

CP 21

This interview is being tape recorded. The interview is being conducted in an Interview Room at Lurgan Police Station. I am Patricia Murphy, a Detective from South Region CID and the other Officer present is Detective Constable [REDACTED], South Region CID - the date is the 31st of May 2001 and the interview from the interview room clock is 1300 hours. Can you give us your full name, please.

ATKINSON

Eleanor Atkinson.

Also present is

SOLICITOR

[REDACTED], Solicitor.

Eh this a continuation, Eleanor, we just left the interview room ehm a few minutes ago ehm on the request of your solicitor to get a statement of Michael McKee, who, the statement was dated the 9th of October 97, we now have that statement for you ehm and just before I read it to you, I'll remind you of the caution, OK. You do not have to say anything, but I must caution you that if you do not mention when questioned, something which you later rely on in Court, it may harm your defence. If you do say anything it may be given in evidence - OK, I'm just going to read the statement through to you here, Eleanor.

ATKINSON

OK.

James Michael McKee, Over 21, the statement is dated eh the 9th of October 1997 and it continues, I am a Chief Instructor of the Ulster Tai Kwando Club and I am the proprietor of the Gym located at Unit 19 Brownstown Business Centre, Portadown. I have had the gym at Brownstown for approximately twenty-two months. It was through my association with the club I got to know Eleanor and Robert Atkinson. They have a daughter, [REDACTED] who regularly attends the club. As a result of our friendship my wife, Andrea and I call regularly at the Atkinson's home. On a number of occasions we would just call in unexpected. I can recall my wife, Andrea and I calling with the Atkinsons, this would have been a Saturday night, we had intended of having a social drink, however, on arrival I became aware that Robert was working at Portadown RUC Station. My wife and I sat in Eleanor's home chatting. As on regular occasions we stayed that night. I got up early every morning including Sundays as I open the gym at approximately 9 am. On getting up this

Sunday morning with Andrea as usual, we were treated to our breakfast. We were chatting with Eleanor and she had mentioned that there had been a row involving the ones coming from the Coach. I have a niece, Tracey Clarke. I was aware that she regularly went to the Coach and I was concerned regarding her safety. Tracey, is my sister's daughter although I have little contact with my sister. I do have contact with Tracey. Tracey had met an Allister Hanvey at my club and they got engaged. As a result of my concern I rang Allister Hanvey's home. I got Hanvey's phone number from my wife. I spoke to Kenneth Hanvey, who I had also met through my club. I asked if Tracey was at his house, he told me she wasn't and I said that was fine. I didn't ask about Allister nor did I mention there was trouble in the town centre. I didn't ring my sister [REDACTED] house because at that stage we weren't on talking terms. After the phone call I left the Atkinson's house with Andrea and we both went to the club. I believe Andrea would have heard me talking on the phone. I have been shown an itemised bill, marked M114. I have directed, I have been directed to a call on the 27th of April 1997 at 8 37 am. I can, I can't state if the number [REDACTED]

is that of Hanvey's, however the call was made sometime between 9 am, sometime before 9 am, sorry. At no stage on the morning of the 27th of April 1997 nor any time in fact during that visit did I speak or see Robert Atkinson. Is there anything you would like to comment on that before we go ahead and read this other extract to you.

No.

Michael McKee was then interviewed again or he was interviewed on the 9th of October, sorry the 10th of April 2001. He was interviewed, on tape, after caution and I want to read a piece of the interview if that's OK.

SOLICITOR

I would like the whole interview read in fairness eh Detective Constable.

Well the bit that I am interested in the moment is to contradict that statement so I would like to read that to her at this stage.

SOLICITOR

But this was an interview, I mean I, I assume he was interviewed in connection with the eh content of his interview in 1997. I

mean is that a fair assumption.

He was interviewed, he was arrested for Conspiracy

SOLICITOR

Uh huh.

And the first statement he made was after the Murder of Robert Hamill.

SOLICITOR

Yeah, that was a witness statement.

Yes, that was a - he was, he was interviewed in relation to the

SOLICITOR

Ehm.

Whole offence of Conspiracy

SOLICITOR

Uh huh.

