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10 November 2014

Our Ref: HC/L408/CMCK/DC

HIA Inquiry
PO Box 2080
Belfast
BT1 9QD

DIRECTORATE OF LEGAL SERVICES	
17 NOV 2014	
Insp by	
Act by	
Ref. No.	

Dear Sirs

RE: Richard Kerr V Kincora 1975-1979

We refer to the above named client for whom we have instructions in relation to the HIA Inquiry. We would be grateful if you would be good enough to confirm whether or not Richard's testimony maybe taken into consideration by the Inquiry despite the time limits.

We understand that the Inquiry will not be looking at Kincora until the end of 2015. Our clients difficulty in coming forward is due to the fact that he now resides in Dallas USA. He was recently approached as you may be aware by Chris Moore in an ITV spotlight program.

Our client would like to give instructions to the HIA Inquiry and we will forward him an application form to complete if it is possible to extend the time limit in these circumstances.

We look forward to hearing from you.

Yours Faithfully,
KRW LAW LLP

Partners

Kevin R Winters | Joseph D McVeigh | Gerard McNamara | Niall Murphy | Peter Corrigan | Michael Crawford | Paul Pierce

Human Rights | Solicitor Advocates | 24hr Call Out | Judicial Review | Criminal Law | Litigation | Prison Law | Inquests

Applicant: G. HOY

R. Kerr: 1st : 16th February 2015

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
QUEEN'S BENCH DIVISION (JUDICIAL REVIEW)
IN THE MATTER OF AN APPLICATION BY GARY HOY FOR LEAVE TO APPLY
FOR JUDICIAL REVIEW AND IN THE MATTER OF DECISIONS OF

1. THE SECRETARY OF STATE FOR NORTHERN IRELAND
2. THE CHAIRMAN OF THE HISTORICAL INSTITUTIONAL ABUSE
INQUIRY

AFFIDAVIT OF RICHARD KERR

I, RICHARD KERR, of [REDACTED] [REDACTED] aged eighteen years and upwards, make oath and say as follows:

1. I spent some time as a resident at Kincora Boys Home and I make this affidavit in support of the above application. I will refer to a bundle of documents attached hereto and marked with my initials "RK1" to which I will refer throughout this affidavit.
2. I was born in Belfast on [REDACTED] In 1966 I was removed from my family by Social Services and taken into care in Williamson House in Belfast. I was physically and sexually abused in that institution.
3. In 1975, at the age of 14, I was moved to Kincora Boys Home. Although everyone there was supposed to have a job I still had 2 more years left of school. However Joe Mains, the "headmaster" of Kincora, was friends with [REDACTED] who ran the Europa Hotel. I remember attending a meeting with Mr Mains and [REDACTED] and he got me a job as a Bellboy at the Hotel.

4. I was sexually abused soon after I arrived in Kincora. My first memory of where the abuse took place in Kincora was in Josephs Maine's bedroom. He was a former RUC man, he told me he was a B Special. He invited me to his office one night and then he asked me to go to his bedroom, he offered me some whisky and then he would have whisky too. He told me he liked me and he wanted to take care of me. Sometimes he would offer me Sherry and I remember thinking it was very sweet. He asked me to lie down on the bed. He asked me to take my clothes off. He started putting cream on my back. I wasn't sure what that cream was and I was beginning to feel frightened. Then he offered me more whisky. Then he asked me to put cream on his back. Then he started to fumble around with my private parts and then he asked me to fumble around with his private parts since I had cream in my hands. Then he asked not to mention this to anyone. He said he wanted to be nice to me, good to me. And when we were finished he asked me to wash up and told me to go to my room.
5. After that Joe Mains had more encounters with me like this, one or two times a week. He would talk to me and tell me things. He told me about a boy that had died in 1973 who he had been close to.
6. William McGrath began to fool with me (sexually abuse me), in the bathtub. I eventually told him to back off and I told Joe Mains about it and he stopped after that.
7. After a while I began to be taken to meet other people in hotels in Larne and other places I cannot recall. I remember going to a Hotel on the Upper Newtownards Road, I don't remember the name but it was not far from Kincora. When I worked in the Europa Hotel sometimes men would come and take me to their rooms and abuse me.
8. There was a time I went to Park Avenue Hotel with Mr Mains, Mr Semple, my friend Stephen and then I met other men, and I went to a room with someone and we had a sexual encounter. I cannot remember his name or the names of the others. I remember we arrived to the hotel by the driveway and went in by the back and up in the lifts which were at the back of the hotel.

9. There were other men who abused me who never gave their names, some of them were older men who appeared respectable. I remember one man who drove a Rolls Royce car. I met another man in his house someplace off the Springfield road who masturbated me in his home. I remember he had medals hanging on the living room wall above the fireplace, and I thought he was an army Captain.
10. Some gentlemen used to come by in cars to pick me up. One man said he was called [REDACTED] and another [REDACTED] but I do not remember second names. There were other men but I can't recall their names at all. These things happened to me at different times, sometimes during the week and sometimes weekends. Since I went to school, I would come home early and then go to hotels. Sometimes I would be in Joseph Main's bedroom. Sometimes on the weekends, in the evenings I would go to places like Larne, Bangor, Portrush.
11. I remember one time being taken to Kilwaughter House Hotel in Ballyclare. I remember there was some trouble there and that something went wrong. I am not exactly sure what happened but the manager of the hotel told us we had to leave.
12. I remember in particular being taken to a hotel in Portrush in a blue van. I was in the front beside Joe Mains. We went around 4pm. When we got to the hotel we sat in the lounge, and Mains sent someone to the bar, which he always did. I was too young to get served at that stage. They told me that someone wanted to meet me and I was taken up to a room in the elevator. When I got to the room there was a man there who told me not to be nervous, and told me to get into bed and take my clothes off. Then he abused me, and made me stick my penis in his behind.
13. The abuse was extreme and degrading. It included oral sex, penetrating, sometimes even peeing in their mouths. Sometimes the men would tie my hands. Anal sex was involved, sometimes they would ask me to put my penis inside of them, and sometimes they put their penis inside of me. One time they asked me to blow black balloons. I remember once they tied my hand and then they masturbated me and took photographs with a black and white Polaroid camera.

14. I don't know why they did all this, and I am not sure why Joe Mains would take us to these places. I don't know whether they paid him.
15. I remember on one occasion I came home from school early because it was snowing and I remember I walked into Joe Mains office and there were three men there in suits sitting with Mr Semple and Mr Mains. They stopped talking as soon as I came in and I got the strong feeling I had interrupted something secret and important. I would describe them as being shocked to see me.
16. People from the UVF would also come to Kincora, I remember a man called [REDACTED] from Antrim and also [REDACTED] being there. I also remember being sexually abused by people I knew were members of the UVF.
17. As it went on the abuse would get worse. Soon I began to "act out" and get into trouble. I think Social Workers knew but were scared to say anything, I think they didn't want to step out of line, I almost feel they were scared when they came to see me.
18. I remember being taken to the Harbour Inn Hotel in Larne which I believe was ran by a woman. I was with two men who had picked me up at Kincora that day and drove me to the hotel. I was given a lot of alcohol and I was drunk and they had sex with me. On this one occasion I was arrested by the Larne Police, who said I had stolen money from a hotel room. Somebody had reported me to the Larne Police. I didn't tell them that I had had sex with these two men but I am certain that the police knew. I was taken back to the police station from someplace in the Larne Harbour. I told them I was from Kincora and they called Joseph Mains. I arrived back in Kincora at 2:30 or 3 am in the morning. Mr. Mains just told me to go to my room.
19. In Kincora I was given something I think was called Black Magic Chocolates, alcohol, watches, a little transistor, and sometimes small amounts of money, I used to get large pennies. As I recall most of the perpetrators told me to keep quiet or they would put me away where I couldn't speak.

20. I do not know how many other boys in Kincora were abused, but I know my friend Stephen was. There were also boys there who I believed were plants as they seemed not to fit in. They were two brothers aged around 18 or 19 and I now believe they may have been placed there by the security forces or security services to keep an eye at what was going on. Although I remember their names I would not like to name them in this affidavit in case I am incorrect and being unfair on them. I also believe that some of the other boys were paid off so they wouldn't talk.
21. The abuse stopped when I ended up in a Courtroom due to being charged with theft, and sent to Rathgael remand centre. Around this time I stood in the Courtroom and told everybody I would tell everybody what was going on in Kincora if Joseph Mains did not come down to the Courthouse for me. I believe this happened in November 1977. This was later reported in a newspaper article by Peter McKenna published on 24th January 1980 which is exhibited to this affidavit [RK1 Tab 1].
22. I also remember in 1977 being in a police station off the Holywood Road, and telling them about the abuse at Kincora. I remember police officers who were friends with Joseph Mains hit me over the head with a telephone book and said "what have you been saying?"
23. Around this time my friend Stephen was sent to Rathgael. He ran away from Rathgael and got a boat to Liverpool. He was caught and put back on the boat to Belfast and he apparently jumped off the boat and died. I believe he committed suicide as a result of the abuse he had suffered, we had previously spoken about committing suicide together.
24. Eventually the "Irish Times" got hold of the story and that was when the investigation started to happen.
25. I started to injure myself many times and I was sent to Rathgael again and placed at Borstal, a home for young offenders. I was there when the police were investigating the sexual abuse at Kincora. When I was there I was visited by Joe

Mains and Mr Semple who asked me "what have you told them?" and "*why did you stab me in the back?*" I couldn't believe that he was allowed in to see me as I thought they were under investigation.

