Section II
Cross-Cultural Aspects of Anxiety, Trauma, Depression and Stress
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Culture and child abuse

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The recognition of cultural diversity as having clinical relevance in Australian society is reflected in the latest Australian Psychological Society (APS) Code of Ethics. The General Principle III (b) requires psychologists to be sensitive to cultural, contextual, gender and role differences when practising and not to discriminate, nor condone discrimination against clients on the basis of these differences. According to Professor Graham Davidson, Chair of the APS Ethics Committee, cultural competence is an ethical responsibility and this is certainly applicable to child protection work.

In 1995–96 New South Wales was the most popular state for migrant arrival and 44.7 per cent intended to settle in this state. According to the 1996 Census (Australian Bureau of Statistics) New South Wales has a population of approximately 6 million. Of this number 72.8 per cent of the population are Australian born and 27.2 per cent are overseas born. The six overseas-born categories with the highest number are: UK 1.5 per cent, NZ 1.5 per cent, Italy 1.1 per cent, China (excluding Taiwan) 1.1 per cent, Vietnam 1.0 per cent and Lebanon 0.9 per cent. (The indigenous population comprises 1.1 per cent of the New South Wales population).

Just over 55 per cent of persons aged 5 years and over reported speaking languages other than English at home. The majority of these groups spoke a Chinese language, Arabic (including Lebanese) languages, Italian, Greek, Vietnamese or Spanish. Fairfield (64.1 per cent), Auburn (62.6 per cent) Canterbury (62.2 per cent) and nearby Statistical Local Areas had the highest percentages who spoke non-English languages.

What is Child Abuse?

The Child Protective Services in New South Wales work in a culturally diverse society. In order to work effectively with clients from ethnic communities, an understanding of the unique world view and life experiences of each group is

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fundamental. Cross-cultural perspective in the field of child abuse and neglect are lacking, so there is a need for cultural sensitivity in understanding child abuse and neglect.

In the NSW Child Protective Services, 34 out of 77 Community Service Centres service areas where more than 10 per cent of the local population were from a non-English speaking country, or were born in Australia with one or both parents born in a country where English is not the main language (1991 Census). Although the Child Protective Services are committed to the NSW Charter of Principles for a Culturally Diverse Society, the employment of bilingual, Aboriginal and multicultural personnel is only the first step towards providing a culturally responsive service to the ethnic-minority clients.

The aim of this chapter is to illustrate the complexity and diversity of different cultures in the investigation of child abuse and neglect. The position taken is that cultural competency at all levels should be an integral part of the child protection procedural responses to child abuse investigation.

The arrival of refugees and migrants under various programs has given impetus to the demographic changes in Australia. This cultural diversity impacts on the delivery of Child Protective Services, as issues arise pertaining to what constitutes culturally appropriate services which are effective for these ethnic minority communities.

**United Nations’ Declaration of the Rights of the Child**

For more than 30 years member countries of the United Nations have recognised child abuse as a violation of the rights of the child, as reflected in the ten principles of the Declaration of the Rights of the Child (United Nations’ Declaration, 1996).

Of the ten principles of the United Nations Declaration of Rights of the Child there are two which are of particular significance in relation to child abuse:

**Principle 2:** The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.

**Principle 9:** The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form. The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment that would prejudice his health or education, or interfere with his physical, mental or moral development.

New South Wales, as part of the Australian membership of the United Nations, upholds these principles. The NSW Children (Care & Protection) Act 1987 is the
primary legislation that sets out the role of the State in protecting children and young persons.

**NSW Children (Care & Protection) Act 1987**

A child ‘in need of care’ is defined in Section 10 (1) of the Act to mean a child to whom any of the following apply:
- adequate provision is not being made, or is likely not to be made, for the child’s care;
- the child is being, or is likely to be, abused; or
- there is a substantial and presently irretrievable breakdown in the relationship between the child and one or more of the child’s parents.

The term ‘abuse’ forms a sub-category of Section 10 of the Act and is defined as:
- assault (including sexual assault) of the child; or
- ill-treatment of the child; or
- exposure or subjection of the child to behaviour that psychologically harms the child, whether or not, in any case, with the consent of the child.

The Act, like the laws in most societies, is based on a culture-specific world view with assumptions about individual and family values, child-rearing practices and so forth. The Western world view underlies this Act as well as its associated court processes.

