



A CHARITY REGISTERED IN ENGLAND NO. 1048335
 A COMPANY LIMITED BY GUARANTEE REGISTERED IN ENGLAND NO. 2487111

First Floor, 20 - 21 Took's Court,
 Cursitor Street, London EC4A 1LB
 Tel: 0171 405 6415

Fax: 0171 405 6417

E-mail: BIRW@campuserve.com

SPONSORS: Kader Asmat MP
 Michael Mansfield QC
 Baroness Kennedy of the Shaws QC

REGISTERED OFFICE: 240 HIGH HOLBORN, LONDON WC1V 7DH

Rt Hon Dr Mo Mowlam MP
 Secretary of State for Northern Ireland
 House of Commons
 London SW1A 1AA

10th March 1998

Dear Mo,

As you may be aware, I have recently been in correspondence with Adam Ingram concerning a series of quite appalling remarks reported to Lurgan solicitor Rosemary Nelson by her clients as having been made by RUC officers.

Adam Ingram wrote to me in response to a letter I had originally sent to you, and I am coming back to you now because things have taken such a serious turn that I want to be sure that you are aware of them.

As you know, the UN Special Rapporteur on the Independence of Judges and Lawyers made an official visit to the UK last October and is due to present his report to the Commission on Human Rights in early April. During his visit he met the Chief Constable of the RUC and various other senior RUC officers. As is his practice, the Special Rapporteur allowed all those quoted in his report to see a draft, and by those means we have become aware that when the Special Rapporteur met the Chief Constable a senior police officer, possibly Assistant Chief Constable Raymond White, commented that some solicitors "may in fact be working for the paramilitaries". In his draft, the Special Rapporteur attributed this remark to the Chief Constable, who has since made it clear that it was not he who made the remark. However, the contemporaneous notes made by the Special Rapporteur's assistant during the meeting confirm that the remarks were indeed made and that the Chief Constable did not challenge them or distance himself from them in any way.

That RUC officers at such a high level should make such irresponsible remarks without being able to substantiate them is in itself shocking. What is more shocking, though, is the fact that when the Chief Constable saw the draft report he was reported by the UK Mission in Geneva as insisting that they be excluded from the report because if they appeared in the same report as allegations about abuse against herself made by Ms Nelson, whom he named specifically, it might lay her open to loyalist attack.

A number of very serious questions arise from this suggestion by the Chief Constable. The first of these is why he should single out Rosemary Nelson by

name. The second is why he should directly link the remarks made by his colleague with loyalist attacks on lawyers. In the past, he and his predecessors have always claimed that our allegations of collusion on the part of RUC officers are unsubstantiated and untrue. Now he seems to be saying that things said by RUC officers can lead to loyalist attacks. This begs the third question, which is where the threats against lawyers are coming from. The answer to that question, of course, is that those threats emanate from RUC officers, as indeed was so in Patrick Finucane's case. The fourth question is: is the Chief Constable seriously concerned for Ms Nelson's or any other lawyer's safety, or is he more concerned to try to distance himself from allegations of RUC collusion with loyalist paramilitaries? If it is the former, what steps has he taken to make arrangements for Ms Nelson's personal safety in view of the numerous complaints she and others have made? If it is the latter, why does he suggest that attributing to the RUC remarks such as those made at the meeting in some way endangers lawyers? Does he know of some other risk to Ms Nelson of which she is not already aware, and if so has he warned her or taken steps to safeguard her?

I do not for a moment suggest that the Chief Constable intended to threaten Ms Nelson's life, but he clearly does not understand that the remarks made at the meeting and those reported by the UK Mission are wholly unacceptable. The abuse of lawyers about which we complain comes mainly from RUC officers, yet the Chief Constable is reluctant to admit that this is even the case, let alone do anything to stop it. On the other hand, he seems quite ready to compound the problem by condoning remarks made in his presence that allege collusion between lawyers and paramilitaries and then linking those remarks with loyalist assassinations of lawyers. What was said at the meeting and the remarks reported by the UK Mission are graphic illustrations of the problems lawyers face and show that RUC officers at the highest level are themselves part of the problem.

Ronnie Flanagan's insensitivity to the problem is undoubtedly responsible for the fact that RUC officers on the ground continue to abuse Ms Nelson. As recently as 27th February she again complained to us about comments made to a client by an RUC officer who alleged that she had concocted an alibi statement for a client on the say-so of the IRA. Her client also reported that after he had complained about these comments an RUC officer referred to her as "half-face" and boasted that the matters her client had complained of had been going on for 30 years and were not about to change.

It is high time that the Chief Constable issued clear instructions to all his officers to stop making derogatory comments about any lawyers and told them in no uncertain terms that any further reports will lead to disciplinary action. If he cannot be made to appreciate that it is fundamentally wrong to confuse lawyers with their client's alleged acts or affiliations, then he should resign.

Yours sincerely,

Jane Winter,
Director.