

**A decade on from the National Apology- The threat of another Stolen
Generation of Indigenous Australians**

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Abstract

On 13 February 2008, former Australian Prime Minister Kevin Rudd gave a 'National Apology' to the Indigenous peoples of Australia. He promised a future where the historic injustices of the past were not to be repeated. Past legislation had removed mixed race Aboriginal & Torres Strait Islander children from their families and placed them with White Australian families. These children were known as the 'Stolen Generations'. Ten years on from Rudd's 'National Apology', the number of Indigenous children in out of home care (OOHC) is 11 times the number of non-Indigenous children. Some say it is leading to another 'Stolen Generation'.

This dissertation examines why there is this disproportionate number of Indigenous children in OOHC, specifically in the Northern Territory (NT). The current academic literature suggests that colonial legacies are laying the foundations for an intergenerational trauma in Indigenous communities. This can lead to problematic behaviours such as substance abuse and consequently neglect, providing unfit conditions for child upbringing. Much has been written about the issue, but there is a gap in the literature regarding the impact of neoliberalism within the child protection system.

By conducting a critical discourse analysis (CDA) on the neoliberal ideology that prevails throughout government discourse, and using the NT as a specific case study to analyse the implications of neoliberal measures, I will argue that the circumstances created by the emergence of neoliberalism are threatening to create another 'Stolen Generation' of Indigenous Australians.

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List of Abbreviations

ACCOs – Aboriginal Community Controlled Organisations

ATSICPP – Aboriginal & Torres Strait Islander Child Placement Principle

CDA – Critical Discourse Analysis

CSA – Case Study Analysis

CTG – Closing the Gap

LCAS – Little Children Are Sacred

NT – Northern Territory

NTER – Northern Territory Emergency Response

OOHC – Out of Home Care

PCOs – Permanent Care Orders

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1. Introduction

From a period between 1910 and the 1970s, Australian States and Territories had legislation in place to forcibly remove Aboriginal & Torres Strait Islander¹ children of mixed descent from their families and place them in out of home care (OOHC) (HREOC, 1997). Children were placed into different foster homes, missions and institutions across Australia (Douglas & Walsh, 2013). The legislation was influenced by policies of assimilation (Augoustinos et al., 2011). The aim was to indoctrinate mixed race Indigenous children into a 'White Australia' assuming that the full-blood Indigenous population would eventually die out (Fejo-King, 2011, p.130).

It was estimated that between one in three and one in ten Indigenous children were removed during this period (HREOC, 1997). They became known as the 'Stolen Generations' and suffered a life of neglect and abuse (Fejo-King, 2011, p.130). In most cases, these children would never see their families again (Yu, 2019).

Despite reports of trauma and suffering, in the 20 years after this legislation was revoked there was a deafening silence from state, territory and national governments (Haebich, 2011). It was not until 1997 that the Australian Human Rights & Equal Opportunity Commission released the 'Bringing Them Home' report. The report highlighted the pain and struggle that Aboriginal and Torres Strait Islander people endured (HREOC, 1997). It also included a list of recommendations aimed at helping to improve the relationship between Indigenous and non-indigenous Australians. One of the recommendations outlined in the report was a formal apology by all successive state governments, as well as by the National Commonwealth Government of Australia to the first peoples of the nation (HREOC, 1997).

11 years later, a 'National Apology' was finally delivered by Prime Minister Kevin Rudd (Haebich, 2011). He gave a 28-minute speech which included stories from victims as well as announcing a new 'Closing the Gap' (CTG) strategy. This strategy aimed to bridge the gaps between Indigenous and non-indigenous Australians in terms of health, education and employment (Rudd, 2008). Rudd's 'National Apology' to the 'Stolen Generations' expressed heartfelt regret and genuine remorse

¹ Aboriginal' and 'Torres Strait Islander' refers to two groups of people: Aboriginal peoples are the original peoples of mainland Australia, whilst Torres Strait Islander are the original peoples in the 274 islands located north of Australia (Common Ground, 2019). The term 'Indigenous' encapsulates them both. Both 'Aboriginal & Torres Strait Islander' and 'Indigenous' will be used interchangeably throughout the dissertation.

regarding the treatment of Indigenous populations by previous governments. This was considered a “milestone event” in Australia’s national history (Lavarch, 2017, p.2)

More than a decade has now passed since Rudd promised Australia “a future where this Parliament resolves that the injustices of the past must never, never happen again” (Rudd, 2008, p.167). However, the number of Indigenous children in OOHC is 11 times the number of non-indigenous children (AIHW, 2018). Some say it is leading to another ‘Stolen Generation’ (Nogrady, 2019).

I want to research the causes behind the disproportionate number of Indigenous children in OOHC compared to non-indigenous children. Whilst this problem is occurring throughout Australia, I have chosen to specifically examine the Northern Territory (NT) for three reasons:

- Firstly, to enable me to conduct a more thorough examination of the underlying causes of the issue.
- Secondly, the statistics in this region are considerably worse than other states: the rate of Indigenous children in OOHC is 35.6. per 1,000 children, however the rate of non-indigenous children in OOHC is only 3.2 per 1,000 children (AIHW, 2018). Disturbingly, Indigenous children make up 89.3% of the OOHC population in the NT (SNAICC, 2019).
- Finally, the NT has been subjected to significant national government attention for more than a decade. For example, in 2007, the Ampe Akelyernemane Meke Mekarle: Little Children Are Sacred² (LCAS) report was published. This arose from the NT’s Government’s inquiry into the ‘Protection of Indigenous Children from Sexual Abuse’. One week after the release, the Howard-Coalition Government declared the state to be in a “national emergency” and recommended 11 “emergency” measures to be implemented in 73 prescribed areas (Proudfoot & Habibis, 2015, p.171). This controversial intervention was known as the ‘Northern Territory Emergency Response’ (NTER) and required suspending the ‘Racial Discrimination Act 1975’ to prevent litigation that the NTER could be considered racist (Moreton-

² The title “Ampe Akelyernemane Meke Mekarle” is derived from the Arrandic languages of the Central Desert Region of the Northern Territory (Wild & Anderson, 2007).

Robinson, 2009). It is vital to see how a large-scale government intervention affected rates of Indigenous children going into OOHC.

The overrepresentation of Indigenous children in the child protection system is not unique to Australia. Previously colonised nations such as Canada, New Zealand and the United States are all experiencing an overrepresentation in the number of Indigenous children in OOHC (Tilbury, 2009). Additionally, Indigenous children in these countries are often in care for extended periods of time before being reunited with their families, in comparison to non-Indigenous children (Atwool & Fernandez, 2013). It may therefore be relevant to consider this phenomenon on a global level. In recent decades, these countries, as well as Australia, have all seen an emergence of neoliberalism (Pinkerton & Davis, 2015). However the link between this ideology and the child protection system is not yet clear and needs to be explored in greater depth.

This dissertation will therefore aim to consider if neoliberalism has an impact on the rise and re-occurrence of Indigenous children in OOHC. My research question is as follows:

Despite more than a decade passing since former Australian Prime Minister Kevin Rudd gave the 'National Apology' to the 'Stolen Generations', why does the threat of another 'Stolen Generation' still persist in the Northern Territory?

This dissertation will first undergo a review of the current academic literature, examining the reasons for placing Indigenous children in OOHC. Having identified the impact of neoliberalism as a missing link in the literature, I will outline my theoretical framework I will be using to analyse my research question. The methodology will outline the nature of my study and how it is conducted, through methods of critical discourse analysis (CDA) and case study analysis (CSA). The penultimate chapter will then provide my findings and a discussion of how they draw on key elements of neoliberalism, before concluding in my final chapter that the threat of another 'Stolen Generation' continues in the NT because of the persistence of neoliberal governance.

