

NAME: [GEORGE CLARKE]

DATE: [18 August 2016]

**THE INQUIRY INTO HISTORICAL INSTITUTIONAL ABUSE 1922 TO 1995**

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**Witness Statement of GEORGE CLARKE, D/CHIEF SUPERINTENDENT**

I, George Clarke, will say as follows: -

1. I am a Detective Chief Superintendent in the Police Service of Northern Ireland.

I joined the RUC in December 1994. I am the Head of Public Protection within the

PSNI. This Branch is also known as "C7" Branch and is part of the Crime

Operations Department.

2. This statement is supplementary to my previous statements to the Historical Institutional Abuse Inquiry (HIAI) dated the 20<sup>th</sup> May 2016 and 17<sup>th</sup> June 2016. It has been provided at the request of the HIAI following receipt of a copy of an email sent to the HIAI from Jeffrey DUDGEON, dated 14<sup>th</sup> July 2016.

3. In this email, Mr DUDGEON refers to the interaction between D/Con CULLEN and ACC MEHARG between 1974 and 1976, and believes that events involving him (DUDGEON) in 1976 may be of some relevance and assistance to the work of the Inquiry.

4. Mr DUDGEON describes an investigation which took place over 6 months in 1976 in relation to the gay community, predominantly centred upon Belfast, by what DUDGEON describes as the RUC 'Gay Squad'.
  
5. The email was forwarded to the PSNI by HIAI on the 19<sup>th</sup> July 2016 asking for comment on Mr DUDGEON's email and for answers to 3 specific questions which are listed below:
  - ***“Whether there was a ‘Gay Squad’ based a Donegall Pass or elsewhere, whose role it was to investigate alleged homosexual offences? If so, what was the membership of this team?”***
  - ***Whether any ACC Meharg or DC Cullen were connected with such a team, or otherwise connected to the arrest and questioning of DUDGEON or other homosexuals / suspected homosexuals at this time?***
  - ***Whether other homosexuals / suspected homosexuals were questioned in respect of homosexual offences as described in the letter?”***

The Inquiry requested a spreadsheet be compiled and exhibited to the witness statement. The spreadsheet should include the name of the individual, the file number, the date the file was opened, the date the individual was arrested / questioned, whether there was a DPP direction, whether there was a prosecution /conviction and what penalty / sentence / other disposal (i.e. caution) resulted.

6. A timeline of the relevant RUC investigation has been prepared and has been attached at Appendix A.
  
7. A list of individuals investigated during this investigation has been attached at Appendix B. This Appendix also shows the outcome of each case.

#### **INITIAL ANALYSIS AND COMMENTS**

8. The file relating to the 1976 investigation (which involved DUDGEON and others) was entitled 'C64/1/76 - Investigations into the homosexual activities of two organisations in the Greater Belfast Area - the Gay Liberation Society and Cara Friend'.
  
9. This investigation by the RUC involved interviewing 35 individuals; 11 of whom 'were eliminated as not requiring further investigations and have not been included in the File'. Statements after caution were taken from some, others refused to provide a statement but notes of their interviews with police were presented in the file submitted to the DPP.
  

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10. Charges were recommended against 11 individuals.

11. In 1977 the DPP, following consultation with the Attorney General, directed 'No Prosecution' in relation to all charges.

12. The RUC investigation team was led by Detective Supt A.J. CUNNINGHAM (from January 1976 until early 1977). D/Supt. CUNNINGHAM was based in the ACC's Office in Castlereagh station. It appears that D/Supt. CUNNINGHAM selected officers to assist in his investigations, these being, on a fulltime basis:

- D/Sgt David ARMSTRONG (Donegall Pass CID)
- D/Con John MALLON (North Queen Street CID)
- D/Con Stanley CLARKE (Donegall Pass Drugs Squad)

13. A number of other officers assisted at various points of the investigation and are named below.

14. D/Supt. CUNNINGHAM reported directly to ACC Crime, William MEHARG and from the material viewed it is evident that the 2 men were in regular contact as the investigations progressed. It is further evident that the then Chief Constable of RUC (Kenneth NEWMAN) was kept abreast of the developments in this investigation by ACC MEHARG.

15. There were two distinct investigative phases; the first can be summarised as the enquiries following on from the receipt of the initial complaint by Mr and Mrs [REDACTED] (interviews, searches etc.) in January 1976.

16. The second phase commenced in April 1976 following directions issued by the DPP to the RUC Chief Constable in March 1976, 'to continue with such investigations as he considers appropriate'.

