Judge fixes a 16-year non-parole period

set a 16-year non-parole period yes-terday for a 21-year-old man convicted last month of intentionally inflicting grievous bodily harm on another man who was found with severe head injuries beside the Barton Highway in 1988.

Sentencing Craig Kenneth Skillin, Chief Justice Jeffrey Miles said he had "considered whether there should be pa-role at all for the protection of the public but I have fixed parole as a goal for him to work towards before he becomes completely institutionalised."

Chief Justice Miles said that on Octo-ber 21, 1988, in Civic, Skillin had forced the victim to hand over his car and had driven to the Barton Highway where Skil-lin and another man had beaten the vic-

"The beating was so vicious that the timber shattered and the victim suffered serious head injuries [and] has permanent brain damage as a result, "he said.

Skillin had taken the man's wallet and present the contraction of the contraction of the said.

returned to Civic. Chief Justice Miles said vesterday that

Skillin had a conviction for a murder committed earlier the same night. In similar circumstances, at Lyons, Skillin had killed a man and had taken his

He had then changed his clothes "before going to Civic and encountering the victim" of the attack on the Barton High-

Skillin had been sentenced to 20 years' jail on July 5, 1989, for that murder. Psychiatrist Hugh Venness said yester-day that at the time of that sentencing he

had formed the opinion that Skillin had a sociopathic personality. Skillin had shown "little remorse or conscience in regard to any acts that might have harmed or damaged other people".

Dr. Venness said he had seen Skillin had a sociopathic personality.

again yesterday and had been "genuinely surprised" at the change in him and that it was more accurate to describe him as "an acting-out neurotic" with "poorly con-trolled impulses".

Dr Venness said he thought the "struc-tured environment of prison" had con-tributed to the change. Skillin had developed "some insight" into his part in the offences and into how the offences related to his own violent childhood.

Dr Venness said it was difficult to assess Skillin's prospects but "things look far more promising now than they did a vear ago

Chief Justice Miles said yesterday he thought "the original diagnosis", that Skillin was a sociopath, was "more appro-

Although Skillin was beginning to show some signs of insight and responsi-bility for his actions "the crime is horrific

Terry O'Donnell, for Skillin, had submitted there should be some parity in the sentencing because Skillin's co-offender had received five years for manslaughter and five years for grievous bodily harm, both concurrent. (The co-accused had pleaded guilty to those charges).

"In my view the factors for leniency the co-accused are absent in this "Chief Justice Miles said.

He was "convinced [Skillin] was the

rincipal in the first degree".

He had considered whether the question of parole should be left to the parole authorities so that "at some time long in the future" they would be better able to judge whether or not Skillin should be paroled. Instead, he had set the nonparole period as a "goal".

Setting the head sentence Chief Justice Miles struck a balance between concurrent and cumulative sentences on top of the 20 years for murder

On the grievous bodily harm charge he sentenced Skillin to 12 years' jail — six concurrent and six cumulative.

On a charge of robbery, relating to the theft of the victim's wallet, he sentenced Skillin to two years' jail concurrent with the murder sentence.

The 16-year non-parole period would start from July 5, 1989.

'Disturbed' child-assaulter still a risk: psychologist

A man who abducted and twice sexually assaulted a five-year-old girl, and who indecently assaulted a nine-year-old girl in a separate incident, "still seems to pose a risk to the community", a psychologist told the ACT Supreme Court yesterday.

Jeffrey John Hillsley, 38, for-merly of Ainslie Village, pleaded guilty yesterday to two charges of guirty vesteriasy to two charges of sexually assaulting the five-year-old girl on February 25 this year, one of abducting the girl, and one of indecently assaulting a nine-year-old girl between January 1 and February 9 this year.

Prosecutor Grant Lalor said Hillsley had been released from

AFAP fails to

stop airlines'

jail in NSW in December last year after serving a sentence for the kidnapping and assault of a girl under the age of 10.

On February 25 this year Hillsley had telephoned (from Canberra) a counsellor he had known in jail and had told him he had a little girl with him. The counsellor had contacted ACT police, who had been unable to locate Hillsley until February 27. until February 27

On that day Hillsley had told police, "This problem I've got, it just happens on the spot, I was just walking down to Civic and I saw the little girl and I done what I done." He had said his "problem" was sexual.

