

**Submission  
No 1**

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

**Name:** Dr Vivienne Tedeschi

**Date received:** 9/01/2014

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*Partially Confidential*

## SUBMISSIONS RELATING TO THE BOWRAVILLE MURDERS.

Dear Mr Shoebridge

My name is Dr Vivienne Tedeschi. I am a General Practitioner, living in Bowraville, and until recently I practised medicine at the Aboriginal Health Centre in Bowraville which sadly no longer exists. I now work in nearby Macksville and see many Indigenous patients, including those directly related to the three deceased children. I did not live in Bowraville at the time of the murders, and I am not Indigenous. However, as someone closely involved with the community for many years, I claim my right and desire to have a voice in this tragic affair. I was part of the original "NGINDAYJUMI" group which agitated for and succeeded in the passing of the "Double Jeopardy Amendment Act", and I have participated in media productions ("Australian Story"), radio interviews and trips to Sydney to promote this worthwhile cause. I have worked with family members for many years, and on a daily basis share their tears and frustration at the miscarriage and failures of the justice system. My parents in law were amongst the main witnesses for the prosecution in the Clinton Speedy-Duroux trial as they actually saw and recorded many of the events relating to the tragic events surrounding Clinton's murder. They live within 20 metres of the alleged murderer. For these reasons, I make the following submissions.

I understand the clear limitations of an Upper house Parliamentary inquiry, so although I have a few main submissions, I know that only the first ones can have any impact. Mr Shoebridge, the devastation wrought on the friends and families of the victims is all encompassing. It has left in its trail a generation of confused, under achieving and angry people. Alcohol and other substances are used to dull the pain. Failure to complete education and achieve employment is rife.

[OMITTED AT THE REQUEST OF THE AUTHOR]

It is my submission that the State Government makes money as a Trust Fund available to help the Indigenous Community of Bowraville, Sawtell, Nambucca and Macksville in a way that directly supports the bereaved family members of the deceased children, including the new generation, who may not have known the children directly, but are nonetheless affected by the tragedy on a daily basis. Possible uses for this money include:

1. A Trust Fund for the siblings and other young family members, which should be managed independently, and earmarked for their education, hence enabling these young people to break out of the cycle of poverty, substance abuse and unemployment.
2. Money should be earmarked for traineeships and employment opportunities for young and other Indigenous Community members. Perhaps employers could be subsidised to give young people directly affected by these tragedies a chance to gain employment and vocational skills.
3. Another area of great disadvantage is a lack of sports and leisure facilities. Funding could be sourced to build gym and sports facilities. Our young people's greatest enemies are boredom and lack of outlets for their frustration.
4. A funded social work position is needed in this area so badly affected by the tragedies. A social worker who is experienced in Indigenous issues and has cultural awareness could

begin to address the problems endemic in this community. Programmes should be supervised and outcomes quantified.

5. Finally I wish to address the more challenging issue – that of the possibility of a retrial of the alleged perpetrator of the crimes. I understand that this is not within the limitations of an upper house parliamentary inquiry, but I feel a need to express my thoughts on this difficult matter. I am not a lawyer, but I have closely studied the wording of the Double Jeopardy Amendment Act. It is my firmly held belief that a retrial, particularly in the case of Clinton Speed-Duroux, falls well within the semantic guidelines of the Act. It is simply a matter of the breadth of interpretation, which is within the power of the State Attorney General. I know for a fact that there is new, compelling and fresh evidence. This evidence could not have been reasonably adduced at the time of the original trial as the police chose not to present it to the DPP. It was adduced by the police, but not the DPP, and could not have been accessed by the DPP, given the circumstances at the time. The evidence is strong (an eye witness account by a reliable person) and stands a high chance of success. At the trial, the very strong evidence of my parents in law was challenged as unreliable by the defence council. It is my submission that the crown case today would have been stronger, and less scathing of eye witness evidence.

I understand, Mr Shoebridge, that my last submission is not within the limitations set by this upper house inquiry and therefore not something that you can deal with easily. However as a part of my submission, it was important that I feel able to address my long standing concerns.

Please feel free to contact me about these matters at any time, either my email or phone. My mobile number is .

Sincerely

Dr Vivienne Tedeschi