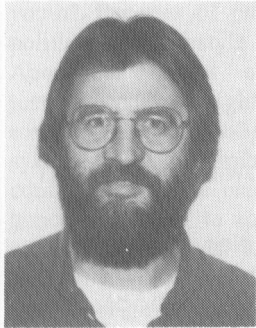


# The Influence of Indigenous Perspectives of "Family" on some aspects of Australian & New Zealand Child Welfare Practice

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*This article is written by a non indigenous person who has spent a number of years working with Torres Strait Islanders and is currently working in Victoria on a project that has its origins in Maori child care practice. The author has found that his work as a white social worker has been markedly influenced by contact with both Torres Strait Islander and Maori culture, and considers that this effect has been both positive and beneficial. White social workers for a number of years have been guilty of implementing an assimilationist policy where Governments treat indigenous people as though they are the same as white Australians. While this can be considered an equal treatment model, this policy and practice has been detrimental to the unique contribution indigenous people can provide to social work knowledge and understanding of child care practices. This article intends to share some insight into both these cultures and to hopefully influence readers to be more open when considering their dealings with indigenous people. Particular attention will be given to Torres Strait Islanders as they are indigenous Australians, with additional reference made to the influence of the Maoris in New Zealand.*

## Torres strait islander traditional adoption.

The Torres Strait Islands lie approximately ten degrees south of the equator between the tip of Cape York and Papua New Guinea. There are fifteen inhabited islands in the Torres Strait with the most populous being Thursday Island which has approximately three thousand people. The remaining two thousand Torres Strait Islanders live in groups scattered through the outer islands, with some communities being as small as fifty people and others as large as three hundred people. The majority of Torres Strait Islanders live on the mainland of Australia and while a large proportion live in Queensland, Torres Strait Islanders are resident in all States of Australia. The total number of Torres Strait Islanders in Australia is approximately twenty-five thousand. Torres Strait Islander culture and custom have remained relatively intact since first white contact, firstly by fishermen and secondly by missionaries. This has been mainly due to the fact that

following annexation of Torres Strait Islands and incorporation of the people into Queensland and Australian society at the turn of the century, Torres Strait Islanders have remained in their homelands.

The traditional Torres Strait adoption practice has existed for as long as the Islanders can remember. This practice is one of handing over infants to members of the wider extended family at the time of birth. The act of adoption is the passing of a child from the original parents to another set of parents both as a gift and also as a sign of the relationship that exists between the two sets of adults. (McDonald 1980). This traditional form of adoption is widespread throughout the Torres Strait and occurs frequently within family systems. Most Torres Strait Islanders have adopted members within their family and have had children adopted out from their nuclear family.

The Torres Strait Islander family network is much wider than the notion of family in white society and usually the adoption of the child out of the

family means that the child has actually just moved somewhere else within the wider family network. Consequently the children are adopted out to aunts, uncles, cousins, nephews, nieces, second cousins and also sometimes to close family friends who are treated as though they are kin. The purpose of adoption, as stated earlier, is not just to provide the recipient family with a child, but also to strengthen or to create new bonds between the adults concerned.

Another frequent form of adoption in the Torres Strait is that of grandparents caring for their grandchildren. It is quite common for a young woman to have one or two children prior to settling into a permanent relationship and to have those children adopted by her mother or aunts.

The author's initial interest in the adoption practice of Torres Strait Islanders was focussed on trying to understand the nature of the relationship that exists between the family who become the 'adoptive parents' and the family who have given up the child, the biological parents.

There was further interest in the child's understanding of where he or she belongs, as adoption of children in the Torres Strait is so widespread that as children become older they are either told or otherwise become aware of their adoption. Telling a child of his/her adoption was not a common practice twenty years ago as it was considered it would be harmful for a child to be given this information while in his/her vulnerable years. Consequently it was considered better for a child to find out about the adoption during adolescence where the emotional capacity to deal with it is better developed. Islanders state that nowadays children are still generally not told of their adoption but there is not quite the same secrecy as there was previously.

### Relevance to developments in western adoption

For the purpose of this article, 'western adoption' is discussed with particular reference to the legislation in Victoria which, due to the Adoption Act 1984, differs from other States in that for the first time, birth parents have a legal right of access to their children after an adoption order is made. The Victorian Adoption Act ensured that this right of access and information exchange was enforceable by having it recorded legally as part of the adoption order. This right of access and information exchange was also given to extended family members, with birth parents being able to nominate which of their relatives they would like to have contact with the child they have adopted out.

Once this legislation was passed in Victoria, social workers set about trying to develop practice which reflected the spirit of the legislation. A working relationship was needed between the birth parents, the birth parents' extended family, the adoptive parents and sometimes the extended family of the adoptive parents. Modifications were made to the process of how adoptive parents were chosen in Victoria, with birth parents choosing which adoptive couple they thought were the most suitable for their child after viewing photographs and written profiles of the prospective families.

For Torres Strait Islanders, the principles which underlie the changes which Victoria is struggling to achieve, are deeply embedded in their culture. Social workers and some existing and potential adoptive parents in Victoria were concerned that the development of this 'relationship' between the two sets of parents was too artificial and may not be sustainable. In Torres Strait Island society, a major purpose of an adoption is to develop and sustain the relationship between the adult parties. The arrangement in relation to the child is seen not only as a process which gives joy to the receiving parents but also as a process which benefits both families and Torres Strait society as a whole.

