



UNDERSTANDING VIETNAMESE
OFFENDERS IN VICTORIA

HELPING HANDS

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ACKNOWLEDGEMENT OF COUNTRY

In the spirit of reconciliation I acknowledge the Traditional Custodians of country throughout Australia and their connections to land, sea and community. I pay my respects to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

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1. FOREWORD

I am honoured to write the foreword for Professor Nathalie Nguyen's report: *Helping Hands: Understanding Vietnamese Offenders in Victoria*.

I am the grandchild of refugees from the Pontian Genocide and the child of Greek immigrants. My parents spent their lives being exploited in tobacco farms and factories, making unimaginable sacrifices so my sister and I would not have to suffer and struggle. I grew up in a family struggling with inter-generational trauma, grief and trying to survive and succeed in a country they never wanted to call home. They came like most migrants to escape poverty at the will of their parents who wanted something better for them as all parents do.

I was the first to even go to High School in my family, I got to live the dreams my parents held deep down inside them but were never allowed to realise. What I knew is that I had just won the lottery of time and place. A century ago I would have been my yia yia fleeing a genocide and 80 years ago my father was a child while his village was occupied by the Nazis.

So I am the child of migrants who could not even speak a word of English when they arrived in Australia who through their sacrifice raised two children who were able to live their dreams, me as a Human Rights Lawyer who would found the Asylum Seeker Resource Centre and my sister who is now the first Greek Australian woman to be appointed a County Court judge.

I have a complex relationship with sharing how we have proven to be a migrant success story. Part of me stands tall in sharing it to combat the toxic pillars of xenophobia, hate and racism.

The other part of me resents this deeply because we live in a country where migrants and refugees have to be exceptional to be truly valued and welcomed these days. We must forever be the grateful migrant or refugee, who works hard and knows our place and always has to be exceptional while others

are able to simply say "we grew here, you flew here" ignorant of the fact that there is a First Nations story that has been here for 60,000 years and they too are just the descendants of boat people.

What I also know is that instead of being lucky enough to have parents whose shoulders we could stand on and succeed my sister and I could just have easily lost our way. The inter-generational trauma could have devoured us, the racism and bullying we experienced growing up could have broken us and the feeling of always being othered could have made us turn on our communities and be the very racist trope people expected us to be.

People seeking asylum and refugees face incredible barriers to participation and inclusion. Many of the people I work with at the ASRC do not even have any form of income, the right to work or Medicare, they are being set up to fail and break. They need to be superhuman just to survive. They know if they put a foot wrong and break the law there is a system of mass incarceration ready to swallow them up.

As I write this foreword the Australian Government is trying to pass sweeping new laws that would allow it to refuse, detain and deport refugees and migrants for offences that most Australians would not even receive a custodial sentence for. This is a government interested in building tougher borders and higher walls rather than a longer table where everyone can have a seat at, as they see votes in fear, hate and division.

Refugees know if they break the law, they act and speak not just for themselves but for their whole culture, people and community, they do not have the privilege of whiteness to protect them. They are weaponised and demonised.

In our Greek culture we have the word "filoxenia", it means love for the stranger, it comes from an ancient Greek tradition of hospitality. An understanding that with a change of wind and it could be us at sea seeking protection and sanctuary in the midnight hour.

What I know after two decades of working with refugees is that they are the most resilient, resourceful and courageous people you will ever have met. They don't need saving, they have saved themselves.

The contribution and extraordinary success of Vietnamese Australians who came as refugees to this country is breathtaking and has enriched every part of our nation. For those who have lost their way, they too are part of this nation's story and matter just as much. What they need now is not more vilification, punishment and dehumanisation. They need compassion, context for their story, culturally safe places to heal, recover and grow. They need second chances, pathways to opportunities and an end to systemic barriers of discrimination that lock them out of an equal seat at the table of our community. Let us build that together. Let us take the valuable insights and learnings from this report and create a more inclusive and just society for all.

A handwritten signature in black ink, reading "Kon Karapanagiotidis". The signature is written in a cursive style with a large, sweeping flourish at the end.

Kon Karapanagiotidis OAM

Founder and CEO Asylum Seeker Resource
Centre

2. EXECUTIVE SUMMARY

The Vietnamese community is the largest refugee community in Australia. The number of Vietnamese grew from 1,000 people in 1975 to 277,400 in 2016 or 1.2 per cent of the Australian population (Australian Bureau of Statistics 2017).

This report is the outcome of a pilot project on Vietnamese offenders conducted in Victoria in 2020–2021.

The project was prompted by concern in the Vietnamese community regarding the disproportionate representation of Vietnamese in the correctional system. The imprisonment rate of Vietnam-born is 20 per cent higher than the national average at 316.3 prisoners per 100,000 adult population compared to the national rate of 261.4 prisoners per 100,000 adult population (Australian Bureau of Statistics 2020c).

The aim of the project is to shed light on the life trajectories that led Vietnamese offenders into the correctional system, their experiences pre- and post-release, and the value of culturally specific and community-based support services.

The report also seeks to build understanding of the continuing impact of postwar trauma among the Vietnamese—especially in Australian institutions that deliver support programs for the Vietnamese community—and the need for further community-based interventions.

The project supports six propositions:

1. Trauma associated with war, postwar state repression and forced migration persists across generations and after resettlement. While intergenerational trauma is not unique to the Vietnamese community, the specificities of the Vietnamese experience are best understood by Vietnamese Australian service providers who have lived through these experiences.
2. Oral history provides an effective way of identifying and promoting understanding

of this phenomenon, and enables firsthand experiences and local knowledge to be communicated directly to policy makers.

3. Challenges faced by the Vietnamese in Australia include educational and language difficulties as well as isolation, and these in turn have led in some cases to problem gambling and drug offences.
4. Concerns regarding conditions in the correctional system and post-release issues are best addressed by culturally specific and community-based support services because: 1) these services are delivered with a full understanding of the trauma underlying many Vietnamese lives both pre- and post-migration; and 2) Vietnamese ex-offenders explicitly or implicitly credit the successes of community interventions to their engagement or re-engagement with their family and community.
5. Vietnamese youth who have experienced family fragmentation and disrupted education pre-migration are particularly vulnerable, and there is a specific window of time post-migration in which to effectively intervene and assist them in the prevention space.
6. Community-based programs have a distinct cost/benefit advantage. Results achieved through culturally specific and community-based support services are delivered at lower cost to state finances than more formally based organised programs.

A general Australian understanding of underlying trauma in the Vietnamese community may not exist due to the perception that the Vietnam War ended more than 40 years ago and the assumption that the Vietnamese community overcame early challenges to resettle successfully in Australia.

Like others who have experienced war, personal or state violence, Vietnamese refugees and migrants can continue to suffer

from trauma decades after they and their families were subjected to political repression under Vietnam's postwar communist regime, and ensuing experiences of internment, family separation, and forced migration.

While the Vietnamese community in Australia is now well established, significant areas of disadvantage remain, and the community remains polarised between high rates of education on the one hand, and high prison rates on the other (Nguyen 2005).

The oral history approach brings these issues to life in a way that cannot be done through quantitative approaches.

The lessons for program effectiveness articulated here are likely to be transferable to other communities of refugees and humanitarian entrants from conflict zones in Australia.

3. BACKGROUND

This section provides the historical context for underlying trauma in the Vietnamese community as well as information on the Vietnamese community in Australia, including:

1. The reasons for the mass exodus from Vietnam after the end of the Vietnam War in 1975
2. The ways in which the international community responded to the Vietnamese refugee crisis
3. Human rights issues in Vietnam
4. The Vietnamese community in Australia

Trauma among Vietnamese refugees and migrants stems not just from war but more so from oppression in the war's aftermath (Nguyen 2009, 2016). The postwar Vietnamese state discriminated against significant groups within the population on political and ethnic grounds, and the consequences of state policy in terms of ruptured familial and social networks continue to reverberate across generations, decades and borders.

