

STATEMENT OF WITNESS

STATEMENT OF RAYMOND WHITE

DATED THIS 26th DAY OF January 2009

I, RAYMOND WHITE, declare that this statement is true to the best of my knowledge and belief and I make it knowing that if it is tendered in evidence at the Inquiry I will be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

1. The Inquiry has disclosed a number of documents to me. Where I make specific reference to a document in my statement I have given the number of the relevant page.
2. I was first interviewed for the Inquiry on 29th June 2006, and subsequently I made a statement dated 25th July 2006. This second statement has been prepared subsequent to an additional interview which took place on 19th July 2007, and is supplemental to my first witness statement.
3. I have been asked to provide further details about an extract from page 6 of the transcript to my first interview, which says: "*We quality controlled what documentation went forward and we acted as a recipient of any questions that came back from the DPP's office relative to inquiries*".
4. The C2 Department had a quality control function in respect of the standard and timing of the investigations.
5. First and foremost, it is the police's job to ensure that the file put before the Director of Public Prosecution (DPP) contains all the material that is required.

Usually those cases going to the DPP of an indictable nature would go to C2 department first for quality control, with smaller criminal matters being dealt with directly at a regional level. The range of files that is required to go through is laid down quite clearly in the force orders, which can be acquired from police headquarters.

6. A crime file in relation to an investigation of any size is made up of many parts: the crime scene officers' reports, including the forensic reports; witness statements containing evidential material that supports or harms the case; statements from police officers who managed the crime scene; statements from victims and the investigating officer's report itself, which will cover all the detail relevant to the matter. There was a set pattern laid down for checking this documentation. For example, if some items had been sent for forensic examination, we would ensure that the reply had been received and was attached. We would also check that all of the custody records for suspects that had been arrested were included to provide a history of their treatment.

7. Then we would make sure that the information contained in the file substantively supported the recommendations made by the investigating officer. If charges were being recommended, we would check that the statements and the forensics supported this, and if there were any issues arising as a result of reading the file. For example, if the forensic evidence does not support the charges or suggests something different, or there is a discrepancy between the descriptions given by an eye witness and the actual clothing that the suspect was wearing when arrested. It was the role of my department to go back to the investigating officers and point out that these matters are not as watertight as we would wish them to be, and that there are questions that need to be answered. Once the additional information is acquired and the senior person is satisfied that they have produced the best investigation possible and that the documentation supports the recommendations being made to the DPP, the file is then sent on.

8. If the DPP's legal personnel find that they need additional materials, for example further statements, that documentation would come back through the C2 department. It was a flexible system. The whole objective was to make sure that the information put before the DPP was the best that could be achieved given the incident that you were investigating, the circumstances of that investigation and the quality of the witnesses that you had to support your case or otherwise. Suggesting lines of investigation was a role that was shared between the C2 department and the DPP. There was absolutely nothing to stop a senior officer in C2 expressing dissatisfaction about the weight of evidence or the quality of the witness statement. It was a proactive as opposed to a passive administrative role.

9. The second part of our quality control function was to ensure that there was no slippage so that timeframes were observed. The government laid down timeframes for how quickly investigations should be conducted, processed by the DPP and put before the court. These timeframes were in place to ensure that people were not sitting on remand while interminable investigations dragged on, so our role had a bearing on the wellbeing of any individual in custody. An audit trail was created, with 40 days from the date of the incident to the submission of the investigation file. The DPP then imposed upon himself a turnaround time to give us directions or interim directions. If additional material or tests were required, they would go out with directions from C2 for that work to be done within a given period. Everything was fixed within a timeframe, and we had to quality control the cases to the government's satisfaction from the commission of the incident to hearing the ^{case} report.

10. I would say that it was fairly robust system. It was staffed by personnel who had all been time served as senior investigators and knew what a quality investigation and crime file should contain. People were not making recommendations for prosecution if they read the documentation and could question what it was being based on. If, for example, the documentation did not include the necessary eye witness evidence or there was only one eye witness, it would not pass the acid test from the DPP because it could not be substantiated.