2. Literature Review

The issue of child removal is complex and sensitive. The history of the 'Stolen Generations' means the problem of indigenous child removal is even more complex. There has been a wide range of literature exploring the rationale for placing Indigenous children into OOHC (Cuthbert & Quartly, 2013). Many scholars (Hansen & Ainsworth, 2008; Healy et al., 2011; O'Donnell et al., 2019) suggest the predominant reason is the proportionally high levels of substance abuse and neglect among Indigenous communities, and the fact that Indigenous families are more likely to live in lower socio-economic circumstances (Lavarch, 2017), which can make conditions unfit for child upbringing (Bradt et al., 2015). While I acknowledge that these may ostensibly be the predominant reasons for placing Indigenous children in OOHC, it would be unwise to isolate the two without considering the role of other factors. In this literature review, I will analyse some of the underlying origins of the issues. First, I will explore the 'National Apology' in 2008 and how it created a "de-indigenisation" of child removal. I will then examine the ongoing neglect of indigenous affairs in the social work and political arenas. Finally, I will analyse the colonial legacy and consequent intergenerational trauma that has arisen from the 'Stolen Generations'.

2.1. Political Apologies

According to Augoustinos et al. (2011, p.508) we are living in an "age of apology" whereby we frequently see successive governments demonstrating a will to apologise for historical injustices. Political apologies are often examined by discourse analysis to highlight their impact and symbolism. For example, Augoustinos et al. (2011) explored the ways in which emotion was displayed throughout Rudd's 'National Apology' in 2008. They looked at the way the apology used the collective and first person which appeared to convey a sincere and authentic message.

Hartley et al. (2013) supported this argument, showing how the emotive language impacted the Australian nation. Through quantitative analysis, Hartley et al. (2013) expanded the debate to evidence how emotive language impacts public reception. For example, proceeding the 'National Apology', public support for the gesture increased by 19%, and opposition figures approximately halved. Hartley et al. (2013,

p.249) determined this transformation in public opinion arose because of the “symbolic impact” of the apology.

However, the ‘symbolic’ aspect of political apologies has been questioned. Although Hartley et al. (2013) acknowledge the apology’s significance in impacting public opinion, they argue that its symbolism was undermined by the lack of compensation. Engerman (2009) disputes this argument by suggesting that an apology with compensation would serve more as a material conciliation and that an apology can be a symbolic action exclusively through words. There is evidently a clear divide between the notion of apologising being literal or material. Engerman (2009) presents a valuable argument saying an apology is more of a verbal action and if it were to provide compensation it would detract from its emotive meaning. However, it is important to recognise that after a long history of trauma and the recommendations of providing reparations in the ‘Bringing Them Home’ report (HREOC, 1997), it is not naive for those affected to expect something material from the ‘National Apology’.

Cuthbert and Quartly (2013) offer a convincing argument suggesting that the ‘National Apology’ became an opportunity for the government to monopolise their attention solely on the ‘Stolen Generations’, as one of the only problems that Indigenous communities faced. After the real life stories of the horrors from the ‘Stolen Generations’ were published in the ‘Bringing Them Home Report’, the issue of the ‘Stolen Generations’ started to gain momentum in the Australian political sphere. The former Australian Prime Minister Paul Keating openly discussed the issue with the Australian public by asking them “How would I feel if this were done to me?” (Keating, 1992 cited in Cuthbert & Quartly, 2013, p181). This empathetic question framed child removal as an explicitly indigenous experience, rather than one that occurs in all societies. Cuthbert & Quartly (2013, p.197) suggest the problem of child removal became “indigenised”.

However, the close attention paid to child removal and the history of the ‘Stolen Generations’ also created a new political space for non-indigenous Australians to vocalise their similar experiences of child removal. This shifted the ‘victim’ of the problem and lessened political attention being paid to Indigenous communities; which Curthbert & Quartly (2013, p.185) coined as the “de-indigenisation” of child

removal politics. Not only did this remove the significance and legacy of such a tragic event in indigenous history, but it may be linked to why removal rates continue to be so high.

2.2. Neglecting and “forgetting” indigenous affairs

Scholars (McMahon, 2002; Yu, 2019) have found that there tends to be a complete lack of acknowledgment of indigenous affairs by not only the government, but in other sectors. Yu (2019) analyses the literature written on social work during 1948-1970, the most active years of the ‘Stolen Generation’ period, and highlights the significant absence of work covering indigenous affairs. Between 1948-1970, Yu (2019) points out that in the ‘Australian Association of Social Workers Journal’, only 3 out of 331 articles were about Indigenous children. Out of these three, only one (Gale, 1968) explicitly wrote about relocating Indigenous children in places other than their native communities. This evidence demonstrates how there was a clear neglect of indigenous issues within the social work profession.

There was one article published about adoption by Vaughan (1967). Although this paper did not explicitly talk about ‘Indigenous children’, it made reference to a child with a “mixed racial background” when discussing the common problems for “hard to place children” in adoption (Vaughan, 1967, p.23). From this language, it can be inferred that the article is talking about mixed race Aboriginal children and categorised them as problematic. Even in the few cases where Indigenous children were indirectly discussed, such as Vaughan’s (1963) case, it was in a negative light. This helps to explain why the ‘Stolen Generation’ occurred over such an extended time frame.

From Yu’s (2019) analysis we can see that there has already been a history of neglecting indigenous issues in social work academia. However the study conducted by Yu (2019) focused solely on one academic peer reviewed journal and ignored textbooks or other grey literature that could have been examined. This weakens Yu’s (2019) conclusion that indigenous issues were neglected. Having said this, the time period under examination included the results of the 1967 referendum, that amended the constitution to allow Indigenous Australians greater rights and to be included in the national consensus (Attwood & Markus, 1998). However, there was still no initial impact on publications.

The lack of acknowledgment of indigenous affairs in a political context is supported by Haebich (2011). They suggest there has been a “denial” and “forgetfulness” that there has ever been a ‘Stolen Generation’ and concludes that cases of child removal blow up in the media only to drift back into silence (Haebich, 2011, p.1034). The ‘National Apology’ could be seen as an example of this, where child removal was at the forefront of policy issues, only then to be ‘resolved’ and never mentioned again.

Lavarch (2017) similarly argues there is a serious lack of awareness of the problem of indigenous child removal. The ‘road-map’ to start tackling indigenous issues in Australian society, that Rudd introduced as part of his ‘National Apology’, was the ‘Closing the Gap’ (CTG) Strategy; but year on year there is little progress to be reported in gaps between health, education and employment. However, what Lavarch (2017) criticises heavily is, despite this strategy being introduced in light of the ‘Stolen Generations’, there is no target to tackle the gap in child removal between Indigenous and non-indigenous communities. Lavarch (2017) firmly argues for the introduction of a target to halve the rate of Indigenous children being in OOHC. Lavarch’s (2017) argument clearly shows the government’s neglect of child removal as an indigenous issue on the political agenda.

2.3. Colonial Legacies and Intergenerational Trauma

The legacy of colonisation, having individual autonomy and freedom stripped away, is reflected in the child protection services. Nakata et al. (2008) state that, due to their previous trauma, Indigenous Australians do not have the confidence to respond to child removal interventions or can feel powerless to do so. Therefore, there is a reluctance by Indigenous community members to work with child protection agencies, in becoming foster carers for example (Bromfield et al., 2007). This is detrimental to the effort to reconcile Indigenous and non-indigenous Australians.

