

Missing, murdered and incarcerated Indigenous women in Australia: A literature review

ANROWS

AUSTRALIA'S NATIONAL RESEARCH
ORGANISATION FOR WOMEN'S SAFETY
to Reduce Violence against Women & their Children

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About ANROWS

Australia's National Research Organisation for Women's Safety Limited, or ANROWS, was established as an initiative of Australia's first *National Plan to Reduce Violence against Women and their Children 2010-2022* (National Plan) by the Commonwealth Government and all state and territory governments of Australia. ANROWS's primary function is to build the evidence base that supports ending violence against women and children in Australia. ANROWS is embedded in the National Plan architecture and will continue to deliver and develop this function across the next decade under the *National Plan to End Violence against Women and Children 2022-2032*. Every aspect of our work is motivated by the right of women and children to live free from violence and in safe communities. We recognise, respect and respond to diversity among women and children, and we are committed to reconciliation with Aboriginal and Torres Strait Islander Australians.

ANROWS acknowledgement

This material was produced with funding from the Australian Government and the Australian state and territory governments. Australia's National Research Organisation for Women's Safety (ANROWS) gratefully acknowledges the financial and other support it has received from these governments, without which this work would not have been possible. The findings and views reported in this paper are those of the authors and cannot be attributed to the Australian Government, or any Australian state or territory government.

Acknowledgement of Country

ANROWS acknowledges the Traditional Owners of the land across Australia on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past and present, and we value Aboriginal and Torres Strait Islander histories, cultures and knowledge.

Acknowledgement of lived and living experiences of violence

ANROWS acknowledges the lives of the seven Indigenous women whose stories have deeply shaped this project. We are grateful to the women who shared their stories and to the families and communities who allowed the stories of those who have been murdered or gone missing to be shared. We acknowledge their courage, strength and determination. To all the Indigenous women across Australia who have lost their lives, are still missing, or have been wrongfully incarcerated, your life is of value to us, and you have not been forgotten.

Caution: Some people may find parts of this content confronting or distressing. Recommended support services include 1800RESPECT (1800 737 732), Lifeline (13 11 14) and, for Aboriginal and Torres Strait Islander people, 13YARN (13 92 76).



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Published by

Australia's National Research Organisation for Women's Safety Limited (ANROWS)
PO Box Q389, Queen Victoria Building, NSW 1230 | www.anrows.org.au
ABN 67 162 349 171

ISBN: 978-1-922645-88-3 (PDF)

Please note that there is the potential for minor revisions of this report.
Please check the online version at www.anrows.org.au for any amendment.



A catalogue record for this work is available from the National Library of Australia

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Suggested citation:

Bevan, C., Lloyd, J., & McGlade, H. (2024). *Missing, murdered and incarcerated Indigenous women in Australia: A literature review*. ANROWS.

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Author acknowledgement

The authors are thankful for the support of ANROWS staff, Callum Sandison, who provided support during the initial literature scoping, and Lorelei Hine, Elizabeth Watt and Lucy Macmillan, who shared their time to review drafts. We are also grateful to Associate Professor Kyllie Cripps, Associate Professor Marlene Longbottom, Dr Jocelyn Jones, Associate Professor Stella Tarrant and Associate Professor Anna Copeland, for their advice and commitment to this project.

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PART 1

Introduction

This document presents a review of the Australian literature (“the review”) on missing, murdered and incarcerated Indigenous women in Australia. The review was conducted by Australia’s National Research Organisation for Women’s Safety (ANROWS) to support seven Indigenous-led communiques (“the communiques”) into missing, murdered and incarcerated Indigenous women.

The Indigenous women included in the communiqués were incarcerated as a result of self-defense against violence that would have otherwise led to their disappearance or murder. The communiqués are being led by Associate Professor Hannah McGlade, Member of the UN Permanent Forum on Indigenous Issues, working with Professor Kyllie Cripps, Associate Professor Marlene Longbottom, Dr Jocelyn Jones, Associate Professor Stella Tarrant and Associate Professor Anna Copeland. The purpose of the communiqués, named *Seven Sisters*, is to highlight the extent and severity of missing, murdered and incarcerated Indigenous women in Australia and the international legal obligations to the United Nation's Committee on the Elimination of Discrimination against Women (CEDAW).

The review is structured according to the following sections:

- Part 1: Introduction
- Part 2: Methods
- Part 3: Findings
- Part 4: Discussion
- Part 5: Conclusion

Across the Australian literature reviewed, varying terms have been used when referring to Indigenous people, such as Indigenous Australian, Aboriginal and Torres Strait Islander and First Nations. The term used is often dependent on the authors of the literature, as well as the time period in which the literature was published. This review has chosen to use the term Indigenous, to align with the international language used, due to the intended international audience of the communiqués.

About the communiqués

The purpose of the communiqués is to demonstrate Australia's obligation as a party to CEDAW by drawing on seven cases of Indigenous women who have disappeared, been murdered or wrongfully incarcerated in the last 3 decades (since 1997). The seven cases to be included in the communiqués were selected with the permission of the families and communities of the

seven women. The number seven is of particular significance, as it brings to the forefront the ancient and deeply powerful Songlines of the Seven Sisters. Travelling from the west across to the east of the land, the Seven Sisters Songlines provide the foundations of law and culture of Indigenous peoples in Australia and still holds vital importance today (National Museum of Australia, 2017).

