

Exploring the rights of the Aboriginal & Torres Strait Islander infants to breastfeed in the context of child protection: A restorative approach



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Ethics approval #12010



(Photo: k-girl, Flickr)

Acknowledgment of Country

Aboriginal and Torres Strait Islander Peoples



(Horton, 1996)

Aims and objectives of the research



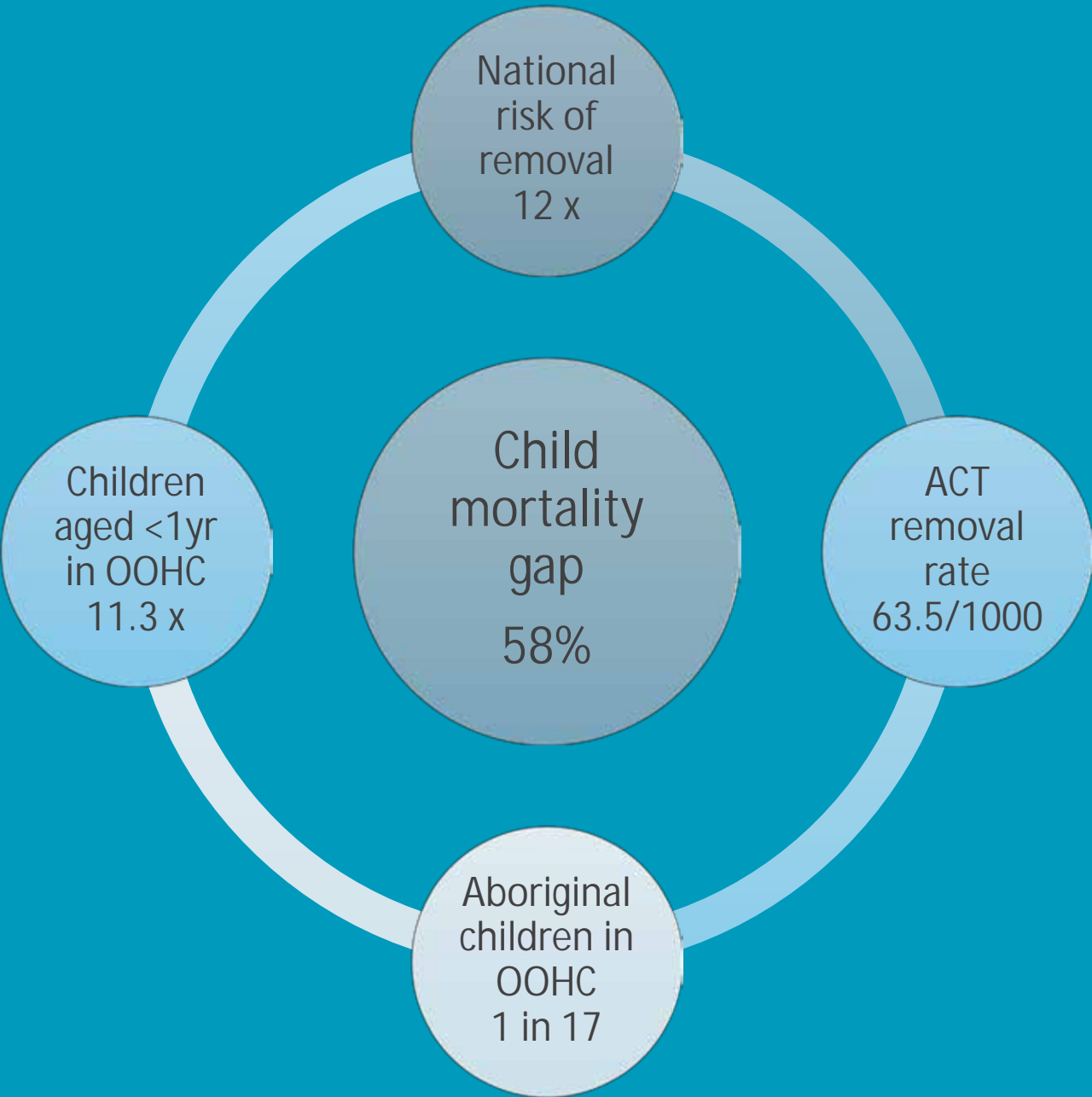
(VACCHO, 2016)

Aims: To 'close the gap' in the health and equity of Aboriginal and Torres Strait Islander people. By gaining an understanding of the impact on the health of Aboriginal and Torres Strait Islander children, families, and communities when the child is removed and the right to breastfeed is lost.

