

HIAI (Hart) Inquiry – Security Service Witness Statement

Signed by:

9004

Date:

30 May 2016

Introduction

1. It is impossible in a single document to address the gamut of allegations surrounding the abuse at Kincora Boys' Home. Books have been written which have failed to encompass all of the related issues. This note aims to give a summary of what MI5 files record regarding the main claims relating to MI5's alleged involvement with Kincora; particularly those of **Brian GEMMELL**, a former Army intelligence officer.

2. The first MI5 knew of the allegations about child sexual exploitation at Kincora was when the stories emerged in the media in 1980 and the RUC investigation which led to the conviction of **William McGRATH**, the Kincora housefather, and two others (**Joseph MAINS** and **Raymond SEMPLE**). MI5 research undertaken at the time and subsequently has failed to find any papers to indicate that we had earlier knowledge of such abuse.

William McGRATH and MI5's investigation of Tara

3. It is clear from our examination of internal MI5 correspondence that when the Royal Ulster Constabulary (RUC) investigation into Kincora began in 1980, MI5 had concerns about the security of some of its agents and covert operations, though these matters were unrelated to activities at Kincora itself. Such concerns were legitimate and understandable in the light of the organisation's national security responsibilities. However, MI5 documents also made clear that were police investigations to uncover criminality by any agent being run by MI5, the Service was perfectly content for the law to take its course.

4. Naturally, documents held by MI5 relating to **William McGRATH** have been carefully scrutinised. There is nothing amongst them to indicate that MI5 was aware of, or suspected, his involvement in child sexual exploitation at Kincora or that such abuse was permitted, condoned or encouraged in order to further any MI5 plan.

5. In June 1971, an MI5 Covert Human Intelligence Source (CHIS) reported on a meeting he had attended earlier that month along with a large number of other loyalists. They had all been personally recommended by sponsors to join the Tara Brigade, a putative Loyalist paramilitary organisation. The CHIS reported that the assembly had been addressed by "*a man called McGRATH*" who explained the aims

of the organisation were the "*preparation of an effective defence force against the day when it would be required*". McGRATH "*emphasised that those joining would not be required to undertake offensive action but would be required to carry out drill and a certain amount of intelligence work*". (See MI5 CHIS Report, June 1971.)

6. An MI5 officer filed this intelligence report on a new file created for "The Tara Brigade". The officer also sent a copy of the report to MI5's Director of Intelligence (D of I) and stated that he would pass a copy to an RUC Assistant Chief Constable who was Head of Special Branch. At this point, MI5 did not know Mr McGRATH's first name, nor did they have any report about his alleged homosexuality. In April 1972, MI5 did receive information which stated that Mr McGRATH had been accused of 'assaulting small boys'. MI5 was still unaware at that point of any reporting on McGRATH's homosexuality, although we are very conscious that homosexuality did not – and does not – equate to paedophilia. We cover this accusation below. (See section on **James MILLER – McGRATH, Kincora and media misrepresentation**).

7. In November 1973, the RUC notified MI5 that they had received information that McGRATH was intending to visit Amsterdam at some future date for unknown reasons. The RUC letter included McGRATH's full name and occupation as a Social Worker at Kincora Hostel. Annotations on the RUC letter indicate that MI5 did not hold a file on McGRATH at the time. (See RUC Letter to MI5, June 1973.)

8. A Daily Intelligence Summary issued by the Director and Co-ordinator of Intelligence in January 1976 included a Comment about McGRATH which mentioned reporting from March 1975 having given his employment as warden of the Kincora Boys' Home. (See DCI Daily Intelligence Summary of 17 January 1976 - Extract.)

DCI Daily Intelligence Summary of 17 January 1976 - Extract

[Note: A crop from the original document will be placed here & the full redacted document in Annex B.]

WILLIAM MCGRATH WAS REPORTED IN MARCH 1975 TO BE WARDEN OF THE KINCORA BOYS HOSTEL. HE HAS PREVIOUS TARA TRACES AND IS SAID ***** TO BE A HOMOSEXUAL. ANOTHER REGULAR AND RELIABLE SOURCE HAS RECENTLY INDICATED THAT THE UDA, AND ALSO WILLIAM CRAIG, MAY BE AWARE OF THIS TARA / UVF ACTIVITY IN THE ARMS FIELD.

9. In April 1975, MI5 obtained *via* the Army a summary of allegations made to the RUC on an unknown date by Miss Valerie Shaw (PA to Dr Ian Paisley) during an RUC officer's investigation of Tara. Miss Shaw's information included details of

McGRATH and Tara. (See Report received by MI5 in April 1975 – originated 22 March 1975.)

10. In May 1975, MI5 received intelligence from a Merseyside Police Special Branch CHIS about efforts to establish a Tara presence there during 1970-71. Although McGRATH is not named in the report, it is likely that he was the person described as the 'instigator' of the Liverpool company of Tara who was 'strongly suspected' of being a homosexual. (See Merseyside SB Report to MI5 – March 1975.)

11. In April 1976, Robert Fisk published an article mentioning Tara in the *New Statesman*. Fisk claimed that an account of Tara's activity had been "*collated by an intelligence officer at Lisburn*". MI5 ASP Ian Cameron wrote to other MI5 officers about the Tara component of the article which he believed was almost certainly a draft on Tara held in the Army Information Service (AIS) records at HQNI. (See MI5 ASP Letter of 22 April 1976.)

12. Cameron felt that the AIS summary had undoubtedly been drawn from Army intelligence files. ASP noted that Colin WALLACE would have had access to the AIS file and he had little doubt that Wallace had been Fisk's source for the article. ASP attached the relevant AIS record for comparison with Fisk's article.

13. It is likely that Cameron had been able to recognise the similarity because in 1974 the NIO had sought assistance from MI5 in identifying the source of unauthorised disclosures of classified information. These inquiries had encompassed both Colin WALLACE and Robert FISK (see below for Colin WALLACE.).

14. A comparison of the Army Information Service record and the relevant extract of Fisk's article shows a strong resemblance, supporting Cameron's judgement that the latter derived from the former. (See AIS and Fisk extracts below.) A copy of Fisk's full article is provided as **Attachment A.**)

15. In January 1977, MI5 continued to seek information about McGRATH and Tara, enquiring about whether a source who had been able to report on McGRATH in early 1976 would still be able to do so.