11. The recommendations made by Department C2 were not always popular with officers on the ground. They were not just mild rebukes; the recommendations went through the senior officer in charge. There was also a feedback mechanism for CID trainers. If, for example, a problem with the quality of statement taking from uniformed personnel was revealed, I would have spoken with training branch to improve the training in this respect. The training branch would then liaise with the people concerned and some people might go back for training. This was a means of controlling the progress and quality of an investigator. If there were shortcomings in his ability to do the job he was trained to do, then there was a mechanism for rectification by ensuring that retraining took place.
12. These recommendations were usually made in the form of written directions. But if it was a minor issue or there was time pressure, the officer in C2 could hold the file until the investigating officer, for example, complied with a verbal direction to submit additional statements. As with any large organisation, a quick telephone call from an investigating officer could track the progress of say, forensics, and then a decision could be made to submit the file to C2 department with a note indicating that the forensic reports had not yet been acquired.
13. I would have passed on any comments or instructions directly to the Senior Investigating Officer (SIO) to ensure that the chain of command was observed. I would not have gone directly to the investigating team itself to make any recommendations or suggestions. I used to speak to the SIO if an issue arose, broadly in circumstances where there was a sensitive case; major allegations were being made; there were serious political connotations, or where there had been abnormal delays in an investigation. I might have had a discussion with the SIO to get his views on how matters were progressing, or why there were delays or other issues. But the necessity to do this arose infrequently because we were alert to such matters and probably conscious of them anyway. Rather than give specific directions as to how the investigation should be conducted, we might also have

spoken to provide support where there was substantial media pressure. We might also have sought clarification on issues if we needed to brief the Chief Constable on the SIO's behalf, or to tell the Secretary of State.

14. I had a number of other specific roles in the department. I maintained the forensic budget. If our local forensic science laboratory could not undertake a certain type of work, or if there were some new technology that only the Birmingham laboratory was capable of using, officers would approach me. I would discuss this with them, consider the costing and approve any extraordinary expenditure. My job was also to accompany any officers to the DPP if he had directed to hold a discussion with them on a controversial subject, such as the quality of witnesses. Similarly, if things had gone wrong with any investigation and the DPP wished to express his dissatisfaction, he would request that I attend to hear what he had to say and take corrective action afterwards. I also had responsibility for small units which were centrally placed, such as fraud investigation and computer crime. These units were small but served the requirements of the whole force, so officers would bid for their services through my department. I would take the decision as to whether these units should be involved in an investigation or not.
15. I can confirm that it was not the practice of ACCs to keep journals and I did not keep a journal at that time. Journals were more something that the investigative officers would keep. The daily minimum correspondence would have been 100 pieces and half a dozen meetings or so. If I had kept a journal I would have been sitting all day writing.
16. I have been asked to clarify an extract at page 19 from the transcript to my first interview, which states: *"The SIO was regarded as the top of the investigating tree and was fully trained in major crime investigations and the conduct of HOLMES inquiry systems, so there was no one the outcome of the supervision was the product of the investigation. In other words, the crime file that resulted would have been the documentation on which the SIO's professionalism and standard of work*

would be measured. There was nobody stepping in and out constantly reviewing his day-to-day working practice”.

17. I can confirm that it would have been impossible for me to have a supervisory role in a major investigation. The ACPO Crime Committee and ACPO directions have made it clear that supervision is the function of the SIO. Across a region or area there might be 5 or 6 murders actively under inquiry, so it would be impossible to have senior personnel, no matter what their rank, popping in and out of an investigation. The SIO has an inside track knowledge of the finely poised issues in an investigation, such as the responses obtained from suspects and the crime scene, so is given full rein based on their training and experience to conduct these investigations. No one sitting outside an investigation would have the time or experience to step in. The only occasions where a regional ACC would step in is if there were any issues that required additional man power, such as further support from the army for searches or arrest operations. The regional ACC could apply or release uniformed personnel for support and assistance.

18. The Chief Constable looked after operational matters, given the nature of activities in the province. My communications with the Chief Constable occurred on a daily basis. He held morning strategic meetings with people from the operational side, that is, regional ACCs, special branch and CID. The morning meetings did not deal with individual cases or the progress of investigations unless they were major, political or very sensitive in nature. These meetings kept the Chief Constable aware in a broad sense of what issues existed. They would be a snapshot of what incidents had occurred over the past 24 hours. The Chief Constable would be very much interested in whether anything like the Robert Hamill murder had sparked off public protests and ongoing social unrest in various communities. He would want assurance that the regional ACC and others were taking the correct policing response, that community leaders were being spoken to and that the right resources were in the right places. He would also want to know whether there was anything he could have done to move things along to restore peace and calm to the area. No

agenda was prepared for these meetings. There was no need for full minutes to be taken, but a fairly short synopsis of the issues might have been made.

