**Preventing Violence Against Migrant and Refugee Women, Non-Binary, and Gender-Diverse People with Disabilities: Background Paper (2024)**

**Acknowledgements**

This resource was developed by Women with Disabilities Victoria (WDV) in consultation with Multicultural Centre for Women’s Health (MCWH) on the land of the Wurundjeri people of the Kulin Nation. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and we value Aboriginal and Torres Strait Islander histories, cultures, and knowledge.

This resource was developed as part of WDV’s Gender and Disability Workforce Development Program.

For more information about our work, visit: [www.wdv.org.au](http://www.wdv.org.au/)

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**Introduction**

**Project Background**

In 2023, MCWH and WDV established an 8-month partnership to develop a suite of resources on preventing violence against migrant and refugee women, non-binary, and gender-diverse people with disabilities.

**Definitions**

We acknowledge the diverse experiences of both cisgender and transgender women, as well as non-binary and gender-diverse people who are impacted by gender inequality and gender-based violence. There is very little existing literature addressing transgender women, non-binary, and gender-diverse people’s specific experiences of violence and further research in this area is urgently needed.

The term “migrant and refugee” is used to describe people living in Australia who were born overseas or whose parent(s) or grandparent(s) were born overseas in a predominantly non-English speaking or non-Western country. This language is specifically chosen to highlight the impact of the migration and settlement process on communities. In some cases, the term Culturally and Linguistically Diverse (CALD) is used, however we choose the term “migrant and refugee” in this paper.

**Project Deliverables**

The resources developed by WDV in consultation with MCWH include a short video answering the question, “What is violence against migrant and refugee women, non-binary and gender-diverse people with disabilities?”, an infographic explaining barriers to seeking support, and a micro-webinar exploring essential actions and recommendations for prevention. This background paper was not originally included as a deliverable in the project plan but was developed in response to demand from the primary prevention sector.

**Background Paper Method**

The project commenced with a 2-month review of existing literature on gender-based violence experienced by migrant and refugee women, non-binary, and gender-diverse people with disabilities. This included research undertaken by Disabled Peoples Organisations (DPOs), peak bodies representing migrant and refugee communities, and settlement services. Submissions to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and feedback submitted by the Women’s Refugee Commission on the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) were also included. Considering the short timeframe for this period of preliminary research, the literature review is not exhaustive, and several sources emphasised that there is limited research addressing the intersections of race, culture, gender, and disability as they impact experiences of violence[[1]](#footnote-2).

The analysis of these sources was informed by three key frameworks. Our Watch’s *Change the Story* providesa broad framework for the primary prevention of violence against women in Australia[[2]](#footnote-3)*.* MCWH expands on *Change the Story* in *Intersectionality Matters*[[3]](#footnote-4) a guide to engaging migrant and refugee communities to prevent gender-based violence. *Changing the Landscape,* a national resource to prevent violence against women and girls with disabilities developed by Our Watch in partnership with WDV[[4]](#footnote-5) also builds on *Change the Story,* examining the intersection of gendered and ableist violence. These frameworks represent contemporary best practice in understanding and preventing violence in WDV and MCWH’s focus communities.

The literature review sought to understand what violence against migrant and refugee women, non-binary, and gender diverse people looks like, what drives this violence, and what can be done to prevent it. Insights into these questions, outlined in this background paper, as well as gaps identified in the research, informed subsequent community consultations which in turn formed the basis of the resulting resources.

**Limitations**

Further research employing a robust methodology, using an intersectional lens, and centring migrant and refugee women, non-binary, and gender-diverse people with disabilities’ voices is needed to fully represent the complexities and realities of their experiences of violence. Therefore, the existing resources do not necessarily reflect the views of MCWH or WDV, however this review has allowed us to examine the available literature and its limitations. We hope to build on this initial research in future studies to address these gaps.

**What does violence against migrant and refugee women, non-binary, and gender-diverse people look like?**

The research indicates that migrant and refugee women, non-binary, and gender diverse people experience the same forms of gender-based violence as people born in Australia, with and without disabilities. However, they experience it at higher rates and over longer periods of time[[5]](#footnote-6). The National Ethnic Disability Alliance identifies some of the specific ways violence is perpetrated against migrants and refugees with disabilities, including:

* + Withholding food;
  + Denying medication;
  + Threatening to take their children from them;
  + Threatening to deport them back to their country of origin.