17. In May 1976 a series of complaints were made to the RUC relating to the actions and attitudes of officers investigating alleged homosexual activities of the Cara Friend and Gay Liberation Society organisations. An internal investigation was undertaken by the RUC and a file sent to the DPP, who decided that no criminal charges should be brought against the officers concerned.

18. The papers comprising this file (statements after caution, interview notes, etc.) were forwarded to the HIAI as OCDs 152, 167 and 168 on 18<sup>th</sup> and 19<sup>th</sup> June 2015.

19. An analysis of the papers held by the PSNI has identified no connection between any of those persons interviewed as suspects in the 1976 investigation (C64/1/76) and any victim or suspect in the Kincora investigations.

20. Similarly there is no involvement in the Kincora investigations of any police officer involved in the 1976 investigation, with the exception of ACC MEHARG; this will be returned to below.

#### **EMAIL FROM JEFFREY DUDGEON TO THE HIAI, DATED 14<sup>th</sup> JULY 2016**

##### **The role of Detective Constable James Cullen**

21. In paragraphs 3 and 4 of his email, Mr DUDGEON refers to events of the 21<sup>st</sup> January 1976, which he describes as 'the same day that DC CULLEN contacted ACC MEHARG, a second time, about his concerns over William McGrath'. DUDGEON recalls that on that date his house was searched and 'all my papers seized and I was taken in for questioning'.

22. In paragraph 4 Mr DUDGEON states he was driven home from Castlereagh police station by D/Con CULLEN.

23. The obvious feature of Mr DUDGEON's account is the role of D/Con CULLEN on 21<sup>st</sup> January 1976 into otherwise unrelated events.

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24. There is nothing in the papers held by PSNI to indicate that D/Con CULLEN had any involvement whatsoever in the 1976 investigation (C64/1/76). Mr DUDGEON is incorrect in his assertion that he was taken home from Castlereagh by CULLEN; records show that at 12:05am on the 22/01/1976, Mr

DUDGEON was driven home by D/Con John Russell MALLON not D/Con CULLEN (see statements of D/Con MALLON 28/6/1976 and D/Con CLARKE 28/6/1976).

25. It is understood that retired DC CULLEN is unable to assist the HIAI due to ill-health.

### **The basis for the investigation**

26. In paragraphs 5 and 6 of his email to the HIAI, Mr DUDGEON discusses the inception, conduct and ultimate outcome of the 1976 RUC investigation.

27. Papers held by the PSNI support Mr DUDGEON's comments at paragraph 5 that the origin of the investigation was a complaint from the mother of an 18 year old boy from Armagh who reported her son missing from his parental home and told police she believed him to be living with a homosexual male in Belfast. This woman (Mrs [REDACTED]) made initial contact with Supt CUNNINGHAM, who was attached to ACC MEHARG's office in Castlereagh.

28. As is set out at paragraph 11, the Investigation Team does not appear to have included D/Con CULLEN. Nor does it appear that D/Con SCULLY (who dealt with Richard KERR in 1977) had anything to do with this 1976 investigation as suggested by Mr DUDGEON in his email.

**The Drugs Squad connection**

29. Mr DUDGEON's commentary that there was 'certainly a Donegall Pass Barracks Drug Squad connection' is correct, to an extent. That is to say one of the above named officers (D/Con CLARKE) was a Drugs Squad officer based at Donegall Pass. A number of other Drugs Squad officers also played peripheral roles in enquires relating to C64/1/76, namely W/D/Con HOOD and D/Con HEWITT. Papers do not suggest that this investigation team were based, at any stage, in Donegall Pass, but rather worked out of Castlereagh station.

30. Mr DUDGEON's view may also be influenced by the fact that a number of 'Misuse of Drugs' warrants were executed in the course of this investigation. Admissions were obtained from a number of those interviewed to drugs-related offences (i.e. possession/supply of cannabis) and a number of convictions for such offences were obtained.

**Was there an RUC 'Gay Squad'?**

31. Mr DUDGEON describes the existence of an RUC 'Gay Squad'. This may create the impression of a Unit, with a Northern Ireland wide remit, who were proactively investigating homosexual offending. There is no evidence of the existence of such a unit or 'squad'.



