

INQUIRY INTO OVERCOMING INDIGENOUS DISADVANTAGE

Organisation: Link-Up (NSW) Aboriginal Corporation
Name: Ms Glendra Stubbs
Position: Chief Executive Officer

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Social Issues



LINK-UP (NSW) ABORIGINAL CORPORATION

[Insert Link-Up letterhead]

ABN 99 731 805 429

5 WALLIS STREET,
LAWSON NSW 2783
[Insert Date]

*If a people should lose something,
And turn back, and look carefully for it —
They will find it. — Tatanka Yotanka*

All Correspondence to —
P.O. Box 93, LAWSON NSW 2783
(02) 4759 1911 Fax: (02) 4759 2607
Email: linkup@nsw.link-up.org.au

The Director
Standing Committee on Social Issues
Parliament House
Macquarie St
Sydney NSW 2000

Dear Ms Simpson

Submission to Inquiry by Social Issues Committee of NSW Legislative Council into Overcoming Indigenous Advantage

Link-Up (NSW) Aboriginal Corporation is making this submission to highlight the continuing influence on Aboriginal disadvantage of the forcible separation of Aboriginal children from their families and communities.

To provide some background about our organisation, Link-Up (NSW) was founded around 1980 to assist all Aboriginal people who have been fostered, adopted or raised in institutions to find their way home.

We also assist the children and young people of today who are or have been in jeopardy of being removed from their family.

More details on Link-Up (NSW) can be obtained from <http://www.linkupnsw.org.au/>.
Information on the specific services Link-Up currently provides is at Attachment A.

Link-Up's longstanding experience provides us with an understanding, grounded in the reality of the everyday lives of Aboriginal people across NSW, that separation is not past history – it continues today and the serious and ongoing trauma on Aboriginal people goes unrecognised.

This experience also means that we have a very clear understanding of the trans-generational impacts of separation, and of the way they contribute to entrenched Aboriginal disadvantage.

Link-Up would therefore like to comment on Term of Reference 1 (b), particularly in relation to the inter-relationships between health, wellbeing, education and employment outcomes, housing needs and the over-representation of Aboriginal people in the juvenile justice and adult corrections systems.

In terms of health and wellbeing, Link-Up draws the Inquiry's attention to the holistic Aboriginal view of health, which helps to explain why these issues are inter-related. As expressed by the Aboriginal Health and Medical Research Council of NSW, Aboriginal health:

Means not just the physical well being of an individual but refers to the social emotional and cultural well being of the whole community in which each individual is able to achieve their full potential as a human being thereby bringing about the total well being of their Community. It is a whole of life view and includes the cyclical concept of life - death - life.

(<http://www.ahmrc.org.au/AboriginalHealthInformation.htm>, viewed 26 February 2008)

A more detailed account of these inter-relationships is provided by Wendy Hermeston, a former Link-Up caseworker, in her 2005 Medical Journal of Australia article: *Telling you our story: how apology and action relate to health and social problems in Aboriginal and Torres Strait Islander communities*.

The full text of this article is attached to this submission (after Attachment A). However, the following is a short extract from it, linking forcible separations to a range of adverse outcomes for Aboriginal people. Hermeston states:

How could these removal policies have had such an effect on such a great number of individuals across Australia, and could that explain the **poor health** [emphasis added], educational and socioeconomic status and the social problems of Indigenous people so visible today? The effects of the policies are numerous and include:

- The grief of parents and family for the child or children removed;
- The interruption to family and community structure when children have been taken;
- The loss of identity, of rightful place in family, of ties with family, community and culture of the children removed;
- The anxiety of the search for family and identity;
- The turmoil, for all, of trying to fit each other back in each other's lives; and
- The pain and anger when this doesn't happen as it was hoped, or if it can't happen at all.

Each of these effects manifests itself in various ways, leaving its impact on relationships, **physical and mental health** [emphasis added], family structure, parenting skills and social and criminal behaviour.

(http://www.mja.com.au/public/issues/183_09_071105/her10025_fm.html, viewed 26 February 2008.)

Link-Up would be happy to supplement this brief account of the role of forcible separations in creating and entrenching Aboriginal disadvantage, and to provide its perspective on the measures required to overcome it, by presenting evidence at one of the Inquiry's hearings, if invited to do so.