16. It was only in May 1977 that MI5 created a permanent file on William McGRATH. Security Service policy requires two criteria to be met before a file may be opened on an individual. First, the individual must be fully identified. Secondly, the individual must meet an official Recording Category which, in the case of William

McGRATH, was on the basis that between 1971 and 1977 he had been an Irish Protestant extremist.

17. Inside MI5's file on McGRATH there is an envelope containing two index cards that at one time would have been used as a working aid to record brief notes about him. The earliest note is based on a report dated 18 April 1973, recording McGRATH as the leader of a 'refurbished' form of the Tara Brigade.

18. Another entry, based on a report dated 13 November 1973, gives his occupation as Boys Hostel warder (*sic*) at Kincora Boys Hostel and also states that he is reported to be homosexual. McGRATH's date of birth is shown citing a report dated 20 January 1976. An entry citing a report dated 13 February 1976 states that he "*has long made a practice of exploiting other peoples sexual deviations*". There is no entry reflecting the April 1972 report about Mr McGRATH having being accused of 'assaulting small boys'. (See Index Card Working Aid Cards 1 & 2 on William McGRATH.)

Brian GEMMELL – MI5 ASP and the Kincora investigation

19. Brian GEMMELL, a former Army intelligence officer, was interviewed by the RUC in relation to the allegations about Kincora. The RUC's intention to interview him was known to the Security Service. (See MI5 Loose Minute 29 June 1982.)

20. It is evident from MI5 documents that the Service was not conducting any intelligence operations linked to Kincora and had no concerns about the police investigations into the abuse at Kincora *per se*. Indeed, one MI5 document made the point that it was important to understand from RUC Special Branch "*how best [Caskey's] attention can be focussed on matters strictly relevant to Kincora...*". (See MI5 Telex of 01 July 1982 – Extracts.)

21. In this section, we consider how RUC Det Supt Caskey became aware of and dealt with MI5 ASP Ian Cameron, and how MI5 tried to reconcile providing what assistance it could to the Kincora investigation while protecting the security of its sensitive intelligence operations in NI.

22. MI5 documents do reveal that MI5 had security concerns that the investigation into Kincora might result in the public exposure of its legitimate intelligence operations in NI. In its efforts to highlight and deal with these concerns, MI5 met a number of key individuals associated in various ways with the Kincora

investigation. These included the RUC Head of Special Branch (HSB) and his Deputy (DHSB); lead Kincora investigators Det Supt George Caskey and Army Special Investigation Branch (SIB) investigator Capt B; the Attorney General (AG) and Director of Public Prosecutions for Northern Ireland (DPPNI) as well as Sir George Terry himself.

23. We have seen nothing in the MI5 documents (or any other official record) to suggest that MI5 tried to impede or limit the Kincora investigation. MI5's actions to protect its operations whilst providing what assistance it could to the investigation are described below. These include MI5's former ASP, Ian Cameron, providing answers to a set of questions posed by Det Supt Caskey.

24. MI5's security concerns arose in connection with police interviews of Brian GEMMELL, which MI5 feared could stray into areas unrelated to Kincora and might thus place sensitive intelligence operations at risk. In this context, we note that the RUC Deputy Head of Special Branch (DHSB) told MI5 in July 1982 that there would almost certainly be a public inquiry during 1983, adding that Caskey's report would form the basis for the inquiry and might be made available to interested parties. (See MI5 Telex of 02 July 1982 – extracts.)

25. As we shall see later, MI5 discussed these concerns with the Attorney General (AG) and Director of Public Prosecutions for Northern Ireland (DPPNI).

26. Accordingly, after broaching the subject with HSB and DHSB, some senior MI5 officers in NI met Det Supt Caskey at RUC HQ on 02 July 1982. They briefed Caskey on the existence of MI5's covert agent-running operation in NI, MI5's relationship with GEMMELL and an individual that GEMMELL claimed to have run as an agent. They also informed Caskey of GEMMELL's application to join MI5. (See section **Brian GEMMELL – applications to join the Security Service (MI5)** below).

27. The MI5 officers emphasised to Caskey that their sole concern was to ensure that interviews stayed focused on Kincora and not on any unrelated intelligence matters. Caskey told MI5 that he could do what was required "*without bending any rules*". MI5 emphasised, in turn, that their sole concern was to ensure that intelligence matters were not aired in public. (See MI5 Telex of 02 July 1982 – extracts.)

28. GEMMELL was interviewed by Caskey and Army Capt. B on 16 July 1982.

29. On 19 July 1982, Capt B described the GEMMELL interview to MI5, pointing out that at the start of the interview, Caskey had explained to GEMMELL that he was

primarily interested in GEMMELL's interview with Roy GARLAND in 1975, what he (GEMMELL) had learned and what he did with this information. When making arrangements for the interview, B had advised GEMMELL that he should restrict his comments and answers to Caskey's current investigation (ie Kincora). For the avoidance of doubt, it is clear that there that there was no impediment to GEMMELL speaking about paedophilia either in Kincora or elsewhere or involving others.

30. MI5 documents show that on 20 July 1982, Caskey met with MI5 officers at RUC HQ and read out extracts from GEMMELL's statement. Caskey expressed his intention to obtain the Military Intelligence Source Report (MISR) that GEMMELL said he had written (but which nobody had been able to find) and would want to interview MI5 officer Ian Cameron. MI5 therefore set in motion efforts to discover from Cameron what he did with GEMMELL's information and the MISR.

31. An MI5 lawyer was able to make telephone contact with Cameron, who was about to go abroad, and Cameron's initial responses were passed to an MI5 officer in NI to relay to Caskey. (See MI5 Telex of 23 July 1982)

32. We can see from Cameron's answer to Caskey's Question 9 (see **Attachment C**) that by "*line of enquiry*", Cameron means the allegation that McGRATH was a homosexual.