Furthermore, they report that “Asylum seekers in refugee camps, women, especially those with disability, are more likely to be subjected tosexual violence.”

Reports of sexual and reproductive health-related violence recur throughout the literature reviewed. In community consultations conducted in preparation for their submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, the Ethic Communities Council of Victoria found that, due to stigma, women with disabilities may be subjected to enforced contraception, as well as threats to remove their children.[[6]](#footnote-7) The Women’s Refugee Commission also noted in their response to the United Nations Convention on the Rights of Persons with Disabilities that women with disabilities “...may face forced abortions and/ or forced use of family planning methods...”[[7]](#footnote-8)

The Ethnic Communities Council of Victoria also reports instances of neglect due to “...a lack of available services in their country of origin, poverty, and past experiences of war and dislocation.”[[8]](#footnote-9) Several sources emphasised systemic barriers to accessing support services in Australia, including limited culturally appropriate disability support providers[[9]](#footnote-10), lack of translation services and information in community languages[[10]](#footnote-11) and socio-economic disadvantage, including visa conditions that exclude some migrants and refugees from accessing social supports, including the Disability Support Pension[[11]](#footnote-12). These barriers leave migrant and refugee communities underserved and lacking essential disability support.

Importantly, MCWH highlights the intersection of racism in the specific ways that migrants and refugees experience gender-based violence. Some cited examples include public abuse of a women wearing a hijab and racially derogatory sexual harassment[[12]](#footnote-13).

**What drives violence against migrant and refugee women, non-binary, and gender-diverse people?**

In *Change the Story* and *Changing the Landscape*, Our Watch and WDV identify key drivers of violence against women with disabilities. Understanding gender-based violence in migrant and refugee communities requires a critical awareness that the gendered and ableist drivers of violence are not exclusive to a particular culture or community, they operate throughout society. The literature review revealed distinct ways these drivers impact migrant and refugee communities.

The first gendered driver identified in *Change the Story* is the condoning of violence against women[[13]](#footnote-14). There is a misconception that gender inequality and violence is condoned or excused within particular cultures. MCWH notes that “There is no evidence that people from particular communities are inherently more or less violent or more or less likely to perpetrate family violence than others because of their cultural background or race, including people who are accepted as part of the dominant white culture in Australia”.[[14]](#footnote-15) Gender inequality and other forms of discrimination, such as racism and ableism, is what drives violence, and blaming culture takes away the accountability from the structural and material conditions that shape and perpetuate inequality.

The broader community continues to condone violence against migrant and refugee women, non-binary, and gender-diverse people with disabilities. This results in rigid gendered, racialised and ableist stereotypes being applied to women and people with disabilities from migrant and refugee communities. This is evident within how the current visa system is structured through a deficit, medical lens, where the focus is on the perceived burden that the applicant’s disability may place on public health and community resources. This model fails to consider the strengths women and people with disabilities from migrant and refugee communities have, and the social, economic and cultural contributions they make to society.[[15]](#footnote-16)

*Changing the Landscape* expands on *Change the Story* by identifying ableist drivers of violence, including controlling people with disabilities’ decision-making and limiting independence[[16]](#footnote-17). Ethnic Communities Council of Victoria notes that, “Women who... are isolated from the community, are at risk of being controlled by another person, most often a male partner or family member.”[[17]](#footnote-18)

A further ableist driver of violence, social segregation and exclusion of people with disabilities[[18]](#footnote-19), is also evidenced by Ethnic Communities Council of Victoria, who reported on “...social isolation in the family home, where family members restricted their social participation due to...stigma or for perceived ‘safety’ reasons.”[[19]](#footnote-20) AMES also identified that “...detachment from familial, community and institutional norms protecting violence against women” is a risk factor[[20]](#footnote-21).

While some sources offer cultural explanations for gendered and ableist violence in migrant and refugee communities, MCWH’s *Intersectionality Matters* guide emphasises the need to challenge myths about culture and violence[[21]](#footnote-22). In *Challenging myths about culture and violence in migrant and refugee communities,* MCWH emphasises that using culture as an excuse for violence can take accountability away from the perpetrators of violence themselves.[[22]](#footnote-23)This resource further explains how, “Representing immigrant communities as inherently ‘more violent’ because of their cultural background or race, often shifts focus away from the real drivers and causes of violence against women...”[[23]](#footnote-24)

