

Witness Name: Eamon O'Cuiv

Statement No: 1

Exhibit: EOC1 – EOC3

Dated: .....

**THE ROSEMARY NELSON INQUIRY**

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**Witness Statement of Eamon O'Cuiv**

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I Eamon O'Cuiv will say as follows:

**Background**

1. I am Eamon O'Cuiv, Minister for Community, Rural and Gaeltacht Affairs, for the Government of Ireland.

**The Forum For Peace And Reconciliation And Early Contact With Rosemary Nelson**

2. I first got to know Rosemary Nelson when I was in opposition between 1994 and 1997. From around January 1995 I had a number of visits to prisons in Britain and Northern Ireland and was a member of the Forum for Peace and Reconciliation. It was through this work that I got to know Rosemary.
3. I had a long standing interest in cases the Forum for Peace and Reconciliation dealt with and in particular miscarriages of justice. In particular there was a period of intense work from early 1994 until the prisoner release stage of the peace process. Until June 1997 when I became a Minister. I was openly engaged in the work of the Forum for Peace and Reconciliation. thereafter I became less active but I was still seen as someone in government to whom interested parties could speak.
4. One of the first cases I was involved with in the UK was the Winchester Three. A car had been stopped because of no tax and no insurance or something relatively

minor like that and then the occupants had been accused of spying on the Home Secretary's house as they sat on a wall. It all had a bit of "Enid Blyton" about it.

5. When attending court hearings usually after being contacted by the families of those involved, I would often end up having lunch with the solicitors and this probably happened in relation to Rosemary Nelson although I can't recall specifically.
6. It was probably through the Colin Duffy case that I had my first initial contact with Rosemary Nelson although it was probably the Duffy family who would have contacted me in the first instance. I can't recall details now.
7. I knew at the outset that Rosemary had a very good reputation and was very professional but at first I did not know what her political background was.
8. Rosemary Nelson did have a Catholic Nationalist political view and much more dangerously, there was a perceived view of her as a lawyer.
9. I believe that this is important in the light of the fact that she was eventually killed. Part of the reason was that, as a solicitor, she was seen to have a political view and I believe it is important to ask whether she had actually had these views.
10. It was not until the Garvaghy Road (in 1997) that her political background came to the fore to me. I asked someone "what's her political background?" (effectively "Which foot did she kick with?"). Until that point I had simply regarded Rosemary Nelson as a professional dealing with her cases in a professional manner and it had taken a while to get to know her political background.
11. My initial view was that Rosemary Nelson was very competent and professional and I would consider her background was probably Nationalist. However, I would not shift from the view that her approach was that everyone was entitled to the protection of the full rigour of the law, whether Nationalist or Republican, whatever your background, you should not be deprived of your right to protection by the law.
12. A comparison can be drawn with [REDACTED]. [REDACTED] helps people from minority backgrounds across the world and battles injustice far beyond the shores of

Ireland. Her approach is one of a human rights perspective to ensure that otherwise affected minorities would have the protection of the law.

13. Rosemary Nelson was in a similar territory, but with one difference. It appeared to me that Rosemary Nelson had set out to provide her brains, professionalism and integrity to the Nationalist community, a community which perhaps had previously perhaps thought that it couldn't get a solicitor to go to the "nth degree" to protect them through the law. Rosemary Nelson specialised in dealing with the Nationalist community where she would use the law to protect her client's interests. No-one was beyond calling on her, no matter what the allegation that individual faced, she would apply her full professional abilities to the case.
14. [REDACTED] has fantastic passion and this is put at the service of those who in society who have been disregarded, but I feel that [REDACTED] had applied that passion far wider than Rosemary Nelson in relation to who she would work with. I know, for instance, that the [REDACTED] had done cases for people from far beyond Ireland and Britain.
15. Over this period of work with the Forum of Peace and Reconciliation an awful lot of people had come into my life and a huge amount of trust had been built up between me and the relevant people at that time.
16. The first time I would meet prisoners, I could be regarded as just a politician who was being visible only at trial and the question that was raised in the minds of the prisoners was whether I was just there for the trial or whether I was in it for the long haul.
17. I dealt with this by being available and answering calls and it was through this approach that I built up their trust and their belief in my dedication to the nitty-gritty of the case. I would also add my input into political (not the legal) issues.
18. The same would be said for the relationship with Rosemary Nelson. Over time, I became someone Rosemary Nelson could trust because of the work I had done on the cases. I have been to Rosemary's house (I recall it is in a cul-de-sac) and her offices.

