

## Application for Eastman trial date

A trial date for David Harold Eastman, on a charge of murdering Assistant Police Commissioner Colin Winchester, could be set next week.

The ACT Director of Public Prosecutions, Ken Crispin, QC, is expected to ask the ACT Supreme Court to allocate a date for a trial which could run for some months.

It is understood that an indictment (the formal charge) will be presented to the court, either on Monday or later in the week. This follows legal advice to the DPP from a Sydney Queen's Counsel that it is appropriate that the case proceed.

On December 24, 1992, following a 137-day inquest, the Coroner and Chief Magistrate, Ron Cahill, committed Eastman for trial for murder. Eastman was subsequently released on bail by the Supreme Court.

He has an outstanding application before the ACT Attorney-General, Terry Connolly, for legal aid funding for his defence.

# ACT kidnap victim gets \$17,000 payout

By ROD CAMPBELL

A young Canberra woman, the victim of a terrifying kidnap and drugging incident, has been awarded \$17,215 compensation by the ACT Supreme Court.

The woman sought the compensation under the Criminal Injuries Compensation Act.

Her application was decided recently by the court's Master, Alan Hogan.

Three men, Douglas Bruce Fisher, Ian Stuart King, and a juvenile, were charged with abducting the woman from her home during November, 1990. The juvenile was also charged with drugging her with an anaesthetic.

The three pleaded guilty. Fisher and King received suspended two-year jail sentences. The juvenile was committed to an institution for two years.

Fisher, a quadriplegic, and the woman were once flat mates and

friends. He apparently formed an attachment to her which was not reciprocated. When she announced that they should move to different accommodation, there was a distressing scene.

Some time later, while the woman and a male friend were watching television at her new address, King (a friend of Fisher) and the juvenile arrived. King pushed his way in and began to punch the male. The juvenile entered and placed a cloth impregnated with anaesthetic over the woman's face. She lost consciousness.

She awoke in the rear seat of her car. King and the juvenile and the male were there. The juvenile placed the cloth over her face and she again blacked out.

The next time she awoke, although only briefly, the group was in a car park.

The next time, the car was on a dirt track out past the Cotter Reserve Hotel. Fisher's utility was also there.

The woman's male friend was taken from the car, assaulted and dragged into the bush. He was apparently not seen again that night.

The two vehicles drove off and the woman blacked out again. A little later, she was bound at the wrists, ankles and upper legs and tied to the steering wheel.

The men departed, leaving her bound, alone in the bush and terrified. She thought she might die.

Fisher later returned alone. He untied her and she drove off in her car until she located some young men who had been in the area before. They accompanied her to the police station. Fisher escaped in his vehicle.

"This bizarre incident caused her extreme terror while it was happening," Mr Hogan said.

"It took place over a number of hours. She was rendered unconscious a number of times. She saw her companion assaulted."

"She was taken to a remote place, tied up and left there. She had no

idea what her assailants might or might not do to her.

"Naturally she was afraid for her life. She was so terrified of what might happen to her because she died that she attempted to swallow some bleach that was in her car, thinking it would be better to die that way than to be killed by her assailants."

Mr Hogan noted that the woman's physical injuries had been limited and had cleared up.

The psychological effects had been more long lasting. She was afraid of being attacked again and had obtained a restraining order against Fisher.

She suffered from a lack of sleep, migraines and nightmares. She was still suffering from a post-traumatic stress disorder.

A psychiatrist thought the effects would be long-term.

Mr Hogan awarded a total of \$17,215, of which \$17,000 was compensation for pain and suffering.

## Mother lashes out at murder accused

MELBOURNE: The tearful mother of Sheree Beasley shouted across a Melbourne court yesterday when a man accused of murdering her six-year-old daughter said he had been wrongly charged.

Robert Arthur Selby Lowe, 56, appeared in Melbourne Magistrates Court on one charge of murder, two of kidnapping and one of false imprisonment following his arrest earlier yesterday.

After the charges were read out, Lowe told a packed courtroom, "Wrong person, your honour."

Sheree's mother, Kerri Greenhill, 27, who had been sobbing quietly outside the court, yelled from the public gallery, "He killed my daughter."

Her outburst followed a plea by Lowe's solicitor that his client be placed in protective custody.

"I am concerned about the issue of his protection," Mr Ward said. Ms Greenhill shouted, "He should be allowed to go with the other prisoners."

There were cries of "child killer" and "bastard" before Chief Magistrate Sally Brown ordered the court be cleared.

Sheree disappeared on June 29, 1991, while riding home on her bicycle after going on an errand to the Mornington Peninsula, south of Melbourne.

