

Day 15 Summary by Nicolas Houet

## **ROSEMARY NELSON INQUIRY**

**Day 15: 7th May 2008**

**Witness: Mrs Nuala McCann (continued)**

Mr Phillips continued his interview of Nuala McCann. As mentioned in the Day 14 session, Mrs McCann confirmed that interviews to the media would have taken place outside the office, but unlike Mr Vernon she was otherwise unaware of them ever taking place at the office. As Mrs McCann only worked part-time at Rosemary Nelson's practice she said that it was also possible that members of the media may have conducted interviews with Rosemary Nelson while she was out of the office or even that she was simply unaware of them taking place.

Despite Rosemary Nelson's defending Colin Duffy, Mrs McCann never thought the practice's security was put at risk prior to Rosemary Nelson's murder. It was only after her murder, when the firm began to receive death threats that serious concerns regarding security arose.

Mrs McCann believed that no special priority was given to Colin Duffy's case and that members of staff handled it like any other case. However she pointed out that as she was stationed at the rear of the office she was unable to establish how regularly Colin Duffy came to the practice.

Regarding the lease to Colin Duffy of a house bought by Rosemary Nelson, Mrs McCann (as she handled the accounting side of the business) did not draw any inferences regarding potential arrangements with Rosemary Nelson. As far as she was concerned there was nothing unusual about this arrangement and this she believes was the view also taken by other members of the staff. Although as a whole this was not a matter which was openly discussed inside the practice or between members of staff. She knew that Rosemary Nelson intended to purchase three properties, one for each of her children, and the home rented to Colin Duffy was the first of these. It was only after Rosemary Nelson's murder that she heard rumours of an affair between Colin Duffy and Rosemary Nelson.

On the topic of the Gavarghy Road case, Mrs McCann said that the fact that Rosemary Nelson went to school with Coalition leader Breandan Mac Cionnaith was the main reason for her representing the Garvaghy Road Residents' Coalition. The work involved with Garvaghy Road was seasonal and mainly focused on the run-up to the 12th July marches and the complaints that ensued (for example the complaints after the 1997 marching season). After these complaints had been dealt with the practise returned to work on other cases.

Accordingly, in the lead up to the 12th July Marches , Rosemary Nelson would have attended many meetings with the Garvaghy Road Residents' Coalition

and on the day of the march she would have assisted the residents by attending and dealing with situations at the event. At one stage there was talk of calling for an emergency injunction with the aim of preventing the march from taking place.

For much of the work involved with the Garvaghy Road it is probable that Rosemary Nelson worked on a pro-bono basis. This is supported by the fact that at time of her murder, Rosemary Nelson had not filed a bill for her work with the Coalition.

In assisting with the process of civil claims from complaints during the 1997 march in Garvaghy Road, Mrs McCann recalls taking part in writing statements at St Mary's Hall but her involvement was only peripheral in comparison to that of Bernadette Rogers, Rosemary Nelson's secretary.

Mrs McCann saw Rosemary Nelson the morning after the incident in which she was "pushed around" by a group of black-uniformed police wearing helmets. While talking to Rosemary Nelson she was shown the extent of the bruises on her left thigh, arm and shoulder that she suffered as a result of the confrontation. Mrs McCann said it was unclear as to how she managed to get out of this situation but it's probable that someone pulled her out of the circle of officers. She recalls Rosemary Nelson still being shaken the morning after, and explaining that when she had asked for their police numbers, the police had simply laughed at her. Mrs McCann suggested to Rosemary Nelson that she should take photos of bruises in order to file a complaint but in the end she never took the photos or asked for a medical report, let alone received treatment for her injuries.

Following this incident on the Garvaghy Road and up until her murder, Mrs McCann noted that as her relationship with the police deteriorated, Rosemary Nelson filed an increasing number of complaints against the police for matters involving harassment and verbal abuse. It is generally clear that she was not liked by the police and that visits to the police station in Lurgan made her uncomfortable and usually led to her having to wait a long time before being seen.

Threats were also common and Mrs McCann shared with the Inquiry her recollection of the only example of a threatening letter that she was ever shown by Rosemary Nelson. The instance happened in October 1998 whilst they having a coffee at Rosemary Nelson's home in Lurgan and Mrs McCann recalled being shown a neatly hand-written letter, sealed in a blue envelope and written on blue paper. Words such as "we have you in our sights", "RIP", "Republican Bastard" were clearly displayed. Mrs McCann then asked Rosemary Nelson whether or not she was afraid. Her reaction was quite casual and dismissive, but Ms McCann believes this to have been a front. It is plausible, she suggested, that Rosemary Nelson thought that such threats wouldn't be carried out to her because she was a woman, a mother.

