
Bowraville murders: State Parliament votes down bill, dashes hopes for cases to proceed

By Lucy Carter and Lucy McNally
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A bill that could have seen a breakthrough in the Bowraville murders has been voted down in the New South Wales Parliament, but the Upper House has heard police will keep pushing for the suspect to be retried.

About 200 people marched on State Parliament, demanding justice for three Indigenous children murdered on the state's north coast in the early 1990s.

The bodies of 16-year-old Clinton Speedy-Duroux and four-year-old Evelyn Greenup were found near the Bowraville Aboriginal Mission. Colleen Walker Craig, 16, has never been found.

Bowraville local Jay Hart, the man police identified as the prime suspect in all three killings, was tried and acquitted over two of the murders.

But all three cases were never heard together in one trial.

Greens MP David Shoebridge held back tears as he told Parliament he felt he had let the families of the children down.

But Mr Shoebridge said Gary Jubelin, the policeman who reopened Evelyn Greenup's case years ago, had told him there was still hope.

"I was speaking to Detective Inspector Jubelin earlier, and he assures me that the police are ready to put a fresh application to the Attorney-General, albeit under the laws that we haven't fixed today," Mr Shoebridge said.

Mr Shoebridge, with the support of the protesters, had brought a bill before Parliament to redefine the word "adduce" in the State Crime Act, with the hope it would allow the cases to proceed to court.

"In 1995, the police tried to have two of the murders tried together," he said.

"It came before a judge and because of the rules of evidence at the time, the judge said the facts in each case were not sufficiently similar to allow the two cases to be heard together."

The Greens MP said that meant the evidence in one could not be used in the other case.

"But it also means that the evidence has never been adduced or admitted into evidence in considering the other murder," Mr Shoebridge said.

"What we're simply saying is this: now that the rules of evidence have changed, and it's very likely if the same judge was hearing the same application under the current laws they would admit the evidence, that that evidence should be considered fresh."

Liberal MP John Ajaka told the Upper House the Government would not support the bill, referring to a report written by former judge James Wood last year that recommended the laws stay the same because a change could "erode the long-standing rule against double jeopardy".

Mr Ajaka read other quotes from the report, including that it would be "impossible to anticipate how many past acquittals could be subject to a retrial [under] a change of law".

Premier Mike Baird said he knew the families were hurting.

"I understand there is still an option for additional evidence to be brought forward by the community and/or police, and that would give an opportunity for it to be considered by the Supreme Court," he said.

'We are sick of waiting,' relative says

Despite several inquiries, inquests and changes to the state's double jeopardy laws there has been little progress on the case.

The protestors in Sydney - who began their march at Hyde Park, in the middle of the city - were small in number but determined.

"If it was three white kids in Mosman that this happened to 26 years ago we wouldn't be here 26 years later trying to get justice," one protestor said.

Outside Parliament House, Colleen's brother Lucas Walker Craig spoke about the way police handled the investigation in the early days.

"The police stereotyped Colleen, saying she went 'walkabout'," Mr Craig said.

"When given a photo of my sister by my mother, the police doubted she was even her daughter, because she had fair skin."

Mr Craig said: "We just want to put this serial killer behind bars."

Clinton's aunt Leonie Duroux said they just wanted answers.

"We have been waiting for 26 years for some answers," she said.

"Two years ago we had an inquiry, [but] we still don't have any justice despite recommendations that may allow for a retrial.

"We are sick of waiting."