

**RNI DE-CLASSIFIED**

**RNI-544.259-260, RNI-909.096**

D922439 were of major importance and the failure to disclose such is difficult to understand and disappointing. All the items I have highlighted as relevant above fall within the terms of the original request for intelligence made on the 16<sup>th</sup> March 1999 (see paragraph 53 above). I believe the non-disclosure deprived the SIO and the OIOC of opportunities to develop some key lines of enquiry. It is clear to me from my meetings with SB officers and the comments they made on various reports that they were often motivated by source protection and due to their relative inexperience in investigating crime, failed to appreciate the importance of some of the material they held. The failure to give advance information of the searches on the O'Neill murder was, at best, an example of serious shortcomings in the supervision and administration of Special Branch. Whether these various failings amounted to obstruction is a matter for the tribunal.

**Direction given to the MIT by Special Branch**

149. I am asked to comment on the suggestion that the MIT were given a regular and consistent steer in the direction of the mid-Ulster LVF as the perpetrators of the Rosemary Nelson murder. I got no impression that Special Branch were ever pushing me or the MIT in a particular direction, or indeed to avoid a particular direction of inquiry.
150. Indeed, as SIO, I did not consider that I was totally reliant on the intelligence in any event. Everything did point to a Loyalist murder and this included the forensic evidence which was to the effect that this was a Loyalist device. I would highlight again paragraph 187 of my first statement which highlights how there were factors other than intelligence, such as forensic and sectarian motivation, that indicates that a major line of enquiry had to be that this was a loyalist crime. Nothing ever came back, either, to necessitate me going back to Special Branch to question the intelligence that we had received in relation to the attack having come from loyalists. However we did attempt to validate the key pieces of intelligence provided.