

:research

What are the needs of
**Aboriginal and Torres
Strait Islander** children
and young people in care?



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● ● Introduction



Denying cultural identity is detrimental to their attachment needs, their emotional development, their education and their health. Therapeutic residential care for Aboriginal children and young people must incorporate cultural knowledges and understandings of their holistic needs. (Bamblett et al. 2014).



Cultural safety is an “environment which is spiritually, socially and emotionally safe, as well as physically safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, of learning together with dignity and truly listening” (William, 1997 p. 213).

Indigenous children and young people face unique challenges in the child welfare system. The dimensions of this problem are complex and multifaceted. Providing culturally safe and traumainformed therapeutic care to Indigenous young people in out of home care recognises that the trauma that they have experienced is exacerbated by their Indigeneity, due to the colonial histories presenting. Trauma-informed and culturally safe interventions can play a significant role in Indigenous children and young people’s health and wellbeing while in care. Their experiences of abuse and neglect transcend individual trauma and include intergenerational pain and suffering resulting from long-lasting impacts of colonisation, displacement from culture and country, genocidal policies, racism and the overall systemic disadvantage. As such, a therapeutic response, embedded within Indigenous cultural frameworks and knowledge of trauma, is necessary and aims to acknowledge the intersectionality between the needs of Indigenous children and young people in care and their complex systemic disadvantage.

This Research Brief is drawn from our systematic scoping review of literature currently published in the journal of Trauma, Violence and Abuse which sought to investigate what the needs of Indigenous children and young people in residential care across the world (Gatwiri et al. 2019). It outlines some key messages from research on the needs of Indigenous children and young people in care globally. Whilst in this brief there is a strong focus on Aboriginal and Torres Strait Islander children and young people, we have considered international literature reporting on Indigenous children and young people in care globally. We acknowledge that terminologies defining

Aboriginality and Indigeneity vary in different spaces and are contextual. In Australia, the commonly accepted term is “Aboriginal and Torres Strait Islander”, while “First Nation” is used in Canada, and “Native” is used in both North and South America. This exemplifies the array of diversity in discussion. In this brief, some of these terms will be used unambiguously to reflect specific context but generally, the term “Indigenous” will be used broadly to reflect the diversity across different contexts while “Aboriginal and Torres Strait Islander” will be used specifically for the Australian context.



THIS BRIEFING WILL SEEK TO ADDRESS TWO QUESTIONS:

- 1. How can knowledge of history and trauma help us to understand the needs of Indigenous children and young people?**
- 2. What are the needs of Aboriginal and Torres Strait Islander children and young people in care?**

We start by acknowledging that it is not possible to talk about or discuss the current issues affecting Indigenous children in care without looking at the context in which these issues exist. As the Bringing Them Home report by the Human Rights and Equal Opportunity Commission reminds us, “The histories we trace are complex and pervasive... the actions of the past resonate in the present and will continue to do so in the future [because] the laws, policies and practices which separated Indigenous children from their families have contributed directly to the alienation of Indigenous societies today” (1997, pg. 4). Approaches and policies aimed towards protecting Indigenous children and young people need to acknowledge the intersectionality between the needs of Indigenous children in care and the complex systemic disadvantage that is perpetuated by both historical and current contexts.

● An overview of literature on Indigenous children and young people in care globally

Contemporary literature identifies three core issues as follows: the historical context of removing children and young people, the persistent over representation of Indigenous children and young people in care and structural and system inequity. Each of these are discussed below.

● Historical contextualisation of removing ● Indigenous children and young people

To understand the needs of Indigenous children and young people in the child welfare system, one must consider history and the context in which this discussion is placed. Historical and structural racism, including the positioning of Indigenous social norms as inferior are just but some of the complex and pervasive colonial histories that still resonate and inform the present experiences of Indigenous people across the world (Human Rights and Equal Opportunity Commission 1997). The overwhelming message in the literature located, is that the imposition of colonial and foreign laws and policies which forced the separation of children and young people from their families and culture have had a direct significance to the intergenerational trauma experienced in Indigenous families and communities to date. The Bringing Them Home report was the first report which clearly exposed the perverseness of the Stolen Generations and the extent of the resulting trauma and damage this had on Indigenous families and communities. Other studies and reports in this review highlighted that the violent, colonial history and the intergenerational trauma evident in Indigenous communities has had profound impact on their families and communities (Atkinson, 2013; Bamblett & Lewis, 2007; Bamblett, Long, Frederico, & Salamone, 2014; Lewis, 2018).