26. After I left Kincora I was also abused at Borstal and then abused again when I was sent to Williamson House although I understand that these proceedings do not relate to those institutions so I will not describe this in detail. When I left Williamson House I was told to stay in hotels. I remember a Social Worker visited me at a hotel and told me I was "*an embarrassment to the government*". She also told me they had decided for me to go to England and stay with my aunt. They put me on a boat to Liverpool.
27. After I left Borstel, the Mr Mains, Mr Semple and Mr McGrath were arrested and convicted. I believe this happened in 1980.
28. These people hurt me very badly and the abuse has ruined my life. I have attempted suicide and have self-harmed many times, and my arms and wrists are completely scarred. I suffer from Post-Traumatic Stress Disorder and I also have had difficulties with alcohol and attended AA for a number of years. I now have clearance to work for the US Government but I only work part-time due to stress.
29. Even after I went to England I found it hard to get away from *everything*. I suffered abuse in various places. I also found it hard to get away from Kincora.
30. I remember on one occasion when I was working at the Crumlin Hotel in London. Ian Paisley was staying there for one or two nights and I remember him speaking to me and saying "*don't talk about anything*". I remember *thinking* it was strange that he was staying there and knew I was there. On another occasion Mr Gardner, who was the night manager at the Crumlin Hotel, received nude photos of me which had been sent to him at the hotel.
31. I remember in 1983 I had just arrived back to Heathrow after visiting my sister in Ireland. I went to Leicester Square and met my friend [REDACTED] in the Steakhouse there. Over dinner I started speaking to him about Joseph Mains and

what had happened to me. Suddenly the man next to me grabbed my throat and said "you need to shut your mouth." He then left and the owner came over and apologised to me. After that I went to the flat I was staying in in Baker Street. Approximately forty minutes after I arrived back, the buzzer went and a man spoke to say he needed to talk to me. When I went down to let him in there were three men there in plain clothes and one in uniform. They told me they were from Secret Service and put handcuffs on me. They took me back to the flat, threw me to the floor, and roughed me up a bit. They then sat me in a chair and said I'd been talking too much. The man whose flat it was, [REDACTED], then arrived downstairs to see what was going on. One of the men called him aside into the kitchen. After that they undid the handcuffs and left.

32. The next two men called to the flat and said they were from Marleybone Police Station which was the closest to the flat. He told me that they wanted to apologise and that they had made a mistake, and that if I wanted to make a formal complaint I could but he was there in person to apologise. Because of this I did not make a formal complaint.
33. Another time I was interrogated by police when I was staying in a B & B in Kings cross in London. They told me that I better not say anything and said that they could put me away. Again when I lived in Preston the police came and assaulted me physically. They searched my flat and I remember they opened all my drawers. They put me in a cell and I remember 2 men in particular, one with dark brown hair and one blond, and they treated me like a criminal. I think one may have been called Detective Sculley or something similar. I remember thinking they were from here but I'm not certain.
34. I believe these incidents were in some way related to the security services or security forces and I believe they were related to me talking about what happened to me at Kincora. I believe that MI5 were involved in the abuse and I know that the RUC knew what was going on. I believe that the fact that two army officers have come forward to say that the Security Services were involved strengthens the evidence of this.

35. I believe that it is important to find out the truth of what happened. I understand that the Inquiry does not have power to force witnesses who are outside the jurisdiction to attend, or to obtain documents from outside the jurisdiction. I think if the Inquiry does not have the power to force all relevant witnesses to attend or to obtain all relevant documents then it will not be possible to get the truth.

36. I also believe it is important that victims are provided with legal representation for any inquiry. I have difficulty trusting people after what happened to me. I would not trust or feel comfortable talking to someone who works for a government body. I want an independent lawyer to represent me for the purposes of the Inquiry, otherwise I would not feel safe.

37. Save as otherwise appears I depose to the foregoing from my own knowledge and belief.

Sworn at 9-15 QUEEN ST
BELFAST

in the County of the City of Belfast

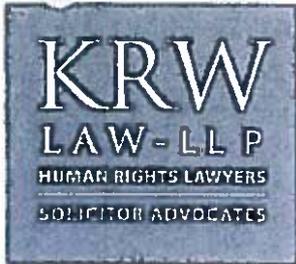
on the 10th day of FEBRUARY 2015

Before me a Solicitor Empowered to Administer
Oaths for the Supreme Court of Judicature in
Northern Ireland in and for the said County




This Affidavit is filed on behalf of the Applicant by his Solicitors, KRW Law,

531



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26 April 2016

Our Ref: JR/CMCK

FAO Patrick Butler
Historical Institutional Abuse Inquiry
PO Box 2080
Belfast
BT1 9QA

Dear Sir,

Re: Ronald Graham, Clint Massey, Richard Kerr, [REDACTED] obc KIN 294 Gary Hoy

We refer to the above and confirm that it is our intention to apply for core participant status on behalf of our clients given the sensitive nature of the allegations. We will also be seeking an award of expenses for legal representation for these individuals.

We confirm we will be making an application to represent all of the clients we represent as a group by the end of the week.

Given that an appeal is pending in relation to the Application by Gary Hoy for Judicial Review, and that the Module on Kincora Boys Home is scheduled to begin on 31st May 2016, we would ask that this application be dealt with urgently.

Mr Hoy and other victims each have a direct and significant role in relation to the abuse that was perpetrated on them at Kincora Boys Home. Furthermore they each have a significant interest in determining whether the abuse was perpetrated on them with the connivance and acquiescence of the security forces or services. This would manifestly amount to the most serious and severe systems failures in the duties owed to children in care and consequently is clearly an important aspect of the matters to which the Inquiry relates. We would therefore ask that the above mentioned individuals be designated as core participants under Rule 5 of the HIA Inquiry Rules.

In any event the above named individuals wish to have full access to materials, to make submissions and to be legally represented before the Inquiry for the purposes of the module examining Kincora Boys Home. Due to their lack of means such representation would have to be at public expense and our clients would therefore seek an award of legal expenses to be made by the Chairman under Rule 22 of the Inquiry Rules.

We acknowledge that the interests in the outcome of the inquiry of the above-named individuals are similar, the facts they are likely to rely on in the course of the Inquiry are similar, and it is fair and proper for them to be jointly represented. As such we confirm that our clients would consent to being represented

Partners

Kevin RWinters | Joseph D McVeigh | Gerard McNamara | Niall Murphy | Peter Corrigan | Michael Crawford | Paul Pierce

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by a single team of recognized legal representatives designated by the Chairman for this purpose, and we would invite the Chairman to make an order to this effect pursuant to Rule 7 of the HIA Inquiry Rules.

We would request authority to instruct designated legal team of Solicitor, Junior and Senior Counsel to include our Ms McKeegan, Malachy McGowan BL and Ashley Underwood QC.

The effect of the Judgment of Mr Justice Treacy in Gary Hoy's Application for Judicial Review is that the extent to which the obligations under Article 3 ECHR have been satisfied must be reassessed following the conclusion of the HIA Inquiry. In order to reduce the need for further investigation of these allegations it is submitted that the above-named individuals must be permitted to play as full a role as possible in the HIA Inquiry proceedings. It is therefore in the public interest both that they are designated as Core Participants and that they benefit from an award of legal representation at public expense.

In light of the above we would ask that any correspondence relating to the above named clients be directed through this office so that we can advise and assist.

We would be grateful to hear from you.

Yours faithfully
KRW LAW LLP

Partners

Kevin R Winters | Joseph D McVeigh | Gerard McNamara | Niall Murphy | Peter Corrigan | Michael Crawford | Paul Pierce

Human Rights | Solicitor Advocates | 24hr Call Out | Judicial Review | Criminal Law | Litigation | Prison Law | Inquests

3. Attend whilst client provides evidence to the Inquiry – 2.5 hours
5. Attend all hearings in relation to perpetrators pertaining to Kinora – Unable to state total hours at this stage
6. Attend opening and closing submissions- Unable to state total hours at this stage.

40. Please describe the nature and cost of all proposed disbursements (if any) for this stage of work, in respect of which approval is now sought, bearing in mind the caveats set out in Paragraph 15 of the inquiry Protocol relating to Legal Representation at Public Expense.

At this stage we cannot foresee disbursements aside from travel to and from Banbridge Court House and any postage/photocopying of documents. We cannot be more specific at this stage.

