and the degradation of being incarcerated. After this, it's much less likely she'll ever reach out to the system again for help.

Such cases have been particularly common in Western Australia. In 2017, for example, a 35-year-old Noongar woman from Perth was arrested for outstanding fines after police came to her house on a family violence callout. When they arrived, they did a background check on the mother of five and discovered that she had $3900 in unpaid fines, relating back to an old dispute over – again – an unregistered dog. Even though the mother was struggling to raise her children on meagre Centrelink benefits, she offered to enter a payment plan. But police refused. Instead, they took her to Melaleuca prison, where she was told that unless she could pay the entire fine she would have to stay in jail for fourteen days, where she could 'pay off' the fine at $250 per day. The fact that she was still breastfeeding her youngest child didn't seem to bother police. While she was in jail, the electricity in the house where an aunt was caring for her five children was cut off.[11*]

'The fines are stuff like traffic offences, social security stuff, fines for petty disorderly behaviour,' says Noongar human rights lawyer and academic Hannah McGlade, who has campaigned against these laws in her home state of Western Australia. 'This is where you see over-policing come into account … A lot of Aboriginal women and girls will swear at cops because they feel harassed by police, and looked down on, so that's their response – *well, fuck you*. And unregistered animals – a lot of Aboriginal people have dogs or pets they can't afford to register. It's just outrageous stuff. People can't pay these fines, because they're living under the poverty line, on social security. And then the fine doubles and triples when it's not paid.'

For any readers bristling with 'personal responsibility' – 'they're only in trouble because they broke the law' – consider this: for most non-Indigenous Australians, these very same behaviours would attract little more than a warning or a stern word. 'Being drunk and disorderly in a public place' is practically the ethos for the Spring Racing Carnival, but in

* As this book went to print, the Western Australian government signalled that by mid-2019, it would abolish laws that jailed people for defaulting on fines. But as Hodgson has explained, even if women in other states are not being jailed for unpaid fines, they are still being threatened with arrest when they call the police for help.



all my years living near Kings Cross in Sydney I did not once see or hear of an intoxicated young woman – cursing and staggering barefoot through the Cross, heels in hand and fascinator askew – being fined by police. Indigenous people are not fined for these misdemeanours because they've broken the law: it's because they are kept under closer surveillance, and punished for infractions most of us would get away with. Associate Professor John Williams-Mozley, a chief investigator for the Royal Commission into Aboriginal Deaths in Custody, says the likelihood of an Indigenous person being arrested is twenty times greater than for a non-Indigenous person, and police are often swayed by their own racist beliefs to target Aboriginal people for offences like public disorder.[12]

One woman's story makes Hannah McGlade particularly furious. 'Did I show you the Tamica Mullaley case in Broome?' she asks. 'So many people don't know her story.' I interrupt – many people have told me there was a terrible story in Broome a few years back, but nobody has been able to tell me the woman's name. 'Yes,' replies McGlade, 'we all know about Rosie Batty, but we don't know about Tamica Mullaley, little Charlie, and what they did to Mum. There was no mercy for her.'

*

I'd never heard the name Tamica Mullaley, but I should have. We all should have. Her story should have been a national scandal – when police pursued charges against her in 2015, Rosie Batty was Australian of the Year, and journalists were chasing every conceivable angle on domestic abuse. But aside from cursory wire reports, the story of Tamica and Charlie Mullaley was scarcely covered outside Western Australia.

Over the past five years, I've examined some of the most shocking cases imaginable. I've wept and raged over them more times than I care to count. But nothing has come close to the anger I felt when I read about what happened to Tamica and her baby Charlie.

A warning to readers: this is a harrowing story. I've done my best to write it as sensitively as possible, including only the necessary details. If you can, please stick with it.