Objectives:

Determine the impact on the health of Aboriginal & Torres Strait Islander children and families when the child is removed from the mother's care at breastfeeding age.

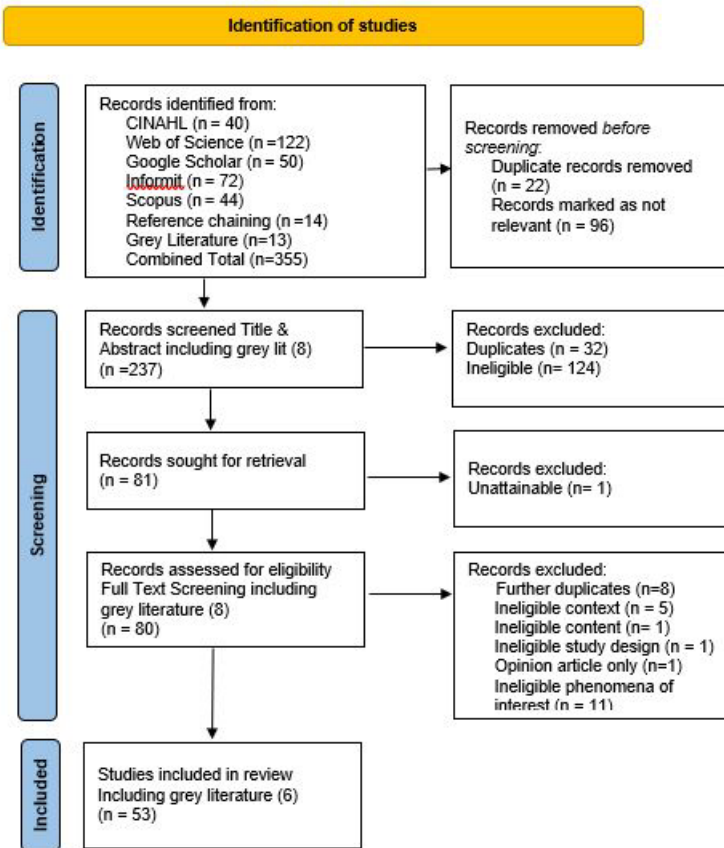
Develop strategies to keep mother and child connected, while supporting the right to breastfeed.



The current issue


(AIHW, 2022a;2022b)

Scoping Literature Review



What is the evidence for the use of restorative practice to protect the human rights of infants when at risk of being removed from the care of their parents, to care that supports health and wellbeing in early childhood and beyond?

Unveiling injustice: Disrupting child removal policies and upholding breastfeeding: An emancipatory framework

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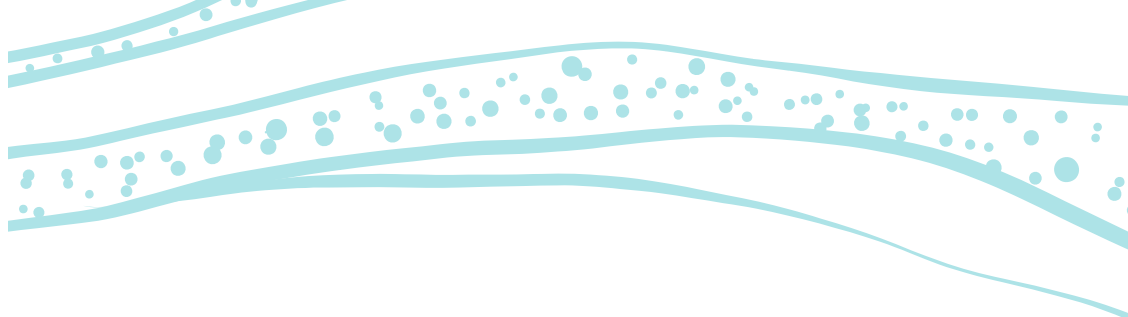
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Abstract