**Cross-cultural Issues in Child Protective Services**

In view of what has been discussed, what are the cross-cultural issues in Child Protective Services? At least the following three can be identified.

1. What is a culturally appropriate definition of child abuse? How can it be integrated with the internationally accepted humane standards? Can there be a universal definition of child abuse that also incorporates the cultural context, and the changes in cultural norms over time?
2. In order to provide culturally appropriate services to different cultural groups, the staff must be culturally competent. How can the staff become culturally competent?
3. At the organisational level, how can culturally appropriate policies and procedures be incorporated into the service delivery?

**Definition of ‘Child Abuse’: Is it Universal or Culture-specific?**

Culture refers to ‘learned, shared patterns of perceiving and adapting to the world, which is reflected in the learned, shared beliefs, values, attitudes and behaviours
characteristic of the (cultural) group or society’ (Fitzgerald, Mullavey-O’Byrne, Twible & Kinebanian, 1995). Culture is dynamic, distinct from ethnicity and race, and diversity exists within cultures and across cultures.

The question arises as to whether child abuse can be defined universally or whether it can only be defined within the context of the specific cultural norms.

**Child abuse as a universal phenomenon**

In 1962 Dr Henry Kempe, an American paediatrician, first coined the term ‘battered child syndrome’ and drew attention in the Western world to the fact that children may be hurt by their parents, an unfamiliar concept then. Historically, children have been neglected, ill treated, abandoned, killed or exploited across cultural and societal boundaries; but the recognition of child abuse by many countries only occurred after Dr Kempe’s identification of the ‘battered child syndrome’. The existing body of knowledge about child abuse has developed mainly from studies conducted in the Western community (Korbin, 1991).

However, Korbin (1991) pointed out that while the term ‘child abuse’ has gained international recognition, it has different meanings for individuals and groups from different cultures.

**Child abuse as a culture-specific phenomenon**

Anthropological studies have shown that there is no community that sanctions sexual abuse of children, and there exists a strong disapproval in all cultures of such behaviour towards children.

On the other hand, where there is a lack of consensus about child abuse it is more likely to occur for definitions of physical abuse, neglect and emotional abuse. The cultural context is a significant factor in determining whether a specific act constitutes abuse, as argued by Korbin (1977). She emphasised that the context of the act, and not merely the act itself, defines child abuse in a culturally appropriate fashion.

A child grows up within a cultural/societal context. What a society values and regards as desirable will determine to some extent not only what is acceptable child-rearing practices but also what is needed to help the child thrive in that society. Each cultural group has its own concept of acceptable child-care practices, including parenting. What is considered as ‘good parenting’ by one cultural group may be considered otherwise by another cultural group (Korbin, 1977).

There are many culturally derived beliefs or behaviours that might be misinterpreted as abusive behaviours in child protection investigative work. Some of the cultural differences in child-rearing practices can be illustrated in the following examples.
Traditional Chinese child-rearing practices

In the Chinese family, the primary concern in raising children has traditionally focused on the proper development of character. The traditional Chinese view of personality development focuses on the formation of moral character.

In the Chinese family, there is physical and social indulgence of children in their early years. There is less attention paid to showing affection. After the period of indulgence, the child is instilled with the notion of duty to the family and is expected to be obedient and filial to their parents, a requirement that is frequently associated with strict discipline. The traditional Chinese family values the absolute rights of parents over their children. This includes the use of physical punishment upon children, which may be perceived as 'harsh' by an observer but is accepted by the child. When examining the risk for child physical abuse across different cultures, it is important to take into account the context in which disciplinary acts occur.

In this example, an understanding of the concept of filial piety in Chinese culture is crucial to understanding whether the act is physically abusive. Take the case of a Chinese family punishing an adolescent son who was involved in experimental drug-taking by getting him to kneel on the floor for half an hour. This may be assessed as physical abuse if taken out of context — that is, without understanding the cultural perspective, the parental intent and the child's perception of this form of punishment.

A common method of discipline in traditional Chinese families involves the child having to kneel before the family ancestral altar to self-examine his own misdeeds and to reflect on the impact his actions have on his loved ones which include his ancestors. To the traditional family, this form of punishment shows the family has taken a serious view of his wrongdoing and conveys to the child that his action has brought shame and disrespect to his family and dishonour to his ancestors.