32. Indeed, during his evidence to the Northern Ireland Standing Advisory Commission on Human Rights in late 1976, ACC MEHARG stated that since the beginning of 1972 there had only been '11 convictions in respect of homosexual acts in Northern Ireland'; this is not indicative of a 'Gay Squad' in the RUC proactively pursuing homosexuals.
33. The investigation (led by D/Supt CUNNINGHAM) did not, for example, target establishments known to be frequented by the homosexual community, although some were known to the investigation team. This might have been expected from a proactive investigation team/ 'squad' as envisaged by Mr DUDGEON. Rather it appears that suspects were identified when implicated by another suspect, either in admissions secured during interview or in documents seized. To illustrate, Person A is interviewed, implicates Person B by admitting to sexual activity and in a search of Person A's home, a diary is found implicating Person C in homosexual activity with Person A. Persons B and C then become suspects and are interviewed, further suspects are thus identified and the process continues.
34. It would appear that the investigative approach taken by D/Supt. CUNNINGHAM's team is rigorous.
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35. Some of the language used in the covering reports and submissions contained within the police file C64/1/76 (especially by D/Supt CUNNINGHAM) suggests a

personal dislike/ distaste (veering towards extreme) of homosexuality. It nonetheless was the case that until 1982 such sexual activity was unlawful IN Northern Ireland and therefore the RUC were investigating what was contemporaneously criminal matters and following guidance and direction issued by the DPP.

36. A list of the 24 individuals referred to the DPP in the RUC file C64/1/76 has been prepared and is attached at Appendix B to this statement. It will be noted that with the exception of a small number of drugs related offences, no person was ever prosecuted for homosexual offences, despite charges being recommended.

37. On 4<sup>th</sup> May 1976 a complaint was made to the RUC by Mr DUDGEON about the conduct of the police investigation. In his letter Mr DUDGEON noted that 'we must also complain about the manners and attitudes of Sgt ARMSTRONG and Supt. CUNNINGHAM in particular. Both have a particular and unbalanced loathing of homosexuality which appears to justify their relentlessness and zeal in these investigations'. On the 23<sup>rd</sup> March 1977 Mr DUDGEON was informed that, at the conclusion of investigations into his complaint, a file had been sent to the DPP who directed 'No Prosecution' against any Police Officer. Mr DUDGEON was also informed that no 'improper conduct' was identified during the internal Complaints and Discipline investigation.

38. Mr DUDGEON is correct that he was advised in early 1977 that there were to be no prosecutions for homosexual offences. The decision not to prosecute was based on the DPP's belief that there was 'at least a strong possibility that the Secretary of State's consideration of legislation [relating to homosexuality] would have begun before any prosecution not already commenced would be completed'. There is no evidence that the decision reached by the DPP not to prosecute was in any way a reflection on the police investigation file.

#### **THE ROLE OF RUC ASSISTANT CHIEF CONSTABLE WILLIAM MEHARG**

39. In his email of 14<sup>th</sup> July 2016, Mr DUDGEON discusses the role of ACC MEHARG. He comments,

'In conclusion, the RUC Gay Squad was in my opinion acting to stamp out what was felt to be a criminal conspiracy by gay organisations and it would appear that this was the view of ACC MEHARG who presumably set the squad up and put the extensive process in train. Plainly it dominated his mind and endeavours over the months from January 1976 (and perhaps a little earlier) and as a result, I would suggest, Kincora was not considered worth pursuing'.

40. It must be noted that the above comment is Mr DUDGEON's opinion; there is no evidence that he bases this on personal knowledge of ACC MEHARG's views.

41. In his statement to Sussex Police on 22 April 1982, ACC MEHARG makes his own views on homosexuality clear saying, '...if I had my way I would advocate or

recommend that irrespective of age, persons concerned in acts of homosexuality, either in public or private should be prosecuted'.

42. It does not appear that MEHARG initiated the investigation, which led to the submission of C64/1/76; it was commenced upon receipt of a complaint from a member of the public (Mrs [REDACTED]). The mechanism from which further suspects were identified has been outlined above.

43. The investigation appears to have been run by D/Supt. CUNNINGHAM in a rigorous and thorough manner. There are no papers to indicate that he was being 'micro managed' by ACC MEHARG, although CUNNINGHAM routinely kept his senior officer informed of the progress of his investigation.

44. The papers show that ACC MEHARG received regular written reports from and had meetings with D/Supt. CUNNINGHAM from January 1977. ACC MEHARG appears to have kept abreast of developments by asking for further updates during the course of enquiries, 'B/Fing' reports when needed.

45. ACC MEHARG is also shown to have briefed senior colleagues, including the RUC Chief Constable, on the details of the investigation into Cara Friend and the Belfast Gay Liberation Society. It was ACC MEHARG who sought and received

guidance and directions from the DPP in relation to the pursuance of individuals for homosexual offences.

46. It is worthy of comment that in the reports and memos written by ACC MEHARG (as part of C64/1/76) his personal views and judgements are not obvious and his language remained neutral. This is in contrast to D/Supt. CUNNINGHAM, whose personal views on homosexuality and homosexuals are clearly evident in some of his reports and correspondence.

