

STATEMENT OF WITNESS

STATEMENT OF FRANCIS JOSEPH REEL

DATED THIS 8th DAY OF September 2009

I, FRANCIS JOSEPH REEL, 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 joined the RUC in 1959. In 1997 I was the Superintendent having responsibility for informal resolutions in G Department, which was complaints and discipline. I was based at ~~Limavady~~ LISNASHARRACH. I had been in that particular role since 1995. Prior to that I had been an investigating officer in G Department for about 11 years as a Chief Inspector. I had a good knowledge of the complaints and discipline procedures and also the administration of complaints and disciplinaries. I retired on 19 December 1997. I also deputised for the Superintendents at Gough and Limavady.
3. In 1997 I kept a daily journal. These were destroyed when I retired. There was no central administration for keeping journals after retirement that I was aware of. When I retired it was a difficult time and so I destroyed anything which might have in any way compromised my security. I started a new life in retirement and have not been in contact with any of my old colleagues.

4. There were procedures for keeping some documents, for example constables' notebooks. But as far as officers' journals were concerned there was no procedure for keeping them.
5. When cases were referred to the Complaints and Discipline [C&D] Department the Superintendent New Complaints would complete a form. On it he would indicate whether the matter was to be referred to the RUC C&D – or fell within the terms of referring to the ~~RUC C&D~~ ^{ICPC} – and he would tick the necessary boxes. The civil servant staff would pick that up from the Superintendent's office and take it down to their circuit registry and it would be sent from there. If it was urgent it may have been taken by hand or perhaps faxed. I cannot say for sure if any forms were faxed.
6. At that time in 1997 the Superintendent New Complaints was Superintendent Macauley and he worked in the office next door to mine. It had not always been so but it was at that time. Supt Macauley had been in the post for quite a considerable time so we had considerable experience in ~~claim~~ ^{COMPLAINT} management.
7. [REDACTED] wrote a letter of complaint on behalf of the Hamill family which was received by Mr Anderson at Gough Barracks on 7 May 1997. It was then routed back to G Department, arriving on 9 May 1997. In this time Robert Hamill had died. The paperwork with the letter from [REDACTED] was referred under article 7, but the initial complaint was referred under article 8.
8. A part 7 referral is where the Chief Constable refers cases to the ICPC as a standard procedure and it would be up to the ICPC whether they wished to supervise or not. A part 8 referral is where the Chief Constable could, because of circumstances, refer it to the ICPC and they must then supervise it. The earlier complaint was a part 8 referral from the Deputy Chief Constable.
9. I have been shown pages 63695 and 63701 which is a Form 17.2 in relation to the complaint made by [REDACTED] on behalf of the Hamill family. I can confirm

that the writing on it is my handwriting and my signature. The typing on the form would have been done by the typing pool, following Supt Macauley's instructions. Supt Macauley received the complaint which means that he received [REDACTED]'s letter containing the information. He would have filled in a blank form and sent it down to typing. It would have been typed up and sent back to Macauley to attach the other documentation to the front of it.


10. In this case I assume Mr Macauley got it in the morning because his name is on it. When the document came back from typing he obviously was not there because I dealt with it on his behalf by signing the form and attaching the other documentation. I would have completed the form including doing all the ticking.
11. CI Bradley was investigating the earlier complaint. When the letter of complaint came in to G Department on 9 May 1997 it was the day after Robert Hamill died and on that day the Deputy Chief Constable had decided to upgrade the investigation of the complaint from CI Bradley. He gave it to DCS McBurney and Supt Anderson as well as CI Bradley.
12. I filled in a pro forma on 9 May 1997 [page 63699] referring the complaint to the ICPC which also went to the investigating officer. At point 2, which is "Previous references to Commission", I wrote "Article 8 referral of incident". That meant it had already been sent out in relation to the incident. At point 3 I ticked the box for an article 7 referral. At point 10 I have ticked "See complaint letter from solicitor" for details. At point 14, which is details of any related complaints, I have written "Incident being investigated under article 8 referral". At point 15, which is press or public interest or other factors which may influence the Commission's decision, I have written "Press and public interest because Robert Hamill has since died".
13. I have a recollection of something being said, probably by Supt Macauley, to the extent that the ^{DEPUTY} Chief Constable had directed that the whole matter be investigated by the Detective Chief Superintendent. I completed the form on behalf of Supt

Macauley because there was an urgency for the Detective Chief Superintendent to commence his investigation. If Supt Macauley was going to be out of the office later that day then he would have arranged for me to sign the form and send it on.

14. I have been shown a letter dated 27 June 1997 from ACC Hays to the Superintendent, Command Secretariat, which is the Chief Constable's office [page 44407]. ACC Hays says that a referral under article 8 had been made but he had not been told of this. He requested written confirmation of the article 8 referral to be transmitted to the ICPC as soon as possible. My understanding of the situation was that CI Bradley had already been appointed and was already investigating.
15. The Deputy Chief Constable was the ultimate responsibility for discipline within the force. There was also an ACC in charge of the complaints and discipline files. The Chief Constable could refer matters under article 8 if he wished to do so but he abrogated his responsibility either to the ACC of G Department or the Deputy Chief Constable as far as discipline was concerned. The Chief Constable sat on disciplinary hearings and would sit on reviews; the Deputy was ultimately responsible for the discipline investigations and reporting. There was a separation of responsibilities within the force.
16. The Deputy Chief Constable in 1997 was Blair Wallace. Sir Ronnie Flanagan was the Chief Constable but he had not held that position for long. I do not recall having any conversations with Mr Wallace, ACC Hays or Mr Anderson about this matter. Any conversations I had were with Supt Macauley.
17. I had nothing to do with the appointment of DCS McBurney as the investigating officer. I was told about it, by Supt Macauley I think, and I wrote it on the form. Mr McBurney was also the senior investigating officer on the murder investigation.
18. I did not hear anything said at this time regarding a reserve constable having assisted an offender or having advised that he should get rid of his clothing. If such

an allegation had been made it should have been reported to C&D Department so that an investigating officer would be appointed, in this case Mr McBurney.

19. As Mr McBurney was the senior investigating officer on the murder investigation he ~~would~~ ^{SHOULD} have had the information about such an allegation. ~~He~~ ^{IF SO HE} should have routed it to the Head of G Department. If any officer makes a complaint or refers something that is improper to another officer, it would be sent off to G Department. That would be recorded as an internal discipline matter and an investigating officer would be appointed.
20. If the investigating officer believed that the internal discipline matter impacted on another matter that the ICPC were supervising then we would make them aware of it. ^{IF} ~~As~~ there was a serious criminal allegation against one of the officers in the Land Rover, about which the ICPC were supervising a complaint investigation, then the allegation should have been referred to the ICPC under article 7.
21. The Deputy Chief Constable would be advised of the allegations and it would be up to him to decide whether or not there should be a suspension.
22. I would not have been aware of any referral coming from the Command Team because I would have been away doing my own work on informal resolutions.

SIGNED: 

FRANCIS JOSEPH REEL

DATED: 