

Finally, our children can rest in peace, says mother of two children killed by driver Thomas Towle

- Russell Robinson
- From: [Herald Sun](#)
- December 04, 2009 12:00AM



Kerry Prowse. Picture: Mike Keating *Source: Herald Sun*

THE mother of two teens killed by driver Thomas Towle when he ploughed into a group of youngsters felt like a "champion boxer" when he lost his appeal against a 10-year jail sentence.

"It's the best I've felt in a couple of years. Danny Green had a win last night, and I had a win today," Kerry Prowse said.

"And it was all over in about a minute."

Ms Prowse's son Shane Hirst, 16, and daughter Abby, 17, died along with four of their friends when Towle crashed into them as they were leaving a 16th birthday party at Cardross, near Mildura, in February 2006.

Towle's young son was sitting on his lap when he lost control of the speeding car.

Also killed were Stevie-Lee Weight, 15, and Cassandra Manners, Cory Dowling and Josephine Calvi, all 16.

Towle yesterday lost his appeal to the Court of Appeal against his 10-year sentence, with a non-parole period of seven years.

It is believed his next step will be the High Court.

About 15 family and friends of the victims were in the Supreme Court in Mildura to watch by video link as the decision was handed down in Melbourne.

Their sense of relief was evident as they left the court.

Carmel Calvi, who lost daughter Josephine, said she feared the worst.

"It's taken so long. And the longer it went on the more I thought it was going to go the other way," she said.

"I have this feeling of disbelief - that it has gone our way, finally.

"I can't understand why he can appeal so many times and yet we had no right to appeal his sentence.

"It's just so unfair - we just had to accept the decision.

"But I feel such relief now. I'm going to go home and try not to think about it."

Ms Prowse said she was relieved after hearing rumours Towle would be released from prison into home detention.

"I'm happy, we can now get on with our lives," she said.

"But I still think he should have got longer. It's been nearly four years since the crash and he's only got another three years before he's due for parole.

"I see Towle's family at Red Cliffs when I'm shopping. I just have to leave the shopping trolley and go home."

Shane Ryan, the Mildura lawyer who has been acting for the victims' families in civil actions, said yesterday's decision put some closure on the tragedy.

He said 20 civil actions had been settled out of court.

It is believed several millions of dollars have been paid in compensation.

"The settlements have been good for the families," he said.

"It has been good to resolve these issues by negotiation, rather than through a fully-blown trial."

The only member of Towle's family in court yesterday was his father Graham, who has steadfastly stood by his son.

He told how he prayed every morning for his son, his family and the victims and their families.

"Every morning I get out of bed and take communion at home," he said.

"Cardross was a shocking accident," said Mr Towle, who described himself as a strong Christian.

A former truck driver, Mr Towle says he has not been able to get work since the 2006 tragedy.

Richard Prowse, uncle of Shane and Abby Hirst, said many of the families were pleased to get "legal closure".

"But that doesn't mean they have emotional closure, said Mr Prowse, whose other nephew on his brother's side, Bradley Thompson, was badly injured in the crash.

"It's been a constant round of court cases and legal appeals. It's been ongoing. Many of those who survived the crash don't sleep at night. Once they close their eyes, they're reliving the drama."

The Court of Appeal refused Towle leave to appeal on grounds. One of the court's conclusions was that the sentencing judge was entitled to view Towle's driving as falling within "worst category of dangerous driving".