Now we wish to read an extract of that statement eh which contradicts his original statement not, we are getting involved in his other or his other questioning in relation to Conspiracy it's just in relation to this one piece of the statement we wish, wish to read an extract of that for.

SOLICITOR

Well why, why, why be selective eh I just want to know why, why be selective, why not read the whole of the interview.

Because what we are asking Eleanor about here, we want, we are telling Mrs Atkinson now that his statement that he made, he is now saying is untrue. We are telling, we are letting you know what he says - I don't think the other bit of the interview is relevant to what we are talking about here now.

SOLICITOR

Well I, well I can't comment on that because I mean you are telling me it's not, I don't know, I can't make an assessment and neither can my client because ehm being selective in relation to it, I mean eh is unfair. I mean my client needs to know the situation, she knows the circumstances now with regard to how this second statement or this contradictory statement came into being but it's not a statement, you see this is the interview eh conducted so therefore they're, I mean are you assuring me that there is only part of it relates to eh the eh change of story lets put it that way, that he now has related with regard to ehm staying over at the Atkinson's home, is that right.

The part that we are going to read to you

now relates to the statement that we have previously read to you there eh and that's the one thing that we are involved with at the moment, now if at some

SOLICITOR

Yeah.

Later on eh if you want the whole interview we can arrange for that to be done but at this point in time we are only going to read this one bit.

SOLICITOR

I mean I, I, I have no objection to that as long as it's just the statement, you see but this, this is an extract from a question and answer situation; are you telling me that before this extract that you are going to read there were no questions put to him in relation to the making of that statement in 1997.

I can't comment on that.

SOLICITOR

Well I mean I can't comment on that because I mean, well then, well then I, I, you know

Well we are going to go ahead and read this, you can advise your client to answer it what way she wants.

SOLICITOR

No, well I want to put it on record that I am objecting to the eh the procedure that's being employed with regard to reading out an extract of a question and answer eh session with eh, eh this man McKee in April 1997 or 19, or 2001.

OK, that has been noted eh we are going to continue anyway - what we are saying to you, Mrs Atkinson is that Michael McKee was interviewed and he said that the statement he made originally was lies and this is where he says it in his interview, OK.

ATKINSON

Yes.

The Police Officer says to him OK, Michael, now the question I asked you just before you finished off there for your consultation was, was that the statement you made then correct and true. It was not. In what way was it. Michael answers, ehm I was a friend of eh Robbie Atkinson's for some number of years and he asked me to say I made the phone call to eh Allister's mum to check how Tracey was and as a friend of Robbie Atkinson obviously because he was about the only friend that I had in Northern Ireland I said yes, I would. I'm saying I made the phone call so I did. OK,

ehm what was the reasoning behind that, why did that come about, that's the Police Officer speaking. McKee says eh I don't know the whole story but apparently ehm he was one of the Policemen on the Crime Scene and where Robbie Hamill ehm Hamill was sort of assaulted and for whatever reason eh Robbie had made a phone call or, or his wife had made a phone call to Allister's mum or dad and to do something or something or other and me in stupidity said yes, I'll cover up and say I made a phone call.

ATKINSON

That's lies.

That's lies.

ATKINSON

Yes.

We spoke to you in the last interview about Andrea McKee, his estranged wife.

ATKINSON

Yes.

And a meeting which she had said took place at your house to make up this cover story, do you recall that.

ATKINSON

Aye eh they mentioned that to me, yes.

He's now saying the same as Andrea that there was a cover story made.

ATKINSON

No, that's lies.

You still say he was at your house

ATKINSON

Yes.

On the Saturday night, that would be the 26th of April 97.

ATKINSON

The statement I made still stands.

Why would Michael be changing his story now.

ATKINSON

I really don't know.

He's saying the statement he made was lies and made up after a story had been concocted.

ATKINSON

Lies, yes.

You see we're saying that this meeting took place at your home after Robbie had been first interviewed and at that, at that first interview Robbie had been asked by Police to provide a phone bill, have we got that phone bill there - uh huh

SOLICITOR

What date is he saying that that meeting took place.