47. Notwithstanding, MEHARG's own views, it remains that homosexuality was illegal in 1976 and as such, it appears reasonable that an investigation into illegal activity would be reasonably expected of the police.

48. ACC MEHARG, however, had given evidence to the Northern Ireland Standing Advisory Commission on Human Rights at the same time as he was seeking directions from the DPP in relation to C64/1/76 and clearly understood the direction that the law was taking regarding consensual sexual activity between adult men. This would appear to reasonably explain his contact with the DPP in 1976 and his updating of the Chief Constable.

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49. In correspondence with the Chief Constable, ACC MEHARG described himself as being 'flummoxed' at the DPP decision in January 1977 to direct 'No

Prosecution'. This appears to relate to the apparent reversal of previous directions issued to him by the DPP in March and August 1976.

#### **LINK TO KINCORA MATERIAL**

50. All of the above then raises the question why were the Police File and supporting papers relating to C64/1/76, contained within the Kincora- related material.

51. The reason for the inclusion in the Kincora papers appears to be through Mr DUDGEON himself. Mr DUDGEON was listed as Treasurer of the Carpenter's Social Club (a Gay establishment) alongside Ken LARMOUR. Ken LARMOUR was interviewed by police and a statement obtained from him in connection with the 'Alan CAMPBELL' case, which was referred to as part of CASKEY's 'Phase 2' of the Kincora Investigation. Although it does not appear that he was spoken to, Mr DUDGEON is briefly mentioned by CASKEY in his covering report, dated 26<sup>th</sup> August 1982, 'Mr J.E. DUDGEON of the Northern Ireland Gay Rights Association is shown as Treasurer of the club'.

#### **CONCLUSION**

52. Homosexuality was illegal in Northern Ireland until 1982.

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53. Some correspondence, notably that written by D/Supt CUNNINGHAM, betrays personal animosity towards homosexuals.

54. There is no evidence to suggest there was a 'Gay Squad' in the RUC; there was an investigation team, set up in early 1976 to investigate a specific complaint from a member of the public relating to homosexuality.

55. There is no evidence to suggest that D/Con CULLEN had any connection with the investigation led by D/Supt. CUNNINGHAM (C64/1/76).

56. The role of ACC MEHARG was to supervise, rather than to initiate the investigation (C64/1/76).

57. The decision by the DPP to direct 'No Prosecution' for the homosexual charges recommended in C64/1/76, was reached following consultation with the Attorney General and was based on the impending debate on the reform of the law on homosexuality in Northern Ireland. There was no criticism of the police approach or conduct.

58. An analysis of the papers held by the PSNI has identified no connection between any of those persons interviewed as suspects in the 1976 investigation (C64/1/76) and any victim or suspect in the Kincora investigations.

**Appendix A** – List of 24 individuals referred to in C64/1/76

**Appendix B** – Timeline of the Key Dates in the Investigation - C64/1/76

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed 

Dated 18<sup>th</sup> August 2016



## Appendix A- Individuals Referred to in C64/1/76

Name	Date of interview	Charges recommended	DPP Direction/Outcome
[REDACTED]	20/01/1976	Buggery and Gross Indecency	No Prosecution
[REDACTED]	20/01/1976	Buggery and Gross Indecency	No Prosecution (received a suspended 3 month sentence for Possession of Cannabis)
[REDACTED]	21/01/1976	Gross Indecency	No Prosecution
[REDACTED]	21/01/1976	None	N/A
[REDACTED]	23/01/1976	Buggery and Gross Indecency	No Prosecution (received a suspended 6 month sentence and £30 fine for Possession and Supply of Cannabis)
[REDACTED]	10/04/1976	None	N/A
[REDACTED]	14/04/1976	Gross Indecency	No Prosecution
[REDACTED]	14/04/1976	Gross Indecency	No Prosecution
[REDACTED]	16/04/1976	None	N/A
[REDACTED]	24/04/1976	Gross Indecency	No Prosecution
[REDACTED]	30/04/1976	Gross Indecency	No Prosecution
[REDACTED]	01/05/1976	None	N/A
[REDACTED]	07/05/1976	None	N/A
[REDACTED]	08/05/1976	Gross Indecency	No Prosecution
[REDACTED]	14/05/1976	None	N/A
[REDACTED]	18/05/1976	None	N/A
[REDACTED]	19/05/1976	Gross Indecency	No Prosecution
[REDACTED]	20/05/1976	None	N/A
[REDACTED]	21/05/1976	None	N/A
[REDACTED]	22/05/1976	None	N/A
[REDACTED]	26/05/1976	None	N/A
[REDACTED]	01/06/1976	Gross Indecency	No Prosecution
[REDACTED]	02/06/1976	None	N/A
[REDACTED]	09/06/1976	None	N/A

