

# Reckoning with Investigative Journalism and Indigenous News in Australia

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## ABSTRACT

This chapter reflects on the role that investigative journalism has historically performed in Australia's mediated Indigenous settler-relations. While some investigative stories have played a significant, albeit exceptional, role in calling attention to historical injustices endured by Aboriginal and Torres Strait Islander people, others have played a central role in promoting and setting public agendas for policies that have worked to entrench and extend the violence of settler colonialism. In recent years, however, disruptions and developments in the Australian mediasphere have supported the rise of new players and projects, under the leadership of prominent Indigenous journalists. Reflecting on both the history of investigative stories focused on Indigenous Australia and the impact of more recent trends, this chapter reflects on the contribution investigative journalism has made in both deepening and challenging the injustices faced by Aboriginal and Torres Strait Islander people.

## INTRODUCTION

This chapter discusses the contribution that investigative journalism has made to the shifting relations that have characterised Indigenous-settler relations in Australia. In doing so, we position investigative journalism as both implicated in, and contributory to, power relations that are characteristic of Australia as a settler colonial society. Settler colonialism refers to a relationship where power – involving discursive and non-discursive aspects of economic, gendered, racial and state power – have been structured into relatively secure, sedimented and hierarchically structured social relations that continue to facilitate the dispossession of Indigenous peoples of their lands and self-determining authority following colonial settlement (Coulthard 2014). Importantly, settler colonialism is understood to refer not simply to the legacy of a founding act (such as, in the case of Australia, the declaration of Aboriginal land as *terra nullius* and the violent dispossession of its people), but rather as a persistent process (Wolfe 2006). Colonial knowledge systems work to authorise dominant

epistemologies and perspectives as authoritative and factual, while Indigenous worldviews, cultural and governmental traditions, and accounts of historical experience are marginalised (Rigney 1999; Smith 1999).

As a central 'sense-making practice of modernity' (Hartley 1996), the production of news representations of Indigeneity through practices and traditions of journalism performs a key role in contributing to such power/knowledge relations (Avison and Meadows 2000; Waller 2010). A long tradition of work on the media representation of Indigenous people has shown that the dominant and consistent news representation of Indigeneity is burden and site of inevitable conflict (McCallum and Waller 2017; Meadows 2001). The significance of such framing goes beyond informing how everyday news consumers view and treat Indigenous people, important as that is. Discursive practices of representation also contribute to material practices and institutions. Discursive practices that construct Aboriginality through a lens of "racialised criminality" (Cunneen 2018), for example, can be seen to inform and justify practices of policing and sentencing that contribute to the ongoing and shocking levels of hyper-incarceration of Aboriginal and Torres Strait Islander peoples (Nichols 2014; Nolan and Waller 2021a, 2021b).

While this tradition of work on media representation and Indigeneity has focused on dominant practices of news reporting in general, what of practices of investigative journalism? The investigative journalist has provided both an archetypal heroic figure in cinematic and literary representations of journalism and serves to sustain a key 'metajournalistic discourse' that news outlets deploy to construct and promote their authority and public value (Carlson 2017; McNair 2010; Peters 2015). Investigative journalism is thus positioned as an exemplar of the key journalistic ideal of the watchdog. The investigative journalist is 'the star of a watchdog press' whose courageous and painstaking work serves to reveal uncomfortable truths and hold power to account (Schudson 2012, 8). Schudson's language here also points to the high status and regard in which investigative journalism is held both within and beyond the field, as exemplifying practices that are *exceptional*, both in the sense that they are of the highest standard and that they stand in contrast to more general practices of news reporting and commentary.

One might expect, then, that a review of investigative journalism on Indigenous Australia might present a picture different to news representation.

Andrea Carson defines investigative journalism as ‘a distinct reporting genre with specific elements that combine to provide audiences with more information than they are likely to get from non-investigative reporting’ (Carson 2019, 54). Carson draws on a review of previous studies and interviews with eminent figures within the field to identify the following traits: agenda-setting originality and exclusivity; active processes of investigation; unusual levels of resourcing; extensive verification efforts, and the production of stories in the public interest (Carson 2019, 65-79). Carson also notes a number of other elements associated with investigative stories. These include stories that focus on breaches of public trust, that seek to uncover information that is hidden or suppressed, that present stories through a moral framework that identifies villains and victims, and that overtly mobilise a moral standard. For Ettema and Glasser, it is this moral dimension that serves to mark a key function and value of investigative journalists as ‘custodians of public conscience’ (1998, 3).

Focusing on investigative journalism’s coverage of Indigenous issues supports a consideration of how far it has responded to the moral imperative of addressing the impacts of both historical and contemporary injustices that affect the lives of Aboriginal and Torres Strait Islander people. To this end, in this chapter we consider the contribution of investigative journalism focusing on Aboriginal and Torres Strait islander people and issues. We begin by considering factors shaping investigative journalism and how it is changing. We draw on Carson’s work and the framework she proposes for considering factors that shape investigative journalism and how it is changing. Building on this framework, we consider how investigative journalism has been implicated in transformations in the Indigenous news network, a term we have used to refer to the shifting material relations that contribute to the range of Indigenous news representations in Australia’s media ecology (Latimore et al. 2017; Nolan et al. 2020). The chapter then shifts to consider the historical characteristics and contribution of investigative journalism in addressing Indigenous issues, before reflecting on a range of more recent examples. In doing so, we consider how we might understand investigative journalism’s specific contribution in this

area, how far it might be distinctive or similar to broader media coverage, and the degree to which it is changing.

