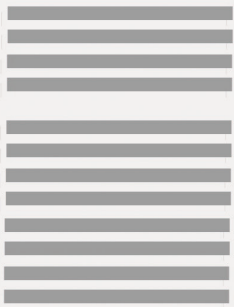


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The Media's Complicity in the Indigenous Femicide

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Missing and murdered Indigenous women are disproportionately represented in victimisation rates. However, their stories are often ignored by the media, and this has significant implications on societal perceptions and law reform.¹ It will be argued that the media is complicit in the ongoing victimisation of Indigenous women by rendering their stories invisible through the normalisation of their violence.

'Missing and Murdered Indigenous Women and Girls' ('MMIWG') was a term coined by First Nations activists in Canada in response to the growing human rights crisis where First Nations women were disproportionately represented in female homicide rates, incidents of violence and in the number of missing women.² In 2016, the government of Canada established a national public inquiry into MMIWG.³ The inquiry described this human rights crisis as a genocide, and notably, aspects of the investigation looked into the media's complicity in this crisis.⁴ In the United States of America, the movement '#SayHerName' was developed to highlight the silencing of Black women and the lack of attention to their lives.⁵ These issues are also heavily prevalent in Australia. First Nations activists in Australia have described this crisis as an Indigenous femicide.⁶ The *Deathscapes* project notes that the term 'femicide' is used to 'underline that the incidence of Indigenous women's deaths in these disparate places is not accidental or random, but a systematic outcome of the logic of settler colonialism'.⁷ The media response and the silencing of Indigenous women is also a direct systematic outcome of settler colonialism, where newsworthiness is deep-rooted in racist values.

The essay will first examine the intersection between race and newsworthiness and how this has led to the silencing of Indigenous women in the media, as well as a failure to portray the complexity of their victimisation. It will then explore the media's complicity in the continual disproportionate victimisation of Indigenous women. The media plays a significant role in influencing societal perceptions; it will be shown that the construction of its stories influences such ideas, dehumanises Indigenous women and creates public acceptance of this violence. It will be argued that such media constructions will have further implications, as the lack of public outrage has resulted in an absence of imperative law reform targeted at reducing harm against Indigenous women.

I The Intersection Between Race and Newsworthiness

The 'missing white woman syndrome' has created a topical interest in the media to investigate and thoroughly report on missing white and middle to upper-class women, whilst disregarding those who do not fit the description.⁸ A story's newsworthiness relies on several factors, including 'meaningfulness', 'unexpectedness', 'unambiguity' and 'reference to elite people'.⁹ Thus, Robinson describes that the

'damsel' must be white, attractive and from the middle or upper class, where an exception can be made during wartime.¹⁰ Further, missing white women tend to be described as 'perfect', 'ideal', 'angelic', and 'golden'.¹¹ Such personality and behaviour traits determine who will be newsworthy, reflecting Eurocentric values in which white women need saving and are highly credible.¹² This portrayal has led to an absence of proper reporting on missing and murdered Indigenous women.¹³ Although the victimisation of Indigenous women is a systematic outcome of settler colonialism, their victimisation has been portrayed through women as a whole and generally through the lens of a white woman.¹⁴ Thus, the media's failure to consider Indigenous women as newsworthy prevents accurate reporting on their disproportionate victimisation and conceals the roots of the issue.

The notion that the victimisation of Indigenous women is not newsworthy¹⁵ can be traced back to colonisation.¹⁶ Historically, Indigenous women have been portrayed as sexual figures,¹⁷ and their interactions with non-Indigenous men were characterised as 'sexual exploitation, sexual victimhood, prostitution and even sex trafficking'.¹⁸ During the early era of colonisation, the removal of Indigenous women from their native communities for purposes of sexual enslavement was a common practice.¹⁹ In fact, during the Stolen Generations, removed girls became domestic servants.²⁰ In a historical context, there was no lower class than being an 'Indigenous domestic' and Indigenous women were often portrayed as primitive.²¹ The colonial perception of Indigenous women as sexually available and the savage and barbaric treatment meant that their removal was a norm.²² Consequently, Indigenous women were no longer seen as ideal victims,²³ but servants to white men.²⁴ Subsequently, this historical portrayal of Indigenous women has influenced media perceptions of missing Indigenous women as non-newsworthy, in comparison to white women.²⁵ Nevertheless, Indigenous women and girls are disproportionately 'overrepresented as victims of crime'.²⁶ The historical normalisation of violence against Indigenous women has led to a dehumanised media portrayal,²⁷ paralleling their historical treatment by white men.

