

**REPORT OF PROCEEDINGS BEFORE**

**STANDING COMMITTEE ON LAW AND JUSTICE**

**INQUIRY INTO FAMILY RESPONSE TO THE MURDERS IN  
BOWRAVILLE**

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**At Bowraville on Friday 2 May 2014**

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THE WITNESSES**

**The Committee met at 9.15 a.m.**

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**PRESENT**

The Hon. D. Clarke (Chair)

The Hon. C. Cusack  
The Hon. S. MacDonald  
The Hon. S. Mitchell  
The Hon. S. Moselmane  
The Hon. P. T. Primrose  
Mr D. M. Shoebridge

**CHAIR:** Welcome, everybody, to this second day of hearings in the inquiry into the family response to the murders at Bowraville. We have present relatives and family of Clinton. We are pleased that you are here to assist us in this inquiry. We are going to do it informally so you can feel free to make comments and take your time. It is not open to the media and not open to the public so we can speak freely between us in a relaxed way.

I formally welcome you to the second hearing of the Standing Committee on Law and Justice's inquiry into the family response to the murders in Bowraville. Thank you for agreeing to be here today with us. On behalf of the Committee, I would like to acknowledge that we are meeting today on the traditional country of the Gumbaynggirr people. We pay our respects to elders past and present and thank them for their custodianship of this land. It will be a private roundtable hearing today so there is a lack of formality about them. I remind everybody that the Committee is not able to reinvestigate the murders of the three children and the subsequent legal proceedings. I think you understand that quite well. Could everybody try to keep their comments within the terms of reference as best that they can. We are going to give everybody an opportunity to talk about the impact that the murders have had on the families and the community.

Witnesses who give evidence are subject to parliamentary privilege but this means that the submissions and oral evidence given before a Committee can be made freely and honestly without fear or threat of legal action or defamation. At the same time, Committee hearings and submissions are not an opportunity to make adverse comments or accusations about individuals. We therefore request that witnesses focus on the issues raised by the inquiry's terms of reference and avoid naming individuals unnecessarily, particularly the alleged perpetrator of these crimes. I would like to remind you that comments made outside of the hearing do not receive the protection of parliamentary privilege, so you have got to be very careful about that. Be cautious outside about the comments that you make to the media and others.

Our Hansard reporters will be taking everything down. After today's hearing, they will produce a transcript of what you have said. We will contact you to see if you want some or all of your transcript to be published. If you want it published, we are happy to publish it. Welcome to our first group, the family of the late Clinton. It is a terribly trying time. You were all here yesterday. It has been a rollercoaster ride for you, which has made it all the worse, and that has aggravated the situation. We are cognisant of that. Our hearts go out to you. Our hearts are with you through the terrible tragedy that you have been living for 23 years or more. That is the formal part of what we have to do. We are going to open. Would any of you like to say anything to us? Tell us what your feelings are.

**LEONIE DUROUX,**

**RONELLA JEROME,**

**THOMAS DUROUX** and

**HELEN DUROUX,** before the Committee:

**Ms RONELLA JEROME:** I am Ronella Jerome. I am Clinton's aunty, I am Thomas's youngest sister. I was there when bubby was born. I have known him all of his life. Even though he is a nephew, we was pretty much brought up like brothers and sisters.

**Ms HELEN DUROUX:** I will just jump in and say something about our family. I am Thomas's elder sister, Helen. With our family, one of us did not own the kids, we all owned each other's children. So even as they were growing up, while they were babies, if somebody wanted to go somewhere, then, you know, it was okay, someone was always there to look after the children. With our family, if the kids were doing something wrong when one of the other aunties or uncles saw them, they had freedom to chastise them, butt them under the ears, send them home or whatever, or make them go home. As we all grew up and even as we all grew older and started having our own kids, you know, Thomas was not just the father to Clinton, we were mothers to Clinton, as Thomas was a father to all of our children in the family. I just want to say Thomas did not only lose a son, we all did.

Somebody mentioned yesterday that there are aunties, uncles and everything, and there is always someone there to look after the kids, and that is how it was, not only with our family, but with most Aboriginal families, that is how it works: you do not only have one parent. There are nine of us here in the family, so nine of us lost a son and that is how it is in most Aboriginal families, but especially in ours, that is how it was. So we have all felt the loss in an awful way. We have carried this burden as well. I did not mean to do this. I was going to be strong and all that. It is pain that does not go away.

**Ms RONELLA JEROME:** It never leaves you.

**Ms HELEN DUROUX:** It is always just below the surface. You know, just small things. Clinton was—bubby was always a loved and cherished member of our family. To not have him grow up and achieve his full potential has really knocked the wind out of our sails. When we look at what some of our kids of the same age have achieved, I personally think this little boy could have been right up there with them. He was a good sportsman. He was loved immensely in the Tenterfield community where he was reared. He had a lot of respect from the white people. He was a very talented kid at school and he could have been anything he wanted to, but he did not get the chance, and that hurts immensely, to know that that little boy was not allowed to achieve his full potential.

**Mr DAVID SHOEBRIDGE:** How did he get the name Speedy?

**Ms RONELLA JEROME:** He was always followed by kids. One of my main memories of bubby, when he was a little boy he always had a trail of kids behind him, and if he was not pushing the pram, he was finding a kid to go and play with. He always had kids with him. He was like the Pied Piper to the rats but he was the Pied Paper to the kids. He emulated Michael Jackson to the max, to the point that bubby just looked like him and danced like him. He was our little Michael Jackson. Every time we got together for family things, he would be really keen to get out there to entertain us and show us how deadly he was on the dance floor. It hurts, as Helen said, that his potential has been missed because his life has been taken. I feel the pain. I know the potential bubby could have had, not with just himself but also for what he could have done for our families and our community, too. He was just a wonderful, beautiful boy, well respected, well loved and liked by everybody. Even at his funeral, our families were blown away that all of Clinton's classmates actually attended, and that speaks volumes to me. I go by actions speak louder than words.

**Ms LEONIE DUROUX:** I did have some things prepared to say and I was going to say them this afternoon but I might just go through them now. I was not here, I was not part of the family when bubby was murdered. I met Marbuck in 1993, which was about three months prior to the trial. I think everybody thought when the trial was happening—because I did not know much about it at the time, that it was a given that he was going to be found guilty and it was such a shock when the not guilty verdict came in. I will never ever forget

that day. The media was just all over the place. They shoved a camera in June's face and said, "Do you think you will ever get over this?" I do not know if June remembers that. Then they went to Troy, who was 16 at the time, and I have spoken to Kerry, his wife, a couple of years ago about that. Troy was so traumatised by that he did not even remember giving that interview. It was like a circus. There was no support offered to the families afterwards. The families were just left to go and deal with it on their own and not have—

**Ms RONELLA JEROME:** Just very quickly on that, I remember when Clinton's body was located, but before then, we had the disappearance of the two girls. I heard that on the radio in Tenterfield. I was so peeved. It looked like to me that the local police were not doing enough to find what was going on with these two girls, and then bubby's body—when he went missing and then he was located, I remember going through all the anger, the turmoil and the frustration. I even rang the Coffs Harbour police and I threatened the Coffs Harbour police, "You did not get off your butts. We will come down in our bus and we will do the searching ourselves." That is how much it was to us. It felt like we had been misrepresented from day one. I am not using that as an excuse but it was because we were black.

**Ms LEONIE DUROUX:** I do believe that the family's and the community's lifestyle was put on trial.

**Ms RONELLA JEROME:** Yeah.

**Ms LEONIE DUROUX:** It was not the trial for the murder of these children, it was the trial—they were looking at the community's lifestyle and the family's lifestyle.

**Ms RONELLA JEROME:** The drug and alcohol intake, that became the focus, because where is the responsibility of the parenting of these children? Well, this is what our point is. It is not just the responsibility of the parents. Our community raises our children.

**Ms LEONIE DUROUX:** One of the things that stands out for me—I have actually read the court transcripts from Clinton's trial twice. The fact that weights were given back to him, the fact that he was asked what he wanted out of the caravan, "We are going to take the caravan because the Aboriginals might burn it, might trash it or something, and we need to do testing on it, what do you want out of it?" "Oh, just me weights."

**Ms HELEN DUROUX:** Who does that?

**Ms LEONIE DUROUX:** I think the words were, "Just me weights." And they did not question him at the trial to say, "You lived in that caravan, why did you not want your underwear or your toothbrush or your clothes"?

**Ms RONELLA JEROME:** Other personal belongings.

**Ms LEONIE DUROUX:** Other personal belongings. That was just accepted.

**Ms RONELLA JEROME:** And allowed.

**Ms LEONIE DUROUX:** And allowed at the time.

**Ms RONELLA JEROME:** It was not cordoned off or anything.

**Ms LEONIE DUROUX:** It was obvious that the officers that were put in charge of the investigation were not up to the job. I just want to say that Marbuck was jailed in 1996 because he flicked a rock the size of a pea at car, and it shattered the tiny little window in the front of the car. He was actually jailed for that offence. I know he had warrants and I know that Marbuck had a history, but the irony was he was jailed for that and the magistrate actually said to him, "But for the grace of God, no-one was injured", yet the man that murdered his brother was free to do as he pleased. So it really messed Marbuck up, Bubby's murder. I really believe that. He never spoke about it for years really until he got sober, and I think part of the reason I started doing this was because it was like—

**Ms RONELLA JEROME:** We actually approached Leonie. Thomas and Marbuck and I had a meeting and we made a decision to ask Leonie, and the reason why—and it is a horrible tactic, but we used

Leonie because she had the white face that would get us through the doors, where my face or Thomas's face or Helen's face would not.

**Ms LEONIE DUROUX:** That is what I was just going to say.

**Ms RONELLA JEROME:** You have to look at that. That is exactly where it has been. That is why we have Leonie as our advocate. She is our key opener to those doors. If it was the other way around and it was me, we would not even be here, I do not think, and that is the reality of it.

**Ms LEONIE DUROUX:** My sister actually rang Macksville police when we decided to go ahead with this. My sister was one of the other key people that I spoke to and said, "This is wrong; we need to do something about this", partly because no options were ever given to the family about where to go and what to do, so they were left feeling like there was nothing that could be done. They did not have a clue where anything was up to. So she rang the police station just because we had no idea what was going on, just for a starting base, and the response she got was, "Are you a journalist?" That was it; she was basically cut off. That made me think, "Well, blow this", and that is when I faxed Commissioner Ryan to find out what was going on, and then we met Gary and the rest is pretty much history. I have lots of things to say really—

**Ms RONELLA JEROME:** So have I.

**Ms LEONIE DUROUX:**

[EVIDENCE OMITTED AT THE REQUEST OF THE WITNESS]

**Ms RONELLA JEROME:** It is an image thing.

**Ms LEONIE DUROUX:** Yes, an image thing.

**Ms RONELLA JEROME:** There is an image bringing the parliamentarians out of the Parliament House up here into the bush country.

**Ms LEONIE DUROUX:** Yes, and we have had three protests in Sydney, one where we blocked the road off and they did not get my paperwork, so that was all good, but they were all peaceful, there was never any problem.

**Ms RONELLA JEROME:** At every protest that we have had, every gathering, there has not been one arrest, not one.

**Ms LEONIE DUROUX:** At Evelyn's trial they brought the riot squad in.

**Ms RONELLA JEROME:** There was no need for that, so again when you were talking about the police and the relationships with the police, it has disintegrated to nothing and it is very hard to try to resurrect something from the ashes and build from that. I mean we are trying. Helen works for the lands council at home and she consults a lot with the local services to try to deal with our issues up in Tenterfield, but we are so spread out, far and wide, how would you pinpoint our grief and how would you target that? For 23 or 24 years we have found our own way to try and remain positive and be strong because Bubby does not have a voice and we are his voice. We need someone to hear him and we need someone to take action on the fact that his life was illegally taken and there is a person that is responsible for that. Everyone knows, and he needs to be placed where he needs to be placed in accordance with the law.

**Ms LEONIE DUROUX:** I just want to make this point on record. We understand from the terms of reference you guys cannot reinvestigate it. We do not need you to reinvestigate it because the investigation has already been done and the evidence is very clear. It is there. All we need is justice, basically.

**Ms RONELLA JEROME:** We need the people to do the jobs that they are paid to do, whether they are elected or not, I do not care. They are in a powerful position to carry out their duties in their role—superintendent, police commissioner, whatever, whoever—and they know that there is a person that is the perpetrator of these three cases. I cannot understand why that person is just not in prison.

**Mr SCOT MacDONALD:** Thomas, I think I have read it in someone's submission, but can you walk us through exactly your interaction with police from the moment you first thought Clinton was missing—and I think you started to be concerned about it as early as the first morning.

**Mr THOMAS DUROUX:** Yes. Early one morning after he went missing I rang the police to see if they could do anything, and they said not for 24 hours anyway, so I decided to go looking myself and see if I could find him anywhere.

**Mr SCOT MacDONALD:** I am sorry to interrupt, but is this the first day, day one?

**Mr THOMAS DUROUX:** Yes, day one. I walked all over town because I did not have a car, I did not have a licence, so I walked up to where we were the night before and they said, "No, he went down to the caravan", so I went down there and there was only one person in that caravan and he was asleep, and he told the police that he was at work, and I walked around to the club and pubs and everywhere, just looking around to see if anyone had seen anyone and no-one had seen him, so I went back home and waited and waited, and I still got nothing from the police. They came up the next day after I rang again—

**Mr SCOT MacDONALD:** So this is day two now, and you rang in the morning?

**Mr THOMAS DUROUX:** Yes, to see if they could do anything and help me in any way, and they just said, "We'll keep an eye out for him", and stuff like that. Somewhere along the line the liaison officer from Coffs Harbour came down and we just started walking around the streets and around everywhere, looking all over town.

**Mr SCOT MacDONALD:** Just one liaison officer?

**Mr THOMAS DUROUX:** Yes, one liaison officer, and we just went everywhere, all over town to places that we thought he might have been to or went to, but he did not know many people, he was only just there for a week or so, and we could not find him, so there was not much else we could do, but this was early in the piece.

**Ms RONELLA JEROME:** I remember the call that I got from Thomas to tell me that Bubby had not come home. I was living at Wallamumbi at the time and I had a home phone and I used it—I used it to the max. I rang the Coffs Harbour police, I rang the Bowraville police, I was ringing around everywhere down this way to see what sort of help they were trying to do to get our nephew back home. I was just met with nothing. There was no anything—no commitment, no promises, nothing. There was not anything that I got back from the police. I left messages, but I did not get any phone calls back. Not one.

**The Hon. CATHERINE CUSACK:** Were you extra fearful because the two girls had gone missing previously?

**Ms RONELLA JEROME:** Extra fearful because my nephew was only there for only one week. He came to Tenterfield at Christmas in 1990 to say, "I'm leaving mum, I'm going down to live with dad", and we were so proud of him, because he was getting on to the next stage of his life and getting on to becoming a young man, and then Thomas rings back not even two weeks later to say that he went missing. Then it was three weeks before it seemed like anything was going to be done for our boy, and yet in the meantime Colleen and Evelyn, it just did not seem like anything was still being done for those two girls too.

It frustrated me because under the way I was reared we were taught to learn the white man's way the best way that we can so we can use his tactics later on in life to get through to what we need in courts, trials and whatever. I understand the law and the legal system, but I do not understand that we are still without a murderer in jail. I just do not understand it. I have worked with Reconciliation Australia. I am sorry, but I do not have any faith in Reconciliation Australia any more as a result of this. I do not have any faith in the legal system any more as a result of this. And they are the only ones that I can rely on to get this done.

**Mr DAVID SHOEBRIDGE:** Thomas, when you went to the police, did you say, "Look, Evelyn has gone and Colleen has gone"? Was that part of your conversation with the police?

**Mr THOMAS DUROUX:** It is a bit far back, but I did say something along the lines about the two girls gone missing, and now there is another one, something ought to be done because we are just not getting anything—we just sort of felt that something had happened—and about two or three days later I got a call from Kempsey and it said that he was spotted over there, so I got someone to take me over there and I talked to a lad that they thought was Clinton. He was about the same build, same colour, but he might have been a bit taller, the lad.

**Mr DAVID SHOEBRIDGE:** Clinton was a popular boy; he would have told people if he was going away.

**Mr THOMAS DUROUX:** Yes.

**Mr DAVID SHOEBRIDGE:** He would not have just disappeared, would he?

**Mr THOMAS DUROUX:** He told me where he was going the night he went missing but, like I said, he just did not come home. His shoes came home; he did not.

**Ms HELEN DUROUX:** And that in itself set alarm bells off because he was the sort of boy who never went anywhere without his shoes.

**Ms RONELLA JEROME:** Never.

**Ms HELEN DUROUX:** But his shoes came home with the girlfriend the next morning.

**Ms RONELLA JEROME:** Without him.

**Ms HELEN DUROUX:** And she said, "Oh, Bub left his shoes there", and Thomas said, "He doesn't go anywhere without his shoes", and that was common knowledge with all of us, that he would never walk anywhere without his shoes on. That set the alarm bells ringing, just that one thing. We knew something must have been wrong because he did not go anywhere without his shoes, that boy.

**Ms LEONIE DUROUX:** Marbuck always told me he never even got up to go to the toilet in the middle of the night without putting his shoes on.

**Ms RONELLA JEROME:** He would not, without his shoes on. He was a fussy little man when it came to that—always had them covered. I walked into his room one time before he went down to Bowraville to Thomas, when he was living up in Warwick with his mum, and he said, "Come in here, I want to show you something", and I walked in the room and from one side of the wall across to the bedroom door were all his shoes lined up in pairs, so when Thomas rang me and said that the shoes had come home but not Bubby, I knew that something was wrong because Bubby practically slept in them—showered in them if he could, swam in them, and that was the prominent factor out of the whole lot, that Bubby's shoes came home without him, and that just did not seem to be enough for the police—enough anguish from our family for the police to cash in on that and do something about it.

**Mr SCOT MacDONALD:** Mr Duroux, can I ask another question of you. I cannot recall from the submissions but can you recall when Clinton officially became a missing person? Was there a point where they said this is more than just a concern this is an official missing person? Maybe it is in there.

**Mr THOMAS DUROUX:** I am not really sure.

**Ms LEONIE DUROUX:** Was he ever put on the missing person's register?

**Ms RONELLA JEROME:** Was anyone going mad about it, that he was not?

**Mr THOMAS DUROUX:** I am not really sure.

**The Hon. SHAOQUETT MOSELMANE:** Mr Duroux, you say in your statement, "I called the police and they came around 24 hours." Is that around that time that the missing person went out?

**Mr THOMAS DUROUX:** I do not know whether they put him on the missing person's thing then.

**The Hon. SHAOQUETT MOSELMANE:** What did the police do with it?

**Mr THOMAS DUROUX:** We were still looking around for him ourselves.

**Ms RONELLA JEROME:** Because even Evelyn and Colleen were not classed as missing persons, that is what I was going mad about.

**Mr THOMAS DUROUX:** They never said anything about it, they come and took statements and asked questions like now. I do not know whether they just went away and sort of looked themselves. I do not know whether they went looking themselves or not.

**Ms HELEN DUROUX:** Went walkabout.

**Mr DAVID SHOEBRIDGE:** Did the police say, "This is what we are doing and we will come back tomorrow and tell you what we are doing", or were you just left in the dark in large part?

**Ms RONELLA JEROME:** Most times we were. I remember when Helen got us all up at her house. Prior to Bubby's body being reported to our family. I remember Helen getting the call and they were saying that they were going to inform the family first before anybody else would be informed if it was Bubby's body or not and it was broadcast on the television that it was suspected to be Bubby's body. They had Helen's number that day, they rang, they even asked her to tell us and forewarn us that if you turn the television on at 11 o'clock it is going to broadcast your nephew's body on it. Does that give you an idea of what you meant?

**Mr DAVID SHOEBRIDGE:** It does. If you wind forward 20-odd years, how did you find out about the most recent decision by the Attorney not to commence proceedings?

**Ms RONELLA JEROME:** I make a point of finding these things out, I am sorry but I do. Leonie might be able to explain it to you.

**Ms LEONIE DUROUX:** I received a phone call from Andrew Stoner probably 4.30, quarter to five on the Friday afternoon about the most recent decision. Later that evening I had a call from Paul Bibby from the *Sydney Morning Herald* and he actually let it slip that they had already been briefed. Mr Stoner actually said to me—which set off alarm bells—"There will be an article in the *Sydney Morning Herald* tomorrow". And I am thinking, "Hang on a minute you guys have already briefed the media". So I said, "When did you find out?" He said, "After you did". I said, "Well what time was that?" He said, "Whatever time I said." And I said, "Well, I am sorry but we were not told until quarter to five this afternoon" and he went, "Oh."

I believe that was tactical, I believe that was done so they had their point across and we did not have enough time to get to the media and put our feelings across, we could not call anyone to clarify because it was Friday afternoon and everyone goes home at 4.30. It was left up to me to inform the families. Andrew Stoner rang me and he said, "You are the only person I am ringing". Basically, I had to ring everybody.

**Ms RONELLA JEROME:** She had to be the conveyer of the bad news back to us and that sucked.

**Ms LEONIE DUROUX:** Did you know, Gary?

**Mr JUBELIN:** You notified me.

**Ms LEONIE DUROUX:** I notified Gary, the officer-in-charge.

**Ms RONELLA JEROME:** The officer-in-charge had not been notified.

**The Hon. CATHERINE CUSACK:** Were you given a contact if you had any questions about the decision?



**Ms LEONIE DUROUX:** Not when I spoke to Andrew Stoner. I cannot remember. I have had lots of emails. I guess they have known that I have had their contact details and I could ring them but we felt that was futile because you are going to get the same political spin. No-one has ever been real with us.

**The Hon. CATHERINE CUSACK:** What did he explain had happened, what did he explain to you?

**Ms LEONIE DUROUX:** I cannot recall the exact words—there was not enough evidence to get it over the line. When we had discussions with the Attorney General, and you guys have the transcripts from my notes of that meeting in my submission, his opinion was that there was not enough to get it over the line and that because the evidence with the Norco Corner was known to the police at the time it was not considered fresh?

**Ms LEONIE DUROUX:** But it was not submitted to the court.

**The Hon. CATHERINE CUSACK:** That was the explanation?

**Ms LEONIE DUROUX:** With regards to the communication it has been very poor. The only time we have ever got answers is when the media has become involved. Up until this point in time no-one has ever been real with us. Until we met David no-one has ever been real with us.

**Ms RONELLA JEROME:** And Gary. Gary and David are the only two in the last 23 years.

**Ms LEONIE DUROUX:** Gary is not a politician, I am talking people that are talking politics. If people stop trying to blind you with their bullshit and their political agenda and just be real with people and be honest about it. We can see through it. We are not silly. It is an insult to our intelligence to think that we cannot see through it.