Her body was discovered almost three months later, on September 26, in a drain beside the Mornington-Flinders Road at nearby Red Hill.

During the brief hearing, Lowe, bearded and wearing a striped shirt, stood with his hands on his hips as

police guards manned every exit to the court.

Mr Ward said his client strenuously denied the charges and although he could not apply for bail in the Magistrates Court, an application would be made in the Supreme Court.

Ms Brown ordered that Lowe be remanded in custody until he faced the court again on June 23.

A sobbing Ms Greenhill, who recently married her boyfriend Stephen Ludlow, told reporters outside the court that it had been 21 long months since Sheree went missing.

"Now that somebody has been charged with Sheree's murder ... I know that Sheree won't come back, but I know she helped the police find him."

"May justice be done," she said.

## Mullins 'prepared to be ruthless'

MELBOURNE: Perth businessman Martin Desmond Mullins was sentenced yesterday to 12 months' jail for giving a secret commission to the chief of the failed Tricontinental merchant bank, Ian Johns.

In the County Court Judge Russell Lewis ordered that two months of the sentence be suspended for two years.

Mullins, 53, of the southern Perth suburb of Shelley, was found guilty last week of one count of corruptly giving or offering a secret commission to Ian Malcolm Johns between July 1, 1986, and March 1, 1987.

Mullins had pleaded not guilty to the charge.

Johns, the former managing director of Tricontinental Limited, is serving a seven-month jail term after pleading guilty to receiving the commission.

Judge Lewis told Mullins his offence was a mirror image of Johns' and was in the highest category of criminality for the type of crime.

He told Mullins, "I have formed the opinion that not only were you a tough businessman, but you were shrewd and manipulative."

"When the occasion demanded, you were prepared to be ruthless."

The judge said Mullins had shown a "fierce desire to enrich" himself and believed he could gain a commercial edge in so doing.

During the trial, the jury was told Mullins had sold 6.7 million shares in the company Falcon Australia Pty Ltd for a mere \$1000 to Johns, who then sold them for \$2.097 million.

Mullins had effectively given the Tricontinental boss a "whopping great gift" since he knew the value of the shares would rocket, prosecutor Mark Weinberg, QC, told the court.

The jury heard that the secret commission arose out of moves to restructure Falcon.

Under the plan, Falcon was to buy business interests of Mullins and to take over almost \$5 million of debts that Mullins owed Tricontinental.

The restructuring proposal depended on the cooperation of Tricontinental and on Mr Johns who "wielded enormous power" at the bank, Mr Weinberg told the jury.

The defence case was that Mullins believed he was dealing with Tricontinental, rather than Johns in his personal capacity, and that he neither asked for nor expected any favours from him.

## Parole in six years for killer with AIDS

MELBOURNE: A 64-year-old hospital cleaner who killed his wife after discovering he had AIDS was sentenced to a minimum of six years' jail yesterday — the lowest minimum believed ordered by a Victorian court for murder.

Justice George Hampe sent Paul Zammit, of Blackhaws Road, west suburban North Altona, to 10 years' jail, with a non-parole period of six years, less 437 days already spent in custody.

Justice Hampe said prison would be a burden for Zammit because "by reason of your HIV status you will be isolated in jail" and would have difficulty communicating because of his poor command of English.

A jury found Zammit guilty last week of murdering his wife, Teresa Zammit, 60.

The judge said that although the jury had rejected Zammit's plea of insanity, "you were, in my view, profoundly disturbed in your psychological functioning because of your state of depression."

The court heard that the murder occurred the weekend after Zammit was told he had caught the AIDS virus from a needle or piece of glass while cleaning an operating theatre at St Vincent's Hospital.

On the night of Mrs Zammit's death, Zammit stayed up after his wife went to bed, took sleeping tablets and drank whisky.

Zammit later told police he was angry with her because she would no longer have sex with him and would not cook for him, the court heard.

Justice Hampe said the case was an unusual one with a number of mitigating factors.

His age, no prior convictions, had been diagnosed HIV positive with a maximum life expectancy of 10 years and had minimal contact with his family.

## Bail for alleged intimidators

Two men who allegedly threatened a police witness have been granted bail to appear for hearing in the ACT Magistrates Court on May 7.

Jamie Elphick, 18, and Shane Elphick, 25, each face two counts of intimidating a witness, who is allegedly a co-offender in several property offences. They have pleaded not guilty to the intimidation.

It was alleged that the Elphicks threatened the witness four separate times.