While theorising the impact of colonisation on Indigenous families in Australia, Bamblett and Lewis (2007) describe Australia as an unsafe and “toxic” environment for Aboriginal people due to the colonial undertones and the domination of Western policies and structures, which are punctuated by racism. The Family Matters report by Lewis et al. (2017) states that the legacies of the Stolen Generation, compounded with ongoing social inequity, political marginalisation and underinvestment in Aboriginal and Torres Strait Islander community “have made things worse, not better.” The Healing Foundation (2017) also reiterates that the displacement and disconnection from culture, language, family, community and country has caused grief, loss, sadness which persists to date. The extensiveness and the pervasiveness of the individual and collective loss, grief and trauma within Indigenous families and communities exposes Indigenous children and young people to the likelihood of re-experiencing complex trauma in even more repeated, multiple and interactive ways (Bamblett et al., 2014).

To amend these historical injustices, the Family Matters report by Lewis et al (2018) has emphasised that for cultural and generational healing to occur, the traumas of colonisation, forced removal of children and young people, the historical and structural racism, entrenched poverty, and systemic disadvantage must be addressed. In the Canadian context, deFinney et al. (2011) provides a similar theorisation. They argue that Canada is “dominated by normative social values and practices that have systematically, over many generations, positioned Indigenous cultural and social norms as inferior” (p. 369). Similar to the Australian history, colonial policies in Canada have previously enabled the forceful removal of children and young people from their families (Downe, 2005). At the present the historically racist ideologies of the Indian Act inform the contemporary context in which Indigenous children and young people in Canada continue to be grossly over-represented in child welfare cases and out-of-home placements.

● The over-representation of Indigenous children and young people in care

Research shows that the rates of over-representation of Indigenous children and young people continue to increase across countries and in different jurisdictions. The overwhelming removal of Indigenous children and young people across many developed countries in the West remains well documented in literature (Fernandez & Atwool, 2013; Keddell & Davie, 2018; McDowall, 2016; Mosher, 2018; National Indian Child Welfare Association, 2007; Valerie & Regina, 2010). In Australia, the Family Matters report (2018), which measured the trends on the over-representation of Aboriginal and Torres Strait Islander children and young people in out-of-home care in Australia, projected that “the population of Aboriginal and Torres Strait Islander children and young people living in out-of-home care will more than triple by 2037, and the level of over-representation will also increase” if a significant and radical measure to redress this problem is not actualised (p. 6). This means that not only is there a failure to close the gap between Indigenous and non-Indigenous children and young people entering the care system, there is also a failure to arrest the widening of the gap. In Australia, Aboriginal and Torres Strait Islander children and young people are 11 times more likely to be represented in child welfare and these numbers are particularly concerning because, despite the fact that the Indigenous population constitute on 3% of the total population, they represent 24 percent of the children and young people placed in out-of-home care systems. Krakouer, Wise & Connolly (2018) argued that “the high numbers of Indigenous children currently being observed in out of home care are symbolic and similar to the number of Aboriginal children and young people that were removed during the stolen generation era.”

Looking at the international context, the trends of over-representation for Indigenous children and young people in care remain similar. In Canada, Indigenous children and young people are 4.2 times more likely than non-Indigenous children to be placed in care. The study by (deFinney et al., 2011) discusses how the minoritisation of Indigenous children and young people contributes to their over-representation in child welfare cases and out-of-home placements, with Sinclair (2007) describing the high rate at which Canadian Indigenous children and young people are removed as the “Millennium Scoop”. This over-representation is often linked to systemic issues including poverty, poor housing, and domestic violence (Mosher, 2018; Sinha, 2013; Valerie & Regina, 2010; Canadian Human Rights Tribunal, 2016). Similar patterns are observed in the United States, with the National Indian Child Welfare Association (2007) reporting that American Indian and Alaskan Native children and young people are over-represented in the nation’s foster care system at more than 1.6 times the rate of other children and young people. This also remains the case for New Zealand (Keddell & Davie, 2018).

