

Billboard defaced 'to save smokers'

A SURGEON who was fined \$20 yesterday for defacing a cigarette advertisement told the court he did it to save smokers' lives.

Dr Arthur Chesterfield Evans had previously admitted spraying graffiti on a billboard but entered a plea of necessity in his defence.

Counsel Mr Bruce Miles said this plea meant that although Evans knew he was breaking the law, it was necessary to do so.

Mr Miles told Burwood Court that if somebody saw a car rolling out of control down a hill towards a crowd of people he would be justified in wrecking it to prevent a tragedy, even though he was technically breaking the law.

Reasons

"In this case the defendant sincerely believed he was saving lives by defacing the billboard," he said.

Mrs Margaret Sleeman, SM, said that "by and large" she agreed with Mr Evans' reasons for defacing the poster.

But she said that a defence of necessity had not been established.

"I impose what I call a nominal penalty of \$20 plus witness expenses of \$150," Mrs Sleeman said.