

ROSEMARY NELSON INQUIRY

Day 67: 29TH October 2008

Witness: G105, Former Private Secretary to Adam Ingram

Witness G105 made a single statement for the Inquiry on 17 January 2008 (RNI-840-187). Between June 1998 and January 2001, he was one of the two private secretaries (departmental and travelling) to the Minister of State, Mr Adam Ingram. His role as the travelling secretary involved accompanying the minister to all events outside the department between Mr Ingram's offices in Belfast and London and trips overseas. G105 was also the link between the minister and his departments. Day-to-day work varied as he moved with the minister; if he was in the Belfast office G105 would share his role with the departmental secretary sitting in meetings, taking minutes, filtering paperwork and advising the relevant department of the minister's recommendations. In his statement he explained that, "My role was concerned with process. Due to the wide range of current issues across both departments, I did not have, nor was I expected to have, detailed knowledge of specific policy." (RNI- 0840-188) The minister had a team of experts who would research and prepare documents for him and any information that G105 received contained the necessary information for the minister to make his recommendation. G105's principal role was to make sure documents reached the right places. He did not offer the minister advice on policy matters but had access to officials who could provide information if more was required.

During G105's time as private secretary, 4,000 pieces of correspondence would pass through the office annually. When a letter addressed to Mr Ingram arrived at the NIO it would be date stamped and its details would be put into a computer which generated a unique reference number. The correspondence clerk would either use his own knowledge, a functionary directory or ask one of the private secretaries (if the letter dealt with several issues and external output was required) to decide to whom to address the letter. A return date and a list of people to be copied into the correspondence would also be decided upon. When the letter returned from the policy officials it would include the original correspondence, the relevant back papers and a covering paper detailing advice on how it should be answered. Apart from stylising, he would not alter the substance of the document. It was then G105's job to bring it to the minister's attention by either putting it in his overnight/red box or giving it to him if he had free time during the day; however, the latter was rare. This was normally the first time the minister would see the correspondence unless he was likely to bump into the writer, such as an MP, in Westminster. The minister did not usually make amendments to the proposed response unless he felt a point needed clarification. Both the minister and his officials in the private office therefore relied on the information from policy officials. There were times when the letter was signed by the private secretaries or officials and not the minister himself and G105 explained that there were no comprehensive guidelines on the matter and each case was taken on its own merit and reiterated that this decision would be made by the correspondence clerk upon the letter's arrival. There were also occasions when G105

intervened if he felt, from experience/knowledge, that it may be more appropriate for the letter to be signed by the minister/Secretary of State. It was possible, but G105 could not recall an occasion, where the minister himself had intervened in this manner. In cases where the minister did not sign the response it would still go into his overnight box for evaluation.

Mr Phillips told the Inquiry that Mr Ingram's testimony had detailed the process by which Northern Ireland Intelligence Reports came to him through one of his private secretaries. G105 agreed but pointed out that it was the intelligence service's decision as to what came to the minister and who was on the distribution list.

If G105 had not had access to the evidence he would not have recalled the details of the documents relating to the Inquiry. A large amount of correspondence was received between the time G105 began his role and Rosemary Nelson's murder but he could not recall this ever being discussed by his colleagues and further pointed out that any case which merited the minister's attention was seen as urgent and sensitive. Mr Phillips put to G105 that a number of these letters took up to four months to receive a reply and whilst this may have been urgently dealt with it would not have appeared so to the original letter writer.

