

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

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Partially Confidential

**To the Law & Justice Parliamentary Committee  
Submission in relation to the Bowraville Murders.**

We are Clinton's Aunts, Uncles and Cousins from Tenterfield and wish to make this submission in relation to his murder.

In 1991 the first march for justice was held in Bowraville against the police inaction in regard to this case. Frustration, anger and great sorrow was spilling out of everyone involved. Bob Moore, the senior Inspector of the day, told us then we had to be onside and working together. But even then he was investigating "us" because they thought we had done something to our own children. Three kids went missing from Cemetery Road in Bowraville within months of each other. Our community has always believed we knew who was/is responsible.

So why 22 yrs on has there never been a conviction?

Much of the original investigation was very much a botched, trumped up affair. It was made to look to the Aboriginal community, that they, the police were actually doing something about the murders of our three black kids. Local police refused to link the similarities between the cases. Instead, they were treating the children as missing persons. At the onset of the investigation, the community was being investigated as to their role in the disappearance of our kids.

When Clinton's (Bubby's) body was found on Congarinni Road, along with evidence linking him to caravan, Detective Allan Williams was handed the case.

He had no previous experience whatsoever in dealing with homicide.

Mr Williams later admitted that he believed NSW Police rated his chance of success at solving the case, as nil. The investigation was hindered by a lack of experience and resources, as it meant no cost to do the inquiry as he believed no one wanted this investigation to success tor even to happen.

The investigation was slow and flawed. It took police ten days seize caravan for examination for evidence which resulted in loss of vital information that could have led to an arrest. Also a set of barbells, which forensic test suggest could have been the murder weapon, were handed back to the accused before they were examined forensically.

The accused, , also confessed to an Aboriginal mate that he had a couple a bodies out near his marijuana plants in Congarinni Road. This was where Bubby's body and Evelyn's remains where later found. There was also evidence from a non-Aboriginal truck driver who made a statement about a man fitting description, who was standing over the body of an unconscious male teenager on the night/morning that Bubby was last seen. There was a nearby vehicle with the lights on and the boot of the car open.

That evidence never made it to Bubby's trial, despite being reported to police in 1991.

The accused was charged with Clinton and Evelyn's murder in 1991. Whilst in prison he made full and partial admissions to four other prisoners. Only one of these informants' testimonies was used in Evelyn's trial and the other evidence came to light AFTER Bubby's trial. IT WAS NEVER USED!!

In 1994, the jury in Clinton's trial was not given key evidence linking his and Evelyn's murders because the accused was deemed to have been "seriously and unfairly prejudiced" according to an order sought by the accused and upheld by the supreme court. This was totally unfair to the outcome of our case against the murderer.

After years of gathering evidence, Detective Inspector Gary Jubelin referred the case to the Director of Public Prosecutions for prosecution. The DPP knocked the case back. Jubelin then pushed the evidence in the direction of the coroner who recommended pressing new charges in relation to Evelyn's murder.

The sexual relationships of [redacted] with Aboriginal women in the Bowraville community, which played a role in all three cases should be looked at by the DPP, Mr Abernathy, coroner at the time disclosed. He also recommended considering the evidence of all three cases together. Despite the coroners recommendation, the juries at the time never heard this evidence in relation to the murders of the other two children. The accused was acquitted.

The trials were already in the process of being treated apathetically. It was run as a trial you had to have, for the sake of saying a trial was had, not where a conviction would have been well justified.

There is still a serial killer and rapist out there waiting to attack again. He should have been charged with rape as well as the murder of three children.

22 years on, the case is still being treated apathetically as far as we are concerned. I would beg of you not to continue in this way with this case and to not get used to that apathy. Please keep fighting on our behalf for justice for our children. Sadly, they never had the pleasure of growing into adults.

We need closure. We need answers. We need a conviction. We are Aboriginals but we are humans too. We have feelings that have been hurt for a lot of years and we are still carrying that pain of the loss of our three babies. You have the authority to bring us a conviction and I would beg you to please stop the rot that has been occurring with this case and enable us to have what we want and need....a guilty verdict.

We have been asked what we would like to see out of this inquiry. Ideally we would love to see Attorney-General's decision turned around and a chance to have all 3 cases run together, but in practical terms we have a park in Tenterfield which has a memorial plaque for Clinton. Because of a lack of funding we have never been able to put anything else in the park. We would love to see a bbq and play equipment put in this park for the kids in our community of Tenterfield.

Yours sincerely

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