The story begins on the night of 19 March 2013, at a birthday gathering for Tamica's father, Ted. 'We had a little cake that night,' says Ted Mullaley,

'and then Tamica was going out.' Ted speaks clearly, deliberately. He looks like a bush poet or an ageing rock'n'roller, with his long moustache, goatee, and wavy grey hair falling to his shoulders. Ted runs a successful trucking business in Broome and – like many Indigenous grandparents – spends most of his free time looking after his beloved grandchildren. As Tamica was getting ready, she asked Ted if she could leave Charlie, her ten-month-old son, at home with him. 'This really upsets me a lot, because I said no,' says Ted, 'hoping that would make her behave herself, and come home at a reasonable time.'

Unbeknown to Ted, there was already trouble brewing. Tamica had just come back from Perth, and there were yarns going around town that her new boyfriend, Mervyn Bell, had cheated on her while she was away. He'd already been acting weird that afternoon, when they'd been out drinking with friends. Tamica was building herself up to confront him.

When Tamica arrived at the house, she put Charlie down in the living room to sleep and went outside to hang out with Mervyn and their friends. On the phone from Broome, she tells me what happened next. 'I mentioned [the rumours], and he just started being a real arsehole.' It was getting late, so Tamica decided to walk to a friend's place to pick up a stroller so she could take Charlie home.

Mervyn followed behind by car and attacked her. 'He just went right off, punching me – I tried to get away but he just came up behind me and bashed me more. That's when he really hurt me, and stripped me naked.' A nurse from the local hospital was at home when she heard screaming in the street and saw Mervyn bashing Tamica. She ran outside and shouted at Mervyn to leave, and then called the police.

Ted was in bed when his phone rang. It was the nurse – Tamica was sheltering in a carport, naked and badly beaten, wrapped only in a sheet the nurse had given her. Police were on their way. Ted jumped straight out of bed and into his car, desperate to get there before the police.

As Ted turned onto the street where Tamica was waiting, his heart sank. 'I could see the flashing lights coming down to where the house was.'

Tamica was in a terrible state, crying and covered in blood. 'She was yelling at police, "Go away, nobody wants you here," but the police kept pushing themselves onto her,' says Ted. Police notes say Tamica was



calling them 'cunts' and telling them to 'fuck off'. She didn't want police involved: 'I know that police aren't that great in Broome,' she explains. 'I just wanted to go with Dad, because it was really embarrassing, you know, being naked with blood everywhere. We know a lot of people in Broome, and this was right on one of the main streets.'

The police refused to leave. 'We were tasked to attend a disturbance,' one officer said, 'for a woman who had been kicked out of a car and was naked.' They needed to know exactly what happened.

But why did they need to interview Tamica then and there? She was a victim of assault, seriously injured, in need of urgent medical attention and desperate for police to leave her alone. As one officer noted, 'Tamica had blood surrounding her right eye'[13] – a clear sign she had suffered significant head trauma. This alone would have made her behaviour erratic and her memory faulty. Police had a duty of care to attend to her as a victim first, and a witness second.

Furthermore, police already had a witness: the nurse had given them her account as soon as they arrived. Then, when Ted arrived, he told them who did it – Mervyn Bell. With all this information, why did police need to harass a clearly traumatised victim of violence for her account?

In Tamica's words: 'I was completely battered and bruised, he hit me all over my head and everything. So yeah, I didn't want to talk to police. I just wanted him charged, and for me to get in the car and go home.'

But police insisted Tamica explain what happened. Feeling distraught and trapped, she spat at one of the officers, Constable Paul Moore. Ted heard Moore say, 'That's it,' and then he lunged towards Tamica. 'Tamica had the baby,' says Ted, 'and I grabbed the baby off her, gave him to this girl beside me and tried to protect my daughter.' It was chaos: Tamica bolted away from police, who chased her around her father's ute, and as she tripped over, Moore pinned her to the ground with his knee in her back. 'She's screaming out, "Dad, help me, help me!"' says Ted. 'I said to him, "Let her up – let the woman policeman deal with her."' When Moore lifted his knee, Tamica jumped up, scrambled into her father's ute and locked all the doors. Police surrounded the ute and started belting the windows with their batons. 'When they eventually smashed the passenger-side window,' says Ted, 'she jumped out the driver-side door, and then they grabbed her and held her

down again, and threw her in the paddy wagon.' When Ted asked them what they were doing, police told him they were taking his daughter to jail. 'I said, "You can't, she needs help! Call the ambulance!" And they said, "Oh, the ambulance won't come." And I said, "Well, why not?" And they said, "Well, it won't." And I said, "Well, you've gotta take her to the hospital."'