**Ms RONELLA JEROME:** Absolute disrespect. When you are being disrespected what can you do?

**Ms LEONIE DUROUX:** I do not know if that answers your question, Mr Shoebridge.

**Mr DAVID SHOEBRIDGE:** Can I ask you about 2006 when the law changed. How did you feel?

**Ms LEONIE DUROUX:** Double jeopardy.

**Ms RONELLA JEROME:** I thought it was the greatest exhilarating news we got, we made history that day but for the life of me for all the time we have been together and we have had any protest that has never been known. Bubby and Colleen and Evelyn's story is still not known properly. Why?

**Ms HELEN DUROUX:** Just in regard to that double jeopardy law, seeing as how this case had that law reviewed and changed, it has not helped us, not one bit.

**Ms RONELLA JEROME:** We thought it was going to.

**Ms HELEN DUROUX:** One guy says the evidence is fresh, the other guy says it is compelling, but it is not fresh and compelling when you compare it. I cannot understand why the evidence from the Norco Corner is not considered fresh and compelling. You have a witness who is a high standing member of this community who saw it, why is that not fresh and compelling? The evidence has never been brought against this man. The double jeopardy law was overturned because of this case but it has not helped us one bit, it has hindered us more than anything.

**Ms LEONIE DUROUX:** The point to make is that the two top legal people in this country at the time, Nicholas Cowdery and Greg Smith, do not agree. Our view is that it should be sent to the Court of Criminal Appeal and let them make a decision on it.

**Ms RONELLA JEROME:** That is all we want. We want justice. It is overdue not just 23 years but—I will say it again—it is overdue once, twice and three times. You times 23 by three and you get 69 years of injustice. It is harrowing for anyone to go through whether you are black, white or brindle, Australian or not.

**Ms HELEN DUROUX:** In regard to yesterday it was the father at the end there and he talked about the layers of grief in our community in regard to this case and all the deaths that have occurred since these

murders. My feeling is it is not just layers of grief, there is layer after layer of disappointment with the justice system. They build us up—"Yes, we are going to do that for you"—and then cut us down. You need to take into consideration all those things that are not just grief but the disappointment we have had with the justice system over the last 23 or 24 years. Nobody has done anything to address that for us. We are completely disillusioned with all things legal. Nothing even looks like giving us closure with regard to this case. We have got no faith in any legal proceedings.

The first thing I heard when I walked in here yesterday is, "We cannot change anything." That is just another big disappointment to me. That was a personal thing to me. When I walked in here yesterday and you said, "We cannot do anything for you. We will listen to your story." We have told this story over and over again to anyone and everyone who will listen to us and nothing else has come forth.

**CHAIR:** Until you get justice there is no closure or end to the grief?

**Ms HELEN DUROUX:** Exactly.

**Ms RONELLA JEROME:** We are on to the third generation of this now. My mother and father were alive when Bubby went missing but they are both gone now. We have lost a brother not long ago that has known Bubby all of his life. We have lost mother. We are now on to the next generation down and this is not fair for them, this is not their responsibility, this is the responsibility of the Australian legal system; simple as that. It needs to be resolved. It needs to give us closure. Like I said, 69 years' worth of injustice, how are we going to cope with that?

Until we can get that person in jail or the people responsible for those murders we will all be walking around with this pain, anger and frustration and not trusting the police, not being able to look another person in the eye because we do not know whether you are on our side or not. That is wrong because we were brought up differently. Our parents took us from The Mission into town because they wanted to give us a better opportunity by being in the wide mainstream system and mainstream association of Australia but why when this is the result of that. I just want to go back to The Mission and I want to go back to the cave.

**Ms HELEN DUROUX:** It makes you feel like why bother and you have to admit and think, well, we are only Aboriginals, nobody gives a stuff about justice, just put us on the backburner. It makes you feel worthless. I was always brought up and I still hear Mum telling me, "Police are on your side, they are your friends. If you ever have a problem you go see the policeman, he'll fix it up for you." We were preached that as we were growing up and we have put our faith in the police and the justice system and there is no satisfaction or justice for Bubby.

**Ms RONELLA JEROME:** And in the meantime, while we are coping with this 23 years of injustice, we still have to keep living our own lives back at home. We still have to get on with what we have to do personally, for the community, for ourselves and for our families. Like Helen says, it never leaves you.

**Ms HELEN DUROUX:** It never leaves you.

**Ms RONELLA JEROME:** You could be walking outside and some little thing will trigger the memory, and then you relive the pain all over again. I need an end to this pain. I need you fellas to help us end this pain and this suffering because we have had enough. We have had enough.

**Ms HELEN DUROUX:** We can look at other high profile cases like the Daniel Morcombe case, for instance. I have nothing against the Morcombe family. But the thing is that they have had justice, they have had money and they have had everything thrown at solving that case. They found the body, years later. They have had their day in court. They have got justice, and that was just for one little white boy; what about our three little black kids.

**Ms LEONIE DUROUX:** Can I add to that that the Premier of Queensland actually marched with the Morcombe family a few years ago. I have invited the Premier of New South Wales to Bowraville. I have invited many politicians quite a number of times to come to Bowraville. We had a meeting in 2010 to which I invited quite a number of politicians and not one turned up. I think only one or two replied to my invitation. So that sends a very powerful message to the community that no-one really cares. No-one gives a stuff. And yet you see the family of this boy—and, as Helen says, I do not want to take away from their grief; what they have been through is terrible—and you compare what happened in that case. It is really sad to see the difference. It just

reinforces our belief that you have Aboriginal kids on one hand and white kids on the other. I am a white person and I really believe that racism has played a massive part in this investigation up until Gary Jubelin came along.

**Mr DAVID SHOEBRIDGE:** Helen, you said that when you have told this story before you have felt ignored. What chance have you had to sit across from decision-makers and tell your story?

**Ms HELEN DUROUX:** I tell everyone who will listen, everyone and anybody.

**Mr DAVID SHOEBRIDGE:** But who has been listening?

**Ms HELEN DUROUX:** I do not know who listens any more. I honestly cannot say who is listening and who is not. I have never had an opportunity to sit down like this and talk to a mob of politicians. When I walked in here yesterday, that was the first thing that went through my head, "We cannot do anything." My other sister was beside me and she said, "What are we doing here. If they can't do anything then what is this all about?" That was what my other sister said. She is not here at the moment.

**Mr DAVID SHOEBRIDGE:** I think the Chair's comment was that we cannot change the past. That is my memory of what the Chair said—that we cannot change the past. I do not think he said that we cannot do anything. I know for a fact that that is not the feeling I have; and, from my discussion with the other Committee members, you would be wrong to think that we are sitting here thinking that we cannot do anything. That is not what we are thinking.

**Ms RONELLA JEROME:** I just do not want you guys to give us false hope, like Gary said. Gary has been straight up with us and he knows the reality of the situation, and so do we. We have been in it long enough to know. I do not want you guys to be giving us any false hope. We need you people in your position as politicians to represent us because we are also the grassroots people. It does not matter whether we are black or white; we are Australian people and we need representation. It has failed for 23 years. It is now time that we clear it up. If we can get closer to a resolution and to some closure then the better it will be for us all in the end. So let us go for that goal.

**Ms HELEN DUROUX:** Mr Chair, I take on board what you say about not being able to change the past. But you can change the future for us. You can change the future for us, and that is what I expect out of this.

**Mr DAVID SHOEBRIDGE:** And we can be in your corner for once.

**Ms HELEN DUROUX:** Yes.

**CHAIR:** We need you to know that we are going to do whatever we can. That is why we are here. We want you to know that whatever we can do we are going to do.

**Ms HELEN DUROUX:** Thank you.

**Ms RONELLA JEROME:** Thank you very much.

**Mr THOMAS DUROUX:** That is what we want.

**Ms HELEN DUROUX:** We need all the help we can get.

**Ms RONELLA JEROME:** We need that and more again. We are on this side of the fence and we only know so much. Leonie has been our door opener—our "white key" to access places for us.

**CHAIR:** To have those things publicly out there that Garry brought out yesterday was a good thing, wasn't it?

**Ms RONELLA JEROME:** It definitely was. I do not know about these guys but for me personally it was a very empowering moment.

**CHAIR:** So you need to know that we are going to do whatever we can. We are going to hear today from the rest of the family and we are going to be pursuing this through whatever avenue is open to us to pursue it.

**Ms RONELLA JEROME:** Thank you so much.

**Mr THOMAS DUROUX:** Thank you.

**CHAIR:** We want to thank you for coming along and giving your evidence. We see you are grieving and we are grieving with you.

**Ms RONELLA JEROME:** It does not heal the heart. It just does not heal the heart. It is like the old boil or the carbuncle on your leg that scabs up. If you knock it off, it festers again.

**CHAIR:** Thank you for being with us. We are going to hear from other members of the family. It is very important for us to hear your story, your anguish and your grief—and the reasons why you feel this way and what you feel needs to be done to try to bring about a conclusion to this situation. Thank you.

**Ms HELEN DUROUX:** On behalf of the family, I sincerely thank you for coming and for listening.

**Ms RONELLA JEROME:** Thank you very much.

**Mr THOMAS DUROUX:** Thank you.

**(The witness withdrew)**

**CLARICE GREENUP,**

**BILLY GREENUP,**

**BARBARA GREENUP-DAVIS, and**

**DIANE GREENUP** before the Committee:

**CHAIR:** I welcome witnesses to this inquiry into the responses of families to the murders in Bowraville. We thank you for assisting the Committee in this inquiry. I advise that witnesses who give evidence are protected by parliamentary privilege. This means that submissions and oral evidence that is given before the Committee can be made freely and honestly without fear or threat of legal action through defamation, but at the same time, committee hearings and submissions are not an opportunity to make adverse comments or accusations about individuals. I request that witnesses focus on the issues raised by the inquiry terms of reference, and avoid the naming of individuals unnecessarily, particularly the alleged perpetrator of these crimes.

I also remind you that comments made outside the hearing do not receive the protection of parliamentary privilege. In here, yes; outside, no, so be cautious about any comments you make to the media or anybody else after you complete your evidence. After today's hearing our Hansard reporters will produce a transcript of what you have said and then the secretariat will contact you to see whether you want some or all of your transcript to be published. The secretariat will send you a copy, you can go through it and anything you do not want to be made public you can advise the secretariat and it will delete it. We will only include what you want to have published.

**Mr DAVID SHOEBRIDGE:** It is all confidential unless you tell us otherwise.

**CHAIR:** Yes. You tell us what you want published and what you do not want published and we will respect your wishes. I thank you for attending. It is a sad occasion. We know that it is a great strain for family and relatives, particularly because of the rollercoaster nature of what has happened over these past 23 or 24 years when the perpetrator of these crimes has not been brought to justice. The hope, earnest wish and desire of everybody is that at some stage the person who was responsible for these crimes is brought to justice: that is the normal thing that people would want, and the Committee wants to see that too. Would you like to make some comments and tell the Committee how you feel 23 or 24 years later? How did you feel in those days and weeks after it became clear that something had happened to Evelyn?

**Ms BARBARA GREENUP-DAVIS:** If it is alright with my brother, William, firstly I would like to welcome you to country on behalf of our family in the language of our ancestors, the Gumbaynggirr people, and say "giinagay". "Giinagay" is hello, welcome to country. I also thank you for giving us the family the opportunity to have a voice to tell the Parliament the devastation and effects the murder of our little girl had on our families, our community and who we are as individuals, so thank you for being here with us.

My name is Barbara Greenup-Davis. I have had the privilege of meeting Mr Shoebridge on two occasions. I am Billy's sister and Evelyn's aunty. In 1990 our little girl was murdered. At the time of Evelyn's murder I did not live in Bowraville and I did not live in the valley, I actually lived in Sydney with my family and my children. So I had to travel home when I got the news that our little girl had been murdered and I was home within two days. Two days on, it has been like that for 23 years we just keep getting thrown back on the rollercoaster. Emotionally it is real. You do not cry. Today you may see tears—yesterday I am sure you saw plenty—and these tears we have been crying for 23 years.

Where is justice for a family, a community crying for justice for the murder of a four-year-old? Praise God, is that the justice of the law of this land? Is that the best our government, our system, our society can give us, a family, a community, touched, struck, destroyed by the worst crime in society—murder? The word "murder" itself strikes fear in the heart of people and so it should, shouldn't it? But that did not happen here because in 1990 how many people even knew that a little girl was murdered? I lived in Sydney, the capital of this State where we come from, but on a national basis our murders were not touched by the media or the rest of society. It felt like nobody else was affected by these murders but us.

Why was that, sir? Somebody please explain, has been my question most of all, has it not Mr Shoebridge? Would somebody please explain how a child's murder in 1990 in a little town in this State stayed right in Bowraville? It did not leave Bowraville. In 1994 I travelled home with my children because all that was happening in Bowraville was conflict between the families, the community and the police. All we were asking was for them to do their job. Are they not the police? Are they not the law? A crime had been committed here but, hey, it is 1994, four years later, and there has not even been an investigation. Praise God.

Somebody should have heard our call for justice back in 1990, but that did not happen. The police just wanted to say the horrible things they said, and I will not repeat any of those. They are written in newspapers, they were said publicly to our families. You know what the local area commander. Is that the response of the New South Wales Police when a murder, a crime has been committed against a child, a family, a community? Sadly, 23 years later we find ourselves asking for justice. We are still battling with the very department that is supposed to give us this, the very department that is supposed to give our little girl the justice she deserves under the law of this land.

Let's look at the time line. We all know what time lines are. In 1990 Evelyn was murdered. In 1994 we started having family meetings where we invited the local area commander, the local sergeant and everyone in uniform, but they did not want to meet with us. So we met alone as families. The local area commander, he wouldn't come to us. We sent letters, invites, we did all that. We did it according to process, policies and procedures. We followed them but it didn't get us nowhere following the processes and the procedures of the law. Then we wrote a collective letter. That letter is still floating around somewhere today. That letter was sent to Commissioner Peter Ryan, who at the time was here to do work on the Wood Royal Commission. That's why he was here. The corruption of the New South Wales Police, if not the whole Australian Police Force was under question and three murders happened while this was happening all hand in hand.

Sadly, our children were forgotten by the very system that had a responsibility and a duty of care— what a beautiful word. If you have worked in a place as we have, it is a word that is taken with high regard. When the New South Wales Police and all you people sit in your seats you take an oath to provide a duty of care to the people who put you there. Sadly, all the people who were in that place of responsibility and all the people who had that duty of care failed us. Most importantly, they failed a four-year-old whose murder still remains unsolved 23 years later. The pain in our family has not gone anywhere, as you can see. The rollercoaster, you have taken us back 23 years, thank you kindly.

Sadly, 23 years ago and we are still saying the same thing. The New South Wales Police department had a job to do; they failed. Sadly, we can say that the murder of our children has been the climax of the destruction of our community, if anything. You people kept talking about 1967 and going back to that referendum, a referendum we only learnt about in our later years as adults when we went off to university to do later learning. It shocked me as a person, as an individual that in 1967 there was a referendum. I was born in 1961 so for my reality it made me feel like I was a non-citizen of my own country.

As I sat in that university law room I felt like I a non-citizen of my own country. I still feel like that today actually, a non-citizen of my own country. Is that what has happened here? Is that what has prevailed over the murders of children because we are non-citizens of our own country that we do not get the same resources applied to our murders, to the crimes inflicted on our family? Is that fair? Is it? The most horrendous crime in society under the law has been committed against a child, and 23 years later we are still here talking about it. Thank you for coming.

**Mr DAVID SHOEBRIDGE:** We have plenty of time if you want to say anything, Clarice, Barbara or Diane. So take your time.

**Ms CLARICE GREENUP:** For the past 23, 24 years I had to be a support for my brother, because we didn't have anyone coming out there to support us. We are still trying to support each other 23, 24 years later and that is not fair. I have seen what this has done to my brother.

[EVIDENCE OMITTED BY RESOLUTION OF THE COMMITTEE – 23 OCTOBER 2014.]

We have been left out on the branches with no support. I remember when Evelyn was born, Billy lived in Sydney. I did not have a home phone but I heard about it and I went up to the club to ring and find out the name. When he told me her name was Evelyn Clarice I just stood there and cried.

**Mr BILLY GREENUP:** I wasn't there when mum passed away.

**Ms CLARICE GREENUP:** Billy lived with me when my mum moved over to Kempsey. He told mum, "I'm not going over to Kempsey, I'm not living over there." So he lived with me and I schooled him.

**Mr BILLY GREENUP:** You are a good sis.

**Ms CLARICE GREENUP:** We lost our mum when there were still kids going to school. My brothers and sisters were still all going to school at that time. I thought my aunts and uncles would take them but, no, I had to take them and rear them and I had a young family of my own.

**Mr DAVID SHOEBRIDGE:** How much older than Billy are you, Clarice?

**Ms CLARICE GREENUP:** Probably about seven or eight years. Ever since this has happened to our family I have seen him go off down the street and everybody would be coming down off the Mission to see me: "You had better go and see what is happening with your brother, he's going off his head down the street." I would have to go down there and try and calm him down. I remember one night he was down the street going off his head and all of a sudden two police cars come from nowhere. I said, "Leave him alone, he's had a hard time." I said, "Something's gone on with our kids. Leave him with me and I'll take him home." He is just not the same person and he has blamed himself for the last 23 years.

**Ms BARBARA GREENUP-DAVIS:** We as a family and individually in our hearts carry our own sense of guilt, sense of responsibility. We question ourselves. Our community and our family have been inflicted with a crime. Again I come back to the law of the land. It is not just a crime against our little girl; it is a crime against our family, our community, the society we live in, all the way to the government. Yet 23 years later our little girl's murder is still unsolved and all these resources that should have gone into solving the murder when it first happened did not happen. And 23 years later we don't have justice for our children, our community. Twenty-three years ago these services that have since been taken away weren't there to begin with.

The ministry team was not there, the health service was not there. You all heard; they came later. As for the Aboriginal Legal Service, they are still coming. As a family and as a community we were walking through a crime that we had no understanding of. We have never broken the law; we have never sat in a courtroom before. Nobody came to tell us that this is what is going to happen. I say thank you to that beautiful young lady there, thank you for explaining to us and taking us aside as a family this morning. That is the first time that has happened, outside of Gary Jubelin and the many times he sat with us in family meetings. I dare say he walked away wondering, questioning. More questions than answers, eh Gary? And 23 years later we are still in the same place—more questions than answers.

I am not sure what it is, but sadly for us the family have been on sorry business for three months of this year. So we have come to you with our hearts open. All we are asking is—I guess we are asking you to find the answers and give us solutions because the police let us down. All the services let us down. Twenty-three years later, the services that came in to support have been taken away now. We call it bandaid solutions and the Government is good at doing this—giving us bandaid solutions to our problems.

For employment, you give us Community Development Employment Projects [CDEP] and then you take it away. While Community Development Employment Projects was there, our brother worked two days, and not only him; all the men in our community had two lousy days of work. Hey, they got taken away because that was not working for the government. But it was working for the community because it gave our men a sense of pride and something to do. They got paid for their two days a week and they were happy to get their lousy little pay. Do you know how much they got paid? Go check those records because for those two days a week, they then got two days cut off their benefits, so where was the benefit to the Community Development Employment Projects financially to any individual? That got taken away and our health services.

As a community and families we argued with government departments and bureaucracies to get these services put into our community. In 1994 when I came home from Sydney, Community Development Employment Projects and the Aboriginal Medical Service [AMS]—all those services were there. It was like we were in a time warp back here. Wait a minute, we are in New South Wales. We are not in the Northern Territory or Katherine in remote rural country. We are rural, yet somewhere in all this rural geography and local government areas [LGAs] and local area commands [LACs]—and you know what they mean, don't you? Do you need me to say local area command and local government area? We are right here in New South Wales, yet all these problems still exist right here in New South Wales.

The worst one is the legal judicial system and how we do not get a fair go. Do you call this a fair go, what has happened here in 23 years? A fair go! We live in a multicultural society in a beautiful country. Go to Sydney and you will see multicultural at its best. But most of my family and my community, they do not go to Sydney. Sydney is not a place where most of us want to be. We are quite happy being right here in our little country. We are quite happy being here in our town, and we call Bowraville "our town". It is not just the white people's town. It is our town too. You have been to Bowraville, so we are fringe dwellers. Have you seen that movie? Fringe dwellers; that is who we are. We have been put on the outskirts of our town: out of sight, out of mind. That is what happened when these children, our little girl, got murdered. It felt like we were out of sight and out of mind and it stayed that way—from the police to the media, to all the services that should have come but did not come.

**Mr DAVID SHOEBRIDGE:** Do you ever remember if Evelyn was formally put on a missing persons list, or how the responses were in the first few days and weeks?

**Ms BARBARA GREENUP-DAVIS:** Well, I cannot speak for the first few days or weeks.

**Mr DAVID SHOEBRIDGE:** Because you were down in—

**Ms BARBARA GREENUP-DAVIS:** I came home and then I returned back to Sydney with my children because I was a working mother at that time living in Sydney. From 1990 to 1994 Evelyn, as far as I am aware and understand, was on the missing persons register.

**Mr DAVID SHOEBRIDGE:** Clarice, what is your memory about it?

**Ms CLARICE GREENUP:** Yes, I think she was. I do not know how long after she went missing, but it was actually put up about that missing person.

**Mr DAVID SHOEBRIDGE:** Do you remember what the family said of that when they first went to the police and said, "Evelyn's missing." Can you remember what the family have said to you about that?

**Ms CLARICE GREENUP:** I was not involved in that.

**Mr DAVID SHOEBRIDGE:** No, but what they have said to you since.

**Ms BARBARA GREENUP-DAVIS:** Well, the most recorded phrase of our local area commander was that she went walkabout. That was the overall mentality of all those in uniform—"She's gone walkabout. What are you all worried for?" Let us talk about walkabout—walkabout in the modern time, walkabout in this valley. Walkabout still happens, actually, but it is not our four-year-olds who do this; it is our teenagers. In this valley there are two distinctive Aboriginal communities, Bowraville and Nambucca. Both those communities are also interlinked—family, blood, culture—all the way back to our ancestral learning, which of course you people have been learning about. We are quite strong about our cultural, traditional learning here in the valley. It has been handed on and it is quite strong. But walkabout today in modern time and in modern society is something our teenage children do. Never ever would a four-year-old, a five- or 10-year-old be allowed to go walking alone. And Evelyn never walked alone. Evelyn walked with her family. She walked with her brothers.

**Mr DAVID SHOEBRIDGE:** Some people have said Evelyn was a clingy kid who really liked to be next to people. She was not out by herself.