Chinese parents place emphasis on taking care of the physical needs of the child when the child is under five or six years old. The attitude of parents at this stage is one of leniency and from the Western perspective, it may be viewed as indulgence. Rearing, at this stage, is the prime parenting task and this tolerance of the child is a protective factor as it serves to protect the child from abuse.

When the child reaches the age of understanding, around six years of age, increased emphasis is given to education. This is accompanied by a sharp change in parental attitudes and practices. Discipline is imposed to ensure loyalty and obedience. Demands are introduced and the child has to face the consequences of failing to meet them.

Filial piety is the guiding principle for socialising children and it is filial devotion that earns respect for the individual and honour for his family and ancestors. The community and family have precedence over individual needs.
Parental authority is absolute and the child owes everything to his parents. Chinese parents frown upon external interventions and the general attitude is that child rearing is a family affair rather than a social concern. Traditional families are reluctant to seek help from outside the family and there is a real fear that involving the authorities may lead to a break up in family relationships, causing disgrace to the family and ‘loss of face’.

**Indian child-rearing practices**

Indian child-rearing practices are similar to those of the Chinese in that the family and societal values result in the authoritarian treatment of children with an emphasis on physical discipline and familial ties. In fact, there is general acceptance of corporal ‘punishment’ and belief in the right of parents to determine what is best for their children.

What the outsider may perceive as ‘punishment’ is seen by the parents as the duty of caring parents who endeavour to give the best care to their child. Corporal punishment may not always be associated with hostility toward the child but may be regarded in Asian societies as a sign of parental concern.

**Western child-rearing practices**

In contrast, child rearing in Western society focuses on the development of individualism, independence and expression of emotions. The Chinese inculcate interdependence, emotional self-control and a stoic acceptance of fate. The state of childhood and of dependence tends to last much longer in the Chinese family than it does in the Western family. A child tends to remain ‘a child’ in the Chinese family right up to marriage and will stay with the parents until marriage. Children from Western culture are encouraged to live independently when they have reached late adolescence. To other communities the emphasis on nurturing independence from an early age can appear to be an abdication of the most basic parental responsibility.

Given the cultural differences in child-rearing practices and the different perceptions of what constitutes parental duties, it is therefore important to be alert to such differences when working with families from diverse cultural backgrounds. Another important aspect is the cultural differences in practices such as adoption.

**Adoption from the Hawaiian perspective and the Western perspective**

If we are to consider the circumstances in which a child is removed in the context of child protection, there are usually risk factors of sexual, physical, or emotional abuse and neglect that require the child’s removal. Therefore, it is not surprising that there is a prevalent view that the removal of a child from his parents to be brought up in another family is damaging to the child.
In some communities, where adoption occurs, kin ties are maintained between the birth parents and the adoptive parents. In contrast to Western adoption, which is generally formal and legally implies a termination of the relationship with the birth parents, they are informal adoptions, which extend the child’s social ties and relationships. For example, the Hawaiians have an informal adoption called ‘hanai’ which literally means ‘to feed’ and is considered advantageous to the child in that the child is involved in a wider network (Korbin, 1979). In difficult situations when the birth parents are unable to care for the child, there will be other adults to assume the parental responsibilities. Therefore, it is not uncommon in such communities for children to alternate between several households. In the Western perspective, this may be perceived as the child lacking a ‘permanency plan’ or a lack of a long-term stable placement.

In view of the significance of the cultural context, the question arises as to whether an international definition of child abuse can be derived. This is a complex issue. However, this should not deter us in our current work practice from giving consideration to some factors suggested by Korbin (1991) in determining an act as abusive.

Factors to Consider in Defining ‘Child Abuse’

The factors that are important in trying to reconcile cross-cultural and intracultural variability with an international definition of child abuse are:

- the cultural acceptance of an act and rules about its occurrence can provide a means of assessing what is abusive;
- individual deviation from the cultural rules, and the amount of deviation acceptable within the culture, are important components in the definition of abuse;
- the intent of the adults involved;
- the child’s perceptions of the incident;
- the age of the child, and the cultural standards for physical and psychological development of children of differing ages; and
- the development of the child as a member of the culture.

Given the complexity of defining child abuse, it is even more important for Child Protective Services workers to be culturally competent. It is, therefore, evident that the formulation of a definition of child abuse, which incorporates both cultural context and internationally accepted humane standards, is a complex issue.

