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HISTORICAL INSTITUTIONAL ABUSE INQUIRY

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being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Wednesday, 1st June 2016

commencing at 10.00 am

(Day 205)

MS CHRISTINE SMITH, QC and MR JOSEPH AIKEN appeared as
Counsel to the Inquiry.

1 Wednesday, 1st June 2016

2 (10.00 am)

3 CHAIRMAN: Good morning, ladies and gentlemen. For the
4 benefit of those of you who have not been here before
5 and have not heard these instructions can I remind
6 everyone to ensure, please, that your mobile phones are
7 either turned off or at the very least placed on
8 "Silent"/"Vibrate", and can I also remind you that no
9 photography is permitted either here in the chamber or
10 anywhere on the premises.

11 It may well be the case that in the course of today
12 names will be mentioned who are covered by the Inquiry's
13 anonymity policy. We do that from time to time because
14 it is simply impossible to follow what is being said
15 unless one knows the actual name. The names themselves
16 will not appear on any documents which we publish and
17 they must not be used outside the chamber under any
18 circumstances.

19 Yes, Mr Aiken?

20 Opening statement by COUNSEL TO THE INQUIRY (cont.)

21 MR AIKEN: Chairman, Members of the Panel, good morning.
22 I see Mr McGowan, who is making his first appearance on
23 behalf of "R20", Richard Kerr. So I will ask him to give his
24 appearance and he will name Ms McKeegan, who's with him.

25 MR MCGOWAN: Chairman, I appear on behalf of Richard Kerr

1 instructed by KRW Law.

2 CHAIRMAN: Thank you very much, Mr McGowan.

3 MR AIKEN: Last evening, when we were coming to a close,
4 Chairman, Members of the Panel, we were looking at an
5 RUC Special Branch document from April 1973, and I was
6 making reference to the fact that the Rovaphone or
7 confidential telephone call, now known to be from Roy
8 Garland, which was effectively the precursor to today's
9 Crimestoppers system, that that Special Branch document
10 had pre-dated the anonymous call, as it was then. That
11 anonymous call was the 2024th call of 1973. So it
12 begins to give some idea of the scale of the terrorist
13 campaign that the RUC was having to deal with at that
14 point in time.

15 I raised at the close the issue that I know
16 Mr Robinson is taking forward with The Police Service,
17 which is to look at whether there is a basis for the
18 information that Special Branch had received in April
19 '73 being associated with and whether it should have
20 been passed on at the same time as the content of the
21 confidential telephone information was being passed on
22 and actioned, and that's a matter that's going to be
23 addressed by Detective Chief Superintendent Clarke.

24 I want to move on this morning then to explain,
25 Members of the Panel, that the Inquiry has received

1 a detailed narrative witness statement on behalf of the
2 PSNI from Detective Chief Superintendent George Clarke.
3 If we can bring up, please, 1527, the statement itself
4 runs to some 78 pages, and can be found at 1527 through
5 to 1604.

6 In addition, for the assistance of the Inquiry the
7 PSNI has provided appendices, which have been
8 contributed to by police analysts, and those appendices
9 run from 1605 through to 1775. So you can get a sense
10 of the fact that it's a substantial witness statement
11 with appendices that have been provided by The Police
12 Service.

13 The statement covers -- and I am merely going to
14 summarise the main content -- the present day child
15 protection structures within the PSNI and explains how
16 they are in a fairly radical, fundamental way different
17 from what would have existed in any police force in the
18 1970s, which are -- which is the time period that is
19 concentrated on in terms of some events that affect the
20 RUC.

21 Then if we can look at 1532, please, in brief form,
22 but you may consider important, the Detective Chief
23 Superintendent sets out the reality of terrorist
24 violence and its effect on policing in Northern Ireland
25 in the 1970s.

1 Just scroll down a little further. You can see
2 that:

3 "In 1971 there were 177 victims in fourteen
4 terrorist-related incidents, explosions,
5 firearms-related incidents across Northern Ireland; 117
6 of those deaths occurred in the Belfast area alone.

7 In 1973 there were 249 victims in 209
8 terrorist-related incidents; 123 of those deaths were in
9 the Belfast area."

10 You can see sadly very similar figures for 1974 and
11 1976. As you know --

12 CHAIRMAN: As we look at these figures, "victims" means
13 "deaths". Is that right?

14 MR AIKEN: Yes.

15 CHAIRMAN: If anything, these do not reveal the entire
16 picture of the level of terrorist violence, because
17 there were many hundreds, possibly thousands, of people
18 who were wounded or injured to varying degrees each
19 year.

20 MR AIKEN: Yes.

21 CHAIRMAN: Huge numbers of firearms offences, shootings,
22 bombings, tens of -- hundreds of millions of pounds'
23 worth of damage.

24 MR AIKEN: Yes.

25 CHAIRMAN: Huge numbers of hoax bomb calls and disruption

1 and so on. These are, of course, the most serious, but
2 they're by no means the only serious crimes that were
3 being committed at that time.

4 MR AIKEN: Yes, and the -- if we scroll on to the next page,
5 that pattern unfortunately, as most of us will aware,
6 continued in the late '70s and into the '80s.

7 This Inquiry has constantly reminded itself of the
8 need to judge decisions by the standards of the time at
9 which they were being made and in the context in which
10 they were being made. So while we will focus on very
11 particular matters and not to minimise them in any way,
12 decision-making around anonymous information,
13 allegations, they are in a context that involved the
14 reality of the RUC having to deal with the type of level
15 of extremely serious violence on the streets of Northern
16 Ireland.

17 You may consider, Members of the Panel, that there
18 is an inherent danger if a particular piece of
19 information that's coming into sharp focus before this
20 Inquiry because of what we are examining and the
21 decision-making around that piece of information is not
22 considered as part of the wider whole of what the police
23 were having to deal with at the time the decision-making
24 is occurring. So that is context that the Detective
25 Superintendent -- Detective Chief Superintendent is

1 providing.

2 The statement then looks critically at a series of
3 occasions in the 1970s when information to do with
4 Joseph Mains and William McGrath came to -- came to the
5 attention of police and how that was handled. The
6 Police Service sets out the criticisms that it makes of
7 the decision-making around two particular events in
8 particular, the Cullen and Meharg sequence of events and
9 also those involving the then Superintendent John
10 Graham, and those are matters that we will be coming
11 back to look at in detail.

12 The statement also looks at the Terry review and
13 oversight that was involved from the Terry -- the Sussex
14 officers with the RUC Phase Two Inquiry, and the PSNI
15 statement is critical of some of the conclusions that
16 were drawn by Sir George Terry in his report. We will
17 come back to look at those.

18 It examines the circumstances surrounding the Colin
19 Wallace document dated 8th November 1974, which in the
20 secret file from 1984/'85 -- what I sometimes call
21 "Caskey 4" -- is the exhibit GC80. So when we come back
22 to look at that material in detail, the police refer to
23 the memo that is dated 8th November 1974 as GC80, and
24 Detective Chief Superintendent Clarke examines the
25 circumstances surrounding that document.

1 The statement from the PSNI also examines the
2 military documents that were obtained by then
3 Superintendent George Caskey during his Phase Two secret
4 1982/'83 investigations. As we will see in due course,
5 some of those documents refer to William McGrath being a
6 homosexual.

7 If we can look at paragraph 126, please, on 1566,
8 because you may consider helpfully for you, Members of
9 the Panel, the PSNI set out and analyse the documents in
10 chronological order and the relevant information they
11 contain to the work that this Inquiry is engaged in is
12 then summarised, and the observation that is made in
13 paragraph 126 is that of these military documents that
14 were made available to the police and will be of
15 assistance to your work it is only the GC80 document,
16 the Colin Wallace document dated November '74, that goes
17 beyond saying William McGrath is a homosexual or said to
18 be a homosexual and links the fact he is a homosexual
19 with an allegation of sexual abuse by him of residents
20 in Kincora. We will come to look at those military
21 documents and exactly what they say.

22 The PSNI statement then also looks at the events
23 surrounding Brian Gemmell of the Army and Ian Cameron,
24 the Security Service officer on secondment to the NIO
25 and working as, as I said yesterday, the Assistant

1 Secretary Political or the ASP based in HQNI in Lisburn.

2 Those events are looked at in the PSNI statement
3 based on the information available to the RUC, and it is
4 likely the Inquiry's work will be able to add, as you
5 are aware, considerably to the narrative as the PSNI
6 understand it from the documents that they hold from the
7 RUC.

8 The statement also analyses -- if we can look at
9 1576, please -- analyses the RUC intelligence material,
10 of which I have made some mention. As I said yesterday,
11 the relevant Special Branch files that the Inquiry wish
12 to have to make public have been provided, and you may
13 consider that paragraphs 146 and 147 are important for
14 this Inquiry's work. Detective Chief Superintendent
15 Clarke says:

16 "None of the intelligence analysed in the
17 table above ...",

18 because again, similar to the military documents,
19 in the statement -- if we just scroll up so I can show
20 you what I mean; if we just keep going up, please, until
21 we get to the table -- each of the intelligence
22 documents held by the then RUC are set out in
23 chronological order and what they contain relevant to
24 the issues the Inquiry is considering is then to be
25 found on the right-hand side under "Synopsis of

1 information".

2 If we scroll back down, please, to paragraph 146,
3 the result of that work is these statements from the
4 Detective Chief Superintendent.

5 "None of the intelligence analysed in the table
6 above indicates that the RUC had any knowledge that
7 William McGrath was sexually abusing residents in
8 Kincora."

9 Then he says:

10 "My assessment of the intelligence referred to in
11 the table above is that the RUC had no intelligence
12 prior to 1980 that William McGrath was abusing boys in
13 Kincora. Indeed, the intelligence does not refer to any
14 abuse in Kincora."

15 So, as I signalled to you yesterday, generally
16 across the agencies and departments that we will be
17 looking at is this distinction between it being said in
18 information they were receiving and recording that
19 William McGrath is a homosexual and that he is
20 potentially working in Kincora, but the distinction
21 between those two pieces of information and the next
22 step, which is the allegation that as well as those two
23 pieces of information there was information that he was
24 abusing boys in Kincora.

25 What Detective Chief Superintendent Clarke is

1 setting out on behalf of the PSNI to this Inquiry is
2 that, looking at the RUC material, it is clear that
3 information was being provided to say William McGrath
4 was a homosexual, but not that he was abusing boys in
5 Kincora.

6 I also want to draw attention to paragraph 150,
7 because this is a point that's made by a number of those
8 that are responding to the Inquiry. It's an issue that
9 this Inquiry will have to grapple with. The PSNI say in
10 paragraph 150:

11 "It must be clearly and abundantly understood that
12 there's no rationale whatsoever to conclude that
13 a homosexual man is on the grounds of his sexual
14 orientation unsuitable to work with boys or pre-disposed
15 to paedophilia",

16 because the issue that it raises is if what was
17 actually known was that it was said or there was
18 evidence that William McGrath was a homosexual and not
19 more than that, then would that merit a different
20 response than if it was said or there was evidence that
21 William McGrath was a homosexual and was interfering
22 with boys in Kincora?

23 It is that distinction that will cause the Inquiry
24 to have to look very closely at what exactly was being
25 said contemporaneously that's available from the

1 evidence the Inquiry has been able to gather and to be
2 careful not to necessarily equate one with the other.

3 I have made this point this morning through what is
4 said in the PSNI statement, but you will see that
5 similar points are made throughout each of the
6 departmental and agency statements that you will be
7 considering.

8 Also in this statement the PSNI conduct an analysis
9 of the efficacy of the Caskey investigations, so the RUC
10 Phase One Inquiry in 1980/'81 and the 1982/'83 Phase Two
11 Inquiry. They exhibit to the statement for your
12 assistance analytical material that's likely to be of
13 help with your work.

14 The analysis demonstrated that based on a further
15 analysis of the Kincora register conducted by the PSNI
16 analysts, the Caskey investigation traced some 42% of
17 the residents in the target period that the
18 investigation had adopted of 1963 to 1980. That was
19 less than George Caskey believed he had traced, which he
20 had said was just over 50%.

21 However, and if we can look at paragraph 186,
22 please, at 1586, the point that Detective Chief
23 Superintendent Clarke makes is:

24 "In summary ... there were no boys identified as
25 witnesses or victims of abuse who were not traced and

1 interviewed."

2 You will want to bear that point in mind when we
3 come to move through what the residents say, that in
4 essence the point that's being made is there were no
5 boys speaking to the police saying, "I saw something
6 happen to X and Y" and then nobody could find X or Y.
7 Those people who spoke of someone else and their
8 interaction with either Mains, Semple or McGrath were
9 capable and were traced.

10 If we look, please, at paragraphs 189 to 194, where
11 the PSNI, having conducted this review and engaged in
12 the analytical work, say this:

13 "The above findings must be considered as to a large
14 degree supportive of the effectiveness of the Caskey
15 investigations. It is important when considering the
16 efficacy of police action to bear in mind that the
17 Kincora case has attracted much media attention over the
18 intervening years since it closed. This has included
19 television, books and the press. A number of
20 allegations have been made in the media on occasion --
21 and on occasion the witness or victim has expanded their
22 account over time, including additional allegations not
23 made at the time of their RUC interview."

24 That's something that we will see when we look at
25 what the residents say.

1 "The work carried out by PSNI analysts, and upon
2 which I base my commentary, was focused solely on
3 allegations made to police.

4 The efficacy of the Caskey investigations was
5 reduced, however, by a number of factors outside the
6 control of then Superintendent George Caskey.

7 Firstly, there remains the question of Ian Cameron.
8 It is stated in papers that the questions which George
9 Caskey required answered by Ian Cameron were answered
10 and the answers were of no significance to the Inquiry
11 (allegedly agreed by persons including the
12 Attorney-General and Sir John Hermon, then Chief
13 Constable of the RUC).

14 Nonetheless", says Detective Chief Superintendent
15 Clarke, "a direct interview of Ian Cameron by RUC
16 officers would have dealt with the issues raised by
17 Brian Gemmell."

18 So again that's based on the information that's
19 available to The Police Service and obviously this
20 Inquiry has been able to gather information beyond that
21 which will assist with answering some of the issues that
22 are raised, but, as I said yesterday, it is quite clear
23 from the secret police investigation conducted by
24 Superintendent Caskey that he wanted to talk to Ian
25 Cameron and was frustrated at not being able to do that,

1 but we will be able later in the module to look at
2 precisely what happened and who was involved in it and
3 what in the end it boils down to.

4 The other point that is made is that Superintendent
5 Caskey and his investigators were additionally
6 hamstrung, as have been subsequent inquiries, by the
7 attitude of Colin Wallace.

8 "As has been shown above" -- because an analysis was
9 done of the Colin Wallace allegations -- "are most
10 concerning. Equally they have been apparently altered
11 over time and have never been formalised. Colin
12 Wallace's unwillingness for a regrettably kaleidoscopic
13 set of reasons to give evidence has never allowed these
14 to be addressed. Therefore they continue to fuel the
15 theories of cover-up and conspiracy around the dreadful
16 abuse experienced by boys at Kincora."

17 That's a reference back, Members of the Panel, as
18 you will be aware, and we will look at, to the
19 significant numbers of occasions when Detective
20 Superintendent Caskey tried to interview Colin Wallace
21 about the detail of what he was saying, and you have the
22 records of those interviews and what occurred during
23 them.

24 Then in paragraph 194 it is observed that:

25 "Similarly a number of other witnesses have altered

1 their versions of events, for example, making
2 allegations in the media which were not put forward when
3 previously interviewed by police. Such developments may
4 undermine unreasonably the assessment of the efficacy of
5 Superintendent Caskey's investigations."

6 So to boil that down, Members of the Panel, the RUC
7 could only deal with what they were being told and ought
8 not to be judged because somebody later says something
9 more than they were prepared to tell the police at the
10 time the police were doing their work.

11 The statement, as you can see, because the name is
12 now on the screen, also comments on the allegations
13 surrounding Dr Morris Fraser and the fact there is no
14 evidence that he had any involvement at Kincora at any
15 time.

16 The statement then at paragraph 109 through to 208
17 sets out the PSNI analysis of any evidence to support
18 allegations of cover-ups having occurred and the
19 statement looks at the different forms of cover-up that
20 have been alleged.

21 If we just scroll down, please, I am not going to go
22 through them all now, but you will see just the
23 headlines. So:

24 "The consideration of a cover-up."

25 If we scroll down, please, you can see:

1 "Namely that abusers were facilitated to abuse boys
2 at Kincora or that action was not taken to end abuse
3 when it was detected."

4 So an analysis is made of that. If we scroll
5 further down, please, then:

6 "The suggestion of prominent persons being abusers
7 has never been substantiated by any evidence held by the
8 RUC or PSNI."

9 I want to look, please, at paragraph 240, which is
10 at 1603, which are the key observations made by the
11 Chief Superintendent to the Inquiry on behalf of the
12 PSNI. They are to observe that at the time when the RUC
13 were dealing with information to do with William McGrath
14 in 1970:

15 "There was no coordinated response to child abuse
16 within the RUC at that time",

17 which is very different from the structures of
18 today, which have been set out in the statement.

19 "There was a lack of central information systems to
20 record allegations, concerns or information available to
21 all police officers responding to allegations."

22 So the idea of joined-up information:

23 "The Cullen and Meharg 'investigation'" -- and
24 that's you can see put in inverted commas -- "provided
25 an opportunity to investigate and thereby potentially

1 stop abuse at Kinchora, which was not taken.

2 The", it is described as, "failure of Detective
3 Superintendent Graham to appropriately handle concerns
4 surrounding a boys' home was also a missed opportunity;
5 akin to that missed opportunity relating to Cullen and
6 Meharg.

7 Lack of a joined-up approach and two-way information
8 sharing between the Welfare Authority and the RUC
9 prevented an effective joint response to abuse in
10 Kinchora."

11 The PSNI observe in its statement, just as the
12 Health & Social Care Board observed in it, that each had
13 information that was not provided to the other and in
14 this statement it explains the different arrangements
15 that exist today. Then:

16 "Rumours of vice rings, cover-up and conspiracy are
17 not substantiated. However, the fact that Brian
18 Gemmell's allegations" -- again this is based on what
19 the PSNI understands is the position -- "the fact that
20 Brian Gemmell's allegations were not definitively
21 addressed leaves this 'stain' on the investigation."

22 That's something we will come back to look at later
23 in the module.

24 "Ultimately", says the PSNI, "a number of
25 allegations by certain witnesses have changed

1 significantly over time. Based on material held by the
2 PSNI and with the exception of those discussed in ...",
3 one of the analytic documents, which is GC13, "it is
4 clear that those responsible for carrying out the vile
5 and significant child abuse at Kincora were members of
6 Kincora staff and were appropriately identified and
7 prosecuted."

8 What is being referred to in GC13 is, as we will see
9 as we go through the statement, there are a number of
10 occasions whenever someone refers to an unidentified
11 individual, and obviously because they are unidentified
12 they have never been capable of being traced, but that's
13 a small number of individuals, and the circumstances in
14 which they are described as being involved with the boys
15 are very different from prostitution, vice rings and
16 matters of that sort.

17 So I am not going to say any more about the PSNI at
18 this stage. I know that there are matters that are also
19 under consideration by them, and we will come back to
20 look at these matters in detail later in the module.

21 I want to look briefly at this stage at the
22 non-devolved core participants. I am going to begin
23 with The Secret Intelligence Service. If we bring up,
24 please, 3501, the Inquiry has received a witness
25 statement from Alex Younger, the Chief of the Secret

1 Intelligence Service, otherwise known as C, and he says
2 to the Inquiry:

3 "I am the Chief of SIS. I was appointed to this
4 post in November '14, having been in the Service since
5 '91. I am the only serving member of the Service who is
6 officially named in public and am the accounting
7 officer. I am responsible for the SIS operations and
8 the ongoing efficiency of the service."

9 He confirms that he has no personal knowledge of
10 matters relating to or connected with Kinchora. Given
11 the passage of time, any SIS account of the period in
12 question is reliant on our corporate written record",

13 ie there is no member of staff still within the SIS
14 who can speak to the time period that we are looking at.
15 He confirms that he has:

16 "... delegated authority to the Service's Deputy
17 Director responsible for Compliance to assist the
18 Inquiry with its investigations into Kinchora",

19 and confirms that he has -- the Chief has:

20 "... directed him and his team to provide the
21 Inquiry with the Service's full cooperation, to answer
22 all their questions as accurately and fully as possible,
23 to conduct searches based on the terms provided by the
24 Inquiry and show to them all material identified as
25 potentially relevant from the results of those searches,

1 and to make available to the Inquiry all material deemed
2 relevant for public disclosure by the Inquiry in a form
3 that will allow that to happen."

4 He then says to the Inquiry:

5 "I am assured by the Deputy Director and therefore
6 believe that all this has been done. I know that SIS
7 officers have in doing so also made the Inquiry aware of
8 the capabilities, nature and operation of our file
9 management systems."

10 He then says:

11 "I have seen the detailed SIS statement" -- that's
12 the narrative statement -- "based on the material deemed
13 relevant by the Inquiry and I am content that it is
14 an accurate and full representation of the Service's
15 position in respect of Kincora. I have directed the
16 Deputy Director to speak to that statement if this is
17 considered necessary by the Inquiry and can confirm that
18 he can speak with authority in respect of historic
19 matters relating to Kincora on behalf of the Service."