The police – who were busy arresting Tamica – didn't take the child into their care. Instead, they told two girls to take the ten-month-old away from the scene. Ted was torn. 'I couldn't take Baby with us,' he says, 'because I had to help Tamica.'

When they got to the hospital, Tamica was hysterical and the doctor refused to see her. To Tamica, distressed and disoriented, anyone in authority was now a threat. Ted begged her to calm down. As she settled, the doctor said, 'I'll give her one last chance.' 'And lucky he did,' says Ted. Tamica had life-threatening injuries: she had a lacerated kidney, her spleen was badly bruised and she was bleeding internally. 'The doctor said if she hadn't gone to hospital, she would've died in her cell.'

Once Ted knew Tamica was being looked after, he raced back to pick up Charlie. But when he reached the house, he discovered that Bell had returned and taken off with the child. Ted was beside himself. Racing back to the hospital, he found Constable Eoin Carberry, sitting outside the hospital in a patrol car. 'I said, "I need help, he's taken the baby!"' Ted was in a panic – Bell was not Charlie's father, he told Carberry, and he had grave fears that he was going to kill the child. Carberry was unmoved. 'He said, "Well, we haven't got any resources,"' Ted remembers. 'I said, "What do you mean?" And he said, "Well, we're here looking after your daughter, because she's under arrest."' When Ted implored him to get somebody else to look for Charlie, the officer replied, 'How many cars do you think we got?' 'And I'll always remember this,' says Ted. 'He said, "We've only got two: one's here looking after your daughter, and the other one's back at the station doing business." Now, I didn't realise then,' says Ted, 'but I worked out later that the other police back at the station were writing up charges against Tamica for assaulting them, and me, for hindering police. That's all they were doing.'

Ted raced down to Broome police station and reported Charlie's abduction, told them Bell was driving one of Ted's cars, and asked police



to look for him. Acting Sergeant Darren Connor, on the front desk that night, said Ted came in smelling of alcohol 'and who knows what else', that he was aggressive and irrational, and seemed more concerned about his vehicle than his grandchild. There is no evidence to support Connor's claim, as a later inquiry confirmed.[14] 'I hadn't had a drink for thirty years!' Ted exclaims. 'So that was totally wrong. It was just a way he looked at it: I was just another blackfella drunk.'

Ted then rang Triple Zero to report the abduction, hoping they might push police to act. 'I want someone to take me serious that this guy is going to kill my grandson,' he told the operator. The operator said she would contact the sergeant in Broome, and Ted replied, 'Will you tell him how important it is? Please.'

The operator called Broome police station and talked to Constable Joel Wright. When she relayed that Mr Mullaley was 'extremely concerned for his grandson', Wright told her that he knew all about Ted – he'd 'basically obstructed police all night'. When the operator asked if Wright would call Ted, he said he'd talk to his supervisor but he didn't know if anyone would contact Ted: he'd already taken up two hours of police time.[15]

After calling Triple Zero, Ted drove into the bush, thinking Bell might have parked somewhere to hide out for a while. Just as he was getting going, though, he got a flat tyre, and had to ring a mate to pick him up. Minutes before 3am, he received a chilling, garbled text message from Bell: 'talk to us I'm putn welfare on da both of use can't Evan look after ur owne gran child ... ???????????? Wat now popo [police] cumn for use...... Haha'.[16]

Ted went straight back to Broome police station: maybe this text could help them locate Bell. When Ted asked Constable Wright, who was still on the front desk, if they could check where the message had been sent from, Wright told him it would be too expensive – $800 – to run a check like that. Ted said he was happy to pay. Wright refused, insisting it would take too long. Ted asked if he could read the text to him, but Wright brushed him off. When Ted said he wasn't happy, Wright said he would have to come back in the morning and see the Aboriginal liaison officer.