G105 agreed and said they did try to chase up the relevant policy division for responses. When asked about the general guidance on turn around for correspondence, G105 said that 80% of correspondence was dealt with within the deadline (of a few weeks); however, the external agencies they required input from were not bound by the same deadlines and so this frustrated response times. Mr Phillips presented the correspondence dated 2 August from the Committee on the Administration of Justice (CAJ) and the 24 September response sent to Mr Mageean. The response time stipulated by his office was 31 August and the police responded on 3 September. He said these delays could therefore not all be blamed on the external agencies. G105 responded that he was not privy to the process prior to receiving the draft and that there was very little the private office could do if the officials were awaiting responses from other agencies as "there was no point providing the minister with an incomplete draft". The questioning moved on to look at a letter sent from the Prime Minister's private secretary to the Secretary of State's private secretary regarding the Proximity Talks (RNI-840-190). Neither the Minister nor G105 were directly involved in the talks as the Secretary of State took the lead; however, the minister would have been aware of the discussions. Despite being copied into a note on the question of security for the two councillors, G105 could not recall any discussions or involvement on the matter but presumed that either he or the departmental private secretary had brought the case to the minister's attention (RNI-840-194).

In his statement, G105 set out the history which led up to the August/September threat assessment using the documents shown to him in his interview (RNI-840-192). The CAJ letter arrived 10 August 1998 and was processed in the manner described previously and so it was likely that neither

he nor the minister saw the letter at this time. G105 had no previous knowledge or involvement in the earlier threat assessment of Rosemary Nelson as he had only arrived in June of that year.

Mr Phillips drew the Inquiry's attention to the fact that uniquely as a witness G105 had reconstructed the minister's case file as it would have come back to the private office on 22 September. The first letter from CAJ to the minister was dated 5 March 1998 (RNI-106-114&5) and G105 would not have seen this prior to September 1998. The next two documents were the memorandum, which led to the proposed draft response to CAJ signed by the departmental secretary (RNI-106-226), and the response which went out in July (RNI-106- 228). Mr Phillips also displayed the template produced by the computer the correspondence clerk inputted incoming letters.

He highlighted that on 12 August, Mrs Collins was put in charge of dealing with the proposed response which had a 31 August deadline (RNI-106-286). Behind this form was the original CAJ letter and its enclosures (RNI-106-287). There was also another letter in the file from an official within the Police Division to the Command Secretariat in order to obtain information (RNI-106-308) and G105 believed that he would not have seen this document as it was not normal practice to put this in a submission. Mr Phillips asked G105 if he remembered being asked about documents in minister's files being given reference numbers as the NIO has led the Inquiry to believe the document would have been included. G105 explained that he was not 100% sure but details would have been summarised in the advice and so it was unusual to see underlying documents; "information that would go to the minister would be succinct". G105 would not have expected to see working documents in the case file. They were entirely reliant on the officials obtaining information in order to produce a response and he was not aware of the process they went through to do this. In his statement, G105 stated, "as far as I am aware, neither Adam Ingram nor anyone from his private office requested a threat assessment on Mrs Nelson". It was the responsibility of the Police Division to take action and he could not recall any occasion when a minister or official had requested a threat assessment.

When asked if, in light of the 10 August CAJ letter, he would have expected the Police Division to initiate an assessment, G105 said that he did not know the criteria to ask for an assessment because, at that time, he was inexperienced. He would also not have expected the document (RNI- 106-314) from the RUC to have been included in the submission. Mr Phillips explained that he was trying to reconstruct what came to the minister and G105 before he signed the response. G105 said that no two cases were ever the same, he did not specifically remember the details of this case and if he had seen these documents at the time he would not have had the knowledge to form an independent assessment of what it meant. The file also contained a memo from an official to Lesley Foster dealing with the KPPS point raised by the CAJ letter (RNI-106-318) and G105 explained that this would only be included if the official thought it was relevant for the minister. It was normal for advice to be in the file and this had been signed off by Simon Rogers and addressed to Mr Ingram's private secretary (RNI-106-320) and this included

the draft text for a response (RNI-106-322&3). G105 stood by his statement that he did not recall checking the detail of the letter “nor would it have been normal practice to do so as I would have assumed that the information contained in it was correct”. This letter was sent out signed by G105 and he does not recall any discussion with the minister regarding it.

