

08 NEWS

Attack on ambo 'was not voluntary'

SHANNON DEERY

A MAN charged with attacking a paramedic has invoked a rare defence — after being given a get-out-of-jail-free card by prosecutors.

██████████ was charged with punching and spitting on a paramedic who was treating him after he passed out at a wedding in May last year.

At the Heidelberg Magistrates' Court yesterday, prosecutors offered to drop the most serious charge meaning a six-month mandatory sentence would not apply.

But ██████████ lawyer, George Balot, said his client would continue to contest all three charges he faced, relying on the rarely used criminal defence of sane automatism.

██████████ will need to prove he was unconsciously reacting to external factors such as alcohol, concussion or a spasm when he lashed out.

Mr Balot said reports had been prepared that supported the defence.

██████████, 22, was drunk and unconscious when he allegedly lashed out, punching and badly injuring the paramedic who came to his aid.

Wedding guest witnesses, who are now overseas, were still to be interviewed.

Mr Balot said it would be argued his client's actions were involuntary.

"There have been two parts to the assault, the spit and the punch," Mr Balot said.

"The spit is when he's unconscious on the floor, we say he's frothing at the mouth, police say he's spitting.

"Then they give him a sedative and that throws him into a whole new state. The sedative would have exacerbated his condition."

In the wake of the attack, ██████████ apologised to the paramedic. "I wasn't conscious. I don't know what I was doing," he said.

"I would like to apologise because I don't want this happening to anybody. I want to say sorry for it."

██████████, who is on bail, will return to court in April.