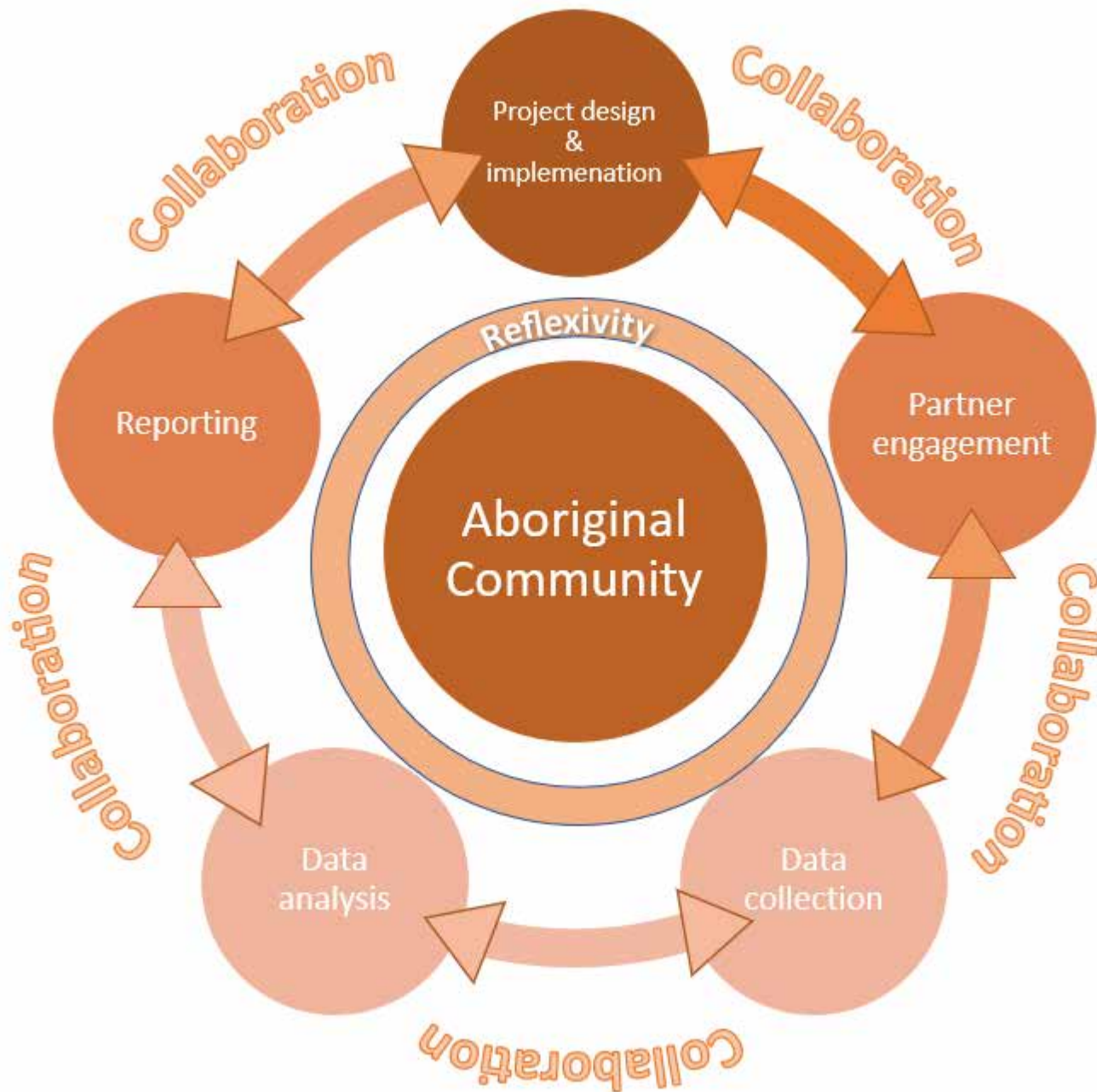
Before colonization, Aboriginal and Torres Strait Islander communities had nurturing, holistic, and communitarian approaches that promoted extended and healthy lives for their children. Colonization, marked by policies of genocide and assimilation, has resulted in an alarming overrepresentation of Aboriginal and Torres Strait Islander children under the care of child protection agencies, resulting in compromised health outcomes and reduced life expectancies. We are conducting a study designed to enhance positive developmental outcomes for Aboriginal and Torres Strait Islander children by articulating and enabling the rights of mothers and children to breastfeed in the context of a child protection intervention and child removal. To understand and address this problem, it is critical to implement culturally safe, de-colonized, emancipatory research that is guided by and benefits Aboriginal and Torres Strait Islander communities. This article presents an emancipatory framework that we are applying to our study using an Aboriginal participatory action research approach, that serves as a guide for non-Indigenous researchers seeking to conduct research with Indigenous communities. We emphasize the importance of incorporating an Aboriginal participatory action research framework, using community consultation and codesign; culturally secure data collection methods, and paying attention to Indigenous data sovereignty. Developing trusting respectful relationships is conducive to knowledge acquisition, exchange, and use, when research approaches deeply rooted in community involvement are applied. A call to action by the critical midwifery studies collective, urges non-Indigenous researchers to become accountable allies that demonstrates respect for community leadership while actively striving to ensure research does not perpetuate further harm, and produces effective change. This article provides an overview of ways to conduct ethical emancipatory research with Indigenous participants, that is, of benefit to midwifery practitioners and is applicable to many areas of research, policy, and practice.