## **RECKONING WITH CHANGE: A NEW DAWN FOR INVESTIGATIVE JOURNALISM IN INDIGENOUS AFFAIRS?**

In this section, we situate our discussion by reflecting on the underpinnings of a tradition of investigative journalism, and the degree to which it is changing. While broader studies of investigative journalism present arguments and evidence regarding the health and democratic contribution of the genre, in this chapter we are concerned to consider its contribution to Indigenous media representation – an issue which, we contend, requires quite distinct criteria of evaluation. To reflect on this, this section lays out an informing theoretical framework for subsequent critical discussion of historical and recent examples of investigative journalism focused on Indigenous Australia.

In recent years, the downturn in revenues and staffing contractions of legacy news organisations, alongside an increased prevalence of market-driven news, contributed to substantial anxiety around the future of investigative journalism. Such anxieties reflect the high status accorded investigative journalism as a form that fulfils the ideal watchdog function of journalism. A loss of resources for a form of journalism that was resource-intensive and not readily profit-oriented, it is feared, may result in a diminishment of democracy, as the press is no longer be able to hold power accountable (Curran 2005; Dahlgren 2009; Franklin 2008). As Leigh (2019, 3), reflecting this view, puts it:

No single organisation can nowadays easily produce massive, unanswerable investigations that dominate the culture, as the once-famous Sunday Times Insight team used to do. Instead, much news is consumed in a fragmentary landscape where what money there is comes with clicks...The 24-hour news cycle feeds on stories with little oversight – replaceable, correctable, debatable, forgettable. Truth becomes almost irrelevant, when interesting fakes and lies get more clicks.

Partially in response to such gloomy prognostications, over the last decade a series of studies have suggested that the logic of markets does not universally undermine investigative journalism, and that the shift toward a digital environment in many respects enhances rather than undermines it (Carson 2019; de Burgh and Lashmar 2021; Gearing 2021; Knobel 2018).

Carson argues that ‘there is no linear relationship between falling print media revenues and the state of quality investigative journalism’ (2019, 15), and that investigative journalism may persist or even expand in a digital era. Journalists at ‘quality’ news outlets also hold it in high value as a means to maintain and develop trust and legitimacy (see also Knobel, 2018), which is crucial to maintaining brand value and motivating subscriptions in hypercompetitive news environments. On the second point, transformations in news environments, with the development of new technologies, formats and funding models to support investigative journalism, including large-scale international collaborative projects, philanthropically funded ventures, and forms of reporting that take advantages of digital tools for investigation and new formats for engaging audiences, are all seen to produce a qualitative renewal in investigative journalism. Thus, de Burgh and Lashmar suggest, the contemporary story of investigative journalism is one of ‘rejuvenation’, as ‘[w]hile the platforms and personnel has changed, the profession, if that is what we can call it, is renewed’ (de Burgh and Lashmar 2021, 1; see also Gearing 2021).

These studies of investigative journalism tend to valorise investigative journalism for its watchdog role – to ‘uncover information that matters to the public that would otherwise remain hidden were it not for the journalist’s inquiries’ (Carson 2019, 5). In doing so, they focus more on questions of *revelation* than *representation*. However, a critical tradition of media research on Indigenous news *representation*, discussed further in the section that follows, has consistently pointed to characteristic and persistent news tropes, frames and discourses that characterise Indigenous Affairs reporting. In our own work we have considered the forces that shape journalism including both political and market factors, as well the shifting relations engendered by media transformations. Building on Actor Network Theory (ANT), we propose that the field of news representations of Indigenous people and issues can be understood as a product of (as well as contributory to) a wider field of

human/non-human relations that also represents a field of power. We refer to this as the *Indigenous News Network* (see Latimore et al. 2017; Nolan et al. 2020), an approach which understands persistent news tropes and discourses to be linked to a sedimented and relatively durable field of sociotechnical, economic and political relations—albeit not one that is either uncontested or immutable.

This returns us to the question of how, and how far, relations underpinning investigative journalism relating to Indigenous people and issues may be changing. Thus, as we move from considering historical examples of investigative journalism to more contemporary ones, we consider the conditions that underpin reporting in this area and the questions that come to the fore when we focus on issues of representation rather than revelation: On behalf of which public does Indigenous investigative journalism speak, whose concerns are represented, and how? Which voices, sources and perspectives gain representation? What and who are the array of actors, institutions and identities that have contributed to Indigenous news representation over time? What are the prevalent discourses and narrative frameworks through which stories are conceived and told, and how far do these uphold and/or contest a prevailing order of social and political relations? How do available technologies and platforms of representation contribute to this field? To what extent may cultural change within and outside the field of journalism be seen to contributing to a ‘reckoning’ that implicates not only political institutions, but also journalistic ones (Callison and Young 2020), and to what extent has this had an impact on the field? How far do shifts in the media ecology change these relations, and how does this contribute to Indigenous-Settler relations today? It is with such questions in mind that we now turn to our discussion examples of investigative journalism relating to Aboriginal and Torres Strait Islander people over time.