**Appendix B- Timeline of Key Dates re C64/1/76 Subject: 'Investigations into the homosexual activities of two organisations in the Greater Belfast - the Gay Liberation Society and Cara Friend'.**

- **16/1/1976-** D/Supt CUNNINGHAM had a telephone conversation with a Mr [REDACTED] [REDACTED] Armagh, over concerns Mr [REDACTED] had about his 18yr old son's involvement in homosexuality and homosexual groups in Belfast.
- **17/1/1976-** Meeting between Mr and Mrs [REDACTED] and D/Supt. CUNNINGHAM at Castlereagh Police station re their son, [REDACTED] (18 years) who was 'missing from home' and who they believed was 'associating with homosexuals and was a member of a society known as the Gay Liberation Society'. The [REDACTED] provided Supt. CUNNINGHAM with a letter (dated 8/12/1975) found in their son's bedroom which strongly suggested that there was/had been a homosexual relationship between the author of the letter [REDACTED] and their son. According to D/Supt. CUNNINGHAM, the [REDACTED] 'expressed their desire for the Police to investigate the homosexual activities of the two societies mentioned above'.
- **19/1/1976-** D/Supt. CUNNINGHAM instructed D/Sgt ARMSTRONG, D/Con MALLON and D/Con CLARKE to report to his office on this date to help in his enquiries.
- **19/1/1976-** Mr and Mrs [REDACTED] and their son [REDACTED] attended Castlereagh station and, according to D/Supt. CUNNINGHAM, at that point, 'investigations into the above societies were commenced'. A statement after caution was taken from [REDACTED] by D/Con MALLON, in which he admitted to being a homosexual and having a homosexual relationship with [REDACTED] 'in which acts of masturbation and indecency took place'. [REDACTED] provided information about his involvement with (members of) Cara Friend and the Gay Liberation Society.

- **20/1/1976-** [REDACTED] (32 years) was taken to Castlereagh where he made a statement after caution to D/Sgt ARMSTRONG, in which he confirmed that he was a 'practising homosexual' and had smoked cannabis. He refused to say if he had had sexual contact with [REDACTED]
- **21/1/1976-** [REDACTED] (30 years) was taken to Castlereagh police station (at 11.05pm) and provided a statement after caution. [REDACTED] told police that he was a member of the Gay Liberation Society and a homosexual. He also told police that he had previously smoked cannabis (in America).
- **23/1/1976-** [REDACTED] (DOB [REDACTED]) made 2 statements after caution to police at Castlereagh police station. Told police he was a homosexual who had had a number of homosexual relationships and was a member of the Belfast Gay Liberation Society. [REDACTED] also admitted to having previously smoked cannabis.
- **27/1/1976-** An RUC 51/1 was sent from D/Supt. CUNNINGHAM to ACC MEHARG, to report that enquires and research into material seized at searches of the homes of individuals arrested above, revealed that a grant of £750 had been given to the Gay Liberation Society from the Department of Health and Social Services.
- **28/1/1976-** Letter of complaint from [REDACTED] to the Chief Constable RUC following his arrest on 20/1/1976. [REDACTED] wrote that the as a result of police reaction to the knowledge of my homosexuality 'I wish to register the strongest possible complaint at their subsequent attitude and behaviour towards me'. The letter goes on to say that 'the senior officer present, D/Supt CUNNINGHAM, displayed a strong dislike of homosexuals'.

- **30/1/1976**- Report sent from D/Supt. A.J. CUNNINGHAM to ACC Crime [MEHARG]. The report provides background on why the investigation had been initiated and gives an update on RUC action from 16<sup>th</sup> January to date of report. D/Supt. CUNNINGHAM concludes his report by asking for a direction from his authorities as to their attitude in prosecuting the offenders he was identifying, as 'I am eager and keen to bring to justice such despicable people and remove them from their everyday contact with the younger generation'.
  - **3/2/1976**- Letter sent from ACC MEHARG to the DPP 'for favour of a direction please', following on from the report of D/Supt CUNNINGHAM dated 30/1/1976 (see above entry). ACC MEHARG writes, 'It is obvious that further widespread and protracted investigations are necessary but... there is little purpose in Police devoting precious time in investigating homosexual conduct, particularly if prosecutions are not instituted in the within papers'.
  - **11/3/1976**- Letter sent from Barry SHAW, DPP to Chief Con (and marked for the attention of Mr MEHARG) noting the report of D/Supt CUNNINGHAM on 30/1/1976 (seeking direction from his authorities as to their attitude in prosecuting the offenders to whom he referred). Mr SHAW concludes that 'There is no general or other policy in my office which should be taken to precluded investigations by the Chief Constable of any offences against the law of N.I. The Chief Constable should accordingly continue with such investigations as he considers appropriate".
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- **5/4/1976**- The investigation team under D/Supt CUNNINGHAM 're-established at Castlereagh'.

