# **APPENDIX C**

# REPORT AND CHART PREPARED BY ANALYST RICHARD NERUSH REGARDING SECURITY FORCE ACTIVITY

# ANALYST'S REPORT CONCERNING THE DEPLOYMENT OF SECURITY FORCES IN LURGAN DURING THE PERIOD SATURDAY 13<sup>TH</sup> MARCH 1999 TO MONDAY 15<sup>TH</sup> MARCH 1999

#### **INTRODUCTION**

- 1. On Monday 15th March 1999 Mrs Rosemary NELSON, a practising solicitor, was murdered close to her home in Lurgan, County Armagh, Northern Ireland by an improvised explosive device that had been placed beneath her BMW car. A claim of responsibility was quickly made by the 'Loyalist' Red Hand Defenders.
- 2. In the days following Mrs Nelson's murder allegations were made suggesting collusion between members of the security forces and the perpetrators. A report published by The Pat Finucane Centre (PFC) entitled "Rosemary Nelson The Life and Death of a Human Rights Defender" dated March 1999, frequently refers to reports made to them of a suspicious increase in Royal Ulster Constabulary and British Army activity in and around the area of Mrs Nelson's home in the days leading up her murder.
  - "According to local people the attack took place against the backdrop of unprecedented security activity in the weeks and days leading up to the murder in the area surrounding the Nelson home." [PFC Report, page 4, 'Introduction']
  - "We have sought to both answer and ask a number of questions" … "Was there unprecedented security activity in the weeks and days leading up to the murder near the Nelson home in Lurgan?" … "Where did the trail of collusion between members of the security forces and loyalist paramilitaries begin?" [PFC Report, page 4, 'Introduction']

#### **METHODOLOGY**

- 3. With the above concerns in mind, the officer in overall command of the murder investigation, Deputy Chief Constable Colin Port, commissioned this report and its accompanying charts in order to determine the movements of all RUC and British military personnel on duty and present in and around Lurgan during the weekend prior to the murder of Mrs Nelson.
- 4. The period covered by this analysis extends from 09:00 hours Saturday 13<sup>th</sup> March 1999 to the time of the arrival of the Senior Investigating Officer at the murder scene, 13:40 hours Monday 15<sup>th</sup> March 1999.
- 5. Having identified those members of the security forces on duty between these times, I have then attempted to verify and, if necessary, challenged their recollections of their movements by reference to relevant documents and sightings by other members of the security forces. Anomalies in individuals reported movements have been reported back to the Senior Management Team for their information and action.

6. A Master Case Chart (Time Line) has been drafted using i2 software. The chart depicts the movements of security force personnel from the morning of Saturday 13th March 1999 through to the evening of Monday 15th March 1999. The master case chart has been compiled from the below described separate case charts which depict various security force activities during the said time period.

Description	Reference
Case Analysis (Time Line) Chart - Master Case Chart Of Security Forces Duties and Movements 13 <sup>th</sup> to 15 <sup>th</sup> March 1999	RBN 4
Case Analysis (Time Line) Chart - 3RIR Duties and Movements 13 <sup>th</sup> to 15 <sup>th</sup> March 1999	RBN 3
Case Analysis (Time Line) Chart - Royal Ulster Constabulary (Lurgan Area) Duties and Movements 13 <sup>th</sup> to 15 <sup>th</sup> March 1999	RBN 10
Case Analysis (Time Line) Chart - RUC Traffic Division Duties And Movements 13 <sup>th</sup> to 15 <sup>th</sup> March 1999	RBN 11
Case Analysis (Time Line) Chart - RUC J2 Mobile Support Unit Duties And Movements 13 <sup>th</sup> to 15 <sup>th</sup> March 1999	RBN 12
Case Analysis (Time Line) Chart - Patrol by G Company 3 Royal Irish Regiment Saturday 13 <sup>th</sup> March 1999	RBN 2
Case Analysis (Time Line) Chart - Patrol by F Company 3 Royal Irish Regiment Saturday 13 <sup>th</sup> March 1999	RBN 5
Case Analysis (Time Line) Chart - Patrol by F Company 3 Royal Irish Regiment Sunday 14 <sup>th</sup> March 1999	RBN 6
Case Analysis (Time Line) Chart – Quick Reaction Force by F Company 3 Royal Irish Regiment Sunday 14 <sup>th</sup> / Monday 15 <sup>th</sup> March 1999	RBN 7
Case Analysis (Time Line) Chart - Patrol by G Company 3 Royal Irish Regiment Monday 15 <sup>th</sup> March 1999	RBN 8
Case Analysis (Time Line) Chart – Quick Reaction Force by G Company 3 Royal Irish Regiment Monday 15 <sup>th</sup> / Tuesday 16 <sup>th</sup> March 1999	RBN 9

<sup>7.</sup> Two spreadsheets RBN 13 and RBN 14 have been drafted to show the duties performed by all security force personnel known to have been on duty who entered the Lurgan area during the period covered by this report. These charts show the duties and callsigns for each hour across the time parameters. They also show relevant references to the HOLMES J404 account.

#### 8. The two spreadsheets are:

Description	Reference
Duties Chart - 3 Royal Irish Regiment (Lurgan Area) 12:00 hour 12 <sup>th</sup> March 1999 to 23:59 hours 15 <sup>th</sup> March 1999	RBN 13
Duties Chart - Royal Ulster Constabulary (Lurgan Area) 12:00 hour 12 <sup>th</sup> March 1999 to 23:59 hours 15th March 1999	RBN 14

9. Where anomalies exist in the movement of security forces, the anomalies are highlighted in red on the master chart. None of these anomalies appear to be significant. A number of statements taken from security forces personnel include reference by the maker to not entering the Kilwilke Estate, Lake Street, Castor Bay Road or Tannaghmore School area (therefore not being near to Rosemary Nelson's home address). I have included these locations in my report as useful geographical references.

#### **DEFINITION OF SECURITY FORCES**

- 10. The following definitions are used throughout this report:
  - a. Royal Ulster Constabulary This represents all RUC personnel, including those of the regular force, full time reserve, part time reserve, plain clothed and support staff based at:
    - I. Lurgan RUC Station
    - II. Moira RUC Station
    - III. Craigavon RUC Station
    - IV. J2 Mobile Support Unit (J2MSU) Portadown
    - V. Traffic Department Portadown
    - VI. Other RUC divisions and departments, where these personnel did or may have entered the Lurgan area during the period covered by this report.
  - b. British Military Forces This represents:
    - I. 3rd Battalion Royal Irish Regiment 3 RIR, including personnel of:
      - (a) F Company ('W' prefixed callsigns)
      - (b) G Company ('L' prefixed callsigns)
      - (c) Operations rooms at Battalion and Brigade levels
    - II. Royal Military Police (RMP)
    - III. Army Technical Officers (ATO)
    - IV. Army Air Corp (AAC)
    - V. Royal Air Force (RAF)
    - VI. Operations Company Scots Guards ('EE' prefixed callsigns)

#### Royal Ulster Constabulary.

- 11. Lurgan falls within J Division of the RUC divisional structure. It has the sub-divisional designation JL, callsigns of patrols and specific personnel are normally prefixed by this designation. Other relevant designations used within this report are:
  - a. JD Portadown
  - b. JC Craigavon
  - c. JM Moira
- 12. Duties conducted within the Lurgan area during the relevant weekend involved both uniformed and plain clothed officers. Duties included general patrols, military accompaniment, an anti-burglary initiative, CID investigation of a robbery, patrol attendance at crime scenes and incidents, recording of crime and security incidents, and, the arrest of persons suspected of thefts from vehicles and other general crimes.
- 13. Lurgan based sub-divisional officers used liveried and unmarked police saloon cars during the period in question; the use of Landrovers was not authorised for Lurgan officers. The only personnel authorised and recorded as having used Landrovers in Lurgan during the weekend were RUC officers of J2 Mobile Support Unit and the army.
- 14. The primary support for police operations and security situations is provided at divisional level by RUC Mobile Support Units. These MSUs are designated by the divisional code letter and a number. Each MSU is comprised of a number of sub units which are individually identified by a suffix letter. In this report the only MSU to attend the Lurgan area during the relevant period was J2 MSU based at Mahon Road, Portadown.
- 15. J2 MSU utilised both saloon cars and Landrovers for their duties during the weekend. MSU personnel wore standard uniform for part of the time and public order uniform and equipment at other times. The MSU attended Lurgan twice during the period in question. On Saturday afternoon they provided cover for Lurgan police who attended a house in Victoria Street to investigate a report of a suspect package. On Monday morning they performed routine patrols and provided standby cover for a clearance operation conducted by 3RIR and local RUC in the area of Lake Street.
- 16. Traffic patrols are performed by officers of the Traffic Division and within this report the relevant callsigns are prefixed TJD. Duties of traffic officers in J Division regularly involve patrolling major routes (such as the M1 motorway and other arterial routes) they also include; amongst many other duties, attendance at road accidents and other incidents involving vehicles.
- 17. During the weekend in question there is no indication that any traffic patrol officers entered the Lurgan area. The closest point to Lurgan that any traffic officers came was at junction 11 of the M1 motorway, the Oxford Island interchange. The inclusion of traffic department duties and their movements in the overall analysis of security forces, and the creation of a separate chart, is simply to achieve completeness.

18. Several RUC officers and civilian support staff from other divisions and departments are known to have entered the Lurgan area during the period covered by this report. These personnel appear on the master case chart. All relevant details including times and duties they performed are shown.