When G105 received the file back from the minister there would normally be a tick or a comment that said “agreed” or “noted” to show that the minister’s approval. G105 agreed that if the minister was away he may have approved it over the telephone as it was read to him. He also told the Inquiry that he was not surprised to sign the response as the previous letter had been signed by his colleague.

Mr Phillips pointed out that after Rosemary Nelson’s murder an issue arose about what information the police had considered or received, in particular the attachments to the CAJ letter. In his statement G105 stated, “I have been told by those interviewing me that the police carried out their threat assessment without both the pamphlet and the threatening note to hand.” (RNI-840-193). Mr Phillips emphasised that this statement raised the issue of whether the threat note had been sent to the RUC and G105 said that he had responded to the questions asked and would not have known what the police did or did not have with regards to the pamphlet or threat note.

G105 said he was travelling back from the New York with the minister when they heard of Ms Nelson’s murder (RNI-840-195) but Mr Phillips pointed out that in his witness statement, Mr Ingram had said he was “holding the fort in Belfast”, whilst the Secretary of State was in Washington (RNI-809-019). G105 conceded that both the Secretary of State and minister would not have been out of the country at the same time and that it was possible he and the minister had travelled back on the 15th and the Secretary of State had left the same day. He said that was his recollection but the minister maybe had a better one.

Dame Valerie Strachan intervened to ask a question about his function as a private secretary. She appreciated he was new at the time of the CAJ letter but felt he was underplaying his role, as in her experience private offices applied “some sort of critical function” in order to watch the minister’s back. G105 did not recall doing this for the CAJ letter but would have as he gained more experience. He also reiterated that they worked with competent people who were more experienced than himself. She also mentioned, in relation to chasing up replies that, in her experience, private offices were “not loathe to push quite hard” if there were delays and G105’s answers to the Inquiry suggested they could not do this. G105 replied that the departmental secretary would have been more rigorous in chasing up responses but if a credible excuse was given they would have accepted it. When asked by the Chairman how long he had been in the civil service in June 1998, G105 replied 14 years.

Witness: G115, Deputy Principal within the Key Persons Protection Scheme

G115 gave a single statement to the Inquiry on 13 June 2007 (RNI-842-033). Between July 1998 and April 1999 he took over the position of Deputy Principal within the Key Persons Protection Scheme (KPPS) in the Northern Ireland Office (NIO). He agreed that the NIO chart showed the chain of command going up from him to the Head of the KPPS (Grade 7) and then to the Head of the Police Division. There were also two Executive Officers and an Administrative Assistant below him. Although the two sides of the Police Division (Complaints & KPPS and Firearms & Explosives) were located across the corridor from each other they did not have a close working relationship because the KPPS was a discrete unit which dealt with sensitive matters. He had a good working relationship with their main contact outside of the NIO, the Security Branch (RNI-842-037). G115 would telephone them two or three times a week to check the progress of security clearances or details of recommendations. His department would regularly deal with threat assessments prepared by the RUC and where required the two Executive Officers and sometimes he himself would go to the houses of people admitted to the scheme.

G115 went on to describe the KPPS Scheme between 1997 and March 1999. The automatic category meant that protection was afforded because of the person's position. There was also a discretionary category. Mr Phillips produced a document generated by the NIO for the Inquiry which stated that, "the scheme has always been voluntary and no one can be compelled to accept protective security measures" and that, "individuals apply directly or through their legal representatives. Civil servants, police officers and prison staff may be referred to the unit by their employers" (RNI-307-209). G115 was not involved in the preparation of this document and did not know whether a person could be admitted to the scheme via a third party application or their legal representative as he would have expected the individual to apply for themselves. Mr Phillips pointed out that those applicants referred through their employers had a third party element and G115 replied that it was only police officers, prison officers or people within the civil service who had been referred in this way with the exception of the two councillors. G115 was aware of the review of the KPPS that took place in 1998 and was part of the discussion whether to abolish the automatic category; however, he does not recall any changes taking place during his tenure. The document highlighted by Mr Phillips dealt with the financial limits that were introduced and the threat levels (1 being the highest and 6 the lowest) used. G115 could not recall the number of individuals covered by the scheme in 1998 and so Mr Phillips produced another documents relating to another review of the scheme in 2006 (RNI-308-213&14). "KPPS was last reviewed in 1998 following the signing of the Belfast Agreement at a time when ministers were hopeful that the need for home protection would soon be a thing of the past. At that time, membership stood at 1,102 individuals plus 101 advice centres, with an annual expenditure of around £4 million." G115 had been responsible for the budget. Mr Phillips pointed out that it looked as though the political changes occurring at the time had led to the suggestion that it was time to implement changes in the KPPS. G115 responded that it was not just the Belfast Agreement but concerns over expenditure. The KPPS was running over budget each year with the biggest expenditure occurring in the automatic

