

### **Note for File**

I have had a conversation today with Sir Ronnie Flanagan. I was looking for clarity on his use of the phrase, in response to the Omagh families, "I shall be asking a Merseyside officer to advise the SIO".

I needed the clarity in order to decide how we could help the Chief Constable of PSNI. In my view, advising an SIO is not the most appropriate reporting line to satisfy an objective observer that an independent view has been taken.

I was clear, in my conversation with the Chief Constable, that:

- The Chief Constable of the Police Service of Northern Ireland was accountable for the investigation and its Terms of Reference
- If he wanted to be satisfied that an independent oversight of the continuing investigation into the Omagh bombing was provided, then the Independent Investigating Officer must be the person who advises the Chief Constable
- If the Chief Constable wishes to retain the current PSNI Investigating Officer (and I can understand why he would want to do so), then it must be made clear in the Terms of Reference what the relationship is with the Independent Investigator who is advising the Chief Constable
- The relationship would be one in which the Independent Investigator, within the Terms of Reference, had an opportunity to see all intelligence, information and evidence relating to the ongoing investigation and had the opportunity to either decide, or advise the Chief Constable, on lines of enquiry
- It goes without saying that this relationship between the existing Investigating Officer and the Independent Investigating Officer would be a matter of significant interest to any interested party. In my view, assuming that the existing Investigating Officer is satisfied with the course that the investigation has taken thus far, he should be comfortable to co-operate with an Independent Investigating Officer who would advise the Chief Constable on lines of enquiry. (In other words, a subordinate, but valued relationship to the Independent Investigating Officer. Although I understand just how sensitive this matter is. Notwithstanding, there must be clarity).

In my conversation with the Chief Constable, Sir Ronnie Flanagan, he invited me to set out my thoughts in this way so that Phil Jones, and Mike Tonge, can understand these considerations in agreeing the Terms of Reference for Merseyside's involvement.

Let me be absolutely clear. It is my belief that the investigation is likely to be open to the greatest scrutiny if the Independent Investigator is given the head room to get on and investigate on lines approved by the Chief Constable of the Police Service of Northern Ireland. It will have much less clarity if the existing Investigating Officer is perceived to be the decision maker. This needs to be worked through in order to take on the task.

**Norman Bettison**  
**Chief Constable**  
**25 January 2002**

**Copy:** DCC Mike Tonge  
D/Chief Supt. Phil Jones



# FAX

## MERSEYSIDE POLICE

### FAXED

@3.40pm 28/1/02

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**Date** 28 January, 2002 - 09:59:59

No. of pages including cover sheet 2

**To:** D/Ch.Supt. Phil Jones

**From:** Helen Jones

PA to Mr.Tonge

Phone

Phone

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**I&S**

#### REMARKS:

☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please comment

Phil,

File note as discussed. I will be driving Mike down to the Home Office tomorrow with the Chair but if there's anything urgent you can get Mike on his pager - Direct **I&S**, or my mobile is **PD**

regards,

**Signature**

Helen

Fax to  
Phil

**I&S**