

Victims of crime are often overlooked

The despair and suffering of people who have lost a loved one through homicide were, sadly, compelling modules of ACT Region investigation courses conducted by ACT Training Unit last year.

Course participants heard close family members of homicide victims talk about their trauma and ongoing suffering, the inequity they have felt in Australia's justice system, the lack of genuine support for families of victims, and most significantly for those working in law enforcement, suggestions on how police can better help those affected by homicide.

The training was organised by Detective Constable Shan Rice of ACT Region Training.



Some course participants and members of the Homicide Victims' Support group pictured at Barton College during an investigation course conducted by ACT Training Unit. Pictured from left are, back row: Constables Robert Cameron, Jason Byrnes, Richard Sharp, Shaun Warnock, Francis Gill, David Quilty; front row: Constable Tony Crowe, Mrs Rita Cameron of the ACT Victims of Crime Group and members of the NSW Homicide Victims Support Group: Mrs Grace Lynch, Mr Peter Simpson, Mrs Joan Griffiths, Mr David Taylor and the group's coordinator Ms Martha Jabour.

By Janice Jarrett

Although murder rarely occupies a significant proportion of police work in most jurisdictions around Australia, every officer knows that they must be prepared for dealing with homicide. The enormity of such a loss to the victim's family is beyond the comprehension of those who have not suffered such violation, and it was from this void that the first victims of crime support group in the world was formed in New South Wales.

The concept developed after the abduction, sexual assault and murder of nine-year-old Ebony Simpson in Bargo, near Sydney in August 1992. Senior Counsellor with the NSW Institute of Forensic Medicine, John Merrick, arranged for Garry Lynch, father of Anita Cobby who was abducted, sexually assaulted and murdered in Blacktown, Sydney in 1986, to visit Peter and Christine Simpson.

Mr Merrick, appearing on the group's training video "Living Beyond Murder", said that he was prompted to contact Mr Lynch because he knew that he had previously provided support to other victims' families. The liaison led to the centralised coordination of support and in 1993 the Homicide Victims' Support group was formed in Sydney with nine families. In July last year its membership was 281 families. Coordinator of the group, Martha Jabour, said that in NSW in 1995 there were 117 murders and of those victims, 107 of their families were involved in the support group.

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Ms Jabour, who is based at the Institute of Forensic Medicine at Glebe, said that her role was to make sure that families of victims got the support they required.

When a body was brought to the morgue, a counsellor provided to the family would try to explain what the victim would look like, including the effects of forensic procedures such as shaving the victim's head. Counselling was also available for police if required.

The morgue worked hand in hand with police and as it gave out information to families, it was important that communication was open.

"As police officers there is nothing that you can say to someone worse than telling them that their loved one has been murdered," Ms Jabour said.

"Honesty and communication are the only things you can do to help these people on the road to recovery. People seeing their loved one is part of the grieving process. The families will tell you what they need."

The group had set new ground in the establishment of a recovery centre, named 'Ebony House' in memory of Ebony Simpson, to provide a retreat for families after they were informed of the homicide. It also offered emotional support and could help financially if needed.

The course participants heard Grace Lynch, mother of Anita Cobby; Joan Griffiths (mother of Michael Marslew shot during a robbery at a Pizza Hut store in February 1994); David Taylor

(fiancee of Sandra Hoare who was abducted, sexually assaulted and murdered in December 1994 outside Walgett Hospital near Dubbo); and Peter Simpson, each talk bravely of their tragedies in the hope that they can help the families of other victims.

Grace Lynch said that after Anita was murdered, detectives advised her against attending the morgue with her husband Garry to identify the body. While the reasoning was understood, the consensus from the panel was that it was not always the wisest recommendation. Mrs Lynch said that she thought she should have been the one to accompany and support her husband.

"If I had been there, I would have asked more questions," Mrs Lynch said. She subsequently learnt many of the details of her daughter's murder through the media.

"The police were trying to protect us, but it is better if they tell you first."

Mr and Mrs Lynch also had been shocked because they did not receive warning about a re-enactment on television which traced Anita's last hours before the abduction.

"We were devastated," Mrs Lynch said, although she added that ironically, police probably had not consulted them because they were trying to avoid inflicting further distress on the family. The Lynches felt that the clothing used to portray Anita was inappropriate, and had they been asked, they could have provided advice.

Mrs Lynch talked about the torment of the investigation process for the whole family. In the Cobby case, Anita had been separated from her husband for several months, and as part of their inquiries, he was subjected to routine interviewing which nearly destroyed him, Mrs Lynch said.

The family waited 14 months for the case to go to trial, then attended three months of court hearings, and endured the appeal period and a re-trial.

"In a way, the trial is never finished," said Mrs Lynch. "It goes on right through your life."

David Taylor, a NSW police officer, was engaged to nurse Sandra Hoare, abducted after she disturbed two men stealing a car outside the hospital where she worked in December, 1994.

Mr Taylor recounted his chilling experiences following his fiance's murder, speaking of the social isolation, lack of support, insensitivity and in some cases, the expectation that because he was a police officer, he should be able to cope.

He said his life was on hold for at least as long

as it took for the trial and the appeal process to be completed.

He suggested that police should tell the victims' families everything possible because it helped them in their recovery, and that follow-up phone calls should be made to find out how the family was coping.

Joan Griffiths praised police for their work and thoughtfulness after the murder of her son Michael Marslew during a robbery at Pizza Hut in suburban Jannali in February 1994, just weeks before his 18th birthday.

The details of the last time she saw Michael and her overwhelming disbelief after being told of his murder were etched indelibly in her mind.