*I give you a gift of barbed wire,
some creeping vine of this new age.*

Tran Da Tu¹

3.1 Reasons for the Vietnamese Exodus

In one of the most highly visible diasporas of the late 20th century, more than 2 million Vietnamese left their homeland in the two decades that followed the end of the Vietnam War in 1975.

The Vietnamese exodus was triggered by widespread state repression and human rights violations in postwar Vietnam, including the internment of 1 million people in communist reeducation camps, the forced displacement of 1 million urban residents to New Economic Zones in rural areas, forced labour, and discrimination directed against three significant



groups: 1) all those associated with the former South Vietnamese government; 2) ethnic Chinese; and 3) Amerasians.

As a result by 1979, more than 700,000 people had fled from Vietnam (Robinson 1998).

The plight of boat people received widespread coverage in the international media.

Vietnamese refugees believe that for every boat that made it, one did not, and that up to 1 million boat people died at sea. While no precise figures exist, 'no one doubts that the South China Sea became a vast burial ground' (Cargill and Huynh 2000, p. 4).²

¹ Quoted in Robert S. McKelvey (2002). *A Gift of Barbed Wire: America's Allies Abandoned in South Vietnam*. Seattle: University of Washington Press, p. v.

² See also St Cartmail 1983 and Hitchcox 1990.



Exhausted boat people at sea in 1980. Photo courtesy of Project 30, the Vietnamese Community in Australia – Victoria Chapter.

3.2 International Responses

The extent of this mass migration was unprecedented in Vietnamese history, and the response of the international community was equally unprecedented, involving two major United Nations conferences convened in Geneva in 1979 and 1989 in response to the Indochinese refugee crisis, and the resettlement of Vietnamese in 50 countries worldwide (Robinson 1998).

3.2.1 The Orderly Departure Program

The 1979 conference involved 65 countries and led to the implementation of the Orderly Departure Program (ODP). Resettlement offers were substantially increased and the ODP provided an avenue for Vietnamese to leave their country legally once they had been accepted for resettlement overseas. General principles of asylum and *non-refoulement* were

endorsed at the conference (United Nations High Commissioner for Refugees 2000). Vietnamese who reached United Nations camps were granted *prima facie* refugee status.

While the number of refugees declined in the early 1980s, a new group of asylum seekers surfaced in the mid-1980s: they were from northern Vietnam and many were children (Freeman and Nguyen 2003). North Vietnam had been communist since 1954, and international agencies were wary of this new group. While refugee supporters argued that it was difficult to separate economic from political factors in postwar Vietnam, this new group were labelled 'economic refugees' and this label extended to refugees from central and southern Vietnam (Freeman and Nguyen 2003). Compassion fatigue had set in. Hong Kong announced that screening procedures would be established in 1988 and Southeast Asian countries followed suit.



Children sharing food at Pulau Bidong camp in Malaysia in 1990. Photo courtesy of The Archive of Vietnamese Boat People.

3.2.2 The Comprehensive Plan of Action

The 1989 conference involved 70 countries and led to the implementation of the Comprehensive Plan of Action (CPA). The purpose was to stem illegal departures from Vietnam, encourage legal emigration, establish screening procedures, continue to resettle those eligible and repatriate those who had been rejected as refugees (Freeman and Nguyen 2003). The final wave of refugees peaked in 1989–1990 as Vietnamese sought to reach first asylum countries before screening procedures cut in.

By the early 1990s, the Vietnamese refugee movement had largely abated and the last refugee camp closed in Hong Kong in 2000, bringing to an end, after 25 years, ‘one of the longest-running immigration and refugee resettlement programs in the modern era’ (U.S. Citizenship and Immigration Service 2005).

3.3 Human Rights in Vietnam

State repression in Vietnam was particularly marked in the immediate postwar years, and included:

- the internment of 1 million people in communist reeducation camps (United Nations High Commissioner for Refugees 2000);
- the forced de-urbanisation and displacement of 1 million people to New Economic Zones in rural areas (Desbarats 1990);
- curtailment of free speech and movement (Hitchcox 1990);
- nationalisation of commerce and agriculture (Freeman and Nguyen 2003); and
- discrimination directed against three specific groups in society: 1) all those associated with the former South Vietnamese government such as military personnel, public servants and teachers as well as their families; 2) Vietnam’s 1 million-strong ethnic Chinese minority; and 3) Amerasians – the children of Vietnamese women and American military or civil personnel (Desbarats 1990, Hitchcox 1990, Valverde 1992).

Even after the implementation of *Doi Moi* (renovation) in 1986 in which Vietnam began to shift towards a market-oriented economy, conditions continued to be difficult. Large numbers of political prisoners were still detained in reeducation camps in the 1990s and new political and religious detainees were added to the labour camp system (Human Rights Watch 1990 and 1995).

While the reeducation camp system largely came to an end at the close of the 20th century, the imprisonment of dissidents and state discrimination directed against ethnic and religious minorities remain ongoing human rights issues in Vietnam in the 21st century (Amnesty International 2018 and 2021).

In terms of press freedom, Vietnam ranks near the bottom internationally at 175th out of 180 countries (RSF Reporters Without Borders 2019 and 2021).

Corruption continues to be a major problem. Vietnam ranked in the top 10 most corrupt countries in the world in 1997 with a score of 2.79 out of 10 (Transparency International 1997). In 2014, Vietnam was in the top third of the most corrupt countries in the world with a

score of 31/100, and in 2020 still had a score of 36/100 (with 0 signifying highly corrupt and 100 very clean) (Transparency International 2015 and 2021).

Territorial disputes with China regarding the South China Sea escalated throughout the 2000s with Vietnamese fishermen at increased risk of being captured, robbed or killed by the Chinese (Ha 2012–2013).

Since 2015, the Australian government has worked with the Vietnamese government to intercept Vietnamese asylum seekers at sea and return them to Vietnam under Operation Sovereign Borders (Dutton 2016).

3.4 The Vietnamese Community in Australia

The Vietnamese community is the single largest refugee community in Australia. From 1,000 people in 1975, the community grew to 277,400 in 2016 or 1.2 per cent of the Australian population (Australian Bureau of Statistics 2017).

Arriving in the aftermath of the Vietnam War, Vietnamese refugees formed the first major test case of the abolition of the White Australia Policy, and received prominent attention in the media and in public discourse (Viviani 1996, Thomas 1999).

There were three major waves of arrivals. The first consisted of a small group of 539 people in 1975–1976 including well-educated Vietnamese professionals (McMurray 1999). The second group consisted largely of ethnic Chinese fleeing the closure of private businesses in 1978 and the outbreak of war between Vietnam and China in 1979. Numbers peaked at 12,915 in 1979–1980 (Thomas 1997). The third group consisted of so-called ‘economic refugees’ including small traders, rural and urban workers and the unemployed, with numbers peaking at 13,248 in 1990–1991 (Viviani 1996, Thomas 1997). From that point on, Vietnamese arrived largely under the Family Reunion Program.

In the 21st century, the numbers of permanent migrants from Vietnam have been modest, and are far outnumbered by students and visitors

from Vietnam. In 2017–2018, there were 5,124 permanent migrants from Vietnam (consisting primarily of Family and Child Migration with a smaller number under Skilled Migration) but 10,764 students and 75,957 visitors from Vietnam (Department of Home Affairs 2019).