33. Cameron's recollections were passed to Caskey at a meeting on 04 August 1982. In response, Caskey said that they tied in with what GEMMELL had said, and went on to make a number of other points. These included that he (Caskey) would be prepared to meet MI5's Legal Adviser (LA) and provide a set of questions for Cameron to answer. Caskey said he would accept a written statement drawn up by the LA and Cameron. Caskey also made the "*obvious point*" that it was important to be honest with the DPP. He also made it clear that he had to have a statement from Cameron to complete his enquiry. (See MI5 Telex of 05 August 1982 – Extracts.)

34. Caskey went on to pose 30 questions for Cameron to answer which were set out in an attachment to a letter to the NIO dated 11 October 1982. A copy of Caskey's questions is provided as **Attachment B**.

35. MI5's LA managed to put Caskey's 30 questions to Cameron and recorded his (Cameron) answers in a note dated 03 November 1982. The text of the LA's note is provided as **Attachment C**. For security reasons, Cameron did not answer Caskey's first 5 questions because they related to his sensitive intelligence role and duties in NI and were unrelated to Kincora.

36. MI5's LA sent Cameron's answers to the DCI in NI as an attachment to a letter dated 03 November 1982. We have been unable to determine from our documents whether or not this set of answers was passed to Caskey. It is possible that they were not, perhaps for reasons associated with discussions that MI5's LA had already held with the AG and DPPNI, and the AG's view that Cameron's information would be "*hearsay upon hearsay*". (See below.)

37. Before receiving Caskey's 30 questions, MI5's LA had met with the Attorney General (AG) and the Director of Public Prosecutions for NI (DPPNI) and discussed with them various aspects of the Kincora investigation; in particular, MI5's concerns to protect its legitimate intelligence operations in NI. A copy of the LA's record of this meeting dated 01 October 1982 is provided as **Attachment D**.

38. It is evident from the LA's note that MI5 were not trying to impede the investigation into Kincora, about which it had no information, but were seeking a way to protect its quite proper intelligence operations.

39. The Inquiry may consider it significant that the AG expressed the view any information that Cameron could give would appear to be "*hearsay upon hearsay*". A few days after the MI5 LA's meeting with the AG and DPPNI, the AG's Legal Secretary (AGLS) contacted MI5's LA. The AGLS informed the MI5 LA that the DPPNI's view was that [Caskey's] questions "*did not properly arise on any investigation*", adding that the DPPNI himself had no knowledge of the questions and was not behind them. The DPPNI gave the AGLS to understand that he would not be concerned one way or another whether they were answered. A copy of the MI5 LA's note dated 03 November 1982 recording this conversation is provided as **Attachment E**.

40. MI5's views on this issue, and those of the AG, were also explained to the RUC Chief Constable Sir John Hermon on 11 November 1982 by a senior MI5 officer. The Chief Constable accepted that MI5 were seriously concerned that the intelligence effort could be impaired. He therefore agreed to look into stopping further inquiries into Cameron, while making it clear that his primary concern was to ensure that the RUC handled the inquiry "*in an entirely professional and competent way*". A copy of MI5 Note of 17 November 1982 recording this meeting is provided as **Attachment F**.

41. MI5's security concerns increased when they became aware that Caskey was interviewing Army intelligence officers overseas. It was judged that these posed further potential dangers to MI5 intelligence activities that were entirely unrelated to Kincora. This led to a meeting on 27 January 1983 between MI5's LA, Sir George

Terry and the latter's Staff Officer, DCI Flenley. The MI5 LA's record of their discussion dated 03 February 1983 is provided as **Attachment G**.

42. The LA described to Sir George Terry in detail the background to the Service's dealings with RUC Det Supt Caskey around Brian GEMMELL's claims; Caskey's attempts to interview ASP/Ian Cameron; MI5's security concerns and their meetings with the RUC Chief Constable, DPPNI and AG.

43. The note records that Sir George Terry expressed amazement that none of this had been reported to him by the RUC CC. DCI Flenley remarked that Caskey had been influenced by the fact that the prosecution of William McGRATH *et al* had been stimulated by press allegations, and now the press had made similar allegations about the involvement of civil servants and an Army cover-up. Caskey, he said, did not wish to appear before any judicial enquiry without having conducted a full investigation. Caskey had been informed by press sources that Colin WALLACE had told them years ago about "*homosexual goings on*" at Kincora. Apart from this, said Flenley, there was no actual evidence to establish the involvement of civil servants or any Army cover-up.

44. We are aware of criticism that Cameron was never subjected to a formal police interview and never answered questions to which Caskey wanted answers. It is clear from MI5's papers that Caskey was given Cameron's initial reply and he (Cameron) later responded to the detailed questions. And our records show that such an interview would have been of little value in any event given multiple hearsay, as well as presenting a risk to MI5's legitimate operations in NI.

Brian GEMMELL – confusion / conflation of cases

45. Cameron told an MI5 lawyer that he could not recall telling GEMMELL to break off contact [with GARLAND]. (See MI5 Telex of 23 July 1982.) This issue also seems to arise in Caskey's Questions 9 and 10 in November 1982, where Caskey cited GEMMELL's assertion that Cameron had told him to terminate his (GEMMELL) enquires concerning Tara (presumably relating to GARLAND) and later reversed this decision. In his response, Cameron expressed uncertainty about what the police were getting at. (See Attachment B: MI5/Cameron's Answers to Caskey.)

46. It is clear that GEMMELL had confused and conflated two individuals and the circumstances of each. We explain further below how MI5 records show that in April 1975 Cameron had indeed told GEMMELL that he should not pursue the issue of sexual deviancy when he conducting his interview with GARLAND. (See MI5 Telex of 19/20 July 1982 – extract in Brian GEMMELL - the 'missing' MISR below.)

47. However, in June 1975, Cameron did advise GEMMELL to restrict his contact with a different individual – not GARLAND. This advice was given purely on security grounds and was totally unrelated to Kincora. (See MI5/Cameron Note for File of 9 June 1975.)

Extract of MI5/Cameron Note for File of 9 June 1975

[Note: A crop from the original document will be placed here & the full redacted document in an Annex.]

