

Witness Name: T Craig

Statement No. 1

Exhibits: TC1 – TC5

Dated:

THE ROSEMARY NELSON INQUIRY

Witness statement of Thomas Craig

1. Thomas Craig, will say as follows:-

1. My date of birth is [REDACTED]
2. I am now retired, but used to be Regional Commander of the RUC for the "South" region in Northern Ireland. I was Assistant Chief Constable for the East and South-East of Northern Ireland; my area of command made up roughly one third of Northern Ireland's geographical area. My command included responsibility for all uniformed personnel and operational matters together with a general responsibility for crime and Special Branch (subject to the additional command structure established for each of those branches). I was also responsible for relations with the army; the Brigadier for Three Brigade was co-located with me and we worked closely together.
3. I had been working in Headquarters since August 1996 before being appointed to Assistant Chief Constable for the South Region in January 1998.
4. I never met Rosemary Nelson either officially or unofficially. My recollections now are not clear between what I knew at the time, what I read around then and what has subsequently been on the news in relation to Rosemary Nelson. All official documents that I would have had will either have been retained within the RUC archive or, in the case of

my personal notes, destroyed by me when I left the force (as I had no means of securing them).

5. I have no direct recollection of threats against Rosemary Nelson arising. I am sure that some form of correspondence or passing on of documents went on around the time. I remember there being a furore and a number of issues being raised in public about her not being offered protection, but I cannot remember whether that was before or after her death. I think the issues that arose were dealt with before my arrival. There was a lot of debate in relation to her protection taking place directly with RUC Headquarters. My recollection may be wrong, but it is difficult now to separate actual occurrences with events that took place afterwards.
6. I do not recall having direct involvement in any issues relating to Rosemary Nelson. That does not mean that issues did not arise in the day to day running of the region, but I do not remember them specifically and do not remember being personally briefed in relation to those issues or in relation to a direct threat against her.
7. I was aware of Rosemary Nelson because of her high profile: she acted in a number of controversial cases. However, I do not recall anyone coming to me and telling me of a direct threat to her safety.
8. There was a system in place for dealing with threats. The system was not as I recall as formalised then as it has later become, since there are now forms and various other documents to fill out. Initially, the local RUC officers would have passed on the threat from sub-division to Area Command and this information may have been added to and passed on to Headquarters. At any time, there were a considerable number of people who were "under threat". Information would have come to light about those people and the level of the threat against them. A form of words was used which would confirm that the situation was a threat. This would happen whether the individual was a Loyalist or Republican and the basic information would be fed back into the system and shared.

9. There were occasionally issues with people wanting more detail about the threats against them, and this may have been dealt with at local level by solicitors making applications. I am not sure I can recall an instance where we had an application from an individual for further information about a threat. Queries were usually dealt with through HQ's Command and that is where the notification was sent for the information requested. People further up the chain would add intelligence as appropriate so that a view could be taken as to the level of threat posed against the individual concerned.
10. If there were legal issues arising as part of the process, then the legal team at Headquarters would give advice.
11. If it went further than the RUC warning individuals about the threat against them in some instances we would also provide advice about how to lead their lives, changing their daily routine, their route to the office and so on. In the case of more serious matters there was also a procedure whereby the individual (or a solicitor on their behalf) could make an application for protection. At this stage the matter would be passed to "D" Department (security branch), who would often have been involved in assessing the need for physical protection for the individual.
12. I do not believe that Local Command was involved in the decision-making process as regards physical protection for individuals. I certainly don't recall making any decision as to whether or not anyone should or should not get such protection, nor do I recall anything further about this process.
13. It is important to understand that thousands of events occurred, region by region, day by day. Protection was one issue amongst a whole raft of issues. This is not to disregard protection as vital for those individuals who needed it, but it was one of a great many issues that were being raised at the time and which we had to assess.
14. The RUC South Region in Northern Ireland was organised for operational purposes into four "divisions" which were in turn divided into ten "sub-divisions". Responsibility for

assessing threats and looking at documentation was split across the "divisions" but there were arrangements in place through *Local Command* to disseminate information. The idea was to share awareness of possible threats with colleagues.

