

DOCUMENT D899

DOCUMENT NUMBER D899

DATE 191200

DESCRIPTION POLICY FILE BOOK 1 - DECISIONS N490

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POLICY FILE BOOK 1 - DECISIONS N490

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OFFENCE: ASSISTING OFFENDERS/CONSPIRACY TO PERVERT THE
COURSE OF JUSTICE

VICTIM(S):

THE MURDER OF ROBERT HAMILL IN PORTADOWN

ON SUNDAY 27.4.1997

SENIOR INVESTIGATING OFFICER:

K

DEPUTY INVESTIGATING OFFICER:

H

DATE ENQUIRY COMMENCED:

26.6.00

DATE ENQUIRY CONCLUDED:

POLICY FILE

Policy Book 1
Document 899
for consideration
By DPP

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CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 1

DATE OF DECISION: 26 6 00

TIME OF DECISION: 2 30 PM

OFFICER MAKING DECISION DCS McBURNEY

DECISION: (A) K [REDACTED], H [REDACTED] and [REDACTED] will be

introduced to the investigation and will

re-investigate the allegation made in 1997 concerning

Reserve Constable Robert Atkinson in consequence of the

statement made by Andrea McKee on 20.6.00 to DCS

McBurney and DI Irwin.

- (B) In beginning this re-investigation, these officers will familiarise themselves with the information contained within the Hamill Murder HOLMES Account and related police files.

REASONS: To re-investigate the allegation concerning R/Constable Robert Atkinson and Alistair Hanvey and to present evidence which will:-

- (a) corroborate the allegation made by Andrea McKee on 20.6.00
- (b) corroborate the allegation made by Tracy Clarke on 10.5.97
- (c) prove that the account given by Robert Atkinson in 1997

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regarding the phone call made from his home to Hanvey's
home on 27.4.97 was false.

OFFICER MAKING ENTRY:

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SIGNATURE:

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DATE: 26.6.00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 2

DATE OF DECISION: 26.6.00

TIME OF DECISION: 3 PM

OFFICER MAKING DECISION: DCS McBURNEY

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DECISION: In consequence of Andrea McKee's statement dated 20.6.00,
to identify and carry out lines of enquiry arising from the
statement prior to conducting further interviews with Robert
Atkinson and others.

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REASONS: (a) To enable an assessment to be made of Andrea McKee's allegation of 20.6.00 against the alibi statement she made to police in 1997 supporting Robert Atkinson's explanation for the phone call at that time.

(b) To gather further evidence which will corroborate Andrea McKee's allegation and which will be useful in structuring and conducting subsequent interviews with Atkinson and others (Robert Atkinson did not admit to any criminal conspiracy during interviews in 1997)

(c) ~~To~~ gather and present evidence which can be placed before a Court

OFFICER MAKING ENTRY:

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SIGNATURE:

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DATE: 26.6.00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 3

DATE OF DECISION: 28 6 00

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TIME OF DECISION: 9 AM

OFFICER MAKING DECISION:

K

DECISION: (a) To research the information contained within (1) HQ Crime File Ref: B147/1345/97 entitled 'Allegations of Misconduct by Officers of Justice at Market St/High St Portadown on 27.4.1997 (2) Investigative actions and associated documentation which is recorded on the HOLMES Hamill Murder Account with particular attention at this point focusing on recorded information referred to Robert and Eleanor Atkinson, Michael and Andrea McKee, Alistair Kenneth, Elizabeth and Thomas Hanvey, Witness A, Witness B, Jonathan Wright and R/Constable Warnock. (Notebook entry ref: clothing worn by Alistair Hanvey) (b) To review the investigation undertaken previously and evidence gathered in respect of (1) Alistair Hanvey's alleged involvement in the murder of Mr Hamill and (2) alleged post-incident criminal conduct of Robert Atkinson in terms of assisting officers/withholding information/conspiracy to pervert the course of justice.

REASONS: (1) To facilitate the Investigation Team to identify what lines of enquiry need to be actioned and prioritised
(2) To facilitate an assessment of Andrea McKee's evidence of 20.6.00 within the context of the overall investigation into the allegation concerning Robert

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Atkinson.

OFFICER MAKING ENTRY:

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SIGNATURE:

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DATE: 28.6.00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 4

DATE OF DECISION: 30.6.00

TIME OF DECISION: 10 AM

DECISION: In reviewing the evidence which was gathered during the 1997 investigation into the allegations concerning Robert Atkinson and in considering the evidence contained within Andrea McKee's statement of 20.6.00, the re-investigation of the allegations concerning Robert Atkinson will be managed and actioned on the Hamill Murder Investigation HOLMES Account which is still a 'live' account.

