# Transcript – Reflections on Seventh report A duty to care from the migrant community

[Pauline] Kia ora, Silvana. Thank you very much for taking time to talk today about the Seventh Report. And so just to kick us off, what were your key takeouts from this report?

[Silvana] Well, my key takes on the report are I think, it's very strong, the idea of the Treaty of Waitangi and how would you use it as the base for these reviews, which from an ethnic perspective sometimes a bit painful, because it's a very bi-cultural approach in this report.

I think the report, at least with my limited understanding of Māori and tangata whenua, I think really portrayed really well the values and how they look at social services.

I really like in the report the distinction in between duty of care and duty to care. I think that is something that as Māori indigenous culture and ethnic communities we are very close to, and that is how we love to work based on that model of what is needed or what is the minimum possible that, you know, that duty of care or the legal obligation, I think.

Ethnic communities, we are in the Pākehā group, so there is the definition there where they put migrants and Asians. But for example, me, I am a Latin American, we are completely invisible in the report.

And also even when there is a definition of Pākehā it is just used instead of mainstream services. So, I understand the distinction, but at the same time when you are reading the report and how it speak about Pākehā, you feel that it's just European people, you know. We — I don't see any elements of ethnic communities or groups that they are mentioning like rainbow communities or other groups.

So, in that regard, I don't know if it is so relevant for us ethnic communities. I think it's still really valuable in terms of like we were talking before, the difference in between duty of care and — duty of care and duty to care. And the values that they are more talking about the Māori culture, but I think they do apply to us ethnic communities really well, so it's — but because we are not indigenous culture, sometimes we get the scared for us to feel like we are appropriating something that, you know. So how you approach that in terms of it's not appropriation, but we feel represented more for the part of the tangata or Māori part than the Pākehā part in that regard.

[Pauline] Yeah, and I suppose that sort of speaks to one of the challenges both for the Committee itself and for the report is understanding different ethnic approaches to duty to care and how that might shape responses from those communities. Can you speak to that at all?

[Silvana] So, absolutely. Because for example, in our sector, in our organisation, when we are ethnic people working for our own people, you know, you do feel that sense of community. I don't have my family here.

So, all Latin-Americans become my family a bit, you know? So, you do feel part of the community, and you do want to establish relationships, because when you are talking about violence, what makes us migrant refugee communities more vulnerable is that lack of support networks, you know? So, in that way, developing those relationships is really, really important for us in terms of feeling connected to something, but also in terms of the success of the report because we feel stronger that we have a community, a family or something here. We, many of us in the communities, when we talk about ethnic community, some people think it’s one group, but actually we are so diverse, you know, those from Asian, that will be Chinese or Indian or Filipino to Latin Americans, to Middle Eastern you know. So, we are really diverse.

But I will say that most of us are from collective cultures, so we do understand that it’s not about the individual, that sometimes the family comes over the individual in terms of, you know, you will not just leave your husband, but you would try to fix the relationship, for example, or you would try to keep the family unit together.

I think something that for ethnic communities, seeing ourselves related to what you were describing in the report for Māori, Māori are tangata whenua. They belong here. Whereas with as we are migrants, we are refugees

So, knowing about our story back home, you know, and knowing about our immigration established here, how those elements influence in our family harm situations or sexual violence situations, you know, it has a huge impact, you know. And it's very important to unpack. So for example, when I am reading, yes, when I was talking about understanding the story of the harm, understanding the position of the whole family, not leaving victims, and seen in terms of, oh, this is not a real victim, so I don't care about the, I don’t know, the big brother or the children, you know. Like, it’s stuff like that for us, absolutely.

And that is something that most of the services that I know that they are ethnic, with ethnic kaupapa, they will look at the whole family. So, we know that it's a family thing that we need to fix. But the elements that they are so particular to our culture, sorry, to our situations, I’m not really seeing in the report, like I'm saying, the immigration situation, how is back home, what is our history of migration here, you know, and all those elements that they are really, really relevant. I was really surprised, because in one of those first graphs that is in the report in terms of ethnicities, where actually there is more Europeans — or no, more other than Māori, for example, than usually what we see, but Asians were more than 20, there were like 22 and Māori were 23.