Associate Professor Hannah McGlade approached ANROWS in August 2023 to advise of the intention to prepare the communiqués outlining the seven cases and identifying the need for research support in its development. ANROWS is committed to supporting Indigenous-led research and seeks to continue building the evidence base to end the disproportionate rates of violence against Indigenous women and children in Australia. As such, ANROWS offered to develop a literature review in relation to missing, murdered and incarcerated Indigenous women to provide the research context for the communiqués.

ANROWS have continued to be advised and to be informed by the Indigenous researchers in this project. It is of the upmost importance to recognise and give voice to the women who have disappeared, died or been incarcerated. It is equally important to bring context to the lives that they live and have lived. It is with this knowledge that this review is being conducted.

It is critical to note that the work to bring the cases of the seven Indigenous women to CEDAW is taking place against the backdrop of the Australian Senate's National Inquiry into Missing and Murdered First Nations Women and Children (2022), as well as the coronial inquiries into the deaths of four Indigenous women in the Northern Territory. These responses illustrate the national severity of the crisis of missing, murdered and incarcerated Indigenous women in Australia.

PART 2

Research questions and methods

Research questions

The review sought to answer the following research questions:

1) To what extent does the Indigenous-led Australian literature describe the determinants of murdered, missing and incarcerated Indigenous women in Australia?

2) To what extent does the Indigenous-led Australian literature describe responses to murdered, missing and incarcerated Indigenous women in Australia?

Search methodology

To answer the research questions, the review aimed to provide insight into the current extent and range of existing Indigenous-led literature in Australia as well as to identify gaps. The review commenced in 1997 to mirror the time frame associated with the Indigenous women who are the focus of the communiqués.

To ensure the breadth and depth of Indigenous women's experiences are appropriately captured, this review was designed to amplify Indigenous women's knowledge and, as such, chose only to focus on Indigenous-led research. As a non-Indigenous organisation, ANROWS co-authored this review with the lead Indigenous researcher on the CEDAW project and sought feedback from the project's other Indigenous researchers to ensure a decolonised approach was adopted in the development of the review. The design of the review also intends to demonstrate ANROWS's commitment to Indigenous women's right to self-determination and inclusion, recognised in the *United Nations Declaration on the Rights of Indigenous Peoples* (United Nations [UN], 2007), and a commitment to "nothing about us, without us".

Initial literature scoping

The review of the literature to answer the two research questions began by searching various traditional, academic and grey databases. The intention was to map the extent and range of literature available and to identify the gaps in the research. It quickly became apparent that there were two fundamental gaps in the literature:

1) There were very few Indigenous-led research projects related specifically to missing, murdered or incarcerated Indigenous women in Australia.

2) The Canadian literature on missing, murdered and incarcerated Indigenous women far outweighed the Australian literature.

This had several impacts on our method of research, resulting in the need to review a significantly larger number of sources and included reviewing the bibliographies of useful Indigenous-led research, rather than just traditional databases.

Search terms

Key words or phrases were chosen for academic literature searches:

Q "Missing and murdered Aboriginal women" OR "missing and murdered Indigenous women" OR "missing and murdered Aboriginal women Australia" OR "missing Australian women" OR "First Nations homicide" OR "First Nations femicide Australia" OR "Australia death review" OR "Australia femicide" OR "settler colonialism" OR "Aboriginal women police encounters" OR "missing First Nations women" OR "missing and murdered First Nations women" OR "incarcerated Indigenous women" OR "incarcerated Aboriginal women Australia" OR "incarcerated First Nations women"

Databases

Grey databases

[ANROWS](#)

[ANROWS Evidence Portal](#)

Government of Canada

AustLII

Australian Human Rights Commission

Australian Indigenous Health *InfoNet*

National Library of Australia

Australian Inquiries and Royal Commissions:

Western Australia:

- [Inquiry into the Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities](#)

Queensland:

- [Independent Commission of Inquiry into Queensland Police Service Responses to Domestic and Family Violence](#)

Victoria:

- [Royal Commission into Family Violence](#)

South Australia:

- [Children in State Care Commission of Inquiry](#)
- [Child Protection Systems Royal Commission](#)

Northern Territory:

- [Royal Commission into the Protection and Detention of Children in the Northern Territory](#)
- [Inquiry into the Protection of Aboriginal Children from Sexual Abuse](#)

National:

- [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#)

Academic databases

Informit

JSTOR

ProQuest

Web of Science

Inclusion criteria

Papers were eligible for this review if they met the following criteria:

- reports on missing, murdered and/or incarcerated Indigenous women in Australia
- academic and grey literature published between 1997-2023, to cover the time frame of the seven women whom the communiqués focus on
- empirical research.

Papers met the criteria of Indigenous-led research if they satisfied one or more of the following:

- the research team had at least one member who identified as an Indigenous woman
- the author bio indicated they were an Indigenous woman
- the research was undertaken in partnership with an Indigenous organisation.

Data extraction

Data were extracted from the sources which met the inclusion criteria using the following categories: research question, methods, determinants, responses, key findings, significance. The extracted data is in Appendix A.

