identify the need and appropriateness of a program of this nature. A consultation group, comprised of local Sudanese community members can be developed with the assistance of bi-cultural workers, contacting Sudanese community Association office bearers and/or contacting Sudanese religious leaders at local churches. These key people can be invited to participate in a consultative focus group or asked to identify others to participate in a focus group.

Participants in focus groups should be both male and female and include community elders and leaders. Generally, it is not culturally appropriate for women to speak publicly and voice opinions in the presence of men. Therefore, to ensure that both males and females feel comfortable in discussing issues of family violence, separate groups for males and females should be conducted. Interpreters and refreshments should be arranged.

To promote commitment from focus group participants and to acknowledge the valuable contribution that they can make, financial contributions should be made to focus group participants. This contribution should be sufficient to cover the time spent and travel costs.

The focus group participants should be asked to identify issues that lead to family problems, using a series of open ended questions. For example *What are some of the challenges for families in Australia that may cause problems between husbands and wives?* Issues identified may be parts of Australian culture/lifestyle that are misunderstood by one or more groups within the community or aspects of life in Australia that lead to family conflict and family breakdown.

During the consultations, participants should also be asked about appropriate times, dates and venues for sessions to be held, to maximise participation. Two or three meetings to discuss the issues and implementation of the program may be required.

14.2 Program development

a) Program aims and objectives

In addressing family violence through a community education and awareness raising program with any community, there are some program aims that must be included. These are to:

- promote the rights of women, children and men to live in safe families, free from violence and abuse
- increase understanding of the impact of family violence, including negative attitudes and behaviours on all family members, in particular women and children

When developing the aim and objectives of a community education and awareness raising program with the Southern Sudanese community, the target audience for the program must be considered. A particular group within the community may be identified based on the information gathered through the consultation process with community members.

Once a target audience for the program has been identified, their knowledge and previous exposure to issues surrounding family violence and western concepts of acceptable ideas and behaviours should be considered to ensure that the program will be relevant and non-repetitive or patronising. The level of knowledge and understanding within the community can be attained through the consultations with members of the community, including men and women and community elders and leaders. By considering what the program hopes to achieve specific aims and objectives will emerge.

Examples of program aims and/or objectives may include:

- challenge the traditional ideas of unconditional male dominance and authority and the subordination of women within families
- dispel myths or misunderstandings that may be held within the Southern Sudanese community around various Australian laws (including the role of the Police and court system), gender roles and human rights
- raise awareness about the role of community and legal services that can assist families who may be experiencing family conflict or family violence
- promote alternative ways for husbands and wives to resolve conflict in Australia without using violence

b) Designing a program

Once the issues have been identified and the aims and objectives of the program developed, the community education program can be designed. Service providers will need to determine the structure of the education program that will provide the most benefit for the target audience.

Examples of different kinds of education programs and awareness raising programs include:

- A series of information sessions for Southern Sudanese men and women covering a variety of different topics such as managing money as a family team in Australia, the role of Police and/or the court system in Australia, family violence and Child Protection, conflict resolution strategies for families, etc.
- A series of meetings for Southern Sudanese men to discuss issues affecting men in Australia, including psycho-education around gender roles within families in Australia, human rights and safe families
- A group for Southern Sudanese women to discuss healthy relationships in Australia, including human rights and equality and appropriate behaviours for men and women within relationships and families

Specialist service providers (such as Police, financial counsellors, Child Protection, Centrelink Officers, etc.) can be approached and invited to give presentations on specific topics. When inviting service providers to give presentations, they may need to be briefed about the cultural sensitivities of working with the Southern Sudanese community to ensure that participants gain the maximum benefit from the sessions. The brief should include aspects of traditional Southern Sudanese culture specific to the topic area that the presenter is covering. This way, the speaker can present ideas and answer questions with an understanding of the cultural framework that the audience is using to decipher the information presented.

14.3 Community engagement and participation

To encourage maximum attendance at the meetings or sessions, a number of engagement methods should be followed.

