

Court Justice, Sydney: The Boxer, the Neighbour and the Graffiti Artist

Australian TV viewers got a glimpse of what really goes on behind the doors of Sydney's busiest courthouse last night as the first episode of [Court Justice, Sydney](#) aired on Foxtel.

The series showcases a selection of cases that come before the [Downing Centre Local Court list](#). It's the first time television crews have been allowed access to the courtrooms, where large numbers of cases are heard every day.

Producers say the series intends to demonstrate that the reasons people find themselves in court are not always clear cut, and magistrates often have a difficult job to do.

Film makers were given time with magistrates, court staff, defendants and complainants, and several courtrooms were decked out with small fixed-rig cameras to capture the highs and lows of court proceedings.

The Boxer

Episode One covered the trials and tribulations of three defendants – a championship boxer, a graffiti artist and an alleged nuisance neighbour.

Boxer Garth Wood rose to fame in 2010 when he defeated Anthony Mundine by knock out. It was also his fists that led to charges of '[affray](#)' after a late night altercation in Sydney, when he punched a man who was violent against his friend.

Affray is an offence under [section 93C](#) of the Crimes Act 1900 (NSW) which carries a maximum penalty of 10 years' imprisonment. For the defendant to be found guilty, the prosecution must prove that he or she used, or threatened,

unlawful violence towards another and the conduct would cause a reasonable person to fear for his or her personal safety.

[Self-defence](#), which includes the defence of another person, is a complete defence to the charge.

On the night of the incident, Mr Wood had been out drinking with mates. As they were leaving to go home, two of the men got into a fight – the complainant (or alleged victim) punched Mr Wood's friend who toppled from a ledge to the footpath.

Mr Wood ran to his friend's defence. He told the court that the attacker had taken off his shirt and was swearing and behaving violently. Wood gave evidence that he thought the man was going to jump down on his friend "WWE style", and his instinct was to immediately stop the man from doing so by punching him.

"When he came at me, I punched him," Mr Wood told the court. Magistrate Jacqueline Milledge found that the prosecution had failed to negate the possibility of self-defence, and accordingly found Mr Wood not guilty.

Nuisance neighbour

Single mother Bridget Campbell was facing charges of [contravening an Apprehended Violence Order](#) (AVO) taken out by her neighbour Ramon Ashourian.

The two are community housing tenants and have been in dispute for some time. Mr Ashourian claimed Ms Campbell breached her AVO by calling out and threatening him from her apartment.

He produced a recording of a female – alleged to be Ms Campbell – calling him a "pussy" and threatening that her friend would beat him.

Ms Campbell's defence lawyer submitted that the tape was "contrived", or made up. He questioned the credibility of Mr Ashourian's claims that he felt very afraid and intimidated,

as the alleged incident occurred at 4am yet he waited until 7pm to contact police.

Magistrate Megan Greenwood found Mr Ashourian to be an unreliable witness and dismissed the charge against Ms Campbell.

Street art is expensive

In the final case of the evening, 29-year old street artist Timothy Turner pleaded guilty to graffiti-related offences after being arrested at a railway yard with a group of other people.

Mr Turner has a history of graffiti offences and Deputy Chief Magistrate Chris O'Brien showed little sympathy, at one point telling him that he simply did not believe his claim that he did not intend to use the graffiti implements that were found in his possession.

On the first charge – 'enter a building with intent' – His Honour recorded a conviction against Mr Turner and ordered him to undertake 150 hours of community service.

On the second charge – possess graffiti implement with intent – Mr Turner was placed on a good behaviour bond under [section 9 of the Crimes \(Sentencing Procedure\) Act 1999](#) for a period of 15 months. And on the third charge – being in the rail corridor – he was convicted and fined \$1,000.

There are nine more 30-minute episodes of the series to screen. Those who work within the criminal justice system hope the observational viewing will educate the public and act as a deterrent to would-be offenders.

As the Chief Magistrate explained: "Research shows that [confidence in the criminal justice system](#) is higher amongst people who understand how it works and this program will give the community an insight into how magistrates make their

decisions.”

[Studies also show](#) that untrained members of the public who are given all of the facts of a case will normally hand-down penalties equivalent to, or more lenient than, those delivered by magistrates and judges, discrediting claims by radio shock-jocks and tabloid newspapers that the judiciary is ‘soft on crime’.