People like Rosemary Nelson would have had my mobile or home telephone number at this time and if I was not in to take the message I would ring them back as part of this exercise of building the trust.

19. This could in some cases be a very temporary involvement. By way of example, there was a case involving a man who had been hit by a plastic bullet and been run over and was in a very serious condition on life support at the Belfast Hospital and was close to death. I was approached by the family and the I followed up with some official letters. However, the individual concerned made a miraculous recovery and after a period of 2 months or so, when there had been contact with the family every 2 weeks or so, after a call on his return, I had no further involvement. In many of the cases there was an intense level of activity like this and the matter would simply finish. The matter could take up a considerable period of the my time over a short period of time but would then disappear entirely.
20. However, I would say that my relationship with Rosemary Nelson developed so as to provide a professional shoulder for her to cry on.

#### **Involvement At Ormeau Road And Garvaghy Road, 1996**

21. My involvement with Garvaghy Road had started through my involvement with the Ormeau Road in 1996 after I had been invited there to act as an observer. I was one of the first of the Irish Politicians to become involved in this and my involvement probably arose from people's knowledge that I was involved with the prisoners issue.
22. I was at Garvaghy for the Marches in 1996, 1997 and 1998. In 1998 I attended as Minister although I had also been to Garvaghy on other occasions, for example, in relation to court cases. However, I didn't realise at first that Rosemary was connected with the Garvaghy Road.
23. The presence of the independent observers led to less violence and there was respect for us and especially for our mobiles. In 1996 the Lower Ormeau Road had been closed off and a lot of residents were in the community centre with the Unionists at the end of the street. The authorities wouldn't let the residents out of the centre and

so the TDs who were there went to the door and I showed my Parliamentary pass and told them that I wanted to go down the street. I told them I was a TD and on telling them that he spoke into his little walkie/talkie and "hey presto" we were allowed out. This was a bit of eyeballing but it was done in a friendly way. Whilst I was doing this everybody stopped to see how it would all work out.

24. Another example is Gerry Adams who was refused access later that night. I was asked to make a call which I did – I told them he should be allowed access as a public figure but this was at the time when he was not an M.P. but I said "isn't he a member of the local assembly" and 15 minutes later he was let down the street.
25. In 1996 a big crowd of us also went to Derry as there were potential problems with the Apprentice Boys' March. By this time many others had jumped on the bandwagon for example there was an MP there from South Africa but as far as I was concerned the more that came on board the better because that would mean there was less chance of violence. If Nationalists had misbehaved I would not have gilded the lily. Equally, if we saw anything against the security forces we would say so.
26. While in Ormeau Road in 1996, I received a call, a person was in hospital having been run over by a land rover in Armagh.
27. Whilst visiting the hospital I ran into Cardinal Daly and got told about the Garvaghy Road. The Nationalists were very unhappy. They felt that they had been pulled into meetings to distract them so that the March could then take place.
28. Cardinal Daly recognised me and knew who I was as my father had lectured him in University. I was also in Garvaghy for one day in 1996 (Sunday).

#### Garvaghy Road 1997

29. 1997 was the year that the RUC had to push the march through and Rory O'Hanlon who was also there should have a good memory of this.
30. In relation to 1997 – I had been at Ormeau Road in 1996 and I was very opposed to rioting against marches, so when there was a suggestion that there should be independent observers I was very keen. It put us in a position to tell Nationalists that

they shouldn't resort to violence but if there were problems we were there to witness it and tell the TV what we had seen. I regret that this hadn't been done before and I thought it was a great idea.

31. I was dealing with Brendan MacCionnaith directly on matters such as Garvaghy. This also brought me into contact with other people such as Councillor Duffy who was an Independent Nationalist Councillor.
32. With the marching events there is lots of time on peoples' hands. For example, at Garvaghy at the Community Centre there was plenty of time spent talking to people, again trying to build up trust.
33. In particular at Garvaghy there was one woman with whom there was an instant connection because of her West of Ireland connection. I cannot now remember her name but she provided a considerable amount of information about the real dynamic of the situation.
34. Brendan MacCionnaith was respected in the Nationalist community at Garvaghy and I get on fine with him although we both can be forthright in our views. There is a committee for the Garvaghy Road Residents' Association but I can't remember any names although I think the woman with the West of Ireland connection was a member. Rosemary Nelson's relationship with Brendan McCionnaith was a working relationship with and Brendan was acting, if not the Chairman, then certainly as the contact man for the Residents' Association.
35. I also met other people, including one local who was resident in Garvaghy but worked in the Irish Army in Dundalk. I cannot recall his name. This person had been covered in the TV shots later in the evening when he was seen organising people to sit down. He brought a certain army discipline to it all and could be regarded as a good citizen. I'd also seen him telling kids playing on the roofs of dugouts to get off and he was a clear respecter of other people's properties.
36. I was staying in a house for the night with a resident. I cannot recall who but the house was up near the Catholic Church.

