

Director

R v ATKINSON, ATKINSON & HANVEY

I refer to the attached opinion provided by Gerry Simpson QC following his consultation with Andrea [REDACTED] (McKee) on Tuesday 2 March 2004. Mr Simpson has been advising in the case for some two years and is very familiar with all the issues involved.

I attended the consultation with Mr Simpson, also present were [REDACTED] and [REDACTED] from PSNI Southern Region Crime Squad. They each took notes of the consultation the relevant contents of which have also been set out in Mr Simpson's advice.

It is my view from what transpired at this consultation and from the second of two previous consultations I have attended with Andrea [REDACTED] in Wales, that she has been untruthful and has invented facts when she has felt that this course of action would suit her own purposes. There is every reason to believe that her story about visiting Pendine Park on the weekend before she was due to give evidence in December is an invention. The police have carried out very extensive enquiries which would have been bound to have revealed some trace of her visit with her child and partner if it had taken place.

While the Pendine Park issue is not a matter which is directly relevant to the essential evidence in the prosecution of Atkinson, Atkinson and Hanvey, it provides a basis upon which the defence will attack her credibility which, without doubt, will be critically damaged.

The prosecution depends upon the evidence of Andrea [REDACTED], not only to prove that the present defendants committed the offences alleged, but also to prove that the offences were committed at all. In view of the threadbare state of her credibility there is no longer a reasonable prospect of convicting any of the defendants of the offences with which they are charged. In reaching this conclusion I have also considered whether there is any possibility of proceeding with the case without calling Andrea [REDACTED] as a witness. It has always been clear that she was the key witness