15. There are no individuals who particularly stand out in my memory in relation to protection issues. The people applying for physical protection were like names passing across my desk. I do not recall knowing any personally. This is not to suggest that such matters were not taken seriously because they were (especially personal protection), but is representative of the sheer volume of work in this area at the time. The decision whether to provide physical protection or not was always based on the strength of the intelligence. This was not my decision.
16. Protection was a serious issue as the atmosphere was very tense between the two sides of the community. It was a high profile issue because threats would raise the tension between the two sides. The receipt of threats would often be widely reported across both sides of the divide, whether they were made publicly or not.
17. I do not think that the officers at RUC Headquarters made any final decision on whether or not to grant physical protection measures as this was not within their remit; I think they made recommendations to the Northern Ireland Office. "D" Department was in a position to recommend that "it should be done", but the final decision was that of the Northern Ireland Office.

Documents

18. I have been shown a memorandum dated 27 February 1998 I sent to the Divisional Commander, "J" Division, forwarding a note from the Northern Ireland Office in relation to alleged threats against Rosemary Nelson ([redacted]). The Divisional Commander for "J" was one of four Commanders in my area and had responsibility for the Portadown division. I think that this was the first time I was involved in forwarding information.

RNI 101.206, RNI 101.204, RNI 101.211-212, RNI 101.205

RNI 101.200, RNI 101.199, RNI 101.201, RNI 101.197, RNI 101.196

19. I have been shown a memorandum I sent to the Superintendent, Command Secretariat, dated 17 March 1998, in which I stated that no threats had been received in respect of Mrs Nelson but that because of her high profile, attention was being paid to her home and business [REDACTED]. I presume the Divisional Commander for "J" sent these documents on to the sub-divisional Commander at Lurgan, where Rosemary lived, as the documents include his response. At that time I had just arrived in my post.
20. I have no direct recollection of this document and note that no direct threats had been received at that time. The officers at local level were no doubt aware of the position and acted on what information they had. That information would remain on the system in the event that we needed to search for information on Rosemary Nelson in the future.
21. In the usual course of things, the information that was passed to us would be shared with personnel in briefing meetings during which the scope of the day's duties would be outlined. Any feature of policing (which included, for example, whether there had been a series of burglaries or robberies or whatever it may be) would be included within the briefing before the start of each shift. Because Rosemary was a high profile individual, any information relating to her security that might have been received would have been mentioned in the briefing. Such briefings are normally given by Supervising Officers with some input from someone from either CID or the collator of the information themselves (often the area Criminal Intelligence Officer). I suspect that the officers would have been briefed to pay special attention to Rosemary Nelson's home and business addresses at this time. However, I do not recall any specific threats being passed to us in relation to Rosemary Nelson.
22. If a threat was received, then a report was usually prepared indicating what type of threat it was. This would have been dealt with locally and then passed further up the line and dealt with by more senior colleagues perhaps with the benefit of further intelligence from various agencies.

23. I was not aware of any direct threats or complaints in relation to the police or any other threats against Rosemary Nelson in the area at the time. Nor do I have any recollection now of dealing with Rosemary Nelson in relation to such issues. I picked up whatever was outstanding when I took up the position of Assistant Chief Constable for the South region and passed everything that I received of that nature to the Chief Constable's office.
24. If there had have been complaints against the RUC, these would have been dealt with by "G" Department at Headquarters ("Complaints and Discipline") who would have contacted the officers directly and investigated the situation (unless it was something as high-profile as Rosemary's murder for example). There was also an informal resolution procedure, but this would not have been suggested or used in the case of a complaint which was particularly complicated or brought by a high-profile individual.
25. The procedure for general threat assessments was that these would be done at local level, usually by a Special Branch officer. Once the local Special Branch officer had dealt with it then if required, it would be passed to regional level, where a Detective Chief Superintendent would have considered the assessment and redirected it as appropriate. The process worked on a similar level to the command structure at local level, it would be dealt with by the station, at sub-divisional level, then divisional and regional level. The daily briefing sessions I have mentioned would only have taken place locally before the relevant shifts and I cannot be sure to what extent or whether the information provided in those sessions would have been disseminated any more widely.
26. We did not recommend protection or security measures in all instances; we would usually advise on how to alter personal movements, routines, meetings etc. We would also deal with issues relating to travel arrangements: who to meet and where, that kind of thing. We would give that information to anyone who felt themselves to be at risk.
27. If we received more specific information or intelligence, then we would get security branch advice as to whether additional action was justified and look at the matter in detail with a

view to preparing a response. If the report itself was more general in nature, then our comments and advice would be more general. Implementing physical security measures involves a substantial degree of public expense and it was hard for people to make these decisions without strong intelligence or information.

