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To : Pat Williams

From : Shane O Riordain

PANORAMA PROGRAMME ON BRIAN NELSON

1. Last night, the BBC's current affairs programme Panorama put out an extended, fifty minute feature on the activities of Brian Nelson and his Army handlers. The Panorama material is complemented by the coverage in today's London Independent. This note covers the Panorama programme only. We are raising the issues in the programme today at Joint Secretary level and reminding the British side of answers due on the enquiry that began six months ago and, specifically, what action has been taken against those involved in the Army and what action has been taken to prevent a recurrence.
2. The programme commenced with a brief summary of Nelson's early life and then moved on to consider the following using extracts from a Prison Journal which it says Nelson has written in the last year and made available to Panorama:
 - his motivation for becoming an informer for military intelligence
 - the various murders that he knew about or was involved in at the planning stage
 - his relationship with his military handlers
 - the possibility that the military handlers colluded with him in the murder or planned number of a number of IRA "targets"
 - the relationship between Military intelligence and the RUC
3. Nelson, in his Prison Journal, suggests that he decided to become an informer for British Military Intelligence because he felt that members of the UDA were exploiting the situation for their own material gain. The programme claims that it was Nelson himself who made the initial contact with Military intelligence in 1985. Following that contact and his subsequent recruitment by Military Intelligence, Nelson became a UDA Intelligence Officer. After a period of active involvement, Nelson became disillusioned with the level of violence and left NI to settle in Germany where he got a "well-paid job" (the programme is uninformative on this point : how did he arrange to go there? why Germany? British Army presence there? how did he manage to get a good job?).

4. Military Intelligence wanted him back, however, and the decision to re-recruit, despite the opposition of M15, was taken in early 1987. Nelson returned to NI and became the UDA's Chief Intelligence Officer. In his position of Chief Intelligence Officer, Nelson inherited a "binliner" of IRA suspects which he alleges he gave to a handler who weeded it out and gave him back a "more selective list". It is also implied that Nelson was given photomontages of IRA suspects by a handler. As a result, Nelson was able to compile approximately 170 cards on IRA suspects. The Army's assistance increased his credibility within the UDA.
5. As a result of this enhanced intelligence, Nelson was able to urge the top leaders of the UDA at a briefing to adopt a more "selective" approach to IRA targets. During this briefing, he used a Wall map of IRA targets with the Army's full knowledge that he would do so.
6. The programme suggests that Nelson's military handlers allowed or encouraged his involvement with murder gangs over a three year period. It also suggests that the handlers line was : don't be present at assassinations but get close to the assassins. During that period, he knew about or was involved in the planning of the following murders or attempted murders :

Harry Fitzsimons :

- Sinn Fein member
- Nelson told his handlers that the UDA were going to shoot Fitzsimons. Fitzsimons was shot.

Terry McDaid

- Nelson claims to have warned the handlers five times about the projected murder of McDaid.
- The handlers' files suggest that the last recorded meeting between the handlers and Nelson was three weeks before the killing.
- Nelson has told Panorama that, in fact, he contacted his handler a week before the killing.
- The files seem to indicate that the Army were expecting an incident.
- On the night of the murder, there was a military presence in Newington Street, the Street where McDaid lived. However, the patrol moved out shortly before McDaid was shot. There is no record of such a patrol.

IRA Director of Operations in Belfast

- Nelson was actively involved in the planning of this murder. He staked out the IRA man's house from a nearby derelict factory for three consecutive nights.
- His handler arranged for the Army to take a photograph of the IRA man's house.
- His handler then personally traced the photograph for Nelson.
- The plot, however, was abandoned when the IRA man went to ground.

Alex Maskey

- A UDA activist spotted Maskey going into a restaurant and tipped off Nelson. Plans were then set in motion to kill Maskey.
- Nelson made two telephone calls from his home to his handler about Maskey. In the first call he requested confirmation that the registration number of the car Maskey was using was Maskey's. The second telephone call was to confirm that this was the case.

Brendan Davison

- Davison was categorised as the best IRA informer Special Branch had.
- Panorama claims that Nelson was particularly zealous about Davison's murder: "it was as if Nelson had declared war on Davidson".
- Special Branch were furious about Davison's murder. No clear assessment had been passed by military intelligence to Special Branch before the murder.

Patrick Finucane

- Nelson informed his handlers that Eric McKee, a loyalist gun-man was showing an interest in Finucane.
- However, Nelson did not tell the Army everything and it was at this point that Colonel J began to question Nelson's allegiances.

Loughlin McGinn

- Nelson knew of this projected murder but did not tell his handlers.

Nelson "out of control"?

7. Nelson had ten handlers - an extraordinary number - during his period as an informer for British Military Intelligence. The former Chief Constable, Jack Hermon, interviewed on the programme, characterised Nelson as an agent who had "got out of control". The programme noted the following points:
- In the McDaid case, Military Intelligence only gave Special Branch an outline although Colonel J claimed, in Court, that he kept the RUC informed.
 - In the Finucane case, Nelson did not tell the Army everything and Colonel J began to question his allegiance.
 - Nelson did not tell his handlers about the projected murder of Loughlin McGinn
 - Despite evidence of mounting collusion with loyalists groups, Nelson was allowed to continue his work as an informer.
8. Throughout the programme, there seemed to be a tension between the following two possibilities:
- (i) Nelson was deliberately allowed to get of control or
 - (ii) Nelson got out of control because of the negligence of his handlers.

Conflict between the Army and the RUC

9. The programme characterises the relationship between the RUC (Special Branch) and British Military Intelligence as very difficult and makes the following points :
- When Nelson was re-recruited by Military Intelligence there is no indication that they told the RUC as they were required to do.
 - Military intelligence only gave Special Branch an "outline" of the projected McDaid killing.
 - Hermon, in the course of his interview on the programme, stated that Colonel J was not correct to suggest that all information was passed on to the RUC.
 - Special Branch were "furious" about the murder of Brendan Davison. From early '88 the handlers were discouraged from even socialising with the RUC.

10. Points For Consideration :

- Who sourced the programme? Nelson and his family/friends must have done. The hands of the RUC and MI 5 also appear (the preparation for the programme would have begun before the recent decision to give MI 5 the coordinating role against terrorism in Britain).
- Why did Nelson cooperate with the programme? Deal with Army broke down? Sentence worse than anticipated? No expectation of early release as in the case of Private Thain?
- What is the exact status of the journal and who has it, or copies of it, at present ?
- The programme mentions that Nelson was used to smuggle weapons in from South Africa but does not mention the deal made between the Loyalists and the South Africans whereby guns were swapped for the prototype of a Shorts missile. Were the Army involved in this also?
- Nelson's journal suggests that he passed on information in twenty or so cases. Colonel J claimed that he had been instrumental in saving over 200 lives.
- The programme's information needs to be set against the Crown Prosecution's case and the evidence of Colonel J.
- The main impact of the programme is due to Panorama's prestige, its dramatic presentation, the air of authority conveyed especially by Hermon's appearance and the undermining of the evidence given in Court by Colonel J. Much of its information about specific incidents is not new although some may be, eg, the active role of the Army in the targetting of Maskey, Nelson's role in the provision of weapons to Michael Stone. Some claims are not repeated, eg, the alleged Army encouragement to the UDA to take action in the South.

Anglo-Irish Secretariat
9 June 1992