The peak years of Vietnamese arrival in Australia, in 1978–1982 and 1990–1992, coincided with the two worst recessions in this country since the 1930s Depression (Viviani 1996). This meant that it was even more difficult for Vietnamese and other migrants to seek employment than would otherwise have been the case. These conditions, along with the contrast between early and later waves of Vietnamese arrivals and differences in educational and employment levels, explain why there are seemingly contradictory features to Vietnamese settlement in Australia.

While the majority of Vietnam-born speak English very well or well (58 per cent), a significant proportion (41.4 per cent) speak English not well or not at all. At \$456, the median weekly income for Vietnam-born is well below that of Australian-born (\$688). At 60.9 per cent, the participation rate of Vietnam-born in the labour force is also below that of the Australian population (64.6 per cent). The unemployment rate of Vietnam-born at 10.5 per cent is higher than the national average (6.9 per cent) (Department of Home Affairs 2018).

On the other hand, the educational attendance rate of first and second generation Vietnamese aged 20–24 is, at 41.2 and 48.2 per cent respectively, a third higher to nearly double the national average (28.5 and 28.6 per cent). The percentage of first and second generation Vietnamese who either own their home or are purchasing it is, at 78.5 and 79 per cent respectively, also above the national average (73.1 and 73.6 per cent) (Hugo et al. 2011).

Although the Vietnamese have in the main resettled successfully in Australia, there remain significant areas of disadvantage, and the community remains polarised between high rates of education on the one hand and high prison rates on the other (Nguyen 2005).

Educational levels, upward mobility, and resilience in the Vietnamese community—all positive indicators of the successful resettlement of Australia’s largest refugee community—have masked the reality that this is a community that has lived with a high level of trauma and that this intergenerational trauma has been for some a contributing factor to over-representation in the correctional system.

4. VIETNAMESE IN THE CORRECTIONAL SYSTEM

This section provides information on Vietnamese in the correctional system as well as Vietnamese community-based programs targeted at Vietnamese prisoners.

4.1 Australia

The imprisonment rate of Vietnam-born is 20 per cent higher than the national average at 316.3 prisoners per 100,000 adult population compared to the national rate of 261.4 prisoners per 100,000 adult population (Australian Bureau of Statistics 2020c).

Vietnam represents the second most common country of birth for overseas-born prisoners in Australia at 789 prisoners or 2 per cent of the overall prison population (Australian Bureau of Statistics, 2020a).

Illicit drug offences constitute the most serious offence charge for the great majority of Vietnamese prisoners—587 out of a total of 789 or 74 per cent (Australian Bureau of Statistics 2020b).

4.2 Victoria

Victoria provides a relevant case study of Vietnamese offenders. Victoria has both the second highest concentration of Vietnamese in Australia and the highest proportion of Vietnamese in prison. The number of Vietnam-born in Victoria grew from 58,873 in 2006 to 80,787 in 2016 (Victorian Department of Premier and Cabinet 2017).

Vietnam represents the most common country of birth for overseas-born prisoners in the Victorian prison system at 288 prisoners or 4 per cent of the prison population (Corrections Victoria 2020).

No Vietnamese were recorded in Victorian prisons until 1982 (two offenders) (Office of Corrections Victoria 1982). The number of Vietnamese men in prison increased to 58 or 2.5 per cent in 1995, and 224 or 5.1 per cent in 1999–2000 (Victorian Department of Justice 2005). Their numbers remained relatively stable over a period of 15 years at between 4 and 5 per cent of the Victorian prison

population (Victorian Department of Justice 2009 and 2011). In 2010–2011, there were 242 Vietnam-born men in prison or 5.2 per cent of the male prison population (Victorian Department of Justice 2011).

During the first 20 years of Vietnamese settlement, there were no Vietnamese women in prison. The first recorded Vietnamese female offender was in 1995 (one offender) (Victorian Department of Justice 2001). It is significant that there were no Vietnamese women in prison in Victoria before the opening of Crown Casino in 1994. The casino provided a formal venue for women to gamble and accumulate gambling debts. Women then turned to illicit drug markets to pay off their debts. Problem gambling in the casino 'provided both the main motivation and the necessary network brokerage for drug-related crime' (Le and Gilding 2016, p. 134). The number of Vietnam-born women in prison rose steeply from 1 in 1995 to 30 or 5 per cent in 1999–2000, and then 55 or 9.8 per cent of the female prison population in 2010–2011 (Victorian Department of Justice 2005 and 2011).

4.2.1 Vietnamese Women

The disproportionate representation of Vietnamese women in the correctional system was highlighted in several Victorian reports including *Better Pathways: An Integrated Response to Women's Offending and Re-offending* (2005), *Better Pathways: The Women's Correctional Services Framework* (2007), and the *Inquiry into the Impact of Drug-Related Offending on Female Prisoner Numbers* (2010). The reports noted: 1) the increased percentage of Vietnamese women in the female prison population from 3.3 per cent in 1998 to 9.7 per cent in 2005; 2) the link between gambling and drug offences; and 3) the need for the deployment of a full-time Vietnamese Liaison Officer (VLO).

The 2010 *Inquiry into the Impact of Drug-Related Offending on Female Prisoner Numbers* stated that Vietnamese women formed the second largest group in prison after Australian-born women, and that the majority had no

prior history of imprisonment, were vulnerable to exploitation by organised crime syndicates, and had difficulty accessing support and rehabilitation services (Parliament of Victoria Drugs and Crime Prevention Committee 2010, pp. 48-49). More research was needed into the factors leading to the disproportionate representation of Vietnamese women in the correctional system (p. 49 and p. 52). The report acknowledged positive steps such as the use of Vietnamese support workers and the Indochinese Entering Community Corrections (INDECOS) program but noted that problems remained and further support was needed in the form of culturally appropriate services for women (p. 64). The report also noted concerns expressed regarding the effectiveness of the Vietnamese Liaison Officer (VLO), as the VLO was male and an employee of Corrections Victoria (p. 79).

Similar concerns regarding the need for female multicultural social workers or counsellors attached to community associations rather than prison officers such as the VLO, and the VLO's limited capacity to advocate for Vietnamese women were raised in the report on *Culturally and Linguistically Diverse Women in Victorian Prisons: Update on Developments since the 2005 Request for Systemic Review of Discrimination against Women in Victoria* (2010) (Centre for the Human Rights of Imprisoned People 2010, p. 34).

4.2.2 Problem Gambling and Drug Offences

The report on *Problem Gambling and the Criminal Justice system* (2013) by the Victorian Responsible Gambling Foundation noted that problem gamblers were largely male (80 per cent), and 16 per cent were Vietnamese-born (p. 45). It also acknowledged the large number of Vietnamese women convicted of drug offences linked to gambling debts (p. 48). While the report noted that there were culturally specific gambling support services for Vietnamese female prisoners, there were none for Vietnamese male prisoners in spite of similar need (p. 147).

The 2017 *Strengthening Connections: Women's Policy for the Victorian Corrections System* report pointed not only to the links between problem gambling and drug offences for Vietnamese women but also to the 'socio-

cultural lending arrangements within the Vietnamese community known as *choi hui*, which enable ready access to gambling funds outside of the formal financial system' (Victorian Department of Justice and Regulation 2017, p. 12). The informal lending practice of *choi hui* was referred to in 1999 and 2016 studies (Thomas 1999, Le and Gilding 2016).

In sum, the reports note:

- the disproportionate representation of Vietnamese offenders in the correctional system;
- the link between gambling debts and drug offences; and
- the need for culturally specific and gender specific support services attached to community associations rather than correctional services.