I saw Capt Gemmell on the morning of 9 June in connection with his contacts with [REDACTED]. Gemmel will be sending us a complete report. From what he told me I concluded that we could be running into troubled waters. [REDACTED] while giving little if any real account away on his side is now beginning to ask Gemmel awkward questions. Moreover it is clear that there is a deal of gossip about Army contacts going on within Loyalist circles, [REDACTED]. I told Gemmel that he should try to get the contact gradually on to a purely social basis and when he could decently do so – to back off altogether. He expressed himself as being relieved [REDACTED].

48. MI5 records also show that later in 1975 GEMMELL told Cameron that this individual (not GARLAND) had obtained some valuable intelligence, whereupon Cameron approved renewed contact.

Brian GEMMELL – applications to join the Security Service (MI5)

49. Security Service records show that Brian GEMMELL unsuccessfully sought employment with the Service on two occasions. The first was in 1971 whilst still a student at Strathclyde University. On that occasion, he was advised that the Service preferred its officers first to have gained some experience in another form of employment. (See MI5 Note For File 25 February 1971.)

50. GEMMELL re-applied to join the Security Service in 1976 after leaving the Army but was rejected. (See MI5 Note for File for 26 November 1976.)

Brian GEMMELL – the ‘missing’ MISR

51. This section focuses on Brian GEMMELL’s allegation that, in his role as an Army Intelligence Officer, he had run CHIS who reported to him on McGRATH’s abuse of the boys at Kincora. GEMMELL publicly named his sources as **William McCORMICK, Roy GARLAND and James MILLER**. Despite extensive searches of

MI5's records, we have been unable to confirm GEMMELL's claims that he (GEMMELL) reported these allegations to MI5 ASP Ian Cameron.

52. In July 1982 an MI5 officer conducting research to assist with police inquiries into Kincora, reported finding in an Northern Ireland file a record of GEMMELL's interview with McCORMICK on 25 March 1975. The same MI5 officer wrote that GEMMELL and an Army colleague had been told on 04 April 1975 by ASP/Cameron and another MI5 officer that they could interview GARLAND on the strict understanding that it was to obtain information on Tara. The two MI5 officers emphasised that the Army had no interest in the investigation of "*deviant sexual activities or religious aspects of the group*" which was a matter for the RUC. Cameron had directed that their discussion with GARLAND should be steered away from this type of issue, by which we presume he meant homosexuality. (See MI5 Telex of 19/20 July 1982 - extract.)

53. We have confirmed that the NI local file seen by the MI5 officer which had contained GEMMELL's McCORMICK interview report has since been destroyed on an unknown date. The file in question did not relate to McCORMICK who, as far as we can tell, was never the subject of an MI5 file. GEMMELL's interview report has not been found elsewhere during any of the subsequent searches of MI5's records.

MI5 Telex of 19/20 July 1982 – extract
[VCSP: Will be crop of original in final version.]

GEMMELL's INTERVIEW WITH MCCORMICK ON 25 MARCH 1975 (WHICH INCLUDED A REQUEST FOR AUTHORITY TO APPROACH GARLAND) IS FILED ON [REDACTED] PF. RESPONDING TO THIS REQUEST [REDACTED] WROTE A NOTE FOR FILE RECORDING THAT GEMMELL AND [REDACTED] WERE TOLD ON 4 APRIL 1975 BY ASP AND [REDACTED] THAT QUOTE IT WAS IN ORDER FOR GARLAND TO BE INTERVIEWED ON THE STRICT UNSTANDING THAT THE OVERT AND CLEARLY EXPRESSED REASON WAS A REQUIREMENT FOR INFORMATION ON TARA. IT WAS EMPHASISED THAT THE ARMY HAD NO INTEREST IN INVESTIGATION OF DEVIANT SEXUAL ACTIVITIES OR RELIGIOUS ASPECTS OF THE GROUP WHICH WAS SOLELY THE FUNCTION OF A SPECIALIST SECTION OF THE RUC. THEREFORE THIS DISCUSSION SHOULD BE STEERED AWAY FROM THIS TYPE OF ISSUE.

54. Although GEMMELL claimed subsequently to have written a MISR (Military Intelligence Source Report) on this topic, we have been unable to find one in MI5's records during extensive searches conducted for the HIAI. Earlier efforts have also been unsuccessful, including those conducted by an MI5 officer in 1982. However, MI5 records do contain an Army letter written in January 1976 not by Captain GEMMELL, but by Army Major A, which we judge to be of some relevance and

discuss further below. A copy of Maj A's Letter Ref: 13912/2 is provided as **Attachment H**.

55. According to an MI5 officer's telex dated 31 January 1977, the Major's letter was amongst a number of papers that GEMMELL had given to him (the MI5 officer) on 15 October 1976. (See MI5 Telex of 31 January 1977: 'William McGATH (*sic*) and TARA'.)

56. According to a letter written by the same MI5 officer on 19 October 1976, GEMMELL also gave him two other documents. The first was described as "notes on an interview with Roy GARLAND which had been made by GEMMELL and an NCO after a "one off" debrief sanctioned by Ian CAMERON. A copy of the GARLAND interview notes is provided as Attachment H-2.

57. The GEMMELL/NCO debriefing notes on GARLAND open with the latter stating that he had been introduced to McGRATH twenty years earlier at the 'approximate' age of 15, in the context of a Christian evangelical crusade, and how at McGRATH's instigation, they formed "groups called cell". In the next paragraph, GARLAND – having now moved on to discussing Tara - described how McGRATH would single them out after meetings and attempt to seduce them and make them feel guilty by admitting to masturbation and showing up their guilt complex. GARLAND said this was important to emphasise as this was "*the very beginning of [McGRATH's] hold on them*".

58. The second document GEMMELL handed to the MI5 officer was a Note to File about Tara dated 14 October 1976 and notes on an interview. GEMMELL's Note to File made no mention of Kincora or paedophilia. (See MI5 Letter of 19 October 1976: 'TARA'.) A copy of GEMMELL's Note to File on TARA is provided as **Attachment I**.

59. The Note to File on Tara is unsigned, but according to the MI5 covering letter, it had been written by GEMMELL himself and was based on the contents of his (GEMMELL) file on Tara. (See MI5 Letter of 19 October 1976: 'TARA'.) We have seen nothing to cause us to doubt the veracity of this statement.