37. The RUC had waited until well into the night when there were less people before moving in. Earlier it had looked like they were going to block in the March, barbed wire was being rolled out and on seeing this I had gone to bed. This would have been around 1am. At that point it was looking like the March would not go ahead. I remember in 1996 I had gone to bed and nothing did happen.
38. Then when it was quiet in the middle of the night the RUC moved in. They put their plan clinically into operation.
39. However, no matter how effectively you put a plan into operation word would still get round come what may and in those circumstances the security services were going to have problems come hell or high water. However, I suppose it must have been regarded by them as the lesser of two evils.
40. I had been bed when they rang. It had all been very quiet earlier and barricades had been put up. Then I received the call that they had gone in. It was military style, precise movement.
41. After the call I got up and managed to get round and into the back of the area before it was sealed in. At that point people were still being shepherded in. There was a line of RUC men with all the equipment with the Nationalists locked in. We were hermetically sealed into the area.
42. It is clear that the RUC had a plan and that they would stick to it. Somebody had clearly planned this out, they knew the exact point at which to stop their lines so that stones couldn't be thrown over them and onto the marching route. This had been achieved by a huge number of Land Rovers.
43. This was a matter of military logistics. They knew how to hem the Nationalists in so they couldn't throw anything onto the March.
44. The RUC's planning had been meticulous and they approached it with a mindset that it would not fail and it will be seen through. They lined the entire road with armoured vehicles and then set up a line of men with helmets and riot gear and

- interlocking shields so that nobody could get out and more importantly no stones could be thrown onto the Garvaghy Road itself.
45. The RUC were asked "Do you hate us?" they replied "We sure do".
  46. Trevor Sargent, Rory O'Hanlon and I were there as was Brid Rogers and other observers- there was also a South African member of parliament there too.
  47. There was a bit of "argy bargy" but what else can be expected? The most serious incident I saw being that involving Councillor Duffy. He collapsed as the people were pushed back by the RUC with their helmets and interlocking shields and he was taken to hospital. The RUC came in with a very detailed plan and were pushing people back so of course people were not happy but it was all very precise, military movement.
  48. I want to be fair. The RUC were there to take over the streets and pushing people back but there were no running battles, no riots, the attitude was effectively "we don't give a shit we're doing it anyway".
  49. My approach is normally sanguine. It is the only way to get through these types of problems. We were all there. There was a lot of hanging around. We were here the RUC were over there. I would go around talking to people. I particularly remember sitting on the floor having a discussion about the power of TV compared to the use of violence and saying that TV coverage was better than throwing stones. We had plenty of time there to sit around, drink coffee and talk.
  50. There was a comical moment at the end. The RUC line was facing all the locals and my role was to try and stop any stone throwing at the RUC line by the Nationalists. There was TV coverage saying that stones were thrown but these were young lads of 18/19 and the real adults didn't want trouble, but what can you do though with 18 to 19 year old lads?
  51. However, when the RUC lines turned to leave after the march and began to unlock their shields the lads knew this point was coming and that the RUC would be vulnerable. So, the women in the Nationalist crowd linked their arms and stood in a



line to protect the retreating RUC from attack from their own children. There was only some minor stone throwing.