19. The Chief Constable would also speak to the head of special branch and regional ACCs about past or anticipated issues with parades or anything of a controversial nature that would require additional policing support, or were significant to the Secretary of State.
20. The Chief Constable used to hold monthly group meetings, in addition to the morning meetings. These were more structured meetings with a much broader agenda that would cover in detail the occurrences of the previous month. All those people who were charged with the day-to-day functioning of the force would have been present to give a monthly account of how matters were progressing. Matters such as recruitment and major computerisation issues would have been discussed. The main secretariat did not prepare an agenda, but each branch would come to the table with its own agenda to put before the Chief Constable. For the C2 department, I would have decided what issues to put on the table. Any issues the Chief Constable wished to cover would have been dealt with under at the end "any other business". But given the time pressures and the number of people present, we basically spoke on a strategic level and would not really get onto individual issues. The meetings were minuted.
21. There was a Deputy Chief Constable in 1997. His role was more administrative and related to complaints, discipline, supply and training. The Deputy would chair the morning meetings if the Chief was away.
22. The Robert Hamill crime file was received at C2 because it was a murder investigation. I was aware that a complaint was made against officers at the scene but nothing of that nature came to us. Complaints usually went to G department. If there had been a request to allocate a CID officer from outside of the region to work with them, I would have been aware of the complaint indirectly. But I would not

- have had any details provided in relation to the nature of the inquiry or how it was going to be subsequently investigated. That would have been for G department and the ICPC.
23. I have been asked whether I had any interaction with ACC South in 1997 about the Hamill case. I cannot recall any. Essentially there would have been no necessity because nothing arose that would have required us to negotiate over any issues. He would have been kept alert to what was happening in the investigation through the SIO and the head of CID in the region. Our briefings would have been kept separate unless a request had been made by the SIO for additional manpower. If this had happened ACC South might have been briefed to put as much pressure on me as possible to produce the necessary manpower. But I have no recollection of having any discussions with ACC South about the murder of Robert Hamill.
 24. At the time of the Robert Hamill murder investigation I cannot recall receiving regular briefings from DCS McBurney either. But this is no reflection on DCS McBurney, there was absolutely no need. I did not receive briefings on the many other murders that took place.
 25. DCS McBurney and I had a meeting in my office about the allegations against RC Atkinson. The DPP did not attend, and no one else was there. The discussion took place prior to him going to Wrexham and, I imagine, shortly before he went. I think the conversation can be reasonably dated from when he went to Wrexham, which would have been in 2000. I did not take a note or a record of this meeting because it was of a routine type.
 26. DCS McBurney wanted to obtain approval for making inquiries in another policing area. If operations were to take place outside his own area, he had to obtain the appropriate headquarters' approval. He also wanted to satisfy himself that his line of investigation was sound and that, if it produced the anticipated results, we would have the opportunity to put RC Atkinson before the court. I had the jurisdiction to

give this approval. We discussed these matters at length. He gave me an outline of the case to date and the stumbling blocks. As I have said in my first statement, DCS McBurney needed the opportunity to interview Andrea McKee without any undue influence. I think the analysis that he and his team had arrived at was that they needed to break the pressure that was being exercised over her by her husband in respect of RC Atkinson. The relationship was not good and he considered that if they were parted, that was his best opportunity to get a statement from her. After we spoke about that I was quite happy for him to go to Wrexham and attempt to get that statement from Andrea McKee. I could see no fault in this approach.

27. At the time when DCS McBurney approached me I was not aware that Andrea McKee had been one of the sources of information about RC Atkinson. This was the only conversation in detail that I can recall having with DCS McBurney regarding Atkinson. I have no recollection of whether we discussed this subject at an earlier date. If anything abnormal had arisen his practice would have been to contact me. Although I cannot recall any earlier conversation I am by no means saying that DCS McBurney did not refer to Andrea McKee at some stage in other meetings. There is nothing that stands out in my mind with certainty. He would have given me updates that the investigation had stalled, like many other inquiries, simply because of the lack of witness evidence. These conversations would not have required any directions from me. I would have noted the issue but there was nothing further that I could have contributed to it. I did not brief the Chief Constable about these discussions because I did not go through each murder inquiry in fine detail to tell him why issues were or were not progressing. There was nothing specific or unique that he needed to be updated on in these circumstances.
28. I am now told that DCS McBurney has recorded that he discussed the allegations against RC Atkinson with ACC South and with me in 1997, but was not certain whether he had raised it directly with the Chief Constable at the time, or had assumed that I or ACC South would do so. I cannot recall any such discussions. It is not necessarily the case that I would have needed to speak directly to the Chief

Superintendent about the issue of an officer perverting the investigation. The Chief Constable may have been informed of this in passing, but I have no recollection. It would not have been more than in passing because it is not the first police officer that had been alleged to have been guilty of perverting the course of justice and there is no separate system for tracking the issue. There was of course another channel of communication to the Chief Constable: the Assistant Chief Constable in G Department.