*In Torres Strait Island society, a major purpose of adoption is to develop and sustain a relationship between two adult parties.*

In Victoria, the opening up of adoption practice was not intended to have such a major impact on society. It was considered that children should have the right to know their origins, their birth parents, and birth extended families.

The consideration of the best interest of the child has always been the main purpose of adoption and adoption legislation in the West. Torres Strait Islanders also consider that their practice is in the best interest of the child, but within the context of the best interests of the Torres Strait Island society as a whole, including the needs of the adult parties. This theme of separating the child's best interests from the interests of the wider family system has been raised previously by this journal. (Ban: 1992)

### New Zealand Family Group Conferences

The issue of the 'best interest of the child' in relation to the wider family is a major factor in the family decision-making process in operation in New Zealand which was heavily

influenced by Maori culture. This process and Family Group Conferences which arose from the passing of the Children, Young Persons and their Families Act in 1989 have been referred to and critiqued in several recent articles (Barbour 1992, Maxwell & Morris 1992, Ban 1993).

The New Zealand legislation provides for family group conferences to occur and defines the process by which they are to be conducted. In essence, where a child has been removed from the family, or where such action is being considered due to protective concerns, the workers involved try to contact as many members of the extended family network as possible, inform them of the concerns and current situation regarding the child, and encourage them to come along to a family group conference at which they can all participate in planning the best future placement option to ensure the child's safety.

Once all the family members are gathered together (in New Zealand this usually numbers between six and twelve) workers contribute their specific knowledge and expertise to assist the family to consider all the issues and reach a conclusion which is in the child's best interest.

As stated previously, this current practice in New Zealand, which applies to all families, originated from the Government's consideration of a Maori perspective to family participation in decision making for children who have been abused or neglected by part of the family system. The Maori solution to such problems is based on the belief that the interests of a child can best be met by the wider family system being informed of the concerns and participating in finding solutions for that child. But with the professionalisation of welfare services, the impact of the welfare system on the Maori community meant that the Maori people increasingly found that it was professionals who were making decisions on their behalf, and consultation with the family system was becoming very rare.

Thus the new child welfare legislation and the associated practice framework for social workers in New Zealand has been largely influenced by draw-

ing on the natural planning processes of indigenous people. It is unusual for a Western government to not only listen to its indigenous people and their solutions, but to then follow through with legislation which enshrines aspects of indigenous practice.

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The family decision making process and family group conferences draw on the belief that the best interests of the child are viewed within the context of how the child is positioned within his or her extended family. The participation of the extended family in planning for the child is integral to the survival of the identity of the child and the belief is that only those with a long term vested interest in the outcome for the child will participate wholeheartedly.

### Limitations to the influence

Experience with Torres Strait Islander traditional adoption, open adoption practice in Victoria and the past three years of family group conferences in New Zealand for both Maori and non-Maori families has shown that there are limitations when comparing the practices of indigenous cultures with societies such as Australia and New Zealand which have fragmented views of family and identity.

The notion of 'family' and 'extended family' in Australian and New Zealand society is considerably different to the notions of family as defined by Torres Strait Islanders and Maoris. Torres Strait Islander and Maori people have a far superior extended family network system, and their sense of identity as to who they are as a people, of belonging and of their

place in the world in which they live are all things that we as non-indigenous people have to some extent lost.

As stated earlier, there are issues of limitations in imposing an indigenous model of planning for children who have been abused or neglected, or a model of traditional adoption from an indigenous group onto Western society. However it is ironic that for years social workers have had no difficulty in imposing their view of family and solutions to social problems onto indigenous people. This has extended in the past to wanting to remove the children of indigenous parents in the hope that the children would have a better chance of becoming assimilated.

### Conclusion

Social workers have for many years proceeded along an assimilationist path when dealing with indigenous people. The practice of extermination of indigenous people and then of protectionism preceded white child welfare practice and the professional expertise that social workers have acquired since social work degrees have been part of modern day training. However, the practice of assimilation of indigenous people into white society has certainly been part of the era of modern day social work and this assimilation has not met with success.

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The current way of dealing with indigenous people is to allow them to run their own child welfare services, to give them minimal resources to do so and to cut indigenous services adrift from mainstream child welfare services. Consequently white social workers do not have to come to terms

with the issues facing indigenous child welfare problems because they can state 'well, it's an indigenous person, so they can go to their indigenous agency - it's got nothing to do with us'. The ownership and management by indigenous people of indigenous child welfare services is essential for identity and accessibility of services. However the negative impact has been that white social workers have been able to shield themselves from both the real issues facing indigenous people in the family and child welfare field and also from the creative solutions that indigenous people have to problems facing all families in the latter half of the twentieth Century.

This article outlines two areas of practice which occur in indigenous societies, the traditional adoption of Torres Strait Islanders and family group conferencing and family decision making inspired by Maori influences. These two areas of practice show white social workers that indigenous people can broaden the horizons in finding solutions to the social problems which result from the fragmentation and alienation of Western Society. ♦

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