REASONS: The allegations covering R/Constable Robert Atkinson is inextricably linked with the murder of Robert Hamill. If the allegation that Atkinson advised Hanvey to dispose of clothing is correct, it is reasonable to infer that he did so for the purpose of advising Hanvey to destroy any forensic evidence which could potentially connect him with

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the murder. This raises the question of what actually did Atkinson witness at the scene of the murder to cause him to do what is alleged. In acknowledging that this investigation is not a re-investigation of the murder, this investigation may present new evidence about the murder which may open up new lines of enquiry for investigation. It would therefore benefit the overall investigation of all the circumstances surrounding the Hamill murder to have the cross referencing, search and sequence of events functionality which HOLMES provides.

OFFICER MAKING ENTRY: K [redacted]

SIGNATURE K [redacted]

DATE: 30.6.00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 5

DATE OF DECISION: 30 6 00

TIME OF DECISION: 10 AM

OFFICER MAKING DECISION: K [redacted]

DECISION: (a) Enquiries will be initiated to establish the accuracy of Andrea McKee's statement of 20.6.00 and to identify

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further lines of enquiry which will corroborate what Andrea McKee has now stated.

- (b) A further interview to be carried out with Andrea McKee to obtain more precise and detailed information/evidence about the movements and contacts between Robert Atkinson and Michael McKee on 27.4.97 and during the period which followed the murder in 1997. Telephone billing analysis should be carried out as far as possible prior to the re-interview of Andrea McKee.

- REASONS: (a) To gather evidence which will corroborate what Andrea McKee has stated and to produce evidence which can be placed before a court in disproving the accounts given by Robert Atkinson and other in 1997.
- (b) Further information from Andrea McKee about the movements/contacts/relationship between Robert Atkinson and Michael McKee may help to identify further lines of enquiry which may produce evidence to corroborate Andrea McKee's evidence. The results of subsequent telephone billing analysis will be useful in structuring the re-interview of Andrea McKee and will maximise the potential of the re-interview in evidential terms. The re-interview of Andrea McKee should not be subject to any unnecessary delay, telephone billing analysis will be prioritised.

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30.6.00

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POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 6

DATE OF DECISION: 30 6 00

TIME OF DECISION: 10 05 AM

OFFICER MAKING DECISION:

K

DECISION: (a) To prioritise and action a number of lines of enquiry focusing on obtaining itemised telephone billing information in respect of the Atkinson's, McKee's, Hanvey's, Tracey Clarke and Portadown Police Station for analysis, interpretation and further investigation. It is anticipated that this will be a major and complex line of enquiry which, due to the networking nature of the product and the fact that this information will be Providers, will be a protracted line of enquiry which may take a protracted length of time to investigate fully. It is therefore recognised that where lines of enquiry are developed for further investigation, these enquiries will be prioritised and there should be no delays in making applications for itemised billings and subscriber details.

REASONS: In considering the nature of this offence and the time which

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has elapsed since the commission of the offence, telephone analysis is necessary in formulating an investigative platform from which it may be possible to:-

- (1) to identify the nature of the relationships which existed between these suspects before and after the murder in 1997 and currently
- (2) to identify significant communication links which will assist the investigation in establishing the sequencing of significant events relevant to the criminal conspiracies and other offences of withholding info
by Atkinson.
- (3) position suspects at material times
- (4) to identify further lines of enquiry which will assist the investigation in gathering evidence which will seek to corroborate what Andrea McKee has now said and prove that the accounts given by Robert Atkinson and others in 1997 were false.

OFFICER MAKING ENTRY:

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SIGNATURE:

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DATE:

30.6.00

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POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 7

DATE OF DECISION: 30 6 00

TIME OF DECISION: 10 10 AM

OFFICER MAKING DECISION: K

- DECISION: (A) To identify the time parameters for initially obtaining itemised telephone billings which will focus on significant periods within the investigation in 1997 and currently. At this stage, this will include:-
- (i) 1.1.97 to 31.5.97 (includes periods before and after the murder)
 - (ii) 25.8.97 to 30.11.97 (includes the period when Atkinson was interviewed and alibi statements were made supporting his story)
 - (iii) 14.6.00 to 3.7.00 (includes the periods when Michael McKee and Andrea McKee were spoken to by DCS McBurney and DI Irwin)
- (b) In considering the networking nature of these enquiries, the subject of itemised billing and time parameters in respect of further telephone

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investigations will be assess in terms of their potential significance to the investigation. The implications of Human Rights will be considered in every case where application for itemised billing information is to be made.