20 He then explains:

21 "It is the long-standing policy of SIS that the
22 identities of its officers, other than the Chief of the
23 Service, are not publicly disclosed for operational
24 reasons and in order to ensure the safety of them and
25 their families. He will instead sign that statement

1 with a cipher -- details of his identity will be
2 provided to the Inquiry at a higher classification."

3 That's a reference to the closed statement, Members
4 of the Panel, that will be preserved in the Inquiry's
5 secret file beyond the life of the Inquiry.

6 He then says:

7 "SIS takes seriously its obligations to cooperate
8 with inquiries and investigations. I confirm that SIS
9 remains committed to ensuring that the HIA Inquiry can
10 conduct a full and complete inquiry and will continue to
11 assist in any way possible."

12 Now, as indicated then by the Chief of the Service,
13 the Deputy Director of Compliance -- if we look, please,
14 at 3503 -- who is ciphered as SIS Officer A, has
15 provided a statement to the Inquiry setting out the work
16 done to ensure that all relevant material was identified
17 and shown to the Inquiry. You can see:

18 "SIS have received requests for disclosure from the
19 Inquiry. The SIS takes its disclosure obligations
20 seriously, and I am satisfied that the searches carried
21 out by officers in our compliance team constitute
22 a reasonable and proportionate search for relevant
23 material on the SIS corporate record. These officers
24 and legal advisers specialise in disclosure matters and
25 regularly conduct searches of this type. They also

1 consulted the SIS records management team to ensure
2 a sufficiently broad search was conducted. I know that
3 SIS officers have made the Inquiry aware of the
4 capability, nature and operation of our file management
5 systems."

6 Then he sets out in paragraph 4 the search terms
7 that were used to conduct the searches and they are
8 annexed to the statement. Those were that provided to
9 the non-devolved departments and agencies by the
10 Permanent Secretary at the Northern Ireland Office,
11 Sir Jonathan Stephens, and then further search terms
12 identified from open source research were also added.
13 You can see then the search terms that were used to find
14 information considered relevant to the Inquiry.

15 You will see there the names of individuals you will
16 recognise from what I have already to say and from your
17 work in advance of the public hearings commencing.

18 If we scroll down, please, SIS Officer A then says:

19 "We are committed to ensuring that the Inquiry can
20 conduct a full and complete inquiry and have made
21 potentially relevant sensitive intelligence material
22 available for review by the Inquiry."

23 Then he says:

24 "Where the public disclosure of information would be
25 prejudicial to national security and/or the safety of

1 individuals concerned, it has been redacted with the
2 agreement of the Inquiry, but with the aim, as requested
3 by the Inquiry, of making as much information publicly
4 available as possible. Where redactions have been made,
5 a gist of the redacted material has been included in the
6 witness statement. The Inquiry has nevertheless been
7 able to review the complete versions of those documents.
8 Should any further relevant material be identified, it
9 will be made available to the Inquiry."

10 So that is the Compliance Director in the Secret
11 Intelligence Service explaining what had been done to
12 make information available to the Inquiry and, as the
13 Panel are aware, where the Inquiry wanted to see further
14 material based on its examination of material that SIS
15 identified, that further material was produced to the
16 Inquiry.

17 The material that was produced to the Inquiry, as
18 the statement makes clear, all the relevant documents
19 held by The Secret Intelligence Service have been shown
20 to the Inquiry without any redactions. The Inquiry has
21 then selected those documents that it requires to be
22 made public in order to publicly complete its work.

23 I should also make clear and put on the record that
24 The Secret Intelligence Service has answered all
25 questions asked by the Inquiry and provided all the

1 information that the Inquiry has asked it to provide.
2 As you can see, The Secret Intelligence Service through
3 both its Chief and its Deputy Director of Compliance have
4 pledged to continue to assist the Inquiry.

5 None of what's said in the statements or what I have
6 just said from our work should be taken as indicating
7 that it is an easy process. Where secret material is
8 concerned for it to be made available for publication
9 can be difficult. As a Panel -- as the Panel is aware,
10 there are significant risks that have to be carefully
11 managed, in particular relating to individuals named in
12 documents in whom the Inquiry has no interest.

13 In addition to this statement, SIS Officer A has
14 provided a detailed 21-page narrative statement. It
15 begins at 3505, if we can look at that, please, and it
16 runs from 3505 through to 3525 and it then has
17 appendices that run from 3526 to 3552. I am not going
18 to spend time going through the statement at this point,
19 because it is something we are going to look at in
20 detail later in the module, save to draw to the Panel's
21 attention to some matters of principal importance at
22 this point.

23 The first is if we can look at paragraphs 66 and 67,
24 which are at 3525, the officer explains The Secret
25 Intelligence Service's position before the Inquiry. He

1 says:

2 "This statement is a full and accurate disclosure of
3 the SIS material deemed relevant by the HIA Inquiry.
4 I have seen nothing to indicate any involvement on the
5 part of SIS officers in abuse at the Kincora Boys' Home
6 or in any attempts to cover it up."

7 Then he says on behalf of the Service:

8 "SIS does not exploit children or vulnerable adults
9 for operational purposes, nor tolerate their abuse by
10 their staff, or those that work on their behalf or in
11 their support, including SIS agents."

12 They then say:

13 "In dealing with cases of child abuse or
14 exploitation our guiding principle is, as is set out in
15 the UN Convention on the Rights of the Child and in the
16 Children Act, that the best interests of the child
17 should always prevail."

18 I want to draw your attention at this point to what
19 the officer has explained the SIS records show that The
20 Secret Intelligence Service knew about William McGrath.
21 If we can look, please, at paragraph 17 at 3507, if we
22 just scroll down a little, please, in addition to the
23 records that The Secret Intelligence Service held and
24 has provided to the Inquiry, and we will come back to
25 look at, in the course of the HIA Inquiry The Secret

1 Intelligence Service was made aware by MI5 of extracts
2 from documents that MI5 held marked with Secret
3 Intelligence Service file references that relate to
4 William McGrath. SIS has conducted searches to identify
5 the original documents and to make such material
6 available to the Inquiry for review.

7 Now what the officer is referring to is what's
8 recorded on an index card that The Secret Intelligence
9 Service no longer holds, but which MI5 does hold. MI5
10 has produced that card to the Inquiry. I appreciate
11 I am cross-referencing now, but it is important that you
12 understand what's being referred to.

13 We can look at that card at 105008. Now this is, to
14 explain the context, a card where relevant information
15 about an individual is collated and then, as the
16 statement explains and as the MI5 statement explains,
17 when a certain appropriate point has been reached
18 because of certain criteria, a file may be opened on the
19 individual. So this is the card that MI5 held, but
20 which contains references from Secret Intelligence
21 Service material relating to William McGrath. As you
22 know -- you have seen the unredacted copy of this
23 document -- what has been redacted are simply the
24 references to the documents, but the text that's
25 relevant from those documents are what is recorded on

1 the card, and it has not been redacted.

2 So you can see that in April 1973 information was
3 received that the leader of the refurbished form of the
4 Tara Brigade was said to be William McGrath. You can
5 see then he was said to be a contact of a particular
6 individual and believed to be involved -- that
7 individual was believed to be involved in shipping arms
8 to Ireland. Then you have from the same reference in
9 November 1973 William McGrath runs the Christian
10 Fellowship Centre and you can see reference:

11 "Subject gets them young and preaches religion to
12 them, which means that he preaches bigotry and
13 anti-Catholic sermons."

14 It is also recorded:

15 "Possibly also a member of the UVF."

16 Then you can see:

17 "Add: 188 Newtownards Road."

18 That's not Kincora's address, but the address that
19 William McGrath would move to from Greenwood Avenue:

20 "Occupation: Boys' hostel warden at Kincora Boys'
21 Hostel, Belfast. He runs the Irish Emancipation
22 Crusade", which has an address of his previous home at
23 4 Greenwood Avenue, "which sent threatening letters to
24 Birmingham firms. Reported to be homosexual."

25 Then if we scroll down, please, you can see then

1 reference to Clifford Smith, it being said:

2 "Knew of homosexual relationship between the
3 subject, William McGrath, and KIN329 ."

4 Now I should pause to say, as the Panel is aware,
5 intelligence is not evidence and is not fact and

6 KIN329 . Now
7 that's, of course, not to say it is not possible that you
8 could still have a homosexual relationship between
9 William McGrath and KIN329 , but there is no other
10 evidence that the Inquiry has seen of that, and I am
11 simply observing to you that just because it says in
12 an intelligence record, you won't immediately assume
13 that that is a fact.

14 You can see then:

15 "Clifford Smith is said to be living with the
16 subject."

17 That's from February '75. Now as the Inquiry has
18 discovered from other material that's available to it,
19 Clifford Smith stopped living with William McGrath in
20 around 1973, when he got married and moved into a home
21 with his wife, but you can see it is also being said he
22 is a member of Paisley's Martyrs' Memorial Church, and
23 then by October '75 it is being said he is no longer
24 leader of the Tara Brigade because of a recent illness.

25 Then there is you can see further references to

1 intelligence that have been received about his role in
2 missionary work and the philosophy of that group. Then
3 you can see:

4 "1968: Founder and CO of the Tara Brigade."

5 Then from material in 1970 he was said to have set
6 up the Tara Brigade in Liverpool, but, as you know from
7 other material, there was a major split in 1971 when
8 a large number of people who had been attending Tara
9 meetings, which was the UVF contingent, left and
10 thereafter there was bad blood, as it were, between the
11 two groups.

12 Then it expresses some less than favourable views
13 about William McGrath's son. So --

14 CHAIRMAN: And him.

15 MR AIKEN: And him.

16 CHAIRMAN: Certainly the reference to William McGrath senior
17 as being eccentric and unstable is clearly borne out by
18 later events.

19 MR AIKEN: Yes. So, just to contextualise it, it is that
20 card that the Director of Compliance is referring to if
21 we go back to paragraph 17 of his statement at 3507. So
22 to assist the Panel, because some of these documents
23 because of their age are difficult to read, albeit the
24 Inquiry has seen the originals to be able to see them in
25 their clearest form, but the officer then sets out in

1 the subsequent paragraphs the narrative to explain what
2 can be seen on the card. If we scroll down on to the
3 next page, please, you can see the various documents
4 then that are being referred to.

5 Now at the top of 3508 the officer has explained to
6 the Inquiry that, and you can see:

7 "There are no records to indicate that The Secret
8 Intelligence Service was aware of McGrath's involvement
9 in child sex abuse at Kincora prior to his conviction in
10 1981."

11 Now what The Secret Intelligence Service was in
12 a position to show to the Inquiry and have produced to
13 the Inquiry for its publication at its request are
14 documents that the Service holds which were provided to
15 an SIS officer on 15th October 1976.

16 If we can look, please, at 3530 -- we will be coming
17 back to look at these documents in considerable
18 detail -- but this is a document you can see dated
19 14th October 1976. Now that date will be of particular
20 importance to you. You can see that it's a "Note to
21 file". That note to file is an Army reference, an Army
22 file reference that has been blanked out, and what
23 I want to do is just move through to the end of the
24 document for a moment, please, at 3532. So you can see
25 it's a three-page document that is summarising what's

1 known about Tara or at least what the author of the
2 document is setting out what's known about Tara and
3 those involved with it.

4 So if we go back up, please, to 3530, and what
5 I want to take your attention to is paragraph 4. You
6 can see:

7 "Members of Tara.

8 Sources indicate that the Tara membership is small,
9 possibly 300 province wide and about 70 activists in
10 Belfast. There is evidence that a number of the members
11 are sexually deviant."

12 Now you will recall, Members of the Panel, that this
13 is being written in 1976 and the term "sexually deviant"
14 would have had a different meaning you may consider from
15 that term today, but it is said:

16 "William McGrath, the past OC, almost certainly is
17 bisexual and there were homosexuals in his immediate
18 circle of Tara associates."

19 So you can see if you look at that sentence again in
20 light of what I have said:

21 "There is evidence that a number of the members are
22 sexually deviant. William McGrath, the past OC, almost
23 certainly is bisexual and there were homosexuals in his
24 immediate circle of Tara associates",

25 so one construction of the document is that what is

1 being referred to as "sexually deviant" is
2 homosexuality. Of importance is that there is nowhere
3 in this document where it refers to William McGrath or
4 any of the other homosexuals who are being referred to
5 engaging in the abuse of children or paedophilia and
6 there is no mention of Kincora.

7 Now we will come back to look at this material and
8 the surrounding material in considerable detail, but
9 what the SIS officer explains based on contemporaneous
10 documents is that this document was given to an SIS
11 officer by Brian Gemmell on 15th October 1976, which is
12 over a year after the events involving Brian Gemmell and
13 his meeting with Ian Cameron.

14 At the same time as passing this document to the SIS
15 officer according to the SIS officer's record he was
16 also passed Brian Gemmell's interview notes with Roy
17 Garland, because you will recall that it was what Roy
18 Garland is said to have told Brian Gemmell about Kincora
19 and William McGrath abusing boys there that he brought
20 to Ian Cameron and resulted in Ian Cameron, as Brian
21 Gemmell recalled it in the media articles we were
22 looking at yesterday, telling him that that was "not
23 a matter for us".

24 We can look at the interview notes, which are at
25 3533 and 3534, and it is paragraph 2 that I want to draw

1 your attention to. Having discussed their meetings of
2 Tara:

3 "They held meetings between themselves and McGrath
4 would single them out after meetings. McGrath attempted
5 to seduce them by claiming to show them emotional
6 freedom. To this end he made them feel guilty by
7 admitting to masturbation, therefore showing up their
8 guilt complex. This is important to emphasise as it is
9 the very beginning of McGrath's hold on them."

10 Now if we just scroll down, the individuals are
11 initialised, but it is very easy to know who is being
12 referred to. It is Roy Garland, Clifford Smith and then
13 other names are there, and William McGrath. What is not
14 in those interview notes is any reference to Kinchora.

15 Now, as I did yesterday with some key documents,
16 I am just showing you the key document and I am not
17 dwelling on it, but when we come back to look at this in
18 detail, we will look very forensically at this document,
19 but also a whole series of other documents that have
20 been produced to the Inquiry surrounding it that explain
21 the sequence of events that result in, for instance,
22 these documents being passed by Brian Gemmell to the SIS
23 officer. So the material that the Secret Intelligence
24 Service has provided to the Inquiry will be of
25 considerable assistance to you with the issues that you

1 have to look at.

2 The -- I am going to leave The Secret Intelligence
3 Service for now and refer to The Security Service, MI5.
4 If we look, please, at 4001, the Inquiry has also
5 received a witness statement from the Director General
6 of the Security Service, who is Andrew Parker. You can
7 see he explains he is the Director General. He confirms
8 that he has no personal knowledge relating to Kincora.
9 He confirms that he has appointed a nominated officer
10 from within The Security Service to assist with its
11 investigation into Kincora. As we can see, that's the
12 Deputy Director responsible for Counter-terrorism in
13 Northern Ireland:

14 "I have also directed relevant staff within The
15 Security Service to provide the HIA Inquiry with The
16 Security Service's full cooperation.

17 I confirm that I have directed that all relevant
18 material that touches on Kincora identified by the
19 detailed searches conducted by The Security Service must
20 be shown to the HIA Inquiry. I understand from my staff
21 this has been done.

22 I confirm that I also directed that such of that
23 material as the HIA Inquiry considered necessary to be
24 put in the public domain in order for the HIA Inquiry to
25 properly complete its work has been made available to

1 the HIA Inquiry in a form that will allow that to
2 happen. I understand from my staff that the documents
3 so far requested have been made available for
4 publication. I further understand that the HIA may make
5 further requests. The Security Service will use its
6 best endeavours to assist.

7 I confirm that I have also detailed (sic) my
8 nominated officer to provide the HIA Inquiry with
9 a detailed narrative statement setting out what the
10 Security Service can say about allegations involving it
11 relating to Kinchora. I understand from my staff that
12 this has been done.

13 I have directed that my nominated officer will
14 attend the HIA Inquiry to speak to that statement as the
15 HIA Inquiry considers necessary."

16 He then explains in a similar fashion to his
17 colleague in charge of the Secret Intelligence Service
18 that for operational reasons it is not possible for him
19 to publicly name the nominated officer.

20 Andrew Parker is the only MI5 officer whose identity
21 is publicly known, but he says:

22 "I have provided the HIA Inquiry with a closed
23 witness statement signed by me which sets out the full
24 identity of the individual. I confirm that the
25 individual is a senior manager within The Security

1 Service with responsibility for investigations in
2 Northern Ireland, who will give evidence on behalf of
3 the Security Service in respect of matters relating to
4 Kincora.

5 I confirm on behalf of the Security Service that it
6 will continue to assist the HIA Inquiry to the best of
7 its ability."

8 Before I look at the nominated officer's statement
9 I want to explain, as the Panel is aware, that again the
10 Inquiry has been given access to all the unredacted
11 material relevant to our work held by MI5. Where that
12 material has led to further material being sought, that
13 has also been produced to the Inquiry. All questions
14 asked by the Inquiry have been answered.

15 As the Panel is also aware, significant time and
16 effort has been expended in making available for
17 publication those documents the Inquiry considered
18 necessary for it to properly complete its work.

19 If we look then at the statement from the Deputy
20 Director of MI5, if we look, first, just at 4022,
21 please, which is paragraphs 115 and 116 of his
22 statement, he explains that:

23 "I am the Deputy Director of MI5."

24 He has been in MI5 for 24 years. He was not
25 involved at any time relevant to our work in Northern

1 Ireland, but he explains that since late 2014 he has
2 been posted to the Service's Northern Ireland HQ as the
3 officer in charge of MI5's Northern Irish related
4 counter-terrorist investigations and assessment work.

5 He then explains he has signed the statement with
6 the personal identification number 9004. That's
7 a unique number issued to him for the purposes of
8 identifying him, and records held by The Security
9 Service link his true identity to the personal
10 identification number, and as the Director General has
11 explained, he has provided the Inquiry with the identity
12 of the individual.

13 What Officer 9004 explains or what the Deputy
14 Director explains, if we look, please, at 4002 -- again
15 I am not going to go through all of this now, Members of
16 the Panel; you have had the opportunity to read the
17 detailed narrative statement -- what he says on behalf
18 of MI5 is:

19 "The first MI5 knew of the allegations about child
20 sexual exploitation at Kincora was when the stories
21 emerged in the media in 1980 and the RUC investigation
22 which led to the conviction of William McGrath, the
23 Kincora housefather, and two others (Mains and Semple).
24 MI5 research undertaken at the time and subsequently has
25 failed to find any papers to indicate that we had

1 earlier knowledge of such abuse."

2 If we can then look at paragraph 4:

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

10 He then goes on to explain in the statement, and we
11 will be coming back to look at this in detail, what
12 information was being received about William McGrath and
13 we will look at a particular document of interest in --
14 from 1972, but what I want to show you at this stage is
15 in paragraph 16, please, at 4004, and of particular
16 interest for your work, Members of the Panel, is this
17 statement from the Deputy Director:

18 "It was only in May 1977 that MI5 created a
19 permanent file on William McGrath."

20 Then an explanation is given about The Security
21 Service policy as to how one ends up being elevated to
22 a point of a file being created on you. He explains in
23 the case of William McGrath between 1971 and 1977 there
24 had been reporting about in the context of Irish
25 Protestant extremism. Then in 1977 the file is created

1 for him. You can see then in paragraph 17:

2 "Inside the file there is the envelope containing
3 the two index cards", that we have already looked at,
4 "that at one time would have been used as a working aid
5 to record brief notes about him."

6 Then the reference is made to:

7 "The earliest note is based on the report from April
8 '73 recording McGrath as the leader of the 'refurbished'
9 form of Tara -- of the Tara Brigade."

10 So the very fact that the document, the card begins
11 in 1973 is something relevant we will come back to look
12 at, because the piece of information that was available
13 in 1972 -- again not in relation to Kincora, but we will
14 look at precisely what it says -- it didn't make it on
15 to the card. So it hadn't been matched up with the
16 information that was on the card that would then end up
17 being part of William McGrath's file.

18 Now the MI5 statement, as the Panel is aware,
19 addresses a series of complex issues that we will be
20 coming back to later in the module. The nature of
21 the -- if I can summarise it this way, the nature of the
22 discussion or debate about what exactly was known in
23 military intelligence and MI5 through the ASP in
24 1975/'76/'77 takes forensic work, because it involves
25 that distinction that I drew your attention to at the

1 outset this morning of allegations that someone was
2 a homosexual as opposed to that someone was a homosexual
3 and they were interfering with children in a children's
4 home or somewhere else. We will come back to do that
5 work in detail later in the module.

6 As the Panel is aware, The Security Service has also
7 made available to the Inquiry for publication
8 a significant volume of relevant material that the
9 Inquiry felt was necessary to be made public in order
10 for it to complete its work, and again you will be
11 aware, Members of the Panel, about the effort involved
12 in that work to get to that point, because
13 unsurprisingly, as the Panel is aware, William McGrath
14 and his involvement with Tara made him someone that was
15 the subject of reporting along with others and the
16 documents that contain references to William McGrath
17 obviously contain references to many other people, and
18 there are obviously serious issues in relation to them
19 that mean very careful work has to be done in terms of
20 those documents being prepared for publication. We will
21 come back to look at these issues later in the module in
22 detail.