#### 3rd Battalion Royal Irish Regiment.

- 19. The geographical area in which Lurgan is situated falls within the military Tactical Area of Responsibility (TAOR) of 3 RIR with its headquarters and operational staff based at Mahon Road Barracks in Portadown. Each 3 RIR patrol normally consists of four sections, termed 'Callsigns', and each callsign would utilise a Landrover vehicle for the period of any given duty. Each callsign is manned by three or four soldiers. Each is commanded by a soldier of a minimum of non-commissioned officer rank. The overall command of the patrol is vested in a commissioned officer or senior NCO. It is common practice for the four callsigns in any patrol to pair-off so as to form two operating pairs, each pair being commanded by the senior ranked person present within that pair.
- 20. One duty performed by these patrols is that of Quick Reaction Force (QRF), based at Mahon Road. The primary task is to provide security for the barracks and involves patrolling the immediate area and its approaches. Their duties may also involve attending Portadown, Lurgan, Craigavon and Moira RUC Stations to provide security cover during the changeover of personnel there. Should an incident arise where military assistance is required by the RUC, the QRF on duty would normally be the first military personnel delegated to respond.
- 21. General and routine patrolling of areas within the TAOR can involve a combination of performing Vehicle Checkpoints (VCP), intelligence gathering, mortar baseplate checking and stopchecks on 'known persons' in Portadown, Craigavon, Lurgan, Moira and surrounding rural areas. These patrols may utilise helicopters or boats. Meal breaks are usually taken at Mahon Road or at an RUC Station. A period prior to or after meal breaks may be spent at that location on local QRF standby. Whilst on patrol the military would normally be accompanied by at least one uniformed RUC constable per two callsigns. Where the patrol operates as two independent pairs, each pair may also be accompanied by an NCO of the Royal Military Police (RMP).
- 22. Statements obtained from both military and RUC personnel emphasised the fact that the military are always accompanied by an RUC officer when out on patrol. It was also stressed that whilst a delegated military accompaniment RUC officer is present in an RUC Station the patrol to which she or he is assigned will remain within the confines of that Station until the RUC officer is ready to commence patrol. The only exception to the requirement for accompaniment is when the army patrol is transiting from and to their base at Mahon Road. I will return to this later in the report.
- 23. Duties performed by 3 RIR patrols are recorded on a patrol report. The document records the callsigns that will operate the patrol, the personnel that will man those callsigns and the tasks that are to be performed. It is stated, and printed on the report form, that a report is to be submitted to the operations cell 24 hours prior to a patrol commencing. The designated patrol commander is responsible for compiling it. Subsequent to the duty the patrol report is completed

with the results of that duty and supporting documentation is attached to it. Supporting documents could include sighting reports, details of vehicles noted during car trawls and a map or maps indicating routes patrolled and any VCPs conducted. A map called an 'Honesty Trace' is later produced by the patrol commander using a computerised mapping system. This trace is compiled from the patrol report and the maps created during the patrol. The patrol report and the Honesty Trace are subsequently submitted to the 3 RIR operations cell where they are checked then filed.

- 24. Real time logging of patrol activity during the period under review was conducted by a Watchkeeper at the Battalion Ops Cell at Mahon Road, details recorded included reports of VCP commencement and conclusions, location and status reports, incidents and occurrences. The chain of command dictated that the battalion operations cell reported up to the Brigade Operations Cell where a Watchkeeper co-ordinated over a larger geographical area with other battalion operations cells and other resources such as helicopter operations and ATO tasking.
- 25. Logbooks were used to record all occurrences and radio communications between units on the ground and in the air. It is stated however that poor signal conditions or weight of signals traffic disrupts some radio communications in the Lurgan area. In some circumstances if an event was not regarded as significant real time details may not have been logged.
- 26. Relevant documents covering the period in question are:

Description	Reference	
3RIR Signals Log	D74	
3RIR Watch Keepers Log	D2529	
3 Infantry Brigade Watch Keepers Log 12-13 Mar 99	D1594	
3 Infantry Brigade Watch Keepers Log 13-14 Mar 99	D1595	
3 Infantry Brigade Watch Keepers Log 14-15 Mar 99	D1596	
3 Infantry Brigade Watch Keepers Log 15-16 Mar 99	D1597	

#### Royal Military Police.

27. Junior NCOs of the RMP often accompany army patrols. Their primary task is to report and log sightings of known or suspected terrorists. These soldiers have specific knowledge of who to watch out for. During the weekend in question RMP soldiers accompanied patrols of 3 RIR and were present at the murder scene after the incident.

#### **Army Technical Officers.**

28. In the event of incidents involving explosives, either real, suspected or hoaxes, an ATO may be called upon to attend. The request for this comes from the brigade operations cell. During the period covered by this report ATO resources were based at the Maze. They had their own vehicles but may have called for an escort to be provided by local resources when required to attend an incident. As a result of the hoax bomb incidents in Lurgan during the weekend an ATO was placed on standby but was subsequently not called upon to attend.

29. There are no recorded occasions during the weekend in question where an ATO entered Lurgan until after the explosion at the murder scene.

#### Army Air Corp / Royal Air Force.

- 30. Air support is provided to ground forces by a combination of AAC helicopters and small fixed wing aircraft, whilst larger helicopters are provided by the RAF and crewed by RAF personnel. The main aircraft used for observation, reconnaissance and VIP transport duties are Gazelle and Lynx helicopters operated by the AAC, these being based at Aldergrove with a forward satellite at Bessbrook. Some of these helicopters are fitted with television recording equipment, thermal-imaging sensors and/or powered binoculars.
- 31. When on observation duties the helicopter crew may be augmented by a liaison officer from the army unit responsible for the TAOR over which it is to operate. In relation to Lurgan during the relevant weekend a liaison officer would have been drawn from the 3RIR QRF on duty at Mahon Road.
- 32. Schedule and incident dictate the circumstances in which helicopters are employed. Scheduled flights include mortar baseplate checks and parade monitoring. Incident response may be required at short notice in relation to bomb incidents or public disorder. There were a number of AAC helicopter flights over Lurgan during the weekend in question, both of a scheduled and incident response nature, I will refer to these later in the report. In compiling this report I have taken cognisance of the following work:
  - a. Transcription of Civil Aviation Authority communications tapes from Aldergrove Airport from 15:00 hours 14/03/99 to 13:30 hours 15/03/99 and presentation of resulting analysis in map overlay format, conducted by Police Constable N3199. Document D2447 refers.
  - b. Military Helicopter Flight Details Lurgan Area 12<sup>th</sup> March to 15<sup>th</sup> March 1999, conducted by Constable N1423. Report R32B refers.
- 33. Puma, Wessex and Chinook are medium to large helicopter types operated by the RAF, their primary roles are troop transport and logistic support Puma and Wessex in particular are used in deployment of soldiers at VCPs, these are referred to as Eagle VCPs. There was only one Eagle VCP scheduled for the weekend in question but this was cancelled at the last moment as there was an incident in the Kilwilke estate at the time it was due to commence. Several aircraft did transit over Lurgan in the course of duties being performed in adjacent operational areas. There is no evidence to suggest that any transiting helicopter lingered in the area or made a landing or dropped off troops at any point.
- 34. There is no evidence of any helicopters, either AAC or RAF, landing or disembarking soldiers in the Lurgan area during the weekend prior to Mrs Nelson's murder, nor is there any indication of helicopters landing whilst operating in, over or through the Lurgan area.

#### Scots Guards.

- 35. Units of the Scots Guards Operations Company were based at Mahon Road Barracks during the period covered by this report. They were not deployed to Lurgan during the weekend prior to the murder. The Scots Guards are included in this report as some members of the company were deployed to the murder scene in support of 3 RIR personnel assigned there during the afternoon of 15th March 1999.
- 36. There is no indication or evidence that any military personnel other than from units referred to above were on duty and present in Lurgan during the weekend prior to the murder.

#### SIGNIFICANT WEEKEND EVENTS AND INCIDENTS

#### Overview

#### Saturday 13th March 1999

- Surge operation, Op. IMPROVISE, conducted by G Company 3 RIR in Lurgan and Craigavon during the morning.
- Suspect device reportedly placed outside a house in Victoria Street, Lurgan in the late afternoon.
- Reports of youths throwing stones and paint bombs at J2MSU RUC landrovers attending Victoria Street and Lake Street whilst providing cover for a local officer.

#### Sunday 14th Mach 1999

- Suspect device reported to have been placed outside a house in Lake Street, Lurgan in the late afternoon.
- An outbreak of public disorder in the Kilwilke Estate, which included a vehicle being burnt out in the estate area.

#### Monday 15th March 1999

- Reports, and subsequent arrest, of persons breaking into a vehicle in Warringstown around 2 a.m.
- Clearance operation in Lake Street, Lurgan, in relation to the suspect device reportedly thrown on to waste ground there the previous night.

## **SATURDAY 13<sup>TH</sup> MARCH 1999**

#### Patrol by G Company 3 Royal Irish Regiment.

Surge Operation 'Op. IMPROVISE' - Lurgan and Craigavon Areas. Saturday 13th March 1999 - Start: 07:00 hours - Finish: 12:00 hours.