A psychologist from Cooma Jail, Kevin Wallace, said yester-day he had been a probation and parole officer at the jail when Hiley was serving a sentence for e kidnapping and assault of the

NSW girl.

Mr Wallace said Hillsley had said things that had made him concerned about his parole.
His opinion of Hillsley had not changed. "I still regard him as a man who's troubled in himself and he still remains a risk to the community," he said.

An ACT probation and parole.

NSW girl

An ACT probation and parole officer said yesterday Hillsley had a history of behavioural problems and psychiatric treatment (includ-

under his contract the \$260,000

He had been diagnosed in adolescence as suffering from schizo-phrenia; in 1983 a psychiatrist had diagnosed him as having an "antisocial personality disorder" and had described him as "a ma-nipulator".

The officer said that in 1984 a psychiatrist had said there was no evidence of schizophrenia but that there was "a disorder so gross Hillsley is constitutionally different" from other people. That doc-tor had described Hillsley as "a constitutional psychopath
...quite abnormal ... terribly
disturbed"

Star, said Mr Shanks had accept-

ed a termination package involving a bank guarantee for \$1.6

Michael Pembroke, for Mr.

Shanks and Comco, said that un-der a contract dated April 21, 1989, his client was to be paid

basic remuneration of \$US650,000 a year, incentive bo-nuses depending on how Channel 10, fared in the ratings and \$US50,000 a year for mainten-ance of his New York apartment.

The psychiatrist nau slice was not able to respond to normal human emotions and his behaviour would not be helped by the state of the s possible treatment are had record in the past for psychiatric prob-lems had "caused some damage to his brain".

The parole officer said past counselling Hillsley had received "has been of little avail in amelio-rating his deviant behaviour".

He would need supervision whenever he is released into the

Before Justice Gallop in Court 2, at 9.0am:
Directions: R v David Graham Hudson; R v Mitton Glen Kelley, R v David Kenneth Terone, R v Jane Louise Bartlett, R v Dmittra Alexandru; R v Marius Alexandru; R v Stewart James Talve; R v Eva Alexandru; R v Stewart James Talve; R v Eva Alexandru exandru. At 9.45am. Mention: Francis Michael Gilligan v titionwide News Pty Ltd. Not before 10am. Sentences (part heard): R v ake Sydney Green; R v Javier Francisco Gomez.

year ended June 30, 1989, and wanted to avoid having to pay a

ump sum upon severance, with

Mr Cosser had offered him a

letter of credit issued by

Mr Shanks had accepted the offer and "expressed concern about [Northern Star] becoming

Burgh Street, Lyncham, had been charged with having the manage-ment of gaming premises.

His co-defendants, on charges

His co-defendants, on charges of being found in gaming premises, were Ante Barisic, 51, of Twamley Crescent, Chisholm, Crestos Anastasiou, 67, of Marsden Street, Dickson; George Portoglou, 52, of Gilbert Street, Hackett; Arzan Basic, 31, of Bamboka Crescent, Kaleen, and Antonakis Michael Pyrgos, 36, of Bednall Place, McKellar.

All the charges were dismissed.

All the charges were dismissed and the defendants were awarded

some costs.

guarantee of salary in the form of

Westpac Banking Corporation.

the attendant publicity.

At 11.30am: Judgment: John Francis Mulrine v lan Buick and others.

Before Justice Higgins in Court 6, not before

LAW LIST-

HIGH COURT In Court 3, at 9.15am, before Just

For hearing. Re the Building Workers' Industrial in of Australia and others, ex parte the Federated onworkers' Association of Australia and others. At 10.15am, before the Full Court:

At 10.1 Sam, before the Full Court:
For bearing: Harns v Caldine.
FAMILY COURT
In Court 1 at 10am: Condon,
In Court 2 at 10am: Dunbar.
In Court 3 at 10am: Box
A.C.T. SUPREME COURT
Before Chief Justice Miles in Court 1 at the ACT
aw Courts, at 10am:

Sentences (part heard): R v Russell Ian Payne; R v my John Finkenagel, R v Sani Primorac.

