

RUC (DISCIPLINE AND DISCIPLINARY APPEALS) REGULATIONS 1988 (AS AMENDED)
 RUC RESERVE (PART-TIME) (DISCIPLINE AND DISCIPLINARY APPEALS) REGULATIONS 1988
 (AS AMENDED)

NOTICE OF REPORT, ALLEGATION OF COMPLAINT - PERSONAL EXPLANATION

To: [Member]: P228 Rank: D/Sergeant Reg No: [REDACTED] Division: 5

As required by the above legislation you are hereby informed in writing that a report
 allegation or complaint has been made against you by:

BARRY TOMAN, [REDACTED] ON BEHALF OF ROSEMARY NELSON, SOLICITOR

DETAILS OF REPORT, ALLEGATION OR COMPLAINT:-

In a typed statement received via the Committee for the Administration of Justice (CAJ), the complainant alleges the following:-

- 1 Tuesday 11 February 1997
 10 am taken from home myself and my brother were arrested. I was arrested three weeks before as well. I was taken to Gough Barracks. They searched the house and damaged it badly two wee brothers and a wee sister were there as well as my mother and father. They arrived at 7 am and put all of us in one room and held us there for 3 hours. There were eight of them and they showed me a warrant. They were all RUC. We could hear things getting banged and smashed we had to stay in this room but I got to the toilet and saw the fridge door was off, the cupboards broken, there was a hole under the sink and they'd wrecked our room. They tipped the beds over and the clothes were all over the place. There was no damage to the rest of the house.
- 2 At 9 55 am they came in and read us our rights. We got dressed, they gave us abuse "hurry up bastard." They stopped when my mother came in.

You do not have to say anything but I must caution you that if you do not mention when questioned something which you later rely on in any subsequent disciplinary proceedings, it may harm your defence. You may, if you so desire, make a written or oral statement to the Investigating Officer or the Chief Constable or the Police Authority, as appropriate. Anything you mention when questioned or any written or oral statement you make may be given in evidence at such disciplinary proceedings.

If this notice is served on you by an officer other than the Investigating Officer, you will be interviewed by the Investigating Officer in due course.

You have the right to consult a 'friend' at all stages.
 Date: 28 October 1997 Signed: P146 Rank: Chief Inspector
 (Investigating Officer)

I acknowledge that I have been served with the
 Date: 30/10/97 Signed: P228 Rank: D/Sgt

Please Note: that in cases reported for decision as to prosecution at a criminal court no further disciplinary steps will be taken against you if the Director of Public Prosecutions has given his direction and, if he gives directions to prosecute you, that no further disciplinary steps will be taken until the outcome of the trial is known.

COMPLAINT BY: BARRY TOMAN, [REDACTED] ON BEHALF OF
ROSEMARY NELSON, SOLICITOR

3 We were put in different landrovers and they took us to Gough. They took my laces and belt and searched me - I asked for Rosemary (Nelson) and didn't say anything. They put me in a cell, I didn't see my brother.

4 Two Detectives, they didn't identify themselves. I was questioned about a rocket attack in Kilwilkie - I didn't say anything. After the first interview I saw Rosemary. They said, "You're not getting out of this one." They were shouting at me, it lasted two hours; I said nothing back to them. One of them was fat with bushy, dirty fair hair, about 5' 10" - 6'. The other had black hair with a middle parting and was well built 5' 10" - 6'.

5 I was brought back to my cell for 15-20 minutes before another interview. They left me there for 20 minutes. I could hear them outside saying they'd found something - a rocket. They said "Something to show you." I didn't say anything. I was asked where I was the night of the rocket attack 2 days before. Asked me to tell them how it works and how it is fired. They said that my fingerprints were all over it.

6 At the next interview they took the rocket in. They said I was to tell them my role and I'd get out, they asked me to touch the part I did that night. They had the rocket back to front and one of them went out and another went in asking for all the details, they started getting nasty. They said it was me and the rest of my mates. I was brought back to my cell. One was well built 6' with black hair brushed back. Big gold ring on his right hand index finger - wedding ring. The other was my height with black hair to the side and a squeaky voice.

7 I saw Rosemary again and told her about what happened.

8 In the next interview they asked if I'd seen Rosemary and I said, "Yes." They asked, "What's Rosemary telling you?" They said Rosemary knows a lot about rockets and started laughing. You and Rosemary and [REDACTED] shot the rocket. They knew all about me, where I was signing on, my job, etc. (They were waiting on me at the DHSS one day). They said I'd got the wrong advice - look at how many people she put away. They said she was the one who touted, and I'm going to be shot. They put my family under threat, they said we'll shoot all of you. They went out of the room and came back in and said, "he's hiding something, we need to get it out of him, the fine bastard, you're dead. Tell Rosemary she's going to die too. We're sending people to arrest your family and torture them too." Give it five minutes at the next interview and that will do it. They told me to ask Rosemary about explosives because they were going to match this rocket to me.

9 I went back to the cell and they asked if I'd asked Rosemary about explosives. They said, "Tell us your part." I didn't say anything, I was brought back to the cell for half an hour and interviewed again. Two Special Branch men. We're going to work this time, no other choice. They offered me a car, a flat even a boat. Said there were prints on the rocket and handguns - just tell us they said.

Date: 28 October 1997 Signed: **P146** Rank: Chief Inspector

(Investigating Officer)

I acknowledge that I have been served with the original copy of this report.

Date: 30/10/97 Signed: **P228** Rank: D/Sgt

COMPLAINT BY: BARRY TOMAN, [REDACTED] ON BEHALF OF ROSEMARY NELSON, SOLICITOR

10 They were trying to get another extension - Friday 6 pm.

11 They threatened to pass my photo and details to loyalists. They told me that Billy Wright would get me.

Date: 28 October 1997

Signed: **P146**
[REDACTED]

Rank: Chief Inspector

(Investigating Officer)

I acknowledge that I have been served with the or

Date: 30/10/97

Signed: **P228**
[REDACTED]

Rank: [Signature]