

officers co-operated with the investigation. Reserve Constable Atkinson was not interviewed as he was being investigated on criminal matters, and therefore the only 17/3 notice that he was served with was in relation to those matters and not in relation to my investigation.

19. Four officers who were involved had retired at the time of my investigation, two of these were supervisors, DCI P39 and Sergeant P89, both of whom refused to be interviewed or make a statement. As retired officers they were no longer the subject of the disciplinary regulations and therefore under no obligation to assist. We therefore had no powers to insist on their attendance for interview. I think DCI P39 could have been of great assistance. As a result of not seeing her, we did not have a complete picture which made it difficult to draw conclusions.
20. I wrote to P39 on two occasions, and this is covered in my report (page 10144 – 10145). On 4 October 2001 (page 10730), I requested an interview with her and access to her journal. Journals are used by uniform officers of the rank of Inspector and above and CID officers to record their daily activities, meetings and conversations with staff. Ms P39 replied by letter (Page 10726 – 10727) that she no longer had her journal and had already been interviewed by Mr Mahaffey, but in my view that was about something completely different. My second letter (Page 10722) to her on 29 October 2001 was never replied to. I then commissioned a search of Portadown Police station but the journal was not recovered. The lack of control over journals was an issue I raised as part of my recommendations (recommendation G in my report at page 10167 refers).
21. Officers' notebooks and journals are now retained for a fixed period of time and are considered the property of the Chief Constable. At the time of my investigation there were no such controls or organisational policy in relation to journals so there was a tendency for officers who retired to retain possession of them.