Sometime, I think it was the 9th of September was his first interview, I'm not sure of that date. Yes, the 9th of September 97 he was interviewed initially and then he was to return to the Police Station on the 9th of October and he was asked during his first interview to bring your phone bill in.

SOLICITOR

He was interviewed initially in September 97.

Yes.

SOLICITOR

And do we have eh a record of that, is there.

Yes, there will be records of Robbie Atkinson's interview.

SOLICITOR

No, I'm sorry, sorry, I beg your pardon, Detective Constable, Mr McKee

No.

SOLICITOR

Was never interviewed in September

No.

SOLICITOR

Of 97, yes, Mr Atkinson was

Yes.

SOLICITOR

A short interview and then returned and eh, he made himself available for interview in October 97

Yes.

SOLICITOR

And what you are saying, putting, putting to my client is that sometime between September and the 9th of October 97 that there was a meeting where this is the allegation what Mr McKee is now saying that he was then induced by Mr Atkinson to make up a story.

Yes, a story was concocted.

SOLICITOR

Well where is he saying that story was concocted; is he giving a date or time or location.

Oh sorry eh no he doesn't give a date or time or location

SOLICITOR

Was he asked about that.

I can't comment, I didn't interview Mr McKee.

SOLICITOR

But you have, you have a record of the interview eh Detective Constable.

Yes, I do.

SOLICITOR

Well I mean.

This is a thirty page interview, do you want us to sit and go through every piece of this interview.

SOLICITOR

Well has it been alleged that my client was present during the interview or the discussion that led to the agreement for a concoction of story.

This was put to your client in the previous interview, Mr Hagan.

SOLICITOR

No, that's not the question I'm asking

And yes the allegation was that the meeting took place in Atkinson's home between Eleanor, Robbie, Andrea McKee and Michael McKee, the allegation is that that story was made with those four persons present.

SOLICITOR

Did he, did he say when that happened.

No.

SOLICITOR

He doesn't give a date then.

No - I am going to continue here, Mrs Atkinson

ATKINSON

OK.

This is the phone bill, you have seen it before.

ATKINSON

Yes.

MI14 eh I have showed it to you before, there's two numbers

ATKINSON

Uh huh.

Eh marked out on that, there is a pencil line below the number

ATKINSON

Yes.

Eh I'll just, the number is [redacted] and from [redacted]

the last interview I believe eh we concluded
 that that was the Harvey number,
 Kenneth Harvey's phone number.

ATKINSON

Well you said it was the Harvey's, I

ATKINSON

Uh huh, Michael (inaudible)

SOLICITOR

Well I agreed but I don't really know his
 number.

SOLICITOR

What time does that refer

OK, the first call was the 27th of the
 4th 1997 made at 0837, that's the call we
 are talking about that morning

What, what time was that there at

0837, the second call was on the 2nd of the
 5th 97 at 1624 eh and as I say both those
 were underlined. Can you tell me why they
 were underlined, when this bill was
 presented to the Police those numbers were
 both underlined. Can you remember why.

ATKINSON

No.

Can you recall.

ATKINSON

No

Well do you

ATKINSON

I underlined them, is that what you are
 trying to say

No, I'm not, did you underline them, did
 your husband

ATKINSON

Oh yeah

Did your solicitor underline them for you,
 that's what we are trying to

ATKINSON

I don't know.

When, when were they underlined.

ATKINSON

Like I only saw that for the first time the
 last interview.

ATKINSON

That's OK.

I don't know who under, I actually thought
 youse probably underlined them, I

Robbie didn't say to you that he had to get
 the phone bill to take back to the Police
 Station.

ATKINSON I can't remember, no.
You can't recall that.

ATKINSON No.
But there was, there was never a time
whenever you sat down with this phone bill
and underlined these two numbers

ATKINSON No.
Or you didn't see Robbie do this.

ATKINSON No.
You weren't present when, perhaps maybe your
solicitor did it.

ATKINSON I really don't know, I actually thought
youse had done this
OK.

ATKINSON Just to show me like the two numbers.
Yeah, you can see that number that we have
there, OK.