So having in that 'other' when we were talking about Pākehā, maybe there were some Latina Americans some Middle Eastern and Africa [-]. But there was no — everything was about Sue and John, European farmers, or Cindy and the guy that, they were Māori, you know.

So, none of the stories really relate to us even when we have such a high impact. So, I think definitely for the eighth report, one of the challenge will be to have stories or reviews about some of, yeah, some of our stories I think as well.

There were no mention at all of — I think it's great that you work with people with disabilities, because I think they’re a very unseen group. And in our communities as well, that is huge. For many of our cultures, a disability would mean a punishment of God, you know, it will mean karma, it would mean many things. So many families try to hide it, you know, because of something that — I did something wrong in my past, so in my present that I got this punishment, you know?

So, there is not much visibility of people with disabilities, you know, and how that impacts families. We also know that how many migrants and refugee families, they don't get the visa, because they have someone with a disability. So, you also have to hide it, because the state may punish you, and not giving you the residency or the visa if they are aware of that.

So, in that way, I think it's great that you look at that, but how it is for communities with rainbow experience as well is very different, you know, and I guess that group I thought as well, it was really, really not visible in the report.

[Pauline] Do you think that there's any challenges in terms of the way government can respond to migrant communities in a different way, so how they have up until now, or going forward?

[Silvana] You mean in terms of responding when we are facing family violence or sexual violence, so in terms of like, for example, this report?

[Pauline] No, in terms of facing violence and also in supporting community services that respond to people who do.

[Silvana] So, in that regard, for example, the Te Aorerekura, the national strategy, for me, at least, was one of the first times when we really got disability and we got engagement, and you know we were supported to put community engagements and ask questions and stuff, and then we were present all the way through the development.

But then, of course, many of our needs were not the priority, you know, for example, the family violence visa. If you are in a violent relationship, you get the visa for six months. In those six months, you get nothing done. You know, you are not finished with the court process, or you can't get a real job in that moment because — so, it is such a short time that really, it's really difficult.

When we have seen women experience violence, and then decided to go home, most of the time, their partners say no, the kids stay here. And it's really hard for us to prove that our homes are as good as New Zealand to raise our kids, you know.

We always hear how good is New Zealand so trying to convince the judge that, for example, Chile, Colombia or India and that type have the same chances of success or well-being, you know, it gets really, really hard. So those are things that we see. In big centres like Auckland, Wellington even Hamilton, we do have a specialised services for ethnic communities, you know, when facing those issues.

But in smaller towns or farther away regions, there is nothing. And so you have to go to a mainstream service, but most of the time they are not going to cover everything, resources to pay for interpreters. They will not have a real understanding of how different visas impact on the support that you can access, you know, so there is a lot of those things, plus some prejudice or some people assuming that because I am from certain culture, it’s expected that you will be facing that violence, you know?

So, there are many things like that that they are not being completely addressed, but you always getting intention to improve. So, I think in that way, things are getting better for us in terms of visibility and our needs.

And so, for me, because during the report, someone said that, or in the report someone did say that it felt like the strategy put much responsibility on Māori than on the Government for example, in terms. Well for us at least, or for me at least, it felt like, oh well, the strategy at least gave us visibility and they listened to our views, versus the reviews are still very, like I say, bicultural, you know, versus multicultural, are assuming the different identities of us here, I guess.

But in terms of the positives of the reports, something that does make sense and that I loved, is it doesn't talk about new actions, new commitments for organisations, but is actually about how to do it well.

And well means from human to human, not from human to human in an individualistic way, but actually for those things that they are needed for us. So, it is family. It’s understanding their story. It’s understanding their context.

I see so many times people, women being told, oh, you need to take your kid to this, and then you need to do this and this and this and this. And women can’t cope, you know, because no one is seeing the whole picture of the demands that they are expecting us women to take on to fix the situation, you know.

