

Emilios Kyrou: **irredeemable bias**

Complaint about Justice Emilios Kyrou.

Irredeemable Bias Complaint.

Case referred to:

Robert Raymond Cripps & Anor v Demetrios Vakras & Anor S CI 2011 1484
&
Demetrios Vakras & Anor v Robert Raymond Cripps & Anor S CI 2012 4407

To:

The Honourable Chief Justice Warren AC

To:

Governor of Victoria
Alex Chernov

Demetrios Vakras & Lee-Anne Raymond
[REDACTED] Street Kensington, Vic, 3031.
vakras@iamsurreal.com
leeanneart@iamsurreal.com
03 9376 [REDACTED]

13 July 2014

Emilios Kyrrou: irredeemable bias

Complaint regarding Justice Emilios Kyrrou of the Supreme Court of Victoria.

Kyrrou made a ruling which is based entirely on his personal religious bias, his personal prejudice and personal hostility to criticism of religious values which he has publicly extolled and which he has publicly explained define him as the person he is, and which he sees as a necessary ingredient in society.

Kyrrou's ruling is solely motivated to achieve a collateral purpose:

- a) to safeguard religious views/religious doctrine from being criticised - because he believes individuals are defined by their religion/religious beliefs which means that religion should not be criticised;
- b) protect the religious-based racism of the Greek Orthodox community because the Orthodox Christian view he holds, is identical to the view held by the person who sued us for defamation. The Greek Orthodox Church still accuses Jews "as a race" for the "killing of god" (refer Jewish Deicide, "Jewish deicide is a belief that places the [responsibility for the death of Jesus](#) on the [Jewish people](#) as a whole." http://en.wikipedia.org/wiki/Jewish_deicide) and is responsible for rampant Greek antisemitism (refer http://en.wikipedia.org/wiki/Antisemitism_in_Greece) which is why Greece has the highest rate of antisemitism in Europe (69% of Greeks are antisemitic compared to 14% of Australians, refer <http://global100.adl.org/#country/greece>)

The ruling is reflective of the bias of someone who carries the baggage of his birthplace, Greece.

Kyrrou's public writings stridently proclaim his embrace of Greek values and his rejection of the values of this country. Kyrrou's ancestral racism has no place here. **I do not expect to be judged by Greek Orthodox ideas and values in an Australian Court. However, I and my partner were subjected to this man's extraordinary religion-based prejudice.**

Kyrrou publicly proclaims that religion defines individuals and that he suffered "racism" on account of his religion. Commenting on a book he authored:

"... the book's purpose is is (sic) to send a message about society and how unfair it is to judge someone over religion..."
(<http://au.greekreporter.com/2012/11/28/call-judge-kyrou-emilios-not-john/>)

Kyrrou's position, which equates criticism of religious ideas as criticism of the character of the holder of religious ideas, is wrong in law, refer Nettle, Neave and Ashley, points 32, 34 & 35, [Catch the Fire Ministries Inc & Ors v Islamic Council of Victoria Inc \[2006\] VSCA 284 \(14 December 2006\)](#).

Emilios Kyrou: **irredeemable bias**

Kyrou's position on this is strikingly similar to the laws of his native Greece in which blasphemy is a crime and which has laws against "religious insult" ("Greece complements its laws against blasphemy with laws against 'religious insult'. The laws forbid the creation, display or trade in work that 'insults public sentiment' or that 'offends people's religious sentiments'." refer http://en.wikipedia.org/wiki/Blasphemy_law#Greece)

Consistent with his strident religious convictions, Kyrou has partaken in "interfaith dialogues". Such dialogues are hosted by Maria Vamvakinou (Federal ALP member for Calwell), who like Kyrou, is also Greek-born, and is actively Greek Orthodox:

"I had the pleasure of chairing an interfaith dialogue at the Banksia Gardens Community Centre in Broadmeadows. This dialogue involved two very important speakers: one a former Broadmeadows resident and today the first Greek-born person appointed to the Supreme Court of Victoria, His Honour Judge Emilios Kyrou; the other a very well-known—certainly to Melbournians—author and activist, Mr Arnold Zable." (Speech to Parliament made Thursday, 29 November 2012

