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Local & National

Nelson threats ignored

Report slams RUC for 'failing' murdered solicitor

Wednesday, September 19, 2007

By Chris Thornton

Police did not bother trying to examine a written death threat made against solicitor Rosemary Nelson less than a year before her murder, a report by the Police Ombudsman revealed today.

Ombudsman Nuala O'Loan said the RUC failed Mrs Nelson through an "inadequate" response to the various threats against the Lurgan lawyer.

She indicated that police could have done more to deal with the threats - some allegedly made by police officers - issued before Mrs Nelson was murdered by loyalists in March 1999.

However, the Ombudsman did not uphold three out of the four complaints made against the police by the Committee on the Administration of Justice (CAJ).

Two of those complaints were rejected outright, including the suggestion that police knew of specific threats to Mrs Nelson from the LVF and Red Hand Defenders.

Mrs O'Loan also said she could not substantiate a police officer's allegation that a uniformed police sergeant at the murder scene kicked away evidence and said Mrs Nelson was "better off dead".

A public inquiry into Mrs Nelson's murder, based in part on the Ombudsman's investigation, is currently gathering evidence.

The Ombudsman's investigation, which was delayed for three years by legal action, said the RUC should have made "more strenuous efforts" to establish the threat against Mrs Nelson.

A letter saying "We have you in our sights . . . RIP" was sent to Mrs Nelson in June 1998. That summer a leaflet, which the Ombudsman described as "abusive and inherently dangerous", was circulated in Portadown giving her home address and phone number.

The NIO first told the police about the letter after CAJ gave them a copy, and Mrs O'Loan said Mrs Nelson showed police the original in September 1998, six months before her murder.

But Mrs O'Loan said the RUC did not investigate the documents.

"Whether or not the anonymous note could have provided any forensic opportunity is a moot point," Mrs O'Loan said.

"There is no evidence that the RUC tried to get the NIO copy of the anonymous letter, much less trace the original itself.

"Strenuous enquiries should have been made into all the threats which Mrs Nelson received to identify whether there was any association between those threats and paramilitaries."

The Ombudsman said the RUC should have done more to "establish the level of risk and threat to Mrs Nelson".

"They did not acknowledge the existence of the previous death threats, including two threats which were

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said to have come from police officers.

"Nor did they acknowledge a previous assessment in which Special Branch believed Mrs Nelson was at a 'degree of risk' and that police had taken 'some precautions'."

Mrs O'Loan rejected a CAJ complaint that the RUC failed to investigate threats against Mrs Nelson in Billy Wright's diary.

The Ombudsman also said there was no evidence to support the allegation by an unidentified policeman that a sergeant kicked a piece of the booby trap bomb that killed Mrs Nelson.

The policeman, known only as Officer A, told a colleague in a bar about the alleged incident more than five years later.

He officially reported it after the colleague threatened to report it himself.

The Chief Constable referred the matter to the Ombudsman, who "expended considerable resources" investigating it.

She said Officer A gave conflicting evidence about the incident, and later said the remark about Mrs Nelson being "better off dead" was made "out of regard for Mrs Nelson's injuries, rather than out of malice".

Mrs O'Loan's investigators could find no evidence that bomb parts had been interfered with and could not identify any of the sergeants at the scene as being responsible for making the remark. After a police disciplinary hearing, Officer A was officially cautioned for not reporting the matter at the time.

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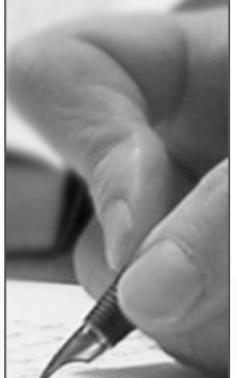
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