

Statutory Report

**Public Statement by the Police Ombudsman under
Section 62 of the Police (Northern Ireland) Act 1998**

**Relating to the police investigation into the deaths of
Trevor Buchanan and Lesley Howell - 19 May 1991**

Contents

Section 1	Introduction	1
Section 2	The Complaints	3
Section 3	The Murders	5
	I. The Affair	5
	II. The Murder Plan	7
	III. The Murders	8
	IV. 19 May 1991: The Discovery of the Bodies	14
Section 4	The 1991 RUC Investigation	16
	I. The Garage Scene	16
	II. Initial Witness Accounts	18
	III. Post Mortem Examinations	20
	IV. Further Enquiries	21
	V. The Forensic Examinations	25
	VI. Coroner's Inquest report leading to Inquest on 14 May 1992	25
Section 5	Police Ombudsman Investigation	28
	I. The Discovery of the Bodies	29
	II. Visits to Cliff Terrace	33
	III. The Post Mortem Examinations	35
	IV. The Bathroom Incident	38
	V. Howell's Financial Circumstances	39
	VI. Lesley Howell's Medication	40
	VII. The Lies	41
	VIII. Witness B	42
	IX. The Forensic Strategy	43
	X. House-to-House Enquiries	45
	XI. The Letter	46
	XII. The Concerns raised by Police Officer 3	46
	XIII. The Police and the Church	48
	XIV. The Working Relationship between Police Officers 1 and 2	49
Section 6	Summary of Police Ombudsman Findings	51
	Evidential Analysis and Key Findings	52
Section 7	Conclusions	59

1.0

Introduction

- 1.1 The Office of the Police Ombudsman for Northern Ireland was established by the Police (Northern Ireland) Act 1998, for the purpose of independently investigating complaints relating to the conduct of police officers and other matters, which the Police Ombudsman considers to be in the public interest.
- 1.2 On 29 January 2009, following an initial admission to his wife and Elders of the Barn Christian Fellowship, a small independent church near Ballymoney, Colin Howell (referred to herein as Howell) confessed to the police that he had murdered his wife, Lesley Howell, and Trevor Buchanan on 19 May 1991, assisted by Mr Buchanan's wife, Hazel Buchanan (now Stewart and referred to herein as Stewart). Both were arrested and subsequently charged with the murders.
- 1.3 Howell pleaded guilty to both murders on 18 November 2010 and on 3 December 2010 was sentenced to life imprisonment with a minimum tariff of 21 years. Stewart was subsequently convicted of both murders following a high profile trial, which attracted intense media and public attention. On 16 March 2011 she was sentenced to life imprisonment with a minimum tariff of 18 years. She has since lodged an appeal against her conviction.
- 1.4 As part of the 2009 Police Service of Northern Ireland (PSNI) investigation a Chief Constable referral was made to the Police Ombudsman on 6 February 2009. This related to concerns regarding the initial 1991 Royal Ulster Constabulary (RUC) investigation into the deaths. This referral was made in accordance with Section 55 (4) of the Police (Northern Ireland) Act 1998.

- 1.5 A brother of the late Trevor Buchanan and the daughter of the late Lesley Howell made separate complaints to the Police Ombudsman in February 2009. These complaints also refer to concerns surrounding the 1991 investigation.
- 1.6 The Royal Ulster Constabulary (Complaints etc) Regulations 2001 empower the Police Ombudsman to investigate complaints, made more than one year after the event, which he considers should be investigated because of grave or exceptional circumstances. Upon receipt of the Chief Constable referral and both complaints the Police Ombudsman initiated an investigation into the original 1991 police enquiry.
- 1.7 This Public Statement is made in accordance with Section 62 of the Police (Northern Ireland) Act 1998 and, as is required by Section 63 of the Act, does not disclose the identity of any individual, who provided information to the Police Ombudsman during the course of his investigation.

2.0

The Complaints

2.1 Following the admissions by Howell in January 2009 and the initiation of a murder enquiry by the PSNI, the Chief Constable made a referral to the Police Ombudsman concerning the 1991 investigation into the deaths of Trevor Buchanan and Lesley Howell. Complaints were also made to the Police Ombudsman.

2.2 The complaints contained the following allegations:

2.3 **I. The 1991 RUC investigation was ineffective.**

2.4 In 2009 the police informed members of the Buchanan family and the daughter of Colin and Lesley Howell of Howell's confession and provided them with details of the 1991 investigation including, in the case of the Buchanan family, access to the crime scene photographs. Members of the Buchanan and Howell families suspected that the 1991 investigation into the deaths had been fundamentally flawed from the outset. They believe that the police concentrated at an early stage on the investigative hypothesis that the deaths were as a result of suicide and failed to challenge Howell and Stewart in 1991 regarding their accounts. It is alleged that this resulted in an investigative bias with the police failing to pursue all available lines of enquiry and to conduct a thorough investigation. In particular, they allege:

2.5 **II. The garage scene was not properly managed or interpreted resulting in evidential opportunities being missed or overlooked.**

2.6 It is alleged that discrepancies existed at the garage scene, which did not support the suicide theory and that had these been identified and thoroughly investigated this theory would have been challenged. They believe that several

evidential opportunities were missed in respect of the scene examination and the subsequent forensic examination of a number of items from the scene.

2.7 **III. Concerns about the deaths raised by a serving police officer were ignored by senior police in 1991.**

2.8 It is alleged that Police Officer 3, a Coleraine Baptist Church member, who discovered the bodies on 19 May 1991, raised a number of concerns with senior police regarding the deaths, which were either ignored or not fully investigated.

2.9 **IV. Members of Coleraine Baptist Church influenced the 1991 police investigation in an attempt to ‘downplay’ the deaths in order to minimise embarrassment caused to the Church.**

2.10 At the time of the deaths the Buchanan family raised concerns that members of Coleraine Baptist Church were keen to ‘downplay’ the deaths and conducted low key funeral services in order to minimise any criticism levelled at the Church about how they had dealt with the affair between Howell and Stewart. Shortly after the deaths, the Church held a meeting of its congregation, at which some members criticised the manner in which the church had dealt with the affair.

2.11 Whilst the Police Ombudsman has no remit over Church matters, its investigation considered whether or not the 1991 police investigation had been influenced in any way by members of Coleraine Baptist Church or any other organisation.

3.0

The Murders

3.1 **This section is an account of the murders and the events leading up to them, derived from information available to police investigators in 1991 and other details, which came to light later as a result of the subsequent police and Police Ombudsman investigations.**

3.2 At around 1.30 pm on Sunday 19 May 1991 the bodies of Trevor Buchanan, who at the time was a police officer based at Coleraine RUC Station, and Lesley Howell were found in a Renault 21 estate car parked in a garage at the rear of Cliff Terrace, Castlerock. Cliff Terrace is a row of cottages overlooking the village and known locally as the '12 Apostles'. The bodies were found by Witness A and Police Officer 3, who at the time were both members of Coleraine Baptist Church. Police Officer 3 at the time was a police officer based in Londonderry/Derry.

3.3 **I. The Affair**

3.4 Trevor and Lesley were 32 and 31 years old respectively at the time of their deaths. Both were married and living in the Coleraine area. Lesley was married to Ballymoney based dentist Colin Howell and Trevor to Hazel Buchanan – now Stewart.

3.5 Colin and Lesley lived in Knocklayde Park, Coleraine. They had four young children.

3.6 Trevor and Hazel lived in Charnwood Park, Coleraine. They had two young children.

- 3.7 Both the Howells and Buchanans were active members of Coleraine Baptist Church. This is where the couples first met. In the spring of 1990 Howell and Stewart began an extra-marital affair, which continued throughout the summer of that year.
- 3.8 In late September 1990 Lesley became aware of the affair. There are varying accounts as to how this happened. When interviewed by police in May 1991, Howell stated that Lesley had become aware when she had overheard him making a phone call to Stewart arranging for them to meet. He said that when challenged by Lesley, he initially denied that there was anything 'going on' between Stewart and him but eventually admitted to a platonic relationship. He said that during later counselling led by Witness B, a senior member of Coleraine Baptist Church, he confessed that the relationship had been sexual.
- 3.9 When interviewed by the police in 2009 Howell provided a different version of events. He recounted that a fellow member of Coleraine Baptist Church had spotted Stewart and him in their respective cars at Castleroe Forest Park. He said that this person had later phoned him and suggested that he inform Witness B of the affair before he did. Howell stated that he did so, which led to both couples entering a counselling programme with Witness B. Howell stated that he had not disclosed initially that the relationship was sexual but did so to Witness B once counselling had commenced. He said that Witness B had arranged for him to confess to Lesley at their home in October 1990. It was following this incident that Lesley is believed to have written a note, which Howell was later to claim that she had penned prior to the 19 May 1991 'suicide'.
- 3.10 Police Ombudsman's Investigators have established that this person did see the couple at Castleroe Forest Park but did not phone Howell threatening to expose the affair.
- 3.11 Stewart, when interviewed by the police in 2009, provided a different version of events as to how the affair had been uncovered. She said that she had confessed to Witness B as she could not cope with the pressure of the affair,

given her position at that time within the Church as a Sunday School teacher.

3.12 This is partially corroborated by Witness B. He stated to the police in 2009 that he had first become aware of the matter when Lesley confided in him that she suspected Howell and Stewart of having an affair. Witness B told the police that when he became aware of this he confronted Howell, who denied the affair. Witness B said that he was not convinced by the denial and so confronted Stewart a few weeks later. He said that whilst she initially denied having had an affair she eventually confessed that an affair was ongoing. Witness B said that he then arranged a meeting between the Howells at their home address, when Lesley confronted her husband. When Howell confessed some weeks later to Lesley that the affair had been sexual Lesley took an overdose of paracetamol tablets before driving off from the house. She was located later that day and admitted to Coleraine Hospital, where she remained for several days.

3.13 **II. The Murder Plan**

3.14 When interviewed by the police in 2009 Howell said that he had first formulated the idea to murder Lesley and Trevor on the night of 13 May 1991. He said that Lesley had been inconsolable that night regarding both the affair and the death of her father, Henry Clarke, at the Howell address on 7 May 1991. He stated that she had told him that he had destroyed the lives of Trevor and herself and that at around 2.00 am to 3.00 am she sat up in bed and told him that she thought she would be going to heaven soon and that maybe Stewart and he were meant to be together. Howell stated that 'in a moment the whole idea was born.' He said that he had begun to formulate a plan as he lay in bed convincing himself that he was doing a 'good thing' in ending Lesley and Trevor's pain. He later described it to the police as a form of euthanasia.

3.15 Howell stated that he had met with Stewart on the evening of 14 May 1991, when he outlined his plan and the role he expected her to play. He would murder Lesley at his home and then drive to the Buchanan house, where he would murder Trevor. He then intended to stage a suicide scene so that it would appear that they had formed a suicide pact and had died together from

carbon monoxide poisoning. He said that Stewart did not appear to understand the intricacies of the plan but was fully aware that he planned to murder his wife and her husband and that whilst she was afraid of being caught she did not object to the plan. Howell handed her a pack of blue Lorazepam tablets, a prescribed drug used in the treatment of anxiety and insomnia. He explained to Stewart that she needed to mix these into Trevor's evening meal on the night in question to ensure that Trevor was in a deep sleep when he arrived at the house. He was fearful that being a serving police officer Trevor would have a personal firearm in his house. Stewart was also to ensure that the family car was left outside their garage and that the garage was left open so that Howell could drive his car inside. She was to arrange a change of clothes for Trevor and to make sure that the fire was cleaned out to allow evidence to be burnt afterwards.

