

# **The Butterfly Effect**

*An Investigation Into the Lasting Effects of Colonial Attitudes Throughout History on  
Contemporary Australian Society*



## **Acknowledgements**

*I would like to begin this paper by acknowledging the Traditional Owners of Country throughout Australia and recognise their continuing connection to land, waters and culture.*

*I pay my respects to their Elders past, present and emerging. I acknowledge the Traditional Owners of the Country, the Gadigal people of the Eora nation, upon whose land I am writing this paper, and recognise their continuing connection.*

*Aboriginal and Torres Strait Islander individuals should be aware that this major work may contain images or depictions of deceased persons.*

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## **Introduction**

Racism and colonial attitudes have been a matter of great prevalence since the moment European colonisers invaded Australia on January 26, 1788. This prevailing attitude of white superiority and black inferiority was evident from the instant James Cook declared the land 'terra nullius'. It was evident from the lack of respect and brutal nature with which the colonisers treated Aboriginal people. It continued to be evident over the years that followed, years filled with the systematic abuse, neglect, disrespect and oppression of the traditional owners of the land through both government policies and the blatantly racist attitudes entrenched within Australian society which, in many ways, prevail today and will continue to thrive as long as Australians remain misinformed and trapped within the bounds of a frail and outdated mindset.

## The impacts of early colonisation on Aboriginal people



'The Founding of Australia' by Algermon Talmage, 1937 (Australians Together, 2020)

The horrific and abhorrent actions of the English are reflective of the Eurocentric attitudes so often possessed by Europeans, both in the past and the present. The callousness with which the English immediately began to systematically terrorise and decimate Indigenous culture speaks volumes about the highly Eurocentric perspectives

upon which they operated and based their actions. The concept of 'terra nullius', a term derived from Latin translating to 'nobody's land' was never, and will never be, applicable to ways in which Aboriginal Australians lived prior to 1788. The term 'terra nullius' can be legally defined as '*land that is legally deemed to be unoccupied or uninhabited*' (Mann, T, 2010). This, of course, was not the case of the intricately structured 50,000 year old society of pre-contact Australia. Terra nullius is simply legal fiction utilised to not only poorly excuse the unforgivable actions of the colonisers, but also to demean the culture of the scientifically-proven longest existing nation in the world. For one to vouch for the validity of terra nullius is, essentially, for one to admit that they believe that the only functional manner of living within a society is through European means, a misinformed opinion possessed by far too many Westerners and Europeans. It is this perspective of Eurocentrism and white superiority which, arguably, caused the systematic oppression of First Nations Australians which ultimately led to a mass cultural genocide.

*Dispossession*

From the beginning of the travesty of colonisation, the populations of Aboriginal communities were devastated by factors previously unknown to them, factors which included diseases brought by the British in addition to the forced removal of communities from



*The Noonkanbah March protest, March 1978.*

their land through policies of Dispersal and Dispossession, these occupied lands often obtained through force, driving the inhabitants off the land and even through massacre. It is due to this mass dispossession that, despite the fact that just over 230 years ago Australia was entirely populated by Aboriginal peoples, Indigenous people only represent 3.3% of Australia's population today (Australian Bureau of Statistics, 2017). This dispossession not only resulted in death and destruction, but also played a key role in the genocide of the culture of Indigenous peoples.

Connection to Country plays an imperative role in the livelihood and culture of Aboriginal people. The concept of Country encompasses a reciprocal relationship between the individual and the land, with strong emphasis on the land caring for ones needs in return for the individual caring for the land; rather than owning land, each individual belongs to a section of land to which they are related through the kinship system, and this individual is entrusted with the knowledge of and responsibility for their land, which encompassed their

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entire being and identity (Pascoe, B. 2019). In contrast, Westerners operate almost entirely upon the capitalistic belief that land is property to be sold and obtained, a stark contrast to the belief in interdependence possessed by Aboriginal people. Early settlers viewed the land as a resource, demanding agricultural land for crops, pasture and livestock, eventually transforming the carefully and intricately cared for land cultivated over the course of hundreds of thousands of years into merely a commodity, as well as creating Westernised infrastructure such as roads and buildings. (Kinchela Boys Home, 2020). The obstructive clearing of land made it impossible for Indigenous peoples to continue to thrive on the ancestral lands upon which they relied, the land which in turn relied upon them and fell victim to the colonists' methods of maintenance and management. This disruption of their livelihood caused increased dependence on the government for rations, housing and employment (Kinchela Boys Home, 2020). It is this Westernised belief of land as a commodity to be possessed and acquired that lead the colonisers to forcibly take the land which rightfully belonged to the First Nations peoples.

### *Massacres, disease and conflict*

Indigenous peoples were eminently adversely impacted by European colonisation and the negative factors which came as a consequence of the cultural genocide caused by the invasion. An erasure of culture occurred through the unwarranted introduction of European ways of life, an imposition which brought deadly diseases and caused a heavy population decrease, as well as severely adversely impacting them through the loss of their connection to Country due to their need to flee their region for the sake of their own safety.

As one of the world's longest surviving cultures, it is arguable that the Gadigal people were among the most detrimentally impacted by the 1788 colonisation of the Indigenous nations, particularly when the fact that Gadigal Country was the first point of contact the European colonisers had with Australia is taken into consideration. With this initial contact came unfamiliar foods, ideologies and diseases which opposed the way the Gadigal people lived. Amongst the most devastating repercussions of colonisation in Australia was the smallpox epidemic. While Europeans had developed a resistance to the disease due to previous exposure, Aboriginal people had no immunity to the disease as their immune systems had never been exposed to a virus of that nature before. While there is no evidence supporting the exact number of Gadigal people who were killed by smallpox, it is estimated that 53% were killed by the disease, which has been speculated to have been used by the colonists as a form of biological warfare (National Museum Australia, n.d.). In order to escape the havoc wreaked by the smallpox epidemic, many of the Gadigal people fled, creating a loss of connection to Country, thus instigating a discontinuation of the practices that encapsulated their livelihood, such as hunting and gathering, spirituality, kinship and language.

The opinions of the colonisers in regards to Indigenous people and the ways in which they were brutally massacred and dispossessed by the English in order to gain territory can be summarised with a quote from a coloniser by the name of Edward Wilson in 1856, who stated:

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*"In less than twenty years we have nearly swept them off the face of the earth. We have shot them down like dogs. In the guise of friendship we have issued corrosive sublimate in their damper and consigned whole tribes to the agonies of an excruciating death. We have made them drunkards, and infected them with diseases which have rotted the bones of their adults, and made such few children as are born amongst them a sorrow and a torture from the very instant of their birth. We have made them outcasts on their own land, and are rapidly consigning them to entire annihilation."* (Australians Together, 2020).

It is important to recognise that from the beginning of the invasion of their land, Aboriginal people fiercely resisted the violation of their home, and it is estimated that roughly 20,000 Indigenous peoples were killed as a direct result of colonial violence during this period within Australian history, and 2,500 settlers died as a result of frontier conflict during early colonisation (Australians Together, 2020).

## **Government policies, legislation and their impacts on Aboriginal people**

Following the early stages of colonisation, many governmental policies were created with the intention of controlling each and every aspect of the lives of Indigenous peoples. Every piece of legislation created revolved around the deeply entrenched collective European perception that white population was superior to Aboriginal people, who would naturally succumb to the effects of colonisation and cease to exist. This, of course, was not the case, which led to the creation of multiple policies which aimed to destroy every aspect of the culture of Aboriginal Australians in order to achieve an ideological white society.

### *Eugenics & Social Darwinism*

In order to understand the atrocities of nineteenth and twentieth century governmental policies in regards to Indigenous peoples, one must first understand the prevailing attitude of black inferiority and white superiority, an inclination possessed by the majority of individuals from a European background at the time. Based upon the theory of eugenics, the actions taken by the European-formed government in Australia in terms of both their treatment of Aboriginal people on an interpersonal level and the suffering inflicted upon them through racist government policies aimed at creating a whitewashed, Eurocentric Australia were utterly reprehensible.



A newspaper article highlighting the genocide of Indigenous peoples in the name of the theory of 'white superiority' (Creation Ministries International, 2014)

Much of the theory of eugenics was linked to the theory of Social Darwinism, which was used to justify the atrocities that occurred as a result of the European belief in white superiority (Kinchela Boys Home, 2020). Darwinism, a theory of biological evolution developed by English naturalist Charles Darwin, stated that all species of living organisms develop through processes of natural selection. Social Darwinists essentially believed in ‘survival of the fittest’, which encapsulated the idea that some individuals in society were naturally stronger and more capable than others and it was ideal to populate society with individuals possessing these supposedly stronger genetics, a concept which colonists applied to Indigenous peoples. Following Darwin’s 1836 visit to Australia, he noted the detrimental impacts of colonisation on Aboriginal people. In his 1859 journal *‘The Origin of the Species’*, he proposed the theory that all species engage in a struggle to survive and are constantly transforming through natural selection, and if a species did not successfully adapt, it could become extinct (Lennox, J. 2019). In regards to Darwinism in relation to First Nations Australians, Darwin wrote:

*“The number of aborigines is rapidly decreasing. This decrease, no doubt, must be partly owing to the introduction of spirits (alcohol), to European diseases and to the gradual extinction of the wild animals. It is said that numbers of their children invariably perish in very early infancy from the effects of their wandering life; and the difficulty of procuring food increases. Wherever the European has trod, death seems to pursue the aboriginal. We may look to the wide extent of the Americas, Polynesia, the Cape of Good Hope, and Australia, and we find the same result.”*

Despite Darwin not applying his theory of natural selection to humans, Social Darwinists remained adamant that the concept could be used as a scientific means to justify the persecution of Aboriginal people, as well as to justify eugenics (Kinchela Boys Home, 2020).

This widespread ignorance and disregard for the culture and livelihood of Indigenous peoples stemming from theories of racial superiority was what ultimately led to oppressive policies based upon race such as segregation, ‘protection’ and assimilation.

### *Missions, Reserves & Stations*



Gnowangerup Mission, 1941. (Wikipedia, 2019)



Littlewell-Mingenew Aboriginal Reserve, date unknown. (ABC, 2018)



The spread of European settlement in the late 1700s caused sweeping numbers of Aboriginal people to be forcibly removed from and dispossessed of their land. Following the establishment of the colony, the newly-formed governments became perplexed as to what to do with the Aboriginal people, an ‘issue’ which became known as the “Aboriginal problem” (Carr, J. 2019) . As a result of this ‘problem’, governments responded by creating areas of land specifically for Aboriginal people to reside on, believing that they needed ‘protection’ which could be achieved through the mandatory placement of Aboriginal people in monitored areas. There were

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three main spaces formally used for the placement of Aboriginal individuals, known as

Wreck Bay Aboriginal Station, date unknown.  
(AIATSIS, 2019)

reserves, missions and stations. The key differences between

the three were that reserves were not managed by official

governmental figures and were merely create to separate Indigenous peoples from the white

Australian population; Aboriginal people lived relatively unmanaged and received rations

from the Aborigines Protection Board from 1883 onwards, but were considered to be

‘responsible for their own housing’ (NSW Department of Planning, Industry &

Environment, 2012). Missions differed from reserves as they were created by churches with

the intention of both housing Aboriginal people and indoctrinating them into Christianity by

forcing religious ideals upon them. Stations differed from the two as they were established

by the Aborigines Protection Board and were managed by officials appointed by the Board

(NSW Department of Planning, Industry & Environment, 2012). Managers of the stations

strictly controlled who could and could not reside on each station, and many Indigenous

peoples were moved both on and off each station. Due to heavy emphasis by the

government on the need for the segregation of of Aboriginal people from the European

population, many were also forced to live on the outskirts of towns, as well as on beaches

and riverbanks as opposed to living on reserves, missions or stations.

The Aborigines Protection Board (APB) was created in the late 1800s under the guise of

catering for the welfare of Indigenous peoples and in order to provide areas of land upon

which they could live. However, historian Anna Doukakis argues that the creation of

reserves was not implemented with the intention of acknowledging Aboriginal property

rights, but rather “to remove Aboriginal people from society and public view” (Doukakis, A,

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2006). Doukakis' theory can be evidenced by the fact that many reserves created by the APB were created as a response to the dissatisfaction of caucasian residents in regards to Indigenous peoples living in their vicinity.