At 11.30am; Judgment: John Francis Mulrine v. Ian Buck and others.

Before Justice Higgins in Court 6, not before floam:

Sentence (part heard): R. v. Jeffrey John Hillsley.

Not before I Iam. Motions:

In Hearing Room 3, 3rd Floor, AMP Building, Hobart Place, before the Master, at 10am.

Judgment: Geoffrey Allan Hodgson v. Darren James Sutton and another.

Motions

Civil jurisdiction: Galdrange Ph. Lid v. Duskdalta Pty. Lid. University Entertrainment Pty. Lid. Tower Video and Modern Marketing. In the matter of City. Arra Leases Act 1936 and in matter of application by H. C. Grant, J. W. Haslem, C. J. Loutitt and L. V. Westende and conditions in relation to Units 1 and 2. Units Plan 451, J. A. Cousin and K. R. Cousin v. H. Grant, J. W. Haslem, C. J. Loutitt and L. J. Westende, Anderde Conditions in relation to Units 1 and 2. Units Plan 451, J. A. Cousin and K. R. Cousin v. H. Grant, J. W. Haslem, C. J. Loutitt and L. J. Westende, Nominal defendant v. D. and L. Zdraukovic, R. King v. D. O'Dwyer, In matter of Section 11A of City Area Leases Act 1936 and In matter of application by Administrative and Clerical Officers Association, Commonwealth Public Service, to vary provisions of Crown Lease relating to Block 6. Section 6 of Barton ACL. In matter of the Estate of P. Burradds and In matter of application by W Bouradds and In matter of application by W. Burradds and In matter of Companies Act 1981. Li M. ACD. Osbern P.L. and P.D. Const. (ACT) P.L. v. Matthew Hall P.L. M. Tegonning v. Kell and Rigby P.L. T. W. Williams Acceptance Co. Lid v. Assistorion. P. L. and In matter of Companies Act 1981. Alliance Acceptance Co. Lid v. Assistorio Insur Brokers P.L. and In matter of Companies Act 1981. Landon P.L. and In matter of Companies Act 1981. Alliance Acceptance

I another.
ADMINISTRATIVE APPEALS TRIBUNAL
Before Deputy President Todd in Hearing Roa Before Deputy President Todd, in Hearing Room 4th Floor, AMP Building, Hobart Place, at 9.30am trections hearing, Koehler v Comcare. Hearing: 10.15am, taxation applications.

Former TV chief settles for \$65,000

case going on The Australian Federation of Air Pilots failed yesterday in a High Court bid to stop proceedings by Australia's domestic airlines seeking to have their

pilots covered by a different union The AFAP sought orders preventing the Industrial Relations Commission from proceeding with the case. Ansett, Australian, East-West and IPEC asked the commission in May to

find the federation did not have the right to represent the industrial interests of its

They sought a Section 118 order that the commission sanction single-union coverage of their pilots by the Australian Transport Officers' Federation, even though it excluded pilots and would have to change its rules.

The AFAP's lawyer, Bill Gillard, QC said there had to be an actual or imminent demarcation dispute between the two unions before the commission could exercise its power under \$118 of the Industrial Relations Act.

There had not been such a dispute at the time the application was made, and the evidence before the commission did

Mr Gillard said orders could not be-made on the basis "there may be some dispute that may arise in the juture He said Deputy President Hancock should have found there was no demar-cation dispute and brought the proceed-

Justice McHugh said the AFAP had Justice Merhagn sale the AFAP had misconceived the nature of the commission's jurisdiction. It could make orders to prevent or settle a demarcation dispute, and did not have to find there was a dispute before making such orders.

He said Deputy President Hancock had found grounds which implied or ex-pressly contained assertions of a demar-cation dispute, authorising the making of orders under S118.

tract-termination payments be-tween the owner of Channel 10. Northern Star Holdings Ltd, and its former managing director and chief executive, Bob Shanks, was which included interest, was owed to help him pay for his New York apartment and for office space in that city for his private company, Comeo Inc.