Cultural Competency: Is it Necessary?

Cultural competency is defined as:

the ability of individuals to see beyond the boundaries of their own cultural interpretations, to be able to maintain objectivity when faced with individuals from cultures
different from their own and to be able to interpret and understand behaviours and intentions of people from other cultures non-judgmentally and without bias (Walker, 1991, p.6).

Culturally competent people will know when to seek culturally appropriate assistance where they have minimal experience or knowledge of a particular culture.

Cultural competency requires an individual to:
- understand the concept of culture and how it can influence
  - human behaviour
  - interpretations of that behaviour
  - evaluations of that behaviour
- demonstrate an openness and willingness to identify and explore one’s own
  - cultural bias (e.g. values, beliefs and attitudes)
  - emotions and thoughts generated by intercultural interactions
- demonstrate an openness and willingness to explore the same things from the perspective of people from diverse cultural backgrounds
- demonstrate the ability to identify useful and culturally appropriate strategies for working with people from diverse cultural backgrounds (Fitzgerald, Mullavey-O’Byrne, Clemson & Williamson, 1996, p. 15).

In performing their roles, professionals often fail to see that their professional beliefs and practices are embedded in a particular culture. They fail to realise that they cannot leave the influence of their own culture behind when they take on their professional role. Our own culture provides us with a cognitive framework for thinking about the world. It is natural to see our own culture as the standard and judge other cultures by the extent to which they meet these standards.

The problems in service delivery also include the inability to provide culturally responsive forms of treatment. Treatment should match or fit the cultural lifestyle or experiences of clients; otherwise ethnic minority clients may continue to underutilise services, prematurely terminate or fail to show positive treatment outcomes.

The possibility of committing transubstantive error is very high in determining whether child abuse has occurred in an ethnic minority family. This refers to interpreting the behaviour with meanings appropriate to and consistent with another culture. Transubstantiation is a process wherein the substance of one culture is transformed into the substance of another culture. This occurs when we do not respect the integrity of another’s cultural perspective. The potential for such errors decreases with more understanding of the culture of the particular ethnic community. The following examples will illustrate the point.

The Chinese community frowns upon external intervention, including assistance in affairs that they believe to be internal to the family — such as how their children
should be reared. There is much pressure within a Chinese family to protect the family from shame. Therefore, the victims and family members of child abuse, especially sexual abuse, are often reluctant to report the abuse or support the victim (Ho & Kwok, 1991). This could be misinterpreted as the family refusing assistance or obstructing the investigation.

Another example of possible misinterpretation could arise from the structure and process of the interview itself. In a traditional Chinese family, the wife would adopt a deferential role in public situations. The interviewer could misinterpret her behaviour as fearful of her husband and the husband as dominating the conversation throughout the session and not permitting his wife the freedom to speak. The woman could be seen as weak and powerless in the family. This could lead to an incorrect assessment of the family dynamics.

Given the myriad of cross-cultural situations that could result in misinterpretation, it is deemed necessary for Child Protective Service providers to become culturally competent.

**How to develop cultural competency**

It is central to the work of the NSW Child Protective Services to preserve the cultural background of children, who for various reasons cannot live with their usual carers. The *Children (Care & Protection) Act 1987*, under section 72(2) specifically refers to the importance of culture when considering care options for children. This means that the Courts and the Child Protective Services must exhaust all possible options for placing children with carers of the same culture as the child before considering placement outside the child’s culture.

The carers have to be committed to raising the child while adhering to cultural expectations. However, this may not always be possible due to a shortage of such places. In such circumstances, carers of a different culture from the child’s can still be appropriate carers provided they are committed to understanding the child’s cultural background, and to facilitating the child’s understanding of his own culture.

Child Protection workers can be culturally competent by:

- respecting the child’s religious and cultural beliefs and practices when providing services;
- being willing to identify and explore their personal cultural and religious values and biases;
- encouraging the child and family members to discuss openly their cultural viewpoints; and
- evaluating and exploring alternative explanations during interventions.

The child’s perception of the meaning and value of a foster family, and what constitutes a psychologically safe environment, is influenced by cultural values, norms, beliefs and personal experiences. Culturally competent workers will seek
culturally appropriate assistance when they have minimal experience and knowledge of children’s cultures. The cultural knowledge of an ‘insider’ bicultural worker is valuable, and effective intervention is more likely when such a worker is involved.