Yours faithfully

Glendra Stubbs
Chief Executive Officer

Link-Up's main current services are outlined in the following table:

Service	Aim	Components	Outcomes
Family Reunion Service <ul style="list-style-type: none"> State Wide Service Recurrent funding 	To improve the social and emotional well being of Aboriginal people separated from their families/communities by past "welfare" policies.	<ul style="list-style-type: none"> Attracting clients Locating family Reuniting clients with family Supporting clients through process Linking clients to other relevant services 	Numbers of Aboriginal people reunited with their families/connected to their communities.
Family Link Service <ul style="list-style-type: none"> Metro West Region Service Recurrent funding 	To promote the social, emotional and physical wellbeing of Aboriginal children/young people in out-of-home care, or at risk of entering care.	<ul style="list-style-type: none"> Helping to increase the availability of culturally appropriate foster care Supporting children and young people in foster care to maintain contact with families, communities and culture 	Increased numbers of culturally sensitive interactions. Increased sense of identity and connection. Increased number of kinship/culturally appropriate placements.
Aboriginal Trust Fund Repayment Scheme (ATFRS) Support <ul style="list-style-type: none"> State Wide Service 3 year funding 	To improve the social and emotional well being of claimants, for many of whom the claims will be associated with "stolen generations" issues.	<ul style="list-style-type: none"> Counselling and practical support for claimants Debriefing of claimants and staff Training of ATFRS staff Outreach to Aboriginal communities (information) 	Numbers of Aboriginal people supported through the process of claiming repayment of monies owed to them from Trust Funds.

Link-Up is also in the final stages of establishing a general foster care service for 36 Aboriginal children and young people in DoCS Metro West Region. This service will be called Link-Up Family Services (LUFS). Its aim and the desired outcomes are as follows:

Service	Aim	Components	Outcomes
Link-Up Family Services (LUFS) <ul style="list-style-type: none"> Metro West Region Service Recurrent funding 	To prevent the creation of future "stolen generations"	<ul style="list-style-type: none"> General foster care service providing 36 placements at any one time 	Children and young people safe, in stable placements connected to culture, and restored to family where possible → improved social and emotional well being of Aboriginal children and young people in OOHC.

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Telling you our story: how apology and action relate to health and social problems in Aboriginal and Torres Strait Islander communities

THE THIRD OF THREE FINALISTS' ESSAYS

With the demise of the Aboriginal and Torres Strait Islander Commission in 2004 after a long and painful 8-year illness, a new council to represent the views of Indigenous people, the National Indigenous Council, has been chosen for us. One of the first viewpoints expressed by one of the new council members concerned the "Sorry" debate.¹

The council member stated that an apology for past injustice was important, "but does not address domestic violence in our homes", and went on to say that the need to address poverty, poor health and lack of education were a higher priority than statements of regret. In my view, this comment was a disappointment, not only because of the leverage this kind of statement gives to the "anti-bleeding heart" brigade, but also because a true apology — and, more importantly, the actions that go with it — would address exactly these conditions in our communities. Genuine measures would go some way towards making holistic health gains and dealing with health inequities experienced by Aboriginal and Torres Strait Islander people. To be truly effective, any actions taken should be based on the existing framework of the recommendations of the Human Rights and Equal Opportunity Commission's report, *Bringing them home*.²

A little background: the *Bringing them home* inquiry traced the history of the forcible removal of Aboriginal and Torres Strait Islander children from their families from the earliest days of colonisation to contemporary removals that took place in the 1990s. In New South Wales, the *Aborigines Protection Act 1909* allowed the Aboriginal Protection Board (APB) to "assume full custody and control of the child of any Aborigine". Intimidation and influence hadn't been effective in getting families to hand their kids over, so the law was brought in. The justifications for removal included claims that children would receive a better education or that it would help them gain good employment (the reality was that education was often discouraged and adolescents were sent off to do menial domestic and farm or labouring jobs). However, what isn't so well known is the reasoning at the time, which was simple, and may explain why many who were connected personally and professionally with the issue called the policies and practices "genocide". The architects of the *Aborigines Protection Act* had an aim of making the Aboriginal race cease to be a problem to settlers and townspeople:

In the course of a few years there will be no need for the camps and stations; the old people will have passed away, and their progeny will be absorbed in the industrial classes of the country.³

