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(See 180)

14 May 2002

Sir Ronnie Flanagan OBE MA  
Her Majesty's Inspector of Constabulary



Dear Sir Ronnie

**RE: POLICE MISCONDUCT INVESTIGATION RELATING TO THE  
DEATH OF [REDACTED]**

I am currently investigating the Senior Investigating Officer (Maynard McBurney) and Investigating Officer (Detective Inspector Irwin) regarding aspects of the Hamill Murder Investigation which they conducted.

The main focus of my enquiry relates to the handling of two witnesses who provided alibi evidence in respect of a telephone call made from the home of ex-Reserve Constable Atkinson. The alibi details were provided by Atkinson when he was interviewed on 09 October 1997. The Director of Public Prosecutions later directed that there was insufficient evidence to prosecute Atkinson following a recommendation from Mr McBurney.

Those alibi witnesses were re-interviewed by Detective Inspector Irwin in June 2000 at which stage one of them changed her story dramatically. I am seeking to confirm the reasons why these witnesses were re-interviewed at that particular stage.

Mr McBurney has told me that he established that the two witnesses had gone through an acrimonious separation and that was his motivation. I have spoken to Mr [REDACTED], the Hamill's solicitor who informs me that you gave him a similar explanation in a meeting with him at Force Headquarters on 04 August 2000.

2.

Around this time (Summer of 2000) Mr John Leckey, HM Coroner, had decided not to hold an inquest and there was significant pressure being placed on the British, Irish and American Governments with a view to securing a full public enquiry. It has been suggested that Mr McBurney's actions in June 2000 were motivated to 'keep the investigation live', and avoid the immediate need to succumb to a public enquiry.

My investigation has established that at the time the alibi statements were taken, both Mr McBurney and Detective Inspector Irwin knew their contents could not be true yet this was not progressed between late 1997 and June 2000.

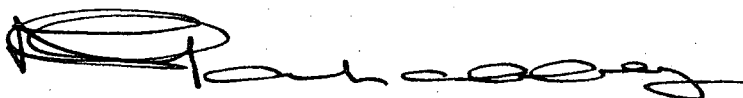
I would be grateful if you could throw any light on these matters, in particular:

1. Are you aware as to why no action was taken by Mr McBurney relating to these alibi witnesses between the taking of the statements and June 2000?
2. Whether there were other motivating factors relevant to the investigation of enquiries in June 2000

*Good  
Response  
to these  
Q's*

I thank you for your assistance in this matter. If you wish to discuss the matter with me I can be reached on [REDACTED]

Yours sincerely



**CHRIS MAHAFFEY**  
**SENIOR INVESTIGATING OFFICER**