



LEGISLATIVE COUNCIL

STANDING COMMITTEE ON LAW AND JUSTICE

## **MEDIA RELEASE**

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

### **Final report**

**FOR IMMEDIATE RELEASE**  
**6 NOVEMBER 2014**

The Upper House's Standing Committee on Law and Justice today tabled its report on the inquiry into the family response to the murders in Bowraville.

In the early 1990s, over a period of five months, three Aboriginal children in Bowraville were murdered. The inquiry was established to provide an opportunity for the families of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux to appear before the committee and detail the impact the murders of these children have had on them and their community.

Committee Chair, the Hon David Clarke MLC said, "Throughout our deliberations, the committee has gained an insight into the rollercoaster ride of emotions experienced by the families following the children's disappearances 23 years ago: their pain and frustration during the initial investigation and subsequent criminal trial were followed by feelings of optimism brought about by the second investigation, which were then dashed after the second trial. Significant amendments to the double jeopardy legislation brought fresh hopes that the families may achieve justice, but once again these hopes were shattered when three consecutive applications for a retrial were refused. In spite of this journey, the families' tenacity and determination to achieve justice for Colleen, Evelyn and Clinton has not wavered."

Mr Clarke observed: "While it was clear to the committee that the families sought only justice, the terms of reference for this inquiry established clear parameters within which the committee could carry out its deliberations. We have done the very best we can within these parameters to formulate findings and recommendations within the terms of reference imposed."

The recommendations made by the committee canvass a range of different issues, including improvements to the NSW Police Force's policies and procedures; enhanced access to Aboriginal Witness Assistance Services; implementation of Aboriginal cultural awareness training for legal practitioners, members of Parliament and parliamentary staff; and the judiciary's use of jury directions regarding cultural and linguistic factors.

Mr Clarke stated: “The recommendations made also seek to address the needs of those impacted most by the murders through the provision of funding for mental health support and culturally specific counselling services for the families and their communities; the establishment of a working group to examine the adequacy of mental health services in the towns of Bowraville and Tenterfield; and funding assistance to assist the beautification and maintenance of memorials dedicated to the children.”

“It is important to point out that this inquiry was not a murder investigation and the committee has not sought to comment on the decisions made by the Attorney General or the police”, said the Chair. “However, as one of the key issues raised in evidence related to the definition of the word ‘adduced’ within s 102 of the *Crimes (Appeal and Review) Act 2001*, the committee has recommended that the NSW Government review that section of the Act to clarify the definition.”

Mr Clarke said: “The committee has also recommended that the merits of any new application for a retrial of the Bowraville murders be considered by an independent assessor, such as a retired senior judge, or senior prosecutor from another jurisdiction.”

“We hope the recommendations made in this report will bring the families one step closer to their ultimate aim, justice.”

“The committee also wishes to formally acknowledge the pain and suffering experienced by the families of the three children over the past 23 years, which, in our view, has been significantly and unnecessarily contributed to by the failings identified in our report”, Mr Clarke said.

The Chair observed that the inquiry had been particularly unique in character, canvassing complex issues that were painful for many inquiry participants. “I extend my sincere thanks to the family members of Colleen Walker-Craig, Evelyn Greenup and Clinton Speedy-Duroux, and other individuals who have assisted the committee”, said Mr Clarke. “The committee is grateful for their trust and cooperation, upon which our inquiry has depended.”

**The committee will hold a press conference at 12.30pm today, Thursday 6 November 2014, in the Media Room at Parliament House.**

A copy of the committee’s recommendations is attached.

Copies of the report can be downloaded from [www.parliament.nsw.gov.au/lawandjustice](http://www.parliament.nsw.gov.au/lawandjustice) or are available from the committee secretariat by calling (02) 9230 3081.

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*For further comment please contact the Hon David Clarke MLC, Committee Chair, on 9230 2260*