

Glen Dooley
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cc: Coralie Crookes/DPP/REDACTED
Subject: Donald HENDERSON - Trial 9 December 2002

Gentlemen,

I am wondering whether I can interest any of you in leading me in this trial of Henderson. It is listed for 10 days commencing on 9 December 2002.

Henderson is 66 years of age. He was a house parent at a cottage at the Retta Dixon Home here in Darwin in the mid 60's to early 70's. He is alleged to have been something of a sexual monster - constantly at the children in his care and was once spotted having sexual intercourse with a chicken (!) according to one witness.

Three of the children in his care (AJD [redacted] AJE [redacted] and Carmen McMahon - formerly known as Mary Whittaker) have come forward with allegations that they were sexually assaulted by Henderson at Retta Dixon and on outings to places like Howard and Berry Springs. The indictment carries 15 charges, 1 of buggery (victim AJD [redacted] and the other 14 indecent assaults (3 on AJD [redacted] 6 on Carmen and 5 on AJE [redacted]).

I conducted the committal before Gillies SM from 5 - 7 February 2002. Gillies committed him on 80 - odd charges.

Jon Tippett appeared at the committal instructed by NTLAC.

Sue Cox has written to us (6 September) regarding the state of the indictment and foreshadowing separate trials.

This is a matter that has a very high profile here in Darwin amongst the old Darwin families, particularly those of Aboriginal descent.

The victims (and their supporters) were very pleased Henderson was committed and do not have high expectations for the trial. They were amazed he was committed. They seemed to think he was "above the law", understandably so, given his role in their lives.

I anticipate that there will be an application that these matters not proceed given their age, separate trial applications and, if we get a start, (perhaps three short trials one after the other - we do not have much evidence other than the complainants) delicate trial proceedings.

My view is that an experienced trial lawyer should be drafted in here. At least then we can give these matters the best possible chance. A decent go, even if not culminating in convictions, would satisfy the locals.

I return to work on 7 October. I am looking forward to working with one of you senior people on this one.

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