**Ms BARBARA GREENUP-DAVIS:** Evelyn was a very shy little girl and that is because she was kept with family, in family. Most of the time, yes, she did not go outside of that circle. She went to preschool, as all children in our community do. Yes, she went off and played in the park the way the children do in Bowraville, or used to.

**The Hon. CATHERINE CUSACK:** I am sorry to ask a painful question, but you seem to suggest that the community felt like it was being blamed.

**Ms BARBARA GREENUP-DAVIS:** Darling, we have felt that for 23 years.

**The Hon. CATHERINE CUSACK:** Can you talk more about that?



**Ms BARBARA GREENUP-DAVIS:** From 1990 until 1994, Bowraville—the community, the families—like I said, we tried to have meetings with the local police. We tried to sit down at the table and speak about what we as a family thought should be done because nobody was telling us. The police certainly were not speaking to us. We had to march to get a response from our local area commander over children murdered. Everything we have done has been a march. Do you know what that feels like, in actual fact? It feels like we have been pushing uphill, excuse the French— uphill—all the way to Parliament. But children have been murdered. The best response we got was actually none because from 1990 until 1994, nothing happened. Then we started having family meetings and again sending proper letters to proper officials.

Even the members who live here—you know, your local members for Parliament—are they here? Do you see them in this room—any of them? How much interest do our own local members of Parliament have in what has happened here. Thank you, Mr Shoebridge, because that Mr Stoner, he took a piece of paper in too but I do not know what he did with it. In 1996 or 1995, we wrote a letter—a joint letter of all three families—signed by the parents and we sent that letter off to Commissioner Peter Ryan. We turned one letter into a multiple and that one letter was sent to every Aboriginal organisation in this State. They were asked to endorse that letter and put it onto their letterhead and to then fax it off to the commissioner's office, which they did. That is how we got Commissioner Peter Ryan to come here and sit with us. This was the first man in a uniform to come and sit with us and speak to us about our children's murders.

**Mr DAVID SHOEBRIDGE:** Do you think it was that that eventually got Gary Jubelin and his team on—again, your pushing?

**Ms BARBARA GREENUP-DAVIS:** He was the man who set up the task force. He walked away from a family meeting of elders at an Aboriginal Catholic Ministry home and he said, "These murders will be reinvestigated." He walked away and he kept his word. He did not make a false promise. He did not give us false hope. He actually kept his word. A gentleman's handshake is what he gave us that day and on a gentleman's handshake he walked away and he set up a task force. The first meeting we had was with, what's his name, Mr Clive Small. I will not call him by his title, I am sorry, because we saw him once and once only. I do not know how many meetings Gary had with Mr or Inspector Clive Small, but we only had one.

Once he graced us with his presence, and when he graced us with his presence he did not even give us the due respect of obviously reading and following and finding out because he too sat before us and made us feel totally irrelevant; I guess that is an appropriate word. If he really cared, should he not have come back? We keep coming back. We have to keep coming back. Today you people here, you will go away and I dare say I pray that somewhere in this, something comes back. It is about justice. It is about a system that had a job to do and that failed. How many times in actual fact has this happened and in how many places? Mr Shoebridge, you have been to the Aboriginal black deaths committee meetings.

**Mr DAVID SHOEBRIDGE:** I have read it.

**Ms BARBARA GREENUP-DAVIS:** This sort of reaction by the NSW Police, sadly, does not just happen in Bowraville. There are Aboriginal murders that have happened in quite a few places, in quite a few communities and they too have been given the same response that our murders have been given I dare say. That in itself is criminal—it has to be—that a family is treated with such disrespect and disregard when a crime, the crime of murder, has been inflicted upon your family.

**Mr DAVID SHOEBRIDGE:** Diane, Barbara and Clarice, can I ask you to talk about something that you have not talked about to date, which is when the law changed in 2006 and Parliament changed the double jeopardy laws? How did you feel then and how do you feel since? Can you talk us through that?

**Ms CLARICE GREENUP:** Well, for me, I thought, "Yeah, okay, we might get something done." I think the whole three families were all on a high when that was passed. But, you know, nothing has really come out of it. That is why we are sitting here today.

**Mr DAVID SHOEBRIDGE:** Do you sometimes think having had your hopes raised and having nothing, it is almost worse than—

**Ms CLARICE GREENUP:** It is. It is a kick in the guts and that is how we have been feeling for 23 years—a kick in the guts. Every time we go to get something done, the door is slammed in our faces. How would you people feel if that happened to you? We are black people and that is the problem that I think has got

with us. Look at our skin. My father, I can tell you, is a white man. But I would not have been accepted by the white community, so what did I do? I went back to my Aboriginal family and I knew I was not going to have a problem. Most of us here have got that white father but no way would we have been accepted by the white community.

I say this: I say I am not an Australian, I am an Aboriginal first because white Australians did not accept us and still do not accept us today. Are we in the Constitution? No. We are still fighting for it. Somebody has got to give us a break. We need to be accepted. I do not want to be known as a tree or an animal. I am not. I am a human being like everybody else and everyone in this room, and so are my children, my grandchildren and my great-grandchildren. I have two great-grandsons and I do not want my grandkids and my great-grandkids carrying on this fight. Our kids should not have to do this.

I had to go up to the school when my children were at school because my daughter got upset over what one white kid said to her about Evelyn. It is soul-destroying when you send your kids off to school in the morning and then you get this phone call to say, "You need to come down and see what's happening". Would that happen with a white family? No, it would not. Mean, nasty and hurtful things have been said to our family and our kids while they were at school and it is just not bloody fair.

My nieces, nephews, grandsons, great-grandkids should not have to carry this burden that we are carrying today. So we really do need to have something done. Those three kids deserve justice. Evelyn was never ever going to hurt anybody—never. I remember when the mother came up to the school to enrol her in school the following year. She filled in all the papers that had to be done. Evelyn never got to school because some dog—that is all he is—some low-life took her life and took her away from us and that is unfair.

**Ms BARBARA GREENUP-DAVIS:** It is like a double-barrelled shotgun. The murders have been a climax to an intergeneration of many issues—the 1967 referendum. Look at the infliction of pain that still carries today in my sister's and my family. We make fun of it at times; we are walking, talking trees. How do we feel about that because under the Constitution of this country that has not changed, has it? Yesterday prior to coming here I had to stop myself crying and I had to get myself into a good headspace so I started working on an assignment. I study at Tranby Aboriginal College—I have been since 2006. After Evelyn's murder trial I made a commitment to myself to take on a journey of learning and I have been doing that since.

Yesterday I started on one of these assignments to take my head somewhere else and this is what I wrote and it refers to what the Hon. Catherine Cusack keeps coming back to—the 1967 referendum. It has a little bit of that in it, a little bit of me and a little bit of something else. I will read it, if you do not mind. It states:

My name is Barbara Greenup-Davis and I grew up on my Aboriginal community on The Mission Road called CRB Cemetery Road, Bowra, on the outskirts of our town Bowraville. I was born in 1961 before the referendum so I was not born a citizen of Australia but stock to be counted, an Aboriginal people, my people, me being treated with unfairness and unkindness by white people, society and governments. Being born in 1961 also meant that I was born during the time of tuberculosis and polio and other foreign diseases that killed thousands of Aboriginal babies of my generation and later on in my life I was to learn that I was one of those babies to survive tuberculosis and I put that down to the bush medicine of my great-granny, my miiimi, and my grandfather, my baabba, and the healing they had done with me. My first test of survival began when I was born.

So I guess 52 years later, along with many others, I am still playing the same game; we are still surviving in the very system, the very society, the very community that is supposed to be looking after us and providing us with a better way and a better means. Let us hope that from this change comes. I do not know what that change may bring but praise God let this process not be for nothing; let some change come from this.

**Mr DAVID SHOEBRIDGE:** We have to hear from the next family now, is that right, Mr Chair?

**CHAIR:** Barbara, we want you to know that we are going to do whatever we can. You need to know that the people in this room with heartfelt conviction will do whatever we can within the parameters that have been authorised to us. Wasn't it a great thing yesterday when we had Gary Jubelin here? Wasn't that a wonderful thing?

**Ms BARBARA GREENUP-DAVIS:** Yes. I would like to say that Gary Jubelin said it just the way it had to be said.

**CHAIR:** With all those things put publicly on the record, isn't that a good thing that has come already?

**Ms BARBARA GREENUP-DAVIS:** Yes.

**CHAIR:** We are going to do what we can. That is why the Committee is hearing from all the families today. You are grieving and we are grieving too. I have a four-year-old granddaughter and I know you would never get over anything like that, particularly as there has been no closure and the wicked person responsible for these horrendous, evil deeds has not been brought to justice. It is the heartfelt hope of everybody with any decency in them that they will see a time when whoever is responsible is brought to justice. We are doing to the maximum whatever we can and it is our conviction and heartfelt desire to do that. We greatly appreciate you being with us; we know it is hard for you. We are glad that you came along and spoke the way you did, highlighting the feelings you have had over these past 23 to 24 years. We grieve with you and state that we will do whatever we can. Thank you for being with us and let us see where we will go from here.

**Ms BARBARA GREENUP-DAVIS:** Thank you, honourable Chair, and thank you members.

**Mr DAVID SHOEBRIDGE:** And thank you, Diane and Billy, for coming. You have contributed by being here. You have shown bravery by coming here and we appreciate that too.

**(Short adjournment)**

**(The witnesses withdrew)**

**ROSE GRIFFIN,**

**MURIEL CRAIG JNR,**

**MURIEL CRAIG SNR,**

**LUCAS CRAIG, and**

**PAULA CRAIG, before the Committee:**

**CHAIR:** I welcome the family of Colleen Walker-Craig to this inquiry into the family response to the murders in Bowraville. Before we commence I have to announce some formal matters. Witnesses who give evidence at committee hearings are protected by parliamentary privilege. This means that submissions and oral evidence given before the Committee can be made freely and honestly without fear or threat of legal action for defamation but at the same time committee hearings and submissions are not an opportunity to make adverse comments or accusations about individuals. I ask that you focus on the issues and avoid naming individuals unnecessarily, particularly the alleged perpetrator of these crimes. I remind you that comments made outside a hearing do not receive the protection of parliamentary privilege. So if you are talking to the media or anyone else once you leave this hearing then you are on your own as far as defamation is concerned but in here you are protected.

After today's hearing our Hansard reporters will produce a transcript of what you have said. You will then be contacted to see if you want some of your transcript or your entire transcript published. It will be left up to you. You may want none of it to be published or part of it published with some deletions. You will have the opportunity to look at the transcript and let us know. Once again thank you for being with us. We know that this is a very melancholy, sad day in dealing with these things but this Committee is focused to do whatever it can within the parameters available to help in this situation. We all believe, hope and pray that at some stage the perpetrator of these terrible crimes will be brought to justice. It is the Committee's heartfelt desire and wish that that will happen. The Committee wants to work with you and is committed to doing whatever it can in the circumstances. Would someone like to tell us how they felt in the days and weeks following Colleen's disappearance? I note that Colleen has still not been found.

**Ms MURIEL CRAIG SNR:** I am Colleen's mum—I think you have met me?

**CHAIR:** Yes.

**Ms MURIEL CRAIG SNR:** I come from Bowraville. Colleen does not live—she stayed down in Bowraville but she does not come from there—she just went down for a party. I am the one that comes from there. She left home on the Wednesday and she went down. I remember when I met you up in Bowraville David mentioned that your daughter kissed you goodbye, and that is exactly what Colleen did that Wednesday.

These are my children with me and she is a piece of all of us. We are never going to be complete because we don't know where she is or what happened to her—well, we have got an idea of what happened to her. It is hard for all of us, especially me. I struggle with my life day to day but I am thankful to God that I have got my children because they are the ones that keep me here, if you know what I mean. They give me the strength I need every day to cope with what has happened to me.

When Colleen first went missing I went down to Bowraville Police Station and reported her missing on the Monday. I was supposed to pick her up on the Saturday in Macksville—I think there was a knockout, an Aboriginal football game—because I was going down with the rest of the children. She said, "Mum, pick me up then and I will come home with you." That is what I thought would happen but it didn't. When I went down is when I found out that she went missing. No-one in Bowraville ever said she went missing on the Thursday and no-one even called me. I have got relatives in Bowraville but no-one even called me to say that she was missing or anything; I never found out until I went down there. When I went to the police station on the Monday I had a photo and because Colleen was fairer than me the police was questioning me. They asked me was she my daughter. They said, "She don't look Aboriginal to us." There were two policemen in the station at that time and that is what they said to me. I said, "I wouldn't be silly enough to come in here and report her missing, I am not that stupid." But this is how I was treated by the police at that time. Yes, it is very hard.

**Ms ROSE GRIFFIN:** On that day we went to the police station and they just turned around and said to mum and myself, "Oh, did she go walkabout?" That was their reaction. We thought they were supposed to be there to help us and we didn't get the help.

**Mr DAVID SHOEBRIDGE:** When was that?

**Ms ROSE GRIFFIN:** That was the day I come down with mum.

**Mr DAVID SHOEBRIDGE:** The Monday?

**Ms MURIEL CRAIG SNR:** That was the Monday. She went missing on the Thursday in Bowraville after the party but we were never notified, I only found out on the Saturday. When I went down to the football game someone come up and told me that they never seen her. I knew straight away that something had happened to her because if Colleen said, "Mum, I will be there" then she would have been there looking for us to come home. Then I went home and on the Monday I came back down and then I reported her missing to the police in Bowraville.

**Mr DAVID SHOEBRIDGE:** And that is when that conversation happened?

**Ms MURIEL CRAIG SNR:** They did not even take a statement, they did not even write anything down.

**Ms ROSE GRIFFIN:** No.

**Ms MURIEL CRAIG SNR:** They did not even do anything.

**Ms ROSE GRIFFIN:** We more or less went from there around to everyone asking where Colleen was, had anyone seen Colleen, ourselves.

**Ms MURIEL CRAIG SNR:** I actually moved down to Bowraville with my children. I took them all down there because I wanted to find out what had happened to her and where she was. We lived down there for about six or seven months.

**Mr DAVID SHOEBRIDGE:** How old were you at the time?

**Ms ROSE GRIFFIN:** I was 16—no, I was 17; Colleen was 16.

**Mr SCOT MacDONALD:** What police station was that?

**Ms MURIEL CRAIG SNR:** Bowraville.

**The Hon. CATHERINE CUSACK:** Did you know the police at Bowraville at all?

**Ms MURIEL CRAIG SNR:** No, I did not know them.

**The Hon. CATHERINE CUSACK:** And they tried to argue with you as to whether it was really your daughter?

**Ms MURIEL CRAIG SNR:** They didn't argue but—

**The Hon. CATHERINE CUSACK:** They would not accept it?

**Ms MURIEL CRAIG SNR:** It was sort of just like—

**Mr LUCAS CRAIG:** Inappropriate.

**Ms MURIEL CRAIG SNR:** Yes, like a smart remark. They were looking at the photo and Colleen looked more fair than us. He said, "She hasn't got any Aboriginal features." That is what he said to me.

**Mr SCOT MacDONALD:** Sorry to interrupt, you went down there with a photograph?

**Ms MURIEL CRAIG SNR:** Yes.

**The Hon. CATHERINE CUSACK:** It was obvious that the police were not going to help you.

**Ms ROSE GRIFFIN:** Yes.

**The Hon. CATHERINE CUSACK:** What did you think could be done next?

**Ms MURIEL CRAIG SNR:** I thought they would actually take—at the time they had typewriters—a statement from me or something but he didn't even do any of that. I just left the photo there and walked out. I mean that was the law, what was I going to do? I just went and after that they did not take Colleen's missing very seriously, not until later when the other two went missing. Even when Clinton went missing I don't think they took it that seriously, it was more when Evelyn went missing that they—

**The Hon. CATHERINE CUSACK:** When did they get back in touch with you?

**Ms MURIEL CRAIG SNR:** Well, I was living down there at the time. I really couldn't tell you.

**The Hon. CATHERINE CUSACK:** Do you remember what they said when they contacted you?

**Ms MURIEL CRAIG SNR:** Well they never—the only time they ever contacted me was when a highway patrol came up. I was up on the Mission and a highway patrol car came and said that they had found Colleen and that she was on a bus. Apparently they said it was a nun named Colleen Walker who was on the bus. They really never contacted me. We had no contact at all. It was like mainly me and family members who went looking around and asking people at the party where she was and what had happened to her, who had seen her last. It wasn't until—I couldn't even tell you when. I don't know.

**Ms ROSE GRIFFIN:** Mum's official statement was taken at Sawtell Police Station three months later and, you know, they didn't take the statement in Bowraville that day. Three months down the track they took a statement from her about Colleen being missing.

**Mr DAVID SHOEBRIDGE:** Do you know if that was after Clinton had gone missing?

**Ms ROSE GRIFFIN:** No, it was after Colleen went missing—like we went to the police station in Bowraville that day, on the Monday, but they never took any statements then. They took the statement a couple of months after at Sawtell Police Station.

**The Hon. CATHERINE CUSACK:** Do you know why they took a statement then?

**Ms ROSE GRIFFIN:** I don't know why.

**The Hon. CATHERINE CUSACK:** Did they ask her to come in?

**Ms ROSE GRIFFIN:** Yes, I seen the transcript, the original statement, and that was filing a missing person report then.

**Mr DAVID SHOEBRIDGE:** It was not until a month later?

**Ms ROSE GRIFFIN:** Yes.

**Mr DAVID SHOEBRIDGE:** Did the police ask you to come to Sawtell Police Station or did you just go again to the police station?

**Ms MURIEL CRAIG SNR:** I honestly do not remember. I did not even remember about the statement until Rose just mentioned it. Honestly I do not remember.

**The Hon. CATHERINE CUSACK:** You were told they had located her but it turned out to be another—

**Ms MURIEL CRAIG SNR:** Yes, I was living in Bowraville at the time and the highway patrol car came up there.

**The Hon. CATHERINE CUSACK:** Did they suggest to you that they had found—

**Ms MURIEL CRAIG SNR:** Well, they was pulling the bus up somewhere up near Brisbane and they were going to see whether it was there but there was a Colleen Walker on the bus at that time. I do not think they knew it was a nun, and later when they pulled up the bus they came and told me they had got it wrong, it was actually a nun on the bus named Colleen Walker.

**The Hon. CATHERINE CUSACK:** I am sorry, that must have raised your hopes.

**Ms MURIEL CRAIG SNR:** No, it did not raise my hopes because I knew that would not have been her up there.

**CHAIR:** Three months later you gave a statement. After that when did you next hear from the police?

**Ms MURIEL CRAIG SNR:** I do not really know. I think that I might have made a statement to the policeman who was in charge of the case. I think I made a statement in Bowraville Police Station then, I am not quite sure to tell you the truth.

**Mr DAVID SHOEBRIDGE:** Lucas and Muriel, did you all come and live at Bowraville at this time?

**Mr LUCAS CRAIG:** Yes, I remember living there to stay with family and I went to school there for a while. Yes, I remember it very well.

**Mr DAVID SHOEBRIDGE:** What is your memory?

**Mr LUCAS CRAIG:** Of my sister?

**Mr DAVID SHOEBRIDGE:** Of your sister and your time at Bowraville while all this was going on?

**Mr LUCAS CRAIG:** I remember just when my mother was looking for my sister we had a lot of gatherings of the family and stuff that we have gathered in the past and had spoken to people about her. I really was not far from my mother at the time because she was always around all the time. Because I was so young it was confusing but I still understood what was going on. I would never forgive them though.

**Mr DAVID SHOEBRIDGE:** Were you there when Evelyn disappeared? Rose, do you remember?

**Ms ROSE GRIFFIN:** I was here because I never wanted to live in Bowraville. I lived in Coffs Harbour with my grandparents, my grandmother.

**Mr DAVID SHOEBRIDGE:** Muriel, do you remember if you were there when—

**Ms MURIEL CRAIG SNR:** No, I was in Bowraville when she went missing and Clinton. I was living there when that happened.

**Mr DAVID SHOEBRIDGE:** How did you feel when Colleen had gone missing and then Evelyn went missing? Did you go back to the police?

**Ms MURIEL CRAIG SNR**

[EVIDENCE OMITTED AT THE REQUEST OF THE WITNESS]

[EVIDENCE OMITTED AT THE REQUEST OF THE WITNESS]

**Ms PAULA CRAIG:** I am Paula Craig. I was 15 at the time Colleen went missing. Just to give you a bit of background, our family was really close. Mum and dad made sure we always had food and clean clothes. Dad worked all his life. I mean we had a really stable home and that is one thing like mum is saying she knows Colleen would not have went walkabout because she always had that contact if she did go anywhere. I remember when she did go missing at every opportunity mum was looking around. It could have been down the river or in the bush. I mean, she was out looking all the time for Colleen.

You could see it has been that long but it is just like it happened yesterday because we have not had that chance to heal or to put her to rest. I know growing up—I have got kids now of my own and I live in Macksville. I have lived in Macksville for a very long time and it is not far from Bowraville. I always carry that with me and with my kids. I worry about them all the time that something is going to happen to them and it should not be like that. We should not have to live in fear for our own kids. I know my kids are carrying that and my nieces and nephews because they can see our pain that we still carry.

I know when we go back to court and do the three cases together it will be some kind of healing. It will not be closure because we have not found Colleen but that will be some healing for us for all our families. I mean we are close as a family but we have not got together and actually spoken about Colleen and counselling together we have not. I know that is something that we have to do but it is still very hurtful to talk about her. I just, you know, I do not want to live in fear if something happens to my kids and my kids having to carry that. I thank you for coming and listening to us to hear our stories. Yes, I remember those days well.

**The Hon. SHAOQUETT MOSELMANE:** Are you still searching?

**Ms PAULA CRAIG:** Yes, we have not stopped. We will not stop from looking for her.

**Ms MURIEL CRAIG SNR:** It might sound funny to you but sometimes, honest to you, I really believe she has tried to tell us where she is in our dreams. She used to come to me but because, I do not know, you see I go and see a psychologist. I have got to or otherwise I would not be able to cope with ideas that come to my head. I have been going to them for more than 10 years and that is a long time but I know that I need that. She used to come to me in my dreams. Within the past five years, for some reason, when I wake up I cannot remember what she tells me the night before. I try to because in the early days she used to tell me where to go and that and I have been to those places. I have found the places. Even my children, she comes daydreaming. It might be a little bit of hope that we cling onto but it is our hope, you know, that she might be there. We still do it today. The last time we done it would have been in January this year.

I do not know whether you believe in psychics, but some of them have contact with us. We even take their advice if they think where Colleen is. A few times we have come across bones. I do not go looking, my children do and they have got certain family members who go with them but it is always around Bowraville. I really believe that she is still in Bowraville somewhere. Hope, I do not know why but that is my feeling. Like I said, only in January this year the kids came across bones and that but one thing that is so good about Gary, what he has done, like when we do find bones, we take them to Coffs Harbour Police Station now.