PART 3
Findings

This review sought to understand to what extent the Indigenous-led Australian literature describes the determinants and the responses to missing, murdered and incarcerated (MMI) Indigenous women in Australia. However, the search revealed not only that there is little research which focuses specifically on the disappearance, murder and incarceration of Indigenous women, but also that research authored by Indigenous women on this topic is scarce. This review is a case in point, with only seven Indigenous-led sources found specifically about MMI Indigenous women in Australia (Allas et al., 2018; Bevis, 2020; Carlson, 2021; Cripps, 2023; Davis, 2011; McGlade & Tarrant, 2021; Whittaker, 2021) over the 25-year period. Given the known prevalence and severity of Indigenous women who are missing, murdered or incarcerated in Australia, it was anticipated that there would be more studies found. Five of the sources had data extracted (Allas et al., 2018; Bevis, 2020; Carlson, 2021; Cripps, 2023; McGlade & Tarrant, 2021), and two sources were reflections found in the search which fit the inclusion criteria, but data was unable to be extracted using the prescribed data extraction method (Davis, 2011; Whittaker, 2021). One source, Allas et al. (2018), included case studies of Indigenous women in Australia alongside case studies of Indigenous women in the United States and Canada but was primarily funded by the Australian Research Council (ARC). As such, it was included as a source in this review. The limited literature by Indigenous women focusing on the disappearance, murder or incarceration of Indigenous women is presented as a finding in and of itself in the review.

A further four sources were found in the search, specifically about MMI Indigenous women in Australia, but did not meet the inclusion criteria for being Indigenous-led research (Hurst, 2019; Klippmark & Crawley, 2017; Lloyd, 2014; Lovell et al., 2023). All other literature found relating to MMI Indigenous women positions the experiences of Indigenous women alongside, or as a comparison to, either Indigenous men or non-Indigenous women, such as the Australian Domestic and Family Violence Death Review Network and the Australian Law Reform Commission reports (ADFVDRN & ANROWS, 2022; ALRC, 2017). These sources were excluded from the review and instead form part of the discussion.

There were no studies found in the search which specifically focused on the disappearance of Indigenous women in Australia. Rather, the disappearance of Indigenous women was discussed in the context of murdered Indigenous women, likely due to the majority of missing Indigenous women being presumed murdered (Lloyd, 2014), with only one source using case studies of women who have disappeared (Allas et al., 2018). National data relating to unsolved missing persons cases highlights that Indigenous women represent up to 10 per cent of cases, despite most recent data showing Indigenous females (of all ages) comprise just 3.8 per cent of the overall Australian population (Australian Bureau of Statistics [ABS], 2023).

Indigenous expertise among Indigenous scholars

The research teams of the sources were comprised of members from multiple professions who drew upon their own backgrounds in law, health, social work and criminology to conduct the research. One source also drew upon the Indigenous expertise of Indigenous scholars in Canada and the United States, locating the experiences of Indigenous women in Australia within the shared experiences of Indigenous women living in colonised societies. For Associate Professor Hannah McGlade, a commitment to many cases, as researcher and human rights lawyer, was clear across the sources they authored (Allas et al., 2018; McGlade & Tarrant, 2021). This was also evident in the work of Indigenous researchers Emeritus Professor Judy Atkinson and Dr Leisa McCarthy, whose cultural governance and place-based expertise is described as a strength of the project (Bevis et al., 2020). Professor Bronwyn Carlson's research interrogates the silence of the data archive related to Indigenous women who have disappeared or been murdered, contrasting it with the richness of Indigenous voices published on social media that challenge this silence (Carlson, 2021). Professor Kyllie Cripps's research reveals the extent of the systemic policing failures and highlights the need for appropriate reforms to be led by Indigenous women (Cripps, 2023).

It is of great importance to recognise the interconnecting relationships that permeate the lives of Indigenous women in Australia, which does not delineate between the professional and the individual in the same way that it does for most non-Indigenous researchers. The injustice experienced by the ongoing harm of colonisation is not only relevant to the professional research careers of many Indigenous women in Australia, but also to their lives as Indigenous women with a commitment to serve their communities and address such ongoing injustice.

Research questions and methods

All seven sources describe an injustice experienced by Indigenous women in Australia through the processes of colonisation and ongoing harm by the state. Each source analysed and reflected on the stories of women who had been killed or incarcerated. The researchers of the sources drew on their professional, personal and cultural relationships to examine the women's lives and their experiences of injustice. Only one source drew on the cases of four Indigenous women who had disappeared, presumed murdered, but whose bodies have never been found (Allas et al., 2018). It was clear there was limited information available to the researchers pertaining to these cases to enable them to analyse the loss to the same extent they could for those women who bodies had been found (Allas et al., 2018). None of the sources used survey data. Bevis et al. (2020) used interviews as a method of data collection along with an analysis of client data and stakeholder workshops. Importantly, the mixed methods research used by Bevis et al. (2020) employed Dadirri as the central inquiry method, which incorporates narrative processes. Dadirri is a deep cultural listening practice. This method allowed for a deeper and more rich conversation with the women, which was made more effective by pre-existing relationships between the participants and researchers who had knowledge of the Central Australian context (Bevis et al, 2020). Both Allas et al. (2018) and Carlson (2021) use Indigenous women's art and media representations of the murder, disappearance and incarceration, as well as acts of resistance, to map the state enacted murders of Indigenous women. Whittaker (2021) uses poetry to frame

a coronial inquest of an Indigenous woman who died in custody, and Davis (2011) applies a feminist critique on the 20-year anniversary of the 1991 Royal Commission into Aboriginal Deaths in Custody by reflecting on its omission of Indigenous women's lives.

Determinants

Five sources were examined to extract the determining factors that led to the disappearance, murder or incarceration of the Indigenous women. Consistent across each source were the impacts of colonisation, which persisted through service interactions, mostly the police and court systems. Carlson (2021) likened the process of colonisation in Australia with genocide, with Allas et al. (2018) framing the violence as "Indigenous femicide". Although no data was extracted, the impacts of colonisation were a consistent determining factor which prevailed across the two reflections (Davis, 2011; Whittaker, 2021).

