Assignment 2

Name of Student

[Name of the Institution]

Assignment 2

**Impact of On-line World on Crime and the Criminal Justice System**

# Introduction

Technology is a blessing for the world until it falls into the wrong hands and becomes a curse for people. While the rapid progress in technology and the online world has made the lives of people very easy, it also has created many negativities in the world today. The crime rate has increased a number of times in the world because of the use of technology and on-line systems. With the passing time, information and communication technologies are evolving (Cross et al., 2014).

With the advancement of information and communication system, the opportunities for criminals are also increasing. There are a lot of concerns over the misuse of new technologies that can be used against common public. The crimes that have spread through advancement in information systems involve altering of data within corporations for personal gains and profit, political objectives, spoiling the minds and lives of people especially youth and teenagers, and online theft and fraud. Progress in ICT, on one hand, has greatly helped in connecting developed countries with newly emerging countries such as India and China (Rice et al., 2016).

# Online Crimes in Australia

Just as the on-line world is creating wonderful possibilities for the aid of mankind, it also has provided many opportunities for the criminals to commit crimes. The crimes carried out in the past are now committed in new ways by the use of advanced technology. A large number of people are becoming victims of these online crimes and frauds. Due to the high use of technology and growing wealth, people in Australia are becoming victims of cybercrime with every passing day. The use of online government services, online banking, and social media apps have made the criminal activities in Australia common and easy. Almost 13,500 reports of cybercrime have been addressed to the Australian Cyber Security Centre in the past few months. The most common crime reported among the crimes that are present in the country is fraud that includes banks scams and romance frauds. The romance fraud involves the building of an online relationship over several months and then asking money from them for health-related issues such as medical treatment, for necessary goods or items, and other domestic issues. A person receives a text message or an email that seems to be sent by the bank regarding fixing his account problems. If the person agrees and gives his details, the cybercriminal gets an opportunity to access and hack the account. This is how the crime rate in Australian is increasing day by day by the use of online systems (Stratton et al., 2017).

# Negative Impact of On-line World on Crime and Criminal Justice System

A variety of criminal activities are being performed in Australia using the online sources. Crime is not new to the country, but the ways and mediums are new. The first online fraud is the theft of telecommunication services. From simple mischief-making to a major crime, this act has become a part of life for the criminals and a serious issue in the crime industry. The stolen telecommunications service has a large market. Some criminals just obtain a discount through a phone call, while there are others who perform illicit business without letting their identities or status disclosed. It has posed a serious threat to the general public that bears all the financial burden of the committed fraud. Another major task performed by the criminals is the criminal conspiracy. They can communicate with each other regarding their activities and plans through online communication (Peter Grabosky, 2017). Organized crimes such as gambling, money laundering, trafficking, prostitution, trade in weapons, and child pornography are being facilitated by the online world. Anyone who is capable of using the internet may easily carry out the copyright infringements. The emerging multimedia technologies are being used and developed rapidly that causes the loss of billion dollars each year by the sales and royalties (Hogden, 2017). Dissemination of offensive materials is also caused by the negative use of online sources in abundance. Crimes such as harassing, intrusive communications, threatening, and transfer of sexually implicit material to an unwilling recipient are being committed through this online world. The criminals have invaded the personal and private lives of people through the internet. They use harmful behaviour online and corrupt and steal the data of people (Kim-Kwang Raymond Choo, 2017). More than one million Australians become a victim of the crimes committed using online sources every year. Through these acts, the criminals are easily able to steal personal data, access bank accounts, obtain loans, and download infected files. Long term reputational harm and financial damage can be caused to the people by the organized criminals who create counterfeit cards and running up debts. The children and teenagers face cyberbullying and are exposed to have a contact with strangers, sharing their personal or private information such as photos or videos without realizing that it may get shared or become a subject to theft or fraud (Monica and California 90401-3208, n.d.). The technological innovations and declined prices of the data storage materials has enhanced the power of online criminals involved in the theft and crime using online resources. The better-educated criminals easily explore data over the internet and use it as they like. This data includes the websites protected by passwords and social accounts of people. The excessive use of mobile phones has also become one of the major reasons for the increase in criminal activities in Australia. The advancement in 3G, 4G, SMS, MMS, and Bluetooth system are used and exploited by the criminals resulting in spoiling the private lives of people especially young children and teenagers Police are using social media to increase transparency, share real-time information with the public, and enlist the community's help to solve crimes (Sadulski, 2018). Many psychological tricks are used by the criminals to manipulate the users for gaining information. The online gaming and gambling let the players purchase accommodation, virtual properties, and merchandise by using the physical cash. The game hackers steal the usernames and passwords of the players and then sale the virtual property to other players. Online auction frauds are also a type of fraud that is likely to increase with the passing time. The criminals design malware for their illicit financial gains by buying and selling illegally. These online scams are most probably affecting the young children as they are less wise in detection of the crimes or scams approaching them online. Through the use of communication and online technologies, the lives of many young children are ruined and it has become a new form of harassment and bullying. Child exploitation has become a highly common and favourite practice of the offenders nowadays. These negative effects of the use of online systems have become very common in Australia. Every day people are facing this issue and waiting for the government to take proper actions.