An amendment to the Act came into force when the APB desired the power to remove children without having to go through a court and without having to establish neglect (*Aborigines Protection Amending Act 1915*). Reasons for removal found on files in the NSW state archives include "to send to service", "at risk of immorality", "to get her away from surroundings of Aboriginal station/removal from idle reserve life" and "being Aborigine".²

Mostly, children were sent to institutions such as the Bomaderry Childrens Home, Cootamundra Girls Home or Kinchela Boys Home. The experiences of these children were often brutal, with assimilation into white society the main aim. Experiences such as that recounted below are detailed in the *Bringing them home* report.

Most of us girls were thinking white in the head but were feeling black inside. We weren't black or white. We were a very lonely, lost and sad displaced group of people ... We didn't know anything about our culture.

We were completely brainwashed to think only like a white person. When they went to mix in white society, they found they were not accepted [because] they were Aboriginal. When they went and mixed with Aborigines, some found they couldn't identify with them either, because they had too much white ways in them. So that they were neither black nor white. They were simply a lost generation of children. I know. I was one of them.²

The APB evolved into the Aboriginal Welfare Board, and the amended Act became the *Child Welfare Act 1939* (NSW), which had one system of regulation for Aboriginal children and another for non-Aboriginal children. While the *Child Welfare Act* returned removal matters to the court system, most parents were excluded from procedures because of physical isolation from the towns where children's courts were located and a lack of money to pay for legal representation. Added to the legislation at this stage were the terms "neglected" and "uncontrollable", with all the race and class subjectivity that goes along with interpreting the definitions.

The Aboriginal Welfare Board finally ceased to exist in NSW in 1969, but not before the institutionalisation of removed children had been slowly phased out over the years in favour of adoption and fostering into non-Aboriginal family homes. By this time, the fine art of coercion by Welfare staff had been honed — much more "civilised" than driving in and rounding up kids with a truck while their parents tried to hide them in flour bags. This trend, reinforced by adoption laws, gave children little chance of finding out who they were and where they were from or even that they were Aboriginal, unless they were fortunate enough to be told by caring adoptive families.

Even today, Aboriginal children are placed in out-of-home care at rates up to 13 times greater than those for non-Aboriginal children.⁴ Contrary to recent claims made in public discourse and media reports, Aboriginal children, unlike other children, are removed for neglect more often than they are for abuse.⁴ The well publicised high rates of incarceration also bear witness to the continued institutionalisation of Aboriginal and Torres Strait Islander people, well after the shift away from assimilationist policies.

If the seeds of future ill health are indeed present before birth,⁵ what could be the cumulative consequences of several generations' worth of control by the government? I would suggest you need look only as far as your Aboriginal patients who present for

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treatment. The likelihood is that these policies, or their equivalents in other states, have affected them in some way.

The *Bringing them home* inquiry estimated there would barely have been a family untouched by these practices. If your patient was not taken, he or she may have parents, siblings, aunts, uncles, cousins, grandparents or great grandparents who were taken. The patient's own children may have been removed or temporarily separated. Or the patient's family may have lived in fear after witnessing friends' children being taken and grown up denying their own Aboriginality to avoid the same fate.

How could these removal policies have had such an effect on such a great number of individuals across Australia, and could that explain the poor health, educational and socioeconomic status and the social problems of Indigenous people so visible today? The effects of the policies are numerous and include:

- The grief of parents and family for the child or children removed;
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Each of these effects manifests itself in various ways, leaving its impact on relationships, physical and mental health, family structure, parenting skills and social and criminal behaviour. Perhaps here it's best to let one of the many hundreds of people who submitted evidence to the *Bringing them home* report tell you her story in her own words:

After the kids had gone to the home Mum and Dad hit the grog hard as they had done everything in their power and in their hearts to keep us away from ... the Welfare. But they sniffed us out of the bush like dogs.

My parents couldn't handle the trauma of not having the closest warmth loving caring family we were. They separated. My Mum went one way; my Dad went his way ...