Additionally, Douglas & Walsh (2013) suggest that, because of the ‘Stolen Generations’, it is likely that Indigenous Australians are placed under greater watch by authorities. They conclude that the combination of the legacy of past laws and practices, as well as discriminatory imperfections in the child protection system, ensures the rate of indigenous child removal does not fall. O’Donnell et al. (2019) confirm that there are discriminatory imperfections. They discovered that in Western Australia, there were cases of substance abuse in both non-indigenous and

Indigenous households, but there was a higher rate of child removal among the Indigenous households. This demonstrates that intrinsic prejudices target Indigenous families more than non-Indigenous families. However, it is important to highlight that this study is focused in Western Australia and in order for the argument to strengthen, a national study is required.

The colonial legacy contributes to an intergenerational trauma. A number of studies (Ban, 2005; Zubrick et al., 2005; Douglas & Walsh, 2013; Nogrady, 2019; O'Donnell, 2019) look at this topic in great depth. The premise is that the trauma and struggle that the 'Stolen Generations' created, passes down to another generation. Zubrick et al. (2005) discovered that victims of the 'Stolen Generation' who are now parents are more likely to live in houses with greater domestic violence and substance abuse, than households without 'Stolen Generations' victims. These effects then pass down to children living in these households, who are then more likely to have certain behavioural problems and be at risk of substance abuse. Ban (2005) suggests these behavioural problems make for unsafe home environments and so often lead to more child protection interventions. In Douglas & Walsh's (2013) study, the lawyers interviewed suggested that the intergenerational trauma causes a loss of identity. This is due to Indigenous children being placed far away from their communities. This paves the way for another 'Stolen Generation'.

Intergenerational trauma may be exacerbated by placing Indigenous children with caregivers outside of their kin or Indigenous communities. Although O'Donnell et al. (2019) find that nationally 66% of children are placed with immediate relatives/kin, this is simply a national average. The rates in fact vary dramatically state to state, with only 35% of children in the Northern Territory being placed with relatives compared to 81% in New South Wales. This is extremely inconsistent and there is huge variation in child removal among different states. Thus, the problem in the Northern Territory needs greater attention.

O'Donnell et al. (2019) conclude that intergenerational trauma highlights the importance of ensuring that current child removal rates do not reach a level of the period of the 'Stolen Generations'. It adds another element of struggle and grief which families do not need. Removing children from Indigenous families can also damage the connection that child has to their Aboriginal & Torres Strait Islander

culture, adding further grief to families (O'Donnell et al., 2019). However, they also argue that the welfare of a child must not be ignored, and it may be the case that there are serious threats to a child's safety. There is a repeating trade-off between a decision about child welfare and the importance of keeping cultures and identities preserved.

2.4. Conclusions and gaps in the literature

There is a gap in the literature regarding the impact of neoliberalism and westernised culture within the child protection system. Altman (2019) touches on the effect of neoliberalism in reference to the mobility of labour and the gaps between formal and non-formal employment. It is stressed that, since the emergence of neoliberalism in the 1990s, there is a growing expectation that remote-living Indigenous Australians must find mainstream employment. Therefore, by enforcing a free market policy, they will be less dependent on welfare and follow a system of neoliberalism.

This argument can be likened to one of child removal. The government believes placing children into a home that fits the current neoliberal standards of the country, will eventually indoctrinate the Indigenous population into the mainstream way of living, disregarding their culture and history. I want to extend the research of Altman (2019) by using the lens of neoliberalism to analyse the reasons for putting Indigenous children in OOHG. Altman (2019, p.293) states that

“The Australian state is deploying a mix of old colonial and new market mentalities as it looks to recolonise remote Aboriginal spaces”

In this literature review, I have demonstrated that the colonial legacy still lives on, there is a tendency to forget indigenous affairs and that intergenerational trauma is more prevalent than ever. Altman (2019, p.293) has added to the literature by suggesting the state are also deploying “new market mentalities” such as neoliberal policies, to keep their previous colonial control on the Indigenous communities.

In the current literature there has been ongoing analysis of child removal since the apology. Now 10 years have passed since the ‘National Apology’, there is a space to examine, over a specific time frame, exactly what has happened and changed. This issue is fundamentally important, as it reflects an underlying factor behind social

problems in Indigenous communities – the gaps in health, education, and employment. For example, despite the introduction of the CTG strategy in 2008, the employment rate for Indigenous Australians stands at 49%, compared to 75% for non-indigenous Australians in 2018 (Commonwealth of Australia, 2020). Nogrady (2019) suggests that it is a contradiction for governments wanting to address issues like the employment rate when there are unresolved issues, such as child removal, that contribute to these inequalities. I also believe the issue to be highly significant as it demonstrates how history can repeat itself. The academic literature suggests that the intergenerational effect further impacts the reconciliation between Indigenous and non-indigenous Australians.

Examples Provided by JK Essay

3. Theoretical Framework

In developing a theoretical framework, I want to build on Altman's (2019) understanding of neoliberalism. Altman's (2019) research is influenced by Wacquant's (2012) understanding of neoliberalism; as the governing and shaping of populations to conform to the free market, predominately using disciplinary mechanisms. I aim to build on this by discussing some of the key elements of neoliberalism and show how this body of thought has developed over time. I will draw on Wacquant (2012) and other key theorists (Foucault, 1977, 2003; Harvey, 2005; Cahill, 2010) to achieve this. Finally, I will set these neoliberal ideas in the indigenous context so I can map out an analytical lens for approaching my research question.

3.1. Free Market Neoliberalism

Neoliberalism, is a contested topic in the academic literature, meaning it is relatively ill-defined and can lack clarity (Flew, 2014).

The term neoliberalism, ideologically evolved in two distinct periods (Venugopal, 2015). Before the 1970s, neoliberalism was primarily used to describe a category of economic ideas (Venugopal, 2015) deriving from nineteenth century economic liberalism in Manchester (Palley, 2005). These ideas emphasised "laissez faire" economics, the view that the state must retreat in order to efficiently regulate the economy (Cahill, 2010).

It was not until after the 1970s, following the abandonment of Keynesian economic policies, that contemporary neoliberal policies began to emerge (McCarthy & Prudham, 2004). Policies became hostile to a welfare state in order to prevent a dependency culture on government services (Rose & Miller, 1992). Instead, the market was held as the most efficient principle of the allocation of resources (Rose & Miller, 1992), creating individuals as "choice-making citizen-consumers" (Newman & Tonkens, 2011 p.13). In the last few decades, there has been a rise of government policies of privatisation, marketisation and deregulation (Cahill, 2010) in order to promote global competitiveness and integration (Walsh, 2014). For many, (Moody, 1997; Berger, 1999; George, 1999) this process constitutes neoliberalism. The combination of these ideas together with a "retreat" of the state to ensure that the economy is "freed" (Cahill, 2010, pp.299-300), gave rise to the birth of a dominant

ideology of neoliberalism, associated fundamentally with the “free market” (Bruff, 2013, p114).

3.2. ‘Actually Existing Neoliberalism’

Contrasting neoliberal theory with how it is carried out in practice has led scholars to constitute what is known as ‘actually existing neoliberalism’ (Brenner & Theodore, 2002). The free market neoliberal ideology assumes that states and markets are “separate spheres of human activity” (Cahill, 2010, p305). However, in practice, the state is constantly intervening in the market to ensure it flourishes (Brenner & Theodore, 2002). Thus in ‘actually existing neoliberalism’ the normative ideal of the small state is not achieved. In Australia, whilst the government is committed to a smaller state in terms of reducing government expenditure into the economy, this reduction has not actually happened in practice (Berg, 2008). In fact, government expenditure rose from 18.3% of GDP in 1973-74, to 24.4% of GDP in 2007-8 (Cahill, 2010), actually expanding the size of the state.