# Positive Impact of On-line World on Crime and Criminal Justice System

Along with the negative impacts, the online world also has some positive impacts on the crimes and criminal justice system. The use of online sources and social media plays a significant role in the enforcement of law and criminal justice system in Australia. The famous social media sites and online websites are being used by the police departments as an effective and economical way to provide information to the public about the current events and issues (Shi et al., 2019). The agencies of law enforcement share real-time activities and issue warning to the people for their protection and security. Social applications such as Twitter and Facebook are used by the police departments to create awareness in public and to encourage the citizens if they witness any suspicious activity around them. Often the videos of suspected people are posted to make people aware of them and their activities (Cross, 2018). The online sources and applications prove to be useful in locating the missing children or informing the public about them. The missing child’s pictures are posted along with some information and the contact number by the police and anyone who witnesses the child is encourage and asked to contact the local police. The public nature of social media allows it to conduct criminal investigations and use online sources to identify the suspects of theft, burglary, and other criminals. These online sites are also a valuable source to find out the sex offenders in the country, but it is not progressed up to the mark. The law enforcement agencies are using different sites and online sources to build community relationships and trust among people and the justice system (Drew and Farrell, 2018). An improved communication system can be fostered through the use of online sources in dealing with and handling the problems. The public can easily communicate to the police about any issue, problem, incident, or event through the online world. The social media broadcasting of the trials of criminals has become an obstacle in the criminal proceedings and reduced the criminal activities in the country (Broadhurst, 2017). Many anti-crime Facebook pages have been created that help people recognize and report about any illicit activity that they witness. A senior operations researcher at RAND, a non-profit research organization, John S. Hollywood says, “Criminal records today are incomplete and the records we do have are generally based locally. What we need is an ability to get information about a person's criminal history quickly and reliably, even when they move across city or state lines.” (Monica and California 90401-3208, n.d.) A Cyber Operations Team has been established by the Australian Transaction Reports and Analysis Centre (AUSTRAC) for tracking the criminal activities related to online transactions and financial theft. Australia is working collaboratively with the United States, New Zealand, and the United Kingdom in a framework known as The Five Eyes Law Enforcement Group Cyber Crime Working Group to practice best approaches for fighting against the crimes committed through the online world. The officers, judges, and other officers are being provided with the opportunities to get training for the understanding and prevention of online world crimes and criminals. The country is further planning to work with PILON for strengthening the online crime legislation in the whole region. It has also planned to deliver awareness about online world crimes across the whole Indo-Pacific through a partnership with the Cyber Safety Pasifika Program. The Australian Federal Police has established many cyber safety and online crime education programs to create awareness in the society.

# Ways to Counter the Problem

The online world is a wonderful achievement of science and technology. The online system itself can be used to counter the problems and crimes related to social media and other online systems. Social media has created both problems and solutions for the criminal justice system. The criminals have got opportunities to commit crimes in more advanced ways while the criminal justice system has got many solutions to combat these crimes and bring peace to the society. Computers can be used to control data inputs such as the case histories of criminals and other information about them. Improved methods of electronic monitoring should be used depending on the crime and risk to the public. The technology-enabled crime can be handled by through collaborative efforts of the public and the government. It is a multi-dimensional challenge that requires effective actions and coordination. The useful and effective software systems should be designed for the security of the data of public. Information sharing initiatives and public and private sector partnerships should be established. Effective and secure technical assistance should be established to minimize the criminal activity that takes place because of using technology and other online systems (Alazab and Broadhurst, 2015). An understanding of the current and emerging crime threats and criminal activities should be developed and a national picture of crime should be created. The criminals committing crimes online should be disrupted and denied through an end-to-end approach of the law enforcement agencies. Trust and confidence should be built in the community for the use of national information and intelligence. The law enforcement officers should be provided with more social media and online training to combat online crimes and build their relationship with the public. The difficulties arising in the way of detecting, investigating, and prosecuting illegal activities should be solved. People should be encouraged to report any crime they witness and the lack of clarity or confusion about crimes should be reduced (Cross, 2016). The online criminals are intelligent and they tend to find new ways for exploitation of technology and social media to perform further illicit activities. Therefore, the agencies and government service offices should remain up to date and alert of all the changing trends and new method so that they are able to recognize the changing patterns, ideas, and areas of problem (Cunneen and Russell, 2017). Many people have already become a victim to the crime committed by the online world, but many others are at risk of becoming victim to this crime if they are not able to understand the techniques used by the offenders. The online security awareness should be provided to every citizen so that he gets to know about the good security practices for online systems. This would make them avoid using pirated software that can be gained by the criminals for accessing and exploiting personal devices and data. The Cybercrime Response Strategy (CRS) is an important area where investment and attention are required as it greatly depends on the technology for communication and maintenance of cybercrime detection and prevention. The rise in public awareness about these crimes will be helpful but it will not be able to prevent all the crime. Other effective ways should be implemented to avoid the crimes related to the online world. Stronger domestic legislative frameworks should be used to respond to these crimes. Further strategies should be planned to combat the transnational cybercrime that is spoiling the lives of many people. A common understanding between the country and its other collaborative partners should be developed to fight against the online world criminals and ensuring that they do not get enough opportunities to commit such crimes or use the online sources for negative and malicious purposes (Doerr and Santín, 2016).

