



**Greg Smith SC MP**

Attorney General  
Minister for Justice

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## **MEDIA RELEASE**

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**9 February 2013**

### **DECISION ON BOWRAVILLE APPLICATION**

The Attorney General Greg Smith SC has written to the lawyers who act for the families and supporters of three children who were murdered in Bowraville more than 20 years ago. He has informed them he cannot grant their request to refer the cases to the Court of Criminal Appeal for consideration of a retrial.

“Unfortunately, after careful analysis of this complex case and extensive consultation with police, the families and their lawyers, I am convinced that the application has no reasonable prospect of success.”

“I feel terrible for the families, and understand the impact the long and tragic cases have had on them. This has been a very difficult decision.”

Colleen Walker, Evelyn Greenup and Clinton Speedy- Duroux were killed in Bowraville in 1990 and 1991. A man has been tried and acquitted of the murders Clinton Speedy-Duroux in 1994 and of the murder of Evelyn Grenup in 2006.

Despite the introduction of double jeopardy laws in 2006, earlier applications for a retrial were declined by the Director of Public Prosecutions and the former Attorney General John Hatzistergos.

“When coming into office I undertook to review this case. I have since received legal advice from three very senior and experienced criminal lawyers, and had the case reviewed by a team of senior legal professionals. After weighing up all the issues, I believe it would be inappropriate to refer this case to the CCA or to indict the man for the murders. This has been a complex and lengthy process, but we wanted to be sure all arguments were thoroughly tested.”

Under the Crimes (Appeal and Review) Act an application for a retrial of an acquitted person can be referred to the Court of Criminal Appeal in certain circumstances, if there is “fresh and compelling” new evidence.

Only one such application can be brought, and should more evidence come to light later, no further application can be made.

The body of Colleen Walker has not been found. The government has offered a \$250,000 reward for information leading to the conviction of a person or persons for the three deaths.