

HOMICIDE SURVIVORS SUPPORT AFTER MURDER GROUP INCORPORATED

“moving on with support.”

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The Hon. C. M. Robertson,
Chair,
Standing Committee on Law and Justice,
Parliament House,
Sydney.

Good Morning,

I refer to my appearance before the Committee on the 18th February where I undertook to provide some “case studies on the devastating effects that these crimes have on victims”.

Firstly let me say that all murders have a devastating effect on families and friends of murder victims, and perhaps it might be opportune at this point to explain how I came to be involved in this situation. On the 2nd August 1994 my best friend and business partner, Stephen Dempsey, was murdered at Deep Creek, Narrabeen by Richard Leonard. Stephen's body was cut up and taken to Leonard's flat at nearby North Narrabeen and stored in his fridge for approx 3 and a half months. Leonard then murdered a taxi driver, Ezzedine Bahmad, at Collaroy Plateau. It was after this murder that he decided to remove Stephen's body, which he did and dumped it in Pittwater in 2 parcels wrapped in wire and loaded with large stones. Fortunately the torso floated and was found and later identified using DNA as being Stephen. After a lengthy period of about 3 years Leonard was found guilty of Stephen's murder and having pleaded guilty to Mr. Bahmad's murder was sentenced to Life meaning Life, the youngest person at the time to receive that sentence. He was 21 at the time he murdered Stephen. Stephen was missing for 5 months before his Torso was identified and I know how devastating that was on his family and friends in both Australia and New Zealand and I know that now, nearly 14 years down the track we still feel his loss greatly. It was for this reason that I became involved in helping other families and friends cope with their tragic situations.

I have spoken to 4 families who have had loved ones murdered by juveniles and all have found it extremely difficult to put their feelings into print however in all cases they have felt for various reasons that it is most unfair that the offenders were not named. I have also included a copy of a newspaper article concerning a friend in Melbourne

- 1) Lorraine Jago. Ms. Jago's son, Jai, was murdered by 2 persons one of which was a Juvenile known as M.A. Ms. Jago feels that anyone who kills another person, no matter what age, should be named upon conviction. This includes Murder and Manslaughter. She also feels that in her case that the parents of both offenders were complicit in the pair traveling to Lebanon to avoid the police investigation.

She is of the view that because M.A. was a juvenile and could not be named, neither could his parents be named for their involvement in that "conspiracy". She sees this as a real shortcoming in the process.

She also is concerned that all the emphasis in her case was that Jai had been responsible for the outburst by the offenders and his name has been vilified in the process and yet the person who pulled the trigger cannot be named and as a result no one recalls his involvement not only in Jai's matter but also the incident which happened a few days earlier, where they held customers at bay, at a service station at Manly.

- 2) Michael Martin's Family... Michael was murdered by one J.R. who was a juvenile at the time. J.R.'s brother D.R. was found guilty of the murder of David Berrett's son Geoffrey. David Berrett made a submission to the Committee as a member of the Homicide Victims Support Group. J.R. was out on bail at the time of Michael's murder after being charged with a previous murder. Michael's family feels that Juveniles aged 16-18 should be named upon conviction. They have had to endure 18 years since Michael was murdered feeling that both J.R. and his family were able to "hide" behind the fact that neither J.R. or his brother D.R. or their family could be named. They feel that this is a complete injustice and that if people are to take responsibility for their actions and accept rehabilitation they should be named. They also feel that in this case there was obviously something wrong with the family situation in which 2 brothers as juveniles committed 3 murders. Whilst the sadness of Michael's murder remains with them, and will be there till the end of their days, they feel that the fact that those who committed the murders are able to hide behind their anonymity adds to their distress.
- 3) Helen and Keith Evans. Mr. & Mrs. Evan's son Mark was killed when a group of youths and young adults threw a large rock off a bridge on the Hume Highway near Camden. There were 2 juveniles amongst those convicted of Mark's manslaughter and Mr. & Mrs. Evans and the rest of the family have always felt that the Juveniles should have been named. They were also concerned that one of the Juveniles was given a lesser sentence on condition that he would give evidence against some of the other accused however when it came to the trial his response to nearly all questions put to him was "I can't remember". They felt that this was evidence of his lack of remorse and once again hiding behind the fact that he was a Juvenile and could not be named. They also feel that the lack of remorse adds to the distress they feel over the loss of their son.
- 4) The T family. S.T. disappeared in 2000. He had been picked up by 2 of his mates, M and J to be taken on a 4 wheel drive trip on a Saturday afternoon. When M and J returned that evening they told everyone that S.T. had decided not to go on the trip. The next day they realized that something was wrong as S.T. had simply disappeared. was missing for 3 years. During that time the family searched literally everywhere. They asked the police to search the area where they were supposed to go in the 4 wheel drive vehicle but the police's response that as he was 16 "he was probably up at Kings Cross with his mates". The family even went to Kings Cross on weekends searching for him. There was tremendous publicity at the