The *Aborigines Protection Act 1909* gave the work of the APB additional support by allowing the Board 'the authority for the protection and care of Aborigines' (Aborigines Protection Act, 1909). This Act was amended in 1936, an amendment which granted the APB further power to hold Aboriginal people against their will, as well as permitting the Board to move all Indigenous peoples from areas in which they resided such as towns, camps and smaller reserves to larger stations which were more vigorously managed, an allowance which further stripped Aboriginal people of what little basic rights and freedoms they possessed to begin with. It was not until 1976 that the *Aboriginal Land Rights Act* was introduced and Aboriginal reserves were handed back to local Indigenous communities through a process of lodging claims to Crown lands and the establishment of Aboriginal Land Councils.

The emphasis upon converting Aboriginal people to Christianity and 'civilising' them was one of the many highly problematic aspects of life on the missions. The forced removal of Aboriginal people from Country was already incredibly disruptive and destructive to their culture and livelihood, but being made to adopt foreign concepts and languages had an utterly detrimental effect and resulted in the deleterious erasure of kinship, language, connection to Country and culture. Traditional ceremonies, celebrations and cultural practices were forbidden on reserves, and the Commonwealth Government banned the

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speaking and learning of Aboriginal languages, attempting to force Indigenous people to replace their dialect with English (Kinchela Boys Home, 2020). The problem with this attempt at conversion begins with the bias of the Europeans towards their own culture, a bias which caused them to make attempts to ‘civilise’ the Aboriginal population, proving yet again that they could not view the lifestyle of any culture other than conventional Westernised civilisations as a ‘proper’ way of living. This narrow cultural perception possessed by the colonisers was accompanied by the presumption that the Indigenous population would embrace these foreign concepts and the introduction of Western ideologies, and they were confused when their attempts at indoctrinating the Aboriginal people into Western society were rejected. This led the English to deepen their sense of racial superiority and come to the conclusion that the ‘inferior’ race would become naturally extinct. This concept of superiority encompassed much of the idea behind the Assimilation Policy, and led to the forcible removal of children.

The fragility of the Europeans’ need for the emphasis on the superiority of their own race ultimately culminated in a mass cultural genocide, resulting in a generation of irrevocable damage and the formation of a misinformed and divided modern society.

### *Assimilation*

The presumption of genetic superiority in regards to race possessed by the Europeans led to the 1937 Assimilation Policy, which was based upon the belief of black deficiency



The system of assimilation over three generations (Neville, A. 1947)

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and European superiority, essentially a policy structured around the incorrect prediction of Aboriginal people eventually “dying out” via a process of natural selection, or alternatively be assimilated into the white community where possible (Kinchela Boys Home, 2020).

Following the 1937 conference held by the Australian government in regards to Aboriginal Affairs and the creation of this legislated policy, assimilation was defined as:

*“The policy of assimilation means in the view of all Australian governments that all aborigines and part-aborigines are expected eventually to attain the same manner of living as other Australians and to live as members of a single Australian community enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties as other Australians. Thus, any special measures taken for aborigines and part-aborigines are regarded as temporary measures not based on colour but intended to meet their need for special care and assistance to protect them from any ill effects of sudden change and to assist them to make the transition from one stage to another in such a way as will be favourable to their future social, economic and political advancement.”* (Hasluck, P. 1961).

This definition further emphasises the desire of the colonists for complete control over the lives of Indigenous Australians and their need for all beings to live Westernised lifestyles in order to be considered civilised by Eurocentric standards, operating upon the presumption that Aboriginal people could enjoy the same freedoms as the white population, providing they absorbed a culture that was forced onto them. Legislation within the assimilation policy which governed procreation and marriage between Aboriginal people with the aim of

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preventing the birth of 'full blood' Aboriginal children was further evidence of the ideological desire for an entirely white Australia, and was somewhat coextensive with the White Australia Policy of 1901 to 1966, which limited immigration to migrants from Britain and Northern Europe (Ellinghaus, K. 2003).

The policy revolved around a sense of contradictory logic as it was assumed that Aboriginal people who would happily accept and adopt the European way of life and become the same as the white population, yet the government and society never afforded them the same rights, freedoms and opportunities and they continued to be treated as an inferior race (Australians Together, 2020). This contradiction ultimately led to the failure of the assimilation policy as its very aim was never met as the Europeans would not allow themselves to see past their deeply engrained racist mindsets in order to effectively obtain their idealised Eurocentric culture. The aim of assimilation was, essentially, to undermine and decimate the culture of Aboriginal people in order to make way for an entirely whitewashed European society.

The policy was formally enacted by the Aborigines Protection Board in 1951, who subsequently increased the previously-established practice of the forcible removal of Indigenous children who were perceived to be eligible for assimilation, who were referred to as 'half-caste', from their families (Kinchela Boys Home, 2020). These children who were forcibly ripped from their families later became known as the Stolen Generations.

*The Stolen Generations*

The Assimilation Policy between 1910 and 1970 primarily focused on the absorption of children into white Australian society as they were considered to be preferable to assimilate due to the fact that they were more impressionable, adaptable and easier to control. The selected children, who were essentially kidnapped, some even stolen at birth, were placed in institutions such as missions, industrial schools, reformatories and church-run orphanages to perform labour, or with white ‘foster’ families.



A photograph published in a Darwin newspaper in the 1930s appealing to charitable organisations to find homes for the children (Australian Archives “Between Two Worlds, 1964).

Substantial information has been revealed over recent years regarding the quality of life of Aboriginal stolen children living on missions and in homes. The treatment of these children was utterly decimating and inhumane, leaving many with a lifetime of trauma and mental scarring. Any form of cultural practice or expression of Aboriginality was strictly forbidden in an attempt to successfully indoctrinate the impressionable children into white Australian society, and severe punishments were put in place when these rules were breached. In a further attempt to dehumanise and eradicate any sense of self possessed by the children, many were stripped of their names and were instead identified simply by a number.

Violence and abuse was not uncommon within the missions and homes in which the children were forced to live, and many of the stolen children were physically, sexually and

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emotionally abused (Korff, J. 2020). Despite the inhumane levels of abuse suffered by children as young as infants, modern non-Indigenous Australians often hold the common, somewhat ironic misconception that stolen children were removed from their families due to their parents being unable to care for them. The reality of this misconception is that nearly all stolen children were abused by their supervisors, and if not by them then by their peers (Korff, J. 2020). Examples of common forms of abuse included boys being flogged or chained to trees overnight for common mistakes or misbehaviours. It was common for male stolen children to be forced to engage in a ritual where they were ‘sent down line’ to be struck by their peers in order of oldest to youngest, a form of abuse which was both physically and mentally painful as it increased the sense of isolation experienced by the children as it turned them against their peers, as well as creating a traumatising sense of degradation and humiliation. Incredibly cruel forms of emotional abuse were also carried out on the children, and it was very common for their caretakers to tell them that their mothers no longer wanted them or that they were dead, and the Aboriginal identity and heritage of the children was often withheld from them entirely.



Uncle Roger Jarrat, a Gumbaynggirr elder (ABC, 2020).

Uncle Roger Jarrat, a Gumbaynggirr man and Indigenous Elder within his community was a part of the consultation process for this paper. He, himself, was stolen from his mother as a child and taken to the Kinchela Boys Home in New South Wales. Uncle Roger described Bowral, the place he lived prior to being sent to the Kinchela Boys Home as “fairly racist”, recounting his

experiences with racism as a young child and not understanding why he was being treated

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so poorly. When he spoke about this experiences at Kinchela Boys Home, he described the humiliation, abuse and pain he suffered during his time there which left him traumatised for life. He said:

*“When I walked through that gate I wasn’t Roger Jarrat any more, I was number 12. And they took me in and stripped me down, naked, and they took me clothes and I saw me clothes in the incinerator, and I even had second hand sandshoes, which the nuns actually got the Aboriginal kids when we were on the mission, and they even burnt them, and they took me down to a uh - before the - they shaved me head bald; said that I had lice; marched me down to a shower block in the nude, and got this old scrubbing brushes - the one you scrub floors with, and the- the soap was like they made it themself like it was a dark, lard type of soap, and you had to scrub yourself like you bled as a child, and it was cold, because it was winter time when they took me, and then you dried yourself off with a towel they gave ya, and you had to cover your face over your mouth, and they threw this white powder over me, and me young brother Phillip, and then they marched us back up through this uh - what do you call it - like a storeroom, and in this storeroom it had like square pigeon holes, and each every one of them had a number on ‘em. Number 12 was a big boy that had left; they’d put him out as labour, uh, towards the uh farming, because they taught him how to, you know, do farm work, and he was labouring, and he was a big boy, and I was 11 years old, a skinny little blackfella, and his clothes were raggy - worn out - and you know jumpers had holes in it and shorts were all ripped and torn, but I understood later on - you know what I mean - they just gave me a string to tie me trousers up they were that floppy, and then three months later they fitted me out with another pair of clothes that actually fitted me, but*

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*before that I had to walk around with these clothes...and all the time I was in Kinshela we'd get up at 4.30 in the morning in the country with frost on the ground - it was that thick when you walked on it it was like walkin' on snow, and I was born crippled because we weren't*



Children from the Kinchela Boys Home (Kinchela Boys Home. n.d)

*allowed in hospital, me feet had turned in. At three years old they operated on me in Sydney, and when I went to Kinshela, I used to walk funny and um, the boys called me a nickname, pigeon; pigeon-toed, and staff used to come up to me every day and belt you around the back of the head, or belt you with a cane, saying, "walk properly, walk straight", and as a child I said, "I'm walking", and I didn't realise that I was walking funny. But you know I got a hidin' every day for not walking properly, and because we had no shoes, I used to kick me feet because it was farmland, and farmland looked like a manicured lawn; flat, and you could walk around, and up to this day I still can't grow toenails, because they kicked me toes every single day."*

Uncle Roger detailed experiences of abuse from both the workers at the home and his peers, a commonly shared experience by those that were stolen and placed in homes. The intentions of the workers at Kinchela to humiliate and essentially break the spirits of the stolen children is evident within Uncle Roger's story; they not only robbed him of his childhood, but also of his name and therefore his entire identity.

Despite the aim of conversion of the children into members of the 'white' society, little to no children were adequately educated, setting a precedent of inequitable circumstances for

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future generations of Indigenous individuals in terms of their education while also making it essentially impossible for the stolen children to ever enjoy the same freedoms and opportunities as their white counterparts as they were supposedly meant to upon their 'release' from government control, proving once again that the assimilation policy was deeply flawed on all levels. Instead of an adequate education, the girls were trained to become domestics servants while the boys were trained to be stockmen, setting them up for a life of servitude with little to no choice in the matter as they were essentially set up for failure.

