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Killers could have been caught 'if threats investigated properly'

(Barry McCaffrey, [Irish News](#))

A leading human rights group last night (Wednesday) questioned whether Rosemary Nelson's murder could have been prevented if the Northern Ireland Office and RUC had properly investigated loyalist death threats against her.

The mother-of-three was killed when an LVF bomb exploded under her car as she left her home in Lurgan, Co Armagh on March 15 1999.

Allegations of security force collusion in the murder and claims that the RUC had not properly investigated loyalist threats against Mrs Nelson's life soon emerged.

In November 2000 the Committee on the Administration of Justice (CAJ) asked the Police Ombudsman's Office to investigate allegations that the RUC had not properly probed the threats to Mrs Nelson's life.

After seven years Mrs O'Loan finally published her findings yesterday, concluding that the RUC and NIO had both failed to act properly over the threats.

In the two years before Mrs Nelson's murder she had reported 20 separate threats to her life, two of which were allegedly made by police officers.

On 11 separate occasions she reported that RUC officers had made comments linking her to republican paramilitaries.

The ombudsman investigation centred on events in 1998 when CAJ sent the NIO copies of two threats to Mrs Nelson's life, asking that an assessment be carried out on the level of threat to the solicitor's life.

The threats referred to a leaflet identifying Mrs Nelson's address and telephone number and an anonymous death threat to her home.

However, NIO officials failed to forward the threat copies to the RUC, instead faxing a "general" letter to police.

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Mrs Nelson later showed the letter to RUC officers herself during a meeting in September 1998.

However, Mrs O'Loan concluded that the NIO had failed to take proper steps to deal with the threats, while the RUC's subsequent actions had been "inadequate".

"They did not acknowledge the existence of the previous death threats, including two threats which were said to have come from police officers," she said.

"Nor did they acknowledge a previous assessment in which Special Branch believed Mrs Nelson was at a 'degree of risk'."

Mrs O'Loan said she had found no evidence that any police officer had been asked to assess the risk to Mrs Nelson's life.

"No individual officer had the responsibility for bringing together all these matters and making a risk and threat assessment based on all the available information," she said.

"There were no systems in place at that time designed to ensure that information was captured and processed in that way."

Highlighting the RUC's failure to properly investigate the threats, she said: "Whether or not the anonymous note could have provided any forensic opportunity is a moot point.

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

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

However, Mrs O'Loan said she could find no evidence that the RUC had failed to properly investigate threats against Mrs Nelson made in LVF leader Billy Wright's diaries, as there was no evidence that police had seen the diaries before the solicitor's murder.

She also rejected a complaint that the RUC had failed to warn Mrs Nelson of LVF threats to her life, stating that she had found no police intelligence files relating to LVF threats on her life.

However, CAJ director Maggie Beirne said questions remained as to whether Mrs Nelson's killers could have been caught if the RUC had properly investigated the death

threats.

"The ombudsman has confirmed that those threats were not treated with the gravity and urgency required," she said.

"Amongst the documents supplied to the police in advance of Rosemary's murder was material that, in our view, later proved of direct relevance to the murder inquiry.

"If this information had been properly investigated it may have lead the police to the individuals responsible for her murder."

Mrs Nelson's brother Eunan Magee said he had been stunned by the detail of the ombudsman's report.

"While in some ways her report confirms our fears over what happened within the police, it also vindicates our family's stance in calling for a full public inquiry and we now look forward to it beginning its public hearings," he said.

"The findings confirm our belief that the circumstances surrounding Rosemary's death could, at the very best, be described as highly dubious.

"Mrs O'Loan's report takes the police to task for their apathy in dealing with the threats made against Rosemary.

"Those responsible for this conduct must be taken to task, as they would be in any organisation, but particularly since in this case somebody lost their life."

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