60. The references in the opening two paragraphs of the GARLAND debriefing note to him a) being aged approximately 15 when he was introduced to McGRATH, and b) McGRATH attempting to 'seduce' youngsters, may appear significant in hindsight. But it is unlikely that the MI5 officers at the time would have attributed

much significance to them at the time. We should bear a number of factors in mind, not least that in reality, 10 years were to pass between these two events.

61. The background references on GARLAND was marginal to the matter then under discussion between MI5 and the Army – which was in the context of a different case entirely unrelated to GARLAND and Kincora. But in relation to the 'seduction' issue, we note that Paragraph 6 of Maj A's letter of 28 January 1976 states that McGRATH "[made] a practice of seducing promising young men". However, unlike GEMMELL's interview note, the A letter goes on to identify two of those who were seduced. It would be inappropriate to name them here, but both of them were clearly adults.

62. This is consistent with what Mr GARLAND later wrote in the *Irish Times* on 13 April 1982. GARLAND explained how in 1965 McGRATH invited him to join 'cell', at which point GARLAND would have been about 25 years old. GARLAND described 'cell' as "a private ginger group of Orangemen chaired by a Church of Ireland minister". He further explains that "members of District, County and Grand Orange Lodges took part". He makes no reference to any involvement of young boys. A copy of GARLAND's *Irish Times* article is provided as **Attachment I-2**].

63. Although this level of detail is not provided in the GARLAND debriefing note written by GEMMELL and the NCO, if their note had been consistent with GARLAND's later public account, and had it been related to MI5, it is unlikely that they would have drawn any inference of paedophilia or child sexual exploitation from it.

64. In addition, GEMMELL's letter of 12 February 1976 had described the smears and propaganda of the time involving allegations of homosexuality. Separately, MI5 had already been informed in March 1975, via the Army, that GARLAND's complaints about McGRATH's behaviour to Valerie Shaw had been relayed by her to the RUC, although the letter itself lacked detail about the nature of the behaviour.

65. We are also aware that the *Irish Times* published an article about Kincora on 03 November 1983 in which they reported what they had been told by a man "well known in Belfast Protestant evangelical circles". This unidentified man was clearly Mr McCORMICK. He reportedly told the newspaper that he first heard about McGRATH and his job at Kincora in the early 1970s from Roy GARLAND, whom he described as "a former associate of McGrath's who was attempting to expose his homosexual activities". McCORMICK also said that he (McCORMICK) had first put GARLAND in touch with an RUC constable whom he knew as a devout Christian in

1972 or 1973. A copy of the *Irish Times* article of 3 November 1983 is provided as **Attachment I-3**.

66. If what McCORMICK told the *Irish Times* had been known to MI5, whether from GEMMELL's note of his debriefing of McCORMICK (which we have not been able to find) or through discussion with GEMMELL himself, MI5 might reasonably have assumed that any allegations by either McCORMICK or GARLAND against McGRATH were not just dated but were already known to the RUC. However, such allegations may still have constituted part of a smear exercise.

67. The only part of GEMMELL's Note to File of 14 October 1976 on Tara which touches on the issue of McGRATH's sexual proclivities comes in his Paragraph 4 where he wrote that a number members of Tara were 'sexually deviant', McGRATH was almost certainly bisexual and had homosexuals amongst his immediate circle of Tara associates. (See GEMMELL Note to File of 14 October 1976: 'TARA'.)

68. Major A's letter was found by an MI5 officer in 1989 whilst reviewing some Army records at the request of the MOD. The Major's letter reported information from three unnamed contacts about Tara and its membership. It stated *inter alia* that McGRATH was "a homosexual" and "made a practice of seducing promising young men". It added that he was described in the 'Belfast Street Directory' as a Welfare Officer and was "thought to be running some form of boys' home".

69. The MI5 officer who found the letter noted that in April 1975 GEMMELL had been given clearance by the Army to interview Roy GARLAND. And while the MI5 officer said that it was not clear exactly what information had been derived from the GARLAND interview, he judged it reasonable to suppose that the Major's letter from January 1976 was in part based upon it. We would agree with that judgement.

70. Although no copy of GEMMELL's alleged MISR has been found, it is likely that its essential content would have been the same as that found in the Major A's letter, perhaps combined with the information in GEMMELL's later Note to File of 14 October 1976. (See **Attachment I**.) We should also bear in mind that any decision on issuing a MISR, based on the content of the Major's letter at least, would have taken into account the 'F' grading given at his Paragraph 2, which indicates that the reliability of the source(s) of the intelligence was unknown.

71. Whether GEMMELL ever did produce a MISR or not, it is notable that his October 1976 Note, based on his Tara file and written at the end of his Army career, made no mention of McGRATH's involvement in paedophilia or his employment at Kincora Boys' Home.

Brian GEMMELL – allegations about MI5 blackmail

72. There have been a number of allegations about MI5 having blackmailed McGRATH or others involved in a paedophile ring involving Kincora. We have seen absolutely nothing in the Security Service records to support any of these allegations.

73. We are also aware of a separate allegation by Brian GEMMELL that during a visit to London in 1976, an MI5 officer told him that MI5 had film of John McKEAGUE, a well-known Loyalist paramilitary figure, involved in homosexual activities and asked for his (GEMMELL) views on how susceptible McKEAGUE would be to blackmail.

74. We have examined this allegation and established that MI5 had no compromising film of McKEAGUE and never made any attempt to blackmail him. However, one MI5 officer did put forward an operational proposal (which was never endorsed) which involved using McKEAGUE's homosexual activities in London in an attempt to recruit him. We describe the chronology of events below.

75. The MI5 records confirm that GEMMELL met two MI5 officers in London on 10 May 1976 in connection with the handling of an agent unrelated to McKEAGUE.

76. In June 1976 McKEAGUE visited London as part of a UVF arms procurement operation. At various times during his trip, he was under surveillance by MI5 who suspected the UVF's plans. The MI5 officers conducting surveillance of McKEAGUE did take some photographs of him in Central London. However, the photographs were not compromising or sexual in nature. All of them were taken in public areas, but some showed him in the company of young men.