- **20/4/1976-** [REDACTED] appeared at BMC and was sentenced to 3 months imprisonment suspended for 2 years in relation to possession of cannabis which was found during the police search of his home ([REDACTED]) on 20/1/1976.
- **4/5/1976-** Letter of complaint to Chief Constable from Jeffrey DUDGEON on behalf of the 1974 Committee for Homosexual Law Reform in Northern Ireland, following his and others arrest in the previous months... 'We must also complain about the manners and attitudes of Sgt ARMSTRONG and Supt. CUNNINGHAM in particular. Both have a particular and unbalanced loathing of homosexuality which appears to justify their relentlessness and zeal in these investigations'.
- **5/5/1976-** Correspondence from Mr [REDACTED], NIO to RUC HQ enclosing papers on alleged harassment of homosexuals, noting that 'the Secretary of State has expressed concern about such incidents...'
- **10/5/1976-** Letter of complaint from Jeffrey DUDGEON, on behalf of [REDACTED], [REDACTED] and [REDACTED] addressed to the Chairman of the NI Police Authority.
- **12/5/1976-** Letter of complaint by the National Council for Civil Liberties on behalf of [REDACTED] sent to the RUC.
- **12/5/1976-** Report from ACC MEHARG to 'Chief Supt. Complaints and Discipline' providing background to the investigation of the RUC 'into the homosexuality activities of 2 organisations in the Greater Belfast area...'
- **13/5/1976-** RUC 51/1 'Correspondence re alleged harassment of homosexuals' sent from D/Supt. AJ CUNNINGHAM addressed to Chief Supt. CRAWFORD 'to

be submitted through ACC Crime (Mr Meharg)'. Commenting on the investigations to date, D/Supt CUNNINGHAM states that 'since these directions were received {DPP directions of 16/3/1976) widespread investigations have been carried out which have necessitated the interviewing of suspects and seizures of documents from different types of people...'. D/Supt. CUNNINGHAM continues, 'members of the RUC conducting the investigations have carried out their enquiries in an ordinary routine manner and there has been no harassment'.

- **25/5/1976-** Memo from Chief Supt. Complaints and Discipline to ACC Crime (MEHARG) asking for a 'factual report' re the letter of complaint from Jeffrey DUDGEON on behalf of [REDACTED], [REDACTED] and [REDACTED]. Gives a file reference of A147/546/76.
- **11/6/1976-** Letter sent to the RUC Chief Constable from [REDACTED] of the NALGO Gay Group (National and Local Government Officer's Association Gay Group) re 'Police Harassment of Homosexual People in Northern Ireland'. The letter is highly critical of RUC actions and in particular the 'degrading questioning' of 14 people. 'It would appear the RUC is having one last fling against homosexual people in NI.'
- **17/6/1976-** Reply letter sent from ACC MEHARG, on behalf of the Chief Constable, to [REDACTED] (NALGO Gay Group) in which he states that 'I am making enquiries into the specific matters raised by you in your letter and I shall communicate with you in due course'.
- **17/6/1976-** Letter from [REDACTED] Cara-Friend to Chief Constable NEWMAN attaching a letter dated 5/4/1976 addressed to Supt. Cunningham from [REDACTED] (Cara Friend) which had not previously been answered. (The April letter had

asked for the immediate return of items seized by the RUC from [REDACTED] on the 21 January 1976). The Chief Constable forwarded the letter to ACC 'C' [MEHARG] to deal with on the 22/6/1976.