23 The Inquiry has also received a witness statement on
24 behalf of The Ministry of Defence from -- if we can
25 look, please, at 2501 -- from Jonathan Duke-Evans, who

1 is the Head of Public Inquiries, Claims and Judicial
2 Reviews at the Ministry of Defence. The statement runs
3 from 2501 to 2504. Essentially the statement relies on
4 the findings of the Rucker report that you heard me
5 talking about yesterday, which the Panel have had
6 unrestricted access to, and we will be coming back to
7 talk about that in detail later in the module.

8 In paragraph 4, if we can look, please, at 2502, it
9 encapsulates the Ministry of Defence's position before
10 the Inquiry:

11 "It is accepted by the Ministry of Defence on the
12 basis of Mr Rucker's findings and the documentation
13 identified by him that members of the armed forces in
14 Northern Ireland knew in 1972 that McGrath was
15 homosexual",

16 or at least, in fairness to the MoD, knew it was
17 being said that William McGrath was homosexual:

18 "Having carried out extensive reviews of material
19 the Ministry of Defence has found no evidence that any
20 member of the armed forces (or indeed any other person
21 employed by the Ministry of Defence) was aware of
22 allegations that Mr McGrath had abused or been
23 responsible for abuse of inmates at Kincora, and it
24 follows from this that it is not accepted that any such
25 person withheld any such information from the police or

1 sought to use it in any propaganda operation."

2 You can immediately understand then, Members of the
3 Panel, that what the MoD is saying is they do not accept
4 the position of Colin Wallace and his 8th November 1974
5 document, and the statement makes that clear, and we
6 will come back, as I said yesterday, to look at those
7 issues in considerable detail later in the module.

8 Paragraph 13, if we look, please, at 2504:

9 "By way of conclusion, the Ministry of Defence is
10 aware of no evidence for the suggestion that any of its
11 staff knew of and failed to report sexual crimes against
12 children at the Kincora Boys' Home, or sought to
13 blackmail people on the basis of their homosexuality, as
14 has been alleged. It welcomes the scrutiny of these
15 allegations by the Inquiry. It has endeavoured to
16 provide the Inquiry with all assistance and will
17 continue to do so."

18 I can say, Chairman, Members of the Panel, that the
19 promised assistance has included MoD staff working in
20 Whitehall e-mailing the Inquiry at 4.00 am in the
21 morning. So it is evident that considerable effort has
22 been being engaged in.

23 In addition to providing the Inquiry with access to
24 whichever of its files it wishes to see, the MoD has
25 also provided the Inquiry with a significant volume of

1 requested material to facilitate the Inquiry's public
2 hearings. That can be found beginning in the bundle at
3 102001.

4 As I mentioned to you the Rucker report a number of
5 times, I want to just show you the commencement of it.
6 If we can look at 114050, please, so the Rucker report
7 begins setting out the background and you can see it is
8 on "The Wallace Case". It's a very significant piece of
9 work in terms of what it explains it is going to do and
10 then does in the several hundred pages that it takes to
11 do that.

12 If we just scroll down, having set out the
13 background, he looks at some of the allegations that
14 were being made. Now this was not a report restricted
15 to allegations about Kincora. This was looking at Colin
16 Wallace's claims generally to do with the Army and its
17 engagement in black propaganda, but it also dealt with
18 allegations that he made connected to Kincora, because
19 if we scroll slightly further down, please, so there you
20 can see (c):

21 "He alleges that the security authorities,
22 especially The Security Service and the RUC,
23 deliberately failed over a long period to use
24 information in their possession to stop homosexual
25 assaults on children at the Kincora Boys' Home and that

1 they subsequently covered up their failure to do so."

2 You can see then:

3 "Mr Wallace claims that he was unable to give
4 information in his possession to the various inquiries
5 into the Kincora scandal because MoD refused to give him
6 any adequate assurances that he would not be prosecuted
7 under the Officials Secrets Act if he disclosed security
8 classified information."

9 So the report does two things relevant to our work.
10 It looks at the claims that are being made by Colin
11 Wallace about Kincora and then it also looks at the
12 claims that somehow he was being hampered from telling
13 what he knew.

14 If we scroll down further, please, he then goes on
15 to talk about his conviction for manslaughter. Then it
16 sets out the background, how this report ultimately is
17 commissioned arising from inaccurate information, as
18 I said yesterday, that had been given to the Prime
19 Minister. Then he explains that:

20 "The aim of this paper is to provide a narrative
21 record of those events in the Wallace case which
22 concerned the MoD, NIO and the security agencies. It is
23 based on a study of the relevant files which are still
24 available, but it is not (at this stage) based on
25 interviews with persons involved with the case at the

1 relevant period. It is not the aim of this paper to
2 make any judgments about any future action that might be
3 taken over this case. Nor does this paper seek to
4 discuss Captain Holroyd's allegations except where they
5 are directly related to the Wallace case."

6 So what he is saying is, "I am setting out the facts
7 from the material that I am in a position and am looking
8 at".

9 Then he describes the eleven parts, if we just
10 scroll down, please. So it looks at Colin Wallace's
11 background, his posting to HQNI, the decision to dismiss
12 him, the Civil Service Appeal Board proceedings, then
13 events between '76 and 1980 involving him. Then it
14 looks at the more wider issue of information policy in
15 the Army. Then you can see chapter 8 it looks at, if we
16 just scroll up a little -- back up, please:

17 "The Terry investigation on Kincora."

18 We will be coming back to look at that in some
19 detail. Also at 9:

20 "The Hughes Inquiry on Kincora."

21 That's to do with any suggestions of being prevented
22 from giving relevant information. You are aware of what
23 The Hughes Inquiry itself said about those
24 circumstances.

25 Then he explains that there are no conclusions or

1 recommendations:

2 "Each part of the paper comprises a narrative which
3 is intended to be a factual record of the sequence of
4 events as shown in the documents found in MoD files and
5 comments which represent the view of the author only,
6 but which hopefully may be helpful to the reader. Each
7 paragraph is classified separately, being the author's
8 views of the sensitivity of the contents rather than the
9 period referred to."

10 Then he explains he has listed all of the documents
11 that he refers to in the footnotes:

12 "Where the same document appears in several files
13 only one reference is given. This is normally a MoD
14 file, but sometimes another departmental -- department's
15 file reference is quoted. The narrative is intended to
16 give a sufficient and full summary of the most important
17 documents to save the reader from having to refer to
18 them directly. But a small number of documents which it
19 is believed that the reader would wish to study in full
20 are attached as annexes."

21 Then he says this:

22 "It should be noted that many of the relevant MoD
23 files have been destroyed so that the available
24 documentation is quite limited, but in the short time
25 allowed for this study it has proved impossible to be

1 certain that every relevant file has been identified
2 and others could well come to notice subsequently.
3 Because many of the events described took place up to
4 twenty years ago, some of the people involved were
5 subsequently promoted or given honours. It is felt that
6 it could be confusing to the reader to give them their
7 later ranks and titles and the convention has therefore
8 been adopted of referring to them by the ranks and
9 titles which they held at the time of the events being
10 described."

11 He says:

12 "The paper is based mainly on papers found on MoD
13 and HQNI files. It does, however, take account of
14 separate reports made the NIO and The Security Service."

15 Then he records:

16 "The Home Office have considered separately
17 Mr Wallace's trial, his conviction for manslaughter and
18 petition for his case to be reviewed."

19 This is a report that we will come back to speak
20 about and look at later in the module in greater detail.

21 The NIO has provided the Inquiry with a narrative
22 witness statement summarising its role during the period
23 under examination in this module. It can be found at
24 3001 to 3014 and it explains, for instance, the
25 relationship of MI5 officers being seconded to the NIO

1 and holding those roles of the DCI -- if we can bring
2 up, please, 3001 -- the role of the DCI, the Director
3 and Coordinator of Intelligence, and that of the ASP,
4 the Assistant Secretary Political working in HQNI with
5 the Army in Lisburn, and it sets out in narrative form
6 the sequence of events, many of which I covered
7 yesterday when looking at the sequence of events that
8 has led us to today.

9 If we just go to the end of the statement, please,
10 at 3014, it is obviously a statement you have access to
11 to read, but the Northern Ireland Office says to the
12 Inquiry it:

13 "... regards child abuse as utterly abhorrent. It
14 desires that this Inquiry establish the facts of what
15 occurred in Kincora. The NIO has given the HIA all the
16 assistance it can and will continue to do so."

17 That last sentence is in part a reference to a very
18 large quantity of material that the NIO has made
19 available at the Inquiry's request from its files, which
20 again the Inquiry was given access to in full and
21 unredacted form. That material runs from 103001 to
22 10363. There is a number missing there. I am going to
23 have to check that reference for you. I will clarify
24 that and come back.

25 The NIO's position is encapsulated before the

1 Inquiry in paragraph 40. If we just scroll up, please:

2 "In summary, there is nothing to suggest any
3 involvement on the part of NIO officials, either in the
4 abuse itself at Kincora or in any attempts to cover it
5 up."

6 That is the NIO position before the Inquiry.

7 The Inquiry has also received at its request
8 a significant volume of material from the Cabinet
9 Office, because of interest to the Panel is what
10 information -- given that this, as the Chairman
11 mentioned yesterday, ultimately came across the desk of
12 two Prime Ministers, what was being said to the Prime
13 Ministers, and a significant volume of material from the
14 Cabinet Office has been made available. Again the
15 Inquiry has had unrestricted access to all of that
16 material, including material relating to Sir Maurice
17 Oldfield and the circumstances under which his security
18 classification was withdrawn and he retired from his
19 post in Northern Ireland that he had only shortly before
20 that begun. We will be looking at that material in
21 due course.

22 I also want to mention that the Inquiry has also
23 received the full cooperation from the Director of
24 Public Prosecutions for Northern Ireland and his office
25 in relation to the provision of relevant material and

1 material sought from the DPP is in the bundle; in
2 addition, along with the Attorney-General of the United
3 Kingdom, in the provision of undertakings to assist the
4 Inquiry's work. Again the Chairman mentioned those in
5 the context yesterday morning. Those can be found at
6 114045 to 114049. As you know, Chairman, Members of the
7 Panel, the undertakings cover the Official Secrets Act
8 so as to remove any perceived obstacle from anyone who
9 wishes to provide the Inquiry with relevant information
10 being in a position to do that.

11 CHAIRMAN: I think they are on our website if they choose to
12 look at it.

13 MR AIKEN: They are indeed published on the website.

14 Perhaps if I pause there, Chairman, to allow the
15 stenographer a short break.

16 CHAIRMAN: Yes. We will rise for ten minutes or so.

17 (11.30 am)

18 (Short break)

19 (11.50 am)

20 MR AIKEN: Chairman, Members of the Panel, just before we
21 broke I was making reference to the undertakings in
22 terms of the Officials Secrets Act provided by both the
23 Attorney-General of the United Kingdom and also the
24 Director of Public Prosecutions for Northern Ireland.

25 It also occurred to me that I had made clear

1 yesterday when speaking about The Police Service that in
2 terms of receiving answers the Inquiry was given answers
3 to all of the questions that it asked and that included
4 the identity of individuals who were relevant to the
5 Inquiry's work. That's also the case in terms of the
6 information that has been provided to the Inquiry by the
7 non-devolved departments and agencies in terms of who
8 people were and what their status was, and those are
9 matters that obviously are of importance when we come to
10 look at the material that's available, and, as I said
11 yesterday, you will be able to, as the Inquiry has made
12 clear, make the conclusions that you consider necessary
13 in terms of the status of individuals as you consider
14 appropriate.

15 I want to turn now to deal briefly with The Hughes
16 Inquiry that you heard me mention in passing. As the
17 Panel is aware, as well as us gathering material from
18 departments and agencies both here and in the rest of
19 the United Kingdom, the Inquiry's own research has
20 continued in the Public Records Office in Northern
21 Ireland. That has allowed Dr Mulvenna to gather for the
22 Inquiry all the available material held in PRONI
23 relating to The Hughes Inquiry that was conducted in
24 1984 and 1985. That includes the report itself.

25 If we can look, please, at 75198, you can see

1 a letter from the Inquiry Secretary of 31st December
2 1985 submitting the report of the Hughes Inquiry to the
3 then Permanent Secretary at the Department of Health &
4 Social Services for Northern Ireland, which was the
5 sponsored department, and the report runs -- I want to
6 show you just the index, if we can look, please, at
7 75199, but the report runs in the bundle from 75198 to
8 75382.

9 You can see it begins with an introductory chapter,
10 then looks at the residential care system between 1960
11 and '80, and obviously those are matters of assistance
12 to the Panel as part of our work, but then chapters 3
13 and 4 relate to Kincora, and the work of the Hughes
14 Inquiry, both the report itself but also the work that
15 underlies the report, as this Inquiry is aware through
16 its own work, is of considerable assistance and it looks
17 chronologically through the information that was known
18 to Social Services, at what point and what was done with
19 it and expresses its conclusions in respect of many
20 matters that we will be touching on and I mentioned
21 yesterday.

22 If we scroll through to the next page, we will see
23 chapter 4 of Kincora, and again dealing with the -- it
24 was broken down into a chapter dealing with up to 1973,
25 when it is the Belfast Welfare Authority with

1 responsibility, and then post-1973, whenever it is the
2 Eastern Health & Social Services Board and it is East
3 Belfast & Castlereagh District.

4 You can see that -- in fact, you can see at paragraph
5 4.169 in terms of Mr McGowan's client, Richard Kerr, core
6 participant, there is a number of pages that are devoted to
7 looking at matters relating to him that involved Social
8 Services in 1977/'78.

9 The -- if we look, please, at 75208, I want to just
10 show you the paragraph at 1.20. If we can highlight
11 that one paragraph even, if that works, you can see
12 that:

13 "It was absolutely essential that we had access to
14 the papers relating to the RUC and Terry investigations
15 and we gratefully acknowledge that we received the
16 fullest cooperation of the Chief Constable of the RUC in
17 that regard. During the course of those investigations
18 a total of 565 persons made statements, including 185
19 former residents of Kincora and other homes. Many of
20 these, including most of the witnesses at this Inquiry,
21 made one or more statements to the RUC and to the Terry
22 Inquiry team."

23 Then you can see:

24 "It is significant that only a small proportion of
25 witnesses called before us elected to submit further

1 statements over and above their RUC and Terry Inquiry
2 statements. In addition, the RUC and Terry Inquiry
3 papers included a huge volume of other papers as
4 exhibits. This corpus of material, much of it highly
5 relevant to the Inquiry, was the starting-point of our
6 researches and it is fair to say that the Inquiry could
7 not have been carried forward without access to it.
8 Having said that, we were at pains to emphasise at all
9 times that we did not adopt or necessarily agree with
10 the value judgments reflected in some of these papers
11 and that we approached the contents with an entirely
12 open mind."

13 So it would appear that it is not possible from that
14 to know every single last page that was available, but
15 the impression is conveyed that a significant volume of
16 the RUC material and Terry material was available to the
17 Hughes Inquiry.

18 As you know, it held public hearings across sixty
19 days. Most of the hearings were in public, although
20 some of the hearings were conducted in private. The
21 reference to the sixty days can be found at 75208.

22 If we just look at -- if we take the page back out
23 just to its natural size for me, please, you will see on
24 the left-hand side of the page -- yes -- if we just
25 maximise the left-hand side so we get paragraph 1.24 --

1 thank you -- we can see they called a total of 66
2 witnesses and then, like all inquiries, engaged in
3 correspondence with individuals thereafter.

4 Its terms of reference, if we look, please, at
5 75380, meant that its remit was limited. The terms of
6 reference can be found at Appendix A to the report
7 itself, which, as you can see, is at internal page 350.

8 If we just maximise the left side for me, please, so
9 you can see it was set up under the Health and Personal
10 Social Services (Northern Ireland) Order 1972. It sets
11 out the investigations that have already taken place.
12 So you have got -- I have not mentioned it, but you are
13 also aware in relation to the police investigations that
14 there had been the Sheridan Report. So the Department
15 of Health itself had called in Social Services experts
16 from England who had prepared a report on how the
17 systems could be improved.

18 CHAIRMAN: Is it possible to expand that slightly? It's
19 a bit small.

20 MR AIKEN: Or even if we go back out -- I wonder if we go
21 back out to the main page and -- I am not sure what the
22 term for it is, but you have an ability to widen out the
23 ...

24 CHAIRMAN: It is just to get the terms of reference
25 themselves. They are --

1 MR AIKEN: I wonder can we scroll --

2 CHAIRMAN: -- difficult to read. The bottom of page 350, if
3 we could expand that in some way. Yes.

4 MR AIKEN: Could we make that as large as we -- that's much
5 better. Thank you. So:

6 "To enquire into the administration of children's
7 homes and young persons' hostels whose residents were
8 subjected to homosexual offences which led to
9 convictions by the court or where homosexual misconduct
10 led to disciplinary action against members of the staff,
11 and into the extent to which those responsible for the
12 provision of residential care for children and young
13 persons could have prevented the commission of such acts
14 or detected their occurrence at an earlier stage."

15 So you can see that it is talking about convictions
16 or disciplinary proceedings and therefore you get into
17 a debate about, "Well, what's caught by that?" In
18 fairness the initial chapter of the Hughes Report sets
19 out what they decided that meant.

20 If we can have a look and do the same to the top
21 right-hand side of the page, we can see (b) and (c),
22 please. Thank you. Then the remit included:

23 "Considering the implications for present procedures
24 and practices;

25 To make recommendations;

1 And to report thereon to the Department ..."

2 The report itself, if we go back to 75206, please,
3 at paragraph 1.12 -- and if we can just maximise
4 paragraph 1.12, please -- you can see what it says was
5 not under its scrutiny, albeit there is a significant
6 section in it that we touched on yesterday to deal with
7 Colin Wallace, but you can see:

8 "The conduct of the police, or elected
9 representatives, or clergymen, or military intelligence,
10 or any other persons who may have been in receipt of
11 allegations, information or rumours relating to Kincora
12 or any other home was not under scrutiny in this
13 Inquiry. Such parties were only involved in the Inquiry
14 if it was necessary to establish whether information
15 which they may have received was transmitted to those
16 with responsibility for residential care. We were never
17 in doubt that this was the correct interpretation of the
18 terms of reference or that to go further would be to
19 exceed our remit. Having said that, we are satisfied
20 that the terms of reference went to the heart of the
21 difficulties revealed by the 'Kincora scandal', since
22 arrangements for the protection of children and young
23 persons in care must take precedence over all other
24 considerations which have been raised in this context."

25 Now if I can just draw some observations from that,

1 when it talks about getting to the heart, obviously it
2 is examining what abuse occurred in Kincora. So whether
3 the focus thereafter is on what Social Services knew and
4 failed to do about it, the central facet of what
5 happened is under investigation.

6 The second point to observe is that the reference to
7 saying, "Well, we are not investigating the police. We
8 are not investigating the Army. However, if some
9 information they had does come into the possession of
10 Social Services, then we will be looking at that",
11 that's why in chapter 4 in particular you will find
12 reference to the Superintendent Graham matter, where he
13 has received information from Valerie Shaw, and what he
14 thought he did with it and what the PSNI have said was
15 not sufficient in terms of the dealing with it is there
16 in the Hughes Report, and they heard evidence from
17 Superintendent Graham, but they don't make a criticism
18 of the police in respect of it, because the question
19 was: what was done in terms of Social Services?

20 Equally you have in the report the efforts to speak
21 to Colin Wallace, because amongst other things he was
22 saying, "I phoned Social Services in 1975". So you have
23 relevant matters that we will look at in much greater
24 detail, but which you will find in the evidence that was
25 heard by The Hughes Inquiry and referred to in the

1 report. Equally Messrs Cullen and Meharg gave evidence
2 to the Hughes Inquiry and we have the transcript of
3 their evidence, amongst others.

4 The report, especially as far as this Inquiry is
5 looking at the predecessors of the Health & Social Care
6 Board and their actions, will be of considerable
7 assistance you may consider. In addition, we will be
8 able to make the report publicly available on our
9 website, a facility that simply did not exist for The
10 Hughes Inquiry at the time it was being conducted.

11 In addition to the report itself, the Inquiry has
12 been able to gather other material relating to The
13 Hughes Inquiry, material that was being disseminated out
14 to the participants and matters of that kind, and in
15 addition the transcripts of the sixty days of hearings.
16 Those can be found in the bundle at 75001. In fact --
17 I am sorry -- it is 70001 to 75382. So you can
18 immediately recognise there are over 5000 pages of
19 transcripts from the sixty days of oral hearings. As
20 you know, members of the Inquiry staff have been working
21 with those transcripts.

