Family inclusion in child protection: Knowledge, power and resistance

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ABSTRACT

The inclusion of families throughout the child protection process can improve lifelong outcomes for children who have been removed from their parents’ care. However, child protection authorities have struggled to prioritize principles of family inclusion within systems that position families as risky. While parents’ experiences of powerlessness within child protection systems have been well documented, little is known about parents’ perspectives on family inclusion specifically. We engaged six parents who had experienced removal of children from their care in interviews and focus groups as part of a larger study that examined practitioners’ views on family inclusion in Australia. In this article we report on parents’ experiences and recommendations for improving family inclusion. Through the analytical framework of Foucauldian concepts of power, knowledge and acts of resistance we highlight the complexities of parents’ lives and intersections in their experiences of systemic and social exclusion. In identifying the importance of collaboration, decision making and parental identity these findings suggest that the advocacy of parents for inclusion in the lives of their children is an underutilized asset in child protection systems.

1. Introduction

Children who have been removed from parental care tend to have better health and wellbeing outcomes where their families have ongoing relationships with their children and a recognized role in their care. This process is known as family inclusion (Cashmore & Paxman, 2005; Kemp et al., 2009; Moore, 2017). While parents’ and children’s rights are enshrined in the Convention on the Rights of the Child (UN General Assembly, 1989) there are tensions in implementing family-centred, rights-oriented frameworks into welfare-oriented child protection systems (Tobin & Cashmore, 2020). This study explored family inclusion from the perspectives of parents who’d had children removed from their care, in a regional area of New South Wales, Australia. The study elicited the voices of parents in order to better understand the complexities of family inclusion, the impacts of inclusion and exclusion and the possibilities for change. If, as the evidence suggests, family inclusion is good for children (Braithwaite & Ivec, 2021; Cashmore & Paxman, 2005; Kemp et al., 2009; Moore, 2017), then it is imperative to understand the ways in which children’s families experience the child protection system and to recognise families as active agents of change, despite their subjectivity to power.

Family inclusive child protection practices are those in which parents and other family members have opportunities for long-term and authentic relationships with their children and to be involved partners in the care of their children (Platt, 2012). Face-to-face time together and direct contact between families and children are important activities that contribute to family inclusion, but family inclusion is much broader than this. Family inclusion is achieved through the active involvement of families in decisions about their children, transparent communication between families and workers, recognition of the legal and human rights of parents and children to have a relationship, relationships between carers and families and correspondence between families and children (Ainsworth & Berger, 2014; Healy et al., 2011; Kiraly & Humphreys, 2015). For this study we conceptualised family inclusion as the active and meaningful participation of parents, family, kinship networks and communities in the lives of children - a process and lived experience over time that helps ensure children’s family relationships are not lost. This conceptualisation of family inclusion was influenced by the work of parent leaders of Family Inclusion Strategies in the Hunter (FISH) – a group that brings together parents, practitioners, family members and carers to promote family inclusive practice in the child protection system (FISH, 2021). In Australia there has been much rhetoric about, and

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some genuine efforts towards, more family-centred approaches to child protection. However, within a system that is under-resourced, continuously responding to crisis and which prioritizes management of risk, aspirations for better models of child-centred family inclusion have not yet been achieved (Hawkins, 2014; The Australian Centre for Social Innovation, 2016).

In this article we draw on Foucauldian concepts of power, knowledge and acts of resistance to critique family inclusion, particularly in consideration of the perspectives of parents who have had children removed from their care. We report on findings from interviews and focus groups with six parents who discussed their experiences of inclusion in the lives of the children who had been removed from their care. We offer critical insights based on the parents’ perspectives, to contribute to a better understanding of the following questions:

- What does family inclusion mean to parents?
- How do parents experience inclusion and exclusion in the child protection system?
- What needs to change to improve family inclusion?

We interpret these findings within a Foucauldian framework to unpack the power dynamics that shape parents’ experiences of family inclusion.

2. Background

The best interests of the child sit at the heart of the Australian child protection system – encapsulating legal, cultural and political values and reflecting internationally recognized rights and principles (Darlington et al., 2010; UN General Assembly, 1989). Internationally, there has been a shift towards the recognition of children’s rights to a voice, concurrent with an acknowledgement of the importance of family inclusion in child protection processes. Child protection systems across Europe and in countries such as the United States and Australia have, in principle, sought to shift from punitive approaches towards family support systems that recognize that children’s and families’ needs are intertwined (Gilbert et al., 2011; Munro, 2019). However, there has been little evidence of success in converging the aims of protecting children and supporting their families, as indicated by increasing rates of out of home care in many countries (Gilbert, 2012; Saar-Heiman & Gupta, 2020).

