

Doctor challenges cigarette ads

A Darling Point doctor who is challenging outdoor cigarette billboard advertising on government property on moral and ethical grounds had his case adjourned at the Burwood Court of Petty Sessions yesterday.

Dr Arthur Chesterfield-Evans, 31, of Yarranabbe Road, Darling Point, has been charged under Section 10 of the Offences in Public Places Act with marking a poster on a billboard, the property of Rothmans of Pall Mall (Aust) Pty Ltd, without the consent of the owner at Lewisham on August 21, last year.

He has pleaded not guilty.

Because of delays in earlier proceedings the hearing began late yesterday and because of commitments of both the magistrate, Mrs Margaret Sleeman, and Dr Chesterfield-Evans it was adjourned part-heard to September 7.

During the prosecution case, which ended yesterday, Senior Constable Allan Rickwood, of Petersham Police, said he saw Chesterfield-Evans spraying a cigarette billboard on the north-western side of Longport Street.

When Senior Constable Rick-

wood asked what he was doing, Chesterfield-Evans had replied: "I suppose I am working," the court heard.

When the doctor was told he would be arrested he replied: "It's OK, I have performed open heart surgery and quote Professor Bruce Armstrong of Perth as saying that 43 deaths a day are caused through smoking. It's illegal to deface a poster but not illegal to push a drug to kill 43 people a day."

The court was told Dr Chesterfield-Evans sprayed the paint on the poster of his own volition and not as a person involved with the group known as BUGA UP (Billboard Utilising Graffitiists Against Unhealthy Promotions).

Mr John Low, the general manager of Heath Outdoor Australia Pty Ltd, a company involved in outdoor poster publicity, said a poster supplied by Rothmans of Pall Mall placed near Lewisham railway in June last year had been defaced at a cost of \$160.

He agreed with Mr Philip Beale, for Dr Chesterfield-Evans, that posters are normally replaced about twice a year, but said vandalism accounted for their replacement about 20 times a year.

Mr Beale said later his client

admitted to spraying paint on the sign, and also that he did not obtain the consent of the poster owner, thus conceding a prima facie case "in the normal course of events."

However, the doctor wished to present his own evidence and call several expert witnesses to support his moral and ethical claim.

Mrs Sleeman adjourned the matter part-heard.

Dr Chesterfield-Evans said later outside the court that he hopes to issue a summons to the Minister for Transport, Mr Cox.

"Last Friday I went to the chamber magistrate at Burwood and tried to issue a summons to Mr Cox for malicious damage to a billboard by allowing a poster to be placed on it which would incite injury to the health of the Australian community."

A Winfield cigarette poster had been placed over the poster sprayed with paint.

"I am planning a similar summons to sheet home the responsibility for the current tobacco-induced diseases to the Government, which has ignored years of reasonable advice from all reputable medical sources by its neglect in allowing large numbers of Australians to suffer and die."



Dr Chesterfield-Evans . . . an ethical case.