From: Claire McKeegan [REDACTED]
Sent: 25 May 2016 11:45
To: Donnelly, Anne (HIA)
Subject: RE: Richard Kerr
Importance: High

Dear Ann

I spoke to Richards aunt – [REDACTED] this morning. She resides in London and has always been closest relative to Richard.
She has a number of concerns.

She always travels with him to NI as support. Will the Inquiry cover her flights and accommodation also?
How long will they need to be in the jurisdiction? He will want to hear evidence of the other Core Participants.
Kindly advise of the timetable.

We are not in possession of the bundle or any information pertaining to the length of same and how long we might require to read and consider in order to update and advise our client. Please advise urgently.

I can advise that the week of 24th -1st July 2016 I have a commitment taking me out of the jurisdiction so if those dates could be avoided I would appreciate it.

Richard has asked me to advise also that because of his PTSD he requires space or he gets stressed when travelling and claustrophobic. He would require first class flights. We can provide a letter from his counsellor in this regard if necessary.

Please let me have the position on this.

I've received an email version of the ALR one signed and original will be in the post tomorrow to me. I will lodge the electronic version today.

Kindly confirm all above so that we can revert to our client.

Regards
Claire

From: Donnelly, Anne (HIA) [mailto:[REDACTED]]
Sent: 25 May 2016 11:32
To: Claire McKeegan
Subject: Richard Kerr

FAO Claire McKeegan

RE: RICHARD KERR

Please note that we are currently lining up witnesses for hearing dates for the Kincora module and would be grateful if Mr Richard Kerr could be asked to attend for consultation here at the HIA offices on Friday 24 June 2016 at 10.00am. It will then be our intention to take his oral evidence at the start of the following week – (i.e. Monday 27 June 2016).

Please revert to me as soon as possible so that our Witness Support Officers can make the necessary flight and accommodation arrangements.

I await hearing from you.

Regards

Anne Donnelly
HIA

Donnelly, Anne (HIA)

From: Claire McKeegan [REDACTED]
Sent: 31 May 2016 10:20
To: Donnelly, Anne (HIA)
Cc: HIA Legal Team
Subject: RE: Richard Kerr

Dear Sirs

Has the ALR1 application been decided as yet?

Can you revert asap
CMCK

From: Claire McKeegan
Sent: 26 May 2016 18:26
To: 'Donnelly, Anne (HIA)'
Subject: RE: Richard Kerr

Anne

Thanks for your detailed email.

ALR1 Completed and with counsel for approval. Will send first thing.
We can't compile a statement without consulting with Richard. We require legal representation to do so.
We can do this asap.

I've asked Richard for instructions on the points raised below. He intends to get medical evidence and revert.

We will be in touch with you again shortly

Regards
Claire McKeegan
KRW LAW

From: Donnelly, Anne (HIA)
Sent: 26 May 2016 15:50
To: [REDACTED]
Subject: Richard Kerr

FAO Claire McKeegan

In response to the various matters raised in your 11.45 email of yesterday and having consulted the Chairman I can say the following.

1. As you will no doubt recall it is the Inquiry's practice to allow an applicant attending to give evidence to the Acknowledgement Forum or at the public hearings to be accompanied by a companion of their choice to support them. Although Mr Kerr is not an applicant, the Chairman has decided that in his particular circumstances the same facility will be made available to Mr Kerr. The Inquiry will therefore pay for [REDACTED] travel to and from London and Belfast, and Belfast and Banbridge, and her accommodation in Belfast, when the inquiry considers Mr Kerr's presence is required in Northern Ireland.

2. In the light of what you say about your unavailability in the week of 24 June to the 1st of July the provisional timetable has been altered. The Inquiry requires Mr Kerr to be in Belfast on Friday 17 June to consult with Inquiry counsel. It is now intended to call Mr Kerr on Monday 20 June 2016.
3. Although he will be a core participant, the assistance he can give to the Inquiry is limited to his experiences in Kincora and other institutions in Northern Ireland. On that basis the Inquiry considers that his presence will not be necessary before he consults with Inquiry counsel and will be unnecessary after Thursday 23 June (the Inquiry will not be sitting on Friday 24 June). The timetable for the period from 20 June onwards has not yet been finalised.
4. We recognise that he will need to travel from Dallas to Northern Ireland in advance of 17 June in order to recover from jet lag and no doubt consult with yourself and your counsel.
5. The Inquiry will therefore arrange and pay for return flights to Belfast from Dallas, with the inbound leg getting him to Northern Ireland on Tuesday 14 June, giving him Wednesday to recover sufficiently to consult with yourself and counsel on Thursday 16th and with Inquiry counsel on Friday 17th June 2016.
6. To allow his aunt to accompany him we suggest he flies Dallas/London Heathrow/Belfast and this would allow his aunt to accompany him on the Heathrow/Belfast leg of each journey.
7. We are exploring possible flight times and will revert to you as soon as possible.
8. You say he requires first class flights. The inquiry applies the normal public service rules for the cost of air travel and this does not cover first class travel. We are required to book fares that are the most economical. For example when we sent our Acknowledgement Forum panel members, solicitors and administrative staff to Australia on Inquiry business they all travelled economy class. If Mr Kerr wishes to make the case that he has medical problems that are relevant we will require a letter from a medically qualified practitioner to that effect, a counsellor would not be acceptable. In this context I note that, as you will be aware, Mr Kerr was in Belfast at the High Court on 8 April 2016 for the judgment in the Hoy JR, and before that in February 2015 at the High Court when leave was granted for that application. Please provide details of Mr Kerr's flights and travel to and from the USA to Belfast on those occasions, and on any other occasions since February 2015. These details should identify his class of seat, whether it was economy, premium economy, business class or first class (or the equivalent type of ticket depending on the airline(s) used).
9. The Inquiry will arrange appropriate hotel accommodation for Mr Kerr and his aunt for 10 nights starting Tuesday 14 to Thursday 23 June, and his return trip from Belfast to Dallas via Heathrow on Friday 24 June, to be accompanied by his aunt on the Belfast/Heathrow leg of the flight.
10. He will be provided with daily subsistence at the normal public service rate for each day he is in Northern Ireland, as will his aunt.
11. He will be reimbursed travel to and from Banbridge at public service rates.
12. I must remind you, and emphasise, that all flights and accommodation will be arranged through this office. If it would assist Mr Kerr to arrange the details I suggest he contacts me direct. In particular, if he has unusual expenses in travelling to and from his home in Dallas to the airport we will need him to vouch these so we can reimburse him when he arrives in Northern Ireland.
13. These arrangements are not dependent upon his ALR1 being submitted. That relates only to his application for legal representation at public expense.
14. You said you would let me have an electronic version of his ALR1 yesterday, it has not yet arrived. Please let me have it immediately so it can be considered by the Chairman.
15. I must remind you we still have not received a statement from Mr Kerr. Please let me have this as soon as possible.

I trust that this response will assist you to deal with the queries that you mentioned during our call earlier today from your counsel and Mr Kerr's counsellor but please do not hesitate to revert to me if you require anything further. I await confirmation that these arrangements are acceptable to Mr Kerr at your earliest convenience.

Regards

Anne Donnelly
HIA

Donnelly, Anne (HIA)

From: Butler, Patrick (HIA)
Sent: 31 May 2016 14:21
To: Donnelly, Anne (HIA); Aiken, Joseph; Smith, Christine (HIA Inquiry); Dougan, Maria; Hart, Anthony
Subject: FW: re Richard Kerr CP
Attachments: Richard Kerr first costs award (31052016).docx, LettertoKRW(Kerr)31.5.2016.docx

From: Butler, Patrick (HIA)
Sent: 31 May 2016 14:20
To: 'Claire McKeegan'
Subject: RE: re Richard Kerr CP

Dear Claire

Please find attached correspondence and award for your attention. A signed hard copy will be forwarded by post.

Regards

Paddy

From: Claire McKeegan [mailto:]
Sent: 31 May 2016 11:10
To: Butler, Patrick (HIA); HIA Legal Team
Subject: re Richard Kerr CP
Importance: High

Dear Sirs

Despite the fact that the Inquiry started today we have not received the core bundle of documents or indeed any documents from the Inquiry, we have not been advised whether Mr Kerr will be granted an award for legal representation, and if he is we are not aware of what the extent of that award will be and therefore how much of the Inquiry hearings we should prepare to attend. Nor have we been advised of when witnesses are scheduled to give evidence to the Inquiry, or of which witnesses will give evidence that is of importance to Mr Kerr.

We would therefore ask to receive as a matter of urgency:

1. A copy of the Core Bundle of Documents to permit us to provide informed advice Mr Kerr;
2. A decision on Mr Kerr's application for legal representation including a decision on the extent to which an award of legal expenses will cover attendance at the Inquiry by his legal representatives.

I would add that even if we are instructed we are currently in no position to advise him.

