

## 8. Conclusions (Discuss evidence for and against allegations).

There would appear to be at least three possible and differing explanations for the allegations subject of the complaints made by Mr Donnelly and Mrs Nelson (solicitor).

1. The allegations are true and the two interviewing officers are guilty of attempting to pervert the course of justice through threatening and abusive language including making threats to the life of Mr Donnelly and his family.
  2. The allegations are malicious and fabricated by Mr Donnelly to enhance any future defence and/or to discredit the Royal Ulster Constabulary and the respective officers, with the knowing co-operation and assistance of Mrs Nelson and/or Mr Vernon.
  3. The allegations are malicious and fabricated by Mr Donnelly for the above or other reasons with the innocent co-operation and assistance of Mrs Nelson and /or Mr Vernon who have believed the hearsay evidence of Mr Donnelly.
- Mr Donnelly attended for interview when requested and co-operated fully in the recording of his statement. He provided his statement in an intelligent and coherent manner. He did make two emotive comments; 'To me this officer originally seemed full of shit but as the interview went on and more comments followed I came to believe this was a threat against my life' and 'This supports my view that the RUC are nothing but bigots'. (p.4/5 of statements).
  - Mr Donnelly has not complained about being arrested only alleged subsequent comments at interview.
  - His memory about non contentious issues including descriptions of the officers, his own demeanour at interview and responses (or lack of) during interviews and the presence of (an) other prisoner(s) on the 30th June 1998 appears consistent with the known facts (the prisoners were UDA, not UFF as reported by Donnelly, but he stated that information was given to him by the interviewing officers). He is, however, mistaken about the showing of a photograph during interview.
  - Mr Donnelly or his solicitor could at any stage , particularly on the evening of 29th June 1998 have made a complaint - both chose not to despite their concerns expressed in their respective statements.
  - Mr Donnelly chose not to react in any way to the officers alleged comments during interviews which he knew were being video recorded. He could have made some gesture of complaint or annoyance which would have been recorded contemporaneously.