

TV
Sam Neill: more than able as Kane
Page 42



PROFILE
The nice and nasty
Roald Dahl
Page 44

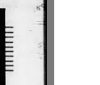


BOOKS
Australia: a country for women?
Page 47

ARTS
Norman Jewison still wants to change the world
Page 48



TRAVEL
When Chinese food goes kosher
Page 56



The Sydney Morning Herald

Saturday Review

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UNBORN BREATHED

An academic's 1972 drowning in the River Torrens is now a notorious mystery with links to two sensational murders.

TIM DODD follows the bizarre trail...

IN Adelaide at 11 pm on May 10, 1972, Dr George Duncan was drowned in the River Torrens. He was 41 years old, single, and a lecturer at the university where he worked and Lincoln College where he lived.

Dr Duncan, 41, educated at Melbourne Grammar and Cambridge University, was a home-made, quietly spoken academic who had come from England to join the University of Adelaide's law school only seven weeks earlier. Another academic who picked him up from his ship noticed that "he looked terribly frail and he wasn't able to carry luggage well". Fabricated had taken one of his lectures in the last week three men were charged with Dr Duncan's manslaughter.

Almost 14 years, the case has grown from a simple drowning to an affair which has bitten deep into the Adelaide psyche. It has touched the highest levels of political, legal and academic life in South Australia. And it has become linked with two of the most sensational murders in the State's history and yet another extraordinary death.

The case has many other strange connections which do nothing to dispel the widespread belief elsewhere in Australia that Adelaide is a city with a dark underside. The death of Dr Duncan also severely tested the reputation of the State's police force as the aftermath of his death has been widely reported in South Australia, the first State in Australia to have such laws.

The Torrens River in which Dr Duncan drowned is dammed up into an artificial lake near the city centre. It is very rare for the dam to be open and little more than a trickle.

A council by law forbids swimming. Not far from where Dr Duncan was drowned there is a sign saying "No swimming or bathing. Penalty \$200".

It was in 1972, it was the police who investigated it. It was the police who investigated it. It was the police who investigated it.



George Ian O'Shea, convicted killer; Derran Stevenson, murdered by his homosexual lover, his body put in the freezer; Roger James, who saw Dr Duncan drown, sitting on a park bench near where it took place; Michael O'Shea, ex-Vice Squad detective whose revelations last year led to the reopening of the case, and Duncan's tombstone.

The wooden piles which line the bank and head the boat in his foot track. James surfaced and saw the other person who had been there before him. He held the coroner: "I was an arm's length away from the bank or I turned and I could see the top of the head of the other person and his arms."

"The person seemed to be gaining for air. I noticed he was in difficulty but he was too far away for me to help. I ran and got a stretcher. I called out for help and said the other chap was in the water. I tried to pull myself up on to the bank. They pushed me back in again. They said: 'Save your mate', I said: 'I can't, my leg is broken'."

The man seemed to be sinking in slow motion. It happened very quickly but it seemed like hours.

Then the man who had originally talked to James as he stood by the river bank and he remembered more had said: "He is gone. I can't find him."

It would be clearer had climbed out of the water, taken his clothes and left with the three others who had knocked James into the river. In agony he had crawled up the river bank. He stopped when he saw four people cross the riverbank road, Victoria Drive, and get into a white car.

One of the group was a white aboriginal. James later told the Duncan inquiry: "The person with the white aboriginal, I would say, was the person who had dived into the river. James believed he could recognise the would-be rescuer of his identification. He had had no previous identification. He had had no previous identification. He had had no previous identification."



He told the inquest he was afraid for the safety of his family and himself. The witness said that three Vice Squad detectives whom he saw on the court, Clayton, O'Shea and O'Shea, were not the men who had thrown him into the river.



David Joe Smith, an ex-convict, was the missing man of the case, interviewed by 395 people.

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Derran Stevenson, a flamboyant homosexual lawyer with a reputation for defending the local cases, represented the mystery witness before the inquest. This is another extraordinary incident of the Duncan case. Instead of the Duncan case, in June 1975, Stevenson, then 46, was charged by his 19-year-old, homosexual, David Joe Smith, an ex-convict, was the missing man of the case, interviewed by 395 people.

But their report led to no charges. In fact it has never been released and ever since has been a topic of local speculation in South Australia. Four successive South Australian Governments, three Labor and one Liberal, have kept it under lock and key because they said, it could ruin the reputations of innocent people.

The Scotland Yard men went back to England. In 1974, McGowan returned prematurely. He was later jailed for

Two unlicensed constables told the inquest they had seen Clayton there. He spoke to one policeman, saying: "Would you mind taking a drive? You are bagging up our poopers on the river."

By the river is one of the most beautiful parts of Adelaide's parklands. Rivers ply the water, tourists cruise in launches which are called - rather oddly - "Poppers", and families then paddle boats through the water. The river bank is lined with carefully tended lawns and gardens, steep to the river.

By night it is different. Well away from any residential areas - the nearest buildings are in the university and the zoo - it is a dark and lonely place.

James tried to pull himself up onto the bank. They pushed me back in again. They said: 'Save your mate'. I said: 'I can't, my leg is broken'. The man seemed to be sinking in slow motion. It happened very quickly but it seemed like hours.

Roger James, a 27-year-old homosexual, was on the river that night, he told the coroner. He was standing by a rowing club when a white from behind him said: "You take it or give it?"

James said he saw a man standing next to a tree. James replied: "I beg your pardon?". The man repeated the question. James replied: "Neither".

He could hear other voices coming from the direction of the road which runs near the river but he continued to talk. The man mentioned that he had a car.

Then James told the inquest a group of people had appeared and one was suddenly shoved into the water. The victim seemed to be wearing a blue shirt and to go in feet first.

He had listened for a notice anything because the men then set upon him. Someone pushed him from behind and at least one other grabbed him by the arm and swung him round. James grasped the coat of one of his assailants and they both slipped on to the grass. He was punched in the head and knocked backwards into the river. As he caught his right foot on one of

Week after the death of Clayton, Duncan and Hudson were presented to James by investigating police for possible identification. He had had no previous identification. He had had no previous identification. He had had no previous identification.

Whistling worked quickly. The same evening he went to the house where Roger James had been living since a Carnarvon, Tony Monopoli. But the bird had flown. Neighbours told Whistling that James had left for Sydney that morning. James later claimed that his move to Sydney had been arranged before the Duncan drowning.

The following morning, *The Advertiser* carried out with the banner headline: "Police questioned over river death", even though the Police Commissioner, Mr J. G. McKenna, had told the *Advertiser* the previous night that he knew nothing about the matter.

Referring back to the Duncan inquiry which began four weeks after the drowning, Roger James returned from Sydney and cut a colourful figure in the dark courtroom atmosphere. On the opening day he was dressed in dark green trousers, a multi-coloured sleeveless pullover and a light green patterned shirt. He still had a plaster cast on his right foot.

Some homosexuals came forward. Brian Spitzer von Eismen gave evidence publicly but he did not admit to being a homosexual. Von Eismen and three other homosexuals whose names were suppressed were represented by Bobbie Layton, then the wife of the current South Australian Premier, John

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SYDNEY'S BIGGEST MOTOR MARKET PAGE 60 GENERAL AUCTIONS PAGE 72