52. The Nationalists wanted to be on their best behaviour and we were there to record any trouble. Our participation helped to move on and develop the thinking, increased a more peaceful approach and helped to reduce the violence.
53. I might seem unemotional about it but if you look at what has happened in other situations on the TV it could have been worse.
54. After the women had formed a line for the protection of the departing RUC it all broke up and I went home.
55. I had parked in the Four Season hotel car park - I went and got my car and went home.
56. The same thing happened at Ormeau Road the previous year. The march happens and then it is all over really. There might be a bit of afters but it is really not much.
57. One thing that did happen after the 1997 March and I might be seen as a bit paranoid over this - I had gone in the car to Gavaghy I had left the car in the car park at the hotel and had got there by going into the North into Enniskillen and back over the border. At that time there were checkpoints at the border. it was dark, I think it was dark when I got to Monaghan and then when I got to the checkpoint I got the feeling that they knew who I was. So when I went back after the march I looked around the car twice and I checked under it. That is the only time I have had to check the car like this but there was nothing there. I have been to difficult situations like Crumlin Road and Belfast hospital in connection with various cases. but I had not done this before - there is normally no point in getting emotional about this type of thing.
58. Trevor Sargent was very interested in this issue. Trevor Sargent is Church of Ireland and he went to the service at Drumcree and I think he was a bit taken aback by what he saw there. Although he is Church of Ireland I don't know what he saw at Drumcree but it was clear they were politically miles apart. I have asked him how he is perceived in Northern Ireland. Most Irish speaking members of the Dfall like

Trevor are Catholic but Trevor is Church of Ireland and I have discussed the differences of approach with him and he might have a different spin on what happened at Gavaghy.

59. The idea of a totally homogenous community is a myth. Dr O'Hanlon had recently suggested to me that Northern Ireland is seen as intrinsically violent and the Nationalist community of Northern Ireland itself is often seen as intrinsically violent but where else in Ireland, Britain or in Europe can there be 30,000 people and more attending at a football match (in this case a Gaelic football match) without any police being in attendance? This belies the myth of the intrinsically violent and disruptive society.
60. Indeed what I saw in Garvaghy was an organised and focused group of people, yet there were riots and violent demonstrations, however, it goes to show that this is a multi-dimensional community.

Rosemary Nelson and Garvaghy Road, 1997

61. I have been asked whether there was there any violence or "argy bargy" involving Rosemary Nelson. I do remember Rosemary being there particularly in 1997 when there was the big set too with the RUC.
62. Rosemary was a determined woman. She argued with the RUC. She had a hell of an argument with the RUC but I have no recollection of her being hit or pushed to the ground but I may have missed it. If it had happened right at the beginning I may have missed it as I had to get round the back and in.
63. I remember that when Councillor Duffy had been injured as the police moved in and had to be taken to hospital, Rosemary Nelson was agitated by this and had an argument with the RUC over this.
64. Rosemary was arguing like billy-o with the RUC guys. It appeared to me that she knew the RUC people she was dealing with - she must have known them through her previous dealings. However, it was all a very confused situation and I was watching here and there and wasn't concentrating entirely on Rosemary.

65. There had been a degree of argy bargy and though Rosemary become heated she was not hitting out in any way and I can't recollect any violence against Rosemary. If it was a question of whether the men had physically moved her, they would have moved anyone in their path, anyone who sat down or who wouldn't move or cooperate would have been moved out of the way. The plan was to move people and that was what they were going to do. Given Rosemary was a personality in her role she would have been in the vanguard of those not moving and therefore would have been in the way of the RUC executing their plan. From the residents' perspective there was a choice - they could either move and concede the point to the RUC or not and that was clearly going to be a source of conflict. The RUC had worked out everything in their plan and nothing was left to chance especially as stones were often how things got started but here you couldn't throw any stones on to the Garvaghy Road itself. The Garvaghy community were understandably upset by this move but equally there was a master plan to be implemented here and if you were in the way you would be moved but I can't recall any further detail.
66. If I was asked "did what happened that night lead to the killing?" the answer would be "no". If I had "lost it" that night and gone "ape" then I would simply have been moved to a point beyond the barrier - this would simply make no difference to anything.
67. As I said I think Rosemary knew who she was dealing with because there would have been past history between her and the security services. This, however, would only have been one incident regarding Rosemary Nelson and the authorities. Rosemary Nelson's involvement with the Colin Duffy case and possibly cases before that with which I'm not familiar, were a big big running sore with the security services. The Garvaghy Road incident was just another incident in a drip, drip effect of one person (Rosemary Nelson) always apparently being there to thwart the RUC. There was in fact a constant build up every time the security services tried to do something. There was this solicitor who was being tenacious and committed standing in the breach

between them and the detainee. As a result the Garvaghy Road incident needs to be seen in a wider context.