On one occasion, Shane Elphick had said to the witness, "Watch what you say to police and other people or I'll come and find you and cut your head off because I don't give a f—."

On another occasion, Jamie Elphick had told the witness that if he spoke to the police again, "we'll see what happens to you."

The prosecution opposed bail for the two men because the intimidation had included violent threats.

Magistrate Michael Ward granted bail with the conditions that the men not contact, intimidate or harass the witness. They are also to report to police three times a week.

— NICOLE LEEDEHAM

## Australian jailed

LONDON: An Australian plumber and his British girlfriend were each jailed for three years on Tuesday for imprisoning their London landlord, who died after being bound and gagged.

Paul Borton, 25, of Sydney, was sentenced at the Old Bailey to a further one year's jail for disposing of the landlord's body.

Borton and Michelle Pavett, also 25, were found guilty of falsely imprisoning Kenneth Dixon, 61, but were cleared of another manslaughter charge.

Borton will be recommended for deportation to Australia at the end of his sentence.

— AAP

## Hawker fined for working without licence

Magistrate Michael Ward said the maximum penalty for hawking without a licence in the ACT — \$40 — was less than the monthly cost of a hawker's licence and parking permit.

A man who pleaded guilty in the ACT Magistrates Court to three counts of hawking without a licence was fined \$20 for each count.

On May 8, 1988, Takosi Funaki, 27, had been caught selling flowers from a van by the side of the road on Giminderra Drive. He was asked to leave the area and complied with that request.

Later that day, Funaki was seen hawking flowers on William Hovell Drive and was asked to leave.

He did not move and was caught in the same area later in the day.

Hawker's licences in the ACT cost \$11 a month and there is a \$42-a-month charge for standing a vehicle by the side of the road.

## Compass boss used 'forgery'

BRISBANE: A former boss of the collapsed Compass Airlines apparently had a "propensity for forgery" and had been "working overtime with the scissors and a piece of tape" on documents, Queensland's Supreme Court was told yesterday.

The court was also told there were suggestions Melbourne man Douglas Reid used one forged document to personally gain \$4.9 million from the Compass operating company, Southern Cross Holdings Limited.

Reid was the founder and former deputy chairman of Southern Cross and is facing criminal charges and a civil action in the Supreme Court from his former company claiming he owed more than \$9 million.

Barrister Peter Applegarth, for the Australian Securities Commission said yesterday that claims about Reid's alleged forgery were made in ASC affidavits.

## DRINK-DRIVING

Three people were dealt with in the ACT Magistrates Court yesterday for drink-driving offences.

Before Magistrate Michael Ward Craig Andrew McCarrigle, 32, of Miller Street, O'Connor, pleaded guilty to an offence on September 11, 1992, on Coranderrk Street; Breathalyzer 0.160, fined \$300, licence suspended for four months.

Robert Stephen Petrovic, 25, of Ellerton Avenue, Isabella Plains, pleaded guilty of an offence on March 20, 1993, on Parkes Way; Breathalyzer 0.115, fined \$300, licence suspended for three months.

Justin Andrew Eccles, 23, of Burns Circuit, McKellar, pleaded guilty of an offence on March 14, 1993, at Pitts car park exit; Breathalyzer 0.120, fined \$200, licence cancelled.

## LAW LIST FOR TODAY

**HIGH COURT**  
Before Justice McHugh in Court 19A, Level 19, Law Courts Building, Queen's Square, Sydney at 10.15am: Federal Airports Corporation and Makara Developments Pty Limited and others.

**FEDERAL COURT**  
At Law Courts Building, Knowlton Place, Canberra: Full Court (Justices Gallow, Davies & Wilson) in Court 2 at 9.30am: (Part heard) Lyle John Martin v The Queen.

Full Court, Court 2 (Justices Davies, Morling & Drummond) in Court 2 at 9.30am: (Publication of Reasons) Glen Thomas Beadman v The Queen.

At Children's Court, Canberra: Full Court (Justices Neaves, Higgins & Horey) in Court 5 at 10.15am: (Hearing) Home Management Maintenance Pty Ltd v Matthew Peter Doyle and another. Commonwealth of Australia v Gary Ronald Mortlock.

**FAMILY COURT**  
Before Justice Finn in Court No 1 at 9.30am: Twining-Smith, Leominster.

Before Judicial Registrar Nikiakia in Court No 2 at 10am: Gregory, Donovan.

Before Deputy Registrar O'Rourke in Court No 3, The Freemasons Conference, List as follows: At 10.30am Schmidt, At 2.15pm Zanatta.

