

# Contents

Foreword .....	v
Preface.....	xiii
<b>Chapter 1 Introduction — Facing the challenge .....</b>	<b>1</b>
My Story: Growing Up Noongar .....	2
A serious human rights problem.....	7
No more shame — child sexual assault is harmful and traumatic....	11
No matter how hard I tried I could not escape sexual assault.....	13
The Northern Territory Emergency Response .....	16
Our greatest challenge — acknowledging and addressing child sexual assault.....	22
Theoretical perspectives.....	25
<b>Chapter 2 Understanding colonisation and trauma.....</b>	<b>33</b>
The impact of colonisation .....	34
Theories of trauma .....	36
The impact of alcohol.....	39
The history of sexual abuse of Aboriginal women and children .....	40
The history of the Stolen Generations.....	44
Aboriginal children were subjected to widespread sexual abuse .....	46
Inter-generational trauma and the ‘cycle of abuse’ .....	49
The cycle of abuse theory .....	51
Aboriginal culture does not sanction sexual violence .....	55
Violence and sexual abuse was not Aboriginal culture in my family.....	61
The converging factors .....	64
<b>Chapter 3 Patriarchy, and women and children’s oppression .....</b>	<b>66</b>
A reflection of power inequality .....	67
Child sexual assault and the family violence framework.....	68

Racism has been accorded primacy .....	71
Aboriginal men have been most impacted by colonisation? .....	75
Case study: ATSIIC and allegations of sexual abuse .....	78
Case study: the closure of the Swan Valley Nyungah Community .....	83
Aboriginal male violence and the feminist intervention .....	88
‘Stop the abuse — strong Aboriginal women are watching you’ ....	89
Speaking positions are regarded as pivotal...sometimes.....	91
Acknowledging race and gender .....	93

**Chapter 4 A decade of government reports and inquiries ..... 96**

<i>Children on Anangu Pitjantjatjara Yankunytjatjara (APY)</i> <i>Lands Commission of Inquiry: A report into sexual abuse</i> .....	97
<i>Ampe Akelyernemane Meke Mekarle ‘Little Children Are Sacred’</i> .....	103
<i>Breaking the Silence: Creating the future: Addressing child sexual assault in Aboriginal communities in NSW</i> .....	111
<i>Putting the Picture Together: Inquiry into response by government agencies to complaints of family violence and child abuse in Aboriginal communities</i> .....	119
<i>The Aboriginal and Torres Strait Islander Women’s Task Force on Violence Report</i> .....	125
A systemic failure .....	127

**Chapter 5 The criminal justice response to child  
sexual assault..... 129**

The ambivalent response of the criminal justice system .....	130
Secondary abuse or re-victimisation .....	131
A traumatic and unjust system.....	135
Aboriginal women and children have unique experiences .....	137
Aboriginal victims face ‘double discrimination’ in the courts .....	139
The criminal justice system sanctions Aboriginal sexual assault as ‘culture’ .....	141
Case study: Pascoe’s case, 2001 .....	143
Case study: ‘culture’ revisited, 2005 .....	148
Culture is no excuse...in non-Aboriginal cases.....	152
Case study: a case that ‘bespeaks error’, Aurukun, 2007.....	153

Blaming the children — a Canadian example.....	158
The abuse of culture .....	159
An ambivalent system .....	163
<b>Chapter 6 Close to home: Noongars taking a stand in the courts.....</b>	<b>164</b>
Case study: Donna Kickett warns that courts are devastating .....	165
Case study: Ingrid Collard breaks the silence and asks ‘who’s on trial?’ .....	176
Case study: <i>R v Bropho</i> [2004] WADC 182.....	183
<b>Chapter 7 Looking forward: Aboriginal victims at the centre.....</b>	<b>193</b>
‘Justice as healing’: the case of Hollow Water.....	195
The Australian context .....	201
CHCH is supported by the criminal justice system.....	204
Critical concerns — victims must be properly protected.....	206
Healing for victims an ‘afterthought’ .....	210
Some Indigenous women reject ‘healing’ approaches .....	211
Lessons for Australia.....	212
Native American tribal approaches.....	214
Navajo Child Special Advocacy Program.....	216
Facilitating change .....	218
<b>Chapter 8 Knowing from the heart.....</b>	<b>220</b>
Abbreviations .....	229
Notes .....	230
Bibliography.....	258
Index.....	276