



STATEMENT OF WITNESS

STATEMENT OF CARL ALEXANDER SIMPSON QC

DATED THIS            DAY OF            2006

1. I, CARL ALEXANDER SIMPSON QC, barrister of the Bar Library, Belfast, 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.
2. I was instructed by the DPP in the case of R v McKee & McKee. A copy of my letter to Raymond Kitson is now produced and shown to me marked "CAS1". I have also been shown a copy of what I recognise to be the brief which was sent to me. It is not my document but I am able to identify it and it is marked "CAS2". Counsel would usually be instructed once the case was ready to go to court. The DPP would send me a brief, a copy of the indictment, disclosure documents and a police report or statement from the officer in charge but I would not receive either the RUC crime file or the DPP case file. As far as I was concerned there were no omissions from the file when I received it and nothing unusual about the way the police approached the case.
3. My involvement was limited to the prosecution of the McKees. I was instructed by Raymond Kitson. There were 2 court appearances which I attended; 7 January 2002 and 4 March 2002. The first date was an adjourned hearing as the defendant could not attend and it was restored to 4 March 2002. On that second date both defendants pleaded guilty and it was adjourned for pre-sentence reports. The only advice I gave was in respect of deferring sentence of Andrea McKee pending her giving evidence on another matter. On 31 January 2002 there was a meeting at which that issue was raised and I was asked, simply for clarification purposes, to summarise the legal position. I advised that was neither appropriate nor desirable and in any event the evidence would be weakened by the fact it could be linked to their future punishment. To be clear, it was not put to me as something the police intended or wanted to do, they simply asked for advice on the matter.

4. I obviously knew of the nature of the case against Robert Atkinson because the crux of the case against the McKees was that they provided a false alibi for him. That, however, was the extent of my knowledge and involvement. I did not participate any further either in the prosecution of Atkinson or in any other matter related to the murder of Robert Hamill.

SIGNED: *C. Simpson*

DATED: 4/6/06.