**A.C.T. SUPREME COURT**  
Before the Chief Justice in No. 1 Courtroom ACT Law Courts starting at 9.30am: Decision: Eric Leonard Blackburn v Trudy Ann Campbell.

At 10.00am: Judgment: Tok Carpenter & Partnering v John Leonard Watts. Appeal: Mark James Ryan v John Charles Adams. Sentence: R v Scott Leslie Hollingshead, James John Rodger and another.

Before the Master in No. 6 Courtroom ACT Law Courts starting at 10am: Hearing: John Mahon v K & D. Constructions Pty Limited (part heard).

**ADMINISTRATIVE APPEALS TRIBUNAL**  
Before Senior Member Grimes, Mr Atwood, Member, H. G. Julian DSC, Member, Hearing Room 1, 4th Floor, Canberra House, 40 Marcus Clarke Street, Canberra: Hearing: 10.15am: Frost and Camara Australia.

Before Deputy President Gerber: by telephone: Noon: (AT93/2, AT93/3), 12.30pm: (AT93/5).

Before Deputy President Burns: Resumed telephone directions hearing: 9am: McKnight and Australian Archives.

**INDUSTRIAL RELATIONS COMMISSION**  
Before Commissioner Smith in Hearing Room 1 at 10.30am: ACT Minister for Education and Training and Public Service, Professional, Scientific Research, Technical, Communications, Aviation and Broadcasting Union re classification of Schools Assistants (Laboratory Assistants) — Conference. At 12.30pm: A 13AC Application for certification of agreement between the Australian Capital Territory Medical Officers' Association and Chief Minister for the Australian Capital Territory and others re wages and working conditions. At 1pm: A 13AC Application for certification of agreement by the Transport Workers Union and others re wages and working conditions.

At 2.15pm: Australian Capital Territory Electricity and Water Authority and Electrical, Electronic, Plumbing and Allied Workers Union of Australia re liability of ACTEW and EEPWU to conclude an agreement on appropriate wage and salary adjustments and related productivity improvements.

Before Commissioner Lawson in Hearing Room 2 at 10am: Transport Workers Union and Leblanc Valley Meat Co re alleged company failure to abide by award — conference.

Before Deputy President Burns: Resumed telephone directions hearing: 9am: McKnight and Australian Archives.

THE CANBERRA THEATRE TRUST PRESENTS

# THE COMEDY SUMMIT.

21ST - 25TH APRIL 1993

ARTISTS INCLUDE:

ANTHONY ACKROYD  
AGRO  
BOBBY BAKER  
GERRY CONNOLLY  
ANDREW DENTON  
EXPRESSO BONGO  
MARYANNE FAHEY  
LINDA GIBSON  
WENDY HARMER  
SUE INGLETON  
JEAN KITSON  
KIT & THE WIDOW  
BILL LEAK  
CAMPBELL McCOMAS  
HG NELSON  
ALAN PENTLAND  
ROD QUANTOCK  
DENISE SCOTT  
PHIL SCOTT  
SCARED LITTLE WEIRD GUYS  
ROY SLAVEN  
TIM SMITH  
RICHARD STUBBS  
MAGDA SZUBANSKI

