

“It shall be the duty of the Chief Constable, from time to time, to furnish to the Director facts and information with respect to -

- (a) indictable offences alleged to have been committed against the law of Northern Ireland;
- (b) such other alleged offences as the Director may specify;

and at the request of the Director, to ascertain and furnish to the Director information regarding any matter which may appear to the Director to require investigation on the ground that it may involve an offence against the law of Northern Ireland or information which may appear to the Director to be necessary for the discharge of his functions under this Order.”

3. On 28 July 1978 the Director wrote to the Assistant Chief Constable (Crime) of the Royal Ulster Constabulary:-

“It is clearly in the interests of everyone, but particularly police and the prosecuting authority, that investigations which are undertaken by the police should be directed towards relevant issues and matters. Accordingly, if there is any doubt as to what issues and matters are the relevant ones then police should, at or near the outset of their investigations, consult with the Director’s Office. Consultation with the Director’s Office should therefore be arranged at an early stage in any case in which the issues are not clear or there is any room for substantial doubt as to the course which the investigation ought to pursue”.

4. The RUC Code, section 31 para 5 provided at the relevant time:-

“(1) In complex or obscure investigations where the issues are not clear or there is doubt as to the course the investigation ought to pursue the person in charge of a case should at an early stage of his enquiries arrange (via RUC HQ) for consultation with the Office of the Director of Public Prosecutions.