However, there is not a complete abandonment of other important neoliberal ideals. In Australia, the government is heavily involved with the privatisation and marketisation of everyday life (Cahill, 2010). For instance, the market for childcare is constantly expanding through government subsidies of private providers (Cahill, 2010, p308). Here, the government would appear to be ‘de-regulating’ the market by giving more autonomy to private firms. However, de-regulation can be viewed differently. Braithwaite (2008, p.1) defines ‘regulation’ as “steering the flow of events as opposed to providing and distributing”. Therefore, the government could be seen as regulating the market by “steering” more private providers against each other, to create market competition. Neoliberals would suggest that this is necessary to construct the conditions for the efficient and rational delivery of services (Watson, 2004). Looking at ‘actually existing neoliberalism’ helps to point out the links and discrepancies between theory and practice; how the state does not fully retrench but regulates the market to embrace neoliberal ideology.

3.3. Neoliberalism as a political project

After observing how neoliberalism operates in practice, Overbeek & Van Apeldoorn, (2012, p.5) argue that neoliberalism functions as a “political project to restore

capitalist class power". In other words, neoliberal theory became widespread because the upper classes and ruling elites utilised their power and influence over cultural and state institutions; neoliberal ideas of marketisation and economic freedom started to circulate via universities, schools, churches, and the media (Harvey, 2005, p40). This created a "climate of opinion in support of neoliberalism" where it eventually dominated political party ideologies and ultimately the power of the state (Harvey, 2005, p40). Neoliberalism became a form of governance.

This re-configuration of the state has class-distributional effects. Wacquant (2012, p.73) argues that under neoliberalism, the state transitions to become a "centaur-state". Mythologically, a centaur is half man, half beast. The centaur analogy was used by Gramsci to represent ideas of consent and coercion (Squires & Lea, 2012). Wacquant (2012) explains that at the top (the man) there is a consensual liberal order and 'laissez faire' attitude towards the upper classes and corporations. At the bottom (the beast), the lower classes and marginalised groups receive authoritarian and coercive treatment to comply with government regulations. This preserves a classist order in society.

Fletcher et al. (2016) argue that the idea of the centaur state is epitomised by the existence of conditionality mechanisms in welfare. Government programmes attempt to redress the behaviour of welfare recipients. According to Bielefeld (2016, p.158) "neoliberalism lauds self-reliance as the only rational and moral way of life" meaning that "those relying upon welfare payments are therefore deemed defective by reason of their financial dependence". Therefore, social assistance commonly includes conditionality measures e.g. proof of looking for a job to receive benefits (Wacquant, 2012). Wacquant (2012, p.72) argues that this is a shift from once "protective welfare" to "corrective welfare".

3.4. Disciplinary Neoliberalism

It is evident therefore, that neoliberalism functions as a form of governance, to prioritise the efficiency of the economy, create individuals that are self-reliant, and retain a certain class hierarchy. Neoliberalism also "functions as a disciplinary discourse that shapes policy outcomes, institutions and citizens subjectivities" (Ferguson, 2016, p26). For Wacquant (2012), neoliberalism has become disciplinary through the expansion and marketisation of the penal wing of the state; most

western societies have witnessed their rates of incarceration surge, despite little increase in the crime rate. Wacquant (2012) believes the reasons for this increase are due to the social inequalities that neoliberalism generates. Following the shift to “corrective” welfare, punishments have also become tougher to discipline their citizens.

Foucault (1977, p.198) discusses the concept of “disciplinary power” in relation to Bentham 19th century invention of the Panopticon. In its literal form, the Panopticon is a circular cell prison structure, designed to ensure everyone is being watched at all times and is visible, while the observer itself remains invisible (Foucault, 1977, p.201). Foucault (1977) suggests that this model replicates a modern configuration of disciplinary power and exhaustive surveillance in society. This resonates with Gill (1995) who expands on this form of power to form a theory of disciplinary neoliberalism. Gill (1995, p.416) suggests that in this sense “populations are constructed statistically as manipulable entities in databases: that is, they are monitored and objectified for purposes of social control or profit”. In other words, individuals are trapped in a modern Panopticon and must apply self-discipline to satisfy the neoliberal paradigm of the state.

Foucault (2003) later developed a theory of biopower and biopolitics. Biopower is distinct in terms of a power that controls and organises citizens’ “environment, the milieu in which they live” (Moisander et al., 2018, p.377). Rather than power directly over the individual, it targets “the social, cultural, environmental, economic, and geographic surroundings” where an individual lives their daily life (Dean, 2010, p119). Biopolitics is the way political technologies are then used to exercise biopower. Foucault (2003) argues ‘biopower’ is supposedly non-disciplinary, in the sense that biopower is progressive and enables a person to do something, whereas disciplinary power is repressive and restrictive.

However, Foucault’s views of biopower have changed over time and, depending on the context, he argues that biopower now shows forms of discipline (Moisander et al., 2018). For example, the biopolitical structure in the Australian health system is organised in a way that people are restricted from accessing healthcare without Medicare (Harley et al., 2011). In addition, only certain forms of healthcare considered essential, are permitted with Medicare. This form of biopower adheres to

the neoliberal paradigm of the state. Biopower is exploited to reduce citizens' reliance on free state healthcare and force them to become self-reliant, as well as expanding the private healthcare market.

3.5. Locating neoliberalism in an Indigenous context

Neoliberalism has evolved to become a form of governance, to discipline their citizens to become self-reliant and market-conforming subjects. For Indigenous Australians, neoliberal ideology has become so ingrained in Australia that self-reliance and independent living are presented as the only moral and rational way to live (Bielefeld, 2016). Neoliberal governance seeks to render those reliant on welfare as dependent and helpless. This is the case for many Indigenous Australians.

However, this style of neoliberal governance ignores the past injustices that have created long-term disadvantages for Indigenous Australians (Moreton-Robinson, 2009). For example, as was previously discussed in the literature review, it was not until 1967 that Indigenous Australians obtained full citizenship rights, when the race clause was removed from the Australian Constitution (Attwood & Markus, 1998).

This is notwithstanding the 'Stolen Generations' period where it was found that in some placements, children were taught only at a basic level with a view to employment as rural labourers (HREOC, 1997). This has created a huge hurdle for Indigenous communities to overcome; to be able to access the same rights and services that non-indigenous communities have had for an extensive period of time.

Moreton-Robinson (2009) argues that a neoliberal ideology has replaced the efforts for indigenous self-determination. For example, before the dominance of neoliberalism, land rights were recognised by the state as an important part of indigenous self-determination. The 'Land Rights Act' was introduced to help those reclaim communal ownership and important spiritual connection back to their lands (Lovell, 2014). However, as the Act does not promote any sort of economic development, the premise is fundamentally against a neoliberal paradigm. Instead, neoliberal governance promotes legislation and policy in line with a broader neoliberal agenda, encouraging Indigenous Australians to find their own self-determination within a market context, which would mean owning individual rights to land and property.

3.6. Summary

A neoliberal ideology assumes that the market is the most efficient tool and is the most efficient way to organise and allocate resources. It lauds self-reliance and rationality of individual citizens at its core and therefore criticises those who are welfare dependent. This ideology has created a neoliberal governance, where disciplinary and biopower are maximised by the overarching neoliberal paradigm of the state. Particularly, in an indigenous context, neoliberalism functions in a way that ignores historical disadvantage and replaces efforts for indigenous self-determination. This dissertation aims to unpack how the circumstances under which Indigenous children are placed in OOHC has been underpinned by these elements of neoliberalism.