But we do have a person who is with us. I have got a niece and she works in Coffs Harbour Hospital so she knows—like she has learnt about bones and that. She is in the maternity ward and so she is usually there and looks at the bones and if she thinks it is human they will take into Coffs Harbour police and they get it tested. That is good of Gary to do all that for us, you know what I mean? So we are never going to give up a hope. We might never find her. It has been 23 years, 24 this year but we will never give up hope of finding her. We just might come across her. We do not know and this is what I mean about my family, this is how being with them, you know, and their encouragement to me, it makes me strong if I am sad.



**Ms MURIEL CRAIG JNR:** I was just going to say I was very young at the time when Colleen went missing. I was nine or 10 at the time.

**Ms MURIEL CRAIG SNR:** You were 11 at the time.

**Ms MURIEL CRAIG JNR:** Eleven. Also being moved from one small town to another, and another school start with friends, in Bowraville at the time, I was very young. At the time mum turned to alcohol during this time. I used to think she has still got us other kids but it was not until I had my own kids that I realised the pain that she was going through. I thought she is the strongest woman I have ever known in my life, and my dad.

**Mr LUCAS CRAIG:** Yes, despite everything that we have been through they have always been there as parents. They have always said to us that we can do anything we want to do. They have never left us once on our own. They are the best parents you could ever ask for. I hurts me to see them go through this. Nobody should ever have to go through this ever.

**Ms MURIEL CRAIG JNR:** Sometime last year I got all the family members together—cousins, brothers—and said, "We have got to start looking for her. We have got to start searching. We just cannot sit back and hope one day she is just going to—you know we have got to go searching." At Easter last year, or was it the long weekend last year, we got together. My son who is only 16 come along with us. I thought my son should not have to carry this issue. He should be out looking for his own. I do not want the next generation to carry this. We need to find her. I remember mum saying to me when we were just having a conversation, she said to me, "Do you think we will ever find her?" She said "All I want to do is find her before I die".

**Mr SCOT MacDONALD:** Please take us through the days following when the clothes were found in the river. How did the police deal with you?

**Ms MURIEL CRAIG SNR:** They did not come and tell me. I think someone else came and told me that clothes were found. No police came and told me, someone else. I cannot remember who but I know it was not the police.

**Mr DAVID SHOEBRIDGE:** Were you in Bowraville at the time?

**Ms MURIEL CRAIG SNR:** No.

**Mr DAVID SHOEBRIDGE:** Where were you?

**Ms MURIEL CRAIG SNR:** I was back home by then, because they found the clothes later.

**The Hon. CATHERINE CUSACK:** Where is your home?

**Ms MURIEL CRAIG SNR:** I have lived in Sawtell for 36 years.

**Mr DAVID SHOEBRIDGE:** You had seen the police at Sawtell, so they knew where you were.

**Ms MURIEL CRAIG SNR:** Yes.

**Mr DAVID SHOEBRIDGE:** Did you find out from an official person or a family member?

**Ms MURIEL CRAIG SNR:** A family member, I cannot think who, but someone told me that they found some clothes, but they did not say they were Colleen's at the time. They had police divers down there because they were looking to see if there was anything else.

**The Hon. CATHERINE CUSACK:** Did they ask you to look at the clothes?

**Ms MURIEL CRAIG SNR:** Yes, I went to Coffs Harbour Police Station and looked at them.

**Mr DAVID SHOEBRIDGE:** How long after you had seen it in the newspaper did they ask you to come to the station?

**Ms MURIEL CRAIG SNR:** I cannot tell you. I really do not know.

**Mr DAVID SHOEBRIDGE:** Was it after reading about it in the newspaper?

**Ms MURIEL CRAIG SNR:** Yes. It was not straight away. It might have been months or a year later, I do not know. I know that it was not straight after they found the clothes.

**Mr DAVID SHOEBRIDGE:** Does anyone else remember the time frame?

**Mr LUCAS CRAIG:** I remember it was on the news, not long after, but I cannot remember mum looking at the clothes and stuff like that.

**The Hon. SHAOQUETT MOSELMANE:** Was there a subsequent more extensive search of the area where they found the clothes?

**Ms MURIEL CRAIG SNR:** I know they had divers looking for more stuff. I think they did a big search afterwards where they found Evelyn and Clinton. They had a search around that area.

**The Hon. SHAOQUETT MOSELMANE:** But not around where the clothes were found?

**Ms MURIEL CRAIG SNR:** Not that I know. They could have, I could not tell you that.

**Mr DAVID SHOEBRIDGE:** Can you think back to when the double-jeopardy law changed in 2006 and tell us how you felt at the time and how you feel now?

**Ms MURIEL CRAIG SNR:** First of all I remember going down to Sydney in one of the big buildings to meet with a lot of people about the law change. Not long after that they changed the double-jeopardy law. I thought we might have a chance of taking it back to court, but that did not happen. I do not understand much about that side of it, but I do know we were not treated right. I do not know whether we will ever be treated the way we would like to get justice. I do not know what is going to happen.

**Mr DAVID SHOEBRIDGE:** Do other witnesses remember the law changing and you getting your hopes up?

**Ms PAULA CRAIG:** Yes, it was. At that time we thought that was our last chance if we could get this changed then we could go back to court. It crushed us. I mean every time something happens it is like a rollercoaster for us. You get some news and then it just goes up and down. At that time we felt positive about going back to court and hoping that we would get justice.

**Mr DAVID SHOEBRIDGE:** Do you remember how you felt when you found out the application was not going to be allowed?

**Mr LUCAS CRAIG:** It was like a big slap in the face. You just feel like nobody has value, they should have hope and nothing will ever change, it is just going to stay the same when all you really want is just answers.

**Ms MURIEL CRAIG SNR:** We might never find Colleen or know what happened to her, but if it ever gets back to court—in a way that will just give us some justice, it would.

**The Hon. SARAH MITCHELL:** Your family wants the person responsible to be held to account, but you might never get the answers to what happened to her. You are on two rollercoasters and that is a horrible thing to live with. It must be very hard for you because you have got both things to deal with.

**Ms PAULA CRAIG:** Yes, that is true.

**Mr SCOT MacDONALD:** Ms Muriel Craig, in your submission you say it would mean a lot to you to have some kind of official recognition that what happened to you was wrong and that the system failed you. Do you have something specific for this Committee to have in its recommendations? Are you asking for an apology from Parliament or some other body? Do you have something specific in mind?

**Ms MURIEL CRAIG JNR:** Not specifically. If I think about it can I get back to you on that?

**Mr SCOT MacDONALD:** Yes.

**Ms PAULA CRAIG:** My thoughts on that are that one thing that stuck with me when this happened to Colleen was in that same year were the backpacker murders with Ivan Milat. I remember seeing on the news all these services going into the families. They had the biggest search. That was the same year Colleen went missing and nothing was ever done for us. No services.

**Mr LUCAS CRAIG:** It was not known by the public.

**Ms PAULA CRAIG:** We did not get the help back then that we needed to get us through all this. One thing I want to see, hopefully if you can help, with Barry Toohey, it is really helping me. I know he spoke with some of my family. I would like family group giving counselling, like a retreat, to spend family time together and work on counselling in a relaxed environment where it is not full-on. We might be down near the beach or fishing or something like that, and take our kids, and having someone to talk to, doing that family grief stuff. We have never done that and it has never been offered.

**The Hon. CATHERINE CUSACK:** You also suggested a memorial for your children.

**Ms MURIEL CRAIG JNR:** Yes, I suggested that because in Bowraville—I have always lived my life in Sawtell—obviously that is where mum is from and that is my roots. I work in the Bowraville community. All the younger generation now it is still carrying on through the generations saying "it is not fair". I feel if there was something like a youth centre or something for all them young people to get to in dedication to the three children.

**The Hon. CATHERINE CUSACK:** That is a lovely idea.

**Mr LUCAS CRAIG:** And have support services there.

**Ms MURIEL CRAIG JNR:** Services run out of the youth service, may be counselling if any of the young people need counselling, and anything like that for young people up there.

**Mr DAVID SHOEBRIDGE:** Do you want it in Bowraville or Sawtell?

**Ms MURIEL CRAIG JNR:** In Bowraville.

**The Hon. SHAOQUETT MOSELMANE:** Did the three families not have the support and services they needed all this time?

**Mr LUCAS CRAIG:** No, the whole time.

**Ms MURIEL CRAIG JNR:** Not until Barry Toohey came on board. That was the first service that helped the family.

**Ms PAULA CRAIG:** This has affected our lives. This has been my load since I was a young girl and it is sad that my kids have to feel my pain. It is sad they never got to meet their aunty and she never got to meet my kids. She was never an aunty who got to meet our kids and to grow with us. I have fond memories of her.

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**Mr DAVID SHOEBRIDGE:** When the most recent application to the Attorney General was made to bring an application under the double jeopardy laws, do you remember how you found out that that had been refused?

**Ms MURIEL CRAIG SNR:** Leonie called me and told me about that.

**Ms MURIEL CRAIG JNR:** Late one afternoon.

**Ms MURIEL CRAIG SNR:** Yes.

**Mr DAVID SHOEBRIDGE:** What was that?

**Ms PAULA CRAIG:** I know late Friday afternoon when Leonie called mum, mum then called us.

**Mr DAVID SHOEBRIDGE:** Everybody.

**Ms PAULA CRAIG:** Yes.

**Ms MURIEL CRAIG SNR:** But before that, there was actually a reporter came to the house—oh, no I did not, sorry. Leonie did not because there was reporter who came to the house and talked to me. They were asking me about it and I did not know at the time.

**The Hon. SARAH MITCHELL:** Was that the same day, or can you not remember?

**Ms MURIEL CRAIG SNR:** Look, I do not know. My mind is not—I cannot remember things.

**The Hon. SARAH MITCHELL:** That is all right.

**Ms MURIEL CRAIG SNR:** I cannot remember things most of the times.

**The Hon. CATHERINE CUSACK:** But you basically found out from the media.

**Ms MURIEL CRAIG SNR:** Yes. I cannot even think of his name, but I know he was there.

**The Hon. CATHERINE CUSACK:** Okay.

**Mr DAVID SHOEBRIDGE:** Do you remember your mum giving you a call after that?

**Mr LUCAS CRAIG:** I was there with mum.

**Mr DAVID SHOEBRIDGE:** You were there when the reporter turned up?

**Mr LUCAS CRAIG:** I cannot remember his name but I remember we were sitting there, talking to him.

**Ms MURIEL CRAIG SNR:** Yes, because he asked me that question about it. He said, "Did you know that the application was turned down?", or he said something like it. He did not say it in those words.

**Mr DAVID SHOEBRIDGE:** How did you feel, finding out about it from a reporter?

**Ms MURIEL CRAIG SNR:** I did question him. I said, "Are you sure?" He said, "Yes." He said the information was released to the press. Then he said, "Oh, I shouldn't have told you that." I said, "Shouldn't they notify me first?" He said, "You'll have to ask."

**The Hon. CATHERINE CUSACK:** Was it already in the media when they came to you?

**Ms MURIEL CRAIG SNR:** No, no.

**The Hon. CATHERINE CUSACK:** It was going to be released.

**Ms MURIEL CRAIG SNR:** It was released and he came there—

**Mr SCOT MacDONALD:** To confirm it or ask for a comment.

**Ms MURIEL CRAIG SNR:** Yes—to ask me about how I felt and that, yes.

**The Hon. CATHERINE CUSACK:** Was that in the evening?

**Ms MURIEL CRAIG SNR:** That was through the day.

**The Hon. CATHERINE CUSACK:** How did he know to come to you? Do you know who put him on to you?

**Ms MURIEL CRAIG SNR:** No. I have met him before. He came there a few times. I cannot even think of his name and what paper he was from, but he came to interview me a few times.

**The Hon. CATHERINE CUSACK:** Right.

**Ms MURIEL CRAIG SNR:** Like, I would know who he is, and that.

**The Hon. SHAOQUETT MOSELMANE:** When you say they never called you directly, was there a suggestion that there may be a liaison police officer and if you had any issues, you would call them or they would ring you?

**Ms MURIEL CRAIG SNR:** Can you just repeat that?

**The Hon. SHAOQUETT MOSELMANE:** Was there a suggestion at all during that time that there would be a liaison police officer—somebody in the police station somewhere that you can call or they will call you—if there were issues or matters?

**Ms MURIEL CRAIG SNR:** Do you mean at the time when all this was happening?

**The Hon. SHAOQUETT MOSELMANE:** Yes.

**Ms MURIEL CRAIG SNR:** There were Aboriginal liaison officers working at the time, but I do not think that they really—like no-one—actually, one of my brothers used to be working at the Macksville police station as a liaison, and I think he was very limited in what the police would tell him, anyway.

**The Hon. CATHERINE CUSACK:** But this Gary would have been your main contact about the case at that stage, wouldn't he?

**Ms MURIEL CRAIG SNR:** Yes.

**The Hon. CATHERINE CUSACK:** I think that part of the problem was that Gary was not told, either.

**Ms PAULA CRAIG:** I remember leading up to that we had been waiting months to find out anything. How it normally is: as soon as Gary finds out anything he will ring mum. He never heard anything.

**Ms MURIEL CRAIG SNR:** No, he did not.

**Ms PAULA CRAIG:** That is what mum was saying. She heard from the reporter. I think it is the *Sydney Morning Herald* who is the fellow that always comes and interviews her.

**Mr DAVID SHOEBRIDGE:**

**Ms MURIEL CRAIG SNR:** He was a young guy.

**Ms PAULA CRAIG:** That is him, yes. He rang me a couple of times. I remember that day well because it was like they timed it to the dot on the time that we could not react to the rejection of the inquiry.

**The Hon. CATHERINE CUSACK:** You felt they were more worried about the media coverage than caring about you?

**Ms PAULA CRAIG:** Yes. It just made us feel there is another thing—that when it comes to Aboriginal people, they do not care. You know, it is just that treatment that we have got all the way through.

**Ms MURIEL CRAIG SNR:** Yes.

**Ms PAULA CRAIG:** We all know if it was white kids that went missing, there would have been a big search. We have known that and I think we have learnt to just work through it about how things are. But Gary, when he came on board, he kept us really informed of everything that was going on—like, what he could tell us. Then we understood things more about what was happening and how the process worked and stuff like that.

**The Hon. CATHERINE CUSACK:** It seems as though there are two standards going on with the police. You have got Gary and his team, who are really superb and are trying to fix up, but at the same time the local policing attitude really has not changed.

**Ms PAULA CRAIG:** That is right.

**Mr LUCAS CRAIG:** Yes.

**Ms PAULA CRAIG:** That is exactly right.

**Ms MURIEL CRAIG JNR:** While it is in my mind, I just want to go back. I do not know who asked about when Evelyn went missing when I used to live down there. I was down there at the time. I was one of the young children that the police interviewed because we were all at the river. I remember when they took me into the police station and asked me, or they were telling me. They were not asking; they said, "You saw Evelyn, didn't you?" I said, "We were down at the river." Like, we were pretty much at the river every day: it was in holidays and it was summer. I said, "I couldn't tell you what day it was." They said, "No, you saw her on this day." They told me I saw her on this day so as a young child I just said, "Oh, I must have."

I was there at the river that day with a couple of my cousins. I remember going to court. As I was getting older, I could not remember. I said I honestly could not remember. Then it was in Port Macquarie that I was the last witness to go on the stand. It was very daunting. I could not mention Colleen's name. I could not mention any of the other children or have Colleen's name in there. He kept asking why was I in Bowraville. Why was I there? Did I not live in Sawtell? I said, "Yes, I do live in Sawtell." I just felt like the police at the time, they just wanted me to say that Evelyn was at the creek that day.

**Mr SCOT MacDONALD:** Were the other interviewees, your other friends—the other interviewees—

**Ms MURIEL CRAIG JNR:** Cousins.

**Mr SCOT MacDONALD:** Your cousins, did they feel the same pressure? Do you recall at all? Were they treated the same?

**Ms MURIEL CRAIG JNR:** I think so, yes. I am not sure how they felt about it. That is how I felt about it.

**Mr SCOT MacDONALD:** Did the police—

**Ms MURIEL CRAIG JNR:** They asked me what shoes was she wearing. I do not know. I was only 11. I do not know what shoes kids are wearing. She had no shoes on most of the time.

**Mr SCOT MacDONALD:** Did they preface your interviewing saying what you just said then for a reason?

**Ms MURIEL CRAIG JNR:** Probably to say that there were sightings after she was supposed to go from the house. I am not sure, but I know that they said to me, "You saw her at the creek—at the river—that day." This is the police and I am only 11 years old, so what am I going to say: "Yes." When I was in court I said

that to them. I said I saw them at the beach, at the creek, at the river every day. I do not know what day it was. I do not know. I saw her one day. I do not know what day it was.

**Mr SCOT MacDONALD:** Who was with you when you were being interviewed?

**Ms MURIEL CRAIG JNR:** Mum, you were there, weren't you?

**Ms MURIEL CRAIG SNR:** I cannot remember.

**Ms MURIEL CRAIG JNR:** I am pretty sure mum—I am not sure. I cannot remember the actual interview but I have got my transcript and everything of my interview.

**The Hon. CATHERINE CUSACK:** Do you mind sharing that with us?

**Ms MURIEL CRAIG JNR:** Yes.

**The Hon. CATHERINE CUSACK:** I think that would be really useful.

**Mr DAVID SHOEBRIDGE:** Muriel, when you went to court and you could not talk about Colleen, what did you think of all that?

**Ms MURIEL CRAIG JNR:** I knew he knew who I was.

**Mr DAVID SHOEBRIDGE:** Was he in the court?

**Ms MURIEL CRAIG JNR:** Yes.

**Mr DAVID SHOEBRIDGE:** How did you feel about all of that?

**Ms MURIEL CRAIG JNR:** It was hard. It was really hard. Are you talking about the person?

**Mr DAVID SHOEBRIDGE:** No. I am talking about when you were called to court and you were called to talk about Evelyn in Evelyn's case and you could not mention Colleen.

**Ms MURIEL CRAIG JNR:** That was hard because that is why I was in Bowraville at the time. When I was a child, my name was Muriel Walker, I was under "Walker", and as an adult under "Craig". The barrister kept saying "Walker", "Miss Walker", "Miss Craig", so he was trying to confuse me that way. I think he knew why I was in Bowraville but it was like he was trying to get me to say Colleen's name and I could not. But he kept asking, "Why are you in Bowraville?" It was hard. It was really hard for me. I was the last witness of the whole inquiry, so that was a really hard day.

**CHAIR:** We want to thank you all for coming along and sharing your feelings and what you have been through over the past 24 years. We know it is very, very hard for you, particularly for the family of Colleen. She has never been found and you have had no closure on that. You have been on this rollercoaster experience where your expectations were raised on several occasions, and then they just fell to the ground. The fact that you know that the perpetrator is still out there and has not been brought to justice is among the great burdens that you have had to carry.

We are working so that we can find a way for there to be closure in these matters. It is important to us that you have shared those experiences because that will help us to formulate some of the things that we are going to try to do. We are going to do what we can. You have to go from here knowing that everybody here will do what they can to help, within the parameters we are able to work in. We want to see justice come too. You are grieving and, believe me, we are grieving with you. Thank you for being with us today.

**Ms MURIEL CRAIG SNR:** Excuse me, before you go, can I just mention one more thing that is important to me?

**CHAIR:** Yes, please do.



**Ms MURIEL CRAIG SNR:** It has to do with Colleen. After Colleen went missing we formed a group in Bowraville to get funding and this is what happened—I think it is important that you know this. Of course the money comes from the government. People who are still in Bowraville are on committees and I was on one committee but because I lived up in Sawtell they misused the funds and I could not even do anything. I went to see lawyers but there was nothing I could do. Even today this is still happening; people in Bowraville are applying for grants without even asking me. I have tried to do things; I actually went and sat with these people but it is like I am nothing to them. I have not even spoken to them about using Colleen's name to get funding but it is still happening.

**CHAIR:** You are saying a committee has been set up?

**Ms MURIEL CRAIG SNR:** There is one in Bowraville called . This organisation got funding and I went to see them, and was the main one. When I met with her she said to me, "Oh, we didn't use your daughter's name." In the application they put the three murdered children of Bowraville. I said, "Well, Colleen is one of those children." That is their way of explaining that they did not use Colleen. She said they used "the three". The has applied for funding—I have got no approval because I was never going to get that but perhaps you can look into the and see if they got funding using the kids' names because I was told that they did. I approached them and it was just the same; I was nothing. They just looked at me silly and said, "Look, we don't have to tell you anything". I cannot do anything. What am I going to do?

**CHAIR:** An organisation called was set up, is that right?

**Ms MURIEL CRAIG SNR:** Yes, it is in Bowraville.

**CHAIR:** Specifically dealing with healing as a result of the three murders?

**Ms MURIEL CRAIG SNR:** Yes.

[EVIDENCE OMITTED BY RESOLUTION OF THE COMMITTEE – 23 OCTOBER 2014]

**CHAIR:** Is the office here a full-time office or just a contact?

**Ms MURIEL CRAIG SNR:** No, people are in there every day. There are people working there every day.

**CHAIR:** And it is called ?

**Ms PAULA CRAIG:** I think the organisation gets funding from . The organisation runs different programs. What mum is talking about is that a couple of years ago they applied for a grant and it was for the youth in Bowraville. However, they used the three kids as a means of getting the funding to use for the youth in Bowraville. But as mum as said, over the years different organisations have got money because they have used the three kids' names but never they did any consultation with the families about how they were going to run a program or where they were going to spend the money.

**Ms MURIEL CRAIG SNR:** Or they never asked me, "Is it okay?" I most probably would have said yes but the point is that they do not even take the time to sit down with you and ask, "Is this okay?"

**CHAIR:** And that is a further stress.

**Ms PAULA CRAIG:** It is, very much so.

**Ms MURIEL CRAIG SNR:** Yes.

**Mr DAVID SHOEBRIDGE:** And this is a pattern—the police did not talk to you, the Attorney did not talk to you and nor do the support agencies so you are feeling completely isolated?

**Ms PAULA CRAIG:** You find out from other family members that this organisation got money because of the three kids. They are doing this but mum does not know anything.

**The Hon. CATHERINE CUSACK:** It is almost exploiting your grant?

**Ms PAULA CRAIG:** Yes, exactly.

**The Hon. SHAOQUETT MOSELMANE:** One submission says that some organisations are cashing in?

**Ms PAULA CRAIG:** Exactly.

**Ms MURIEL CRAIG SNR:** Yes. I do approach them but they just say, "We don't have to tell you anything", and they don't tell me anything and I cannot go anywhere to get answers so maybe you can look into it; I do not know.

