

At 2 00 pm, Raymond Kitson of the DPP entered the meeting. Mr Mehaffey briefed Mr Kitson about the evidence of Andrea McKee and, in acknowledging the importance and relevance of her evidence in supporting the Crown Case against Atkinson and other leading central conspirators, Mr Mehaffey explained to Mr Kitson that it would be helpful at this point of the investigation, as we make decisions on further actions at this stage, to seek legal opinion on the best way in which the evidence of Andrea McKee should be used if the Crown Case is to rely on her evidence at any subsequent proceedings. Mr Kitson explained the independent and impartial position of the DPP and indicated that the DPP would not be in a position to make any direction in this case until the investigation file in his entirety, which he would expect would outline the evidence against each of the conspirators including Andrea McKee who played some part in the conspiracy to pervert the course of justice, was presented to the DPP. Mr Kitson explained that if the police, in presenting the evidence, believed that as a result of their investigation Andrea McKee was a person who was prevailed upon by others and that the prosecution of Robert Atkinson and other leading conspirators may have to rely in part on the evidence of Andrea McKee as an important component of the Crown Case, the police could recommend that Andrea McKee be granted immunity from prosecution. Mr Kitson explained that this decision would not be taken at this stage and that the question of immunity was one to be considered by the Director of Public Prosecutions and is carried out in a reflective mood when the wider public interest factors in the case can be considered with the evidence presented by the Police. Mr Kitson explained that the DPP would not be in a position to direct or advise on the position of Andrea McKee at this stage of the investigation, but that the DPP would make directions on completion of the investigation and submission of a prosecution file. Mr Kitson stated that he was aware of D/Chief Superintendent McBurney's decision to record Andrea McKee's evidence in a witness statement, in which he understands that she has admitted to her part in the conspiracy to pervert the course of justice. Mr Kitson explained that the decision of whether Andrea McKee was to be subsequently used as a Crown Witness or was to be proceeded against criminally for her part in the conspiracy would be directed by the DPP on receipt of the investigation file. In acknowledging D/Chief Superintendent McBurney's decision as to how he has dealt with her evidence at that stage, Mr Kitson said that, in his view from listening to our discussions on this case, Andrea McKee was still potentially a suspect even though in the circumstances in which D/Chief Superintendent McBurney was operating, he had made the operational decision to record her evidence in witness form for the reasons of progressing his investigation at that time. Mr Kitson explained that irrespective of what future decisions are to be taken concerning Andrea McKee, the witness statements of Andrea McKee did represent evidence in the hands of the police which the police can use to assist them in the course of their investigations and subsequent interviews of other suspects. 2 45 pm Mr Kitson left the meeting.

In consequence of our discussions, it was decided that we would (1) proceed with our investigations as discussed earlier in order to gather further evidence which will add further evidential weight to the evidence currently gathered against the suspects, (2) arrest Michael McKee at the same time as the other suspects unless circumstances dictate otherwise in the interim period. It was explained to Mr Mehaffey that priority was being given to lines of enquiry which are particularly and evidentially relevant to the conspiracy between the Atkinsons and Hanveys although this evidence will be circumstantially relevant to the case against Michael