22 CHAIRMAN: Well, I think it is fair to say, is it not, that
23 the Hughes Report itself is difficult for people to
24 find? There are not a great many copies of it that
25 appear to be available now --

1 MR AIKEN: Yes.

2 CHAIRMAN: -- and the transcripts themselves I think were
3 never published as such, were they?

4 MR AIKEN: No. It was, as all Inquiry reports tend to be,
5 a command paper. So some Government libraries today
6 would still have them, but it was not a readily
7 available document when, for instance, this Inquiry was
8 beginning its work. The transcripts were lodged in
9 PRONI, but were never publicly available before.
10 Obviously you could attend the Inquiry at the time and
11 there was media reporting at the time of the events
12 before the Inquiry, but the actual publication of the
13 transcripts would not have occurred.

14 I have in previous openings taken some time to go
15 through the various sections of the evidence bundle.
16 I am not going to do that because of time, but you know
17 what is in the evidence bundle and the extent of it, and
18 I will simply confirm publicly that at this point in
19 time there is in excess of 20,000 pages in the evidence
20 bundle relating to Kincora. Like all modules of this
21 Inquiry, that's only the material considered
22 particularly relevant to the core participants who
23 potentially face criticism from the Inquiry in terms of
24 those who ran the homes or had information which may
25 have caused, facilitated or failed to prevent abuse. So

1 there is a huge volume of material that's been gathered,
2 has to be assessed, and when the relevant documents are
3 identified, placed in the evidence bundle, and like all
4 modules, we have never managed to finish with the same
5 number of pages that we started with, and that's not
6 likely to be any different on this occasion.

7 What I want to do, albeit it has taken me until the
8 second morning, is to just say publicly my thanks to
9 a number of people who have caused me to be in
10 a position to begin yesterday. The Panel is aware, but
11 it is important that I publicly put on record, the work
12 of the Inquiry staff. The task certainly in respect of
13 this module is immense and a huge amount of work has
14 been done behind the scenes by both the admin team and
15 by the legal team in order for us to begin our public
16 hearings.

17 The legal team led by Mr Butler, but with
18 Ms Donnelly and Ms Dougan and Ms McGrenaghan, who has
19 been working through The Hughes Inquiry material for
20 a very long time now, Miss Hunt, handling the very
21 significant volumes of police material, Mr McGlinchy,
22 Ms McManus, Ms Irvine, Ms Forbes, who has been working
23 with me on what I am about to do now about what the
24 residents say, Ms Kirkwood, Ms Mellon, Ms Gibson, who is
25 with me today, and Mr Peace, the very considerable

1 effort that they have put in I want to publicly
2 recognise this morning. In addition, you are seeing
3 some of the product on the wall of the work of the admin
4 team, including Ms Slevin and Ms Kelly, but not limited
5 to them, with Ms Stephenson and Mr Magee.

6 You are obviously aware of the technical teams who
7 are here. So far we have had no hitches with the
8 material coming up on the screen or with the video links
9 it seems. So, all being well, that will continue as we
10 do our last module of hearings.

11 So I want to say a major thank you to the Inquiry
12 staff. I have named those who are presently working in
13 the Inquiry staff in terms of the legal team, but
14 obviously there are many who have done so, and that work
15 has been essential to allow me to stand here.

16 In addition, I want to acknowledge the collaborative
17 approach that has been adopted again by my colleagues
18 who are appearing for the core participants. I will not
19 leave Mr McGowan out, but in fairness those who face
20 potential criticism before the Inquiry and the
21 significant work that they have had to do to address on
22 a proactive basis the issues that the Inquiry wanted
23 addressed so that the position could be understood when
24 we began yesterday and today, and no doubt that
25 collaboration will continue with all of the legal

1 representatives who are appearing before the Inquiry.

2 Lest I get into trouble, I should also have
3 mentioned Ms Goss in the admin team. If I have left
4 anybody else out, then I apologise for having done that,
5 and I will beg their indulgence.

6 I know Mr Morrison will certainly miss me from
7 Banbridge when I leave, but he has become an avid
8 Liverpool fan I am sure. So to he and his colleagues
9 and those who have helped us in Banbridge I acknowledge
10 their contribution as well.

11 Just before we start to look at what the residents
12 say I want to provide you with some basic factual
13 information about Kincora. Belfast Welfare Authority
14 opened Kincora Boys' Hostel on 6th May 1958. It was
15 located in a detached house at 236 Upper Newtownards
16 Road in Belfast on its corner with the North Road.
17 I not going to bring up pictures, because if you watch
18 the news of an evening, you will be able to see the
19 building. As the Panel knows, the Inquiry has visited
20 the building. Belfast Welfare Authority was responsible
21 for it until the reorganisation of Social Services in
22 1973, when Kincora sat within the East Belfast &
23 Castlereagh District of the Eastern Health & Social
24 Services Board. The hostel closed on 1st October 1980
25 after the scandal broke in January 1980 that saw the

1 staff suspended in or the care staff, the three men,
2 suspended in March 1980.

3 I want to make clear that the house, the property
4 has been in private ownership for many years and its
5 present owners have nothing whatever to do with the
6 event -- the events that this Inquiry is investigating.

7 While Kincora operated, it would generally be home
8 to boys of working age between the ages of 15 to 18, but
9 it was envisaged that it could have residents up to
10 21 years of age and occasionally boys younger than 15,
11 though normally for, where that was the case, short
12 periods in circumstances where, for instance, an older
13 sibling was resident or there were no vacancies in other
14 children's homes.

15 It had accommodation for generally between nine to
16 eleven boys, although it seems there might have been
17 occasions when there could be twelve. So it was not
18 a large establishment in terms of the number of
19 residents. There were generally three bedrooms, each
20 having three beds, on the first floor. So if I call the
21 base level the ground floor, the first floor, three
22 bedrooms as well as a room for a sleeping member of
23 staff. Initially the staff member's bedroom on the
24 first floor was where Mr Mains would sleep as the
25 warden. Whenever the small annexe was built on, which

1 would become his effectively flat for an office and
2 a bed, as you saw, it came about 1967/'68, and
3 thereafter when Mr Semple slept over, he would sleep in
4 that staff bedroom on the first floor. Equally there
5 was an attic which you saw and on occasions that would
6 be used for, as you will see from some of the statements
7 we look at, potentially two boys sleeping in the attic,
8 which would take the number up to eleven.

9 As a working boys' hostel it was a different type of
10 home than those the Inquiry has traditionally
11 considered, though it was still subject to the same
12 regulatory regime under the Children and Young Persons
13 Act (Northern Ireland) 1950, its 1952 regulations, which
14 we have looked at many times, and then the successor Act
15 of 1968 and the 1975 regulations.

16 In terms of care staff it initially had a warden.
17 That was Joseph Mains from the home opened. From 1961
18 it had a warden and an assistant warden, though at times
19 between 1966 and 1969 this post would be vacant. So
20 prior to 1964, when Raymond Semple becomes the assistant
21 warden, there were people who had that position before
22 him. He takes up the assistant role in '64 and does it
23 for a period of eighteen months and then, having
24 resigned -- and we will come to see shortly the
25 circumstances in which he resigned -- for the next three

1 years there would be occasional times when the assistant
2 warden's post was filled, but Joseph Mains would, in
3 fact, get an increase in pay at one point because twenty
4 of the months he was warden alone, even though there was
5 the role of assistant warden, but a suitable employee
6 could not be found. From 1971 the staff number was
7 increased again, this time to three. So you had the
8 warden, the assistant warden and now a housemaster or
9 housefather.

10 One misconception which will be laid to rest through
11 the statements that we will look at was the suggestion
12 that William McGrath either ran or was the warden of
13 Kincora. He wasn't. He was the housefather. Joseph
14 Mains was at all times the warden in charge, with whom
15 effectively the buck stopped.

16 Another misconception is that William McGrath at no
17 time stayed over in Kincora. You will see from the
18 statements there are many boys who explain the staffing
19 arrangements. They explain that Mr Mains slept in that
20 bedroom I am talking about up to '67, then in his flat.
21 They make reference to Raymond Semple staying over, and
22 make the point that William McGrath came in to do shifts
23 on a number of days a week in the mornings, which would
24 become part of his modus operandi of touching boys under
25 the bedclothes, and would on occasions do the evening

1 shift, but would not reside in Kincora.

2 In addition to the care staff, Kincora had a cook
3 and a cleaner. Those two ladies, Elizabeth McCullough --
4 she commenced in 1958 and worked right through -- and
5 Elizabeth Smyth, who commenced in 1966 -- so you will
6 immediately notice they worked in Kincora from long before
7 William McGrath arrived in 1971. As you will be able to
8 see from the Phase One and Phase Two Inquiry reports and
9 their statements and also when they spoke again to the
10 Sussex Constabulary officers, they never had any inkling
11 of anything untoward in terms of homosexual activity
12 taking place during their working time there.

13 Now you will be able to consider those statements,
14 but you may consider that that evidence is important to
15 you in terms of the modus operandi of the activity that
16 we are going to look at, with many boys describing how
17 it was carried on in secret.

18 The annexe or the flat, as I have described it, at
19 the rear would serve as Joseph Mains' quarters from it
20 was built in around 1967. Prior to that, as I said, he
21 had the bedroom in the house.

22 A useful description of the premises, if we can just
23 look, please, at 40031 -- that's 40031 -- just to
24 contextualise what I am saying, this is in
25 Superintendent Harrison, the Sussex Superintendent's

1 report, and he just explains that it's a detached house.
2 On the ground floor there's an entrance hall, a
3 television room, a dining room, a kitchen, a wash room
4 and an office, and then that door leads through the
5 office to the one bedroom flat that I have been
6 mentioning, which has a separate bathroom and a private
7 hallway giving access to a side entrance on to the North
8 Road. He makes reference to it being operational from
9 '64. That appears to be an error. It's '67.

10 So if we just scroll down a little further, please,
11 he then describes in paragraph 3 the first floor of the
12 building having three bedrooms each large enough to
13 accommodate three single beds, with a fourth bedroom
14 reserved for use primarily by a member of the
15 residential staff. Also on this first floor are three
16 bathrooms, a toilet and an ironing room.

17 Then on the second floor, as it were, you have the
18 two-room attic was used occasionally as a make-shift
19 bedroom for one person, although we will come to see it
20 often had two people in it, but was basically intended
21 for use as a storeroom and a playroom.

22 Just so you can understand the other people who
23 would be coming in and out of the hostel, if we look,
24 please, at 1099, you can see the line management
25 responsibility for Kincora. If we scroll down to the

1 bottom of the page, please, up to 1973 so you have the
2 Children's Officer, who had the role of visiting, and
3 then eventually that would be delegated to the Homes
4 Officer. So that person would have been a regular
5 visitor to Kincora. There are reports and they are
6 referred to in the Hughes Report. They were constantly
7 finding things in good order, the hostel clean and tidy,
8 and those are available to you in the evidence bundle.

9 If we scroll further down, please, you can see that
10 then next comes the head of the home, the warden,
11 Mr Mains.

12 Now from 1973 then you can see the change to the
13 line management structure and, as Mr Bunting made clear,
14 he is, as it were, taken out of the loop of direct line
15 management responsibility. So if we just scroll down
16 a little further so we can see Mr Mains again on the
17 screen. You can see post-'73 you have got the Assistant
18 Principal Social Worker in Residential and Daycare, so
19 responsible for the management of the various homes that
20 are being provided in the district, and above that you
21 have the Principal Social Worker, and then reporting up
22 into Mr Scoular, who was the District Social Services
23 Officer, and then above him ultimately is the Director
24 of the Board itself, Mr Gilliland.

25 So again you have individuals who, as one reads the

1 Hughes report and the material that's available, were
2 visiting Kincora post-1973 and expressing their views
3 about what they found.

4 I mentioned to you yesterday that certainly one of
5 Mr Higham's reports was telling the Board something that
6 was inconsistent with his own position as far as he knew
7 in terms of rumours and things that were being said in
8 1977.

9 But alongside that then you have the individual
10 social workers working with the boys and regularly, as
11 Detective Chief Inspector Caskey during the Phase One
12 stage of the Inquiry, when he would interview a boy, he
13 would also trace their social worker and speak to the
14 social worker to find out had they ever been made aware
15 of any concerns.

16 You will find as you go through the report a very
17 significant number of boys whose social workers are
18 traced who say, "No, I was never made aware that they
19 were -- anything of that kind was taking place. In
20 fact, I was led to believe they were happy". In some
21 cases they will say, "Well, yes, he wasn't happy in
22 Kincora, but he didn't ever tell me that it was because
23 something untoward was happening", and they make the
24 point that quite often children they are looking after
25 would not be happy in the children's homes that they are

1 in. On other occasions social workers talk about what
2 they were told and we will look at some of those
3 occasions and we mentioned them in the overview
4 yesterday.

5 I want to briefly say something then about each of
6 the three individuals that you will hear much about over
7 the coming weeks.

8 I want to deal first of all with Joseph Mains. He
9 was born on 31st July 1929. The Inquiry is aware that
10 he was engaged to BAR1, who worked in Barnardo's Macedon
11 and later Barnardo's Sharonmore and later Tara Lodge,
12 and the Inquiry has already considered the allegations
13 made against her during its examination of Barnardo's,
14 which was Module 7. You will see various references in
15 the statements we will look at to Joseph Mains and boys
16 going with him to work at his girlfriend's house, and
17 that's BAR1's house that's being talked about, and you
18 will hear some of them who engaged in sexual activity
19 with Joseph Mains explaining that that was being done in
20 secret, as it were, kept from BAR1.

21 He had begun his career in the Belfast Welfare
22 Authority in January of 1956, so two and a half years
23 before he begins in Kincora. He was aged 26. He had
24 worked in Abbey Dean Old People's Home and then the Park
25 Lodge Children's Home before being appointed to the

1 officer in charge of Kincora.

2 He also appeared to have spent a short time in
3 Williamson House for about a week, and there was one boy
4 traced by Chief Inspector Caskey, whose name was KIN330

5 -- again no names I use should be used beyond the
6 chamber -- who made an allegation that Joseph Mains
7 interfered with him in Williamson House. Joseph Mains
8 was asked about that during the police investigation and
9 he denied that he had done anything to that boy or
10 anyone else in connection with his week in Williamson
11 House.

12 He had been the officer in charge of Kincora
13 throughout its existence from mid-1958, when he was
14 28 years of age, and that would remain the position
15 until his suspension on 4th March 1980, when he was
16 49 years old.

17 As I said, from 1967 he had his self-contained
18 apartment at the rear of Kincora, which he could access
19 from the North Road. So, as it were, when not on duty,
20 he also had that facility. At a certain point much
21 later towards 1980 it wasn't a requirement that he
22 resided permanently as long as the other member of
23 residential staff was residing, as it were, which was
24 Raymond Semple, in his bedroom on the first floor.

25 If we look at 60508, you will be able to see what

1 Joseph Mains looked like at the time of his arrest. If
2 we can turn that round, please. Thank you. He was
3 sentenced on 16th December 1981.

4 What I want to show you, which won't have been seen
5 before other than those who were involved in his
6 criminal proceedings, the Lord Chief Justice had before
7 him in 1981 a psychiatric report from Dr O'Gorman,
8 a consultant psychiatrist. If we can look, please, at
9 101105, it is dated 26th November 1981. The report
10 gives his personal background, but it explains, if we
11 just scroll down a little further, please, that his
12 homosexual activity began in 1950, so eight years before
13 he came to work in Kincora, that he was 21 at the time
14 and it coincided with the break-up of the relationship
15 he had been having with his first girlfriend.

16 He then said after a ten-year period of no
17 relationships, which, if correct, would take you to
18 19... -- the early 1960s, he said that he then had
19 a considerable number of homosexual partners, including
20 one long-term partner, only terminated when he was
21 suspended in 1980. That may be -- the person that is is
22 not identified, but you will see when we look at R2, who
23 is "R2" on our board in terms of being in Kincora from
24 '59 to '61, they would continue to have a homosexual
25 relationship together until, according to R2, towards

1 the end of 1979. So whether it is that person he is
2 speaking of or someone else it is not clear, but you
3 will see he explains he met his female fiancée, BAR1, in
4 1971 and he explains that he got engaged to her in 1978.
5 He explains that they planned to marry in 1980 and that
6 they had bought and decorated a house for that purpose.

7 You will hear, for instance, when Joseph Mains began
8 his relationship with -- I mentioned to you yesterday
9 one of the boys he was convicted of abusing, the
10 relationship began two years after -- this is a boy
11 called R9 -- two years after R9 had left Kincora and
12 left care. That relationship was conducted over the
13 decoration of the house that we will come to see where
14 BAR1 was going to live with Joseph Mains when they got
15 married.

16 He -- as far as the report was concerned the
17 psychiatrist was explaining that he was finding the
18 circumstances in which he found himself extremely
19 difficult and was suicidal at the time of the report.

20 He was rearraigned on the first day of trial, which
21 was 10th December 1981, and entered guilty pleas to six
22 counts, which you will hear much more about, against
23 four individuals. I am going to name them just at the
24 moment so we try and get this -- it's a very complex
25 picture -- we get it clear: R2, who is "R2" on the

1 board; Hugh Quinn, who is also on the board as
2 an applicant to the Inquiry. What we have done you will
3 see he is Hugh Quinn... -- sorry -- R3. That's because
4 we have kept the designations from The Hughes Inquiry
5 where we can, but we have also tried to denote for you
6 someone who was involved in the Hughes Inquiry but also
7 before this Inquiry, which is why we have given them
8 "HIA/" the designation from Hughes, and where someone was
9 in neither of those categories, then they will have a
10 "KIN" designation. Again all the names I use shouldn't be
11 repeated beyond the chamber.

12 So you have him being convicted in respect of R2 and
13 Hugh Quinn, who are from this first period that you can
14 see on the wall, and then R7 that we will come to. He
15 begins just -- I think it is "R7". You can see him just
16 starting at the end of Mains' first period when Raymond
17 Semple is about to arrive. So -- and those are the
18 three individuals who were convicted -- who he was
19 convicted of abusing who actually resided in Kincora at
20 the time the offences were committed, and when we get
21 through to the final period, the fifth period, you will
22 see on the wall R9, but his -- the offences for which
23 Joseph Mains was convicted in relation to R9 did not
24 happen in Kincora but after R9 had left Kincora.

25 CHAIRMAN: Can you give us the designation?

1 MR AIKEN: That I will have to check and I will come back
2 and confirm that to you.

3 To add one -- it is something I will leave and
4 I will come back to. I will only complicate the picture
5 more.

6 If I can explain it this way, R2 at the time he --
7 Joseph Mains is being convicted is being convicted of
8 sexual offences with R2 after R2 has left Kincora and
9 not during his time there as a resident. That will
10 become clearer shorter.

11 He was sentenced on 16th December 1981. As I said,
12 he pleaded guilty to the six counts. In respect of the
13 six counts, two of those were of buggery in relation to
14 R2 and Hugh Quinn and he was sentenced by Lord Lowry to
15 six years' imprisonment on each count. The other four
16 of the six counts were of gross indecency or indecent
17 assault and he was sentenced to two years' imprisonment
18 on each of those, all of the periods to run
19 concurrently.

20 I make this observation again just because it is
21 a complex picture. It is the case that the sexual
22 offences for which Mains was convicted relating to boys
23 in care were committed before 1971, so before William
24 McGrath comes to Kincora, because while he was convicted
25 of sexual offences with R9, as I said, he had left care

1 some two years before they occurred, and R2 for activity
2 post R2 leaving care, there was nobody in Kincora living
3 in Kincora from 1971 onwards who would make allegations
4 and for which Joseph Mains would be convicted.

5 After the launch of the Phase Two part of the
6 Inquiry, so the RUC Inquiry -- so you will recall we had
7 the Irish Times article leading to the Phase Two
8 investigation, which looked at the much wider issues --
9 the RUC went and spoke again to Joseph Mains, as did the
10 Sussex Police.

11 Initially he was visited on 3rd March 1982 by
12 Detective Superintendent Caskey and by Detective
13 Superintendent Harrison from Sussex, who asked him about
14 the broad allegations being made about paedophiles or
15 paedophile prostitution rings involving establishment
16 figures.

17 If we can look, please, at 20515. Just scroll down,
18 please. Is that 20515?

19 EPE OPERATOR: Yes.

20 MR AIKEN: If it is, then I have an error I am going to have
21 to remedy, for which I apologise. We should be looking
22 at an interview of 3rd March 1982. So I will find that
23 and show it to you later.

24 CHAIRMAN: It seems to be a book recording visits by --

25 MR AIKEN: Social workers.

1 CHAIRMAN: -- Board staff, social workers and so on.

2 MR AIKEN: Yes, it is. So I am afraid I have got the wrong
3 page, but I will remedy that. I will say for now that
4 in the interview, which you can't see, he explains that
5 he had no knowledge of anything involving prostitution
6 or establishment figures abusing boys in Kincora or
7 taking boys out of Kincora, and I will make sure I get
8 that reference for you.

9 If we look at his criminal record, please -- I hope
10 this is right -- at 114015 ... Now I am starting to get
11 very concerned.