3.16 Stewart contested this version of events when initially interviewed by police in 2009. She stated that Howell had merely made a throwaway remark on one occasion that they would be better off if Trevor and Lesley were dead, prior to laughing and changing the subject. Eventually, however, she confessed to her knowledge of, and involvement in, the murders. The sole point she continued to deny was that Howell had given her tablets, with which to drug Trevor's food. She stated that she had assisted Howell as she was frightened of him and feared that if she had not complied he would have murdered her and her children.

3.17 **III. The Murders**

3.18 Saturday 18 May 1991 was the birthday of one of the Howell children. Howell informed the police in 1991 that Lesley had left their house at around 11.00 am for a hair appointment and had returned at around 2:00 pm, when she prepared meals for Saturday and Sunday prior to leaving again at around 5.30 pm.

3.19 However, Howell's account that his wife had been at home all afternoon conflicted with other accounts of her movements. Witnesses spoken to by the police in 1991 stated that Lesley had been in a Coleraine boutique and coffee shop that afternoon. However, no details were collated by the police in 1991

about the specific times that Lesley had been there. Police Ombudsman's Investigators have established that Lesley had been upstairs in the coffee shop from about 4.00 pm prior to going into the downstairs boutique at about 4.30 pm, when she bought a dress and then left at about 5.15 pm.

3.20 Lesley was next seen at a tanning salon near Castlerock at 6.00 pm, where she was booked in for a sunbed session. Lesley's sunbed appointment, however, was for 7.00 pm. She informed a staff member that she would go and get her tea before returning at the correct time.

3.21 She was next seen at a filling station outside Coleraine at around 6.15 pm. The person who saw Lesley became concerned as Lesley, whom she knew, had stopped at the diesel pump and appeared to be in the process of filling her car, which had a petrol engine. She said that she went outside to tell Lesley that she was at the wrong pump but that by then Lesley had corrected herself. She said that Lesley's actions were very slow and it was as if she was operating in slow motion. She described Lesley as staggering from side to side when walking into the shop to pay for her petrol. She said that she had made a point of smelling Lesley's breath to see if she could detect any alcohol on it, but that her breath did not smell of alcohol. She said that she was so concerned that she phoned and spoke to Howell to inform him of Lesley's behaviour. Howell called her back 15 to 20 minutes later to tell her that Lesley was safely home.

3.22 Howell informed the police in 1991 that Lesley had returned home for a brief period between being seen at the filling station and returning for her sunbed appointment at 7.00 pm. He said that she had been 'very calm' and had underplayed the filling station incident.

3.23 Howell's account of when Lesley returned to the house is supported by Witness C, a neighbour and friend of the Howells, who stated that he had seen Lesley drive past his house at speed at about 6.20 pm heading towards her own house.

3.24 A staff member of the tanning salon said that Lesley had returned at 7.00 pm

and described her as being in 'good form'. Lesley went in for her 25 minute treatment but had not come out at 7.30 pm, causing one of the salon staff to check on her. She found Lesley asleep on the sunbed. Lesley came out a few moments later. Prior to leaving she made an appointment for 20 May 1991 and left saying 'See you Monday'.

3.25 Howell said that when Lesley returned home following this appointment she had a three litre case of wine, which she began to drink whilst sitting on the living room sofa.

3.26 Howell informed the police in 1991 that his wife had begun to drink heavily after her father's death and would often have fallen asleep with a quilt on the living room sofa. Witness B told the police in 2009 that he was aware of Lesley's increased drinking and that he had warned her to cut down on it. It appeared to him that she was 'going downhill' and had 'lost much of her spark'.

3.27 Howell told the police in 2009 that it was at that time that he knew his plan had to go ahead that night. He said that '...we have to do this tonight. I couldn't stand it any longer definitely have to do this tonight we can't go through this again, I can't put her through this, drowning her sorrows you know that made her life awful...'

3.28 Howell phoned Stewart at her home using a code that the two had developed during their affair. Howell would hang up before the first ring tone resulting in a click on Stewart's line. Stewart, knowing that Howell wanted to speak to her, would then return the call when free to do so. Stewart had been out with Trevor Buchanan shopping in Lisburn, missing Howell's initial attempts to contact her during the day. On returning home she heard a click on the telephone and called Howell immediately. When she did Howell informed her that the plan was going ahead that night. According to Howell, she asked him if he was serious, to which he responded that he was and that she replied 'OK'. He went over what was required of her and said that when he next called she would know that Lesley was dead.

- 3.29 Whilst initially denying any prior knowledge of Howell's intentions that night, during her 2009 police interviews Stewart eventually admitted that she had been aware of the plan and her role in it when she spoke to Howell that evening. Stewart said that when Trevor complained that night of having problems sleeping she had suggested that he take something to help him do so. She stated that she had no idea if Trevor had done this or not. Stewart stated that she had gone for a cycle ride with a friend prior to preparing supper at 9.15 pm and then going to bed at around 10.15 pm.
- 3.30 The only living witness to what happened next to Lesley is Howell. He told the police in 2009 that towards midnight he observed her in a deep sleep on the sofa with a quilt pulled up to her neck. By this time their children were asleep in bed. He went to the garage and attached a pre-selected hosepipe to the exhaust pipe of their Renault 21 car using a baby feeding bottle, which he had adapted earlier so that its sawn off base fitted over the exhaust pipe and its top over the hosepipe to ensure a tight fit. He then fed the hosepipe into the living room before returning to the garage and turning on the car ignition. He went back into the living room and tucked the hosepipe under Lesley's quilt as he was concerned that it would take too long for the fumes to fill the room. He then watched from the living room door, which was ajar.
- 3.31 At some point Lesley began to stir. Concerned that she would wake up, Howell went back into the room and pulled the quilt over her head. Lesley cried out the name of their eldest child prior to being overcome by the fumes. Howell kept the ignition on for two more minutes prior to turning it off and allowed an extra fifteen minutes before re-entering the room. He wrapped up the hosepipe and then carried Lesley's body out to the garage, placing her in the boot of the car. He placed a bed sheet and his bicycle on top of her. On the spur of the moment he picked up Lesley's personal cassette player and three framed family photographs prior to phoning Stewart at around 1.00 am using their code.
- 3.32 Upon hearing her phone click Stewart phoned him back. Howell informed her that he was 'finished with Lesley' and said that he was en route to the Buchanan address. Whilst initially denying any knowledge as to why Howell

was coming to the house Stewart later admitted to the police in 2009 that she had known the real reason for the visit. By now Trevor was asleep in bed. Stewart had ensured that the car was out of the unlocked garage. Upon his arrival Howell reversed his car into the garage. He confirmed with Stewart that Trevor was asleep prior to carrying out the same set of actions, which he had performed with Lesley, setting the end of the hosepipe on the pillow next to Trevor's head. He then retreated to the bedroom door, from where he observed the effects of the fumes.

3.33 Trevor stirred, raising his head, and looked around. Seeing this Howell ran back into the room and tried to pull the quilt over Trevor's head. A struggle ensued and both men rolled off the bed onto the floor. During this Howell sustained an injury to his head. Once on the ground the two men continued to struggle on their knees. Howell told the police in 2009 that he placed the nozzle of the hosepipe in Trevor's mouth 'almost like between his teeth'. Trevor took a deep breath and went limp. The effects of the fumes were such that Howell had to run from the house into the back garden to clear his head.

3.34 During the struggle Stewart had been in an adjoining room with her hands over her ears to drown out the noises coming from the bedroom. When Howell returned to the house and turned off the car ignition he dressed Trevor in the clothes, which had been left out for him by Stewart. He handed Stewart the hosepipe instructing her to cut it up and burn it in the fire. He dragged Trevor from the bedroom through the kitchen and into the garage. Upon passing through the kitchen he noticed a half eaten tuna roll with chunks of blue tablet through it. Stewart denies having placed any tablets in Trevor's food.

3.35 Howell placed Trevor on top of Lesley in the boot and covered him with a second bed sheet and placed the bicycle on top of them. He stated that he told Stewart that he would phone her when he got back home and that he did not tell her where he intended to go next. She lit a fire, disposed of the evidence as instructed and aired the bedroom prior to washing the bed linen. She then waited for Howell's phone call.

- 3.36 Howell stated that he had initially planned to stage the suicide scene on the beach at Castlerock but had changed his mind as he was worried about being seen by an early morning jogger or leaving footprints in the sand. He decided instead to drive to 6 Cliff Terrace, the home of Lesley's recently deceased father, to which he had access. He described this decision as 'last minute.' He left his bicycle along the route in long grass at a roadside verge on the Barmouth Road.
- 3.37 He drove round the back of the cottages and reversed his car into the garage. Howell described the garage as a 'very confined space.' Wearing surgical rubber gloves whilst in the garage, he opened the boot and dragged Trevor's body along the driver's side of the car, where there was more room. He was unable to place Trevor's body fully in the driver's seat and had to leave him sitting slumped low with his right leg protruding from the car. This meant that he could not close the driver's door.
- 3.38 He returned to the boot where Lesley's body was lying and placed the cassette player's headphones over her ears before arranging the three photographs around her. He then inserted one end of a vacuum cleaner pipe into the car's exhaust pipe and the other into the boot close to where Lesley's body lay. He said that the vacuum cleaner pipe had been in the boot for several weeks as he had intended to take it for repairs but had never gotten around to it.
- 3.39 Howell then faced a predicament. The open driver's door barred his exit from the garage along the driver's side of the car, whilst its passenger side was parked too tightly against a workbench to allow him to get past the car at that side. Howell turned on the car ignition. He then opened the front driver's window to create a 'stepping stone', allowing him to climb over the door. He closed the garage door behind him.
- 3.40 Howell jogged onto Castlerock beach and along it before going to where he had left his bicycle. He then cycled home. Upon getting back he burnt the clothes, which he had been wearing in addition to the rubber gloves and the two bed sheets, which he had placed over Trevor and Lesley. He then phoned

Stewart and told her that he was home. Howell realised that he had sustained a bump to his head during the struggle with Trevor. He told Stewart that he would tell the police, when interviewed, that Trevor had come to his house that night and that there had been a struggle. She was to tell the police that she had heard Trevor talking later to Lesley in their house at around 3.00 am to 4.00 am.

3.41 **IV. 19 May 1991: The Discovery of the Bodies.**

3.42 At around 8.30 am on 19 May 1991 Witness A, a Church Elder, received a phone call from Howell informing him that Lesley had been missing all night and that her car was gone. Howell told him that he suspected that Lesley had gone off with Trevor and asked for his help in finding them. He suggested that Witness A check the '12 Apostles' as they might be there.

3.43 Witness A went to Howell's house and was shown a 'suicide note' supposedly written by Lesley. He then drove to the '12 Apostles' but could not see any sign of the missing couple. He returned to Howell's house and informed him of this. He did not check the garage. Howell suggested that they may have boarded a ferry to Scotland, resulting in Witness A phoning the ports to be informed that Lesley's car had not boarded a ferry the previous night.