Allas et al. (2018), Cripps (2023), and McGlade and Tarrant's (2021) focus on interactions with police and legal systems revealed a system entrenched with racism which led to calls for help being dismissed and histories of violence minimised. Bevis et al. (2020) described determinants across each of the six domains in the data extraction table, finding the determinants to be "complex trauma enablers" and concluding that it is the culmination of these enablers that result in a greater likelihood of incarceration. Four of the sources described how, in almost all the case studies and participants, the use of violence characterised many of the relationships the women had. The determinants for experiencing violence were described from the most foundational years of women's lives (Bevis et al., 2020) to their intimate partner relationships (Cripps, 2023). Carlson (2021), along with Allas et al. (2018), described a racist attitude in society towards Indigenous women's bodies; this determinant enables their bodies to be viewed as sexually useful, yet ultimately dispensable.

Responses

Service system responses to MMI Indigenous women across all seven sources were described as inadequate, unjust, non-compliant and perpetuating the stereotypes of Indigenous women as addicts and violent individuals. Allas et al. (2018) described service system responses as also perpetuating culturally derogative stereotypes, such as women having gone “walkabout”, as a reason to not consider them at risk of harm. There was a further consistency across the sources of services never being held to account for the failures in the system responses. Each of the five sources where data was extracted highlighted shortfalls where services were excused for their behaviour, never prosecuted, and references to colonial ideals prevailed.

Two studies, Cripps (2023) and Bevis et al. (2020), explicitly discuss the difference in responses across geographical locations. This is mostly attributed to service responses, where the researchers noted that remote locations have significantly less resources regarding both police and medical care. Cripps (2023) found that 47.7 per cent of the cases examined in the sample were within urban areas and, as such, should have been more preventable than those in remote areas. McGlade and Tarrant (2021) implicitly describe the difference in geographical responses throughout their case studies. Responses requiring travel across greater geographical distances were significantly slower and, at times, even fatal.

Overall findings

Overall, this review produced three overarching findings. Firstly, there is a significant paucity of research – specifically focused on missing, murdered and incarcerated Indigenous women in Australia – undertaken by Indigenous women, or in partnership with an Indigenous organisation, over this period. One source, the ARC’s *Indigenous Femicide and the Killing State* (Allas et al., 2018), was difficult to locate, being archived in the National Library of Australia. The paucity of research and the challenge to locate the sources is particularly notable given the over-representation of Indigenous women among those women who go missing, are murdered or incarcerated in Australia. Secondly, all the researchers of sources included in this review are highly qualified Indigenous women from varying disciplines and with significant cultural expertise. Yet, their efforts to bring to the forefront the injustices experienced by Indigenous women in Australia are too often neglected and ignored. The work has subsequently had to include advocacy alongside their research, reflecting the gravity of the violence and impact of the cases affecting women and children’s lives as well as a lack of investment in appropriate government and service responses. Thirdly, the sources include a broad coverage of determinants and responses to allow for a greater propensity for understanding the societal and systemic influences on missing, murdered and incarcerated Indigenous women. This is evident in Allas et al. (2018), where the Indigenous researchers bring an international, Indigenous human rights lens to understanding the societal and systemic influences across Australia, Canada and the United States. Cripps (2023) asserts that an Indigenous lens is required if we are to truly contextualise the complexities and reflect on the findings of research on missing, murdered and incarcerated Indigenous women.

PART 4

Discussion

This review builds on the increased focus in Australia in recent years on the Indigenous women who go missing, are murdered and wrongfully incarcerated. Varying mechanisms are being used to examine and address the violent and shocking experiences of Indigenous women who are taken from their families and communities at horrific rates. The discussion has been separated into four sections: legal framework, policy, media, and research. These are some of the mechanisms which Australia is using to address the determinants and the responses to the murder, disappearance and incarceration of Indigenous women, evident in the literature. Yet, the findings of the review reveal that it is the persistent racism and ongoing impacts of colonisation inherent in these mechanisms which render attempts to address determinants and adopt just responses redundant.

Significant advocacy underpins each of these mechanisms which, at times, largely omits the voices of Indigenous leadership. Indigenous women researchers are clearly also compelled to advocate and work as human rights defenders. This is necessary to generate change and bring to the forefront systemic and structural discrimination pervasive in Australia including in legal systems which routinely demonstrate bias and discrimination against Indigenous women. We note that Indigenous women were responsible for the Australian Government's significant decision to commit to a separate national Action Plan to end violence against Aboriginal and Torres Strait Islander women and children (Department of Social Services [DSS], 2023). This advocacy included international and domestic forums (Australian Human Rights Commission [AHRC], 2022).

Legal frameworks

Australian Royal Commissions and inquiries

Since 1997, there has been a myriad of Royal Commissions and national and state inquiries examining the systemic issues in Australia, which have resulted in the early and preventable deaths, violence, incarceration rates and over-representation in child protection systems of Indigenous people (AHRC, 1997; Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, 2007; Child Protection Systems Royal Commission, 2016; Gordon, et al., 2002;

Mullighan, 2008; Richards, et al. 2022; Royal Commission into the Protection and Detention of Children in the Northern Territory, 2017; Royal Commission into Violence, 2023; State of Victoria, 2016). In 2012, Associate Professor Hannah McGlade examined the criminal justice responses to the sexual assault of Indigenous children in Australia between 2002-2012, which included a series of Royal Commissions and inquiries (McGlade, 2012). Findings from this research, as well as work by Professor Kyllie Cripps, demonstrate important recommendations are not being implemented and valuable learnings are at risk of being lost (Cripps, 2007; McGlade, 2012). More than another decade of Royal Commissions and inquiries later, there is still little which has been achieved, with many, if not most, of the recommendations having not been implemented to the extent required, even while there is a persistent over-representation of Indigenous people in each of these areas.