**CHAIR:** Thank you for those comments. You mentioned ?

**Ms MURIEL CRAIG SNR:** Yes, in Bowraville.

**Ms PAULA CRAIG:** That was for the last march at Parliament in Sydney. They applied for some money through the to get a bus to take some family members down to Sydney. That never happened; they never got the bus but mum believes that they still got the money for that so where did the money go if they never provided transport?

**CHAIR:** It is about the lack of consultation with the families of the three children?

**Ms MURIEL CRAIG SNR:** Yes.

**CHAIR:** Thank you for meeting with us here today. These are all the things we are interested in. As I say, we are doing what we can. You were here yesterday when Gary Jubelin gave his evidence?

**Ms MURIEL CRAIG SNR:** Yes.

**Ms PAULA CRAIG:** Yes, very impressive.

**CHAIR:** It was uplifting to hear that, wasn't it?

**Ms MURIEL CRAIG SNR:** Yes.

**Ms PAULA CRAIG:** Yes.

**CHAIR:** Things came out that needed to be said and that was a good day in support of justice.

**Ms PAULA CRAIG:** Yes.

**Mr DAVID SHOEBRIDGE:** And we will not leave it at that.

**CHAIR:** We are not leaving it at that.

**Ms PAULA CRAIG:** Thank you.

**Ms MURIEL CRAIG SNR:** Yes, thank for that and thank you again for taking the time to come up here to listen to us, to hear our stories and know what we have been through. It still is a hard journey but, like I said, I have got my family, so I will be okay—we will all be okay—but it is still going to be hard on us; it still is.

**CHAIR:** We are certainly glad we came; we are certainly glad that we have had this opportunity to meet with the families and to talk to you direct, not through others but directly to you. It helps us understand the circumstances, the reasons for grief and the concerns you have. Clearly at the head of it all is that you just want closure through justice?

**Ms MURIEL CRAIG SNR:** Yes.

**Ms PAULA CRAIG:** Yes.

**CHAIR:** Thank you once again for being with us.

**(The witnesses withdrew)**

**PENNY STADHAMS,**

**LESLEY STADHAMS,**

**REBECCA STADHAMS,**

**PATRICIA STADHAMS,**

**MICHELLE JARRETT,** before the Committee:

**CHAIR:** I welcome the family of Evelyn Greenup to this inquiry into the family response to the murders in Bowraville. We know that these are sad and trying times but we are here to try and achieve good outcomes. Please know that first and foremost is the pursuit of justice in this situation. The Committee can only do its best and we are dedicated to doing whatever we can in the parameters of this inquiry. I need to mention a couple of things. Witnesses who give evidence at these hearings are protected by parliamentary privilege. That means that submissions and oral evidence given before a committee can be made freely and honestly without fear or threat of legal action for defamation, but at the same time committee hearings and submissions are not an opportunity to make adverse comments or accusations about individuals.

I therefore request that witnesses focus on the issues raised in the terms of reference of this inquiry and avoid naming individuals unnecessarily, particularly the alleged perpetrator of these crimes. I also remind you that comments outside a hearing do not receive the protection of parliamentary privilege. So be cautious about any remarks you make outside, particularly to the media because you are not under the protection of parliamentary privilege. After today's hearing the Hansard reporters will produce a transcript of what you have said. You will then be contacted to see if you want parts of it taken out or whether you want the entire transcript published. You will get the transcript in due course and then you are to let us know what you want to do about that.

The Committee is interested to hear about what you have gone through over these past 24 years and how it has impacted upon you. The Committee appreciates that it has been a rollercoaster ride, particularly for the parents and grandparents of the children. Expectations have been raised that full justice will be served and that has not been achieved. Would anyone like to start by telling the Committee how you felt in the days and weeks following what happened to Evelyn?

**Ms REBECCA STADHAMS:** What happened to her that day?

**CHAIR:** Can you tell us about the things that were on your mind in the days and weeks following what happened to Evelyn?

**Mr DAVID SHOEBRIDGE:** Rebecca, you start where you want to start.

**Ms REBECCA STADHAMS:** I am just trying to relax a bit.

**CHAIR:** You can start wherever you want to start and tell us what comes to your mind?

**Ms REBECCA STADHAMS:** Lots of things are going through my mind. I am Evelyn's mum and I just didn't like the way that things were done back then. She was a pretty little girl. She was shy, sweet, gentle, smiling all the time. She had two little cousins she always played with. She played with her brothers a lot and they were always together. She always stood by my side and that. I would always take her to visit her aunties and everything. She was just a sweet, little gentle girl.

**CHAIR:** We saw some photographs earlier. She was a shy little girl?

**Ms REBECCA STADHAMS:** Yes, she was shy.

**CHAIR:** Always by your side?

**Ms REBECCA STADHAMS:** Always by our side and that, by her aunties and that side too. She used to play a lot with her brother Aaron, but he is not here today. I wanted him to come along but he never showed

up. Those two were very close and they did a lot of things together. I went through a lot of things. I had alcoholic breakdowns after I lost her and my life just turned upside down. It was really painful for me. I went through a lot. I even tried to kill myself because I wanted to be with her. It affected me so badly.

**Ms PATRICIA STADHAMS:** You can see how I still feel. I am 70 years older and I still hurt.

**Ms REBECCA STADHAMS:** Me and my children were living with my mother at that time. It has affected my mother a lot. I was living with my mother at that time when it all happened, that morning when she disappeared.

**Ms LESLEY STADHAMS:** What was worse for me was the way she was treated. It seemed that all the blame was on her because she was there at the time when Evelyn went missing—Evelyn was with my sister. I am Rebecca's twin and what I noticed was that she was always the last to be told anything. It got to that point where she was trying to self-harm herself. So my constant fear was constantly worrying about her trying to hurt herself because it was like she really blamed herself.

**Ms REBECCA STADHAMS:** Yes, I did. I blamed myself a lot for it. I felt so terrible because she disappeared and she was with me and everything. As a mother I blamed myself because I should have looked after her better. I should have done this and I should have done that. She still would have been around if I got someone my age to watch her and all that. I went through a lot of that grieving and counselling and started hitting the drinking. Nearly seven days a week I would wake up with three casks of moselle in my fridge. I would not have breakfast; I would get straight into drinking. My sister, Michelle, was working in Coffs Harbour. Sometimes she used to come to Coffs Harbour Hospital because I was nearly having breakdowns and that—I believe I was in there. I had a kind of rough time with the police too because they would look at you silly, they looked at me real strange. It was just like they didn't care.

**Ms LESLEY STADHAMS:** She actually told me this morning that when they did find Evelyn's remains—

**Ms REBECCA STADHAMS:** Remains, yes, because I kept telling them—

**Ms LESLEY STADHAMS:** You actually notified her, the police didn't even notify her.

**Ms REBECCA STADHAMS:** My sister, Michelle, came there about 10 minutes before it came on the news. I told the police where I was living and if they found out any information to come straight to me and tell me, which they didn't. It was about 10 minutes—I was lying in the room; my sister, Michelle, came straight to the house where I was staying. I was looking at her and she was crying. I said, "What's wrong?" She said, "They have just found Evelyn's remains." So I went and got in the car and drove straight down to Bowraville and I found all my aunties waiting there for me. I ended up having a—they had to take me to the hospital because they had to give me something to calm me down. Why didn't the police come and tell me first? Everybody else knew but I didn't. It was 10 minutes before the news come on and that would have been so shocking for me to see it on the news. They should have come to me first and told me first that they found her, but they didn't.

**Mr DAVID SHOEBRIDGE:** Where were you living?

**Ms REBECCA STADHAMS:** I was living in—

**Ms MICHELLE JARRETT:** Toormina.

**Ms REBECCA STADHAMS:** —Toormina at the time with some friends and that.

**Mr DAVID SHOEBRIDGE:** Michelle, how did you find out?

**Ms REBECCA STADHAMS:** I beg your pardon?

**Mr DAVID SHOEBRIDGE:** Do you know how Michelle found out?

**Ms MICHELLE JARRETT:** The police come around to home. I was living with my sister Penny down there in Carbon Street. So I had to drive—I just found out that they had found my niece so I had to drive

to Coffs Harbour to get Rebecca and tell her. The police told me that the media already knew and they wanted me to tell her before she saw the news.

**The Hon. SARAH MITCHELL:** Was it the local police that came to you?

**Ms MICHELLE JARRETT:** The detectives, yes.

**Mr DAVID SHOEBRIDGE:** When they came and told you they said that the media already knew?

**Ms MICHELLE JARRETT:** They told us that the media already knew.

**Mr DAVID SHOEBRIDGE:** Where were you and Penny living at the time?

**Ms MICHELLE JARRETT:** Carbon Street in Bowraville.

**Ms PENNY STADHAMS:** Wasn't it Cohalan Street?

**Ms MICHELLE JARRETT:** Cohalan, sorry.

**Mr DAVID SHOEBRIDGE:** So you drove from Bowraville to Coffs Harbour to tell Rebecca?

**Ms MICHELLE JARRETT:** Yes, and I had to beat the media.

**Mr DAVID SHOEBRIDGE:** And you only got there 10 minutes before the news?

**Ms MICHELLE JARRETT:** That was about an hour. You know, it was just before the news—I got there 10 minutes before.

**Mr DAVID SHOEBRIDGE:** As you were driving you were thinking that you had to beat the 6 o'clock news bulletin?

**Ms MICHELLE JARRETT:** Yes.

**Ms REBECCA STADHAMS:** That would have been even worse for me to see it on the news not knowing. When my sister turned up at that front door it spun me right out.

**The Hon. SHAOQUETT MOSELMANE:** How did you feel when that information was given on the television yet no-one had contacted you?

**Ms REBECCA STADHAMS:** I never seen it on TV.

**Ms MICHELLE JARRETT:** No, how did it make you feel with it going through TV first?

**Ms REBECCA STADHAMS:** I was very angry. I was practically crying and screaming with anger and swearing. I told them where I lived, why didn't they come and see me first?

**CHAIR:** Did you get an answer to that question?

**Ms REBECCA STADHAMS:** No. They didn't even come and see me at all.

**The Hon. PETER PRIMROSE:** Why do you think they did not come?

**Ms REBECCA STADHAMS:** Oh gosh—

**Ms LESLEY STADHAMS:** I honestly think they part blamed her because she was there at the time.

**Ms REBECCA STADHAMS:** I was there at the time and that, yeah.

**Ms PENNY STADHAMS:** Because she was an Aboriginal woman, not educated and had an alcoholic issue.

[EVIDENCE OMITTED ON THE RESOLUTION OF THE COMMITTEE – 23 OCTOBER 2014]

**Ms REBECCA STADHAMS:** Yes, I did. I had Evelyn's father's side of the family. Ever since it happened I have been putting up with heaps from them, like hell from them. And I am still getting tormented by them over all that. Ray walk past me and go, just like that, on the ground in front of me, you know, say things and that to me. I have been putting up with Evelyn's father's side of the family too for years. At Port Macquarie at Evelyn's trial that was even a rough time for me too with that side of the family being there and saying things and that.

**The Hon. SHAOQUETT MOSELMANE:** Ms Stadhams, did you feel they partly blamed her?

**Ms LESLEY STADHAMS:** Not partly—they blamed her.

**Ms REBECCA STADHAMS:** They blamed me a lot.

**The Hon. SHAOQUETT MOSELMANE:** What did they do or say?

**Ms LESLEY STADHAMS:** It was more like the police were more for Evelyn's father's side than mother's side. They would get all the information before my sister.

**Ms MICHELLE JARRETT:** Somehow they built up a picture of Rebecca being—they had perceived image of Becca from everybody else and that was it, and she was to blame. Out in the early stages myself I blamed her because I was anti her.

**Ms REBECCA STADHAMS:** Yes, my sisters did blame me because they were angry.

**Ms MICHELLE JARRETT:** Because we were angry because she did not know where Evelyn was. She has not only had to put up with her own family in the initial stages of blaming her and being angry with her but also she had to deal with own community, Evelyn's father's side of the family and also the way the general wider community was looking at it. Bowraville was a Peyton Place. Everybody knows everybody's business.

**The Hon. SHAOQUETT MOSELMANE:** Does that feeling still exist?

**Ms MICHELLE JARRETT:** No, we support Becca 100 per cent.

**Ms LESLEY STADHAMS:** Between the sisters, yes.

[EVIDENCE OMITTED ON THE RESOLUTION OF THE COMMITTEE – 23 OCTOBER 2014]

**Mr DAVID SHOEBRIDGE:** Do you remember the trial, Rebecca? Do you remember when it went to court and having given evidence in court at Port Macquarie? You mentioned it briefly. What is your memory of having gone to court and being cross-examined?

**Ms REBECCA STADHAMS:** I was a bit shaky and that. At first I was confused. There were a lot of questions and that. I broke down and cried and that, yes. But the next day I got more relaxed being questioned again.

**Ms MICHELLE JARRETT:** It was very frustrating to sit there listening to them ask the questions because as you can see Becca has difficulty explaining herself. So try to get that across to these people so many years after Evelyn had gone missing it would have—

**Ms REBECCA STADHAMS:** I was just trying not to get angry with some of the questions they were asking me. I was trying to keep calm because I did not like some of the questions.

**Ms PENNY STADHAMS:** Some of the questions from—I felt as Rebecca's sister that they were making her feel, or portraying her to be an unfit mother who did not care for her child, did not look after her child, did not love her child, when she loved her children. Rebecca taught me how to be a mother.

**Ms REBECCA STADHAMS:** Yes, that is right.

**Ms PENNY STADHAMS:** She taught me how to be a mum—I was a young teenage mum. I have a lot of respect for Rebecca and she taught me the foundations of looking after my child. I thank Rebecca for that.

**Ms PENNY STADHAMS:** My recollection of everything is my two children on the weekend we had to go search, the family has been searching, not the police. The police could not be bothered. The police did not care. It was more like just one Aboriginal kid lost so why worry. They did not have the time or resources and they just could not care less because we all lived on an Aboriginal mission. It was really hard for us to come and band together but we did. We banded together and we looked for the kid. The way the police interviewed people was very disrespectful. They showed no dignity and respect towards any of the families, the community. It was really poorly done.

**Ms PENNY STADHAMS:** It was very unprofessional.

**Ms LESLEY STADHAMS:** Yes, I felt that too. They said, "How do you know? I am her twin, I know her inside out. I clearly remember that. They said, "Was she drunk?" I said, "Yes, she gets drunks and she blacks out", so whatever happened that night I know she is telling the truth about her blacking out and not waking up.

**Ms PENNY STADHAMS:** Often times I can recall for me when I was asked to go—I was not formally asked by the police to go to the police station it was through another friend. I went to the police station. They did not take me inside and ask me questions, they just talked to me out on the lawn and anyone could have heard what was happening. When I said I was constantly questioned they just laughed. None of it was taken seriously because we were—

**Ms LESLEY STADHAMS:** I found them to be ignorant.

**Ms PENNY STADHAMS:** They were ignorant, disrespectful and they had no cultural competence—they were so unprofessional—

**Ms MICHELLE JARRETT:** I actually reported Evelyn missing that night. I finished work and Becca had come and seen me around about 7.00 or something late in the night. I used to work for Guide Dogs and travelled back and forth. When I got down to the police station there was a highway patrol car there I think. And there was one gentleman there and he asked me what I wanted. I told him I wanted to report my niece missing, and I had the photo of her. He basically said, "What do you want me to do? I am the only one here. I am just about to go home." I said I want to report her missing, she is four years old. This is like 7.30 p.m. or 8 o'clock at night by the time I got there. Like I really did not know the full side of the story because, like I said, I had just got home from work, but he was really blasé. He was more interested in getting home as he was the only one there. I just happened to catch him walking out the door.

**Mr DAVID SHOEBRIDGE:** Did he take a statement from you? What happened?

**Ms MICHELLE JARRETT:** No, he did not. I drove around to Angus Lane in Macksville. He had told a few more aunties and uncles that Evelyn was missing and they said, "Come on, we will go up to Bowraville. We have got to get up here." Then I tried to get more information out of Becca about what was going on. I then drove around a bit. Went to a few people's houses, went down lanes, the bridge, that is the local swimming hole there.

**Ms LESLEY STADHAMS:** We actually put on our search to look for her.

**Ms PENNY STADHAMS:** Yes, we made flyers we posted, we rang.



**Ms MICHELLE JARRETT:** But you did not see hardly any police presence or anything. When they did come and see you they said, when they looked at the photo, they looked at Rebecca and said, "Is she your daughter?" because they looked at us. Because she has fair skin and blue eyes—

**Ms REBECCA STADHAMS:** And blonde-brown hair.

**Ms MICHELLE JARRETT:** Yes, like a miniature Shirley Temple, you know, this could not be our kid, basically was what they were saying to us. They just said, "Oh, she went walkabout", you know. We kept telling them, "No, she does not do that. She is quite shy. She never went anywhere. She was always within eye distance." If you had seen her brother Aaron, he was a year younger, you saw her. The two were never apart. They were just always together.

**Ms REBECCA STADHAMS:** They never done anything until about six weeks later when they started interviewing people.

**Ms MICHELLE JARRETT:** If Evelyn wanted anything she would pull on you. Like if she wanted a drink of water, she would not speak, she hardly spoke, but she would pull on your clothes, yank on your clothes and then point half the time. She did love going for walks, that is one of the reasons Rebecca and Bill moved home to Bowraville. I said, "Why did you move back here? There is nothing here for you." They lived in a high-rise down at Waterloo at the time. When they were down there you had to take off your shoes outside because Evelyn liked to go walking around. She thought if she seen shoes you were taking her for a walk so you had to hide all the shoes before you went in the house and take them off outside. She just loved nature, loved life and loved walking for a four-year-old girl. They moved home because they did not want someone to kidnap her and kill her—that is what Rebecca said to me. It turned out someone went and done it.

**Ms REBECCA STADHAMS:** Sydney was getting too violent so I moved back to my hometown; then too much violence was around the place where I was staying in Waterloo. That is the reason why I moved back up to Bowraville to get away from the city life.

**Ms MICHELLE JARRETT:** Our whole family felt like we were suspects. Because at one part they asked us, "You are related to \_\_\_\_\_?" We said, "No". Because on our father's side, we have got family in Queensland and dad's step-father's last name was \_\_\_\_\_ spelt the same way. So in one part there were comments that we actually sent her up to them and that we were absolutely related to the person.

**Ms REBECCA STADHAMS:** Was there one part where they reckon that we sold her too?

**Ms MICHELLE JARRETT:** Yes, they were just making stupid allegations.

**The Hon. PETER PRIMROSE:** Who was making the allegations?

**Ms MICHELLE JARRETT:** The police were talking. We said, "Are you for real?"

**Ms REBECCA STADHAMS:** That me and my daughter were supposed to sell my daughter.

**The Hon. PETER PRIMROSE:** How did they make those comments to you?

**Ms MICHELLE JARRETT:** We would be sitting around, occasionally they would come to the house or we would have to go to the police station, and as Penny said we would be out the front lawn talking at the police station. They would make these blasé idiotic statements like, "Did you send her up to your family up in Queensland? We know you have got family up there, they are \_\_\_\_\_."

**The Hon. CATHERINE CUSACK:** Did they ever accept that she had been taken?

**Ms MICHELLE JARRETT:** No.

**Ms PENNY STADHAMS:** It was just like she went walkabout.

**Ms LESLEY STADHAMS:** She was a four-year-old child that went just walkabout because she was Aboriginal.

**The Hon. CATHERINE CUSACK:** Even six weeks later when clearly she had not turned up they started developing other theories?

**Ms REBECCA STADHAMS:** So we had sent her away to family, exactly.

**Mr DAVID SHOEBRIDGE:** How did they say to you, "Did you sell her?" How on earth did that arise?

**Ms MICHELLE JARRETT:** They were just throwing accusations. You would be sitting there talking to them, trying to tell them about Evelyn and the events and then they would come out with these dumb statements like, "Why did you sell her?"

**Ms PENNY STADHAMS:** Which was irrelevant to the case; it had nothing to do with her disappearance.

**Ms MICHELLE JARRETT:** Everything was focussed on us and our blame and Rebecca's blame.

**The Hon. SHAOQUETT MOSELMANE:** Were they shifting the blame to justify their inaction?

**Ms PENNY STADHAMS:** That is it.

**Ms MICHELLE JARRETT:** Exactly. Half the time you did not see them write down anything or take notes. They would just be sitting there talking to you and they had these blank looks, like "Tell us another one. Pull this leg it will play jingle bells."

**Ms LESLEY STADHAMS:** The biggest disappointment for me was every time there was evidence found, and it was so powerful, it did not go anywhere, they did not do anything. I thought, "God this is so full of this evidence that is so strong" and it just did not go anywhere. I thought, "Oh, my god, what do we have to do? Yell, scream, jump up and down so people can hear us?"

**CHAIR:** Can you give us an example?

**Ms LESLEY STADHAMS:** Like clothing that was found, his caravan being at one of the crime scene. You think, "We're final getting something, something is finally going to happen". And then you get this big hit in the face and it is like, "You're kidding me. Nothing has become of this." It just like a hit in the face. It knocks you back down and you have to build yourself back up and then there is nothing. Surely this is enough.

**The Hon. CATHERINE CUSACK:** Prior to Gary's appointment, were you contacted when there were developments in the case?

**Ms MICHELLE JARRETT:** No, you would find out from somebody else, one of the family or the media.

**Ms PENNY STADHAMS:** Until Gary Jubelin and his team come along we were informed about nothing. It was all secondhand news through the media and there was no respect shown to any of the families, the parents.

**Ms MICHELLE JARRETT:** That last time that Greg Smith rejected the submission, I found out from Dr Viv Tedeschi because the media had rung her first. That is how our family found out.

**The Hon. CATHERINE CUSACK:** On another matter, members of Parliament have been briefed that the Director of Public Prosecutions liaises with victims of crime. Did you have a contact?

**Ms MICHELLE JARRETT:** No.

**The Hon. CATHERINE CUSACK:** Did you have a phone number to call? All your communication was expected to be—

**Ms MICHELLE JARRETT:** If they did not contact us they would at least contact Leonie first because she has had a lot to do with writing submissions and things like that. You would think they would at

least go to her first. On this particular occasion I was sitting in Barry Street and they rung me. Vivienne had rung me and said, "I just a phone call from ABC and they have asked me my response on the rejection by Greg Smith." I said, "We haven't even been told." She said, "They have just rung me now and I have given them your number. Can you pass it on to Leonie too?" They had not even told Leonie. I had to call Leonie and then she was going to ring Gary. That is how it got around that he had made a decision.

**Mr SCOT MacDONALD:** A member of one of the other families put in a submission asking for official recognition that what happened to them was wrong. Do you feel the same?