Examples Provided by JK Essay

4. Methodology

This dissertation seeks to explore why the rise of Indigenous children in OOHC in the NT is not just increasing but re-occurring. This research therefore has epistemological underpinnings, meaning it looks at “how we know what we know” (Crotty, 1998, p.8). It is important to provide a solid theoretical grounding to ensure the knowledge and findings can be viewed as sufficient (Rocco & Plakhotnik, 2009). Therefore a qualitative methodological approach has been taken so that different situations can be set against a theoretical background to offer a perspective (Hammarberg et al., 2016).

I have chosen to use a critical discourse analysis (CDA) alongside a further case study analysis (CSA) as the most appropriate methods for this study.

Discourse analysis is a common way to analyse different ‘texts’ by focusing on the connections between the language and what it is trying to communicate (Muncie, 2006). CDA specifically examines how language connects to a power structure (Willig, 2014); it assumes discourse comes from a position of power and that it can manipulate individuals and social groups (Van Dijk, 1993). Although a CDA may include some subjectivity as it reflects the authors examination of the discourse (Widdowson, 1998), utilising a CDA approach in this dissertation can help show how the Australian Government framed their approach towards indigenous child protection.

CSA then enables an in-depth examination of issues specifically in the NT. Using case studies in research is sometimes criticised due to a lack of robustness and/or objectivity (Rowley, 2002). However, due to the exploratory nature of my research question, it seems appropriate to use case studies to examine what occurred both in government discourse and the implications of policy directly on Indigenous communities in the NT. Both methods of analysis will complement one another; the CDA will help to identify the “conceptual logics” i.e. the neoliberal ideology, that shape and construct understandings (Bacchi, 2009, p.5), whilst a CSA will offer a more practical examination between the government discourse and the effect of neoliberal governance on child protection in the NT.

Due to logistical constraints, only secondary sources of data are utilised in this dissertation. After initial research, the intention was to examine the period exactly a

decade on from the 'National Apology'. However, the NTER, first implemented in 2007 was said to be "the most radical government intervention in the lives of remote-living Aboriginal peoples since the 1960s" (Proudfoot & Habibis, 2015, p171).

Therefore I extended my time frame to 2007-2018 to include this.

Nine sources were collected for the CDA, including one Royal Commission (Wild & Anderson, 2007); one parliamentary debate, the Hansard of the 18 February 2015 NT parliamentary debate discussing changes to OOHC placements; and seven government speeches, predominantly discussing the NTER and CTG strategies. The sources were chosen as they were instrumental in influencing changes in indigenous policies and decisions that affect Indigenous families in the NT. Additionally, other pieces of current academic literature show the impacts of these government policies in the NT.

I then use my theoretical perspective of neoliberalism to guide my overall discussion, findings and conclusions.

5. Findings & Discussion

5.1. Critical Discourse Analysis (CDA)

The CDA will be devised into three sub-sections. First, I will undertake a 'lexical analysis', concentrating on how specific words and phrases have been used (Machin & Mayr, 2012, p.30); five common themes were identified. I will then examine the 'referential strategies' used in the discourse to observe how the social actors, in this context – Indigenous communities, are constructed (Hart, 2008, p.99). The final section will be a summary and discussion of these findings, explaining how the government discourse is primarily influenced by a neoliberal ideology.

5.1.1. Lexical Analysis

Theme: Emergency

Mal Brough, who was the Minister for 'Families and Community Services and Indigenous Affairs' at the time of the NTER, describes problems concerning indigenous child welfare as an "emergency" (Brough, 2007a). There is no explicit mention of an emergency situation in the LCAS report, where child sexual abuse and neglect in the NT was first investigated (Wild & Anderson, 2007). However, the term "emergency" is used repeatedly throughout Brough's (2007a) outline of the NTER; referring to an "emergency period" (p.10), "emergency situation" (p10) and "emergency response" (p13). This repetitive use of the word creates a "moral panic" (Garland, 2008, p.10) and exacerbates the scale of the problem. Brough (2007a, p12) states that a less interventionist measure would surpass as a mere "band aid", whereas full "emergency surgery" was required. This metaphor helped to form a more "coherent view of reality" (Charteris-Black, 2004, p.28) and conveyed the severity of the situation to the wider public. There was also a danger that it not only homogenised all Indigenous parents as engaging in child sexual abuse and neglect, but gave the government stronger power and a mandate for implementation of intrusive neoliberal measures in the NT.

Brough (2007b, p.24) portrays the situation in the NT as "blight". In its raw definition, blight is a type of plant disease (Marcus, 1983). The term has since been adopted into urban studies, where an 'urban blight' is used to depict "the negative impact of certain residents on city neighbourhoods" or be "a disease that turns healthy areas

into slums” (Pritchett, 2003, pp.3-6). Looking at the former definition, Brough (2007b) may be referring to Indigenous communities having a negative presence in NT towns. Or the latter may suppose that the disease is indigenous child sexual abuse and neglect.

This crisis framing of indigenous child sexual abuse as ‘blight’ can be dangerous. Lovett et al., (2018) outline the complexities relating to the child sexual abuse discourse. On the surface, the term refers to different types of inappropriate and violent sexual behaviour towards children. Lovett et al., (2018) suggest however, that these violent behaviours might be a result of underlying issues of poverty and social disorders. Brough (2007b) attempts to indigenise child sexual abuse without taking into account other underlying factors. Referring back to the literature review, Cuthbert & Quartly (2013) showed that there was a possibility of child removal becoming indigenised. Here, Brough (2007b) does exactly this, and shapes and homogenises child sexual abuse as distinctly an indigenous problem and a crisis.

Theme: Individualism & cultural differences

The idea of promoting self-responsible individuals is apparent throughout the decade. When Rudd (2009, p.2030) states “we need people to take responsibility for changing their lives”, it indicates a belief that all Indigenous Australians are currently acting as irresponsible parents. Additionally, Gillard (2011, p.124) states that “the failures of government are never an excuse for bad behaviour by individuals”. Gillard (2011) is disregarding how government actions affect individuals, suggesting they cannot be held accountable. In light of historic events such as the ‘Stolen Generations’ and the subsequent ‘National Apology’, it appears hypocritical to assume that intergenerational trauma will not affect individuals.

Triandis (2001, p909) considers that in an individualist society, people are “independent from their in-groups” and “behave primarily on the basis of their attitudes rather than the norms of their in-groups”. However, this is directly in contrast with Aboriginal and Torres Islander Strait culture which promotes the importance of kinships and community (Lohoar et al., 2014). Similarly, lifestyles can incorporate frequent travelling for different traditions, as well as child-rearing by extended family members – this comes across to non-indigenous Australians as neglect (HREOC, 1997). As the government focuses on the individual behaviour in

their discourse, it detracts from state responsibility. With the threat of another 'Stolen Generation' looming, it is unsurprising that the government seek to promote a sense of individual self-responsibility, to avoid a repeat of the government being blamed and another 'National Apology'.

In the NT specifically, there is a disparity in the perceptions of indigenous and western approaches to child protection. During the debates in the NT parliament, Gerry Wood, an ex-mayor in the NT stated, when finding suitable placements for children, "whilst cultural connection is important, it is not the most important issue" (Hansard NT Deb., 18 February 2015, p.5831). In contrast, Ms Lee, an Indigenous politician in the same debate stated that "We do not have nuclear families as the western world does" (Hansard NT Deb., 18 February 2015, p.5835). This underlies the key differences between indigenous and western traditions. Here, Mills (2013, p.40) idea of a "collective white ignorance" is relevant, as Wood clearly disregards a significant issue for Indigenous Australians; to be connected to their own culture.