Family inclusion is a pertinent recognition of rights in relation to Indigenous peoples internationally, particularly in Australia where Aboriginal and Torres Strait Islander families face disproportionately high rates of child removal. Social injustices and inequalities continue to be exacerbated for Aboriginal and Torres Strait Islander Australians, by a child protection system that emphasizes surveillance over cultural inclusion. For example, it is a system intertwined with colonization, whereby the state has enacted removal of children from Aboriginal and Torres Strait Islander families over hundreds of years. Reflecting its systemically racist history, Aboriginal and Torres Strait Islander children have themselves been part of the child protection system (AIHW, 2021). Quality relationships between children, families and practitioners can contribute to improved outcomes for children (Cashmore & Puxman, 2005; Keddell, 2012; Moore, 2017; Reimer, 2013; Ruch et al., 2010). However, the relationships between child protection practitioners and parents are often fraught, with the assessment of risk of harm central to the engagement (Saar-Heiman & Gupta, 2020). Child protection policy and practice has tended to function within the framework of social control rather than social care, with tensions between the dual care and control functions enacted by the state (Featherstone et al., 2014; Lonne et al., 2008). For parents, this can lead to anxiety and self-censoring, as they attempt to shed positive light on their parenting and convince authorities that their intervention is unnecessary (Waterhouse & McGhee, 2009).

Foucault theorized that authority over language and knowledge could be a means for the state to centralize power and, in doing so, exclude or oppress those people whose knowledge was delegitimized in this process (Foucault, 1980; Stehr & Adolf, 2018). Those who control the dominant discourse have power that provides, in turn, further opportunity to shape the discourse, perpetuating inequalities. Government was critiqued by Foucault (1975) as a prime example of the ways in which knowledge and power could be instrumental in the surveillance and management of citizens. Australia is, in general, an example of a welfare state, whereby the government’s authority to intervene in the lives of families accords with the expectation that the government will act to achieve greater equity via distribution of resources and opportunities. The opportunity to become and act as a parent has been posited as part of citizenship within such a welfare state (Krutizinna, 2021). International evidence demonstrates that families who experience complex social and economic inequalities, particularly those who experience poverty, have higher levels of involvement with child protection services – with little attention paid to the systemic and structural factors that shape such inequalities (Esposito et al., 2022; Featherstone et al., 2019). Similarly, child protection outcomes in Australia are worse for people who experience poverty, unemployment, live rurally and have themselves been part of the child protection system (AIHW, 2021). Lack of inclusion once a child has been removed from care is a distressing culmination of these experiences of a stripped away citizenship and power – for both families and children.

The evolution of Australia’s child protection system illustrates a history of surveillance and management of citizens. There continue to be incompatibilities between the authoritarian and welfare functions of child protection workers (Mendes et al., 2021). Disparities in removals of children correlate with other experiences of marginalization and exclusion. For example, it is a system intertwined with colonization, whereby the state has enacted removal of children from Aboriginal and Torres Strait Islander families over hundreds of years. Reflecting its systemically racist history, Aboriginal and Torres Strait Islander children are 5.3 more times likely to be subjects of child protection reports and 10 times more likely to be living in out of home care, than non-Indigenous Australian children (Liddle et al., 2021, p.25). That the removal of children from Aboriginal and Torres Strait Islander families continues to rise indicates ongoing non-Indigenous dominance over child protection discourse in Australia (Griffiths et al., 2016; O’Donnell et al., 2019).

While Foucault (1980) critiqued the power associated with holders
of the dominant discourse, he also emphasised the ways in which citi-
zens can enact power via acts of resistance. In Australia, such resistance
is epitomized by the strength of activism led by Aboriginal and Torres
Strait Islander leaders, communities, families, individuals and organi-
sations (Bamblett & Lewis, 2007). Grandmothers Against Removal New
South Wales (GMARNSW) is one such example. GMARNSW is a move-
ment established by a group of Aboriginal grandmothers who have
staged various protests to fight against the removal of children from
their families, while working with government agencies to co-design
principles to strengthen the participation of Aboriginal communities in
child protection decision making (Booth, 2016; GMAR NSW et al.,
2015).

In the following article we consider parents’ reflections on where
power sits in relation to family inclusion and the ways in which their
own knowledge is legitimized, or otherwise, within the child protection
system. We then describe various acts of resistance reported by parents
that illustrate Foucault’s notion that the exertion of power facilitates
individual and collective struggles against that power (Pickett, 1996).

3. Methods

This exploratory study sought richness and to be guided by the data
generated by participants themselves. As such, qualitative methods were
deemed appropriate (Liamputtong & Serry, 2013). During the design
phase of the study the data collection instruments were presented to an
expert panel of two parents who had lived experience of having their
children removed – both recruited through FISH. At the end of data
collection and initial data analysis, these expert panel members
considered a summary of the deidentified preliminary findings for
verification and feedback.