So, I thought it was beautiful that the review does acknowledge that. And that put back the responsibility in the agencies, in the state to make it easier for families, that one stop for everything, you know, where I am not sending you for this, for budgeting, this organisation, support with the kids, for this organisation and you know, like, that holistic view. I thought that it was really, really positive and I think that would work for all cultures, even Europeans that maybe they haven't realised that that is actually going to work much better.

[Pauline] So where does Shama go to from here? Because you've obviously been engaging with Te Aorerekura. There's been a lot of work that's been happening. Where does — where do you see your organisation moving to in the future?

[Silvana] Well, like I say, the strategy was to at first to start listening to our needs and stuff, but many of the real actions that we needed, they are not specifically there.

So, we need to keep advocating, for example, for the change on visa. That is something that is huge for us. We also need to keep advocating to actually get services in different regions where there is need.

We are based in the Waikato, but we get calls from Northland, because there is no one there to support the people, you know. There is no refuge. Refuges, you know, they have great intentions, but when you get to share with other women, all of those things, and suddenly I’ve got my frying pan for my halal food or for my vegetarian food, and then I see that another woman is using my vegetarian pan to — you know, that it creates some issues that under pressure could create big fights.

So sometimes having safe houses that they understand the needs of women, you know, where you don't feel the outsider, or the one that is complicated because I have a specific cultural need, you know, where my praying time is going to be respect and not laughed at. You know? That's something that we hear from women, that they are being in safe houses that doesn't work for them, you know.

But there is very, very limited - there's around three or four safe houses for ethnic women across the country, most of them in Auckland, thanks to Shakti but they are trying their best but it's definitely not enough.

In Auckland, nothing. Waikato, nothing. We get told that we need to send our women to Rotorua because that is where Shakti has a safe house. But our women don't want to go to Rotorua, because their kids are in that school, you know, they have created communities.

So, in terms of services for ethnic communities, there is still a huge need, you know, and especially when you go out of Auckland, Christchurch and Wellington. The rest of — the Waikato, we are very lucky that we have a super strong ethnic sector, you know, and so we have been fighting, and we have been achieving a lot of stuff, but now that I've been travelling around to see the the situation for communities in other parts of the country, it is not the same.

Now currently, I am today in Dunedin, because they have been calling us from Oamaru and from Balclutha. You know that there is nothing, and that they are quite desperate, because when they see situations they don’t know what to do, you know. So that is for us.

Also, for example, I don’t know if you were seeing on the news, probably around a month ago came out the news about an Indian woman that was killed in Auckland for family violence after engaging with agencies. Many people knew about it, but it still happened. And so, there was no very good support in terms of people acting, you know.

But when you read the review of the — I don’t know what is it, the role of the person, the feedback, someone from police or from the court — they talk about, oh, we need to talk with migrant communities. Like, they extend it to there's an issue for all migrant communities that for us was very painful, because it's not something about migrant communities, Indian communities, or us, you know, it happens in every culture, you know.

And so that generalisation that makes us all look that we face violence and our relationship is very harmful, you know, because it produces shame. And that means that communities don't feel entitled to talk, because if I say that — I have a kiwi partner, but if I would have a Chilean partner, and I would say, oh, my husband hit me, and people go, oh, Chilean people hit, you know.

When someone is harmful to our communities, they extend it to everyone. So, for protection, sometimes we can't speak. Also, because of the fact that if I break up the relationship they may send me home, you know, without giving consideration of what is my story and what are the reasons that I am here. So, there is many things in that.

And also in that story I was feeling so angry, because then for example, they keep putting the responsibility on the culture and the situation, but what happened with the [—] mates of that guy? They knew that he was doing that. Why no one did nothing, you know? What happened with the day care? Or were those - you know, so there is — it’s not just us. It’s the society as well, not being bystanders, you know, and sometimes with us migrants, people feel that they can be bystanders, because they don't understand our culture, or because they think that our culture explains what we are going through, which is not true. Most of the time, it is because we're alone. We are vulnerable. We don’t understand the system. We don't have those support networks.

So, in that regard, a lot of road to go, but I think we are moving forward and that is always positive.