To develop a more nuanced understanding of the intersection of the gendered, ableist and racialised drivers of violence, Ethnic Communities Council of Victoria calls for “...community-based research undertaken by people with disability from CALD backgrounds to identify the drivers, risk and preventative factors for violence against people with disabilities in CALD communities.”[[24]](#footnote-25)

**What are the reinforcing factors?**

*Change the Story* explains that reinforcing factors do not in themselves explain the prevalence of violence but can interact with the identified drivers to increase the probability or frequency of violence[[25]](#footnote-26). Some of the most frequently recurring themes in the literature reviewed may be understood as reinforcing factors rather than drivers of violence. Barriers to both reporting violence and leaving violent situations result in migrant and refugee women, non-binary, and gender-diverse people with disabilities experiencing violence over longer periods of time.

Underreporting of violence is highlighted by several sources and multiple barriers to reporting were identified in the literature reviewed. The Multicultural Disability Advocacy Association of New South Wales cited numerous stereotypes held by service providers, including include:

* + There are very few people with disabilities from migrant and refugee backgrounds in Australia because they are “not allowed into the country”;
  + The experience of disability is the same in all cultures;
  + People with disabilities from migrant and refugee backgrounds prefer to seek support within their community/extended family and refuse to receive services outside their community.[[26]](#footnote-27)

These harmful preconceptions often result in negative experiences accessing services, which may result in a lack of trust of reporting systems.

They also emphasise that many of the same barriers to accessing formal disability supports, including language barriers and limited culturally appropriate services, also prevent migrant and refugee women, non-binary, and gender-diverse people with disabilities from reporting violence[[27]](#footnote-28). National Ethnic Disability Alliance suggests that a lack of access to information about the Australian criminal justice system and support services available is an additional barrier[[28]](#footnote-29).

Ethnic Communities Council of Victoria reports that “Many humanitarian entrants do not seek support due to fear that their community will be criticised, and the government may decide not to accept people from their community if they are seen as too demanding.”[[29]](#footnote-30) Similarly, National Ethnic Disability Alliance describes fear of deportation as a barrier, as well as the understanding of violence as a “personal issue” to be resolved within the family[[30]](#footnote-31).

Multicultural Disability Advocacy Association of New South Wales and the National Ethnic Disability Alliance both highlighted barriers to leaving violent situations experienced by migrant and refugee women, non-binary, and gender-diverse people with disabilities. National Ethnic Disability Alliance reports that:

It is almost impossible for women with disability from migrant and refugee backgrounds to move out of their homes to get away from their perpetrators as women’s refuges cannot accommodate them... as the facilities may not have adequate accessibility requirements.[[31]](#footnote-32)

The socio-economic disadvantage cited earlier is an additional barrier and often leaves migrant and refugee women, non-binary, and gender-diverse people with disabilities dependent on male relatives for housing and financial support[[32]](#footnote-33). National Ethnic Disability Alliance cites Australian Bureau of Statistics data from 2017, confirming that only 22.46% of people with disabilities from migrant and refugee backgrounds are likely to access support outside the household, compared to 77.54% of people without disabilities from migrant and refugee backgrounds[[33]](#footnote-34). In addition, they explain that:

In most cases, as women may not have extended family in Australia, they cannot get informal supports either. Unfortunately, to meet their personal care needs, many women choose to stay in an abusive situation with the perpetrator of their abuse.[[34]](#footnote-35)

**What can be done to prevent violence against migrant and refugee women, non-binary, and gender-diverse people with disabilities?**

One of the key preventative factors identified in the literature reviewed reflects *Changing the Landscape’*s essential action 5, “Promote women and girls with disabilities’ independence, agency and participation in leadership and decision-making.”[[35]](#footnote-36) Women’s Refugee Commission emphasises that:

Development, empowerment, and advancement of women with disabilities must include women and girls affected by crisis and conflict, strengthening their capacity to participate in peace-building processes, and facilitating networking between women with disabilities and those that are more isolated and excluded, as well as with non-disabled women’s groups.[[36]](#footnote-37)

Ethnic Communities Council of Victoria emphasises the need to “...build capacity of people with disability from CALD backgrounds to participate in decision-making at all levels...”[[37]](#footnote-38) and calls for “...representation and systemic advocacy by specialist Disabled People’s Organisations... governed by people with disability from CALD backgrounds... to contribute to decision-making, service design and policy.”[[38]](#footnote-39) MCWH also calls for migrant and refugee women’s leadership to be centred and supported, particularly in violence prevention programs. Otherwise, they warn, ”...we risk replicating the gendered inequality that we are trying to address.”[[39]](#footnote-40)