This study was part of a larger project in which kinship carers, foster
carers, adoptive parents, government practitioners, non-government
practitioners and lawyers took part in interviews and focus groups to
discuss family inclusion. While those practitioners and carers were
recruited via email invitations and in-person presentations to child
protection agencies, it was recognized that recruiting parents who have
had children removed required a specific approach (Kiraly & Hum-
phreys, 2013). Previous research demonstrated the value of partnerships
with parent consultants for this type of recruitment (Ross et al., 2017b)
and as such, the research team drew on its relationship with FISH and
word of mouth to recruit parents. FISH disseminated an invitation to
participate among its members and networks. Interested people then
made direct contact with the research team, were provided a Participant
Information Statement, had the opportunity to ask questions, completed
a consent form and were given the option of taking part in a focus group
or interview – recognizing the different contexts in which participants
might feel safe and comfortable to discuss sensitive issues (Namey et al.,
2022). Participants were eligible to take part in an interview or focus
group if they were aged 18 years or older and were a parent who had a
child removed and placed into out of home care at some point in the past
five years. Each parent who participated in a focus group or interview
was provided with a gift card to the value of AUD30 in recognition of
the value of their time and knowledge. Five parents participated in a focus
group and one participated in a one-on-one interview.

Participants completed a brief demographic questionnaire on
gender, age, income and experience in the child protection system. All
parent participants were female. Three were aged between 30 and 40
years, two between 40 and 50 years and one was older than 50 years. All
received government pensions or other benefits as their primary sources
of income. Three of the six parents who participated identified as
Aboriginal. Five of the parents currently had children in out of home
care and one parent had recently had her children restored to her care.
Three parents were actively working towards restoration and two par-
ents felt their children would remain permanently in care.

Two members of the research team co-facilitated each focus group
using a semi-structured discussion guide, as well as offering participants
the opportunity to write brief individual summaries of examples and
recommendations for inclusion. One member of the research team
conducted the interview using a similar semi-structured guide. Open-
ended questioning techniques were used to prompt participants to
discuss the meaning of family inclusion to them, their experiences of
inclusion and their recommendations.

The brief demographic questionnaire data were collated manually by
one author and used for descriptive and comparative purposes. Focus
groups and the interview were audio-recorded, transcribed verbatim
and anonymized. NVivo software (QSR International, 2020) was used
for the management and analysis of data. Data were initially analyzed
thematically using a grounded approach, by which open and axial
coding methods were applied to identify, link and relate concepts
(Corbin & Strauss, 2008). Themes related to power and resistance
emerged organically through this process. A further layer of coding was
then applied to the data which categorized themes specifically according
to Foucauldian concepts of knowledge and discourse, power and resis-
tance (Foucault, 1980; 1982; 2002). Team thematic coding of qualita-
tive data can be valuable in drawing on varied perspectives to analyze
rich data, but in order to maintain rigor and reliability, requires a
structured and consistent coding method (Cascio et al., 2019; Hemmeler
et al., 2022). To compare coding and achieve interrater reliability each
author individually and inductively coded a sample of transcripts.
Thematic codes were then collated from each author’s work and
compared – from this a codebook was developed by consensus. The
codebook was considered a “living document” (Cascio et al., 2019,
p.122) that evolved through regular discussion about emerging themes.
Different transcripts were allocated to each member of the research team
to complete thematic coding. A sample of each coded transcript was
cross-checked by another member of the research team to ensure con-
sistency. After coding of each transcript was completed the research
team collated and prioritized themes and findings together.

3.1. Researcher reflexivity

As a research team we viewed ourselves predominantly as outsiders,
while recognizing and valuing the types of insider knowledge that we
have gleaned via professional and personal perspectives (Berger, 2015).
We considered that reflexivity was crucial within a research context in
which the power imbalances related to actual and perceived vulnera-
bilities might be pronounced (Enosh & Ben-Ari, 2016; Råheim et al.,
2016). We sought to be transparent about our reflexive positions
throughout our interactions with research participants and when
sharing research findings. Given the nature of subjectivity and impor-
tance of reflexivity within this study, we each acknowledge here our
positions in relation to the research (Dodgson, 2019).

Author 1 is a social science academic and has also provided full-time
and part-time foster care for approximately 10 years. Author 2 is an
academic with a law and social work background who has led and
participated in research with children, parents and legal practitioners in
child protection services. Author 3 is a social worker in the non-
government sector, doing research and working in the community
with parents and families to support greater family inclusion and parent-
led change. Author 4 is a social work academic and has worked in child
welfare, health and legal settings in practice, policy and research roles in
government and non-government organizations.

