

# Family suing hit-run driver

A CALLOUS hit-run driver, whose family helped cover up his involvement in a young man's death, is being sued for compensation.

James Donnelly was a promising arts student when he was mowed down by Phillip Josefski while walking home from a party in Canterbury.

Josefski made a "considerable effort" to hide his crime, buying an indicator to replace the one damaged when he hit the 20-year-old, according to police during his trial.

His parents also tried to cover up for him, but bugging devices helped expose the conspiracy.

Josefski left Mr Donnelly for dead on Sunday July 12, 2002.

Now Mr Donnelly's parents, Kevin and Julia Donnelly, both 57, of Surrey Hills, are suing Josefski through the Supreme Court. However, it will be his no-fault insurer, the Transport Accident Commission — funded by taxpayers — which pays.

James Donnelly's parents have suffered post-traumatic stress disorder, anxiety, depression and grief, according to

SUE HEWITT

writes lodged by Ryan Legal of Mildura.

Mr and Mrs Donnelly were integral parts of the family business, Impetus Consultants, but can no longer work, the documents say.

They were emotionally destroyed when Josefski struck their son and then spent a year covering up his crime until police broke a conspiracy of silence.

Mrs Donnelly said during one court hearing: "It was a total insult of our dignity as human beings to know that our son had been left to die on the side of a road like a dog."

Josefski was sentenced to two years and three months' jail, with a non-parole period of 10 months in 2005, but an appeal court increased his minimum term to 18 months.

The Donnellys were distraught that Josefski was allowed to serve his last six months at home.

A criminal court in 2006 ordered Josefski to pay the Donnelly family \$60,000 compensation.

The Donnellys are likely to seek a six-figure payout in their civil suit.