3.44 Shortly before 9.00 am Howell made a second phone call this time asking Witness C to check the '12 Apostles'. Witness C drove to the address but did not see anybody in the house. He went to the rear of the cottages, where he looked through the garage's window and saw a car with an open driver's door. Before he could investigate further he thought he saw movement from an upstairs rear window at Number 6. Believing this to be Trevor and Lesley, he shouted to them to 'catch themselves on' before driving back to Howell's house and updating him as to what he had seen.

3.45 Shortly after Witness C left to go and see Howell, his wife received a phone call from Stewart saying that Trevor had not come home that night after having gone out with Lesley. She went to the Buchanan house, where she found

Stewart in a 'distressed state.'

3.46 Witness A was at morning service when he received another phone call from Howell at around 12.45 pm asking him to return to the '12 Apostles'. Howell added that this time he would give Witness A the keys of the property. On this occasion Witness A took Police Officer 3 with him. They went to Howell's house and collected the keys.

3.47 The two men arrived at the cottages at around 1.20 pm. They searched the house. Witness A then went round the back of the cottages and opened the garage door, discovering the bodies of Trevor and Lesley. He shouted for Police Officer 3, who entered the garage and checked for signs of life. Finding none he retraced his steps, closed the garage door and phoned Coleraine RUC Station to inform the police as to what they had found.

4.0

The 1991 RUC Investigation

4.1 Records obtained from Coleraine RUC Station show that Police Officer 3 phoned the police at 1.35 pm on 19 May 1991 to report the incident. They show that he contacted the police by telephone and it is documented that he 'reported a double suicide.' The Duty Sergeant and Inspector immediately attended the scene together. Both were uniformed officers at the time. They were driven there by a Constable, who was a close friend of Trevor Buchanan. Upon realising that one of the bodies was his friend the Constable immediately left the scene. The on-call CID Inspector that day, Police Officer 1, was contacted and, according to his records, attended the cottages at 1.40 pm. It is believed that this is the time that he was first informed of the incident. On his attendance, as the most senior police officer present, he was in charge of the scene. He phoned the senior detective on call that weekend within the Coleraine area, Police Officer 2, to inform him of the deaths.

4.2 **I. The Garage Scene**

4.3 The scene was photographed by a RUC photographer. He arrived at 2.30 pm and subsequently produced sixteen photographs of the scene. Eight of these were duplicate images meaning that in effect there were eight photographs of the scene taken. Two of these were of the exterior of the garage and six were taken in the interior.

4.4 The photographs taken in 1991 were of the scene, which the police encountered.

4.5 The Howell's car had been reversed into the garage so that its front was pointing towards the garage door. It had been parked with its passenger side tight to a workbench, not allowing any access along that side of the vehicle.

There was more room on the driver's side, which would have allowed a person to walk along between the car and another workbench. The driver's door was open as was the driver's window. The car keys were in the ignition, which was in the 'on' position.

- 4.6 A number of those present commented upon the strong smell of car exhaust fumes when they entered the garage. There is no record that the police conducted checks at that time to ascertain if the car's fuel tank was empty. Police Officer 1 has a record that the car engine was not running.
- 4.7 Trevor's body was positioned in the driver's seat but lying low down so that his back was almost parallel to the seat's base. His right hand was on the steering wheel and his left leg was buckled under him in the driver's foot-well. His right leg was partially out of the car with his right knee positioned in the hinge of the driver's door.
- 4.8 Lesley's body was found lying on her back across the boot of the car with her personal cassette player beside her. Its earphones were over Lesley's ears. A gospel music tape was in the cassette player. There is no record as to how much of the tape had been played. Positioned around Lesley's body were three framed photographs. Two of these were facing away from Lesley, one towards her. The one facing towards her was a photograph of Lesley in her nursing uniform with her mother. There were no photographs of her children.
- 4.9 Next to Lesley's head was one end of a vacuum cleaner pipe. The boot was covered in what appeared to be a layer of soot. The other end of the pipe was sitting loosely in the exhaust pipe. This was not airtight. The exhaust pipe on closer inspection had a dark ringed mark around it suggesting that something had been attached tightly to it. The photographs showed the boot door wide open. However, when the bodies were discovered by Witness A and Police Officer 3 it was closed on top of the vacuum cleaner pipe. When opened this revealed a visible kink in the pipe, where the boot door had been resting on it.
- 4.10 A Forensic Medical Officer (FMO) attended and pronounced life extinct at

2.15 pm. She indicated that the bodies were cold and that there were signs of lividity, which suggested that both had been dead for at least twelve hours.

4.11 A Scenes of Crime Officer (SOCO) also attended in order to examine the scene forensically. Several items were removed by her for potential forensic examination.

4.12 No scene log was opened and Police Ombudsman's Investigators have been unable to confirm when the police entered or left the scene. No sketches or measurements were taken at the scene.

4.13 **II. Initial Witness Accounts**

4.14 According to Police Officer 1's police notebook and journal, from 4.00 pm he was at the Buchanan address obtaining witness accounts from Stewart, Witness C and the wife of Witness B.

4.15 Stewart told him the story she had previously agreed with Howell; that their initial friendship had developed into a sexual affair by the summer of 1990 and that this had lasted throughout September 1990, during which they were having sex around once a week. She said that Lesley had found out about the affair and that Howell and Stewart had entered into counselling led by Witness B. According to Stewart, the affair had ended at this time but both Trevor and Lesley had been unable to come to terms with their respective partner's infidelity.

4.16 She continued that on the evening of 18 May 1991 she had gone for a cycle ride with a friend, before going to bed at around 10.15 pm. She said that Trevor had told her that he planned to stay up for a while. She told the police that she had fallen asleep but had been awakened during the night by the sound of Trevor and Lesley's voices in the house. She could not make out what they were saying but believed that this had occurred between 3.00 am and 4.00 am. She stated that she did not intervene as Lesley and she had not been on speaking terms at that time.

- 4.17 She then fell asleep and woke up again at around 5.00 am. Trevor was not in bed and his car was parked at the front of the house, whereas normally he would have parked it in the garage. She did not contact anybody at that time as she did not wish to cause alarm. She recalled that Witness A phoned her at 9.00 am to enquire as to Trevor's whereabouts.
- 4.18 Police Officer 1 made written notes of this interview but did not record a statement from Stewart at that time. His notes indicate that Witness C and a senior officer from Coleraine at the time were present during this interview. It was later established that Witness C had little recollection of this interview. The senior police officer declined to provide a statement to the Police Ombudsman's Investigators but a review of the 1991 police investigation papers established that he played no further part in the investigation.
- 4.19 Police Officer 1 also interviewed the wife of Witness B and also Witness C. His notes reflect that Witness B's wife said that she had been aware of the affair between Howell and Stewart and of the subsequent suicide attempt by Lesley Howell, which she described as 'serious.'
- 4.20 Witness C stated that Trevor Buchanan had attended his house the previous evening at around 8.00 pm to repair a puncture of his wife's bicycle following her cycle ride with Stewart. He described Trevor as being "white" and recalled Trevor making the remark "It was no good it was no good" prior to leaving. At the time Witness C thought that Trevor was referring to the puncture. He added that prior to that he had observed Lesley driving at speed towards her own house at around 6.20 pm. Witness C told Police Officer 1 of his visit to Cliff Terrace on the morning of 19 May 1991 and of telling Howell that he had observed movement in Number 6.
- 4.21 At 7.30 pm Police Officer 1 attended the Howell address, where he interviewed Howell. He made written notes but did not record a statement at that time. Accompanying him on this occasion was Police Officer 2.
- 4.22 Howell gave a similar version of events to that provided by Stewart as to how

the affair had started. He stated that Lesley had uncovered the affair in late September 1990. He had initially denied it, then said it was a platonic relationship before later finally admitting that the affair was sexual. He said that when Lesley became aware of the affair she had attempted suicide by means of an overdose. He told the officers that Lesley had changed following the death of her father and had begun to drink every evening at home and take Temazepam tablets. He said that they had argued a lot about the affair and that Lesley had often said that she was leaving the children and him and going to London, in order that he could have Stewart to himself.

4.23 Howell described the day of 18 May 1991 as a 'strange day', detailing Lesley's visits to the Filling Station and tanning studios and her drinking that evening. He said that Trevor Buchanan had arrived at the house at around 11.15 pm and that an argument had ensued resulting in Trevor grabbing at him and he having to restrain Trevor. Howell alleged that it was at that time that he had sustained the injury to his forehead. He stated that Trevor then apologised to him and left. He stated that he went to bed at around 0.10 am leaving Lesley very drunk on the living room settee, where she had become accustomed to sleeping. He said that he woke up the next morning to find Lesley gone and a 'suicide note' written by her lying on the kitchen floor. It was at that time that he raised the alarm.

III. Post Mortem Examinations

4.24 Police Officer 1 attended the post mortem examinations of Trevor and Lesley at 8.15 pm and 9.00 pm respectively on 19 May 1991. These were conducted at Coleraine Hospital Mortuary by an Assistant State Pathologist. Police Officer 1 briefed the pathologist before the examinations. Both bodies were photographed. The relevant photographs were not referred to in the subsequent Coroner's report.

4.25 The pathologist described both Trevor and Lesley as healthy adults. No physical injuries were noted to Lesley. With regards to Trevor, he noted a 1 cm abrasion to the front of his right knee and two abrasions (2 cm and 0.5 cm) to

the front of his left knee. He described these injuries as 'of trivial nature.' Nothing suspicious was noted during either post mortem examination. No further detailed examinations were conducted.

4.26 Also in attendance were the RUC SOCO, who had earlier attended the garage scene, and a RUC Photographer, who was not connected to the enquiry up until that point. The SOCO recovered Trevor's jeans and sweatshirt for forensic examination. There are no police records to indicate whether or not Lesley's clothing was taken for forensic examination.

4.27 The subsequent post mortem reports prepared by the pathologist revealed that both Trevor and Lesley had died from carbon monoxide poisoning. Trevor's blood contained a 71% concentration of carboxyhaemoglobin, whilst Lesley's reading was 61%. Both fell within the recognised fatal range. Lesley also had a blood/alcohol reading of 117mg/100 ml (the current legal limit for driving is 80mg/100ml) and her blood also contained traces of Temazepam (0.24 mg/ml), Diazepam (0.35 mg/ml) and Nordiazepam (0.54 mg/ml). Trevor had no alcohol in his system but his blood contained traces of Temazepam (0.13mg/ml). The pathologist concluded that the alcohol reading was not high and that the drug readings fell within the 'therapeutic range.' He concluded that it was unlikely that the presence of either drugs or alcohol had contributed to the deaths. Police Officer 1 was made aware of these toxicology findings on 31 May 1991.

4.28 **IV. Further Enquiries**

4.29 In the weeks following the deaths Police Officer 1 conducted a number of further enquiries.

4.30 On 22 May and 23 May 1991 he recorded formal witness statements from Howell and Stewart respectively. Both provided accounts consistent with what they had told the police on 19 May 1991.

4.31 On 23 May 1991 Police Office 1 recorded a statement from the next door neighbour of Trevor and Hazel Buchanan. This neighbour said that he had

been in his bathroom at approximately 3.40 am on 19 May, when he had heard footsteps outside. He said that he had seen a vehicle reversing from the Buchanan driveway onto the main street. He could only say that the vehicle was dark coloured and that he had assumed that it was somebody calling at Trevor's house in connection with his police duties.