Yours Faithfully
Claire McKeegan
Associate

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BT1 1GH
Main Office (028)90 241888

HIA Historical Institutional Abuse Inquiry
HIA INQUIRY, PO BOX 2080, BELFAST, BT1 9QA, NORTHERN IRELAND
WEB: WWW.HIAINQUIRY.ORG

Claire McKeegan
KRW Law Advocates Ltd
3rd Floor, The Sturgen Building
9-15 Queens Street
Belfast BT1 6EA

31st May 2016

Dear Sirs

RE: HIA Inquiry & Richard Kerr

I refer to the above matter which has been considered by the Chairman. I attach the first award of funding in respect of the legal representation of Mr Richard Kerr.

Yours faithfully

Patrick Butler 
Solicitor to the Inquiry

HIA Historical Institutional Abuse Inquiry

HIA INQUIRY, PO BOX 2080, BELFAST, BT1 9QA, NORTHERN IRELAND
T: 028 90 720600 E:GENERAL@HIAINQUIRY.ORG W: WWW.HIAINQUIRY.ORG

Claire McKeegan
KRW LAW
45 Castle Street
Belfast
BT1 1GH

2nd June 2016

Dear Ms McKeegan

RE: The Historical Institutional Abuse Inquiry 1922 to 1995
Kincora – Module 15 – Bundle of Documents for Richard Kerr

I refer to the above matter and (where appropriate) to previous correspondence in relation to the section of the Module 15 evidence bundle relevant to your client, Richard Kerr. I would like to bring to your attention certain matters relating to data security.

You are now receiving from the Inquiry into Historical Institutional Abuse 1922 to 1995 (the Inquiry) the section of the updated bundle for Module 15 relevant to your client, Richard Kerr.

The bundle is being provided in hard copy format and will also be forwarded to you in electronic format. You are not to make any further copies, without the consent of the Inquiry. If you have received any earlier versions of the HIA bundles or sections of HIA bundles you are required upon receipt of these revised bundles to return / destroy all copies of the earlier versions, and to sign an undertaking that this has been done, or will be done within an agreed timeframe. The details of this important matter can be agreed with Stephen Magee, who is the member of HIA staff who will deliver the updated versions to your office.

For ease of reference, I now remind you and your client of the data security conditions which apply to all HIA bundles.

1. To store the bundles securely;
2. To make no further copies of the bundles without the Inquiry's express written consent;

CHAIRMAN: SIR ANTHONY HART SECRETARY: ANDREW BROWN

HLA Historical Institutional Abuse Inquiry

HIA INQUIRY, PO BOX 2080, BELFAST, BT1 9QA, NORTHERN IRELAND
T: 028 90 720600 E:GENERAL@HIAINQUIRY.ORG W: WWW.HIAINQUIRY.ORG

3. Not to disclose the contents of the bundles to anyone save to the extent necessary for you to take instructions from your client and to properly represent them before the Inquiry; and
4. To return all copies of the bundles to the Inquiry immediately you are asked to do so.

If there are any matters arising please do not hesitate to contact me by telephone or email.

Yours sincerely

Patrick Butler
Solicitor to the Inquiry

I, _____, acting with proper authority on behalf of _____ a _____, hereby confirm that I have received two copies of the section of the HIA Bundle for Module 15 relevant to Mr Richard Kerr from the Inquiry into Historical Institutional Abuse. I further confirm that all previous copies of the HIA bundles have been returned / destroyed / will be destroyed within ____ days of today's dates, namely by the _____ 201_.

Signed: _____ Dated: _____

Award of legal representation at public expense by the Chairman to Richard Kerr as a core participant in the Bawnmore and Kincora Module of the Inquiry's hearings.

Second Award (3 June 2016)

1. This is the second costs award in favour of Richard Kerr, and is in addition to the First Award. It should be read in conjunction with the First Award.
2. When making this award the Chairman has had regard to s. 6 (1) and to s. 6(4) of the Inquiry into Historical Institutional Abuse Act (Northern Ireland) 2013 (his duty to act with fairness and with regard to the need to avoid any unnecessary cost (whether to public funds or to witnesses or others); to the provisions of Rule 5(2) of the Inquiry into Historical Institutional Abuse Rules (Northern Ireland) 2013 (the 2013 Rules); and Paragraphs 10, 16 and 17 of the Inquiry's Costs Protocol, as well as the decisions of the Court of Appeal in *Re BP* and in *Re Hoy*.
3. The Chairman has also had regard to his discretion to decide the nature and amount of representation required depending upon the material being considered by the Inquiry at any time (material includes documentary material and oral evidence).
4. The Chairman has considered the ALR1 form signed by Richard Kerr's solicitor on 26 May and received by the Inquiry at 1838 on Thursday 27 May 2016.
5. This award covers only the amount of time necessary for reading and considering the contents of the evidence bundle provided by the Inquiry to Richard Kerr.
6. The Chairman notes that Richard Kerr has already sworn a lengthy affidavit in the judicial review proceedings brought by Gary Hoy in which Richard Kerr set out his experiences in Kincora.
7. The Chairman has also noted that Richard Kerr has recently launched civil proceedings which appear to relate in part at least to matters which will be considered by the Inquiry.
8. As Richard Kerr is represented by the same legal representatives in respect of the judicial review and civil action the Chairman has taken into account that Richard Kerr's solicitors will have already taken instructions about these matters in preparation of the judicial review and civil claim, and that this award should not provide funding for work already done outwith the scope of this Inquiry which overlaps with this Inquiry.
9. Taking all those factors into account the Chairman has made the following award for the consideration of the evidence bundle.

Junior Counsel to read and consider the evidence bundle, and identify the relevant papers for solicitor and senior counsel to consider: Malachy McGowan @ £100.00 per hour for 24 hours
= 2400.00 (Plus VAT)

Solicitor: Claire McKeegan 16 hours to consider the papers identified by junior counsel: 16 hours @ £130.00 per hour = 2,176.00
Plus 10% = 217.60
Total = 2393.60 (Plus VAT)

Ashley Underwood QC 16 hours to consider the papers identified by junior counsel @ £200.00 per hour = 3,200.00 (Plus VAT)

Conditions for payment.

1. No change can be made in the composition of the legal team without the consent of the Chairman being sought in writing.

2. No payment will be made out of public funds for any hours worked beyond the allocation of hours granted by the Chairman. If a legal representative requires additional hours in respect of any particular part of an award he or she should make a request in writing, setting out the reasons for the request, to the Solicitor to the Inquiry in advance of working any extra hours and the Chairman will consider the request and notify the legal representative of the decision.

3. The maximum number of hours that can be charged by any member of an applicant's legal team in any week is 40 hours, save that, exceptionally, the Chairman may authorise an increase to a maximum of 60 hours during the week immediately preceding the commencement of the oral hearings and during the oral hearings where he is satisfied that such increase is justified in all the circumstances. For the purposes of this condition a week shall be taken to commence on a Monday and end on the following Sunday, and no unused hours below the maximum in any one week may be set-off against any other week.

4. If either solicitor or counsel is registered for VAT then no VAT will be allowed unless the solicitor or counsel concerned includes his or her VAT number in the bill for payment.

5. Bills for legal fees to be claimed from public funds, whether by counsel or solicitor, must be sent on a monthly basis to, and received by, the Solicitor to the Inquiry no later than 4.30 pm 14 calendar days from the last working day of the month in question.

6. Timesheets must be kept by solicitors and counsel in respect of all work for which public funding is to be claimed, and be available for inspection by the Inquiry as required.

7. A detailed bill must be provided to the Solicitor to the Inquiry which contains a description of work done, when it was undertaken, the identity (and grade of fee earner in the case of a solicitor), and the total of hours spent per approved period.

8. Counsel's fee notes must be supported by details of precisely what work was done and how much time was spent on it. It will not be acceptable to submit general claims along the lines of a "brief fee", "refresher" or "preparation".

9. Bills must be submitted in a form approved by the Inquiry and include, or be accompanied by, such other information and such evidence in support of it as the Chairman may require. The approved Invoice Template can be found on the on the Inquiry website www.hiainquiry.org. It is located on the page titled *Background, Legislation, Protocols and Procedures* and is situated under the heading *Procedures and Guidance*.

10. In order to comply with the Inquiry Restriction Order No 1 of 2013 and to facilitate prompt payment through Account NI, bills of costs should not specifically name clients. The designation at the top of the award schedule should be used in place of the client name.

11. An award for reading the legislation will only be allowed once to an individual solicitor, senior or junior counsel.

12. Solicitor and counsel must announce their appearances by name on each occasion that they appear before the Inquiry to be eligible for payment.

13. The above award is for named solicitors and counsel. The consent of the Chairman must be obtained before a substitute can be allowed.