Uncle Roger Jarrat describes his own experiences with education as a stolen child as both freeing but also futile; while he did attend Kempsey High School, he was forced to repeat a grade due to his trauma detrimentally effecting his capacity to learn. However, he describes the feeling of freedom he experienced when he got off the bus to go to school as he felt he could be himself again without risking punishment. He said:

*"I could look at the blackboard; I could see letters and figures up there, but I couldn't understand what they meant. You know I just didn't have the capacity in the end; I was that stressed that I could see the blackboard and figures and numbers and letters, but they meant nothing to me. I couldn't comprehend it, put it that way, on what it was about. And uh, like even at high school I couldn't do that. But the teachers tried to help me, and you know, on my report - I've got a report, they put, "Roger tries". And then I had to repeat 2G, and because I had to repeat 2G, seven of the boys run away from the home. They were caught, brought back and flogged, hair shaved out the front garden, as a show when people drove*

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*past, just to embarrass 'em, and uh, it would have been seven or eight years down the track before I got out, so they pulled me out of high school because I had to repeat it, an embarrassment for the government I 'spose."*

The collective punishment of his peers a result of Uncle Roger being forced to repeat a grade at school them was yet another example of a cruel and humiliating practice designed to shatter the children. In another example of the brutality with which stolen children were treated, Uncle Roger described his and his peers' experiences with other forms of abuse and punishment inflicted upon them for minor mistakes. He described the inhumane treatment of the children in the Kinchela Boys Home, saying:

*"We ah, had a tree back near the dairy. It had a chain on it. and if you said something trivial, you know like to your mate, calling his name or - or anything at all, Well they'd think-because they were traumatised-that you were talking about them. And they'd march you over to that tree and strip you naked and chain you up there, and they left you there to their-whatever-they wanted you to stay there for a week that - 2 weeks or whatever Chained up to this tree, and they didn't feed them full stop but when I went over there for 30 every morning we used to go down and get the corn out of the Corn -we had to do our own farming, so we planted corn and potatoes and all of the rest of the food as well. We used to get eggs out of the-we had chooks as well-about 200 chooks-two different pens. and milk we used to get from - eggs, we'd boil 'em Up and take them to the boy that was chained up and give him a feed but not so the staff could see what we were doing. Because we would have been chained up there as well. So every morning we'd give a feed if they were there, and,*

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*some of the boys were so traumatized-You know what I mean-the young ones-missing their parents and family, they wet the bed. They used to march them out and strip them naked-march them out and put the sheet around them-an old sheet-a towel – put the towel on the barbed wire fence, march them into our neighbour's property, which was Mr Carroll...McCarroll...he had a Swamp in the back of his property. They used to march them out in this swamp and make 'em stand there in this cold water. Leeches and everything else was in there. And then you can hear 'em crying from where you are in the home. And they'd make 'em stand out there so their kidneys were-were stuffed, you know what I mean-from standing in the cold water. You know what I mean- they'd bring 'em back in at their leisure again, and they'd 'uh, make 'em wash their sheets and everything else and, hang them out, and do everything because they were traumatised and there was no mother there to help them, and uh, you know, it was-there was no mother there to help them. You know, you know, it was horrific -what they'd do to you-they'd bash you all the time. The thing is like, I explained it in this way- we sung out,but if, if you closed your eyes and imagined you were in a dark room and you-you'd sing out for your parents to come and help you and all these years you'd be doing that-screaming out for help...and nobody'd come like you...and you'd-you'd get to the point where you'd get that fed up about calling for help because nothing was coming.”*

Uncle Roger's heartbreaking story of his experiences with yearning for his parents emphasises the devastating effects of the separation of children from their families and the disruption to kinship systems.

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Sexual abuse was also an incredibly common issue within the homes, particularly within the female population. Many girls were raped by white men and gave birth to babies who were also stolen from them, continuing a cycle of trauma and forcible removal of children. It has been reported that an estimated 10% of stolen children in institutions experienced sexual abuse (The Age, pg.14. 2008). In modern times, the institutions have been likened to that of German concentration camps both by survivors of the Stolen Generation and experts due to the severity of the abuse and inhumane treatment suffered by the children both at the time of their captivity and in terms of the irrevocably detrimental long term impacts on their culture, spirituality, livelihood and kinship systems.

Abuse within white families was also a common occurrence during this period. Around the ages of 15 or 16, the stolen children were often sent to white farms and households to work as slaves in an incredibly exploitative process which went transgressed the intentions of the assimilation policy, which was supposedly to allow 'reformed' Aboriginal people back into



A photograph of a stolen child with his white foster family (Welcome to Country, 2018).

society to live a white lifestyle and enjoy the same freedoms. Girls were forced to work as domestic servants and boys worked on farms with cattle and crops, often working incredibly long hours for seven days a week (Korff, J. 2020). Around 20% of children were abused physically, mentally and sexually during their time with the white families (The Age, 2008). Severe physical punishments were inflicted upon the children when tasks were not completed to the satisfaction of the families for whom they were forced to work, such as canings and beltings. Stolen Generations survivor Valerie Linow, who worked as a domestic

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servant for a white grazier family reported a devastating experience of abuse inflicted upon her at the age of 17.

*“He yells out to me, he said, 'Valerie, get in here.' He said, 'You didn't do the girls' room properly.' And that's... I went into the girls' room and then that's when he raped me. He just threw me on the bed and just raped me.”* (ABC, 2004).

Despite Linow reporting this incident to the police, the man was never charged, demonstrating the bias and corruption within the legal system in achieving just and equitable outcomes for the helpless children who fell victim to a society which perpetually perceived them to be inferior. Additionally, according to the Aboriginal Protection Board's ward registers, it is estimated that one in 11 girls became pregnant, one in 12 died and one in 7 ran away (Sydney Morning Herald, 2008).

It is estimated that roughly 6200 children in New South Wales were stolen between 1883 and 1969, although the exact number is difficult to estimate due to the limited number of records of stolen children that were kept (Read, P. 1981). According to a 1994 survey by the Australia Bureau of Statistics, one in every 10 Aboriginal people aged over 25 years old had been forcibly removed from their families during their childhood (ABS, 1994). When this statistic is applied in proportion to the 2011 Census statistics regarding the Aboriginal population, the result is around 14,700 members of the Stolen Generation for that year, and with consideration to those with immediate family who had been removed, an additional

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160,000 Aboriginal people are significantly directly affected by the Stolen Generations (Korff, J. 2020).

The assimilation policy was officially abolished in 1973 by the Commonwealth Government in favour of Indigenous self-management following the increasing numbers of children being placed into foster care instead of institutions and homes in the late 1960s (Australian Human Rights Commission, n.d). However, the wounds of decades of reprehensible psychological, physical and mental damage lingered and would continue to have devastating long term effects on both survivors and generations to come. While the end to arguably one of the most destructive governmental policies was a rare step in the right direction for the Australian government, the damage had already been done and no real justice was achieved for the victims of the Stolen Generations. No reformed legislation could solve the anguish and suffering inflicted upon them, or make up for the time with their families which was lost forever, or give back the culture that was ripped away from them and hidden, casting shadows of confusion and loss of identity.

On May 26th 1997, the *Bringing Them Home* report was submitted in Federal Parliament, the report being the result of a national inquiry investigating the Stolen Generations (Korff, J. 2020). The report was considered a landmark and a crucial step towards a slow process of healing and ongoing reconciliation for many members of the Stolen Generations as it was the first time the travesties inflicted upon them by the government were publicly acknowledged and condemned. The report contained



The cover of the Bringing Them Home report (Australian Human Rights Commission, 2007)

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54 recommendations to address the abuse and unjust treatment that Aboriginal and Torres Strait Islander peoples experienced through the forced removal of Aboriginal children from their families, homes and communities. All state and territory governments issued formal apologies for the legislation and policies which had allowed for the forcible removal of children (AIATSIS, 2017).

While the policy of assimilation was ultimately unsuccessful as the principle of the policy was to incorporate Aboriginal Australians into white society as equals, an aim at which the policy failed miserably, its underlying objective was to decimate the culture and identity of First Nations Australians, which the policy achieved through the unabashed brutality and blatant disregard with which they treated them, robbing them of their lives, never to be returned.

### *The lasting effects of racist government policies on modern Australian society*

The impacts of racist government policies such as the use of missions, reserves and stations, the Assimilation Policy and the Stolen Generations were catastrophic during the time which they occurred, and this devastation has continued through multiple generations and continues to have detrimental impacts on Aboriginal Australians within society today.

One of the most prevalent and damaging long term effects of the oppressive government policies of the nineteenth and twentieth centuries is intergenerational trauma. Trauma is an individual's response to a catastrophic event which is so deeply distressing and disturbing

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that the individual is unable to completely come to terms with it. In many cases, trauma can be inherited from the first generation of survivors who directly experienced traumatic events, and can be passed down through one's method of parenting, violence, mental illness, substance abuse, behavioural problems and violence, all of which also stems from that individual's first-hand experience with trauma. This can trap families who suffer from transgenerational trauma in a vicious cycle of high rates of poor physical health, problems with mental illness, self harm and suicide, addiction, incarceration and domestic violence, all of which are proved to be directly linked to experiences of trauma within Indigenous communities. These prominent issues are the results of historical trauma from previous generations and causes of new instances of trauma, both of which contribute to this continued cycle. Feelings of mistrust are also common as a side effect of intergenerational trauma due to the heavy levels of institutionalised racism and oppression experienced by many Indigenous peoples, particularly a mistrust of authority figures such as the government and police. This mistrust of authority figures on the basis of their previous mistreatment of Aboriginal people continues to shape the relationship between these two bodies, and can frequently lead to misunderstandings and misconceptions about the intentions of one another, fostering a relationship of mutual distrust based upon their former social roles which were once governed by racism.

Many actions have been taken to address the effects of intergenerational trauma through education, employment, health, housing and rehabilitation (Australians Together, 2020).

While programs such as these cannot and will never completely heal the wounds left by the atrocities of Australian history, the programs which promote cultural awareness and help to

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instil a positive sense of identity are the most effective and therefore can aid in the overcoming of trauma for Indigenous peoples.

However, the effects of the Stolen Generations continue to devastate generations of Indigenous peoples. A 2018 ABC News article by Amanda Fotheringham describes the impacts of having a parent who was a stolen child on her sense of self and cultural identity and the trauma which she inherited. The article demonstrates how trauma is passed on from parent to child, the writer describing how her mother “*never learnt how to love*” due to her mother being robbed of her own relationship with her family and a maternal bond with her mother, an impact which, in turn, robbed her of an opportunity to have a strong relationship with her own daughter. Fotheringham stated:

*“As a result of being stolen, my mother and her siblings lost their connection to country. That means my sister, my nephew, my cousins and their children have all been deprived of this connection too. Growing up, the only reason I knew I was Aboriginal was because that's what I was told. I remember a teacher at school calling me up on stage one day because she thought I would know about the didgeridoo — but the truth was I didn't know anything about my culture, language or spirituality. I felt like I wasn't a "real" Aboriginal person — yet I also didn't fit in with my white family (my dad is non-Indigenous) in a predominantly white society.”* (ABC News, 2018).

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Uncle Roger Jarrat described the ways in which he is slowly overcoming his trauma and his feelings about himself and his past as well as his perspective in regards to intergenerational trauma and the Stolen Generations, saying:

*“Even today when I come back to Kempsey as a teenager, which is where I used to go to high school, when I first come back there I felt like I was still a child. I felt like all the white people was still looking at you like when I was in the boys home, but now as an adult – I’m 73 years old – when I go in I feel proud and strong, and, and That I am equal to them. The trauma stays with you for a long time, it stays with you all your life. The thing is, you need support around around you to get through things. And there’s not enough work in the country to give Indigenous people a job, so therefore they get on the dole and they’re negative-you know what I mean-and they’re, they’ve actually inherited our trauma. When you’re born you inherit your parents’ DNA.”*

*“I’ve been traumatised, probably till the day I die, and I’ll never forgive the government for what they did to my mother. They humiliated her and they made her sign papers, you know what I mean, they took her kids away.”*

During the 21st century, the attitudes of some Australians, particularly within the government, have shifted from that of an entirely Eurocentric perspective to a somewhat politically correct outlook in accordance with shifting societal values and expectations on what is perceived to be an acceptable attitude in regards to racial issues in modern society. This shifting attitude prompted former Prime Minister Kevin Rudd to issue his historic

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‘National Apology to the Stolen Generations’ in 2008, a speech which was delivered to the opening Parliament following his successful election. Members of the Stolen Generations were invited to listen to Rudd’s speech, which he also wrote in consultation with Indigenous Australians. In Rudd’s speech, he said this in regards to closing the gaps in the social inequalities faced by Aboriginal and Torres Strait Islander people:



A newspaper headline about Rudd’s speech in the Mercury. (Creative Spirits, 2020)

*“This new partnership on closing the gap will set concrete targets for the future: within a decade to halve the widening gap in literacy, numeracy and employment outcomes and opportunities for Indigenous children, within a decade to halve the appalling gap in infant mortality rates between Indigenous and non-Indigenous children and, within a generation, to close the equally appalling 17-year life gap between Indigenous and non-Indigenous when it comes when it comes to overall life expectancy.” (AIATSIS, 2008)*

The response from Indigenous peoples in regards to Rudd’s apology was overwhelmingly positive.

