

STATEMENT OF WITNESS

05 FEB 2009

STATEMENT OF WILLIAM JOHN LYTTLE MUNN

DATED THIS DAY 3rd **OF** February **2008** 9

I WILLIAM JOHN LYTTLE MUNN 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 am a serving police officer in the Police Service for Northern Ireland (PSNI). I originally joined the Royal Ulster Constabulary (RUC) in 1987. After serving in the uniformed branch I joined the Criminal Investigation Department (CID) in 1993. In February 1997 I was promoted to the rank of Sergeant when I returned again to uniform branch before returning to CID Belfast in June 1997. I remained in Belfast CID until October 2002 when I moved to C1 Crime Department and took over the day to day running of the Witness Protection Unit. I remain there to the present day.
3. I have not received any formal training in witness protection in the UK because there have been no such courses available for me to attend. I did attend a witness protection course in Australia about 3 and half years ago where I obtained an advanced diploma.
4. I believe that the RUC started using witness protection around about 1978. Since that time the programme has been developed and has become more structured.
5. I have been asked to explain how referrals are made to the witness protection programme. I do not wish to discuss the methodology used for putting individual witnesses into the programme but I am able to explain how referrals are made to the unit.

6. A Senior Investigating Officer (SIO) makes an application through the Detective Superintendent C1 Crime Operations in charge of witness protection. That application is then considered. If the witness meets all of the criteria for entry into the programme, the application will then be put forward to the ACC in charge of Crime Operations. Approval will then be given or refused for a witness to be entered into the programme.
7. For the criteria to be met for entry into the programme there must be a serious threat to the witness which requires relocation.
8. Once an application is made, every individual case is considered on its own merits and the timescale for processing the application depends on the circumstances. The timescale between an application and approval could be overnight or it could be a month.
9. I have been asked to recall a referral made to the witness protection programme regarding Andrea McKee.
10. I attended a meeting on 15th January 2004 to discuss a possible new operation relating to the Hamill murder investigation. The meeting was also attended by DCI K, ADI H and Detective Superintendent [REDACTED], the Superintendent in charge of witness protection. I made a record of the meeting in my notebook, a copy of which is at page 74244a. I have also seen DCI K's journal entry for the meeting which is at page 59870.
11. As stated in DCI K's journal entry at page 59870, the discussions at the meeting centred on the threat to Andrea McKee contained in a letter received by her on the 23rd December 2003. I was given a copy of the threatening letter at the meeting and it was put on file.
12. My responsibility at the meeting was to discuss entry into the witness protection programme. The threat assessment against the witness was the responsibility of the investigation team led by the SIO.
13. I did not receive any documents concerning consultations with the witness prior to the date of the meeting I attended. I therefore did not see the notes of the consultation with Andrea McKee on 9th January 2004 which are at page 33991.

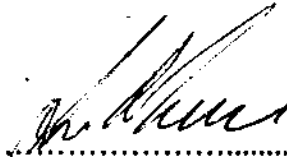
14. The outcome of the meeting on 15th January 2004 was that there would be another meeting between ADI H, Detective Superintendent [REDACTED] and myself before referral of the case to ACC Crime for decision. It was agreed that the witness would be seen regarding entry into the programme.
15. Permission to travel to Wales was granted on 21st January 2004 and on 27th January 2004 I travelled to Wrexham with DC J to meet Andrea McKee. I met her at her home address in the presence of her partner. I made a notebook entry of the meeting which is at page **74245** and I have refreshed my memory from a report I prepared following the meeting for Detective Superintendent [REDACTED] which is dated 4th February 2004 and is at page **74242**. At interview I was shown a copy of the rough notes made by DC J which are at page **58382**.
16. DC J's notes at page **58382** say, "*Stated that DS Munn would outline criteria ref witness protection programme. 1 Serious case, 2 Paramilitary involvement, 3 Giving evidence. Criteria met as above*". This reflects the assessment that Andrea McKee met the criteria for entering the witness protection programme. Because the threat had been sent to her home address, that address had been compromised and so she needed to be relocated.
17. I do remember talking to Andrea McKee about relocation. My recommendation to her was that she move some distance away from that locality. She was not sure whether she was prepared to do that. She gave the reason that she had commitments in the area. Her mother lived in the same locality. DC J's notes indicate Andrea's preferred option of remaining in her local area: "*Move house but remaining in locality - through family ties College/University/Parents/Son (????) etc etc etc*". The report submitted by Detective Superintendent [REDACTED] to ACC Crime on 5th February 2004 (at page **74243**) explains her commitments to the area more fully at paragraphs 4 and 5.
18. Andrea was asked at that meeting to consider all her options. She was told that if she did not want to move from the general area she would receive assistance from the investigation team who would liaise with the local police in the area. She would not receive any assistance from the witness protection team if she chose not to relocate because in those circumstances she would not meet the criteria for entry into the witness protection programme. Entry into the programme is entirely voluntary and it is up to the

witness to decide whether to enter the programme or not after it has been explained to the witness. Prior approval for inclusion would have been granted by ACC Crime.

19. Witness protection stays totally independent of the investigation. It is our responsibility to try and protect people in whatever capacity to take the threat away from them. Issues such as Andrea McKee's commitment to giving evidence or the authenticity of the letter she was sent would definitely not have been touched on as part of my role. There was no suggestion whatsoever that Andrea McKee would not give evidence unless she was given a house move. One of the things that we do discuss with people is whether they been promised or given any inducements. If they give any indication that they have then we will not consider them for inclusion in the witness protection programme. We are there to maintain the integrity of the investigation, the witness and the witness protection unit.
20. Following our meeting with Andrea McKee we went to Wrexham Police Station where we met DI [REDACTED] and DC Whitehead. We explained to them the purpose of our visit and updated them on the current situation.
21. I have been asked about the time which elapsed between Andrea McKee's receipt of the threatening letter on 23rd December 2003 and my visit to Wales to see her regarding the witness protection programme on 27th January 2004. The first time I became aware of Andrea McKee was on 15th January 2004, and the visit was organised after that meeting. The 27th January 2004 was the first date that those involved could go and see her.
22. I have been shown a letter dated 25th March 2004 at page **59902** which is from DS **H** to the housing association in Wrexham. I have not seen this letter previously. Seeking assistance from a housing association to relocate a witness is an example of the options open to the SIO to protect a witness when entry into the witness protection programme is not viable because of the witness's reluctance to enter the scheme. There were potential welfare and human rights issues which the investigation team had a duty to consider following Andrea McKee's decision not to enter the witness protection programme.
23. On my return to Belfast I submitted my report at page **74242** to Detective Superintendent [REDACTED] on 4th February 2004. In the third paragraph of that report I wrote, "*subsequently I've now been informed by DC **J** that Andrea McKee will not be availing of the witness*

protection programme due to her commitments within the Wrexham area.” I cannot now recall when I was so advised that Andrea McKee did not wish to enter the programme. During my meeting with her on 27th January 2004 she had been left to consider her options.

SIGNED


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WILLIAM JOHN LYTTLE MUNN

DATED:

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