68. Extracts of a telephone note dated 7 July 1997 have been put to me about how Rosemary had said she had been thrown around like a wet rag and generally maltreated, which goes on to say that I witnessed these incidents. **RNI 115.303-304**

[REDACTED]

69. Rosemary was a lawyer and if people had been pushed out of the way Rosemary would have said that they had no right to do so. The most serious incident though was when Councillor Duffy collapsed but I may have missed events if they had happened at the very beginning because I was getting out of bed to get round and in.

70. Looking at the incident as a whole right or wrong the RUC had a plan and to execute that plan they had to use force. I don't agree with what they did but I have to concede it is a hard call for them. On the other hand Rosemary was right to protest against what she saw.

71. Extracts of a statement made by Rosemary Nelson to Paul Mageean of the Committee on the Administration of Justice ("CAJ") dated 7 July 1997 have been put to me regarding an incident involving a journalist who was being detained and who was asked if he needed representation (which he declined because he said he had a press card). **RNI 302.129.500-502**

72. I don't recall this and you have to remember I just did things and then moved on. These events are eight or nine years ago in a busy life. The record is probably true but I have no recollection of it.

73. I want to be accurate and fair. My impression is that well before Garvaghy Road there was no love lost between Rosemary Nelson and the RUC because of the trials she had been involved in.

**Concerns of Rosemary Nelson**

74. The most significant thing to me is not Garvaghy Road but the fact that Rosemary expressed concerns to me regarding her safety in calls before her death. Rosemary was not a paranoid woman in my view.
75. One of the major things about the incident was its timing. In 1999, at the time it happened, it was post ceasefire.
76. At the time of these calls I was Minister of State which would place it somewhere between June 1997 and March 1999.
77. The first case I was involved in with Rosemary was Colin Duffy. Every time he was taken by the RUC she would ring me.
78. My involvement would have been through the Duffy family not Colin. I had no real connection with Colin in this case.
79. With some prisoners in England, such as [REDACTED], [REDACTED] where for one reason or other, (in one case they knew my brother), there was a relationship developed with the prisoners but normally there was little contact in a Northern Ireland context. This was the position with Colin Duffy, there was no great connection and I only knew Colin through Rosemary. With Northern Ireland cases there was normally more contact with the family than the person in question.
80. In comparison in England, where prisoners could be subject to a 23 hour lock-up there was a need to meet the prisoners to suggest that political representation would do better to improve their situation than anything the prisoner could do themselves. Obviously in considering that approach the initial response of the prisoner to a *politician from the "Free State" turning up was that there would be no trust.* Prisoners are often regarded as pariahs, pathologically violent and accordingly there was a need to visit on a number of occasions to build trust - even though the prisoners were being moved around from prison to prison, for example, from Full Sutton to Belmarsh.

81. I was dealing with these visits out of my own pocket but if such visits had not been kept up there would have been no build up of trust. It was a matter of education, so that if something happened like a radio was confiscated I was in a position to follow things up to ensure prisoners were not left with the feeling that everybody in the UK was bad when it was just one prison officer out of perhaps 200 that was causing a problem. To help this I also had meetings with Governors of the prisons and could spend half his time talking to them to ensure that there was a contact should problems develop.
82. In comparison where there was a solicitor or family already involved it was matter of bringing them on board and developing the trust with them.
83. Duffy was not a prison treatment issue and therefore the clientele, as it were, was different. The dynamic was different in those cases.
84. Over time therefore there was more contact with Rosemary Nelson after I became a Minister. It is easy just to pick up the phone and there is more reason to do so once I am a Minister.
85. However, in my opinion, and it is only my opinion, the court cases that Rosemary was involved in had more impact than Gavaghy. The problems that Rosemary had, had always been because of the court cases and this is what she had intimated to me.
86. Brid Rogers had been at the Garvaghy Road in 1997 but she wasn't killed like Rosemary. It was Duffy and the allegations involving the RUC that was the problem.
87. To put matters in context, people ring all the time and Irish Politicians can end up acting as something of an agony aunt. For this reason it is only natural not to keep records of every telephone conversation that they have.
88. However, I recall that on one or two occasions Rosemary Nelson rang because she was concerned or worried. However, at the time when I was a Minister and the Irish Foreign Affairs office were also aware and therefore there was little I could do.
89. It is my recollection that what Rosemary Nelson was worried about was that she thought she was going to be killed or shot. I cannot remember specifics - such is the

nature of my work. The incident which my wife [REDACTED] has summarised is probably the best recollection but it is important to note that it had nothing to do with Garvaghy Road.