3.2. Ethics

This study received approval from the university’s Human Research
Ethics Committee (H-2020-0046). We recognized the sensitive nature
of the topic and considered the potential distress for participants and
researchers throughout the study. It was emphasized in the Participant
Information Statement and at the start of each interview or focus group
that participation was voluntary and that if parents felt distress at any
stage during the interview or focus group they could choose not to

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answer, stop participating momentarily, withdraw from participation entirely or request for certain pieces of information not to be included. Contact details for a range of support options were provided to all participants in case they felt ongoing distress or concerns. Each focus group opened with a discussion on the importance of confidentiality, and all participants were informed about processes for maintaining anonymity via secure data management and de-identification of data.

We were also mindful of the power dynamics that might influence relationships between researchers and research participants, particularly in this type of highly personal and sensitive subject area. To mitigate this we drew on methods of reflexivity and positioned ourselves as transparently as possible, within our research team and in our engagements with research participants (Enosh & Ben-Ari, 2016). By drawing on connections with FISH we were able to tap into an empowered, activist network of parents, which shifted perceptions of parents as vulnerable subjects of research, to lived experience experts and change agents with valuable knowledge to share.

4. Findings

Parents offered insights about their experiences of inclusion and exclusion and the feelings that arose from these experiences. While they described a range of ways in which power was enacted upon them, they also revealed the ways in which they retained and fought for power within the child protection system. Finally, parents articulated suggestions as to the changes that might facilitate the inclusion of themselves and other family members in the lives of their children.

4.1. What inclusion looks and feels like

Parents described the activities that constituted inclusion, the ways that they experienced inclusion, and what it felt like to be included and excluded throughout various parts of the child protection system.

4.1.1. Communication

When parents talked about family inclusion, they most frequently discussed direct contact with their children, their involvement in decision making, maintaining relationships between siblings and other family members, and being informed about their children’s lives.

Parents described a few ways that they might have contact with their children such as email, playing online games together, writing letters and sharing photographs. One of the most common of these was family time – face-to-face visits with their children. However, what was really important to parents was communication – being up to date with their children’s lives and involved in key decisions.

…in the last two years or so has mainly been when me and my partner actually get included in all those decisions and stuff like that. So it’s nice to have that communication and it’s nice knowing that the carer that my children are with, like I’ve got her number, she’s got my number. We have daily contact. So that’s made it a lot easier for us as well, having that – just being able to just say “Hey, how are the kids going?” or whatever, and her to be able to respond. (Parent FG)

Parents acknowledged the complexity of their lives and frustrations with the child protection system. However, their care and concern for their children overrode everything else. They wanted to know that their children were okay and saw that this could be impeded where carers and practitioners did not prioritize communication with them.

I don’t get to hear about her medical or anything with her. So I wasn’t consulted in any discussions around getting braces or any medical issues whatsoever, if she got glasses coming. (Parent FG)

Communication was not just a one-way process about parents being informed – it was about parents being listened to and contributing to decisions about their children. Parents considered that their children being in out of home care did not negate their responsibility to be involved in important decisions related to their children’s lives. They also perceived that they held important information about their children that needed to be factored into such decisions.

I haven’t had a lot of say in my son’s six years he’s been in care. I’ve been pretty powerless actually, so it’s been very difficult and heart-wrenching. I don’t get to know anything about school. I don’t have any say in school, medical stuff. (Parent FG)

4.1.2. Voicelessness and compliance

Parents felt that they were expected to change and comply with a range of conditions. The kinds of requirements described included securing housing, addressing drug and alcohol issues, seeking help for mental health issues, leaving abusive partners and attending parenting courses. The experience of parents, however, was that making such changes did not always make a difference to their level of inclusion or lead to restoration. One parent described an experience where a lawyer was unresponsive to the evidence she presented because, she felt, the lawyer had been more swayed by departmental reports that described her as mentally ill and drug addicted.

I’m trying to show her stuff. I’m like “Look at my kids. Look at the photos of the kids while they’re with me. Look at the photos of the kids now. You can see that they’re internally happy. Look at them now. There is a difference.” She shut the door in my face and needless to say we parted ways as well. (Parent FG)

There was a sense of hopelessness at times. Parents expressed frustration that there seemed to be nothing they could do to convince practitioners and lawyers that they had changed. This often felt like an impossible situation for parents because they saw that they were continually judged on the actions of their past. They perceived that they were unable to escape their histories.

… so whatever mistake that was made to turn around and get in the system in the first place, is a point in time. It’s not something that’s forever, so you should not be judged at a point in time for the rest of your life. (Parent FG)

However, parents also talked about situations where they had consciously made efforts to change and this had contributed to them being more included in their children’s lives, even leading to restoration for some.