Ted's interaction with Constable Wright was recorded on CCTV that night. The state's Corruption and Crime Commission (CCC) inquiry

would find that Ted 'appeared animated at times and calm at other times' and report the footage 'also shows Wright shaking hands with Mr Mullaley, who then waved at Wright in a friendly manner as he walked away'.[17] But that's not how Wright recorded it. In a report for the Internal Affairs Unit, he said he had found it 'challenging to gain information due to E. Mullaley's aggressive and agitated demeanour'.[18] The CCC inquiry found no evidence to support this: CCTV showed that Ted would 'have sat and provided detailed information for a police statement if asked'.[19]

Given how late it was, Ted felt he had no choice but to go home and sleep so he could resume the search for Charlie at first light. As he walked the 100 metres from the police station to his house, he heard a car driving slowly behind him. He turned around to see Constable Wright following him in a patrol car and shining a spotlight on him. 'I swore at him and said, "Don't shine that effing light on me anymore," or something, and he said, "And you stop ringing Triple Zero, too." They told me not to ring Triple Zero anymore. That's written in all my statements. It's something I'll never forget.'

According to Constables Wright and Connor, that was not their last contact with Ted that night. What they say happened next defies belief, given how intent Ted had been on finding Charlie and the fact that just an hour earlier he had been willing to pay $800 on the spot to geolocate him. According to police, however, after Ted returned home, he made another call to the station to tell them everything was fine: he had spoken to Bell, Charlie was safe, and they didn't need to look for him anymore. At 4.15 am, Constable Wright updated the file on Charlie's disappearance with a new entry, based on this supposed phone call:

> TPC received from Edward Mullaley stating that Mervyn Bell has contacted him and they have had a long and heartfelt conversation. Mullaley states that he no longer has any welfare concerns for the child. He states that Bell loves the child and is caring for him well. Bell explained the evening's events to Mullaley, who now believes that it is good for the child to be with Bell. Bell has arranged to meet Mullaley and transfer custody of the child during the morning (daylight). DCP [Department of Child Protection] advised of development. They have requested that any further updates be provided to the Broome DCP office.[20]



Acting Sergeant Connor (who had earlier described Ted as drunk and aggressive) told the CCC that he was with Wright during this phone call, and that they later discussed it. When I ask Ted if he made this call to Constable Wright, he is emphatic. 'No, no, no,' he says. 'I don't recall that at all. I never felt that Charlie was safe at any time.'

What is clear is this: Wright and Connor failed to do the most basic police work on Charlie's abduction. They failed to enter the most basic – and crucial – information in Charlie's file: Bell's violent criminal history, and Ted's fears that he would hurt or kill the boy. Neither officer filed a missing person report, either – a failing Connor explained by saying he didn't consider Charlie missing because it was common for kids in Indigenous communities to be looked after by multiple family members, and he didn't know that Bell had assaulted Tamica that night. If he really didn't know about the assault, that reveals another catastrophic failure of communication within Broome police – because the police's own notes show that Ted told the two officers at the scene of the assault that Mervyn Bell was the perpetrator. He also told police that this same perpetrator had abducted Charlie, and that Charlie's life was in grave danger. The only way Connor could maintain his apparent belief that Charlie was just being 'looked after' by a member of his extended family is if he paid no heed whatsoever to Ted's reports.

At 6 am on the morning of 20 March, Connor handed over to Sergeant William Withers. He says he briefed Withers on what had happened overnight. But Withers has no recollection of any briefing.[21] When he began work that morning, he had no idea that Bell had viciously assaulted Tamica and abducted Charlie, or that Ted had made several reports the night before, including calling Triple Zero.