II Implications of Media Portrayal

A Implication 1: Social Construction

Although violence against women has become a national priority, there has been a lack of attention both in law reform and the media regarding violence against Indigenous women.²⁸ This is particularly concerning as Indigenous women are grossly overrepresented in female victimisation rates.²⁹ As described by Dr McGlade, despite the '#MeToo' era pushing to end violence against women, 'the rights and safety of Aboriginal women [have] been ignored'.³⁰ Failure to integrate the specific and complex issue of violence against Indigenous women in the media has created a lack of understanding in the public that this type of violence is a systematic result of settler colonialism.

Constructivist critique emerged in an attempt to pursue social equality and '[thwart] ... authorities of truth' and, hence, is highly appealing to communities whose voices have been marginalised by the media.³¹ These critiques are particularly important due to the media's vital role in portraying large social problems and their direct role in choosing how to frame these issues.³² Dixon indicates that exposure to similar news coverages over the course of a few months can lead to the subconscious belief that the disappearance of Indigenous women cannot be humanised.³³ In Australia, the media's role in dehumanising Indigenous women who have been victims of violence is particularly prevalent. Brown investigated how Aboriginal family violence, in particular, was reported in Victorian print media and found that there was a tendency for this issue to be reported as an "'Indigenous issue" that is inherent in Victorian Aboriginal communities'.³⁴ The Victorian Indigenous Family Violence Task Force report established that 'from an Indigenous perspective the causes of family violence are located in the history and impacts of white settlement and the structural violence of race relations since then'.³⁵ Despite this, Brown's investigations have found that out of 145 articles in Victorian newspapers, only four reported the link between family violence, the effects of colonisation and intergenerational trauma.³⁶ Additionally, only two out of these 145 articles made it clear that not all perpetrators of violence against Victorian Aboriginal women and their children are Aboriginal men.³⁷ As a result of Australia's mainstream media construction of violence against Indigenous women, the general public remains

largely unaware of the complexities of this crisis, subconsciously accepting that this violence cannot become a public issue as it is an 'Indigenous issue'.³⁸

As indicated by Brown, certain Australian media outlets are accurately reporting on the ties between violence against Indigenous women and settler colonialism.³⁹ For example, SBS, an Australian news media outlet, has taken the lead in depicting the over-representation of missing Indigenous women in Australia and Canada through their video project 'Vanished: Canada's Missing Women',⁴⁰ which was led by a *Ngiyampaa Weilwan* woman, Laura Murphy Oates. Additionally, Allan Clarke, a *Muruwari* man, has launched a true-crime series in collaboration with NITV, entitled 'Cold Justice', which focuses on the unresolved deaths of Indigenous Australians.⁴¹ However, Indigenous writers are rendered invisible by larger media structures where the vast majority of articles focused upon violence against Indigenous women remain silent on systematic and structural issues.⁴² Thus, alone, these writers cannot erode the traditional elitist and colonial values that are entrenched within the media and in broader society, reflecting the argument that the mainstream media has constructed a narrative that silences the voices of Indigenous women.

1 Australian Case Studies: The Murder of Lynette Daley

The aim of the *Deathscapes* project was to eliminate deaths in custody and settler violence.⁴³ Its case study, 'Indigenous Femicide and the Killing State', specifically documents 'the spaces and contexts in which Indigenous women die outside the formal custody of the state'.⁴⁴ The murder of Lynette Daley was documented in this case study. In 2011, Daley was subjected to a prolonged and violent sexual assault and was found dead the following morning near Illuka, NSW.⁴⁵ The Director of Public Prosecutions (DPP) failed to prosecute her assailants.⁴⁶ In 2014, a coronial inquest recommended charges against the assailant which the DPP once again refused.⁴⁷ As reported by Professor Marcia Langton, the DPP's refusal to prosecute in 2011 was a reflection of community standards and public acceptance of violence against Aboriginal women.⁴⁸

Although the murder occurred in 2011, it was not widely reported in the Australian news media until 2016, following an investigation by the ABC program, *Four Corners*, into the failure to prosecute Daley's assailants.⁴⁹ Analysis of media reporting after this investigation found that the mainstream media had a tendency of dehumanising Daley by reporting through the lens of racial stereotypes.⁵⁰ Prior to her murder, Daley was violently sexually assaulted, however, analysis by *Deathscapes* found that numerous media articles described this violent sexual assault as 'wild sex'.⁵¹ This reinforced colonial 'stereotypes about the sexual availability of Aboriginal women', further dehumanising her.⁵² She was also portrayed as a 'drunk' and a 'bad mother'.⁵³ The media narrative was constructed to falsely indicate that Daley was responsible for what happened to her, thereby detracting from the role of male violence, the systematic role of settler colonialism and its fatal consequences for Daley.⁵⁴

