

# **Senate Inquiry into “Commonwealth contribution to former forced adoption policies and practices.”**

## **Submission of Link-Up Queensland**

**Link-Up (QLD) Aboriginal Corporation exists to enhance the lives of Aboriginal and Torres Strait Islander people by reuniting those over the age of eighteen years who have experienced enforced separation from their families and communities through adoption, fostering, removal and institutionalisation.**

*Most assessments on Australian Indigenous families are still based on the dominant Australian community's perception of what constitutes competent parenting. The question arises as to whether we are making psychologically and ethically sound decisions about whether or not a child remains with their Aboriginal carers based on evidence that is culturally appropriate for Western families but culturally inappropriate for the indigenous families. Yeo, S. S. (2003)*

It is evident the Commonwealth Government's policies and practices that allowed for the adoption of Aboriginal and Torres Strait Islander children to take place through coercion, forced removal, pressure and deception are in violation of the current UN Human Rights Convention because these removals were made on the basis of race.

As an organisation we see the evidence that the trauma of forced removal stays not only with the child, mother and father but also the extended family and community for generations. Mental health problems, delinquency, behavioral problems, drug and alcohol abuse, self harm, depression, loss of cultural inheritance, undermined parenting skills are just some of the long-term effects, which the inhumane and therefore illegal practices of Governments, have produced.

Previous inquiries such as the Forde Inquiry (1998-1999) and the *Bringing Them Home Report* (1997) have highlighted the role of Commonwealth Government policies and practices in association with the forced removal of children. As an organisation we not only see the personal trauma that these policies have inflicted but also the trans-generational trauma that occurs as a direct result of these practices. Generations of Aboriginal and Torres Strait Islander mothers, fathers and children have suffered due to the immoral and illegal policies and practices of government.

As early as 1951, research has been available that highlights the devastating effect, removing children from their mothers and fathers has on families. Despite this evidence Commonwealth Government policies were created that supported and encouraged this type of gross infringement of fundamental human rights. This research shows that separation from a primary carer also means cutting off a child's main source of attachment and love. Psychological evidence shows that attachment of this kind is of primary importance to a child's development, helping them to:

- achieve full intellectual potential
- develop a cultural identity
- sort out perceptions
- appreciate and value the importance of family
- think logically
- develop a conscience
- become self-reliant
- cope with stress and frustration
- handle fear and worry
- develop future relationships.

At Link-Up Queensland we witness on a daily basis the impacts on the social, emotion and spiritual well being of families as a result of this government driven duress and devastation. As Ruthie Link (Link –Up QLD SEWB counselor) explains,

The building block, the spirituality, the culture, the love, the essence it's all lost. It's like the looking glass has been shattered and splintered into so many pieces and we are left with the shell, the husk seeking answers, belonging, family and love. The mental health issues can be quite prevalent. We try to mend, nurture and help our people find family and become the best they can be.

Out of all the cases we currently work with, forced adoption cases and the legislation surrounding them are the cases where our clients are doubly disempowered. As an organisation we work with clients who will never be able to find

out where they are from, which kinship network they are part of, their cultural identity, due to no-contact statements issued which do not always reflect the wishes of the birth mother/ birth parents. In an Indigenous context 'no contact' statements result in a disconnection and dispossession from Country/ Culture/Identity. Commonwealth Governments policy and practices that allowed for adoption to take place thru coercion, forced removal, pressure and deception are directly responsible for this disconnection.

The *Bringing Them Home* Report (1997) concluded that Australia has wittingly committed genocide through forcible transfer of children—not just yesteryear but as recently as the 1980s<sup>1</sup>. Aboriginal and Torres Strait Islander mothers, fathers, and children have been and continue to be effected as a direct result of the inhumane and therefore illegal practices of Commonwealth Government policies that are based on Eurocentric beliefs and value's that conflict with Indigenous family's cultural and spiritual values. Policies based on Eurocentric values are seen as being culturally neutral; however they deny the validity of other cultural frameworks and the right of individuals to practice and pass on their culture. As Associate Professor Norm Sheehan (Director, Link–Up Queensland) states,

It must be acknowledged that forced child removals impact on every Aboriginal person in Australia either directly through familial disruption or indirectly through the fear and trauma generated by abhorrent racially motivated acts. It is also evident that Aboriginal child removals continue. In 2011 Aboriginal children are 7.7 times more likely to be removed from family under Child Protection Substantiations than other Australian children. Reasons for this overrepresentation include; poverty, alcohol abuse, drug use, and high rates of parental absence, illness and incarceration. A key underlying cause in these life conditions is past policies of removal and relocation including the intergenerational trauma of previous forced separations from family and culture.<sup>2</sup>

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<sup>1</sup> <http://www.criminologyresearchcouncil.gov.au/reports/tatz/>

<sup>2</sup> Stolen Generations Annotated Bibliography, Link –Up QLD Kilroy,K, Murphy, C and Sheehan, N.W. The Faculty of Design , Swinburne University of Technology.2011

In light of this Link –Up (QLD) makes the following specific recommendations:

1. An independent panel of Indigenous elders, academics and maternal health workers and social workers to review
  - each identified Indigenous adoption before and after it occurs
  - no contact statements to test their validity
  - the efficacy of recognised entities
2. Funding for a culturally appropriate body such as Link–Up Queensland or another Indigenous controlled service to case manage and document the relationship of birth families, adopted children and children placed in the child protection system.
3. Culturally appropriate identifying information gathered and recorded i.e. Country
4. Quality Assurance that cultural education services are provided to Aboriginal and Torres Strait Islander children, and a Framework is in place that allows for a review of this system.
5. An independent review of maternal health services and the implementation of identified Indigenous, or culturally competent positions that assist with expectant mothers.

## Resources

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