Workforce development throughout the disability services and gender-based violence sectors was a strongly recommended action across all the sources reviewed. Settlement Services International recommends the implementation of a cultural competence framework across the disability services system[[40]](#footnote-41). Ethnic Communities Council of Victoria emphasises that such a framework should be co-designed by people with disabilities from migrant and refugee backgrounds[[41]](#footnote-42). Settlement Services International also highlights the value of recruiting culturally diverse and bilingual disability support staff who are competent to work across cultures, fluent in community languages and/or trained in the use of interpreters[[42]](#footnote-43).

Women’s Refugee Commission focuses on the need to “...ensure that (gender-based violence) protection services are age-, gender- and disability-sensitive, and are available to women and girls with disabilities in situations of risk, including those who may be internally displaced, refugees or migrants.”[[43]](#footnote-44) National Ethnic Disability Alliance emphasises that women’s refuges must be resourced to support women from migrant and refugee backgrounds[[44]](#footnote-45). Multicultural Disability Advocacy Association of New South Wales adds that both disability and gender-based violence services “...should be encouraged to audit their polices, practices and services to determine barriers to access and improve information dissemination.”[[45]](#footnote-46)

The clearly articulated need for workforce capacity building extends to calls for broader education and awareness raising. Ethnic Communities Council of Victoria proposes a “...national campaign to represent people with disability from CALD backgrounds as an integral part of wider society, rather than a fringe group.”[[46]](#footnote-47) Similarly, Women’s Refugee Commission advocates for “...effective education and awareness raising programs that not only combat respective stereotypes relating to gender and disability, but also reflect the diversity of identities among women and girls with disabilities, and how this shapes the discrimination and inequality they may experience.”[[47]](#footnote-48)

Education and awareness raising within migrant and refugee communities was also promoted as an action to prevent gender-based violence. AMES Australia recommends the development and dissemination of “...culturally relevant resources to raise awareness of the prevalence, causes, impact and unacceptable nature of violence against women in culturally and linguistically diverse communities.”[[48]](#footnote-49) Women’s Refugee Commission highlights the need for “...information and education on how to avoid, recognize and report instances of exploitation, violence and abuse...”[[49]](#footnote-50) for migrant and refugee women, non-binary, and gender-diverse people with disabilities.

The importance of community engagement was emphasised to ensure the effectiveness of gender-based violence prevention initiatives. Settlement Services International suggests “...‘soft’ touch entry points in community-based settings to maximise the opportunity for establishing rapport and trust...”, emphasising the value of partnerships with multicultural organisations[[50]](#footnote-51). In *Intersectionality Matters*, MCWH provides essential guidelines for ensuring that community partnerships are equitable, collaborative, and respectful.[[51]](#footnote-52) AMES Australia promotes resources and programs to encourage community members to take action to prevent violence against women, including “...engaging CALD men to act as ambassadors or role models to reach other men with prevention messages.”

Finally, the literature reviewed included some specific policy recommendations. Multicultural Disability Advocacy Association of New South Wales articulates a need to “...develop integrated and coordinated government departments in relation to policy development and services delivery for women from non-English-speaking-backgrounds with disability experiencing violence.”[[52]](#footnote-53) Recommendations from the Ethnic Communities Council of Victoria include an alignment between the National Disability Strategy and the National Plan to Reduce Violence Against Women and their Children and “...a supporting plan co-developed with people with lived experience to address the needs of women and girls with disability from CALD backgrounds, including prevention measures involving men and boys from CALD backgrounds.”[[53]](#footnote-54)

**Conclusion: Further Research**

The suite of resources developed in partnership between WDV and MCWH, informed by the review of selected existing literature and subsequent community consultations, contributes to an emerging understanding of violence against migrant and refugee women, non-binary, and gender-diverse people with disabilities. A recurring theme within the existing literature is the need for further research on the intersection of ableist, gendered and racialised drivers to establish essential actions to address violence. Future research must intentionally engage transgender women, non-binary, and gender-diverse people to understand their specific experiences of violence. WDV’s Gender and Disability Workforce Development team invites stakeholders to suggest additional resources relevant to this ongoing research by emailing [GandD@wdv.org.au.](mailto:GandD@wdv.org.au.)

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**Further Reading**

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