**Ms MICHELLE JARRETT:** Yes, we believe an apology should be given to the parents, to the families, to the kids.

**Ms LESLEY STADHAMS:** I really feel my sister was hard done by, I really do, by the police. It was just ridiculous what they were coming out with.

**Ms PENNY STADHAMS:** None of the families were ever referred to at the time of the kids going missing. They were never supported by any services. There was no counselling, no nothing. We were debriefing and talking to ourselves. We were trying to deal with the loss and the grief. There was a sadness, a big blanket of sorrow over the community. It was unbelievable. We were all at breaking point and trying to be strong for the parents of the kids who were all having mental breakdowns because they did not know what was happening. There was a lack of communication between the police and the families; they just didn't care. Anyone who was non-Indigenous got more information than the families did.

**Mr DAVID SHOEBRIDGE:** What support and communication did you get after the not guilty verdict?

**Ms PENNY STADHAMS:** We got support from Dr Tracy Westerman. Before that trial went to court, the mental health workers came on board and she established all that. She was the first one. Prior to her we had nothing.

**Ms MICHELLE JARRETT:** Before, during and after she was there for us.

**Mr DAVID SHOEBRIDGE:** Dr Westerman was there for you?

**Ms MICHELLE JARRETT:** Yes.

**Ms PENNY STADHAMS:** Dr Westerman and her team were fantastic. They talked us through. There was that phone contact and the face-to-face contact. She brought in a range of services.

**Ms MICHELLE JARRETT:** I think the people came from Western Australia. You cannot get anything in New South Wales obviously.

**Ms PENNY STADHAMS:** They come from another State across the other side of Australia to help our community in New South Wales.

**Mr DAVID SHOEBRIDGE:** That was good.

**Ms PENNY STADHAMS:** That was really good.

**Mr DAVID SHOEBRIDGE:** How long did you have that support?

**Ms MICHELLE JARRETT:** It is ongoing. We have it now through Barry and Gary and support from Tracy.

**Mr DAVID SHOEBRIDGE:** You went from the support of Dr Westerman to the support Gary is giving you.

**Ms MICHELLE JARRETT:** Yes. Also at Evelyn's trial, just before the verdict they had all riot squad there sitting in the other courtroom because they thought we were going to riot.

**The Hon. CATHERINE CUSACK:** Was that offensive?

**Ms MICHELLE JARRETT:** Hell, yes. We do not all riot and carry on. They stereotyped us. Just because they might do it in Redfern don't mean we do it, it don't mean the Stadhams family do it. That was highly disrespectful.

**Ms PENNY STADHAMS:** It was offensive.

**Mr DAVID SHOEBRIDGE:** You were not on trial; you were the victims.

**Ms MICHELLE JARRETT:** Do you know what was on trial? Our lifestyle, how we live—not that man sitting in that chair. It was Rebecca and our lifestyle that was on trial.

**The Hon. SHAOQUETT MOSELMANE:** In your submission you say Evelyn's murder has ripped your family apart—

**Ms MICHELLE JARRETT:** It has.

**The Hon. SHAOQUETT MOSELMANE:** —and you have had no support to deal with it.

**Ms MICHELLE JARRETT:** No. I have mainly looked after Rebecca's kids for the last few years and I have also helped look after my mum. I have been the main caregiver for her kids—that's .  
That's six kids and that is even before I had my own child. I did not have my own child until I was 32. It impacted a lot on my first marriage because my husband, being a white man, he could not understand why I had to take care of these kids. Becca's kids, Penny's kids are my kids.

**The Hon. SHAOQUETT MOSELMANE:** Family support has been damaged.

**Ms MICHELLE JARRETT:** Yes.

**Ms PENNY STADHAMS:** Prior to Tracy Westerman. We had nothing before she came along.

**Ms MICHELLE JARRETT:** These kids are very emotionally damaged because they do not understand what's going on. They don't understand their parents' grief. They don't understand their own grief, they don't understand their brothers and sisters' grief and they are just angry.

[EVIDENCE OMITTED BY RESOLUTION OF THE COMMITTEE – 23 OCTOBER 2014]

**Ms LESLEY STADHAMS:** It is really deep.

**The Hon. SARAH MITCHELL:** You said there was at the time a blanket of sorrow on the community and it sounds like there still is. What would make that lift? Is it seeing justice being done?

**Ms PENNY STADHAMS:** There has been no closure for the family; we have had no justice. As far as we are concerned we have had no justice done. We have been hard done by. It was just a joke. They treated us like a joke because we were from the Aboriginal community and a low socioeconomic area.

**Ms MICHELLE JARRETT:** They were dotting the i's and crossing the t's to make it look good. Even when we had the trial over in Port Macquarie, they was just walking through it. They were just going through the motions, you could see it. You sit there in the background listening to them and thinking, "Why aren't you fighting harder? Why did you ask him this question? Who don't you call more witnesses?" When the defence was finished why didn't he get him back on the stand and ask him more questions. There was nothing like that. I feel like going and slapping him in the back of the head and saying, "What are you doing?"

**The Hon. CATHERINE CUSACK:** Was there no liaison with you during the trial?

**Ms MICHELLE JARRETT:** Not from him.

**The Hon. CATHERINE CUSACK:** Who liaised with you?

**Ms PENNY STADHAMS:** Tracy, Gary and Jason.

**Ms LESLEY STADHAMS:** I sat in for a while and listened and I got up and walked out because I was so disgusted.

**The Hon. CATHERINE CUSACK:** Did you meet the prosecutor?

**Ms MICHELLE JARRETT:** Yes, he come over and said hello and his name.

**The Hon. CATHERINE CUSACK:** In the courtroom?

**Ms MICHELLE JARRETT:** Just before we all went in. He did not make time before to sit with us.

**Mr DAVID SHOEBRIDGE:** Rebecca, did the prosecutor at the trial for your daughter's murder meet you beforehand to explain the process?

**Ms REBECCA STADHAMS:** Sometimes my mind goes blank. I think he did but I cannot remember. I am sure he did.

**Mr DAVID SHOEBRIDGE:** Was that before the trial was starting or did he make special time to sit with you?

**Ms MICHELLE JARRETT:** He did not make special time. We were altogether, we all sat together. He didn't. The only time was just before we walked into the trial.

**The Hon. CATHERINE CUSACK:** Was that in an open area or a private room?

**Ms MICHELLE JARRETT:** An open area.

**The Hon. CATHERINE CUSACK:** Do you remember any questions you found offensive when you were giving evidence?

**Ms REBECCA STADHAMS:** My mind is going blank again. It was long ago.

**The Hon. CATHERINE CUSACK:** It is a long time ago. Does anything come to mind from any of you?

**Ms PENNY STADHAMS:** In a lot of the questions, as Michelle said before, Becca's lifestyle was put on trial.

**Ms MICHELLE JARRETT:** They asked about alcohol a lot.

**Ms PENNY STADHAMS:** Partying, alcohol, who her partners were, really personal stuff.

**Ms LESLEY STADHAMS:** That is why I got up and walked out. I said, "Is my sister on trial here? What's going on."

**Ms MICHELLE JARRETT:** They were focussed on all the witnesses being alcoholics, if they were drunk or not and how many cartons they drink. When we sit down and drink we don't count how many middies we have, like you do when you are drink driving. We don't measure it all out. We just sit there, have a yarn with family and have a drink. We don't sit there and take count.

**CHAIR:** All these years later you have a strong impression that you felt you were on trial, do you not?

**Ms MICHELLE JARRETT:** Hell, yes.

**CHAIR:** And it is with you to this day?

**Ms MICHELLE JARRETT:** Yes, we were on trial.

**Ms LESLEY STADHAMS:** I would go to her and say, "Have they told you anything? What's happening?" She would say, "No, they haven't told me anything." I would say, "It's been like two weeks, such and such a time." It was getting ridiculous they were not informing her what was going on. She was shoved in the back.

**Ms PENNY STADHAMS:** Rebecca was too frightened to ask questions.

**Ms LESLEY STADHAMS:** She is not a talker.

**Ms PENNY STADHAMS:** She was too frightened to stand in front of anyone or stand beside. Her self-esteem, she had none. She had no confidence. She was beaten and knocked down and forgotten. She was the mother, she was the person who carried this child, she was the woman who gave birth to this child. She was constantly blamed. She was even bashed to the point that she really, really blamed herself for this. She thought, "Well, if everyone blames me", you know—

**Mr DAVID SHOEBRIDGE:** It must be true.

**Ms LESLEY STADHAMS:** —"What's the point?"

**The Hon. SHAOQUETT MOSELMANE:** Michelle said in her submission that there is a lot of guilt in the family and underlying blame. Are you giving us a feeling that the guilt is really on the family but the blame is on somebody else?

**Ms MICHELLE JARRETT:** I feel a lot of guilt. I do not know about my other sisters, but I feel a lot of guilt.

**Ms LESLEY STADHAMS:** I do.

**Ms MICHELLE JARRETT:** Because I chose my work over my niece. I should have been there for her. I was there for her every other time, but because I work for Guide Dogs and I had to travel from Coffs Harbour out west to Bourke and Walgett and that I could not help her. Normally, I would.

**The Hon. SHAOQUETT MOSELMANE:** You were away, but the police would have had an opportunity to investigate in a way that could have addressed issues far quicker than they did. Do you see a lot for the police to be blamed for, for failing to act quickly in that regard?

**Ms PENNY STADHAMS:** Yes, they did.

**Ms MICHELLE JARRETT:** Yes.

**Ms PENNY STADHAMS:** They failed all of us. Their response was so poor, it is disgusting.

**Ms MICHELLE JARRETT:** They were more focused on where we put her. I know they have to follow up witnesses and that, and you leave that to them. But at the forefront, a family knows their child—a mother and father, a family, especially us, an Aboriginal family—and knows their nieces and nephews.

**The Hon. PETER PRIMROSE:** We have heard, correctly, I think, of the great work of Inspector Jubelin and his team and the relationships with the community now and the families, but what about today with the local police? Has the relationship improved between the families, the Aboriginal community and the local police, or not?

**Ms LESLEY STADHAMS:** I will have to walk out on this.

**Ms MICHELLE JARRETT:** I think they try, but they will never come up to the standard that Gary is. There is always underlying suspicion—you know, "What do you want?" and, "Are you going to believe me?" That is always in the back of my mind when I tell something to the police or when they come to me for something: "Are you going to believe me? You did not believe me before when I have told you something important. Why believe me now?"

**CHAIR:** Lesley, did you want to add something on that?

**Mr DAVID SHOEBRIDGE:** You looked as though you are biting your tongue, Lesley.

[EVIDENCE OMITTED AT REQUEST OF THE WITNESS]

**Ms PENNY STADHAMS:** I think that, when we look back, we think about how the police were when the murders happened—the disappearance of the kids and the murders happened—how poorly they responded and their lack of response. Today, if there is an incident at the Aboriginal mission, it is also a slow response; that same one. It is still happening. There is still that cycle where there is no urgency, and there have been deaths on the mission. There is a lot of violence, drugs and alcohol on the mission and it is more or less, "Okay, we'll wait. Let's give it 30 minutes or an hour or two hours and then we'll go up." Before then, anything could happen. People have died on the mission because of violence and because the police do not show up. They do not show up because they are an Aboriginal community.

**Mr SCOT MacDONALD:** Can you just remind me, or refresh my memory? After the night Evelyn went missing or the morning after Evelyn went missing, how long was it before the police, particularly forensics, made it a crime scene, came and looked at the room and did that sort of work?

**Ms LESLEY STADHAMS:** Was that long?

**Ms PENNY STADHAMS:** That was a long time after.

**Ms REBECCA STADHAMS:** It would have been weeks before they even did something.

**Ms LESLEY STADHAMS:** So people had been in there cleaned up and done everything before they even came there.

**Ms PENNY STADHAMS:** It was not 24 hours. Like, they said, "We had to wait 24 hours for missing persons." This was a four-year-old child.

**Ms LESLEY STADHAMS:** And my mum is a compulsive cleaner, believe me. I lived with her for three months and moved out. If you breathed on the window, she is there with a cloth: "Don't breathe on the window, Lesley." She would have gone right through there and cleaned up.

**Mr DAVID SHOEBRIDGE:** Your mum stepped out earlier.

**Ms LESLEY STADHAMS:** Yes. It is still a process.

**Ms PENNY STADHAMS:** She blames herself.

**Mr DAVID SHOEBRIDGE:** Does she want to come back in?

**Ms MICHELLE JARRETT:** No.

**Ms REBECCA STADHAMS:** She cries and cries.

**Ms LESLEY STADHAMS:** She does. She cries all the time.

**Mr DAVID SHOEBRIDGE:** She is welcome to come back in.

[EVIDENCE OMITTED BY RESOLUTION OF THE COMMITTEE – 23 OCTOBER 2014]

**Mr DAVID SHOEBRIDGE:** Did she give evidence at the Port Macquarie trial?

**Ms REBECCA STADHAMS:** Yes, she did.

**Ms LESLEY STADHAMS:** Yes, she did, yes.

**Mr DAVID SHOEBRIDGE:** Do you remember what her experience was like?

**Ms REBECCA STADHAMS:** It affected her pretty badly.

**Ms MICHELLE JARRETT:** Mum has got a lot of guilt.

**Ms LESLEY STADHAMS:** Well it is the same; it is repeating itself with her son because no-one was ever tried or taken to court for it.

**Ms REBECCA STADHAMS:** Not taken to court for our brother.

**Ms LESLEY STADHAMS:** Nothing was done. It was just left like that.

**Ms PENNY STADHAMS:** Because that was totally different, yes.

**Ms LESLEY STADHAMS:** That is why it is just all back in her head.

[EVIDENCE OMITTED BY RESOLUTION OF THE COMMITTEE – 23 OCTOBER 2014]

**CHAIR:** This feeling of guilt has added to the rest of this issue: the fact that there has been no closure and the fact that the perpetrator is still out there and has not been brought to justice.

**Ms PENNY STADHAMS:** Yes.

**Ms LESLEY STADHAMS:** It is full of the guilt.

**CHAIR:** Over this period, particularly in the earlier period, you felt that you were under the microscope, in some way.

**Ms MICHELLE JARRETT:** Yes. I think mum feels that because she heard Evelyn crying and she could not get through the door, she is feeling that she should have been able to get through that door.

**Mr DAVID SHOEBRIDGE:** She remembers hearing a thump.



**Ms LESLEY STADHAMS:** Hearing her crying and crying, and then dead silence.

**Ms MICHELLE JARRETT:** And then silence.

**Ms LESLEY STADHAMS:** So she actually thought she went back to sleep. But she always thinks that thing: I should have pounded that door down when I heard her cry.

**CHAIR:** We are very grateful that you have made these points with us. It is important that we get the feel of what went on. As you know, we are going to do a report on this. We are going to make recommendations. It is important that we gather this information. It has been a tough experience for you. Ms Stadhams, our hearts go out to you because we know—and it is apparent to us all—that you have suffered in a particularly strong way as a result of this.

**Ms REBECCA STADHAMS:** Yes. My partner that I am living with up in Casino, he just lost his son when he was about 23 years old. He took a fit and just passed away. I am actually grieving over that too.

**CHAIR:** Yes. We are glad that nevertheless you have been prepared to come along and to share experiences with us because it will help us in our deliberations. We are going into the full background of all these matters. I think you were here yesterday and heard Detective Inspector Gary Jubelin, so we are going into that. All the information that we can get is coming out and we want it to come out. We will be deliberating with great diligence in this. We thank you for coming here and sharing these experiences.

**Ms MICHELLE JARRETT:** Can I just make two points?

**CHAIR:** Yes, please do.

**Ms MICHELLE JARRETT:** There are two points that I think are really important because you are talking about cultural awareness and police training and that. For some reason, which people do not realise, all Aboriginal communities are not the same: Bowraville aint the same as Macksville and Macksville aint the same as Nambucca; we aint the same as Redfern and we aint the same as some of them out in the centre of Australia. We are not. We feel that you go through your police—like rotating them through each town all the time and they are changing and moving and that.

I feel, especially in the smaller communities, when you are going to change them, we just break in the coppers after we have had them for a year or two. We break them in, we get to know them and, you know, they know who's who and what's what, and then you go and change them on us. Then we have to break in a new lot. It would be good if they could come to the community or to the elders or something. It is not that hard in this valley to do that, to take the time out and say, "This is this family", and have a yarn with them, just to meet them. But you only find out he is a new fella when he is standing there talking smart to you at a fight and then you just do not want to know them. Then you have got to start all over again.

**CHAIR:** You said there was a second point?

**Ms MICHELLE JARRETT:** The second point is that there are a lot of Aboriginal organisations out there, and the in particular as well as other groups and organisations, who are receiving funding for our kids. The parents do not see anything of it. We understand that the got funding for the first march down in Sydney. Rebecca never saw any of it for accommodation or anything like that. She had to find a cousin's house where she could sleep and where there was a bunch of drunks and they were all stepping over her.

**Ms REBECCA STADHAMS:** They were all walking on top of me.

**Ms MICHELLE JARRETT:** Yes. There are organisations out there, and the are ones I know of, and you have got people receiving funding and putting in applications for funding by using our children's names. The families do not know of it—

**Ms REBECCA STADHAMS:** Do not know of it.

**Ms MICHELLE JARRETT:** —or see anything of it, what it is for and so on. If you are going to give funding out to an organisation and it has got these kids' names mentioned in it, you would need to say, "Hold up. We want to talk to the families first." The family means Rebecca, Bill, Thomas, Mooney and Michael.

**The Hon. PETER PRIMROSE:** That is right.

**Mr DAVID SHOEBRIDGE:** Yes.

**Ms MICHELLE JARRETT:** I can guarantee that half the parents do not agree with it and what they are doing with it.

**Mr DAVID SHOEBRIDGE:** You feel like you have been used by these organisations.

**Ms MICHELLE JARRETT:** Yes. The kids are being used.

**Ms REBECCA STADHAMS:** Yes. They have been using sweet innocent kids' names for funding out at the mission.

**Ms MICHELLE JARRETT:** Since it started.

**Ms REBECCA STADHAMS:** This is what has been happening.

**Ms MICHELLE JARRETT:** It is disgusting. It is shameful.

**CHAIR:** Thank you for bringing that up. That is something we need to take on board.

**Ms PENNY STADHAMS:** Can I just mention something?

**CHAIR:** Yes, please.

**Ms PENNY STADHAMS:** Before we go, from the first initial investigation—because of the lack of experience and knowledge of that team—the police need to build a relationship up with the Aboriginal community. There is lack of trust, dishonesty—everything. Also, the cases were never trialled together and it was always the families' wish that they would be brought together and be tried together as one case. We always feel there is a strong link there between the accused and the—

**Ms LESLEY STADHAMS:** Evidence.

**Ms PENNY STADHAMS:** We always wondered why that did not happen. This would be one of our recommendations or one of our wishes: We would like to see that happen.

**Ms MICHELLE JARRETT:** You cannot tell a story unless you know all of it.

**Mr DAVID SHOEBRIDGE:** I just have one question that I have asked the other families. When the law changed in 2006 about double jeopardy and there was the prospect of a fresh trial, I assume your spirits were lifted?

**Ms PENNY STADHAMS:** They were. We had hope; we had hope in the justice system.

**Ms MICHELLE JARRETT:** And then we got kicked in the guts again.

**Mr DAVID SHOEBRIDGE:** But then when you found the applications getting refused after that, how do you feel now?

**Ms PENNY STADHAMS:** Kicked in the guts, disappointed.

**Ms MICHELLE JARRETT:** We fought hard for that; we keep fighting hard but every time a door is opened it gets slammed in our face—another door is opened but it is slammed in our face again. Now we have to jump through this hoop; we jump through that hoop—here is the doorway but that is banged shut. That is what it is like constantly, especially with the double jeopardy.

**CHAIR:** And that has made things a lot worse over this period in your seeking of justice?

**Ms MICHELLE JARRETT:** Yes.

**Mr DAVID SHOEBRIDGE:** That was probably one of the bigger kicks in the guts, as you say, Penny?

**Ms PENNY STADHAMS:** Yes.

**Mr DAVID SHOEBRIDGE:** You get the double jeopardy changes but it still does not help you?

**Ms PENNY STADHAMS:** The families have fought hard for everything, along with Detective Jubelin.

**CHAIR:** Lesley, do you have a final point to make?

**Ms LESLEY STADHAMS:** Oh yes. I really want to thank you, Gary, from the bottom of my heart. I keep grabbing my sister and cuddling her. I want to run over and cuddle him but I know I can't because you spoke from the heart where it is in us. Thank you.

**Ms REBECCA STADHAMS:** I wanted to cry.

**Ms LESLEY STADHAMS:** It was the first time that I never wanted to go outside for a cigarette. I thought, "I'm going to wait" and I'm thinking, "I've got to go and have one", but then I think, "No, he is saying something really interesting".

**CHAIR:** It was important that that evidence came out.

**Ms LESLEY STADHAMS:** It was. He said for us what we actually feel.

**Mr DAVID SHOEBRIDGE:** He is more than a nicotine patch.

**Ms LESLEY STADHAMS:** If he could be one I would probably give up.

**Ms MICHELLE JARRETT:** This is how much time Gary has taken out for our families. One time when he was on holidays and just going through town he stopped to see how we were going. That is the kind of man he is. Gary goes beyond his job.

**Ms PENNY STADHAMS:** Gary never forgets the children and the families.

**Ms MICHELLE JARRETT:** Gary just pops in and says, "Oh, I'm just passing through". It means a lot to us he does that. We can ring him up any time and anything we ring about is not trivial or silly. We might think it is dumb but he listens to it with earnest and takes it to heart. When you did it with the other coppers, you can see the blank look and them thinking, "Oh no, here we go again."

**Ms PENNY STADHAMS:** If we had the dedication and support that we had with Gary Jubelin and his team back then this case would have been solved; someone would have been in jail for the murders of those kids.

**CHAIR:** It is important that the heartfelt comments you have just expressed go on the record. It is important that someone who was out there, a righteous man fighting a righteous cause, be recognised and acknowledged. We join you in acknowledging that as well. Thank you very much for those last comments and for your contribution today overall because it is certainly going to help us in coming to the conclusions that will shape our final report. Thank you once again.

**(The witnesses withdrew)**

**LANA KELLY,**

**ELAINE WALKER,**

**JANETTE BLAINEY,**

**KERRY KELLY,**

**KAREN KELLY** before the Committee:

**CHAIR:** I welcome the family of Colleen to this inquiry into the family response to the murders in Bowraville. I have a couple of formal things that I need to bring to your attention. Witnesses who give evidence at committee hearings are protected by parliamentary privilege. That means that submissions and oral evidence given before a committee can be made freely and honestly without fear or threat of legal action for defamation, but at the same time committee hearings and submissions are not an opportunity to make adverse comments or accusations about individuals. I request that witnesses focus on the issues raised by the terms of reference of this inquiry and avoid naming individuals unnecessarily, particularly the alleged perpetrator of these crimes. I remind you that comments made outside do not receive the protection of parliamentary privilege. So if you are outside be very careful about what you say to media or to other people. After today's hearing our Hansard reporters will produce a transcript of what you have said. We will contact you to see if you want some of it or the entire transcript published. You can have whatever you want taken out but you must let us know.