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Step 1- Project design & Implementation.

Identify research topic, questions and goal

Step 2- Partner engagement

Identify research partners and invite them to collaborate

Step 3- Data Collection

Choose & implement the research & data collection methodology

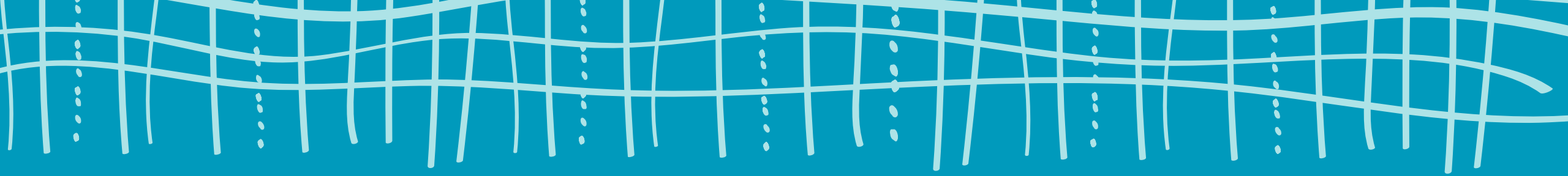
Step 4- Data Analysis

Choose analysis method, analyse and cross check with partners & participants

Step 5- Reporting

Disseminate the results as defined by the community

Constant collaboration and reflexivity with the Aboriginal Community at the centre of the research.



YARNS UNDERWAY- EARLY FINDINGS



Coercive Control of Breastfeeding

“I was allowed to continue breastfeeding [baby], but not at his times...I mean you try breastfeeding a child at 11 in the morning when he’s used to having a breastfeed at night...”

- Carla*

“I heard them saying, out the back where they take the breastmilk, that they were going to tip the milk out because it wasn’t safe. I wished they would have just tested it.”