12 CHAIRMAN: It might be appropriate to take an early lunch
13 and get this sorted out.

14 MR AIKEN: Yes. I think that maybe is the easiest thing to
15 do.

16 CHAIRMAN: Well, we will rise now. We will start again
17 about 1.45.

18 (12.40 pm)

19 (Lunch break)

20 (1.45 pm)

21 CHAIRMAN: Yes, Mr Aiken?

22 MR AIKEN: Chairman, Members of the Panel, I am pleased to
23 say we got to the bottom of what was going on just
24 before lunch. Before I resume, it was brought to my
25 attention over lunch that I had thanked everybody for

1 their assistance in the Inquiry save for the Secretary
2 to the Inquiry, and as he appears to have thought that
3 was other than deliberate, I felt I should also put on
4 record my thanks to him, and I do that without the
5 humour of the remark I have just made.

6 I want to just look at the documents that we didn't
7 manage to look at beforehand. If we can bring up,
8 please, 20525, this is Joseph Mains speaking to
9 Detective Superintendent Caskey and Detective
10 Superintendent Harrison on 3rd March 1982 when they
11 visited Joseph Mains in prison.

12 If we can just scroll down, please, you can see he
13 introduced himself and he explained:

14 "I asked him now that his trial was over would he be
15 prepared to reveal if he had any knowledge of a vice or
16 prostitution ring involving British officials in the
17 NIO, politicians, JPs, legal men and businessmen."

18 So you can see it is the language of the Irish Times
19 article of 12th January 1982.

20 "He answered 'No' indicating that he had no
21 knowledge. I asked him did any social workers or Board
22 members visit the hostel outside their official duties.
23 He replied 'No'. I then put another question to him,
24 'Are you saying you don't know of these people, British
25 officials, policemen, etc, being involved in vice rings

1 with boys?' He said, 'I have no knowledge of anything
2 like that'."

3 Now it is likely until today probably what he had to
4 say was not publicly known, but that is what he had to
5 say.

6 I was showing you his -- I was trying to show you
7 his criminal record. If we look at 114016, this is his
8 criminal record. You will see -- if we scroll down just
9 a little, you can see that the only offences with which
10 he was convicted are those arising out of the Kincora
11 criminal proceedings. If we scroll down, you will see
12 the date of his release from prison. Scroll down
13 a little further, please. So you can see he was
14 released on 7th December 1984, and it appears that --
15 and the Inquiry is not aware of him ever having come to
16 police attention again, certainly not in respect of any
17 sexual offending before his death, which was on 19th
18 January 2003.

19 I promised you the designation for R9 or R9, who is
20 the one boy from the later period who doesn't appear up
21 on the wall at the moment, and R9 is "R9".

22 CHAIRMAN: Thank you.

23 MR AIKEN: I want to say something briefly then about
24 Raymond Semple. He was born on 6th January 1922. He
25 was single. It is clear that he and Joseph Mains knew

1 each other through the St. John's Ambulance where they
2 volunteered together, and you will see when you look at
3 what R2 had to say to The Hughes Inquiry that there were
4 other friends from the St. John's Ambulance who were
5 also homosexual who would have come back to Joseph
6 Mains' flat after they had been drinking together. R2
7 speaks of two such individuals, but from the material we
8 can see that that was the connection between Raymond
9 Semple and Joseph Mains, perhaps amongst others.

10 Raymond Semple worked in Kincora for two spells as
11 the assistant warden to Joseph Mains. The first was for
12 eighteen months from 8th September 1964, when he was
13 42 years of age, to 28th February 1966, when he was 44.
14 He would abuse and be convicted of abusing two boys
15 during this period, one of whom he would continue to
16 have a sexual relationship with into that boy's
17 adulthood for a further eight years.

18 The second spell of his time in Kincora was from
19 10th June 1969, when he was 47, until his suspension on
20 4th March 1980, when he was 58. He would not, at least
21 certainly not during the RUC investigations in 1980,
22 face any allegations from any boy in respect of his
23 second spell of over ten years working in Kincora.

24 Indeed, you will see repeated references in that
25 period between 1969 and '80 from boys speaking highly of

1 Raymond Semple as to how they found him, how he
2 interacted with them and a number of them give him
3 credit for getting them employment.

4 He explained to the RUC at interview in 1980 -- and
5 if I can -- that during that second period between 1969
6 and 1980 he would, in fact -- because they were asking
7 him, "Were you engaged with boys during your first
8 period?" and he quickly admitted to that. They asked
9 him, "Well, how did you deal with your urges during your
10 eleven-year second period?" and his answer to that was
11 that he would go out to Botanic Gardens, where he would
12 engage in sexual activity with others.

13 When you look at the interview, when he is first
14 interviewed on 1st April 1980 during the Phase One
15 Inquiry, he would very quickly confess to the homosexual
16 activity he engaged in in Kincora and, in fact, after
17 the allegations were put to him -- and, in fact, some of
18 the allegations had not, in fact, been made, as in one
19 boy who we will come to look at, who carried on a sexual
20 relationship beyond Kincora, and three of his four
21 offences related to that boy and then adult. He had not
22 been spoken to by police whenever Raymond Semple
23 explained to police the relationship that he had with
24 him.

25 He would also identify in his first interview to

1 police those boys who had complained to him about
2 William McGrath interfering with them during that second
3 period between '69 and '80, and he would explain what he
4 did when the boys complained, which was to tell Joseph
5 Mains about it. He was asked why he didn't do more than
6 that and he expressed, as we will come to see, his
7 embarrassment that, as Joseph Mains had told him off
8 during his first period working in Kincora for his
9 engagement with the boy B3 that we will come to talk
10 about, he felt he wasn't in any position to talk any
11 more about someone else's behaviour other than bringing
12 it to the attention of Joseph Mains.

13 What he looked like at the time of his arrest, if we
14 look, please, at 60509, if we can just rotate that,
15 please, and when he was being sentenced in
16 December 1981, the then Lord Chief Justice had access to
17 a psychiatric report of 7th October 1981 provided by
18 Dr Kerr, consultant psychiatrist, if we can look,
19 please, at 101103, and Dr Kerr explains -- if we just
20 scroll down the document -- that Raymond Semple had
21 always been aware of his homosexuality and was never
22 capable of developing heterosexual relationships. We
23 can see that just at the top of the next page, if we
24 may, please, and then we will come back to that page.
25 Just scroll down a little further, please. You can see

1 there:

2 "He has always been conscious of his homosexuality."

3 Then if we just scroll back up, please, to the
4 previous page and just pause there, please, he explains
5 to the doctor that what was his homosexual paedophilic
6 behaviour occurred in Kincora between 1964 and 1966,
7 when he explains that he left to deal with his mother's
8 illness and according to what he told Dr Kerr to sort
9 out some of the relationships he had developed within
10 Kincora. You can see that three lines up from the
11 bottom.

12 Then if we just scroll down, please, on to the next
13 page, you can see why I say that he says his
14 behaviour -- just scroll down a little further, please.
15 You can see:

16 "This man presented with homosexual paedophilic
17 behaviour while working in the Kincora Boys' Home during
18 '64-'66 ... Although he admits this behaviour in the
19 home stopped in '66, he nevertheless carried on his
20 homosexual activities outside and this only stopped in
21 1980, when he was suspended from duty."

22 Now, as I said, the police had already -- the year
23 before in interviewing him he had explained that that
24 was done in Botanic Gardens.

25 He was rearraigned on the first day of trial on

1 10th December 1981 and entered guilty pleas to the four
2 counts and he was sentenced in respect of those four
3 counts, two counts of buggery against B3. One related
4 to B3's time in Kincora and one count covered the
5 eight-year period after he left Kincora, and Raymond
6 Semple was given five years' imprisonment in respect of
7 those matters, and then in relation to the other two
8 counts, one of which again related to B3, and one count
9 relating to a boy called R7, who, as you can see, is
10 "R7" on the list -- just make sure I'm right about that.
11 Yes, R7 is R7. So he was convicted of gross indecency
12 with R7 as well as gross indecency with B3, and all
13 sentences were to run concurrently.

14 After the launch of the Phase Two part of the RUC
15 Inquiry the police and The Sussex Constabulary spoke to
16 Raymond Semple again, and if we can look, please, at
17 20526, that interview was conducted on 26th July 1982,
18 and you can see that on the screen. He was asked about
19 the wider allegations:

20 "Q. Did you know that?

21 **A. Yes.**

22 Q. Are you aware of such a prostitution ring?

23 **A. No.**

24 Q. Do you know any such officials at the NIO?

25 **A. No.**

1 Q. Were any JPs, legal or businessmen to your
2 knowledge involved in such a ring?

3 **A. No."**

4 He says:

5 **"I am a committed Christian since I came in here and**
6 **I am telling the truth. I told the truth to the police**
7 **when I saw them at Mountpottinger."**

8 That's the reference to the 1980 interviews.

9 **"There is nothing more. I know policemen through**
10 **them coming to Kincora to interview boys about crime."**

11 During the Phase Two Inquiry there were no fresh
12 allegations made about Raymond Semple. It remained the
13 position that his involvement was limited to that with
14 B3 and then R7.

15 He died on 7th December 2010, and his criminal
16 record -- if we look, please, at 114018. If we just
17 scroll up to the page before, please, because we seem to
18 have a numbering issue. Yes. Thank you. Just scroll up
19 on further up, please. I think this is William McGrath's
20 record. Right. Just move down two pages, please, to
21 114019. Yes. So you can see the four convictions. Then
22 he is released from prison you can see on 8th June 1984
23 and then there are theft and shoplifting convictions --
24 just scroll on further down, please -- in '85 and '86.
25 Scroll further down, please.

1 There are then no further convictions. The Inquiry has not
2 received any information to suggest he ever came to the
3 police attention again in respect of homosexual
4 offences.

5 You can see, as with Joseph Mains, they were both
6 released before The Hughes Inquiry began, but it doesn't
7 appear they gave evidence to the Hughes inquiry.

8 In respect of William McGrath, he was born on 11th
9 December 1916. He was appointed housefather at Kincora
10 on 22nd June 1971, by which time he was 54 years of age.
11 Perhaps of particular importance as you reflect on
12 society at the time in Northern Ireland and the
13 information that was being made available in the way
14 that it was about William McGrath, at the time he takes
15 up work in Kincora he is married and has three children.

16 So when considering the anonymous allegations, as
17 it were -- so it is not that a boy is coming forward to
18 say, "This is what he has done to me"; it's an anonymous
19 phone call or an anonymous third party passing of
20 information in some cases -- the person that was being
21 said of was outwardly a 54-year-old man married with
22 three children. Now ultimately it is clear that's not
23 what he was, but that is the public persona that was
24 being presented.

25 He, William McGrath, worked in Kincora until his

1 suspension on 4th March 1980. As I said, he did not
2 live in Kincora. As you will see from the boys'
3 statements, that was Joseph Mains and Raymond Semple who
4 shared the sleeping arrangements. William McGrath did
5 not.

6 If we look, please, at 60507, you can see what he
7 looked at -- looked like at the time of his arrest, by
8 which time he was 63. He was rearraigned on not the
9 first day of trial but the second day of trial, 11th
10 December 1982, and pleaded guilty to fifteen counts
11 which involved eleven individuals. There were three
12 counts of buggery against three individuals that were
13 discontinued, though William McGrath did plead guilty to
14 one count each of gross indecency with those three
15 individuals. So ultimately he accepted that he had
16 engaged in gross indecency with them but not that he had
17 engaged in buggery, but he did plead guilty to two
18 counts of buggery against two other individuals as well
19 as a series of indecent assaults, which in the main
20 related to the touching under the bedclothes in the
21 morning.

22 He was sentenced on 16th December 1981 and received
23 four years' imprisonment on the two counts of buggery
24 and two years' imprisonment on the thirteen counts of
25 gross indecency or indecent assault, and all the

1 sentences were to run concurrently.

2 Now in contrast to Raymond Semple, who, as you read
3 the interviews -- I am going to characterise it this way
4 -- was immediately forthcoming with what he said he knew
5 and did, with Joseph Mains, who was somewhere in the
6 middle, which began with a not wanting to admit and then
7 admitting the matters that he was involved with, and
8 William McGrath was different again, which was to
9 maintain a complete denial throughout, even after medical
10 examination established that he had been a practising
11 homosexual, and -- but we will come to see when we look
12 at some of the individuals that some of the comments he
13 made at interview you may find of assistance in revealing
14 his true personality, but as with Raymond Semple and
15 Joseph Mains, after the launch of the Phase Two part of
16 the RUC Inquiry, George Caskey and the Sussex officers
17 spoke to William McGrath again.

18 If we look, please, at 20527, they spoke to him on
19 3rd March 1982. Now shortly before this -- I am not
20 going to show it to you now -- because of the press
21 speculation that there had been, William McGrath issued
22 through his solicitors a public statement, which is
23 specifically challenging anyone to establish he was ever
24 involved in a paedophile ring or a prostitution ring or
25 accepted money for prostituting boys or that -- those

1 wide -- he addressed those wider allegations in that public
2 statement, but he was spoken to by the police officers on
3 3rd July -- sorry -- 26th July 1982 and
4 said:

5 "I have very little to say to you." I asked" --
6 according to Superintendent Caskey, "I asked him, 'Now
7 that your case is over and you did not speak out as you
8 said you would at your trial, I would like to give you
9 that opportunity now'. He said, 'I am not going to
10 discuss that. I will do my two years. It's quite
11 comfortable in here. I've got a bed with clean sheets
12 and the food is all right. It's not my wife's cooking,
13 but it's okay. All that I told at the police station
14 still stands even though I pleaded guilty'. I said,
15 'Why did you plead guilty?' He said, 'You should know
16 the answer to that'. He refused to discuss it further.
17 He emphatically denied that there was a vice ring or
18 prostitution ring. He did not know of civil servants,
19 British or otherwise, at NIO, nor of policemen, JPs or
20 businessmen. William McGrath was asked if he knew of
21 policemen visiting Kincora who were not on duty. He
22 said a community police officer called about four times.
23 He did not know the officer's name, but would try to
24 remember something about him which could help with
25 identification."

1 The police officers went back to speak to him again
2 on 30th June about this last comment about he could
3 remember a community police officer coming in. Now
4 I will observe, as you will see, R2, who maintained his
5 relationship with Joseph Mains up to 1979, in '77 and
6 '78 was in the RUC Reserve, and there are various boys
7 who talk about him wearing his police uniform, and
8 whether -- here William McGrath seems to be talking about
9 someone he knew to be a police officer but who was not
10 wearing his uniform, although in fairness there are no
11 allegations from boys that whoever that was was involved
12 in any way with them, but I said to you yesterday that
13 Superintendent Caskey then endeavoured to trace all of the
14 community officers to see could they identify who was
15 being spoken of.

16 If we look, please, at 20545, you will see the
17 further interview that was conducted with William McGrath
18 on 30th June 1982, and he endeavoured to give a
19 description of the officer that he could remember and
20 that description was given. As I drew your attention
21 yesterday, Superintendent Caskey then tried to interview
22 anyone who worked in community relations, but there is
23 nothing -- William McGrath was not suggesting that the
24 officer had done anything untoward and no boy was making
25 that suggestion.

1 It is the case that there were no further
2 allegations made against McGrath during Phase Two of the
3 RUC Inquiry. There are claims made post-2000 and we will
4 come to those. His criminal record can be found at
5 114017 -- 114018. If we just scroll up, please. So it
6 is 114017. That's his criminal record. You can see it
7 contain the fifteen sexual offences that I referred to.

8 If we scroll down, you will see that he was released
9 from prison on 9th December 1983. You will see that
10 under "Release" at the right-hand side of the screen.
11 Again that was before The Hughes Inquiry commenced. As
12 his record indicates, he was not convicted of any
13 subsequent sexual offences. He died on 12th
14 December 1991. Unlike the other two, because he
15 maintained his denial right up to the second day of
16 trial, there was no psychiatric report available to the
17 court.

18 What I want to do now -- I hope that has been of
19 some assistance to assist with understanding of the broad
20 picture in respect of the three individual, but I want to
21 turn now to what the residents of Kincora have to say.
22 You may consider, Members of the Panel, that central
23 throughout this module and to any assessment of the
24 allegations made surrounding Kincora is what those who
25 lived there actually say. You may consider that the

1 proper response to broad sweeping allegations and
2 certainly in a matter of this complexity is the
3 methodical and detailed examination of what the boys of
4 Kincora say occurred. It is in what they have to say
5 you may consider that you are most likely to find the
6 answers to the questions raised by the allegations and
7 you are likely to gain the greatest assistance with your
8 task of determining whether there were systems failures
9 on the part of the various departments and agencies of
10 the State that caused, facilitated or failed to prevent
11 abuse.

12 To that end I am going to embark on a detailed
13 chronological examination of the allegations. This will
14 by necessity take time and perhaps a detailed
15 time-consuming consideration of the evidence is you may
16 consider what has been most lacking from the public
17 presentation of matters relating to Kincora.

18 I explained earlier that the home operated between
19 1958 and 1980, some twenty-two years, but I am going for
20 these purposes to break the twenty years --
21 twenty-two years down into five different periods. In
22 the examination that I am about to conduct I am going to
23 deal with the allegations that relate to each of the five
24 periods that were made before 2000. I will then look at
25 the end at those allegations that have since

1 2000 been made or added to what someone had previously
2 said.

3 In passing as I go I will try also to highlight
4 where we get to a particular relevant point in the
5 chronology some key events that occur along the way
6 which you will be able to note and return to when we
7 look at what people or organisations knew.

8 The five periods that I am going to look at are, as
9 you can see on the board at the moment, January 1958 to
10 8th September 1964, so a six and a half years period when
11 Joseph Mains worked alone in Kincora as the head of the
12 hostel. Joseph Mains would abuse and be convicted of
13 abusing boys during this period.

14 Then the second period will be from 8th September
15 '64 to 28th February '66. This is a year and five
16 months during which Raymond Semple worked as the
17 assistant warden alongside Joseph Mains. They would
18 both abuse during that period and be convicted of so
19 doing.

20 The third period will be again a Mains-only period
21 is how I am describing it, but it is from 28th February
22 1966 to 10th June 1969. During this period Joseph
23 Mains would work again alone for a significant amount
24 of that time. The material suggests it was difficult
25 to get additional staff, but it will also

1 become apparent, as I mentioned yesterday, and as the
2 SCB accepted, this is a period that a man called KIN66
3 would work as an assistant around June 1967 until
4 December 1967, and we will look at what KIN14 had to say
5 in respect of him when we get to the third period. That
6 third period is also the time when the first two
7 complaints by R5, who is "R5", and R6, who is "R6", would
8 go and complain to Belfast Welfare and see the start of
9 the Mason file.

10 So that's the third period I am going to look at.

11 The fourth period is then from 10th June 1969 to
12 22nd June 1971. That's a two-year period. This is
13 a period during which Raymond Semple recommences working
14 in Kincora alongside Joseph Mains, and while he had
15 continued to do so until suspension in 1980, I am
16 breaking up that period to allow for the arrival of
17 William McGrath on 22nd June 1971. So we are going to
18 look at that two-year period when Mains and Semple are
19 working together again, and it is during that period that
20 we will see R8 or R8, "R8", his complaint to Belfast
21 Welfare in 1971 about Joseph Mains and also referring to
22 R2. That would result in the resurrection of the Mason
23 file and Henry Mason's submission that the matter should
24 be referred to the police and the decision by the town
25 clerk and solicitor not to do so.

1 There wouldn't be any allegations of abuse during
2 Raymond Semple during this period or, in fact, the next
3 period, which is the fifth and last period we will look
4 at, which is that from 22nd June 1971 until the
5 suspension of the three members of staff on 4th March
6 1980, some nine years.

7 Just to try to summarise that to help with
8 understanding, Raymond Semple would not be accused of
9 abusing any boy during that fifth period or the nine
10 years between '71 and '80. Joseph Mains would be
11 convicted of abuse of one boy, which is R9, but the
12 activity that they engaged in would be after Joseph --
13 sorry -- after R9 had left Kincora and left care some two
14 years before. William McGrath, on the other hand, would
15 be convicted of abusing boys in Kincora during this
16 period, all eleven of the boys with whom he interacted,
17 amongst others, and what we now know and which we will
18 look at in considerable detail later in the module is
19 that William McGrath would come to Kincora in 1971 after
20 a long friendship and a particularly close friendship
21 that we will examine between him and Roy Garland. I would
22 also include as well as their personal relationship a
23 business relationship that would break down. There would
24 be litigation between them, consequent financial
25 difficulties for William McGrath,

1 and it is likely, whatever his reasons for so doing,
2 that it's the response to that sequence of events in and
3 around 1971 that led Roy Garland to begin making
4 allegations about McGrath before he ever touched a boy
5 in Kincora.

6 We will come to look at -- those allegations would
7 be made to a vast array of people, most of whom didn't
8 work for a department or agency of the state, but some
9 did, but we will have from the early '70s him telling
10 colleagues in politics and the Orange Order, making the
11 anonymous telephone call to the police on 23rd May 1973,
12 making the anonymous telephone call to Social Services on
13 23rd January 1974, speaking through an introduction from
14 William McCormick, who was a vet, but also a religious
15 missionary, to Detective Constable Cullen in March 1974.
16 That's what would begin the Cullen and Meharg sequence of
17 events, that would lead in 1976 to the Mason file being
18 handed over to police. Roy Garland would also speak to
19 Valerie Shaw, which would lead her to talk, amongst
20 others, to Superintendent John Graham in June 1974, and
21 would raise the issue that I was discussing in respect of
22 the RUC earlier, and Garland again through an introduction
23 from William McCormick speaking to the then Captain Brian
24 Gemmell and Corporal Q of Army Military Intelligence in
25 1975, and

1 it would subsequently lead to the issues over the RUC
2 wanting to talk to Ian Cameron of the Security Service. In
3 1976 Roy Garland would again engage with Detective
4 Constable Cullen.

