

# Ireland: Report cites Royal Ulster Constabulary hostility to murdered civil rights lawyer

Mike Ingram  
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In the aftermath of the loyalist car bombing that killed civil rights lawyer Rosemary Nelson on March 15, attention has focused on allegations of Royal Ulster Constabulary (RUC) collusion in this and other murders.

Only a few weeks prior to her death, Mrs. Nelson had demanded an inquiry into alleged collusion between British security forces and Protestant paramilitaries that led to the 1989 killing of prominent nationalist lawyer Pat Finucane. She submitted a report to the British and Irish governments containing new evidence of police collusion in Finucane's murder.

Ulster Defence Association members shot Finucane. A British Army Intelligence agent, Brian Nelson, had passed them information. Security forces were informed of this but either took no action to prevent the assassination, or, more likely, actively supported it.

While campaigning for the inquiry Mrs. Nelson received death threats from RUC officers, mostly via her clients. The threats were referred to the Independent Commission for Police Complaints for investigation.

The *Irish Times* of March 24 cites a confidential report from the Independent Commission for Police Complaints, following their investigation into allegations of RUC threats against Nelson. The report complains of an "observable general hostility, evasiveness and disinterest" in the investigation, shown by 21 officers against whom allegations were made.

The commission criticised an RUC chief inspector, responsible for the day to day running of the inquiry into allegations made by Nelson and one of her clients, Colin Duffy. The head of the commission, Geralyn McNally, a barrister, said she was so concerned with RUC handling of the inquiry that, one year into the investigation, commission chairman Paul Donnelly conveyed her worries to Northern Ireland Secretary Mo Mowlam.

McNally said the chief inspector had "appeared to have difficulty in co-operating productively" with her in her position as supervisor of the investigation. Concerns she raised "were either not addressed or addressed unsatisfactorily". She also spoke of officers being prompted on how to present their cases to the investigation.

The commission report states: "The ill-disguised hostility to Mrs. Nelson on the part of some police officers was indicative of a mindset which could be viewed as bordering on the destructive ...

"Throughout the investigation, the supervising member consistently raised concerns about its conduct and the behaviour and attitudes displayed by police officers in the course of interviews. Ultimately she concluded that the accumulated effect of these shortcomings was such as to be seriously damaging to the credibility of the investigation itself."

The report also pointed to a lack of professionalism among the police and a general lack of co-operation with the investigation, which was headed by an RUC superintendent. The chief inspector was criticised for making a number of assertions that constituted "judgements on the moral character of Mrs. Nelson and others".

Following these allegations, RUC Chief Constable Ronnie Flanagan handed over the investigation to a Metropolitan Police team last July. The commission found this later investigation by British police officers to be satisfactory.

The findings of the inquiry--the first in 10 years in which concerns have been officially registered--were handed to the Director of Public Prosecutions on March 22.

The DPP will decide if there is a basis to prosecute any

RUC officers for allegedly threatening Mrs. Nelson, but legal action is said to be unlikely on the evidence presented. If there is no criminal case, disciplinary action against the officers could be considered. But this is unlikely, as a police disciplinary hearing is required to prove charges to the same standard as a court of law.

The Blair government rejected calls to remove all RUC officers from the investigation into Nelson's murder. Lord Dubs, a Northern Ireland Office Minister, said the RUC was the best qualified for the murder hunt.

Mrs. Nelson's husband Paul said the RUC could not be trusted to carry out the probe and has called for an independent inquiry into the murder. Speaking publicly for the first time since his wife's death, he said: "The inadequacy of the investigation was such that, for the first time ever, the IPCC brought their concerns to the Secretary of State."

Irish Solicitor Patrick Fahy has launched a petition calling for the inquiry to be taken away from the RUC, which was signed by 200 solicitors in the first day.

As part of the preparation for the implementation of the Northern Ireland Agreement, an inquiry headed by Chris Patten is said to be looking closely at the question of the future viability of the RUC as an organisation. Responding to widespread hostility among republicans, Sinn Fein has already called on Patten to recommend that it be disbanded.

Within hours of Nelson's death "The RUC killed Rosemary Nelson" was spray painted across the RUC station in her hometown of Lurgan.

Responding to the political pressure bearing down on the RUC, Chief Constable Flanagan has handed over charge of the investigation into Nelson's death to David Phillips, Chief Constable of Kent. In a further move to save the increasingly discredited force, Flanagan has summoned John Stevens to his team to assist the Phillips investigation.

Stevens, now the deputy commissioner of the Metropolitan Police, led the most exhaustive inquiry into allegations of RUC collusion with unionist paramilitaries a decade ago. At that time, security forces reacted with deep hostility to the Stevens inquiry. A source close to the inquiry commented: "Stevens' team had hardly got off the plane before they were being lied to by the army and some elements within the RUC. Stevens had to battle through deception, deceit and politics."

Attempts to frustrate the work of the inquiry went so far as to burn down its RUC-guarded offices.

The report from the Stevens inquiry detailed substantial

evidence of collusion between the Force Research Unit, an intelligence unit of the army, and loyalist gunmen--but concluded that there was no evidence of "widespread or institutionalised" collusion between the RUC and loyalist paramilitaries.

The Stevens report was suppressed in a top-level cover-up and only became known when parts of it were published in the *Daily Telegraph* last year. Shortly before her death Rosemary Nelson had been conducting a high profile campaign for a full public inquiry into the events revealed in the Stevens report.

This included testimony before the US Congress last year, at the House International Relations Committee's investigation into the human rights situation in Northern Ireland. She explained in her testimony that she had received "several death threats against myself and members of my family. I have also received threatening telephone calls and letters. Although I have tried to ignore these threats inevitably I have had to take account of the possible consequences for my family and my staff."

Despite this, the RUC continues to be entrusted with responsibility for the investigation into Nelson's murder.

Delegations from human rights organisations met with Mo Mowlam and Northern Ireland Office officials on March 23 to press their demand for a full independent inquiry by non-RUC officers into the killing of Nelson.

In the meeting, representatives of Amnesty International, British Irish Rights Watch and the Committee on the Administration of Justice expressed concern that--despite being aware of the allegations of threats against them--the government had failed to protect the lives of Patrick Finucane and Rosemary Nelson. They said they were disappointed that the Secretary of State gave no "prompt and positive response to the concerns expressed".



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