<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansard%2F9b96ae59-96ca-4e39-b984-8b520b432ef5%2F0333%22>)

Vamvakinou has previously explained interfaith dialogues:

“The Value of Interfaith Dialogue

The Value of Interfaith Dialogue

Delivered to the National Student Leadership Forum

Parliament House

Friday 19 September 2008

[Interfaith] dialogue teaches us that our interactions with different people, cultures and religions, actually enriches our lives, and that difference is something we should openly value and promote, rather than fear and shun. ...there are those who would have us believe

Emilios Kyrrou: **irredeemable bias**

that we live in a world divided into two camps, a world torn between “us” and “them”, the civilised and the barbarous, good and evil.

Rather than promoting the value and strength of diversity, they would rather we see different cultures and faiths as a constant source of danger. ...this is a simplistic, misleading and extremely dangerous view of the world. ... the most obvious example of this was the vilification of Australia’s many Arab and Muslim communities.

Vilification, especially racial and religious vilification, is nearly always rooted in crude stereotypes that only serve to project our own biases, misconceptions and fears onto others. These stereotypes don’t distinguish between different people, but instead tend to malign an entire faith...”

(<http://www.mariavamvakinou.com/index.php/latest-news/speeches/434-the-value-of-interfaith-dialogue>)

Thus, according to Vamvakinou, who, to repeat, is an associate of Kyrrou, criticism of religion constitutes:

“Vilification”

“racial and religious vilification”

“biases” and that

“the most obvious example of this was the vilification of Australia’s many Arab and Muslim communities”

The lawsuit revolved around an essay of mine that condemned religion for inciting violence. This essay criticised Judaic, Christian and Islamic values, quoting religious passages from the Koran and Bible.

Kyrrou, in his judgement, describes this essay as "offensive", consistent with the laws of Greece which have no place here.

And, on the basis of this essay’s claimed “offensiveness” Kyrrou found that actions taken against myself and partner/co-exhibitor, by the person suing us, during our exhibition (about which we wrote and over which we were sued) were “justified”.

Kyrrou’s grimaces, offhand remarks he made during the trial, made it incontrovertibly obvious that he had utter contempt for critics of religion and had made up his mind well

Emilios Kyrrou: irredeemable bias

before the trial finished. Of course, this might be because as atheists we are less trustworthy than rapists:

“Study: Atheists distrusted as much as rapists

By Kimberly Winston, Religion News Service

A new study finds that atheists are among society's most distrusted group, comparable even to rapists

Psychologists at the [University of British Columbia](#) and the [University of Oregon](#) say that their study demonstrates that anti-atheist prejudice stems from moral distrust, not dislike, of nonbelievers.”

(<http://usatoday30.usatoday.com/news/religion/story/2011-12-10/religion-atheism/51777612/1>)

Indeed, Kyrrou makes the claim that both of us are malicious liars who conspired to devise an intricate plan relying on Reply to Attack to destroy someone simply due to some misplaced rage we both felt to my being challenged on “foreign words”.

Kyrrou’s bias is evident in his findings, many of which are contrary to law, some of which are absurdly illogical, others of which are contradictory to testimony provided, and all done either deliberately out of malice, or ignorance or are due to the extraordinary incompetence Kyrrou manifested throughout the trial.

It should never be that any officer of the court should make a ruling based on their own racial cultural or religious prejudices, or their profound ignorance. Kyrrou should have recused himself, but instead chose to make an example of the two atheists who caused him extraordinary offence.

The most blatant evidence of Kyrrou’s bias is that he justified racial discrimination undertaken against me by the plaintiff, Cripps. This contravenes my rights under S. 9 of the Racial Discrimination Act 1975.

“RACIAL DISCRIMINATION ACT 1975 - SECT 9

Racial discrimination to be unlawful

(1) It is unlawful for a [person](#) to do any act involving a distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on

Emilios Kyrou: irredeemable bias

an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.

(1A) Where:

(a) a person requires another person to comply with a term, condition or requirement which is not reasonable having regard to the circumstances of the case; and

(b) the other person does not or cannot comply with the term, condition or requirement;”

A complaint has been made to the Human Rights Commission. This complaint was made prior to Kyrou delivering his verdict. Kyrou never tried to conceal that he was going to rule that racist discrimination against me by Cripps was justified. And Kyrou confirmed his bias in his subsequently ruling this way.

