GRANDMOTHERS AGAINST REMOVALS

Submission to The House of Representatives Standing Committee on Social Policy and Legal Affairs

Inquiry into Local Adoption

May 2018

About Grandmothers Against Removals

Grandmothers Against Removals (GMAR) is a grassroots organisation that advocates against the forced removal of First Nations children from their immediate and extended families. We support families in navigating the child protection system, lobby government and child protection agencies for improved outcomes for First Nations children, and work for self-determination in child welfare. This submission reflects this work.

GMAR welcomes the opportunity to give input on the important issue of adoption.

Grandmothers Against Removals (GMAR) opposes the adoption of First Nations children. There is a clear line from the genocide of the past to the contemporary push for adoption. Adoption as a policy has been tried before; the horrific results are detailed in the *Bringing Them Home* report.[1] First Nations children need to grow up within their culture, with their families and communities. This is how well-being and stability are ensured, not by removing children from their families and communities.

This view is based on GMAR's members' extensive experiences as First Nations women and men who have witnessed countless child protection cases around Australia. It is also based on the intergenerational knowledge that GMAR's members have accumulated thanks to so-called 'welfare' systems targeting First Nations people for generations, with horrifically damaging results.

There is a good reason why First Nations people refer to the contemporary child protection environment as creating ongoing Stolen Generations: the numbers of children removed during the Stolen Generations is comparable to current removal rates of First Nations children. As of June 30, 2016, First Nations children were placed in out-of-home care at 9.8 times the rate of non-Indigenous children. The rate of removal rose from 46.2/1,000 children in 2012 to 56.6/1,000 children in 2016.[2] Systemic failures are not only continuing, but getting worse.

Due to extreme historical and continuing harm, the enduring sovereignty of First Nations people, and our children's rights to culture and community, Australian child protection systems have no legitimacy to remove First Nations children. Contemporary child protection systems, in every state and territory, have a responsibility to actively undo the harm they have perpetrated and continue to perpetrate. State child protection bodies have done little to gain the legitimacy to be trusted to end the suffering that they have caused. It is not an option to make trivial reforms around the edges of this core problem.

[1] https://bth.humanrights.gov.au/
[2] https://aifs.gov.au/cfca/publications/child-protection-and-aboriginal-and-torres-strait-islander-children

It is for these reasons that GMAR must oppose adoption of First Nations children outright.

When First Nations children are placed with non-Indigenous carers, these carers frequently cut contact with the children's families and communities. This is a breach of the human rights of these children and their families, and is state-sanctioned cultural genocide.

Any guiding principles for a national framework or code for adoptions within Australia would need not only to be developed with the meaningful input of First Nations people, but also to ensure that First Nations families and communities are supported to raise their children *within* their families and communities.

First Nations communities hold the knowledge to look after their own children. They need to be empowered to do this through adequate resourcing and a whole of government approach to investing in their capacities and healing their wounds.

Stability and permanency planning for First Nations children means supporting families to stay together, not tearing them apart.

This is an understanding of permanency that is far more holistic than the one enacted by current permanency policy because it includes consideration of the fact that young people in out-of-home care achieve worse outcomes in adulthood due to removal from their families and cultures. They grow into adults who seek to heal from removal by reconnecting with their families and communities.

Changing legislation to strengthen the ability of the system to remove more children for longer time periods will cause more damage to children, not less, because the system itself is already traumatising. All child protection cases should be approached at all times with the attitude that there is a realistic possibility of restoration; parents must not be dismissed as lost causes, which happens all too often under current systems. Parents are often

written off without being given real opportunities to heal their own trauma so that they can better support their children, resulting in their trauma being exacerbated and passed down to new generations due to the continuation of the same old government policies.

Genuine permanency planning and stability can only be achieved by supporting close family and community relationships. This being the case, reform should be made to support maintaining the parental relationship even when a child has been removed. If children are not living with their parents, their parents must be actively engaged in their lives on an ongoing basis.

Any guiding principles for a national framework or code for adoptions within Australia needs to *do* reform rather than just use the language *of* reform.

There is a huge gap between the wording of child protection policy documents and the reality of their implementation. Policy documents – including legislation, practice guidelines and so many others – use language that appears concerned with injustice, but in reality this language is only used to mask the unethical and damaging practices of child protection systems. It is useless to fill these documents with wording that urges workers to do the right thing without implementing the actual changes necessary to achieve these goals on the ground. In fact, this language enables misconduct to be carried out because it provides cover for workers.

In relation to adoption, this can be seen in the fact that ‘open adoption’ is a meaningless concept. The reality is that even when adoptive parents agree not to change children’s names and not to remove their birth families from their lives, they do this anyway when the adoption goes through.

For this reason, GMAR urges the House of Representatives Standing Committee on Social Policy and Legal Affairs to pay attention to the reality of how Australian child protection systems are enacted in children’s lives. It is not enough to evaluate policy intentions in a vacuum. The experience GMAR and other First Nations organisations have clearly shows that adoption has been tried before and will not be implemented any differently this time around.