Donnelly, Anne (HIA)

From: richardkerr [REDACTED]
Sent: 06 June 2016 14:33
To: Donnelly, Anne (HIA)
Cc: Claire McKeegan
Subject: RE: FW: Richard Kerr

what is going on

Sent from my Samsung Galaxy Tab³4

----- Original message -----

From: "Donnelly, Anne (HIA)" <[REDACTED]>
Date: 06/03/2016 12:03 PM (GMT-06:00)
To: [REDACTED]
Cc: Claire McKeegan [REDACTED]
Subject: RE: FW: Richard Kerr

Hi Richard

My landline is [REDACTED]

You also should have a contact number for our Witness Support Officers if there is anything you need in relation to your administrative arrangements for attending at consultation or at hearing.

I note that your solicitor has been copied into this e-mail so I have copied her in to my response to you.

Ms McKeegan has advised our Chairman today that she intends speaking to you again later today so perhaps you would prefer to contact me or have Ms McKeegan contact me after you have had your discussions.

We need the flight booking documentation requested below so that we can get your flights booked as early next week as possible.

I await hearing from either you or Ms McKeegan at the start of next week.

Regards

Anne Donnelly

Assistant Solicitor to the HIA Inquiry.

From: richardkerr [REDACTED] mailto:[REDACTED]
Sent: 03 June 2016 13:14
To: Donnelly, Anne (HIA)
Cc: claire [REDACTED]
Subject: RE: FW: Richard Kerr

What you phone number

Sent from my Samsung Galaxy Tab@4

----- Original message -----
From: "Donnelly, Anne (HIA)" <[REDACTED]>
Date: 05/26/2016 10:11 AM (GMT-06:00)
To: [richardkerr](#) [REDACTED]
Cc: [claire](#) [REDACTED]
Subject: FW: Richard Kerr

Richard

Please see response that was forwarded on to your solicitor this afternoon in relation to your arrangements for travel to and participation in the oral hearings to be held at Banbridge courthouse next month.

Regards

Anne Donnelly

Assistant Solicitor to the Inquiry



KRW LAW - LLP
45 Castle Street
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BT1 1GH

Tel: 028 9024 1888
Fax: 028 9024 4804
Email: office@kevinrwinters.com
www.kevinrwinters.com

06 June 2016

Our Ref: HC/L408/CMCK/DC
Your Ref: R20

HIA Inquiry
PO Box 2080
Belfast
BT1 9QD

Dear Sirs

RE: Richard Kerr V Kincora 1975-1979
D.O.B [REDACTED]

We refer to the above named client and recent correspondence.

Mr Kerr was invited to be a core participant after being advised that the Chairman believed that his participation in the Inquiry's investigations would be helpful. In your invitation letter you advised that if he attended the Inquiry he would be given those documents the Inquiry has gathered which the Chairman believes to be relevant to the issues on which he may be able to assist the Inquiry.

We understand that the State bodies/agencies that are Core Participants to the Inquiry have been provided with bundles that run to thousands of pages. We have now perused the bundle of documents Mr Kerr has been provided with. This amounts to around 740 pages.

It does not appear that this bundle contains the entirety of the documents that touch upon what various agencies of the State knew about the abuse perpetrated at Kincora and the individuals perpetrating that abuse, or when they knew it. Whilst these may be matters which are not in Mr Kerr's knowledge they are important for understanding the significance and context of his evidence. The contents of these documents may result in aspects of his evidence being of particular importance, and would inform us as to whether aspects of his evidence will meet particular scrutiny from either the Inquiry or from the legal teams representing those agencies of the State.

If we are to properly advise Mr Kerr as a core participant at the Inquiry we would need to be provided with access to those documents touching on whether there was any state complicity in the abuse perpetrated at

Partners

Kevin R Winters | Joseph D McVeigh | Gerard McNamara | Niall Murphy | Peter Corrigan | Michael Crawford | Paul Pierce

Human Rights | Solicitor Advocates | 24hr Call Out | Judicial Review | Criminal Law | Litigation | Prison Law | Inquests

Kincora. We therefore believe that these documents should have been regarded as documents which the Inquiry has gathered which are relevant to the issues on which Mr Kerr may be able to assist the Inquiry.

In any event it seems in breach of the principle of equality that the security forces and security services represented as core participants have been provided with a bundle of documents that is 10 or 20 times greater than the volume of documents provided to Richard Kerr as a Core Participant survivor of abuse. In the context of an Inquiry that is investigating allegations that the security forces/security services knew that abuse was and would be perpetrated on the children in Kincora and covered this up this also appears inherently irrational and unreasonable.

Richard Kerr was unwilling to attend the HIA and had announced this publicly in the media. He believed the Inquiry had insufficient powers to properly investigate these allegations and, by reason of its attitude, would not properly investigate them. He agreed to become a core participant at the HIA Inquiry following our advice. This was on the basis that we would be permitted a proper opportunity to represent him and his interests at the Inquiry.

If we are not to be provided with any further documentation it is difficult to see how we can properly represent Richard Kerr in the way in which he and ourselves had expected and on the basis of which he agreed to become a core participant.

We would therefore ask you to reconsider your decision on the extent of disclosure that has been provided to Mr Kerr, and would ask that you provide a full core bundle of documents to include evidence touching on whether there was any state complicity in the abuse perpetrated at Kincora generally and on himself in particular, together with an award of expenses to read and consider those documents.

If we conclude that we cannot properly advise and represent Mr Kerr at the HIA Inquiry due to any refusal to provide him and us with a full core bundle we will of course have to advise him accordingly.

Mr Kerr would then be required to consider what steps he will have to take, and we would therefore ask you to provide detailed reasons for your decision setting out any legislation, rule or policy relied on. In any event as this issue has the potential to impact on any travel arrangements of Mr Kerr it may be appropriate to resolve these matters prior to finalising his travel arrangements.

Yours Faithfully,
KRW LAW LLP



Donnelly, Anne (HIA)

From: Claire McKeegan [REDACTED]
Sent: 06 June 2016 17:56
To: Donnelly, Anne (HIA)
Subject: Kerr Richard R20
Attachments: Kerr- Tran Ftr From Tran toClaire05-27-2016.pdf

Dear Anne

We have consulted with Mr Kerr over the weekend and this morning and afternoon. There is no confusion as to the inquiry process. We have talked at length with client and counsel.

You will appreciate that it is difficult with the time difference to get immediate contact with our client. This has to be done in evenings and weekends.

In relation to his travel, we have sent some correspondence which should be dealt with prior to the making of any travel arrangements. Please confirm your view.

As per your request, we have confirmed with our client that his recent visits to the UK were not first class flights but they were paid for by friends and he instructs that he found the travel very difficult due to his PTSD. The flights were all Special Economy class or business class. They were ticketless flights where he simply scanned his passport. He has flown in what he describes as 'coach' in the past and found it extremely stressful due to his condition.

He would prefer to Fly direct if possible for obvious reasons. He always requests "Special seating" which is an extra legroom seating area which helps to prevent his anxiety.

Please see letter from Dr Tran, Adult Psychiatrist for your attention.

Richards Aunt would indeed like to travel - I've asked both for passport details and will revert by return.

Please advise what else you require and we will endeavour to assist.

Yours Faithfully
Claire McKeegan
Associate

KRW LAW - LLP
45 Castle Street
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BT1 1GH
Main Office (028)90 241888
Mobile 07976070034
Fax: (028)90 244804
www.krw-law.ie

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HIA Historical Institutional Abuse Inquiry

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KRW LAW LLP
45 Castle Street
BELFAST
BT1 1GH

8 June 2016

Dear Ms McKeegan

Re Richard Kerr

Thank you for your letter of 6 June 2016. The Chairman has considered it and directed me to reply to you as follows.

1. It is a matter for the Chairman, in the exercise of the broad discretion given to him by statute, to determine what documents anyone, including a core participant, needs to see in order to assist the Inquiry with its work.
2. When making his decision as to what documents it was necessary for the Inquiry to provide to Richard Kerr the Chairman had regard to s. 6 (1) and to s. 6(4) of the Inquiry into Historical Institutional Abuse Act (Northern Ireland) 2013 (his duty to act with fairness and with regard to the need to avoid any unnecessary cost (whether to public funds or to witnesses or others); to the provisions of Rule 5(2) of the Inquiry into Historical Institutional Abuse Rules (Northern Ireland) 2013 (the 2013 Rules); and Paragraphs 10, 16 and 17 of the Inquiry's Costs Protocol, as well as the decisions of the Court of Appeal in *Re BP* and in *Re Hoy*, and to the decision of Lord Justice Leveson in *Decoulos*.
3. When deciding the extent of the material which it is necessary for Mr Kerr to be given as a core participant the Chairman had regard to the extent to which the evidence being given or material being considered by the Inquiry relates to Richard Kerr. In doing so the Chairman considered the extent of Richard Kerr's knowledge of, and involvement in, the matters being considered by the Inquiry at any time.

