

1 MR JUSTICE McCOLLUM: Whose statements?

2 MR [REDACTED]: Two statements of two witnesses.

3 MR JUSTICE McCOLLUM: Yes. What do you say...

4 MR [REDACTED]: They were furnished. I indicated the matter to your  
5 Lordship on the last occasion and Mr Kerr who appeared for  
6 the Crown indicated that he didn't anticipate that there  
7 would be any trouble in us getting those two statements. As  
8 yet we still haven't received them.

9 MR JUSTICE McCOLLUM: Have you spoken to Mr [REDACTED] about this?

10 MR [REDACTED]: No I haven't my Lord, Mr Kerr I think I might have to  
11 speak to. Mr [REDACTED] is only standing in.

12 MR JUSTICE McCOLLUM: Yes. Do you know anything about this  
13 Mr McCrudden?

14 MR [REDACTED]: I don't know my Lord, I am instructed in the  
15 matter with Mr Kerr but this particular development is news  
16 to me I have to say. But I can't see any difficulty about  
17 these statements being made available. In other words  
18 my Lord, I don't see that that should be a factor that should  
19 delay the proceeding when my Lord is ready.

20 MR JUSTICE McCOLLUM: No, but it is a mystery why there should be  
21 any difficulty up until today.

22 MR [REDACTED]: Indeed my Lord, yes.

23 MR JUSTICE McCOLLUM: It must remain a mystery must it?

24 MR [REDACTED]: As far as I am concerned it must.

25 MR JUSTICE McCOLLUM: Yes, well Mr [REDACTED], would you pursue this  
26 matter if you want to see these statements and if there seems  
27 to be some difficulty the case could be re-listed. I suppose  
28 as you say, one doesn't anticipate that there will be but  
29 these things arising on the day the hearing starts don't help