

NOTE FOR FILE

**R v ATKINSON, ATKINSON AND HANVEY
CONSULTATION HELD IN THE DIRECTOR'S OFFICE AT 9 PM ON THURSDAY 26
FEBRUARY 2004**

Present: Director
Senior Assistant Director
Ivor Morrison
Gerry Simpson QC

The meeting considered whether and how the proceedings against Atkinson, Atkinson and Hanvey could be progressed in the light of difficult issues concerning the main witness, Andrea McKee.

The relevant facts were outlined as follows:-

1. Andrea McKee had been due to give evidence at Craigavon Court on 22 December 2003.
2. She telephoned police on 21 December saying that she could not travel because her child was ill with *inter alia* mumps.
3. On 22 December the defence, on being informed that Andrea McKee had been unable to travel because of her child's illness agreed to an adjournment of the proceedings subject to the Crown later producing satisfactory proof that the adjournment was necessary for the reason stated.
4. Andrea had subsequently told police and repeated to Christine Smyth and Ivor Morrison that on the evening of 19 December she and her partner had taken the child to an out of hours clinic in Wrexham. She described in detail telephone contact with and attendance at the clinic.
5. Police seeking documentary proof relating to the child's illness, despite extensive enquiries had been unable to uncover any confirmation of her contact with the clinic or her visit there. Interviews with doctors at the clinic, examination of records from the clinic and of telephone records strongly suggested that the contact and visit had not taken place.
6. Andrea continued to maintain that the visit had taken place as she alleged.

As a result of the above there was serious doubt about Andrea McKee's truthfulness regarding the alleged visit to the clinic. There is also concern about the significance of her receipt on