*“To me, our Prime Minister's apology is saying to my granny and the thousands like her, their children, grandchildren and great grandchildren, that we understand your pain and we acknowledge this long-ignored chapter in our history.”— Che Cockatoo-Collins, head of the Indigenous Sports Academy, Port Adelaide (Creative Spirits, 2020).*

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*“I feel great. I'm on top of the world, I'm floating on air. It's a big weight off my shoulders... It's the closure I need.”*—Archie Roach, 52, Aboriginal singer and songwriter and member of the Stolen Generations (Creative Spirits, 2020).

However, some Aboriginal individuals felt that the apology was too little, too late, and a simple speech could never repair the irrevocable damage done by the Assimilation Policy.

*“The word 'sorry' doesn't come near what my father went through. They can apologise in a thousand different ways without saying sorry. Actions speak louder than words.”*—Norman Stewart, son of a Stolen Generations member (Creative Spirits, 2020).

Additionally, several responses from the non-Indigenous community also demonstrated a continued attitude of racism and miseducation in regards to the policies of the nineteenth and twentieth centuries concerning Indigenous peoples.

*“If someone can prove to me that there were stolen generations, I could change my mind... The children in most cases were given up by parents or guardians who were unable to look after them.”*—Barbara Witte (Creative Spirits, 2020).

The New South Wales government requested schools fly the Aboriginal flag and pause lessons during the apology so that students could view the apology live on television in an attempt to demonstrate the importance of this monumental event. Many parents were enraged over this, and according to a poll in the Daily Telegraph, a majority of over 70%

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agreed that students should not replace classes with the viewing of the apology (Creative Spirits, 2020).

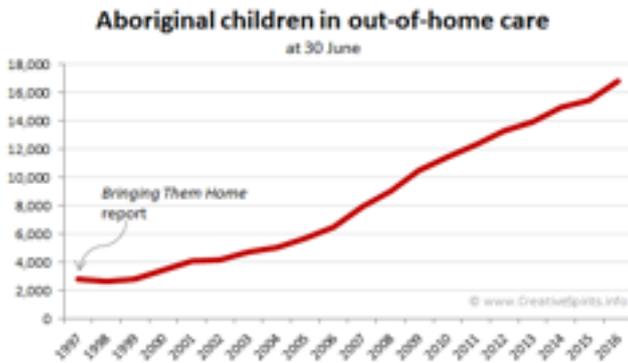
*“If my kids' school does this, they're staying home! I'm disgusted!”*— Newspaper reader (Creative Spirits, 2020).

The mixed responses of both Indigenous and non-Indigenous individuals highlights the lingering tensions and starkly differing opinions which still prevail in Australian society. While Rudd’s speech could be viewed as a great success and a vital step towards reconciliation, further change and governmental action beyond a speech is necessary to tackle the issues that have arisen within Aboriginal communities as a result of the Stolen Generations.

Despite the Stolen Generations period being officially over in the context of the Assimilation Policy, recent reports have shown that more Indigenous children are being taken into state care than during the Stolen Generations period (Creative Spirits, 2020).

The Productivity Commission Report on Government Services revealed that 2,785 Aboriginal children were in out-of-home care in 1997 during the time the Bringing Them Home report was proposed in Federal Parliament. That number skyrocketed in 2016, when it was revealed that 16, 846 Aboriginal children were in out of home care. Since the National Apology to the Stolen Generations in 2008, the percentage of Indigenous children in out-of-home care has increased by 65% as of 2016 (Secretariat of National Aboriginal and Islander Child Care, 2016). In a further expression of the socioeconomic gap between

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A graph demonstrating the rising numbers of Aboriginal children in out-of-home care from 1997 to 2016 (Creative Spirits, 2020).

Indigenous and non-Indigenous children, it has also been revealed that Aboriginal children are 8 times more likely to be the subject of departmental intervention and 10 times more Aboriginal children are in out-of-home care than non-Aboriginal kids (Creative Spirits, 2020).

### Intergenerational effects of the Stolen

Generation play a prevalent role in this seemingly inequitable rate of Indigenous children being removed. Socioeconomic hardship is a main effect of trauma, and many governmental workers who make decisions on whether or whether not to remove a child are unable to discern between stations of extreme poverty as a result of socioeconomic disparity and neglect (Creative Spirits, 2020). The influences of Eurocentric views on how children should be raised can also influence decisions on whether or whether not certain living situations could be considered appropriate, and the cultural differences between many government workers and Indigenous families combined with the general lack of cultural awareness often possessed by government workers due to a minimal education can lead to racial bias and misunderstandings, both of which contribute to the high levels of children being placed in state care. The lack of cultural awareness within the government paired with the alarmingly high statistics about Indigenous children in out of home care highlights the need for deeper levels of understanding of different cultures and perspectives in order to collectively progress as a society rather than regress and face another generation of children ripped from their families, culture and Country.

## Legal decisions and protests and their impact on Aboriginal people

Many protests regarding the treatment of Indigenous peoples took place during the twentieth century which would come to heavily influence the future of Australian society and shape the present, beginning with what came to be known as the Day of Mourning in 1938, which marked 150 years since European settlement. The Aboriginal people who demonstrated against their inhumane treatment demanded equal rights, freedoms and equality. This protest sparked the beginning of the organised Aboriginal civil rights movement, a movement which initiated legislation and law reforms in favour of the right of Indigenous peoples, a movement which continues on to this day.



Man magazine, n.d. (AIATSIS, 2020)

### *Day of Mourning*

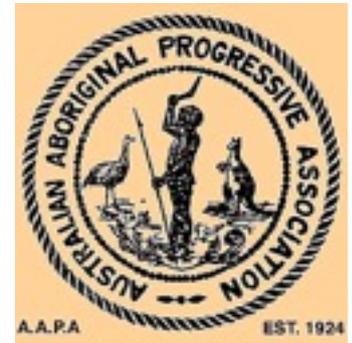
On the 150th anniversary of the English invasion of Australia, a protest was held by a group of Indigenous Australians on January 26th 1938. The participants in the

demonstration came from across Australia in order to protest the inhumane treatment they had received since the arrival of the First Fleet, essentially mourning the severe and damaging loss of culture experienced by many.

The protest was organised by the Australian Aborigines Progressive Association, an activism group formed by an Indigenous man by the name of Fred Maynard who joined with several other Aboriginal activists to create a group which sought improved conditions

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for Indigenous Australians in society in regards to their rights, freedoms and right to their own land. The APA was the first group of Indigenous people to officially call upon the government for the right of Aboriginal people to be in control of their own affairs and enjoy the same rights as all other members of society. The group also openly criticised the damaging effects of the forcible removal of Aboriginal children by the Aborigines Protection Board, a practice which was still in full force during this period. The Australian Aborigines Progressive Association can be considered the first organised Indigenous activist group in Australia.



The logo of the Australian Aborigines Progressive Association, 1924 (AIATSIS, 2020)

The 26th of January 1938 began with a march through Sydney, which was attended by both Aboriginal people and non-Indigenous supporters, beginning at the Sydney Town Hall and ending at the location of the major event on the day, the Day of Mourning Congress, a political meeting for Aboriginal people only. The meeting was initially proposed to be held at Congress inside the Town Hall, but the group was refused access due to deeply entrenched attitudes and rules of racism that ran rampant at the time. Instead, the meeting took place at the nearby Australian Hall in Elizabeth Street, although they were not permitted to enter through the front door and were told they could only enter through the rear door, a further demonstration of the ridiculous lengths the Europeans went to in order to emphasise their own self righteous feelings of racial superiority. During the meeting, the APA distributed a manifesto at the meeting titled *Aborigines Claim Citizens' Rights*. The manifesto began with a declaration that:

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*"This festival of 150 years' so-called 'progress' in Australia commemorates also 150 years of misery and degradation imposed on the original native inhabitants by white invaders of this country."* (AIATSIS, 2020).

At the Congress, the following resolution was unanimously passed:

*"We, representing the Aborigines of Australia, assembled in conference at the Australian Hall, Sydney, on the 26th day of January, 1938, this being the 150th Anniversary of the Whiteman's seizure of our country, hereby make protest against the callous treatment of our people by the whitemen during the past 150 years, and we appeal to the Australian nation of today to make new laws for the education and care of Aborigines, we ask for a new policy which will raise our people to full citizen status and equality within the community."* (AIATSIS, 2020).

Ever since that day in 1938, subsequent Day of Mourning protests have occurred on January



A photograph of Australians celebrating 'Australia Day' (Australia Day, n.d).

26th each year, the protests also coming to be known as 'Invasion Day' and 'Survival Day'. To this day, however, the protests are met with the scorn and disrespect of many Australians who continue to participate in 'Australia Day' festivities, essentially celebrating a day which marked the

beginning of hundreds of years of genocide, loss of culture,

mistreatment and brutality. The sheer privilege possessed by individuals who can bring

themselves to commemorate that horrific day is a further example of the deeply problematic

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lack of education within Australia in regards to the treatment of Aboriginal people in the past. While of course, some individuals merely choose to remain stuck within the racist ideologies of their ancestors, many Australians are simply ignorant to the atrocities of colonisation, deeming the day to be unproblematic due to a lack of understanding and knowledge of the events of the past.

While the effects of the many racist government policies and actions continued to devastate the culture and lives Aboriginal people long after the initial protest in 1938, the demonstration was a vital step towards the creation of the Aboriginal civil rights movement, which would eventually come to impact and influence both future legislation as well as attitudes towards Indigenous peoples within society, particularly in regards to the 1967 Referendum 29 years later. The civil rights movement was an imperative aspect of the eventual shifting of social paradigms and the ongoing shaping of an equal future for all Australians.

### *The Freedom Ride*

The Freedom Ride of 1965 was an incredibly prevalent event in the history of the Indigenous civil rights. Inspired by the Freedom Riders of the American Civil Rights Movement, the protest was led by Indigenous activist Charles Perkins, who led a group of students from the University of Sydney who were part of a group named the Student Action for Aborigines on a bus trip around areas of rural New South Wales in an attempt to challenge and protest racism wherever they saw it (The Guardian, 2020). The political

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climate of Australia was at a crossroads of sorts during this time; Indigenous Australians had been granted the right the vote in federal elections in 1962 just 3 years prior in a landmark step towards equality for Aboriginal people.

However it was still apparent that racism ran rampant

throughout the nation, particularly within isolated regional towns. The group visited several remote towns such as Moree, Walgett, Wellington and Dubbo, focusing their attentions on communities in which Aboriginal people were segregated and denied services on the basis of their race, such as the lack of Indigenous access to public pools and RSLs that denied memberships to Aboriginal ex-servicemen.

In his 1975 autobiography *A Bastard Like Me*, Perkins discussed how the Australian Freedom Ride came to fruition, saying:

*“It was also a reaction to what was being done in America at that time. A number of students gathered here at Sydney University and thought that they might like to see a Freedom Ride eventuate here in Australia. They all put their sixpenceworth in, saying what should happen and what should not happen. No one had any precise ideas about it and we appealed to the Rev. Ted Noffs of the Wayside Chapel.”* (Perkins, C. 1975).

During their visits to the remote communities, the group both witnessed and experienced discrimination and violence. Following a protest in Walgett, an unnamed driver intentionally crashed into their bus in an attempt to force it off the road, an incident which initially made



The Student Action for Aborigines bus outside the Hotel Boggabilla, where Indigenous people were not allowed to enter (The Guardian, 2020).

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headlines in the Sydney Morning Herald before eventually attracting the attention of international media, with certain reports comparing the oppression of Indigenous peoples to the racism and segregation of the Deep South in America (Daniel, L. 2005). Protests were not conducted in all towns visited, but after interviewing members of the local communities, the extreme extent to which Indigenous peoples were discriminated against in rural areas became apparent, reaffirming the group's desire to create a change.



Charles Perkins with a group of Aboriginal children in the pool which they were banned from (The Guardian, 2020).

