

Client puts counsel in witness box

By MICHAEL BACHELARD

A man who was court for sentencing yesterday over breaches of a restraining order put his own lawyer in the witness box and told him he no longer wanted to be represented by him.

Alexander Marcel Andre Sebastian Bayliss, 22, of O'Connor, called his counsel, Michael Helman, 35, into the witness box shortly after proceedings opened in the ACT Magistrates Court yesterday.

Chief Magistrate Ron Cahill temporarily excused Mr Helman from representing until after he had given evidence.

Bayliss quizzed Mr Helman about his involvement in Bayliss's various cases. He asked Mr Helman how they had come to meet, where and how Mr Helman had stored papers relating to the case, who he had discussed the case with.

Mr Helman was then asked if he knew Bayliss's full name and exact date of birth. Mr Helman confessed he did not know exactly. Bayliss alleged that this constituted incompetence by Mr Helman.

Mr Cahill said he did not see the forensic value of such questions, and confessed that when he had represented clients, he would probably not have known such information about them. Asked by Mr Cahill to point out the relevance of his questions to the sentencing proceedings, Bayliss said they were "critically vital". He made further allegations about Mr Helman, but Mr Cahill said Bayliss could not attack his own witness.

Mr Cahill said Mr Helman's defence of Bayliss had been "conducted in the way most cases are conducted in this court". Bayliss's accusation was of "peripheral relevance" to the sentencing proceedings.

Bayliss pressed his point, and asked Mr Helman to read out a card he had prepared which formally requested that he no longer act for him. Having read that the card, Mr Helman sought leave to withdraw from the case, which was granted by Mr Cahill. As he left the court, Mr Helman raised his index and middle fingers, knuckles forward, toward his former client.

Sentencing proceedings had been delayed pending the psychiatric assessments of Bayliss. A report presented to the court yesterday found Bayliss had no psychiatric illness.

Bayliss was convicted and given a two-month suspended sentence on a \$2000, three-year good-behaviour bond on condition he not approach or contact the victim of the harassment and he accept the supervision of the director of adult protective services.

Mr Cahill also granted him bail on an earlier matter of breaching the restraining order, for which Bayliss will be sentenced on November 4.