When Ted returned to the station that morning, he was hoping to hear that police had begun a search for Charlie. 'You know, my sister works with child protection, and she says an alert is supposed to blare when a kid goes missing like that. Everyone should swing into action.' By that time, ten-month-old Charlie had been missing for more than six hours.

Ted was horrified to find that Broome police hadn't even started to look for him. There were only two roads Bell could have taken out of town: a right turn out of Broome, which would have put him on the road to Port Hedland;

or a left turn, which would have had him driving towards Derby. 'I sort of knew he'd gone to the right, towards Port Hedland,' says Ted, 'because he had phone reception. But they weren't interested in looking either way.'

Ted's instincts were right. At 5.45 am, Bell pulled into the closed Pardoo Roadhouse, 460 kilometres south of Broome, on the road to Port Hedland. He tried to steal some petrol by cutting the hose, and when that didn't work drove around until they opened, then filled up and took off without paying. At 6.40 am, staff from the Pardoo Roadhouse called police to report the theft but were told that police didn't attend drive-aways. As Bell was speeding away from the roadhouse, a young guy driving behind him called police to report that a man who'd nicked off without paying for fuel was now driving erratically down the highway. Bell's driving was so alarming that a truck driver going the other way also rang police to report him. Broome police missed this chance to locate baby Charlie. 'If Broome police had rung Hedland and said, look, we're looking for an 80 series, this colour, with this bloke driving it,' says Ted, 'police would've known that was the car.'

Several hours later, Sergeant Withers tasked an officer with calling roadhouses north and south of Broome, which the officer did. Withers also asked him to telephone police stations in both directions. Phone records from Broome police station indicate that this was not done.

It was 10 am before officers went to interview the two women who had been caring for Charlie when he was abducted. At 10.58, Sergeant Withers called the Police Operations Centre in Perth. He told Inspector Trevor Davis that an infant was missing, having been taken by its mother's current partner, and that Broome police were considering scaling it up to a child abduction scenario. Withers told Davis that the child's grandfather had reported Bell threatening the mother that he would take and kill the child. Davis replied that unless Withers had evidence of these threats – a statement from the mother, for example – there was nothing Perth could do.[22]

By that time, Tamica – despite her severe injuries and against doctors' wishes – had discharged herself from the hospital. She left first thing that morning, straight after Ted told her that Charlie had been taken. 'I took off from the hospital to go and look for him,' she says. In severe pain, she ran two kilometres to a friend's house to get his car, then rushed around town, stopping at houses where she thought Bell might have stayed



overnight. 'By then, most of town knew Charlie was missing, because Dad had rung everyone looking. Everyone was looking for him.' Deep down, though, Tamica knew Bell had left town.

Around 11.20 that morning, in Roebourne – 800 kilometres south of Broome – a truck driver who worked for Ted saw a car on the highway that belonged to his boss. Ted hurried back to Broome police station and reported that Bell had been seen on the road to Karratha, 40 kilometres past Roebourne. When police said they would set up a roadblock in Carnarvon – over 600 kilometres past Karratha – Ted was furious. 'Do you realise how far away Carnarvon is?' he fumed. 'I ran amok in the police station actually,' he says. 'I abused them, to be honest with you.'

Ted's sister, who had flown in from Perth that day to help, said, 'Let's get out of here.' Outside the police station, she rang a homicide detective she knew through her child protection work. On the phone, that detective told her not to talk to anyone else, and that he would be on the next flight. 'He was absolutely devastated about how they were treating us,' says Ted. 'He was a helluva nice person. A really, really good policeman.'

At 12.57 pm – more than thirteen hours after Charlie's abduction was reported – Broome police finally broadcast an alert about it to all districts.