- 4.32 On 28 May 1991 a meeting took place between Police Officer 1, Police Officer 2 and Police Officer 3 at Ballymena RUC Station. Police Officer 3 had asked for the meeting to take place. Police Officer 1's notes of the meeting indicate that Officer 3 had relayed concerns about Howell giving his wife medication to help her sleep, enabling him to meet Stewart; that Howell was well known to tell lies; and that Police Officer 3 was 'genuinely concerned' and considered that Howell was in some way responsible for Lesley's death. He did not go as far as saying that he believed Howell had murdered the victims. Police Officer 3 also suggested that the detectives meet with Witness D and her husband as he believed that they held information of relevance to the police investigation.
- 4.33 Police Officer 3 provided a witness statement to the police in 1991, which formed part of the subsequent Coroner's report. However, this only referred to the discovery of the bodies and did not make reference to any concerns, which he had raised with the police during the meeting with Police Officers 1 and 2.
- 4.34 Police Officers 1 and 2 subsequently visited Witness D and her husband. Witness D provided information about the relationship between Colin and Lesley Howell, which was of great significance and which will be commented upon later in this Public Statement.
- 4.35 A statement was also recorded from Witness A, which referred to his two visits to 6 Cliff Terrace on the relevant date.
- 4.36 On 29 May 1991 Police Officer 1 attended Car Sales premises with a SOCO, to examine the Renault 21, which Howell had placed there for sale. They noted damage to the rear offside light cluster. Following this they attended the garage

at 6 Cliff Terrace, where they examined the area around the garage door's exterior looking for signs of broken glass matching that of the damaged light cluster. No glass was located. It has been established that Police Officer 1 conducted this enquiry in order to ascertain how damage was caused to the car.

4.37 When interviewed by the police in 2009 Howell stated that when he was reversing the car into the Buchanan address prior to murdering Trevor he drove over something and heard a sound 'like a crunch.' The police never questioned him about the damage to the Renault.

4.38 At that time according to Police Officer 1's records he also spoke to the occupier of Number 7 (now deceased) but she was unable to provide anything of any evidential value.

4.39 On 30 May 1991 Police Officer 1 conducted witness interviews with a neighbour of the Howells, the neighbour's son, and the female, who had seen Lesley at the Filling Station on 18 May. The neighbour said that she had seen Lesley Howell in the Coleraine coffee shop on the afternoon of 18 May 1991. She also spoke of having heard heated arguments coming from the Howell address on unspecified dates. According to Police Officer 1's notes, the neighbour's son told the officer that he had heard arguments coming from the Howell house on two or three occasions but again no dates could be specified. He said that he could not make out what was being said but that it involved Howell shouting at Lesley and she screaming back at him.

4.40 Police Officer 1 spoke to a member of staff at the tanning studio. She confirmed that Lesley had arrived early for her appointment, had left and had returned later prior to falling asleep under the sunbed. She said that Lesley had made an appointment for the following week. This witness said that Lesley had displayed no signs of being under the influence of alcohol or drugs at that time. Whilst Police Officer 1 made notes of the above interviews he did not record any witness statements.

- 4.41 Police Officer 1 also spoke to the owners of the boutique and coffee shop, who confirmed that Lesley had been in the shop on the afternoon of 18 May and had appeared in 'good form'.
- 4.42 He also spoke to a Constable, who had been a colleague and confidante of Trevor's at Coleraine RUC Station. Trevor confided in him about the affair and sought his advice. This Constable said that the week before his death Trevor was in 'very bad form', causing him to speak to another church leader as he feared Trevor might take his own life. He was advised to keep a close eye on Trevor. The Constable said that he had last spoken to Trevor on 17 May 1991, when the latter had invited him to the evening service at Coleraine Baptist Church on 19 May.
- 4.43 Police Officer 1 spoke to a Police Sergeant, who was Trevor's line manager at the time of his death. He stated that Trevor had requested annual leave on two occasions in 1991 in order to 'sort out family problems.' When he returned Trevor informed this Sergeant that he had been working too hard and was not spending enough time with his family and had appeared 'well down'. He added, however, that Trevor was 'back up again' shortly before his death. Police Officer 1 did not record witness statements from either the Constable or the Sergeant.
- 4.44 Police Officer 1 conducted enquiries into a suggested sighting of Howell and Stewart in a laneway prior to the murders, which had led to an altercation between Howell and a local farmer. On speaking to this farmer, who could not confirm that the man he had confronted was Howell, Police Officers 1 and 2 re-interviewed Stewart and Howell on 2 and 3 July 1991 respectively. During these interviews both Howell and Stewart changed their original accounts that the affair had ended in the Autumn of 1990, then stating that it had only ended temporarily before starting again in March 1991 and continuing until a few weeks before the deaths. No further statements were recorded to clarify these differing accounts and they were not referred to during the Inquest.
- 4.45 Police Officer 1 conducted enquiries with Henry Clarke's GP in January 1992,

confirming that Mr Clarke had been prescribed Temazepam and Diazepam. This would have supported Howell's account to the police that Lesley had found Temazepam in her father's house following his death. Police Officer 1 also recorded in his relevant notes that the above drugs could not have been accessed by a dentist.

4.46 **V. The Forensic Examinations**

4.47 Trevor's sweatshirt and jeans were submitted for forensic examination. Police Officer 1's rationale at the time was to ascertain what had caused staining found on the right leg of the jeans and the left shoulder of the sweatshirt. He also requested that the jeans be examined for scuff marks. The results, obtained in February 1992, showed that human blood was present on the rear left shoulder area of the sweatshirt along with another unknown substance. Nothing of note was found on the jeans. No further forensic examinations were conducted on Trevor's clothing at the instruction of Police Officer 1 and these findings were not referred to in the Coroner's report. There is no record of Lesley Howell's clothing having been submitted for forensic examination.

4.48 A further forensic enquiry was initiated by Police Officer 1 in July 1993, when the suicide note purportedly written by Lesley Howell was submitted for examination in order to ascertain whether or not it could have been written by Colin Howell. The examining scientist concluded that the note was not written by him. The rationale for this examination will be discussed later in this Public Statement.

4.49 **VI. Coroner's Inquest report leading to Inquest on 14 May 1992**

4.50 Following the above enquiries Police Officer 1 prepared a Coroner's Inquest report, which included the following statements; from Howell and Stewart regarding their relationship, the counselling and the events of 18 and 19 May 1991; from Witness B regarding his knowledge of the affair and the subsequent counselling (this, however, did not go into any detail as to how he became

aware of the affair); from a neighbour of the Howells regarding her sighting of Lesley on the afternoon of 18 May; from the female witness regarding the incident at the Filling Station on the evening of 18 May; from the neighbour of the Buchanans who saw a car leaving their house at 3.40 am on 19 May 1991; and from Witness A and Police Officer 3 regarding their actions later that day.

- 4.51 Also contained within the report were copies of the post mortem reports, a copy of the suicide note 'left' by Lesley Howell, a May 1991 calendar page written on by her and photographs of the scene. The vacuum cleaner pipe was also referred to as a seized exhibit. There was no reference to the post mortem photographs.
- 4.52 A number of Police Officer 1's enquiries were not referred to within his report to the Coroner. These included the witness interviews of Witness C and the wife of Witness B on 19 May 1991 and later interviews with Witness D, the owner of the tanning salon, the owners of the Boutique and Coffee shop, the Constable, whom Trevor had confided in and their supervising Sergeant.
- 4.53 Police Officer 1's report to the Coroner concluded that: 'The matter of two deaths was fully investigated by (Police Officer 1) under the supervision of (Police Officer 2). It is believed that the deaths were brought about as the result of an affair by the spouses of the victims initially over the period of March-October 1990 and indeed afterwards, even up until the time of the suicide incident. Neither of the suicide victims, despite reconciliation attempts by the Church being made principally by Witness B, could come to terms with their spouse's infidelity. Lesley Howell had made previous suicide attempts and was most likely the motivating factor in both of them taking their lives'.
- 4.54 The combined Inquest into the deaths was held on 14 May 1992. The presiding Coroner heard sworn depositions and witness evidence was heard from a number of people including Howell and Stewart. The Inquest verdict was that Trevor and Lesley had died from carbon monoxide poisoning and that both of them had been 'emotionally upset by difficulties' in their respective marriages.

- 4.55 No concerns regarding the deaths were raised during the Inquest.
- 4.56 Suicide was commonly believed to have been the cause of the deaths until Howell's confession on 29 January 2009.

5.0

Police Ombudsman Investigation

- 5.1 The scope of the Police Ombudsman investigation was to determine if there was any evidence of police misconduct or criminality in relation to the matters raised. It does not have remit over the actions of any other organisation referred to in this Public Statement.
- 5.2 The Police Ombudsman investigation has made every effort to obtain all relevant material held in relation to the 1991 police investigation into the deaths of Trevor Buchanan and Lesley Howell. The PSNI have co-operated fully in providing all requested material in a timely manner in relation to the 1991 and 2009 police investigations.
- 5.3 Police Ombudsman's Investigators obtained additional material from the following sources: relatives, friends and neighbours of the deceased; the State Pathology Office; H.M. Coroner's Office; Forensic Science Northern Ireland (formerly known as Northern Ireland Forensic Science Laboratory); serving and retired police officers; other professionally qualified people involved in the 1991 investigation; press articles and other publicly available documentation. The two police officers central to the 1991 investigation, Police Officers 1 and 2, were spoken to in addition to a number of other police officers, who played a lesser role in the investigation. Both Police Officers 1 and 2 declined to provide formal witness statements but agreed to meet with Police Ombudsman's Investigators, following which they provided written responses to questions asked of them during the meetings. Police Officer 3 also met Police Ombudsman's Investigators and adopted his 2009 police statement for the purposes of the Police Ombudsman investigation. Howell was also interviewed by Police Ombudsman's Investigators regarding his dealings with the police in 1991. Stewart declined an invitation to assist the Police Ombudsman investigation.

5.4 Arising from an examination and analysis of this material, comprehensive enquiries were conducted to address the Chief Constable referral and the concerns of the Buchanan and Howell families. Where possible, attempts were made to gather documentation from 1991, which would corroborate the evidence provided in later years by witnesses. In addition to reviewing the statements of witnesses interviewed by the police, Police Ombudsman's Investigators re-interviewed a number of these people in order to confirm their earlier accounts and clarify or expand upon other points. They also identified and interviewed witnesses, who were not spoken to as part of the 1991 investigation.

5.5 The investigation of events, which took place so long ago, presents specific challenges. Several people who might have been able to provide witness evidence relevant to the investigation, including former police officers, are now deceased. Other witnesses, when approached by Police Ombudsman's Investigators, declined to assist with the investigation.

5.6 **I. The Discovery of the Bodies**

5.7 It has been established by Police Ombudsman's Investigators that Police Officer 1 could not recall everybody who was in attendance at the scene upon his arrival or what was discussed. It was also established that he informed Police Officer 2 of the deaths by telephone but had no recollection of any particular instructions, which he was given by the latter at the time. He had no recollection of any instructions he would have given to the SOCO or Photographer in attendance.

