

HIA REF:[]

NAME: William Roy Junkin

DATE: 2 June 2016

THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995

Witness Statement of William Roy Junkin

I, William Roy Junkin, will say as follows: -

In 1982-83 I was a lawyer employed within the professional legal staff of the Department of the Director of Public Prosecutions ("The DPP"). The Director of Public Prosecutions for Northern Ireland at that time was Sir Barry Shaw CB QC ("the Director"). I was an Assistant Director of Public Prosecutions. My immediate boss was Mr Hugh Cossham, the Senior Assistant Director of Public Prosecutions.

I have been provided with a number of documents by the HIA. These are indexed as DPP KIN 10001- KIN 100040. I have been asked to respond to twelve questions in the context of the documents supplied to me. In ease of the reader I will set out each question and my response thereto below. My responses are limited by the lengthy remove of time since the occurrence of the events in question. It is some 33 years since I last saw the documents of which I am the author or which I acknowledged at the time by my signature or initials. I have no recollection at this time of the creation or content of those particular documents beyond what I now read in them. Similarly, I have now no recollection either of having seen or of being informed at the time about the existence or content of the other documents now made available to me by the HIA.

QUESTIONS

1. What, if any information had, or may have been conveyed to Sir Barry Shaw as to the extent of Ian Cameron's answers to Caskey's thirty written questions,

prior to the issue of the direction of the 17th May 1983? If such information had in fact been conveyed to Sir Barry Shaw, how had it been conveyed?

I have no knowledge of this.

2. Please set out your recollections, if any, of your involvement, or the involvement of Hugh Cossham, in preparing the direction of 17 May 1983.

Mr Cossham was the Senior Assistant Director. His duties in the DPP included supervision of all "non-scheduled" casework ie. prosecution files relating to non-terrorist crime. As an Assistant Director I reported to him as my immediate boss. My written advices and recommendations on the case in question would have been sent to Sir Barry Shaw (hereafter referred to as the Director) via Mr Cossham for his additional input, advices and recommendations to the Director. Such was the usual procedure and it was followed here. My minute of 6 April 1983 (DPP KIN - 100024-28) is addressed to Mr Cossham on that basis. His covering minute to the Director is also dated 6 April 1983 (DPP KIN – 100023). I see on the face of the minute that the Director agreed with the advice for no prosecution and so initialled Mr Cossham's minute on 8 April 1983 with the endorsement "Agreed. CBS". The letters "CBS" were the Director's initials and this was his usual method of acknowledging documents. I have no knowledge of Mr Cossham's input, if any, to the drafting of the direction of 17 May 1983. From the available documentation I believe that direction was drafted by the Director himself to reflect the basis of his decision for no prosecution.

3. Your note of the 9th March 1983 indicates that you spoke to Sir Barry Shaw about this matter on that date. Please set out what recollection, if any, you have of this discussion.

I have no recollection of this discussion.

4. From the available documentation, Sir Barry Shaw also appears to have been directly involved in the preparation of the direction, both on the 8th April and the 16th May 1983. Please set out your recollection, if any, of his involvement in the preparation of the direction. Would the draft direction have been prepared by you or someone else, or might it have been the case that Sir Barry Shaw drafted the direction himself?

I have no recollection of the process of events but I believe on the basis of the available documentation that the draft direction (DPP KIN – 100021) was prepared by the Director himself to reflect the basis of his decision in the case. (See also the related answer to Q 2 above.) I see that the draft was sent to me by the Director for consideration under cover of his handwritten note in the margin of the draft, signed "CBS" and dated 16 May 1983. From the content of the available documentation it

appears that I made no input to the draft document and agreed the direction as drafted by him. I see that I made and initialled ("WRJ") a handwritten note to that effect on the draft. The direction (DPP KIN – 100020) was then typed up and issued on 17 May 1983 under my signature as instructed by the Director in his handwritten note of 16 May 1983 to me. (see DPP KIN – 100021). I had issued directions on behalf of the Director on many previous occasions in many other cases.

5. Please set out your knowledge, if any, of any discussion or other communication which may have taken place between Sir Barry Shaw and the Attorney General (or a representative of the AG, such as Sir James Nurshaw), prior to the issue of the direction of the 17th May 1983.