● Structural and system inequity: systemic issues, challenges and complexities

The over-representation of Indigenous children and young people in child welfare systems is not accidental but a result of a complex structural interrelationship between “historical and contemporary macro, meso, individual, and systemic factors” (Krakouer et al. 2018p. 266). Available literature establishes that there are systemic issues, challenges and complexities that facilitate the reproduction of the over-representation of Indigenous children and young people in care. DeFinney et al. (2011) argues that it is necessary to “problematize the systemic minoritization of certain groups of children and youth to understand their over-representation in residential care” (p. 362). Superficial efforts that do not seek to address systemic issues of colonisation, marginalisation, racism and structural disadvantage only fall short of any optimum results, and instead contribute in reproducing disadvantage and inequality for the most vulnerable communities. The fact that Indigenous children and young people in some countries like Australia are eleven times more likely to be removed from their family is an indication that the problem is not about “problematic individuals” but about a problematic system (McDowall, 2016). Speaking to the systemic nature of the problem in Canada, deFinney et al. (2011, p. 364) state that thinking about the issues affecting Indigenous families and communities simply at an individual level is short sighted. deFinney et al. (2011) states that structural and systemic inequities have a deep-seated impact the social reality of Indigenous people. Due to the complexity of marginalisation, Indigenous people are more likely to become the outliers to the dominant [white] structures, where they are systemically and systematically excluded socially, politically and economically. This exclusion results in diminished access to opportunities, employment, education, social services, and child and health care support services, among other amenities.

The entrenched intergenerational socioeconomic problems, poverty, social, economic and political marginalisation, and lack of political goodwill in addressing historical injustices lead structural inequity. Additionally, the mostly white child rearing structures which dominate child welfare systems, and the unwillingness to accept the diversity of parenting and family structures from Indigenous societies have made a significant contribution to the over-representation of Indigenous children in care (Fernandez & Atwool, 2013). As such, acknowledging that the approach towards protecting Indigenous children and young people needs a multi-pronged approach—one that aims to acknowledge the intersectionality between the over-representation in care and the complex systemic disadvantage that is punctuated by both historical and current contexts.

There is an important point made by Tilbury (2009) who argues that sometimes during the framing and naming of the issues, there is often an over-simplification of the problem—also layered with pathologisation of Indigenous cultures. Tilbury (2009) urges governments to look beyond the criminalisation and pathologisation of Indigenous families and communities and instead focus on improving outcomes in health, education, employment, employment, cultural connections, and mental health, in Indigenous communities as a way to ensure a holistic response for families and communities. As Douglas and Walsh (2013, p. 32) argue systemic responses, particularly those that will vastly improve access to culturally appropriate services will result in more long lasting solutions that can keep Indigenous children and young in their communities and culture.

Looking to the international context, different countries have moved at different paces due to the laws and policies they have put into place to redress the issues of over-representation in out-of-home care. Countries such as Canada and New Zealand, which are making significant progress (though a lot of work is still needed to bridge the gap between Indigenous and non-Indigenous children), “have been much more willing to consider models involving Indigenous participation and authority in decision making” (Tilbury, 2009, p. 63). Policy redefining and redevelopment is good start, but it needs to be followed by clear implementation plans and should be done in consultation with Indigenous communities in order to address the aforementioned structural and systemic issues.

● The needs of Aboriginal and Torres Strait ● Islander children and young people in care

We now turn our attention to the second question addressed in this Research Brief. Only on the basis of knowledge of history is it possible to understand the needs of Aboriginal and Torres Strait Islander children and young people in care. We must acknowledge how past and present traumas continue to affect Aboriginal and Torres Strait Islander cultures, families and communities. Atkinson et al (2014, p. 289) adds that “Through observation we can begin to consider the likelihood of trauma in an individual, family, community, or other grouping [and recognise how] our capacity to listen to, and witness the human story without judgment is vital, linking what we hear and see to [our practice]. This knowledge assists us to practice without re-traumatising Aboriginal and Torres Strait Islander children and young people.