I wasn’t included when the kids’ dad and me were still involved. Now that he’s in jail and we don’t have nothing to do with each other, and I’m sober from drugs, I get included in everything. (Parent FG)

Parents talked about the importance of being offered choices in the ways that they were included, rather than inclusion being something that was managed and controlled by practitioners, often limited to family time arrangements (which were sometimes called family contact or access). Parents saw inclusion as much more than family time.

4.1.3. Perpetuation of trauma

In sharing stories about their lives and histories all parents described experiences of trauma. Domestic violence was a common experience for these parents. They explained the ways that being a victim and survivor of domestic violence had impacted on them mentally, physically and in relation to issues such as housing and drug and alcohol use. The parents perceived that their experiences of domestic violence counted against them in terms of inclusion, even though they were victim/survivors, and not perpetrators. They saw that child protection agencies considered a history or current risk of being a victim of domestic violence as an unacceptable risk to children. At times this meant that they hid their experiences of domestic violence and did not seek help for fear that it would negatively impact on their inclusion.
He [ex-partner] was not meant to be in my home. He kept breaking in and that is not something that I could seek support for because it would only hurt me in my case to try and get the kids home which is why I made a decision to move completely. (Parent FG)

The trauma of intergenerational child removal, racism and colonization was integral to perceived failures of the child protection system to include Aboriginal families. One Aboriginal parent explained that distrust in the child protection system had been embedded over many generations and she advocated a new approach.

The first pivotal thing of trauma-informed practice is relationality – building relationships. Come to Aboriginal people – there is so much distrust in the system they won’t come to you. They need to incorporate this history in the way they work and work from a trauma-informed approach not a casework management place. Need to work from a community-based place – ask parents what they want and go one step further and make it happen. (Parent interview)

4.1.4. Humanization and dehumanization

Parents described ways in which they were pathologized, demonized and dehumanized. At times they had experienced judgements that they deemed unfair, humiliating and harmful from some government and non-government practitioners, lawyers and foster carers. Further, they explained the ways in which they felt unable to escape the labels and judgements placed on their past behaviors. When identifying what would make a positive difference to their inclusion in their children’s lives, parents made a plea for empathy and understanding.

Get to know your client and understand and see their side of the story, not what’s written on a bit of paper. Carers be sympathetic to that biological parent that’s had their children removed because it’s heartbreaking to not put your child into bed, not to kiss them goodnight, not to hear those pitter patters. So be sympathetic when they’re asking questions and don’t be putting up barriers and thinking that you know this person when you really don’t. You haven’t walked in their shoes. (Parent FG)

Conversely, parents felt included when practitioners, lawyers and carers communicated – whether speaking directly with them or speaking about them – with respect and compassion. Practitioners, whether in government or non-government agencies, were viewed as powerful in that their attitudes and treatment of parents could make a significant difference to family inclusion efforts. One parent described how finding a support worker willing to advocate for her changed her situation.

… they had a family worker that helped me there and advocated for me. I finally got heard. She is the person who pushed my case over to the other office and that’s changed everything. (Parent FG)

Some parents described positive relationships with kinship and foster carers who had made efforts to get to know them and understand their circumstances. One parent described her relationship with her brother who was the kinship carer for her children.

Me and my brother are great. We have weekly phone calls. We talk about what’s in the best interest of the kids, what’s going on with them. (Parent FG)

4.2. How parents claimed power

While parents expressed feelings of powerlessness and having “no voice”, they also described a range of ways that they actively claimed power in efforts to improve family inclusion.

4.2.1. Identifying as a parent

Participants were passionate about their identities as parents, irrespective of their children’s care arrangements.

A piece of paper doesn’t make me a mother. I was already a mother no matter what they took from me. (Parent FG)

They emphasized that they were irreplaceable and that it was vital that they be recognized and respected as a parent. Being acknowledged as a parent was reflected in the language used to describe their relationships – continuing to be called “Mum”, maintaining bonds and being part of the children’s day-to-day lives.

…it’s quite distressing as a Mum to have all your rights stripped off you when your children are removed. And then fighting to do the little Mum things. Take your daughter for that formal dress or the farewell dress. (Parent FG)

They spoke about their children with pride – pride in their children as well as pride in themselves for being the parents of resilient children.

She is such a happy, well-balanced child. So I am grateful for that. Yeah, I’m very proud of her and my oldest daughter, she gets cranky, but you know what? That makes her fierce. So she is very stubborn, very strong and I have a feeling that she’s going to be able to stand up for herself really well. I’m proud of that. (Parent FG)

4.2.2. Advocating

Some parents educated themselves about, and used, formal processes such as legal and political mechanisms to increase their inclusion in their children’s lives. One parent described her efforts in appealing to non-government organization managers, politicians, specialists and via various formal complaint mechanisms to increase. However, she was determined not to give up. Some parents described the importance of advocating for their inclusion to be formalized in court orders, with one parent stating that “I was excluded from school events for quite a long time until I got those put into orders” (Parent FG).

