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By Chris Thornton
Tuesday, 30 September 2008

The security forces bugged a house belonging to solicitor Rosemary Nelson and wanted to tap her office phone, the inquiry into her murder has learned.

The inquiry revealed RUC Special Branch were recording the "minutiae of her life" for almost three years before Mrs Nelson was murdered by a car bomb.

The inquiry, which resumed hearings this month, is expected to explore whether RUC Special Branch respected the legally privileged talks she had with her client.

The then Secretary of State Mo Mowlam approved the operation to bug the home owned by Mrs Nelson — and occupied by suspected IRA leader Colin Duffy — but there is no paper trail to show what happened to a second application to eavesdrop on her office.

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The inquiry's leading lawyer says the lack of a paper trail suggests the wiretap did not take place. However, another intelligence report gives details of a conversation Mrs Nelson had with Martin McGuinness in her office, several months before the RUC application to tap her phone.

What are these?

The Committee on the Administration of Justice — Mrs Nelson served on its executive committee — indicated it was concerned about the revelations.

“We are opposed to any breach of lawyer-client confidentiality arrangements,” said CAJ director Mike Ritchie.

Special Branch was interested in Mrs Nelson because she represented republican suspects and the Garvaghy Road Residents' Coalition in the Drumcree dispute.

The inquiry is beginning to explore intelligence questions around Mrs Nelson's murder in March 1999, and has noted the absence of a police file on her — in spite of a number of intelligence reports devoted to her movements and associations.

Rory Phillips QC, lead counsel for the inquiry, said that from April 1996 Special Branch began collecting intelligence “specifically relating to” Mrs Nelson.

“The volume and the detail of the reporting gives rise to a series of questions. Why was Special Branch recording information of this kind relating to Rosemary Nelson's private life, including details of her family, friends, people who worked in her solicitor's office?”

Given “this intense focus”, Mr Phillips said, the question arose as to whether “there was in fact a file on Rosemary Nelson in existence at the time of her murder?”

The intelligence materials suggest police were collecting intelligence on Mrs Nelson but not apparently analysing it.

Mr Phillips said there are no “reports, notes, memoranda or documents produced by E3 (Special Branch's republican desk) containing analysis of the intelligence on Rosemary Nelson”.

The inquiry has found two bugging applications relating to Mrs Nelson.

One concerned Operation Indus, the plan to bug the house in Deeny Drive, Lurgan, then occupied by Mr Duffy and owned by Mrs Nelson. An earlier application to tap her office phone was also made by an RUC Special Branch sergeant in Lurgan.

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