ATKINSON Yeah.
Now there's two numbers below it eh one call
is at 1103

ATKINSON Yeah.
And the other one is at 1104

ATKINSON Yeah.
The number on that is [REDACTED]

ATKINSON Uh huh.
OK, do you recognise that number at all.

ATKINSON No, not without my wee book.
Right.

ATKINSON I think youse have my wee book.
Eh [REDACTED] Nursing Home in Portadown,

SOLICITOR You are saying that's the number of
[REDACTED]

Yeah.

SOLICITOR

sorry

oh

No.

SOLICITOR

Sorry

Yeah.

ATKINSON

Where's [redacted] Nursing Home.

I think it's also known as ehm [redacted]

ATKINSON

I don't know anybody there.

That's, that's what I'm asking do you have an relations in there or any reason for phoning that

ATKINSON

Oh my mummy's sister was in eh [redacted] is that out the [redacted]

Yes, yes, yeah.

ATKINSON

Yes, my mummy's sister was in it, Mrs [redacted].

[redacted], [redacted].

ATKINSON

[redacted] but she's dead.

Right, right

ATKINSON

Yeah.

In 97 would she have been there.

ATKINSON

Yes eh uh huh I would say so, yes. Oh I don't know but she was in

Right, she was in there anyway.

ATKINSON

[redacted] yes, uh huh.

And that's your mum's sister.

ATKINSON

My mummy's sister.

That's grand but as far as the underlining goes you didn't do it, you didn't see it being done. Have you finished, Mr [redacted].

SOLICITOR

Yes.

Thank you. You will recall in the last interview as well eh you stated, we went through some discussion were found or you

would say that it was eh the phone book eh the wee small directory

ATKINSON

Yeah.

And the Hanvey number was in it, the Hanvey's number was in it

ATKINSON

Oh that wee book, yes, uh huh.

That wee book there.

ATKINSON

Aye.

Eh this is exhibit JH2, Community Telephone Directory eh obviously this was taken from your home at [REDACTED] Eh I just want to draw your attention to the front couple of pages are loose

ATKINSON

Yeah.

Eh on the second

ATKINSON

There is probably a few missing.

Right, on the second page it says Hanvey

ATKINSON

Yeah.

Quite big writing and then the number [REDACTED] reading it upside down, yeah, yeah, is that, I'm

ATKINSON

Uh huh.

Can you say would you have wrote that in the book or

ATKINSON

That's [REDACTED] writing.

That's [REDACTED] writing here.

ATKINSON

Uh huh, yeah, that eh

And the, the number as well, this is actually the number looks maybe more an older person's writing than eh

ATKINSON

I would say she has probably wrote it like, that's Robert's writing that one there.

ATKINSON

The one below it is Robert's

Aye.

OK.

ATKINSON

My writing is not just as nice as that, wait till I see if I can see, that's my writing

there.

OK

ATKINSON

Do you see that

That's, that's the one you are referring to, that's, is that Doctor.

ATKINSON

Doctor [REDACTED], yeah.

[REDACTED], Health Centre, three five one one four five.

ATKINSON

Yeah.

OK, but in relation to the Hanvey

ATKINSON

That would be [REDACTED]

OK.

ATKINSON

Because she done the Tai Kwando that's probably why.

There is another exhibit here I wish to show you eh JH1, it's a black personal organiser

ATKINSON

Yeah.

That was also taken from [REDACTED] Road, do you recognise that, it says screw-fix on the front.

ATKINSON

Is that [REDACTED] maybe [REDACTED] had it in her room, had she.

SOLICITOR

When was that taken eh Detective Constable.

Eh the 10th of the 4th

April.

SOLICITOR

ATKINSON

Oh I don't know, where, where was it like in the house, can you tell me.

Eh at the moment I can't

ATKINSON

Right.

I have no dealings of actually where it was taken from, is that yours.

ATKINSON

It could be the children's or

OK.

ATKINSON

I don't know whose.

Have you, have you seen any of the children

with it.

ATKINSON

Well [redacted] has all kinds of bits, you wouldn't know, you know children.

Again I am going to draw you to eh a number in it, Kenneth Hanvey.