Justice Rogers was told that
Northern Star had cancelled Mr
Shanks's contract in September
after he had been employed for
five months. He was replaced by
Steve Cosser, of Broadcom, after
it acquired a 19.9 per cent shareholding in Northern Star.

Anthony Pagone, for Northern company, Comeo Inc. settled out of court yesterday Mr Shanks sued Northern Star

in the Supreme Court for pay-ments totalling about \$260,000, but settled for \$65,000. The parties agreed that his claim and a cross-claim should be dismissed with no order as to costs

SYDNEY: A dispute over con-

War crimes law to be tested Monday

Australia's war crimes legisla-tion, by the first man accused of war crimes, will go ahead on Monday despite fears that he will

Monday despite fears that he will not be fit enough to stand trial. Ivan Timofeyevich Polyu-khovich, a 74-year-old Adelaide pensioner, has been charged with the murder of 25 people and being knowingly concerned in the deaths of 850 others in the Ukraine in World War II.

He is recovering in hospital after allegedly trying to commit suicide by shooting himself in the chest on the eye of proceedings to determine if he should be com-

mitted for trial on the charges.
The High Court has scheduled his challenge to the War Crimes Amendment Act for 2½ days, from 10.15am on Monday.

According to documents filed with the court, he will seek a declaration that the Act was in-valid and unconstitutional.

or good government of the Com-monwealth.

monwealth.

Legal proceedings are continuing in Adelaide to determine if Polyakhovich will be able to plead to the charges.

His lawyer, Malcolm Gray, told the Adelaide Magistrates Court this week that Polyakhovich was suffering dementia and might never be fit enough to stand trial.

Mr Gray said continuing court

Mr Gray said continuing court proceedings could be harmful, if not fatal, to Polyukhovich. His defence lawyers have lodged an application with the South Australian Supreme Court to prevent a jury from determining his fitness to stand trial.

Justice Kevin Duggan adjourned the defence challenge to September 25, and said if that failed, a fitness-to-plead hearing would be held on October 22.

Polyukhovich has entered no pleas and ic on \$20 (00 bet). plea and is on \$20,000 bail.

an unlawful instrument of gam-ing, had been at the premises but ing, had been at the premises but that there was no evidence that it had been in use. Stan Tsakmaklis, 49, of De

Gaming charges fail

All charges relating to an al-that a manilla table, which was

leged common gaming house were dismissed in the ACT Magistrates Court yesterday Magistrate Warren Nicholl said there was a "very real basis"

for the legislation on gaming, betting and unlawful games being reviewed and "more modern legislation being introduced.

He said that because of the difficulties the prosecution faced

with the current legislation, "practically all the prosecutions launched on the subject failed". Mr Nicholl said he had taken the view that the warrant which had been executed on the pre-

mises of The Cosmopolitan, at 6 Wooley Street, Dickson, on No-vember 2, 1989, had been invalid because it was too broad.

He said there was evidence

DRINK-DRIVING-

One person was dealt with yes-terday in the ACT Magistrates Court on a drink-driving charge. Before Magistrate Michael Somes Tomi Sakari Mietunen, 25, a bi-

tupave operator of Boobialla

Street O'Connor, pleaded guilty to

an offence on July 26 on Tuggeranong Parkway: Breathalyzer 0.160 placed on a \$2000, two-year good-behaviour bond, licence cancelled and disqualified from holding or obtaining a beence until the court

She said that for many people the workplace was an impossible goal be-cause their age, lack of experience and skills made searching for work very de-pressing. They also had to face the preju-

New guidelines for invalid pensions, unemployment benefits and sole-par-

ent's benefits would mean a flooding of

the employment market with applicants with little chance of acceptance. A lot

would lose eligibility for benefits because

they could not cope with "meaningles: hoops and processes".

Ms Cox argued that sole-parent families had been hard hit over recent years and households with an average of two children managed on about one-third the income of a similar two-parent family. The bottom 20 per cent of sole parents (those almost entirely dependent on

(those almost entirely dependent on Government payments) were the wors

by only 29 per cent between 1984-85 and

1988-80 compared with 74 per cent for the unemployed and 78 per cent for aged

About 80 per cent of sole parents were

spending more than they received and

slipping deeper into debt.

dices of employers.

