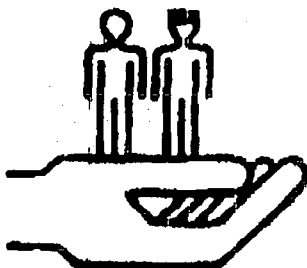


Independent Commission for
Police Complaints for
Northern Ireland



Chairman



Date

June 1997

Ref No.

Our Ref

C1039/97/4



Director
British Irish Rights Watch
First Floor
20 - 21 Took's Court
Curettor Street
London
EC4A 1LB

Dear Ms



Thank you for your letter of 19 June 1997 the content of which I have noted.

You raise a number of important issues in your correspondence and I am pleased to avail of this opportunity to provide, as best I can, the clarification sought.

Firstly, I should point out that Detective Chief Superintendent McBurney, Superintendent Anderson and Chief Inspector Bradley are based at Cough Barracks, Armagh and not Portadown RUC Station. The decision to approve Detective Chief Superintendent McBurney as Investigating Officer, rather than an officer from outside the RUC, was made by myself after careful consideration. The Detective Chief Superintendent has been involved in previous supervised investigations and has the confidence of the Commission to conduct a thorough and meaningful inquiry under my direct supervision.

With regard to Detective Chief Superintendent McBurney's letter dated 22 May 1997, I regret any upset caused to Ms Hamill by the reference to criminal proceedings. As you quite properly point out in your communication Ms Hamill was invited to contact police if the venue of her proposed interview was not suitable. Had the complainant asked for alternative arrangements to have been made she would have been facilitated. I also note that you indicate that Ms Hamill was confused by the letter from the Investigating Officer: she had of course, the benefit of the assistance of a solicitor who would have been able to explain matters and could have sought further clarification if necessary.

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The choice of Portadown RUC Station as the base for the investigation team was made principally for administrative and practical purposes bearing in mind that the vast majority of potential witnesses reside in the immediate locality. I can assure you that, whilst senior RUC detectives based at Portadown RUC Station are employed in a back-up capacity to the Investigating Officer the conduct of the investigation is confidential and knowledge of its progress confined to those officers actively involved in pursuing the enquiry.

In relation to the suspension of the RUC officers involved I must point out that the Commission has no legislative remit in such matters, which is for the Chief Constable to consider.

Allow me to take this opportunity to ask you to use whatever influence you may have to encourage any witnesses of whom you are aware to co-operate with the supervised investigation. The failure of vital witnesses to come forward and give evidence in my presence not only diminishes the effectiveness of the investigation but also frustrates my sincere attempts to establish the facts of the case.

Yours sincerely


Supervising Member

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30/06/97

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