Kyrou made this ruling believing that by doing so he was showing that Cripps, the plaintiff, was not a racist, and that therefore I defamed him by calling him a racist due to rage over a minor slight.

Kyrou uses the following bizarre “logic”:

According to him, I wrote “defamatory” material about the plaintiff being a racist because of my anger at being asked to remove/explain foreign words I had used (Πυθια, Pythia, Μέδουσα, Medusa, χάος, chaos, χάσμος, chasm) which were written in Greek, but which were also accompanied by their Latin renditions - which is, they appeared exactly as they appear in this complaint.

According to Kyrou discriminatory actions taken against me by Cripps did not prove Cripps was a racist, but rather that Cripps’ request made me so angry that it caused me to concoct a story about Cripps to write that he is a racist.

I was accused as being a “Greek nationalist” simply for manifesting an attribute that I have no choice over. Am I to shun this? Do I have no rights because of this? Does my ancestry mean I can never be Australian?

I am uncertain as to which rock Kyrou lives under, but there is nothing in my use of Greek words that could have or should have elicited discriminatory actions to be taken against me. Such use of such words is de rigueur, see below:

Emilios Kyrrou: irredeemable bias

Telstra 4G 1:56 pm 93%
en.m.wiktionary.org

Etymology

From [Ancient Greek](#) *Μέδουσα* (Médousa), from *μέδω* (médō, “rule over”).

Pronunciation

- **enPR:** mīˈdōʊsə, mīˈdōʊzə **IPA^(key):** /mɪˈdjuːsə/, /mɪˈdjuːzə/
- **IPA^(key):** /məˈduːsə/
- Rhymes: -uːsə
- Hyphenation: Me·dus·a

Proper noun

Medusa

1. (*Greek mythology*): The only mortal of the three [gorgon](#) sisters. She is killed by [Perseus](#). The other two sisters were [Euryale](#) and [Stheno](#).

The screenshot shows an iPad browser window at 7:21 PM with 88% battery. The address bar shows 'en.wikipedia.org/wiki/Pythia'. The page title is 'Pythia' and the subtitle is 'From Wikipedia, the free encyclopedia'. The main text begins with 'The **Pythia** (/ˈpiːθiə/ or /ˈpaɪθiə/, Greek: Πυθία [pyːˈθi.a]), commonly known as the **Oracle of Delphi**, was the name of any priestess throughout the history of Temple of Apollo at Delphi, located on the slopes of Mount Parnassus, beneath the Castalian Spring (the new priestess was selected after the death of the current priestess). The Pythia was widely credited for her prophecies inspired by Apollo. The Delphic oracle was established in the 8th century BC,^[1] although it may have been present in some form in Late Mycenaean times,^[2] from 1400 BC and was abandoned, and there is evidence that Apollo took over the shrine from an earlier dedication to Gaia.^[3]

On the right side of the article, there is a painting of a woman in a red robe, likely representing the Pythia.

Emilios Kyrrou: irredeemable bias

Telstra 4G 1:41 pm 96%
en.m.wiktionary.org

[Wikipedia](#)

Etymology

From [Latin](#) *chasma*, from [Ancient Greek](#) *χάσμα* (*khásma*).

Pronunciation

- ([UK](#), [US](#), [Australia](#)) [IPA](#)^(key): /ˈkæzəm/
-

Audio (US) Cannot play audio file. [\(file\)](#)

Noun

chasm (*plural* **chasms**)

1. A [deep](#), [steep-sided rift](#), [gap](#) or [fissure](#); a [gorge](#) or [abyss](#)
2. (*by extension*) A large [difference](#) of [opinion](#).

Telstra 4G 1:43 pm 95%
en.m.wikipedia.org



Magnum Chaos represented by [Lorenzo Lotto](#), at the [Basilica di Santa Maria Maggiore](#) in [Bergamo](#).

