



Ref.: TG EUR 45/97.17

Dr Mo Mowlam, MP
 Secretary of State for Northern Ireland
 Whitehall
 London SW1A 2AZ

21 August 1997

Dear Secretary of State,

I write to express Amnesty International's concerns about issues relating to the recent interrogation, charging and detention on remand of Colin Duffy and the treatment of his Solicitor, Rosemary Nelson.

As you may recall, in July 1996 the Court of Appeal acquitted Colin Duffy of the murder in June 1993 of a former soldier, John Lyness. His original conviction in July 1994 had been based on the identification evidence of two witnesses, one of whom was later identified as Lindsay Robb, a prominent member of the Progressive Unionist Party (PUP). In the course of the original trial of Colin Duffy, Lindsay Robb reportedly testified that he was unaware of links between the PUP and the paramilitary organization the UVF. Within weeks of Colin Duffy's conviction, however, Lindsay Robb was arrested in Scotland on charges of attempting to procure arms for the UVF. In March 1996, Lindsay Robb was convicted and sentenced to 10 years' imprisonment. In July 1996, the prosecution informed the Court of Appeal that they no longer intended to rely on Lindsay Robb's evidence in the case against Colin Duffy. Colin Duffy was therefore released by the Court of Appeal. Colin Duffy, who had consistently proclaimed his innocence, however spent three years in prison as a result of a miscarriage of justice.

Colin Duffy was arrested again by the RUC within a year of his release. Specifically, on Monday 23 June 1997 at approximately 4:00 p.m., Colin Duffy was arrested under Section 14 of the Prevention of Terrorism (Temporary Provisions) Act of 1989 in Lurgan and was taken to Gough Barracks for interrogation.

According to reports received, Colin Duffy was granted access to his Solicitor's associate within about three hours of his arrest. From the time of his arrest until the evening of Tuesday 24 June 1997, it is reported that the police interviews did not focus on any specific crime, and that during this period he saw his Solicitor Rosemary Nelson twice. However, it is reported that at sometime between 7:30 pm and 9:00 pm on 24 June 1997, the focus of the RUC's questioning shifted to the murders of two RUC officers, Constable Graham and Reserve Constable Johnston in Lurgan on 16 June 1997. Colin Duffy denied any involvement in these murders, for which the IRA had claimed responsibility. He has denied membership in or involvement with the IRA. He reportedly requested that the interviews be suspended until he could obtain the advice of his Solicitor, Rosemary Nelson.

Amnesty International is concerned that, notwithstanding Colin Duffy's request to suspend the interview and Rosemary Nelson's informing the police that she would arrive within 30 minutes of their telephone call to her so as to consult with her client, the RUC failed to

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