Eventually I got married when I was 21 years old. I thought maybe I could get my brothers and sisters and give them the home that the Welfare said my parents had to do ... After about 14 years my [eldest] brother came to live with us. One sister found us through the Salvation Army about 16 years later. Then my brother [the baby] who died last year, who was caught up in the System was like a lost street kid and was bashed by the police in Melbourne a couple of years ago, ended up with a tumour on the brain and was never the same again. My second sister who I or my family didn't see for 27 years. What could anyone do now to make up for those 27 years of not having their sister a part of their life? A terrible big hole in my heart that will never be filled.

We all are in contact with each other now and we try to make up for all those lost years. But something's missing. Could you put yourself in the situation that we were put through?²

The view that an apology for past injustice is important "but does not address domestic violence in our homes" is mistaken. The impact of removal policies goes on down the line and will continue to do so for as long as child welfare policies are directed at removal rather than prevention, with Indigenous families bearing the brunt.

Professor Beverly Raphael spoke to the Inquiry of the reaction people had to the kind of trauma described above. She described it as:

... a high level of arousal ... that heightened arousal can stay on a heightened level with physiological responsiveness for the rest of one's life ... And one reason they take alcohol and other substances is often to dampen this down and they don't know its cause.²

The *Bringing them home* report also discussed research into the effects of adoption on relinquishing parents and the impact of bereavement on mortality and morbidity. The researchers stated that there were a number of matters affecting recovery:

- Perceived social support facilitates adjustment;
- The opportunity for free expression of feelings facilitates adjustment;
- The ability to find meaning in the outcome facilitates adjustment; and
- The presence of other life stressors impedes adjustment.⁶

If this is a framework upon which to base the healing of those affected, it surely can be seen how genuine apology and practical support (or lack thereof) for survivors could have an impact on health and wellbeing.

When families have been torn apart and parenting and familial roles undermined, damage is done and lives continue to be interrupted. Aboriginal people can grow up with emotional scars and cultural identity issues, leading to deep and highly visible "practical" problems such as family violence, social and emotional wellbeing issues, and substance and alcohol abuse problems. Many people affected have shown great resilience to overcome such problems and emerge with their families safe and intact, but many more have not and are still trying.

There are services to help, such as Link-Up⁷ and the many "Bringing Them Home" counsellors, Aboriginal social and emotional wellbeing workers, Aboriginal health workers and many other concerned professionals. These positions, their integrity, and the existence of these organisations must be assured.

Furthermore, if the cycle of trauma that the "Stolen Generations" has created is to be halted, there are numerous recommendations from the *Bringing them home* report that must be put into action. The proposals range from acknowledgement and apology* to guarantees against repetition, implementation in federal legislation of the Genocide Convention,⁸ restitution and rehabilitation (including medical and psychological care, legal and social services), to parenting skills training and health professional training regarding the effects of removal.

Unfortunately, until the underlying problems are appropriately addressed, existing services guaranteed and the required new services implemented, the cycle will continue and we'll struggle to deal with the important issues such as poverty, poor health and lack of education that this new National Indigenous Council member rightly spoke of.

Wendy A Hermeston

Epidemiology Registrar (Indigenous Health)

Combined Universities Centre for Rural Health, Geraldton, WA.

Currently Aboriginal Health Research Fellow

Northern Rivers University Department of Rural Health

University of Sydney, Lismore, NSW

WHermeston@nrhs.nsw.gov.au

* While state governments around the country made apologies around the time of the release of the report, the federal government has failed to do so.

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References

- 1 Metherell M. Sorry will not change lives, says Mundine. *The Sydney Morning Herald* 2004; 6 Dec. Available at: <http://www.smh.com.au/news/National/Sorry-will-not-change-lives-says-Mundine/2004/12/05/1102182157270.html> (accessed Jul 2005).
- 2 Human Rights and Equal Opportunity Commission. Bringing them home. Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families. Canberra: AGPS, 1997.
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- 4 Australian Institute of Health and Welfare. Child protection Australia 2002–03. Canberra: AIHW, 2004. (AIHW Cat. No. CWS-22; Child Welfare Series No. 34.)
- 5 Armstrong RA, Van Der Weyden MB. Indigenous health: tell us your story. *Med J Aust* 2004; 180: 492.
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- 7 Australian Institute of Aboriginal and Torres Strait Islander Studies. Link-Up services. Available at: http://www.aiatsis.gov.au/lbry/fmly_hstry/fmly_hstry_linkup.htm (accessed Jul 2005).
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