28. Rosemary Nelson was a high profile character who was well known to local officers in her capacity as a solicitor engaged in criminal defence work. She had offices not far from the local police station. I was aware that there were issues relating to Rosemary, which occurred before I took over as head of the region.
29. I have been asked whether Rosemary Nelson was perceived as a supporter of the Republican cause. Certainly she represented Republican clients, but whether people thought of her as a supporter of the Republican cause is a different matter. I suppose that it was the impression held by some people within the RUC, but it was definitely not what I would describe as the impression of "the police". I was probably aware that people within the RUC held that view of her, but it was certainly not what could be described as "the view of the RUC".
30. There were many tensions in the Lurgan area, particularly after the murder of the two police officers. Rosemary Nelson to my recollection was known for representing Colin Duffy in connection with this case.
31. I have been shown a memo from Superintendent **P136** to me dated 7 August 1998, which attached a copy of a pamphlet entitled "The Man Without a Future" ()

RNI 101.345, RNI 101.328). I do not recall having seen this pamphlet but must have done at some point because it was attached to a memo addressed to me. I met Brendan McKenna on a number of occasions, although I cannot remember whether I met him around, before or after the date of this pamphlet. I met him a few times, not least around July/August 1998, at the height of the Drumcree parade disputes. I know that various pieces of information were flying around at this time and I am sure that this pamphlet would have been passed

through the chain of command in the usual way. Brendan McKenna was a very high-profile individual, but I cannot recall being aware of any specific threats to his safety at the time.

32. I have been shown a memo I sent to Superintendent **P136** dated 28 August 1998 (**RNI 101.342-344**). I note that the response refers to a reply having been forwarded. There does not appear to be any intelligence behind the document. I am not sure whether I was replying simply in respect of Brendan McKenna or the pamphlet.
33. As the pamphlet had been distributed in Portadown, the documentation and threat process would be directed through the Divisional Commander to the sub-divisional Commander at Portadown. Brendan McKenna did live in Portadown and since he was the main subject of the pamphlet that is probably why the process was dealt with through that area. It should be borne in mind that this was all taking place at the height of the Drumcree parades and there were many daily security issues to be considered.
34. I refer to **RNI 101.342-344** . A decision had obviously been made at that stage that there was no specific threat regarding the pamphlet itself. Since there was no direct threat, I was merely in this correspondence responsible for passing on the information. I had no reason to make any sort of value judgment in respect of the information or indeed the evidence behind it.
35. In the case of this pamphlet, it is possible that the decision was based upon the fact that Rosemary Nelson's business address and telephone number were publicly available anyway; this would have affected how the threat was treated. Since the information was already freely available, it may have been considered to be less sinister.
36. I have been shown a note addressed to Rosemary Nelson which refers to her as a "Republican bastard" (**RNI 220.082**) and asked whether I recall having seen this letter previously. I do not remember having seen it, but it is possible that it might have been passed to me through the sub-divisional Commander. I am unable to be more

certain as people do have threat documents and notes sent to them; I cannot recall any more detail possibly due to the sheer volume of correspondence and issues arising at the time. I assume that a local Sub-Divisional Commander would have made an assessment of it based on the information available to them at the time and also assume that nothing to the contrary was provided at Regional level which would have impacted on the original decision. I should add that I would have known had anything important been added at Regional level.

