

STATEMENT OF WITNESS

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14 JAN 2009

STATEMENT OF RICHARD SAMUEL BRADLEY

DATED THIS DAY 13 OF JANUARY 2008⁹

RSB

I, RICHARD SAMUEL BRADLEY, 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 have previously made two RUC statements in connection with the Robert Hamill case. These statements are true to the best of my knowledge and belief.
3. I joined the Royal Ulster Constabulary in February 1967 and retired in the rank of Chief Inspector in February 2001. During my 34 years in the force I served as a constable at several stations in County Tyrone before being promoted to the rank of sergeant at Dungannon. After three years I was promoted to the rank of Inspector and posted to Cookstown where I remained for eight years. I moved on promotion to Lurgan, County Armagh as the Operations Chief Inspector. I served three years there and during that time I spent approximately 4 months in headquarters writing on DPP files for the Chief Constable.
4. After 3 years at Lurgan I moved to the Complaints and Discipline Department at Gough Barracks, Armagh as an Investigating Officer. I served in that department for 12 years.
5. I received CID training in investigative interviewing and, although not a detective, I have experience in criminal investigation.



6. My role within the Complaints and Discipline [C&D] Department was to investigate public complaints and internal disciplinary matters involving police officers. When I commenced work in the department the Independent Commission for Police Complaints [ICPC] was the supervisory body. It had replaced the Police Complaints Board.
7. In April 1997 Superintendent Anderson was in charge of the south region branch of the C&D department based at Gough Barracks, Armagh. I was one of four or five chief inspectors based in the office, together with inspectors, sergeants and constables. The inspectors and chief inspectors were investigating officers assisted by the sergeants and constables, who would compile the files.
8. The C&D department dealt with the whole range of complaints and discipline including criminal offences. Where a criminal offence was of a very serious nature a senior CID officer would be appointed to head the investigation with the assistance of C&D.
9. I first became involved in the Robert Hamill case around the 9 May 1997 when I was appointed as an assisting investigating officer [IO], with Superintendent Anderson, to the investigating officer Detective Chief Superintendent [DCS] McBurney. I refer to the notice of appointment [page 63695] which appointed DCS McBurney as the IO for a public complaint into the murder of Robert Hamill. DCS McBurney was appointed to investigate the murder of Robert Hamill as well as the public complaint. Superintendent Anderson and I were appointed to investigate the disciplinary aspect of the complaint matter.
10. The criminal investigation had primacy over the disciplinary investigation. The DPP would receive the criminal file and make a decision about an allegation against officers of any criminal nature. By way of example, if there was a complaint of assault against an officer, that was a criminal allegation. There could also be included within the complaint an allegation of verbal abuse, which would be a discipline matter. In those circumstances I would serve a full 17(3) notice on the police officer concerned alleging the assault and the verbal abuse. When the officer was interviewed I would caution him and advise him what was



alleged. All of the allegations would be put to him, the criminal and the discipline allegations as they were all one sequence of events.

11. In the case of the complaint involving Robert Hamill, DCS McBurney was investigating the criminal allegation that the officers in the Land Rover had neglected their duty and I was investigating the neglect of duty as a separate disciplinary matter. This would not be reported upon until the criminal investigation was fully completed and a decision reached about any criminal proceedings.
12. I was not involved in the criminal side of the complaint as there were a team of detectives working to DCS McBurney as part of his murder investigation.
13. I do not recall if I attended a meeting with Superintendent Anderson, DCS McBurney and Mr [REDACTED] the supervising member from the ICPC, in the early stages of the complaint. I have been made aware that the first meeting between the police and the ICPC was on 12 May 1997. The minutes of that meeting do not record me as being present. I am unable to say now after 10 years if I was in there on the 12 May 1997 or a later meeting on 19 May 1997.
14. I think that in the early stages of the investigation that I became aware that Reserve Constable Atkinson had allegedly contacted one of the suspects in the case and warned him to dispose of his clothing. This was a criminal matter and I was not involved in that part of the investigation and therefore did not see statements supporting the allegation until I received a copy of DCS McBurney's DPP file (page **60541**) in December 1997.
15. I was not aware of any full blown investigation into the criminal allegation against Reserve Constable Atkinson. I do recall information about telephone billing linked to Atkinson but cannot remember the circumstances. I would have had confirmation of the allegation in DCS McBurney's report but the allegations were linked to the criminal complaint and murder investigation, and not part of my discipline investigation.