Although officers had shown great sensitivity overall, she and her husband had been inadvertently left in an interview room at the police station for an hour-and-a-half, when they were suffering deeply from shock, then simply sent home.

They were taken to the morgue the next day and Mrs Griffiths said she was still angry that she did not spend more time there but that in such situations, people were unable to think clearly. "My mind was in complete shutdown. Others protected me, but I had lost my son who was more precious to me than my own life."

In the following days Mrs Griffiths said she "pestered police every day, and there was never a cross word [from them]".

"I would ring the next day and ask all the same things but he [the officer-in-charge] never lost patience".

She talked of the last afternoon she saw Michael, how she watched him pull out of their driveway on his way to work, and how deeply that image remained with her.

"As soon as dusk fell every night, I would go through Michael's death again. There is an overwhelming lethargy after something like this. You go over and over it again in your mind. You never really think about all the good times you had with your child."

Four months later the suspects were apprehended, then the agony for the family continued through almost eight weeks of court hearings, and continues still through the appeal process.

Mrs Griffiths praised the officer-in-charge of the investigation who had kept the family informed constantly of what to expect and attended court with them for every hearing.

"There were no shocks for us through the media," she said.

Families of all the victims felt the value of

human life was trivialised by impact statements made to the court by the defendants' families, where problems such as childhood eczema had been presented as a destabilising factor in a defendant's life, while a victims' family was not given the opportunity to express the effect of the crime on them. Some were told by the court that the victim didn't exist anymore or that the effect on them was already 'known'. Victims' families could not make an impact statement for fear of jeopardising the case.

Peter Simpson said he believed that victims had a responsibility to tell people what it was all about. "For too long in this country it has never been done and consequently nobody knows what it's like for us." His whole family was shattered following Ebony's death.

"Ebony was stalked by a man who had been charged with 76 offences previously and had 41 convictions," Mr Simpson said.

"He grabbed Ebony one day after she got off her school bus, threw her in the boot of his car and turned up the volume on the car radio so that no-one could hear her screams".

All I have of my daughter now is a brown paper bag with her muddy school uniform in it

Mr Simpson related how his daughter was tortured and sexually assaulted, then thrown into a dam along with her school bag which was weighted with rocks. Her killer turned up the next day as a volunteer to help in the search.

"All I have of my daughter now is a brown paper bag with her muddy school uniform in it," Mr Simpson said.

An aspect of the Simpson case shared similarities with the experience of abandonment felt by Mrs Griffiths and her husband.

It occurred during the search when police had set up a coordination post involving about 100 people in the front yard of the Simpson's house. As the night wore on Ebony's parents were overcome by exhaustion and fell asleep inside the house.

They woke up a couple of hours later and when they went outside there was no-one around.

"We were both extremely traumatised and greatly confused because we thought everyone had abandoned us," said Peter Simpson.

I started screaming at the sky, I couldn't breathe properly, and he [the detective] had to suffer all that. That is not part of his job, but he went through it all with me

“They were at the dam. Two hours later they came back and told us [that they had found Ebony]. There should have been someone left there [with us].”

Mr Simpson then struggled between his responsibility to go to the morgue to identify his daughter, and being at home to tell Ebony's brothers of the tragedy when they woke up. “I felt strongly that I should be the one to tell the boys. I was caught between two things.”

“They didn't give Chris [his wife] the opportunity to identify Ebony, and I wanted to be with my sons, so my brother-in-law went.”

He had felt overwhelmed also by the number of people whom he had to deal with during the search. “I was probably dealing with at least 30 people and telling them all the same things.”

Mr Simpson said the detective in charge of the case took him to the crime scene later and went through what had happened to Ebony, as he had been told by the murderer.

“I started screaming at the sky, I couldn't breathe properly, and he [the detective] had to suffer all that. That is not part of his job, but he went through it all with me.

“He went over and above what he was paid to do”.

Ebony's mother Christine had wanted the car

used in the abduction to be destroyed. “That was very pertinent to my wife,” Mr Simpson said. “Some of those little things can be very important to victims' families who are trying to put their lives together again.”

It was important also to know where the offender's family was located. Mr Simpson had been concerned that his two teenage sons could be intimidated by other members of the offender's family if they were still living in the area, but he had found opposition in obtaining this information.

Some members of the group had experienced contempt and disrespect during court proceedings, citing one instance where the defence counsel bragged audibly about a pending overseas holiday. In other cases defence lawyers used staring tactics to intimidate family members.

Families talked in ‘Living Beyond Murder’ about the overwhelming mental and physical exhaustion after such trauma—of being unable to get out of bed in the morning.

“People don't realise the difficulty of just doing that,” said Peter Simpson.

“I realised one day when I was half-way down a freeway going to a counselling appointment that I was not capable of driving that vehicle.”

People suffering trauma also had enormous difficulty making decisions, Mr Simpson said.

“And after the first few weeks the initial support just drifts away.”

Mr Merrick spoke about the stresses of coming to terms with the court environment, including the legal processes and unfamiliar terminology.

“People have great anger and confusion because they don't understand,” Mr Merrick said. “Very few people come to terms with death until the legal process is over.”

Ebony Simpson's mother said: “Don't shield us. You can't be hurt any more than if you've lost someone through homicide.

“Eventually, when we were told [of the details of Ebony's murder], I could deal with the 12 horrific things instead of the hundreds which were going through my mind.

“It's like you [police]—you can't solve the case until you've got all the information—we can't go on with our lives until we've got all the information.”

Mr Merrick said that professionals involved in homicide cases should firstly, aim to provide support; secondly educate those involved in the homicide; and thirdly, work out whether there's something wrong in the system and look at changing society's laws.