77. It was apparent to those conducting surveillance that McKEAGUE's contact with these young men was to establish homosexual assignations rather than part of the Loyalist arms procurement operation.

78. On 07 September 1976 GEMMELL had lunch in London with an MI5 officer, following which he (GEMMELL) was to attend a formal meeting with another MI5 officer as part of his application to join MI5. No formal record of the lunchtime meeting exists. It is clear from MI5 records, however, that the meeting was held at the request of the MI5 officer who, having become aware of GEMMELL's intention to visit to London, wished to seize the opportunity to discuss with him how to move forward an existing CHIS case of which GEMMELL was aware, but which was unrelated to McKEAGUE.

79. It was not until November 1976 that this same MI5 officer suggested, in light of McKEAGUE's involvement in arms procurement, that "*serious consideration should be given to using [his] homosexual tendencies in an attempt to recruit him*". The MI5 officer accepted that McKEAGUE's colleagues already knew him to be a homosexual, but he doubted that they were aware of how McKEAGUE spent his time when visiting London. The MI5 officer also judged that McKEAGUE's conduct after returning to Belfast in June 1976 following his arms procurement visit to GB had all the indications of someone who was anxious to conceal his homosexual activities in London.

80. The MI5 officer's proposal was considered by other members of the Service including management. This ploy was, however, opposed for a variety of reasons and it was pointed out that MI5's Legal Adviser doubted that MI5's management would accept such a proposal.

81. Based on MI5's contemporaneous papers, the officer's intention would probably have been to exploit what McKEAGUE - as well as his terrorist associates - would have regarded as insecure conduct in London: picking up young men whilst engaged in a covert arms procurement operation. It is clear that MI5 knew that McKEAGUE's homosexuality was recognised by his associates in NI, and he was therefore not susceptible to pressure on that account. In other words, any pressure felt by McKEAGUE would not have been in relation to his homosexuality *per se* but to his lax tradecraft and consequential threat to the success of their arms procurement operation and those involved. As we have already indicated, MI5 neither took nor possessed any compromising photographs.

James MILLER – McGRATH, Kincora and media misrepresentation

82. There have been a number of claims that James MILLER was a CHIS and that he reported to his handlers on Kincora. Brian GEMMELL has claimed to have been one of MILLER's handlers.

83. Arguably, the most public of the allegations about MILLER came to light in March 1987. On 22 March 1987 the *Sunday Times* reported a number of MILLER's claims about work he had undertaken for MI5. These mostly related to the Ulster Workers Council (UWC) strike. However, on 23 March 1987 the *Irish Times* reported that the Army had asked MILLER to infiltrate Tara and compile information on William McGRATH; which he allegedly did in 1970, a year before McGRATH became warden at Kincora. The article also stated that MILLER would not say if the information he compiled related to McGRATH's "*homosexual or paedophilic activities*". The *Sunday Times* published a more detailed article about MILLER on 29 March 1987;

including the claim that the intelligence services had known about the activities at Kincora for a number of years. Copies of these articles are provided as **Attachments J, K and L.**

84. As a matter of government policy, MI5 can neither confirm nor deny publicly whether a particular individual was a CHIS. However, we are able to make a number of assertions about MILLER with confidence.

85. Following the publication of the *Sunday Times* articles in March 1987, an aggrieved MILLER made contact with government officials to make a number of claims. A note of his phone call was passed to the Cabinet Office at the time. (See Note to Cabinet Office of 30 March 1987.)

86. As a consequence, two officials interviewed MILLER about his various concerns in early April 1987. The record of this meeting states that MILLER said his only motive in talking to the Press had been to "*set the record straight about Colin WALLACE, whom he believed had betrayed British secrets to the UDA*". MILLER added that the journalists had ignored his information about WALLACE, instead they used his (MILLER) name to lend weight to their own inventions about MI5. He said the statements attributed to him that were published in the two *Sunday Times* articles were "*a mixture of pure fiction and gross distortion*".

87. We provide a number of relevant extracts from the interviewers' Official Minute which we judge to be significant. (See Extracts A-D from Official Minute of 06 April 1987 re interview with MILLER.) These touch on MILLER's claim of false representation in the *Sunday Times* articles and, significantly, his specific comments about what he is alleged to have told the journalists about Kincora (**Extract D** refers).

88. It seems clear from what MILLER told the officials that he had no information of any abuse being carried out at Kincora, no knowledge of McGRATH's paedophilia and no knowledge of his employment at Kincora Boys' Home. The account provided privately to officials by MILLER differs dramatically from what was published by journalists Clarke and Penrose.

89. Despite extensive searches of papers we have been able to find only a single document which provides any support to the allegation published in *the Sunday Times* article of 29 March 1987.

90. We located a letter written by Mr MILLER dated 07 April 1972 in which he reported having been told by an associate that the Tara Commanding Officer, whose

name was given as McGRATH, "*had been accused of assaulting small boys*". (See Mr MILLER's Letter of 07 April 1972 – Extracts.)

91. However, Mr MILLER did not provide McGRATH's first name. He did not indicate anything about McGRATH's sexuality or employment, and he did not expand on what was meant by 'assaulting'. Part of Mr MILLER's letter was reproduced almost verbatim in an MI5 report about 'Extreme Protestants'. The author of the MI5 document included the comment that reliability of the person who told MILLER about the accusation was "*open to doubt*". (See MI5 Report of 11 April 1972.)

92. We believe the MI5 officer would have taken into account a number of factors when assessing the information in Mr MILLER's letter at the time. These would probably have included, for example: when had the accusations had been made; by whom were the accusations made (by victims, police or others); against whom were the allegations had been made (the leader of Tara Mr McGRATH was not yet fully unidentified); when had the alleged assaults taken place (recently or in the past) and what kind of 'assault' had been carried out: physical (eg slap/punch) or sexual (or even 'verbal'). And at this point there had been no allegation about Mr McGRATH's homosexuality, although had there been any, the MI5 officer would have recognised that homosexuality did not – and does not – equate to paedophilia.