4.2.3 Vietnamese Youth



Many Vietnamese offenders arrived in Australia as either children or young people, and have experienced difficult lives pre-migration and continuing difficulties post-migration.

While their experiences may have specific Vietnamese characteristics, they also bear similarities with other youth in the justice system.

The Youth Justice Strategic Plan 2020–2030 (2020) highlighted the fact that many young people are ‘victims of abuse, trauma and neglect at home, many experience serious mental health or drug or alcohol issues and too many are not engaged in education, training or a job’ (p. 4). The plan also acknowledged that ‘a disproportionate number of these young people are Aboriginal Victorians or members of culturally and linguistically diverse communities’ (p. 4).

The 2015 Report on *Engaging our Youth: Our Future* explored four topics particularly relevant to multicultural youth including ‘employment, leadership and advocacy, discrimination and bias, and marginalisation and belonging’ (p. 3), and included several recommendations including the need for ‘strong support mechanisms’ in developing identity, and using ‘different participatory methods’ to engage young people (pp. 14-15).

For Vietnamese youth, the crucial years are immediately after migration and resettlement, as they adjust to a different language and culture. Supportive community-based interventions at this critical time would be particularly effective as a preventive measure before the lives of young people unravel and they engage with the correctional system.

4.2.4 Current Representation of Vietnamese

The latest available figures reveal that there has been a decline in the percentage of Vietnamese in the Victorian correctional system, from a peak of 6.1 per cent in 2011 down to 4 per cent in 2020 (Corrections Victoria 2020).

The proportion of Vietnamese women in the correctional system has also decreased from 9.8 per cent in 2010–2011 to 4 per cent in 2018 (Walker, Sutherland and Millstead 2019).

While these figures are encouraging and point to the positive effects of existing programs, they still attest to an over-representation of Vietnam-born offenders in the correctional system, and point to further need for community-based and culturally specific support services for Vietnamese prisoners and their families.

4.3 Vietnamese Community Programs

4.3.1 Vietnamese Prisoner Support Program

The Australian Vietnamese Women’s Association (AVWA) is the only multiservice organisation in Australia with a community-based Vietnamese Prisoner Support Program.

AVWA has operated two support programs for Vietnamese prisoners, both funded by the Victorian Department of Justice:

1. *Indochinese Entering Community Corrections (INDECOS)*

This program consisted of post-release support services between 2002 and 2011.

2. *Vietnamese Prisoner Support Program since 1995–1996*

This program, now in its 25th year, consisted of pre-release support services until 2017, when it changed to include both pre- and post-release support services.

Huy Luu (AVWA Operations Manager) notes that in 2008, the Vietnamese Prisoner Support Program took up 2.5 days per week. As a Vietnamese Prisoner Support Worker, Luu was on call 24/7 because the families of Vietnamese prisoners were based not only in Australia but also in Hong Kong, China, Malaysia, New Zealand, the United States of America and Canada. By the time Luu left the position in 2016, the program took up 7 days per week.³

The program is staffed by AVWA Alcohol and Drug Treatment, Gambling, and Family Violence Prevention Counsellors.

³ Phone conversation between Huy Luu and the author on 10 August 2021.

4.3.2 Indochinese Prisoner Support Program

As the Vietnamese Prisoner Support Program operated well and there existed need in other Southeast Asian and East Asian communities, the name of the program was changed to the Indochinese Prisoner Support Program in 2017. The program extended support services to Victorian prisoners from Laos, Cambodia, Malaysia, Singapore, Thailand, China and Japan.

5. ORAL HISTORIES

This section focuses on the oral histories that form the basis for the project, and what they reveal regarding:

1. Underlying trauma across generations
2. Educational and language difficulties
3. Problem gambling and drug offences
4. Interactions with Victorian authorities
5. Conditions in the correctional system and community-based programs
6. Vietnamese Prisoner Support Workers

5.1 Why Oral History?

Oral history provides a means for minority voices in the community to tell their stories and to be heard.

In a policy context, oral history has a crucial role to play because it enables firsthand experiences and local knowledge to be communicated directly to policy makers, and potentially lead to improved public policies and programs (Hoffman 2018).

5.2 Vietnamese Ex-Offenders

The qualitative information for this project is drawn from oral history interviews with 10 Vietnamese ex-offenders: six men and four women. They represent a cross-section of Vietnamese offenders, ranging from those with no prior sentences to repeat offenders, and with sentencing ranging from two months to 18 years.

While their life stories are individual, the experiences of these ex-offenders reflect those of many others and provide a valuable insight into the life trajectories of Vietnamese who have been through the correctional system in Victoria.

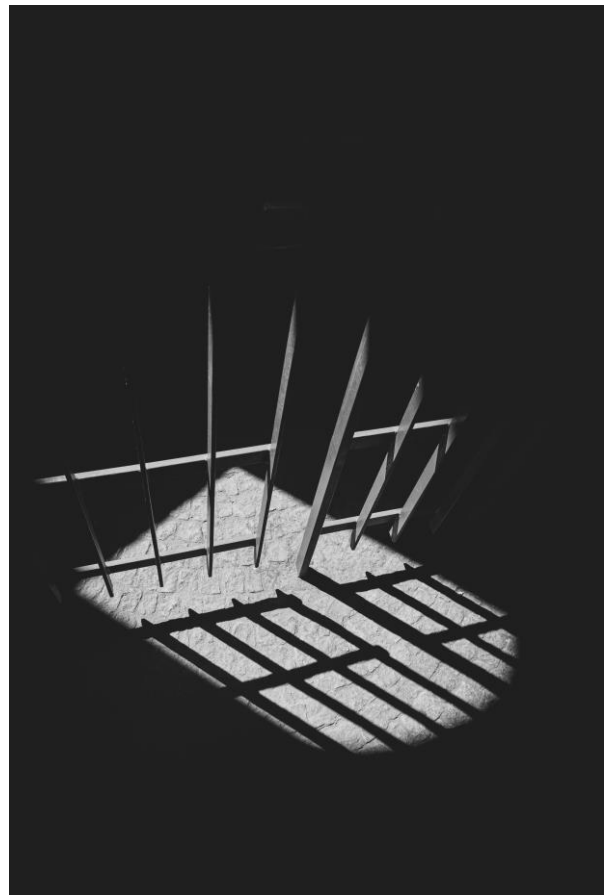
All 10 interviewees were born in Vietnam and migrated to Australia between 1982 and 2009, with half arriving in the 1990s.

They include two generations, with the oldest born in 1959 and the youngest in 1987. Three arrived as children between the ages of 10 and 18 while the remaining seven arrived as young adults aged between 18 and 32. All

were interviewed in Vietnamese. For reasons of confidentiality, only first names and partial details regarding offences and sentencing are provided.

As imprisonment is a problematic issue within the Vietnamese community, and shame and stigma are associated with the experience, potential participants for the project were approached in a culturally appropriate and sensitive way.

5.3 Trauma



Trauma and secondary trauma in the wartime generation and their children are a reflection not only of twenty years of war but even more of the extent and severity of postwar state control in Vietnam, and the resulting erosion of social and familial networks—especially in what used to be the Republic of Vietnam or South Vietnam—as relatives disappeared into the reeducation camp system, the New Economic Zones or as escapees.

The oral histories reveal the effects of state repression and resulting intergenerational trauma on families from the 'wrong' political background even 25 years or more after the end of the war.

Former South Vietnamese civil and military personnel and their families were labelled *nguy* (traitor) and marginalised by the postwar state. Fathers were interned in reeducation camps while families were expelled from their homes and mothers struggled alone to bring up children. Children were separated from one or both parents, placed in the care of other relatives, and had their education disrupted.

