

## **ROSEMARY NELSON INQUIRY**

**Day 68: 30TH October 2008**

**Witness: Kenneth Hassan, former CID officer**

Mr Kenneth Hassan made a single statement to the Inquiry on 7 November 2007 (RNI-843-022). He retired from the RUC in March 2001 after thirty years service having spent twenty seven of those years in the CID.

Mr Phillips asked the witness about his involvement in the Rosemary Nelson murder investigation. Mr Hassan responded that on 29 March 2001 he and a colleague, DC Neville, were tasked with finding the original threat messages against Ms Nelson in order for them to be forensically examined (RNI-103-132). They were given a list of five agencies to visit and Mr Phillips told Mr Hassan that the Inquiry was particularly interested in their visit to Superintendent P136 at the Command Secretariat. In order to assist Mr Hassan and his colleague, they were given copies of the threat message (RNI-115-351) and the pamphlet (RNI-102-091)).

In his statement, Mr Hassan described how he and DC Neville visited the Command Secretariat on 29 March (RNI-843-033). Prior to their visit, DC Neville had contacted the Command Secretariat and Mr Hassan was "quite confident" that he had made them aware of the purpose of their visit, which was "if they had any files in relation to Rosemary Nelson, could they make them available for us to see and peruse it to see what it contained". Further explanation was given to P136 at the meeting that they were looking for either the originals or better quality copies of the documents. Mr Hassan's recollection of the fifteen minute meeting with P136 is vague; however, he does remember her producing a single file at her desk which they looked at together. It was at this point that they discovered together that the threat note was not in the file. Although Mr Hassan did not recall a discussion about the missing document he was in no doubt that this had been pointed out to P136 and said "there was no reaction of astoundment" from her. Mr Phillips directed Mr Hassan to the notes made in his pocketbook about this meeting on 30 March (RNI-102-138 & 9): "Also contacted Superintendent P136's office. She was unavailable due to being at a meeting. To make contact later." "Contact made with the CAJ" who were another agency to visit as part of their enquiries that "request[ed] that we make contact following our meeting with Superintendent." Finally, "With D Con Neville to Belfast office, then to Command Secretariat to office of Superintendent. Examined documents held by her in relation to threats to Rosemary Nelson."

The resulting action following this meeting and made on 2 April stated, "On 30 March 1999... contact was made with Superintendent Command Secretariat of RUC HQ. She was visited, and files concerning Rosemary Nelson were perused. No original threat messages were found. However, the files did contain a copy of one of the two threats already in the possession of the Inquiry team. Specifically the copy was the flysheet referring to Mac Cionnaith/Nelson." (RNI-102-134) Mr Hassan reiterated that they only perused

one file and the comment in the resulting action about their being “files” had been a slip. He also told the Inquiry that the fact the document was missing had registered with him; however, it was not their role to take the matter further at the time as they were entirely concerned with finding the originals.

A report (RNI-102-169) on this meeting was prepared in August 2000 by him and DC Neville at the request of Superintendent Provoost who, Mr Phillips pointed out, had received a report from Superintendent Short after having interviewed Superintendent P136 himself. Mr Hassan replied that neither he nor his colleague were aware of this as no explanation was given. Mr Phillips pointed out that the report was more extensive than previous notes on the meeting with P136 and Mr Hassan responded that it was prepared using notes from the pocketbooks, actions and memory. Again, Mr Phillips asserted these were not very detailed and that four lines from a notebook had become a substantial paragraph. When questioned about P136’s reaction earlier Mr Hassan had said there had been no reaction; however, in the report it said “Superintendent [P136] acknowledged that the correspondence was incomplete in that the second threat message was missing.” (RNI-102-172) Mr Hassan explained that he would be quite happy to say she acknowledged the matter but he did not recall a “startling reaction” from her. When asked about the copies of the messages, Mr Hassan said they would have been taken with them to the meeting. He could not recollect showing them to P136 but from his experience within the CID, he had no doubt they would have been shown to her. Mr Phillips pointed out to the witness that in the August report it was written, “At this time it cannot be recalled if Superintendent [P136] had sight of these... although logic dictates that she would have done.”

Mr Hassan and his colleague then visited the NIO again outlining their purpose for their call (RNI-843-034). They discovered that Lesley Foster’s colleague had copies of the two documents but not the originals. Mr Hassan could not recall what other files they were given access to that day but said they had Mr Ingram’s name on the top. They would have perused the tops of these files to see what their contents were but they did not find the originals.

**Witness: Mr David Charles Neville, former CID officer**

Mr David Neville made a single statement for the Inquiry on 9 November 2007 (RNI- 843-072). He retired in 2002 after twenty four years; having spent twenty one in the CID joining the Murder Investigation Team like Mr Hassan. Mr Neville was responsible for initiating contact with the Command Secretariat following the action they received. In his statement (RNI-843-073), he said he spoke to a male constable about arranging a meeting with Superintendent P136 on 29 March 1999; however, she was unavailable and a meeting was set up for the following afternoon. Mr Hassan told the Inquiry he explained to the constable that they were trying to locate the originals to two threatening documents. Copies of these documents, which were of a poor quality, were taken to the meeting with P136. Although Mr Neville could not recall showing these to P136, he told the Inquiry, “it is inconceivable to me that we did not in fact refer to them and show them to P136” at the beginning of the meeting.

After introducing themselves, Mr Neville and Mr Hassan told P136 the purpose of their visit; to try and locate the originals of the documents. P136 opened a filing cabinet and together they perused a single file. It was at this point that they noticed the note was not on file. Mr Neville also recalled that there had been a fax from the NIO on file which made it clear that both the note and the pamphlet had been sent to the Command Secretariat (RNI-102-090). He told the Inquiry that neither he nor Mr Hassan discussed with P136 the next stages of their enquiry and they did not return to Command Secretariat.

Mr Phillips presented to the Inquiry the notes made by Mr Neville in his pocketbook about the day's events made on 30 March; "Spoke to Superintendent P136. Unavailable. Made request for better copies of threat messages re Rosemary Nelson and that they contact both NIO and ICPC re any original threats re Rosemary Nelson." (RNI-102-147) Mr Neville pointed out that he had not actually told the male constable the purpose of their visit and had instead said that they were trying to find better quality copies because they did not give too much information to staff. Mr Phillips pointed out that this showed Mr Neville's recollection was not quite clear as he had earlier said that the male constable had been told the true purpose of the visit. Mr Neville's notes continued, "Then to RUC HQ. Spoke to Superintendent P136. Examined documents held by her re threats to Rosemary Nelson. She did not hold originals. Requested her to contact NIO & ICPC." Mr Phillips again emphasised to the Inquiry that these notes were very brief and that in the August 2000 report a more detailed account of events had appeared. Mr Neville recalled that Mr Provoost had called both him and Mr Hassan into his office and asked them to produce a report on the action. Mr Neville was the author and both he and Mr Hassan had agreed on the contents together before it was sent to be typed up.