Two parents described themselves as “pushy” because they had put pressure on government and non-government agencies to increase their inclusion. These two parents found this fairly effective in increasing their time with their children as well as their own and their children’s access to services. They also felt that such self-advocacy meant that they were perceived as difficult by agencies.

I’m pushy. I advocate and when something needed to be done I was on it like flies on poop. “Get this, do this”… I’m an enemy with [name of agency] and it’s well known. Everywhere I turn to I was told “No, you don’t have your kids, so we can’t help you. We’re a family-based organization” whatever the case may be. So it took a lot of time and effort on my behalf and not from anywhere else, to do that. (Parent FG)

Two parents explained how they had actively sought and paid for services privately. One parent had hired their own lawyer. Another had paid for psychology services to improve their health and wellbeing and produce reports for court consideration. Parents lamented the lack of access to affordable and effective services but demonstrated willingness to bypass the public system in the rare case that they could afford to do so.

I paid for out of my own pocket, for six months to see a clinical psychologist of my own choice which was an agreement for when I signed my children off so that I could get another view and that helped significantly for myself. (Parent FG)

4.3. What changes are needed

Parents described societal and structural factors that shaped various inequalities and barriers to their wellbeing, capacity and inclusion in the lives of their children. They also recommended various changes to child protection systems and practices that might facilitate improved family inclusion for their children.
4.3. Changes needed at a structural level

Participants spoke about complex and often intergenerational experiences of inequality that impacted on their inclusion. Childhood exposure to the legal system, discrimination and intergenerational pain exacerbated fear of child protection processes for one Aboriginal parent. It was feared that the children’s court – I was in the children’s court when I was a child, and my own mother was frightened of that court. (Parent interview)

Parents perceived that their poverty impacted their interactions with the child protection system in a variety of ways. They were aware of broader inequalities in the child protection system that saw people from low-income households disproportionately represented in statistics on child removal. Bearing in mind the fact that all parent participants reported government benefits as their primary source of income, it was notable that one parent questioned:

...how many people who are wealthy have had their kids removed? How many people sit here today that are on welfare assistance? (Parent FG)

Parents talked about poverty alongside a range of other barriers to inclusion such as lack of secure housing and lack of transport. Homelessness and insecure housing were seen to make it harder for parents to stay in contact with their children and relevant agencies: it might mean they need to live long distances from their children and it could reduce the likelihood of restoration. Lack of transport could make it difficult for parents to attend family time activities and limit their access to support services.

Participants described situations where a parent had spent time in prison. Parents explained that they had been included more when they had separated from a partner who was, or had been, in prison. They also worried that children might have difficulties forming and maintaining connections with a parent in prison – prison was a practical and emotional barrier to inclusion and relationship building.

Then my son thinks, like his Dad’s in jail and he comes up to me and he goes “I don’t want to be naughty so the Police don’t take me and put me with Daddy”. (Parent FG)

Mental health and drug and alcohol issues were recurring factors for parents who viewed this as something that could count against them in terms of inclusion. They talked about complex interactions between experiences of trauma, drug and alcohol use and mental health concerns. They recognized the significant work that they had done, or needed to do, in order to maintain their own health and wellbeing, particularly for the sake of their children. However, they expressed frustration that there seemed to be insufficient understanding of such complex issues within the legal and child protection sectors. They found that drug and alcohol addiction and mental health problems were often treated within the system as largely the result of individual failings and as parental choices.

Because of my life in care, I had unaddressed trauma, but they never had a conversation about what I might need, and I had no idea about trauma then ... I had a relapse, and my sister rang [government agency] and they came over. They stopped taking urine analyses and then I relapsed. It takes time to recover from drugs and alcohol – it doesn’t happen overnight. (Parent interview)

Keys to improving family inclusion that were identified by the parents indicated the need to address structural inequalities.

4.3.2. Improvements to support and services

Ultimately, parents wished that they had received support that would have enabled their children to stay with them and that their children had never been removed. One parent stated that “I would have preferred intervention that supported me to stay safely with my children” (Parent FG). This was particularly the case for women who had experienced domestic violence, who suggested that interventions that focused on their safety and housing could have kept their families together.

Parents recommended practical supports that could help them in improving their living conditions, thereby improving their capacity to be part of their children’s lives. This included access to affordable and secure housing and financial support to help with transport and medical appointments. One parent recommended that financial support be given so that families could go on holidays together.

Respectful relationships and communication were identified as keys to inclusion. Parents considered that practitioners in the child protection system and carers needed to listen to them and not dismiss what parents had to say.