● ● **ATKINSON (2013, PG. 1) SAYS THAT TRAUMA INFORMED CARE NEEDS PRACTITIONERS TO:-**

- 1. Understand trauma and its impact on Aboriginal children, families and communal groups.**
- 2. Create environments in which Aboriginal children feel physically and emotionally safe.**
- 3. Employ culturally aware, knowledgeable, and safe staff as well as adopt practices and frameworks that acknowledge and demonstrate respect for Indigenous cultural backgrounds.**
- 4. Support survivors of trauma to regain a sense of control over their daily lives and actively involve them in the healing journey without compromising their self-determination.**

- 5. Share power and governance, including involving Aboriginal people in decision making designing and evaluation of community programs.**
- 6. Integrate and coordinate care to meet Aboriginal children's needs holistically.**
- 7. Support safe relationship building as a means of promoting healing and recovery.**

Many Aboriginal and Torres Strait Islander children and young people in care have experienced complex trauma which can have lasting mental, emotional, physical and psychological effects. However, these effects that can be ameliorated by use of appropriate culturally informed, therapeutic interventions.

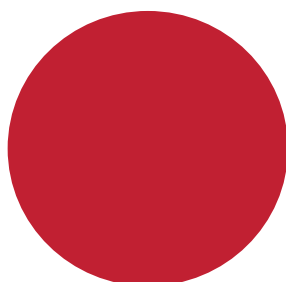
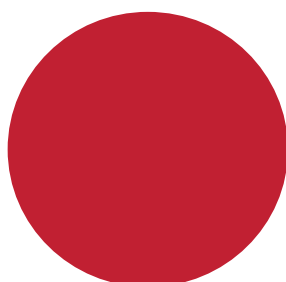
Informed by the systemic challenges and complexities of over-representation in child welfare systems, SNAICC (2011) reported that there is a need to provide culturally relevant and safe interventions to curb the over-representation in the system. They state that one of the most effective ways to keep Aboriginal and Torres Strait Islander children and young people at home is to provide cultural care and to support and build the capacity of Indigenous families through a trauma-informed approach so that they can effectively care for their children in their families and communities. The rationale for developing for culturally appropriate, culturally safe, and culturally informed interventions when working with children and young people from Aboriginal and Torres Strait Islander backgrounds is documented through literature we sourced with an aim to address the issues of over-representation of Aboriginal and Torres Strait Islander children and young people in care (Klinic Community Health Centre, 2013, Healing Foundation, 2017, 2018; Krakouer et al. 2018; Atkinson, 2013; AbSec, 2018; AIFS2015; Bamblett & Lewis, 2007, Bamblett et al, 2014, Raman et 2017).

The UN Convention on the Rights of the Child (1989) states that an Indigenous child “shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language” (p. 9). In the Working together: Aboriginal and Torres Strait Islander Mental Health and Wellbeing Principles and Practice document, Walker, Schultz and Sonn (2014, p. 197) state that failure to engage in culturally safe practices undermines fundamental cultural and human rights for Aboriginal and Torres Strait Islander children and people. There is a need to establish processes and protocols to ensure culturally safe practices that are culturally responsive for diverse Aboriginal and Torres Strait Islander community contexts in Australia. Raman et al. (2017), in their article which explores why taking culture seriously in out of home care is important, state that engagement and connection to one's culture is a significant factor in Aboriginal and Torres Strait Islander children and young people's developmental health and wellbeing in out of home care. They argue that Aboriginal and Torres Strait Islander children and young people in care who have strong cultural connection and knowledge develop a more grounded and centred sense of “belonging” and identity.

Culturally safe and culturally informed practices and interventions are seen as not only key but also necessary. Culturally informed practice therefore moves beyond competence or even awareness—it is the deliberate deconstruction and reconstruction of societal attitudes, and the development of policies that acknowledge, respect and enable child welfare agencies to practice effectively and safely within different cultural contexts. Bamblett and colleagues argue that a culturally informed practice should not just be an add-on to the best interests of the child in care, but one that understands that denying an Aboriginal and Torres Strait Islander child or young person their cultural identity is damaging “to their attachment needs, their emotional development, their education and their health” (2004). This means that merely removing an Aboriginal and Torres Strait Islander child or young person from harm is not enough, and that spiritual and cultural safety should be considered as they are intrinsically linked to the overall wellbeing of Aboriginal and Torres Strait Islander children and young people. William (1999) defined cultural safety as:



An environment which is spiritually, socially and emotionally safe, as well as physically safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, of learning together with dignity and truly listening. (p. 213).



