



Hand in hand for a brighter Australia.

The peak body for Australian Muslims
A.R.B.N 002 757 155

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MUSLIMS AUSTRALIA

AUSTRALIAN FEDERATION OF ISLAMIC COUNCILS INC.

PRESS RELEASE

Mr. El-Kahly, Cantor charged with Indecent Assault

On Monday 26 August 2013 Mr Ahmed El-Kahly appeared in North Sydney Local Court for sentencing in relation to five counts of indecent assault, and one count of behaving in an offensive manner in relation to incidents which took place in Dee Why in July of this year. This statement has been prompted by incorrect information published today by a Sydney paper about the matter.

The psychological and psychiatric reports tendered to the court supported Mr El-Kahly's submission that his actions in relation to the offences were the result of him suffering from an adverse reaction after misplacing his anti-depressant medications whilst in transit to Australia from Egypt last month. Lawyer Rick Mitry of Mitry Lawyers submitted that Mr El-Kahly, who does not speak English, was "too ashamed to seek assistance to obtain a prescription to replace the medication for fear of the stigma that still exists in relation to mental health issues in the Egyptian community, just as they existed in Australia 20 years ago". His Honour conceded that this stigma that once existed in Australia had not yet been dispelled in some parts of the world.

Magistrate Bryden said that El-Kahly's unconditional remorse was expressed through a letter of apology to the victims, their families, and the Australian community, as well as in the effect on his health which has seen him hospitalised on two occasions since his arrest.

Whilst noting the nature of the offences, His Honour noted that the moral culpability involved was lessened due to mental health issues, and that this case did not carry the usual weight of general and individual deterrence afforded to these types of offences.

His Honour entered a conviction and ordered that Mr El Kahly enter a good behaviour bond for 18 months. On arrival in Egypt, Mr. El Kahly is due to and will resume his rehabilitation program to help manage his mental health issues.

"I would like to thank our wonderful Australian society for understanding that this was a mental health issue and not a cultural or religious issue, we would like to thank his honour Magistrate Bryden for bringing the hearing forward. We would like to thank Mr Rick Mitry of Mitry Lawyers for going above and beyond his call of duty in the carriage of this delicate matter and for availing his time after hours on numerous occasions to bring this matter to a conclusion," said Mr Hafez Kassem, President of Muslims Australia.

"I would like to thank Muslims Australia - the Australian Federation of Islamic Councils for taking us into their care when many others turned their back on us. It has shown true compassion as it supported a stranger who is very unwell," said Dr El-Kahly, the son who is a dentist and who accompanied his father.

For Further details contact : 02 9319 6733

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