5.8 When asked what his investigative assessment of the scene was Police Officer 1 responded in writing that:
'I can recall, that my assessment was that of a most tragic, but most unusual incident, resulting in the deaths of two people, being the seemingly innocent victims, of their respective spouse's infidelity and then gone on to having formed a seemingly suicide pact, culminating in their deaths. I was mindful, that seemingly suicide incidents require intensive investigation, by reason of often

complex backgrounds where victims of circumstances, at times, take their own lives. The question the investigation had to address, was what had the hallmarks of suicide, in some people's mind, was it really a suicide matter. It was certainly a case for an open minded approach to be maintained, although suicide was becoming a common explanation, with many of the witnesses and others spoken to, in the early stages of the investigation'.

- 5.9 In his deposition made to the Coroner in May 1992 Police Officer 1 stated that he had had a brief conversation with Police Officer 3 prior to examining the scene. He confirmed that the vacuum cleaner pipe was recovered but made no reference to any other items being seized; his interpretation of the scene; or any instructions, which he gave at the time. The vacuum cleaner pipe was never submitted for forensic examination.
- 5.10 Police Officer 2 informed Police Ombudsman's Investigators that Police Officer 1 had phoned him on 19 May 1991 to inform him of the deaths. He was told the identities of the deceased and that their bodies had been found in a fume-filled garage in Castlerock. He added that 'It was believed to have been suicide. The discovery was made by (Police Officer 3). I was given to understand, a uniform presence at the scene included a Duty Inspector'.
- 5.11 Police Officer 1 told Police Ombudsman's Investigators that he believed issues surrounding the seemingly unnatural position of both bodies; the fact that they were apart; the vacuum cleaner pipe 'kink' and 'loose fit'; and the fact that the driver's door and window were open would be best addressed by forensic experts.
- 5.12 The RUC photographer at the scene could not recall who directed him whilst in attendance, but said that normal practice at that time would have been that the attending SOCO would have done so. He said that he was informed at the scene that the deaths were a double suicide but could not recall who said this to him. The photographers original notes were obtained and reviewed. They revealed nothing of any further evidential value.

- 5.13 Police Ombudsman enquiries traced the original negatives and established that there were no additional photographs taken apart from the eight photographs presented in the 1991 RUC photograph album.
- 5.14 The SOCO in attendance said that normal practice for her at the time would have been to act on the direction of the senior detective at the scene but on this occasion she received no such direction and was 'simply expected to get on with it.' Police Officer 1 had no recollection of any instructions, which he gave to any personnel at the scene
- 5.15 The SOCO informed the police in 2009 that, upon entering the scene; 'There were huddled conversations going on, I didn't know what was said and whatever was said was not shared with me. It was a closed shop.'
- 5.16 She added that when she looked at the scene which greeted her, she had concerns that the driver's door and window of the car were open. She stated that she later raised this with Police Officer 2 as she believed that if Trevor, a trained SOCO himself, was going to kill himself then he would have 'known how to commit suicide.' She stated that she was ignored.
- 5.17 Police Officer 2 informed Police Ombudsman's Investigators that the SOCO never raised any concerns with him.
- 5.18 The Police Ombudsman's Investigators established that the SOCO, on looking at the position of Trevor's body in the car, formed the impression that he had changed his mind about the 'suicide' and attempted to get out of the car prior to being overcome by the exhaust fumes. She believed that she had pointed this out to the police at the scene.
- 5.19 The SOCO did not believe that the car was examined for fingerprints but suggested at the scene that the photographs and cassette tape found in the boot be fingerprinted. The SOCO has no recollection of to whom she made this suggestion or if it was acted upon.

- 5.20 She recovered the vacuum cleaner pipe for forensic examination and also seized the cassette player, gospel music cassette and three photographs. She left these at Coleraine CID Office for the attention of Police Officer 1 and she had no involvement with the items after that time.
- 5.21 The SOCO's 1992 Coroner's deposition only referred to the vacuum cleaner pipe being recovered. Police Ombudsman enquiries have established that none of these items was subsequently submitted for further examination except for the cassette tape, which was tested for fingerprints. RUC Fingerprint Branch records list the outcome of this examination as 'negative.' No other information is held as to these tests. The whereabouts of all the above items is currently unknown.
- 5.22 It was established that the SOCO remained at the scene for approximately two hours and believed that the deaths were suicide. She said that she was given no prior briefing to this effect by the police.
- 5.23 She was unable to locate her original scene examination notes. It is believed they were lost during a series of office moves, which she made following the deaths. Police Ombudsman enquiries with PSNI have been unable to locate these notes.
- 5.24 Police Ombudsman enquiries have established that when uniform police initially arrived at the garage Police Officer 3 briefed them as to what he had found but had little other involvement at the time. However, he later raised a number of concerns he had with the scene at the meeting at Ballymena RUC Station on 28 May 1991 with Police Officers 1 and 2.
- 5.25 Amongst these issues were concerns regarding the rear light being on in the car and one of the wing mirrors having been pushed forward towards the garage door. Police records do not indicate if the light was on. The photographs do appear to show the driver's wing mirror pushed forward. There are no records of these items having been forensically examined at the time or any of these issues forming part of the 1991 investigation. The moved wing mirror

would, however, support Howell's later account to the police in 2009 that he had to use the driver's window as a 'stepping stone' in order to climb over the open driver's door.

5.26 When interviewed by Police Ombudsman's Investigators the Duty Sergeant and Constable, who attended stated that they had had little involvement at the scene. Another two police officers, identified by the Police Ombudsman as having been present at the scene is now deceased.

5.27 Police Ombudsman's Investigators asked the National Police Improvement Agency (NPIA) to examine the scene photographs and other 1991 documents to provide a contextualised opinion as to what enquiries they would have expected to have been conducted by the police at the scene in 1991. The NPIA provide specialist knowledge, advice and support across the United Kingdom to police and civilian oversight investigations. They concluded that there should have been more detailed and thorough photography of the entire scene, including of the deceased in-situ. Of the eight scene photographs taken in 1991, three included Lesley and one was of Trevor. A sketch plan of the scene would also have been expected in addition to recovery of the vacuum cleaner pipe and vehicle for further forensic examination.

5.28 Police Ombudsman's Investigators established that Howell was unable to lift Trevor Buchanan from his slumped position in the driver's seat, hence the unnatural body position. This had concerned Howell as he believed that he did not have the strength to pull Trevor up from this slumped position. He was concerned about blood pooling and the possibility of fluid regurgitation due to movement from supine (lying on the back) to semi vertical positions. There are no police records to indicate whether or not any substances were located at the scene, which would have suggested that this had occurred.

5.29 **II. Visits to Cliff Terrace**

5.30 Howell made three phone calls on 19 May 1991, two to Witness A and one to Witness C directing them to where the bodies would be found. It would appear

from the available evidence that the police were aware of the three visits to Cliff Terrace but attached little significance to this information.

- 5.31 When interviewed in May 1991 Howell told Police Officer 1 about contacting Witness A twice but made no reference to contacting Witness C.
- 5.32 Police Ombudsman's Investigators have established that in 1991 the police did not question Howell about these phone calls. He was never given any indication that they suspected him but was really concerned about this at the time and was in a state of shock and was vulnerable in the weeks following the deaths. Had his story been examined more closely by the police at that time he believes that he may have confessed to the murders.
- 5.33 Police Officer 1 recorded a statement from Witness A in May 1991. At that time he was not asked for his opinion as to why Howell was so convinced that his wife and Trevor Buchanan were at 6 Cliff Terrace. It was established that Witness A never queried why Howell did not go himself to check the address. He was just aware that Howell was alone with four young children and he was trying to help him.
- 5.34 Police Officer 1 also interviewed Witness C but, although he took notes, did not record a statement. Although Witness C did not recall telling the police that he had been to the cottage, Police Officer 1's notes indicate that Witness C did attend. The 1992 Inquest report made no reference to Witness C checking the '12 Apostles'. Witness C asked Howell why he was so certain that Trevor and Lesley were at the cottages. Howell appeared agitated and 'told him it was the only place they could be'. Witness C did not inform the police of this in 1991.
- 5.35 Police Officer 1 recalled speaking to both Witness A and Witness C in 1991 but had no specific recollection as to what was said during these interviews. Police Officer 1 did not have any concerns about Howell's actions.

5.36 **III. The Post Mortem Examinations**

5.37 The original notes of the pathologist were obtained and reviewed by Police Ombudsman's Investigators. These included the briefing, which he obtained from Police Officer 1 prior to the post mortems. This summarised the marriage problems, which Trevor and Lesley had been experiencing and what was believed to have been their movements on 18 May 1991. It also contained a brief description of the garage scene. The pathologist did not attend the scene himself. He stated that he did not have access to the scene photographs at the time of the briefing. He made a dictaphone audio recording during the post mortem examinations but enquiries conducted by Police Ombudsman's Investigators with the State Pathology Office confirmed that these recordings are no longer in existence.

5.38 Police Ombudsman enquiries have established that upon the arrival of the SOCO at the post mortem examination the pathologist said to her: 'Its suicide. I don't really know why you are here.'

5.39 The pathologist had no recollection of making this comment. He could not recall the briefing provided to him by Police Officer 1. There was no information provided to him at the time to suggest anything other than suicide. The pinkness in the lividity of both bodies was indicative of carbon monoxide poisoning.

5.40 Two post mortem photographs were of particular relevance to Police Ombudsman's Investigators. One showed injuries around Trevor Buchanan's mouth and nose. The other showed what appeared to be blood coming from the back of his head. Neither was recorded in the subsequent post mortem report included in the Coroner's report. When shown these photographs, the pathologist could offer no explanation as to why these injuries were not documented in his report.

5.41 Police Officer 1 could not recall if he attended the post mortem examinations. However, his police records at the time show that he did. He had no

recollection of any injuries to Trevor Buchanan being brought to his attention at the post mortem examinations. Police Ombudsman enquiries revealed that he would, however, have been aware of injuries soon after the deaths. Members of the Buchanan family noted marks to Trevor's face during his wake. One of Trevor's brothers said that he had made Police Officer 1 aware of these on the morning of Trevor's funeral and that Police Officer 1 had informed him that these were caused during an altercation between Howell and Trevor Buchanan at a Police Vehicle Check Point on an unspecified date and time. Enquiries conducted by Police Ombudsman's Investigators have been unable to identify any record of this alleged altercation having occurred and Police Officer 1 denies having had any such conversation.

- 5.42 When Police Officer 1 interviewed the Constable, in whom Trevor had confided, he said that when he last saw Trevor at work on 17 May 1991 he had no injuries. He said that during the wake he noticed a cut to Trevor's lip and scratches to his nose. Police Officer 1 did not record a witness statement from this Constable but recorded notes of the interview. Beside the notes about the injuries Police Officer 1 has written 'possible slap on mouth.'
- 5.43 When interviewed by the police on 19 May 1991 Howell informed Police Officer 1 that Trevor Buchanan had come to his house at around 11.10 pm on 18 May 1991, when an altercation had ensued causing him to grab hold of Trevor and restrain him. This version of events appears to have been accepted by the police and no enquiries were conducted to either prove or disprove it.
- 5.44 Howell later informed the police in 2009 that when subduing Trevor, when he stirred from his sleep during the murder, a struggle had ensued, which had resulted in them rolling off the bed and that this had resulted in the injury to his (Howell's) head and may also have accounted for an injury to Trevor's head. He said that he had forced the hosepipe into Trevor's mouth, which may have accounted for the injuries to his mouth and nose.
- 5.45 The Buchanan address was never treated as a crime scene so no forensic

examination was ever conducted of the bedroom in 1991 for possible signs of a struggle.