This means that out of home care for Indigenous children and young people’s needs to enable the cultural relationships to other Aboriginal and Torres Strait Islander people, to the land and to cultural norms and practices (VACCA, n.d.) As established, this sense of cultural safety and respect has a direct link to Aboriginal and Torres Strait Islander children and young people’s emotional and physical safety while they are in residential care. Put simply, it is important and indeed necessary that Aboriginal and Torres Strait Islander children and young people in care to “know where they are from, and are taken to visit their ‘country’ to see, feel and experience their land and to meet their own community Elders and members” (Bamblett et al., 2014, p. 209). Important to note is that culturally appropriate interventions need to be trauma-informed. This means that a thorough understanding of past and present trauma that continues to affect Indigenous families and communities is necessary.

● ● **Concluding Messages from Research**

Therapeutic care is about facilitating healing of wounds that have been caused by traumatic adverse childhood experiences. It aims to “address the complex impacts of abuse, neglect and separation from family. This is achieved through the creation of positive, safe, healing relationships and experiences, informed by a sound understanding of trauma, attachment, and developmental needs” (Mclean, Price-Robertson & Robinson, 2011 pg. 5). Therapeutic care that is culturally informed recognises that all Aboriginal and Torres Strait Islander children and young people entering care have experienced significant trauma. As such, out of home care support should support recovery from that trauma. Aboriginal and Torres Strait Islander children and young people in particular, need more nuanced and carefully designed therapeutic support systems due to the complex nature of intergenerational trauma caused by the violent colonial history.

Family and Community services (FACs) (2017) through the developed of the therapeutic care framework in OOH states that “It is paramount that therapeutic care be culturally sensitive and responsive and recognises the trauma of separation. Therapeutic care must be holistic in its approach, address intergenerational trauma and promote healing.” The New South Wales Department of Communities and Justice (FACS, 2017) suggest that therapeutic care helps meet the needs of Aboriginal and Torres Strait Islander children and young people in the following ways:

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- 1. **By promoting recovery and healing from trauma caused by abuse, neglect, severe adversity and/or intergenerational trauma from colonial violence.**
- 2. **By promoting healing through maintaining and developing cultural support and identity.**
- 3. **By considering the cultural context and history of children and young people.**
- 4. **By seeking to prioritise the preservation or restoration to family, kin or community.**
- 5. **Enacting the Aboriginal and Torres Strait Islander Child Placement Principle.**
- 6. **By helping to facilitate the creations of a stable environment while also maintaining relationships with family, kin and community, country and culture.**

7. By ensuring that children and young people are active participants in developing their care and case plans including cultural plans, and are given information about the outcome of decisions concerning them
8. By prioritising the needs of the child or young person who is at the centre of the recovery plan and is supported by a care team.

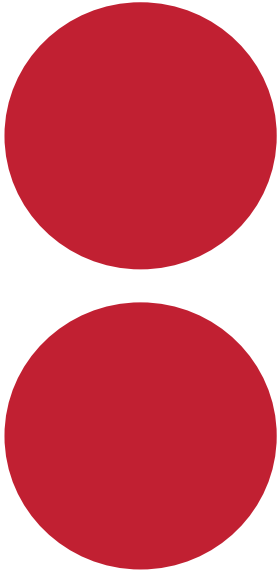
● ● Recommendations from Research

1. Address systemic disadvantage

There should be a systemic response acknowledging that the complex issues impacting on Aboriginal and Torres Strait Islander children, young people, families and communities, including domestic violence, poverty and substance misuse, are connected to intergenerational trauma and from ongoing colonisation. Research has already established the link between higher levels of socioeconomic disadvantage and related problems in Aboriginal and Torres Strait Islander communities and the overrepresentation of Aboriginal and Torres Strait Islander children and young people in the child welfare system. It is recommended that systemic change that addresses the underpinning gaps between Indigenous and non-Indigenous Children and young people entering the care system is essential. Although this might be challenging, it is a long-term solution and it is encouraging to observe the emerging promising approaches, practices and frameworks which offer alternatives and solutions. This gives us a collective sense of hope and appreciation for the efforts that are being made to rectify the issues raised in this review and provides a vision for the future.

