

the statement he makes is accurate. I think it's a foolish thing for a police officer to do this, go around putting to witnesses what evidence she has in some other context, I really do, because there's always the risk that somebody could take a more bleak view of the matter than perhaps it warrants.

CROWN PROSECUTOR: Yes your Honour.

HIS HONOUR: These days what that bleak view can then result in is a reference of the matter to the Police Integrity Commission. And then they go round *not in the real world they don't* investigating whether this was this, that or the other. As far as what happened last January's concerned that to my mind has nothing much to do with it. What I have to consider is what I should do when it's communicated to me there's a witness in the witness box who feels to be under some form of threat because of something a police officer has said. Should I tell the witness that the witness is to ignore anything that was said? What is it I should tell the witness? I don't know.

CROWN PROSECUTOR: That was the thought that was occurring to me your Honour.

HIS HONOUR: Do I say nothing and so we have a tremulous witness? I can't make him promises of some kind because I don't personally provide protection for anybody from anything and I'm not going to make promises, you'll be all right don't you worry about it you just give your evidence and all will be well. That isn't something I can really promise, I don't know but I am minded to refer what has been put to me to the Supreme Court and they can direct whatever enquiries be undertaken. However I'm not going to do that until the crown has had the opportunity of considering whether it wishes to make any submissions. You may wish to consult the director of public prosecutions about the matter, the director may say it's not a matter for us to make submissions, the director may say it is a matter for us to make submissions. It seems to me to be a fairly significant matter and I shouldn't just rush off into doing something but what do you say I should do in relation to the witness? Leave aside whether I should refer Ms Hennessy for contempt.

*she has to be stopped.
Peoples lives are at risk.*