

Whilst the Director could require the Chief Constable to investigate a certain matter it was not open to the Director to require police to investigate in a particular manner. The Director could ask whether an investigation could be conducted in a particular manner but would only do so if there was a proper basis for so doing. The involvement of Superintendent Hooke, Superintendent Harvey and Superintendent McBurney would have led me to believe that the investigative strategy had been carefully considered and approved at the level of the Chief Constable.

17. I have been asked should the police have notified my office sooner in relation to the acquisition of telephone billing, which supported Tracey Clarke's original statement, and confirmed contact between the Atkinson and Hanvey houses on the morning of 27th April 1997. The telephone records were obtained in May 1997. My office was not aware of them until we received the police investigation file dealing with the neglect complaint and the specific allegations against Reserve Constable Atkinson from Superintendent McBurney in February 1998. It was open to police to inform my office at an earlier stage that they had advanced their inquiries by securing the telephone details.

18. I have been asked to speculate on my course of action had my office been made aware of Andrea McKee's written statement, dated 29 October 1997. In this statement Andrea McKee said that her husband, Michael McKee, was responsible for the telephone call recorded from Reserve Constable Atkinson's address to the Hanveys on the morning of 27 April 1997. I am told that, at the time, the police believed this statement to be false, and considered Mrs McKee's original verbal account, made on the 8th May 1997, to be true. I am told, therefore, that the police allowed Mrs McKee to make a statement which they knew to be manifestly wrong, and which she later went on to admit was incorrect. This is a matter which should have been drawn to our attention, but was not. The decision to take Mrs McKee's written statement was a police matter. However, had my office been made aware of it, then I have little doubt there would have been communication between my office