Theme: Regulation & discipline

There is a certain regulatory and disciplinary tone reflected throughout the discourse. This is illustrated in the way the NTER legislation was written, using phrases such as "the Australian Government will acquire five year leases over townships" (Brough, 2017a, p.13). The language is also punitive and vindictive, expressing that "our measures apply tougher penalties on people" (Brough, 2017a, p.12) and restating here that "through very harsh penalties, and more police, we are sending a clear message" (Brough, 2017a, p.12). The language and tone here are forceful and send a direct message from one party towards another, suggesting a clear power dynamic between the government and the Indigenous populations.

In the LCAS report, when the Royal Commission first investigated child sexual abuse in the NT, Wild & Anderson (2007) use language that is more sincere. They recommend a "genuine consultation with Aboriginal people" as well as the importance of "establishing collaborative partnerships" to create a more collective and unified response to the problem (Wild & Anderson, 2007, p7). The stark contrast between the LCAS report and the NTER suggests a disregard for evidence based recommendations and to instead exhibit the government's own disciplinary neoliberal agenda.

Gillard (2011), holds a similar regulatory tone in her CTG speech in parliament. She announces that “I see ‘closing the gap’ as a call for changes of behaviour”. Here, Gillard (2011) is telling Indigenous Australians to alter their ways of living, implying that their current ways are not in line with the mainstream standard of living in Australia. The sentence implies an almost school teacher rhetoric – the indigenous communities have been characterised as not behaving in line, and the ‘teacher’ is telling them off. This can come across patronising and increases the feeling of powerlessness among Indigenous Australians.

5.1.2. Referential strategies

Theme: Dysfunctional and welfare dependent subjects

Aboriginal & Torres Strait Islander communities have been described as a “failed society” (Brough, 2017a, p.10). This constructs a view of Indigenous Australians as abnormal and dysfunctional beings. According to Brough (2007c, p.19) they also exhibit a “climate of fear and intimidation”. The use of the word “climate” suggests this is a prevailing and inescapable trend that Indigenous Australians will always carry with them. It paints a picture illustrating that Indigenous communities should not be trusted with their children. By framing Indigenous Australians in this way, the logic and justification for introducing intrusive government initiatives is reinforced; “the interventions proposed will work together to break the back of violence and dysfunction” (Brough 2007a, p12). The wording, implying that there is a clear solution to a problem, transfers authority to the government, as Indigenous Australians are framed as incapable of dealing with their own problems.

The NTER is intended to target the “many Aboriginal people in these communities” that “rely on passive welfare” (Brough, 2007a, p.11). This wording refers to Indigenous Australians as being welfare dependent subjects. This downplays their image in society and frames a perception of indigenous failure. Additionally, Turnbull (2018, p.921) comments on “welfare-fuelled violence” observing that receiving welfare causes an engagement in violent behaviour. This language represents Indigenous communities as being trapped in a cycle of violence and welfare dependence.

Theme: "Othering"

In government discourse, particularly in some of the CTG speeches by different PMs (Rudd, 2009; Gillard, 2011; Abbott, 2014; Turnbull, 2018), there is significant use of personal pronoun "we". The use of "we" could create a personal connection between both Indigenous and non-Indigenous populations, referring to one as whole.

However, it is unclear whether this "we" refers to just the government and non-Indigenous populations or also includes Indigenous Australians. For example, when Abbott (2014, p157) states "we will know that Aboriginal people are living better when children go to school", he expresses, on behalf of the government, that from non-Indigenous experience, they know what is best. Turnbull (2018, p.918) also claims that "In 2018, 10 years on from the 'National Apology' to the 'Stolen Generations', we have the chance to write a new chapter of history" suggesting that on behalf of non-Indigenous Australians, they are ashamed of their history and want this to be forgotten.

Whilst it is difficult to infer exactly who "we" refers to, the extensive use of "them" can create Indigenous people as the "other" group in society, an idea reinforced when Rudd (2009, p.2028) stated "Many people felt they were not consulted; decisions about their welfare were made without reference to them". According to Jensen (2011, p.63) this is a form of 'othering', and here it maintains a dichotomy between Indigenous and non-Indigenous Australians treatment in Australian society.

5.1.3. Summary & Discussion

Over the last decade, the texts reviewed have been underpinned by elements of neoliberal ideology to shape their dominant discourse.

In the lexical analysis, one neoliberal conception that underpins the texts analysed is the idea that self-reliance should be lauded as the only rational and moral way of being (Bielefeld, 2016). The Australian Government strongly stigmatises Indigenous crises, such as child sexual abuse and particularly neglect, as being a result of poor choices of individual behaviour. Indigenous parenting culture is a deficit which must be corrected. This is not to ignore the fact that child sexual abuse and neglect is a significant issue and urgent matter, but the hyperbolic language used by ministers such as Brough (2007a), frames child abuse and neglect as a large scale crisis,

encompassing all Indigenous Australians. The framing of child sexual abuse as an emergency then creates a logic and rationality for the government to fix this. This outlook is concurred by successive leaders (Gillard, 2011) throughout the timeframe. Therefore, a neoliberal ideology is embraced whereby people, including Indigenous Australians, must be responsible for their own behaviour. All citizens are individual and self-reliant, whether affected by the historic events such as the 'Stolen Generations' or not.

There is also a disciplinary rhetoric evoked throughout the discourse. The regulatory tone of Brough (2007a, p.13), through "acquiring" indigenous land, references imagery of Foucault's (1977) understanding of the Panopticon. The Australian Government now holds a permanent visibility and surveillance over Indigenous communities. Moreover, they are disciplined through "harsh penalties" and are subjected to "tougher measures" (Brough, 2007a, p.12). This disciplining attempts to assimilate Indigenous Australians into living and abiding by the neoliberal settler economy (Macoun, 2011).

Another neoliberal ideological assumption underpinning the texts is how passive welfare is a burden to life. Indigenous Australians are represented in two different but interconnecting ways. One portrays them as dysfunctional and violent, then, because of this dysfunction there is another lens showing them as passive and welfare dependent subjects, needing development. Howard-Wagner (2018) argues that it is the welfare dependent populations who are the number one target of neoliberal projects because of their strain on state resources. The 'othering' of Indigenous communities in the discourse highlights their difference and marginalisation in society. Framing Indigenous communities in this way gives a neoliberal rationale to the government to intervene and fix the culture of dependency.

Overall, the different texts indicate that a prevailing neoliberal ideology frames the government's approach towards indigenous child protection. Through its crisis language, disciplinary tone, and referential strategies such as 'othering', the government conveys its overarching objective to create self-responsible parents working efficiently in the free-market economy.

5.2. Case study Analysis (CSA)

It is evident from the CDA that neoliberal ideology underpins the government's approach to dealing with issues faced by Indigenous communities. According to Howard-Wagner (2019, p2), in the ten years that followed the NTER, Indigenous communities have continued to experience an "array of coercive and punitive neoliberal policies". I will now look at the neoliberal governance measures implemented in the NT more specifically, to see how exactly they have contributed to the rise of Indigenous children in OOHC.

5.2.1. Implications of The NTER Legislation

Despite the intention that the NTER was a response to the 'emergency' of child sexual abuse (Brough, 2007a), not a single measure was geared towards targeting the systematic causes of child sexual abuse, such as entrenched poverty and intergenerational trauma (Douglas & Walsh, 2013). Instead, policies such as monitoring children's school attendance and income management were implemented (Gibson, 2017). These policies can work to increase the numbers of Indigenous children in OOHC. For instance, if a child missed school more than five times in a row, their parent's income would become regulated and restricted (Libesman, 2013). Denying social-security payments to families in need can lead to situations where a child is malnourished, and consequently 'neglected'. So some children are inevitably placed in OOHC for their own safety. However, Libesman (2013) points out that some remote areas in the NT did not even have functioning schools. Therefore, it was impossible for families to adhere to these requirements.