Children [Nyx](#), [Erebus](#), [Gaia](#), [Tartarus](#)

Chaos ([Greek](#) *χάος*, *khaos*) refers to the formless or void state preceding the creation of the universe or [cosmos](#) in the [Greek creation myths](#), or to the initial "gap" created by the original separation of [heaven](#) and [earth](#).^[1]

Kyrrou also justified sexual harassment. This is due either to his ignorance of our obligations under S. 105 of the Sex Discrimination Act 1984, his malice, or that he feels sexual harassment is insignificant. Kyrrou's ruling suggests that the sexual harassment by Cripps of a viewer of the exhibition was justified because Cripps was INCITED somehow into the act of sexual harassment because Lee-Anne painted "bare bottoms"!

“SEX DISCRIMINATION ACT 1984 - SECT 105

Emilios Kyrou: irredeemable bias

Liability of persons involved in unlawful acts

A person who causes, instructs, induces, aids or permits another person to do an act that is unlawful under Division 1 or 2 of Part II shall, for the purposes of this Act, be taken also to have done the act.”

As the holders of the exhibition, we had a legal duty to act with regards to a complaint being made to us about sexual harassment done by a party with whom we had a contractual relationship regarding that exhibition. The harassment occurred during our exhibition and was done by the owner of the gallery hosting our exhibition. Kyrou’s ruling on this is bizarre. Cripps’ initial claim was that the person he harassed was the lady who purchased a work (of a digital landscape-with-monument), but he claimed that she was instead looking at a painting with a “bare bottom”. And although Cripps admitted it “may have been” a different woman that he harassed, Kyrou decided that the original version by Cripps was what did actually happen. Note, the purchaser of the work was not the woman harassed, and it indicates that Cripps probably did harass more than one viewer.

Emilios Kyrrou: irredeemable bias

Kyrrou's Greek Orthodox antisemitism and the antisemitism of the plaintiff

Kyrrou's agitation is reflected in his "finding".

Kyrrou wanted to find that there is no basis in fact to any criticism that shows that those who support the Palestine cause are supporting a cause that was supported by Adolf Hitler; and are supporting a cause that was pursued by Nazis such as al Hussein ("the mufti").

Kyrrou wanted to make this finding because the cause of "Palestine" is one supported by the Greek Orthodox community.

And, to reiterate, we have constantly and consistently pointed out - Palestine was never our issue. It had absolutely no relevance to our exhibition.

Kyrrou grimaced when I paraphrased the hadith used in the Hamas Covenant that proclaims:

"at the end of times even the rocks and trees will speak and say 'Muslim there is a Jew behind me, kill him'"

(Strangely, this did not make it into the transcript. Why??)

Kyrrou desired to remove the "Palestine" issue. And in its place he put the issue regarding "foreign words" as that would not tarnish the Greek Orthodox community views on "Palestine".

Kyrrou claimed that Cripps' agitation regarding "Palestine" on 18/6/2009 happened instead of 24/6/2009, AFTER Cripps had posted disclaimers, DESPITE CRIPPS TESTIFYING THAT HE HAD TOLD ME, HE HAD CONCERNS THAT THE WRITINGS MIGHT BE SEEN TO BE "ANTI-PALESTINIAN" AND THAT THIS WOULD NECESSITATE A DISCLAIMER.

Cripps (the plaintiff) objected to the essay "Secular Muse". It was this essay that Cripps reacted to, claiming that it was anti-Palestinian, even though neither Palestine or Israel are mentioned and are not the subject discussed, or part of the theme of the exhibition.

It is the following that I was sued over:

"Cripps took exception to.... my quoting from the Koran, particularly 9.38-52, in which... "Allah", guarantees automatic "martyrdom" to those who are killed while in the act of killing non-Muslims.

Emilios Kyrrou: irredeemable bias

According to Cripps, quoting the Koran is insensitive to "Palestine", because he is opposed to, as he said, "the Jew's state in Palestine." He then accused me of "racism"! (Neither "Israel" or "Palestine", or the conflict there are mentioned in the exhibition)

...

The quotes from the Koran though are NOT an opinion. What quoting from the Koran achieved was the exposure of Cripps for what he is: a racist." <http://www.vakras.com/exhibitions.html>, http://www.vakras.com/guildford_lane_gallery.html

As I added, this makes Cripps a manifestation of the left who have adopted the sentiments of Hitler expressed in Mein Kampf.