ATKINSON

Uh huh..

Is that your writing.

ATKINSON

Eh no, I don't know whose writing that is, I don't

If you can flick, if you can flick, you can flick through that there if you want.

ATKINSON

Oh it's probably Robert

It's, it's

ATKINSON

Has been copying all the letters

Numbers in it would those, would those be the numbers that you would use

ATKINSON

Aye, it probably been off that because that's a mess.

But you mean

ATKINSON

So

Copied off the

ATKINSON

That might be copied off that. I don't know. I don't know whose, maybe [redacted] that's my Doctor I know that and (inaudible), wasn't copied off that, I don't know. I honestly don't know, uh huh.

Did you complete, complete it.

ATKINSON

No.

OK, did you ever see Robert with it at any stage.

ATKINSON

No, oh there is more books in our house you wouldn't know. I don't really know

Did you ever see it sitting beside the phone for example or

ATKINSON

No.

Or did you ever, at any time in the past, open it to get a phone number out to use.

ATKINSON

No, never.

Eh, just when we showed you the phone bill there, Eleanor

ATKINSON

Uh huh.

And there was two calls, the Harvey's number [REDACTED], there was two calls which were underlined, one on the 27th of the 4th 97 and one on the 2nd of the 5th 97

ATKINSON

Yeah.

We asked you about both those numbers the last time and your call on the 2nd of the 5th 97 we told you that was a Tuesday

ATKINSON

Uh huh.

Now we were mistaken in that, that was not a Tuesday, that was a Friday

ATKINSON

Right.

That was a Friday, that call was made at 1624 in the afternoon, twenty-four minutes past four in the afternoon

ATKINSON

Yeah.

And you, you said that you made that call.

ATKINSON

Yeah.

Well it's only fair to tell you that we told you wrongly that that was a Tuesday, it was a Friday

ATKINSON

Right.

Would

ATKINSON

Well I only work to four on a Friday, every Friday.

ATKINSON

You work to four on a Friday.

Yeah, Monday to Thursday eh well when was that now 97

Yeah.

ATKINSON

All hours, my work has changed, it used to be eight o'clock start it's now half eight start eh you went home, you stayed one and eight maybe on a Friday but I out every Friday at four.

Right.

ATKINSON

Yeah.

And that would've been the case then.

ATKINSON

Yeah.

Ehm does your, would your work have records of that, do you think.

ATKINSON

Ehm I don't know

Well

ATKINSON

Well you see we weren't computerised probably I wouldn't think it

Ehm.

ATKINSON

Just the holidays has only gone on this year now on the computer, I don't know, I really

Can you recall that particular Friday, can you recall making that call.

ATKINSON

Uh huh, yes I was looking boots and books and I don't know what all

How can you remember that.

ATKINSON

Well [redacted] you see [redacted] my daughter she was going to the World Championships, she was going to all these competitions, she was trying to get her black belt

Uh huh.

ATKINSON

And these, it's, I mean if I had a book I could show you it [redacted] has, it's a wee book with all the patterns and

Well do you still have the book that you, that you ehm allegedly got after that phone call.

ATKINSON

Well [redacted] might have it.

Yeah - and how did you get those again.

ATKINSON

Eh I rang and I don't know who left them at the gym, somebody left them for her

Right, they were left

ATKINSON

They were left, I don't know if they were left in the front hut, you know the gate man or

I think, I think if we said a pattern book,

you know

ATKINSON

Boots, gloves

Right.

ATKINSON

It was really

Right.

ATKINSON

It was really the pattern book.

Right.

ATKINSON

And I think there was maybe belts left.

Would you have any of those now.

ATKINSON

Well I could check with [REDACTED] I'm sure, well I mean a belt, every time you get a belt it changes, the colour changes in the wee tab changes so therefore she could have or she could have passed them on to someone else like.

Right

ATKINSON

But I could check for you, I'll ask [REDACTED]

OK - OK, getting back to the Saturday night, that was the 26th of April 97, the night that you say the McKee's came to your home, Andrea and Michael McKee

ATKINSON

Yes.

Did they bring ehm a carry-out with them that night.

