

CHRISTOPHER M COCHRANE
INDEPENDENT SOUTH AUSTRALIAN CANDIDATE
FOR THE SENATE 2010 AND 2013 "STANDING UP FOR ALL OF S.A"

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Public outcry in regard to the Australian Antipaedophile Party's SA Candidate Ron Waters being able to run and how was nominated to run in the 2016 SA Senate Election:

Today's Official news that a convicted Criminal [Ronald Lewis Waters](#) (who had served 18 months for his part in a [Double Murder](#) in 1994) was able to not only be nominate but was excepted to run as a below the line Senate candidate,

Mr. Water's is the South Australian Senate Candidate for [the Australian Antipaedophile party](#) a single issue Political Party focused on a very important issue regarding the Sexual Abuse of Children and much needed reform in regards to Family Court Matters;

Since the news of Mr. Waters nomination bid being successful I have had many concerned community members raise their concerns and questions in regard to who can be nominated and run for a PUBLIC SERVANT JOB in the Role as a Senator or House of Representatives in the Federal Australian Government as [Section 44 of the Constitution](#) sets out restrictions on who can be a candidate for Federal parliament have been raised.

The section that is confusing people as to how this could happen and has been raised by the many of the concern people in the community who have been in contact with me is as follows:

44. Any person who –

(ii.) Is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer: or

Sadly thou as Mr. Ian Holland (former member of the Politics and Public Administration Group) rose back on the 24 March 2003 in his Current Issues [Brief No 22 2002-03](#) Crime and Candidacy the following important information that needs to be taken in to consideration in regard to this very concerning event that has happened:

Mr. Holland has stated the following:

Societies embed their understanding of the relationship between law-abiding conduct and suitability for office in their laws, often (as in the Commonwealth's case) in their constitutions.

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He further raised the problems with embedding restrictions on political candidacy in constitutions is that it:

- relies on the wording of the law accurately reflecting community views
- entrenches in legal instruments matters about which community opinion may change, and
- may be seen as censoring the range of political opinions that citizens can express.

Mr. Holland also further states, “That in Australia, some laws governing candidacy are constitutionally entrenched, and this will present considerable challenges, particularly at the Commonwealth level, should changes ever be considered necessary”.

Also it is important to note that Laws restricting the ability of criminals to engage in politics exist in every Australian jurisdiction.

It’s also worth noting that they vary widely in their effects for example; In Western Australia a person convicted of a 'felony' is barred from holding office for the rest of his or her life.

Also in most jurisdictions, they are prevented from holding office while in jail provided the sentence is of a certain length, usually a year or more.

Furthermore in Queensland convictions for certain types of offence, such as political bribery, prevent a person from being a candidate for a fixed period of time, even if they are not in jail.

And in the Commonwealth, a person cannot take office if convicted and under sentence for a crime 'punishable' by a sentence of more than a year, thus linking disqualification not only to the person's actual sentence but to the maximum sentence for the crime.

It’s also important to reflect into the past where History has shown that Australians are prepared to elect to office people who have been convicted and spent time in jail.

One example to note is indeed the person who was chosen to give the address in reply to the Governor-General's speech in the very first federal parliament was also the only federal MP who had been transported to Australia as a convict, a man who furthermore had been convicted of theft while in Australia, William Groom. But with the exception of Groom, the arrests and convictions that our politicians have experienced have been closely related to their political careers.

It’s also worth noting that history has shown that many who went on to be Labor politicians, for example, had been arrested in connection with illegal strikes, particularly in the 1890s.

I fully agree with Mr. Holland when he said “However, it could be argued that parts of section 44(ii) of the Constitution would benefit from future reform”

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Even though Ron Waters has done his time in regard to the role he played in Kerrie Pang's and Fatma Ozanal's deaths this very important statement given to the Jury that was in place for Mr. Lewis's Trial "R v Lewis [2001] NSWCCA 448 (9 November 2001)" needs to be taken into consideration as after all Ron Waters is applying for a public servants job that does involve honesty and full trust of those if successfully Elected to represent in voting on laws that will affect them;

Please take note of the following statements on public record that the trial judge gave in regard to how the jury was to take on board the evidence given by Ronald Waters in regard to the case of R v Lewis [2001] NSWCCA 448 (9 November 2001) [\[1\]](#)

58 The trial judge gave the following direction in relation to the evidence of Waters:

There is a direction which I now give you concerning the evidence of Ronald Waters. He is a witness who was criminally concerned in the events giving rise to these proceedings. You heard him give evidence that he was dealt with leniently by the court because of the assistance he promised to give with respect to the proceedings against Lindsey Rose and against the accused in these proceedings. He also conceded that if he did not give evidence in accordance with the statements which he made, that he was liable to be brought before the court and re-sentenced.