When the group visited Moree, they took particular notice of the ban of Indigenous peoples from entering the public swimming pool. While the Riders initially simply held a protest at the Moree council chambers, they decided to attempt to take Aboriginal children into the pool in act of defiance that would later prove to be one of the most iconic and

groundbreaking moments within both the Freedom Ride and

the civil rights movement. Following this, the students held a

public meeting in Moree to explain to the locals why they were there and to present their survey results in an attempt to sway public opinions. The predominantly white audience reacted angrily initially, but after discussion the atmosphere surrounding their attitudes towards both local Indigenous people and the rules governing their community changed. The meeting concluded by the passing of a motion that the by-law segregating the pool should be removed, which the mayor agreed to take to the council. (Wikipedia, 2020).

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40 years after the 1965 Freedom Ride, a re-enactment was conducted in 2005 in an attempt to investigate the level of change which had occurred over the years in remote communities in regards to discrimination against Indigenous peoples, this time with a focus on reconciliation rather than specifically discrimination. However, members of the 13 different communities they visited reported experiences of discrimination, socioeconomic disadvantages and poor standards of living for some Indigenous peoples. This information was presented to the Minister for Aboriginal Affairs at the time in an attempt to bring awareness to the ongoing issue.

The Freedom Ride served as a precursor to the 1967 Referendum, in which the majority of Australians voted to in favour of allowing Aboriginal people to enjoy the same rights and freedoms as all other Australians, and was an iconic and highly important step towards the creation of legislation in favour of the right and freedoms of Aboriginal people.

### *The 1967 Referendum*

On the 27th of May 1967, 91% of Australians voted to amend the Constitution and allow the Commonwealth to create legislation for Aboriginal people as well as including them in the census in what was the biggest overall 'yes' vote in any Commonwealth referendum to this day (Korff, J. 2020). The referendum asked the following question to the Australian citizens:

*Do you approve the proposed law for the alteration of the Constitution entitled 'An Act to alter the Constitution so as to omit certain words relating to the people of the Aboriginal race in any state so that Aboriginals are to be counted in reckoning the population'?*

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(Parliament of Australia, 2017). The proposed law in question sought to give the Commonwealth Parliament the power to make legislation with respect to Aboriginal people, as well as including Aboriginal people in the national census.

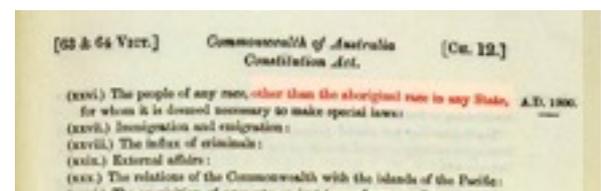
After years of protests and calls for the government to amend their past wrongdoings and begin to create legislation which allowed Indigenous people further rights and freedoms, combined with the fact that assimilationist policies were unsuccessful and essentially useless caused the Holt Coalition Government to respond to a Federal Government Council for the Advancement of Aborigines and Torres Strait Islanders petition which demanded a referendum on sections 51 and 127 of the Constitution, to introduce the *Constitution Alteration*



A family advocating for Aboriginal rights (World Socialist Web Site, 2017)

*(Aboriginals) Bill 1967* to the Parliament, which was passed unanimously (Parliament of Australia, 2017). Prior to 1967, Section 51 of the constitution meant that the government was able to make laws for anybody in Australia with the exception of Aboriginal people. The way this section was worded make it easier for Parliament to create discriminatory laws against racial groups, specifically alienating the Indigenous population in an attempt to exempt them from discrimination.

The referendum, while it was an event of great significance, is often obscured by myths, a common misconception regarding the referendum being that it



Section 51 of the Constitution which excluded Indigenous peoples (Founding Docs, n.d).

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granted Indigenous people the right to vote, wage equality or citizenship. In reality, arguably the most significant achievement of the Referendum was to raise the expectations of Indigenous peoples regarding Aboriginal rights and welfare (Parliament of Australia, 2017).

The referendum meant a great deal to Indigenous peoples considering the hatred and discrimination with which they were treated by the government before they slowly began to gain rights in the 1960s. Prior to the referendum, it is claimed that laws regarding Aboriginal Australians were covered by the flora and fauna act, meaning that they were not considered human beings, which was both degrading and oppressive and only changed with the amendment of the Constitution. In an article published before the referendum, the Manager of the Foundation for Aboriginal Affairs Charles Dixon described what the referendum would mean to him as an Indigenous man. He explained that he would feel ‘accepted as a person’, stating that Aboriginal people had previously not been seen as human beings. However, he also described a sense of feeling as if it was ‘too late’, saying that “it didn't matter "if and when [sections 51 and 127] go" since "it's too late to heal the scars of years of discrimination” (Sydney Morning Herald, p.47 1967).

While the referendum was an iconic historical triumph in terms of Indigenous rights, it fell short in many ways and could be considered a political failure. The government had not been anticipating a ‘yes’ vote and they were unprepared and unsure as to how to use the new powers they had been given within the reform of the Constitution (Korff, J. 2020). While Harold Holt, the Prime Minister at the time had genuine interests and intentions in improving laws surrounding Indigenous Australians prior to his mysterious disappearance in

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1967, the next Prime Minister John Gorton was said to have been disinterested and unmotivated to act (Korff, J. 2020), setting a precedent for future Australian governments who would promise change without any intentions of delivering it.

Despite the political failure of the 1967 referendum, it was and still is a paramount moment within the Indigenous civil rights movement as it was one of the first moments the Australian government legally recognised the rights of Aboriginal people, which inspired generations of Indigenous peoples to come to continue to fight for the rights and freedoms which they so sorely deserved.

### *Tent Embassy*

Following the 1967 referendum, it became apparent to Aboriginal people that effective change was not being made and there was very little effort being put in on the part of the government to deliver the promises of the constitutional change. In response to this, a group of four Aboriginal men by the names of Michael Anderson, Billy Craigie, Tony Coorey and Bertie Williams traveled to the Parliament House in Canberra in 1972 to protest the McMahon Coalition government's refusal to recognise Indigenous land rights and native title.



The establishment of the Tent Embassy, January 26th 1972 (National Museum of Australia, n.d).



Alan Sharpley and John Newfong at the Aboriginal Tent Embassy in Canberra, 1972 (National Museum of Australia, n.d).

The protest initially began with the men planting a beach umbrella in the soil in front of Parliament House upon their arrival in Canberra, which was soon replaced with a ‘tent city’ as both Indigenous and non-indigenous protesters travelled from all over Australia to support the men and join their protest. Groups from the tent embassy conducted protest marches and spoke at in public spaces to continue to raise the awareness of the issue of land rights in broader public arenas.

The embassy garnered the support of official representatives from Aboriginal and Torres Strait Islander groups, as well as diplomats from countries such as Russia and Canada, which aided in elevating the profile of the embassy. The embassy attracted both national and international media attention and became a centre for protest, with famous Indigenous activists such as Gary Foley, Roberta Sykes and Gordon Briscoe spending time there and partaking in protests (National Museum of Australia, n.d).

However, despite the widespread support from the Indigenous community and its allies, the embassy was also met with negativity from several politicians and many members of the public who felt that the protest was merely trespassing, dismissing the aims of the protests. In May of 1972 the Minister for the Interior announced that new laws would come into effect that would make it illegal to camp on unleased land in the Australian Capital Territory and giving the government the authority to forcibly remove anyone found to be in

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breach of this law. This was perceived to be an attempt to silence the protesters by the government to avoid culpability for the mistreatment of Indigenous peoples. The ordinance was introduced in September, preventing any further establishment of tents at Parliament House (Wikipedia, 2020).



Police and protesters at Parliament House on July 30th, 1972 (National Museum of Australia , n.d).

In July, hundreds of protestors clashed with law enforcements in a massive brawl following attempts of officers to remove the tents and evict the protestors, which resulted in the destruction of many tents and the arrest of several people, although the tents were re-erected the following week. Further clashes with police ensued, but every time the embassy was torn down, the tents reappeared in an act of defiance of the attempts of authority figures to silence their cause. On the 31st of July 1972, upwards of 2000 people were present when the tents were re-erected and then immediately removed by protesters during a peaceful demonstration. After Justice Blackburn found the legality of the ordinance which allowed for the forcible removal of protesters to be invalid, protesters again peacefully erected and removed the tents in a symbolic gesture (National Museum of Australia, n.d).

Many years on in 1992 on the twentieth anniversary of the initial protests, the tent embassy was permanently re-established upon its original site, and new generations of protesters continued to seek to raise awareness of Aboriginal social issues after little changes were occurring within the government. The embassy was listed on the Register of the National Estate in 1995, the only site on the Register noted as important due to its significance to Indigenous Australians (National Museum of Australia, 2020). Over the years following the

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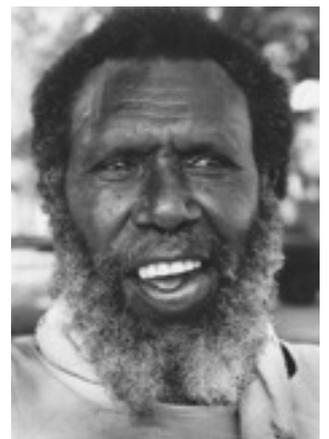
re-establishment, many protests have taken place at the embassy over events and issues such as high rates of Indigenous deaths in custody, the Howard government's 2007 Northern Territory Intervention, and cuts to essential Indigenous services. The embassy remains a matter of controversy, with many close-minded individuals questioning its validity, some even going as far as to attempt to destroy the embassy through a series of arson attacks.

Regardless of its controversy and past of conflict, the Tent Embassy remains a symbol of protest for Indigenous rights and is of great significance to the Aboriginal population.

Today, many issues continue to be publicised by the embassy, the primary issue being Aboriginal sovereignty over Australia and the acknowledgement of Indigenous rights to self-determination.

### *The Mabo Decision & the Native Title Act 1993*

The Mabo decision, formally known as *Mabo and other v Queensland 1992*, was a legal case which ran for 10 years and involved an Torres Strait Islander man by the name of Eddie Mabo, who challenged the Australian legal system by fighting for the recognition of land rights and native title of Indigenous peoples as the traditional owners of their land. The outcome of the case would later come to greatly influence the *Native Title Act 1993*.



Eddie Mabo (Indigenous, n.d.).

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After growing up in the Torres Strait Islands and experiencing the rigidity of laws and regulations put into place by the Queensland government, Mabo's opinion began to form of Indigenous Australians being deserving of the land which they traditionally owned.

The legal proceedings for the case began on the 20th of May 1982, when a group of Meriam men including Eddie Mabo, Reverend David Passi, Celuia Mapo Salee, Sam Passi and James Rice brought an action against the State of Queensland and the Commonwealth of Australia, in High Court, claiming 'native title' to the Murray Islands (AIATSIS, 2019). The Queensland Parliament passed the *Queensland Coast Islands Declaratory Act 1985* in an attempt to prevent the Meriam peoples' case, the aim of the legislation being to extinguish the claimed rights of the Meriam people to the Murray Islands. However, the High Court found the Act to be invalid as it contradicted the *Racial Discrimination Act 1975*, and the case presented by Mabo successfully proved that Meriam custom and laws are fundamental to their traditional system of ownership and their traditional rights and obligations in relation to land.

Ten years after the beginning of the case on the 3rd of June 1992, six out of seven of the High Court judges upheld the claim to land rights and ruled that the lands of Australia were not and never were 'terra nullius' when European colonisation occurred, and that the Meriam people were '*entitled as against the whole world to possession, occupation, use and enjoyment of (most of) the lands of the Murray Islands*' (AIATSIS, 2019). The new doctrine of native title replaced a 17th century doctrine of terra nullius, which the colonisers used to justify claims to possession of Australia, was justified on a wrongful legal presumption that



Eddie Mabo, from Land Bilong Islanders  
(Trevor Graham-Yarra Bank Films, n.d.)

Indigenous peoples did not have any laws governing occupation and use of lands. Native title could not be given or taken away because Aboriginal Peoples had always held their native title, and it is not something that governments could grant as it was not theirs to give (Carr,

J. 2019). In recognising that Indigenous Australians had prior rights to land, the High Court held that these rights will have the protection of Australian law until those rights are legally extinguished (AIATSIS, 2019).