Moreover Mrs McCann never truly feared for Nelson's security because she felt she was merely a lawyer working on behalf of her clients and didn't

identify or sympathise with her clients. This feeling of security was exemplified by the fact that her house was broadly speaking quite open, such that Mrs McCann or others could simply drop by the house by walking in through the back door.

It would appear Rosemary Nelson's attitude changed when Breandan Mac Cionnaith decided to get a security device that enabled him to check whether or not his car had been tampered with. Since she was also involved with the Garvagh Road Residents Coalition, Mrs McCann suggested to Rosemary Nelson that she get one as well. In the end, although she had inquired about obtaining such a security device, she failed to obtain one; both her house and office were left just as open and accessible as had previously been the case. In Mrs McCann's opinion Rosemary Nelson would have followed advice to change the locks to her house, change her route to work or even use a car-checking device if the police had suggested such security measures should be undertaken.

Mrs McCann also described another instance where Rosemary Nelson showed concerns for her own safety. She recalled Rosemary Nelson's return from a meeting with the Garvagh Road residents and representatives of the Orange Order that took place in 1999. She told Mrs McCann that the people with whom the Garvagh Road residents were meeting were unhappy to see her attending the discussion. Indeed Mrs McCann recalls her saying: "They are going to do a Pat Finucane on me". In effect this was the first time she was openly concerned for her safety, as usually Rosemary Nelson would just "pass things off".

Mrs McCann dealt with the servicing of Rosemary Nelson's car at a local garage ten days before the murder. It was the first time the car was being serviced and the aim was to solve a problem with the alarm system. She had had no previous relations with the garage staff. On being asked about her recollections closer towards the time of the murder, Mrs McCann recalls receiving a telephone call from Rosemary Nelson the evening that she had returned from her weekend in Donegal. In addition she remembers that Rosemary Nelson's friend's car was parked on the driveway of Rosemary Nelson's house for the duration of the weekend.

Lastly, Mr Phillips of the Inquiry panel wished for Mrs McCann to give her insight into what had happened to Rosemary Nelson's handbag directly after the murder. Her understanding is that Mr Paul Nelson picked up the handbag after the explosion and gave it to her to look after. She in turn gave to her husband for him to look after and bring to Rosemary Nelson's sister Bernie.

**Witness: Mary Loughran, a receptionist at Rosemary Nelson's firm, she joined the practice in January 1994 initially working on conveyancing. She then became the firm's receptionist in early 1998. She continued to work there six months after the murder.**

From the time she joined the firm until the murder of Rosemary Nelson Mrs Loughran acknowledges that the workload increased and that the staff were

permanently busy. She explained that if in fact she ever thought about leaving her reasons would have been solely due to being overworked and not due to concerns over security. When she first joined in January 1994 most of the work involved conveyancing or matrimonial cases. The firm did not usually handle criminal cases.

The work changed in the period of the five years after Mrs Loughran joined, matrimonial work was no longer full-time, and she recalled the Colin Duffy and the Garvarghy Road cases as being different to what was usually handled. The community of the town of Lurgan being divided, Rosemary Nelson's practice was situated in the Catholic end of town. Therefore the client base for the conveyancing and litigation work was predominantly Catholic. Nevertheless some members of Rosemary Nelson's staff were Protestant and the firm would have taken on work regardless of a client's background.

She recalls the Colin Duffy case as being the first high-profile work that the firm had dealt with. But she remembers the client-solicitor relationship already being in place in 1994 when Mrs Loughran had just joined the firm. Even then it was clear that other solicitors would not have taken on a client such as Colin Duffy because of his Republican background.

Following the firm accepting Colin Duffy as a client, the matrimonial and conveyancing work still carried on as normal, but anyone with a complaint against the authorities started to come to Rosemary Nelson's practice.

In addition she recalls that once Colin Duffy had been released from prison and his cases had come to an end, he continued to visit the office without appointments and usually came accompanied by a friend. This was quite a regular occurrence in that it happened at least twice a week. The problem for Mrs Loughran was the fact that the appointment system would be harder to manage when Colin Duffy was given priority in seeing Rosemary Nelson. This would cause complications as the waiting room that she operated was nearly always full and at times people had to wait standing.

In terms of her relationship with Rosemary Nelson, Mrs Loughran did not spend as much time with her as for example Nuala McCann or Annette Sheridan, but in general Mrs Loughran thought that Rosemary Nelson was always fairly high-spirited. As their relationship was primarily professional Mrs Loughran could not elaborate on Rosemary Nelson's whereabouts prior to her arrival at work around 11 or 12 o'clock.