ATKINSON

Yes.

How much drink did they bring.

ATKINSON

Well Mr McKee probably had about sixteen tins.

Sixteen tins - it's quite a lot, isn't it.

ATKINSON

Mr McKee could drink twelve tins in an hour

Right.

ATKINSON

And she had Miller, you know the bottles.

Yes.

ATKINSON

She drank that.

So - was it just tins he was on, had he any Spirits on top of that or

ATKINSON No, tins.

Just tins, OK - well did they bring this carry-out, the intention was that they would go out with you and Robbie, is that right.

ATKINSON Well I don't know, probably, well no they never really went out that much like, they would've come you know in with their drink and he would've drank it and I wouldn't have took drink in the house, he would've, Robert might've took a tin and he took the rest.

So they didn't come to the house with the intention of going out with you and Robbie and then discover that Robbie was working.

ATKINSON Oh I don't know. I really don't know, if, well they brought the carry-out anyway so they maybe were going to drink that first.

Right.

ATKINSON Yeah.

What time did they arrive.

ATKINSON Well I don't know, a Saturday night, well if there had've been something on in the club, oh I don't know, I couldn't be precise like and say

Robbie was working when they arrived.

ATKINSON Yeah, uh huh.

Robbie went to work, he was starting at four.

ATKINSON At four, he would've went about half three.

Yeah, well like why

ATKINSON Well they wouldn't have came like to eight

Uh huh

ATKINSON Eightish maybe.

In, in the evening.

ATKINSON Aye.

Who else was in the house then.

ATKINSON Probably [REDACTED] and [REDACTED] but as I told you [REDACTED] stays with my mummy.

Right, right, so he would've went out

ATKINSON

He lives but he, like he would've been seven, sixteen, he's not a, he didn't go to discos or whatever, he worked in Dunnes, come home, spent a while up in the room with the TV, the music, went to mother's. He wasn't a child that run, you know to discos, anything like that.

So Michael would've had sixteen cans, quite, something round that.

ATKINSON

Well twelve to sixteen.

Yeah, so he was pretty drunk then.

ATKINSON

Probably.

Well was he or was he not.

ATKINSON

Aye, well he could drink plenty of drink, you know.

Right, you didn't see him, he didn't seem excessive drunk to you.

ATKINSON

I didn't look at him, I don't know.

Can you remember when you all went to bed

ATKINSON

I was more concerned

What state everyone was in.

ATKINSON

Well I didn't take any drink, I'm not a drinker eh I would say, well Robert was to come in at twelve

Uh huh.

ATKINSON

A quarter to twelve which would've took him about half twelve from Craigavon, was he in Craigavon, if he was in Craigavon at the time, I'm not sure if he was in Portadown or Craigavon and he didn't arrive so I assume it's probably between one and two maybe.

Ehm did Robbie ring throughout the evening.

ATKINSON

No, but that was the, well why I wondered like, he didn't ring me at all to say until

Does he normally

ATKINSON

Well if he was, you know maybe of a situation like that up the town he probably, no, he wouldn't except he was maybe near Station like

Uh huh.

ATKINSON

I would say like, I'll be late but he usually wasn't

Did he not have a mobile, no.

ATKINSON

I would say he wouldn't have carried it on duty, outside of duty like.

He didn't ring you from his mobile.

ATKINSON

No, no, no he didn't ring me at all.

You received no contact

ATKINSON

No.

From Robbie when he left at half three to go to work you didn't speak to him until he came home.

ATKINSON

No.

So did Michael tell you the night before that he had to get up early to take these students in the morning, is that

ATKINSON

He had to take two, two fellas he usually took ehm I don't know their names but I know, you know I saw them at the gym because [REDACTED] went every Sunday to the gym. He had to take two fellas at nine o'clock because he had taken the drink, he had to go back into Portadown for nine o'clock to take the students, two students private, took these two students private so therefore that's why he stayed because he had the drink and the both of them had the drink, they couldn't drink so it was nearer from my house to go up to the top of the [REDACTED] than

It would be an odd thing to take so much drink when you had to teach students in the morning, would it.