The High Court decision in the case of *Mabo v. Queensland* led to the passing of the *Native Title Act 1993 (Cth)* the following year in the Australian Parliament. Overall, the Act provided statutory recognition and protection of native title, established a National Native Title Tribunal, set out mechanisms and processes for the claiming, mediating and determination of native title rights and dealings on native title land and allowed Indigenous peoples to gain recognition of rights and interests they have in land and waters according to Aboriginal traditional law and customs (Korff, J. 2010).

However, while the Act is perhaps one of the most significant pieces of legislation in regards to Indigenous peoples in Australian history, it is not without flaws. The Native Title Act was originally handed down so that Aboriginal people could negotiate and mediate to gain recognition of their ongoing connection with their land, however native title cases take many years, sometimes decades, to be resolved in courts, leading many to call upon the government to review and amend the legislation. The Act has also created a divide within

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Indigenous communities as it is frequently misunderstood and many feel as though it fails to include the perspectives of Indigenous peoples. Some claim that it "*denies Indigenous rights and is deeply embedded in Australian political institutions*" (Killing Country, 2018).

Noongar man Glen Kelly has voiced his opinion on the matter, stating:

*"It's a whitefella legal construct. What it is actually designed to do, in my view, is not to enliven traditional law and custom but to control traditional law and custom."* (SBS, 2014).

An additional issue with the Native Title Act is the requirement of proof of the ongoing connection to Country. Under the Act, Aboriginal people have to prove their connection to the land they want to claim native title for, which is often difficult to prove, especially where there has been urban development, both of which extinguish native title (Creative Spirits, 2019). Wars with the colonisers, massacres, dispossession and the Stolen Generations exacerbate claims further (Creative Spirits, 2019).

Despite the flaws within the *Native Title Act*, which are in need of review and reform, the Act remains one of the most prevalent legislative decisions in terms of the legal rights of Indigenous peoples and was a historical victory for the efforts of those involved with the civil rights movement.

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*The lasting effects of Legal decisions and protests on modern Australian society*

In modern society, many attitudes towards Indigenous people and their rights to land have shifted from the predominantly Eurocentric and racist perspectives held by many in the past to a more respectful and even remorseful point of view, which is often reflected within legislation regarding Indigenous peoples.

While not every protest or piece of legislation was a great success, it is arguable that legal change would not have occurred as soon as it did without the protesting efforts of those involved in the civil rights movement. If the Day of Mourning protests had never occurred in the 1930s, it is impossible to say when or if a civil rights movement would have occurred and whether adequate changes would have been made by this point in time, such as the *Native Title Act*. Each major event within the Indigenous civil rights movement created a domino effect; the Day of Mourning ignited the flame of the movement which then went on to influence the 1965 Freedom Rides which eventually influenced the 1967 Referendum in which Indigenous peoples were recognised as citizens and human beings. The political failure of the 1967 Referendum caused the creation of the Tent Embassy in 1972, which was arguably successful. The case of *Mabo v Queensland* catalysed the creation of the Native Title Act 1993, which finally granted Aboriginal people the land rights they were wrongfully robbed of and denounced the concept of terra nullius as a means to justify colonisation.

While further legal, social and political developments have occurred over the recent years, Australia has a long way to go in terms of repairing and compensating for the irrevocable

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damage inflicted upon the lives and culture of Indigenous peoples since 1788, damage which some argue can never be resolved.

### **An insight into Australian society today**

Australian society today, while it has progressed significantly since the period of time where racism was the norm and was practically expected, still has a long way to go until Indigenous Australians are entirely equal to the rest of Australian society. The current main issue in regards to the welfare and quality of life for Aboriginal people is no longer oppressive government policies, but rather the gaps in health, education, socioeconomic disparity and continuing racism still seen prominently in society today. Racism has taken a new, often less blatant form than it once was, but the effects are just as detrimental as they were hundreds of years ago.

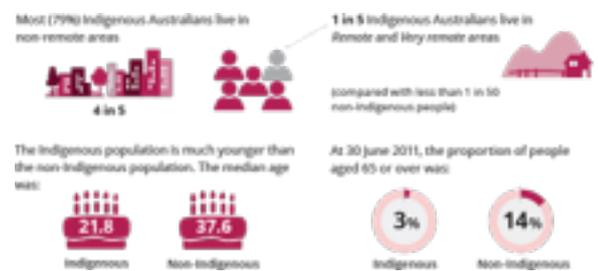
#### *Socioeconomic disadvantage and its impact on Aboriginal people*

Due to Australia's history of extreme racism enacted through government policies, the government essentially set Indigenous peoples up for failure in the future due to factors such as loss of culture, family and kinship, Country and the impacts of intergenerational trauma. It was once assumed that, as Indigenous peoples were perceived to be an inferior race, they would naturally die out. This was not the case, and instead, Aboriginal people were treated with cruelty and harshness over the course of hundreds of years in an attempt for the government to control the lives of a population which they didn't even believe would exist up to this point. The effects of the extreme racism inflicted upon Indigenous peoples over

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hundreds of years has impacted them in almost all areas of life, particularly creating a socioeconomic disparity between them and other citizens of Australia.

In 2017, an estimated 761,300 Aboriginal and Torres Strait Islander people lived in Australia, accounting for 3% of the total population. Notable demographic differences between Indigenous and non-Indigenous people which can influence socioeconomic status



An infographic on the demographics of the Indigenous population (Australian Institute of Health and Welfare, 2017).

include the fact that 1 in 5 Indigenous peoples live in incredible remote areas, compared with the 1 in 50 non-Indigenous peoples living in remote areas (Australian Institute of Health and Welfare, 2017). While living in remote areas is not necessarily a bad thing as a principle, it can be caused by factors such as being unable to afford to live in a city and can contribute to health, employment and educational issues due to the lack of resources in remote locations, an example of this being that only 36% of people in remote communities have access to a library (Koori Mail, n.d). It was reported in 2017 that the attendance in schools for Indigenous children in metropolitan areas ranged from 86.8%, that figure dropped to 64.6% in remote areas, and overall there was a gap of 26.3% between Indigenous and non-Indigenous attendance rates (Closing the Gap, 2017). However, while living in remote areas certainly can bear dire socioeconomic consequences, it has been reported that Indigenous peoples living in remote areas are more likely to report high levels of connection to their community and culture, which can support Indigenous wellbeing and build resilience (Australian Institute of Health and Welfare, 2017). 55% of Indigenous peoples were more likely to speak an Indigenous language compared with 8% of Aboriginal

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people living in non-remote areas, and 79% more likely to identify with a clan or a tribal or language group. (Australian Institute of Health and Welfare, 2017).

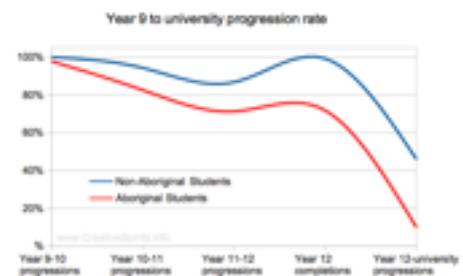
Aboriginal households are also, on average, larger than non-Indigenous households with an average of 3.2 persons per household compared with an average of 2.6 people within other households (Carr, J. 2019). Obligation to family is a prevalent aspect within Indigenous culture, an obligation which is often carried out by sharing a living space with extended family members. This can sometimes lead to economic strain and poorer living conditions due to the increased numbers of individuals sharing one space, all of whom have different needs. Overcrowding within homes creates a poor learning environment, which also has an adverse impact on education. Meanwhile, rates of homelessness are disproportionately high, with 70% of Indigenous youth in the Northern territory living on the streets and the total number of 16,600 Aboriginal people who are homeless across the country (Korff, J. 2020). As of 2017, Indigenous people were more than 7 times as likely to live in social housing than non-Indigenous people. While the Australian government is well aware of the poor housing situation for Aboriginal people and has made attempts to resolve it, such as the \$5.5 billion investment into the Strategic Indigenous Housing and Infrastructure Program (SIHIP) in 2009, their attempts have been unsuccessful overall as few houses were produced, and Sydney Morning Herald commentator Elizabeth Farrelly described SIHIP as “*pathetic*” (Korff, J. 2020).

In terms of income, Aboriginal and Torres Strait Islander peoples were half as likely as non-Indigenous Australians to report a median weeks household income of over \$1000 or more

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in 2016. Both of these percentages increased since then, but the disparity between the two remained the same (ABS Census of Population and Housing, 2016). This, again, highlights the increased likelihood of economic strain for Indigenous peoples, which can have adverse effects on one's health, lifestyle and education, as well as the disturbing disparity between Indigenous and non-Indigenous people.

One of the areas in which socioeconomic disadvantage is most prevalent is within education. A reported 60% of Aboriginal children are significantly behind their non-Indigenous peers by the time they begin year one (Koori Mail, n.d), while only 90% of Aboriginal children reportedly graduate from Year 12 as of 2018 (Australian



Year 9 to university progression rates of Aboriginal and non-Aboriginal students (Creative Spirits, 2020)

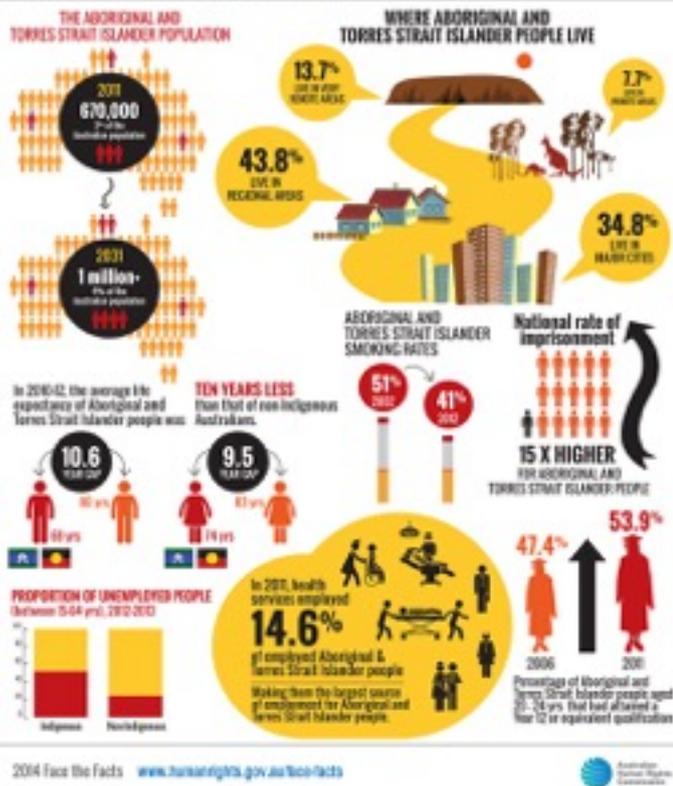
Institute of Health and Welfare, 2019). Indigenous students in Years 3, 5, 7 and 9 consistently achieve lower scores in the National Assessment Program of Literacy and Numeracy (NAPLAN) than non-Indigenous students, which suggests that Indigenous students are not on track to meet 2018 targets within the Close the Gap program (Australian Institute of Health and Welfare, 2017). The disparity in education between Indigenous and non-Indigenous people can cause problems with future prospects for employment, reflected by the unemployment rates for Indigenous peoples being 3 times the non-Indigenous rates (Korff, J. 2020). According to 63% of Aboriginal people, inadequate training and qualifications are a barrier to gaining employment, while 47% say they don't have a proper understanding how the workplace functions (Koori Mail p. 502, n.d). The rates of Indigenous unemployment can create misunderstandings within the non-Indigenous

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community, who often cast the racist stereotype of Aboriginal people being 'lazy' or 'dole-bludgers'. However, progress is on track to halve the gap between the Indigenous and non-Indigenous attainment of the Year 12 certificate by 2020. The proportion of Indigenous people aged 20-24 who attained a Year 12 or equivalent level of education has increased significantly, jumping from 45% in 2008 to 62% in 2014-2015, compared with 86% of non-Indigenous Australians (Australian Institute of Health and Welfare, 2017).

