

We explained to Mr Lynch that we did not have the power to accept complaints. The Chief Executive liaised with the RUC Complaints and Discipline Branch and through a mixture of persuasion and pressure managed to get them to admit the case as a complaint. However, in doing so the RUC categorised the complaint as one of alleged “incivility”, relegating it to the realms of the trivial. I was surprised that the complaint had been rejected when it was initially made and shocked that when it was eventually admitted into the complaints’ system, the RUC failed to treat it as being in any way serious.

12. There are two contextual points worth making here. I think that one of the factors in the RUC reaction to Mrs Nelson was an underlying prejudice in some police quarters against defence lawyers, where the advocate was perceived as sharing their client’s believed culpability. The UN among others had expressed concern about threats to lawyers representing Republican defendants, and in fact the ICPC had decided to monitor complaints from lawyers concerning this issue. However, others, including a Member of the ICPC who was also Deputy Chief Executive of the Law Society who freely expressed her feelings on the matter, believed that such threats were a trivial occupational hazard and, to coin a phrase, those who could not stand the heat should get out of the kitchen.
13. The Nelson case was allocated to Geralyn McNally for supervision and direction and she was assisted in the by a staff member, Jennifer Mitchell. Although a Superintendent from the C & D Branch was nominally the Investigating Officer, the RUC officer who was to carry out the actual investigation under Ms McNally’s supervision and direction was Chief Inspector **P146** a uniformed officer based in [REDACTED]. I am not sure why he was appointed and I suspect that if an officer from within the Complaints and Discipline Branch had been allocated this task, then things might well have turned out differently. As it was, from very early in the investigation Geralyn McNally encountered problems with Chief Inspector [REDACTED]’s attitudes and behaviour. He seemed

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