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Opinion

Viewpoint: Path now clear for collusion probe

Thursday, September 20, 2007

Even before the long-delayed public inquiry begins into the murder of Lurgan solicitor Rosemary Nelson in 1999, the Ombudsman's report has pronounced that the RUC's response to specific written threats was inadequate.

It is another blow to the police's credibility during a difficult period, even if three out of four complaints lodged in 2000 by the Committee on the Administration of Justice, a human rights group, were dismissed.

The public inquiry, one of four ordered by Judge Peter Cory, will focus on allegations of collusion between the security forces and the LVF-linked Red Hand Defenders group which claimed the murder, carried out by an unusually sophisticated car bomb. But the high-profile solicitor had frequently been threatened, because of her work with republican defendants, and the Ombudsman was judging whether her warnings had been treated sufficiently seriously.






There was so much turbulence in the aftermath of the Good Friday Agreement that death threats were common, especially against those who were defending alleged murderers. Rosemary Nelson's involvement with the Drumcree protest, representing the Garvaghy Road Residents' Coalition, put her in constant danger, which the police had to monitor.

The main complaint, which the Ombudsman upheld, was that the then Chief Constable, Sir Ronnie Flanagan, had failed to properly investigate written threats against the solicitor. Copies of the threats were sent by the CAJ to the direct rule authorities seven months before Mrs Nelson was murdered but, whatever the response, it was clearly inadequate.

The question is whether the documents and posters that endangered the solicitor had been subjected to rigorous scrutiny, to identify by fingerprints or CCTV footage who was making the threats. The LVF, founded by Billy Wright, was a particular menace in the Lurgan/Portadown area, so interrogating likely suspects should not have been difficult. But although a written anonymous threat was looked at, and assessed, the Ombudsman found the original had not been forensically tested, nor had the NIO's copy been requested.

It is easy to be wise after the event and, if the RUC had exhaustively investigated every single threat against activists on both sides of the political divide, the whole system would have bogged down. The Ombudsman has ruled that they were remiss, in following up one out of four threats, so both the complainants and representatives of the RUC - mostly retired - can claim to have been partly vindicated.

This will be of little comfort to Mrs Nelson's family, who have waited for eight years for a resolution of these complaints. Their consolation is that now that the CAJ's case has been dealt with, the way is clear for the

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major public inquiry into allegations of collusion. At this distance, it may disappoint, but the sooner Northern Ireland is able to put the past behind it, the better.

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