The findings of our review support the urgency of applying an Indigenous lens to understanding and addressing the systems that perpetuate this over-representation. Indigenous women's critical contributions to ending violence has been neglected for too long. A National Inquiry into Missing and Murdered First Nations Women and Children was commenced in the Senate in 2022. Although this inquiry is still underway, little has been done to address the inherent racism that has resulted from the recommendations of previous Royal Commissions and national and state inquiries, with many Indigenous community members fearing that any resulting recommendations will go the same way as those of the past and will likely remain unimplemented.

Australian coronial inquiries

The Northern Territory, followed by Western Australia, have the highest rates of murdered Indigenous women in the country. This review was undertaken against the backdrop of coronial inquiries of four Indigenous women who were murdered by their intimate partners in the Northern Territory. The inquiries have received significant media attention, and are the first of their kind, providing space for the lives of Indigenous women and their families to be heard, particularly in remote areas of Australia.

It is well known that Indigenous people too frequently do not experience cultural safety in coronial processes. This was highlighted in a reviewed coronial decision of the case of Ms Dhu by Perera and McGlade (2021), and the subject of a study by Newhouse et al. (2020). It is also consistent with findings from Klippmark and Crawley (2018), McGlade and Tarrant (2021), and Whittaker (2021), which conclude that coronial inquiries are “whitewashed” and omit the systemic racialised violence that contributed to the deaths of the Indigenous women. Accordingly, the Victorian Government has reformed coronial processes to ensure Indigenous people are more fully involved in the process and the role of systemic racism is understood as a contributing factor (Chen & Mackay, 2023).

International legal obligations

The literature is clear that violence against Indigenous women is a human rights issue. Australia is party to several international conventions and declarations that outline its human rights obligations in international law. When understanding violence against Indigenous women as a human rights issue, the literature also suggests it is critical to acknowledge intersecting identities by adopting an intersectional approach to the relevant international declarations and conventions (AHRC, 2020; AHRC, 2022; Alsalem, 2022; Amnesty International, 2008; Buxton-Namisnyk, 2014; UN Women, 2009). This is in line with CEDAW General Recommendation 39 which provides guidance to state parties on legislative, policy and other relevant measures in relation to Indigenous women and girls (Committee on the Elimination of Discrimination against Women [CEDAW], 2022), and is endorsed by the United Nations Permanent Forum on Indigenous Issues report (UN, 2023) and the report of the Special Rapporteur, Reem Alsalem, on violence against women (Alsalem, 2022).

By way of example, Canada has adopted an intersectional approach to its human rights obligations and applied the model of genocide as a framework for understanding the determinants, working with, and responding to, missing, murdered and incarcerated Indigenous women (CEDAW, 2015; National Inquiry into Missing and Murdered Indigenous Women and Girls [National Inquiry], 2019a; National Inquiry, 2019b). This has been recommended by Dominello, Cripps and Brainer (2022) in their submission to the National Inquiry into Missing and Murdered First Nations Women and Children urging Australia to follow Canada’s lead.

Policy

Australia has committed to its first *Aboriginal and Torres Strait Islander Action Plan 2023–2025* (DSS, 2023). This action plan has been developed as part of *Australia’s National Plan to End Violence against Women and Children 2022–2032* (“the National Plan”; DSS, 2022). Indigenous women campaigned extensively over many years for a separate action plan, and with Associate Professor McGlade’s advocacy before UN Treaty bodies and experts, the action plan was eventually endorsed as UN advice to Australia. The National Plan recognises that the rates of violence experienced by Indigenous women are so high, and the determinants and responses to the murders, disappearances and incarceration rates so complex, that there is an aim to reduce the violence against Indigenous women by 50 per cent by 2031 (DSS, 2023). One of the first actions the federal government has committed to is undertaking a foundational data review relating to missing and murdered Indigenous women (DSS, 2023). At the time of writing this review 4.1 million dollars in funding has been announced to develop a standalone First Nations National Plan for Women’s Safety (National Indigenous Australians Agency [NIAA], 2023).

Media

In November 2022, the Australian Broadcasting Corporation (ABC) reported on the crisis of missing and murdered Indigenous women in Australia (Brennan and colleagues, 2022). With the absence of an official national dataset and working with Indigenous women researchers, journalists Brennan and colleagues (2022) undertook their own investigation, concluding that at least 315 Indigenous women have either disappeared or been murdered since 2000, and that Indigenous women are murdered at up to 12 times the national average. This is consistent with the literature in the review, with Allas et al. (2018), Carlson (2021) and Cripps (2023) demonstrating that with little research available, media reporting provides insight into the lives of Indigenous women and is the medium by which deaths are reported and understood. The preliminary findings from the coronial inquests in the Northern Territory that were revealed through media outlets found that of the 81 women killed by their partners since 2000, 93 per cent of them were Indigenous (Parkinson, 2023). On average, that is more than three Indigenous women each year. Carlson (2021) refers to this as the “silence of the settler archive”. The issue of media bias against Indigenous women as victims of murder has also been noted over the last decade, including in research (Cripps, 2021), and has been the subject of dialogue with Indigenous researchers and Australia’s peak prevention organisation, Our Watch.