## **INVESTIGATIVE JOURNALISM AND INDIGENOUS AFFAIRS: A HISTORY**

The history of media representation of Aboriginal and Torres Strait Islander people and issues is one steeped in Australia’s colonial story. McCallum and Waller (2017) identified broad ‘discursive environments’ in which Indigenous policy has been developed and shaped by historical, social, technological and economic contexts. Founded on the myth of ‘terra

nullius', settler colonial Australia effectively eradicated Indigenous Australia from its story. By the early twentieth century newspaper editors were complicit, along with colonial administrators, missionaries and early anthropologists, in perpetuating the new nation's first segregationist, then assimilationist, policies (Waller 2010). Despite occasional critical letters and news reports, it was not until after World War II that strong international pressure was brought to bear on Australia to improve its treatment of First Peoples. By the late 1950s the global Indigenous rights movement began using international forums to press for recognition and independence. The ground-breaking 1967 referendum was set against the backdrop of international news coverage of the civil rights movement in the United States and the South African apartheid protests, helping to galvanise Indigenous activism in Australia and pressure the Australian government to introduce policies of self-determination in the final quarter of the twentieth century (McCallum and Waller 2017). While self-determination had never been politically realised, the 'backslide' in Indigenous affairs began with the election of the conservative Howard government (1996-2007), whereby opposition to an apology for past mistreatment culminated in the racially discriminatory incursion into Indigenous communities in the Northern Territory known as 'the Intervention' (Altman and Hinkson 2007).

Investigative stories have played a significant, and somewhat exceptional, role in calling to attention historical injustices endured by Aboriginal and Torres Strait Islander people. Historically, investigative journalism has punctuated the enduring representation of mediated Indigenous settler-relations with occasional revelatory media interventions. An early and well-documented example was the 1956 Warburton Ranges scandal. In 1957, following a Western Australian parliamentary report, the communist *Tribune* newspaper (January 1, 1957) reported on appalling living conditions and starvation of desert peoples living on Aboriginal reserves on the Western Australia/South Australia border. Fuelled by human rights activism, newspaper reports and public film showings raised awareness of the plight of the desert peoples. However, mainstream news media, particularly Rupert Murdoch's *Adelaide News*, used their platform to deny any responsibility by landowners and mining companies and to claim that 'Aborigines are not sick, starving – scare report' (*The News*, 1957). This early example demonstrates that the intersection between investigatory journalism and public activism is often crucial to raising important issues on the public

agenda. It also highlights a type of 'shallows and rapids' (Fleras and Kunz 2001) reporting whereby investigative journalism periodically places Indigenous inequality on the public and political agenda, demanding a response, but interest is not sustained, until the next 'crisis' is revealed.

Introduced to Australia in 1956, television was pivotal to bringing ground-breaking investigative reporting into people's homes, and breaking the silence about Australia's shocking levels of racial inequality and Indigenous disadvantage. The Australian Broadcasting Commission's *Four Corners* program was an innovation in investigative journalism introduced to Australian audiences in 1961. An early example was 'Out of Sight, Out of Mind', aired on 30 August 1969, in which reporter Peter Reid followed the story of Nancy Young, who had been jailed for manslaughter for the death of her daughter from neglect. In doing so he travelled to the Yumba, or Aboriginal reserve, on the outskirts of Cunnamulla, in 'remote' Western Queensland and exposed the squalid living conditions of the Aboriginal community who had been forced off their traditional lands and were excluded from living in the town. Young's child was ultimately found to have died from scurvy due to poor living conditions. This program shocked urban audiences and was pivotal to raising awareness of deep flaws in the legal system, small-town racism, as well as portraying the health of Indigenous Australians as a national crisis requiring state intervention to improve health outcomes and living standards. Drawing on a frame of 'Australia's shame', such reporting can be seen as an early example of 'poverty porn', news reporting oriented around 'crisis' that shocks and confronts distant white urban audiences, but with little likelihood of stimulating policy change (McCallum and Waller 2017; McQuire 2015).

Newspaper journalism has historically provided resources to support investigative reporting, with several print journalists decorated for their 'Indigenous journalism'. An example is News Corp's Tony Koch, winner of five Walkley awards and the Graham Perkin Australian Journalist of the Year Award in 2006. Koch became a specialist Indigenous affairs reporter reporting for the *Courier-Mail* and *The Australian* newspapers. Notably, he conducted a long campaign to bring justice over the death of young Palm Island resident Mulrunji (Cameron) Doomadgee in November 2004 at the boot of police Senior Sergeant



Chris Hurley (Melbourne Press Club 2022). Koch's embedded journalism over many months on Palm Island contributed to bringing Hurley to trial and raised awareness of police brutality against Indigenous prisoners. Koch typifies a group of (almost invariably non-Indigenous) specialist 'Indigenous' investigative reporters who had a high degree of autonomy from their newsrooms, and were committed to telling Indigenous stories by engaging and spending time with First Nations communities. They described the struggle to get Indigenous issues into mainstream programming and securing resources for anything but 'seagull journalism', where a crew flies in, usually with a government Minister, reports squalor and disorder, and leaves without follow-up (Koch, in McCallum and Waller 2017). In an interview for our earlier research Koch described his specialist reporting practices, saying 'You've got to go to the community and spend some time there [...] and find out what's really going on' (in McCallum and Waller 2017, 69). At the same time, Indigenous journalism remained a white space, and the contribution of First Nations media producers and journalists historically has been overlooked (Latimore, 2021; Meadows 2001).

While often revelatory in its content, investigative journalism has also contributed to promoting and setting public agendas for policies that have worked to entrench and extend the violence of settler colonialism. The ABC current affairs program *Lateline's* 2006 reporting of child sexual abuse in the Northern Territory community of Mutijulu is one example of journalism that, through sensationalist and ill-informed investigative reporting, advanced discriminatory policy agendas. In the wake of the NT government's delay on acting on the Little Children Are Sacred report on child sexual abuse in NT Indigenous communities, *Lateline* reported spurious conspiracies, using falsely identified witnesses claiming that 'paedophile rings' were operating in the community (Graham, 2017). This program was widely attributed with triggering the Northern Territory Emergency Response (the Intervention), which remains a shocking example of government interference in Indigenous affairs (Graham, 2017). It is an indication of the ABC's commitment to this programming that while an internal complaint was not upheld, this report has been unavailable online for nearly a decade. This is an example of investigative journalism that suggests 'fishbowl journalism' (McQuire 2015) where mainstream media organisations report on scandal and crisis over many years, without contributing to meaningful change in the communities on which they report.

