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RUC dismissed report of threats against Nelson

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GERRY MORIARTY, Northern Editor

FORMER RUC chief constable Sir Ronnie Flanagan dismissed a human rights report complaining of an alleged police assault and death threats against Rosemary Nelson in the months before her death, the Rosemary Nelson Inquiry heard yesterday.

The 40-year-old solicitor died in a Loyalist Volunteer Force booby-trap car bomb attack in March 1999 in her home town of Lurgan, Co Armagh. Four months earlier on November 5th, 1998, the British-Irish Rights Watch group based in London sent Sir Ronnie a report alleging that Mrs Nelson was assaulted by a police officer and that she was subjected to police death threats.

Six days later Sir Ronnie responded to the head of the group, Jane Winter, rejecting her report. "I suppose by now I should really have learned to expect and not be surprised by the total absence of balance in reports from your organisation," he wrote.

"This latest report continues your now well-established practice in that regard," added Sir Ronnie, who was giving his second of three days of evidence to the inquiry in Belfast. The inquiry is seeking to establish whether the RUC, British army, Northern Ireland Office or other British state agency such as MI5 committed any "wrongful act or omission" that "facilitated [Mrs Nelson's] death or obstructed the investigation of it".

Asked by inquiry lawyer Rory Phillips QC why he complained of lack of balance Sir Ronnie replied: "[Jane Winter] appeared to be taking things as substantiated fact rather than considering them as allegations." During yesterday's hearing there was reference to various correspondence warning of this threat against Mrs Nelson, a considerable portion of which Sir Ronnie said he was never alerted to or had no recollection of receiving.

Sir Ronnie said one of the difficulties of police dealing with the allegations of police harassment and assault of Mrs Nelson was that she would not help police to address these claims.

The inquiry also focused on a meeting attended by Sir Ronnie and Dato Param Cumaraswamy, the UN special rapporteur on the independence of judges and lawyers, and a

senior RUC officer, in October 1997. This was the first time he became aware of the threats, he said.

Based on this meeting Mr Cumaraswamy wrote a draft report in February 1998 saying Sir Ronnie told him that "some solicitors may in fact be working for the paramilitaries".

Mr Cumaraswamy added: "In this regard [Sir Ronnie] stated that this is more than a suspicion. He explained that one agenda of the paramilitary organisations is to ensure detainees remain silent and, thus, one role of the solicitor is to convey this message to the detainee. Further he stated that there is a political divide in Northern Ireland and part of the political agenda is to portray the RUC as part of the unionist agenda."

Sir Ronnie said he may have said something similar to the last line of the above statement but he categorically denied saying some solicitors were working for the paramilitaries and that a role of such solicitors was to collude with detainees on their behalf.

He complained to Mr Cumaraswamy and while the UN rapporteur believed he was correct in his reporting of what Sir Ronnie allegedly said to him, he removed this reference in his final report.

The inquiry heard that in April 1998 Sir Ronnie was informed by a senior officer in the Lurgan area that no threats had been received against Mrs Nelson but "because of her high profile [police] attention was being paid to her home and business". That was the appropriate response, said Sir Ronnie.

A Special Branch report of that time also referred to Mrs Nelson being close to the republican movement, supporting its aims and objectives, attending republican functions and rallies. While there was no specific threat against her, the report said, her views would have been known to loyalist paramilitaries in the area.

Sir Ronnie said police never had any intelligence suggesting there would be an attack on Mrs Nelson. He certainly did not consider her to be a terrorist, he added.

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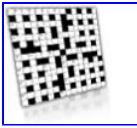
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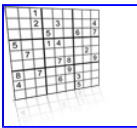
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