

Witness Name: Edward Fergus Millar

Statement No. 1

Exhibits: EFM1 - EFM2

Dated:

THE ROSEMARY NELSON INQUIRY

Witness statement of Edward Fergus Millar

I. Edward Fergus Millar, will say as follows:

1. I am a sergeant in the Police Service of Northern Ireland, formerly the Royal Ulster Constabulary. I am currently stationed at Clougher police station. I began my career in the police in Belfast. In around 1985/1986, I was transferred to Lurgan Police Station and in 1995 I was promoted to the J1 Mobile Support Unit which was based at Mahon Road in Portadown. At that time I was promoted to the post of Sergeant.
2. I have been asked to comment on a particular incident which took place at Drumcree Orange Order marches in July 1997 which involved Rosemary Nelson. There was never a good atmosphere on the Garvaghy Road at this time of year. 1997 was no different. I was on duty on Garvaghy Road with the rest of the J1 Mobile Support Unit. Prior to arriving at Garvaghy Road, the unit would have been briefed by our Commanding Officer, Inspector McKee.
3. J1 Mobile Support Unit would undertake public order duties across the province. In addition to us, we would often attend with other J units and Level 2 Mobile Support Units. Level 2 Units were formed from individuals within the local police force who had been on

public order courses. At an event like that at Garvaghy Road, there would have been hundreds of Landrovers.

4. We were instructed to do a hard line facing towards the shops. A hard line is a term used to describe a line of police officers preventing members of the public from moving through them without authorisation. The hard line covered quite a wide area and there were other units to our left. In addition to J1 Mobile Support, 2, 3 or 4 other units joined in to form the line. There was a considerable gap to fill between some flat type housing on one side and the shops on the other.
5. I and the rest of the J1 Mobile Support Unit were wearing our full public order kit. By this I mean we were holding batons and shields and wearing hard helmets, public order blue suits and possibly flame retardant head gear if this had been introduced before July 1997.
6. We lined up facing the crowd away from the Garvaghy Road with our shields protecting us. It was a hostile crowd facing us. There would have been 15 – 20 adults and 50 – 60 youths in total. This doubled and then trebled as the day wore on. The crowd were hurling insults at the police, chanting and throwing bottles, stones and other missiles.
7. A hard line is formed by interlinking the shields held by members of the unit. It is stronger to interlink the shields in groups of three rather than in one long line. This is because if you were all linked together independent movement would not be possible.
8. Three or four other units were stationed behind us on the road and were tasked with removing protestors who had engaged in a sit down protest.
9. I had been on duty for some time when I saw Rosemary Nelson further down the hard line. It was approximately 3.30^{PM} AM. She was with a TV crew who were filming her and a female journalist. I think it was the spot light which was attached to the TV crew's camera which initially attracted my eye. I think the female journalist may have been taking shorthand on a notebook. Rosemary Nelson was beating on the shields whilst she was walking down the

line towards where I was positioned. She was clearly upset in some way. However, I could not work out what she was doing until she got closer to my unit.

10. When she got closer I could hear what she was saying. She was saying that she had been assaulted by the police and was informing the reporter that she didn't know whether the policeman in front of her had done the assault. I hadn't seen anyone assault her nor had I seen anyone who had broken the line.
11. She was clearly upset and distressed. I think that she may have been crying. I was not sure if this was because she had been assaulted or because no one was speaking to her. However, it was clear from her demeanour that something wasn't right.
12. As she was clearly upset, I decided that I would try to speak to her. I wanted to try to defuse the situation if possible. I thought that speaking to her may do the job. I therefore tapped the shoulder of one of the policemen in front of me and told him that I wanted to speak to Rosemary Nelson when she came to our part of the line. I told the policeman to open his shield to allow her access to me.
13. I was conscious that by doing so, I was potentially opening myself and my colleagues up to a greater threat of attack from missiles. However, I took the view that I was at least somewhat protected by the presence of Rosemary Nelson and the camera and journalist that followed her who would be in front of me. I was also conscious that I was not allowed to give statements to the press, but nevertheless, I felt I should speak to her to try to calm the situation down.
14. Therefore, when she tapped on the shield of the policeman in front of me, he moved it to one side and I stuck my head out. When she saw I was going to speak to her she visibly calmed down and stepped back. She then turned to the journalist next to her and said that she didn't know whether or not I was the police officer who assaulted her. I advised her that I did not assault her nor did any of the people in my unit. I think she then asked my name, which I would have provided, and she asked for my number which I would have

provided by turning my shoulder which displayed my police number to her and telling her what it was. I then told her that I would withdraw and speak to my Bronze Commander, Inspector McKee. The shields then closed up in front of me and I reported to Inspector McKee. I think that I also gave ^{E her M} ~~him~~ my name and number to enable him to contact me in the future should that be required.