I have no knowledge of this.

6. Please describe the working relationship between the Director of Public Prosecutions (NI) and the Attorney General at this time. Would it have been normal for them to discuss political contentious or sensitive matters prior to the issue of a direction? In what circumstances would the Director of Public Prosecutions (NI) would have sought consent or approval from the AG prior to making certain directions? If the AGs consent or approval was not legally required, in what circumstances might Sir Barry Shaw have discussed sensitive cases such as this with the AG in order to keep the AG informed and/or to obtain the advice of the AG as to a proposed direction?

I believe the Director had arrangements to meet regularly, perhaps monthly or so, with the Attorney General (AG). The Director is likely to have discussed a wide range of matters at such meetings with the AG, among them being criminal justice issues generally, delays in criminal trial processes, high profile or sensitive cases of particular public concern including, for example, cases where the AG might have been expected or required in his role as Law Officer to answer Parliamentary Questions. The Director would have approached such matters formally within the context of his own role as a public prosecutor. He would have regarded political issues as falling outside his remit. Unless the consent of the AG was specifically required by legislation the general understanding of their working relationship was that decisions in and professional responsibility for the conduct of criminal proceedings in Northern Ireland were regarded as matters for the Director.

7. Do you know if Sir Barry Shaw saw the full answers given by Ian Cameron to the 30 questions? Would it have been likely that Sir Barry Shaw would have accepted a `gist' of the answers instead of seeing for himself the full text of the answers?

I do not know if the Director saw the full answers given by Mr Cameron. (See also Q1). However I am also asked in Question 7 for a view on what the Director was likely to have done. In that context I believe everyone, whether in the legal profession in Northern Ireland or otherwise, who knew him well would have regarded Sir Barry Shaw as a person who was very conscious of his responsibilities as a public prosecutor and who was meticulous and thorough in the conduct of his professional duties as the Director. Certainly that was my own experience of his approach to his work. If a document was available with the full answers I would be surprised if he accepted a gist of it or that he did not insist on seeing it in order to reach his decision in the case.

8. Please describe Sir Barry Shaw's approach to note-taking and record-keeping. Is it likely that he would have made a note of any conversations he might have had with the AG on this subject? Where would such a note, if one was made, have been placed?

As indicated at Q7 the Director was meticulous and thorough in all aspects of his professional duties. I would have expected either that he saw and agreed a copy of the minute of the meeting which would have been taken by one of the AG's officials in the normal course of events and held in the AG's Office or he made his own attendance note after meeting the AG. I do not recall the Director's personal arrangements for filing but I would have thought a file, at least for his own attendance notes, if any, of meetings with the AG, would have been maintained in his private office.

9. Is it possible that Sir Barry Shaw personally drafted the direction of the 17th May 1983 in the light of any information he had obtained from Sir Bernard Sheldon (or anyone else) about Cameron's answers to the 30 questions? Can you recall if this was the case? If Sir Barry Shaw had had discussions or meetings with the AG, or Sir Bernard Sheldon or anyone else about this matters, would he have informed you of such discussions / meetings?

I believe the Director drafted the direction of 17 May 1983 himself (see Q2 and Q4). It is possible that the Director drafted the direction in the light of information received about Mr Cameron's answers but I cannot say whether or not that was the case in fact since I do not recall being informed about any such meetings or discussions with any of the above named persons.(See also Q1)

10. Are you aware of any meetings or discussion between Sir Barry Shaw and the Chief Constable of the RUC, Sir John Hermon concerning Ian Cameron's

answers to the thirty questions or otherwise in respect of the direction of the 17th May 1983?

I do not recall being informed about any such meetings or discussions

11. Are you aware of any discussion about or implementation of a process to allow the thirty questions to be answered by Ian Cameron in a manner which was acceptable to the Security Service? (I will provide you with a document relevant to this question when you are inspecting the other documentation).

I have no knowledge of these matters. I have no recollection of having seen the document referred to above in Q11 before.

12. Have you any recollection of conversations in 1990 between Juliet Wheldon and Sir Alasdair Fraser about the notes on the AG's file about meetings in 1982 which were not to be found on any DPPNI file? If so, please set out your recollection.

I have no recollection of these matters

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed *WR JUNKIN*



Dated 2 June 2016 _____