Dilemmas in the Child Protection Area

Professionals charged with the responsibility of investigating families face several dilemmas when deciding whether a child has been abused. They often work within an ill-defined cultural context of norms for a parent–child relationship. It is difficult to work in the area of child protection and it is even harder when field staff have to work with families who are ethnically different from themselves. We can no longer rely on an ethnocentric orientation in the delivery of child protection services and must face the challenge of cultural diversity.

Many Child Protective Services workers enter employment without undergoing a cultural-awareness training program. Such a program could provide a systematic method for workers to reflect upon, and to evaluate their own cultural assumptions, about themselves as well as others. All workers must address not only a lack of knowledge and skills pertaining to ethnic communities, but also their own attitudinal biases.

Attitudes represent deeply held values that are resistant to modification and pose a significant impediment to accurate assessments of the ethnic child and the family. If we do not adopt a cultural perspective in our work, then our ethnocentrism means we accept our values and practices as superior. To move away from this ethnocentrism, we have to create new policies and internal organisational structures to develop and enhance the cultural competency of workers at all levels of the organisational hierarchy.

At the same time, it is counterproductive to the wellbeing of children if we take an extreme cultural relativist position where all judgements or treatments of children are suspended in the name of cultural sensitivity.

It is proposed that workers have competency-based training in cultural awareness. The training could incorporate the systematic questioning of their attitudes, knowledge base and skills, which can provide them with insight and skills that they can use when working with children and families from ethnic communities. It is important to promote the continuing education of workers through seminars, workshops and lectures on various cultural issues.

Green (1982) suggests five practical steps to increase cultural awareness:

• being aware of one’s cultural limitations;
• being open to cultural differences;
• practising a client-oriented learning style;
• utilising cultural resources; and
• acknowledging cultural integrity.
At the organisational level, the initiation of parallel or joint services in areas where a large ethnic community exists may be possible. This involves the creation of sections within centres that specialise in managing and treating ethnic minority clients. This structural change made in the service delivery sector would be more effective and efficient in child protection investigative work.

The Department of Juvenile Justice has a policy and procedures document on the provision of culturally appropriate services in the department, demonstrating a willingness to accommodate the importance of cultural diversity in their work with young offenders from various ethnic groups. A psychologist, who had considerable work experience with juvenile offenders and knowledge of the department, developed policies pertaining to psychological services (e.g. assessments and treatments). This is just as essential and important for Child Protective Services.

The Child Protective Services need to develop policies and procedures on the provision of culturally appropriate services specific to the discipline. For example, a culturally appropriate procedure for psychologists will be different from a district officer because of the different expertise required for child protection investigation.

According to Professor Marsella of the University of Hawaii and Director of the World Health Organisation Research Centre, the incorporation of a cultural identity assessment prior to intervention would assist in a more accurate diagnosis of clients from various ethnic groups. The author’s discussion with Professor Marsella suggested the possibility of using a cultural identity assessment for clients from different ethnic communities during the initial contact. This can be incorporated as part of the child protection procedural response and the information obtained can facilitate the investigative strategies such as planning the structure and form of the interview process.

It is important for practitioners in the field of child abuse and neglect to be aware of the body of knowledge that exists concerning cultural variation in child-rearing practices and its implications for what constitutes child abuse and neglect. Such an awareness would facilitate the interactions with the ethnic minority community by respecting and recognising their rights to their own culture.

It is unrealistic to expect that professionals working in culturally diverse settings can be fully knowledgeable about the cultures of the groups they work with. There are different ways to obtain such knowledge — for example, through organisations such as the Transcultural Mental Health Centre, and through cultural brokerage using individuals with ethnopspecific knowledge of a particular group. Appropriate training resources such as the Transcultural Mental Health Centre’s package ‘Enhancing Cultural Competency’ (1996) could be incorporated in the training of child protection workers. The culturally competent professional seeks out knowledge if required.
Conclusion

The definition of child abuse is a complex issue and the cultural context has to be taken into account. The dynamic nature of child rearing practices and societal values adds to the complexity of defining child abuse. It is of paramount importance that we take steps towards providing culturally appropriate child protective services. Cultural competency at all levels is one of the key strategies in accomplishing this.

References


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