Pressure on to lift wage

By KAREN HOBSON, Education Reporter

The ACT Government is under mounting pressure to fall into line with NSW and

Last week's decision by the NSW Gov-ernment to pay its top-of-the-scale class-room teachers \$38,000 could force the ACT to move outside the benchmark and national negotiations.

The ACT Minister for Education, Gary Humphries, said yesterday that there was "real pressure" on the ACT to move to the NSW figure.

"It is going to be difficult for the ACT to sustain a lower pay rate when teachers across the border are getting better mon-

This was rejected by teacher unions, including the ACT Teachers' Federation.

It wants a minimum pay rate of \$38,630 for senior classroom teachers, who now earn \$37,160 if they are four-year trained.

The claim also includes a new advanced-skills teacher classification, with salaries between \$39,613 and \$44,100.

come ... It could mean what we save in school closures goes toward teacher sala-ries," he said. "I do not know what the alternatives are. I cannot get any more out of the education system without doing what I said I would not do, and that is cut education quality.

Holly's family is

In a statement issued in Canberra Mr Howe said that the Mark Fitzpatrick Trust had granted the Johnson family the money after the death of Holly's mother, Danna-lee Johnson.

Mr Howe asked the trust to look into Holly's case after her highly publicised damages claim.

Her legal representatives withdrew the damages claim against the Western Syd-ney Area Health Service, the Red Cross and its NSW branch because of insuffi-

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decision," he said.

The leader of the Labor Opposition, Rosemary Follett, said she was not surprised by the results of the poll.

"People are still comments of the poll. ras

Hawke Government labelled 'mean'

By TOM CONNORS

The Hawke Government was accused

The Flawke Government was accused last night of creating a "genuine under-class" of citizens through harsh cutbacks to social service expenditure.

The co-convener of the Women's Economic Think-tank, Eva Cox, said last week's Budget saw the final cuts to a safety net that had been built up over the mast years in the social security ever the past years in the social security system In an address to a "Politics in the Pub" meeting at Olims Ainslie Hotel, Ms Cox. a social policy consultant and a leading member of the Women's Electoral Lobby, said that "mean governments", like those that existed in the 1950s, had

"Politics in the Pub" meetings are or-ganised fortnightly by the Canberra branch of the Broad Left Forum

The Labor Government, Ms Cox said, was feeding community paranoia about welfare bludgers by implying that all its moves to cut expenditure and to tighten eligibility were to stop "abuse

She said that despite additional surveillance teams and other measures to combat fraud there was little evidence of espread deliberate dishonesty. But of the other hand, there were many cases of people failing to respond to processes designed to check on their eligibility because of fear of consequences or incom-petence at forms rather than a cover-up. Ms Cox said it was economic nonsense to expect a contracting job market

Assembly has

opportunity

to 'be honest'

By LEANNE MASON

ffectiveness, decision-making and value

for money.
"I think it's just misconception," Mr
Prowse said on Tuesday.
He thought it would probably take 10
years for the people of Canberra to accept

sears for the people of Canoerra to accept self-government.

The Assembly's image was suffering as a result of the difficult economic times.

"Every one of the members of the Assembly are working hard. I don't think anyone in government wants to close schools but the times call for that sort of decision." he said.

She was also concerned that people had been asked to rate the performance of the Assembly as a whole, rather than the Government.

David Prowse, said.



Eva Cox: mean governments

have returned to find places for hundreds and thou sands of the poor unemployed yet the Budget deemed that the sick, the ageing, madequate and the unfortunate would have to prove their willingness to train to seek work, regardless of the odds stacked against them

In summary, Ms Cox said that the most vulnerable in society had become the "unfair game" of Government cost cutters and they did not deserve it. PM's note soothes miners, foresters

The ACT Legislative Assembly had every opportunity to be the most honest parliament in the country because it was so small, the Speaker of the Assembly. Forest and mining industry groups have withdrawn their threat to walk out David Prowse, said.