Research

The key finding of this review is not only the paucity of research, but the paucity of Indigenous-led research on MMI Indigenous women in Australia. The prevalence of the Canadian research on this topic is staggering in comparison, with almost all the search terms used producing Canadian sources, despite “Australia” also being included as a search term. The Canadian literature draws significantly on the model of genocide as a way of exploring the determinants and responses to murdered, missing and incarcerated Indigenous women (Flores & Román Alfaro, 2023; David & Mitchell, 202; Puzyreva & Loxley, 2017; McGruder, 2022; Wakeham, 2022; Walsh, 2017).

PART 5

Conclusion

ANROWS concludes by making the following two recommendations in relation to research in Australia on murdered, missing and incarcerated Indigenous women.

Recommendations

- 1) The paucity of Indigenous-led research on missing, murdered and incarcerated Indigenous women is highly problematic suggesting there has been a lack of appropriate recognition, support and investment in this respect. Many mainstream organisations, including ANROWS, have not given sufficient attention to the lives of Indigenous women who continue to be taken from their families and communities, nor sufficiently examined the failures of the systems that intend to keep them safe. We recommend dedicated resourcing, directed by the priority areas in ANROWS's Australian National Research Agenda (ANRA; Lloyd et al., 2023) and the *Aboriginal and Torres Strait Islander Action Plan 2023-2025* (DSS, 2023), to ensure these gaps are addressed and Indigenous-led research receives institutional support.
- 2) The findings of the CEDAW inquiry concerning Canada (CEDAW, 2015), the National Inquiry into Missing and Murdered Indigenous Women and Girls in Canada (National Inquiry, 2019a) and broader evidence from research undertaken in Canada, highlight how the ongoing impacts of colonisation on Indigenous women are best understood through a framework of human rights violations and genocide, moreover and constituting, Indigenous femicide. Given the strong parallels between the historical and current systemic factors in Canada and Australia that contribute to Indigenous women's experiences of violence, as evident in Allas et al. (2018), we support such analysis to generate new insights into the sustained impacts of colonial systems on Indigenous women in Australia, while also strengthening the evidence base.

Author contributions

Claire Bevan is a Project Officer with ANROWS. Claire led all aspects of the literature review, including the development of the research questions and inclusion and exclusion criteria in partnership with Dr Jane Lloyd, the search for literature from grey and academic databases, analysis, and all aspects of the writing. Claire also ensured that the review was always accessible to the CEDAW project team members, particularly the Indigenous researchers whose feedback and guidance was sought.

Dr Jane Lloyd is the Director of Research and Evaluation with ANROWS. Jane provided strategic oversight of the development of the literature review. This included contributing to the development of the research questions, inclusion and exclusion criteria, data extraction and analysis. Jane contributed to the writing and structure of the literature review.

Associate Professor Hannah McGlade is from the Kurin Minang peoples of Western Australia and is an expert member of the UN Permanent Forum on Indigenous Issues. As the lead of the CEDAW project, Hannah provided strategic oversight of the project direction together with the literature review. Hannah contributed to the literature search by providing expert advice on pieces of research, as well as contributed to the writing, ensuring the voices of Indigenous women were prioritised at all times.

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APPENDIX A:

Data extracted for literature review

Allas, T., Bui, M., Carlson, B., Kasat, P., McGlade, H., Perera, S., Pugliese, J., Qwaider, A., & Singh., C. (2018). *Indigenous femicide and the killing state. Deathscapes: Mapping race and violence in settler states.*

Retrieved April 9, 2024, from <https://webarchive.nla.gov.au/awa/20201103065140/http://pandora.nla.gov.au/pan/173410/20201103-1648/www.deathscapes.org/case-studies/indigenous-femicide-and-the-killing-state-in-progress/index.html>

Title	Indigenous femicide and the killing state				
Authors	Tess Allas, Michelle Bui, Bronwyn Carlson, Pilar Kasat, Hannah McGlade, Suvendrini Perera, Joseph Pugliese, Ayman Qwaider and Charandev Singh				
Date	2018				
Research questions	<ul style="list-style-type: none"> • In what ways do Indigenous women die outside the formal custody of the state? • How is the violence of the settler state enacted? • What diverse practices are used by the state, that render Indigenous women’s lives unsafe and produce their deaths? 				
Methods	<ul style="list-style-type: none"> • Accounts for the deaths based on where bodies were found: the road, the river, the street, the beach, the home. • Uses art and draws on representations through film and media of the case studies of missing, murdered and incarcerated Indigenous women, as well as acts of resistance by Indigenous women. • Quotes from senior Indigenous women across Australia, Canada and the United States. 				
Determinants	Individual:	Family:	Community:	Societal:	Services:
	“Targets” individually		“Targets” as a community	Disregard for Indigenous women’s bodies Considered “less-than” and therefore “rapeable”	
Responses	<ul style="list-style-type: none"> • Slow police responses which rely on the “walkabout” narrative, resulting in, for example, a delay in gathering of evidence. • Community acts of resistance such as protests and through media. 				
Key findings	The term femicide is used to underline the incidence of Indigenous women’s deaths in these disparate places as a systematic outcome of the logic of settler colonialism.				
Significance	International, human rights lens. Drawing together the shared experiences of Indigenous women across Australia, Canada and the United States.				

Bevis, M., Atkinson, J., McCarthy, L., & Sweet, M. (2020). *Kungas' trauma experiences and effects on behaviour in Central Australia* (Research report, 03/2020). ANROWS.