- **17/6/1976-** ACC MEHARG writes to D/Supt CUNNINGHAM attaching a copy of the letter of complaint from Mr [REDACTED], National Association of Local Government Officers (NALGO), sent to the Chief Constable, dated 11/6/1976. MEHARG asks CUNNINGHAM for a report on the matter.
- **21/6/1976-** An RUC 51/1 from D/Supt. CUNNINGHAM to ACC Crime [MEHARG] re letter of complaint from NALGO Gay Group. D/Supt. CUNNINGHAM states his opinion that 'the object of these complaints is to canvass sympathy and support to have the law in Northern Ireland altered so as to make homosexuality legal. It is evident that they are adamant to pursue their ambitions vigorously to this end'.
- **23/06/1976-** An RUC 51/1 sent from ACC MEHARG to D/Supt. CUNNINGHAM asking for a report as to the position regarding the documents specified in the letter of 5/4/1976 from [REDACTED]
- **29/06/1976-** Report from D/Sgt ARMSTRONG re the 'Investigation of alleged homosexual activities of 2 organisations in the Greater Belfast area- namely Gay Liberation Society and Cara-Friend'.
- **2/7/1976-** Meeting took place between ACC MEHARG and D/Supt. CUNNINGHAM to discuss the 51/1 dated 23/06/1976.
- **2/7/1976-** RUC 51/1 from D/Supt CUNNINGHAM to ACC MEHARG seeking instruction on the charges recommended in the report submitted by D/Sgt ARMSTRONG on 29/06/1976. Supt. CUNNINGHAM sets out the background to

the investigation and the actions and enquiries he has made. The case against 24 individuals who had been interviewed by the RUC between January and June 1976 was outlined in CUNNINGHAM's report. CUNNINGHAM describes the people he interviewed in relation to homosexuality as 'educationally highly qualified types ...'. D/Supt CUNNINGHAM wrote to ACC MEHARG that he was 'amazed and disgusted with some of the revelations and happenings between some of the individuals involved'.

- **6/7/1976**- Reply to ACC MEHARG's 51/1 dated 23/6/1976 from D/Supt. CUNNINGHAM, stating that he was 'hesitant to return any documents seized until directions are given by the Attorney General or the DPP'.
- **8/7/1976**- Letter from ACC MEGARG to Cara Friend re return of items seized, 'I refer to your recent correspondence with the Chief Constable and D/Supt. CUNNINGHAM...the question of the return of these documents cannot be considered at this stage of police investigations'.
- **8/7/1976**- Letter to the Legal Registrar from ACC MEGHARG 'for direction', following reports of D/Sgt ARMSTRONG and D/Supt CUNNINGHAM (see 29/6/1976 and 2/7/1976 above).
- **10/8/1976**- DPP issued an 'Interim Direction' that 'before giving any directions in this case a conference is to be held with D/Supt A J CUNNINGHAM, D/Sgt ARMSTRONG, Mr [REDACTED] and myself [REDACTED]. The purpose of this conference will be to examine admissible evidence in detail and in particular if there is any possibility of those under 21 giving evidence under any circumstances against accomplices who are over 21'.



- **3/9/1976**- Memo from ACC MEHARG to Chief Supt. Complaints and Discipline re 'Complaint by [REDACTED] on behalf of the Student's Union of QUB'.
- **6/9/1976**- Reply from Chief Supt. C&D to ACC MEHARG, noting that 'Chief Superintendent O'HARA is currently investigating a series of complaints arising from this case... and may contact you personally concerning the matter'.
- **23/9/1976**- Memo from ACC MEHARG to Chief Constable re Homosexual activities in Greater Belfast area- Gay Liberation, etc. MEHARG was writing to advise the CC that papers have been with DPP since July and 'his direction is awaited'. The CC ([REDACTED]) has initialled the note on 24/9/1976.
- **25/1/1977**- DPP issued the direction of 'no prosecution' to the Chief Constable of the RUC (following consultation with the Attorney General) ref RUC Crime File C64/1/76.
- **1/2/1977**- Letter from Chief Supt for Chief Constable to Supt. MARTIN (CID Castlereagh) attaching a copy of the DPP's directions re C64/1/76.
- **February 1977**- Northern Ireland Gay Rights Association (NIGRA) circular/press release 'ATTORNEY GENERAL ANNOUNCES 'NO CHARGES' AGAINST 22 BELFAST HOMOSEXUALS'. Aside from welcoming the decision not to prosecute this bulletin calls for a public enquiry into police harassment of homosexuals and at paragraphs 7 notes that "The results of the internal enquiry into the behaviour of the four man RUC gay squad have not yet been announced. According to the Chief Constable the Director of Public Prosecutions is still examining the complaints by gays of, forcible entry, illegal seizures and threats'. NIGRA state in the circular that 'the RUC at Assistant Chief Constable level was able to carry out

what amounted to sociological research at the expense of law abiding citizens...

Indeed the RUC made it perfectly plain that, in their own words, they 'Were out to get Gay Lib'.