Vietnamese refugees who sought to escape from Vietnam were deemed to have committed *toi phan quoc* (the crime of betraying their country).⁴ Those who were caught were interned with their children for lengths of time varying from a few months to more than a year or had to pay local authorities (Robinson 1998). There were prison camps reserved for women and children. Amerasian Kien Nguyen, for example, was interned in Reeducation Camp No. PK 34 after a failed escape attempt in 1981. He was 13 years old. He did two months of hard labour before his mother was able to bribe authorities for his release (Nguyen 2001).

5.3.1 Absent Parents and Broken Families

A disrupted family life and separation from one or both parents as a result of state repression stand out in the oral histories as a causal factor in life trajectories that led some to the correctional system.

Half of the interviewees related that their fathers served in the armed forces of South Vietnam, and either escaped from Vietnam after the war or spent years interned in the communist reeducation camp system, also referred to as the 'Bamboo Gulag'. Others did not refer to their father's occupation during the war but noted that he was sent to reeducation after the war. Others saw their mothers hide from the Vietnamese authorities and escape across the border after 1975.

Disruption of family life may be a common cause of later engagement with the correctional system but in the case of Vietnamese offenders it is also a common result of postwar oppression by the Vietnamese state and therefore a further contributor to underlying trauma pre- and post-migration.

Nguyet was nine when the war ended in 1975, and arrived in Australia at the age of 20 in 1986. Her father was interned in the gulag, and her mother left Vietnam with four of her children in 1979, leaving Nguyet and one other child behind. Nguyet's account reveals her sadness in the postwar years. She remembers:

In 1979, my mother took my younger siblings to escape over the border while my father was in the reeducation camp. She had to hide for fear of being discovered and arrested by the police.

She tried three times. The first time, she had to wait a long time in Soc Trang, and she took my younger siblings back. The second time, my third sister refused to go because escaping from Vietnam and hiding made her scared. The third time, my mother successfully fled from Vietnam with four children.

I lived with my grandmother and one of my younger sisters. It was a sad situation, and when I was in 10th grade, I temporarily quit school.

Duy was seven in 1975, and arrived in Australia at the age of 26 in 1994. His father, like Nguyet's, was also interned in the gulag after the war. He recalls:

My father joined the Army of the Republic of Vietnam, and after 1975, he was in the reeducation camps for five years. My mother was a teacher, and looked after four children.

My aunt sponsored me to Australia in 1994 on a visitor visa.

Peter was born the year the war ended in 1975, and arrived in Australia at the age of 18 in 1993. He reveals a peripatetic childhood

⁴ *toi*: crime/offence, *phan*: betray, *quoc*: country

under the care of his grandmothers before his father sponsored him to Australia. His memory of having to move around constantly as a child alludes to a precarious life and the family having to hide from the Vietnamese authorities in the postwar years. He states:

My father was a soldier. After 1975, he fled to Australia. I stayed a few years with my paternal grandmother.

I didn't go to school in Vietnam. When the house burnt down, I lost all my identity documents, then my grandmother passed away. We changed our whereabouts many times. After that, my father sponsored me to come here. My mother is still in Vietnam.

Hanh was born after the war in 1982, and arrived in Australia at the age of 20 in 2002. She relates how life changed for the worse for her family after 1975. Her parents were from the 'wrong' political background:

My father was educated. He lived in what was called the southern republic. After the war, he was a man who had lost his country and had to go into reeducation. After returning home, he was put on probation for 20 years and had to do manual work. So when the war ended, my family life became difficult. Both my mother and father were republicans.

These accounts reveal children being separated from one or both parents after the war, and family lives that were ruptured following state perpetrated violence.

5.4 Disrupted Education and Lack of Language Skills

All interviewees referred to disrupted education in Vietnam. Children of reeducation camp prisoners were often 'refused admission to schools, especially higher grades, and others in the family were not permitted to hold jobs' (Freeman and Nguyen, 2003, p. 7).

Interviewees experienced educational problems in Vietnam, and continuing educational and language difficulties after

migration to Australia. This must rank highly as a causal factor leading to Vietnamese engagement in the correctional system. Although the Vietnamese interviewees were all either children or young adults at the time of resettlement, all refer to poor English language skills, even if they had been through the Australian educational system. Several spoke of having poor language skills in both Vietnamese and English. Disadvantage persisted after migration in terms of education, language skills, and access to employment.

These accounts imply that at critical junctures in their lives—specifically after migration and resettlement—these young people needed community-based intervention and assistance. If they had received the right support—whether from a community-based program or workshop, counsellor or teacher—their life may not have unravelled in the ways that it did, and followed instead a different path.

Here is Peter again:

I was 18 when I came here. They sent me to Grade 9 but I could not keep up so I stopped going to school. I worked in farming and in factories—Jeans West, a beef factory, shoe factory. In Vietnam, since I was a little boy, I have worked.

Hai was ten when the war ended and arrived in Australia at the age of 16 in 1982. He relates:

My father was an army engineer [Army of the Republic of Vietnam], my mother a housewife. They said that I would have a better life and a brighter future overseas. I escaped with my paternal aunt's family when I was 14-15 years old. I arrived in Australia at 16.

I only spoke Vietnamese at home. I managed Year 7 and 8 but couldn't cope with studying, textbooks, notebooks and uniforms. I had to work on a farm to earn the money to buy books.

I told my aunt that I no longer wanted to study. I wanted to officially go to work and earn proper money so I could help take care of my family in Vietnam.

Hung was born in 1982, and arrived in Australia at the age of 11 in 1994. His parents were divorced and he was brought up by his grandmother in Vietnam from the age of one.

When his aunt sponsored his grandmother to Australia, his grandmother insisted that he accompany her as her adopted child. Hung lived with his aunt, uncle and two cousins in Melbourne for three years, and went to school, did his homework, played sports and worked on weekends.

However, his life started to unravel after he and his grandmother moved out to a Housing Commission flat. His grandmother did not speak English. He remembers:

I hung out with my friends, I fought and got kicked out. I went to another school and got depressed. I fought and got expelled. I didn't finish school.

I was 16-17 years old, I borrowed an ID to go to the casino to play and my life changed so much. At first I won money and felt excited that I'd found an easy way to make money. I had a passion for gambling. But after that I lost money, I felt so depressed, then my friends told me about drug dealing, I started underground stuff so that I could have money to gamble.

These accounts reveal the difficulties faced by Vietnamese who arrived in Australia as children or young adults. Peter and Hai were teenagers when they arrived but could not cope with the educational system in Australia, opting for unskilled work instead. Even Hung, who was only eleven when he arrived, lost his bearings when he was taken away from the structured life he had with his aunt, uncle and cousins, and lived with his grandmother in housing commission accommodation.

5.5 Problem Gambling and Drug Offences



The oral histories reveal that a majority of ex-offenders, as the overall statistics for Vietnamese offenders attest to, were in the correctional system due to drug-related offences following gambling debts.

These accounts illustrate the links between problem gambling and drug offences, and how lives spiralled out of control following escalating gambling debts.

Here is Hai again, who was separated from his parents and arrived in Australia aged 16. He could not cope with studying and learnt 'very little' English. His gambling addiction started after he went with friends to the casino. His debts got larger, his marriage broke down and he did drug trafficking to pay off his gambling debts. He was arrested and sentenced to 18 years. He served part of his sentence in New South Wales, and then was moved to Victoria. He had no idea that his sentencing would be so heavy:

I thought that if it fell apart, I would have at the most three to five years. I didn't expect them to smack me with 12 years [12 years in prison and six years on parole]. When the goods arrived, I was already being followed by the police. I was staying in a motel, and the cops burst in to arrest me.