5 So you can begin to see that the common thread
6 through all of the matters that were bringing to someone's
7 attention William McGrath were emanating from in one way
8 or another what Roy Garland was saying. We will see
9 when we look at the military material that there was one
10 other person who did know and believed William McGrath to
11 be a homosexual and we will see that, but was not
12 engaged in the discussing of or making allegations about
13 William McGrath to others in the way that Roy Garland
14 was.

15 It is also during this period when -- the fifth
16 period, when we are going to look at William McGrath in
17 the hostel along with Joseph Mains and Raymond Semple,
18 that you would have Colin Wallace's allegations that he
19 had been told by a social worker in 1972, and that's
20 a very important date you may consider, given William
21 McGrath won't at that point have touched a boy. So the
22 reference would have to be to Joseph Mains, who there
23 were allegations about, and then it is also during this
24 period that Colin Wallace would he says write his memo
25 of 8th November 1974 that we are going to come back and

1 look at. It is during this period there would be
2 allegations and rumours that would come to the attention
3 of the Social Services about Joseph Mains and also about
4 William McGrath, and it is also the case, so that the
5 context of what we look at is understood, that it would
6 be or it must be during this period that the more extreme
7 allegations, if they are true, were occurring. It would
8 have to be during this period that William McGrath as an
9 alleged agent of the State would be operating an alleged
10 blackmail operation against Loyalists, establishment
11 figures or others via an alleged paedophile ring using the
12 boys of Kincora.

13 So that's the five periods that we are going to look
14 at and I am going to begin now looking at the
15 January '58 to 8th September '64 period.

16 The two boys that are principally concerned in this
17 period, R2 and Hugh Quinn, will take me some time to go
18 through, because they continue to return to the hostel,
19 and as we look at later periods, you will have repeated
20 references to them taking part. So their stories are
21 elongated compared to many boys who were simply there
22 and have something to say about what happened to them
23 and then left, but we will also cover a third boy and a
24 fourth boy from this period.

25 The first boy that I am going to look at is R2. He

1 would be R2 in terms of his designation before The
2 Hughes Inquiry. He is C on the criminal indictment that
3 would see Joseph Mains convicted of abusing him, and I am
4 going to ask you to look very closely at what he has to
5 say, because in addition to being a resident for the
6 period that he was there he would be on his own admission
7 a regular visitor to Kincora, carrying on
8 a sexual relationship with Joseph Mains up to 1979.

9 He was born on 1942. He was in care
10 prior to coming to Kincora. He came to Kincora for
11 almost two and a half years from January 1959 until
12 March 1961 from the age of 16 to just before his 19th
13 birthday. He was then readmitted in June 1961 at his
14 own request until September 1961, and he would explain
15 that he missed the security of the hostel and the
16 support of Joseph Mains, even though by that stage, as
17 we will come to see, there was activity between them.

18 He made no allegations of any abuse by Joseph Mains
19 during his time in Kincora or in the almost twenty years
20 since he left until he was tracked down by the RUC
21 detectives during the Phase One Inquiry. He made
22 a statement to the RUC on 2nd April 1980, by which time
23 he was approaching his 38th birthday.

24 However, his involvement with Joseph Mains had come
25 to the attention of the RUC through the statement of

1 others. KIN14 I mentioned to you previously, who in
2 1967, so many years after R2 had left Kincora as a
3 resident in care, referred in his police statement in
4 February of 1980 to R2 coming back to visit the hostel as
5 an ex-resident, and we will say something more about
6 that shortly. So his name had come up, and indeed
7 then his name was raised with Joseph Mains when he was
8 first interviewed by the RUC on 1st April 1980, and Mains
9 admitted involvement with R2 the day before R2 was himself
10 spoken to by police.

11 Mains explained to the police on 1st April 1980 that
12 it had been eight to ten years before the interview when
13 he started having a sexual relationship with R2. That,
14 if it was correct, would put it around 1970 and would be
15 about nine years after R2 had left Kincora. Mains did
16 say that it had continued, that relationship, right up to
17 the previous year, so 1979.

18 When R2 was spoken to, if we can look, please, at
19 his statement at 10150, you can see he explains his
20 background, but he then says:

21 **"After a brief stay I was transferred to Belfast to**
22 **Kincora Boys' Hostel. This is where I met Joe Mains. He**
23 **was in charge of the home. During my stay there Joe**
24 **took me out to the pictures and to wrestling matches. I**
25 **don't know if he did the same with others. On most**

1 evenings I normally stayed in. I would watch television.
2 Joe would come in and sit with me. Nothing took place
3 between Joe and me on these occasions. I left Kincora at
4 18. I lived elsewhere for about a year before going back
5 into Kincora. How long I spent there on the second
6 occasion I don't remember."

7 Well, it's about three months.

8 "I don't remember any sexual relationship with Joe
9 Mains while I was in care. When I left Kincora again,
10 I went elsewhere. Joe used to call down and ask me to
11 go out for a drink. We normally went to [the location].
12 It was during these evenings out with Joe ..."

13 I think that's the Park Avenue Hotel. I will just
14 make sure. There is no need for that to be redacted,
15 but I will check that.

16 "It was during these evenings out with Joe that our
17 relationship began to develop. At the end of an evening
18 Joe would invite me back to Kincora. He had a flat
19 there. There was no specific reason. Joe and I would
20 sit and talk. He would strip off and get into bed.
21 I would spend the night there sleeping" -- if we scroll
22 down, please -- "on the chair. As time went on
23 I started to go to bed with Joe. Then our relationship
24 began beyond that. It developed over the years. We met
25 once every two or three years (sic)."

1 He says at the start he resisted:

2 **"... but as time went on it became of a different**
3 **order."**

4 He explained the nature of the relationship they had
5 together:

6 **"I didn't like to refuse, because I treated Joe as**
7 **a personal friend and not as a sexual partner. I lived**
8 **up until about two years ago and was a constant friend**
9 **of Joe's up to that time. We were having a sexual**
10 **relationship on a irregular basis", he explains.**

11 You can see he describes an occasion he had been out
12 with Joseph Mains and his girlfriend, which is BAR1, and
13 others.

14 **"At the end of the night we dispersed."**

15 They travelled back.

16 **"BAR1 was dropped off and Joe, Raymond Semple and**
17 **I went back to Kincora. I spent the night there.**
18 **I slept with Joe in Joe's bed. We had sex."**

19 So that was the last occasion he was describing in
20 1979 when they had a sexual relationship.

21 You can see then:

22 **"I haven't seen Joe since then. I phone him**
23 **recently. A woman answered. She said that Joe was on**
24 **extended leave. During my relationship with Joe I have**
25 **also on one occasion slept with him in BAR1's house.**

1 **She wasn't there at the time."**

2 He explained:

3 **"Joe Mains is the only man that I have ever had**
4 **a sexual relationship with. I have never had**
5 **a relationship with Raymond Semple. You asked me if**
6 **I knew William McGrath. I think I was introduced to him**
7 **once. I couldn't tell you what he looks like."**

8 He says:

9 **"I have known Joe for twenty-two years. Our sexual**
10 **relationship has been continuing for about**
11 **nineteen years."**

12 On the same date R2 was examined by Dr Irwin, the
13 Police Medical Officer, and he is recorded as having
14 told Dr Irwin the same as he said to the police here,
15 that he had not been sexually abused whilst at Kincora
16 as in in care. There were signs of homosexual activity.

17 But I want to draw your attention to at this point
18 Hugh Quinn. You will see him also. His time overlaps on
19 the wall with R2. He is someone we will return to
20 shortly. He was in Kincora for two spells, but at the
21 same time as R2.

22 In his police statement -- I am not going to bring
23 it up, but I just want to draw it to your attention --
24 in the context of explaining extra privileges that he
25 says he received from Joseph Mains on foot of the sexual

1 abuse, he said he was not the only boy who was treated like
2 that, and he explains at the bottom of KIN10154 that he used
3 to be aware of R2, as he calls him, going into Joe Mains'
4 room at night and he assumed it was for the same reason he
5 did.

6 Equally I draw to your attention that when Joseph
7 Mains admitted during interview to having anal sex with
8 Hugh Quinn whilst Hugh Quinn was a resident in Kincora,
9 he claimed that Hugh Quinn was the first person he had
10 ever had anal sex with.

11 So you have in the first Inquiry R2 saying, "It
12 didn't happen while I was a resident". You have Joseph
13 Mains saying, "I had a sexual relationship with this
14 person, but not while he was a resident, and I did have
15 a sexual relationship with Hugh Quinn while he was
16 a resident and that was the first person I had ever had
17 anal sex with".

18 When Mains was reinterviewed on 29th May 1980, he
19 contradicted himself and said that he had started
20 a relationship with R2 whilst he was a resident in
21 Kincora. That will become relevant shortly.

22 Corroboration of R2's habit of returning would be
23 forthcoming from other subsequent Kincora residents
24 spoken to by the RUC during the Phase One Inquiry.

25 The first in chronological order was R5. He was in

1 Kincora in 1967, so six years after R2 has already left,
2 and during the third period that he was there -- he, as you
3 know, was the person who complained to Belfast Welfare --
4 he commenced -- he commented in his police statement about
5 how during a summer camp R2 came up to visit Mains with
6 another man, and, in fact, that comment would be made in
7 the letter that he wrote to Henry Mason or which would be
8 dealt with by Henry Mason about the fact that on this
9 summer camp there was R2.

10 KIN14 was in Kincora in '67 to '68 as a resident.
11 That's the third period that we will look at, but when
12 he spoke to police, he explained -- and I am just going
13 to show you this at 10147, please. Just scroll down.
14 He remembers Mr Mains was in charge and that KIN66 was
15 his assistant. He says KIN66 became like a father and
16 he got on very well with him.

17 **"He told me to be careful when I was having a bath**
18 **or in the shower or when I was changing of a man called**
19 **R2 and also of the man in charge, Mr Mains, and if I was**
20 **approached, to speak to him."**

21 You can see:

22 **"R2, who I believed worked for the welfare, visited**
23 **Mr Mains at weekends and stayed in the same room in**
24 **Mr Mains' flat. Whenever I looked into the room,**
25 **I noticed that there was only one double bed. The talk**

1 **amongst all the boys was that R2 and Mains were**
2 **homosexuals, although nothing had occurred to myself or**
3 **any of the others as far as I know."**

4 So what he is explaining -- there are two parts to
5 that I will ask you to observe as you look at this. He
6 is talking about this third period between '66 and '69,
7 and you have R2 coming in. You have KIN66, the
8 assistant warden for a short six-month period, making
9 observations to KIN14, if his statement is correct, and
10 also KIN14 is explaining what he himself is aware of in
11 terms of R2 and Joseph Mains, and that, thirdly, there
12 was the talk amongst the boys about the two of them.

13 Then I want to draw your attention to R8, because
14 you will recall when we looked at the Mason letter
15 yesterday, while they talked to R8, he didn't impress
16 them as a witness, and in fairness whenever the police
17 interviewed R8, the officer who interviewed him was
18 concerned and it was recorded that he was described as
19 "strange", but -- and we will be coming back to look
20 at him in the right place in the chronology -- but he
21 sent two detailed, almost identical, letters to the
22 Welfare Authority in August 1971, ten days after he had
23 left Kincora. It seems Mr Mason was able to establish
24 that he had written the letters possibly some two years
25 earlier in 1969, but what I want to show you, if we can

1 look, please, at 10952, is the last five lines of the final
2 page. That's a bad copy. If we look at 11019, please, if
3 we scroll down, please, to the last five lines -- so the
4 letter is five or six pages long -- he explains -- we will
5 come back to what he has to say, but I want to just look at
6 what he is saying here:

7 **"My reader will now begin to picture the kind of man**
8 **that Mr Mains is. He also has a friend, namely R2, whom**
9 **he regularly sleeps with. R33", that we mentioned**
10 **yesterday, who was also part of the Mason investigation,**
11 **"went into Mr Mains' flat one Saturday morning and saw**
12 **R2 lying on the bed. I think his (as in Mains') open**
13 **approach to homosexuality is disgusting. He has**
14 **a filthy mind and a mind like that is not fit to look**
15 **after or take care of growing boys."**

16 Now there's obviously all sorts of issues that come
17 out of that in terms of how it was handled or not
18 handled, as the case may be, by Belfast Welfare, but
19 what I am trying to your attention for this purpose is
20 this was someone coming back in and the boys were seeing
21 him coming back in and he was having a sexual
22 relationship with Joseph Mains many years after he had
23 himself left care.

24 The last boy I want to look at in this regard is
25 KIN19. He was in Kincora between July 1969 and

1 January 1972, so a lengthy period. That almost
2 encompasses the fourth and fifth periods, including
3 the period of William McGrath. He spoke to police on
4 23rd March 1980. So you will see the date is before R2
5 has been spoken to and before Joseph Mains has been
6 interviewed. He explained in the statement -- I will
7 just put it on the screen and while I am doing that
8 I will summarise it, but I will leave it on the screen.
9 It is at 10148, please. He explained that he was not
10 interfered with and was not aware of any -- if you just
11 scroll down -- the operator just scroll for me and leave
12 the text so it can be seen-- he was not interfered with
13 and was not aware of any indecent acts taking place. He
14 could remember McGrath putting his hand on his knee, but
15 thought nothing of it, but thinking back, he was able to
16 recall -- and you will see this just at the bottom of
17 this page and on to the next -- he could recall R2
18 calling regularly mostly at weekends. Then there was
19 general talk he said going on about Joseph Mains and R2.
20 He said -- and I just mentioned him -- if we scroll on to
21 the next page, please, you will see as well as references
22 to R2 coming in at the weekends you will see R8. That's
23 R8 that we were just speaking about. He makes the point
24 in the statement that he used to tease R8 and another
25 boy, who he refers to here as KIN38, but

1 we are pretty certain that's KIN38, who is "KIN38", because
2 of the time period that's being spoken of -- he refers to
3 teasing those two boys because of the time they spent in
4 Joe Mains' flat. So that will be relevant in terms of R8
5 when we come to look at him, but you will see further down
6 he only had praise for Raymond Semple, who he said got him
7 a job and kept him right.

8 Now when submitting his Phase One report on
9 6th August 1980, Detective Chief Inspector Caskey, as he
10 was at that point, recommended that Mains should face
11 three charges in respect of his activity with R2, "R2", a
12 buggery charge, an indecent assault charge and gross
13 indecency charge. In February 1981 when the DPP issued
14 their direction, they directed that Joseph Mains should
15 face two counts, one of buggery, which would appear at
16 count 8 on the indictment, and one of gross indecency at
17 count 9. The counts both intended to relate to the time
18 after R2 had left Kincora. The date span on the charge
19 was from June '61 to December '79, because it was
20 believed that R2 had left Kincora in June '61. It would
21 turn out he left in March, but had been back from June to
22 September, but that was not the intention in the charge.
23 It was intended to reflect the period after he had left
24 Kincora, because you will recall that R2 was saying,
25 "Nothing happened to me while I was in Kincora".

1 As you read the Phase One and Phase Two reports and
2 the Sussex Constabulary reports, they reveal in
3 combination a large volume of what was then homosexual
4 offences between adult males, which the RUC reported to
5 the DPP. The DPP directed there should be no
6 prosecution of those matters and this is, in fact,
7 an exception to that normal practice that was adopted
8 for all the adult activity that was uncovered, because
9 here you had someone who had left care, who on his
10 evidence and on Joseph Mains' evidence began their
11 relationship as adults, and the decision was taken they
12 should prosecute, and it appears that may have been
13 because he was a former resident, even though he was
14 saying it began afterwards.

15 The charges recommended would then be mirrored on
16 the bill of indictment as counts 8 and 9, and R2, who was
17 given the cipher C on the indictment, was the subject of
18 those two counts. Mains, as I said, was re-arraigned on
19 the first day of trial and entered guilty pleas to the two
20 charges in respect of R2, and was imprisoned on foot of
21 them. One was of buggery and the other was of gross
22 indecentcy.

23 Now the RUC Phase Two Inquiry, which was about the
24 wider allegations, at the end of the report there were
25 three individuals who spoke to police who were

1 residents. R2 was one of them. He and his case is
2 demonstrative you may consider of a difficult issue that
3 has come before this Inquiry on many occasions and will do
4 so again during this module. On 30th March 1982 R2, now 40
5 years old, made a further statement to police.

6 You can find that at 20789 to 20791. In contrast to
7 what he had said in his police statement on 2nd April 1980,
8 two years before, he would in his 1982 police statement make
9 allegations that sexual activity had occurred between him
10 and Mains during his time as
11 a resident in Kincora.

12 In fairness, I must first draw attention to the
13 sequence of events that lead up to that police statement.
14 Initially R2 saw Sergeant Elliott of the RUC on 3rd
15 February 1982. If we can look, please, at 21247, on that
16 occasion he provided him with a written statement where he
17 explains what he says at that point had happened. That
18 statement alleged that while he was a resident in Kincora,
19 Mains would fondle and hug him. If we just scroll down,
20 please, you can see there "Mr Mains" just halfway up now
21 on the right-hand side:

22 **"Mr Mains would fondle and make a fuss of me, which**
23 **led to hugging and kissing, to which I was not**
24 **accustomed, and naturally being in my position, I felt**
25 **unable to cope."**

1 He explained he felt trapped. Although they had
2 visits from senior welfare officers, he didn't feel able
3 to speak to them.

4 The statement that was given to the police officer
5 on 3rd February 1982 did not allege any other form of
6 sexual activity than what I have just outlined to you.

7 However, on 1st March, some three weeks later, R2 --
8 1st March 1982 -- R2 again saw Sergeant Elliott and he
9 handed over a copy of a letter he had written to Gerry
10 Fitt, then MP, on 19th February 1982. So it was written
11 two weeks after this statement that we are looking on the
12 screen, and by this stage there had been the wider press
13 allegations that had been ongoing since the January of
14 '82.

15 If we just put the letter on the screen, please, it
16 is 21253 and it runs over three pages. I am not going
17 to spend time, but what he is doing is he sets out what's
18 in the articles, if we just scroll through it, please,
19 and while the letter asks a series of what you may
20 consider to be, if we go to the end of it, please,
21 pertinent questions that he is asking based on the media
22 articles, he -- that R2 has read, and while it does
23 disclose what he says happened to him, he does say
24 something about the visits of the authorities that I want
25 to draw to your attention at the bottom of 21254.

1 Yes. If you just pause there, he says:

2 **"You can't blame the boys for not complaining when**
3 **apparently numerous complaints were given to political**
4 **and public figures."**

5 Well, that's based on the media articles:

6 **"To me they were more concerned with their own**
7 **positions than in the care and protect of the boys in**
8 **their home."**

9 You can see just above that he says:

10 **"As a resident of this home while they were employed**
11 **in the above positions I only saw them on rare occasions**
12 **when they or members of the Welfare Committee would**
13 **visit the home."**

14 So, first of all, in fairness visits are happening,
15 but he then says:

16 **"They seemed to be more interested in the decor of**
17 **the home or having morning or afternoon tea served up to**
18 **them than taking any interest in the boys, who were**
19 **there mostly through no fault of their own."**

20 Now obviously he is writing at a particular point in
21 time with a particular viewpoint arising from what he is
22 reading in the newspapers, but that's the view he
23 expressed, but on the same date as he handed this letter,
24 which does not allege any further form of sexual activity
25 between Joseph Mains and him, he also made a

1 further detailed statement to the police -- if we just put
2 it on the screen, please, at 21249 -- and in this
3 statement, which he hands to the police, he says -- he
4 describes significant sexual activity taking place while he
5 is a resident in contrast to what had been the case and
6 what he was saying in 1980 and only a few weeks earlier in
7 1982.

8 He said he was viewed by Mains in the bath and
9 fondled and kissed. If we just scroll down, please, so
10 we can see that on the screen, you can see what he is
11 describing here in the paragraph that we are looking at,
12 that Joseph Mains took great interest in him. He would
13 kiss and fondle him. You can see the reference to the
14 bath at the start of the last paragraph that is on the
15 screen?

16 **"Then had to have a bath in Mr Mains' presence, when**
17 **he examined and handled over my body",**

18 what he described as a medical examination. Then
19 he describes the development of the relationship. He
20 would kiss and fondle him as he was stepping out of the
21 bath. You can see:

22 **"At times Mr Mains asked me to have a bath with him,**
23 **which I strongly objected to."**

24 Then on the next page he explains that Mr Mains
25 persuaded him to go to bed with him, where oral and anal

1 sex would occur under protest. That's how R2 describes
2 it.

3 Now as we scroll down on to the next page, R2 says
4 that he kept up the relationship for what turned out to
5 be some nineteen years because he felt trapped and was
6 afraid to approach anyone about the position that he had
7 got himself into.