#### Patrol Duties and Documentation.

- 37. This operation; 'Op IMPROVISE', was called for by the RUC Operations Planning Sergeant at Lurgan RUC Station and was performed by a nine callsign patrol of personnel drawn from G Coy 3 RIR. Police Sergeant N2271 states in S849 that such operations are conducted two or three times a week and that the object of such an operation is to:
  - a. Suppress Lurgan PIRA in order to deny them the ability to mount operations.
  - b. Provide soft target protections e.g. Security Force homes.
  - c. Carry out planned searches.
  - d. Perform security force base protection.
- 38. Another objective of 'Op IMPROVISE' is described by Lieutenant N1573 in S703, "In essence the operation is designed to flood the area with extra manpower."
- 39. The nine callsigns that participated in the operation were drawn from G Company, the designations were as follows:
  - a. <u>L0B</u> commanded by the second in command of G Company Lieutenant N1573, using his personal callsign L0B, three other soldiers were also in this callsign.
  - b. <u>L20A, L22B, L21A and L21B</u> commanded by Colour Sergeant N424 of 26 Platoon using his personal callsign L20A. Each callsign was comprised of four soldiers.
  - c. <u>L10A, L12A, L11A and L11B</u> commanded by Sergeant N506 of 25 Platoon using his personal callsign L10A. Each callsign was comprised of four soldiers.
- 40. Details of all the personnel assigned to perform the patrol are recorded in document D195. The nine callsigns operated in four patrolling elements as follows:
  - a. L20A patrolling with L22B
  - b. L21A patrolling with L21B and L0B

- c. L10A patrolling with L12A
- d. L11A patrolling with L11B
- 41. The whole patrol utilised nine Landrover vehicles, one vehicle per callsign, and was scheduled to commence patrol at 07:00 hours from their base at Mahon Road, Portadown. It was due to terminate the duty (back at Mahon Road) at 12:00 hours the same day. Overall command of the operation was vested in C.Sgt. N424; however, it is stated that Lt. N1573 would have assumed command of the whole patrol if an incident occurred by virtue of him being the highest ranking person on the ground.
- 42. Specific tasks to be performed by this patrol included vehicle checkpoints around the Lurgan area, car trawls; where vehicle registrations are noted at specified locations, mortar baseplate checking and general patrolling. Callsign L20A with L22B was scheduled to carry out VCPs around the Banbridge Road area to the south and east of Lurgan. Callsign L21A with L21B and L0B was to perform a car trawl and VCP at the junction of Kilmore Road and Cottage Road, to the north of Lurgan park, this was to be followed by VCPs in the area of Lough Road.
- 43. Callsign L10A with L12A was to perform VCPs on Portadown Road and Lake Road in Craigavon. These callsigns were to provide satellite cover for callsign L11A with L11B, accompanied by Con. N1596, whilst they conducted a foot patrol in the housing estates adjacent to Craigavon RUC Station.
- 44. The patrol report covering the duties of callsigns L20A, L22B, L21A, L21B and L0B is recorded as document E494, the report was compiled by C.Sgt. N424, the patrol commander. The report contains details of the personnel assigned, commonly known as a 'flap sheet'. It also specifies the callsigns each person would be in. The report also lists the intelligence and operational tasks to be performed and other relevant information for the duties of the patrol.
- 45. Areas within the patrol report that are completed at the end of the patrol, include weather conditions, results of intelligence and operational tasking and a tick list of other documentation raised as a result of patrol activity such as sighting reports, car trawls and maps.
- 46. The patrol commander submitted the report to the Operations Room on termination of the duty together with the relevant documents and maps compiled during the patrol. The information contained in the patrol report was subsequently used to generate a map known as an 'Honesty Trace', which depicts the routes travelled by the patrol and the location of VCPs. The Honesty Trace for this patrol is document E182.
- 47. Similarly a patrol report was compiled by Sgt. N506 for his callsigns L10A, L12A, L11A and L11B, both the patrol report and Honesty Trace covering these duties are recorded as documents E905 and E177 respectively.
- 48. There were three RUC officers assigned to accompany the patrol at various times that morning. Specific duties of the accompanying RUC officers were:

- a. R.Con. N1837 ... this officer was assigned as military accompaniment duties from 07:00 hours to patrol with the G Company callsigns conducting Op IMPROVISE. N1837 was to transfer to the F Company callsigns for their duties later that day and was due to terminate duty at 16:00 hours.
- b. Con. N1596 ... this officer had commenced duty at 19:45 hours the previous day and was assigned to general patrol duties using callsign JL71. At 07:00 N1596 was re-detailed to accompany military callsigns for a patrol in Craigavon. He accompanied callsigns L11A and L11B until he terminated duty at 09:00 hours.
- c. R.Con. N1833 ... this officer was assigned as military accompaniment duties from 09:00 hours. N1833 reverted to duties in Lurgan RUC Station after a meal break, which he commenced at 12:00 hours.

- 49. The Case Analysis (Time Line) Chart for the patrol is at reference RBN2, details from which are included in the Case Analysis (Time Line) Chart 3RIR Duties and Movements (reference RBN3) and the Case Analysis (Time Line) Chart Master Case Chart of Security Forces Duties and Movements (reference RBN4).
- 50. In relation to the activities of this patrol, and its performance throughout its duty period, the relevant patrol reports together with both 3 RIR and 3 Infantry Brigade watch keeper logs and the 3 RIR signals log were scrutinised. The activities of callsigns L20A with L22B, L10A with L12A and L11A with L11B are corroborated. There is no evidence to suggest that they performed any task or activity other than those detailed and, with only minor discrepancy in timings, these callsigns did not deviate from their planned duty. There are however, as outlined below, differing accounts of patrol activity performed by callsigns L21A, L21B and L0B, in regard to routes taken to the first VCP and the location of that VCP.

#### Callsigns L21A, L21B and L0B.

- 51. Lance Corporal N1365 states in S458 that his callsign, L21B, performed the first VCP on Saturday 13<sup>th</sup> March 1999 at the junction of Cottage Road and Kilmore Road between 07:30 and 07:40 hours. N1365 goes on to state that the route taken to the first VCP was via the Kilwilke Estate, specifically Levin Road and the North Circular Road, and that it took between 5 and 10 minutes to drive through the estate.
- 52. At a second interview, and having been shown the patrol report for the day in question, N1365 states; in S458A, that the first VCP was performed on Avenue Road and he says that his callsign did not carry out a VCP at Cottage Road / Kilmore Road. The signals log apparently confirms this as it shows a call at 07:25 from L21B, L.Cpl. N1365's callsign, which places it at a point on Avenue Road, close to the park entrance, performing a VCP. N1365 goes on to state that neither of the accompanying callsigns, L21A and L0B, carried out a VCP at Cottage Road /

Kilmore Road either. This should therefore place those callsigns with N1365 on Avenue Road. N1365 then states he was unable to give a reason why the Cottage Road / Kilmore Road VCP was not carried out. He reiterates that the route taken to the first VCP was via the Kilwilke Estate.

- 53. Corporal N1563 states in S829 that his callsign; L21A, performed the first VCP between 07:30 and 07:40 at Avenue Road and that no sightings were reported at this VCP. This would corroborate N1365's statement. However, later in his statement N1563 says that he noted a number of vehicles at Kilmore Road between 07:30 and 07:35 hours. The signals log shows a call at 07:29 from L21A, Cpl. N1563's callsign, which places it at 'D1' performing a VCP. This places N1563 in two different places at the same time and contradicts both N1365's statements and the first part of his own statement. Furthermore, N1563 makes no reference to the Kilwilke Estate at all in his statement.
- 54. On the VCP report; which is part of the main patrol report, the location of the first VCP conducted by both L21A and L21B shows as a point on Avenue Road some 950 to 1000 metres from the location given by N1365 in his radio message.
- 55. Lieutenant N1573 states in S703 that his callsign; L0B, was attached to callsigns L21A and L21B. He describes taking part in two VCPs, the first of which was at Avenue Road at 07:25 hours which lasted about 10 minutes. N1573 then states that during his patrol on 13/3/99 he did not have reason to enter the Kilwilke Estate. In a later statement, S703A, N1573 re-states that he did not go through the Kilwilke Estate, but is aware that N1365 states that he (N1365) used Levin Road and North Circular Road to get to the first VCP. N1573 then makes the statement that in his opinion using the above roads "takes you past the edge of the estate rather than through it".
- 56. The Honesty Trace for callsigns L20A, L22B, L21A, L21B and L0B is E182, it shows the routes patrolled on the day as a series of dark red dots. What it does not show is the order in which the roads were patrolled, the direction in which they were travelled nor which pair and group of three callsigns covered which route. It clearly shows a line along, and location of a VCP on Kilmore Road, it also shows a trace along Levin Road in the Kilwilke Estate. Also marked as having been travelled are North Circular Road, Lake Street and Victoria Street. What is not shown on the honesty trace however is the specific location given by N1365, of the VCP in question on Avenue Road.
- 57. It is apparently normal operating procedure that callsigns assigned to work together would travel together, or in close proximity, and therefore they would provide mutual protection in the event of an incident occurring. In this case the first task scheduled for the three callsigns in question was to conduct a VCP and a car trawl at the junction of Cottage Road and Kilmore Road. A list of 8 vehicles noted by callsign L21A in Kilmore Road; between 07:30 and 07:35 hours, is recorded on a car trawl form that is attached to the completed patrol report. This should therefore place the three callsigns together at the scheduled place at the scheduled time.
- 58. N1563, N1573 and N1365 all state however that the first VCP was on Avenue Road between 07:30 and 07:40 hours. This is apparently confirmed by a VCP report; which is also a part of the patrol report, that apparently shows callsigns L21A and L21B as being at a map grid

reference that equates to a location on Avenue Road. The signals log however records a different VCP location on Avenue Road; specified by L21B, around that time. Callsign L0B is not recorded on the VCP report nor does it appear on the signals log.