The four women who were interviewed all revealed unhappy and uncommunicative marriages, poor English language skills, dependency on their husband, and seeking to escape depression, isolation, and boredom by going to the casino and gambling. Gambling

led to the women losing large amounts of money and ending up in debt. Debt in turn led to drug-related offences as the women agreed to transport or grow drugs to pay off their debts.

Here is Nguyet again, whose account refers repeatedly to sadness in her life. This sadness referred to her father's postwar internment, her mother's escape overseas, and to being left behind in Vietnam. Her sadness was then compounded by a bad early marriage, lack of communication between husband and wife, lack of English language skills, and depression, which led to her gambling at the casino, and then going into debt. Her words also reveal the means the casino engages in to draw gamblers back. She relates:

My sad married life makes me lose my memory. My husband and I often quarrelled. I could not concentrate, I had severe depression, I had to go to see a psychiatrist.

My husband sometimes left home for two to three weeks and did not come home, I was alone holding my baby so I was very sad.

I need someone to listen to me.

The most recent problem was going to the casino. That affected my mental health. The court introduced me to gambling addiction support workers. Thanks to COVID-19, the casino closed so I felt relief.

Recently, I received a text message from the casino that they have reopened. If I want to come and play, I have to wear a mask and sit apart. I hope that I can stop thinking about it. Going there will make me lose money. I keep thinking that so I do not go back to the casino.

Tuyet arrived in Australia at the age of 21 in 2009. Her parents were in the fishing industry in Vietnam although she notes that her aunt and grandfather were overseas. She gives the following account:

I couldn't study well so I got married to come to Australia. I studied English, and worked in a factory, and didn't have much contact with others because I couldn't speak English.

I divorced from my husband a long time ago and remarried in 2015. I work in a nail salon. I told people that English is not my native language. Some of the clients are easy-going but some are more difficult and I cannot communicate with them at all.

In the past, on the weekend, I felt bored and went to the casino. I intended to make money and I never expected to lose.

After I lost a lot of money, I had to borrow money from the bad guys. My income was not enough to pay the interest and capital. Those bad people told me to do something for them to earn money to pay them back. I refused their offer but unfortunately the COVID-19 pandemic happened. I couldn't work so I received and delivered [drugs].

They gave me a white bag that I had to drop off and I was caught. I don't know what was in the bag. I was put in custody for a week and then my lawyer bailed me out. Within two weeks, they took me to a detention centre and kept me there for a month.

5.6 Interactions with Victorian Authorities

The effects of interactions with Victorian authorities—whether positive or negative—can leave a strong imprint on Vietnamese ex-offenders.

These accounts highlight the enduring effects of perceived acts of kindness on the one hand and failure on the part of the authorities to provide duty of care on the other.



Here is Duy again. He took the citizenship test in 2018 and was initially rejected for a partner visa by the Department of Immigration. He was distressed and ‘mentally upset’ as he notes, and was not able to answer questions clearly. However, he remembers the kindness of a female officer at the Immigration court. He relates:

I submitted an appeal and waited for eight months to go to the Immigration Court. There was only one Australian woman in that office. The officer asked me how I met my wife, how long I had known her. My answers were wrong, and completely contradicted my testimony in the application. Because I was nervous, all my answers were wrong.

Time ran out, she said it was over and when I left, I saw my wife cry. I took a tissue and gave it to my wife. The officer saw this, and decided to approve my visa. The truth is good here in Australia.

Duy believes that his gesture of concern towards his wife was what convinced the Immigration officer to approve his visa. He is grateful for this kindness. After years of living illegally in Australia, and after serving his sentence in prison, he is grateful to all who helped him become an Australian citizen. He received his citizenship certificate, his ‘dream in life’ in 2020. He states:

The Australian Immigration Department gave a criminal like me a chance to be a good person in Australia.

I thank the Australian government, the Department of Immigration, and organisations such as the AVWA and Mr Tuong for helping me become better and religious organisations such as Quang Minh Pagoda and the Venerable Thich Phuoc Tan.

Duy’s testimony reveals how perceived acts of kindness by Australian authorities as well as the support provided by Vietnamese associations are noted and remembered by ex-offenders.

The reverse also holds true.

The following is the account of Thai, who was born the year the war ended, and was sponsored to Australia at the age of 12 by his father in 1988. Thai’s story is a trauma narrative and difficult to follow. He has few details of his early life, and although he was a child on arrival in Australia and studied up to VCE, his English is poor and he does not use it much. He states that his Vietnamese is also poor. He worked in a number of different jobs, including as baker, motor mechanic, and carpenter. His ran his own bakery before it burned down, and then got into trouble with the authorities when he lent his wife’s car to friends, and they caused an accident. He was liable. He states that he used drugs in the past and thinks that is why the police have been hard on him.

However, the most distressing aspect of his account is his memory of what happened to his children while they were under state care – i.e. Child Protection Services – for three days. He worked long hours at the bakery, and states that he and his wife were accused of not caring for their children. He refers to this incident twice during his oral history interview, and even years after the events he relates, he is still deeply upset about this. He remembers:

We handed our children to Child Protection Services because they wanted to take them away. They took us to court for the reason that we did not love our children. I asked the officer, ‘Do you understand what love is? How is this called love? Please explain.’ Their faces turned red in court.

They kept our children for three days. When they were returned, I saw that my boy was injured—he had a cut on his head that was bleeding and his mouth was bleeding. I took him to hospital. I asked the officers if Australia was considered a safe country why were my children hurt like this. Nobody answered me.

For Thai, the fact that no one admitted to responsibility for his child being hurt while in state care, and that he never received an explanation for this, even after repeated enquiries, has clearly left a scar.

5.7 Conditions in the Correctional System and Community-Based Programs

Interviewees refer to the routine of life in prison, and acknowledge the fact that the correctional system provided programs and opportunities for work. They noted that there were waiting lists for programs, and that they found programs in Vietnamese to be the most useful.

Community-based programs provide an avenue through which the experiences of prisoners can be heard. As trusted intermediaries, community-based support services are exceptionally well placed to provide that feedback channel to Victorian authorities. The oral histories in this report are intended to serve in that way, and can point not only to individual concerns but also to systemic issues within the correctional system.

Vietnamese ex-offenders acknowledge that they were at fault, and that the correctional system provided them with an opportunity to rethink their ways, and to change their lives. One repeat offender noted that these changes did not occur the first few times he was in prison but after the fourth time, he changed his life around.

These accounts reveal the ways in which Vietnamese dealt with life in the correctional system and the support services that were available to them as prisoners.

This is Hung again. He was a repeat offender for whom life in prison felt 'normal' but he turned his life around after his fourth time in prison, and has been out of the correctional system for seven years. He relates:

I felt normal in prison because I was allowed to study and work. I had friends in prison, and life felt normal. I had a routine, I applied for programs such as computer lessons, I could cook and drink with my friends, go to the gym. There were workshops that I went to. There were many people like me, for whom being in prison felt normal.

Since I finished my last sentence, I reckon I should stop being disruptive, stop messing in general, and control myself. The more I age, the more stable I tend to be. I got married. From the time I had a wife and children, then it was a different life.

When I was single, I didn't care at all, I lived carelessly, I played and did not care about the next day, and if I was arrested, I didn't think about anything.

I have been married for four years, and have two children. My life is different because I have to think about my wife and children, I have my own nest, I have to try to preserve it.



