

ANU student fined for breaching restraining order

By MICHAEL BACHELARD

An ANU student found guilty of three breaches of a restraining order after he telephoned and threatened a female student was fined in the ACT Magistrates Court yesterday.

Alexander Marcel Andre Sebastian Bayliss, 22, of O'Connor was sentenced without the drama of a former sentencing on similar charges, when he put both his lawyer and his arresting police officer in the witness box.

However, Bayliss, who described himself as an ambitious young man," said from the witness box that the charges against him were the result of a conspiracy between the complainant and the police, under instructions from the ANU Debating Society. It was a "conspiracy to pervert the course of justice," he said.

The charges before Mr Nicholl related to three breaches of a restraining order after he harassed the victim at ANU. Bayliss was convicted later by Chief Magistrate Ron Cahill for harassing telephone calls he made three days after his conviction. They were in breach of bail conditions set by Mr Nicholl not to contact the woman

He was given a two-month suspended prison sentences for these later breaches.

Bayliss spoke from the witness box yesterday, saying that he had an alibi for one of the breaches for which he had been convicted by Mr Nicholl. He said the prosecutor at his hearing had got the date of one of the breaches wrong. He had been asked where he was during the early hours of Wednesday, July 30. He said yesterday that July 30 had been a Thursday and he had an alibi for it.

The ANU debating society was guilty of "libel, slander and defamation" of him, he claimed, having published "puerile propaganda" in a society magazine. It was legal action about this that the complainant and the police were conspiring to prevent him proceeding with.

He complained also that police had spoken to him in "vulgar and vernacular language".

Mr Nicholl said Bayliss's evidence was "not helping decide on a sentence", but Bayliss was pointing out "a number of inconsistencies which are of conservable interest to the court".

Bayliss's counsel, Warren Donald, said his client had had "a very traumatic past". He had been involved in a road accident in 1985 in which his sister had been killed, he had several months in a coma.

Mr Donald pointed to Bayliss's "manner and persistence which perhaps could aggravate some people," but which was responsible for his getting to university despite a difficult life. He indicated that Bayliss would appeal against his convictions.

Mr Nicholl convicted and fined him \$100 on each of the three charges, and allowed him 12 months to pay.