The Koran quotes appearing in Humanist Transhumanist (catalogue), pp. 25-26 (the essay posted alongside "Secular Muse")

- 1) War is obligatory and good (Koran 2.216, quoted p.26),
- 2) the purpose of war is to allow god to chose martyrs (Koran 3.140-142, quoted p.25) and,
- 3) that dying in war waged against non-Muslims is martyrdom (Koran 9.38-52, quoted p. 26),
- 4) therefore being killed while killing unbelievers means you have proven to god your worth, and god has chosen you to be a martyr which is evidenced in your being killed.

This is an exhortation to commit suicide killings. The Koran urges believers to partake in war for the purpose of being selected by Allah as martyrs by being killed while killing non-Muslims. This is a criticism made of religious values that should not be blindly followed, which was the theme of the painting.

Until the trial Cripps had refused to acknowledge that the actions he had taken against us during our exhibition were done because of his "concerns" with "Palestine", even though that is what he told us on 18/6/2009 and 24/6/2009.

In testimony Cripps admitted that he had a problem with what was written because he admitted that he believed "It might be anti-Palestinian", all the while claiming that he could not explain why he thought it might be anti-Palestinian, and despite no mention being made to "Palestine" in our exhibition.

In his testimony Cripps admitted that he did say that Muslims react to what Jews do to them:

Did you say during this conversation that the Muslims were reacting to what the Jews do to them?---Yes. (p. 436, lines 27-28)

Emilios Kyrrou: irredeemable bias

That is, Cripps blames the Jews for conflict in “Palestine”. He was outraged that the Koran showed that Muslims could instead be blamed, and not Jews, because it conflicted with his view that blamed Jews. This is a prejudice against Jews. How is his prejudiced view not a racist one?

Dictionary:

prejudice |'prejədəs|

noun

1 preconceived opinion that is not based on reason or actual experience : *English **prejudice against** foreigners | anti-Jewish prejudices*. See note at **bias** .

- dislike, hostility, or unjust behavior formed on such a basis : *accusations of racial prejudice*.

With regards to Cripps' testimony, I had proven that what Cripps said was racist, or at least it showed that I had a basis in fact that I had reasonable grounds to believe that Cripps was racist. Kyrrou somehow found that this was not shown.

TRANSCRIPT excerpts - Cripps on Palestine:

P. 388, lines 7-12

I indicated to him that it may be possible for misinterpretation to take place and that if it was anti Palestinian, if it was anti Zionist there could be a problem. I didn't have the skill or the ability to understand what his works actually meant, what the writing meant.

P. 430, Lines 22-30, Cripps:

Emilios Kyrrou: irredeemable bias

What do you disagree with about what's happening in Palestine?

---What's happening in Palestine.

Yes. Explain to the court please what it is about what's happening that you disagree with?---I think there's unequal force used against the Palestinian people.

Unequal force by whom?---The Jewish state.

By the Jewish state you mean Israel do you?---

Correct.

You don't like what the Jewish state is doing in Palestine do you?---Correct.

Asked what could be "anti-Palestinian"

P. 432, lines 10-18

What was it about the defendants work, Mr Cripps, that you thought could be interpreted as anti Palestinian?---I could not understand the essays.

So you couldn't understand them?---I couldn't comprehend what the essays actually meant.

So you didn't understand them and you say nonetheless that their works could be misinterpreted as anti Palestinian; do I understand that correctly?---I think that's a distinct possibility.

P. 432, lines 22-24, Cripps:

So you maintain do you that notwithstanding you didn't understand Mr Vakras's essays you thought that they could be interpreted as anti Palestinian?---Correct.

Emilios Kyrrou: irredeemable bias

P. 437, lines 27-30, Cripps:

Did you say during this conversation that the Muslims were reacting to what the Jews do to them?---Yes. Did Mr Vakras mention suicide bombers on a school bus?---I vaguely remember something but don't know the context.

P. 438, lines 1-2, Cripps denies talking about Hitler,

No, no, I've never had a conversation with Mr Vakras about Hitler.