2. Promote cultural safety

Given the centrality of connectedness to culture as part of children and young people's developing identity, it is recommended that particular care be taken to develop and design therapeutic programs that are strongly culturally contextualised. This may include but is not limited to: local Aboriginal and Torres Strait Islander consultancy and governance, local Aboriginal and Torres Strait Islander staffing of programs and explicit opportunities for young people to connect to their culture and community as opportunities for healing and growth. Any practice in child welfare that involves Aboriginal and Torres Strait Islander children and young people should be centred on and grounded in the acknowledgment of the trauma that has been experienced by Aboriginal and Torres Strait Islander peoples, as well as the respect and the deep recognition of culture, and Aboriginal and Torres Strait Islander ways of knowing, being and doing.



3. Address trauma (past and present) through healing

As established in this review, historical and ongoing dispossession, systemic marginalisation and racism experienced by Aboriginal and Torres Strait Islander peoples contributes to collective personal and intergenerational trauma and grief (HREOC, 1997). Atkinson (2013) states that developing trauma-informed services to support Aboriginal and Torres Strait Islander peoples is an important way to foster healing. She further explains that within these services, knowledge of trauma must set the foundation for service delivery, with core values guiding intervention and support. In addition, when providing trauma-informed care, culturally specific factors must be considered—being most powerful when led, designed and developed by Indigenous-specific approaches (Atkinson, 2015)

4. Address racism and discrimination

Historically and currently, the treatment of Aboriginal and Torres Strait Islander children and young people across many developed countries in the West has been layered with racism and discrimination. Consistent with what AbSec, (2018, p. 8) reports, the overrepresentation of Aboriginal and Torres Strait Islander children and families within the child protection system in Australia, and the underrepresentation of early intervention supports is not accidental but a reflection of Eurocentric white dominated practice that marginalises Aboriginal and Torres Strait Islander ways of knowing, being and doing. The institutionalised racism that informed policies and practices and advocated for the removal of Aboriginal and Torres Strait Islander children from their families and communities has led to the ongoing fear and suspicion of “the system”. This includes fear of police, justice system, government agencies, social workers and the media. It is recommended that people working with Indigenous families have a rigorous understanding of how racism impacts the mental and emotional wellbeing of Aboriginal and Torres Strait Islander peoples and actively seek to decolonise their knowledge and practice.

In conclusion, we highlight the importance of using Aboriginal and Torres Strait Islander-led frameworks, which have been reported to be useful in the efforts to mitigate the current issues that affect Aboriginal and Torres Strait Islander children and young people in care. A key message from literature, and in particular from Aboriginal and Torres Strait Islander-led organisations in Australia such as SNAICC, is that efforts that do not seek to address systemic issues of colonisation, marginalisation, racism and structural disadvantage, and do not promote connection to culture and country, only fall short of any optimum results, and may instead contribute to reproducing disadvantage and inequality for the most vulnerable children placed in care. The overarching message emerging from the literature sourced, is that the best and most effective practice in child welfare that involves Aboriginal and Torres Strait Islander children and young people should be grounded in the acknowledgement of the trauma that has been experienced by Aboriginal and Torres Strait Islander people, as well as the respect and the deep recognition of culture, and Aboriginal and Torres Strait Islander ways of knowing, being and doing.

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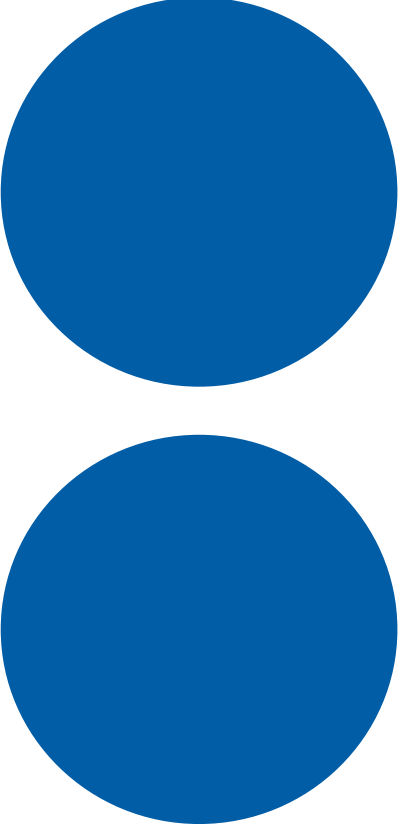
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