- **17/2/1977**- Memo from ACC MEHARG to the Chief Constable conforming the DPP's direction of 'No Prosecution' in the File C64/1/76. ACC MEHARG also reports the communication from the NIGRA calling for a public enquiry re police harassment of homosexuals...
  - **23/2/1977**- Memo from ACC MEHARG to D/Supt. MARTIN (CID Castlereagh) instructing D/Sgt ARMSTRONG and D/Con MALLON to prepare an inventory of all items seized in the course of their investigations into Cara Friend and the Gay Liberation Society and on completion of list to return all items to [REDACTED]. The CC noted the contents of the memo on 22/1/1977.
  - **23/2/1977**- The DPPs decision not to prosecute 'was communicated to DUDGEON personally' and papers belonging to him were returned against personal receipt.
  - **26/2/1977**- An RUC 51/1 sent from D/Supt MARTIN to D/Sgt ARMSTRONG with MEHARG's instructions from his memo dated 23/2/1977.
  - **3/3/1977**- Note to ACC Crime from D/Supt. MARTIN, informing him that 'the documents have been returned to their respective owners'.
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- **9/8/1977**- Memo from [REDACTED] Northern Ireland Office (NIO), to Mr MEHARG re 'Mr DUDGEON' (following an earlier telephone call) asking for 'factual information' for lawyers preparing a defence in the case of DUDGEON's complaint to the European Commission on Human Rights.

- The precise nature of the complaint by DUDGEON to the RUC
  - The formal reply to the complaint
  - Whether the decision not to prosecute was communicated to DUDGEON and, if so, when and how was he so informed
  - The reason for the decision not to prosecute and if this was communicated to Mr DUDGEON
  - The date papers held by the RUC were returned to DUDGEON.
- **10/8/1977**- Reply from ACC MEHARG to Mr [REDACTED] letter dated 9/8/1977, enclosing a copy of the complaint letter sent by DUDGEON to the Chief Constable on 4/5/1976. ACC MEHARG also notes that Mr DUDGEON was in receipt of correspondence from the RUC (dated 23/3/1977) informing him that at the conclusion of investigations into his complaint, a file had been sent to the DPP who directed 'No Prosecution' against any Police Officer.
  - **19/8/1977**- Letter from [REDACTED], NIO, to Chief Supt. FAULKNER, RUC HQ, re 'Mr DUDGEON- Gay Liberation Society'. Letter puts in writing comments previously agreed by Chief Supt. FAULKNER to Mr [REDACTED] by telephone, re the observations of the Government of the UK on the application by Dudgeon to the European Convention on Human Rights.

'...With regard to the applicant's allegations regarding the conduct of the police...

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the applicant made a complaint regarding the conduct of the police officers concerned; the matter was investigated in accordance with the normal procedures but that investigation did not reveal any improper conduct by the officers concerned. The matter was also referred to the DPP for NI who decided

that no criminal charges should be brought against the officers concerned. The applicant was informed of this decision on 23 March 1977...’.

- **9/11/1977**- Letter from [REDACTED] NIO to the RUC Chief Constable, ‘The RUC and Homosexuality Cases’. Mr [REDACTED] asks the RUC to consider the suggestion of Clement FREUD MP, that the RUC appoint a liaison officer for homosexual cases, ‘someone of suitable rank with whom homosexuals might discuss their problems and the application of the law as it stands’.
- **10/11/1977**- Memo from RUC Chief Con to ACC ‘C’ [MEHARG] re the letter of 9/11/1977 from [REDACTED] (NIO), outlining the CC’s views that he was not in favour of liaison officers for homosexual cases and asking ACC ‘C’ to send a reply to Mr [REDACTED]
- **14/11/1977**- Report from ACC MEHARG to the Chief Constable on ‘The RUC and Homosexuality Cases. ACC MEHARG raised with the CC the fact that that he [MEHARG] was ‘flummoxed’ by the DPP’s decision to direct ‘no prosecution’ “in regard to cases reported and in respect of which the evidence available was sufficient to establish prima facie case”.
- **15/11/1977**- Reply letter from ACC MEHARG to [REDACTED] NIO ‘The RUC and Homosexuality Cases’. ACC MEHARG rejects the suggestion that the RUC should appoint liaison officers for homosexual cases as ‘not a feasible proposition’. ACC MEHARG continues in his letter, ‘It is not a Police function to discuss with homosexuals their problems and the application of the relevant Northern Ireland law as at this point in time’.

- **22/10/1981**-‘Dudgeon v the United Kingdom’- The European Court of Human Rights held that Section 11 of the Criminal Law Amendment Act 1885 which criminalised male homosexual acts in England, Wales and Northern Ireland violated the European Convention on Human Rights.
- **8/12/1982**- The Homosexual Offences (Northern Ireland) Order 1982 came into force. This Order decriminalised homosexual acts between consenting adults in Northern Ireland.