In terms of socioeconomic disparity in regards to children, roughly 42% of all Indigenous children were categorised as developmentally vulnerable in one or more of five key areas of early childhood development, in comparison to 21% of all non-Indigenous children (Australian Institute of Health and Welfare, 2017). However, the rate of developmental vulnerability for all Indigenous children dropped from 47% in 2009 to 42% in 2015, indicating that the gap is decreasing in size in this area (Australian Institute of Health and Welfare, 2017). A highly concerning area in which socioeconomic disadvantage can negatively effect Indigenous children is their overrepresentation within the child protection and justice system. In 2016, it was reported that Aboriginal children below the age of 18 received child protection services at a rate of 7 times that of non-Indigenous children, making them 10 times more likely to be in state care as opposed to living with their families (Australian Institute of Health and Welfare, 2017). While Indigenous Australians under the age of 18 account for less than 6% of all Australians of that age, on average day in 2015 and 2016 a reported 59% of all young people in youth detention were Indigenous. (Australian Institute of Health and Welfare, 2017).

Aboriginal and Torres Strait Islander People



An infographic on the health statistics of Indigenous peoples (Australian Humans Rights, 2015)

Health is another area of great socioeconomic disparity between Indigenous and non-Indigenous peoples. In 2017, the life expectancy for Indigenous peoples was estimated to be 71.6 years for males and 75.6 years for females, which was 8.9 less years than non-Indigenous people (Australian Bureau of Statistics, 2018). The infant mortality rate for Aboriginal children in 2015 was twice as high as that of non-Indigenous children.

The leading causes of death for

Aboriginal people in 2017 was revealed to be coronary heart disease, diabetes, chronic lower respiratory diseases and lung related cancers, all of which are preventable illnesses which are related to ones lifestyle, highlighting the issues which can come from poor standards of living caused by socioeconomic disparity (Australian Bureau of Statistics, 2018). In terms of mental health, the situation is just as dire as physical health, particularly within the younger generations. Suicide rates within the Indigenous population are increasingly high, with Aboriginal and Torres Strait Islanders aged between 15 and 24 are almost four times more likely to commit suicide than non-Indigenous people the same age and with suicide being the leading cause of death for Indigenous children (NITV, 2019). A reported 95% of all Aboriginal people have been affected by a suicide (Korff, J. 2019). In 2015, less than 50% of Aboriginal and Torres Strait Islander people reported an overall life

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satisfaction of at least 8/10 (Australian Bureau of Statistics, 2018). These numbers have skyrocketed and reached crisis levels since the 1980s, during which the rate of suicide and self harm levels within the Indigenous population were ‘almost non-existent’. Despite suicide rates rising, the Australian government has not adequately respond to this epidemic. Poor mental health within the Indigenous population is often due partially to the racism and discrimination they experience in day to day life, but also due to the deeply engrained intergenerational trauma they sometimes inherit, as well as experiences of poverty, mental illness, substance abuse and disempowerment.

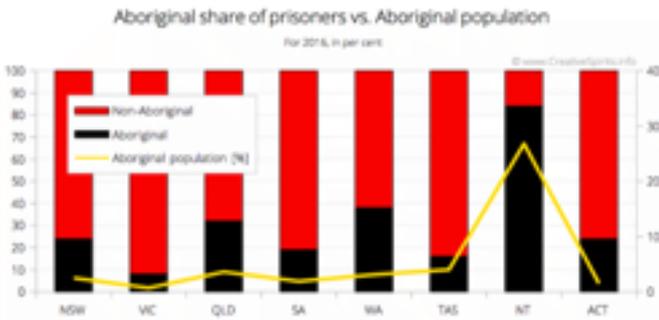
These statistics are merely the tip of the iceberg in regards to the alarmingly high levels of socioeconomic disparity between Indigenous and non-indigenous people, and further action must be taken by the government to instil change in society in order to create an equitable Australia for all.

### *The treatment of Aboriginal people within the justice system*

A matter of great prevalence in modern Australia is the massive overrepresentation of Indigenous peoples in the criminal justice system, as well as the brutality with which they are treated while in custody.

Despite only representing 3% of the total population, Indigenous people account for 28% of Australia’s prison population (Korff, J. 2020). Aboriginal people are 14.8% more likely than non-Aboriginal people to be incarcerated, and the overall cost for the Australian government

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The bar graphs show the percentage of Aboriginal and non-Aboriginal prisoners. The yellow line indicates the percentage of Aboriginal people in the state's population (Australian Bureau of Statistics, 2012).

for Aboriginal overrepresentation in prisons in 2019 was \$7.9 billion dollars (Sydney Morning Herald, 2019). Since 2004, the number of Indigenous Australians in custody has increased by 88% in contrast to the mere 28% increase for non-Indigenous people

(Korff, J. 2020). Former Prime Minister Kevin Rudd voiced his opinion in the matter in 2015, stating:

*“Australia is now facing an Indigenous incarceration epidemic.”* (Sydney Morning Herald, 2015).

To paint a clearer picture of how truly gross this overrepresentation is, Aboriginal people on average account for 17% of the total prison population with the exception of Western Australia and the Northern Territory where they account for 43% and 84%

Aboriginal and Torres Strait Islander people in Australia are overrepresented in prisons, comprising:



Indigenous overrepresentation in prisons (Australian Bureau of Statistics, 2017)

(Australian Bureau of Statistics, 2012). Since 1989, the imprisonment rate for Aboriginal people has increased 12 times faster than the rate for non-Aboriginal people (Koori Mail, n.d). The most common offence or charge for Aboriginal prisoners was acts intended to cause injury (34%) and unlawful entry with intent (14%). The most common offences for non-Indigenous prisoners were Illicit drug offences (20%) and acts intended to cause injury (18%) (Australian Bureau of Statistics, 2018).

The Jailing of Aboriginal people in such unnecessarily large numbers has numerous adverse effects on their communities, such as preventing elders passing down traditional knowledge to the next generation (Korff, J. 2020).

Reoffending rates are also high due to factors such as high levels of alcohol and substance abuse, lack of services to help Indigenous peoples, high unemployment rates, low levels of education and child abuse (Korff, J. 2020). The re-conviction rate within two years in NSW is 74% of non-Aboriginal people, and 86% for Aboriginal people (ABC, 2014). These high rates of recidivism suggest that prison is not the most viable option both for Indigenous peoples and society as a whole as it does not promote or foster rehabilitation of any kind.

Michael Woodhead, a non-Indigenous journalist whose served a 4-year prison sentence in 2019 for a drug offence, shared why he believes prisoners reoffend at such high rates in the Sydney Morning Herald. The reasons he listed the lack of rehabilitation programs, lack of mental stimulation leading to the poor behaviour prisoners, undemanding jobs, the instilling of an 'us-versus-them' attitude due to the power imbalance between prisoners and authority figures and the condescending attitudes towards prisoners within the prison system (Sydney Morning Herald, 2019).

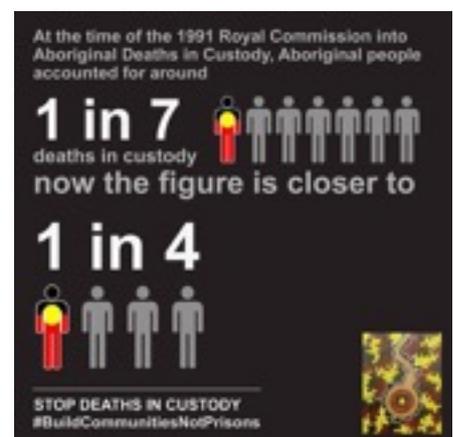
The reasoning behind the high rates of Indigenous imprisonment is varied, but can often have a lot to do with aspects of the darkest parts of Australian history, such as the Stolen Generations. Individuals who were forcibly removed from their families as children are twice as likely to succumb to a life of crime and be arrested than their peers due to the high

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levels of trauma they bear, both from first-hand experiences and transgenerational traumas. Police behaviours can also be a factor in the high rates of arrest of Indigenous people, as oftentimes they are operating from racist perspectives. The reasoning for arrests and incarceration are often trivial, with reasoning such as not attending court dates, unpaid fines and driving without a license (Korff, J. 2020). Police arresting Indigenous peoples for trivial reasons such as swearing is widespread and known as ‘selective policing’. Training in regards to Aboriginal culture and awareness could assist police in appropriately responding to these situations.

Another prevalent aspect in regards to Indigenous peoples within the justice system is the high levels of deaths in custody, a situation so dire a Royal Commission was launched in 1987 to investigate Aboriginal deaths in custody over a 10-year period. Bob Hawke’s government decided that action had to be taken regarding the rising number of complaints that Aboriginal people were dying in suspicious circumstances in police custody, and announced a Royal Commission into Aboriginal deaths in custody on August 10th 1987 in response to a growing public concern that such deaths were

becoming far too common and poorly explained. The findings of the Royal Commission were that the rate at which Aboriginal people are taken into custody is overwhelmingly different to that of the non-Indigenous population and that Indigenous people do not die at a higher rate than non-Aboriginal people in custody. The final recommendation from the commission was to only

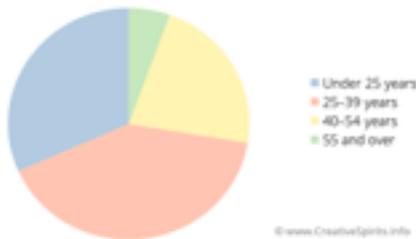


An infographic regarding the rates of Indigenous deaths in custody.

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arrest individuals when there is no other way around the situation, that imprisonment should be utilised only as a last resort and that police should seek medical attention immediately if any doubt arises regarding a detainee's condition.

Aboriginal deaths in prison and police custody  
By age group (1981-2014)



A pie chart demonstrating the percentages of deaths in custody by age (Creative Spirits, 2020).

However, despite these findings and recommendations from the commission, statistics have shown that

Aboriginal deaths in custody rose by a staggering 150% since the Royal Commission in 1991 (Georgatos, G.

2012), arguably a result of the government's failure

to follow recommendations. A 2009 survey of the

Australian Indigenous Law Review showed that Australia's states had only acted on a

fraction of the commission's recommendations; Victoria had acted on 27%, NSW on 48%,

Tasmania on 41%, South Australia 52% and Western Australia 50% (Koori Mail, p. 17. n.d).

An example of a death within police custody is the death of 21-year-old Eddie Murray, an

Indigenous man who was arrested in 1981 for drinking in public with his friends. He was

taken to Wee Waa police station and held under the

Intoxicated Persons Act. Within an hour of being

taken into custody he was dead, and his family have

consistently attempted to find the cause of his death

since. At the inquest, the police on duty at the time of

Murray's death claimed he had killed himself by

hanging, despite them agreeing during their cross examination that he was *"so drunk he*



A 2014 rally in Sydney for the death of Eddie Murray (National Unity Government, 2014).

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*couldn't scratch himself*". Yet according to them, Eddie had managed to remove a strip from a thick prison blanket, thread it through the bars of the window, tie two strong knots, create a noose and hang himself, seemingly without reason. The police were found to have lied under oath, which led to the coroner ruling that Eddie had died "*at the hands of person or persons unknown*" and strongly criticised the police, although nobody has been charged with Eddie's murder to this day.

A further example of the mistreatment of Indigenous peoples within the justice system is the story of seventeen-year-old Dylan Voller, when the image of his torture while incarcerated at the Don Dale Youth Detention Centre in Darwin went viral in 2016, sparking national outrage and garnering mass international media attention, eventually being featured in the ABC TV Program 'Four Corners' episode 'Australia's Shame' in July of 2016. The program catalysed a royal commission into the treatment of youth in the child protection and youth detention systems in the Northern Territory. Voller was released from prison in February 2017 and has been advocating for an improvement on conditions for youth in detention ever since (Wikipedia, 2020).