**Conclusion**

The online world is impacting and will continue to impact the crime and criminal justice system as the advancement in technology is also increasing with every passing day. When a person is affected by the negativities of online crimes, his personality is destroyed. The financial losses due to online thefts also make people suffer a lot. The growing dependence of people on technology and the online world has created many opportunities for the criminals to commit offences. Therefore, it is necessary for people to be careful while using the online services and sources. The government needs to create proper awareness and training for the people to save them from getting involved in any such offences or becoming victims to online world crimes (Rice et al., 2016).

**Challenges faced by Indigenous Communities in Australia**

***Introduction***

Many indigenous people still find it hard to merge completely through cultural connections because of the negative effects that they have faced in the colonial era. People that were in power refused to recognize the local people as humans and the colonial era set foundation for events that are still affecting Aboriginal people. In many cases, the people in power showed unimaginable cruelty towards the local people. This mindset lay the foundation of a system that will continue to haunt Aboriginal people even today despite their utmost effort to accept this diversity that was imposed on them. The forceful implementation of laws has further given rise to complications injustice system and an increase in crime rates (Davis, n.d.).

The very initial settlement of the British in Australia is traced to be in 1606. An explorer named Willem Janszoon lead the journey starting to travel along the West Coast of Peninsula. He was followed by many Europeans who were travelling for the purpose of trade. On their arrival in Australia, many Aboriginals were killed and forced to leave their property and houses by the European settlers. As a result, most of these Aboriginals had to live in the tribal settlements. The main purpose of the settlement of the British in Australia was to establish and develop a penal colony. Australia was a land of opportunities, full of agricultural wealth and activities such as trade, mining, and farming for the Europeans (Cunneen and Tauri, 2019).

The first battle of law and legalization started with the “Terra Nullius", which was a legal term used for the claim that the Land of Australia belong to no one. Since Australia was a land of the indigenous people living there, this statement deliberately denounced Aboriginal Australians from being human beings. Many people are still affected by the dispossessions that happened almost two centuries ago. They are still feeling the agony of lack of recognition and disrespect that was shown towards them. A lack of recognition means that there was less interaction between indigenous and non-indigenous people which further created criminal justice problems (Cunneen, 2015).

The laws and policies of the government at that time purposely excluded Aboriginal people from participation as normal citizens by removing them their homes and sending them away at cattle stations and hard missions where they lacked opportunity as equal citizens and a freedom of their own. The settlement of English influenced the system of law and justice in Australia. The Indigenous people in Australia were considered uncivilized who had their laws and systems. The law followed in Indigenous Australia was seen to be customary and essentially imperialist one. The criminal justice system in Australia during colonization was characterized by military acts and repressiveness. The colonial communities and governments continued to discriminate against the Aboriginal people until the early 19th century.

There were three significant and prominent events that took place concerning this issue. “The Day of Mourning, 1938,” “The Freedom Ride, 1965,” and the “Aboriginal Tent Embassy, 1972,” are the three events that focus on this. The Day of Mourning was the first event that took place along with the 150th anniversary of the Australian settlement by the British. The second event involved a students’ group involved in a journey through bus with the purpose of gathering information about the conditions and discrimination of Aboriginals living in the towns surrounding the South Wales. The third event focused on protesting against the court decision about the mining operations on the land of Aboriginals.