Nevertheless, education is clearly valuable and contributes to a child's well-being (Abbott, 2014) and so having compulsory measures to ensure attendance in school could be seen as vital. However, measures to improve attendance do not need to be disciplinary. Libesman (2013) presents a contrast between the school attendance monitoring in the NTER, and the school attendance measures created by principal of Cherbourg school in Queensland, Dr Chris Sarra. The NTER measure forces Indigenous children to go to schools with curriculums that are not part of their Aboriginal or Torres Strait Islander culture. On the other hand, at the Cherbourg school, Dr Sarra introduced a programme called 'Stronger and Smarter'. This not only redesigned the school curriculum as more attractive and attainable for

Aboriginal and Torres Strait Islander children, but also introduced techniques such as allowing students to monitor their own attendance and assigned students their own projects, such as keeping an area litter free (Sarraj, 2003). This helped to reverse non-attendance and poor achievement. In Cherbourg school, regular attendance improved from 50% in 1997 to 95% in 2002 (What Works., 2011). On the other hand, the NTER, decreased school attendance by 4% in dozens of communities (Higgins & Brennan, 2017), increasing the risk of more children being placed in OOHC.

When the NTER was implemented, the NT became the only jurisdiction in Australia where it was mandatory for every citizen to report suspicions of child abuse and neglect (Anthony, 2017). Anthony (2017, p.22) argued that this “triggers government encroachment on Aboriginal families” like none before. These new surveillance rules not only increased the risk of more Indigenous children being removed from their families but allowed more OOHC placements to be with non-indigenous care givers (Anthony, 2017). This traumatised families, giving them flashbacks of the ‘Stolen Generations’. Indigenous parents were living in constant fear and anxiety of a repeat of the past. Despite the existence of the Aboriginal & Torres Strait Islander Child Placement Principle (ATSICPP), which emphasises the importance of placing children with Indigenous care givers in order to retain cultural importance, O’Donnell et al. (2019) revealed in the literature review that only 35% of Aboriginal children in OOHC were placed with family, kin or other Indigenous carers. There is a tendency in neoliberal influenced policies of ignoring social and cultural importance in child protection (Libesman, 2013) which is evident here.

5.2.2. Indigenous children in detention

The NTER used military intervention in Indigenous townships and deployed multiple police troops in many neighbourhoods (Anthony, 2018a). Punishments were also heightened for low-level offences (Anthony 2018b). In 2007, crimes such as driving unregistered vehicles were found to have increased by 100% (Anthony, 2016). Consequently, the NT’s detention population increased by 50% between 2007 and 2012 (Anthony, 2018a). More specifically, Kelly (2018) revealed that 100% of the NT youth detention population are Indigenous, despite only representing 45% of all children aged 10-17 years (AIHW, 2017). A further trigger for this increase in

incarceration rates is the link with the escalation in child protection orders (Anthony, 2018b). Fitz-Gibbon (2018) found that there was an overlap with the number of Indigenous children in the child protection system and those entering youth detention.

Shockingly, on 25 July 2016, footage of Guards inflicting torture on Indigenous children was aired on Australian national television (Anthony, 2018a). It displayed “stocky white men beating Aboriginal children, spraying tear gas in their faces and all over their bodies, caging them in isolated cells” (Anthony, 2017, p.21). In 2017 the Australian Government announced a Royal Commission into the ‘Protection and Detention of Children in the NT’. The Royal Commission investigated what the government could do to improve the system and identified the mistreatments of some of the victims (Royal Commission, 2017). However, it did not highlight any kind of racial dynamic – that Indigenous children were being harmed by non-Indigenous officers, (Anthony, 2018a), or the overrepresentation of Indigenous children in detention.

The Royal Commission (2017) suggests that the impact of this devastating abuse on Indigenous children is likely to end up causing further trauma and will not prevent reoffending. Therefore, drawing on Fitz-Gibbon (2018), a cyclical impact can arise whereby Indigenous children re-enter both state care and youth detention. There is a clear irony in that a system that sets out to ‘protect’ Indigenous children puts them at risk of further abuse and trauma (Anthony, 2018).

5.2.3. Continuing the practices of the ‘Stolen Generations’ under different legislation

On 18 February 2015, the NT passed an amendment to their Care and Protection Act 2007, formalising a scheme of Permanent Care Orders (PCOs) (Cripps & Laurens, 2015). A PCO, according to the Minister for Children and Families, is “very much like a quasi or administrative adoption” (Hansard NT 27 November 2014, p.5689) in the sense that a child is placed with a family until they are 18, who have full parental rights and responsibility over them. The only difference from adoption is that the child can retain their original family name (Cripps & Laurens, 2015). Once this order is made, the government has no formal financial obligation to intervene or take an active interest in the child’s care. PCOs may be appropriate for some

Indigenous children, who need more stability through a permanent placement. However, the decision to implement PCOs was rushed, without any consultation with Indigenous communities (Cripps & Laurens, 2015). The fact that there may be damaging effects on the children who lose connection to Aboriginal culture and traditions did not appear to be considered.

Wise et al. (2006, p.7) suggest when securing placements for children in OOHC, it is important that there are ongoing relationships between the child, the family and relevant government departments which act as “safety net”, in light of any potential problems arising. Without these vital links, non-indigenous carers not only lack emotional support, but also the knowledge needed to support an Indigenous child’s connection to their culture and heritage. PCOs can further deter Indigenous carers who may be financially disadvantaged but still willing to care for Indigenous children (Bromfield & Osborn, 2007), as the government cuts off all ties and therefore no further financial support is given. Neoliberal policies will prioritise cost-savings and efficiency (Haly, 2010). We see a clear neoliberal agenda here arising in promoting PCO’s as a rational and efficiency cost saving model. Every child under a PCO reduces government expenditure.

It is clear that PCOs are very similar to adoption, and adoption is fundamentally against aboriginal customary culture (Cripps & Laurens, 2015). The act does not mandate for any cultural plans or safeguards to protect an Indigenous child’s connection to their heritage. There is no financial commitment or motivation to a culture plan, so there is no guarantee of an Indigenous child being fully protected. Not only are these cultural connections compromised, but Cripps & Laurens (2015) suggest PCOs, which result in yet another big change for a child, can eventually result in further mental health problems and trauma.

5.2.4 Failure to address the underlying causes that contribute of OOHC

Howard-Wagner (2019, p.3) comments on the distinction between the “practical” and “symbolic” elements of indigenous policies. For example, the CTG strategy announced as part of the ‘National Apology’, focused strongly on addressing practical disadvantages in essential areas such as health, education, and housing (Rudd, 2008). However, this emphasis meant that it lacked any symbolic recognition of a formal voice for Aboriginal & Torres Strait Islander people to be represented in

parliament to express their concerns. This is echoed by advocacy group 'Grandmothers Against Removals' which protest against the increased removal of Indigenous children (Grandmothers Against Removals, 2018). They claim that a disregard of a formal indigenous voice in parliament creates "a huge gap between the wording of child protection policy and the reality of their implementation" (Grandmothers Against Removals, 2018, p.4). An official recognition and partnership with Indigenous communities could help strengthen child protection implementation, such as the organisation of more Aboriginal care giving placements. As highlighted in the literature review, currently, some Indigenous people feel isolated and afraid to engage with mainstream services because of mistrust after the 'Stolen Generations'. However, more Indigenous representation in parliament may help more Indigenous care givers to step forward.

