

## **Section 24 The Overall Effectiveness of the Murder Investigation**

### **Conclusion**

**24.1 The murder investigation proved to be ineffective as evidenced by the failure to bring to justice those responsible for the murder of Robert Hamill. However based upon the papers I have read I believe the RUC attempted to bring to account those people responsible. In my opinion DI Irwin was the driving force behind the investigation with DCS McBurney providing direction. Whilst critical of DI Irwin with regard to his dealings with Andrea McKee I do believe he tried to bring the investigation to a satisfactory conclusion.**

**24.2 However in my opinion the murder investigation was flawed from the start. There were major fault lines running through the enquiry. The investigation was hampered initially by the failure to secure the crime scene, the failure to debrief the officers who dealt with the disorder and the missed opportunities to make early arrests and the possibility of securing forensic evidence. There were other errors, which I have already dealt with in my report, which in my view impacted upon the investigation.**

**24.3 It is my view that Inspector McCrum, the senior uniform officer on duty the night Robert Hamill was attacked, failed in his duty for the reasons outlined in my report. Similarly DCI P39, the appointed CID investigator, failed in her duty again for reasons outlined within my report. Their failings in my view had a negative impact upon the murder investigation.**

**24.4 Criticism has been levelled at DC Keys but in my view I believe he acted professionally and endeavoured to move the early investigation forward. I do not consider DC Keys to have been negligent in failing to secure the crime scene; he was placed in a difficult position and in my view dealt proficiently with the scene and exhibits.**

**24.5 The failure on the part of DCS McBurney to properly investigate the alleged misconduct by Reserve Constable Atkinson in my view contributed to the failure to bring anyone to justice for the murder of Robert Hamill. The actions of Reserve Constable Atkinson are reported upon in my final conclusions.**

**24.6 I acknowledge that murder investigations such as this are difficult to resolve and the RUC were hindered by the lack of witnesses willing to provide evidence. I have been critical of certain aspects of the investigation and I do accept that in any murder investigation mistakes will be made. However I do believe certain acts and omissions by officers from the RUC contributed to the failure to successfully prosecute suspects, as outlined in my report.**

**24.7 Further comment on the murder investigation is made on page 119 of my report.**