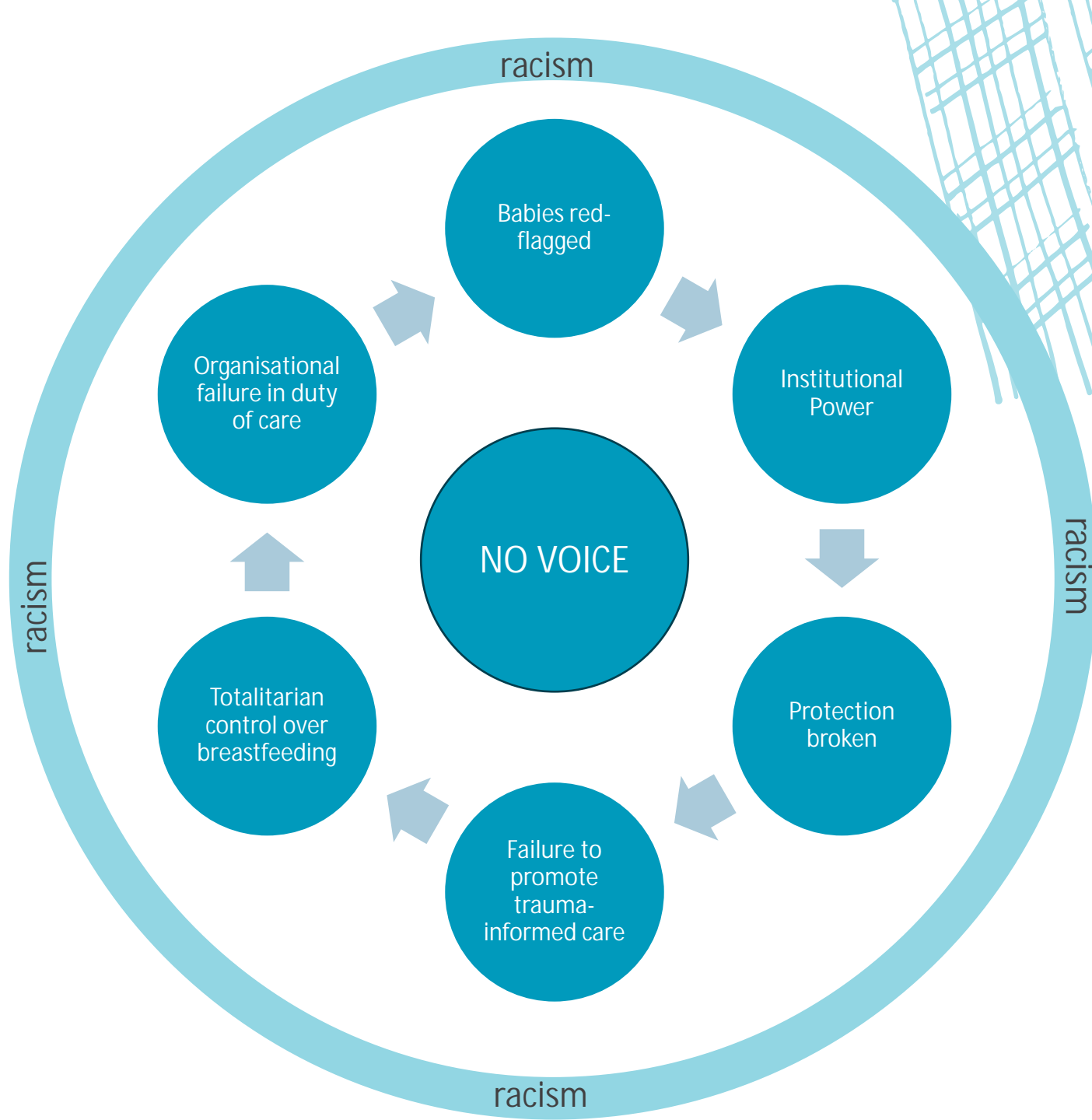
-Shannon*



INTERGENERATIONAL CYCLE

“...because of me being in this like in the system...my oldest...when they found out she was pregnant...they only intervened originally because of that reason”

- Bundjalung woman, speaking of her eldest daughter



Are midwives complicit
in creating harm to
infants, mothers, and
families due to failure
to provide duty of
care?



(Dragon, 2019)

“THERE IS A MOMENT WHERE YOU HAVE TO
CHOOSE WHETHER TO BE SILENT OR STAND UP”

- Malala Yousafzai



(GMAR members 2016)

STAND UP



UNIVERSITY OF CANBERRA

The University of Canberra acknowledges the Ngunnawal people, traditional custodians of the lands where Bruce Campus is situated. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of Canberra and the region. We also acknowledge all other First Nations Peoples on whose lands we gather.

