

- 15.03 Furthermore DI Irwin's primary concern was to gather evidence from potential key witnesses, against those responsible for the murder of Robert Hamill.
- 15.04 The strategy designed by DCS McBurney and carried out by DI Irwin was foolhardy to say the least. It involved the recording of lies, without challenge and without any recorded policy decision. These were persons reasonably suspected of criminal offences but not dealt with as such. The actions were capable of malign interpretation and should not have been taken. Given the acceptance of responsibility for this by DCS McBurney when interviewed in retirement by Investigators of the Police Ombudsman, DI Irwin cannot be held accountable for these actions.
- 15.05 Despite this DI Irwin remained supportive to his supervising officer and carried on with what was asked of him, without comment or question.
- 15.06 DI Irwin by his own admission deeply regrets not keeping a more comprehensive written record of both the instruction he was given, or of the action he subsequently took. Despite the woeful example set by DCS McBurney, who maintained no written record of any policy decision, this is the one area to which the officer is open to criticism. As a supervisor DI Irwin should have made a far more comprehensive written account, of at the very least his own actions. This he has failed to do.
- 15.07 There is little doubt that DI Irwin, has learned a valuable lesson. He has apparently recently successfully completed, PSNI Senior Investigator training, one of the core themes being the need for supervisors to maintain a comprehensive and accountable record of all decisions taken.
- 15.08 Mr McBurney has now retired from the PSNI and is thus beyond the scope of the misconduct regulations. His failure to record any policy decisions is worthy of serious criticism. Policy decisions had