**Mr DAVID SHOEBRIDGE:** It is all confidential unless you tell us otherwise. You do not have to tell us what you want taken out; you need only tell us what you want, if any of it, to go public. The default is that it is all confidential.

**CHAIR:** That is correct. These are trying and difficult times but whatever you say today will greatly assist the Committee in its deliberations. We want to get that family response to what has happened over the past 24 years. Would someone like to begin with some comments? You might like to tell us how you felt in those first days and the following weeks. How did things unfold during that period?

**Ms ELAINE WALKER:** I would like to stand and do a welcome with the group I have brought in. I would like to acknowledge the traditional owners: the Gumbaynggirr people. I would also like to pay our respect to all elders, past and present, and thank them.

**CHAIR:** The Committee welcomes that. In fact, at the beginning of the proceedings today we also did a welcome to country.

**Ms ELAINE WALKER:** I listened yesterday to the opening of the case. I got up early this morning and wrote so many things down. I said to myself, "No, Elaine. You will carry what you carry today in your heart." I know today that I will always speak the truth. I was brought up in a little community—each and every one of you saw where we live. I left for many years but I came back to the community as I got older. When I was brought up there were always elders around me and there was protection for us. I never knew for many, many years—as a young girl I never saw the white and the black until I got older. Where I went to school I did not look at that, like I said, until I got older. I questioned a teacher once many years ago and asked her, "Why are we here in the school and they are there?" because we had a fence in between when I went to school. She said, "When you go home you ask your mum and dad that."

When I went home I asked my mum and dad. My dad and mum said, "You go and ask uncle." Why do I have to ask uncle? Because he was the man on the reserve where I lived—he was like our master. He walked and he protected us—they all did. I said to uncle, "Why are we like this?" He said, "One day you will know." Like I said, when I was brought up we were never to ask questions. I was brought up in a very, very strict way and I only talked when I needed to talk. When I got older I found out that there was a division in between the blacks and the whites. Knowing that I never had any education I thought to myself: Oh my God, what is my life going to be like? I looked around and seen families and thought to myself about what was going to happen. Is this reality? A lot of times I did not want to be there. I fought and rebelled against a lot of things around me but I knew that one day I had to do something because I knew I wanted to have children.

When I grew up there was no Centrelink around. My dad had a beautiful job not far from here at Valla. He took all his children and he looked after us. We worked in the plantation: my sister, Muriel, my brothers and sisters. There were 15 of us and we worked with our dad in the plantation packing bananas, getting tomatoes and packing grapes till we were five to six years of age and went to school. That was my upbringing. I look back on those early days and think "Wow". They were very special days to me. My grandfather used to always say, "Don't ever break the law. The man with the blue uniform will look after you when I am gone." I thought, "Oh my God, there is a white man's law".

When our children went missing, especially Colleen when she first went missing, I thought to myself, "Oh my God, what are we going to do?" He said, "Never break the law." I had my nieces—who you might have met this morning: Paula, Muriel and them—they were very young. We didn't know what to do. We didn't know how to do things. I said to them, "We know how they think about us Aboriginal people. The only way we are going to get through to them is by having a protest march." They said, "Elaine, you will go to jail." I said, "They will have to jail all of us." No-one would listen.

We had a beautiful community meeting and most of them came—police. I can remember I tried to grab a policeman's gun in the meeting. He said, "Black children go on walkabouts." I thought, "Oh my God, did I hear what I heard?" Someone hit me from the back—I have never known from that day who it was—and said, "Stop it, you can't do these things." I remember saying, "Well they are our children." What did this man see? I still feel that today. My sister said, "What are we going to do? How are we going to tell these fellas?" I would sing out to my grandfather, "You tell us these fellas are going to protect us. They are going to listen to us, someone is." I did not go to Clinton's—I knew what was going to happen. I could not handle it.

**Mr DAVID SHOEBRIDGE:** Elaine, did you go to the trial?

**Ms ELAINE WALKER:** No, I did not go to the trial. I went to the one in Belligen and I went to the one in Port Macquarie. They do not know us. They do not know our children. I am only going to say one more thing and then I am going to let my children and my sister talk. Two people approached me and said, "Aunty Elaine, why are you going to this viewing of what's going to happen to the children?" I need to stress this because I told the young girl here on the phone, "They are only here to stop you from going to Sydney to march in Sydney." They said, "Don't go". I had tears and I said, "I've got to go. I am an elder now and I have my responsibility and how they all walk as elder and I will go but I thank you more dearly for saying what you said to me." They said, "No" and we listen. I said, "One day somebody is going to listen because they cannot let it rest." We have got to have justice for our three children and bring him to court or bring whoever. We will not rest in our community until justice is seen. Thank you for listening.

**Ms KAREN KELLY:** I am one of Colleen's first cousins. I am Elaine's oldest daughter, Karen. These are my two other younger sisters Lana and Kerry. From the time this happened, it may be 23 years on, but over yesterday and today I hope that the Committee can see that the emotion today is as raw it was 23 years ago. Because this will never end for us; it will never end for my aunty and it will never end for any of our family. Hearing the three cases separate, not even knowing or having anything for Colleen is gut wrenching. It is something that is missing within all of us. Not actually knowing where she is and what has happened to her is something that we carry every single day. It is so hard to watch my mother, my aunty, my aunty's family and my cousins live without their sister and not know that the rest of the community can recognise that this should never have happened.

People should be concerned that three children went missing, nonetheless that they were Aboriginal children but they are three children and they should have been recognised and it should have been followed through properly with a proper procedure and not left because they are just Aboriginal children. That is how we feel in our family. I feel that because they were three Aboriginal children things were left by the by, things were not followed until later down the track. My aunty had to go with my father, my uncle and look for her own daughter the day that she went missing. Was there any presence of police? No. Was there any presence of the rest of the community? No. It was my aunty and our family that went looking for Colleen.

When everything happened with Evelyn and Clinton it was the same thing. The community tried to come together; families of every single child tried to come together and support each other in our search and what we could do. It is my knowledge of knowing that our cries for support fell on deaf ears. Our cries of support to the process it got to today and is it going to still fall on deaf ears? Is our search for some kind of justice to have three trials heard together just a hopeful thought or something that we will always just think about? It is really hard to see the community split but that is what has happened. As we have gone along non-

Aboriginal supporters have come in and supported my aunty, my mother and other family members—and we can see that they are sincere people. They have become part of our extended families because three children have been taken from us. In doing that it feels like because of these three, everything was heard so separate, like there is a bigger divide between all the families. Because now the community is split the families are split and we cannot come together and support each other because there is so much tension because we do not know what is going to happen.

We have been fighting and fighting and trying to have our voice heard for so long it just seems like it is a never-ending story. That is just how I feel. I am not too sure what today will bring, or how you will take it, but it is something I feel that every day my aunty waits, I know she would waken "That's a daughter that has been taken for no good reason". Becca is my aunty and Evelyn has been taken for no good reason. Uncle Thomas, Clinton has been taken for no good reason. All we really want is for some closure and clarity around what went on, who did this and why did it happen? I feel like the wider community just does not feel, or hear that this is something we need to have. We need to have closure.

**Ms LANA KELLY:** I am Lana Kelly. I just want to go on from what my sister and mum have spoken about. I also came up here with a view that, yes, I am glad that I did come yesterday and sit through the public inquiry. I was not aware of what it was about and what you guys were about. I did go back to mum and Karen yesterday with a lot of positive comments and thoughts. It is difficult because we have never been able to get that closure for Colleen because there has never been enough evidence because of the circumstances of her death of her murder. The one thing that I wanted to bring was around the court hearing at Port Macquarie about Evelyn. It was quite difficult going to that, as you have heard from Detective Gary Jubelin when he spoke about the prosecutors and the whole court process, and just sitting through it.

At that time I worked for the Attorney General's Department and it was difficult for me as a family member, as a colleague as well, coming up to those hearings. But through that court process, something that really stood out in my mind was over-policing within the Aboriginal community, on the very last day, the whole time that we were at the court hearing, we would go there like any other court hearing. We would walk into the proceedings but on the last day when the finding was then handed down it was difficult for family members. We turned up to the court. There was security. The riot squad was waiting back at Bowraville, because we knew, I think they already knew what the outcome of the court hearing was going to be.

We had to go through metal detectors just to get into the court that day. When the hearing did come down to it they were worried that all these families from Bowraville were going to go back to Bowraville and would destroy the town. But all we did through our grief was support each other and meet as a family. There were other community members within Bowraville who went and did some things that we as family members did not want. They went and damaged property within the town of Bowraville but it was not any immediate family member. The police had the Riot Squad waiting the court case for Evelyn. There was a lot of over-policing.

Yesterday there was a lot spoken about discrimination. I know that Barry Toohey was mentioned and briefly spoken about as well. There has been a lot of talk about before. You have only touched the surface because it is racism that happens. It does not happen every day but it happens quite frequently for Aboriginal people. I do not live in Bowraville now. I live in Sydney because I choose to live down there. I did not want to bring up my children in Bowraville. I have grown up in Bowraville on the Aboriginal reserve so I have grown up in the community with my mum when it was a safe place to be. As an Aboriginal child walking around the reserve we could do that. We could go to our aunty's place, have a feed and then we knew we had to be home before dark. As young kids growing up in a country town—it was quite a racist town. I still believe it is racist.

I hate coming home to the mid North Coast because you experience racism a lot more up here than I do in Sydney. When I am talking about racism, only yesterday when we talked about racism we sat here in the council chambers. There was a young Aboriginal man. He was shot just over the road. He was from Goodooga. He came up with a football mate from Sydney for the weekend and he lost his life because he was of Aboriginal heritage. But that is the type of racism that we are talking about. We are talking about the actual loss of life because it comes down to the colour of our skin. My sister works as a registered midwife and it still happens today within the hospital and within the police service. Coming to the hearing here this morning we saw the police pull up a young Aboriginal girl. We know they are out there doing their job but it is that over-policing that happens within the Aboriginal community that had a huge impact on our family, but it still continues to happen today in the Nambucca Valley.

**Ms KAREN KELLY:** The mental strain and stress that it has caused on every single family member throughout the community is beyond depth and beyond the universe as much as you can think because when you are talking about depression and intergenerational grief that is what this community is about. The grief and loss of these three children has gone from my mother's generation, to my generation and down to the generation of my niece. It has just followed and followed and followed to all those generations because of the impact of the loss of these three children on everybody.

**The Hon. CATHERINE CUSACK:** With over-policing, Aboriginal people are perceived as perpetrators of a crime whereas there is no reaction when you are victims of a crime.

**Ms LANA KELLY:** Yes.

**Ms KAREN KELLY:** Within a week of when the three kids went missing there was no mental health support or counselling. A couple of weeks after that there was a flood and there were newsflashes about services being sent to that community. I thought: Where is the support for the families of our three children? It was good that the other community was supported, but why did it not happen for us?

**Mr DAVID SHOEBRIDGE:** You talk about over-policing when there is an event with Aboriginal people. Yesterday there was a smoking ceremony, a public event in a public place, but I do not recall seeing any police. Perhaps that is why the event went well.

**Ms KAREN KELLY:** There are a lot of services that have put in submissions to government agencies to get funding to support the families of the three children. That funding has not filtered down to my aunty. It has only reached certain sections of the community, and I do not know why. If there are services to help the families of the three children, that is what they should do for all three families not just certain sections of the community. It should be used equally.

**The Hon. SHAOQUETT MOSELMANE:** Ms Walker, you said your grandfather told you to trust the police. Do you trust the police? If not, when will you get back your trust?

**Ms ELAINE WALKER:** I don't think I ever will. I don't think I ever have trust in the police. When I took the case of the children, my ex-husband—I was just going through a divorce at that time after 23, 24 years of marriage. When he came in, he met me with myself and my husband. My sister, the families, we were spokespersons at the time. He brought some police in with uniforms and we sat and talked for weeks after weeks. When we talk I believe they were not listening. Although I was emotional at the time but I firmly believe that none of them listened. I have a video tape when we first marched in Bowraville.

I was very angry because we sat and explained it to them that our children don't walk away. They don't go on a walk. Evelyn was only four, oh my God, she would never go. And my niece Colleen, she lived with me, I reared her up. We rear one another's children. So anyway, no, I don't think I—but he said to me after he left, my ex-husband and I sat and had coffee with him. He said, "Elaine, we've got to leave." I said, "What's going to happen? What's going to happen? Are you going to leave us?" I'm not used to any of this big publicity stuff. All we were worried about, we wanted justice for the children.

He said, "They will send someone else in, Elaine." He said, "For you to get closure—". I said, "Don't go there". He said, "For you to get closure, you've got to trust the next man." I said, "Oh my God, are you going to send us another white man who don't listen?" I talked to my grandfather who has passed on. I don't care if you don't believe me. I talked to him and I said to him, "You've got to send us someone because we need justice and we are not getting it for our children." These are children of our community. How could people just brush them aside. Who are these people who are brushing our children aside?

**The Hon. SHAOQUETT MOSELMANE:** If you get justice, would that restore your faith in the system?

**Ms ELAINE WALKER:** Yes. When I first met Gary I remember trust and nurture. I tucked this man under my wings and I said to him, "If you are going to walk with us please do the right thing with us." He said, "I can't promise you anything but I will walk with you." That man in the blue, I don't believe in psychiatrists. Three weeks after the children went missing I tapped on his door at the hospital. I went and asked a white sister of mine, "If I don't talk to someone I'm going to go crazy." I tapped on his door and they said his name was Barry Toohey. You know what that man said to me? He said, "Come in." I told him who I was and he said, "We

don't have to sit in this office." He said, "You know what we can do, you and I today? I will lock my office up and you and I will walk down the beach." I thought, "Oh my God, what a beautiful white man to say that to me—"We will walk and walk but we don't have to do it in here." We can walk the land where I walk. He is still sitting here today. I went back and back and back to him. I never told my family that but they know it today. He was a man who nurtured me to get my strength back.

**Ms JANETTE BLAINEY:** I was in the community before the time of these children's murders. When I first hear of Colleen I listened to the white stories that were going around, and everything that you have heard today is exactly the way it was being spoken about. The community then could not understand why I was friendly with the Aboriginal families. They would ask me questions and I learned not to have discussions because they seemed to get stronger in their negative attitudes rather than hear what I was saying. I think it was about 10 years before I had people coming and asking me questions where they wanted to listen to the answers. The racism in the community was palpable in those days. It is still there today but a lot of people do not see it still. But then you could not miss it, it was that strong.

When the families spoke about what was happening with the police questioning I was so disturbed because I knew from the Western way of thinking what was being done and I knew how the Aboriginal people were seeing it completely differently. From that day to this, that has not changed really. My concern listening to the court case was extraordinary because the same thing 20 years later just about was still going on in terms of the lack of hearing what was being said from the place it was being given. It is a way of speaking and communicating that is not understood. You are listening to people who are highly articulate in the Western way. Not everybody back then was, I can tell you that.

In that court that people have spoken about in Port Macquarie, my sister here and I went in and spoke to the prosecutor about the problem that we saw happening with the way the witnesses were being heard, the way they were being questioned, the way the witnesses were experiencing it, the way the just hearing it, and suggested that there was an expert there to hear the way it is different, that he had such a sense in which he knew all this and he did not need anybody to tell him. I do not like thinking about it as racism but it is in a way. It is not seeing the people for who they are, the stories they are telling, the feelings they are sharing. Living with that for all of this time while living with the grief and the loss I think is extraordinary. I think all the people who are still here today to speak to you are so strong. It is a huge loss to the whole community that they are not recognised for who they are.

**Ms ELAINE WALKER:** I will give you an example. I worked in Redfern, Sydney, for many years in my early days. I lived in the heart of Redfern with my daughter. I worked at the Murawina preschool for 12 or 13 years before I came home, so I have worked with children all my life. I followed the footsteps of my elders. When I came home I bought a brand new car, I had some money and I bought a car, and I picked up three elders. We had four elders in my little Barina. Coming out of Bowraville the local policeman saw me. At the time—I'm going back in the years, 10, 15 years—my brother was a liaison officer here in the Nambucca Valley. I'm driving down the road and this local policeman, he followed me all the way from Bowraville. He's been out to Bowraville, he followed me from the town until I got out on the Pacific Highway. Then he put his siren on. We're friends today anyway.

He put his siren on and he pulled me over just outside of Macksville. I jumped out of the car and I said to him, "Did I do anything wrong?" He said, "Oh, I just want to breathalyse you." I said, "That's okay." He said, "You're new here." I said to him, "You're new here." He said, "Don't be cheeky to me." I said, "I'm an elder and I have got three elders in the car with me, and they're my sisters." I said, "You know, the saddest thing for you to pull me up today"—I showed him my licence—"The saddest thing about you is I feel sorry for you." He said, "What did you say that for?" I said, "Because you pulled me up because I am a black woman." He asked me did I own the car, "Have you got documents?" "Oh, God, they are here somewhere but it's going to take time for me to find them. I just got home from Sydney. It is going to take time for me to look through that, but I know I own the car." I said, "Oh, God, what am I going to say to this man?" He is still here today in Macksville or in Bowraville.

He said, "Don't be funny." I said, "No, I'm not funny." I said, "You know, instead of you pulling me up on the highway, you know my brother, who you might know, is Fred Walker. He is the liaison officer here and you pulled the wrong person up. When you see him again, you tell him who you pulled up and he will tell you what I'm like too." He said, "You'll be doing damage." That is what happened. I said to him, "Next time I meet you", I said, "I need to have a talk with you." He said, "Okay. What's your name again?" I said, "You've got my licence: Mrs Kelly", at the time, not Walker. The next time he was in a house. Six months later I met him again



and he was just walking out of this woman's house as I was just walking in. He said, "Oh my God, I've run into you again." I said, "Yes. This is the time when we will be able to talk." I know I am going over time.

I said, "Now, I'll tell you, I'm back here in our community to help the children." I said, "Do you know what you could do for me because you wear that blue uniform—and people know you." I said, "Instead of coming looking for me, help me with the children." I said, "There is a Blue Light Disco in Macksville. We can't get our children from Bowraville to Macksville. That is something good that you can do for me, and you and I will be friends, and we'll work together." Anyway, we ended up being friends after that. I said, "Leave me alone and we'll work together." He is still here and he still will say hello to me today.

**Mr DAVID SHOEBRIDGE:** Can I ask you to go back to 2006 after the law changed? How did you feel after the law changed, when you got the law changed? Then could you tell us how you felt since all the applications all have failed? Do you remember when the double jeopardy changes happened? You must have felt wilted then.

**Ms LANA KELLY:** Yes. It has been difficult for us, particularly for Auntie Muriel, because we never had justice or enough evidence for Colleen. We had always relied on evidence for Clinton and for Evelyn, so we have put a lot of energy into there. But when the double jeopardy laws changed we thought that was an opportunity for us.

**Mr DAVID SHOEBRIDGE:** Yes.

**Ms LANA KELLY:** But then, for the families—for the Walkers and for the Craigs—it has always been hard for us because we have a different view on the whole case. We do not have closure in the sense that we have never been able to find Colleen. We still go out on family searches for Colleen's remains. We still do that today as a family. For me personally, the double jeopardy has not really helped for me personally because we have always relied on the evidence based on Colleen for Clinton's and Evelyn's case.

**Mr DAVID SHOEBRIDGE:** You need them tried together, do you not, otherwise there is not enough.

**Ms LANA KELLY:** If there is any justice to be done, we need the three tried together.

**Ms LEONIE DUROUX:** At least if everything was heard together, we could have some kind of sense of, "Well, we've done our best. People out there, the wider community, have actually heard us and they've actually realised that for us to know what's happened to the three kids is for everything to be heard together, and everything then will become clearer how the whole three were connected and how everything ties into together. With them being heard separately, things have been missed and there are gaps in between. But once you hear them altogether and the similarities about how things have happened and things that took place, then you can see clearly that they need to be all together.

**Mr DAVID SHOEBRIDGE:** How did you find out about the most recent decision by the Attorney to not take on the application? Do you remember how you found out about that?

**Ms LEONIE DUROUX:** For me, it was through my nephew. He let most of the family know. When I found out through him, it was just something I really did not want to hear at that time so I kind of just shut myself down because it was just another kind of, how can you say, nail in the coffin.

**Mr DAVID SHOEBRIDGE:** How did you find out, Elaine?

**Ms ELAINE WALKER:** Explain it to me.

**Mr DAVID SHOEBRIDGE:** How did you find out more recently that the Attorney General was not going to approve the application?

**Ms ELAINE WALKER:** I think we talked, did we?

**Ms JANETTE BLAINEY:** I think Leonie told us and she told us that this had happened. It was like it did not come from the Attorney General and he had promised the families that he would tell them personally. It was like some aside that happened and Leonie informed us. There was a lot of hurt because there was a feeling that he would speak directly to the families.

**Ms ELAINE WALKER:** I remember getting upset because I was watching the news about the Attorney General and that he went to a courthouse in Sydney somewhere. Out in front of the court was a European family and he got up and spoke about something—about a child or something or a young fella, and I said, "You know, that man got up and spoke for that family, but he can't come and talk to our family." As Karen said, I shut myself down. When things like that were happening I used to lock myself away because I did not want to hear anything anymore. Sometimes I do that. Like I said, I had someone come and ask me why did I come here? I knew I had to come.

**CHAIR:** As we have said before, experiences like the one you have just told us about have been a real rollercoaster ride over 23 or 24 years for you. The fact that Colleen has never been found, the fact that it has gone on for so long, the fact that the perpetrator of these murders has not been brought to justice after all of this time, which appears to be because of a whole series of events and nothing seeming to go in the way it should go for you, all have been happening. Your coming here today to tell us of your experiences is very important to us because we need to get the full picture. Most of you were here yesterday when we had Gary Jubelin here. A lot of things came out, as you will remember, from that. A lot of things have come out in relation to other aspects today. We will put it all together and we will do what we can do in the circumstances and parameters within we move. But we are committed and we wish that the perpetrator of this will be brought to justice. We are taking this inquiry very seriously. We want you to know that.

When you leave here, we want you to know that we are taking this very seriously. Every member here, from all sides of Parliament and from different parties with different outlooks on a lot things, is united on this. You have to know that. You have to know that there are people in the community and in the Parliament who are with you. We will continue with our deliberations, we will make our report and we are going to see what we can do in all the circumstances. Your being here today certainly has helped us getting a full picture. We thank you very much for being here with us and helping us. Once again, we assure you of our commitment to doing what we can to achieve good outcomes. Thank you very much for being with us. We will see how things eventuate in the future. Thank you very much.