5.46 Police Ombudsman's Investigators have established that the police in 1991 never probed Howell about Trevor's injuries or the injuries to his own forehead, leading Howell to assume that the police believed his 'cover story'. Had he been questioned about this on 19 May he believes he would have had real difficulty in giving a credible explanation. The bump to his head remained for some 3-4 days but still no-one really questioned him about it. During these initial days the police gave him no indication that he was being treated as a suspect. It is believed that Howell was concerned that a detailed examination of Trevor Buchanan's wounds might have raised questions as to the actual time of death. No such examination took place during the post mortem examinations.

5.47 It is believed that Howell was worried that the post mortem examinations would uncover that Trevor and Lesley did not die at the same time. He had planned to commit the murders within an hour of one another but the actual time between the deaths was about two and a half hours. He was really concerned about the two and a half hour time difference in the times of deaths of Trevor and Lesley and had he been confronted by the police about this he believes that he may have confessed to the murders at the time.

5.48 Police Officer 1 believes that any issues arising from the post mortem examination of Trevor Buchanan were matters for the Pathologist to address and not for the police investigation.

5.49 Police Officer 2 was informed that the post mortem findings for both Trevor and Lesley were that they had died from carbon monoxide poisoning and that no other issues had emerged. He did not attend the post mortem examinations and he did not view the post mortem photographs. He was not made aware of the injuries to Trevor Buchanan. He now believes that this was crucial evidence, which should have been identified and brought to the immediate attention of the investigating officers as he had not previously been aware of this. He is satisfied that if Police Officer 1 had been aware of this at the time he

would have acted appropriately and advised him accordingly.

5.50 **IV. The Bathroom Incident**

5.51 Police Officers 1 and 2 visited the home of Witness D and her husband as part of the 1991 enquiry. They were members of Coleraine Baptist Church and Witness D was especially close to Lesley Howell.

5.52 Witness D informed Police Ombudsman's Investigators that she had told both police officers during this meeting that Lesley had confided in her prior to her death and told her the following: that she suspected Howell of having an affair with Stewart; that Howell was giving her Temazepam 'but it was ok Colin looked after her'; that Howell's business was struggling and she had not been able to get money from the cash machine; that Henry Clarke had left her a sizeable amount of money in his will and that this was for her and the children; and finally of an incident where Howell had dropped an electric cable into her bath water giving her an electric shock. Witness D dismissed the latter incident as an accident at the time but following the deaths considered that she should tell the police about it.

5.53 Police Officer 1 took notes but did not record a statement from Witness D. This caused her to believe that they had visited her as a formality but had already made up their minds that Lesley and Trevor had killed themselves. Witness D's husband confirmed that the meeting had taken place and that no statements were recorded.

5.54 Lesley Howell had told others about the bathroom incident. One of her friends said that in the Spring of 1991, Lesley phoned her and told her what had happened adding 'I'm telling you this in case something happens to me'. She said that Lesley had said that her husband had begged her not to tell anybody. The friend said that she had urged Lesley to inform the police but that Lesley had been content that her friend and also Witness D knew about the incident. Following Lesley's funeral the friend spoke to Witness D about the incident, who told her that she had already passed this information on to the police and

consequently the friend did not contact police herself.

- 5.55 Lesley's sister-in-law at the time received a phone call from Lesley after her father's death, in which she told her about the incident. Lesley sounded very distressed and stated 'Colin has tried to kill me.' She said Lesley pleaded with her not to tell anyone about the incident. The sister-in-law told nobody about this phone call until interviewed by the police in 2009.
- 5.56 When interviewed by the police in 2009 Howell denied that the incident had taken place. However, at Stewart's trial in 2011 he stated that the incident had planted the idea in his mind that he could kill his wife if he wanted to. Police Ombudsman's Investigators have confirmed that the police never questioned Howell about this matter in 1991.
- 5.57 Police Officer 1 was of the opinion that 'all matters that emerged from the ongoing investigation at that time were taken into account'. This included the information, obtained at the meeting with Witness D and her husband.
- 5.58 Police Officer 2 attended the meeting with Witness D and her husband but had no specific recollection as to what was discussed. He maintains that the police adopted an open-minded approach throughout the investigation but added that Police Officer 1 had taken notes of what Witness D had told them for 'further investigation'.
- 5.59 The bathroom incident and the meeting with Witness D and her husband were not referred to in the Coroner's Report and available police records indicate that no further enquiries were conducted in respect of this information.
- 5.60 **V. Howell's Financial Circumstances**
- 5.61 It appeared to be common knowledge in early 1991 within the circle of family and friends that Howell was experiencing financial problems. Lesley had told several of her friends that she had received a large sum of money from her father's will. Following her death Howell benefited financially and was able to

deal with his financial problems including repaying a £10,000 loan.

5.62 In 1991 no enquiries were conducted by the police regarding Howell's financial difficulties and any possible links between these and the deaths of his wife and father-in-law despite concerns having been raised.

5.63 At the time of his arrest in 2009 Howell admitted that he had been experiencing financial problems in 1991 but always maintained that this was not a motive for him to kill his wife. He told the police in 2009 that he had received considerable life insurance payments following Lesley's death in addition to an endowment policy, which had paid off their mortgage. He also inherited a large sum from Lesley's will.

5.64 **VI. Lesley Howell's Medication**

5.65 Several witnesses told the police in 1991 of Lesley's strange behaviour, on occasion, which they attributed to her drug use and alcohol intake. In addition to the evidence of Witness D and the female witness at the filling station another friend stated that when she visited Lesley her eyes did not 'look normal'. Witness B recalled visiting Lesley on 17 May 1991 and her looking 'dishevelled' and 'absolutely terrible'. Another witness remarked that Lesley appeared forgetful following her father's death. When helping Lesley to tidy up 6 Cliff Terrace following his death Lesley asked her what she thought of 'Daddy's wee house....she must have asked me the same question ten times that day'. Lesley had also informed her that Howell was in charge of her medication and was giving her tablets to help her sleep following her father's death. Lesley's brother stated that following his father's funeral Lesley drank three glasses of wine and was 'incapacitated' as a result. He confronted Howell about this, who admitted that he had given Lesley a pill to help her sleep.

5.66 Lesley's post mortem examination revealed that her blood contained traces of Temazepam, Diazepam and Nordiazepam. Trevor's blood also contained traces of Temazepam. The reports concluded that the drug readings fell within the 'therapeutic range'.

- 5.67 Police Officer 1 made enquiries with Henry Clarke's GP and established that he had been prescribed Temazepam, Gamanil and Diazepam the week before his death. Police Officer 1's notes also indicate that he had conducted enquiries with the Northern Ireland Forensic Science Laboratory in order to confirm if the Nordiazepam in Lesley's system could have originated from Valium she had taken.
- 5.68 The line of enquiry that Howell was controlling Lesley's medication was never explored further during the 1991 investigation despite there being evidence to suggest that this was indeed the case. Police Ombudsman enquiries have established that Howell was never questioned about this in 1991.
- 5.69 **VII. The Lies**
- 5.70 When interviewed by Police Officer 1 in May 1991 both Howell and Stewart informed him that their affair had ended in the Autumn of 1990. They did not advise him that they had resumed the affair in March 1991 and that it had continued until a few weeks before the deaths.
- 5.71 Police Officer 1's records for late June 1991 document a series of enquiries, which he conducted about an incident, where Howell and Stewart were reported as having been seen in a car parked in a farm laneway by a local farmer. When re-interviewed by the police on 2 and 3 July respectively both admitted that they did not tell the truth when initially interviewed by the police in May 1991 as to when the affair ended. Police Officer 1 took notes but did not record further witness statements.
- 5.72 Howell's and Stewart's admissions that they had lied seem to have been accepted by the police without any further action. The sworn depositions taken from them at the Inquest made no reference to the new admissions. Howell's deposition stated, 'Since October 1990 there had been no affair between Hazel...' and him, whereas Stewart stated that they were only in 'verbal contact' following the Autumn of 1990. This was not true.

- 5.73 This issue was never clarified or challenged at the time. The only mention of it in the Coroner's report is a reference to the deaths being caused by the affair 'initially over the period of March-October 1990 and indeed afterwards, even up until the time of the suicide incident.' No concerns were raised to the presiding Coroner by any person during the Inquest.
- 5.74 Police Ombudsman's Investigators have established that Howell was worried about the Inquest and believed that he was in the clear when it was completed. He was never challenged at the Inquest regarding the differing accounts he had provided to the police as to when the affair had ended or his account that Lesley was at home on the afternoon of 18 May when a number of witnesses had observed her shopping in Coleraine town centre.
- 5.75 Howell later told the police in 2009 that Police Officer 1 had remarked that 'no-one can ever really get away with a murder'. This was the first time that murder had been mentioned to him and he was careful not to appear unnerved by this comment.
- 5.76 When asked by Police Ombudsman's Investigators, Police Officer 1 had no recollection of making this comment.
- 5.77 **VIII. Witness B**
- 5.78 Witness B was a key figure in understanding the background to the affair. Police Ombudsman enquiries have established that Police Officer 1 spoke to him only briefly after the deaths, which surprised him a little as he had a lot of information about the background as to what had happened. He said that he subsequently forwarded to Police Officer 1 a 'substantial document' detailing the background to the affair and how Howell and Stewart had initially denied it. On 1 August 1991 Witness B signed a statement prepared for him by Police Officer 1. It only touched briefly on the affair and did not include much of the detail, which he had initially forwarded to Police Officer 1.
- 5.79 Police Officer 1 had no recollection of the 'substantial document' forwarded by

Witness B and stated that Witness B was unable to raise any new issues, which created any fresh lines of enquiry. He said that any information provided by Witness B would have been analysed and acted upon and that he would have allowed Witness B to read over his statement prior to him signing it, whereby any omissions could have been brought to his attention.

5.80 There are therefore discrepancies between the accounts of Witness B and Police Officer 1, which remain unresolved.

5.81 **IX. The Forensic Strategy**

5.82 There are no police records to indicate that there was any forensic examination of the garage. There is no record of any fingerprints having been taken at the scene, where the bodies were found with the exception of the cassette tape, which was found beside Lesley. There are no records of any forensic examination of the car apart from the damage to one of its rear lights.

5.83 One of the scene photographs shows what appears to be a rubber gardening glove on a workbench at the rear passenger side of the car. There is no record of this glove having been recovered or examined.

5.84 Police Ombudsman's Investigators have established that the SOCO, who attended the scene believed that the vacuum cleaner pipe, photographs, cassette player and cassette tape were left at Coleraine CID Office. The Inquest report prepared by Police Officer 1 refers only to the vacuum cleaner pipe as the sole scene exhibit. Enquiries with Forensic Science Northern Ireland (FSNI) show no record of any of the above items having been submitted for forensic examination.

5.85 Trevor's sweatshirt and jeans were recovered during his post mortem examination on 19 May and submitted by the police to Northern Ireland Forensic Science Laboratory (NIFSL) for examination on 28 October 1991. There is no record of Lesley's clothing having been submitted for forensic examination.

