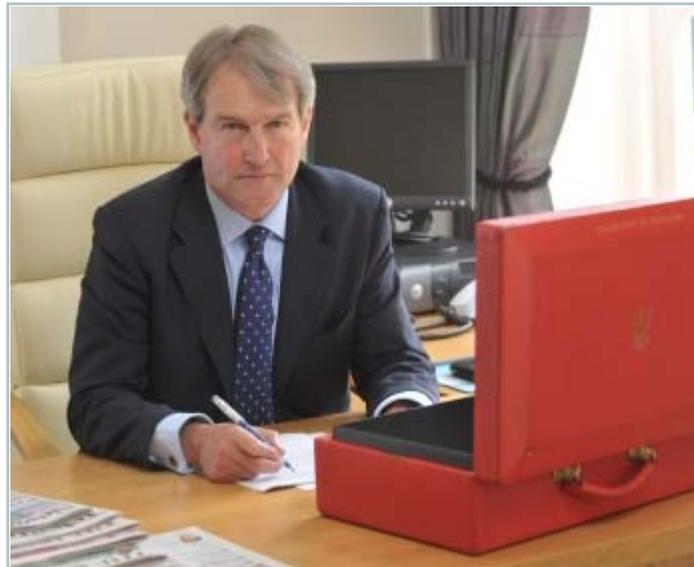


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Written Ministerial Statement: The Report of the Rosemary Nelson Inquiry

MONDAY 14 MARCH 2011



Secretary of State for Northern Ireland (Owen Paterson): In anticipation of the publication of the report of the Rosemary Nelson Inquiry, I have today asked a team of officials to commence the checking of the Inquiry's report in relation to human rights and national security matters, as outlined below. I intend to adopt the same approach as was used for the checking of the report of the Bloody Sunday, Billy Wright and Robert Hamill Inquiry reports.

As I informed the House in my Written Statement of 16 December 2010, the Nelson Inquiry intends to complete its report by the end of April 2011. I am responsible for publication of the Inquiry's report, once it is delivered to me. I am advised that I have a duty, as a public authority under the Human Rights Act, to act in a way that is compatible with the European Convention on Human Rights (ECHR). To fulfil this duty, I need to take steps to satisfy myself that publication of the report will not breach Article 2 of the Convention by putting the lives or safety of individuals at risk. I am advised that these obligations must be met by me personally, in my capacity as Secretary of State for Northern Ireland. Although the Inquiry is also a public authority under the Human Rights Act, I am not entitled to rely on the Inquiry to satisfy my Article 2 obligations and I have a duty to assess this myself. I also have a duty to satisfy myself that publication will not put national security at risk, for example by disclosing details of sources of protected information.

I have established a small team to assist me in carrying out this necessary exercise. The team will comprise the Northern Ireland Office's principal legal adviser, two officials from the Ministry of Defence, one official from the Police Service of Northern Ireland and one official and one legal adviser from the Security Service, who are familiar with the sensitive material provided to the Inquiry Panel. This team will be granted access to the report under strict terms of confidentiality and for the sole purpose of carrying out the necessary checks, and they will report directly to me alone. Neither I nor any official beyond the members of the checking team will have access to the report until 24 hours before it is published. Sir Michael Morland has

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agreed that this team can carry out the checks on the Inquiry's premises while the report remains in the custody of the Inquiry. I understand that the report will be made available for checking today.

I want to publish the report in its entirety. Should any concerns about the safety of any individual arise, my first course of action would be to consider whether these can be addressed through alternative means.

Were I to reach the conclusion, on advice, that a redaction to the text might be necessary, I would consult Sir Michael Morland. In the very unlikely event that any redaction was deemed necessary, my intention would be to make this clear on the face of the report.

The report must be published first for this House, and I intend to publish the report as soon as possible once the report and the checking process has been completed. However, I acknowledge the importance of this Inquiry's findings in the lives of a number of individuals. As with the publication of the Bloody Sunday and Billy Wright Inquiry reports, I intend to consider giving advance sight to those who were designated as Represented Parties by the Inquiry. I intend to discuss this with the Speaker of the House in due course.