- 59. There is obvious confliction between the details on the car trawl report and the VCP report, both of which form parts of the completed patrol report. Both these documents conflict with entries in the signals log, thus placing all three callsigns; L21A, L21B and L0B, in three different locations at the same time. The list of vehicles noted in Kilmore Road is document D3287, it also forms part of the patrol report E494.
- 60. N1365 alone insists that the part of the patrol he was with passed through the Kilwilke estate en-route to the first VCP. This is apparently corroborated by the Honesty Trace, which shows those routes N1365 mentions as having been travelled. However, Lt. N1573 insists he did not go through the Kilwilke area that day, whilst neither Cpl. N1563 nor R.Con. N1837 mentions the Kilwilke. It is possible that all 3 callsigns travelled through the Kilwilke estate en-route to the first VCP (as N1365 states) as both N1563 and N1837 make no reference to the route taken. N1573's opinion that Levin Road and North Circular Road "takes you past the edge of the estate rather than through it" is puzzling as Levin Road is the main thoroughfare in the Kilwilke estate. One explanation might be that acting without the clearance that would normally be required for a patrol to enter the Kilwilke area, these three callsigns did pass through it and N1573 is keen not to be seen as having 'breached the rules'.
- 61. It may be however that N1365 and his crew; L20B, went through the Kilwilke alone. This does not explain the conflict in the location of the first VCP however. Whilst assessing this disparity it was noted that; during interviews, N1573, N1563 and N1365 all had sight of the patrol report and signals log as an aid to their memory of that days events. It would appear that far from enabling clarification, the conflicting documents have led to greater disparity in the account of the day's events. Reserve Constable N1837, identified as the accompanying RUC officer attached to callsign L21A between 07:00 and 12:00 hours that morning, does not mention in his statement, S410, any specific patrol routes, VCPs or any other details other than that he accompanied the military that morning. N1837 also makes no reference at all to the Kilwilke estate in his statement or notebook.
- 62. There is no suggestion of a deliberate attempt to mislead but the recollections by those concerned does conflict with documentary evidence, which in itself is conflicting. Reasons for the disparities are not immediately obvious but some degree of lax behaviour cannot be ruled out.
- 63. Other than N1365's reference to passing through the Kilwilke estate, analysis of the patrol reports, statements and other documents relating to this patrol's overall duties for the day have been thoroughly studied and nothing of significance has been found. With the exception of a 5 to 10 minute drive through the Kilwilke estate at 07:25 hours, referred to by N1365 alone, there is no evidence to suggest that the patrol performed any VCPs or other activity there or in the area of Lake Street or Castor Bay Road. There is no evidence to suggest that the duties performed were anything other than those scheduled and authorised.

#### Patrol by F Company 3 Royal Irish Regiment.

General Patrol and VCPs - Lurgan and Craigavon Areas Saturday 13th March 1999 - Start: 12:00 hours - Finish: 23:59 hours

#### Patrol Duties and Documentation.

- 64. This patrol consisted of four callsigns each comprised of three men drawn from F Company. They were scheduled to carry out general patrols and VCPs in the Lurgan and Craigavon town centre areas. Latterly this patrol was to have conducted Eagle VCPs, utilising a RAF Wessex helicopter, around the Lurgan and Craigavon areas. Callsign designations for the patrol were W20A, W21A, W22A and W22B, the patrol commander was Second Lieutenant N508 using his own callsign W20A. Details of all the personnel assigned to perform the patrol are recorded in document D195. With the exception of the scheduled EVCP; where all four callsigns were to participate, the patrol was to operate as two elements, W20A working with W21A and W22A working with W22B.
- 65. The patrol used four Landrover vehicles, one vehicle per callsign. They commenced patrol at 12:00 hours from their base at Mahon Road, Portadown. They were due to terminate their duty back at Mahon Road, at 23:59 hours the same day. Two RMP junior NCOs were assigned to the patrol, Corporal N1654 and Lance Corporal N1710. They joined with the callsigns prior to the patrol departing Mahon Road. The patrol was to uplift two RUC officers from Lurgan RUC Station before commencing their assigned patrol duties.
- 66. The patrol report and Honesty Trace covering these duties are recorded as documents E495 and E185 respectively.
- 67. There were four RUC officers assigned to accompany the patrol at various times. Specific duties of the accompanying RUC officers were:
  - a. R.Con. N1837 ... this was a continuation of his duties from earlier patrols with the G Company callsigns conducting Op IMPROVISE. N1837 was due to terminate duty at 16:00 hours.
  - b. Con. N437 ... this officer replaced R.Con. N1835 on the duty schedule as the latter was suffering from a back injury. N437 was scheduled to accompany the patrol between 12:00 hours and 16:00 hours after which he was to commence his normal duty as Station Duty Officer.
  - c. Con. N161 ... this officer had commenced duty at Lurgan at 07:45 hours where he was detailed as Station Duty Officer prior to his taking up military accompaniment duty between 16:00 hours and midnight.
  - d. R.Con. N477 ... this officer was detailed to accompany the patrol between 16:00 hours and midnight. He had commenced duty at Lurgan at 09:45 hours and was detailed for Station Security duties prior to his taking up military accompaniment.

- 68. The Case Analysis (Time Line) Chart for the patrol is at reference RBN5, details from which are included in the Case Analysis (Time Line) Chart 3RIR Duties and Movements (reference RBN3) and the Case Analysis (Time Line) Chart Master Case Chart of Security Forces Duties and Movements (reference RBN4).
- 69. The patrol conducted by callsigns W20A, W21A, W22A and W22B was apparently performed as described in the relevant documents and statements. There are no significant discrepancies in relation to the activities and timings of this patrol. There was a disruption to the scheduled tasks to be performed, this was due to reports of a suspect device reportedly placed outside a house in Victoria Street, Lurgan in the late afternoon. As a result of the report of the suspect device all four callsigns were tasked to attend Lurgan RUC Station. There they were to stand by to support any police attendance that may have to be sent to investigate the incident.
- 70. A consequence of this change in their schedule was that the planned EagleVCPs were cancelled and much of the remaining time on duty from 18:00 hours was spent at Lurgan RUC Station or patrolling in Lurgan town centre areas. The patrol was not subsequently called upon to attend the Victoria Street area, Lurgan as local police supported by J2 Mobile Support Unit dealt with the incident.
- 71. There is no evidence to suggest that this patrol performed any task or activity other than those detailed and authorised. The minor discrepancies in timings and those related to which RMP accompanied which callsign are not significant. These callsigns did not deviate from their planned duty, except as detailed above. Statements made by those personnel concerned are corroborated by the relevant patrol report, together with both 3 RIR and 3 Infantry Brigade watch keeper logs and the 3 RIR signals log.
- 72. Thorough analysis of all documentation relating to this patrol reveals nothing that would suggest that this patrol performed any VCPs or conducted any patrol activity in the area of Lake Street or the Castor Bay Road during the time it was on duty. There is no indication that they performed any duty or activity that was not scheduled or authorised.

#### RUC duties, operations and activities - Saturday 13th March 1999.

73. I do not propose to go into the same detail here regarding RUC deployment on this day as I have for the military. There were considerably more police on duty this day than there were military and their duties were much more varied than the military. Rather, reference should be made to RBN 14 (Duties Chart - Royal Ulster Constabulary (Lurgan Area) 12:00 hour 12<sup>th</sup> March 1999 to 23:59 hours 15th March 1999) for the duties of individual police officers or police patrols. Therefore, I will move directly to an analysis of police deployments on that day.

- 74. Duties for the day were to have been of a routine nature. Lurgan officers were prescheduled to perform duties within the station, military accompaniment, general patrolling and incident response. There were no significant occurrences in the Lurgan area during the morning and early afternoon.
- 75. Officers based at Moira were tasked with normal duties. Three officers and two traffic wardens were briefed at 12:00 hours by Sergeant N325 (the acting Inspector for the sub-division that day) in respect of a point-to-point meeting due to take place in Magheralin that afternoon. Sgt. N325 and the briefed officers attended Magheralin from 13:00 hours in respect of the point-to-point meeting. They remained there until 17:30 hours at which time Sgt. N325 and Constable N1733 returned traffic cones in a Transit van to Lurgan RUC Station.
- 76. J2 MSU, based at Portadown, reported for duty at 11:00 hours. They were due to conduct public order tasking at Drumcree followed by general patrol duties in Portadown town centre. The MSU was comprised of four elements: callsigns Blue 1 (India), Blue 2, Blue 3 and Blue 4, they utilised Landrovers for the public order duties under the control of an Inspector. Briefing for the day's duty by J2 MSU was conducted at 12:00 hours. Personnel were assigned to their respective callsigns. They then deployed at 12:50 hours at Ballyoran Hill and Brankins Hill in Portadown. The MSU was stood down from this duty at 16:15 hours at which time they returned to Mahon Road. At 16:30 hours some elements of the MSU started a patrol of the town centre in Portadown. It is not clear whether all members of the MSU participated. It is likely that only two callsigns patrolled, the others remaining at Mahon Road.
- 77. At 17:51 hours a 999 telephone call was received at Lurgan RUC Station made by the occupier of a house in Victoria Street, Lurgan, to the effect that a suspect package had been left at the front of the house. Constable N1790, the communications officer immediately informed the Duty Sergeant and the Duty Inspector of the call and recorded the details in the occurrence book. Sgt. N325 (the acting Inspector) was also informed by Con. N1790 of a call he received purporting to come from the UVF claiming that a package had been left outside a house in Lurgan. The Duty Officer; Superintendent N118, was on duty at Lurgan RUC Station at the time, he was informed of the incident and briefed in the Comms' Room on the resources available. Supt. N118 directed that there was to be no response until sufficient police and military resources were available. To this end he requested a MSU from Portadown. The military patrol on duty, four callsigns of F Company 3 RIR, were at Craigavon preparing to undertake EagleVCP operations. They were ordered back to Lurgan RUC Station and the helicopter task was cancelled.
- 78. At 18:15 hours J2 MSU were tasked to attend Lurgan RUC Station to prepare to give cover for a local officer. They travelled in their Landrovers to Lurgan. At 18:45 hours Supt. N118 briefed Inspector N112 of J2 MSU and instructed him to deploy the MSU in support of the local police attending Victoria Street to investigate the suspect package. Con. N1790 received a further telephone call at 18:47 hours, from the occupier of the house in Victoria Street, when it was stated that the suspect package had been lifted by an unknown person who then drove off with it in a black car. Con. N1790 informed the Duty Inspector and the 3 RIR watchkeeper.