90. A copy of my wife's note is attached (RNI 830.174) and relates to a particular incident when Rosemary phoned our house. My wife recalls Rosemary Nelson being very excited and talking about someone being outside. My wife describes Rosemary Nelson as being hysterical on this occasion. My wife is also adamant that this call arose in some way from the [REDACTED] case.
91. The calls from Rosemary Nelson were not all about cases, but my wife was particularly struck by this incident, but it was not the only incident and Rosemary Nelson had spoken to me direct on occasions and on occasions Rosemary Nelson said she feared she was going to be killed. When I heard the news of the murder I thought it would never have happened. When you weigh it all up if I had been asked "was she scared?" I would say "yes". If I was asked "did she have reason to be scared?" the answer would be "yes". But if I had been asked in the 1997-99, post-ceasefire period, if I had been asked would she have been shot or killed during that period I would say "no, not really". It was the period of ceasefire and killings had effectively stopped. People fear things in life that never happen. Parents are naturally worried about their children taking the car out, sometimes there is a tragedy but in most cases the children return. There have, after all, not been that many sectarian killings post - ceasefire.
92. I deal with cases quickly and that more cases that come along the quicker they can be wiped away like rain falling on a windscreen being wiped away by the windscreen wipers.
93. Although I cannot remember any specifics on who may have been threatening Rosemary my impression is that it involved the security forces. In my opinion, Rosemary was always very suspicious of the security forces but I don't recall loyalist paramilitaries being directly mentioned. Although Rosemary felt threatened by the

security services, whether they would actually carry out the killing or whether somebody else would was unclear, but my impression was that she believed that members of the security services would be involved in some way.

94. The reason for this would have to go back to Duffy which had huge implications. Rosemary Nelson had come to prominence as a Nationalist Lawyer and I had only come in laterally to the situation at a later date. As a result I do not know how many cases had built up before this to build up a picture of Rosemary Nelson as a thorn in the side of the security services.
95. Duffy, however, was a long saga of appeals, although I don't recall the details. However, I believe that the antipathy of the security services stemmed from this case but I don't know how many others may also have been involved in the building up of that impression.
96. There was a feeling that the security services were after Duffy and that they would get him and Rosemary for something in the end. This was the impression Rosemary gave to me as I recall. The security services felt hard done by the various judgments and wanted to get even on Duffy.
97. I also know that Rosemary was also involved in the Hamill case which may also have played a part in this.

**Post 15 March 1999**

98. I had to come home for the funeral. When I first heard about the murder I thought "my God, it's happened" because of the concerns she had expressed to me in the earlier calls.
99. I was in Boston in the US probably for St Patrick's Day when she was killed and I immediately returned to the funeral in Lurgan. I felt I had to attend. There were other senior politicians there including the President of Ireland and the Northern Ireland Secretary and the Irish Minister of Foreign Affairs. However, I attended in a personal capacity. When I met Rosemary's husband he knew me and gave me a



warm handshake. I believe I was seen as something more than just another Minister queuing up to pass on condolences.

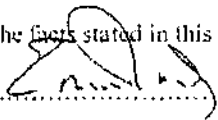
100. I can't recall anyone else commenting on Rosemary Nelson's safety nor did I learn anything after the murder. I may have made a statement to my local Irish language radio station after the murder but I have no specific recollection of any such statement being made.

#### Documents

101. I have been through my files from my work with the Forum for Peace and Reconciliation and have located some papers, including those which touched upon the Hamill case. There is also a list of cases which I was involved in at the time. These may or may not touch upon the cases handled by Rosemary Nelson. Although the documents amount to a large box load, most of the documents are in relation to miscarriage of justice cases in Britain and therefore are not relevant to this Inquiry. However, some did touch upon Northern Ireland.
102. If any of the cases supplied prove to be Rosemary Nelson cases then I would have been having calls and contact with the family and Rosemary Nelson about those cases.
103. I have also looked for files dealing with Colin Duffy but cannot find any.
104. There was nothing unusual in this - even on a Freedom of Information Act request, those receiving information believe they are receiving the whole of the information but were probably only receiving a third of what actually happened. Two thirds of what happens in life is almost certainly verbal and no notes are kept of it and this would probably explain the absence of any files in relation to Colin Duffy.

#### Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: .....  .....

Eamon O'Cuiv

Dated: ..... 29/4/22 .....