8 What he was now saying in this document which he
9 gave to Sergeant Elliott was encapsulated into a police
10 statement of 30th March 1982 and that's at 20789 to
11 20791. I want to look at the -- it records what we have
12 been looking at in terms of the nature of the sexual
13 activity he was saying occurred, but I want to show you,
14 please, the last page at 20791, because the statement
15 also revealed, if we scroll down, please, that R2 had
16 spoken to Jim Cusack of the Belfast Telegraph on 17th
17 February 1981. Now that should be 17th February 1982.
18 It's very clear from other material based on Jim Cusack's
19 own statement, for example, as to when he first started
20 investigating Kincora that that's an error. It is meant to
21 be 17th February 1982, and it is said in the statement
22 here that R2 gave Jim Cusack copies of the documents that
23 we have just been looking at, the letters and the
24 handwritten statements or the typed statements, but the
25 personal account. You can see then slightly

1 further down that R2 also spoke to Chris Moore of the
2 BBC on 18th February 1982 and gave him copies of the
3 documents. You can see also reference then to Chris Moore
4 having put R2 in touch with Hugh Quinn. You can
5 see reference that they were discussing civil claims.

6 Now Joseph Mains was reinterviewed about R2 on
7 31st April 1982 and that interview is at 20507 to 20511.
8 Throughout that interview Joseph Mains remained adamant
9 that his sexual relationship with R2 did not start until
10 after he had left Kincora.

11 When submitting his Phase Two report on 26th August
12 1982 Detective Superintendent Caskey recommended that no
13 further charges were necessary in respect of Mains'
14 involvement with R2.

15 Running in tandem with the RUC Phase Two Inquiry, as
16 you know, is the Sussex investigation, and Superintendent
17 Harrison says, if we can look, please, at 40034,
18 beginning at paragraph 10, why the superintendents from
19 Sussex regarded R2 as important.

20 He says:

21 **"Having been appointed as officer in charge at**
22 **Kincora, Mains met R2, who at that time was 16. By R2's**
23 **account to the RUC, although no offences were committed**
24 **during his residence at the home", although this would**
25 **change, "his association with Mains was to continue**

1 throughout the twenty-two years that Mains was in charge
2 of Kincora, and for all but the first two years this
3 relationship was of a homosexual nature. In fact,
4 whilst Mains tends to support R2's version of how their
5 sexual association started, R2 told Superintendent
6 Flenley and I" -- I am not sure why that's redacted --
7 "that his homosexual relationship began in 1959 (whilst
8 at Kincora) and he also repeated that he was involved
9 with Mains whilst at Kincora and afterwards.

10 Because of R2's long and intimate association with
11 Joseph Mains, he was a potential source of knowledgeable
12 information as to what had taken place at Kincora over
13 the years and accordingly was interviewed at length by
14 Superintendent Flenley and myself. His account of his
15 activities with Mains was fairly consistent with what he
16 had told the RUC some two years earlier. If he can be
17 believed, the newspaper revelation in 1980" -- that's
18 the Irish Independent article -- "came as a shock to him
19 akin to the familiar situation where one partner in
20 a relationship is unaware of the other's infidelity.
21 When he slept with Joseph Mains, it was invariably at
22 Kincora and so far as he was aware kept secret from the
23 boys. (In fact the witnesses" -- and we have just been
24 speaking about them -- "prove that it was not, in fact,
25 a secret.)"

1 That's a reference to R8 and "KIN14" is KIN14 that
2 we have just been speaking about.

3 **"He was questioned as to Mains' finances on the**
4 **basis that if there was some substance in the**
5 **allegations of prostitution, any lifestyle inappropriate**
6 **to Mains' income would be of interest. If R2 is being**
7 **truthful, it seems that Mains never had an excessive**
8 **amount of money.**

9 Superintendent Flenley and I also interviewed BAR1,
10 whose relationship with Joseph Mains was quite bizarre.
11 During the identical period of time that he associated
12 with R2 BAR1 was Mains' constant and steady girlfriend.
13 As far as she was concerned there was an understanding
14 between them that they would eventually marry.
15 Apparently they met socially at weekends and she
16 invariably accompanied Mains at functions such as the
17 Masonic Lodge Ladies' Night Dance and other similar
18 occasions where it is usual for a man to bring a lady
19 partner. She confirms R2's opinion as to Mains'
20 finances and told my officers that she had never even
21 suspected that Mains had any homosexual tendencies. In
22 the light of what was uncovered by the RUC investigation
23 into Kincora, she was clearly a naive and gullible
24 individual. She was also a considerable asset to Mains
25 and no doubt unwittingly assisted in providing him with

1 **a conventional image as far as his sexual inclinations**
2 **were concerned.**

3 **As will become evident through the details that**
4 **emerge in this report, comparatively few complaints were**
5 **made to anyone in authority over Mains, but it appears**
6 **likely the fact of Mains having a steady girlfriend must**
7 **have tended to sway opinions in his favour when**
8 **considering the complaints made by boys, who were rarely**
9 **articulate or convincing in communicating what was**
10 **happening to them.**

11 **Two other women saw Mains on an almost daily basis**
12 **over most of the period he was at Kincora."**

13 That is Elizabeth McCullough and Elizabeth Smyth, the
14 cooker -- the cook and the cleaner. They were spoken to
15 both by the RUC and by the Sussex superintendents.

16 Just so you understand -- I should have maybe
17 clarified this -- the references that you can see
18 beginning "KIMS", that is "Kincora Inquiry Material
19 Statements". So K or it's K1, it's Kincora 1. Sometimes
20 it will be Kincora 2 if it's the Kincora Phase Two
21 Inquiry Material Statements, and "SPS" is the
22 "Sussex Police Statements". So where you see two
23 references given, it means there is an RUC statement and
24 then a later Sussex statement.

25 **"They were employed as domestic staff. By their**

1 account they suspected nothing throughout their years
2 working in association with Mains at Kincora."

3 Then the Superintendent says this:

4 "In company with Superintendent Flenley I was
5 engaged for a number of weeks interviewing former
6 Kincora residents about their experiences in the hostel.
7 A substantial number made statements saying how shocked
8 and surprised they were -- they had been to learn of the
9 allegations against Mains. It will be evident from the
10 foregoing that the impression created in the media
11 reports of a male sex brothel situated at Kincora bears
12 little relationship to the truth. The home was
13 generally well maintained domestically and to the social
14 workers and other persons, including police officers
15 responsible for duty calls", because they were
16 interviewed as well, "inquiries and certain other casual
17 supervisory visits, was a credit to the staff employed
18 there, although in 1977, as will be explained later, the
19 criminal activities of some of the boys became a cause
20 for concern, as indeed did suspicions of an unhealthy
21 relationship between Joseph Mains and a boy called ..."

22 I think that should be Richard Kerr. I am not sure why
23 that has been redacted without a designation. That can
24 be noted down and we will have that remedied.

25 So that's what Superintendent Harrison's analysis

1 was, but if we can look, please, at 40606, you will see
2 what R2 said to the Sussex detectives. They were
3 examining, as you know, the wider issues about by that
4 stage allegations of the paedophile ring and prostitution.
5 He says:

6 **"When the newspaper article in 1980" -- so that's**
7 **the earlier article bringing the story out in the first**
8 **place -- "put out the stories about Kincora, I was**
9 **shocked and surprised. I'd maintained a constant**
10 **relationship with Joe Mains for twenty years and had no**
11 **idea of his being involved as described by the**
12 **newspapers. My involvement with Mains whilst at Kincora**
13 **and after I had left was always carefully kept a secret.**
14 **I would enter his flat via a side door into Kincora in**
15 **North Road. I would leave secretly and never join the**
16 **boys for breakfast or be seen by them."**

17 Now, as it turns out, that's not right, but that's
18 what he thought or at least what he was telling the
19 police.

20 **"I do not know of any Northern Ireland Office**
21 **officials, policemen, businessmen, Justices of the**
22 **Peace, legal persons that associated with Joseph Mains.**
23 **I have no knowledge or even suspicions of Joe Mains**
24 **taking any boys from Kincora either for himself or for**
25 **anyone else. If there was a prostitution vice ring,**

1 I never had a clue that it was going on. I used to
2 visit Joe Mains practically every weekend and stay in
3 his flat with him secretly, as mentioned earlier in this
4 statement. I also used to visit him occasionally during
5 the week. I did not know McGrath at all, and although
6 I knew Semple through St. John's Ambulance Brigade,
7 I had no idea he was a homosexual. While seeing Mains
8 over the years we used to go out for a drink together
9 mainly at weekends and occasionally during the week. He
10 would visit the Park Avenue -- we would visit the Park
11 Avenue Hotel and the Harland & Wolff Club mainly. We
12 occasionally used the Lambs Bar. I do not recall ever
13 drinking in the Ballyhackamore Arms and I do know ..."

14 This is KIN183 and R23. So it is a question about
15 R23.

16 "I only went to the Beechlawn Hotel once when
17 another man, who was the ex-manager, had a party. As
18 far as Joe Mains' finances were concerned, he didn't
19 ever seem to have an excessive amount of money. I had
20 to pay for my round of drinks like anybody else. He
21 never tried to persuade me to have sex with anybody else
22 and he never said anything to indicate that he was ever
23 sexually involved with anyone else, and that includes
24 his girlfriend, BAR1. I knew he was a Freemason and
25 used the Ruby Lodge. He never said anything to indicate

1 he had any influence through his membership to protect
2 him from the law. As far as I was concerned he did not
3 need any protection. We were very discreet. I never
4 visited the Antrim coast to visit hotels with Mains,
5 but I recall going on a tour of Ireland with Joe Mains
6 and Hugh Quinn. The only policeman that I knew Joe
7 Mains to have a homosexual relationship with was
8 myself, because I was an RUC Reserve (part-time)
9 policeman for six months in 1977. I left of my own
10 accord because my nursing duties did not merge very
11 well with my police duties."

12 He explains he was an auxilliary nurse for twelve
13 years. He then names a sergeant that he knew drank in
14 the Harland & Wolff Club, and so they would have had a
15 chat with him.

16 "I would like to add that I consider Joe Mains used
17 me over the years. I have no time for him now and would
18 willingly tell all if there was anything I could
19 truthfully say to support the newspaper allegations."

20 In fairness to the stenographer and perhaps everyone
21 if we took a pause there ...

22 CHAIRMAN: Yes.

23 (3.10 pm)

24 (Short break)

25 (3.45 pm)

1 CHAIRMAN: Yes, Mr Aiken?

2 MR AIKEN: Chairman, Members of the Panel, before the break
3 we had looked at R2's statement to the Sussex
4 Constabulary in 1982. He was also a participant in The
5 Hughes Inquiry in 1985. He, as you know from our wall
6 chart and from what I have been saying, was given the
7 designation "R2", which we are going to work with during
8 this process. Robert McCartney, QC and David Ringland,
9 as he then was, of counsel represented him. He gave
10 evidence under oath to The Hughes Inquiry on Days 18 and
11 19 of its hearings, but in private session, on 18th
12 October 1984 and 19th October 1984. You can find that
13 transcript at 71214 to 71249 and then from 71250 to
14 71304.

15 He maintained to the Hughes Inquiry -- I am just
16 going to summarise; obviously the transcript is lengthy
17 in nature -- he maintained to The Hughes Inquiry that
18 his second police statement of 30th March 1982, where he
19 explained that the sexual activity with Mains had begun
20 during his time as a resident, so not afterwards, was
21 correct, and he provided a number of reasons why he had
22 not felt able to tell the truth about what had occurred
23 in his 1980 police statement.

24 The reasons he gave, which you may find of interest,
25 included the circumstances surrounding the taking of the

1 statement, being unaware, for instance, that there were
2 others involved who were going to say the same thing as
3 him, fear of not being believed, perceived embarrassment
4 that he was -- in some way he wanted to cover for
5 Mr Mains, and was also concerned about the repercussions
6 for himself, because obviously he potentially faced
7 prosecution himself.

8 He told The Hughes Inquiry about a medical
9 examination by Mr Mains on admission, when he was
10 fondled, but he didn't think anything of it at the time,
11 and about Mains encouraging him to bath, so some of the
12 matters that we saw in the letter or the typed statement
13 before the police statement.

14 He was asked to explain why he felt he couldn't
15 report what Mains was doing to him as a resident and he
16 provided the answers that I have outlined.

17 He talked about his time as a resident and his
18 suspicions about Mains' involvement with Hugh Quinn, so
19 the other blue lengthy bar on the chart, though he said
20 it was never talked about between them and -- at the time
21 in any event. Although R2 acknowledged his continuing
22 regular sexual relationship with Joseph Mains as an adult
23 right up to 1979, he insisted that he felt pressured into
24 the sexual part of the relationship, which he regarded as
25 having a detrimental effect on his mental health.

1 He had a number of psychiatric admissions during the
2 1970s, although, as you know, he had employment as a
3 nurse and as an RUC Reservist as well as later a
4 security guard.

5 On being questioned about why as an adult would he
6 continue the relationship if he had had the views of it
7 that he was now expressing, he said that in effect
8 Joseph Mains was his only friend, whom he liked, trusted
9 and got on well with, and who provided him with his only
10 opportunity for companionship and a social life.
11 Equally, he also said he regarded Joseph Mains as a man
12 of power, although that was examined and questioned.

13 In essence in order to maintain the friendship and
14 the benefits that brought him he tolerated what he
15 claimed was for him an unwanted sexual element.

16 I also want to show you just a particular passage.
17 If we look, please, at 71225, he was asked about
18 homosexual relationships after his time as a resident,
19 and we can see here:

20 "Q. Now, R2, apart from your relationships or your
21 relationship with Joe Mains from 1960 or thereabouts
22 right up until, let's say -- pick a date -- '74, did you
23 have any homosexual or other sexual relationships with
24 anybody else whatsoever?

25 **A. There was one night Mains brought a fellow**

1 **called** ov 1 **into Kincora, and at that time he had**
2 **a big settee in his office, and he told this fellow to**
3 **lie on the settee and I was supposed to lie on the rug**
4 **in front of the fire on the floor, and Mains went**
5 **upstairs.**

6 Q. Was any approach made to you by ov 1 ?

7 **A. Yes.**

8 Q. And did you reciprocate?

9 **A. No. There was no response whatever. No, I did**
10 **not.**

11 Q. Well, now apart from that incident during that
12 period of fourteen years that I'm talking about was
13 there any relationship with anybody else other than
14 Mains?

15 **A. There was a fellow called** ov 7 **that Mains**
16 **introduced me to.**

17 Q. And what occurred between you and ov 7 ?

18 **A. It was just -- well, I slept with him.**

19 Q. Did anything of a sexual nature take place?

20 **A. No.**

21 Q. Apart from those two incidents, when you say
22 nothing took place, did you ever have oral or any other
23 form of intercourse or sexual satisfaction or orgasm
24 with anybody else?

25 **A. No, not that I recollect. No, definitely not.**

1 Q. Except for those two incidents that you have
2 mentioned?

3 **A. Yes."**

4 So these are two -- again their names shouldn't be
5 used beyond the chamber -- but they are an example,
6 given that R2 was a regular returning ex-resident to
7 Kinchora, of Joseph Mains and other friends of his and
8 them being together in his flat, as it were, at the
9 side of or at the back and side of the Upper
10 Newtownards Road property.

11 He went on to maintain at various locations --
12 because it was an adversarial process in contrast to this
13 one and there were a number of different counsel cross-
14 examining throughout -- R2 maintained before The Hughes
15 Inquiry that throughout their relationship it was kept a
16 secret.

17 At the end of his evidence, if we look, please, at
18 71232 and at section D on the page, Robert McCartney, QC
19 asks him about the suggestions of prostitution rings or
20 prostitution and vice rings:

21 "Q. Just to clear up one or two things, as far as
22 suggestions that might be made that Joseph Mains might
23 have, or anybody else from Kinchora, introduced you to
24 any circle of friends from any walk of life for the
25 purposes of homosexual activities, is it right to say

1 that you know absolutely nothing of any suggestions of that
2 kind?

3 **A. That is true.**

4 Q. And that as far as you are concerned the only
5 homosexual relationship you have ever had was with Joe
6 Mains?

7 **A. With him and those two associations."**

8 He said that's OV 1 and OV 7 .

9 "Q. Which were homosexual approaches to you by
10 those two, which you rejected?

11 **A. Yes."**

12 He then says that's his -- the totality of his
13 sexual relationship.

14 Now I want to just show you -- the report of The
15 Hughes Inquiry deals with the evidence of R2 at
16 paragraphs 3.63 to 3.71. You will find that at 75228 to
17 75230. I want to just show you the conclusions that were
18 reached, please, if we look at 75229 and in paragraph
19 3.70, and then we are going to go over the page. So if
20 we can maximise or zoom or make that large for me. Thank
21 you.

22 **"The opportunities for detecting Mr Mains'**
23 **homosexual activities were clearly reduced by virtue of**
24 **R2's unwillingness to make a complaint to the Welfare**
25 **Authority or to the police. They were further limited**

1 by the comparative infrequency of his contacts with
2 welfare staff and the consequent lack of opportunity for
3 R2 to build up a strong personal relationship with
4 someone other than Mr Mains. Such contacts as were
5 recorded, particularly in connection with his discharge
6 and subsequent re-admission, suggest that observers
7 would have tended to associate any sign of distress or
8 anxiety in R2 with removal from the hostel rather than
9 with his experiences in it",

10 because you will see, if we move on to the next
11 page, please, if we just maximise it and 3.71 -- thank
12 you:

13 "R2 agreed in his evidence that he took as much care
14 as possible to keep his sexual relationship with
15 Mr Mains a secret while he was a resident of Kincora by
16 going to his room late at night, for instance.
17 Similarly after he left Kincora, he entered by the side
18 door and left without being seen by the residents",

19 at least as he thought.

20 "We were led to the same conclusion in respect of R2
21 as we were in respect of R3 ..."

22 R3 -- I'll come back to you with who R3 is.

23 "... Mr Mains' offences involving R2 could not have
24 been detected by the responsible authorities."

25 Sorry. R3 is Hugh Quinn. So we will come to that.

1 My chart did not come to the rescue there, I am afraid.

2 **"We were led to the same conclusion in respect of**
3 **R2 as we were in respect of Hugh Quinn, that Mr Mains'**
4 **offences could not have been detected by the responsible**
5 **authorities on the evidence to which they had access.**
6 **Again we would stress no criticism of R2 is implied in**
7 **that finding. We accept his evidence that he felt**
8 **isolated and alone in the world and that Mr Mains**
9 **assumed a central and dominant place in his life.**
10 **We are satisfied that that was the reason for his**
11 **continuing homosexual relationship with Mr Mains**
12 **extending over twenty years according to his own**
13 **evidence."**

14 You can see then they comment on the fact that the
15 two boys did not necessarily know about the extent of
16 each other's involvement with Joseph Mains.

17 In March 1989 R2 settled a civil claim against the
18 Eastern Health & Social Services Board for £10,000.

19 There are a number of matters in view of the wider
20 issues under consideration by this Inquiry that I want
21 to draw attention to in respect of R2, whose evidence
22 you will bear in mind as we move on through the rest of
23 the boys who he may have come in contact with.

24 This was as an adult a male who regularly returned
25 to visit Kincora, which did not go unnoticed by

1 subsequent residents and was the subject of evidence
2 from them to the police inquiries. R2 himself also
3 explained about other friends of Mains with whom he was
4 also involved. During his returning period he was
5 noticed in his police uniform, as we will see. If I can
6 also ask you to reflect on what R2 himself had to say
7 about what he saw during what was regular weekend visits
8 and occasional weekday visits to engage in his
9 relationship with Joseph Mains. These visits were
10 occurring through each of the five periods we are going
11 to look at, and in particular I draw attention to the
12 fact they were occurring during the fifth period, 1971
13 to 1980, when William McGrath was working as a
14 housefather at Kincora. Of particular import you may
15 consider is what R2 says he did not see during his long
16 association with Kincora.

17 I want to move on and deal with Hugh Quinn, who is
18 the designation HIA199, because he is also an applicant
19 to the Inquiry, so he is given R3, which is his
20 designation from The Hughes Inquiry, and there are also
21 matters for you to address, which I will be coming to
22 shortly.

23 Joseph Mains was convicted of abusing him. He gave
24 evidence to The Hughes Inquiry and therefore, as I said,
25 we have modified his designations, but he also gave

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1 135 media interviews in 1982, so prior to the McGonagle
2 Inquiry being set up, and he was also a disclosed source
3 in the journalist Chris Moore's 1996 book, "The Kincora
4 Scandal". It is the case, however, that he never made
5 any complaint about his time in Kincora until he was
6 traced by the RUC in 1980, having been mentioned by
7 others who had already been spoken to after being traced
8 by the police.

9 He was born on 1945. He had been in
10 care from a young age. He had at least three spells in
11 Kincora. The first was for a year and four months from
12 February 1960 to June 1961, between the ages of 14 and
13 15. He was readmitted two weeks later in June '61 and
14 was there for a year until July 1962, when he was
15 discharged to national sea training. He was readmitted
16 for a third occasion in August 1962 after that training
17 until August of 1963, when he was discharged to work at
18 The Royal Belfast Golf Club, and then The Hughes Inquiry
19 actually have him in their report being discharged as
20 late as May 1964, when he was 18 and a half. We can't
21 find the re-entry date, but that would suggest, if that
22 date is correct, that he came back for a fourth occasion
23 after his time working at the golf club.