Reflecting on the history of investigative journalism focused on Indigenous issues, it may be argued that it is indeed ‘exceptional’ in some respects. It has produced a range of high quality, in-depth stories that have raised awareness of the persistence of racial disadvantage, some of which stand among the most celebrated examples of high-impact stories in the history of Australian journalism. These are also untypical of ‘everyday’ reporting that, as we discussed in the introduction to this chapter, often tends to reproduce and contribute to racial inequality. However, it may also be seen that many investigative stories *can* be positioned as part of, rather than contesting, an accrued culture of representation that has contributed to Indigenous-settler relations in damaging ways. The reproduction of investigative journalism as a white space, peopled by white journalists assumedly speaking for and to white audiences, has contributed to the representation of Aboriginal Australia as a continually reproducible, shameful spectacle of permanent and seemingly endemic crisis that, paradoxically, both demands resolution and is positioned as permanently irresolvable. Far from contributing to social change and reform grounded in an acknowledgement of the structural legacies of institutionalised racism, such representations have contributed to policy stasis.

## **A CHANGING FIELD? CONTEMPORARY INVESTIGATIVE STORIES AND INDIGENOUS-SETTLER RELATIONS**

Over the last two decades in particular, the Indigenous News Network has been subject to transformation, as a consequence of shifts in technologies of media production and consumption, the disruption of media markets, the emergence of new institutional actors and new voices in the field, and the development and deployment of new genres and practices of news representation (Nolan et al. 2020). In addition, a powerful critique of the complicity of white institutions, including media organisations (Callison and Young 2020), and the emergence of a range of powerful Indigenous voices in journalism – with, in some cases, the support of philanthropic funding – has contributed to the amplification of Indigenous agendas. In the field of mainstream media, the dominance of *The Australian*, the Fairfax newspapers and the ABC as sources of Indigenous-focused stories has been disrupted by the emergence of new institutions and competitors with a strong commitment

to Indigenous Affairs, such as *NITV* and *The Guardian* (Myers et al. 2021). Alongside changes in mass media, digital media have enabled new genres and business models for independent journalism that can be produced at relatively low cost. A good example of this is *Curtain* (2017-2022), a long-running podcast that focuses on how Indigenous people are treated in Australia's criminal justice system, presented by Darumbal and South Sea Islander journalist Amy McQuire and Yuin human rights advocate, lawyer and writer Martin Hodgson. *Curtain* is independently produced, supported through crowdsourcing platform Patreon, and takes advantage of both the affordances of digital production and the existence of accessible distribution platforms through which such a production is able to viably compete for listenership. *Curtain* thus exemplifies how Indigenous producers of media content have taken up the possibilities afforded by new technologies, platforms, formats and funding mechanisms to tell stories, while wider developments have contributed to a transforming media ecology.

If the relations that constitute the field of Indigenous news representation are changing, then, it is timely to ask how far investigative journalism focusing on Indigenous people and issues may have also changed – or, alternatively, whether previous forms and practices of representation remain persistent? To consider this, we focus on three examples of investigative journalism that mobilise three different genres of journalism: a television current affairs documentary, an online data journalism project, and a podcast serial. In each case, we reflect on the actors and relations involved in their production, and the degree to which they reproduce and/or depart from a tradition of investigative journalism focusing on Indigenous people and issues. Here, a key issue that arises is whether they produce a form of representation that acknowledges how racially discriminatory structures and practices contribute to the ongoing disadvantage and mistreatment of Aboriginal and Torres Strait Islander people, or whether they merely reproduce a focus on 'racial inequality' as an endemic but seemingly irresolvable problem, a symptom that remains unlinked to any cause.

### **'Australia's Shame': ABC *Four Corners***

Our first example of an impactful investigative story that focused on Indigenous subjects is the award-winning ‘Australia’s Shame’ (*Four Corners*, July 25, 2016) about the treatment of inmates at Darwin’s Don Dale Youth Detention Centre. This program, introduced by Sarah Ferguson and reported by Caro Meldrum-Hanna, reports the shocking treatment of children in detention and the prolonged inaction of the Northern Territory government despite reports recommending urgent change. It features confronting footage of children being tear-gassed at close range, locked in squalid and dehumanising conditions in solitary confinement, assaulted by guards, and the now infamous images of 17-year-old Dylan Voller shackled to a chair with his head covered in a spit hood—actions that have been described as torture and linked to the images of prisoners detained at Abu Ghraib in Iraq (see Fitz-Gibbon [2018, 115] for a summary). As Fitz-Gibbon’s (2018) research shows, the ill-treatment of young people at Don Dale and other youth detention facilities in the Northern Territory was well-known and reported prior to the *Four Corners* documentary, especially in local Darwin media such as the *NT News*. The *Koori Mail* even ran the story on its front page under the headline ‘Children gassed’ (September 23, 2015) following the release of a report by the NT Children’s Commissioner in 2015, and Aboriginal journalist Allan Clarke covered the story in two articles for *BuzzFeed News* (September 18, 2015a; September 23, 2015b). However, ‘it was not until the *Four Corners* documentary that national attention was drawn to the issue and the Federal Government responded’ (Fitz-Gibbon 2018, 109; see also Finlay 2017; Naylor and Frawley 2016). The political response to the program was swift: the day after the program aired, Prime Minister Malcolm Turnbull announced a Federal Royal Commission into The Protection and Detention of Children in the Northern Territory. To some extent, ‘Australia’s Shame’ also provoked a discussion of how Indigenous young people were disproportionately the subject of this system of youth detention—though, as we discuss below, this does not appear to have been its intention.