CHAIRMAN: SIR ANTHONY HART SECRETARY: ANDREW BROWNE

HIA Historical Institutional Abuse Inquiry

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4. Mr Kerr has been provided with all the documents presently available to the Inquiry that the Chairman in his discretion considers directly bear upon him or on matters that the Chairman considers Richard Kerr is in a position to assist the Inquiry with based on what Richard Kerr is in a position to speak about.
5. As you accept in your letter what the agencies of the State knew about the abuse perpetrated at Kincora and the individuals perpetrating that abuse, or when they knew about it, are matters which are not within Mr Kerr's knowledge, and the Inquiry has no reason to believe that he can speak of his own knowledge on the issues of state participation to which you refer.
6. The documents which are relevant to the Inquiry's consideration of issues relating to State agencies are being and will be considered publicly by the Inquiry during its hearings when Mr Kerr will be legally represented, and as his legal representatives you will therefore see those documents being brought up, and considered by the Inquiry, in the public hearings.
7. His legal representatives will therefore be in a position to consider that evidence, and, to the extent that it could in any way be said to bear on Richard Kerr, at the closing stage of the Module will have the opportunity to make such submissions on those matters, as well on the matters of which Mr Kerr has direct knowledge and so can speak, as they consider necessary.
8. It would therefore be unnecessary, unjustifiable and disproportionate to provide public funding to you to read documents that have no bearing on Richard Kerr in advance because that would involve turning your representation of him into engaging in a parallel inquiry to that being conducted by the Inquiry at wholly unjustifiable and considerable public expense which would not assist the Inquiry in its work.
9. The Chairman is satisfied that the documents given to you are those that the legal representative of Richard Kerr should receive. It is also a matter that he will keep under review and, where in his discretion he considers it necessary, further documents will be provided to you where they relate to Richard Kerr. Therefore your present application to receive further unspecified documents not related to Richard Kerr, and for public funding to read them, is refused.

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Yours sincerely

A handwritten signature in black ink, appearing to read 'Patrick Butler', with a long horizontal stroke extending to the right.

Patrick Butler
Solicitor to the Inquiry

STATEMENT OF RICHARD KERR ISSUED ON HIS BEHALF BY KRW LAW LLP IN RELATION TO HIS PARTICIPATION IN THE KINCORA MODULE OF THE HISTORICAL INSTITUTIONAL ABUSE INQUIRY

13 06 2016

Mr Kerr was the victim of the most horrific acts of physical and sexual abuse while in the care of the state in Kincora Boys' Home. There have subsequently been credible allegations that the British security forces and security services knew of and colluded in that abuse. Those allegations deserve fearless and public investigation through an independent inquiry with full powers.

Mr Kerr was invited to be a Core Participant at the HIA after being advised by the Chairman that his participation in the Inquiry's investigations would be assistance.

Mr Kerr was initially unwilling to attend the HIA as a result of its attitude and previous treatment of witnesses, together with its lack of powers to compel witnesses and documents relevant to National Security. He had announced this publicly. In particular, he believed the Inquiry had insufficient powers to properly investigate these allegations and, by reason of its attitude, would not properly investigate them. Nevertheless, Mr Kerr agreed to become a Core Participant at the HIA Inquiry in the hope that he would be proved wrong, and that the HIA Inquiry would adopt an attitude befitting the nature of the allegations. His decision to participate was on the basis that his legal representatives would be permitted a proper opportunity to represent him and his interests at the Inquiry. Regrettably this has not been the case. Mr Kerr is not able to give instructions to his legal representatives because he does not have access to the range of material being relied upon by the Inquiry and therefore his legal representatives are unable to provide him with the necessary advice.

Mr Kerr was provided with a bundle of documents by the Inquiry only at the end of last week, after the Conclusion of the Opening statement by the Inquiry Counsel. The lateness of this disclosure clearly disadvantaged Mr Kerr in relation to those State bodies/agencies that have been in possession of their bundles of documents and benefitted from legal representation for a considerably greater period of time.

The State bodies/agencies that are Core Participants to the Inquiry appear to have been provided with bundles of documents of up to 16,000 pages. In contrast, Mr Kerr was provided with around 740 pages. It is not appropriate that the British security forces and security services represented as Core Participants have been provided with a bundle of documents that is significantly greater than the volume of documents provided to Mr Kerr as the only Core Participant survivor of abuse.

The content of the bundle of documents received by Mr Kerr includes multiple copies of his previous statements to police, previously publicly available reports, and transcripts of his media interviews. He has not been provided with any documents obtained from or submitted by the British security forces and security services. It is not clear why the Inquiry wish to conceal these documents from Mr Kerr or his legal representatives. In the context of an Inquiry that is investigating allegations that the British security forces and security services knew that abuse was and would be perpetrated on the children in Kincora and covered this up this is inherently unreasonable.

It is also apparent that the Inquiry is treating witnesses who are victims of abuse unfavourably compared to witnesses from State bodies and agencies: victims of abuse are made to sign their witness statements without having sight of or legal advice on their previous statements; much of their testimony is spent explaining discrepancies in their evidence; and, on more than one occasion victims have been presented with a document for the first time during the course of their evidence. This is not conducive to best evidence, is plainly unfair on victims of abuse and is entirely inappropriate in an Inquiry investigating state complicity in the abuse of children in care.

Mr Kerr agreed to participate in the HIA Inquiry in good faith in the hope that it would conduct an open and inclusive investigation into the allegations of abuse at Kincora. The HIA Inquiry regrettably appears determined not to do so. As a result Mr Kerr has therefore taken the decision to withdraw his agreement to participate in the Inquiry as a Core Participant. If the Inquiry changes their approach and agrees to provide Mr Kerr with full documentation and permit his legal representatives to review these he will reassess this decision, instruct his legal representatives and receive their advice.

Mr Kerr reiterates his desire for fearless and public investigation through an independent inquiry with full powers into the State complicity in the abuse he and other children suffered whilst in Kincora Boys' Home. Such an investigation must treat those victims of abuse fairly and with no less participative rights than the British security forces and security services under investigation. Those victims and the public deserve no less.

ENDS

“The HIA Inquiry notes the public statement issued this morning on behalf of Mr Kerr. Mr Kerr was invited to become a core participant in the Inquiry and was provided with public funding for his legal representatives to attend the public hearings on his behalf.

The Inquiry made arrangements for him to fly from the United States to Northern Ireland at public expense this week so that he could consult with his legal representatives, provide a witness statement to the Inquiry, consult with Inquiry counsel and give evidence next Monday.

It is not correct that the Inquiry wishes to conceal documents from Mr Kerr and his legal representatives. His legal representatives have accepted to the Inquiry that what the agencies of the State knew about the abuse perpetrated at Kincora and the individuals perpetrating that abuse, or when they knew about it, are matters that are not within Mr Kerr’s knowledge. The Inquiry has no reason to believe that he can speak of his own knowledge on the issues of State participation.

Mr Kerr and his legal representatives have therefore been provided with all the documents presently available to the Inquiry that the Inquiry considers directly bear upon him, or on matters that the Inquiry considers Mr Kerr is in a position to assist the Inquiry with based on what he is in a position to speak about.

The Inquiry regrets that Mr Kerr has decided not to assist the Inquiry as a core participant. The public hearings at Banbridge will resume next week. The Inquiry will publicly examine the documents produced to the Inquiry by various State agencies, including the security services. Members of the public and the media will be able to see and read the documents for themselves.

The Inquiry does not intend to engage in public debate with Mr Kerr on the other matters referred to in his statement, save to say that it does not accept its procedures are unfair. These procedures have been repeatedly upheld as fair by the courts, including the United Kingdom Supreme Court.”

ENDS

THIS PRINTOUT CONTAINS SENSITIVE PERSONAL DATA AS DEFINED BY SECTION 2 OF THE DATA PROTECTION ACT 1998. THE PROVISIONS OF THE DATA PROTECTION ACT 1998 MUST BE APPLIED.

Criminal Record

Convictions of: KERR, RICHARD	PSNI Ref No: 305154	Causeway URN: 305154100
Date of Birth: [REDACTED]	Gender: Male	Nationality:
Offender Levy No current levy	Current Date: 08/04/2015 09:40:47	
Expiry Date:		

Convictions

Offence Summary	Convictions
BURGLARY	4
THEFT	2
Totals:	6

Offence in Detail

Belfast JC 21/12/1977

THEFT Supplementary text - see 1 below.

BORSTAL TRAINING

APPEALED - ORDER AFFIRMED APPEALED - ORDER AFFIRMED AT Belfast Recorders Court ON 02/02/1978

2fd5f3cc-2324-4840-a004-13eb324003ba

BURGLARY Supplementary text - see 1 below.

BORSTAL TRAINING

APPEALED - ORDER AFFIRMED APPEALED - ORDER AFFIRMED AT Belfast Recorders Court ON 02/02/1978

2fd5f3cc-2324-4840-a004-13eb324003ba

BURGLARY Supplementary text - see 1 below.

