

IN THE LOCAL COURT
NEWTOWN

MAGISTRATE STAPLETON

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THURSDAY 8 SEPTEMBER 2022

2021/00369786 - R v Aron Andrew LEYSHON

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PART HEARD

Sergeant Tomasetti now appears for the Informant

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HER HONOUR: The case of Aron Leyshon. Aron Leyshon, come before the Court, sir. Come before the Court.

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ACCUSED: Thank you, I decline your offer and preserve my right to deal with the matter where I stand.

HER HONOUR: Sir, if you choose, as long as you can hear clearly. Who's running this matter today?

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PROSECUTOR: I appear in this matter, your Honour.

HER HONOUR: Thank you there, Ms Tomasetti. Mr Leyshon, do you maintain your plea of not guilty?

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ACCUSED: I make no plea to this to this Court. I'm a living man here by special appearance only..(not transcribable)..

HER HONOUR: Sir, sir, can you just answer--

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ACCUSED: ..(Not transcribable)..to deny jurisdiction to this Court. For the record, I'm not a name, nor am I legal person. I reserve all rights and waive all benefits and privileges.

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HER HONOUR: All right. Thanks there. Take a seat if you like or stand up if you choose. I'll note on the papers that in the absence of any meaningful reply by Mr Leyshon I've marked the papers as he continues his plea of not guilty. This is an event--

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ACCUSED: Objection, your Honour. Are you, are you practising from the bench?

HER HONOUR: --31 August 2021.

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ACCUSED: Second time. Ms Stapleton, are you practising from the bench?

HER HONOUR: Sir, you can call me your Honour and--

ACCUSED: Third time. Ms Stapleton, are you practising from the bench?

5 HER HONOUR: --or you can call me magistrate.

ACCUSED: Let the record show Ms Stapleton practising from the bench, acting on my behalf against my will and without my consent.

10 HER HONOUR: Ms Tomasetti, this case will be going in a second.

PROSECUTOR: Your Honour, we're not in the position to proceed in this matter. The officer-in-charge is--

15 ACCUSED: Excuse me. Who is this woman that you're speaking to? Would you she identify herself, please?

HER HONOUR: Sir, I just ask you to pipe down.

20 ACCUSED: I am not sir, I object. My name is Aron if the Court wishes to address me.

HER HONOUR: Is this yours?

25 PROSECUTOR: Yes, it is.

HER HONOUR: What's happening?

PROSECUTOR: The OIC is unwell and is not before the Court.

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ACCUSED: Would the lady identify herself, please. Second time, Ms Stapleton. Third time, Ms Stapleton. Would the lady identify herself for the record?

35 HER HONOUR: Ms Tomasetti, is there an application for an adjournment today?

PROSECUTOR: It is, your Honour.

40 ACCUSED: Let the record show the lady will not identify herself.

HER HONOUR: What's the basis of the application?

PROSECUTOR: Your Honour, the officer-in-charge was injured--

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ACCUSED: Objection.

PROSECUTOR: --whilst on duty.

50 ACCUSED: Hearsay.

PROSECUTOR: I do have a medical certificate. It was being printed and brought over. I was notified of this earlier this morning.

5 ACCUSED: Would you please indicate if the lady has any firsthand knowledge of the events that occurred on the day?

HER HONOUR: I'll wait till the medical certificate comes. Sit down there again or stand up if you like, Mr Leyshon.

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ACCUSED: What is the lady standing, Ms Stapleton?

HER HONOUR: Ms Thornton.

15 ACCUSED: Second time, Ms Stapleton. What is this lady standing in the..(not transcribable)..

SPEAKER: Your Honour, I have three fresh custody matters.

20 ACCUSED: ..(Not transcribable)..Ms Stapleton. What is this, what is this woman standing in the matter.

HER HONOUR: Just stop. Mr Sheriff, would you escort Mr Leyshon from the Court. He'll be called in--

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ACCUSED: I object.

HER HONOUR: --when the case is ready to proceed.

30 ACCUSED: I, I object. I object. I am not done, and require you to sit down, Ms Stapleton. We will hear - we will finish this matter.

SHORT ADJOURNMENT

35 HER HONOUR: Please call in the case of Mr Leyshon.

ACCUSED: Hello, Ms Stapleton. Nice to see you again.

40 HER HONOUR: In the matter of Mr Leyshon, Ms Prosecutor has tendered a medical certificate in respect of the officer-in-charge in respect of a matter of not comply with a COVID type health direction.

ACCUSED: I, I object. I do not accept title. The Court may address me as Aron if it wishes to address me. That is my name.

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HER HONOUR: Ms Prosecutor, do you apply for an adjournment on the basis of that?

PROSECUTOR: Yes, your Honour.

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HER HONOUR: Mr Leyshon, do you object to the adjournment?

5 ACCUSED: I object and I'd like to know who this woman is that keeps speaking. She is yet to identify herself. I require her to identify herself on the record before this Court.

HER HONOUR: Sir, can you just answer my question? Do you object to the adjournment application?

10 ACCUSED: I'm happy to answer questions. Yet, I've asked a question and I do require this woman to identify herself. I still have yet to understand why I'm here and I do not understand what law this Court is moving under. I've made orders this Court that this claim has been discharged, that this Court is..(not transcribable)..