It was just a shame that Canberrans rated the Assembly so poorly.

Mr Prowse was reflecting on the Canberra Times-Datacol opinion poll which showed only one in seven Canberrans believed the Assembly was doing a good or very good job in areas such as honesty effectiveness decision, making and value effectiveness decision, making and value.

have withdrawn their threat to walk out of the sustainable development process after receiving a letter from the Prime Minister, Bob Hawke, setting down principles for future debate.

The industry groups were angered on Wednesday night when the Minister for the Environment, Ros Kelly, attacked them for short-sightedness and in being "interested only in profits".

As a result, the Australian Mining Industry Council and National Association of Forest Industries threatened to abandon the working parties on ecological sustainability. The two organisations called on Mr Hawke to repudiate Mrs Kelly's statement.

called on Mr Hawke to repudiate Mrs Kelly's statement.

Although Mr Hawke has not rebuked Mrs Kelly, he has written to industry groups, conservationists and the chairmen of the working groups outlining the fundamental principles of the process. Mrs Kelly and the Minister for Primary Industries, John Kerin, announced on Monday after the summit on ecological sustainability, was recovered that the sustainability was recovened that the Prime Minister would write the letter.

It has clearly soothed the industry groups. The executive director of the for-ests association, Dr Robert Bain, ap-proved the letter, saying "its principles prised by the results of the poil.
"People are still coming to terms with
self-government," she said.
People in the Northern Territory were
still unhappy with their Parliament,
which had been operating for a lot longer
than the ACT Legislative Assembly. And although the executive director of

the mining council, Lauchlan McIntosh, also approved the letter, he believed it "begins to repudiate" Mrs Kelly's comments.
The greens' position on the letter is

not yet known. A meeting will be held on Tuesday to debate its co

to take part in the nine working groups.

In other developments, Mrs Kelly was criticised yesterday by her Opposition counterpart, Fred Chaney, for pursuing "her own personal political ends" since taking over the portfolio.

Angered by her statement Mr Change Angered by her statement, Mr Chanes

said her comments had not been a con-sidered and sensible contribution to the

debate.
"Every now and then, Mrs Kelly seems seized by the need to make some dramatic pronouncements, perhaps in an attempt to convince the world she is every bit as 'tough' as her predecessor [the Minister for Social Security, Graham Richardson]," he said.

Mr Chaney told a Liberal Party meeting in Adelaide that the Federal Government should take an alternative approach to refine the concept of ecological sustainability, with some clear targets in key environmental and economic areas.

But he said there was "excessive ex-

But he said there was "excessive ex-pectation" by some politicians, business people and environmentalists that the ecological sustainability process would produce "a nice neat set of rules to which one can turn to remove the controversy from development and other decision

making.

An effective strategy was needed to establish real targets in the key areas of soil conservation and improvement, energy conservation and protection of biodiversity.

benchmark

pay senior teachers above an agreed na-tional salary benchmark of \$37,200.

ey," he said.

Mr Humphries and other ministers for education agreed in June on a benchmark of \$37,200 for four-year-trained senior classroom teachers — a pay rise of only \$40 a year for ACT teachers and \$1430 less

salaries between \$39,613 and \$44,100.

Education ministers are expected to meet again next week when it is believed the ACT will push for the benchmark to be increased to \$38,000.

Mr Humphries said failing to do so would put pressure on the ACT, which would then have to decide whether it could stay in national negotiations.

He acknowledged the salary increases — estimated to cost about \$2.4 million — were a problem for the Government.

"It is not clear where the money will

"It is not clear where the money will ome ... it could mean what we save in

"I can't ask the Commonwealth for more ... and I can't allow the ACT pay structure to get out of kilter with NSW. If we are going to keep teachers in the ACT from drifting into NSW, we have to consider that."

granted \$30,000

The family of seven-year-old Holly Johnson, who has AIDS, had been granted \$30,000 last month, the Minister for Health, Brian Howe, said yesterday.

Mrs Johnson, who received blood after giving birth in 1983, died of AIDS in November, 1988.

Holly allegedly contracted the AIDS vi-us from her mother's breast milk and does not have long to live.

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