



OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS
NORTHERN TERRITORY

Rex Wild QC
Director

Our Ref : HC01100333
Your Ref :

Levels 1 & 2 Tourism House
43 Mitchell Street
Darwin NT 0800
Telephone (08) 8999 7533
Facsimile (08) 8999 7821
GPO Box 3321
Darwin NT 0801
Australia

21 January, 2002

Ms. Suzan Cox
Northern Territory Legal Aid Commission
Locked Bag 11
DARWIN NT 0801

BY FAX: 8999 3005

Dear Suzan

RE: Donald Bruce HENDERSON - 20106328

There have been some developments regarding the witnesses for this matter which is listed for confirmatory mention in the Court of Summary Jurisdiction tomorrow and for oral committal on **5-7 February, 2002**:

1. has recently died. I am considering withdrawing all charges relating to him although, as I recall things, can speak to some of those offences.
2. is in another jurisdiction and will not reach Darwin until the eleventh hour. The Police intend to take an additional statement from him to see:
 - (a) What he can say, first-hand, about your client's activities involving ; and
 - (b) If he can be any more particular in describing the offences and occasions involving him.
3. I understand that Detective Sergeant Newman intends to take further statements from Carmen and to see if they too can provide any greater particularity.

All that said, I recall your remark that the defendant might be minded to plead to a (considerably) reduced number of charges.

Are you at all minded to make an offer of that sort and this time. Obviously, I appreciate the difficulties for the prosecution occasioned by **S -v- The Queen** (1989) 168 CLR 266. The additional statements are intended to address that concern. I am sure that you will realise that the defendant may benefit from making his approach sooner rather than later.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Elliott', written in a cursive style.

ANTHONY ELLIOTT
Crown Prosecutor