After seven years of fighting for justice for Daley, her assailants, Adrian Attwater and Paul Maris, were found guilty in September 2017.⁵⁵ The *Four Corners* report played a key role in achieving justice for Lynette Daley; however, the media reporting at the time failed to properly articulate that her death was a direct consequence of the legacy of colonial settler violence.⁵⁶ Although justice for Daley was achieved, the media narrative failed to highlight the underlying systemic causes of the ongoing Indigenous femicide or that this was an ongoing issue suffered by Indigenous women. This narrative, once again, failed to recognise the heightened vulnerability of Indigenous women and instead dehumanised them, generating public acceptance of such violence.

B Implication 2: The Media's Role in Important Law Reform

The mainstream media's construction of the stories of Indigenous women fails to accurately articulate the causes of Indigenous femicide, which acts as a significant barrier to adequate law reform. A report by Domestic Violence Victoria noted that the media is 'a powerful setting for, and influencer of social change'.⁵⁷

The mainstream media's lack of coverage of this issue and its general failure to expose the direct links between systematic colonial policies and violence against Indigenous women has led to the lack of public knowledge on the issue.⁵⁸ This has also resulted in a lack of moral panic and public outrage and has inhibited the development of necessary law reform. Criminologists argue that law reform

focused upon decolonisation could reduce the victimisation rates of MMIWG.⁵⁹ However, current law reform measures stemming from public outrage are generally targeted at violence against women and children as a whole,⁶⁰ and are quite ineffective in dealing specifically with violence against Indigenous women and children. This can especially be seen in conversations surrounding coercive control.

It can be argued that the media was complicit in silencing Indigenous voices during national conversations regarding violence against women earlier this year, this as a consequence normalises violence against Indigenous women and girls. An episode of ABC's Q+A program, 'All About Women', which aired as a response to the Brittney Higgins scandal, was criticised for not including Indigenous voices on the panel.⁶¹ In fact, this program discussed the importance of reforms relating to coercive control,⁶² yet failed to include the voices of Indigenous women who are resisting these reforms. Further, where Indigenous women are included in conversations about law reform, they are often ignored and rendered invisible. The SBS documentary, 'See What You Made Me Do' aimed to spark a national conversation on coercive control.⁶³ After the program aired, Hill, a journalist who produced the documentary, held an expert panel featuring Dr Hannah McGlade, a *Noongar* woman and an academic expert.⁶⁴ An analysis of the program found that Dr McGlade was often silenced and ignored by Hill and was told she was wrong when challenging reforms on coercive control.⁶⁵ This highlights the reality that Indigenous women face in the media where, despite their expertise, they are often rendered invisible in important public debates.

Media constructions and the deliberate silencing of Indigenous women have further led to reforms that will harm Indigenous women rather than protect them. In May 2021, the NSW *Joint Select Committee on Coercive Control* unanimously recommended the criminalisation of coercive control.⁶⁶ Dr McGlade argues that these laws will 'result in more Indigenous women being imprisoned than protected',⁶⁷ supporting her argument with the 'staggering increases in Indigenous female incarceration' and stories from Indigenous women who were misidentified by the police as offenders and were not supported when seeking help.⁶⁸ Professors Megan Davis and Emma Buxton-Manisnyk argue that police responses to protect women do not protect *Indigenous women* and that these law reforms will not resolve the fact that Indigenous women are disproportionately represented in victimisation rates.⁶⁹ Consequently, the silencing of Indigenous women in the media results in law reform measures that are not tailored to the complex realities of Indigenous women and fundamentally fail to resolve their disproportionate victimisation rates.

III Conclusion

In conclusion, media structures have rendered the stories and voices of Indigenous women silent. Missing and murdered Indigenous women are disproportionately represented in female homicide rates, incidents of violence and the numbers of missing women.⁷⁰ This is a national emergency that has not gained attention from the mainstream media. As a result, the general public remains unaware of the complexities of the systemic causes of violence against Indigenous women. In some instances, it can be argued that the media has normalised violence against Indigenous women through their continual dehumanisation. This further leads to failures in law reform whereby Indigenous women are rendered silent in conversations and no solutions are made which legitimately aim to reduce violence against Indigenous women. The absence of proper media reporting can be a significant barrier to proper social change and, thus, the media is directly complicit in ongoing Indigenous femicide.

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