

Updated

Newcastle doctor Jeremy Coleman again acquitted of sexually, indecently assaulting patients

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By Sam Rigney

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Newcastle doctor Jeremy Coleman has again been acquitted of all sexual and indecent assault charges relating to patients he treated at his practice. Afterwards, his lawyers were heavily critical of the DPP's decision to again prosecute the matter. Picture by David Moir

LAWYERS for Newcastle physician Jeremy Coleman have excoriated the DPP for their decision to again prosecute the 69-year-old, labelling the move "cruel, punitive and bloody minded" after he was again acquitted of sexually and indecently assaulting female patients on Friday.

[Mr Coleman was in 2018 acquitted of 50 counts of sexual and indecent assault against his patients after the longest criminal trial in Newcastle's history.](#)

But the jury remained deadlocked on the remaining 16 counts.

After a nearly five-year delay, the DPP pressed on with 13 of those charges in a judge-alone re-trial in Sydney's Downing Centre District Court last month that ended on Friday when Judge Craig Smith, SC, found Mr Coleman not guilty on all counts. Judge Smith, much like the jury had in 2018, found Mr Coleman had a proper medical purpose, and not a sexual one, for physically examining the women.

Mr Coleman's legal representatives immediately indicated they would be making an application for costs, as they had after his acquittals in 2018, and released a statement slamming the DPP for again prosecuting Mr Coleman.

They called the first trial a "colossal failure" and said the DPP had failed in its responsibility to appropriately spend taxpayers money.

"Having spent and lost all of that taxpayer money on trial one, the decision to proceed to this second trial, five years down the track, given that outcome was cruel, punitive and bloody minded," the statement from Laxon Lex Lawyers said. "It was the wrong decision."

Mr Coleman hugged his wife and then his lawyers after Judge Smith finished reading his two-hour judgment. He had been accused of 13 counts of sexual assault, indecent assault and common assault against eight patients and the wife of a patient on nine occasions at his Newcastle clinic between August 2008 and November 2012.

As a general physician, allergy and immunology specialist, Mr Coleman had seen more than 40,000 patients and conducted more than 150,000 consultations during his career.

[The issue in this judge-alone trial was the same as last time; proper medical purpose.](#)

Did Mr Coleman have a medical purpose for conducting breast examinations and internal vaginal examinations or, as the prosecution claimed, did he have a sexual purpose for touching his patients.

The prosecution had again alleged Mr Coleman had a tendency to have a sexual interest in his patients and examined them with the intention to obtain sexual gratification.

But Judge Smith's judgment was unequivocal, finding he had no such tendency and in at least one case there was evidence that showed Mr Coleman's tendency was the "opposite" and he was hesitant about doing an internal examination.

Ultimately, in each of the nine cases Judge Smith accepted the evidence of Mr Coleman over the evidence of the patients and said the experienced physician's claims were supported by medical records, nurses and office managers and the evidence of medical experts about how certain examinations should typically be conducted.

In some cases, Judge Smith said the acts alleged had occurred but there was a medical purpose for them and in others he found that the touching had not occurred as the patients alleged.

He also found that comments allegedly made by Mr Coleman about his patients' sex lives or their private parts were either never said or asked for a proper medical purpose, not a sexual one.

"I find myself left with a reasonable doubt as to whether the accused committed any of the alleged offences on the indictment," Judge Smith said at the conclusion of his findings.

Friday's judgment draws to a close seven years of intense legal drama for Mr Coleman.

He was first charged by Newcastle detectives in 2016 and when news broke of the allegations, more female patients came forward.

He ultimately went to trial on 66 charges, relating to 46 women.

But after seven years and two trials, including one that ran for a year in Newcastle District Court, he was acquitted of every charge.

Mr Coleman's lawyers said the process has had a "devastating impact" on him and his family and he would need to now "rebuild his life".

They hoped the case would encourage the DPP to review how they determined what cases to prosecute.

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Sam Rigney

Court Reporter

Sam began his Newcastle Herald career as a night police reporter in 2011. He is an experienced court reporter who has won two national court reporting awards, including the Kennedy Award for Outstanding Court Reporting for his coverage of the Hunter's worst serial rapist. Before working at the Herald, Sam was a sports journalist with the Maitland Mercury where he won awards for his coverage of the Newcastle Rugby League salary cap scandal. Sam is a Novocastrian born-and-bred.