Kyrrou could not disguise his outrage for being made aware of the historical record could show that the Greek Orthodox Church holds the same ideas on Jews as expressed by Hitler whose speeches also blamed Jews for the Deicide.

Transcript, p.672, lines 28-30 & p.673, lines 1-1

HIS HONOUR: Yes, but you can't just read those words. You have to move on to the next page of the first article. That provides more immediate and relevant context I think for the statement that, "Jews killed in Israel are the victims of Islamic intolerance, that Jews have

Emilios Kyrrou: irredeemable bias

not brought the situation, that his hatred of Jews is exposed with outright racism that it is," et cetera. If you look at all that and then you look back at the earlier part, "A self confessed racist who has adopted the same sentiments," why wouldn't it go that far in the minds of the hypothetical reader that has the characteristics that the authorities say that he or she has?

MR GILBERTSON: Because that reader is not avid for scandal.

Cripps testified that he, on believing my essay to be "anti-Palestinian", placed disclaimers.

It begs the question: why did Kyrrou deliberately disregard this admission?

In testimony Cripps made a number of claims on disclaimers. Cripps began by claiming that disclaimers are normal, that they appear in all exhibitions, until he finally admits they only appeared in his gallery alone, and only appeared several days after our opening, and were used only ever during our show. Cripps' testimony from the transcripts:

Emilios Kyrrou: irredeemable bias

P. 439, lines 29-31

This is a copy of the disclaimers that were put up at the gallery, isn't it?---That's correct, standard for all art galleries.

P. 440, lines 1-4

Did you say it's standard for all art galleries?---

That is correct.

To put up a document like this?---That's right.

There's absolutely nothing wrong with this document.

P.440, lines 13-18

They weren't put up on the opening night, were they?---No.

They weren't put up on the next day, the Friday, either were they?---No.

Or the Saturday?---No.

You say they were put up on the Sunday or the Monday?---I think so.

P. 442, lines 3-8

HIS HONOUR: Mr Cripps, can I just ask you, this disclaimer, was this prepared specifically for the purposes of this exhibition or is this a pro forma disclaimer that was in existence beforehand which you have used for other exhibitions as well?---It's been used in conjunction with an RMIT after.

P. 465, lines 6-15

The disclaimers, did you ask Mr Reid to obtain those disclaimers?---Yes, I did.

Were there disclaimers on display during the Stelarc exhibition at the Guildford Lane Gallery?---No.

Emilios Kyrou: irredeemable bias

Roughly how many exhibitions were there, Mr Cripps, between the Stelarc exhibition and the defendants exhibition?---I couldn't tell you.

Was it one, five, ten, more than that?---I can't tell you.

No idea at all?---Correct.

Were disclaimers put up at any of those exhibitions?---No.

Despite the testimony, Kyrou made up laws on the fly so that he could find against us.

Kyrou claimed that Cripps did not have to give reason for his posting disclaimers during our show alone, because Kyrou claimed disclaimers appear on DVDs:

Transcript, p. 657, lines 14-24

HIS HONOUR: It's very hard to see how that is a breach. I mean if you look at any DVD of any movie that's the first thing that you see. It stands to reason, does it not, that the person who makes their space available for an activity doesn't necessarily endorse that activity.

MR GILBERTSON: I accept that. But in this case this wasn't a permanent sign at the gallery.

HIS HONOUR: No, it was specially done for this exhibition presumably because Mr Cripps saw the essays as being somehow capable of conveying a message that might not be agreeable to some viewers, I don't know.

DVDs do not have disclaimers of liability. There is no DVD in Australia that states,

“we the DVD makers would like to state that we do not agree with the opinions and views of the DVD we have produced.”

Emilios Kyrrou: irredeemable bias

DVDs have classification warnings mandated by the Classification Act 1995:

“CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) ACT 1995

TABLE OF PROVISIONS

Long Title

PART 1--PRELIMINARY

1. “Short title [see Note 1]
2. Commencement [see Note 1]
3. Purpose
4. Powers and functions under State or Territory laws
5. Definitions
- 5A. Meaning of computer game
- 5B. Exempt films and exempt computer games
6. Amendments of the Code
- 6A. Application of the Criminal Code

PART 2--CLASSIFICATION

Division 1--Preliminary

7. Types of classifications
8. Markings for classifications
- 8A. Notice about classifications

Division 2--Classification of publications, films and computer games”

Classification warnings are not disclaimers. Art is exempt from the classification act.