On the topic of death threats to Rosemary Nelson, Mrs Loughran believes these to have increased around 1997 as she became more involved in the Garvarghy Road case and as it dominated the firm's workload. This was a period which saw her attend many meetings with Mr Mac Cionnaith and the Residents Coalition, and which saw an increase in civil claims. Mrs Loughran agreed that this change in the workload from 1997 onwards, led to the practice being labelled a Republican firm and Rosemary Nelson a Republican solicitor.

Mrs Loughran recalls the staff taking statements of complaints from the residents of Garvaghy Road at St Mary's Hall, even though some members of staff had asked to be excused. This exercise resulted in dozens of new complaints (enough to fill a new filing cabinet as described by Mrs McCann), which in turn would have angered the police as they would have had to deal with all these new claims.

In being the only other solicitor, Mr Vernon's workload would have increased as a result of Rosemary Nelson taking on the Gavarghy Road case. Indeed in Mrs Loughran's opinion the general feeling in the firm was that the Garvaghy Road residents had a tendency to exploit her willingness to help. This is exemplified by the fact that, gradually, clients would call on Rosemary Nelson when it suited them regardless of the time of the day or night.

Mrs Loughran distinctly remembers two phone calls which caused concern over security. The first was a phone call to the office in the summer of 1998 at the time of the Drumcree marches. The message for Rosemary Nelson warned her that "the blue platoons" would be monitoring the marching on Gavarghy Road.

The second phone call was more frightening and happened six weeks before 24th March 1999. Mrs Loughran answered a call from a male with a local accent who spoke of the UVF and asked for Rosemary Nelson. As Rosemary Nelson was not in the office at the time, she passed the call on to Mr Vernon who paid no attention to it. The threat voiced in that particular phone call made Mrs Loughran fear for Rosemary Nelson's safety, but she agreed with Mrs McCann in saying that Rosemary Nelson in general kept a calm appearance and did not let her concerns show.

Another episode which happened in October/November of 1997, highlighted issues of security at the firm and animosity between the police and Rosemary Nelson. A bomb scare caused the whole of William Street to be evacuated except for Rosemary Nelson's firm. It's only when a client warned them of the danger that the staff evacuated the street. When Rosemary Nelson confronted the Police about their failure to alert the staff to the danger, they shrugged off the issue and/or made bold remarks.

**Witness: Mr Emmet Sheridan, a friend of Rosemary Nelson whose wife Annette worked at the firm. Mr Sheridan would see Rosemary Nelson on a regular basis and attended the firm's social get-togethers. On occasion they would take family trips together.**

Mr Sheridan agreed that Rosemary Nelson acted for both sides of the community and that her workload varied as she represented local people as well handled divorces for policemen.

Rosemary Nelson would sometimes require Annette Sheridan to run errands for her. These could be ordinary requests to purchase cough medicine or could involve other tasks such as serving a summons and measuring the feet of someone who had been accused of a terrorist offence. On the latter

example, Mrs Sheridan initially refused as she did not want to be involved in giving evidence in a possible terrorist case, but Rosemary Nelson convinced her that she would not be in any danger and so she carried out the task, accompanied by Mr Sheridan.

Upon being asked about Annette Sheridan's involvement in paying money for Colin Duffy's bail, Mr Sheridan stated that he was unaware of such a request, and that he would not have approved of Annette getting involved in such matters.

Rosemary Nelson's relationship with the RUC was a topic that Mr Sheridan discussed with her one evening around Christmas 1997 at the Stables Bar during an office outing. When Mr Sheridan asked how Rosemary Nelson was, she replied: "Have you no television, Emmett? (...) They're going to get me." She also told him that Ronnie Flanagan hated her. The issue of Rosemary Nelson's security was something that Mr Sheridan had insight to in the past, as Annette Sheridan on one occasion showed him samples of the death threats Rosemary Nelson had received in the post. However that conversation in the Stables Bar was the first time Rosemary Nelson openly spoke to Mr Sheridan about her security concerns.

That same evening at the Stables Bar, Mr Sheridan discussed her security fears and when he asked to whom she could turn for advice or help, she raised her hands as if to indicate, "Well, there isn't anybody". Mr Sheridan explained to the Inquiry that having an RUC officer on security watch at her home was not conceivable following the Garvaghy Road incident in which the RUC had beaten Rosemary Nelson to the ground.

Mr Sheridan was also of the opinion that Rosemary Nelson hid her emotions and her worries. He recalled Annette Sheridan noting that Rosemary Nelson as a result of her stress and worries, would for example lose weight and that overall her work would have had a detrimental effect on her family and social life.