

## VICTIM IMPACT STATEMENT

**NAME OF VICTIMS:** This victim impact statement has been prepared by senior custodians of sacred site 6069-2. These individuals who represent a larger group of custodians include: Bobby Nungumadjbarr, Henry Nungumadjbarr, John Lalbich, Galiliwa Nunggargalu, Moses Numunirdirdi, Paul Numunirdirdi, David Murrungun, Ngadhurrin Murrungun.

**NAME OF DEFENDANTS:** S&R Building and Constructions Pty Ltd, Marc Renshaw, Ross Pearce

**OFFENCE COMMITTED:** November 2007

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### Harm Suffered as a Result of the Crime

#### *Emotional*

We still feel bad, angry and hurt inside. We have not healed and cannot be healed without proper compensation to restore balance in our culture.

If this had been done by an Aboriginal person in the old days they would be put to death.

We respect white law, we cannot punish these people the way we would have done in the past. Nowadays if this had been done by an Aboriginal person their clan or family would have to pay compensation or the offender would face spearing.

When we use compensation, it is not like non-Aboriginal people, it is to fix, reimburse and heal the hurt – it also restores balance and removes shame.

They have shown no respect for our law and culture – this makes our law look weak.

The court outcome of convictions or fines does not mean anything to us. Being sorry does not undo the damage.

We are ashamed of this incident. Other Aboriginal people right across the Top End from Groote to Ngukurr, Borroloola, Bulman, Maningrida and Ramingining – all of the communities where the Kunapipi ceremony connects with us – they're all saying "we've done the wrong thing at Numbulwar" by letting this happen here. Great shame has been brought upon us.

### ***Other Relevant Information***

We feel that those two men should come to us for punishment. Our senior leaders should be determining penalties - that is fair compensation.

We also feel that these individuals and their company should be banned from Numbulwar community as well as the other Kunapipi communities listed above. We intend instructing the Northern Land Council to refuse to issue any future permits to these individuals.

### ***Sentencing***

Punishment will never fit the crime in this case. They have broken Aboriginal law, but cannot be subject to it.

**We consent to the presentation of this Victim Impact Statement in court.**

NAME: Bobby Nungumadibarr

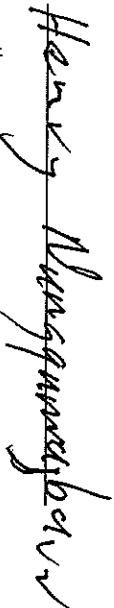
SIGNATURE:



DATE: 11<sup>th</sup> February 2010

NAME: Henry Nungumadibarr

SIGNATURE:



DATE: 11<sup>th</sup> February 2010

NAME: John Lalbich

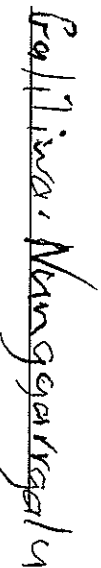
SIGNATURE:



DATE: 11<sup>th</sup> February 2010

NAME: Galilwa Nungarralu

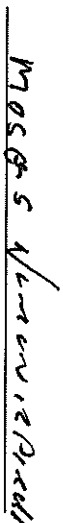
SIGNATURE:



DATE: 11<sup>th</sup> February 2010

NAME: Moses Numunirdirdi

SIGNATURE:



DATE: 11<sup>th</sup> February 2010

NAME: Paul Numunirdirdi

SIGNATURE: *Paul Numunirdirdi*

DATE: 11<sup>th</sup> February 2010

NAME: David Murrungun

SIGNATURE: *David Murrungun*

DATE: 11<sup>th</sup> February 2010

NAME: Ngadhurrin Murrungun

SIGNATURE: *Ngadhurrin Murrungun*

DATE: 11<sup>th</sup> February 2010