As for Duy, whose father had served in the Army of the Republic of Vietnam, and who arrived at the age of 26 in 1994 on a visitor visa and stayed on illegally, he notes that he was scared every time he saw the police. Living in Australia without valid documents and with constant fear took a toll on his mental health. During a drink driving incident, he hit someone. He ran away but then confessed at the police station. He was sentenced to two years in prison. He found his experience in prison confronting, confusing and scary:

They locked me up a week in maximum security. Listening to screams made me shake. When a metal frame opened, I could see the light for half-an-hour. I was locked in a small room with two, three people, no blankets, pillows, not knowing the time. Other prisoners were screaming and banging. My spirit was down and my hair turned grey.

Then they transferred me to MRC [Melbourne Remand Centre]. My spirit was at ease. I had no more suicidal intentions. I calmed down because the environment and conditions there were better.

I met Mr Huy there [from AVWA]. I stayed at the MRC for three months then I was out for three months on bail. I was then sent to Fulham Correctional Centre.

I met Ms Thuy [from AVWA]. The AVWA sends people to the prison to see if they can help prisoners. They collect money to celebrate the Mid-Autumn Festival. They send food such as banh tet and watermelon to celebrate Tet [the New Year].

Duy was in prison for one year, and on parole for one year. He relates:

I was required to do 50 hours of community work. At the AVWA, there is a program on the harmfulness of alcohol. I learnt from that experience and I wanted to be a better person. Thanks to that program, I didn't want to break the law again and re-offend.

Tuan was 16 years old when the war ended, and escaped by boat in 1992. He relates that he got into debt in Australia after helping someone at the garment factory he worked in. He then started gambling, first at home then at the casino, and lost huge amounts of money. He was introduced to drugs in prison, and became a repeat offender. He admits responsibility for his actions, and adds that it does not matter how many programs a prisoner undergoes, the prisoner must be willing to change. He notes:

I felt that many who attended the gambling course didn't give up when they came out.

The correctional system in Victoria is very good. But that goodness cannot change a person. It only changed a small number of people. For example, every time I was incarcerated, I knew I was wrong. I knew I should change.

But the truth is that change is only a temporary change.

Like a tree, you need to fix things from the root, you cannot fix things at the branch. You chop off a branch, the tree will bud elsewhere. It is important to fix the root. It is a long process, then for that period, people will not commit a crime, but when the bud is strong enough, they will continue to break the law.

But I can say frankly, in reality, only spirituality can change a person. I tell you the truth, I have changed.



Tham was three years old when the war ended. A relative took four of her siblings across the border in 1986, and then sponsored her parents and remaining three children to Australia in 1992. She married at the age of 24. She had language difficulties, was isolated, sad, and in an unhappy marriage but could not communicate with her husband and did not seek help from anyone. She went with friends to the casino, got into debt, and was arrested for growing marijuana. She coped with life in prison by sticking to a routine and keeping herself busy. She relates:

I had a lot of help, especially from Uncle Hoang [the Vietnamese Liaison Officer]. If there are any support programs, he would contact us and let us know about Alcohol and Drug Treatment Counselling, the harms of drug use and trafficking, and information on women's health. There were classes on Buddhism.

There are also support programs in English but there are many people like me who do not know English and did not participate in those programs as we could not understand much.

With support programs in Vietnamese, we can learn more, we have time to share and understand. I attended all the Vietnamese courses.

I also got help from the Gambling Counsellor Thao Hoang [from AVWA]. She consulted and helped me a lot, encouraged me mentally and helped me understand how gambling affects me. I trusted her to listen and to ease the sadness while I was in prison. It has also helped me to avoid gambling again.

Hanh, who relates how life changed for the worse for her family after the end of the war, and who arrived in Australia at the age of 20 in 2002, provides a disturbing portrayal of conditions in the women's prison, referring to sexual assault. She notes that women did not report this to the authorities:

There were acts of groping. I was pinned down but I didn't dare tell the soldiers [she means the prison guards but she uses the term 'soldiers' throughout]. People who are victims do not disclose what happened to the soldiers.

When I was there for the first 19 months, a Vietnamese woman was groped by a Westerner but she did not dare speak to the soldiers. I dare not say anything. Someone did speak out but do you know the outcome? She got nothing and she had to go to the slot. The slot is the place is where people who fight or make a mistake are put in.

Generally speaking, Uncle Hoang [the Vietnamese Liaison Officer] was very nice but he never knew the truth. I myself never said anything in front of Uncle Hoang. There are some things we cannot tell him.

Vietnamese ex-offenders refer to issues of trust with law enforcement (McKernan and Weber 2016) but also comment positively on conditions in the correctional system.

Support services in Vietnamese, Alcohol and Drug Treatment Counselling, and Gambling Counselling were remembered as particularly useful.

Vietnamese offenders were able to change their lives through a combination of having access to support programs but also having the will to do so.

As for Vietnamese women, while the four women all refer to the help provided by the Vietnamese Liaison Officer (VLO) and support services provided by AVWA counsellors, the account of Hanh does reveal the limitations of a VLO who is an employee of Corrections Victoria. While she confided her experiences to the AVWA interviewer, she also made it clear that neither she nor the other Vietnamese women confided their experiences of sexual assault to the VLO at the time.

Community delivery of programs can be seen as an important element of re-engagement with family and the relevant community. These

oral histories provide a window into the concerns of interviewees as well as systemic issues within the correctional system that came to attention such as the sexual assault of Vietnamese female prisoners.

5.8 Vietnamese Prisoner Support Workers

Vietnamese community-based support staff and counsellors are best equipped to assist Vietnamese prisoners and their families not just because they have the requisite linguistic and cultural skills but because of their firsthand experience of the postwar conditions experienced by Vietnamese offenders.

AVWA has had several staff involved in providing support services to Vietnamese prisoners and their families both through the INDECOS program (2002–2011) and the Vietnamese Prisoner Support Program (from 1995–1996) now the Indochinese Prisoner Support Program, and whose own life experiences are prominent among their qualifications for the work.

The oral histories of Vietnamese ex-offenders refer to services and counselling provided by, among others, Mr Huy and Ms Thuy from AVWA. Vietnamese are traditionally referred to by their first name rather than their surname, hence Huy Luu is referred to as ‘Mr Huy’ and Thuy Bui is referred to as ‘Ms Thuy’ in Vietnamese.

The experiences of AVWA support staff reveal the different paths taken by offenders and support workers even though both groups had similar experiences in postwar Vietnam. While offenders had difficulty rebuilding shattered lives and families after resettlement, AVWA support staff were able to not only reconstruct their lives after forced migration but also find meaning in providing aid and assistance to others.

Huy Luu was a Vietnamese Prisoner Support Worker from 2007 to 2016, and notes that he understands the trauma underlying the lives of many Vietnamese offenders because of his own experiences in postwar Vietnam. Huy was not yet four when the war ended in 1975. His family moved to the countryside, and his father escaped from Vietnam in 1985. He remembers:

After a month, a group of local police, at least six of them, with AK-47 guns, paid us a visit one night. At age 14, I was the man of the house. I was badly shaken, as were my mum, my sister, who was 16, and my brother, nine at the time.

A year later, our family tried to escape from Vietnam. We had many failed attempts, got caught twice, and were put in prison without any trial and without being charged.

The second time was the one that affected me the most. The police shot directly at our boat. We were tied in rows and made to march to the detention centre. I was among 30 male children in a tin shed. I was given two bowls of rice a day. During the one month and three days that I was detained, I had vertigo and could only lie down on my side. I was 16 years old and weighed 40 kg. My hair fell out.