By the end of the nineteenth century and during the beginning of the twentieth century, the criminal justice system by the British colonizers was introduced for the government protection of the Aboriginals. Although it was declared that the system is introduced for the protection of Aboriginals, essentially it was for taking control over the Aboriginals in the name of law and justice. The criminal justice officers such as police and prison officers attempted much physical violence on Aboriginal Australians. This violence by the officers had many different forms such as harassment, physical abuse, torture, provocation, verbal abuse, and physical assault. The people were sentenced to lengthy periods of imprisonment and many of them were killed in custody by the in-charge officers. The prisoners had to face physical assault and intimidation before making any record of interview by the police. In many cases, the prisoners were violently killed by the police and prison officers or the correctional authorities. It was observed that lack of care, negligence, and cruelty were a part of the routine of the custodial authorities (Marchetti and Ransley, 2014). A young boy committed suicide in prison after being subject to the violence and cruelty of the officers. The boy’s name was Trent Lantry and he was 19 years old. He committed suicide by hanging himself using a bedsheet that was fixed to a hanging point at the top of the cell door. The boy had a long history of self-harm and suicide attempts previously while being held in prison under the correctional facilities. The colonisers dehumanised the Indigenous Australians and their populations for the justification of their horrific and terrible actions. The events resulted in the loss of identities of people and their entire generations (Cunneen, 2005). The Aboriginals had to suffer an ongoing pain for many years and it still has an impact on the generations today. When the Aboriginals were removed from their homes, they were sent to the cattle stations and other missions where they had to work day and night. They had to live under the surveillance control and they did not have any liberty as other equal citizens. The people had to spend their lives in trauma under the abusive environments. They had poor nutrition, inadequate health care and education, lack of assets, lack of opportunities and other sources of healthy survival (Hunter, 2004).

The worst effect of colonisation on the Aboriginals was due to the Stolen Generations. The Indigenous people were not considered as civilized people; therefore, it was decided that the children of the Aboriginal families should be removed. This forcible removal was known as the Stolen Generations and it was made a part of the policy of Assimilation. It was based on the white superiority and black inferiority according to which the people belonging to the Indigenous community should be allowed either to “die out” or should be assimilated into the community of whites (Behrendt, 2005). The children who were taken away from their families were trained and taught in such a way that they rejected their Indigenous heritage and adopted the white culture. They were forbidden to use or speak their traditional languages and their names were also changed. Many white families adopted the children and placed them in institutions where they learnt neglect and abuse commonly. Many communities and families faced a lot of trauma due to this policy of Stolen Generations. The people who experienced the trauma were engaged in several self-destructive behaviours, developed the diseases related to lifestyle, and entered the criminal justice system. Several members of the Stolen Generations never learned the necessary parenting skills and never experienced healthy and happy family situations (Paradies, 2016).

The state government issued many exemption certificates to the people of Australia. These exemption certificates included many privileges such as attending schools, being allowed for voting, entering the hotels, and become free of the restrictions of the state protection laws by Aboriginals. The privileges were enjoyed by the non-Indigenous Australian society rather than the Indigenous ones. Many people had to sacrifice their original identities in order to obtain the basic level of freedom that was enjoyed by the non-Aboriginal people (Cunneen and Rowe, 2015). The Indigenous Australians who were being used for their labour on cattle stations, reserves and missions, and as the domestic helpers to non-Indigenous houses were being exploited. They were never paid the wages over a long time and were forced to do hard labour. This non-payment of wages contributed to a high level of mistrust and lack of understanding between the public and the authorities (Cunneen and Porter, 2017).

The Indigenous Australians were denied participation in the social system and were denied the privileges and rights of that system. They were not allowed to access several public spaces and were not included in the national census. On the basis of their race, they were not allowed to avail the facilities of basic education, healthcare, and employment. This social exclusion had such negative effects that have still resulted in unemployment, poor health, homelessness, incarceration, high rates of poverty, and lack of education. The people experienced this systematic discrimination and it resulted in anger, mistrust, and resentment towards the government and authorities by the Indigenous people. The Indigenous people were deeply influenced by colonisation. Their sense of personal identity and belonging was destroyed. They developed a cultural disconnection, weakened identity, and other language barriers in their society (Crook et al., 2018).