time in the local media and 3 years later at the beginning of Missing Persons Week, police started questioning some of S.T.'s mates and then J confessed that he and M had murdered him whilst on the trip and had buried his body. M and J immediately became M. & J. and S.T. became S.T.

The trials of the 2 accused were held and eventually they were both found "guilty". During the trial no one associated with the matter including the family and witnesses were able to be named. The family were naturally extremely distressed with the brutality of S.T.'s murder, but to add insult to injury they still have people coming up to them in the street asking if S.T. was ever found and they have to explain the situation. If at least the family could have been named this embarrassment could be avoided.

I have also added a newspaper cutting from a friend in Melbourne whose mother was murdered outlining the problems she has had to endure owing to the non naming of the 2 juveniles involved in her mother's murder.

I trust that this information is of help to the Committee and I would like to reiterate our organisation believes that Juveniles should be named upon conviction for any serious crime especially Murder and Manslaughter and Juveniles aged between 14 & 16 should be named for serious crimes especially murder and manslaughter but only on conviction of a second or subsequent serious offence.

Yours Sincerely


PETER ROLFE
PRESIDENT

25/3/08

HERALD SUN

Please end my terror

Article from: Sunday Herald Sun

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Liam Houlihan and Sue Hewitt

March 09, 2008 12:00am

THE daughter of an old woman sexually assaulted and killed by two teens in her home has had to move house three times because of threats by the attackers and their friends.

Janine Greening, the daughter of murder victim Marie Greening Zidan, 73, thinks the justice system offers no protection for victims - only for perpetrators.

One of her mother's attackers has been at large since his release from jail in December 2006.

The other is back in jail after he broke parole by breaching curfew without explanation last year.

Ms Greening was living in the same Frankston street as her mother at the time of the brutal 2000 killing.

25/03/2008

The two teens, now in their 20s, called the grieving woman from jail and harassed her with dirty songs and death threats.

Her dead mother's car - in the driveway of the vacant house - was set alight.

And eventually a campaign of terror by friends of the attackers drove Ms Greening out of Frankston.

"Something like that attack brings out the good, the bad and the ugly," she told the *Sunday Herald Sun*.

"The police told me at that time I had to move."

Ms Greening moved to the country to escape the harassment but two years ago moved back to Frankston to care for her disabled brother, who was in another room of the house when his mother was murdered.

But the threats including stalking began again and Ms Greening again fled to the country, where she now lives.

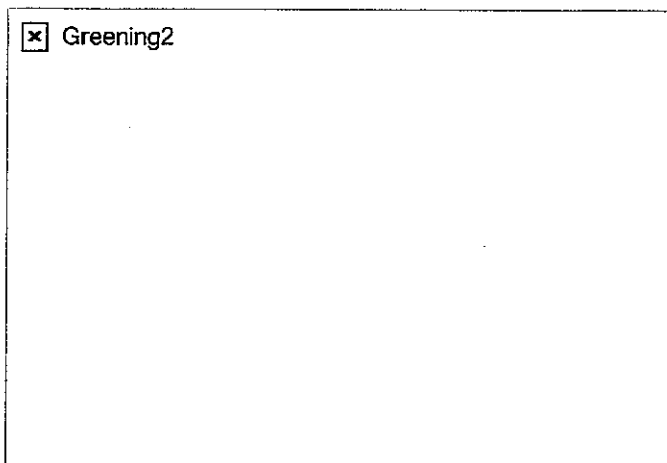
The courts will not let the killers be identified because of their age at the time of the offence.

"They've had protection all that time," Ms Greening said.

"But where is the protection for victims?"

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Janine Greening is still living in fear after the brutal rape and murder of her mother in 2000. Picture: Tony Gough

Also in Victoria