- 79. J2 MSU was deployed to the junction of Lake Street and Levin Road at approximately 19:00 hours. All personnel in the MSU were wearing full riot gear, including helmets. Supt. N118 directed that the military callsigns would remain on stand-by in Lurgan RUC Station whilst the MSU provided cover for Sgt. N325 as he attended Victoria Street. At Victoria Street Sgt. N325 spoke to the occupants of a house there and made arrangements for a later interview by CID.
- 80. At about the same time J2 MSU were attacked with stones, bottles and paint bombs thrown by a crowd of local youths, some estimated to be as young as 10 years old. It is reported that at least one vehicle was struck by a paint bomb. Some J2 MSU officers dismounted from their vehicles for a very short period to provide cover to the unit.
- 81. With his immediate enquiries completed, Sgt. N325 left Victoria Street at 19:20 hours and returned to Lurgan RUC Station where he briefed the Duty Officer of the results of his enquiries. J2 MSU left the area very shortly after Sgt N325, via Lough Road, and made their way back to Mahon Road, Portadown. Con. N1790 closed the serial on the command and control system relating to this incident at 19:45 hours.
- 82. Other than the incident at Victoria Street, no RUC officers were detailed to perform any other activities, patrolling or VCPs in or around Castor Bay Road and Lake Street that day. There were no further incidents or occurrences of any significance for the remainder of the day. There is no evidence that any RUC officers carried out any duties other than those assigned and subsequently recorded.

# **SUNDAY 14<sup>TH</sup> MARCH 1999**

### Patrol by F Company 3 Royal Irish Regiment.

General Patrol and VCPs - Lurgan and Craigavon Areas Sunday 14th March 1999 - Start: 11:00 hours - Finish: 23:00 hours

#### Patrol Duties and Documentation.

83. This patrol consisted of four callsigns each comprised of three men drawn from F Company. They were scheduled to carry out general patrols and VCPs in the Lurgan and Craigavon areas out as far as Moira. Sergeant N1351 states in his statement S515A that the patrol was also to provide "Church cover" on the patrol route from Lurgan to Moira. This function of the patrol is also referred to by Private N1353 in his statement S791 "as this patrol was on a Sunday we would normally perform church cover". Callsign designations for the patrol were W40B, W41A, W41B and W41C. The patrol commander was Sergeant N507 using his own callsign W40B. Details of all personnel assigned to perform the patrol are recorded in document D194. The patrol was to operate as two elements, W40B working with W41A and W41B with W41C.

- 84. The patrol used four Landrover vehicles, one vehicle per callsign. They commenced patrol at 11:00 hours from their base at Mahon Road, Portadown. They were due to terminate their duty back at Mahon Road at 23:00 hours the same day. Two RMP junior NCOs were assigned to the patrol, Corporal N1654 and Lance Corporal N1710. They joined with the callsigns prior to the patrol departing Mahon Road. The patrol was to collect RUC officers from Lurgan RUC Station before commencing their patrol duties.
- 85. There were three RUC officers assigned to accompany the patrol. Specific duties of the accompanying RUC officers were:
  - a. Con. N117 ... this officer commenced duty at Lurgan RUC Station at 10:45 hours. N117 was scheduled to accompany the military between 11:00 hours and 16:00 hours after which he was to commence his police patrol duties.
  - b. R.Con. N984 ... this officer commenced duty at Lurgan RUC Station at 07:45 hours. N984 was assigned to Station Security duties until 15:00 when he was re-detailed to carry out military accompaniment. [name reacted] was due to terminate duty at 23:00 hours.
  - c. R.Con. N477 ... this officer commenced duty at Lurgan at 09:45 hours. N477 was assigned to Station Security until 16:00 hours when he was re-detailed to accompany the military. He was due to terminate duty at 00:30 hours on Monday 15th March 1999.
- 86. The patrol report and associated maps for this patrol are recorded as document E501 and the Honesty Trace as document E186.

- 87. The Case Analysis (Time Line) Chart for the patrol is at reference RBN6, details from which are included in the Case Analysis (Time Line) Chart 3RIR Duties and Movements (reference RBN3) and the Case Analysis (Time Line) Chart Master Case Chart of Security Forces Duties and Movements (reference RBN4).
- 88. The patrol conducted by callsigns W40B, W41A, W41B and W41C was apparently performed as described in the relevant documents and statements. There are no significant discrepancies in relation to the activities and timings of this patrol. There were periods during the duty that required the callsigns to return to the barracks at Mahon Road for meal breaks in the late afternoon, and some periods were spent on QRF at Lurgan RUC Station. Reports of a bomb at an address in Lake Street at approximately 16:20 hours led to the patrol being specifically directed not to enter the Kilwilke and Lake Street area during the remainder of their patrol. Due to the nature of the bomb warning and the assessment made by Supt. N118, the patrol was not subsequently required to respond in any way to the incident.
- 89. Analysis of all documents relating to this patrol revealed no evidence to suggest they performed any VCPs or conducted any patrol activity in the Kilwilke area, Lake Street or Castor Bay Road during the time they were on duty. Nor did they perform any activity that was not scheduled or authorised or deviated from the planned duty.

90. Statements made by those personnel concerned are corroborated by the relevant patrol report, together with both 3 RIR and 3 Infantry Brigade watch keeper logs and the 3 RIR signals log. The minor discrepancies in timings are not significant.

#### Patrol by F Company 3 Royal Irish Regiment.

QRF duty - Mahon Road Barracks

Start: 17:00 hours Sunday 14th March 1999 - Finish: 09:00 hours Monday 15th March 1999

#### Patrol Duties and Documentation.

- 91. This patrol consisted of four callsigns each comprised of four men drawn from F Company. They were scheduled to carry out base security duties. The duty would include performing VCPs on Mahon Road (outside the base), routine patrols and mortar baseplate checks in the area adjacent to the base. The scheduled duty was to include attending Lurgan RUC Station either side of midnight to provide security during the police watch changeover there.
- 92. Callsign designations for the patrol were W20A, W21A, W22A and W22B. The patrol commander was Second Lieutenant N508 using his own callsign W20A. Details of all the personnel assigned to perform the patrol are recorded in document D295. The patrol was to operate as two elements, W20A working with W21A and W22A working with W22B.
- 93. Only one RUC officer was detailed for duty with this patrol:

R.Con. N477 ... commenced duty at Lurgan at 09:45 hours. N477 was detailed for Station Security. At 16:00 hours N477 was detailed to military accompaniment until 00:30 hours on Monday 15th March 1999 when he was due to terminate duty. His initial duties were with the 3RIR patrol that operated in the Lurgan area up to 23:00 hours (paragraphs 85 to 90 above refers). N477 later accompanied this patrol whilst it conducted VCPs, during the watch changeover, either side of midnight outside Lurgan RUC Station.

94. The patrol report and associated maps for this patrol is recorded as document E496 and the Honesty Trace as document E226.

- 95. The Case Analysis (Time Line) Chart for the patrol is at reference RBN7, details from which are included in the Case Analysis (Time Line) Chart 3RIR Duties and Movements (reference RBN3) and the Case Analysis (Time Line) Chart Master Case Chart of Security Forces Duties and Movements (reference RBN4).
- 96. There are two distinct elements to the analysis of the patrols activity during its tour of duty.
- 97. The first element relates to helicopter sorties over the Kilwilke estate area. Following reports of a suspect package outside a house in Lake Street, Lurgan, a helicopter sortie was laid

on to check the area before any ground forces were committed to attend. The aircraft allocated for the task was an AAC Gazelle helicopter with the callsign Gazelle 4 (GZ4). The crew of GZ4 was Sergeant N1626 and Sergeant N1614. They were tasked instead of Gazelle 6 (GZ6) the helicopter that would normally have been tasked (as it was not available due to a routine change over of aircraft). The tasking of GZ4 required it to collect a liaison officer (LO) from Mahon Road. The LO was to brief the crew on the local situation. They would then fly to Lurgan with the LO and, whilst remaining airborne, would observe the situation on the ground.

- 98. The 3 RIR Liaison Officer for this flight was Corporal N1525 who was delegated from the QRF that was on duty at Mahon Road. N1525 was the commander of the QRF callsign W22B. He was briefed by Captain N324 who was the 3 RIR operations officer on duty in the Operations Room. On arrival of GZ4 at Mahon Road Cpl. N1525 briefed Sgts. N1614 and N1626 and the helicopter then left for Lurgan. The approach to Lurgan by GZ4 was via the Castor Bay Road and a hover was established in the area of North Circular Road and Tannaghmore School.
- 99. In a detailed account of his duty in Gazelle 4 that day, and regarding his observations, N1525 refers to various activities that occurred in the Kilwilke estate. These activities included a car being set alight, youths acting suspiciously, cars being stoned at the junction of Lake Street and Victoria Street and, in statement S294, N1525 states "a lot of activity and traffic in the estate with crowds at every alleyway".
- 100. N1525 states that he had performed duties in the area for over a year and Sunday nights are normally relatively quiet. He also states that "Prior to this I didn't know much about Rosemary Nelson and definitely had no idea where she lived. I can now state that having found out where she lives from the TV reports and the explosion the following day that the helicopter had overflew her area on numerous occasions that night."
- 101. Records and accounts relating to the tasking and operation of Gazelle helicopter GZ4 are otherwise comprehensive and complete. Justification and authorisation for the flight is established and corroborated.
- 102. There is however a lack of information and records in relation to the flight of Gazelle helicopter GZ6 late on Sunday the 14<sup>th</sup>. There are no entries in either the 3 RIR Watchkeepers Log or in the 3 Infantry Brigade Watchkeepers Log that record the details of this flight, indeed there is only one entry relevant to GZ6. That entry appears in the 3RIR Signals Log (although paragraph 105 below also refers to documentary evidence concerning this helicopter but identifying it as 'Hawk364' rather than GZ6).
- 103. In statement S806A, WO2 N3900 identified that Gazelle 6 was tasked on the Daily Tasking Forecast (document D39) to do mortar base plate checks at police stations at Banbridge and Rathfriland. In addition it was to pay attention to Banbridge Town Centre. The scheduled tasking was to take place between 23:30 hours on 14 March 1999 and 00:30 hours on 15 March 1999. N3900 states that this helicopter tasking, in common with all routine helicopter flight tasking, would have been created some months prior.