Indigenous affairs are, nevertheless, a staple of *Four Corners* programming, with at least one episode each year addressing an issue relating to Aboriginal and Torres Strait Islander issues and people. In recent years *Four Corners* has produced stories about poverty and corruption in remote Indigenous communities in Western Australia (‘Remote Hope’, May 11, 2015), the brutal murder of a young Aboriginal woman on a remote beach and her family’s long fight for justice (‘Callous Disregard’, May 9, 2016), corruption and exploitation

of Indigenous community funding under the Indigenous Advancement Strategy ('Ripped Off', June 6, 2016), mismanagement and environmental neglect in Australia's World Heritage Listed Kakadu National Park ('Crisis in Kakadu', February 22, 2021), and the shocking prevalence of rheumatic fever in remote NT communities ('Heart Failure', March 8, 2022). These stories provide alarming representations of Indigenous Australia as a crisis, a source of societal problems, mismanagement and endemic humanitarian crisis. While such representations demand and often precipitate immediate policy response, whether they shift policy approaches or contribute to more fundamental shifts in Indigenous–Settler relations is more questionable. Notably, such stories are invariably produced by white, Eastern Seaboard teams that travel vast distances to report from 'remote' locations. Significantly, at the time of writing, 2020's 'I Can't Breathe' (July 14, 2020), a personal reflection on the #Black Lives Matter movement, hosted by eminent Wiradjuri journalist Stan Grant, is the only *Four Corners* episode in 60 years to feature an Indigenous anchor.

'Australia's Shame' is typical of a report about Indigenous Australia, presented by a non-Indigenous, metropolitan journalist, that presents shocking imagery of Indigenous disadvantage. Somewhat peculiarly, 'Australia's Shame' does not explicitly frame the Don Dale investigation as an Indigenous Affairs story, despite it mostly affecting Aboriginal and Torres Strait Islander youth.<sup>12</sup> The term 'Aboriginal' is used only twice in the 51-minute documentary, both times coming from one of the interviewees, barrister John B. Lawrence, who represented one of the detainees. He states that 'The Aboriginal imprisonment rate is double now than what it was when we had a royal commission of inquiry' [into Aboriginal deaths in custody], and later says, 'There's two words for what's going on here, because of what they're doing to Aboriginal children, two words: no future.' These are the only two times that race is directly alluded to, despite other visual and aural signifiers of Aboriginality throughout such as the Aboriginal art-style murals that are seen on walls in Don Dale and the interviews with former detainees. Yet, it is clearly an Indigenous Affairs story, and that is how it has largely been received as well as how it was reported by Indigenous news outlets

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<sup>1</sup> Australian Government statistics show that in 2016-17, 95% of those aged 10-17 under youth justice 'supervision' in the Northern Territory were Aboriginal or Torres Strait Islander (Australian Institute of Health and Welfare, 2018).

<sup>2</sup> It should be noted that the NT Children Commissioner's report, in which many of the revelations were first made, also did not include specific reference to Aboriginal and Torres Strait Islander children in detention.

and reporters. As Carlson et al. bluntly point out: ‘For Indigenous people, the story of Dylan Voller and other child prisoners was about more than state violence against children in detention. This was about state violence specifically aimed at *Indigenous children*’ (2017, 11, emphasis in original). Similarly, the *Koori Mail* made this link clear in their 2015 front-page article, which reported ‘violent abuse against Aboriginal children in detention’ (‘Children gassed’, September 23, 2015), as did Allan Clarke’s report for *BuzzFeed News*, which ran under the headline ‘Indigenous Teens Were Hooded and Gassed in NT Detention Centre’ (September 18, 2015a). A striking contrast arises between the earlier reporting of the incidents at Don Dale by Indigenous media, and the *Four Corners* representation, which was decidedly *not* framed as an exposé of ongoing colonial violence. While the decision not to acknowledge these previous media reports perhaps reflected a desire to maximise the impact of ‘Australia’s Shame’ by emphasising its status as a revelatory exposé, the unfortunate effect of this, alongside the seemingly peculiar decision not to present it as an Indigenous Affairs story, was to effectively ‘whitewash’ the story for a national audience.

Despite the absence of overt framing as an Indigenous Affairs story, it is notable that ‘Australia’s Shame’ did reproduce other aspects that are typical of a tradition of representing Indigenous Australia, particularly in its positioning as a source of ‘national shame’. The framing of such events and policy failures as occasions of national ‘shame’ is one that speaks to an audience imagined as white, while for Indigenous Australians such reports are instead occasions for much more personal and recurrent experiences of pain—especially when accompanied by scepticism surrounding the intent or efficacy of political solutions. As Carlson et al.’s (2017) reading suggests, such representations of ‘national shame’ serve to trouble an (otherwise naturalised) sense of national pride, leading to policy responses that are underpinned more by an agenda of assuaging white discomfort than raising more fundamental questions about Indigenous-Settler relations or achieving substantial change. Drawing on Sara Ahmed’s (2004) work on pain, shame and pride, they argue:

As national pride is central to any idea of a coherent nation-state, it must be reclaimed. This can only happen if shame is ‘shifted’ from white Australia to Indigenous Australia. And Indigenous people know from past experience that any

gesture toward a national inquiry is likely to be lip-service based on a transient feeling of shame that will be replaced by efforts to reconstitute national pride. (Carlson et al. 2017, 12)