category and this was the reason for implementing a threat risk assessment. At the time, they also hoped the scheme would become obsolete.

In his statement, G115 said that, "There was a discretionary category dependent upon the level of risk to the individual and their occupation. Only persons assessed at threat risk level 1-3 by the Royal Ulster Constabulary were eligible." Level 4 meant "No police intelligence of any risk against the individual concerned. As such, they didn't qualify for protection under the scheme." (RNI-842-034 &32) He did not recall being provided with a written definition of these levels and thought they came from the RUC. It was the police's job to carry out the threat assessments and they would have assumed that G115 understood what they meant by each level. Mr Phillips presented the report of the review dated after G115's departure which contained written definitions of the levels in Annex A (RNI-307-133) which were in keeping with G115's understanding although he told the Inquiry he did not realise there had been no financial limit. It also described the circumstances which led to the review in keeping with the Secretary of State's wish to see normalisation (RNI-301-107). The responsibility for deciding levels for assessments was the Security Branch's, not G115's. He did not recall an individual in the discretionary category who was assessed between levels 1-3 being refused entry into the scheme nor any individual, which the exception of the two councillors, being admitted who fell outside of these. The final decision in the discretionary category lay with the ministers.

Mr Phillips then questioned G115 about the situation in Northern Ireland towards what G115 called "the end of the peace process" [the time around the signing of the Good Friday Agreement]. In his statement, G115 drew a distinction between what people believed and what the actual intelligence suggested with regard to threats (RNI-842-034&5) and the fact that individuals could take reasonable steps to mitigate circumstances if they felt threatened.

G115 never dealt with a case in the discretionary category where no application had been made or where they had been admitted but refused to give access to their home. These were preconditions for admission to the scheme. He reiterated that assessments were solely carried out by the police and so the descriptions he gave of the process were based on conversations with officers in the Security Branch (RNI-842-035). In his statement, G115 stated, "home visits were an anxious time for the individual concerned" (RNI-842-036) because the individual was aware that a threat against them had been confirmed by their admission to the KPPS.

The first letter relating to the two councillors was written by G115's predecessor Mr McCourt and so the request to join the scheme had already been made before he arrived (RNI-305-152). It was G115's understanding that the two councillors had voiced their safety concerns to Jonathan Powell, the NIO and other members involved in the Proximity Talks. He said that there was no formal paper application for the KPPS to fill in. The reply to Mr McCourt's letter was received on 6 August addressed to G115 and explained that "a Headquarters Special Branch Intelligence report shows there is no current intelligence held which would indicate as specific threat to either of the

councillors” (RNI-305-184). He recalled that it was not a frequent occurrence for the police to go to the Headquarters for intelligence but it was their decision. G115 was solely concerned with the level that was decided upon. He called them “threat risk assessments” because the threat was between levels 1-3 but they also had to assess whether there was a risk that it would be carried out. The reply continued, “being mindful of the current political climate within the Province, particularly with respect to ceasefires, it is assessed that... should the ceasefire situation collapse, the level of threat subject to review could be assessed at level 3”.