BORSTAL TRAINING

APPEALED - ORDER AFFIRMED APPEALED - ORDER AFFIRMED AT Belfast Recorders Court ON 02/02/1978

2fd5f3cc-2324-4840-a004-13eb324003ba

BURGLARY Supplementary text - see 1 below.

BORSTAL TRAINING

APPEALED - ORDER AFFIRMED APPEALED - ORDER AFFIRMED AT Belfast Recorders Court ON 02/02/1978

2fd5f3cc-2324-4840-a004-13eb324003ba

Supplementary text for court appearances

1 - Belfast JC 21/12/1977 15 CASES TIC

end of court

Larne PS 11/07/1978

THEFT

CONDITIONAL DISCHARGE FOR 6 MONTHS

2fd5f3cc-2324-4840-a004-13eb324003ba

BURGLARY

CONDITIONAL DISCHARGE FOR 6 MONTHS

2fd5f3cc-2324-4840-a004-13eb324003ba

end of court

end of convictions

THIS PRINTOUT CONTAINS SENSITIVE PERSONAL DATA AS DEFINED BY SECTION 2 OF THE DATA PROTECTION ACT 1998.
THE PROVISIONS OF THE DATA PROTECTION ACT 1998 MUST BE APPLIED.

Diversions

No Diversions were found for this party

THIS PRINTOUT CONTAINS SENSITIVE PERSONAL DATA AS DEFINED BY SECTION 2 OF THE DATA PROTECTION ACT 1998.
THE PROVISIONS OF THE DATA PROTECTION ACT 1998 MUST BE APPLIED.

Exhausted Diversions

No Exhausted Diversions were found for this party

McGRATH still denied buggery with R18 when facing trial but admitted the offence of gross indecency. The buggery charge was left on the file.

410. Matters affecting Richard KERR (born [REDACTED]) received considerable publicity in the media and occasioned some enquiry by officer reporting. KERR is mentioned in paragraphs 348-360 of this report because of his contact with EDMONDS.

411. Richard KERR first became the responsibility of the social services in 1966 when aged 5 years, becoming resident in Williamson House. There is no evidence available to suggest that he was subject of any indecency offences by any other staff during these early years, or that he was involved in acts of dishonesty. A report prepared by his social-worker, Judith KENNEDY (KI EX 29) reviews his early background and shows that whilst resident in Williamson House he attended Harbeton Special School. This establishment caters for children assessed as-educationally sub-normal by the educational staff of the EHSSB and requiring special education.

412. Towards the end of his residence at Williamson House, KERR was visited by KIN 340 (born [REDACTED]), the father of another Williamson House inmate. KERR makes no complaint against this man and KIN 340 himself denies that any sexual misbehaviour took place.

413. In July 1975 KERR, then aged 14 years, became resident

at Kincora. KENNEDY's report refers to him settling in well and obtaining a job as a porter at the Europa Hotel. This is somewhat ambiguous because KERR obviously continued attending school until aged 16 years and would have been at Kincora for two years before taking up employment at the Europa Hotel. According to KENNEDY - from information apparently gained from MAINS - KERR was subdued and quiet during his first year at Kincora. It was only when he came under the influence of two other boys that difficulties arose. KENNEDY is probably referring to Stephen WARING and his [REDACTED] **KIN 344** although a third boy, [REDACTED] **KIN 274** (SPS 179), also became friendly with KERR. Prior to Stephen WARING being lodged at Kincora he had been receiving training at Rathgael Training School following convictions with [REDACTED] in May 1974 for stealing, and again in June of that year for similar offences. The Rathgael Training School is an establishment that exists for the purpose of providing training and guidance for boys who have been convicted of criminal offences by the Juvenile Courts.

414. Stephen WARING's first contact with Kincora and KERR took place in February 1976 on weekend release from Rathgael and in August of that year he became a full time resident at Kincora.

415. [REDACTED] **KIN 344** was never resident at Kincora but was released from Rathgael in November 1976 to West Winds Hostel, Newtownards. [REDACTED] **KIN 344** however did visit Kincora frequently to see [REDACTED] and in July 1977 went on holiday

was referring to Eric Peter WITCHELL, who describes himself as Brother Eric of the Society of St Francis, Belfast. He recalls (KIMS 55) visiting KERR at Millisle Borstal and confirms he was dressed as a Minister. His interest in KERR, and KERR's previous residence at Williamson House clearly raised questions as to the extent of their relationship. KERR now claims (SPS 177-178) that WITCHELL first involved KERR in homosexual acts during KERR's residence at Williamson House.

459. By his account, WITCHELL was appointed officer in charge of Williamson House in May 1975. KERR moved from this institution on 27th June 1975. It appears therefore that for a period of two months both individuals would have been at Williamson House together. Although WITCHELL was eventually revealed as a homosexual through enquiries made by the Royal Ulster Constabulary (see this report on Williamson House enquiries, paragraphs 542-549), KERR did not make any complaint against WITCHELL until seen by Superintendent FLENLEY and I in October 1982. WITCHELL has not confessed to any offences involving KERR.

460. Apart from the KERR episode in 1977, the only other complaints uncovered by the Royal Ulster Constabulary's investigation of events in 1977 concern allegations against McGRATH.

~~Donnelly~~ — WARRING
~~Bamson~~ — KERR

21
10. Mr Williamson

Warring (1) } T.S.
(2) }
(3) }

Kerr (1) } adv to 20/1/78
(2) }
(3) }

Pay £5 p.w.

Social Report

Subject: Richard Kerr (D.O.B. [redacted]) Millisle Borstal

Date for discharge: 9.2.1979

Richard has been in care since 1966. He is the second eldest son of [redacted] and [redacted] Kerr who currently live in [redacted]

Siblings:

[redacted]	years	[redacted]
[redacted]	"	[redacted]

As is evident from what is already stated in the report the Kerr's are well known to Social Services. Mrs. Kerr is registered Special Care and has been incapable of caring adequately for her home and children for many years. She initiates no contact with [redacted] and [redacted] and indeed the only child she seems persistently interested in is [redacted] although she has very little contact with [redacted]. She is at the present time being given considerable support by a Family Aide and this office an attempt to maintain some domestic standards in the home.

Richie was taken into care when he was five years old because his parents couldn't cope. He was in Williamson House for many years and attended Harberton Special School. The last educational assessment of Ritchie was made in May 1977 and concluded that he was capable of holding down a job.

In July 1975 Richie was moved from Williamson House and went to live in Kincora Hostel. He settled in well and obtained a job as a porter in the Europa Hotel. According to the warden in charge of Kincora, Richie was subdued and quiet during his first year there. He stayed in every evening playing cards and watching T.V. It was only when two other boys joined the group that trouble started. It seems also that at this time Richie came under the influence of two older men who took him out quite a lot. One of these men had Richie as an occasional visitor to his home.

October 7th, 1977 Richie was charged with 17 instances of breaking and entering. He was remanded in Rathgael. Richie appeared in court later that month and the case was adjourned. Richie went back to Kincora. Shortly after this Kincora reported that Richie had stolen money from a member of staff. Richie returned to Kincora that night but as the matter had been reported to the R.U.C. he was taken into custody. Richie sent to Rathgael to await court case. The case was heard the first week in December. By this time Richie had made at least one attempt to harm himself and in view of this "apparently suicidal behaviour" Rathgael recommended Borstal Training for Richie. Richie was sent to Millisle and his father immediately appealed against the sentence. The appeal did not succeed and Richie made another serious attempt on his life. He was held in Musgrave Park Hospital until the end of March. His stay was protracted because he contacted Chicken pox.

- 2 -

Following this Richie tried to slash his wrists again but eventually over the summer he began to settle down in Millisle. The social worker dealing with the case left the office in September and the Kerr family were transferred to me. At the time the Probation Officer was seeing Richie regularly and it was considered inappropriate for me to make contact. However, before Christmas I took [redacted] and [redacted] to see Richie and since the New Year have been working with Probation to make arrangements for his discharge. At that time the members of staff I spoke to in Millisle were pleased with the progress Richie had made.

Richie is an affable and pleasant person but undoubtedly suffers and continues to suffer from the kind of upbringing he has had. In the long term Richie and his sister [redacted] have said they would like to live together but this would not be, practically speaking, possible until both had experienced an interim situation between being "in care" and being out on their own. We are certain that accommodation in a lodgings house would be detrimental for Richie and we are looking for a supportive and caring environment where he could prepare himself for the responsibilities of adult life and also, hopefully, learn to trust people again.

I discussed this case briefly with Derek Wilson who said Corrymeela may have a vacancy. I would be grateful if you could give Richie's case serious consideration. He is really on his own and heading for disaster if he doesn't get the kind of help your community can offer. I would be more than willing to come to Corrymeela to discuss this case further, indeed I will be bringing his mother and two of the children up to Ballycastle p.m. on Tuesday 6th February.

Mrs. J. Kennedy,
Social Worker.

30th January, 1979

Social Report

Subject: Richard Kerr (D.O.B. [REDACTED])

Discharged from Millisle Borstal 9.2.1979 and placed in Williamson House for one month.