Herring et al. (2013) similarly state there is not enough recognition for the trauma that Indigenous Australians have experienced. Direct traumatic effects can impact on parenting skills (King et al., 2009). This suggests that more funding should be directed towards supporting families with trauma. However, in a report conducted by Family Matters (2019), only 23.9% of the child protection fund in the NT was spent on family support services between 2017-18. Out of these, only a mere 2.4% was allocated to Aboriginal Controlled Community Organisations (ACCOs), a decrease of 5.2% since 2016-17. This highlights why neglect is an ongoing issue, as families are not getting the support they need. The lack of funding to ACCOs again highlights why 'Grandmothers Against Removals' are fighting for more self-determination within the child protection system.

5.2.5 Summary & Discussion

The CSA reveals the impacts of neoliberal governance in the NT. The implementation of policies such as the NTER and PCOs, combined with a failure to address the underlying causes of placing children in OOHC, have increased the perceived threat of another 'Stolen Generation' in the NT.

Despite more than a decade passing since the implementation of the NTER, its effects are very much still felt across communities in the NT (Gibson, 2017). A government intervention that was masked as tackling child sexual abuse and neglect, shows the state governing through forms of biopower. Rather than power

directly over Indigenous people themselves, it exercised power through their social environment, acquiring ownership of township leases, monitoring school attendance and managing income. This sought to change the behaviours of Indigenous Australians, i.e. to send their children to school. However, it primarily had the opposite effect, and consequently Indigenous parents were punished by having their children placed in OOHC.

These mechanisms reinforced the state's reconfiguration as a centaur state; conditionalizing Indigenous communities and shifting them towards a form of 'corrective welfare'. Under this process, Indigenous parents did not receive financial help to look after their children. More children entering state care then acts as a catalyst for more Indigenous children in detention. In addition, the NT also expanded their penal wing by heightening punishments for low-level offences, which drives the vicious cycle of Indigenous children entering and re-entering youth detention and OOHC. The extreme overrepresentation of Indigenous children in detention centres exhibits underlying racist tendencies. As the centaur state disadvantages Indigenous communities, racist legacies can re-surface from the hierarchies that are created.

The introduction of PCOs in the NT reflects neoliberal ideologies, promoting individual responsibility and reducing dependency on the state. Indigenous child removal under a PCO becomes more permanent, efficient and hence reduces state financial intervention. PCOs also create a danger to the safeguarding of Aboriginal & Torres Strait Islander culture and customs, in addition to replicating concrete memories of the 'Stolen Generations'. Whilst the PCOs indeed carry a neoliberal cost-efficiency agenda, the similarity with the colonial legacies of the 'Stolen Generations' reinforce the historical policies of assimilation (Macoun, 2011).

Finally, it is not solely the ineffective measures implemented in the NT that are contributing to this rise, but a lack of effective symbolic measures that incorporate Indigenous Australians (Howard-Wagner, 2019). Advocacy groups like 'Grandmothers Against Removals' demonstrate there is a lack of Indigenous people in positions of authority helping with these crises. Due to this lack of voice, the current 'practical' strategies such as CTG are narrowly focused on improving education and employment, so Indigenous people can become self-responsible

individuals and ultimately parents, which Bielefeld (2016, p.158) reminds us is “the only rational and moral way of life” in a system of neoliberalism.

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6. Conclusion

6.1. Summary of findings & conclusions

The overrepresentation of Indigenous children in OOHC in the NT is a contentious issue that has complex causes. The current academic literature states that colonial legacies live on, provoking further intergenerational trauma in Indigenous communities that create unfit conditions for child upbringing (O'Donnell et al., 2019).

Altman (2019) explored the links between the emergence of neoliberalism and the impact on Indigenous communities. Exploring these links further has provided another angle to help research into what is causing the threat of another 'Stolen Generation'. By developing a theoretical framework built on Altman's (2019) understanding of neoliberalism, I demonstrate that neoliberalism is shown to have evolved significantly from a core ideology to become a key form of governance; where the state uses discipline to force their populations to become self-reliant and market-conforming subjects.

In my findings, the CDA reveals how the national government embodies a neoliberal ideology. The discourse is strongly critical of welfare dependent subjects and instead idealises more self-responsible citizens that function in stable and nuclear families. The CSA follows on from this, demonstrating that the ideology feeds into the neoliberal governance of the NT. For example, enforcing the punitive measures of the NTER, introducing PCOs and not recognising the right to indigenous self-determination within the child protection system.

Whilst the CDA and CSA both show how neoliberalism creates the right conditions for increased indigenous child removal, it is important to note that there are also racial and cultural factors in play. The overrepresentation and abusive treatment of Indigenous children by non-indigenous officers in youth detention centres suggests that racial ideologies are still prevalent in NT communities. Additionally, the Aboriginal & Torres Strait Islander lifestyle of living in remote areas and sharing child rearing with other families clashes fundamentally with the non-indigenous way of life. There are cases where a child's life is at risk and should be placed in OOHC, but this does not explain why Indigenous children are 11 times more likely to be placed in OOHC than non-indigenous children.

So I return to my Research Question.

Despite more than a decade passing since former Australian Prime Minister Kevin Rudd gave the ‘National Apology’ to the ‘Stolen Generations’, why does the threat of another ‘Stolen Generation’ still persist in the Northern Territory?

I can conclude that both the Australian and NT Government’s endorsement of neoliberalism over the last decade is a key determinant in creating the circumstances for placing more Indigenous children in OOHC. Since Rudd’s ‘National Apology’ in 2008, there have been promises to ‘close the gap’ between the numbers of Indigenous and non-Indigenous children in OOHC, combined with continual neoliberal policies of removing land ownership and restricting welfare payments. These create an ambiguous relationship between the state and Indigenous Australians. Although historically racial and cultural factors have created a hierarchy in society which disadvantages Indigenous peoples, this has been further cemented by neoliberal ideologies and governance, meaning racial legacies are re-enacted and cultural efforts are disregarded. The ‘Stolen Generations’ were caused by the policies of removing children to assimilate them into white society. Similar forms of forcible assimilation still exist, no longer on pure racial ground, but with the same effect; to integrate Indigenous children into the neoliberal settler economy and society (Macoun, 2011). Therefore, the threat of another ‘Stolen Generation’ of Indigenous Australians persists in the NT.

6.2. Implications of the research

This dissertation has built on Altman’s (2019) research. Altman (2019) concluded that the emergence of neoliberalism has created a growing expectation that remote-living Indigenous people in the NT must find mainstream employment. In a similar vein, I have highlighted the fact that neoliberalism is extremely prevalent in the NT and affects not just employment but the likelihood of Indigenous children being placed in OOHC. Whilst scholars (Douglas & Walsh, 2013) have researched the impact of intergenerational trauma and colonial legacies in regard to OOHC, I have found that there are also indirect links between the neoliberal discourse and policies, and how these impact on the number of Indigenous children in OOHC. In particular, this research is significant as it underlines that, by subjecting Indigenous

communities to neoliberal measures, it only exacerbates the difficulties of reconciling Indigenous and non-Indigenous Australians.

6.3. Limitations and recommendations for future research

When considering the limitations of my study, it is important to note that a CDA can be subjective as it only reflects the scholar's examination of the discourse. However, due to logistical constraints, I was unable to collect primary data such as interviews with Indigenous communities. Therefore, there is potential for future research to include Indigenous participants and gain their perspectives to strengthen the findings. The dissertation was also focused solely in the NT, where due to the NTER and PCOs, they were subject to harsher neoliberal measures than the rest of Australia, suggesting the study is only relevant for the NT. In future, it may be beneficial to explore the impact of neoliberal governance in other states of Australia. Additionally, as highlighted in the introduction, more Indigenous children are also being placed in OOHC in the USA, Canada and New Zealand. Using the same lens of neoliberalism, examining government discourse and policies in child protection, there is an opportunity to open up new doors in approaching the crisis of the overrepresentation of Indigenous children in OOHC.

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