37. I do not think that a letter written in that style with childish handwriting would have been taken any more seriously than the pamphlet, had it in fact been received. There was no specific threat that we could point to. In my opinion, someone who was seriously out to "get" Rosemary Nelson would not have written such a note or used such a style. They would also not use a letter like this as people who do these things seek the notoriety that a public statement of a threat brings to them. I am unsure whether Rosemary Nelson contacted the Chief Constable directly about this or made an application for protection. I recall that there was activity at the Chief Constable's office at one time and this may have related to the letter, but I cannot be sure.
38. I would assume that any information on threats to Rosemary would have been collated at local level and distributed accordingly, but cannot now say for sure. The Sub-Divisional Commander at Lurgan would have been briefed on any new information that was received.
39. This all took place around 1998, when the Drumcree parade was stopped from passing down the Garvaghy Road for the first time. The note and pamphlet need to be put in the context of those events, since it was a highly charged time. However, I do not know whether these events would have been serious enough motivation for somebody to send the note to Rosemary Nelson and circulate the pamphlet. There are obvious difficulties in proving who sent or produced these documents, given the number of people who could have handled them.

40. It is possible that the documents were not viewed as being as serious in light of the high degree of feeling in relation to the Drumcree parade and the issues surrounding Portadown at the time. It is possible that they may have been prompted by Rosemary appearing at the Garvaghy Road protest with Brendan McKenna. I am trying to remember whether this happened at the same time or earlier. I understand that she was the solicitor for the Garvaghy Road Residents' Coalition and that may be the link between her and Brendan McKenna.
41. I met Brendan McKenna on a number of occasions around that time, although I would not necessarily label them as "talks". The meetings were more of an attempt to try to get people to realise the situation at that stage. The Parades Commission was operating by then and responsible for the decision as to whether the march would be allowed to proceed.
42. I have been told that there is reference to me in the notes of a meeting that took place on 21 July 1998 and which indicates a complaint about the positioning of barriers. In that particular year (it was my first year there), I had introduced considerable physical measures to prevent disturbances in the Garvaghy Road area. Around this time (12 July 1998), there were so many parades that having sufficient resources to deal with the problems that were arising in respect of each parade was extremely difficult to manage. RNI 305.135
43. I had introduced various physical barriers (designed to separate the parties) which freed up our human resources to deal with the various potential parade disputes arising elsewhere more effectively.
44. The barriers were placed in side streets leading into the Catholic areas to prevent people from accessing them from the parade route. I do not think that the complaint was concerned with the main barrier in front of Drumcree Church itself. I cannot recall precisely the layout of the barriers we had in place at any given time and I am unsure which barriers were the subject of this grievance.

45. Joe Duffy was a Councillor along with Brendan McKenna and I have a feeling that some of my earlier contact with the Garvaghy Road residents was via Joe Duffy who was I think seen as being a less contentious person to be speaking to the RUC than Brendan McKenna.
46. I have been told that a draft note of a meeting with the Garvaghy Road Residents' Committee on 18 September 1998 refers to a comment by Brendan McKenna that I was being "non-committal" about the issue of policing in the area. I am not sure how this comment arose: the protest was the longest on record in 1998 and some would claim that the protest itself has not ended even now. The parades remain an issue today.
47. There were so many elements to the dispute and so much going on at the time that it is difficult to recall precisely what happened. For the purposes of this statement though, it is sufficient to say that I was involved in some informal meetings, but I cannot recall in any more detail what was said.
48. I have been asked whether I recall any incident involving Rosemary Nelson and the RUC on the Garvaghy Road in 1997. I was there to support the Assistant Chief Constable that year but I do not remember any incident involving her or any altercation with the RUC.
49. I would not have discussed any matters regarding Rosemary Nelson's security or her safety with Brendan McKenna in the same way that I would not have discussed Brendan McKenna's situation with her (unless as client/solicitor). It is a question of confidentiality, akin to a solicitor discussing a client with a third party. I would not have spoken to either individual about such matters unless it was done through the official channels (although I cannot recall any such communication). I can see no reason why I would have spoken to either of them about the other's safety.