He did not recall seeing a caveat appear again in a letter and agreed with Mr Phillips that it was a unique case as it occurred in the context of negotiations and there was potential for another “summer of disorder” in relation to the parades. G115 was involved in the operation of the scheme whilst the officials involved in the Proximity Talks were concerned with the political process and he told the Inquiry that he didn’t “think the people who were involved in the Proximity Talks understood the mechanics of the scheme”. He knew that the letter would not be the response they wanted and asked for further advice before preparing the submission for the minister. This would not normally occur if the assessment said level 4 as it would be the end of the process. This letter took six weeks to come back but G115 could not recall if this was average; however, he said he believed “this was not a rushed assessment”.

Mr Phillips pointed out that if this was the only case G115 was dealing with at the time it must have followed that this was the only one the Security Branch had. G115 replied the vast majority of his time was spent dealing with the maintenance and supervision of those already on the scheme but he assumed that Security Branch was only dealing with this case at the time. He also explained that in general these reports were shorter and less detailed. After receiving the response, G115 contacted G116, an official in political affairs, about the outcome to warn him that the level was too low for admittance to the scheme (RNI-842-039). This had been an unexpected result and G115 went back to the Superintendent to make sure that the boundaries between levels 3-4 had been thoroughly investigated. He was aware that the ongoing negotiations were being conducted on behalf of the government by the Prime Minister’s Chief of Staff and so “a considerable amount of political investment riding on their success”. The parades had caused civil disorder and divided communities; a resolution was needed for the stability of the peace process. G115 made it clear that there was no pressure on him to say this was not the right answer.

G115 telephoned and wrote to the Superintendent but could not recall the specific discussion. In his statement, he said that he “was neither seeking to challenge the police’s independence in operational matters for any political reason or asking [him] to change the assessment on the basis of no new information” and told the Inquiry that “it was not my place or anyone else’s place within the scheme to say we think you have got it wrong”. However, new information appeared in the form of the pamphlet “Man with No Future”. He wrote to the Superintendent on 7 September mentioning his conversation with G116 “who is directly involved in the discussions around the Garvaghy Road

parade. He asked me that the issue is still very much alive and that Mac Cionnaith had been in touch earlier in the day to voice his concerns about his own safety. When Steven McCourt visited Mac Cionnaith, he was particularly concerned about the circulation of a leaflet (enclosed)...” (RNI- 203-216). Mr Phillips pointed out that it appeared G116 had been aware at an earlier stage of both the leaflet and Councillor Mac Cionnaith’s concerns “about the circulation of leaflets in loyalist areas of Portadown (enclosed), which made an attack both against him and his solicitor” meaning Rosemary Nelson. G115 expected the Superintendent to take action on the new information but did not directly ask for a reassessment. He was acting on the last sentence on the 31 August letter which stated that it was important to have all information on the case (RNI-305-216). Mr Phillips put it to G115 that there was no mention of the breakdown of a ceasefire in the pamphlet and so it “was a somewhat oblique way” of asking for a rethink and G115 replied it that that was his hope. He had written a carefully drafted letter and he hoped the Superintendent would “work it out for himself”. In the response, G115 was told that the matter had been reconsidered; “it may not be prudent to be speculative” and “my letter to you dated the 31 August remains extant, including the assessed level 4 threat” (RNI-305-223).

Sir Anthony Burden intervened to ask about the application made for the two councillors that came through Jonathan Powell, the NIO Officials and Proximity Talks. G115 explained that this was a legitimate application because they had personally raised the issue with Mr Powell and reiterated that it was an extraordinary circumstance which tipped the balance to afford protection outside the scheme. They were in new territory with the Proximity Talks and needed to keep both sides on board; however, if an NGO had made an application for another person this would not have occurred even if they had followed the same procedure.

