

12. I believe I would have been briefed upon DCS McBurney's return from Wales but I don't recall specifically. The detailed briefing in any event would have been from the ACC Crime, not DCS McBurney himself.
13. I knew the ICPC were supervising the investigation of the complaint against the four officers at the scene. I assumed that the ICPC would have supervised every aspect of the investigation and if that included an allegation against a Reserve Constable of assisting an offender they would have looked at that also. My understanding, however, following a much later briefing was that this allegation had been made but couldn't be bottomed out because of the alibi evidence that was given on his behalf. I wasn't aware of that as a specific or separate element of the investigation and my assumption was simply that the ICPC were supervising the investigation of all the police behaviour that was ongoing.
14. Generally, if an officer was alleged to have behaved in such a way the matter would go to 'G' Department (Complaints & Discipline). This was headed by the ACC who monitored regularly the behaviour of officers. The Deputy Chief Constable was the disciplinary authority and that enabled the Chief Constable to consider afresh appeals from decisions on discipline. The ACC would then consider whether to refer to the ICPC.
15. I have been asked whether I consider DCS McBurney's investigation to have been incompetent but I am not in a position to judge whether it was or was not due to my lack of detailed knowledge. My understanding at the time was that the then ICPC supervisor had believed that it was a thorough investigation. At a later stage, of course, the Ombudsman's office expressed reservations to me about DCS McBurney's investigation and because of their reservations, I instructed DCS Colville Stewart to conduct an overview of the whole case. To replace a senior investigating officer is a big step to take but because the Ombudsman had indicated reservations, I had no reluctance in taking that step. DCS Stewart then reported to me after he had conducted a review. There is now produced and shown to me marked "RF3" a copy of that report. In that report, he raised his concerns about the initial scene management, forensic issues, lack of briefing and debriefing. My view was that it must be investigated under the supervision of the Police Ombudsman's office.