

Submission
No 26

**INQUIRY INTO CRIMES (APPEAL AND REVIEW)
AMENDMENT (DOUBLE JEOPARDY) BILL 2019**

Name: Ms Michelle Jarrett

Date Received: 19 July 2019

Partially
Confidential

Submission for the Parliamentary Inquiry

My name is Michelle Jarrett
Evelyn Greenup.

s. I am the aunty of

Evelyn's grandmother and my mum, Colleen's grandmother Aunty Gwen, and Clinton's stepmother Aunty Alma are all sisters. For our large family, this has been — and continues to be — one long fight for justice.

This kinda thing doesn't happen to other families and victims who want justice. From the beginning, we did everything right. After Evelyn went missing, I went to the police and the officer told me he was about to knock off work and couldn't help me. After that, we sat in court cases, attended inquests, went to this committee, to talk to politicians, waited for this report to come out, went to the District Court, the Supreme Court, and the High Court. We've done everything they've told us to, by the law, and each time, we've been kicked in the guts.

The Courts need the whole story. We've only got bits and pieces so far. They've only heard Clinton's story on its own. They've only heard Evelyn's story on its own merits. They have not heard Colleen's and we've never gotten the full story because of the inept police investigation at the beginning. To get the full story, we need to change this word that seems to hold a lot of power and that has the balance of power of justice for us. There needs to be a clearer definition of what the word means.

We need the committee's help to get through to the next step. This law, this double jeopardy law doesn't seem to be working. If it worked, we wouldn't be here, still fighting for justice. So, somebody needs to fix that law. It's not working for the people of New South Wales because we are citizens of New South Wales and all we want is a opportunity in the door of the Courts and then leave it up to the Courts to make a mind up if he's guilty or not. This law ain't gonna decide whether he's guilty or not but it'll give us the opportunity to get our foot in the door.

In June this year, I turned 50. I was 21 years old when Evelyn was murdered. The delay has affected our entire community as people get older and the years go on. Aboriginal people die early. My mum is a key witness in two of the murders and every winter, she gets Pneumonia and I get pretty worried that she won't be there to give evidence one day.

I've been fighting this fight for more than half my life. That's really mindblowing and sad that we still haven't found justice. A family shouldn't have to go so long to find justice. These laws are written, I believe, to get justice, to serve justice, not to inflict more injustices. An injustice has been done and someone's gotta fix it. Someone's gotta make it right. They've done everything they possibly can and now it's up to the law to come to the party and come in line with what's happening in society now also. The law has to change to suit the times too and they can't stay back in the dinosaur ages.

I understand the lawyers and courts can't be personal and can't think about that little four year old girl but there's gonna be other four year old girls and other 16 year old kids. They might be wealthy or not. They're might be Aboriginal or not, and they'll be wondering why the law wasn't fixed back then when it happened to the Bowraville community. The Committee has been to Bowraville. I hope they can walk in our shoes and the shoes of future victims to make sure no other community suffers like we have, no mother has to stay up all night, no sister has to worry about their brother committing suicide, and no family has to fight 30 years down the track because the law is done and done swiftly and correctly.

I want the Parliamentary Committee to look at their own families, their extended families, their wider communities, and pluck three people out and imagine silence from the justice system. I want them to imagine that those people are not there anymore and ask whether the everyday person would still have faith in the law after that. The community needs the justice system to get on with the job and fix a law that is not working. If it was working, our community wouldn't be here fighting for an opportunity to get our foot in the door to have the whole story heard by a court. Who do these laws serve if they fail to ease the pain and suffering of a community?

Our community has never healed but I want other communities to be safe in the knowledge that we have a strong justice system that protects young people, the frail, and the everyday person in the street. We want to know that we can turn to the law and that the law will support us back.

Even though we're devastated, we've continued to hold our heads up high. The community will continue fighting to make things right and bring the law in line with what's happening in society now and because its important keep the memories of the kids alive.

The last 30 years have happened because the state has not done its job to protect communities and prevent crime. The new law is not gonna bring our kids back but I like to think we are creating a legacy and that this law will change so what happened to our community doesn't happen to other families who have to make long trips to Sydney, sit in court and wonder if they're gonna get justice.

Michelle "Lulu" Jarrett (Stadhams)
11 July 2019