I was terrified of the Vietnamese authorities and grew to hate them: one of my uncles was locked for three days for airing his dislike of the music approved by the government; families in the cities were forced to leave their home to go to the New Economic Zones and do farm work; soldiers and officials from the South Vietnamese government were sent to reeducation camps.

Huy reflects on his work supporting Vietnamese prisoners in Victoria:

When I worked as a Vietnamese Prisoner Support Worker for over 10 years, I was passionate about helping the prisoners navigate the justice system, and helping their families, knowing that the justice system in Australia is very different from what it was and still is in Vietnam.

Linguistic and culturally appropriate support services are important and humane. I know it too well. I am a non-English speaking background Australian.

And I know how it feels to be a prisoner.⁵

⁵ Correspondence from Huy Luu to the author on 10 September 2021.



Remains of a boat at the former refugee camp of Pulau Galang in Indonesia in 2014. Photo courtesy of Phuong Ngo.

Thuy Bui is coordinator of the Indochinese Prisoner Support Program as well as an Alcohol and Drug Treatment Counsellor. Her parents were from North Vietnam and formed part of the mass migration of 1 million refugees who moved from North to South after partition in 1954. Bui notes that her parents worked for the U.S. Army and that her two older brothers joined the Army of the Republic of Vietnam. She remembers how life changed in 1975. She was 16 years old:

My school was seized and controlled by the new regime. Soon after, my family volunteered to move to the New Economic Zone. We did so before the Communists kicked us out of our own home. We wanted to survive, and also by volunteering, we could choose where to go.

Day after day, I did heavy labour and worked long hours digging soil to grow sweet potato, corn, and rice. In spite of all this, there was still not enough food to eat. Our house was filled with insects, and on top of that day and night, the Communists blared out their strange ideas on loudspeakers.

During that time, I also learned that my foster father, a Catholic priest in his sixties, was taken to a reeducation camp in the North, where he later died. I sometimes thought that I was in a nightmare and that I would never wake up.

Thuy was able to escape in a small boat crowded with 14 people. She relates:

After three days without any food or water, we were rescued by a Hong Kong fishing boat, and transferred to an American warship where we joined 114 other Vietnamese who had been rescued then the 128 of us were taken to Palawan Refugee Camp in the Philippines.

I volunteered to live with and look after unaccompanied minors aged seven to 12. These kids had either escaped without their families or their family members died on the journey.

I witnessed many boat people arriving on the island, and heard horrific stories of those who were raped by pirates in front of their

*families or who witnessed family members killed by pirates.*⁶

Thuy arrived in Australia in October 1982. Ten years later, she obtained a job with the United Nations High Commissioner for Refugees and returned to Palawan Refugee Camp to help the many refugees there gain recognition of their refugee status for resettlement in Australia and other countries.

Huy's and Thuy's stories are just two among the Vietnamese support staff involved in assisting Vietnamese prisoners and their families. Their accounts reveal firsthand experience and understanding of the harrowing conditions that Vietnamese lived through in postwar Vietnam as well as the challenges of resettlement in Australia. By helping others, they not only assist their own community but also aid their own process of trauma recovery (Nguyen 2016).

The urge of those who were former refugees to help others in similar straits is evidenced, for example, by Vietnamese Americans mobilising to help Afghan refugees in the United States of America following the fall of Kabul in 2021. As one noted:

'We understand the experience of what Afghans are going through in a way that very few others can' (Ngo 2021).

⁶ Correspondence from Thuy Bui to the author on 11 September 2021.

6. CONCLUSION

As these oral histories and firsthand accounts attest, the consequences of postwar state repression and resulting intergenerational trauma not only affected interviewees' lives in their home country but also continued to do so post-migration in Australia.

Even though they arrived as either children or young adults, all had difficulty resettling in Australia, and their lives illustrate the ways in which continued disadvantage in terms of lack of English-language skills, isolation, and employment difficulties can set a future direction that leads to prison.

The damage caused by family separation, difficulties in resettling in another country with a very different language and culture, and, in the case of women, bad marriages, led to gambling, debt and drug-related offences for both men and women.

Vietnamese ex-offenders commented on the usefulness of Vietnamese language programs and services, community-serviced cultural events such as the Lunar New Year and Mid-Autumn Festival, and counselling provided in Vietnamese by community-based Alcohol and Drug Treatment Counsellors and Gambling Counsellors.

The testimonies of those involved in the Vietnamese Prisoner Support Program reveal that Vietnamese staff and counsellors are in the best position to understand what Vietnamese prisoners have undergone and in which ways to help them.

As shame and stigma are associated with prison, community-based support programs are particularly vital to enable Vietnamese offenders to re-engage with their family, community and wider Australian society.

Funding for community-based programs would allow Vietnamese staff and counsellors to not only provide essential support for Vietnamese in the correctional system and post-release but also provide critical interventions in the prevention space and assist Vietnamese youth in those crucial years immediately after migration and resettlement and before they engage with the correctional system.

7. RECOMMENDATIONS

In light of the continued over-representation of Vietnamese in the Victorian correctional system, this report recommends increased funding for linguistically and culturally appropriate and community-based support services for: 1. Vietnamese prisoners pre- and post-release; and 2. Vietnamese youth in the prevention space. These include:

1. Vietnamese/Indochinese Prisoner Support Program

Run by AVWA, this program has operated successfully for 25 years. Staff and counsellors have firsthand experience of conditions prisoners were exposed to in Vietnam and after migration to Australia. The program expanded pre-release support services to post-release support services in 2017, and now provides assistance to prisoners from other Southeast Asian and East Asian communities. While the program is funded by the Victorian Department of Justice, AVWA invests several staff in this program which runs 7 days a week, and it is clear that this program runs at much lower cost than it would otherwise.

2. Gender-specific support services for Vietnamese female prisoners

While the women all referred to the helpfulness of the Vietnamese Liaison Officer (VLO), the fact that the VLO is male and an employee of Corrections Victoria also limited what women could confide in him, especially as relating to sexual assault in prison.

3. Alcohol and Drug Treatment, Gambling, and Family Violence Prevention Counselling

Ex-offenders referred specifically to the usefulness of counselling in the first two areas as instrumental in preventing them from re-offending. While ex-offenders did not refer specifically to Family Violence Prevention Counselling, AVWA operates this service, and the oral histories of Vietnamese ex-offenders refer to domestic violence, including demeaning language and damaging property or furniture.

4. Linguistically and culturally specific programs and workshops to support offenders pre- and post-release

The Vietnamese example reveals that even though the community has been based in Australia for more than 45 years, trauma associated with war and postwar state repression persists across generations and after migration and resettlement. Problems with English-language proficiency, isolation and difficulties accessing employment continue to affect the lives of some first generation Vietnamese well into the 21st century, and point to the continued need for linguistically and culturally specific community-based support services.

5. Collaboration between community-based organisations such as AVWA, Corrections Victoria, and the Department of Education and Trade in order to teach English to Vietnamese offenders in the correctional system

The oral histories reveal that Vietnamese offenders were willing to take part in programs offered in prison but that their lack of English language skills was often a significant drawback, including in terms of taking up English classes. Having a Vietnamese Australian teacher to teach them English would make English language learning more accessible and improve educational and employment outcomes for Vietnamese offenders.

6. Linguistically and culturally specific community-based programs and workshops in the prevention space targeted at Vietnamese youth

The value of community interventions in the prevention space would be to provide support to Vietnamese youth at critical junctures before their lives spiral out of control and they engage with the correctional system. Vietnamese Australian associations have the advantage of understanding the specific contexts—national, social and familial—that have shaped the lives of Vietnamese youth, and can provide support at the crucial time following migration and resettlement.

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