Such scepticism towards the representational politics of 'shame' was also reflected in some of the responses to the announcement of a royal commission from First Nations people, who questioned the merits of another inquiry when many of the recommendations from the 1991 Royal Commission into Aboriginal Deaths in Custody remained unfulfilled (Carlson et al. 2017, 12; Latimore and Land 2016; Naylor and Frawley 2016). In this respect, for all its achievements in shining a light on shocking abuses endured by Aboriginal people, 'Australia's Shame' reproduces the 'shallows and rapids' (Fleras and Kunz 2001) pattern of major investigations that succeed in shining a spotlight on important issues and capturing public and political concern for a short time, until the next big story comes along and the mainstream media moves on. In presenting the prolonged incarceration and torture of (Aboriginal) children as something unusual and shameful, the program furthermore minimises that it is a continuation of colonial violence, while further perpetuating the colonial structures that define newsrooms by overlooking the contribution that Indigenous journalists and outlets made in initially reporting the story.

### ***Deaths Inside: Guardian Australia***

Our second case of a major recent investigative story is *Deaths Inside*, a Walkley award-winning data journalism project that provides a detailed, publicly accessible database of every recorded Indigenous Australian death in custody since 2008. Alongside its innovative use of a genre of journalistic presentation that has been facilitated by the development of digital technological affordances, it is also important to situate *Deaths Inside* as a product of Australia's changing news ecology. While *Guardian Australia* (the outlet that produced *Deaths Inside*) is an offshoot of a legacy news organisation (UK-based newspaper *The Guardian*), in the Australian market it is a relative newcomer. Katherine Viner, the first editor of the online-only Australian edition established in 2013, has discussed how Indigenous affairs was immediately prioritised as an area that could generate distinctive coverage (Viner in Latimore 2018). In seeking to develop an identity and appeal as a new

player in the Australian market, *The Guardian* chose a progressive focus on Indigenous rights and justice that was distinctively different in its approach from other competitors in the national market (most notably *The Australian*). The genesis of *Deaths Inside* was also supported by the development of a philanthropic funding partnership with the Balnaves Foundation, which enabled the 2018 employment of Indigenous Affairs Editor Lorena Allam, a highly experienced First Nations journalist descended from the Gamilaraay and Yawalaraay nations of northwest NSW. Notably, Allam has publicly discussed her personal investment in the issue of deaths in custody, stating it is ‘an unacceptable fact of our lives as Aboriginal people, and it’s been that way for far too long’ (Allam in Fletcher 2019).

*Deaths Inside* builds on a history of exceptional investigative stories that have brought the issue of deaths in custody to public consciousness (see Nolan and Waller 2021a). Indeed, a number of those stories played a key role in enabling an agenda that led to the establishment of the historic Royal Commission into Aboriginal Deaths in Custody (RCIADIC), a point acknowledged in its final report (Johnston 1991). While the Australian state’s failure to implement many of the key recommendations from the RCIADIC report provides a backdrop to the agenda of *Deaths Inside*, the catalyst for the story was the death of twenty-two-year-old Yamatjii woman, Ms Dhu, in South Hedland, Western Australia. Ms Dhu died after her complaints of severe pain while in custody were ignored by police and medical staff in a custody centre, leading a coronial report to pronounce that she had received ‘unprofessional and inhumane’ treatment (*The Guardian* 2018). In reporting the coronial inquest, *Guardian* journalist Calla Wahlquist sought to provide context to the story by publishing a list of the number of Indigenous deaths in custody since the handing down of the Royal Commission report, but was shocked to find there was no such list. It was this discovery that prompted the *Deaths Inside* investigation, which involved the painstaking review of coronial findings related to deaths in custody from 2008 onwards, and the production of a database that documents and provides detail on the exact number and manner of Indigenous deaths in custody since that year. Notably, under Allam’s leadership, *Guardian* journalists took special pains to consult with and draw on the knowledge of Indigenous campaigners and bereaved families in developing *Deaths Inside*, and to ensure that both cultural protocols and sensitivities were respected in its presentation. Here, Allam’s cultural knowledge and leadership played a crucial role, and she has since discussed



her personal investment in how *Deaths Inside* was presented: 'It was extremely important to me that this be done in a culturally respectful way. There are people I know in that database. So having Indigenous voices at the forefront gave our work heart and authenticity as well as forensic heft' (Allam in Fletcher 2019).

While there is not scope here to discuss its contribution in detail (see Nolan and Waller 2021b), *Deaths Inside* can be read as both building on and departing from a history of investigative journalism. Notably, shifts in the relations that contributed to its development played a key role, through the impact of market disruption and the arrival of a new institutional competitor in *The Guardian*, the influence of a philanthropic agency that sought to underpin advancements in Indigenous Affairs coverage and, perhaps most significantly, the employment of an Indigenous editor. *Deaths Inside* also, importantly, departs from the 'shallows and rapids' tradition of short-term reporting on crisis, as the database provides an ongoing and continually updated resource that reveals the institutional shortcomings that contribute to Indigenous deaths in custody, highlighting issues of ongoing malpractice and mistreatment of Indigenous people. While *Deaths Inside* does not present an overt critique of deaths in custody as the product of the colonial practice of incarceration (see Nichols 2014), it nevertheless does document the disproportionate effects of ongoing colonial violence on Indigenous populations. In doing so, it has provided a significant resource for Indigenous campaigners, and one which, notably, has been produced through consultation with Indigenous stakeholders, and under the leadership of an Indigenous editor.

