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HET chief says working closer with ombudsman makes sense

By Barry McCaffrey

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FRUSTRATIONS: Dave Cox, head of the Historical Enquiries Team, says his officers often find that they and the police ombudsman's investigators are conducting separate inquiries into the same murders but are legally prevented from sharing information

Dave Cox, whose team of detectives tries to provide answers to the families of people killed during the Troubles, talks to Barry McCaffrey about the legal and practical hurdles involved and what form such probes might take in future

The head of the Historical Enquiries Team (HET) has responded to calls for major changes in how more than 3,000 Troubles-related killings are reinvestigated.

Last month Dame Nuala O'Loan said the Police Ombudsman's Office should be merged with the HET in a bid to reduce costs.

The former ombudsman's call came after it was revealed that the HET had already spent half of its entire £34 million budget looking at only the first six years of the Troubles and that the team's original six-year lifespan was likely to overrun by up to three years.

Speaking for the first time since Dame Nuala's remarks, HET chief Dave Cox said it was "sensible to consider consolidating" the ombudsman's investigations into historical murders with the work of his own detectives.

"No-one is suggesting that the PSNI or the HET or anyone should amalgamate or in anyway impede on the ombudsman's independence around current issues," he said.

"But in historic cases, when you look at the past, it may make sense to work much closer because in the vast

majority of cases you're not dealing with certainty.

"The ombudsman's remit is to look at allegations against police officers but the HET's remit is to look at the circumstances of a death."

Mr Cox revealed that the ombudsman's investigators and his officers often find themselves examining the same killings but are legally barred from sharing reports.

"At present we have to do them separately but parallel so that you minimise contact with families," he said.

"But you still get people traipsing around, doing the same stuff and spending the equivalent amounts of money on the same lines of inquiry but not sharing the information because they can't because of the independence requirement for the ombudsman."

Responding to speculation that the forthcoming report by Lord Eames and Denis

Bradley into how Northern Ireland deals with the Troubles may recommend merging the HET with the ombudsman's office, Mr Cox said: "If Eames/Bradley can adjust the statutory requirements it obviously makes sense not to spend two lots of money doing the same thing covering a past case.

"We would have absolutely no issue with that.

"If Eames/Bradley changes it I think it makes a lot of sense to treat the past as an issue as opposed to two lots of people looking at the same thing.

"It wouldn't become like an enhanced ombudsman's office. It's about more sensible use of resources."

Mr Cox responded to criticism from some victims' groups that three years of investigations and an expenditure of £17m had not resulted in anyone being brought before the courts.

"It's just unrealistic to think that there's going to be forensic evidence still available from the 1970s," he said.

"The 1990s may prove to be different.

"That doesn't mean we will not seek to charge people where there is evidence but in reality we're much more focused on the needs of families."

Mr Cox said his team had already spent more than £600,000 on forensic tests to try to find new evidence.

He defended the HET's decision to reinvestigate murders in chronological order, saying this was the proper method and fairest to families.

"By far the majority of those families' questions are more about what happened to their loved ones," he said.

“Very few people say to us that they want someone prosecuted. They simply want to know what happened.

“Many people would like simply someone to take responsibility and apologise and to acknowledge what was done.

“Very few people want to go to court, particularly because the Good Friday Agreement says [killers] will only serve two years anyway.

“They say, what’s the point?”

Asked about his team’s rate of spending in relation to its overall budget, Mr Cox said: “The secretary of state said when he set HET up that nobody had ever done this before. It was a best guess, the money that was up front.

“Nobody has ever said they’ll cut off funding if we overspend.

“It’s our job and responsibility to be accountable to the public and to spend it wisely and to get the best results from it, which is what we try and do.

“Within the original time-scale that meant we would have to open, review and close 40 cases a month. To do that number of cases in that period was impracticable.”

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