Just to listen and to take what the parents are saying as we know our kids. Our kids speak to us and they seem to think that the kids don’t share things with us for whatever reason. I don’t know why. But for them to listen to the kids and to the parents. We know. We know our kids. (Parent FG)

They considered it crucial that government and non-government agency practitioners, carers and parents work as a team in the best interests of their children. In their experiences of the child protection system, relationships had often been oppositional. When they were able to work in collaboration with workers and carers, they felt their children’s needs were better met. One parent made the following suggestions:

The case workers just build that relationship, like work as a team instead of just working against each other. Work as one person, the best interests of the kids. Then... the carers just to be sympathetic and respectful. (Parent FG)

5. Discussion

In the following discussion we consider and interpret the parents’ descriptions of inclusion and exclusion through the frames of power, knowledge and resistance. In doing so we move towards critical reflections and recommendations on possible ways to increase and improve family inclusion within child protection systems.

5.1. Disciplinary power

While Foucault theorized power relations as multidirectional and requiring the participation of two parties, he also recognized the disciplinary function of power, particularly as enacted through hierarchical institutions (Hoffman, 2014; Foucault, 1977; 1982). Child protection systems have been critiqued as reflections of the types of surveillance posited by Foucault as tools for enacting this disciplinary power (Wrennall, 2010). Parents in this study articulated the ways in which their power, as parents and citizens, had been stripped away via experiences of violence, poverty and exclusion such that, when it came to being included in their children’s lives, they felt “powerless”. Experiences of family inclusion or exclusion within the child protection system emphasized parents’ positions as subjects of surveillance. Once they were deemed by legal and governmental institutions to be incapable of parenting, they viewed their chance of reclaiming parental power as a difficult and sometimes insurmountable task. As suggested by Foucault (2002), labels can be a means of subjecting citizens to the state’s power – a way in which the knowledge/power discourse plays out. This is illustrated via the label of parent who has had their child removed - a label that has significant legal, economic, social and cultural implications.

The findings exemplify ways in which Australian child protection systems and practices can be perceived to monitor parents as a means for enacting normalized views of “good parenting”. Parents had experienced marginalization, in some cases for generations, via experiences of poverty, systemic racism, imprisonment, abuse and trauma. Issues such as lack of affordable and secure housing were, from the parents’ perspectives, intertwined with removal of their children and barriers to
their inclusion. Exclusion from their children’s lives was yet one more experience of impeded citizenship.

However, reflecting Foucault’s conceptualization of power as relational, there was also evidence that institutional power could be a means of facilitating greater inclusion. This was where relationships and communication were multi-directional, negotiated and shared across the various stakeholders (parents, carers, practitioners, lawyers). This can be interpreted as an example of sharing control of the discourse – perhaps even a redistribution of power.

5.2. Knowledge and language

Foucault (1980; 1982) claimed that power is interwoven with knowledge and language. He suggested that dominant discourses are determined by those who are recognized as ‘qualified’ or ‘expert’, often those people who have formal qualifications and professional capacities (Turkel, 1990, p.177). In determining the dominant discourse, those with power exclude certain groups via specialized and inaccessible language and modes of communication.

Parents experienced such exclusion from the dominant discourse. The term child protection creates a binary distinction between the child in need of protection (and the agencies that enact this protection) and the parent from who the child is to be protected. Parents perceived that the formal expertise of legal, government and community sector professionals shaped the narratives of inclusion. Parents’ lived experience expertise, particularly where they perceived that they knew their children better than anyone else, seemed to them to be disregarded. Historical reports, case notes and court records were considered to be controlled by the state and to work against parents who struggled to shift the discourse from one that viewed them as unsafe and incapable, towards parents with rights and capacity for an ongoing and vital role in their children’s lives.

It is notable that all parent participants in this study were women. This reflects existing evidence that child protection authorities generally interact more with mothers than fathers, the limited research on fathers’ inclusion and prevalence of gender bias within child protection systems (DeSimone & Heward-Belle, 2020; Maxwell et al., 2012; Smith & Humphreys, 2019; Vanschoonlandt et al., 2012). Experiences and perceptions of family inclusion are intertwined with parents’ complex identities, including gender identities. Internationally, child protection systems have struggled to shift away from assessment and response interventions that assume particular nurturing characteristics of mothers (De Simone & Heward-Belle, 2020). The subjugation of mothers within patriarchal domestic and political settings was reflected in our findings in the extent of domestic violence reported by the women, and ways in which they sometimes experienced legal and social service systems as intimidating and unresponsive.

There has been much critique of the failure of the state in relation to the dual responsibilities of child protection and prevention of domestic violence (De Simone & Heward-Belle, 2020; Humphreys et al., 2019). The findings here reinforce calls for a more sophisticated discourse – one that does not dichotomize experiences of parents and protection of children. The findings illustrate the need for a shift towards compassionate and relational notions of children’s rights that acknowledge their interconnectedness with rights and responsibilities of parents and cultural and community contexts (Tobin & Cashmore, 2020).