### ***Unravel: Blood on the Tracks: ABC Radio***

Our final example of a major journalistic investigation that has focused on Indigenous subjects in recent years is the Australian Broadcasting Corporation's podcast serial *Unravel: Blood on the Tracks* (2018). Capitalising both on the surge in popularity of the true crime podcast (Yardley et al. 2018), and on the affordances of digital, mobile media that have helped make podcasts an increasingly accessible and popular form of media consumption more generally (Cuffe 2019, 558-559; Markman 2015), several Australian podcasts have taken a deep dive into issues of systemic racism and inequality experienced by Aboriginal and Torres Strait Islander people in the criminal justice system, both as victims and alleged

or convicted perpetrators. Prominent examples include *Bowraville* (2016, Dan Box, *The Australian*); *Curtain* (2016-2022, Amy McQuire and Martin Hodgson); *Wrong Skin* (2018, Richard Baker, *The Age*), and *Breathless* (2018, *The Guardian*/2SER). Although all of these are worthy of, and have attracted, scholarly attention (see for example Bray 2020; Cuffe 2019; de Souza 2020; Lindgren 2021; Yardley et al. 2018), we focus our discussion here on *Unravel: Blood on the Tracks*, for several reasons: it is an example of expansion by a long-standing radio and television broadcaster into the relatively new terrain of on-demand audio content, and the true crime genre in particular; it is led by an Aboriginal journalist; and it is a piece that has been recognised by the highest awards for journalism in Australia, receiving the Walkley for All Media – Coverage of Indigenous Affairs in 2018.

Presented and reported by Muruwari journalist Allan Clarke, the first season of *Unravel, Blood on the Tracks*, investigates the suspicious death of 17-year-old Gomeroi teenager Mark Haines. Haines' body was found on railway tracks just outside the country town of Tamworth, New South Wales, in 1988. Police suspected suicide or misadventure, but other evidence found at the scene did not seem to support this conclusion, and Haines' family suspected foul play (ABC 2018). A coronial inquest failed to deliver a finding on the cause of death. Clarke was first asked to look into the case by Haines' uncle, and he spent five years investigating it before *Blood on the Tracks* went to air. Over seven episodes, Clarke tells a story 'of a town divided, an investigation bungled, evidence lost... and critical leads never followed up' (ABC 2018). New evidence came to light while the series was being aired, which eventually led to the case being reopened and police offering a reward of AUD\$500,000 for anyone coming forward with new information. At time of writing, the case remains unsolved.

We have questioned above the investigative journalism genre's preoccupation with notions of 'revelation'—of exposing wrongdoing or uncovering previously unknown facts—and noted the need for equal if not greater attention to questions of 'representation' in the case of Indigenous investigative reporting. These questions are particularly pertinent in relation to the genre of true crime podcasts, where scholars are divided over whether true crime podcasts should be considered as investigative journalism in the watchdog/accountability sense due to the tension between the 'revelatory', sensationalist

elements that drive the true crime genre—such as the quest to solve the crime and discover the murderer—and the ‘nobler’ purpose of investigative journalism to expose bigger truths about abuses of power or systemic failure (Dalton 2017; Pâquet 2020; Yardley et al. 2018). Certainly, the quest to solve the mystery of Haines’ death is a key narrative driver of *Blood on the Tracks*—as indicated by the episode titled ‘Revelation’ and repeated references to a game-changing ‘confession’ that ends up being a second-hand account of an alleged confession that is subsequently denied by the person implicated. In one episode, reporter Suzie Smith asks a person of interest directly whether they killed Mark Haines. After a long and dramatic pause the interviewee states that they didn’t kill Haines; that they didn’t even know him (and indeed, Smith’s and Clarke’s own investigation discounts any suspicion that he did). This use of dramatic tension is a clear example of how the podcast exploits some of the key conventions of the true crime genre, notably the fixation of ‘solving the crime’ and getting a ‘gotcha’ moment. The podcast also fits the ‘revelatory’ nature of investigative journalism in making much of the oversights and insufficiencies that it uncovers in the original police investigation of Haines’ death; revelations that are meant to shock the listener.

However, *Blood on the Tracks* also works hard to show that these failings are not mere unfortunate accidents but rather the product of racially discriminatory attitudes and practices that contribute to the ongoing mistreatment of Aboriginal and Torres Strait Islander people. From the very first episode, Clarke puts race at the centre of the story. The podcast opens with a description of the town of Tamworth as literally being cut in two along race lines. On one side of the railway tracks lives a largely white population; on the other is a predominantly Aboriginal community known colloquially as ‘Vegemite Village’. Throughout the podcast, Clarke shares with listeners the frustrations of Haines’ family at what they experience as a lack of police interest or commitment to the case because Haines is Aboriginal. In Episode 2, Haines’ uncle, known as Duck, describes the attitude he sensed from the local police: ‘You know, they just wanted to say well, you know, if a black boy is out there, stolen motor vehicle in the vicinity, one and one makes two. Yeah, okay. That’s what happened’ (referring to the police theory that Haines had crashed a stolen car, suffered head injuries and somehow ended up on the train tracks). By setting Haines’ death in the broader historical context of Australia’s bicentennial celebrations and the Royal Commission

into Aboriginal Deaths in Custody, which were both happening at the same time, Clarke reveals 'how the politics of race and nationalism contributed to media, police and public assessments of the event' (Cuffe 2019, 564). In one particularly striking juxtaposition that captures the intertwining of colonial history and personal and collective trauma, the soaring strains of an operatic rendition of *Advance Australia Affair* are heard in the background while Duck reflects: 'You know occupation of our land for 200 years, and our boy laying there in the morgue for two weeks. You know we felt like no one was interested. They was all interested in partying, all right, all Australians, they wasn't interested in a dead black boy.'

