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01/07/98 10:19 C&D LISNASHARRAGH → COMM SEC

NO.643 P002/002

plea bargaining, political, pecuniary or other vexatious issues are the main reason for the complaint. It is not surprising that some hard working officers portray signs of weariness at the investigative process.

Procedural:

The decision of the Investigating Officer to request written statements from police witnesses prior to their supervised interview. If the opportunity to clarify the statement was unavailable I can see this as a problem. I understand the issue of police officers failure to clarify matters in their duty statements is currently the subject of legal opinion and might also touch on the current issue. If however, this occurs after a request not to do so, it is unacceptable. The IO in these cases disputes he deliberately ignored the supervisors instructions in this matter. I expect the Commission is mainly concerned with the latter issue, although cumulatively these matters arising in one investigation, rightly causes the Commission to question the effectiveness of the enquiry.

May I suggest that the Commission, rather than outright refusal to issue a certificate of satisfaction, signals its dissatisfaction by stating they are withholding same until an investigating officer, appointed from outside the RUC and approved by the Commission, has reviewed, and were necessary re-investigate aspects of the complaints to the satisfaction of the supervising member.

The Chief Constable will appoint a senior RUC officer, unconnected with C&D but aware of the legislative procedures involved, to liaise with the outside IO. Accommodation unconnected to C&D premises will be made available (possibly the Commission premises would be most satisfactory).

I request that this proposal is put to the full Commission as an effective compromise position which upholds the integrity of each organisation.