

CHAPTER III

LETHAL BLOWS 1994–1996

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If I allowed my heart to guide me, I would take a break from the corruption that exists within international commerce and within the courts of our nation, and cut straight to that railway station I spoke of earlier. But the disciplines that lie entrenched within my mind do not allow me to leave certain ends untied. And so I am compelled to temporarily override my heart; a heart still young and often stirred by emotive thoughts of how a young boy's deep love was strong enough to alter the direction of his life and the lives of others.

For now... those untied ends.

It had been a lean Christmas season as the dawn of 1994 broke. The bitterness of watching the collapse of Parktec and the associated helplessness we felt had begun to subside, and the challenge of overcoming adversity had begun to well-up in all of us. There is something about oppression which causes us to reach deeper into that reservoir of untapped strength which lies dormant within most, if not all of us. There is almost an excitement that takes hold; the excitement of overcoming.

----- [Excerpt] -----

[In this next excerpt I have amplified the often undignified and highly damaging conduct of the Australian Judiciary; conduct that is well beneath the propriety expected of a judge – or put another way, beneath the Bench.]

However, the manner in which the wheels are configured to ensure load-sharing or the way the cubicles are stabilised when negotiating the tracks, and so it goes on... that's the Europark technology. We referred to it as the drive system. All of this was well-established knowledge before I subjected myself to the inane questioning of Hack and the judge.

And on the subject of inane, at one point Hack had begun questioning me on how World Bank funding had contributed to the development of the Europark technology. His questions were poorly phrased and the matter had begun to drone on almost meaninglessly. Certainly to a point where I would not concede to his ridiculous assertions. During the course of this exchange the judge had sat back on his chair looking pensive. I had no idea where his mind was.

When an impasse had been reached, Hack decided to change the subject and move on. But before he could do so the judge tagged him and entered the ring with a totally unrelated line of questioning.

HIS HONOUR: Before we do that, would you agree, Mr Eaton, that a drive mechanism for a mechanical car parking system is not a mechanical car parking system?

The judge was stating the obvious in question form. So obvious, in fact, that I looked puzzled, almost confused. He tried again.

HIS HONOUR: It is not a car parking system, is it? The drive mechanism for a car parking system is not a car parking system?

MR EATON: I see where you're coming from...

Hack then tagged the judge.

MR HACK: Mr Eaton, have you ever bought a motor car?

MR EATON: Yes, Mr Hack.

MR HACK: Or did you buy just the drive system for the motor car?

MR EATON: I've had a few replaced, but---

I hadn't fully locked into the question and my answer was incomplete when cut short.

MR HACK: Well, when you bought a motor car, did you buy just the engine, or all the bits that go with it?

Although still unaware of the direction in which this duo was heading, I had no choice but to get into their sand pit.

MR EATON: All the bits that go with it.

The judge immediately rocked forward hunching over one elbow as he looked straight at Hack. And without losing momentum or eye contact he then viciously bellowed the following few words, startling everyone in court.

[HIS HONOUR: **That’s got to be the killer blow!!**]

Like others, I was in shock.

“Thou hast seen a farmer’s dog bark at a beggar,
And the creature run from the cur:
There, thou might’st behold the great image of authority;
A dog’s obeyed in office.”

Shakespeare – *King Lear*, Act IV, Sc. 6

I have put the judge’s words in brackets because they are not to be found in the transcript of trial, and that’s not uncommon in Australia. The judge has a mute button beneath the Bench so that he can be as offensive as he likes without it ever being on record. He also has the right to alter the dialogue in a transcript if there’s confusion created by the recording of indistinct words, particularly his own. Needless to say that this gives the judge some latitude in directing matters to suit his purposes.

But Spender J can mute or alter whatever he likes, for he will never mute or alter the memories of those Europark souls who sat silently in court trying to come to terms with the maliciousness that had beset their lives.

Whatever the judge had in his mind remains a mystery to all of us to this day. And I noticed that an equally surprised barrister was quick to divorce himself from this abysmal episode by getting back to the line of questioning he had in mind before being taken off track. I would just add here that no mention whatsoever was made of the judge’s killer blow revelation in his Reasons for Judgment. The lightning bolt which so briefly and so violently illuminated our pensive judge may have possibly been induced by a scotch or three in his chambers during lunch – who knows.

----- [Excerpt] -----

[In this excerpt I am exposing the criminal mischief contrived by the ACCC (formerly TPC) in order to reinforce their impending federal court action against myself, my directors, franchisees, investors, staff, agents and whomsoever.

John Stephen McCarthy, journalist with *The Courier-Mail* newspaper, Queensland, and

Others were subsequently charged under section 42 of the Commonwealth Crimes Act 1914 – Conspiracy to Defeat Justice (as defined in the 1990s). This section dealt with the publishing of material which would knowingly be used to influence the outcome of a future trial.

A fortnight prior to the return date of 9:30AM on 14 April 1998 I advised the Magistrate, Gribbon SM, that these charges would be dropped. I realized that although John had acted criminally he had also acted naively. Unfortunately, his naivety, which was used criminally by the ACCC, precipitated the worst possible damage – the murder of Willem Van Der Horst and the suicide of two of our investors; not to mention the illnesses created by the denial of justice.]

----- [Excerpt] -----