When the Indigenous people stood against all this or questioned this, they had to face physical violence and their children or lands used to get stolen by the colonisers. Before the colonisation of the British in 1788, they had occupied the continent for more than 65000 years. They were food gatherers and hunters who survived on wild foods and did not possess permanent habitats or settlements. They were dependent on the availability of natural food resources and water. No domestic animals were kept except dogs. The Indigenous men were experts at the tracking and stalking game and they kept and used weapons such as shields, boomerangs, stone axe, throwing sticks or clubs, and hunting spears. The Indigenous women collected honey, vegetable foods, insects, shellfish, and other small creatures. They dug up the food resources such as roots, grubs, edible ants, and other burrowing animals using digging sticks (Wahlquist, 2017). They were living in the tribal system and were divided into 600 to 700 cultural-linguistic groups when the European settlers arrived and rejected the tribal system calling it a modernist concept. John Mulvaney in 1981 said, “They were organized around small social units, families and clans, which coalesced on occasions when seasonal conditions permitted or when kinship obligations required. Hundreds of individuals often congregated for ceremonial activities such as initiation rituals, and for reciprocal gifts or marriage exchange. These larger social groupings are termed tribes.” Mulvaney further described the Indigenous Australians as simple, “Their approach to life was minimalist yet nurturing of members of the group. Clothing was either not worn or minimal, shelter was easily assembled or non-permanent structures, tools were made from materials readily available on the land, there was no written language, [and] children were cared for by the extended family group and Elders were treated as respected purveyors of important spiritual and cultural formation.”

The English settlers expropriated the land of Australians and destroyed their means of survival to a large extent. Michael Cannon in 1993 said, “The white newcomers were determined that the whole continent of Australia should belong to them—the soil, the beasts and birds, the rivers and fish, the minerals and trees. A dream of total possession had taken hold of normally stolid men. Such lust for new lands ran through the whole British race that monarch and lowliest laborers alike glowed with the glory of creating a new empire.” For the colonizers, the Aboriginals were inferior and backward. They created a racial boundary between the Aboriginals and the whites and dehumanized them in every possible way. The Australian continent was full of opportunities for the English settlers. For them, it was, "a paradise on earth, for here laid one of the fairest domains ever created by nature. Permanent life-giving rivers meandered through its extensive plains; lush grasslands and forests flourished on its rich soil.”

The Indigenous people were shot down like animals while sleeping in their settlements. Their women were taken away and were used to gratify the lust of the white men, and the children were taken away from their families. Richard Broome said in 2002, “The violence took sexual forms as well . . . Reverend Threlkeld . . . in 1825 wrote that he was tormented “at night [by] the shrieks of girls, about 8 or 9 years of age, taken by force by the vile men of Newcastle. One man came to see me with his head broken by the butt-end of a musket because he would not give up his wife.” Some of the worst abuses occurred in Tasmania, where Aborigines were allegedly flogged, branded, castrated and mutilated by convicts.” A Native Police Force was created by the English Settlers to encourage some Indigenous people to fight and kill their own people. The colonizers used to provide these people with money, food, uniforms, guns, and horses and motivated them to victimize their own people. According to Jan Kociumbas, 2004, “The British had at their disposal “variolus matter in bottles,” but though written accounts from the period describe with wonder and sometimes horror the number of corpses strewn around the harbor, none mention the use of the variola, even for the purposes of inoculating the newly-born white children who, though particularly susceptible to the disease, nevertheless appeared to have survived.” He further said, “The settlers had never wanted much from Aboriginal people except their women and their land; for labour the settlers mainly depended on convict labour and imported coolies.” (Jalata, 2013) Catherine MacKinnon further explained these abuses, “It is . . . rape unto death, rape as massacre, rape to kill and to make the victims wish they were dead. It is rape as an instrument of forced exile, rape to make you leave your home and never want to go back. It is rape to be seen and heard and watched and told to others: rape as spectacle. It is rape to drive a wedge through a community, to shatter a society, to destroy a people. It is rape as genocide.”

**Conclusion**

The English settlers and their descendants engaged in violent crimes against humanity by using the social organization and capitalist technology. They preferred their cruel law and justice systems against the Indigenous Australians and provided benefits to the white community. They enjoyed all the political and economic benefits that resulted in the destruction and exploitation of the Indigenous communities. The effects of that colonization are still there in the Australian society and the Europeans do not accept any economic, moral, or political responsibility of the crimes that were committed against humanity in Australia and made the Aboriginals suffer a lot (Cox et al., 2009). Bruce Elder in 1988 said. “The blood of tens of thousands of Aborigines killed since 1788, and the sense of despair and hopelessness which informs so much modern-today Aborigine society, is a moral responsibility all white Australians share. Our wealth and lifestyle are a direct consequence of Aboriginal dispossession. We should bow our heads in shame.” The colonization in Australia had many negative effects on the lives of the Indigenous Australians that have destroyed the lifestyle of Aboriginals in such a way that it still has an impact on the present generations (Cunneen, 2011).

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