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Flanagan: We never had intelligence about an attack on Nelson

Wednesday, 21 January 2009

Former Northern Ireland Chief Constable Sir Ronnie Flanagan rejected a human rights report that raised fears for solicitor Rosemary Nelson's life just five months before her murder, a public inquiry heard yesterday.

The former RUC police chief gave his second day of evidence at the inquiry into the murder of the lawyer, killed in a loyalist bombing in March 1999 amid allegations of security force collusion.

Sir Ronnie yesterday said there was no specific threat to Mrs Nelson, but while a Special Branch file shown to the inquiry supported this view, it added that she faced a degree of risk from loyalists.

In Monday's proceedings, Sir Ronnie denied calling Mrs Nelson an "immoral woman".

Yesterday he denied further evidence from a policing official and a senior civil servant that Sir Ronnie told them Mrs Nelson was having an affair with top republican Colin Duffy.

Inquiry counsel Mr Rory Phillips QC showed the former police officer, who now works as a security consultant, a series of correspondence raising concerns for Mrs Nelson prior to her death, which Sir Ronnie said he was never shown.

The inquiry also heard of a report sent to the then police chief by the British Irish Rights Watch (BIRW) group in November 1998.

The report said: "One solicitor who has been subjected to a campaign of death threats and vile abuse, some of it sexual in character, by RUC officers is Rosemary Nelson from Lurgan."

In a letter of reply sent to the group's director Jane Winter six days later, Sir Ronnie wrote: "I suppose by now I should really have learned to expect, and not be surprised, by the total absence of balance in reports produced by your organisation.

"This latest report continues your now well established practice in that regard."

Sir Ronnie said he had sought an open relationship with human rights groups, but felt they did not understand the pressures facing police and treated allegations as fact. Mr Phillips said Sir Ronnie had been characterised as a 'hands-on' chief constable.

The inquiry's counsel produced letters sent to the RUC in 1997 by human rights groups, a United Nations official and an MP claiming Mrs Nelson was being intimidated by police.

Sir Ronnie said he had no recollection of the letters and denied the correspondence would necessarily have been shown to him.

The inquiry then saw police documents — written after the IRA murder of RUC officers John Graham and David Johnston in Lurgan in June 1997 and the arrest of Mrs Nelson's client Colin Duffy — that accused Mrs Nelson of running a "PR machine" for Duffy.

Sir Ronnie said he did not recall seeing such documentation, or files by officers claiming Mrs Nelson was helping the IRA.

"I certainly did not consider Mrs Nelson to be a terrorist," said Sir Ronnie. On the level of threat Mrs Nelson may have faced from loyalist paramilitaries, Sir Ronnie revealed: "We never had any intelligence to suggest an attack on Mrs Nelson.

"I have never ever been given any intelligence to support that she was likely to be attacked in the way that sadly took her life."

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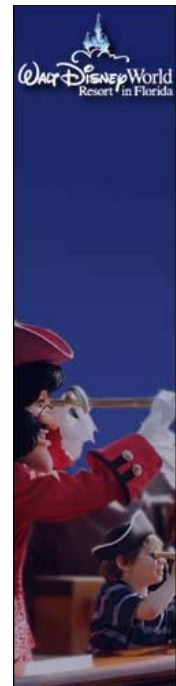
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Sir Ronnie confirmed that he discussed Mrs Nelson's safety with a senior officer for the Lurgan area. A decision was made to have police monitor her home and business as a precaution, but they decided not to have a crime prevention officer speak to the solicitor.

A Special Branch document which Sir Ronnie said he had never seen claimed Mrs Nelson was close to the republican movement and was seen locally as a supporter.

It added: "It is therefore my assessment, in the absence of any threat, that she would be known to loyalist paramilitaries in this area and would be at a degree of risk while working and residing in this area."

The inquiry heard UN official, Param Cumaraswamy, met the then chief constable and another senior officer in late 1997 while researching a report covering threats to solicitors. The inquiry was shown two sets of notes from the meeting taken separately by RUC and UN staff.

Sir Ronnie accepted it was possible he commented on concerns that in Northern Ireland's divided society, some tried to associate the RUC with the unionist tradition. The inquiry counsel said a draft of Mr Cumaraswamy's report read: "However the Chief Constable did express the view that some solicitors may in fact be working for the paramilitaries. In this regard he stated that this is more than a suspicion."

The draft added: "Further he stated that there is in fact a political divide in Northern Ireland and part of the political agenda is to portray the RUC as part of the unionist tradition."

The former police chief strongly denied making the remark against lawyers, and while Cumaraswamy defended his claims, he agreed to remove it from his final report.

Sir Ronnie denied criticising lawyers and said: "I have never and don't now hold such a view."

Sir Ronnie said he liaised with the Law Society over the claims and presided over the introduction of audio recording of police interviews with suspects.

The Independent Commission on Police Complaints (ICPC) oversaw an internal RUC probe into the alleged threats against Mrs Nelson.

And while Sir Ronnie said the investigation was weakened by Mrs Nelson's failure to co-operate fully, he was shocked at the time to hear that the ICPC monitors claimed the probe was mishandled by the RUC.

An ICPC official claimed Sir Ronnie told her that Rosemary Nelson was having an affair with Colin Duffy — but Sir Ronnie yesterday denied the claim and rejected suggestions he was attempting to undermine Mrs Nelson in the eyes of the ICPC.

The inquiry heard that the Northern Ireland Office was liaising with the RUC over Mrs Nelson's case. Counsel said senior civil servant Sir Joe Pilling had testified that Sir Ronnie also raised the alleged affair with him.

"I have no recollection of having discussed with Sir Joe Pilling about this matter," said Sir Ronnie. Sir Ronnie is scheduled to finish his evidence today.

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