

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

I 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 Crimes Act 1900 (NSW)).

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**

NON-PUBLICATION ORDER RE NAME OF ACCUSED

**STATUTORY NON-PUBLICATION ORDER RE IDENTITY OF
15 COMPLAINANT**

CLOSED COURT FOR EVIDENCE OF THE COMPLAINANT

20

IN THE ABSENCE OF THE JURY

SOLICITOR ADVOCATE: Your Honour, I do apologise. I just 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."



The screenshot shows the Channel 10 website header with navigation links: NEWS, ENTERTAINMENT, LIFESTYLE, VIEWS, SHOWS, VIDEO. Below the header is the article title "Covid-19 Fears". The main content area features a video player with the title "Man Who Molested Grandson Skips Jail Over Covid-19 Fears" and a subtitle "A convicted child sex offender has avoided jail because of COVID-19 fears." The video player shows a man in a suit and tie. Below the video player is the name "Lia Harris" and her title "10 News First Journalist", along with social media sharing icons for Facebook, Twitter, and Pinterest. The date and time of the post are "Tue 12 May 2020 5:25 PM".

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.

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 Crimes Act 1900 (NSW) 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://kangarocourtofaustralia.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=IwAR0egxKCbMostckVED9k5RJ04alKu5-5KxI6UsAQctLVAV3fXSJwN5MAKm4>

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.

Yours faithfully,
Aulich Criminal Law



Peter Woodhouse
Partner

The links in the screen shots above are as follows:

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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.

10:23 91%

X Mike Ferris

Mike Ferris
Yesterday at 21:17 •

Those who know me well, know that I regard paedophiles with the highest possible level of abhorrence and contempt. When a paedophile is also part of the motorcycling fraternity, who participated in a few tours with us before then vindictively tearing our professional name to shreds online because of a personality clash, well, I feel a certain sense of schadenfreude in bringing to your attention the following.

KANGAROOCOURTOFAUSTRALIA.COM
kangarocourtofaustralia.com

Like Comment Share

09:07 94%

X Mike Ferris

Brian Rix
What! Where's the justice for the 5yo. Not good enough. I don't care how old you are. You're responsible for your actions. We have a special pedophile prison where internet access is banned... You poor bugger Mike having to put up with him

10h Like Reply

Mike Ferris Yes Brian, the old time-hon...

Mike Ferris
And what the news report didn't disclose, is that the 5 year old victim is his own grandson

10h Like Reply 2

Brian Rix Mike Ferris his own family.....

Dyson Rider Brian Rix This is true.

Steve Frew
Our court system is fucked. As I understand it, there's been no covid-19 outbreak in a gaol. Ipso-facto, he's at higher risk outside.

Write a comment...

||| ○ <

09:47 4G LTE 86%

← Replies 🔍

 **Tony Balkin**
The justice system is full of these filthy maggots that protect each other with grossly inadequate sentences. This maggot obviously has friends in high places & worse what about the lawyer making excuses why he should get a piss weak punishment in my eyes that bloke is a grub for justifying it. Stone all child abuser I say. 🤔

5h Like Reply

 **Mike Ferris**
You're spot on, Nugget. A lifelong high-ranking professional bureaucrat, he obviously 'knows some people' because he initially was successful in obtaining a suppression order to prevent publication of his name. Channel 10, full credit to them, chose to disregard that suppression order.


2h Like Reply 1

📷 Write a reply... GIF 😊


☰ ○ <

09:33 4G LTE 89%


← Replies 🔍

 **Spike Hancock**
Well let me tell you this Mike. I'm prepared to do time to take these people out of our society. Enough said.

12h Like Reply 1

 **Boris Mihailovic**
Spike Hancock you might not wanna be making public statements like that.

12h Like Reply

 **Spike Hancock**
Boris Mihailovic our system is supposed to protect and punish people like this who commit hideous crimes of this nature. When the system continues to fail us time after time I can fully understand people taking the law into their own hands. What would you do if this happened to your grandson???

10h Like Reply

📷 Write a reply... GIF 😊

☰ ○ <

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>