That the podcast is presented and reported by an Indigenous journalist is also significant. After starting at *The Sydney Morning Herald*, Clarke worked through various roles at the ABC, SBS and NITV, and was the Indigenous Affairs Reporter for BuzzFeed for two years when it was running its Australian news bureau. Like Allam's openness about her investment in the *Deaths Inside* database, Clarke is upfront about the personal connection he feels to the Haines story. In Episode 2, he reflects on why he has been driven to push on with investigating the story for so many years: 'As a Koori person, if I was found dead tomorrow, in suspicious circumstances, would my family have to spend 10, 20 years trying to find out what happened to me? And that's a really scary, chilling thought.' In commentary surrounding the podcast, Clarke has also shared his explicit motivations in making *Blood on the Tracks*: 'I wanted to take Mark's case and basically use that as a way to try to get proof that racism does play a role in these unsolved Aboriginal homicides' (in Muzyka 2019). While the personal style that Clarke adopts is a common trait identified across true crime podcasts involving both Indigenous and non-Indigenous journalists (Pâquet 2020; Yardley et al. 2018), for voices that have been historically marginalised in mainstream news and journalism, such as First Nations voices, the embrace of a more subjective style can also be a way of challenging established norms and hierarchies of the journalism profession that have contributed to such marginalization.

The first season of *Unravel* received considerable critical acclaim for centring Indigenous issues and being led by an Indigenous reporter (including winning the 2018 Walkley for Coverage of Indigenous Affairs), but the podcast series, now in its fifth season,

has not investigated cases specific to Indigenous Australians since. Institutionally, then, the *Blood on the Tracks* season of *Unravel* could be seen another example of the ABC's enduring but irregular investigations into Indigenous injustice. Nonetheless, the podcast has provided a platform for Clarke to continue to focus his work on investigations into issues of inequality and racism that Aboriginal and Torres Strait Islanders face in the criminal justice system (Clarke 2020), such as through a three-part television series on the Mark Haines story for SBS called *Cold Justice*, and a 2021 documentary feature that Clarke directed about the unsolved Bowraville murders. Therefore, while it could be seen as 'exceptional' in relation to the *Unravel* podcast series specifically, *Blood on the Tracks* can also be understood as part of a resurgence of journalistic and public interest in Indigenous justice issues in recent years after a long period of relative silence that endured after the initial attention on the 1991 Royal Commission into Aboriginal deaths in custody died away (Bacon 2005; Nolan and Waller 2021a). While it follows some of the conventions of the true crime genre that at times veer towards sensationalism and revelatory 'gotcha' moments, *Blood on the Tracks* succeeds in not only exposing injustice experienced by Aboriginal and Torres Strait Islander people in the criminal justice system, but also linking this injustice to discriminatory attitudes and practices that are to some extent systemic. It does this by taking advantage of the unique long-form storytelling format of the podcast serial as well as by putting Aboriginal voices and experiences at the forefront, both through the choice of interviewees and in Clarke's own personal reflections that he brings to the role as host. Riding on the coattails of the enormous popularity of the true crime genre worldwide, *Blood on the Tracks* also brings news audience to issues of Indigenous justice and inequality and therefore stands as an important example of the changing space of Indigenous investigative journalism in Australia.

## **CONCLUSION**

This chapter has focused on a tradition of investigative journalism about Indigenous affairs, as a basis for reflecting critically on how, and how far, this tradition is changing in relation to broader changes in the Indigenous news network. To this end, we considered the question of whether investigative journalism relating to Indigenous affairs should be viewed as exceptional, in the sense that it might be seen to depart from patterns of coverage that have been documented in the field more broadly. We have argued that, to some extent,

the answer to this question is yes: at their best, not only have investigative stories served to place a spotlight on issues of racial inequality, but they have also contributed to substantive agendas for reform. However, in other respects, and in particular instances, the answer is no. Not only have some investigative stories overtly served to support damaging agendas that entrench colonial frameworks, but there has been a more generally problematic tendency to reproduce a 'crisis' framework that represents the problems of racial inequality as endemic and irresolvable, leading to the reproduction of a policy stasis. Such representations have, moreover, almost invariably been presented by white journalists and addressed to a majoritarian white audience.

Moving forward, we also considered the question of whether, and how far, this field is changing. To this end, we considered three more recent examples of investigative journalism focused on Indigenous affairs. Again, our answer to the question of whether change is occurring is a nuanced one. Focusing on one celebrated case study of an ABC television current affairs documentary we argued that, even as it served to successfully shine a spotlight on the abusive treatment of Indigenous children in detention, it was nevertheless generally consistent with a problematic tradition of 'crisis' representation of Indigenous Australia. Our other two cases presented a more positive perspective. In the case of *Deaths Inside*, we found that the shifting relations that underpinned transformation in the field of Australian journalism had underpinned the production of an investigative story that was Indigenous-led, underpinned by Indigenous agendas and consultation with Indigenous stakeholders, and which departed from a tradition of 'crisis' representation, through a database that catalogued a persistent problem and that stands as an ongoing, accessible resource. In the case of *Blood on the Tracks*, we also saw an example of how a prominent Indigenous journalist made use of the affordances of the true crime podcast to highlight long-standing issues of racial injustice. Such cases serve to highlight how change in the Indigenous News Network is affording some opportunities for producing representations that work to challenge prevailing order of Indigenous-Settler relations, and thus provide some grounds for hope. Nevertheless, we would caution against any suggestion this represents any general transformation affecting the field as a whole.

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