## **PUBLICITY ABOUT NSWCCA APPEAL DECISION**

The publicity given by the "Kangaroo Court" website and Channel Ten is summarised in correspondence from my legal representative to the Registrar of the NSW District Court



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22 May 2020

The Registrar NSW District Court Criminal Registry PO Box A4 SYDNEY SOUTH NSW 2000

AULICH

Via email: ag-sdc-crime@justice.nsw.gov.au

Dear Registrar,

#### The Queen v RC 2017/00320033

l act for RC.

RC's matter was listed for trial in the NSW District Court at Newcastle between 22 July 2019 and 29 July 2019, before his Honour Judge Smith.

The transcript of the trial indicates there was a non-publication order on the name of the accused and the statutory non-publication provisions applied, (presumably pursuant to section 578A of the <u>Crimes Act 1900 (NSW)</u>).

Please see the extract of the transcript, below:

IN THE DISTRICT COURT OF NEW SOUTH WALES CRIMINAL JURISDICTION

5 JUDGE SMITH SC AND A JURY OF TWELVE

NEWCASTLE: FOURTH DAY: THURSDAY 25 JULY 2019

10 2017/00320033 - R v RC

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NON-PUBLICATION ORDER RE NAME OF ACCUSED

STATUTORY NON-PUBLICATION ORDER RE IDENTITY OF COMPLAINANT

CLOSED COURT FOR EVIDENCE OF THE COMPLAINANT

IN THE ABSENCE OF THE JURY

SOLICITOR ADVOCATE: Your Honour Lido apologise. Liust hopped out

The complainant in this matter was RC's grandson, who shares the same surname as RC.

The matter was also subject to appeal proceedings in the NSW Court of Criminal Appeal on 23 March 2020, see the decision RC v R; R v RC [2020] NSWCCA 76. To my knowledge, both suppression orders remain in force and were not interfered with either after the trial or appeal.

I wish to draw your attention to two apparent breaches of the non-publication orders for consideration for contempt proceedings against the journalists and publishers.

### 1. Channel 10:

On 12 May 2020, Channel 10 news aired a story about RC and his appeal. The television story and related article published on the Channel 10 internet site each name RC. They do not name the relationship between RC and the complainant in the television story, but they do reveal that relationship on the website on the file name for the recorded television story, namely "Man who molested Grandson skips jail over COVID-19 fears."



# Covid-19 Fears







Convicted child sex offender Robert Crick has avoided jail because of COVID-19, sparking fears it will now set a dangerous precedent that could allow other criminals to do the same.

Aulich Criminal Law RC

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22 May 2020

It is worth noting that I had a telephone discussion with the journalist, Ms Harris on 27 April 2020 and a further discussion with Ms Harris in person on 5 May 2020. On both occasions I warned Ms Harris that publication of RC's name would likely be a breach of the Court orders.

There is also sufficient identifying material provided in the article and television story to locate the anonymised Court of Criminal Appeal Judgement and determine the relationship between RC and the complainant.

The Channel 10 article can be found at this link: https://10daily.com.au/news/australia/a200512qbymd/grandfather-who-molested-boy-skips-jail-over-covid-19-fears-20200512

### 2. Kangaroo Court:

On 16 May 2020, the Kangaroo Court of Australia website published an article apparently written by Shane Dowling. That article names RC and exposes the relationship between RC and the complainant.

This article indicates that the suppression order was lifted. The author's only basis for that assertion is because Channel 10 had named RC. We are not aware of any such lifting of the orders. Further, I note section 578A of the <a href="Crimes Act 1900"><u>Crimes Act 1900 (NSW)</u></a> would not permit the lifting of such an order in relation to a child complainant.

The Kangaroo Court article can be found at this link:

https://kangaroocourtofaustralia.com/2020/05/16/supreme-court-judges-justice-wilson-hulme-and-hamill-give-paedophiles-a-get-out-of-jail-free-card-during-the-coronavirus-crisis/?fbclid=lwAR0egxKCbMostckVED9k5RJ04alKu5-5Kxl6UsAQctLVAV3fXSJwN5MAKm4

It appears there have been two serious breaches of the suppression orders in this matter, with the Channel 10 breach being aggravated by Ms Harris being on notice that the naming of RC may constitute a breach. The contraventions are so significant and the nature of this matter so sensitive (being a child sexual assault matter), that immediate action should be taken.

