

31. In late 2003, proceedings were issued against Reserve Constable Atkinson, Eleanor Atkinson and Kenneth Hanvey. In summary, the evidence we had gathered was as follows: first and foremost, we had the telephone call going from Reserve Constable Atkinson to the Hanveys. We also had quite a considerable amount of other circumstantial evidence in relation to what went on in the street on the night of the incident: who saw whom; who did not see whom. This information is contained in an interview strategy that we drew-up in relation to the interviews of the Atkinsons, the Hanveys and the McKees. Obviously Andrea McKee's evidence as a witness was crucial. I cannot remember any new or significant evidence having come up in the 12 months prior to the original committal date.
32. The proceedings were listed for committal on 27 October 2003. On that occasion the case adjourned to 22 December 2003 after defence representations. Andrea McKee had attended to give evidence at the hearing.
33. The weekend prior to 22 December 2003, Andrea McKee telephoned to advise us that her son was ill and she could not travel from Wrexham. We were therefore not surprised at her non-attendance on 22 December 2003. I had met Andrea on at least 2 occasions before that date and believed that she was willing to give evidence. At that time we were not sceptical about the reason she was giving for not being able to attend. The Magistrate was told of her reason for not attending and required some evidence on the next occasion to support her reason as genuine. I was part of a team which then investigated that quite fully. We sent police officers to Wrexham to interview doctors and reception staff. We also obtained telephone billing to check whether Andrea had telephoned the doctors' surgery. I recall that we confirmed that she had attended the doctor with her son on 1 December 2003, 11 December 2003 and 22 December 2003. The only visit that was not verified was the trip to the Pendine Park out of hours' surgery on the night of 19 December 2003; the GPs on duty that night had no recollection of her call, and no record of it on their logs.