

R v ATKINSON, ATKINSON & HANVEY**OPINION**

1. I consulted with Andrea [REDACTED] (McKee) on Tuesday 2nd March. The purpose of the consultation was for me to have the opportunity to assess the witness and her credibility in the light of the developments which are chronicled in the documentation recently provided to me. The consultation arises out of the failure of Ms [REDACTED] to attend court on 22nd December and the subsequent police investigations, directed by the RM, into the reasons for her non-attendance.
2. Ms. [REDACTED] had attended Craigavon Court on 27th October 2003 for committal proceedings when the proceedings were adjourned for reasons which had nothing to do with her. The case was then fixed for a number of days commencing on 22nd December 2003. Accordingly arrangements were made for her to attend on the 22nd and, as I understand the position, she was first spoken to early in December about the arrangements.
3. During the month of December Ms. [REDACTED] had problems with her son. On the 1st of that month the child was seen by [REDACTED] and again on the 11th. This second examination was a house visit and, although there appeared to be no records of the visit when the matter was first investigated by police, an interview with [REDACTED] confirmed that a visit had indeed been made to the house.
4. On Friday 19th Ms [REDACTED] was contacted by D/C Murphy to confirm the final travel arrangements. She did not mention the problems with the child to D/C Murphy but indicated that the arrangements were suitable. In consultation with her I asked her about this failure to alert police to any potential difficulty which the sickness of the child might cause. She told us that she had thought that she had mentioned it to police and agreed that it was surprising that she did not mention the illness of the child to D/C Murphy.
5. On Sunday 21st December Ms. [REDACTED] contacted police indicating that she would be unable to travel to Northern Ireland on the Monday as the child was ill. D/C Murphy contacted her to be told that the child had mumps and otitis and that there was a fear that due to the child's high temperature he might have a fit. She indicated that she could not attend court on the Tuesday (23rd). When asked if she could she replied "Definitely not".
6. It transpires that she had to attend, on the Tuesday, a previously arranged medical appointment relating to a job for which she was applying. She did not inform police of