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STATEMENT OF WITNESS

STATEMENT OF RAYMOND WHITE

DATED THIS th 25 DAY OF July 2006

I was appointed Assistant Chief Constable (ACC) in the RUC in 1993 and in 1994 I took up my post in C Department. I retired in April 2002 whilst in the post of ACC Crime ^{C Department}.

On behalf of the Chief Constable, C Department dealt with matters referred to him regarding legislation, practices and procedures adopted by police officers in the investigation of crime, the training of officers and any ancillary matters including those related to correspondence from legal representatives. I reported directly to the Chief Constable, Ronnie Flanagan. There was no post of Deputy Assistant Chief Constable – if I was away one of the Detective Chief Superintendents would step in usually from C1. In 1997, that may have been either Detective Chief Superintendent [redacted] or at that stage it may have switched to Detective Chief Superintendent Anderson.

The Command Structure of the Force in 1997 is set out in the Force Orders of 1993 and 1996. C Department was part of the Headquarters structure. The investigation of crime rested with the 3 regional Assistant Chief Constables. Each of these had a Detective Chief Superintendent as a Senior Investigating Officer (SIO) with a number of detective officers to conduct criminal investigations on a regional level. The role of C department in relation to investigations of indictable crimes was to act as a conduit to the Director of Public Prosecutions office (DPP). We acted as a quality control on documentation forwarded to the DPP's office and received any questions from that office related to inquiries.

The Association of Chief Police Officers (ACPO) – Crime committee sets the standard of crime investigation. The training of officers was an evolving process with new training

techniques being introduced. In order to strike a balance between training and ensuring that appropriate officers were available for front line investigations, a rolling programme of training was in place for officers to be withdrawn and sent on major crime investigation courses.

The principle of training Reserve Constables was to equip them with sufficient basic knowledge of the public policing part so that they could assist the Constable in the conduct of his duty. A Reserve Constable had the power of arrest like any Constable but he was not trained in depth. He was a front line officer whose role was not to supplant the regular officer but to be an aid and assistant to the full time officer. However, a number of Reserve Constables over the years became involved in front line policing despite the fact they had not been fully and properly trained for this. To my knowledge the whole purpose of the reserve officers was that they would conduct their duty in accompaniment of a full time, fully trained officer. The full time Constable would be senior in rank to the Reserve Constable regardless of their relative lengths of service.

However, although the theory and policy sets down the objectives, time and circumstances dictate otherwise and due to an insufficiency of full time officers to be present with reservists all the time, a Reserve Constable, some of which had many years experience, could be dealing with basic investigations of assaults and minor thefts.

In 1997, the RUC followed ACPO's instructions in relation to the use of policy files in major crime investigations. The HOLMES system was in place and policy books were part and parcel of major crime investigation. The Senior Investigating Officer in discussion with his investigators maintained the policy book as his record of how he saw the investigation being structured and conducted with a record of the decisions made. The Senior Investigator would have recorded the progress of his investigation, the lines of inquiry that appeared to him to be most productive, the outcome of those lines of inquiry, new lines of investigation, an assessment of the witnesses and his own thinking processes as to how he would see the investigation through at each stage. Some Senior Investigators might give a very full account and others more in shorthand. It was a visual record which

could be referred to by anyone taking over an inquiry to reconstruct the thinking processes of the Senior Investigator, what pressures were on him in relation to what was available by way of evidence and where his lines of inquiry were taking him.

The instructions for maintaining policy files are laid down by Force Orders and officers were told to keep them. As to whether or not they did, it is possible that some may have regarded it as more of a general recommendation than an obligation but the instructions were in place.

In sensitive cases, an SIO may have kept a policy book marked 'sensitive' to contain Special Branch or Security service information which was not kept in the general CID office with the general policy book.

The Senior Investigating Officer was the top of the investigative hierarchy and the policy book was not signed off by anyone else as no one was in a position to 'second guess' him. The Regional Assistant Chief Constable could have expressed an opinion to the SIO which one might expect to have been reflected in the policy book, and there may be discussion as to an agreed line of inquiry in certain cases. The policy book was a supplement to the inquiry but one that reflected purely the thoughts of the Senior Investigating Officer. It was not regarded as appropriate for Assistant Chief Constables to interfere with investigations and they may not have the time or relevant specific knowledge or experience to direct investigations. It was thought better to allow the Senior Investigating Officer freedom to conduct the investigations and to be accountable for it. The crime file that resulted would have been the documentation on which the SIOs professionalism and standard of work would be measured. No one would be stepping in and out and constantly reviewing his day-to-day working standard. The SIO would periodically meet with his ACC and myself to give an update on an investigation.

Also, the SIO would be subject to legal advice from the DPP and in some instances like this he would work with the Independent Commission ^{FOR} ~~of~~ Police Complaints. The investigation would be undertaken within a strict timetable as once the crime was

reported and suspects were made available there was only so much time set aside before the papers had to be with the DPP.

I recall a meeting with Mr McBurney in which the question of how he would acquire evidence from Andrea McKee was discussed. Mr McBurney indicated that he needed help to sustain the case that he was putting together against [REDACTED] and we discussed the procedures that he had in mind and the rationale behind them and he sought my approval of that being an acceptable and commendable way forward. There were no notes of the meeting and it was a purely verbal discussion. Mr McBurney outlined where he thought he could go if he had her evidence and, on listening to him and discussing, in detail, the progress that had been made and the likelihood that, if he could get her as a witness, then there was a substantive case to be made against [REDACTED]. I agreed that it was a sensible and prudent way to go forward.

After Mr McBurney had been to Wrexham and obtained a statement from Andrea McKee he telephoned me and let me know that in his view they had been successful in their venture and he would be putting the matter before the DPP with an investigation file thereafter. There were no further communications after this and the matter would have progressed as the investigation progressed as I had approved continuation of that line of investigation.

There was no formal briefing on the 3 investigations (Hamill Murder, Neglect Complaint and [REDACTED] allegation) as none of the investigations were coming through my department in terms of me supervising Mr McBurney. I was simply the recipient of the crime investigation file once Mr McBurney had deemed it completed and contained all the evidence that he required to sustain any prosecutions he was recommending.

I was not aware that allegations were made against [REDACTED] from the outset and were supported by third party material in the form of telephone billing and I was not briefed on the details of the investigation. I did not have any specific meetings with Mr McBurney about this.

In relation to the apparent delay in progressing the investigation from the initial allegations in April 1997, they had taken the investigation as far as they could and could not progress it as Mr McBurney needed an independent witness of a credible nature that could undermine the alibi of [REDACTED]. It was a matter of letting the McKee relationship deteriorate so that Mr McBurney could speak to Mrs McKee alone and that was the strategy which was followed. It wasn't that it wasn't investigated. It was investigated as far, as I understood it at the time, up to the point that it could be taken and then it was simply left to develop after that.

I am not aware that Mr McBurney decided not to keep a policy file and I did not discuss this with him. I have no idea why he did not keep a sensitive policy file or any policy file. I would not have been involved in the investigation prior to the point at which Mr McBurney wanted support and approval to pursue Mrs McKee out of the Province and it was only at that time I became involved in the Hamill inquiry.

SIGNED

R. White

DATED

25/7/2006