- **Use simple, positive and non-threatening language.** Direct reference to family violence or family problems in the promotion of the sessions should be avoided. The stigma surrounding family violence within the community and the shame attached to admitting that there is conflict or violence within one's family may deter people from attending a session that makes direct reference to these. By using positive language, individuals and families may be encouraged to attend. For example, instead of promoting a session as *Anger management for families experiencing conflict* a session could be promoted as *Creating happy and healthy families in Australia*.

- **Create and distribute flyers.** Flyers should be translated into relevant community languages (if unknown which sub-tribal groups will be attending, use Sudanese Arabic). The flyers should be distributed widely through Sudanese networks. This can be done through contacting consultation/ focus group members, community elders, Sudanese religious leaders and bi-cultural workers and asking them to distribute the flyers widely and invite their friends and relatives to attend.
- **Invite Southern Sudanese community elders and leaders to participate.** Southern Sudanese community elders and leaders can be very influential and are often well respected within Southern Sudanese communities. By arranging meetings with community elders and leaders to inform them about the program and involve them in its preparation, promotion and execution, they may assist by encouraging members of the community who they think would benefit from it to attend. Service providers will need to consider the tribal groups that the target audience identifies with (there may be several) and contact community elders and leaders from the same tribes. This can be done through the individual tribal community associations, or through contacting the Sudanese Community Association of Australia (SCAA) (see page 47).

The consultation group participants will be able to give service providers appropriate contacts and direction on contacting elders and leaders. The role of community elders and leaders in the implementation of the program is discussed further below.

- **Make follow up/reminder phone calls.** Southern Sudanese culture is an oral culture, where information is traditionally passed between community members by word of mouth. Phoning community members who have received flyers on the day of the session (or the day prior to the session) is an effective and culturally appropriate way to ensure greater numbers for participation. Attendance lists, including full contact details of participants should be taken at all sessions. This will provide project workers with a useful data base/contact list of interested people who can be easily contacted and invited to future sessions.

14.4 Program implementation

When implementing the community education program, the sessions undertaken (whether they are information sessions, meetings or group sessions) workers must consider the points below.

- **Provide refreshments that are culturally appropriate.** Preparing foods such as fruits, sweet biscuits and tea and coffee with milk can be popular options for light refreshments. If preparing a meal, meat such as chicken or beef with bread and salad is appropriate. Traditionally, the Southern Sudanese community will have a formal meeting or session first, and then eat together after its conclusion (for informal meetings/discussions it is the reverse). Although men and women do not traditionally eat together, in Australia many community members are happy to do so.

Workers and presenters should stay and eat with participants, as this gives an excellent opportunity for informal discussions around the content of the session in a non-threatening environment. It gives the opportunity for participants to ask questions and engage in further discussions with workers, while giving workers the opportunity to casually educate participants about particular issues and offer referrals to services where appropriate.

- **Provide childcare.** If the session is for women or for women and men, some people may bring their children. As it is not uncommon for Southern Sudanese families to be very large, workers should prepare for a large number of children to be present. Workers should have a quiet activity prepared for children to do, ideally in a separate room, so that their parents can adequately concentrate and participate in the session. Service providers may need to consider hiring childcare workers or arranging to pay members of the Southern Sudanese community to look after children during the session.
- **Organise interpreters.** Prior to the session, service providers will need to investigate the language groups who are anticipated to attend the program and organise relevant interpreters. Workers should advise presenters that interpreters will be used and ensure that presenters are comfortable and confident with using interpreters. Allow double the amount of time for sessions and meetings to take place, to allow sufficient time for interpreting. If interpreters for more than one language group have been arranged, advise participants to sit close to their relevant interpreter. This way, each time the English speaking presenters pause, all interpreters can interpret for those close to them, rather than the group having to wait while the information is interpreted into several languages one at a time. This will allow for the session to progress more smoothly and participants not losing the flow of the information presented.
- **Invite Southern Sudanese community elders and leaders to participate.** Inviting community elders and leaders to formally participate in the program may encourage more people to attend. Individuals may feel more comfortable accepting new ideas if they are supported by community elders. When implementing sessions, community elders and leaders can be invited to give a formal welcome to participants at the beginning of the meeting and/or to formally close the meeting. Elders and leaders may give a prayer at the commencement of sessions.
- **Time allocated for sessions.** Allow sufficient time for questions and discussion. Southern Sudanese culture is an oral culture and participants will enjoy discussing the issues and ideas presented during information sessions or group meetings. Allow sufficient time for participants to arrive late. As western notions of time are unfamiliar to some members of the Southern Sudanese community, expect for sessions to start at least half an hour after the scheduled start time.