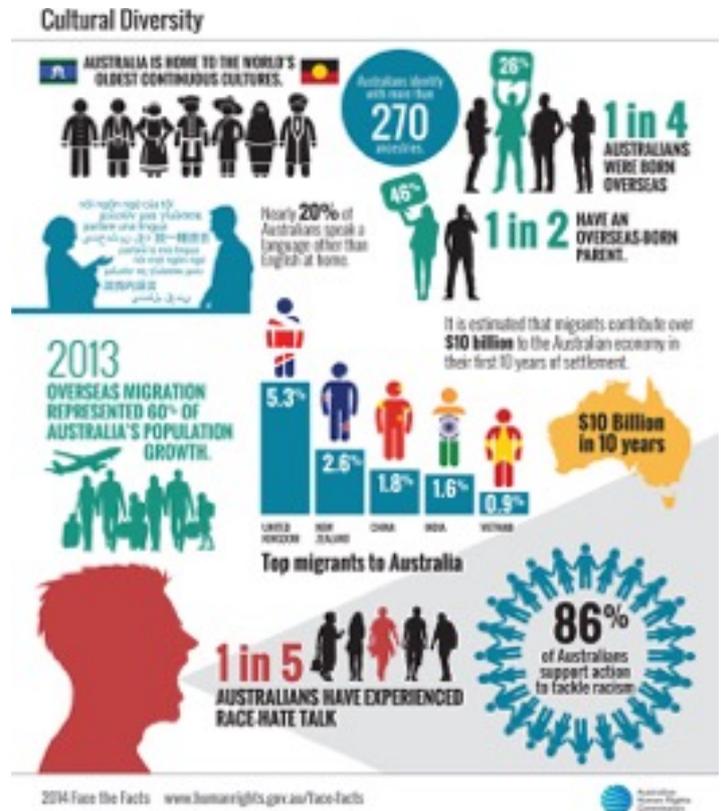
The image of Dylan Voller, 17, being tortured in Don Dale Youth Detention Centre in 2016.

Both statistics and stories of Indigenous overrepresentation in prison and their mistreatment and deaths while in custody are indicative of the deeply entrenched systematic racism still in place in Australian society today.

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*Racism and inequality towards Aboriginal people within modern Australian society*

Racism continues to prevail today despite the numerous changes within the government, legislation and social attitudes towards Indigenous people. A country such as Australia in which both social and institutionalised racism is so common and deeply entrenched has a long way to go in order to achieve equality for its Indigenous citizens. Despite the denial of this by many Australians, racism exists in all levels and areas of Australian society, and will continue to exist until further changes are made.



An infographic regarding statistics about racism in Australia (Australian Human Rights Commission, n.d)

According to the 2018 Australian Reconciliation Barometer, 51% of the people surveyed believed that Australia is a racist country. In a survey conducted for a research paper of the University of Western Australia in 2011, 26% of Australians reported having 'anti-Aboriginal concerns', as well as a further 41% reporting that they agreed with the statement "Australia is weakened by people of different ethnic origins sticking to their old ways". 20% of Australian schoolchildren reported experiencing racism in 2013, while 50% reported witnessing it (Korff, J. 2020).

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Despite these statistics which suggest that racism is alive and well in Australia, many individuals continue to vehemently deny that Australia is an inherently racist country. In 2005, former Prime Minister John Howard stated:

*“I do not accept that there is underlying racism in this country.”* (NIT, p. 25, 2008).

Another example of racism being expressed by Australian political figures is Pauline Hanson and her One Nation Party, whose principals are essentially all based upon deeply entrenched racism and keeping Australians within the bounds of that outdated mindset. In a speech to Parliament in 1996, Hanson said:

*“I have done research on benefits available only to Aboriginals and challenge anyone to tell me how Aboriginals are disadvantaged when they can obtain 3 and 5% housing loans denied to non-Aboriginals.”*

It is callous statements such as these which can be considered casual racism, a more subtle expression of common prejudices. To deny the racism of Australia as a nation is both delusional and disrespectful and stems from a blatant disregard of the hardships experienced by Indigenous peoples as a result of racism to this day. Hanson’s statement lacked proper research and balance, considering the fact that at the time Hanson spoke, more than 9% of the Indigenous population in rural areas lived in *“caravans, shacks and improvised accommodation”* and 9% of Aboriginal people's rural homes did not have a toilet inside them (Australian Bureau of Statistics, Australian Social Trends, 1996).

In a poll in the Sydney Morning Herald in 2013, 20% of voters admitted to being casually racist but wanting to change their behaviour, 36% said they were not casually racist and 44% admitted to being casually racist but having no desire to change



An infographic regarding statistics about racism in Australia (University of Wollongong, n.d)

(Sydney Morning Herald, 2013). It is this unwillingness to change ones racially insensitive thought processes and behaviours that encompasses much of the continuation modern racism and helps it thrive.

Hayden Walsh, an Wiradjuri man who works as a Programs Producer at the Sydney Living Museum was part of a process of consultation for this paper. He recalls experiences of casual racism during his schooling years. Walsh described racially insensitive remarks made towards him by his classmates, saying:

*“One day after publicly identifying at school as Indigenous in year 6, i was told by another student (aged 11) during a handball game "haha, we stole your land" and was called a "petrol sniffing abo". Being the only Indigenous person at my school, and only having just started to identify publicly, it was one of the most bizarre, hurtful and strange moments of my life. I stuck up for myself and culture, and from that day on I always carried my culture with pride, despite what others said.”*

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Walsh's personal experiences with racism are certainly not isolated events, as a study conducted by Western Sydney University in 2016 discovered that about a third of respondents had experienced racism at work, school, public transport or other public arenas, and 80% of those surveyed acknowledged that there is a problem with racism in Australia (Western Sydney University, 2016).

Walsh also described the lack of education on Indigenous Australians and the dark aspects of Australian history he received in high school, a lack of education on Indigenous issues being a paramount source of racism. Walsh said:

*“As for oppression, the most prominent examples come from my time at high school. I spent many years in history classes, learning all about Rome and Egypt and England, only to have about 2 weeks spent on 'History of Australia'. The textbooks are mostly written by older non-indigenous academics, with little input from Indigenous people. The textbooks talk about what happened in a vague and almost soft way, ignoring the depths and suffering of many generations of Indigenous people. Many of the teachers i had were not equipped with the skills or sensitivity to teach these important parts of our history, and they couldn't control the classes which often lead to inappropriate jokes or racially fuelled remarks. I graduated in 2012, so since then I do know that schools have become much better and students are learning more, but we still have a lot more we can do.”*

Common misconceptions based upon stereotypes often lead the the formation of racist opinions, and these misconceptions are often born from the lack of education regarding

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Aboriginal people within Australian history as the extent of their suffering is not and can never be understood by those who never learn about it. Improvements to the education system have indeed occurred since the period of time Walsh mentions, such as the introduction of Aboriginal Studies electives, but further change is needed in all areas of education in order to gain proper cultural and historical awareness of Indigenous peoples.

Walsh acknowledged the slowly improving aspects of Australian society today, saying:

*“Most people are aware that Indigenous culture and our people are to be respected and valued. That we are still here, alive, practicing culture and remaining strong. We didnt die out and we have come back stronger than ever. Most teachers who begin teaching now, realise that Indigenous components are an important part of the curriculum. Lots of younger students are learning Indigenous languages in their daycare and primary schools. I believe the younger you get people to learn about different cultures and respect other cultures, the better chance that when they grow up that they will become respectful and knowledgeable adults. Indigenous people have become more self reliant and have become creative with our careers and businesses. Most of my Indigenous friends and network, are very entrepreneurial, creative and culturally active. When my nan was growing up, she was told to be ashamed of her culture and she advised my mother to not tell anyone she was Indigenous, so that she wouldn't be bullied and have a hard life (this was the case for many families). Nowadays, lots of kids are encouraged to be proud of who they are and their family history, which warms my heart to see. Also my nan now gets to see her grandkids and great grandkids get involved in culture which makes her cry and so happy!”*

The slowly increasing levels of cultural awareness and acceptance within the wider Australian society is certainly a step in the right direction, and can aid in reconciliation and healing processes for Aboriginal people. However, the effects of the past continue to plague generations of Indigenous peoples today, creating barriers to their healing and forever disrupting aspects of their culture such as Connection to Country and kinship systems.

When asked what he felt the most prevalent effects of the past on Australian society today, Walsh said:

*“Stolen generations lead to so many families torn apart and who are still lost to this very day. The effects of stolen generations were that Indigenous children were raised outside of their culture and away from their family, so they grew up not knowing anything about who they were or who their community was. There are so many Indigenous people who grew up this way who find it so hard to reconnect with their culture, because either they don't know their family or they don't feel like they truly belong, as they grew up without culture in their life which is sad. Some people think that everything is okay today and that we can all get along like nothing happened. Only a couple of generations ago, land was taken from Indigenous people, and given to non-Indigenous people, many of them who were ex-convicts. The value of this land passed down through a couple of generations makes a massive difference to the lives of Indigenous and non-Indigenous people today. Many families today inherited wealth, land and resources from their grandparents who passed away. Most Indigenous people had nothing of monetary value to pass onto their kids.*

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*Whilst it is up to each individual to make a good life and work hard, it is clear to see that if you are raised in a non-Indigenous family who has owned land for a couple hundred years, you have a clear advantage over an Indigenous person who was born into a family with little or no financial security.”*

It is widely perceived by non-indigenous people that, as Walsh stated, the events of the past can be forgotten and dismissed as they occurred during a different period of time and, due to the aforementioned lack of proper education on these issues, feel that Indigenous and non-Indigenous peoples are equal in today's society. However, to think in such a dismissive and misinformed manner is a symbol of the privilege possessed by non-Indigenous Australians, because while they are able to merely sweep the events of the past under the rug and move on, generations of Aboriginal people who were left traumatised by the atrocities of Australian history do not have that option, and continue to be effected by it today. Walsh acknowledges this ignorance when asked for his opinion on the primary source of racism today, saying:

*“Ignorance and shame. Some people just don't know about Indigenous culture or don't care to know. Other people feel that just because they aren't Indigenous, they have to defend what white people did.”*

This sense of underlying guilt and shame within Australians who are unprepared to acknowledge this feeling and 'take the blame' for something that they did not personally do themselves can often create an 'us-versus-them' way of thinking due to their feelings of

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being labelled guilty for a series of events that was not necessarily their doing, whilst forgetting that the entire reason for their existence in this country is the violent and oppressive colonisation by the English in 1788. Pauline Hanson once again expressed a lack of empathy and compassion when she stated:

*“I draw the line when told I must pay and continue paying for something that happened over 200 years ago.”* (Korff, J. 2020).

This insensitive comment is an example of the deflection and transformation of shame and guilt into racist hatred in order to avoid culpability for the actions of ones ancestors and the privilege possessed by non-Indigenous Australians.

It is due to remarks like this and due to the lack of education which breeds perpetual ignorance that, until significant change is made, Australia will continue to remain a deeply racist country. The continued cycle of oppression and discrimination may have changed forms and levels of blatancy over the years, but still remains and casts a metaphorical shadow over Australia.

## Conclusion

To describe Australia as a racist nation would be a gross understatement; the very foundations of this nation are built upon the deep-rooted racism which dates back hundreds of years. To claim that Australia is not a racist place would be to diminish the devastating effects of colonisation, policies such as the Stolen Generations, the efforts of those within the civil rights movement and to actively deny the many factual statistics suggesting massive socioeconomic disparity as a result of years of abuse, neglect and infliction of trauma upon Indigenous peoples. Australia, a nation born from racism and hate will forever remain that way, trapped in the past until significant change is brought about within all areas of society, through both governmental action and through the individuals within society who continue to choose to remain ignorant, prolonging the suffering of Indigenous peoples purely due to the entrenched racism within Australian society.

Racism will not simply cease overnight, and it would be naive to believe so. The irrevocable damage done by the systematic destruction of Indigenous culture over the course of hundreds of years cannot be revoked nor repaired. However, it is entirely possible for Australia to see a future without divide, a future in which all members of society are equal regardless of their race. Australians are entirely capable of creating this change.

We cannot and will never be able to alter the atrocities of the past, but the future of this nation rests entirely in our hands; it is simply waiting for us to take action.

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