

6. Section 55[4] allows the Chief Constable to refer to the Ombudsman any matter which appears to the Chief Constable that an officer may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings.
7. Section 55[6] gives the Ombudsman power of her own volition to formally investigate anything which indicates a member of the PSNI may have committed a criminal offence or behaved in a manner which could justify disciplinary proceedings.
8. The Ombudsman has powers to investigate and supervise police investigations. This is the major difference between the roles previously performed by the ICPC.
9. During my involvement with the Hamill inquiry I kept an action log, [page 28067], of contact, meetings and decisions which I was involved with regarding the various strands of the Hamill inquiry. A Chronology was also prepared in the Ombudsman office, [page 26873], which sets out the key elements of the various investigations.
10. At the outset I was supervising the investigation into the allegations of conspiracy made against Reserve Constable Atkinson. The complaint files, [crime and discipline] submitted respectively by Detective Chief Superintendent [DCS] McBurney and Chief Inspector Bradley had been finalised by the DPP and ICPC prior to the involvement of the Ombudsman and I used them as a briefing and reference facility.
11. The outstanding matter within the Chief Inspector Bradley file was a disciplinary recommendation for neglect of duty against Constable Neill made by the ICPC which was being contested by the Deputy Chief Constable. This matter was discussed with David Wood, the Director of Investigations for the Police Ombudsman, and at his suggestion we obtained Counsel's opinion on the neglect of duty disciplinary action. Counsel was of a view that there was insufficient evidence to substantiate a charge under the Discipline Code. This