Title	Kungas' trauma experiences and effects on behaviour in Central Australia
Authors	Miriam Bevis, Judy Atkinson, Leisa McCarthy and Michelle Sweet
Date	2020
Research questions	<ul style="list-style-type: none"> • What are the life events that led to the incarceration of women who are clients of the KSVP? <p>Secondary aims:</p> <ul style="list-style-type: none"> • To apply a trauma lens to the life stories of Aboriginal women in CA who are incarcerated. • To identify the interventions, services and supports that can divert women into programs to prevent incarceration. • To highlight the need for a coordinated service response. • To identify service reforms to meet the needs of Aboriginal women experiencing complex trauma.
Methods	<p>Theory:</p> <ul style="list-style-type: none"> • Dadirri: (a deep listening process, of being fully present and aware) was used by the researchers with all participants in the interviews and the workshops. • Grounded theory: a systemic approach to qualitative research where empirical data is collected first, and then a theory is developed from the data (opposed to theory first). • Phenomenology theory: a qualitative research method to understand how human beings experience, feel and respond to their experiences. <p>Data collection:</p> <ul style="list-style-type: none"> • Mixed methods approach to explore the experiences of KSVP clients, staff and workers as well as stakeholder agencies. • 12 interviews with KSVP clients. • Analysis of pre-existing KSVP data, including: 1) 53 client files; and 2) qualitative analysis of open-ended material contained in the client files of the 12 women interviewed. Examination of KSVP clients Loss History Maps. • Stakeholder workshop and follow-up interviews with those who could not attend the workshop - 29 participants in total. Stakeholders represented 20 different services within the region. Aim was to identify gaps in services and ideas for how service could better meet the specific needs of the women. <p>Analysis:</p> <ul style="list-style-type: none"> • Thematic analysis to explore themes and sub-themes and outline an emerging theory of the ways in which traumatic life circumstances contributed to Indigenous women being incarcerated.

Determinants	Individual:	Family:	Community:	Societal:	Services:
“complex trauma enablers”	Shame Social and emotional ill-health “Lack of safety in childhood that continues into adulthood; lives of uncertainty; a sense of abandonment by caregivers who were busy dealing with their own distress; loss and grief; inability to know, name and manage difficult emotions”	Fractured mother-child relationship Experiencing DFSV as a child	Fractured community relationships Intergenerational, collective and cumulative trauma, grief and despair Loss of culture	Colonisation Disempowerment	Negative impact of services, police, health, justice
Responses	<ul style="list-style-type: none"> The aim of the KSVP is to respond to the determinants that enable the incarceration of Indigenous women in Central Australia. It aims to address the otherwise unmet trauma needs of women and so to heal from their traumatic experiences and to empower after a lifetime of being disempowered by society. 				
Key findings	<p>Findings from the interviews with women, stakeholders and KSVP staff:</p> <ul style="list-style-type: none"> Women in the program who grew up in environments where the culture was strong had a higher level of resilience than those who grew up in town (Alice Springs) where the culture was not as strong. The strong connection to culture enabled positive resistance and resolve through life-changing circumstances and often affected their competency as parents. Police and service responses to women in the program were likely to deepen the trauma they were experiencing rather than address or help. There is critical need for services that can effectively respond to the trauma of women’s lives and prevent future incarceration. Almost all the women who participated in the project had experienced violence by an intimate partner prior to entering prison. Common to the women’s stories was the devastating impact of intergenerational trauma. These factors not only contributed to offending, but also the likelihood of incarceration. Findings revealed that women were experiencing symptoms of PTSD, and likely equated to a diagnosis of complex trauma. The women who participated in the research shared several common experiences: <ul style="list-style-type: none"> – barriers to addressing wellbeing and accessing housing and services – financial stress, addiction to alcohol or other drugs, and high physical and mental health needs – communication disconnects, such as language barriers – discrimination and structural issues within the law enforcement system – fractured mother-child, family and community relationships. 				

Carlson, B. (2021). *Data silence in the settler archive: Indigenous femicide, deathscapes and social media*. In S. Perera & J. Pugliese, J. (Eds.), *Mapping deathscapes: Digital geographies of racial and border violence* (pp. 84-105). Routledge.

Title	Data silence in the settler archive: Indigenous femicide, deathscapes and social media				
Authors	Bronwyn Carlson				
Date	2021				
Research questions	<ul style="list-style-type: none"> • How is social media (non-mainstream media) used by Indigenous people to document the lives gone missing or murdered? • What voices are privileged in the media, and what voices are silenced? 				
Methods	<p>Four components:</p> <ul style="list-style-type: none"> • History: how have Indigenous women been represented historically? • Genocide: how have Indigenous women adapted, despite attempts at genocide and the trappings of colonisation? • Accounts of lived experience with x2 case studies: an archaeological approach to violence against Indigenous women. • Bringing it together: exposing the silences to disrupt the legacy of colonialism. 				
Determinants	Individual:	Family:	Community:	Societal:	Services:
				History Colonisation Framed as sexually useful, yet dispensable	
Responses	<ul style="list-style-type: none"> • Media constructions and responses to Indigenous women murdered (specific accounts of two murdered women). 				
Key findings	Main findings of the two case studies.				
Significance	<ul style="list-style-type: none"> • Document accounts of violence against Indigenous women, from the view of an Indigenous woman. 				

Cripps, K. (2023). Indigenous women and intimate partner homicide in Australia: Confronting the impunity of policing failures. *Current Issues in Criminal Justice*, 35(3), 293-311.