93. At the time that Mr MILLER's letter was passed to MI5 in April 1972, the Service was still uncertain about the identity of the Mr McGRATH who was the CO of Tara. Even his forename was in doubt. It was an RUC letter of 22 November 1973 that provided McGRATH's full name, Date of Birth and gave his occupation as 'Social Worker' at Kincora Hostel.

94. Also, we ought not to assume that 'assault' would have been interpreted at the time by the MI5 officer who read Mr MILLER's letter, or by anyone who read it, as being of a sexual type. McGRATH was, after all, running a paramilitary organisation, and physical abuse or rough handling of young recruits might have been anticipated. For example, MI5 CHIS reporting about the UDA prior to 08 July 1972 stated that there was "*a very bullying attitude by the leadership towards the rank and file*" which was not well received. In this context, we should also bear in mind that Loyalist paramilitaries, like their Republican counterparts, used youngsters in their cause.

95. The MI5 officer who drafted the April 1972 report did not give their reason for assessing the sub-source's reliability as "*open to doubt*". It may be that the officer based his judgement on information obtained from elsewhere, including discussions with others (eg Army intelligence and RUC SB officers). However, we do know that in October 1971 MI5 had reporting that there was some 'discord' within Tara, some of

whose members appear to have been defaming or insulting each other and McGRATH.

96. We should note too that the MI5 officers' focus in NI at that time would have been to obtain strategic intelligence on paramilitary capabilities, activities and intentions. The accusations against an as-yet unidentified McGRATH as reported in the 1972 letter would not have been passed to the police not just due to the factors we referred to above, and also because it could be judged to fall below the intelligence threshold. It was a generalised assertion and insufficiently robust. The MI5 judgement on Mr MILLER's letter would have been made at a particularly challenging time for the Security Forces. Terrorists had killed 180 people during 1971, and in 1972 up to the date of this letter they had already killed some 50 people. Therefore an accusation of dubious provenance about an unidentified person and ambiguous interpretation may well have been considered simply not to meet the threshold for dissemination.

97. MI5 did pass some of its reports, in whole or in part, to RUC HSB. However, this was somewhat discretionary and it is not possible to tell from MI5's 'Extreme Protestants' report whether or not RUC HSB was told about the accusation against McGRATH. Nor can we tell whether or not the RUC had received a copy of Mr MILLER's letter, which would have enabled them to form their own judgement.

98. So while the accusation made against the McGRATH cited in Mr MILLER's letter may be judged to be of some significance in hindsight, we are satisfied that it was not actionable.

99. We are also aware that MILLER's claim of misrepresentation by the journalists may appear to be undermined by a 15 July 2014 article by Liam CLARKE. CLARKE recalls his 1987 interview with MILLER and alleges that MI5 had paid-off MILLER so that he would stay silent about what he (and thus, allegedly, MI5) knew about Kincora. MILLER had reportedly spoken to CLARKE before his handlers made his financial problems 'disappear' to shut him up. MILLER allegedly told CLARKE that: he was to penetrate Tara for MI5; gave MI5 a dossier on Tara/McGRATH and was promptly told to leave Tara and "*leave McGRATH to us*", which MILLER assumed meant that his information on McGRATH's sexuality was used to recruit him. A copy of Liam CLARKE's article is provided as **Attachment M**.

100. MI5's records do not substantiate Liam CLARKE's allegation of MI5 paying off MILLER or anyone else to remain silent about Kincora or child abuse. There is nothing at all in MI5's records to suggest that MILLER ever had any knowledge of Kincora or child sexual exploitation that might have been taking place there.

Colin WALLACE – allegations by

101. Colin WALLACE has made many allegations about Kincora. We do not propose to address them in detail in this Witness Statement. We have seen nothing during the extensive searches of MI5's records to indicate that WALLACE had any involvement with or knowledge of any MI5 operation in Northern Ireland or elsewhere.

102. We are satisfied that at no time did WALLACE have any formal relationship, with MI5 or its staff. We cannot, of course, rule out the possibility that he may have encountered members of MI5 in their cover roles, on social occasions, for example.

103. The HIA Inquiry has been provided with a copy of the December 1989 Rucker Report on the WALLACE Case and its supplementary of March 1990. The Rucker Report includes MI5's responses to the wide-ranging issues raised by WALLACE.

Sir Maurice Oldfield

104. Sir Maurice Oldfield has been the subject of a number of serious allegations. These issues would have been of considerable significance during the inquiries conducted as part of his vetting. We have seen nothing amongst MI5 or MI6 papers to support these allegations.

105. Sir Maurice OLDFIELD was born in 1915. He served in the British Army between 1940 and 1947 and then joined the Secret Intelligence Service (SIS). OLDFIELD was appointed Chief of SIS in 1973. He retired from SIS on 31 January 1978, taking up a Visiting Fellowship at All Souls College, Oxford, for the academic year 1978-79. OLDFIELD was appointed by the Northern Ireland Office as Northern Ireland Security Co-ordinator (NISC), based in Belfast, on 2 October 1979.

106. In early 1980, the Cabinet Office became aware of allegations that OLDFIELD might be homosexual. Homosexuality was viewed as a security vulnerability at the time, and consequently in March 1980 the Cabinet Office informed MI5 of the allegations and asked MI5 to review OLDFIELD's Positive Vetting. During the course of this review OLDFIELD admitted that he had engaged in homosexual activity over a number of years and that he had failed to declare this during

previous vetting interviews. As a result, MI5 concluded that OLDFIELD was unfit to hold Positive Vetting. OLDFIELD formally left the NISC post in June 1980.