The need to give such a direction arises because the courts have, over the years, accumulated a great deal of experience concerning the reliability of evidence given by witnesses criminally concerned in the events giving rise to the proceedings and that experience would not readily be known to general members of the public, such as yourselves. That experience has shown that the evidence given by such witnesses is often unreliable. I do not intend to suggest that their evidence is always unreliable. My purpose in giving you this direction is only to warn that the evidence of an accomplice may be unreliable and for that reason alone you must approach that evidence with considerable caution in the way in which I will outline shortly.

There are, no doubt, many reasons why the evidence of an accomplice may be unreliable. It is only natural, you may think, that an accomplice may want to shift the blame from himself onto others and to justify his own conduct. In the process, the accomplice may construct untruthful stories which tend to play down his own part in the crime and to play up the part of others in that crime. Experience has shown that once having been given that version to the police, the accomplice may feel that he is locked into that version and that he is bound to relate the same version when giving his evidence.

However, if you bear in mind the warning I have given you, and approach the evidence of Ronald Waters with considerable caution, you may convict the accused in reliance upon his evidence if you are satisfied beyond reasonable doubt that his evidence is true.

59. This forcefully and appropriately brought home to the jury the caution with which it should approach Waters' evidence. In my opinion, taking into account the whole of the circumstantial case, the evidence of Waters (treated appropriately with the caution advised by the trial judge), and the absence of any hypothesis of the kind which I have mentioned being suggested by the appellant, it cannot be said that the jury's verdict was unreasonable. On the contrary, in my opinion it was reasonable and justified on the evidence.

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Also Concerns have been raised in regard to what this Political Party if successful in their bid to get a seat will actually do for those they are employed to act on behalf of, as recent history from the founder Dr Russell Pridgeon [2] has shown that even thou the Party was started with the best intentions that hidden personal Agenda's might be the real reason behind the startup of this Party which to a lot of people has raised concerns.

I have been a Child Protection Advocate since 2009 and have been very vocal for [National Child Protection Reform](#) and will support any Candidate that calls for changes.

If Elected to the Senate one of my first points of business will be to seek an Inquiry in to how we as Elected Public Servants can fix and improve Section 44 (ii) to close the current loopholes that allow such issues from arising ever again; as after all any and every candidate who runs for a position of power should be someone who is able to warrant the trust of those we seek to represent in what should be a Government that contains and works to improve Transparency and Accountability in its highest form.

I will be raising my concerns with the AEC Commissioner in official Correspondence and encourage any other fellow SA Senate Candidate or public member who is also concerned to send their concern to my email address Cochrane_4_senate@hotmail.com and I will add their concerns to my correspondence if required to do so with their permission.

Regards,

Christopher Mark Cochrane

TRUE INDEPENDENT Senate Candidate for SA 2010, 2013, 2016

[1] <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/nsw/NSWCCA/2001/448.html>

[2] <http://www.smh.com.au/nsw/australian-antipaedophile-party-sued-for-accusing-man-of-paedophilia-20160513-goukr9.html>

As a matter of transparency I would also like to declare that I have had past dealings with Ron Waters through my Child protection Advocacy but terminated any involvement with him and his Charity P.A.I.N People Against Intentional Neglect when I was made aware of his criminal past by others who had raised concerns of the information they found out via doing their own research in to him after they fell victim to his bullying behavior which myself and others have had to also go through since he had been found out.

I also would like to point out I have no ill feelings towards him personally and am very sympathetic to the accusations of the abuse that he has stated that he went through at a young age which I strongly believe that NO CHILD or PERSON should ever be treated that way but in saying this like everyone else is I am entitled to not be fully convinced that his actions current and of the past have changed the fact that he should be held accountable for his actions past and present.

This also needs to be taken in to consideration as after all he is running for a position of public trust that holds power that could be used against people which is a worrying factor that does warrant the concerns that are being raised by members of the community that have contacted me.

Written by, researched and Authorized by C.M.Cochrane from speaking to a cross section of stakeholders.

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