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Aboriginal children 'in rape crisis'

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Aboriginal children, including babies as young as seven months, are being raped by community members, with the crimes going largely unreported and with few cases making it to trial, a Central Australian prosecutor says.

Nanette Rogers, Central Australia's Crown Prosecutor, has written a dossier on the tragic state of domestic violence in Aboriginal communities which details horrific acts of abuse.

Dr Rogers cited an example from 2003 in which a man sexually assaulted a seven-month-old baby who he had removed from a room of sleeping adults. In the morning, her mother noticed blood on the baby's clothes but was too drunk to register what had happened.

In another incident, a male relative took a two-year-old girl into the bush and digitally penetrated her anally and vaginally at the same time. He returned the toddler to her father's camp, crying and bleeding.

Both children required surgery for external and internal injuries, Dr Rogers said.

Dr Rogers cited another case in which an 18-year-old petrol sniffer drowned a young girl while raping her as a number of children played in a waterhole a kilometre or so from the community.

"While she was playing in water he pulled her under, anally penetrated her, drowned her, probably simultaneously. The children gave very graphic evidence (against him)," she told ABC TV.

She said the acts were "beyond the range" of normal comprehension but there were many reasons they had occurred.

"Violence is entrenched in a lot of aspects of Aboriginal society here," she said.

"Aboriginal people choose not to take responsibility for their own actions ... the reason for that malaise is mostly because of the entrenchment of violence in the whole of the community."

Dr Roger said violence in Aboriginal communities was "all around", particularly at stations in rural areas.

But because it was frowned upon to report the acts, few of the crimes made it to trial.

"All child sexual assault is happening at much higher rates than is being reported to police," Dr Rogers said.

It was time for governments, and for the Aboriginal community itself, to reassess cultural values, she said.

"If it means criticising those Aboriginal practices that constrain witnesses and victims from giving evidence, and ensure the ability of the offender to keep behaving in exactly that same way, then why should there be an Aboriginal cultural practice that sustains that?"

She said Aboriginal customary law placed the offender in the best light and closed off the voices of Aboriginal women.

"Sometimes Aboriginal cultural practices do not benefit the victim, they benefit, more often than not, the offender."

As a result, the murder rate in Central Australia is 10 times the national average, while Aboriginal women are 52 times more likely to be hospitalised for assault.

Dr Rogers said there was a gender difference as to how the violence happened, but she said young women were starting to fight back.

"There are a number of cases where young women aged 19, 20 have stabbed their boyfriends with fatal consequences," Dr Rogers said.

"It is almost like a new breed of young women coming through.

"Their mothers and grandmothers would not have done that ... whereas these young women are armed with knives."