16. I did not learn of the investigation into the allegation until after I had retired in 2001. I believe I was at a police function and a sergeant who I had been stationed with told me that a witness in England had changed their story about making the phone call, and that Reserve Constable Atkinson was coming to court.
17. I was not involved in referring the allegation of criminal conduct made against Robert Atkinson to ACC 'C&D'. The public complaint was being supervised by the ICPC and I assumed the criminal conduct formed part of the murder and complaint investigation and thus would have been part of the supervision process.
18. I have been asked to explain, with my 12 years experience of complaints and discipline, what I believe would happen when a serious allegation of criminal conduct is made against a police officer as in this case. My view is that this allegation was part and parcel of the murder investigation, although as an internal discipline matter it should have been referred to C&D. It would not necessarily result in another investigating officer being appointed to investigate this aspect because it was part of the original investigation.
19. There were no computers at that time for recording matters, it was all done manually. If there was written evidence to show that the officer had assisted an offender then consideration would certainly be given to suspending him. I do not recall what evidence there was against the reserve constable in the early stages. In a serious allegation, the Chief Constable or the Deputy Chief Constable, who had delegated authority to act on behalf of the Chief Constable would have been involved in any decision to suspend an officer.
20. I would certainly not know if anyone at Headquarters took a note of discussions between themselves and DCS McBurney about suspending an officer.
21. I have been asked if I would have expected the allegation against the police officer to have been supervised by the ICPC. I would safely say that it was part and parcel of the whole investigation.



22. I assisted DCS McBurney with administrative matters as part of my role as an assistant investigator. On 13 May 1997 I served a regulation 17(3) notice on Constable Alan Neill advising him of the public complaint against him. This would have been standard procedure and automatically raised upon receipt of the public complaint. I do not know who served the form 17(3) forms on the other three officers. In 1998 I forwarded a number of letters on behalf of DCS McBurney to [REDACTED] solicitor, acting for the Hamill family requesting the identity of witnesses.
23. I believe I received two statements from Mrs [REDACTED] for a Mr. Hull and a Mr. McNeice on 19 October 1998 which is mentioned in my report at page 60558. I cannot recall what happened to those statements, whether they went direct to DCS McBurney or DI Irwin.
24. Having received the DPP's decision that no criminal proceedings were to be taken against the four officers, I commenced my disciplinary investigation and interviewed Reserve Constable **P40** on 1 December 1999. On 20 December 1999 I interviewed Constable Neill. On 11 January 2000 I interviewed Reserve Constable Atkinson at his home address which I think was because of sickness. I interviewed him again on 7 February 2000. I believe the interview took place at a solicitors office. I interviewed in relation to the neglect of duty which was the substance of the complaint made by Diane Hamill. Finally on 6 March 2000 I interviewed Reserve Constable Cornett. I had previously served on the officers the interviews conducted by DCS McBurney as part of his criminal complaint investigation and each officer agreed that those interviews could be used for disciplinary proceedings. My statement of 8 March 2000 (page **60833**) sets out the details of the four interviews.
25. It is normal practice in cases where officers have been interviewed for crime to later use those interviews for disciplinary proceedings if agreed with the officer. I would have said to them words to the effect that they were interviewed on a particular date and that I intended to use that interview for the purpose of discipline unless they objected to that course of action.



26. Having interviewed the officers I prepared a brief report (page 60558) on disciplinary offences which was appended as part 2 to DCS McBurney's report. The evidence within the file was the same for disciplinary matters as it was for criminal allegations. I recommended that there should be 'no disciplinary proceedings' against any officer. The Head of C&D would also have made a recommendation. The file would have been routed through C&D to the ICPC for their statement of satisfaction and then for their decision as to proceedings or not. I am not aware of the outcome of the file as I retired before the ICPC made their decision.
27. I did not receive any additional papers in 2000 linked to the allegation of criminal behaviour by Robert Atkinson and my discipline file concerned only the allegation of neglect of duty by the four officers in the Land Rover on 27 April 1997. I did not know any details of the matter involving Reserve Constable Atkinson
28. I have been shown papers in relation to a complaint in the Hamill case about inappropriate police press releases. I do not believe that I was the investigating officer in this case but it was Superintendent [REDACTED] who had taken over as Head of C&D 'South' following the retirement of Superintendent Anderson. I may have assisted Superintendent [REDACTED] and certainly I did fax papers to the ICPC (page 27437) but I have little recall of that investigation.

SIGNED:


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RICHARD SAMUEL BRADLEY

DATED:

13 JANUARY 2009
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