13 SHOWS

The Canberra Times

digital

FM104.7

TUESDAY 20 APRIL	WEDNESDAY 21 APRIL	THURSDAY 22 APRIL	FRIDAY 23 APRIL	SATURDAY 24 APRIL	SUNDAY 25 APRIL
KIT & THE WIDOW 8pm - The Playhouse PREVIEW	KIT & THE WIDOW 8pm - The Playhouse	KIT & THE WIDOW 8pm - The Playhouse	KIT & THE WIDOW 8pm - The Playhouse	KIT & THE WIDOW 8pm - The Playhouse	KIT & THE WIDOW 8pm - The Playhouse
	WOMEN STAND UP! 8pm - Players Comedy Club	WOMEN STAND UP! 8pm - Players Comedy Club	WOMEN STAND UP! 8pm - Players Comedy Club	WOMEN STAND UP! 8pm - Players Comedy Club	WOMEN STAND UP! 8pm - Players Comedy Club
	PLAYERS COMEDY CLUB 10pm till late - Expresso Bongo	PLAYERS COMEDY CLUB 10pm till late - Expresso Bongo	PLAYERS COMEDY CLUB 10pm till late - Expresso Bongo	PLAYERS COMEDY CLUB 10pm till late - Expresso Bongo	PLAYERS COMEDY CLUB 10pm till late - Expresso Bongo
QUANTOCK BUS SHOW 7.30pm - Departs Canberra Theatre	QUANTOCK BUS SHOW 7.30pm - Departs Canberra Theatre	QUANTOCK BUS SHOW 7.30pm - Departs Canberra Theatre	QUANTOCK BUS SHOW 7.30pm - Departs Canberra Theatre	QUANTOCK BUS SHOW 7.30pm - Departs Canberra Theatre	QUANTOCK BUS SHOW 7.30pm - Departs Canberra Theatre
		BOBBY BAKER-DRAWING ON A MOTHERS EXPERIENCE 8pm - The Courtyard Studio	BOBBY BAKER-DRAWING ON A MOTHERS EXPERIENCE 8pm - The Courtyard Studio	BOBBY BAKER-DRAWING ON A MOTHERS EXPERIENCE 8pm - The Courtyard Studio	BOBBY BAKER-DRAWING ON A MOTHERS EXPERIENCE 8pm - The Courtyard Studio
		THE GRAND OPENING GALAH 8.30pm - Canberra Theatre	ABC WORLD SERIES DEBATING 8.30pm - Canberra Theatre	FRIDAY SUMMIT LIVE 8pm - Canberra Theatre	THE HUMORISTS READ THE HUMORISTS 8pm - Canberra Theatre
		BOBBY BAKER-KITCHEN SHOW 7.30pm - departs Canberra Theatre	BOBBY BAKER-KITCHEN SHOW 7.30pm - departs Canberra Theatre	BOBBY BAKER-KITCHEN SHOW 7.30pm - departs Canberra Theatre	BOBBY BAKER-KITCHEN SHOW 7.30pm - departs Canberra Theatre
				SATURDAY SUMMIT LIVE 8pm - Canberra Theatre	THE GRAND FINALE GALAH 8pm - Canberra Theatre
				BILL LEAK EXHIBITION The Gallery at The Playhouse	BILL LEAK EXHIBITION The Gallery at The Playhouse

Canberra Ticketing (06) 257 1077 008 802 025 Groups (06) 243 5709

Canberra Theatre Centre  
Taggeranong (ACT Shopping, HomeWorld)  
Belconnen (ACT Shopping, Swanson Plaza)

Raiders Shop - Mawson  
Queanbeyan Leagues Club

THE CANBERRA THEATRE TRUST RESERVES THE RIGHT TO ALTER PROGRAMMES AND ARTISTS WHERE NECESSARY

## Notice to Commonwealth Bank Customers

### Personal Transaction Account Fees

From 1 May 1993, the following fee structure will apply on both new and existing Streamline, Keycard Savings, Passbook Savings and Essentials Accounts:

**Streamline Accounts**  
If an account balance of \$500 or more is maintained throughout the month, no account service or transaction fees will apply.

If the account balance falls below \$500 at any time during the month, then

- a \$2 monthly account service fee will apply; and
- each withdrawal after the first seven withdrawals in the month will attract a transaction fee of 50 cents; (certain withdrawals, such as those made via Telebank and Phonebank, direct entry CBA loan repayments, bank generated transactions for fees and government charges will not be counted as chargeable transactions).

All deposits (as well as the first seven withdrawals each month) will be free of transaction fees.

If an account attracts a fee during the month, it will be charged to the account on the first working day of the following month.

**Passbook Savings Accounts/Keycard Savings Accounts/Essentials Accounts**  
If an account balance of \$250 or more is maintained throughout the month, no account service fees will apply.

If the account balance falls below \$250 at any time during the month, a \$2 monthly account service fee will be charged to the account on the first working day of the following month.

There will be no transaction fees on these accounts.

**How to avoid these fees**  
Streamline customers will avoid paying these fees on their account by maintaining an account balance of at least \$500.

Keycard Savings, Passbook Savings and Essentials customers will avoid paying these fees on their account by maintaining an account balance of at least \$250.

**Fee exemptions**  
The following customers will be exempt from these fees on one of their accounts, regardless of the balance held:

- Recipients of Aged and War Veterans Pensions.
- Full-time students.
- Customers under the age of 18.
- Customers with a Commonwealth Bank Home Loan (including former State Bank Victoria Home Loans).

Whilst these fee exemptions will apply automatically in most cases, some customers may need to nominate an account for exemption. Further information can be obtained from any branch.

**Inactive Accounts**  
From 1 May 1993, any Passbook Savings, Keycard Savings or Essentials Account which has not been used for a period of 13 months or longer and where the account balance is nil, will be automatically closed.

For more information on these fees and advice on how to avoid them, contact any Commonwealth Bank branch.

**Commonwealth Bank**

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