ATKINSON

No, not if you know Michael.

It wouldn't have mattered that

ATKINSON

No.

He had students that he would've still drank that amount.

ATKINSON

Uh huh.

And you don't know who these people were but you would know them to see.

ATKINSON

Oh I don't know who they were, two fellas that's all I know. I never got into it, I just, they went, I think they were shy, they wouldn't do Tai Kwando in front of other students so he took them private.

Michael, himself says ehm that he normally didn't take students on Sunday morning it was always afternoons or Sunday evenings.

ATKINSON

Well the gym was always open on a Sunday, he was always there, there was always something going on in it.

Well the gym doesn't open on a Sunday, it's just people can have access to it

ATKINSON

Yes.

But it doesn't actually open.

ATKINSON

People had keys, yes to go in; oh it did open for a long time every Sunday.

SOLICITOR

Is that part of his statement eh

He has told Police this, yes.

SOLICITOR

Well is it written down.

I'm not sure if it's in those interview, that interview notes or not but he has told Police this.

SOLICITOR

Well you didn't speak to him.

No, I didn't speak to him - what we are saying here, Eleanor that he says that Sunday was the only day off, he works six other days, Sunday was the only day off

ATKINSON

Uh huh.

So if he could do without it he would not take lessons on a Sunday and if he had to, if he was really forced he would take them in the afternoon or evening but he would never, never book anybody in for lessons on a Sunday morning.

ATKINSON

Well the gym was opened every Sunday morning and ask any of the students that went to it and they'll tell you that it was packed every Sunday because my daughter went from Church

Yes, the gym is maybe open

ATKINSON

Yes.

But it's not open for lessons, he doesn't give lessons on a Sunday.

ATKINSON

Oh he was always there. I, I've left my daughter, lifted her at Saint Columba's Church at eleven, half eleven, brought her straight to the gym and went in and both Andrea and Michael were sitting.

Just going back, you have heard the statement there we have read of Michael McKee's

ATKINSON

Yes.

And you said that the reason he used your phone was because of his worry for his niece, Tracey

ATKINSON

Yes.

And Tracey was going with Allister Hanvey, he thought I'll ring the Hanvey's to see if she is there, got home OK so he phoned from eh your house to check and she wasn't there. Now do you not think if a man was so worried about his niece that he would continue maybe to try to check where she was if he went to the gym, before he started he might make another phone call, try to track her down, he might phone his sister although he says he didn't get on with her but he might have phoned if he was that worried about her, he might, Andrea went on home to the house from the gym, he might've phoned her to see if she had phoned Andrea, to see if she had called round, Andrea maybe would have phoned the gym to say no I had heard nothing, would that be logical if he was that worried about her

ATKINSON

Yes.

That worried to make a call from your house at 8 37 in the morning to track her down

SOLICITOR

How can my client answer that, Detective Constable.

Eh

SOLICITOR

That's not a question, I would advise my client not to make any comment, that is not a question at all.

I can tell you, Mrs Atkinson that there was no phone calls made from that gym on the Sunday morning, none. The first call made from the gym was at a quarter past twelve, mid-day

SOLICITOR

You say that Mr McKee, this is the gym
Mr McKee

Yes.

SOLICITOR

There was a phone call

A man who was so worried about his niece
didn't bother phoning, making any more
calls.

SOLICITOR

Phone call from gym.

ATKINSON

Perhaps she was in the gym, I don't know, I
wasn't at the gym, I really don't know what
Mr McKee done.

Michael McKee wasn't at the gym either

ATKINSON

Well he left my house to go to the gym and I

You're saying that.

ATKINSON

Yes.

He's saying he was not in the gym. He's
saying he wasn't at your house to start
with.

ATKINSON

Well I don't, I don't know where he went to
then when he left my house.

He's saying he wasn't at your house.

SOLICITOR

When does he say, where does he say that.

We have already covered that, we have read
it out from his interview.

SOLICITOR

From the statement

From the

SOLICITOR

He's, he's, he's not saying that, he's
saying that what he said in 97 was lies.