24 In any event, whatever the correct dates, it was
25 during that Mains-only first period and prior to the

1 arrival of Raymond Semple or William McGrath. The
2 Inquiry's examination of the registers also revealed
3 a record in the registers of a two-week stay of
4 Hugh Quinn between 22nd December 1965 and 2nd January
5 1966, when he was back from London. This is consistent
6 with Hugh Quinn's own evidence to The Hughes Inquiry,
7 which was that he would have returned every year until
8 about 1969 and then did not return until Christmas 1979.

9 Again, as per the pattern with R2, you have someone
10 who was not only a resident but who, perhaps less often,
11 was nonetheless a regular returning visitor. You may
12 consider this significant both in terms of what he would
13 therefore himself be in a position to say, but also that
14 here was another person that subsequent residents would
15 see coming into the hostel.

16 For instance, as part of the 1980 Phase One police
17 inquiry the RUC traced a former resident by the name of
18 KIN29, who is "KIN29". He made a statement to the RUC on
19 23rd March 1980. He had been in Kincora from October '69
20 to January 1970, so that's many years after Hugh Quinn
21 left. He explained to police that he had had a
22 conversation with Joseph Mains. Now that is an unusual
23 conversation.

24 If we look, please, at 10156, and we scroll down,
25 please, you can see here he says:

1 **"I believe he said it may have been in his flat,**
2 **which is part of the hostel. One day ..."**

3 Sorry. I should say -- observe first of all:

4 **"When I was there, I met another boy called R8 and**
5 **he told me that Mr Mains had interfered with him."**

6 So that's something we'll come back to in respect of
7 R8.

8 **"I believe he said it may have been in his flat,**
9 **which is part of the hostel. One day I remember I was**
10 **talking to Mr Mains and he told me he had had**
11 **a relationship with another boy three or four years**
12 **earlier, who had previously lived at Kincora, but was**
13 **now working in the post office in London as**
14 **a telephonist. I cannot recall his name."**

15 Well, the name is Hugh Quinn.

16 Consequently Joseph Mains was interviewed by the RUC
17 about Hugh Quinn during the Phase One Inquiry before the
18 police statement had actually been obtained from Hugh
19 Quinn. On 1st April 1980 the police asked Mains about
20 Hugh Quinn at his first interview and initially Mains only
21 admitted masturbation with Hugh Quinn, which Mains said
22 had started when Hugh Quinn was in the hostel. During his
23 second interview on 1st April 1980 he initially denied
24 that he had intercourse with Hugh Quinn before admitting,
25 if we look, please, at 10420, that Hugh Quinn was,

1 in fact, the first person -- if we just scroll down,
2 please, you can see:

3 "Q. Was the first person that you had anal sex with
4 R2?

5 **A. No. It was Hugh Quinn.**

6 Q. When he was in the hostel?

7 **A. Yes. During '63 or '64.**

8 Q. Did it happen when he came back to visit?"

9 The date isn't quite right. It was earlier than
10 '63/'64, but he is saying:

11 **"A. Yes, it happened while he was a resident and it**
12 **hadn't happened since he had been making the returning**
13 **visits.**

14 Q. How often did you do it?

15 **A. Several occasions while he lived in the hostel."**

16 Then he goes on to explain that anal intercourse was
17 not something that he found particular gratification
18 from and he explains why that is.

19 In his second interview on 1st April he did say that
20 Hugh Quinn had stayed over in "Christmas last year",
21 which would have been Christmas 1979, and that is
22 consistent with what Hugh Quinn himself said.

23 It's also consistent with the recollections of
24 KIN176, who was in Kincora for an initial three-week
25 period in March to April '78 before returning for a much

1 longer stay that began in June 1978 and was continuing when
2 he was interviewed by the police in March 1980. So you have
3 an almost two-year time period at the end of the fifth
4 period which includes William McGrath, and KIN176 recalled
5 the Christmas 1979 visit of a taxi driver from London that
6 Superintendent Harrison easily identified as being Hugh
7 Quinn.

8 Now I want to just show you, if we look at 11606,
9 please -- and just scroll down, please, so I can find the
10 section that I am looking for. Scroll on to the next
11 page, please. If we just scroll down a little further,
12 please. Yes. He is talking here about "R4", who is R4,
13 who is another ex-resident who is regularly returning,
14 but I want to move down, please, just to the next page
15 where I hope I am going to find -- yes -- what I am
16 looking for. Yes. If we just scroll up just a tiny
17 little bit, please, so we see.

18 Yes. So you can see:

19 **"I couldn't get a flat ..."**

20 Go up a little bit further, please:

21 **"About three weeks before Christmas" -- so this is**
22 **Christmas 1979 -- "Mr Mains asked me to look for a flat**
23 **for a person who was coming over here to stay for**
24 **a while."**

25 That's Hugh Quinn.

1 "Mr Mains didn't want him to stay at the hostel. He
2 gave me that impression. I couldn't get a flat and a week
3 or so before Christmas the fellow arrived.
4 I don't recall his name. He was about 25-27. He gave me
5 the impression he was just out of the Army. He was a
6 smooth and flashy dresser and gave the impression that he
7 was effeminate. He said he was a taxi driver in London.
8 On one occasion we all went out. This was Christmas Day.
9 We went to the Harland Club. The guy was with us. He
10 didn't drink nor smoke and seemed out of place. When he
11 stayed in the hostel, he slept in Mr Semple's room when Mr
12 Semple was off and in Mr Mains' room when Mr Mains was
13 off. An incident involving this man was one night -- it
14 was either Christmas Eve or Christmas night -- I was
15 lying half asleep in bed when the bedroom door opened.
16 The man was standing there. I saw him. He walked into the
17 room. I don't recall anything after that. I thought it
18 was Mr Mains, as he generally checks the hostel at
19 night."

20 So in passing I will just observe KIN176 is drawing
21 attention to the fact that as well as this individual,
22 whom Superintendent Harrison immediately identified as
23 Hugh Quinn, he spoke of two other ex-residents who would
24 regularly return to visit Kincora, R4, who is "R4", who
25 would later live with and have sexual relations with

1 John McKeague, who was a Loyalist terrorist who was
2 murdered, and it is that relationship that John McKeague
3 subsequently had with R4, R4 as an adult thirteen years
4 after he left Kincora, that we will see John McKeague then
5 being linked to Kincora. Whatever else he did, the only
6 link to Kincora was that a boy who used to live in Kincora
7 subsequently lived with him and they had a sexual
8 relationship according to R4.

9 Going back to the April 1980 Mains interview, he
10 informed, as I said -- informed the police that
11 Hugh Quinn was, in fact, the first person that he had
12 ever had anal intercourse with, but he went on in his
13 police statement made that same evening of 1st April to
14 clarify what he meant by that, which was that penetration
15 hadn't occurred. It then had taken place on a number of
16 subsequent occasions. Hugh Quinn would have therefore
17 been around 17 or 18 at the time that Joseph Mains is
18 speaking of.

19 Hugh Quinn made a statement to police on 8th May. So
20 after these admissions had already been made by Joseph
21 Mains, then Hugh Quinn is traced and a statement is taken
22 from him. We are going to look at that statement,
23 please, at 10153.

24 So he describes the initial medical examination that
25 he says Joseph Mains gave him. He said he was

1 embarrassed and then -- after comments were made about him,
2 but he started to be invited into Joseph Mains' room, which
3 at that stage was on the first floor. So it is pre the 1967
4 flat being added on. He said he initially felt quite
5 privileged. Scroll down, please.

6 He then describes what would happen between them, and
7 you can see Hugh Quinn says he faced the threat of being
8 sent to borstal whenever he didn't want to do the activity
9 that Joseph Mains wished to engage in. He also said that he
10 was told if he complained about Joe Mains to anyone in the
11 Welfare Department, they wouldn't believe him. He said he
12 didn't enjoy what was being done, but didn't want to go to
13 borstal.

14 He explained:

15 **"Some nights he would keep me in his bed all night**
16 **until the cleaner" -- I think that is Elizabeth Smyth or**
17 **Elizabeth McCullough -- "arrived around 7.00 am in the**
18 **morning. I would then go out and get back into my own bed**
19 **before she came round to wake the boys up."**

20 Then he goes on to describe how the relationship
21 moved beyond masturbation. If we scroll down, please,
22 you can see then he makes reference to R2. He says:

23 **"I wasn't the only boy who was treated like this.**
24 **Another boy who slept in the same room as I did also got**
25 **extra privileges and used to go into Joe Mains' bedroom**

1 **at night. I saw him do this on occasions when we were**
2 **in bed and I hadn't gone to sleep. I never asked R2**
3 **what he went into Joseph Mains' bedroom for, but**
4 **I assume it was for the same reason that Joe used to**
5 **take me in there."**

6 So in fairness to R2 here is, if you like,
7 corroboration for what he would subsequently say as
8 opposed to what he said in 1980.

9 As a result of the statement being made Joseph Mains
10 was reinterviewed on 29th May 1980 and this statement was
11 put to him and he accepted he had engaged in masturbation
12 and kissing with Hugh Quinn, but didn't accept anal
13 intercourse in the manner that Hugh Quinn was describing
14 it taking place.

15 When submitting his Phase One report on 6th August
16 1980 Detective Chief Inspector Caskey recommended that
17 Mains should face charges of buggery, indecent assault
18 and gross indecency in relation to his activity with
19 Hugh Quinn.

20 On 23rd February 1981, when the DPP issued their
21 lengthy directions, they directed that Mains should face
22 two rather than three counts in respect of Hugh Quinn,
23 count 10 on the indictment of buggery and count 11 of
24 gross indecency, and those numbered counts from the
25 direction of proposed charges would then appear as the

1 same numbered counts 10 and 11 on the bill of indictment in
2 November 1981. Hugh Quinn was given the designation D on the
3 indictment, and Mains was then rearraigned on 10th December
4 and entered guilty pleas in 1981 to the six counts,
5 including the two relating to Hugh Quinn, and he received
6 six years in respect of the buggery charge and two years for
7 the gross indecency on Hugh Quinn.

8 If we can look, please, at 40613, because the Sussex
9 detectives reinterviewed Hugh Quinn on the wider issues
10 that they were investigating, and it is important we look
11 at what he had to say on the wider issues that the
12 Inquiry is investigating beyond the abuse itself. As we
13 look at this if I can ask you, Members of the Panel, to
14 bear in mind that the wider allegation at this point was
15 some sort of prostitution ring potentially involving
16 Social Services, police or other establishment figures.

17 He said:

18 **"I refer to my previous statement", that we have**
19 **looked at. "I said that Joe Mains started inviting me**
20 **into his bedroom and described the sexual matters that**
21 **took place. I have been asked whether this took place**
22 **quite openly at Kincora. It was very secretive. The**
23 **sort of thing that would happen was that I would go to**
24 **bed usually by 11.00. There were two other boys in my**
25 **room. After lights out I would wait until I felt sure**

1 the other boys were asleep. Then I would creep out and go
2 to Joseph Mains' room. That sounds as though I was a
3 willing party. I wasn't a willing party, but he used to
4 threaten me with -- if I didn't cooperate with
5 borstal. He used to get very angry and lose his temper
6 and would find an excuse to beat me. I have also said,
7 and it is true, that Joe Mains seemed to know everybody
8 from the Lord Mayor down, and this made me feel that if
9 I complained, it would be the worse for me. So, in
10 fact, I didn't complain to anyone. I was quite fond of
11 ..." -- that's a member of Bawnmore staff I think --
12 "who I had known from a very early age."

13 I will see if I can get her name.

14 "I did not know -- I did not confide in her because
15 I knew that she was friendly with Mains and unlikely to
16 believe me. As far as Joe Mains' influential visitors
17 were concerned, I want to make it clear that the Mayor
18 and local councillors used to visit the home on
19 occasions on official visits. I have no knowledge or
20 suspicions that these visits were other than regulation
21 visits. They called about twice a year, either in the
22 afternoon or early evening, usually before Christmas.
23 It was a sort of pat the boys on the head sort of visit,
24 a duty visit. Mains belonged to a very respectable
25 family. He had a brother, who until he died of cancer

1 was the head constable of Londonderry CID. He called
2 about twice during the four years I was there, just
3 a family visit as far as I was concerned. I found him
4 a very pleasant man to speak to. I was taken to his
5 house in Derry for tea one day when I was out in Joe
6 Mains' car."

7 He explains why he did not feel able to talk to his
8 brother about Mains' activity. He said:

9 "Joe Mains had a girlfriend. From what I knew of
10 him it was just a cover. She only came to the hostel on
11 a couple of occasions. He used to be accompanied by her
12 on social occasions, Masonic dances, College Street
13 functions, etc. Mains was a member of a masonic lodge
14 in the Newtownards Road. I knew when he was going
15 because he used to get his white gloves out. He told me
16 quite a lot about the rituals and how he had to wear the
17 white gloves to shake hands with people. Mains was what
18 I know as a 'closet'. That is a homosexual who goes to
19 great lengths to appear to be a heterosexual and puts on
20 a front to that effect. It will be clear from this that
21 I did not believe I had any chance of being believed if
22 I complained of his activities with me.

23 During the time I was there, which was '60 to '64,
24 uniformed policemen would call for cups of tea and
25 biscuits. I know this because I used to make the tea.

1 **These visits were above board. Sometimes you got**
2 **a problem boy in Kincora and the police had reason to**
3 **call for that matter. I have no knowledge of social**
4 **workers or other officials visiting Kincora other than**
5 **for work in connection with their jobs as social**
6 **workers.**

7 **After I left the home in '64 I never made any**
8 **complaint to anyone about Mains. I suspected that R2,**
9 **a room mate of mine, was spending nights in Joe Mains'**
10 **bed, but I had no absolute proof. As far as I know**
11 **during four years at Kincora I was the only boy who went**
12 **with Mains. I suspected R2, because sometimes after**
13 **lights out R2 got out of his bed and left the room.**
14 **When I went to the court for the trial in December '81,**
15 **I met three other ex-Kincora boys who I knew by sight,**
16 **but I did not have their names. One of these mentioned**
17 **that he had complained to the authorities at College**
18 **Street in 1964 about being interfered with by Semple.**
19 **His words to me were, 'but there was nothing done about**
20 **it'. I describe him ..."**

21 Then he describes him. Now there doesn't seem to be
22 any complaint in 1964 about Semple, but that's recording
23 what he was being said.

24 **"I also feel I should tell you about trips I made**
25 **with Semple and Mains in his car."**

1 He describes two Easter holidays. Apart from Semple
2 and Mains, R2 and another non-resident friend would
3 accompany him. Nothing improper happened. He shared
4 a room with the other man:

5 **"... but we each had single beds. I don't recall**
6 **where Semple slept, but I think Mains shared a room with**
7 **the other guy.**

8 **Mains never took me to public houses drinking, never**
9 **introduced me to other men for sexual or other reasons,**
10 **and I have no knowledge of any child or other**
11 **prostitution during the time I was there, or of any vice**
12 **ring. Mains did sometimes frequent homosexual places.**
13 **I remember going with him to ..."**

14 a particular restaurant, which was owned by someone
15 he described as very effeminate. He used to laugh at his
16 obvious sexual inclinations.

17 **"I was introduced to him but not for any sexual**
18 **purpose."**

19 So that is what Hugh Quinn, who is describing not
20 with the same regularity as R2 but a relationship that
21 goes on, whatever its nature, for a prolonged period of
22 time right up to the scandal breaks in January 1980.

23 He also participated in The Hughes Inquiry. He
24 again was represented by the same counsel. He gave
25 evidence on Days 19 and 20, but again in private

1 session, on 19th October '84 and 25th October '84. You
2 have had the transcript, which is at 71304 to 71343 and
3 from 71345 to 71373.

4 Hugh Quinn explained the development of the sexual
5 relationship, which began with the bath and the medical
6 examination, touching, which after a number of months
7 escalated to masturbation and then to being taken to
8 Mains' room where he would, against his will, be turned
9 over and made to be the subject of anal intercourse. He
10 explained the pressure he felt under, the threat of
11 borstal, the influence Mains could have on his prospects,
12 including what was written in reports, the presents and
13 privileges he received and the fear of not being believed.
14 He fundamentally before the Inquiry disagreed with Mains'
15 version of events and of his characterisation of the
16 relationship as essentially consensual. He said the
17 activity between them was kept secret, and in response to
18 questioning about why he didn't report Mains he explained,
19 amongst other things, that he regarded Mains as someone
20 of great influence.

21 At KIN71331 he is asked to explain why, given the
22 above, he had continued contact with Mains in terms of
23 visits and cards after he left Kincora, and he explained
24 that Mains was still like a father figure in spite of
25 what he had done.

1 If we can look, please, at 71316, you will see that
2 Hugh Quinn also makes reference, if we just scroll down I
3 think toward the bottom -- if we can just pause there, so
4 he is asked about R2. Then it says:

5 "Q. Raymond Semple was not in your time actually
6 a caring officer. He was just a bird of passage,
7 a visitor?

8 **A. Well, he was a very frequent visitor, yes."**

9 So there is evidence that suggests that Raymond
10 Semple did volunteering work before he took up the
11 formal post as assistant warden in 1964. Then he is
12 asked:

13 "Q. You say that Mains was big in the St. John's
14 Ambulance Brigade?

15 **A. Yes.**

16 Q. That Semple was in the St. John's Ambulance
17 Brigade and that there was also mention of a person
18 called ov 1 , who was in the St. John's Ambulance
19 Brigade?

20 **A. That is correct.**

21 Q. Did ov 1 arrive as a resident? Was he
22 under 18?

23 **A. ov 1 wasn't a resident, but he frequented**
24 **Kincora quite often without a St. John's Ambulance's**
25 **uniform.**

1 Q. Without being in uniform?

2 **A. That is correct.**

3 Q. The connection, as you understood it, between
4 the three of them was the joint association in this
5 organisation?

6 **A. Yes, that is correct."**

7 So again you have friend coming back in. Now in
8 fairness to this gentleman, whose name shouldn't be
9 used, no boy has ever made an allegation about this
10 individual, but R2 has talked about him and Hugh Quinn
11 has talked about him coming in.

12 Hugh Quinn also talked to The Hughes Inquiry about
13 his interaction with a boy called R18 and he will be
14 somebody we will deal with in section 5. He was one of
15 the boys that through discussions with social workers
16 came to the attention of Messrs Higham and Scoular to do
17 with McGrath in the '77 to '79 period, but Hugh Quinn also
18 talked about his interaction with him during his, as in
19 Hugh Quinn's, return Christmas 1979 visit.

20 The point that Hugh Quinn was making to The Hughes
21 Inquiry was that at least as far as Hugh Quinn was
22 concerned this was clearly a homosexual young man who
23 was overtly homosexual in Kincora, and he describes in
24 the Hughes Inquiry the evidence on the transcript of
25 discussing that fact with Mr Mains and specifically

1 discussing whether Mr Mains had any involvement with
2 him, which I want to make clear R18 never made any
3 allegation that Joseph Mains had any involvement with
4 him, but Hugh Quinn said that Mains told him that he'd
5 never had any sexual involvement with him, despite it
6 being clear to Hugh Quinn that that was the dispensation
7 of R18.

8 The report of the Hughes Inquiry deals with the
9 evidence of Hugh Quinn at paragraphs 3.51 to 3.62, and I
10 want to -- not so much the conclusions, which, like R2,
11 was that Social Services couldn't know, but if we look at
12 3.55, please, at 75227, and if we just can maximise 3.55
13 and 3.56, please, so you can see that the social work
14 material relating to Hugh Quinn is being considered and
15 it is then being said:

16 **"Hugh Quinn continues to be of great assistance to**
17 **the warden. His", Hugh Quinn's, "evidence confirmed that**
18 **he gave no outward appearance of distress except that he**
19 **wished to get away from Kincora, that he was secretive**
20 **about Mr Mains' homosexual activities, that his fear of**
21 **Mains would not have been manifest to outsiders."**

22 Then he talks about R2. He was asked about the fact
23 that his statement which refers to R2 did reflect
24 hindsight on his part and he did not know at the time
25 that R2 and Joseph Mains were engaging in sexual

1 activity together.

2 Hugh Quinn settled a civil claim against the Eastern
3 Board in August 1989 for £7,500. His story featured as a
4 disclosed source in chapter 7 of Chris Moore's book in
5 1996, "The Kincora Scandal". There are obviously issues
6 that may be of assistance from his regular returning that
7 is of interest to you.

8 He also faces an allegation from another

9 ex-resident, who is KIN1, "KIN1", that you can see on
10 the chart overlapping with his time period, and maybe --
11 I am happy to carry on and deal with that or we can pick
12 that up in the morning if the Panel has had enough for
13 today.

14 CHAIRMAN: I think we will continue it tomorrow.

15 (4.30 pm)

16 (Inquiry adjourned until 10 o'clock tomorrow morning)

17 --ooOoo--

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Opening statement by COUNSEL TO THE2
INQUIRY (cont.)