29. The murder investigation and the potential for perversion to the course of justice were two separate matters that we could have laid before the DPP. The detail would have been contained within the crime file. It would not have specifically required me to have a discussion with DCS McBurney. The two things are separate. One was the murder of Hamill; the other was the allegation that information had been passed on that potentially perverted the course of justice. The papers relevant to the two separate investigations would have gone to the DPP in the normal course of events. My involvement in it would have been if the DPP had written specifically back to me to say that he is disturbed or unhappy, otherwise it remains simply as two investigations. There was no urgent necessity for the senior investigating officer to have considered the issue. It is not the first time that allegations of that nature have been made. They are not lifted out as something specific; they are investigated in the normal course of events.

30. Allegations against police officers who may be perverting the course of justice are treated as an ordinary ongoing criminal investigation. The fact that it was a police officer or Reserve Constable did not alter the procedures that would have been adopted. Since the investigation would later have involved the ICPC, you would have to be very cautious to avoid being seen to interfere in what was under their supervision and direction. If I or anyone else had been seen who should not have been there speaking to witnesses or investigating personnel connected with that part of the matter, it would have been a challenge to the independence of the investigation.

31. I have been asked what I meant by the final paragraph of page 4 of my first statement for the Inquiry, which states: *"I was not aware that the allegations against Reserve Constable Atkinson from the outset were supported by third party material in the form of telephone billing and I was not briefed on the details of the investigation"*. I can confirm that in 1997 British Telecom provided copies of telephone billings on request at no cost. In accordance with the regulations then in force in the Royal Ulster Constabulary, requests for telephone billings had to be made in writing to the C Department for approval. However, I do not recall seeing the application for approval to apply to BT for telephone billing in this particular case, because it would have been one of many.
32. When DCS McBurney briefed me in 2000, I assume that the link between RC Atkinson and the McKee family shown by the telephone billing and the centrality of Andrea McKee to the investigation was all part and parcel of the briefing. I do not recall DCS McBurney going into detail about the telephone billing, but I am quite happy that he would have covered all aspects that were pertinent.
33. I have been asked to comment upon the purpose of the report dated 18th December 1997, containing pages **15385** to **15389**, that I wrote after a meeting between the Secretary of State and Robert Hamill's family. On pages **15388** and **15389**, I refer to the *"relationship between the accused and police officer"*. The report states: *"The matter is the subject of a criminal investigation. The file will be forwarded to the DPP in due course. It would not be prudent to make any comment about this at this stage, not to pre-empt the decision of the DPP."*
34. The Atkinson allegations were relevant to the whole of the investigation into Hamill. It looks to me like this report was put together so that the Chief Constable or his deputy could be briefed as to the range of issues associated with the Hamill investigation. That could well have been in preparation for a meeting with the Secretary of State or any other government official who may have been in touch

with the Hamill family so that they would have some perspective as to what the police were doing. The Chief Constable would have been aware of the sort of issues that were arising relative to the crime investigation, and the activities in relation to the suspension or otherwise of police officers. It is a synopsis of the issues that were being looked at from the broad crime department dimension at that time. We would have had a more detailed report from G department or another report from the region about the political ramifications, or if there were any public order issues or ongoing protests arising out of it. It was me feeding into a broader picture. This synopsis would not have arisen from any direct knowledge of my own. I would have had to canvass updates from individuals who would have been looking after specific issues to produce a compilation that was a snapshot of where issues were at that moment in time.

35. I have been asked why the allegation against RC Atkinson was not recorded by the RUC as an internal investigation until 12th June 2001, which was 4 years after the allegations were first made. This was the disciplinary notice, as opposed to the criminal investigation. In these circumstances there would be a criminal investigation and subsequently a disciplinary investigation. Whether the two run in tandem is another matter.
36. I was not shown, nor was I involved with compiling, DCS McBurney's report and the DPP file in respect of the public complaint that was made against the officers who were at the crime scene in the Land Rover.

SIGNED: 

RAYMOND WHITE

DATED: 