RNI 305.238

General Comments

50. I could not at first remember why I was not present at the murder scene in the aftermath of Rosemary Nelson's death. I now recall that I was at RUC Headquarters preparing for the Chief Constable's regular meeting. When reports of the incident first came in, followed by

the confirmation of her death later on, it was a major issue for the RUC in the area. The Regional Detective Chief Superintendent would have been at the scene and been the officer investigating the case. Ronnie Flanagan (the Chief Constable) decided very quickly that he would be appointing an Investigating Officer from outside the region. This was Sam Kincaid. This was swiftly followed by a decision to use an outside force to actually investigate the murder.

51. Colin Port was subsequently appointed to head up the investigation team. I did not have any problem with the work being sent externally given the high profile of Mrs Nelson, the nature of the case and the potentially contentious issues involved. I completely understood and supported the Chief Constable's decision to take the investigation outside the region. I did, however, still have a role in assisting and resourcing the investigation and trying to find manpower to assist. I used to have meetings with the Port investigation team; quite often as a result of them needing more resource. They would not report to me in any way, shape or form but would simply update me on general progress and address resourcing issues with me. Ultimately they reported to the Chief Constable and involved me as a matter of courtesy only. Any queries raised to me were resource-based rather than focusing on investigation issues.
52. I have been asked whether in other circumstances I would have been the Investigating Officer and whether the decision to send the work outside the region was peculiar to Rosemary Nelson's murder as ordinarily the local regional Commander was responsible for events in their area. No matter what had happened, the Assistant Chief Constable in the area would not have been the Investigating Officer in this particular case or in cases of this type; they would perhaps have shared responsibility for the supervision of the investigation by an officer brought in from outside the region. There was, however, in force instructions a tension between regional and HQ's Command as to who would supervise it. There was

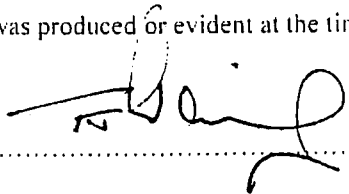
an overlap in command terms between the local regional Commander and the HQ's Command of specialist branches of the RUC.

53. If information on a threat was received, the Chief Investigating Officer would have investigated its origin and arranged for any forensic work to be carried out on any documents that were received. I can't remember precisely whether this was organised through local level officers but I believe it was. The forensic work was certainly initiated at local level. Documents tested could have been read and seen by any number of people before reaching the police (as could have happened with the "Man Without a Future" pamphlet) and so it is important to remember that there was no guarantee that the tests would provide a conclusive result as to who produced or distributed the document.
54. My command role was such that I was responsible for practically everything, but not directly involved hands on. I would ask questions of people and chase to make sure things had been done, but was not directly involved in carrying out the forensic tests for example. I would have been briefed by local CID or Special Branch officers or other department heads in relation to progress.
55. All of the documents and intelligence were gathered and put into the system for use in assembling a database of information. Once it had gone into the system, rather than passing up and down the chain gathering extra paper, it would be logged and get passed to the appropriate people. It would then be available to be used in the future as and when further documentation or information was received.
56. There was occasionally the odd complaint of a lack of interaction between CID and Special Branch relating to certain information not being shared. I do not think the letter to Rosemary Nelson itself would have been treated as a serious threat in its own right, although in combination with other intelligence, it may have formed part of a bigger picture and given a more informed picture of the situation to those looking at the intelligence.

57. A "serious" threat would be something that was backed up with intelligence from the agencies; we would get the information and it would be supported by serious intelligence. For example, a letter simply received on its own or somebody walking past somebody on the street and threatening them would be taken a lot less seriously than one of the officers returning from a meeting with an informant following receipt of a letter, for example, and telling us that the informant had indicated that that person was a target and would shortly be in danger. Extra information could come from any of the local officers, plus anyone from Special Branch or CID.
58. The information would be initially gathered and assessed and then passed up and down the chain, being reassessed at each stage. As people added more information into the picture, a further assessment would be made to decide whether anything needed to be done. There is no real recipe for or definition of "good intelligence".

Statement of Truth

I believe that the facts stated in this witness statement are true. This statement was made in direct response to questions and specific papers or parts of papers put to me. I did not prepare or present any statement or have any prior knowledge of matters to be discussed. No list of questions was produced or evident at the time of the interview.

Signed: 

Thomas Craig

Dated: 25/4/07