Michael McKee told Police during his
interview he was not at your house on
Saturday night

SOLICITOR

Well Detective, that's the very point I was
making, Detective Constable, if you read
what he is saying rather than telling my
client what your memory of what he is
saying, if you read

It's not my memory, Mr [REDACTED], he told the
Police.

SOLICITOR

He didn't tell you.

He didn't tell me, he told the Police when he was interviewed.

SOLICITOR

But surely it must be in his, in his interview.

Well I'm not sure if it's in this interview, the interview that I have here is SMC8, I'm not sure if it's in this interview

SOLICITOR

How many interviews did he give.

I'm not sure, I don't know.

SOLICITOR

But I don't have any objections, Detective Constable to reading out to things that

I think we've covered it Mr (inaudible)

SOLICITOR

No, we haven't covered it, Detective Constable

It's, it

SOLICITOR

No we haven't covered it.

It's a thirty page document, we're in the interview here, we haven't time to go through and read it all, that would be the interview finished; we have selected one point eh to cover the statement we read

SOLICITOR

But you're

And that's all we wish to

SOLICITOR

But you're putting to my client that Mr McKee says this and Mr McKee says that and I have no objection to putting that to my client from extracts of his statement that he had provided to the Police, what you're, what you're putting to him, well he had told Police this, I mean my client doesn't know what he has told Police, all she knows what he told Police is from the selection that has been read out with regard to eh a short matter and a short number of paragraphs in which he has stated and what he has told in his statement of 1997 which was read out it was not true and give us a reason for saying it wasn't true but in regard to these other matters about not going to the gym and making a phone call at 1215 and all this sort of stuff, I mean we know nothing about that which would

No, I didn't say he made a call at 1215, the first call from the gym was made at 1215.

SOLICITOR

Well you're saying and we don't have any documentary record of that, I mean is my client to accept that this is all true from a man who has told Police that what he said in 1997 was lies.

I would like to continue, Eleanor eh the Saturday evening, I just want you to confirm who was in the house again eh in the morning time.

ATKINSON

In my house.

Yes, in your house in the morning.

ATKINSON

Well.

There was yourself eh and [REDACTED] on Saturday the 26th, Saturday sorry, sorry, Saturday the 26th that night onto the Sunday morning whenever you stated the McKees left to go to the gym, now prior to them leaving when they used the phone, who was all in the house that morning

ATKINSON

There would've been [REDACTED] and myself

Yeah, what about Robert.

ATKINSON

And Robert and [REDACTED] was at the grandmother's.

Robert came home from work and then he was called back in again

ATKINSON

Yes.

What conversation do you have with him whenever he come home the first time.

SOLICITOR

Detective Constable, was this not covered at the interview on the 10th, the 10th of April

It was, yeah, eh

SOLICITOR

My client has give her answers in relation to that.

Eh I'm asking it again to test the truthfulness this of her answers

SOLICITOR

Constable, he, these matters were all put to Mrs Atkinson on the 10th of April of this year and she answered questions that were put to her. You don't really eh expect her to go over all this again which she has provided and certainly if it was new material in relation that haven't been put

to her before I would have no objection to it.

Mr [REDACTED] I am not bound to accept the first answer given, questioning is not unfair merely because it is persistent.

SOLICITOR

Well I would like to have the interview suspended at this time to talk to my client in relation to this line of questioning.

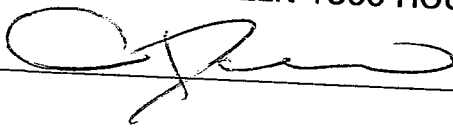
Right, the time is eh 1335 and at the request of the solicitor we are now terminating this interview ehm that's the PACE 21 ehm of the tapes - the time again for that is 1335. Could I ask you just to sign there, Eleanor to say, there, to say that you got that PACE 21.

ATKINSON

I have to get the glasses on.

Well - 1335 and we are terminating the interview.

CHECKED & CERTIFIED AN ACCURATE TRANSCRIPT OF PACE TAPE NO T270561A INTERVIEW OF ELEANOR ATKINSON ON 31 MAY 2001 BETWEEN 1300 HOURS AND 1335 HOURS.

 DC 13091