In his statement, G115 said that after receiving the second letter from Security Branch he would have probably telephoned an official within the Political Affairs Division (RNI-842-040). He told the Inquiry that although he could not recall this conversation he would have wanted to let them know the level remained at four. He could also not recall the official’s reaction but learnt what it was from subsequent events. The official would not have communicated the outcome to the councillors at this stage as “it was not appropriate”. In his statement he said, “The issue was very politically sensitive. It was now a matter for politicians and others dealing with the political dimension of the parades issue to decide if and how protection was going to be given to the councillors bearing in mind the threat risk assessment.” They had done everything under the KPPS and it was now up to others as it had, as Mr Phillips put it, moved “out of his hands and above his head”. However, he was involved in the discussions to reach a solution as he was concerned with the integrity of the scheme and operational independence of the Security Branch (RNI-842-041). He agreed with Mr Phillips that if protection was given to the councillors it may have set a precedent for future cases and opened up reviews of previous ones. If ministers had decided to give protection under the KPPS they would have had to look at how it could be done and what damage it would cause to the system’s integrity. There was serious consideration

given to the application and “it caused a problem, a big problem”. At that point, the detail of how the scheme worked was not in the mind of the ministers, Chief of Staff; however, those down the pecking order, such as G115, were concerned and the full context of the situation had to be set out to make sure a fully informed decision was reached.

Mr Phillips presented the draft submission which was copied to G115 from the Head of Division which had a note from a KPPS colleague that said “I have spoken to Ken and he has seen and heard nothing more from Stephen [Leach]” “Let sleeping dogs...” (RNI-305-243). G115 said this meant let the issue take its course as Mr Leach was on the political side of the discussions. He did not think the issue would go away but it was not one his colleagues relished facing. Mr Phillips showed G115 a memo addressed to Mr Leach from Mr Lindsay that said “we agree that it is for the ministers to decide if it is worthwhile to protect Mac Cionnaith and Duffy albeit exceptionally and outside of the scheme” and he “remain[ed] of the view that we should not [underline] attempt to act in such a way as might damage or undermine the integrity of the scheme simply by including them when they do not meet the criteria for entry”. G115 explained that these were the views of both him and the KPPS. With the memo was a draft for Mr Leach to send to the Secretary of State and her private secretary (RNI-305-248). G115 said he would have seen the draft but would not have been involved in its preparation. Mr Phillips pointed out that by the time it went to the minister, Mr Leach had redrafted the document and G115 explained that Mr Leach liked to redraft.

Mr Phillips drew the Inquiry’s attention to the change “Breandan Mac Cionnaith has asked for protection for himself and other members of the Garvaghy Road Resident’s Coalition” (RNI-305-252). G115 was unsure whether this was the first time he was aware of the wider request for protection but he had understood that Councillor Mac Cionnaith had not named names nor were they ever provided. G115 also would not have known who made up the Coalition and a discussion regarding a wider application would not have taken place within his hearing. It would have been unusual for a list of names to come through and had it done they would have needed a detailed background – no names were ever received. In the draft G115 sent to Mr Leach he said he was aware of the issue of the residents’ protection which had been raised with his predecessor, Steven McCourt. G115 learnt about his matter during the handover period in July 1998. He also told the Inquiry that “Steven McCourt asked Councillor Mac Cionnaith to fax details of the other members to him”; however, he is unsure what Mr McCourt would have done with the information. G115 took the view that the councillors were only interested in their own protection as the residents were never mentioned in conversation between him and the councillors. If they had, as he said in his statement, he “would have asked them...to get them to write to me or telephone me in order for them to be considered under the scheme”. Mr Phillips pointed out that G115 was asking for direct contact with the residents, yet this had not been required for the councillors. G115 also said that Ms Nelson was never discussed by the councillors and he “did not associate her with the GRRC”. He was unaware at the time that Ms Nelson acted as the Residents Coalition’s solicitor or had not read/seen the news regarding her

alleged assault or involvement in potential legal proceedings to stop events on the road. G115 only connected Ms Nelson to the councillors through the pamphlet. In his statement, regarding when the Secretary of State eventually changed her mind, he said "I don't know who spoke to the Secretary of State but I knew somebody would". He said he believed this would have occurred because Mr Leach's submission had set out ways to get around the "political impasse" to provide protection outside of the scheme. Someone was bound to make her aware of the implications of refusing and it was not expected she would.