- 5.86 Trevor's clothing was examined by a NIFSL Higher Scientific Officer, who phoned Police Officer 1 on 3 February 1992 to discuss her findings prior to submitting her final report to him. Police Officer 1 appeared confused during this telephone call as to who had owned the items and the reason for the examinations. The report, forwarded to him on 13 February 1992, stated that a stain on the sweatshirt contained human blood mixed with another unknown substance. The report concluded; 'With reference to our telephone conversation of 3 February 1992, no further work will be carried out in relation to this case'.
- 5.87 The results of the sweatshirt examination were not included in the 1992 Coroner's report. There are no police records to indicate that any further enquiries were conducted in respect of whose blood was on Trevor's sweatshirt; how it came to be there; and what the other unknown substance was.
- 5.88 In 2009 Howell admitted to the police that he had kept the note Lesley had written following her October 1990 suicide attempt and had produced it in May 1991 to support the suicide theory.
- 5.89 No enquiries were initiated regarding the wording/content of the note despite Police Officer 3's concerns expressed to the police in 1991. The note contained the words 'Thank you for your help over the past few days (Howell had informed Police Officer 1 as to how bad relations had been between Lesley and him in the days prior to her death); 'I have seen that life goes on after a few weeks of pain' (Lesley died nearly 8 months after the affair being revealed to her); and 'If I wake up in the morning just let this be our secret.' (This did not fit in with the fact that Lesley died with Trevor and the method of death indicated that she had no intention of being found alive).
- 5.90 Lesley's suicide note was seized by the police during the course of the 1991 investigation and is referred to in the Coroner's report. However, it was not submitted for forensic examination until 20 July 1993, some 14 months after the Inquest. Police Officer 1 did not offer any explanation as to why there had

been a delay in submitting this item. He had the note submitted in order to establish who had written it. The scientist who examined the handwriting discounted the possibility that the note could have been written by Colin Howell.

5.91 Below the note itself, written in different handwriting, were the words 'Ballymena Traffic Police' followed by a telephone number. Howell told the police in 1991 that he had phoned the police on the morning of 19 May 1991 to find out if Lesley had been involved in a road traffic collision that night.

5.92 Police Ombudsman's Investigators have confirmed that Howell did have concerns that if tests were carried out on the ink it may have revealed inconsistencies in his story. He was never aware that the letter had been submitted for forensic analysis and was never challenged by the police about the letters content and authenticity.

5.93 Police Officer 1 stated that he believed that the Howell and Buchanan addresses had been forensically examined by the police in 1991. However, Police Ombudsman enquiries have been unable to locate any records to support this claim.

5.94 Police Officer 1 believes that 'all forensic results were followed up in order to establish causation factors pertaining at the time, within the general investigation.'

5.95 **X. House-to-House Enquiries**

5.96 Whilst Police Officer 1 spoke to the next door neighbours of the Howells and Buchanans in 1991 and the occupier of 7 Cliff Terrace following the deaths, there are no police records of any more extensive witness enquiries having been conducted at the Charnwood Park, Knocklayde Park or Cliff Terrace locations. Police Ombudsman's Investigators conducted witness enquiries at all three locations and identified witnesses at each, who had lived there in May 1991 but who had never been spoken to by the police.

5.97 **XI. The Letter**

5.98 Following the funerals of Trevor and Lesley, Howell handed Witness C a letter in a sealed envelope asking that he pass it to Stewart. Witness C made copies, one of which he kept and one of which he said he gave to Witness B. He then passed the original letter on to Stewart. In the letter Howell asked Stewart if their relationship could continue now that their partners were dead. It contained the line 'I have taken a mother from her children but God will provide for them and I only hope and pray it can be you'.

5.99 Witness B has denied ever having been given the letter. Witness C believed that the line in question referred to Howell's guilt at driving his wife to take her own life and did not therefore pass it on to police. He kept the letter until 2009.

5.100 Police Officer 1 believes that had he known of the existence of the letter he would have considered it to have been of 'crucial value'.

5.101 Police Officer 2 attributed similar significance to the existence of this document and was 'shattered' when he learned of its existence.

5.102 While this letter alone would clearly have been significant to the 1991 investigation there was a wealth of other evidence available to undermine the suicide theory.

5.103 **XII. The Concerns raised by Police Officer 3**

5.104 On 28 May 1991 a meeting took place between Police Officers 1, 2 and 3 at Ballymena RUC Station. Police Officer 1's notes indicate that Police Officer 3 relayed concerns about Howell and his possible involvement in the deaths.

5.105 Police Officer 3 expanded upon these concerns in a statement provided to the police in 2009, which he then adopted for the Police Ombudsman investigation. Within this he raised concerns regarding the authenticity of the suicide note; the alleged incident when Howell and Stewart were parked in a farm laneway;

why there were drugs in Trevor's system; why Howell had directed multiple visits to the '12 Apostles' prior to the bodies being discovered; whether Howell was administering his wife drugs prior to her death; concerns about the garage scene; the death of Henry Clarke and issues surrounding his finances and health; the injury sustained by Howell at the time of the deaths; Howell's financial situation and his subsequent admission that the affair had not ended in the Autumn of 1990, as he had initially told police.

- 5.106 Police Officer 3 told police in 2009 that he had had concerns about the whole thing from the very beginning and that he had very serious doubts about Howell and his possible involvement in something very nasty in relation to Lesley, Trevor and Lesley's father. He passed these concerns to Police Officers 1 and 2.
- 5.107 Police Officer 3 also raised concerns with others following the deaths. Police Officer 3 spoke to Witness B and told him he was suspicious and had serious doubts as to whether the deaths had been suicides. The husband of Witness D also spoke to Police Officer 3 a few days after the deaths, when they both agreed that the deaths were suspicious. They discussed the possibility that Howell had killed Trevor and Lesley.
- 5.108 There is no record of Police Officer 3 having raised these concerns at the May 1992 Inquest.
- 5.109 Police Officer 2 denies that Police Officer 3 raised any concerns with him.
- 5.110 Police Officer 1 viewed Police Officer 3 as an 'integral part of the police investigation from the outset' and believed that he 'acted as very useful source for background information particularly as to the Colin Howell, Hazel Buchanan affair'. Police Officer 1 stated that Police Officer 3 '... provided no explanation, or voiced any reservations giving rise to issues of a sinister nature as to either of the deaths to advance the investigation along any new lines of enquiry. Most certainly, nothing was indicated by him at the time of the incident or indeed at any time afterwards, that the now crime of murder, was a likely reason for either

of the deaths’.

5.111 **XIII. The Police and the Church**

5.112 At the time of the deaths, members of the Buchanan family believed that members of Coleraine Baptist Church had sought to conduct low key funeral services to minimise the embarrassment caused to the Church regarding the deaths.

5.113 As part of the Police Ombudsman investigation enquiries were conducted in respect of the nature of the relationship between senior police officers and Church members at the time.

5.114 Neither Police Officers 1 nor 2 has ever been a member of the Baptist Church. Police Officer 1 had not known Witness B prior to meeting him in May 1991. Police Officer 2 had been introduced socially to Witness B previously and had subsequently facilitated the initial meeting between Police Officer 1 and Witness B.

5.115 Police Ombudsman enquiries have established that at the time of the deaths three serving police officers were members of Coleraine Baptist Church; two of whom were Trevor Buchanan and Police Officer 3. Police Officer 3’s role in the police investigation has already been covered. The third police officer was not based in ‘O’ Division (Coleraine) at the time of the deaths and it has been established by Police Ombudsman’s Investigators that he played no role in the 1991 investigation. This is supported by the 1991 investigation papers which make no reference to him having been involved.

5.116 Witness B, Police Officer 1 and Police Officer 2 all deny that members of Coleraine Baptist Church in any way attempted to influence the police investigation.

5.117 **XIV. The Working Relationship between Police Officers 1 and 2**

5.118 The two senior police officers referred to in this Public Statement, Police Officers 1 and 2, disagree in respect of who was in charge of the 1991 investigation.

5.119 Police Officer 1 claims that throughout this investigation he reported directly to Police Officer 2, and described him as his supervising officer. He stated that as the enquiry progressed Police Officer 2 maintained this supervisory role and directed lines of enquiry and investigative actions. He stated that he worked under the direct supervision of Police Officer 2 and documented this in the subsequent Inquest report he submitted.

5.120 Police Officer 2 told Police Ombudsman's Investigators that given the nature of the deaths and the fact that one of the deceased had been a serving police officer, he had considered it appropriate that a senior detective should head the police enquiry and therefore appointed Police Officer 1. He added that other than being available to offer Police Officer 1 support and guidance, when required, he played little role in the investigation beyond the initial weekend. He introduced Police Officer 1 to Witness B and attended the meeting with Witness D and her husband. He claims that he would not have had sight of the Coroner's report.

5.121 The 1991 investigation papers would tend to support Police Officer 1's recollection. These revealed that Police Officer 2 had accompanied him to the initial interview of Howell and the subsequent interviews with Howell and Stewart in July 1991 and that he had been present during the meeting with Witness D and her husband, during the 'laneway' enquiries and during the meeting with Police Officer 3 on 28 May 1991.

5.122 Police Ombudsman's Investigators have established that when Howell was interviewed by the two police officers '(Officer 1) did most of the talking' but '(Officer 2) appeared to be in charge'.

- 5.123 Police Ombudsman's Investigators liaised with a retired senior police officer, who at the time of the deaths was Police Officer 2's line manager. Enquiries established that on 19 May 1991 he was contacted by Police Officer 2 who briefed him as to the discovery of the two bodies at Cliff Terrace, Castlerock. He instructed Police Officer 2 'to oversee the investigation of the body-finds, and to personally oversee the ensuing investigation'. He was kept updated by Police Officer 2 as to the progress of the investigation and was later advised by Police Officer 2 that he was satisfied that both deaths were suicides. This officer had no reason to question this conclusion.
- 5.124 When made aware of this Police Officer 2 disputed his line manager's recollection of the investigative hierarchy at that time as 'incorrect'.
- 5.125 Whatever his role during the investigation, Police Officer 2 would have been aware of much of the relevant information, which was gathered during its initial stages. He was present at many of the key interviews and meetings and his knowledge of the investigation should not have been hindered by not having viewed the Coroner's report. This accords with his line manager's belief that he had instructed Police Officer 2 to oversee the police investigation at the time.

6.0

Summary of Police Ombudsman Findings

- 6.1 The scope of the Police Ombudsman investigation was to determine if there was any evidence of police misconduct or criminality in relation to the 1991 police investigation. Its objective has been to review the original 1991 police enquiry and to determine whether all available lines of enquiry have been pursued thoroughly as part of an effective and sustainable investigation. As part of this process it was necessary for the Police Ombudsman to assess the investigative mindset and thought processes of 1991 investigators in order to establish whether or not they adopted an open-minded approach, which considered all investigative possibilities. This included whether the available evidence supported or undermined the commonly held belief at the time that the deaths had been suicides.
- 6.2 It should be noted that all of the police officers involved in the 1991 investigation have now retired or are deceased. Consequently the Police Ombudsman investigation could make no misconduct recommendations to the PSNI in respect of its findings. Having carefully considered the available evidence the Police Ombudsman is satisfied that there is no criminality associated with the actions of any police officer involved in the 1991 investigation. Therefore none of the original investigating officers could be compelled to attend for interview by Police Ombudsman's Investigators and their involvement and assistance was on a purely voluntary basis.
- 6.3 During the original police investigation, Police Officers 1 and 2 were the two Detectives, who conducted the majority of the enquiries. Whilst there remains a lack of clarity as to their respective roles, the primary focus of this Public Statement centres on the actions and rationale of these two police officers during the 1991 enquiry.