- REASONS:
- (i) Took keep the investigation focused on the investigative objectives
 - (ii) To maximise the potential to capture evidence in relation to the criminal conspiracies.
 - (iii) In view of the fact that I have limited resources, to ensure that optional use is made of the time available in investigative terms.
 - (iv) The investigation remains progressive and manageable

OFFICER MAKING ENTRY: K SIGNATURE K

DATE: 30.6.00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 8

DATE OF DECISION: 30 6 00

TIME OF DECISION: 10 15 AM

OFFICER MAKING DECISION: K

DECISION: (A) To utilise Microsoft Excel Computer Software to

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collect, analyse and present telephone billing information in a way which assist the investigation team to identify significant sequences of contacts, further lines of enquiry and potential witnesses.

(B) This analytical work will be carried out by H and myself to ensure that there are no unnecessary delays in producing this product and will facilitate the team to understand and identify quickly significant areas for further investigative research.

(C) The analytical objectives will be outlined by me in due course when we begin to receive itemised billing product and more is understood about the surrounding the allegations.

- REASONS:
- (i) To ensure the effective investigative management of this investigation.
 - (ii) To ensure that further lines of enquiry are recognised as quickly as possible and actioned accordingly.
 - (iii) The full investigative potential of telephone analysis is achieved.

OFFICER MAKING ENTRY:

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SIGNATURE:

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DATE:

30 6 00

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POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 9

DATE OF DECISION: 30 6 00

TIME OF DECISION: 10 20 AM

OFFICER MAKING DECISION:

K

DECISION: The investigation will, at this stage, be conducted as covertly as possible with no overt enquiries being made until the telephone analysis is well advanced and Andrea McKee has been re-interviewed in greater depth on the findings and any issues which emerge from it which are potentially significant to the investigation.

REASONS: (i) To achieve the maximum benefit from the re-interview of Andrea McKee in due course

(ii) To prevent the potential for any frustration in gathering further evidence and interviewing potential witnesses.

OFFICER MAKING ENTRY:

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SIGNATURE

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DATE:

30 6 00

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POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 10

DATE OF DECISION: 30 6 00

TIME OF DECISION: 10 25 AM

OFFICER MAKING DECISION: DCS MCBURNEY

DECISION: A previous decision had been made by Senior police not to suspend R/Constable Robert Atkinson. This decision will not be changed at this stage and can be re-considered at any stage as the investigation progresses and evidence emerges

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which will substantiate and corroborate the allegation of
Andrea McKee.

REASONS: (i) Further investigations to be conducted to corroborate
the evidence of Andrea McKee and substantiate the
allegation.

(ii) R/Constable Robert Atkinson is currently on long term
sick with a street related illness and is therefore
not currently serving operationally.

OFFICER MAKING ENTRY:

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SIGNATURE:

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DATE:

30 6 00

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CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 11

DATE OF DECISION: 9 8 00

TIME OF DECISION: 10 AM

OFFICER MAKING DECISION: DCS McBURNEY

K

MR MULLAN - ICPC

DECISION: Directional meeting held with the ICPC representatives - areas for discussion concerning the current investigation included:-

- (i) Updating the Hamill family on recent developments - at the request of the family, this was being done through [REDACTED] acting for the family. DCS McBurney informed the ICPC representatives that [REDACTED] had been advised recently and had assured police of confidentiality in this matter at this point.
- (ii) Further interviews of Robert Atkinson and others to pend awaiting the collection and analysis of further information/evidence which is currently being sought in light of Andrea McKee's statement dated 20 6 00
- (iii) The interview of Mr Sean Hagan, , Solicitor representing Robert Atkinson, to pend awaiting the collection and analysis of further


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information/evidence.