Less than an hour later, as Ted and Tamica were sitting with Broome police, Bell pulled up to the Fortescue Roadhouse in Mardie, 930 kilometres south of Broome, and burst through the front door with a baby in his arms. Yelling Charlie's name, Bell strode towards one of the tables, and laid Charlie down on the table in front of Gavin Duff, who was in the middle of his lunch. As Bell hollered for an ambulance, he started trying to resuscitate Charlie. Duff looked at the infant in horror. There was 'significant bruising on his body', 'a large welt on the side of his head' and 'a mark on the centre of his chest, where it had started to peel'. Bell was worked up, yelling 'come on, come on', so Duff took over, and tried to revive Charlie. When paramedic Gary Harris arrived at the Roadhouse, he put a stethoscope on Charlie to see if he could find a pulse.

But Charlie was dead.

He had been alone with Mervyn Bell for fifteen hours.

Back in Broome, police told Ted and Tamica that Charlie had been found and was now in an ambulance going to Karratha. Ted and Tamica

were loading up the ute to drive to Karratha when two policemen walked towards them. 'They just said bluntly to Tamica, "Your baby's gone,"' says Ted. 'She lost it – ran down the road, rolled in the dirt …'

Five years later, Tamica can barely talk about that moment. 'I ran off, crying and screaming, didn't want anyone near me. I ran to the church and was sitting in the church crying.'

Tamica's mother, who was going to fly to Broome to be with Tamica, had changed her ticket to Karratha when she heard that baby Charlie had been found. When she got to Karratha hospital, staff refused to let her see the child's body. It may have been for her protection. The post-mortem revealed devastating injuries to the ten-month-old boy: burns, abrasions, bruising, internal bleeding and a broken arm and broken leg. His genitals had also been seriously injured.

For Charlie's memorial a few days later, relatives flew in from all around Australia. Ted held Tamica as she sobbed outside the Our Lady Queen of Peace Cathedral. In the memorial program, Tamica wrote a poem for her baby boy, titled 'My Child':

> So precious, so innocent, not yet knowing what life holds,
> Much to learn, much to see, much to hear, much to need.
> Loving, wanting, adoring, and demanding.
> I love you my child, my second son. I love you my baby, my dear
> Charlie Boy.

*

In 2014, Bell was found guilty of the rape and murder of ten-month-old Charlie Mullaley. 'Once in every ten years a crime is so evil it shocks the public,' said Justice John McKechnie, as people in the public gallery wept. He sentenced him to life imprisonment.

Nine months later, in September 2015, Bell killed himself in Casuarina Prison.

Tamica was relieved to hear that Bell was dead. But barely a month later, she and her father were back in court. Broome police – who had charged Tamica for assault and Ted for obstructing police on the night of Charlie's abduction – had decided not to drop the charges after Charlie



was found murdered. They had pursued them. And now they were taking Tamica and Ted to court.

In finding them both guilty, Magistrate Stephen Sharatt said that Tamica had clearly been in control of her senses, because during her scuffles with police she was worried that her baby would see her bloody and injured. He commended Ted – who freely admitted in court that he tried to prevent police from arresting his daughter – on his 'candour and honesty', saying, 'Rarely do you see such honesty in the witness box.' Ted was given a criminal record and a $300 fine. Tamica was given a twelve-month suspended sentence. Magistrate Sharatt said, 'If ever there was a time for the court to be merciful, it's this matter today.'

Outside the court, Tamica addressed the media, asking why police were more interested in prosecuting her than they had been searching for her missing baby boy. 'They never looked for Charlie at all, and the police need to be accountable for not looking for him,' she told reporters. 'They could have looked for him and he'd still be alive. It's all wrong, but this is the law and this is how things work.'