- 6.4 In reporting on the actions of the police during the original investigation a number of other organisations have been referred to within this Public Statement. The Police Ombudsman has no remit over these organisations and must concentrate his determinations on the conduct of the police officers.
- 6.5 While his determinations are reached on the balance of probabilities, which are evidence-based, the challenge of investigating past matters almost inevitably requires that he considers inferences from a combination of those matters, which can be proven; expert opinion; and identifiable custom and practice at that time.
- 6.6 **Evidential Analysis and Key Findings**
- 6.7 Crime scenes are vitally important sources of forensic evidence and investigative opportunities. Investigators normally only have one chance to interpret a scene and maximise evidence gathering potential. Investigators work to the premise of the ‘golden hour’; that initial period upon arrival at a scene when the maximum evidence is available to them.
- 6.8 Whilst forensic science and investigative techniques have advanced considerably since 1991 police were faced with a small, contained scene at Cliff Terrace, which held a number of forensic opportunities, which were missed or overlooked. Despite having a SOCO in attendance and a senior Detective present, the police failed to exploit fully all the evidential opportunities at the scene in respect of fingerprints and did not submit the vacuum cleaner pipe, cassette player, photographs or a rubber gardening glove found at the scene for forensic examination. The cassette tape was submitted for fingerprints but proved ‘negative.’ No enquiries were conducted around the issue that the vacuum cleaner pipe only loosely fitted into the car exhaust pipe and yet a dark ringed mark on the latter suggested that something had been previously tightly secured to it; or that the clearly visible kink in the vacuum cleaner pipe may have restricted the flow of fumes into the car.
- 6.9 The car itself was not examined, particularly relating to whether or not there was any blood present, which could have explained Trevor Buchanan’s injuries.

An insufficient number and range of photographs were taken at the scene. There was no scene log kept and no sketches or measurements were taken. Specialist staff, who attended, appeared unclear as to their role.

6.10 **Finding 1: The 1991 police investigation did not maximise all potential forensic opportunities at the garage scene. These, if explored fully, might have identified evidence, which would have undermined the ‘suicide’ theory. As the senior police officer, Police Officer 1 failed to direct properly police and specialist staff present at the scene to ensure that these opportunities were explored fully.**

6.11 Police were faced with an unusual scenario upon finding the bodies of Trevor Buchanan and Lesley Howell. The discovery of what appeared to be a double suicide was unusual in itself but was exacerbated by a number of issues; the fact that Trevor’s leg was out of the car and that his driver’s window was fully down; the unnatural and awkward position of both bodies and the fact that they were not seated together in the vehicle; the loose fit of the vacuum cleaner pipe inside the exhaust pipe; the positioning of the car in the garage whereby the passenger’s side was tight against a workbench whilst there was room to walk along the driver’s side.

6.12 **Finding 2: None of the above ‘peculiarities’ was fully investigated and explained by the police. This would indicate that the police from an early stage accepted the ‘suicide’ theory despite there being inconsistencies at the scene. This showed an investigative bias, which was to pervade the entire 1991 investigation.**

6.13 Post mortem photographs showed clear injuries to Trevor Buchanan’s mouth/nose area and what appeared to be blood coming from the back of his head. These were not identified at the post mortem examination or included within the subsequent post mortem report. Police Officer 1 was present at the post mortem examination. He was apparently made aware of Trevor’s facial

injuries by both a brother of Trevor Buchanan and a Constable, in whom Trevor had confided in 1991. Howell's explanation that Trevor had attended his home that night and that a struggle had ensued was accepted as fact. Howell's account was never challenged properly or tested.

6.14 **Finding 3: Clear evidence that Trevor Buchanan had sustained injuries was overlooked and as a consequence no enquiries were conducted to establish how these injuries were sustained. Howell's account was accepted at face value despite evidence having been gathered during the enquiry that he had lied to the police.**

6.15 At the insistence of Howell three visits were made to 6 Cliff Terrace on 19 May 1991 prior to the bodies being found. The police were aware of this in 1991 and yet there appears to have been no suspicion raised about Howell's culpability despite the fact that he had asked people repeatedly to go to the scene, where he had deposited the bodies. The police never challenged Howell on this issue in 1991.

6.16 **Finding 4: The police failed to challenge Howell properly in 1991 as to why he was so adamant that Trevor Buchanan and Lesley Howell would be found at 6 Cliff Terrace.**

6.17 Both Howell and Stewart lied to the police in May 1991 about when their affair had ended. This lie came to the attention of the police when they were re-interviewed in July 1991. Despite this, the police continued to accept both as credible witnesses. No other aspects of their accounts were challenged, including Howell's assertion that his wife had been at home on the afternoon of 18 May 1991, contrary to other witness accounts.

6.18 **Finding 5: The police continued to show an investigative bias and adhered to the 'suicide' theory despite being aware that Howell and Stewart, the two key people promoting it, had lied to them in 1991.**

- 6.19 Witness D told the police in 1991 of the bathroom incident and also about her concerns regarding Howell's finances and that he was administering medication to his wife. There was other evidence freely available at the time to support these three lines of enquiry. Despite being aware of them the police conducted no further enquiries to gather evidence in respect of issues raised by Witness D. Howell was never challenged regarding these matters.
- 6.20 **Finding 6: The information supplied by Witness D was ignored by the police in 1991 despite it providing further lines of enquiry, which should have been explored.**
- 6.21 Police Officer 3 met Police Officers 1 and 2 in May 1991, when he raised a number of concerns, summarised within this Public Statement, regarding the deaths. Apart from the police meeting with Witness D and her husband and conducting some enquiries regarding the 'laneway' incident, these concerns were not explored fully by the investigators.
- 6.22 **Finding 7: Concerns raised by Police Officer 3 were not investigated fully by the 1991 investigators.**
- 6.23 Despite blood being found on the sweatshirt of Trevor Buchanan, no enquiries were conducted to establish whose blood it was; how it had come to be there; and what the other unknown substance found with it was. The police also failed to identify the origins of the mark at the bottom of the right leg of Trevor's jeans.
- 6.24 Police Officer 1 was aware that blood had been detected on the sweatshirt but conducted no further enquiries in respect of this finding. This was an important line of enquiry, which was overlooked. When questioned by Police Ombudsman's Investigators he was unable to offer any explanation for this.

There is no record of Lesley Howell's clothing having been submitted for forensic examination.

6.25 **Finding 8: A significant evidential opportunity was missed in respect of Trevor Buchanan's sweatshirt, which may have advanced the police investigation.**

6.26 The 'suicide note' allegedly written by Lesley Howell was submitted for forensic examination 14 months after the Coroner's Inquest. This forensic submission suggested that Police Officer 1 did have some doubts regarding Howell. Despite this no enquiries were conducted about discrepancies in the wording/phrasing of the note. Police Officer 1 did not explain what led him to submit the note at that late stage.

6.27 **Finding 9: The content of the suicide note presented the police with a significant opportunity to challenge the account given by Howell. This was not taken. The submission of the note for forensic examination so long after the inquest cannot be explained and is of concern.**

6.28 Despite the police conducting a number of enquiries in 1991 and 1992 these were not all documented in the subsequent Coroner's report submitted by Police Officer 1. These included the July 1991 interviews of Howell and Stewart, from which it emerged that they had lied to the police in their May interviews; the meeting with Witness D and her husband; other additional witness accounts; the 'laneway' enquiries; and the forensic examination of Trevor's sweatshirt.

6.29 **Finding 10: The impact of the presence of an investigative bias in the police investigation was that the report submitted to the Coroner did not contain all of the available evidence. This narrowed the potential scope of the Coroner's inquest.**

- 6.30 Despite there being many investigative failings identified in this Public Statement, the Police Ombudsman investigation has gathered no evidence to indicate that the 1991 police investigation was adversely influenced by members of Coleraine Baptist Church in 1991. There is no evidence that any of these failings emanated from anything other than poor investigative practice at the time.
- 6.31 **Finding 11: The failure of the police in 1991 to investigate properly the deaths of Trevor Buchanan and Lesley Howell was a serious one. However, there is no evidence that the investigation was adversely influenced by members of the Coleraine Baptist Church.**
- 6.32 From the commencement of the investigation the police accepted at face value Howell and Stewart's explanations. They failed to consider that Howell and Stewart had much to gain from the deaths. They were having an affair and both benefited financially from the deaths of their spouses. Despite their best efforts to keep it a secret it was clear to many that the affair continued after the deaths. Police Officer 1's records throughout the investigation contain the terms 'suicide' or 'double suicide'. Police Officer 2's records from that time could not be located. Police Ombudsman's Investigators have established that during Howell's first interview with police suicide was discussed.
- 6.33 The acceptance of the suicide theory despite the many peculiarities regarding the deaths and the missed or overlooked evidential opportunities displayed a lack of open-mindedness on the part of those conducting the 1991 police investigation. There was a clear absence of leadership and the two senior Detectives involved remain unable to explain satisfactorily their thinking behind key decisions made at the time or their interpretation of information and evidence available to them.
- 6.34 **Finding 12: Despite the available evidence, which existed in 1991 Police Officers 1 and 2 never deviated far from the belief that the deaths were the result of suicides. This investigative bias inhibited an effective**

and thorough investigation. Evidential opportunities, which could have led the police to the conclusion that the deaths were not the result of suicides were missed or overlooked.

7.0

Conclusions

- 7.1 Amidst the acute public interest surrounding the convictions of Howell and Stewart one must not lose sight of the victims. Trevor Buchanan and Lesley Howell were two innocent people, whose lives were tragically cut short. Between them they left behind six young children and a circle of family and friends, who had to live for almost twenty years with both the grief of their loss and the belief that their loved ones had chosen to kill themselves. The Police Ombudsman recognises the considerable dignity and restraint shown by all the families affected by the deaths since January 2009, when Howell first confessed to police.
- 7.2 The inadequacy of the original police investigation contributed to Howell and Stewart evading justice for almost two decades. The families of Trevor Buchanan and Lesley Howell finally obtained justice for their loved ones in 2011.
- 7.3 A series of missed evidential opportunities in 1991 could have been avoided had a more objective and thorough investigation been conducted. Evidential opportunities were overlooked or ignored; lines of enquiry were not fully explored; explanations for inconsistencies and discrepancies were not sought; and the accounts of those later convicted of murder were accepted at face value despite both having been shown to have lied to police.
- 7.4 These failures are all the more difficult to accept or understand due to the fact that the investigation was conducted by two experienced senior Detectives.
- 7.5 The Police Ombudsman has concluded that both families were failed by the original 1991 police investigation, which was deeply flawed by the standards of the time and lacked objectivity and focus.

AL HUTCHINSON
POLICE OMBUDSMAN FOR NORTHERN IRELAND

6 DECEMBER 2011

6 December 2011



Additional copies of this and other publications are available from:

Police Ombudsman for Northern Ireland
New Cathedral Buildings
St. Anne's Square
11 Church Street
Belfast
BT1 1PG

Telephone: 028 9082 8600

Textphone: 028 9082 8756

Witness Appeal Line: 0800 0327 880

Email: research@policeombudsman.org

These publications and other information about the work of the Police Ombudsman for Northern Ireland are also available on the Internet at:

Website: www.policeombudsman.org



INVESTOR IN PEOPLE