- 104. Cpl. N1525 was re-interviewed on 7 February 2000, he was asked about whether he had been utilised to join a helicopter crew other than Gazelle 4 on the 14<sup>th</sup> March 1999. In statement S294C N1525 "immediately" realised that he had been detailed to join a helicopter crew very late on that day. He recalled that he was in the QRF room attached to the guardroom when he received a phone call from 3 RIR Operations Room. He states that he was required to join a helicopter crew and to check the Lurgan area to "see what was happening with regard to earlier incidents". This was a reference to the earlier public disorder on the Kilwilke estate.
- 105. As stated in paragraph 102, documented references to the actual flight of Gazelle 6 late on the 14<sup>th</sup> are few. The main references after 20:00 hours are in the Signals Log (D74) and Aldergrove Air Traffic Control Approach Radar communications transcript, document D2447. Confusingly the communications transcript shows an entry at 23:25 hours using the callsign Hawk 364. This callsign actually relates to Gazelle 6. The helicopter contacted the Air Traffic Control with the statement "Hawk 364 a Gazelle, three persons on board just lifted from Portadown. I'd like to operate in the Lurgan area, not above 2000 feet, with a flight information service". This call is consistent with the start of the late task over Lurgan in which N1525 was the delegated 3 RIR liaison.
- 106. Further entries on the same document shows Hawk 364 over Lurgan at 23:37 hours. Then at 23:53 hours Hawk 364 reports "now two persons on board just to the North of Lurgan" and then a request for clearance back to Aldergrove. The latter entry would be consistent with the aircraft returning to Aldergrove having dropped off N1525 at Mahon Road subsequent to the task over Lurgan. This ties in with the only documented reference to Gazelle 6 recorded in the Signals Log (D74) at Mahon Road, where the entry N.R.No. 39 at 23:51 hours records "From: GZ6 Text: Flicking". This would refer to the helicopter crew changing frequency, though it is not clear if that was on finishing the task over Lurgan or on departing from Mahon Road after dropping off N1525 (though the latter is more likely). All evidence points to a sortie time over Lurgan of between 13 and 15 minutes.
- 107. It is evident that a late helicopter flight, that of Gazelle 6 on Sunday the 14<sup>th</sup> over Lurgan, actually took place. Unfortunately, the information concerning this flight is not as detailed as one may have wished. For example there are no details of who in the 3 RIR Ops Room actually tasked N1525 with accompanying this flight, or, who ordered the diversion of Gazelle 6 from its scheduled task of baseplate checks at Banbridge and Rathfriland to Lurgan.
- 108. In statement S294C, which was made nearly 11 months after the event, N1525 refers to having "simply forgot to mention this fact (the late flight) in my previous statement" but follows this with "I have a clear recollection of this flight and I know that we visited the following areas: Kilwilke Estate, Flush Place, Banbridge Road and the Gilford Road." N1525 then goes on to make a detailed account of what he had seen and the fact that he was in the helicopter for around 20 minutes, and, that it was fitted with a thermal-imaging camera. What cannot be remembered is whom he reported to, other than it was the watchkeeper, when he returned to make his report at the Ops Room after the flight. N1525 makes further reference to the flight of GZ6 in statement S294E where he states "I do recall the evening was nothing out of the ordinary". He goes on to state "From my experience the events of the evening and Sunday 14th March 1999 were not serious enough to warrant the incident being video-recorded. It was simply nothing more than a burnt-out car".

- 109. Sergeant N342, the 3 RIR watchkeeper at that time, states in S923 "As far as I remember there was nothing to report from that overfly. There was no reason for me not to have put an entry in the log regarding the tasking of the overflight. The reason for me not making an entry in the log could have been an oversight. Because of the lack of activity in Lurgan and the tasking of the helicopter occurring at that time of night when I have to prepare reports to be sent to 3 Brigade Watchkeeper I forgot to make an entry".
- 110. In respect of the task being to check the Lurgan area to "see what was happening with regard to earlier incidents", it is not clear why N1525 should direct the crew to fly over Flush Place, Banbridge Road and Gilford Road. The trouble earlier in the day had all been around the Kilwilke area which is to the North West of the town, whereas Flush Place, Banbridge Road and Gilford Road are all to the South East of Lurgan. The pilot of Gazelle 6 that night was Corporal N1014. The aircraft was commanded by Staff Sergeant N1011. Despite the lack of thorough documentation concerning this flight corroboration of the flight of GZ6 has now been established (document D2447 refers). There is no evidence to suggest that the helicopter and crew were used for any other purpose or at any time other than those recorded.
- 111. The QRF commander during N1525 duty was 2Lt N508. This officer was responsible for creating and maintaining the patrol report for the whole of the QRF duty over the period in question. N508 would have submitted the patrol report to the 3 RIR Ops Room on termination of that duty. Document E496 is a copy of that report and although it refers in part to the Gazelle 4 flight there is no reference anywhere to the flight of Gazelle 6. In fact the report is lacking in many ways as will be seen further on in this report.
- 112. The second element of this patrols duty relates to watch changeover security cover at Lurgan RUC Station. This duty was performed by two callsigns of the QRF from Mahon Road, commanded by 2Lt. N508. Callsigns W20A and W21A. A total of eight soldiers in two Landrovers departed Mahon Road en-route to Lurgan RUC Station. The time being approximately 23:00 hours on the evening of Sunday 14<sup>th</sup> March 1999. The Signals Log (D74) shows the relevant callsigns being mobile for Lurgan at 23:05 hours. Six of the eight persons involved in this task give the departure time as 22:55 hours, the other two persons, Private N1514 and Private N1519 state it was 23:05 hours.
- 113. It should be noted that N1514 was recorded as being in one callsign while N1519 was shown as being in the other. Both of these soldiers had sight of the Signals Log when they made their respective statements regarding this duty. N1519 also records that he had sight of the original patrol report.
- 114. A call is recorded in the Signals Log (D74) at 23:23 hours from callsign W20A which gives their location and status as 'JL', which indicates that they were at Lurgan RUC Station.
- 115. All eight soldiers on the patrol confirm the identity of the two callsigns attending Lurgan for this part of their duty and all refer to collecting an RUC officer at Lurgan RUC Station. However, most are vague in relation to which callsign the RUC officer accompanied and only N1519 in S574 attempts to identify this officer. He states "I can only recall that his name is \*\*\*\* and that he is around # '# " tall". The actual identity of the officer is known to be Reserve Constable N477, statements made by N477 do not go into any detail when referring to this part of his duty.

- 116. Having collected R.Con. N477, Callsign W21A then performed a VCP close to the Master McGrath public house. Lance Corporal N1515, commander of W21A, refers in S470 to the RUC officer joining his callsign where he performed most of the vehicle stops. Callsign W20A performed a VCP at the same time outside the RUC Station, only N1514 in his statement notes the start time for the VCPs as 23:28, this is confirmed in the Signals Log by the message 'W20A' "Now on task". None of the other individuals, including the patrol commander N508 states an exact or approximate time at which the VCPs commenced.
- 117. All members of the patrol give the duration of the VCPs as between 40 and 45 minutes after which time R.Con. N477 was dropped at the RUC Station and the patrol departed on the return journey to Mahon Road. The signals log shows at 00:21 hours 'W20A' "Mob your loc.". The patrol arrived back at Mahon Road at 00:34 hours. The Signal Log entry at that time shows 'W20A' "Base loc". The patrol then resumed QRF duties.
- 118. Privates N1518, N1519 and N1520 state they were given permission by 2Lt. N508 to stand down early as they all had commitments later that day, N1518 for a shooting competition, N1519 and N1520 to attend a course. All three of these soldiers were in the same callsign, W21A. N1518 and N1520 say they terminated at around 00:30 hours and N1519 believes he actually stood down at around 01:00 hours. Warrant Officer 2 N10265 confirms in S1134 that both N1519 and N1520 attended the course they referred to 3 RIR Company records, document D10220, show N1518 attended NISAAM (Northern Ireland Small Arms Meeting) from 15/03/99.
- 119. The commander, and only remaining member, of callsign W21A was L.Cpl. N1515 who says he joined another callsign for the remainder of the duty, though he cannot recall which. Both N1515 and L.Cpl. N1513 refer in their respective statements to leaving Mahon Road at 07:04 hours on Monday 15<sup>th</sup> to perform mortar base plate checks in the Portadown area. N1515 states that they arrived back at Mahon Road at 08:14 hours and remained there until the duty terminated at 09:00 hours. Lance Corporal N1523 confirms that the main duties performed were mortar base plate checks around the camp.
- 120. Several points arise from the Lurgan part of the QRF duty that evening. Firstly, as a result of the VCPs there were apparently three sighting reports raised. These were recorded on individual Northern Ireland Intelligence Card 01 forms, each one referring to a different vehicle stopped. Both 2Lt. N508 and L.Cpl. N1513 were subsequently shown an A4 sheet which contained a photocopy of the three cards. Both individuals confirmed that the document referred to three vehicle stops performed at the VCP outside Lurgan RUC Station on the night in question. The document is recorded as D297 E227.
- 121. Further inspection of the document reveals that one of the intelligence cards does not refer to a stop check that night. One check was actually performed at 12:45 hours on Saturday 13 March 1999 in North Street, Lurgan on a vehicle being driven by a Mr. N2405, the passengers in the vehicle being noted as his wife and two children. Reference to this vehicle is made by N508, in S142B, in relation to a VCP in North Street between 12:30 hours and 12:50 hours on the Saturday 13<sup>th</sup> March 1999 and there is no doubt that the third intelligence card refers to the check performed at that time.