References

- Aitchison, R. (2013). *Prepared for difference? Exploring child protection practice with Aboriginal and Torres Strait Islander families in rural Australia*
- Ashley, R., Goodarzi, B., Horn, A., de Klerk, H., Ku, S. E., Marcus, J. K., Mayra, K., Mohamied, F., Nayiga, H., Sharma, P., Udho, S., Vijber, M. R., & van der Waal, R. (2022). A call for critical midwifery studies: Confronting systemic injustice in sexual, reproductive, maternal, and newborn care: Critical Midwifery Collective Writing Group. *Birth*, 49(3), 355-359. <https://doi.org/10.1111/birt.12661>
- Australian Bureau of Statistics. (2019). *National Aboriginal and Torres Strait Islander Health Survey 2018-19*. Australian Bureau of Statistics. <https://www.abs.gov.au/statistics/people/aboriginal-and-torres-strait-islander-peoples/national-aboriginal-and-torres-strait-islander-health-survey/2018-19>
- Australian Institute of Health and Welfare. (2014). *Type 2 diabetes in Australia's children and young people: a working paper*. (Cat. no. CVD 64.). *Diabetes Series no. 21*.
- Australian Institute of Health and Welfare. (2022a). *Australian Burden of Disease Study: impact and causes of illness and death in Aboriginal and Torres Strait Islander people 2018 - Summary report Cat. no. BOD 33*. AIHW.
- Australian Institute of Health and Welfare. (2024). *Child protection Australia 2022-23 supplementary data tables (Cat No. CWS 95)*.
- Australian Institute of Health and Welfare. (2024). *Aboriginal and Torres Strait Islander health performance framework: summary report August 2024*. AIHW. Retrieved 5 November 2024 from <https://www.indigenoushpf.gov.au/report-overview/overview/summary-report>
- Australian Human Rights Commission (n.d.). *Angela-P and Baby* [online image]. Retrieved from <https://humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/projects/close-gap-indigenous-health>.
- Bernardo, H., Cesar, V., & World Health Organization. (2013). Long-term effects of breastfeeding: a systematic review.
- Brahm, P., & Valdes, V. (2017). Benefits of breastfeeding and risks associated with not breastfeeding. *Rev Chil Pediatr*, 88(1), 15-21. <https://doi.org/10.4067/S0370-41062017000100001>
- Brennan-Jones, C. G., Eikelboom, R. H., Jacques, A., Swanepoel, D., Atlas, M. D., Whitehouse, A. J. O., Jamieson, S. E., & Oddy, W. H. (2017). Protective benefit of predominant breastfeeding against otitis media may be limited to early childhood: results from a prospective birth cohort study. *Clinical Otolaryngology*, 42(1), 29-37. <https://doi.org/https://doi.org/10.1111/coa.12652>
- Burns, J. C., Cooke, D. Y., & Schweidler, C. (2011). *A short guide to community based participatory action research*. *Advancement Project*. <https://hc-v6-static.s3.amazonaws.com/media/resources/tmp/cbpar.pdf>
- Dragon, N. (2019) *Birthing on Country: Improving Aboriginal & Torres Strait Islander infant and maternal health* [Online Image]. <https://anmj.org.au/birthing-on-country-improving-indigenous-health>
- Dudgeon, P., Bray, A., Darlaston-Jones, D., & Walker, R. (2020). Aboriginal participatory action research: An Indigenous research methodology strengthening decolonisation and social and emotional wellbeing, discussion paper. <https://doi.org/DOI:10.48455/smch-8z25>
- Funston, L., Herring, S. & ACMAG. (2016). When Will the Stolen Generations End? A Qualitative Critical Exploration of Contemporary 'Child Protection' Practices in Aboriginal and Torres Strait Islander Communities. *Sexual Abuse in Australia and New Zealand*, 7(1), 51-58.
- Gray, M. A., & Opreescu, F. I. (2016). Role of non-Indigenous researchers in Indigenous health research in Australia: a review of the literature. *Australian Health Review*, 40(4), 459-465. <https://doi.org/10.1071/AH15103>
- Guba, E., & Lincoln, Y. S. (2005). Paradigmatic controversies and emerging confluences. In N. K. Denzin & Y. S. Lincoln (Eds.), *The SAGE handbook of qualitative research (3rd ed., pp. 191-216)*. Sage
- Guggenheim, D. (Director). (2015). *He named me Malala* [Documentary]. Fox Searchlight Pictures National Geographic Channel. <https://www.imdb.com/title/tt3065132/>
- Horton, D. R. (1996). *AIATSIS map of Indigenous Australia*. Canberra, Retrieved 5th June 2023 from <https://aiatsis.gov.au/explore/map-indigenous-australia>