15. I think that Inspector McKee may have opened up the line again further down and brought Rosemary Nelson into the protected cordon. I am nearly certain that this happened. However, I think that it was just her and not the press who was allowed through the line and spoke with Inspector McKee.
16. When I next got a free moment, I made a recording of the incident in my notebook. This is attached as **RNI 302.277-278**. I am not sure precisely when I made the note book entry but it would have been later the same day. I have been asked whether Rosemary Nelson made any of the comments I recorded in my notebook following on from the notes about the incident detailed above: "SS RUC", "Black Bastards", "Up the IRA" or "See you in Lurgan with the other two bastards". I confirm that Rosemary Nelson definitely did not make these comments or say anything untoward.
17. In total, the whole incident could not have lasted for more than twenty seconds. Once she had seen that someone was prepared to talk to her, she then stepped back and did not continue further down the line. It was only later that she was, to the best of my knowledge, behind the police line talking to Inspector McKee. Inspector McKee would have been standing a bit back behind the line. He had a radio ear piece. I think she may have also talked to some other people in addition to Inspector McKee who were in the police authorities. I assume that Inspector McKee must have let her through the line further down.
18. I have been asked to describe what it is like to be a member of one of the mobile support units at the Drumcree march. I have done it three or four times in total and I'm glad to be out of it. The first one was always the worst because we had never experienced anything

like it. We had no friends from either side. One day you might be trying to prevent the Orange Order from getting where they wanted to go and they would be hostile. the next you would be preventing the residents from getting where they wanted to go and they would be hostile. It doesn't matter what religion or nationality the individuals are. I would stand in front of anyone.

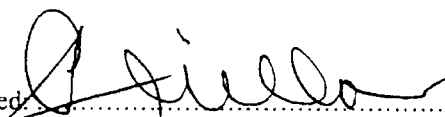
19. What was difficult was that often protestors would come from all over Northern Ireland. If they knew who you were, they would shout out your name and address through a PA system. That was difficult to deal with. It got better when they introduced the flame retardant headgear. I call them balaclavas, but in fact they were not called balaclavas because it had a wider opening around your eyes and nose. They were similar to the head gear worn by Formula One racing drivers. The benefit of these balaclavas was not only did they give you some protection against petrol bombs, but also hid your identity to a certain extent, particularly once your helmet was on.
20. The other thing I remember about the marches was the noise. It was always noisy. It must have been really noisy when Rosemary Nelson and I had talked, but I don't remember it specifically. There is always a large amount of abuse coming from whoever was in front of you.
21. I have been asked how I knew it was Rosemary Nelson when I saw her further up the line. There were a number of reasons. Firstly, she was an individual with a high profile and was locally on television. Secondly, she was a solicitor in Lurgan. Lurgan was where I used to be stationed. The police station in Lurgan is literally yards away from her office. I would have come across her in her capacity as a solicitor because she represented a lot of people in the Lurgan area. I had nothing personally against Rosemary Nelson or the sort of people who she represented. She could represent who she wanted. She made a number of allegations against the police, but I never saw or heard anything untoward against her. She never made a complaint against me. The final reason which caused me to recognise her

was her appearance. I think she had some sort of accident in the past which distorted part of her face. It looked a bit like a fire injury and was very distinctive.

- 22. I cannot recollect seeing Rosemary Nelson after this incident. She would have been on television and if she was I would have listened to keep up to date with events. However, I did not see her again face to face.
- 23. Following the deployment, I recall that as a result of Rosemary Nelson's complaint everyone who was on the Garvaghy Road had to fill in a questionnaire. This was followed up by a statement if it was deemed appropriate. If a statement was requested, I would have done it myself. In fact, the questionnaire may have gone to everyone who was in Portadown. Questionnaires were sent out in relation to public order deployments quite regularly. It is now done by email.
- 24. I have been shown a statement I have made in relation to this event. This is attached to this statement RNI 302.275-276. I confirm that I stand by everything that is said in that statement.

Statement of Truth

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

Signed: 

Edward Fergus Millar

Dated: 