- 122. On 2 April 1999 Detective Constable N786 went to Headquarters 3 RIR and spoke to C.Sgt N2859 of the Intelligence Cell. A document containing a photocopy of three intelligence cards was subsequently handed to N786. It is apparent that N2859 misread the date on the intelligence card in question as the '3' in '13' is poorly written and could at a glance be seen as a '5'. Having received the document N786 also failed to notice the error. When the document containing the three cards was shown to N508 and N1513 they had also failed to notice the error. Clearly D297 E227 is incorrect and stems from an initial error on the part of N2859.
- 123. It is probable that without any specific recollection both N508 and N1513 simply agreed that as the document placed before them contained three cards reportedly for the 13<sup>th</sup> then there were three vehicles checked. Had either or both looked at the document more closely they might have noticed the error.
- 124. With regard to the documentation of the patrol its composition and accuracy is poor by any standard. The Honesty Trace, marked E226, is the computer generated map compiled post patrol from the maps, and other information generated during the course of that patrol. N508 refers in S142A to having been shown the trace and states that it is an accurate account of his patrol routes, he then goes on however to say that there is one oversight in relation to the VCP that night. The map trace shows a 'Red Dot' at Craigavon RUC Station which would indicate attendance at that location. It is explained by N508 that the red dot should be at Lurgan RUC Station. N508 states that in all other respects the trace is correct. He goes on to state that he added a 'wavy line', which is apparently the normal map indication for a VCP, to the map to indicate a VCP outside Lurgan RUC Station. What is not clear is whether he added it at the time he made the statement or sometime immediately after it was originally printed.
- 125. Overall, and notwithstanding the poor paperwork, there is no evidence that any of the above acts or omissions are in any way significant. Poor administration and a failure on the part of responsible persons to follow procedures accounts for the less than satisfactory recording of some duties that evening.
- 126. There are no indications that the patrol performed any VCPs or patrol activity in the Castor Bay Road, Lake Street or Kilwilke estate area during their tour of duty. There is no evidence that this patrol performed any duty or activity that was not scheduled or authorised.

#### RUC duties, operations and activities - Sunday 14th March 1999.

127. I do not propose to go into the same detail here regarding RUC deployment on this day as I have for the military. There were considerably more police on duty this day than there were military and their duties were much more varied than the military. Rather, reference should be made to RBN 14 (Duties Chart - Royal Ulster Constabulary (Lurgan Area) 12:00 hour 12<sup>th</sup> March 1999 to 23:59 hours 15th March 1999) for the duties of individual police officers or police patrols. Therefore, I will move directly to an analysis of police deployments on that day.

- 128. Duties for the day were to have been of a routine nature. Lurgan, Moira and Craigavon officers were pre-scheduled to perform duties within the station, military accompaniment, general patrolling and incident response. Some officers from Lurgan and Moira were also detailed to perform static duty at Craigwell Avenue in Portadown. There were no significant occurrences in the Lurgan area during the morning and early afternoon.
- 129. One team of J2 MSU, an Inspector, a Sergeant and three Constables, reported for duty at 08:00 hours at Portadown. They were scheduled to conduct public order tasking at Drumcree and stand-by duty at Mahon Road. None of these officers entered the Lurgan area at any time during their tour of duty, which terminated at 16:00 hours at Mahon Road.
- 130. At approximately 16:20 hours Constable N1790, the communications officer at Lurgan RUC Station received a telephone call from the sub-divisional control room at Ballymena. Con. N1790 was informed of the contents of a report from the Samaritans that they had received a warning that a bomb had been placed at an address in Lake Street, Lurgan. N1790 informed the Duty Controller and the Duty Inspector, Inspector N116, of the call. Insp. N116 co-ordinated actions in response to the bomb report and arrangements were made for a helicopter to be tasked to overfly the Lake Street area to assess the situation. This followed normal procedure.
- 131. Following reports from the crew of helicopter callsign Gazelle 4 (GZ4) on the situation in the Kilwilke estate, Insp. N116 appraised Supt. N118 who authorised the release of a MSU from Portadown if necessary. A public disorder situation developed and Insp. N116 was informed that the suspect device had been thrown onto waste ground near the railway line by a member of the public. N116 informed Supt. N118 of the occurrence and the general situation. N118 directed that security forces were not to be deployed to the incident that evening and that a clearance operation was to be arranged with the military to commence the next morning. Insp. N116 contacted the watchkeeper at 3 RIR by secure telephone to organise the search and clearance operation the following morning.
- 132. At 20:25 hours Constable N90 received a telephone call from the Samaritans in Newry. They stated that they had received a call at 20:20 hours from a youth who said he was from the Orange Volunteer Force. The caller had stated that a device had been placed in a Republican area of Lurgan at that it had failed to go off. Con. N90 informed the Station Duty Officer Constable N105 who made an entry in the C6 Occurrence Book. N116 was also informed of the details. No further actions were taken that day in relation to the incident. No RUC or military personnel, other than the helicopter Gazelle 4, were deployed to the vicinity of Lake Street or the Kilwilke area on that day.
- 133. No RUC officers were detailed to perform any patrolling, VCPs or other activities in or around Castor Bay Road and Lake Street that day. There were no further incidents or occurrences of any significance for the remainder of the day. There is no evidence that any RUC officers carried out any duties other than those assigned and subsequently recorded.

## **MONDAY 15<sup>TH</sup> MARCH 1999**

#### Patrol by G Company 3 Royal Irish Regiment.

General Patrol and Security - Lurgan and Craigavon Areas Monday 15th March 1999 - Start: 06:50 hours - Finish: 19:00 hours

#### Patrol Duties and Documentation.

- 134. This patrol consisted of four callsigns, two comprised of three men and two comprised of four men, all drawn from G Company. They were scheduled to carry out general patrols, police watch changeover cover and VCPs in the Lurgan, Moira and Craigavon areas.
- 135. A clearance operation scheduled the previous evening was also to be conducted in Lake Street, adjacent to the railway crossing, and at the [Club name redacted]. This was due to start after 09:00 hours when local children would be at school.
- 136. The clearance operation was in response to a hoax bomb incident the previous evening. It was to be conducted by two callsigns on foot, with an RUC officer accompanying. The other two callsigns were to be mobile in landrovers, also with an accompanying RUC officer. They were to provide satellite cover for the foot patrol. The operation was to include a search for the hoax device on waste ground adjacent to the railway line at its crossing on Lake Street and to investigate reports of damage at the [Club name redacted] that had also occurred during the disturbances in the area the previous evening.
- 137. Callsign designations for the patrol were L20A, L22B, L21A and L21B. The patrol commander was Colour Sergeant N424 using his own callsign L20A. Details of all the personnel assigned to perform the patrol are recorded in document D195. The patrol operated as two elements, L20A working with L22B and L21A working with L21B.
- 138. The patrol used four Landrover vehicles, one vehicle per callsign. They commence patrol at 06:50 hours from their base at Mahon Road, Portadown. They were due to terminate the duty (back at Mahon Road) at 19:00 hours the same day. Two RMP junior NCOs were assigned to the patrol, Corporal N1654 and Corporal N2101. They joined with the callsigns prior to the patrol departing Mahon Road. The patrol was to uplift RUC officers from Lurgan RUC Station before commencing their assigned patrol duties.
- 139. Three RUC officers were assigned to accompany this patrol. Specific duties of these RUC officers were:
  - a. R.Con. N477 ... this officer commenced duty at Lurgan RUC Station at 07:00 hours. He was scheduled to accompany the military using callsign JL271 for the whole of his duty that day. N477 was due to terminate duty at 22:00 hours.

- b. Con. N336 ... this officer commenced duty at Lurgan RUC Station at 09:00 hours. N366 was scheduled to accompany the military using callsign JL270 for the whole of his duty that day. N336 was to scheduled to terminate duty at 01:00 hours the following morning.
- c. Con. N1672 ... this officer was scheduled to accompany the military between 07:00 hours and 09:00 hours. This duty was not performed as N1672 was not available due to having to complete paperwork related to the arrests in Waringstown earlier that morning.
- 140. The patrol report and associated maps for this patrol is recorded as document E497 and two Honesty Traces as documents E183 and E184.

- 141. The Case Analysis (Time Line) Chart for the patrol is at reference RBN8, details from which are included in the Case Analysis (Time Line) Chart 3RIR Duties and Movements (reference RBN3) and the Case Analysis (Time Line) Chart Master Case Chart of Security Forces Duties and Movements (reference RBN4).
- 142. This patrol left Mahon Road in the two scheduled pairs, L20A with L22B and L21A with L21B, between 06:50 hours and 07:00 hours and made their way to Lurgan RUC Station to uplift two RUC officers. They arrived at approximately 07:20 hours. The first task of the day was to provide cover for the police watch changeover at Lurgan and to conduct mortar baseplate checks around the area of the RUC Station.
- 143. The first task was completed without incident by 09:00 hours at which time the whole patrol reported back to Lurgan RUC Station. Following a briefing on the clearance operation to be conducted in Lake Street in respect of the hoax device incident the previous evening, callsigns L20A and L22B prepared to mount a foot patrol to Lake Street with callsigns L21A and L21B providing satellite cover from their vehicles.
- 144. The clearance operation commenced at approximately 09:20 hours when callsigns L21A with L21B left Lurgan RUC Station in their vehicles, accompanied by R.Con. N477, to take up a position from which they could provide cover for the foot patrol. They travelled country bound to the area of the junction of Cornakinnegar Road and North Circular Road.
- 145. The foot patrol, callsigns L20A with L22B, left the RUC Station shortly after and proceeded to Lake Street. The operation lasted for approximately 55 minutes, during which the foot patrol visited the [Club name redacted] to check on reports of possible damage there. They then located a hoax device close to the railway line. On completion of the operation the foot patrol liaised with the satellite callsigns, mounted the vehicles and the whole patrol then returned directly to Lurgan RUC Station where the hoax device was handed to a Scenes Of Crime Officer. At approximately 10:30 hours the patrol commenced a refreshment break and remained at the RUC station on QRF.