**(The witnesses withdrew)**

**(Short adjournment)**

[EVIDENCE OMITTED BY RESOLUTION OF THE COMMITTEE – 12 MAY 2014]

**JUNE SPEEDY,**

**TROY DUROUX AND**

**LEONIE DUROUX,** before the Committee:

**CHAIR:** I welcome our next and last series of witnesses for today, members of the family of Clinton. I welcome Ms June Speedy, Mr Troy Duroux and Ms Leonie Duroux. Thank you very much for being here with us. We much appreciate you being here to assist us in our inquiry into the impact on the families and their responses to those terrible murders that occurred in Bowraville 23 to 24 years ago. I have to put on the record just a couple of formal announcements. The first relates to parliamentary privilege. Witnesses who give evidence at Committee hearings are protected by parliamentary privilege. This means that submissions and verbal evidence given before a Committee can be made freely and honestly without fear or threat of legal action for defamation. At the same time Committee hearings and submissions are not an opportunity to make adverse comments or accusations about individuals so I request that you focus on the issues raised by the inquiry's terms of reference and avoid naming individuals unnecessarily, particularly the alleged perpetrator of these crimes.

**Mr DAVID SHOEBRIDGE:** Basically, June and Troy, you tell us the truth and we will protect you.

**CHAIR:** That is right. We make these formal announcements but we are here to help you in these circumstances. However, once you go outside, once you are out of this inquiry, you should be careful what you say to the media and so forth because you will not have any protection from defamation proceedings out there.

**Mr TROY DUROUX:** Yes.

**CHAIR:** Also, after today's hearing our Hansard reporters, who are recording everything, will produce a transcript of what you have said. We will be in contact with you to see if you are happy for that transcript to be published or whether there are parts that you want cut out. You will have an opportunity to do that as well. That will be up to you.

**Mr DAVID SHOEBRIDGE:** But again, everything is confidential unless you tell us otherwise. It will all be confidential today. You will get it all in writing later and it is still confidential unless you want some of it to be made public. Everything will be confidential unless you want it to be made public.

**CHAIR:** I know this is difficult for you because you are been on a rollercoaster ride over the past 23 to 24 years. You have had your expectations raised and then things have fallen flat. We have a situation where the perpetrator of these murders is still at large and justice has not been done. It is the earnest hope and wish of everybody, certainly the members of this Committee, that at the end of the day justice be done. This is what we aim for, but we work within the confines of the terms of reference laid down for us. That gives the families of those who were murdered the opportunity to tell us of their experiences and to give their responses, such as how they felt in the days, weeks, months and since following those terrible events? Feel free, in a very relaxed way, to tell us what your feelings were? I think Mr Shoebridge in a general sense has something that he wants to raise?

**Mr DAVID SHOEBRIDGE:** First of all, Leonie, Troy and June, please start where ever you like and say whatever you would like to say?

**CHAIR:** Leonie, you might want to start?

**Ms LEONIE DUROUX:** I would like to start by placing some things on record—I know I have included them in my submission—out of respect to Marbuck and my boys. I would like to put on record how they have seen how this affected their father because he is not here to speak to that. The boys remember that he was very overprotective because of what had happened to his brother. He always enforced the in-by-dark rules. He showed them how to defend themselves if they needed to: "Dad said if anyone grabs you and puts you in the car, you wait till they start driving and then you bash the out of them." One little thing that Marbuck remembered, he always used to say—I remember him saying this to them all the time—"Uncle Bubby was a big boy. Look what happened to him and he could handle himself." That was always in the back of his mind.

Their socialising was restricted because of what happened to his brother. He did not really talk about his pain but they could always see it. He always kept Bubby's memory alive and in a very positive light to continue his legacy. In 2009 Marbuck lost his battle with motor neurone disease. He was diagnosed in 2004 and given six months to live. I believe, and the kids believe, he fought every day to stay alive because he was so determined to see some closure. We had some hopes raised during that time with the double jeopardy changes and the submissions going in. It is very sad to say that he died without knowing what happened to his brother. There are a few other things I would like to say.

[EVIDENCE OMITTED AT THE REQUEST OF THE WITNESS]

I remember when I first met Marbuck that he had come home and Troy was about 16 and he wouldn't let Troy go anywhere.

**Mr TROY DUROUX:** No.

**Ms LEONIE DUROUX:** To the point where Troy was getting annoyed with him and saying, "Leave me alone." He would say, "No, I am not going to let anything happen to you." I think a lot of the family took on that role with Troy because he was the baby. The other thing I would like to address is the missing bones, which I mentioned in my submission and which highlights the lack of communication. If we had not received that post-mortem report by mistake the family would never have known that Bubby was not buried whole. One department said that the family was notified and the other said it wasn't common practice. So that just indicates the total lack of communication between the two. I can assure you that the family were not advised of any such findings. I think from a cultural point of view—and I cannot really speak to that—burying someone who is not whole is a big thing. I think burying the bones with his body was one of the saddest experiences of my life.

I know that some of our family were unaware of the Norco Corner evidence until the *Four Corners* program emerged—that is how they found out about it. They were not aware that the police sent up to investigate were child protection police until *Four Corners*—I certainly was not aware of that. Now DOCS do not seem to want to come to Bowraville unless it is with police to remove children—it is the unsafe place to go. I think that is really sad. It reiterates the fact that the victims' families were put on trial. Witnesses weren't taken seriously because of drugs and alcohol, yet the alleged perpetrator was the main supplier of the drugs and the alcohol. When it comes to times like this when things have to be written or spoken about—for example, the protest—it brings the pain back and it makes it very difficult for family to speak.

I have got a 16 and an 18-year-old and I have also got a six and an eight-year-old—I know the others feel the same way—and why should our children have to grow up with this legacy of having to fight for justice for someone they have never even met? Another thing I would like to raise is the Riot Squad being brought into Evelyn's trial. They were specifically told that they weren't needed or to go away or stay out of sight; they ignored that advice and they stayed. So the victims and the people who really needed protection from the police were the ones under suspicion because an assumption was made that if a verdict came in, they were black fellas and they were going to riot. I think they were the most dignified bunch of people I have ever seen in my life walking out of that courtroom; I will never forget it.

The New South Wales Government submission states that in December 2012 the Attorney General had made a decision on the latest submission that was rejected, yet we weren't informed for two months. I would like the opportunity to go back and check to see if there is any correspondence from the Attorney General's office to myself between December and February in response to our request for a timeline of when we were going to get an answer because I am sure I have got something to say that it was coming very soon, yet it states that they obviously knew that the answer was going to be no. They were just bidding their time and waiting for the right time to give us the bad news. I would also like to highlight the fact that their submission is 4½ pages and mine is eight and I am not a government organisation.

[EVIDENCE OMITTED AT THE REQUEST OF THE WITNESS]

[EVIDENCE OMITTED AT THE REQUEST OF THE WITNESS]

**Ms LEONIE DUROUX:** Yes, definitely. We need to remember that this has affected other communities, not just Bowraville; it has affected Tenterfield and Warwick. Clinton had family at Moree, Boggabilla and Cherbourg, but the main communities that have been affected by Clinton's murder are Tenterfield and Warwick. Troy now lives in Victoria. A lot of assistance has been given to the families in the form of Barry. But, for example, it is really difficult for Troy. Troy calls Barry when he needs him. But Troy has no-one down there in Victoria. And \$160 an hour is a lot for someone to have to regularly pay out.

It has to be someone who is culturally aware and understands the background. Maybe something that could come out of the recommendations from this inquiry is that there be some assistance given, in an appropriate form, for family members who are not in Bowraville. Barry mentioned yesterday Red Dust healing, and I would like to follow on from that because I think it is an amazing program. I have spoken to people who have done it. My son has done a shortened version of it.

**The Hon. SHAOQUETT MOSELMANE:** Can you explain that program to us?

**Ms LEONIE DUROUX:** Red Dust healing is a program, and Barry is probably better placed to speak about it, run by a man named Tommy Powell and Randall Ross. It is a cultural men's healing program basically. There are now women trained up to be facilitators as well. It is a three-day program, and then you go away and come back six weeks later for three days. It seems to have worked. It seems to be effective.

**The Hon. SHAOQUETT MOSELMANE:** Is it available in the Bowraville community?

**Ms LEONIE DUROUX:** It has been run in the Bowraville community. I think we need something like that, and not just a pilot program but something that is ongoing. We spoke about organisations coming and going. They come in, tick their boxes, get their funding and say, "Look what we have done. We have saved these poor blackfellas from themselves in Bowraville, and then they go away off to the next community." They make the mistake of thinking that every community is the same. They think, "I have worked in Moree so I can

work in Bowraville." But they really have no idea. Then they go away and leave everyone in the lurch anyway. So I think one thing that is really important and that could come out of your recommendations is to have something that is ongoing.

I would like to finish by saying that, on behalf of the family, we would like to thank you guys for coming up here and listening to our stories. I would like to acknowledge the commitment that Gary has shown to this matter. He has worked really hard to gain the trust of the community and he has mended a lot of bridges between the New South Wales police and the community. I would also like to acknowledge Barry for his compassion and his awesomeness. We cannot express in words how much we appreciate his understanding and his ability to be there above and beyond his role and I would just like to thank him.

**Mr DAVID SHOEBRIDGE:** Troy, almost all day we have heard from strong and powerful women. We have heard emotional stories from women. We have heard very little from the men. I am glad you came here this afternoon and thank you for travelling up from Victoria. Why do you think we have heard so few male voices here today?

**Mr TROY DUROUX:** Some of them are a bit shy. They are not ones to sit in front of people and talk. If you get them out bush then they will do whatever you want to do and they will talk and let everything go. With the men's group that Barry runs he does that with them, from the younger blokes to the older men. He gets them out there, out fishing or whatever, and they talk all the time. It is good that he does that because without that support from Barry we would not have anything else.

**Mr DAVID SHOEBRIDGE:** When did you last get a chance to do that?

**Mr TROY DUROUX:** I did not go fishing with him when he came down to Victoria. I think the last time was when I used to live here.

**Ms LEONIE DUROUX:** There was probably before Marbuck died. It was probably about five years ago.

**Mr TROY DUROUX:** Yes, it was before Marbuck died. We used to live in Jellicoe Street. We had the river down the back and Barry would always pop around. Dad would be there too so Barry sort of knew when to come around so that he would catch dad and me at the same time. We would just sit there and talk and fish and have a good time, basically.

**The Hon. SHAOQUETT MOSELMANE:** What sort of fish did you catch?

**Mr TROY DUROUX:** It was just bream, and occasionally flathead.

**The Hon. SHAOQUETT MOSELMANE:** Can you tell us a little more about the feelings of the community about this?

**Mr TROY DUROUX:** Talking about it really helped us because we let things go. It was a big relief really. It is good to talk about it and let it go.

**The Hon. SHAOQUETT MOSELMANE:** Do they feel like the system let them down? Do they need further support?

**Mr TROY DUROUX:** We are always going to need support, right up until end. The fight is going to continue. The fight is not going to stop until I do not know when. We just want it to stop.

**Mr DAVID SHOEBRIDGE:** So you are down in Melbourne now, is that right?

**Mr TROY DUROUX:** Yes.

**Mr DAVID SHOEBRIDGE:** How often do you get to come up to Bowraville and talk to your dad and to your family? How is that working out for you?

**Mr TROY DUROUX:** It has only been on occasions like this. The last one was in Sydney when I came up by myself and we did the march in Sydney. That is pretty much the only time that I can get away.

Because it is a family thing—I have to be here, I need to be here and I want to be here for that support for my family.

**Mr DAVID SHOEBRIDGE:** We had another family say that one of the things they think might be really valuable would be a chance for the whole family to come together and spend a bit of time together, maybe a week or so, with a bit of assistance, to actually talk as a family.

**Mr TROY DUROUX:** That would be great. Maybe there could be a big camping trip. We could just go out camping, and the talk will just flow once we get out there.

**Mr DAVID SHOEBRIDGE:** Beaches and fishing were mentioned.

**Mr TROY DUROUX:** Yes, it does not necessarily have to be fishing. There could be other things involved.

**Mr DAVID SHOEBRIDGE:** Yes, but that is the idea: having a chance as a family to spend a bit of time together, with someone there to help you and to keep people talking.

**Mr TROY DUROUX:** Yes. It is sad to only come together on occasions like this. I would like to be able to come down just for a visit and maybe spend a month or two here and catch up with people properly not like. I have left my children at home as well with their grandmother. I would like to get them up here because they have not really seen this side of my family since dad's birthday last year. That is the only time that they have been up here.

**Mr DAVID SHOEBRIDGE:** What about you, June? Do you think it would be nice to spend some time with family and talk it through as a family.

**Ms JUNE SPEEDY:** Yes, it would be lovely to spend some time with the family. I would love that.

**Mr DAVID SHOEBRIDGE:** How much communication did you have? Did the police talk with you about their investigation about Clinton? Did they communicate with you much, June?

**Ms JUNE SPEEDY:** No, they never communicated.

**Ms LEONIE DUROUX:** June had very little communication with them.

**Ms JUNE SPEEDY:** Because I live in Warwick.

**Ms LEONIE DUROUX:** I remember when Gary and Jason started. We were actually at June's place. I remember them coming to visit June. That was the only real contact June has had. They did not keep June in the loop at all really.

**Ms JUNE SPEEDY:** That was when you and Marbuck were up there.

**Ms LEONIE DUROUX:** Yes. So not really, no.

**Mr DAVID SHOEBRIDGE:** What about during the trial when it went to court, June? Did they talk to you about the court before it went to court? Did they tell you how it would happen?

**Ms LEONIE DUROUX:** Did they explain anything to you?

**Ms JUNE SPEEDY:** No, they did not. Not at the court.

**Ms LEONIE DUROUX:** Before it did they explain what might happen?

**Ms JUNE SPEEDY:** No, they did not.

**Mr DAVID SHOEBRIDGE:** What about when the verdict came in of not guilty. Did they come and talk with you or give you some support after that?



**Ms JUNE SPEEDY:** No, they did not.

**Mr DAVID SHOEBRIDGE:** The other families who were in Bowraville had the support from Tracy Westerman and they said that helped them. June, what support did you have up at Warwick where you were?

**Ms JUNE SPEEDY:** I did not have any support up there in Warwick.

**Mr TROY DUROUX:** It was just basically family support. That is all it was. Without family there would be no support.

**Ms LEONIE DUROUX:** I think June was probably transported home from the trial and then left to fend for herself, pretty much. Would that be fair to say?

**Ms JUNE SPEEDY:** Yes.

**Mr SCOT MacDONALD:** Ms Speedy, I would like to ask you about your submission. Thank you for your submission. At the end you have asked for what some others have also asked for—you would like an acknowledgement. It says:

We would also like an acknowledgement that what happened to us and our families was wrong and that the system let us down by not properly investigating Clinton's disappearance.

Can you give us some guidance in terms of what you mean by acknowledgement? Is it a statement from the Committee or from the Parliament? Or is there something else that you had in mind?

**Ms LEONIE DUROUX:** Do you want an official apology?

**The Hon. CATHERINE CUSACK:** Is there anything that could be done that would recognise that mistakes were made? Do you think an apology would be a good idea?

**Ms JUNE SPEEDY:** Yes.

**Mr DAVID SHOEBRIDGE:** What about you, Troy? What do you think?

**Mr TROY DUROUX:** Yes, that would be great.

**Ms LEONIE DUROUX:** I think it would be fantastic. But I think this goes far beyond simply saying sorry, because I think that lets the Government off too lightly.

**The Hon. CATHERINE CUSACK:** We are trying to get an idea about what sort of things the families are looking for when they talk in the submissions about having some sort of recognition.

**Ms LEONIE DUROUX:** Mick Willing came up and met with us, for example, and he acknowledged the failings in the original investigation and he apologised. That goes a long way. But actions speak louder than words. Sorry does not really mean anything.

**The Hon. CATHERINE CUSACK:** So what sort of things are you thinking of?

**Ms LEONIE DUROUX:** A retrial.

**The Hon. CATHERINE CUSACK:** Would you like to go away and think about some other suggestions and come back to us? As Scott McDonald said, we are really interested in any thoughts that you have. We have certainly got the message about the retrial. But if there are any further thoughts that you have then we would love to hear them.

**Ms LEONIE DUROUX:** Okay, no worries.

**Mr DAVID SHOEBRIDGE:** Do you remember being around in 2006 when the law changed about double jeopardy? Do you remember when the double jeopardy laws changed, Troy?

**Mr TROY DUROUX:** Yes, I was up with Leone when it got overturned. I felt really positive about it. I felt really good.

**Mr DAVID SHOEBRIDGE:** What about you, June? Do you remember when that happened? How did you feel?

**Ms JUNE SPEEDY:** I felt good too.

**Mr DAVID SHOEBRIDGE:** What about after that when you were feeling good and the applications went in and they were rejected one after the other? How did that make you feel? How did you feel when the Attorney General said no?

**Mr TROY DUROUX:** You just get cut off. You just felt like a big tree. You just hit the ground hard.

**Mr DAVID SHOEBRIDGE:** What about you, June?

**Ms JUNE SPEEDY:** Like a big tree.

**Mr DAVID SHOEBRIDGE:** It was almost worse than before 2006; you were behind where you were.

**Ms LEONIE DUROUX:** Every time there seems to be a light at the end of the tunnel. Do you agree that we think we are going to get somewhere?

**Mr TROY DUROUX:** It just gets turned off.

**Ms LEONIE DUROUX:** You wonder why we got our hopes up. Why did we even think that was going to happen? Of course it was not going to happen. Does that explain how you feel, June?

**Ms JUNE SPEEDY:** Yes.

**Ms LEONIE DUROUX:** How about you?

**Mr TROY DUROUX:** Yes.

**The Hon. SHAOQUETT MOSELMANE:** You say in your submission that your families are strong, but you do not know how much you can take.

**Mr TROY DUROUX:** That is the thing. If it goes on any longer then I will probably be up there with my brother. All of this should not be farmed on to the kids. It should be done now. It should have been dealt with a very long time ago when it all happened.

**Mr DAVID SHOEBRIDGE:** We have heard so many people today say that this is business for now because we do not want it to be our kids' business.

**Mr TROY DUROUX:** Yes.

**Mr DAVID SHOEBRIDGE:** We have heard that time and time again. Is that how you feel, Troy?

**Mr TROY DUROUX:** We do not want this burden on them. It should not be on them. This should not be for our kids.

**The Hon. CATHERINE CUSACK:** Earlier today we talked a little about who Clinton was. Some really lovely things were said about him. Do you have anything you want to say about him?

**Ms JUNE SPEEDY:** Just the pain, being sad and hurt. I still think about Clinton and Marbuck.

**The Hon. CATHERINE CUSACK:** What would be your best memories of him?

**Ms JUNE SPEEDY:** He was a nice looking boy. He loved Michael Jackson. He played him at home. He had Michael Jackson pictures all over the wall, even up on the ceiling. He loved his sport. At training time he used to trot from home to the football field. He was a very fit boy. He loved dressing up and showing off.

**Mr DAVID SHOEBRIDGE:** Does that include his dancing?

**Mr TROY DUROUX:** He loved dancing. He did a Michael Jackson dance at one of my friends' weddings. I have sat and looked at him doing that dance.

**The Hon. SHAOQUETT MOSELMANE:** Do you have a few moves?

**Mr TROY DUROUX:** No, mate, I am not that good.

**The Hon. SHAOQUETT MOSELMANE:** Do you have kids?

**Mr TROY DUROUX:** Yes, I have two.

**The Hon. SHAOQUETT MOSELMANE:** And they like Michael Jackson?

**Mr TROY DUROUX:** Not the little fellow, but he is into his music. He was up on stage a few weeks ago with a band from America. He was sitting down playing his little guitar on the ground and they asked him to jump up on stage and he did. He ended up staying up there for the three songs. He would not get off.

**Ms LEONIE DUROUX:** And is three.

**Mr TROY DUROUX:** He is almost three. My best memory of my brother was going to footy. All of us kids used to walk up together because we all pretty much lived around the corner from each other. I was in the under eights playing footy. My brother would be sitting there and he would wait until I finished. He would then jump up and we would go and watch him and we would sit there until he finished. That was my best memory of my brother, and his dancing. He used to pull it off at the disco all the time. The ladies were there. But when he got taken away it felt like it was just a dream and I did not want him to be gone. It was hard because I did not want to believe it. I still have dreams where I see him standing next to me. Maybe one day I will when I get up there.

**Ms JUNE SPEEDY:** At my house I have a photo of Clinton and Marbuck. When I walk from the kitchen to the bathroom I walk past them. I give them a wave and say, "Hello my sweetie pies. How are you going?" It is just like they are saying, "Good, Mum." It is freaky.

**Mr TROY DUROUX:** It is hard trying to let go of a brother. But some days you have to. You try to be strong for the kids that you have now.

**Mr DAVID SHOEBRIDGE:** June, you must be proud of your boys.

**Ms JUNE SPEEDY:** I am.

**CHAIR:** Thank you for being with us today. We know it has been very hard for you. We have worked with Leonie, of course, and June and Troy. June, we are inspired by the quiet, dignified and gracious way that you have given your evidence today and shared your thoughts. We much appreciate that. We know it has been very hard for you and we appreciate that you have done that. You are a gracious person and a dignified lady, and that has come through today. Troy, we are going to do what we can.

**Mr TROY DUROUX:** Thank you. I would like to thank all the supporters who have been behind us throughout the whole lot, especially this lady here. She has been our rock and has pushed us through the hoops to get here today. Baz has given support to all the men. Thank you, Gary.

**Ms LEONIE DUROUX:** I would like to add to what the Chair just said to June. June has never spoken about this in 23 years. I think she gave very short evidence at Clinton's trial. We have never spoken like this; we have never really spoken to anyone. It is a massive thing for her to do that and to come here to speak.

**Mr TROY DUROUX:** It has been hard for everybody to come here and let go and to talk in front of you guys. It is not easy.

**CHAIR:** We know that it is not easy for you. We see how loved your brother and your son was. That has come through here today. We thank you very much for coming in and sharing your thoughts with us. We know that it is very hard for you. It is very important for us to have heard this. It gives us an insight into the lasting grief that is with the family. It is made much worse by the fact that your expectations have been raised and then things have not turned out as one would have hoped. We can only do our best. We want you to go away knowing that you have people here from all sides of Parliament who are going to do their best to get justice.

**Mr TROY DUROUX:** Thank you very much.

**CHAIR:** Thank you once again for being here.

**(The witnesses withdrew)**

**(The Committee adjourned at 4.27 p.m.)**