

Aboriginal and Torres Strait Islander readers are warned that this thesis may contain images of deceased people

**BEYOND STRUCTURE: AN INVESTIGATION OF AGENCY  
WITHIN ABORIGINAL COMMUNITIES IN THE CASE  
OF CHILD REMOVALS**

**Toni Susan McPherson Dip. Aboriginal Studies (Western Sydney);  
Bachelor of Politics and Government (Hons) (Brisbane)**

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### **Statement of originality**

I hereby certify that the work embodied in the thesis is my own work, conducted under normal supervision. The thesis contains no material which has been accepted, or is being examined, for the award of any other degree or diploma in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made. I give consent to the final version of my thesis being made available worldwide when deposited in the University's Digital Repository, subject to the provisions of the Copyright Act 1968 and any approved embargo.

Signature: \_\_\_\_\_

Toni McPherson

Date: \_\_\_\_\_

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## **Dedication**

This thesis is dedicated to the grannies, those with us and for those we are still calling home:

*Wehga wehga mullil, jubbum jubbum ngyu, wehga wehga mullil, jubbum jubbum ngyu.*

“This song is about calling the children home” (Watson 2005, p. 11)

## **Abstract**

In the post-Apology era, Aboriginal communities and governments struggle to mitigate Aboriginal child removals. Despite concerted efforts, Aboriginal children are, at escalating rates, overrepresented at all stages of the child removal continuum. Government documents suggest implementing an integrated governance model as a solution, but no alternative to integrating Aboriginal families into the child protection system currently exists. To fill this gap, this thesis examines Aboriginal child removals from Aboriginal family perspectives, that is, the views of those with experience of the system, in order to understand the potential role of an alternative to removals.

To do so, this thesis explores Australian child removals and sociologically analyses the actions and agency of Aboriginal groups interacting with statutory child protection systems. This topic is sensitive, complex, and longstanding, and thus required an Indigenist theoretical framework in order to articulate a perspective inclusive of the experiences of those most affected by child removal practices. Thus, undertaking an ethnography was critical to gaining an understanding of the perspectives of Aboriginal families on child removals, their relationships with child safety departments and how Aboriginal people raise children and support families, particularly those dealing with child protection matters. Examining different cases of child removals, this thesis analyses policy and literature sources and in-depth interviews with participants. The major finding is that the dominant and historical structures underpinning the child protection system produce and reproduce the system's structural features and problems across time and space, limiting the part that models of Aboriginal family support could play in mitigating removals.

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## Glossary of terms

Aboriginal	The first peoples connected to the lands and waters of what is now known as Australia from before colonisation.
Aboriginal family	An Aboriginal family is much broader than the nuclear family norm of modern societies. Aboriginal family reflects a complex and dynamic system of kin (blood and classificatory), or extended family, a structure not captured by existing dominant definitions of family (Lohoar et al. 2014).
Aboriginal family view	The views or perspectives of Aboriginal family members based on their articulation of their observations and reasons for those actions.
Aboriginal family support structures	Forms of support that Aboriginal families provide to members of their family, community, society.
Agency	The capacity of individuals (agents) to "observe their own experience and then be able to provide reasons for their actions" (Giddens & Sutton 2013, p. 2). Agency is also the capacity of individuals to change and reshape social structures. Structure and agency are necessarily interrelated and continuously interplay. "People actively make and remake social structure during the course of their day" (Giddens & Sutton 2013, p. 89).
Autonomy	Self-governance or governing of own affairs (O'Faircheallaigh 2018).

Child protection	A form of welfare that safeguards children from abuse, violence, neglect, and exploitation (all forms of harm) so that they may survive, thrive and reach their full human potential.
Child removals	Statutory separation or displacement of a child from their family (usually parents or family of origin).
Family	The primary institution of society with multiple forms, both a structure and a way of living and thinking.
Governance	System of structures of authority used to conduct political affairs of states, organisations or people.
Governance (Aboriginal/Indigenous)	Sometimes defined as community-led governance, a complex system of socio-political rules and institutions both found informally and formally that Aboriginal society use to organize themselves around relationships, decision-making, resolving conflict and group identification.
Governance (Integrated)	A governance arrangement that takes the form of a respectful negotiated relationship between Aboriginal stakeholders and the child protection department in each state.
Grannies	Grandchildren: relatives of either sex of someone's grandchildren's generation or grandparents' generation. "This term is a transference to English of the cyclical nature of Aboriginal generational naming patterns, where the same kinship categories could occur in alternate generations" (Arthur 1996, p. 78). This thesis used the term in ways that may seem confusing at first until the reader becomes more acquainted with the ways of thinking and doing and the overriding belief in

	the interrelatedness of all beings and things permeating this contemporary story of Aboriginal child removals.
Indigenous	Original peoples, inhabitants connected to lands and particular places around the world.
Indigenist	Research paradigm informed by Indigenous philosophies.
Murri	“An Aboriginal person from southern Queensland or northern New South Wales; the Aboriginal people of an area” (Arthur 1996, p. 237).
Place	A simple yet complex construct with many meanings including temporal, spatial and territorial, physical, metaphysical and intellectual.
Structuration	Process describing social change and continuity at the heart of sociological debates over the influence of structure and agency on human behaviours.
Structure	Social <i>structure</i> is the rules and resources or processes, recursively implicated in the reproduction of social systems
Structures	“Rule-resource sets involved in the institutional articulation of social systems” (Giddens 1984, p. 377).
Torres Strait Islander	First Peoples connected to the lands that are now known as the Torres Strait and who have connections to the land of Papua New Guinea as well as Australia.

## **List of acronyms**

ABS	Australian Bureau of Statistics
AICCA	Aboriginal and Islander Child Care Agency
ATSICPP	Aboriginal and Torres Strait Islander Child Placement Principle
BTHR	Bringing Them Home Report
COAG	Council of Australian Governments
CSO	Child Safety Officer
DCS	Queensland Department of Child Safety, Youth and Women
FGMF	Family Group Meeting Facilitator
GIGM	Glocal Integrated Governance Mode
HREOC	Human Rights and Equal Opportunity Commission
ICSO	Indigenous Child Safety Officer
ICWA	Indian Child Welfare Act (1978)
IP	Independent Person
IR	Indigenous Region
LTGO	Long-term Guardianship Order
NAIDOC	National Aboriginal and Islander Day of Commemoration
NFPAC	National Framework for Protecting Australia's Children
NGO	Non-government Organisation

OOHC	Out-of-Home-Care
PCO	Permanent Care Order
QATSICPP	Queensland Aboriginal and Torres Strait Islander Child Protection Peak
RE	Recognised Entity
RCIADIC	Royal Commission into Aboriginal Deaths in Custody
SFBT	Solution Focused Brief Therapy
SNAICC	Secretariat of National Aboriginal and Islander Child Care
SoS	Signs of Safety
TO	Traditional Owner