146. At approximately 12:50 hours the patrol was despatched from Lurgan RUC Station to attend at the location of a suspect car bomb incident at Ashford Grange. On arrival at the scene C.Sgt. N424 liaised with Insp. N116. C.Sgt. N424 then assigned his four callsigns to duties as follows:

- Callsign L20A Inner cordon on Lake Street, both sides of the murder scene.
- Callsign L22B Outer cordon on Lake Street near Tannaghmore School.
- Callsign L21A Satellite protection, mobile between the outer cordons.
- Callsign L21B Outer cordon on Castor Bay Road.

147. These positions remained as detailed for approximately one hour, after which L21A was tasked to support L22B at the outer cordon near the school. Shortly after this L21B was tasked to leave the outer cordon on Castor Bay Road and they too moved to the outer cordon near the school.

148. Prior to their attendance at the murder scene this patrols presence in the Lake Street area was solely in connection with the clearance operation there between 09:20 hours and 10:20 hours. Details of this operation are fully documented and statements were subsequently taken from all those who participated in it. There is no evidence or indication that any elements of the patrol deviated from the scheduled task or that they entered the area in and around Castor Bay Road, Tannaghmore Primary School or Ashford Grange prior to explosion.

#### Patrol by G Company 3 Royal Irish Regiment.

QRF duty - Mahon Road Barracks

Start: 09:00 hours Monday 15th March 1999 - Finish: 09:00 hours Tuesday 16th March 1999

#### Patrol Duties and Documentation.

149. This patrol consisted of four callsigns each comprised of four men drawn from G Company, they were scheduled to carry out base security duties. The duty would include performing VCPs on Mahon Road (outside the base), routine patrols and mortar baseplate checks adjacent to the base. Callsign designations for the patrol were L10A, L12A, L11A and L11B. The patrol commander was Lieutenant N788 using his own callsign L10A. Details of all the personnel assigned to perform the patrol are recorded in document D298. The patrol was to operate as two elements, W20A working with W21A and W22A with W22B.

150. The patrol report and associated maps for this patrol is recorded as document E498 and the Honesty Trace as document E225.

- 151. The Case Analysis (Time Line) Chart for the patrol is at reference RBN9, details from which are included in the Case Analysis (Time Line) Chart 3RIR Duties and Movements (reference RBN3) and the Case Analysis (Time Line) Chart Master Case Chart of Security Forces Duties and Movements (reference RBN4).
- 152. The whole patrol commenced QRF duties at Mahon Road at 09:00 hours Monday 15<sup>th</sup> March 1999. They continued with those duties until approximately 13:00 hours at which time the patrol commander Lt. N788 was instructed to despatch two callsigns to Lurgan following reports of an explosion there.
- 153. The duty performed by the two callsigns dispatched to Lurgan was primarily to escort the Army Technical Officer to and away from the scene.
- 154. There is no evidence or indication that any elements of the patrol deviated from the scheduled QRF task nor that any elements of it entered Lurgan prior to the to reports of an explosion.

#### RUC duties, operations and activities - Monday 15th March 1999.

155. I do not propose to go into the same detail here regarding RUC deployment on this day as I have for the military. There were considerably more police on duty this day than there were military and their duties were much more varied than the military. Rather, reference should be made to RBN 14 (Duties Chart - Royal Ulster Constabulary (Lurgan Area) 12:00 hour 12<sup>th</sup> March 1999 to 23:59 hours 15th March 1999) for the duties of individual police officers or police patrols. Therefore, I will move directly to an analysis of police deployments on that day.

- 156. Duties for the day were to have been of a routine nature Lurgan officers were prescheduled to perform duties within the station, military accompaniment, general patrolling and incident response.
- 157. Reports were received that a vehicle had been broken into in Windsor Close, Waringstown around 02:00 hours. Lurgan RUC callsigns were sent to the location to investigate. Craigavon RUC callsigns also attended to assist in a search of the immediate area. A dog handler was requested and he attended with a search dog. This incident saw the majority of patrol officers of the sub-division engaged in the search for, and subsequent arrest and processing of four suspected thieves.
- 158. The duties of J2 MSU for the day are included in D706 (MSU Duties / Location South Region 14/150399) which lists patrolling "Green Estates" in Lurgan between 09:00 hours and 11:00 hours and a patrol in Moira, Glenavy and Ballinderry. Tasking was later to include a search in Warringstown in relation to the vehicle that was broken into in the early hours of that

morning. Personnel of J2MSU were in public order dress as they may have been deployed to support the army should a public order situation arise during the clearance operation in Lake Street that was also taking place that morning.

- 159. Four landrovers were utilised by J2MSU that morning, two of these were parked in the front car parking area within the Lurgan RUC Station boundary. They were not subsequently required. Members of the crews of the other two landrovers returned these vehicles to Mahon Road at the end of the morning's tasks. Between 09:00 hours and 09:50 hours the crews of the two manned landrovers were on standby as public order response for the clearance operation being conducted by the RIR in Lake Street. From 09:00 hours the other two crews, who would have used the other two landrovers in a public order situation, were on a scheduled crime prevention patrol in saloon cars around the Moira, Glenavy and Ballinderry areas.
- 160. At 09:50 hours clearance was given to the crews of the two landrovers on standby at Lurgan RUC Station to commence their scheduled patrol around the Kilwilke, Shankill and Taghnevan housing estates. They were subsequently tasked to provide cover between 10:35 and 11:00 hours for a USPCA dog warden attending a call at an address in Kilwilke Road. They then resumed their patrol of the Shankill and Taghnevan estates.
- 161. At 11:20 hours on the Old Portadown Road one landrover crew stopped three persons to perform checks and searches. Whilst this was carried out the crew of the second landrover dismounted from their vehicle to provide cover for those officers conducting the stop and search procedure. The two landrovers then returned to Lurgan RUC Station where they collected the other two landrovers before returning then to Mahon Road. There is no evidence or indication that these two crews performed any activities other than those recorded. They did not re-enter the Lurgan area until after the report of the explosion when they were tasked with cordon and scene preservation duties at the murder scene.
- 162. The RUC dog handler, who had been called out for duty at 02:20 hours that morning, attended Lurgan RUC Station at 07:28 hours to complete statements and to have breakfast and to take a shower. He remained there until he commenced a normal patrol in the Lurgan area.
- 163. The J2MSU was on scheduled duties and the dog handler was performing a normal duty, subsequent to his being called out to an incident of theft from a motor vehicle in accordance with normal procedures. Statements and records (D706) indicate that these duties were properly authorised and or scheduled.
- 164. All RUC officers on duty in the Lurgan area on Monday 15<sup>th</sup> March 1999 are accounted for. Documents and statements are on record which account for their duties and activities. There is no evidence or indication of any RUC officers, other than those mentioned above, being present in the vicinity of Lake Street, Castor Bay Road, the Kilwilke estate or the scene of the explosion prior to the incident occurring.

#### **CONCLUSIONS**

165. Instructions from the Senior Investigating Officer were that statements would be taken from all security forces personnel known to have performed any duty in the Lurgan area between

18:00 hours on Sunday 14<sup>th</sup> March 1999 and 13:00 hours on Monday 15<sup>th</sup> March 1999. In the case of those military personnel who performed duties during the whole of Saturday and on Sunday morning given that they were supervised by their patrol commanders, only patrol commanders, Military Police and those involved with helicopter activity were required to make statements. All accounts have been tested and all but a few are corroborated by documentary evidence or the recollections of other security forces personnel.

- 166. Where conflicting accounts existed they were investigated and the majority have been resolved. None of these referred to activities or deployments in or around the vicinity of Ashford Grange during the period between Mrs Nelson's arrival home on the Sunday evening through to the time of the explosion. Where conflicting accounts remain, investigations are currently in hand. None of these outstanding enquiries are considered to be significant being more to do with minor timing errors and poor standards of documentary recording.
- 167. A full and thorough account of all helicopter activity, during the period covered by this report, was considered essential in relation to allegations regarding the deployment and activity within the area of concern. Having analysed all current statements and documents, including the detailed research carried out by Constables N3199 and N1423, there are no indications that anything other than authorised, scheduled and recorded flights were undertaken albeit as mentioned in paragraph 102 the details concerning the flight of GZ6 / Hawk 364 are somewhat lacking.
- 168. All civilian accounts of security forces activities and sightings including those produced within The Pat Finucane Centre report (D1274) have been analysed and where they differ with those recorded by the military and RUC they have been thoroughly investigated. With regard to The Pat Finucane Centre report, please refer to my report "Analysis Of The Pat Finucane Centre Report (D1274) And Comparison With Known Security Force Activity 13<sup>th</sup> To 15<sup>th</sup> March 1999" (D17172).
- 169. Through the detailed analysis of all relevant documents relating to security forces activities in the Lurgan area during the period covered by this report, it is apparent that both the RUC and military personnel on duty were expecting their duties to be routine.
- 170. The level of security forces deployed within the Lurgan area during the weekend, though larger than usual (especially during the morning of Saturday 13<sup>th</sup> March 1999), was commensurate with planned operations and the response to the security situation at the time.

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16 October 2002