In April 2016, Western Australia's corruption watchdog investigated the response of Broome police to the abduction of Charlie Mullaley. While it concluded that several police failures that night had contributed to a delayed and ineffective response, those failures did not justify a finding of serious misconduct. 'Whether a more rapid response may have saved Charlie is impossible to know,' the report found, 'but it is important to recognise that Bell alone was responsible for Charlie's fate.'[23] The Mullaley family responded with its own statement:

> There are too many 'don't recall' comments and a lot of 'notes were not taken' by officers. It is convenient for police not to recall certain matters that we consider crucial and to omit details that should have been included. Ted told them [police] that Charlie was at risk but, as the CCC report states, he was not taken seriously and we have lost our beautiful baby boy.
>
> The big question is: what changes have police made? What happens when the next Aboriginal grandfather walks into the station and reports his grandson missing without any action being taken for hours?[24]

The family's lawyer, George Newhouse, from the National Justice Project, was critical of the CCC investigation. 'What astounds me is that in the years since Charlie's death no-one has examined the conduct of the WA Police when baby Charlie was alive and under their control,' he told *The Sydney Morning Herald*. 'It seems obvious that the police should have intervened to protect Charlie when they arrived on the scene, but it appears that the WA Crime and Corruption Commission inquiry totally missed this critical aspect of the case.'[25]

Ted only talks about this now because his quest for justice is ongoing. 'I knew in my heart that something was wrong. I hate talking about it, actually. I knew. I have to talk about it, to get justice. We don't want to see anyone else go through what we've been through.'

*

Indigenous women and children have been assailed by the rage of men for over 230 years. First came the rage of the colonisers: at their blackness, their freedom, their sexuality. Then came the humiliated fury of some of their colonised men: at being emasculated, enslaved, and rendered powerless to stop their women and children being taken and raped. Ten generations of Indigenous women have been expected to absorb these furies and never complain. The men who have unleashed them have had one thing in common: they could not tolerate women living free and felt entitled to control them. Today, Indigenous women and children are more vulnerable to men's violence than anyone in Australia.

Despite decades of radical Aboriginal activism, few of us have ever learned the real history of how this country was colonised*; most of us who want to learn do so bit by bit, picking up fragments from disparate sources – a book, an interview, a story someone told. Among these fragments, it's even rarer to read or hear about what white men have done – and are still doing – to Aboriginal women and girls. As wrote the renowned expert on Indigenous violence and trauma Emeritus Professor Judy

* Despite historians Henry Reynolds and Richard Broome opening the burgeoning field of colonial and frontier history in the 1980s, this scholarship is only now starting to transfer through to mainstream reportage.



Atkinson: 'Australians have never been able to acknowledge sexual violence in their history. It is now alright to write of the guns and the poisoned flour, the killing of black women and children. It is still taboo to acknowledge the horrific level of sexual violence towards Aboriginal women and girls by white males.'[26] Almost thirty years later, that taboo persists.*

Sexual violence against Aboriginal women and children weaves an invisible thread through the short history of black and white Australia. To understand Indigenous family violence today, we need to follow that thread back to the beginning.

*

But before we do, let's address that perennial question: is family violence 'cultural'? It has often been claimed, even in the courts, that family violence is part of Indigenous culture, and that women and girls were being customarily brutalised long before the colonisers arrived. Until 2007, defence lawyers and anthropologists would regularly defend Indigenous men charged with violent crimes against women on the grounds that these were 'customary practices'. In her remarkable book, *Our Greatest Challenge*, McGlade documents a case from 2001, when the Aboriginal legal aid team acting for a fifty-year-old man – who violently beat and raped a fifteen-year-old girl he claimed was his 'promised wife' – defended his behaviour as culturally 'appropriate and morally correct'. The offender was sentenced to just twenty-four hours' imprisonment for unlawful intercourse with a minor (and fourteen days for firearm offences). This was despite his history of severe domestic abuse: he had killed his former wife, a highly respected teacher, by beating her to death with sticks – a crime that had been 'minimised by the court as a drunken fight between two parties', despite a post-mortem finding seventy-five bruises on her body.

* As historian Liz Conor notes, these stories can be shunned not only because white Australians don't want to hear them, but sometimes because they can be deeply shaming for surviving Aboriginal women and their families, who are already dealing with the complexity of their often fragmented family origins. Such stories tend to be shared in trusted research partnerships and other safe scenarios, to ensure they aren't appropriated by right-wing elements in government to justify discriminatory policies, as was seen with the 2007 Northern Territory Emergency Intervention.