Title	Indigenous women and intimate partner homicide in Australia: Confronting the impunity of policing failures				
Authors	Kylie Cripps				
Date	2023				
Research questions	<ul style="list-style-type: none"> • What are the practices and processes of policing in Indigenous intimate partner violence, and what lessons can be gleaned from the data? 				
Methods	<ul style="list-style-type: none"> • Critically examined 151 Australian coronial court investigations and inquests in the National Coronial Information System (NCIS) database: <ul style="list-style-type: none"> - over a 20-year period (2000-2018) - the dataset represented six jurisdictions. • Coronial court investigations and inquests were analysed thematically by an Indigenous researcher. • The priority was elevating the stories of the women’s experiences, in response to the stories too often being told through the voices of a coroner and their proceedings. • Grounded theory: an iterative approach that involved going back and forth over the data ensuring that the analysis accurately reflects the context, capturing actions and processes. • Inclusion criteria: <ul style="list-style-type: none"> – The victim was identified as Aboriginal and/or Torres Strait Islander. To verify the accuracy, additional screening steps were included where necessary, such as notations of Indigenous organisational involvement with the victim. – The victim was female. – The death was attributable to an IPV death. 				
Determinants	Individual:	Family:	Community:	Societal:	Services:
	<p>Average age of 35</p> <p>Most common type of relationship was de facto/ husband (72.2%)</p> <p>The relationships were characterised by patterns of consistent violence</p>	<p>41.7% of women were mothers</p> <p>Approx. 154 children, and 7 pregnancies ended early</p>		<p>Alcohol was involved in 69.5% of deaths</p>	<p>37.7% of the sample had a documented history with police</p> <p>History with services resulting in “complacency and resignation” due to never leaving the partner but only “diffusing the situation”</p>

	<p>47.7% of cases were within city limits</p> <p>61.1% of women died from blunt force trauma assaults that lasted for hours</p> <p>Spontaneous use of weapons (household items)</p>				<p>Housing</p> <p>Child Protection</p>
<p>Key findings</p>	<ul style="list-style-type: none"> • The sample of cases was smaller than expected. The research attributed this to the known underreporting of Aboriginal and Torres Strait Islander status in death, birth and records. • Only 12.6% of the 151 cases proceeded to a full inquest. <p>Police: consistent finding in the sample of 151 that practices were non-compliant with general orders and operational guidelines.</p> <ul style="list-style-type: none"> • Delayed police responses due to misunderstanding of the severity and dynamics of intimate partner violence, the victim being unable to speak (due to being heard, or due to injuries sustained). • Police response at arrival of the scene and initial assessment: incorrectly assess the situation, and often arrested the victim and deemed the risk as low or focused on the perpetrators account of events which often led to victim blaming. • Complacency as victims often did not want to proceed through the Western justice system, but for the violence to stop. • History of police not enforcing DVOs or not taking breaches seriously. • Intentional delay in investigations and actioning breaches. • Internal police reviews (45.5%) perpetuate the onus of responsibility on victims, with most conclusions that the investigation did not highlight any poor practice or inadequacy on the part of services, but difficulty in providing effective protection for victims who find themselves in these types of abusive relationships. 				
<p>Significance</p>	<ul style="list-style-type: none"> • The research was undertaken by an Indigenous researcher, a much-needed contribution to contextualising the complexities of the findings and to reflect on the accountability of failures within systems. • There is a gap in the existing literature which provides insight and details an understanding of the occurrence of violence, how institutions are interacting with it and how violence may be prevented for Indigenous intimate partner homicide. • Limitation: the focus of coronial investigations and inquiries provide little information reflecting on systems, as such a limitation of this study is the focus is on the recording of a victim's deaths (focuses on the individual?). 				

McGlade, H., & Tarrant, S. (2021). "Say her name": Naming Aboriginal women in the justice system. In S. Perera & J. Pugliese (Eds.), *Mapping deathscapes: Digital geographies of racial and border violence* (pp. 106-126). Routledge.

Title	"Say her name": Naming Aboriginal women in the justice system				
Authors	Hannah McGlade and Stella Tarrant				
Date	2021				
Research questions	<ul style="list-style-type: none"> How is violence experienced by Aboriginal women at the hands of the "justice system"? 				
Methods	<ul style="list-style-type: none"> Case studies of three Indigenous women from WA to highlight the violence experienced by the justice system. Legal analysis of cases with reviews of coroners reports, police reports, criminal trial transcripts. Note: Both authors are lawyers. Draws from two media accounts; the international campaign "say her name" to bring focus to police and structural violence and Jess Hill's book <i>See What You Made Me Do</i> which also accounts the death of baby Charlie and arrest of Tamica. 				
Determinants	Individual:	Family:	Community:	Societal:	Services:
	Significant accounts of violence experienced prior to the "main" incident	Disregard of the families calls for help by the system	The courts inaccurately capturing the familial and community obligations of the women Remote community police responses	Assumptions of drunkenness	Police Courts Housing Child Protection Health
Responses	<ul style="list-style-type: none"> No service provider was ever prosecuted in any of the case studies. Perpetuating racist stereotypes in the justice system, such as the intense focus on alcohol consumption in Jody's trial, framing her and her community as "drunks". The women were labelled by police as "aggressors" in each of the case studies despite their history of experiences immense levels of violence. 				
Key findings	<ul style="list-style-type: none"> The justice system is unable to respond to ongoing violence only single incidents of violence. The case studies demonstrate the layered experience of violence Indigenous women face, with the assumption that they were "angry violent Black women" who needed to be confined. 				
Significance	<ul style="list-style-type: none"> These cases are of significance due to the increasing interests in new laws supporting the criminalisation of coercive control and the risk such laws pose to indigenous women. Saying the name and telling the stories of these women is an act of resistance and a form in a society that renders them powerless, stupid and worthless. 				

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AUSTRALIA'S NATIONAL RESEARCH
ORGANISATION FOR WOMEN'S SAFETY

to Reduce Violence against Women & their Children

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