

Clarification

In the CMC's Annual Report, page 37, it was reported that a witness in the Nuttall corruption trial [Mr Brendan McKennariey] was granted an indemnity from prosecution and later gave evidence against Mr Nuttall.

That statement should be clarified, as follows:

Mr McKennariey gave evidence against Mr Nuttall in proceedings for offences of official corruption. Under section 644A of the Criminal Code, the incriminating evidence he gave could not have been used against him, except if he perjured himself. The effect of section 644A was that Mr McKennariey was effectively immune from a criminal charge in relation to the evidence he gave regarding Mr Nuttall.