107. Following the vetting review, MI5 undertook a thorough investigation in order to ascertain whether OLDFIELD's homosexuality may have been used to compromise him in a way which damaged national security at any point during his career. This investigation included several exhaustive interviews with OLDFIELD and with various contacts of OLDFIELD. The investigation concluded in February 1981 that there was no evidence whatsoever to suggest that national security had been compromised, and indeed that OLDFIELD had contributed notably to a number of security and intelligence successes which would not have been achieved had there been a breach of security. (Several years later, on 23 April 1987, the Prime Minister made a public statement to this effect, following the publication of a book revealing OLDFIELD's homosexuality.)
108. This vetting review and the subsequent investigation had no relation whatsoever to Kincora Boys Home. No mention of Kincora arose at any point during this process.
109. OLDFIELD died in London on 11 March 1981.
110. In January 1982 (after the above investigation had concluded and after OLDFIELD died) MI5 became aware of allegations by journalists linking OLDFIELD to alleged child abuse at Kincora Boys Home. The relevant media reports did not provide any basis for the allegations.
111. MI5 and the Cabinet Office concluded that the allegations were inherently unlikely because SIS records indicated that OLDFIELD had never travelled to Northern Ireland during his time at SIS (i.e. before October 1979) and because OLDFIELD was accompanied at all times by a police protection officer during his trips as NISC and would not have been left alone for any appreciable time.
112. In March 1982, MI5 became aware of an allegation in an Irish newspaper that OLDFIELD had conducted an investigation into allegations of child abuse at Kincora but had decided to take no further action. Again no basis was provided for this allegation. MI5 concluded that this was undoubtedly incorrect.
113. In February 1983, SIS was informed that a former SIS officer had claimed to an associate that the reason for the termination of OLDFIELD's position as NISC

was that there was evidence of OLDFIELD having engaged in homosexual activity with children during his time in Northern Ireland. This former officer had retired from SIS in the early 1970s and had no current access to SIS or Cabinet Office information. Furthermore, the specific claim was known to be false: MI5 recommended that OLDFIELD's Positive Vetting be revoked due to his homosexuality.

114. MI5 and the Cabinet Office concluded that the allegations linking OLDFIELD to Kincora were entirely unsubstantiated.

Personal Details

115. I am a Deputy Director of MI5. I have been a member of MI5 for 24 years, and have spent the majority of my career in investigative and agent running roles concerned with counter-terrorism. I worked as a London-based desk officer for Northern Irish-related terrorism investigations between 1994 and 1997, before moving into an agent running role concerned with international counter-terrorism. Following the July 2005 bombings I worked in international counter-terrorism roles until 2013. Since late 2014 I have been posted to the Service's Northern Ireland HQ in Palace Barracks as the officer in charge of MI5's Northern Irish-related counter-terrorist investigations and assessments work.

116. I have signed this statement with the personal identification number 9004. This is a unique number issued to me by MI5 for the purposes of identifying myself without disclosing my full identity. This is a necessary practice for security reasons, and the only publicly named individual within MI5 is the Director General. Records held by MI5 link my true identity to my personal identification number.

Some Background on MI5 in Northern Ireland

117. Since 2007, MI5 has had lead responsibility for counter-terrorist intelligence work in Northern Ireland, in close co-operation with PSNI. However, during the 1970s MI5's presence was much smaller. MI5 had a single liaison officer attached to the RUC in 1969. Following the imposition of Direct Rule in 1972 the post of 'Director and Coordinator of Intelligence' (DCI) was created within the Northern Ireland Office (NIO) at Stormont. Whilst the first incumbent of the DCI post was not from MI5, every subsequent post-holder was seconded from MI5 to

the NIO. DCIs never directed intelligence operations in Northern Ireland, but acted as the Secretary of State's main advisor on intelligence matters, and sought to provide strategic coordination of the intelligence effort. DCI also established an analytical staff comprised of seconded MI5 personnel who were responsible for the production of strategic intelligence summaries and assessments.

118. DCI also had senior liaison officers at RUC HQ and Army HQ Lisburn. This latter post was known as the Assistant Secretary (Political), or ASP. In the early 1970s, one of the functions of the ASP post was to provide some guidance for the Army's nascent efforts in gathering intelligence from human sources in a civil conflict. This was prior to the establishment of the Forces Research Unit (FRU) in 1982, after which the ASP role became less hands on and more advisory in nature.
119. Another related unit set up in 1972, although not under the direct control of DCI, was the Irish Joint Section comprising a small number of Security Service and SIS agent running officers focused on obtaining strategic and political intelligence about the plans and intentions of paramilitary organisations.

Annex A - Disclosure process

1. The preparation of this witness statement has followed a painstaking disclosure process conducted by MI5, the detail of which is set out below.

2. In November 2014 MI5 received a letter from the Northern Ireland Office containing a list of search terms provided by the Historical and Institutional Abuse inquiry. Those search terms were:

Bawnmore	Palmerstone
Bernados	Rathgael
Ravelstone Parade	Raymond Semple
"Boys Home" and abuse	Rubane
Brian Gemmell	TARA
"Child abuse" and "Northern Ireland"	Valetta
Colin Wallace	William McGrath
Hughes inquiry	Williamson House
Institutional abuse	Manor House, Lisburn
James McGuigan	Roy Garland
Joseph Mains	James Miller
Richard Kerr	John McKeague
Kincora	
Mike Taylor	

3. In addition, and with the agreement of the HIAI, MI5 conducted further targeted searches for information known to be of potential relevance. The product from these searches has been provided in a file list provided separately to the HIAI.

4. I confirm that to the best of my knowledge and belief that the file list is an accurate record of the documents produced as a result of these searches and revealed to the HIAI. I cannot provide further detail of the content of the files in this statement because of the damage that disclosure would cause to MI5's ability to protect the public from threats to national security.

5. The searches outlined at paragraphs 2 and 3 above produced many thousands of documents. The detail of these results has been supplied separately to the Inquiry and is not part of this statement as disclosure of the information would damage MI5's ability to protect the public from threats to national security. MI5 agreed with the HIAI that the HIAI would review the documents for relevance prior to their disclosure to the HIAI. The HIAI conducted this task and identified documents of relevance to its Inquiry.

6. MI5 then reviewed the documents identified as relevant by the HIAI and considered whether they contained information which, if disclosed, would damage the MI5's ability to protect the public from threats to national security. MI5 then removed from the documents information assessed to be damaging to national security.

7. The documents identified as being relevant are attached to this witness statement.

8. I am satisfied that the disclosure exercise conducted by experienced MI5 disclosure officers, researchers and lawyers has been conducted thoroughly, and to the best of my knowledge and belief all potentially relevant information was provided

to the inquiry for the purpose of the review it conducted which is described at paragraph 4.