References

- International Confederation of Midwives. (2014). *Philosophy and model of midwifery care*. Retrieved 12 September 2022 from <https://www.internationalmidwives.org/assets/files/definitions-files/2018/06/eng-philosophy-and-model-of-midwifery-care.pdf>
- Iwama, M., Marshall, M., Marshall, A., & Bartlett, C. (2009). Two-eyed seeing and the language of healing in community-based research. *Canadian Journal of Native Education*, 32(2), 3-23. <https://www.proquest.com/docview/756676629/fulltextPDF/94BF849056D24C8APQ/1?accountid=28889>
- Maiam nayri Wingara Indigenous Data Sovereignty Collective, & Australian Indigenous Governance Institute. (2018). Indigenous Data Sovereignty Communique. Indigenous Data Sovereignty Summit, Canberra, ACT.
- Marmot, M. (2010). *Fair society, healthy lives: The marmot review. [Report]. The Marmot review*. <https://www.instituteofhealthequity.org/resources-reports/fair-society-healthy-lives-the-marmot-review/fair-society-healthy-lives-full-report-pdf.pdf>
- Minkler, M., & Wallerstein, N. e. (2008). *Community-Based Participatory Research for Health: From Process to Outcomes. (2nd ed.)*. Jossey-Bass.
- Moreton-Robinson, A. (2020). *Talkin' up to the white woman: Indigenous women and feminism (2nd ed.)*. University Press.
- Nakata, M. (2007). The Cultural Interface. *The Australian journal of indigenous education*, 36, 7-14. <https://www.proquest.com/docview/2743751187/fulltextPDF/4AA7727568774D6DPO/1?accountid=28889>
- Pyett, P. (2002). Towards reconciliation in Indigenous health research: The responsibilities of the non-Indigenous researcher. *Contemporary nurse : a journal for the Australian nursing profession*, 14(1), 56-65. <https://doi.org/10.5172/conu.14.1.56>
- Queensland Indigenous Family Violence Legal Service. (n.d.). *Aboriginal Teens and Babies* [Online Image]. Retrieved from, <https://qifvls.com.au/>
- Rollins, N. C., Bhandari, N., Hajeebhoy, N., Horton, S., Lutter, C. K., Martines, J. C., Piwoz, E. G., Richter, L. M., & Victora, C. G. (2016). Why invest, and what it will take to improve breastfeeding practices? *The Lancet*, 387(10017), 491-504. [https://doi.org/10.1016/s0140-6736\(15\)01044-2](https://doi.org/10.1016/s0140-6736(15)01044-2)
- Rowe, S., Baldry, E., & Earles, W. (2015). Decolonising Social Work Research: Learning from Critical Indigenous Approaches. *Australian Social Work*, 68(3), 296-308. <https://doi.org/10.1080/0312407x.2015.1024264>
- Ryder, C., Mackean, T., Coombs, J., Williams, H., Hunter, K., Holland, A. J. A., & Ivers, R. Q. (2020). Indigenous research methodology - weaving a research interface. *International journal of social research methodology*, 23(3), 255-267. <https://doi.org/10.1080/13645579.2019.1669923>
- Sharmil, H. et al. (2021). Participatory Action Research-Dadirri-Ganma, using Yarning: methodology co-design with Aboriginal community members. *International journal for equity in health*, 20(1), 1-160. <https://doi.org/10.1186/s12939-021-01493-4>
- Simonds, V. W., & Christopher, S. (2013). Adapting Western research methods to indigenous ways of knowing. *Am J Public Health*, 103(12), 2185-2192. <https://doi.org/10.2105/AJPH.2012.301157>
- Smith, L. T. (2021). *Decolonizing Methodologies: Research and Indigenous peoples (3rd ed.)*. Zed Books.
- Stuebe, A. M., Horton, B. J., Chetwynd, E., Watkins, S., Grewen, K., & Meltzer-Brody, S. (2014). Prevalence and risk factors for early, undesired weaning attributed to lactation dysfunction. *J Womens Health (Larchmt)*, 23(5), 404-412. <https://doi.org/10.1089/jwh.2013.4506>
- The Senior. (2016). *GMAR members* [Online Image]. Retrieved from <https://www.thesenior.com.au/story/5412806/grandmothers-seek-help-for-new-stolen-generations/>
- United Nations. (1989). *Convention on the Rights of the Child*. Retrieved 29 November 2022 from <https://www.ohchr.org/sites/default/files/crc.pdf>
- United Nations. (2015). *Transforming our world: The 2030 agenda for sustainable development (A/RES/70/1)*. United Nations. <https://sdgs.un.org/sites/default/files/publications/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

