

ADOPTION DOES NOT CREATE A STOLEN GENERATION

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Whiteman was too frightened but the NT Chief Minister is doing the right thing

THREE cheers for Adam Giles, the Northern Territory Chief Minister, who last week vowed that, if necessary, he would remove neglected Aboriginal children from their parents and place them in adoptive homes.

Of course there will be a chorus keen to do the Whiteman in the eye over the so-called Stolen Generations. But they can't do Giles in the eye. He is Aboriginal. And he won't play the Aboriginal leader's "moral superiority" game.

When asked on March 14 by the ABC's Leigh Sales in his first interview as leader, "You're the first indigenous head of government in Australian history. How do you intend to use that status?" Giles replied, "I won't."

Sales tried another tack. "Will you be campaigning on indigenous issues? Do you intend to try to bring any focus to those sorts of areas?"

Giles replied, "Indigenous affairs has always been a passion of mine, but I've never declared myself as an indigenous politician."

Focus is not what Aboriginal policies require. Goodness knows there has been nothing but focus for 40 years. Focus is code for pay more. Aboriginal children need to be saved. Present policies will not save them. Only a new direction will. Giles lives and breathes life into that new direction. The spirit of liberalism, a liberalism that harks back to Paul Hasluck, and the fight for Aboriginal equality that characterised the 1967 referendum.

Giles made a stunning point about adoption. He said, "You mean to tell me when we've got all these alleged cases of chronic child sexual abuse, children running around on petrol, going on the streets at night sexualising themselves in some circumstances, and there's only one permanent adoption, for fear of Stolen Generation? That is not standing up for kids."

How right he is. But there are serious consequences if he wants to keep to the path of saving children from their own. An entire industry built on collective identity and collective solutions will feel as if their time is up. And so it is.

When Labor is flung from office, the Liberals will have to step in. Not with a polite marketing difference but with a bold statement of what is right and what is wrong.

The first place they need to look is racist legislation. The Northern Territory Adoption of Children Act, section 11, states: "Where an order for the adoption of an Aboriginal child is to be made, the court shall satisfy itself that every effort has been made to arrange appropriate custody within the child's extended family, or with Aboriginal people who have the correct relationship with the child in accordance with Aboriginal customary law."

Where it is not possible the court "shall give preference to the adoption of the child by applicants one or both of whom are Aboriginal persons" or "facilitate the maintenance of contact between the child and its own kin and with its own culture."

This act, and a whole load of attitude behind it, is racist. It is the reason only one child has been adopted. There should be one single measure of good: "the best interests of the child".

Indeed, the concept is written into the Territory Care and Protection of Children Act, affecting non-adoption matters. Section 10 states: "When a decision involving a child is made, the best interests of the child are the paramount concern."

The trouble is that a further section takes precedence. Section 12 sets out the principles "that should be upheld in the placement of Aboriginal children". Section 12 states that "Kinship groups, representative organisations and communities of Aboriginal people have a major role, through self-determination, in promoting the wellbeing of Aboriginal children" and "an Aboriginal child should be placed with a person in the following order of priority: a member of the child's family, an Aboriginal person in the child's community, any other Aboriginal person".

What if the culture, that is, bad behaviour, is the problem? Howard Bath, the Northern Territory Children's Commissioner, reported last week on the dire state of Aboriginal care and protection. His preferred solution is more money for services. Bath reported on these matters in the same terms in 2007. How many more times should this game be played? There is no more money. Labor has spent it.

Australia is dealing with a failed experiment where people have been excluded from the healthy part of society, initially through prejudice and then through ideology. The result is entire regions and families are destroying each other. No amount of new services will fix that.

Giles should not fall for the old public service trick of employing more public servants. It's a comfortable life for some and a death sentence for others.

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