Mr Phillips presented a note written by G115 to Susan Schofield and copied to the NIO regarding the residents' protection issues (RNI-306-007). He said that Councillor Mac Cionnaith had not raised the issue of the resident's protection to him during visits or conversations and so "since he appears content with the progress on his own personal security measures, I suspect if protection is an issue he wishes to raise with the PM, it will concern the coalition members". G115 heard no further on this issue of the residents.

Mr Phillips then asked about G115's involvement in Rosemary Nelson's security. In his statement, G115 had said that he was unaware at the time but subsequently learnt through Lesley Foster (when she came to his office) that a threat assessment had been carried out on Ms Nelson at the same time as the Councillors' (RNI-842-046). He assumed Miss Foster showed him the CAJ letter as he later referred to it in his reply to her but he could not recall details of their discussion; however, they must have discussed how the KPPS scheme operated and how Ms Nelson could apply. He said Ms Nelson must have been aware of the scheme through the threat risk and security assessment's carried out on the councillor's home. The issue of protection had been high on Breandan Mac Cionnaith's agenda. His response, addressed to Miss Foster, on 16 September said that he was aware of the pamphlet that had been circulated which made an attack on Councillor Mac Cionnaith and his solicitor, Ms Nelson, and that he had forwarded this to Superintendent McAuley (RNI-106-318). He made suggestions for Ms Nelson's protection but thought the suggestion for a personal protection weapon came from the CAJ letter. Mr Phillips pointed out that Miss Foster had clearly come for specific input on protection and G115 could not recall if the history of threats against Ms Nelson was discussed though he had mentioned it in his response (RNI-106-318). He had not seen the actual assessment and so based on Miss Foster's comments believed Ms Nelson's assessment to have come back at level 4. G115 went on to say that is a new application had been made by Ms Nelson a fresh assessment would have been carried out and she would have received a sympathetic view due to her prominence and involvement in the community and the need to protect the political process. However, he did not believe Ms Nelson's application to the scheme would have been granted, as Christine Collins said in her testimony. If she did not fall within levels 1-3 she would not have been permitted unless political imperative intervened.

G115 responded to Sir Anthony Burden's question regarding threat levels that if Lesley Foster had told him Ms Nelson fell within the 1-3 categories she

would still have had to make her own application. The police would also have visited her to say the threat existed and to advise her on the protection available. Reiterating what he had told the Inquiry earlier, the matter would have rested with the individual and until the application was made there was no flexibility in the scheme. They could not have a third party say that someone should be admitted to the scheme when the individual in question remained silent.

G115 told the Inquiry that if Ms Nelson had made an application to the scheme raising her concerns, Security Branch would have been asked to take another look at the assessment due to the environment they were in. The memo to Mr Leach was G115's final involvement in the situation and Mr Phillips pointed out that no application ever came from Ms Nelson. In the final part of his statement (RNI-842-050), G115 talked about the limits to the protection the scheme offered. It remained the individual's responsibility to remain vigilant and take on board the advice of the crime prevention officers. From the history of attacks in Northern Ireland there was a general level of understanding about threats and so advice was fairly standard. In reply to Sir Anthony Burden, G115 told the Inquiry that if a person did not fall within the levels 1-3 the outcome would be passed on to the ministers as a "take note submission" as it was always better to make ministers aware of outcomes. He also said that when a visit was made to a new applicant, his two executive officers and the administration assistant would have been accompanied by a police officer from the Security Branch and a Professional Technical Advisor from the Department of Security. The latter two were highly skilled and spent their time researching the latest protection methods.