5.3. Acts of resistance

Despite the ways in which parents found themselves powerless and excluded from privileged forms of knowledge, they fought back and demonstrated strength via various acts of resistance. Foucault (1980; 1984) recognized within his critique of state power, that subjection was not complete. He was interested in the acts of resistance by which marginalized groups asserted their rights, citizenship and power (Adolf & Stehr, 2016; Stehr & Adolf, 2018). Foucault considered that power and resistance are interwoven – “relations of power” rely on the possibility of resistance as a force to challenge and constitute power (Foucault, 1994, p.12; Lynch, 2014).

Parents sought empathy and understanding – they wanted to be seen and heard. They were advocates for themselves and their children. These women had, in various ways, demonstrated strength through adversity. Recognizing parents’ strengths and power is vital to children experiencing family inclusion. This aligns with principles of strengths-based practice, whereby evidence has shown that working from the capacities and assets of individuals can lead to better long-term outcomes (Reddell, 2012; Young et al., 2014). Managing the tensions between strengths-based practice and statutory requirements has been challenging for child protection workers (Oliver & Charles, 2016). However, such balance can be achieved where practitioners recognize power dynamics and draw on a fluid power relationship via a collaborative approach with parents (Oliver & Charles, 2016). Changing these disparities in power requires explicit and intentional efforts.

In this study parents articulated their own strengths including their capacity for change, love of their children, advocacy, understanding of their children and resilience. Recognition of such strengths and the value of parents’ lived experience knowledge, by legal and human services professionals and within the formal processes of the child protection system is important in opening up the power paradigm to be more inclusive of families. If practitioners build relationships based primarily on parent’s expressed needs and wants, then continuing cycles of child removal may be interrupted and inclusion more likely.

6. Limitations of the study

Given what was already known about distrust and distress of parents who’d had children removed towards various institutions (Alexander et al., 2022; Darlington et al., 2010; Lonne et al., 2008; Mendes et al., 2021), we were not surprised that the parents who volunteered to participate in this study tended to be people who were advocates for family inclusion and had been involved with the child protection system for many years. Participants were asked only to take part if they felt it would not be too distressing. As such, parents who had not had sufficient time or support to process their experiences were unlikely to participate.

The sample size was small and only mothers nominated themselves to participate. This is indicative of the sensitive nature of the research and the reluctance of parents to discuss experiences that can be associated with shame and stigma. However, it is not the intention of this article to provide generalizable findings. Rather, we sought to explore, in-depth, personal and individual experiences that may offer insight into the barriers and facilitators to family inclusion in child protection as a foundation to informing policy and practice reform.

7. Conclusions and recommendations

It is well established that parents feel powerless within child protection systems (Hall & Slemrouck, 2011; Kenny et al., 2015; Ross et al., 2017a; Van Houte et al., 2015). The findings reported here build upon this knowledge by offering unique insights to the ways in which parents experience power in relation to family inclusion specifically.

Effective and authentic family inclusion necessitates systems, and practitioners within those systems, that prioritize partnership with, rather than surveillance over, parents. Given that much of the child protection discourse has been dominated by state actors and professionals, a shift towards recognizing parents’ complex lives, parental identities and lived experience expertise is needed, along with increased recognition of their importance to their children. Within child protection agencies, the needs of children and parents should be considered in tandem, requiring a shift away from binary notions of protecting a child versus supporting their family. Limited views of family inclusion as scheduled visits between families and children might constrain the flexibility and creativity needed to engage with families and children.
according to their particular circumstances at a particular time. Collaborative approaches that value parent, child, practice and legal forms of knowledge are key to expanding the possibilities of what constitutes family inclusion.

The parents in this study insist on their recognition as parents and resisted practices that excluded them from their children’s lives. Parents’ acts of resistance may risk being misinterpreted by practitioners and authorities as aggression, disengagement and troublemaking – evidence that a person is incapable of safe parenting. However, the findings here illuminate acts of resistance as efforts towards family inclusion on the part of the parent and proof of an enduring parental identity. Parents felt that practitioners who are thoughtful and collaborative are potent allies in efforts towards greater family inclusion for children. As such, parents’ acts of resistance do not need to be conceptualized as being acts in opposition to practitioners, but as resistance to systemic and historic oppression – acts that can be aligned with the work of practitioners.

In light of the complex structural factors that shape families’ inter-generational experiences of the child protection system, the resilience and passion of parents in seeking to sustain meaningful connections with their children is brave and remarkable. A shift towards discourse, practice and policy that privileges family inclusion as an intrinsic part of caring for children is needed.

References

