

RESTRICTED

further investigative steps will be undertaken under the continued supervision and direction of the ICPC.

- Although the Chief Constable suggested that if supervision of the part of Commander Mulvihill's investigation which involves the conduct of RUC Complaints and Discipline personnel was required then "he would request help from the PCA", he cannot do this. The PCA is a statutory body, whose remit extends only to England and Wales. They have no authority or ability to supervise an investigation in Northern Ireland.
- As my submission of 10 July stated, the only way in which a fresh, independent oversight of this dimension of the investigation can be achieved is by the Secretary of State appointing a new member to the ICPC, for this purpose.
- This can be done, if either the Chief Constable, or the Secretary of State "calls-in" that aspect of the case for investigation under ICPC supervision.
- This call-in power can be exercised whether or not there is a complaint.

) only if
no
complaint

3. The question is, therefore, whether or not, in all the circumstances, the concerns which the ICPC have in writing expressed to the Secretary of State, and repeated both to the complainants and now in a press release, constitute a matter which it is in the public interest should be investigated, under independent supervision.

4. Although I have every sympathy with the Chief Constable's sensitivity, I also think that the Secretary of State's (and indeed the Government's) position must be considered and safeguarded. The allegations of threats and intimidation by police officers against defence solicitors are long-standing, and have been the subject of repeated expressions of concern, both