15 HER HONOUR: Stop speaking. Can you just stop speaking for a minute. In the case of Mr Leyshon--

20 ACCUSED: Objection.

HER HONOUR: --I have asked him--

ACCUSED: It's not mister.

25 HER HONOUR: --I have asked him whether he objects to the adjournment application and he has failed to answer.

30 ACCUSED: Objection. I have not failed to answer. I have agreed conditionally to answer, yet I have asked a question.

HER HONOUR: Sir.

ACCUSED: That question is to name the woman who continues to speak.

35 HER HONOUR: Sir, there is no need for you to know the name of the police prosecutor who has attended the Court, announced her appearance in the ordinary way and appeared today. In the absence of Mr Leyshon responding to my question in a meaningful way, I will assume--

40 ACCUSED: Objection. I have not failed to respond. I have agreed to conditionally respond to your question--

HER HONOUR: Sir, please don't interrupt.

45 ACCUSED: --provided I seek an order for my, my question being asked.

HER HONOUR: Sir, I will assume that Mr Leyshon opposes the application.

50 ACCUSED: Objection. You cannot assume.

HER HONOUR: What do you say, Ms Tomasetti?

PROSECUTOR: Your Honour will note from the medical certificate that's been tendered that the--

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ACCUSED: Mrs Thompson: is that your name?

PROSECUTOR: --that the officer-in-charge is currently--

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ACCUSED: Would you please indicate--

PROSECUTOR: --unwell. He's not able to--

ACCUSED: Mrs Thompson--

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PROSECUTOR: --attend Court.

ACCUSED: --as an..(not transcribable)..

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PROSECUTOR: He's been injured on duty and--

ACCUSED: ..(Not transcribable)..

PROSECUTOR: --has had to have surgery--

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ACCUSED: ..(Not transcribable)..

PROSECUTOR: --as a result of that injury--

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ACCUSED: Ms Stapleton.

PROSECUTOR: --and as a result of that surgery--

ACCUSED: ..(Not transcribable)..

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PROSECUTOR: --he is off, your Honour, until at least--

ACCUSED: ..(Not transcribable)..

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PROSECUTOR: --the end of this month.

ACCUSED: Please don't interrupt me when I'm in the middle of my process.

PROSECUTOR: On that basis, your Honour, we're asking for an adjournment.

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ACCUSED: Objection.

PROSECUTOR: He gives all relevant evidence in this matter.

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ACCUSED: I can object. I can object. You're, you're interrupting my

proceeding.

HER HONOUR: In the case of Mr Leyshon, Ms Prosecutor--

5 ACCUSED: Objection. There is no mister.

HER HONOUR: --Ms Prosecutor has made an application to adjourn the case on the basis that the sole police witness has been hurt on duty--

10 ACCUSED: Objection.

HER HONOUR: --has undergone surgery and is unable to come to Court until--

15 ACCUSED: Objection.

HER HONOUR: --the end of this month. I consider--

20 ACCUSED: I object. I object to all of this.

HER HONOUR: --that the nature of the matter is--

ACCUSED: There is no consensus. The Court has no jurisdiction.

25 HER HONOUR: --a serious matter and it may well be a matter which leads to a custodial sentence.

ACCUSED: Objection.

30 HER HONOUR: I do not know anything about Mr Leyshon's history but I do know that these matters were considered serious in the criminal justice system in respect of the circumstances of the community--

35 ACCUSED: I object.

HER HONOUR: --in August last year. It seems to me that the matter should be dealt with on the merits on the basis of evidence given. It is not a case where Mr Leyshon is on bail conditions--

40 ACCUSED: Objection. There is no mister.

HER HONOUR: --or is under any limitation in respect of his participation in the community pending a further--

45 ACCUSED: Objection.

HER HONOUR: --determination in the matter. I propose to adjourn the case to--

50 ACCUSED: I object. I'm here now--

HER HONOUR: --Thursday to 1 June.

5 ACCUSED: --and I'm ready to deal with the matter. I require that you deal with the matter right now, where I stand. I'm here.

HER HONOUR: I have dealt with the matter, sir, by adjourning it to 1 June next year.

10 ACCUSED: Objection. This Court has no jurisdiction. You certainly may do as you wish but I will be taking that adjournment up on appeal, and I..(not transcribable)..

15 HER HONOUR: I shall mark on the papers that the case is adjourned to 1 June 2023--

ACCUSED: I object.

20 HER HONOUR: --for a two-hour hearing. I shall direct the register to notify the defendant in writing. I note that he is present in Court.

ACCUSED: I object.

25 HER HONOUR: I note that today--

ACCUSED: The orders have no authority. This Court has no jurisdiction.

30 HER HONOUR: --today he has essentially replicated his attendance at Court on 5 April. I shall mark on the papers a transcript is required.

ACCUSED: Objection.

35 HER HONOUR: Thank you for your assistance, Ms Tomasetti. I propose to adjourn and I shall return to Court after a short adjournment.

ACCUSED: Objection.

ADJOURNED PART HEARD TO THURSDAY 1 JUNE 2023