- (iv) The timing of the arrest of Robert Atkinson will be kept under review and considered when investigations are at a more advanced stage.
- (v) In taking account of all the circumstances., it was agreed that an early move at this point to suspend Atkinson could potentially prejudice the investigation at this stage, it was agreed to keep this matter under review.
- (vi) Liaison with the DPP after finalisation of investigations regarding the evidence of Andrea McKee

(See Notes of 1st Meeting with ICPC - 9/8/00)

- REASONS:
- (1) Ongoing supervision of the current investigation by the ICPC.
 - (2) To ensure that the Hamill family are kept informed of developments in the current investigation through their 
 - (3) The issue of R/Constable Atkinson's supervision to be kept under review. He remains on long term sick at this time
 - (4) To seek direction from the DPP as to the position of Andrea McKee who has admitted to her minor role in the conspiracy between the Atkinsons and McKee's (DCS McBurney has spoken to the DPP about this decision to record Andrea McKee's evidence on a witness statement on his return from Wales and prior to my appointment to the current investigation)

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OFFICER MAKING ENTRY:

K [REDACTED]

SIGNATURE:

K [REDACTED]

DATE:

9 8 00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 12

DATE OF DECISION: 31 8 00

TIME OF DECISION: 11 30 AM

OFFICER MAKING DECISION:

K [REDACTED]

DECISION: (a) To fully investigate all the circumstances surrounding the phone call which has been identified in itemised billing and was recorded as being made from McKee's home address at [REDACTED] to McKee's Taxis, [REDACTED] Portadown at 1 30 am on 27 4 1997.

(b) This will lead to a number of further lines of enquiries. As telephone analysis is not yet complete (we are still waiting product which has been prioritised with BT) and we are not in a position to fully re-interview Andrea McKee at this point, no overt enquiry will be made until Andrea McKee has been interviewed about this. Her evidence will be important in developing lines of enquiry.

REASONS: (1) This is a significant piece of evidence which appears to contradict the story put forward in 1997 that the McKee's had stayed overnight at the Atkinson's house.

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(2) No overt action will be taken prior to the re-interview of Andrea McKee which would or could prevent or frustrate the investigation team from developing this important piece of evidence.

OFFICER MAKING ENTRY: K [redacted]

SIGNATURE: K [redacted]

DATE: 31 8 00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 13

DATE OF DECISION: 1.9.2000

TIME OF DECISION: 9 AM

OFFICER MAKING DECISION: K [redacted]

DECISION: Strategy outlined for the analysis of itemised telephone billings which have been applied for and reviewed at this stage of investigations - See Officers Report by DCI

K [redacted] dated 1.9.00 in HOLMES System.

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REASONS: (i) To define the analytical objectives of this line of investigation and to set out the means by which these objectives may be achieved.

(ii) To ensure that this complex line of enquiry remains focused, relevant to the current investigation and manageable.

OFFICER MAKING ENTRY:

K [REDACTED]

SIGNATURE:

K [REDACTED]

DATE:

1 9 00

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CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 14

DATE OF DECISION: 4 9 00

TIME OF DECISION: 10 AM

OFFICER MAKING DECISION: DCS McBURNEY

K

DI IRWIN

MR MULLAN - ICPC

DECISION: 2nd Directional Meeting with the ICPC during the current investigation. As a result of a lengthy discussion into the conduct and progress of the investigation, it was agreed:-

- (1) to continue to prioritise the telephone analysis and to endeavour to complete this before discussions are taken as to the timing of subsequent arrests of Robert Atkinson and others. It was agreed that as much information as possible should be gathered before proceeding to the stage of interviewing the Atkinson's, Michael McKee and the Hanvey's.
- (2) To complete the telephone analysis as far as possible prior to the re-interview of Andrea McKee. It was agreed that Andrea McKee will be re-interviewed for clarification of a number of points concerning her statement of 20 6 00 and to put new evidence to her

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which may assist her recollection of events at that time in 1997.

- (3) DCS McBurney will speak to the Chief Constable with regard to updating [REDACTED] acting for the Hamill family, on the current stage of the investigation. (See Notes of 2nd Meeting with ICPC - 4/9/00)

REASONS: (1) Ongoing supervision of the current investigation by the ICPC.

(2) The re-interview of Andrea McKee will be an important factor in helping to drive this investigation forward.

(3) To ensure that the Hamill family, through their [REDACTED], are kept informed of the conduct and progress of the current investigation.

OFFICER MAKING ENTRY: K [REDACTED]

SIGNATURE: K [REDACTED]

DATE: 4 9 00

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POLICY FILE

CASE OF: ROBERT ATKINSON & OTHER

DECISION NO: 15

DATE OF DECISION: 8 9 00

TIME OF DECISION: 12 15 PM

OFFICER MAKING DECISION: K

DECISION: To initiate financial investigations to identify any financial transaction which may be significant in terms of the findings from the telephone analysis and the alibi statements made in 1997.

REASONS: This information may assist the investigation to:-

- (a) position persons at a particular point in time this information will be useful in disproving the alibi's given to support the Atkinson's explanations for the phone calls to the Harvey's on 27/4/97)
- (b) identify any financial connection between Atkinsons, McKee and Harvey.