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Yours faithfully, Aulich Criminal Law

Peter Woodhouse Partner The links in the screen shots above are as follows:

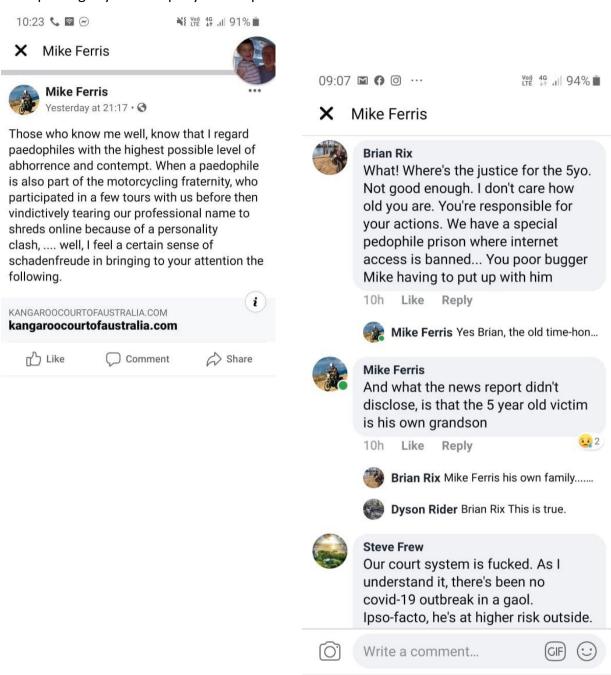
The Channel 10 article can be found at this link:

https://10 daily.com. au/news/australia/a 200512 qbymd/grand father-who-molested-boy-skips-jail-over-covid-19-fears-20200512

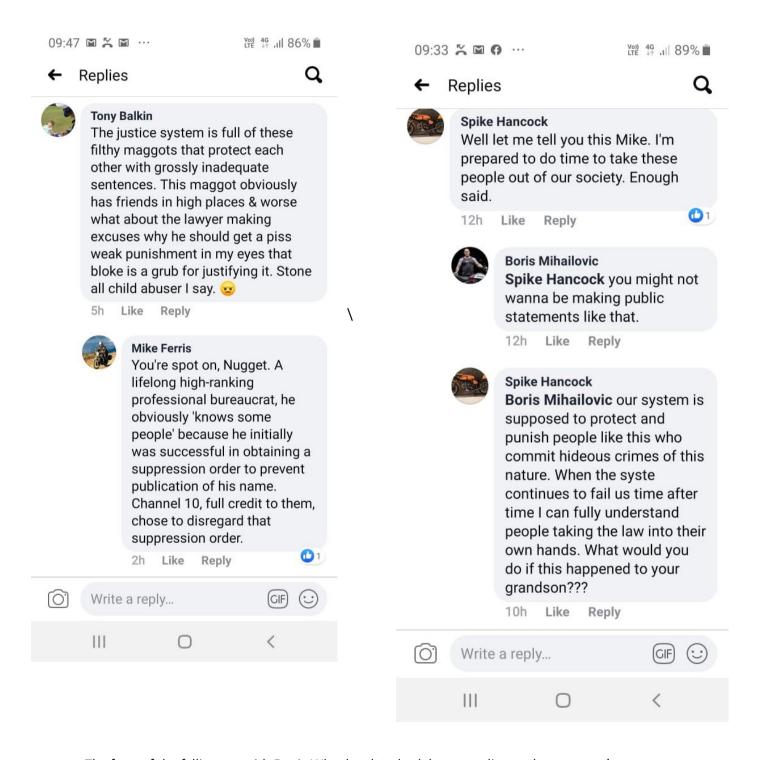
The Kangaroo Court article can be found at this link:

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The publicity from World on Wheels/Ferris Wheels is illustrated by a small selection of Face Book postings by the company and responses from some Ferris clients.



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The facts of the falling out with Ferris Wheels related solely responding to the company's treatment of clients. It had nothing to do with personality clashes; nor was there any vindictively tearing to sheds their good name.

The story can be accessed here:

http://www.motorcyclemeanders.com/ferris.html