References

- Victora, C. G., Bahl, R., Barros, A. J. D., França, G. V. A., Horton, S., Krasevec, J., Murch, S., Sankar, M. J., Walker, N., & Rollins, N. C. (2016). Breastfeeding in the 21st century: epidemiology, mechanisms, and lifelong effect. *The Lancet*, 387(10017), 475-490. [https://doi.org/10.1016/s0140-6736\(15\)01024-7](https://doi.org/10.1016/s0140-6736(15)01024-7)
- Victorian Aboriginal Community Controlled Health Organisation. (VACCHO) (2016). *Bonnie Kairouz breastfeeding her daughter Jordie Morgan* [Online image]. Retrieved from <https://www.yumpu.com/en/document/read/55804954/yarning-about-breastfeeding>
- Walking Together Reconciliation Committee (2020). *Australia's First Peoples. Working with Indigenous Australians* First Nations people Aboriginal and Torres Strait Islander people and communities. Retrieved June 5th, 2023, from http://www.workingwithindigenoustralian.info/content/History_2_60,000_years.html
- Wallerstein, N., Duran, B., Oetzel, J. G., & Minkler, M. (2017). On community-based participatory research. In N. Wallerstein, B. Duran, J. G. Oetzel, & M. Minkler (Eds.), *Community-based participatory research for health: Advancing social and health equity* (3rd ed., pp. 3-16). Jossey-Bass.
- Williams, W. (2018). Personal communication on learning and research at the interface. In C. E. Ryder (Ed.), *Aboriginal health education*.
- Wilson, C. M., Nickson, D., Hetrick, C., & Wilson-Clark, D. (2022). "Nothing about us without us": Tending to emancipatory ideologies and transformative goals in participatory action research partnerships. *Qualitative Research*. <https://doi.org/10.1177/14687941221087869>
- World Health Organization. (2018). *Breastfeeding*. Retrieved 29 August from <https://www.who.int/news-room/facts-in-pictures/detail/breastfeeding>
- Worby, G., Rigney, L., & Tur, S. (2006). Where the salt and freshwater meet: Reconciliation and change in education. In G. Worby & L. Rigney (Eds.), *Sharing spaces: Indigenous and non-indigenous responses to story, country and rights* (pp. 418-447). Australian Public Intellectual Network.
- Zodins, J. M., Morley, L., Collings, S., & Russ, E. (2022). Children's rights in adoption from out-of-home care: how well do legislative frameworks accommodate them? *Australian Journal of Human Rights*, 27(2), 293-310. <https://doi.org/10.1080/1323238x.2021.1996759>