Cripps’ disclaimers are disclaimers of liability. Cripps dis-endorsed the show and any action that could be said to show endorsement of it, such as selling our works, would have nullified his disclaimers.

This completely made-up law by Kyrrou was invented by him because Kyrrou intended to eliminate any requirement that would make Cripps have to give reason for posting disclaimers - even though Cripps had admitted in his testimony to his belief that what was written “might be” anti-Palestinian” which would necessitate a disclaimer.

Emilios Kyrrou: irredeemable bias

And after making up new laws, Kyrrou claimed that the disclaimers were instead made necessary because of my use of “foreign words”, which is racist discrimination against me, and that what we subsequently wrote about Cripps was a fabrication due to malice over this slight, and not in response to what Cripps did to us.

In addition, by removing Cripps’ reason for the disclaimers, being his concern for “Palestinians”, Kyrrou removes the fact that that what was written was with regards to the sentiments expressed by Cripps over Palestine. This allows Kyrrou to claim what was written was written out of malice and was unfounded. In this way criticism of the views of Cripps regarding “Palestine” which can equally be levelled against the Greek Orthodox community are rendered to be “without factual basis”.

Kyrrou then claimed that it is not the ideas that Cripps expressed that were criticised, but Cripps’ character. This means that there is no capacity to justify criticism of those who support the “Palestine” cause which means that the racist ideas expressed by Cripps which are shared by the Greek Orthodox community are protected from being exposed as racist.

By altering the criticism of ideas to instead be a comparison of the character of Cripps to the character of Hitler, allowed Kyrrou to introduce an entirely new punitive imputation on behalf of the plaintiff, an imputation that was never put to me in court for me to defend. This allowed Kyrrou to claim that Cripps suffered an “egg-shell-skull” injury.

Kyrrou disregarded what Cripps testified to and contradicted his own statements about how he arrived at his decision. Having branded us both malicious liars, Kyrrou claimed that he would only accept anything I said if it was corroborated by photographs (point 99, p.24 of Kyrrou’s judgement). Yet he chose to disregard this when it came to his finding, with regards to the claim made that there were labels with Greek that made necessary the disclaimer. The photograph produced in evidence during the trial, taken on 24/6/2009, showed no evidence of labels. Cripps admitted this photograph showed no labels. The painting in that photograph also appears in another photograph. That photograph, which appears on p. 210 and on p. 219 of Kyrrou’s judgement, is from our websites and was taken on the morning of 18/6/2009 (clearly shown by its metadata). That photograph clearly shows no labels. Both photographs show that the scene remained unchanged from the morning of 18-6-2009 to 24/6/2009 and that there were no labels. Yet despite this, Kyrrou found that the content of these “labels” for which there is no evidence of their having existed at all, caused us to concoct a claim against Cripps.

Kyrrou’s bias is overwhelming, and this complaint only references a small part of that bias. Other examples of his bias are that, if I did not exactly corroborate what Lee-Anne said, and she did not corroborate my account, then it did not happen; And, when I do corroborate her, and she me, it also means that it did not happen, apparently, because it is “rehearsed”. This means we have no way of having what we say accepted.

Emilios Kyrrou: **irredeemable bias**

And, in addition, all of our witnesses were described by Kyrrou as “partial”, biased, because they had a negative experience with Cripps that coloured their testimony.

Only Cripps’ witnesses were apparently without bias.

This is truly bizarre.

This is insidious.

It is offensive.

Kyrrou made it plain during the trial that he held an irredeemable bias against us.

We both have the right to a fair trial - which was denied us.

That right, we both once believed, to be a cornerstone of this country’s “Rule of Law”. Obviously it counts for naught when the court deals with atheists whose views are “destructive” especially since the trial judge is of the opinion that those who are religious are “constructive” and partake in “interfaith dialogues”.

Demetrios Vakras

Lee-Anne Raymond

13 July 2014