OFFICER MAKING ENTRY: K

SIGNATURE K

DATE: 8 9 00

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POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 16

DATE OF DECISION: 13 9 00

TIME OF DECISION: 9 AM

OFFICER MAKING DECISION:

K

DECISION: (a) To prepare a progress report setting out the lines of enquiry along which the investigation is being structured and progressed at this stage of the investigation.

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(b) Progress Report to be entered on the HOLMES System.

- REASONS:
- (i) To facilitate a review of what has been done to date
 - (ii) To assess how effective the investigation is being investigatively managed.
 - (iii) To ensure that the investigation remains focussed on the investigation objectives.

OFFICER MAKING ENTRY:

K

SIGNATURE

K

DATE:

13 9 00

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CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 17

DATE OF DECISION: 18 9 00

TIME OF DECISION: 10 AM

OFFICER MAKING DECISION:

K

DECISION: (a) To appoint a Financial Investigation Officer from
Headquarters

(b) To utilise the findings of the telephone analysis in
identifying significant contacts where financial
positioning may be relevant in disproving the
explanations given by the suspects in 1997 regarding
the phone calls between Robert Atkinson and Alistair
Hanvey

REASONS: To assist the investigation in progressing financial lines
of enquiry concerning the suspects for the purpose of:

- (a) financially positioning Robert Atkinson, Eleanor
Atkinson, Michael McKee, Andrea McKee, Kenneth Hanvey
and Alistair Hanvey on 26/27 April 1997 and 2 May 1997
by looking at any financial transactions made by them,
for example ATM/Creditcard transactions and cheque
transactions.
- (b) checking for the existence of any cash transactions
between these suspects in 1997 which are relevant and
significant to the current investigation.

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OFFICER MAKING ENTRY:

K

SIGNATURE:

K

DATE: 18 9 00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 18

DATE OF DECISION: 26 9 00

TIME OF DECISION: 9 30 AM

OFFICER MAKING DECISION:

K

- DECISION: (a) In consequence of Michael McKee ringing Portadown Police Station asking to speak to D/Inspector Irwin, D/I Irwin to make contact with Michael McKee as soon as possible to establish why Michael McKee is looking to speak to him
- (b) No discussion with Michael McKee about the current investigation is to be initiated, full details about the conversation which takes place is to be recorded on

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the HOLMES System

REASONS: (1) to establish Michael McKee's reason for contacting D/I
Irwin at this time

(2) In the event that Michael McKee should volunteer any
information concerning his knowledge of the current
investigation, to establish what that knowledge is.
This may be useful in considering future courses of
action at this stage of the investigation.

OFFICER MAKING ENTRY:

K [Redacted]

SIGNATURE:

K [Redacted]

DATE: 26 9 00

POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 19

DATE OF DECISION: 27 9 00

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TIME OF DECISION: 2 30 PM

OFFICER MAKING DECISION:

K [REDACTED]

DECISION: (a) To appoint a Detective Sergeant to act as Receiver in this investigation

(b) To seek further resources to assist H [REDACTED], [REDACTED] and myself in carrying out investigations.

REASONS: (1) To ensure the efficient and effective management of the HOLMES System.

(2) The telephone analysis is likely to raise a number of further investigative actions. Additional resources should be considered after the re-interview of Andrea McKee in order to progress the investigation as quickly as possible

OFFICER MAKING ENTRY:

K [REDACTED]

SIGNATURE:

K [REDACTED]

DATE:

27 9 00

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POLICY FILE

CASE OF: ROBERT ATKINSON & OTHERS

DECISION NO: 20

DATE OF DECISION: 9 10 00

TIME OF DECISION: 10 AM

OFFICER MAKING DECISION: DCI K [REDACTED]

DECISION: (a) From investigations carried out to date, to begin to plan and structure the re-interview of Andrea McKee who should be interviewed as soon as practicable

(b) To arrange to meet and brief [REDACTED] regarding the conduct and progress of the current investigation to date as soon as possible.

REASONS: (1) Planning the interview will ensure that all the investigative issues which have emerged during the investigation to date are dealt with during the re-interview of Andrea McKee. Her responses to these issues will be helpful in progressing further lines of

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enquiry.

- (ii) To ensure that the Hamill family are kept informed about how the current investigation is being progressed.

OFFICER MAKING ENTRY:

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SIGNATURE:

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DATE:

9 10 00