14.5 Conclusion

It will take a long time to change cultural perceptions and attitudes that may support family violence. Ideas challenging patriarchy and female subordination in daily life need to be introduced to the community on a regular basis to promote happy and safe family environments for women and children, free from violence and abuse. Giving accurate information to the community on issues that directly affect them will assist. Identifying community elders and leaders within the Southern Sudanese community to be role models and encourage change can also be beneficial.

Through regular consultations with members of the community, issues and problems currently affecting families that ultimately lead to family violence can be identified and programs can be developed to specifically address these issues. As the Southern Sudanese community settles into life in Australia, it is anticipated that the issues and challenges faced by families will change. Holding frequent community education and awareness raising programs will allow for contemporary issues identified to be explored and alternatives patterns of behaviour presented.



15. Future Directions

The approaches and ideas expressed in this manual are the beginning of an ongoing learning process with the Southern Sudanese community in Australia. Although the models presented have been piloted and reviewed by the Migrant Information Centre (Eastern Melbourne) in collaboration with the Southern Sudanese community in Eastern Melbourne, these may not be the only methods for assisting the community in the prevention and intervention of family violence.

It is hoped that the community services sector is able to draw on this learning for the development and implementation of future programs with the Southern Sudanese community in Australia.

The Migrant Information Centre (Eastern Melbourne) is available for consultation if your agency would like advice or assistance in establishing programs with the Southern Sudanese community.



16. References

1. Deng, Gabriel (2008) *Kakuma Camp and Refugee Arrival*, (unpublished – written reflection by a Southern Sudanese man living in Eastern Melbourne)
2. Department of Immigration and Citizenship, www.immi.gov.au/immigration
3. Department of Immigration and Citizenship (2007) *Settlement Trends and Needs of New Arrivals – Victoria* http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-planning/_pdf/community-profile-sudan.pdf
4. Department of Immigration and Citizenship (2007) *Sudanese Community Profile* http://www.immi.gov.au/living-in-australia/delivering-assistance/government-programs/settlement-planning/_pdf/community-profile-sudan.pdf
5. Domestic Violence Victoria (DV Vic) (2006), *Code of practice for specialist family violence services for women and children*, DV Vic, Melbourne
6. Eprile, Cecil (1974) *War and peace in the Sudan 1955 – 1972*, David and Charles, London
7. Family Law Amendment (Shared Parental Responsibility) Act 2006 Australian Government
8. Family Violence Protection Bill (2008) Parliament of Victoria
9. Family Mediation Centre (2005) *Mediation Training Manual*, FMC Relationship Services
10. Grealy, C., Humphreys, C., Milward, K., and Power, J. (2008), *Urbis Practice guidelines: Women and children's family violence counselling and support programs*, Department of Human Services Victoria
11. Johnson, Douglas Hamilton, International African Institute (2004) *The Root Causes of Sudan's Civil Wars*, James Currey Publishers
12. Mitchell, Jenny., Kaplan, Ida., Crowe, Louise (2006) *Two cultures: one life*, Community Development Journal Volume 42, Number 3 pp. 282 – 298
13. Springvale Monash Legal Services Inc. (2008) *Comparative Analysis of South Sudanese Customary Law and Victorian Law*, Springvale Monash Legal Service Inc.
14. US Department of State: Bureau of African Affairs (2007) *Background Note: Sudan* <http://www.state.gov/r/pa/ei/bgn/5424.htm>