Richard has been in care since 1966. He is the second eldest son of [REDACTED] and [REDACTED] Kerr who currently live in [REDACTED]

Siblings:

[REDACTED]	[REDACTED]	years	[REDACTED]
[REDACTED]	[REDACTED]	"	[REDACTED]
[REDACTED]	[REDACTED]	"	[REDACTED]
[REDACTED]	[REDACTED]	"	[REDACTED]
[REDACTED]	[REDACTED]	"	[REDACTED]
[REDACTED]	[REDACTED]	"	[REDACTED]

As is evident from what is already stated in the report the Kerrs are well known to Social Services. Mrs. Kerr is registered Special Care and has been incapable of caring adequately for her home and children for many years. She initiates no contact with [REDACTED] and [REDACTED] and indeed the only child she seems persistently interested in is [REDACTED] although she has very little contact with [REDACTED]

Richie was taken into care when he was five years old because his parents couldn't cope. He was in Williamson House for many years and attended Harberton Special School. The last educational assessment of Ritchie was made in May 1977 and concluded that he was capable of holding down a job.

In July 1975 Ritchie was moved from Williamson House and went to live in Kincora Hostel. He settled in well and obtained a job as a porter in the Europa Hotel. According to the warden in charge of Kincora, Ritchie was subdued and quiet during his first year there. He stayed in every evening playing cards and watching T.V. It was only when two other boys joined the group that trouble started. It seems also that at this time Richie came under the influence of two older men who took him out quite a lot. One of these men had Richie as an occasional visitor to his home.

October 7th, 1977 Richie was charged with 17 instances of breaking and entering. He was remanded in Rathgael. Ritchie appeared in court later that month and the case was adjourned. Richie went back to Kincora. Shortly after this Kincora reported that Richie had stolen money from a member of staff. Richie returned to Kincora that night but as the matter had been reported to the R.U.C. he was taken into custody. Richie was sent to Rathgael to await court hearing. The case was heard the first week in December. By this time Richie had made at least one attempt to harm himself and in view of this "apparently suicidal behaviour" Rathgael recommended Borstal Training for Richie. Richie was sent to Millisle and his father immediately appealed against the sentence. The appeal did not succeed and Richie made another serious attempt on his life. He was held in Musgrave Park Hospital until the end of March. His stay was protracted because he contacted Chicken Pox.

Following this Richie tried to slash his wrists again but eventually over the summer he began to settle down in Millisle. The social worker dealing with the case left the office in September and the Kerr family were transferred to me.

At a meeting held on the 21.11.1978 and attended by Jim Pentland, Trainee Probation Officer, David Morrow, S.S.W. this office and myself it was decided that it was inappropriate for me to make contact with Richie. My role as I understood it, was to be subsidiary and primarily concerned with facilitating cash payments for cigarettes etc. for Richie and for clothes and accommodation should it be necessary. At no stage did I attempt to build a relationship with Richie. It seems that the Senior Probation Officer did not agree with the decisions reached at this meeting but this disagreement was never communicated to my senior. So we continued to work under the assumption that Probation accepted that Richie remained their responsibility.

On the 23.12.1978 I took [redacted] and [redacted] to Millisle to see Richie. It was on this occasion that I discovered from Richie that there was still some confusion about the respective roles of Social Services and Probation. He implied Social Services were being negligent and had let him down. He also seemed to be under the impression that Mr. Pentland was visiting him out of the goodness of his heart. I got the distinct impression that these attitudes were being reinforced by Mr. Pentland's approach to the case at this time. It was early in January before I was able to contact Mr. Pentland about the situation and when I did another meeting was arranged between Probation and ourselves. At this meeting we discussed the situation again and I again presumed I was to play a subsidiary role and that Mr. Pentland would continue to be the key worker. It seems, however, that Probation saw accommodation as our responsibility and finding Richie employment theirs. Again this was not made clear to me.

I applied to Corrymeela at this time, on Richie's behalf, for a place for him there. Because of staff leave, Corrymeela were unable to give me an answer until 12th February. By this time Richie had moved into Williamson House and it was clear that plans regarding Corrymeela were not going to move as quickly as we had hoped.

Accommodation:

Digs or Bed & Breakfast accommodation were not considered suitable for Richie. We all felt he needed a sheltered environment. Kinora Hostel was also ruled out ~~because of its proximity to the prison and the fact that it was a private hostel.~~ ~~This investigation has recently been going on for several years and Kinora is still a possibility.~~ The indications that Richie has homosexual tendencies are tenuous, indeed Millisle reported that throughout his stay there was no sign of homosexual ~~inclinations~~. On these grounds Mr. Pentland feels Kinora should be considered as an alternative to Williamson House.

Corrymeela is still an alternative and Richie is due to go for a trial period on the 27.3.79. We anticipate that he could move up to Corrymeela shortly after this. Richie, however, is ambivalent about going to Corrymeela and Mr. Pentland considers it quite likely that Richie will not agree to go.

As I have already stated, Probation are of the opinion that accommodation is our responsibility.

/....

Employment

Mr. Pentland arranged for Richie to start work at the Stormont Hotel. Finding employment is a duty, apparently, incumbent on the licensee. From a casework point of view I was surprised at this move as Corrymeela seemed to offer Richie an opportunity of far greater therapeutic value. Mr. Pentland was and continues to be, under considerable pressure from Williamson House to have Richie occupied during the day and this was a factor in his decision to offer Richie the opportunity of the job. Mr. Pentland had arranged for Richie to attend Feldon Training Centre - but Richie disliked the Centre and was refusing to go.

Williamson House

At the time Richie was admitted to Williamson House the staff were told that he could be there until the 1st of March. Richie is living in [REDACTED] flat and is making enormous demands on [REDACTED] time. [REDACTED] is frequently up until the early hours of the morning talking to Richie and unless he actually leaves the house [REDACTED] off-duty is usually interrupted by Richie.

According to Mr. Pentland the "dubious company" Richie came home with on Monday night were friends of a relative (cousin) of Richie's who was in the company.

My Input

As I have already stated in the report I understood that Richie was not one of my cases and that my role was purely technical in the sense that I would make arrangement for any cash payments that were considered necessary. I was never informed that Richie's accommodation was my responsibility. Indeed we recently received information from C.S.A. stating that Richie's supervision was Probation's responsibility.

I feel from a social work point of view Richie needs to sort out with one person what he is going to do and it is for one person to advise Richie as to the best course of action. This has not happened because neither Social Services or Probation have taken full responsibility for Richie. Indeed the fact that the job in the Stormont Hotel cuts across the plans regarding Corrymeela reflects this muddled approach. Contact we have had with probation continue to work on the premise that we are responsible for accommodation and we have continued to state that Richie is Probation's responsibility

Revoking the License

Last night (13.3.79) Mr. Pentland reported to me that his senior had said that Richie has not in breach of his license. They do not agree that he is mixing with dubious company and do not think the extent to which he has been drinking constitutes a breach of his license. Mr. Pentland restated that he as licensee has done all that is his responsibility i.e. find employment for Richie and see that he leads a sober life and does not consort with bad company.

Judy Kennedy

COPY - Mr. F. Cackett, Senior Probation Officer
Director of Social Services

WRS/RB/AL

14th March 1979

Mr. P. Patrick,
Assistant Chief Probation Officer,
Linenhall Street,
Belfast.

Dear Mr. Patrick,

Re: Richie Kerr
At Present: Williamson House Children's Home,
Belfast

Further to our telephone conversation today I would draw your attention urgently to the above-named boy. Your department requested us to accommodate Richie on his release on licence from Millisle Borstal from the 9th February 1979. This arrangement to terminate on his admission to a placement at Corrymeela on 1st March 1979. However, it is now some six months since the initial placement. During this time Richie's behaviour and the situation in the children's home has gradually deteriorated beyond the control of the staff of the children's home. We have encountered such difficulty in four areas with him:-

1. Drunkenness - He has on a number of occasions arrived at the children's home in a drunken state. This has happened three times in the past four days. On the third occasion on Monday, 12th March 1979, he was brought home by a number of men from the Europa Hotel. All the men were drunk and they entered the children's home at 10.45 p.m. They caused such a fracas that the Officer-in-Charge feared for the staff and the children and called the police. The men left in a taxi. There is great fear amongst the staff that Richie will cause these men to call again especially as there are several nights each week when there are no male staff on duty.
2. Homosexual Activity - Residential and social work staff believe that Richie has been consorting with a number of men he knew previously in the Belfast area. In the past week or so he has come into a considerable amount of money. There are strong suspicions which suggest that the money was procured. It is wrong to allow Richie to remain in the Belfast area with his degree of instability.
3. Suicide - He has begun to talk seriously again about committing suicide. Given his former history of suicide attempts it would be vital that concern should be given to these threats. It is evident that he is unhappy and unsettled in his present environment.

/P.T.O.

To: Mr. P. Patrick (Contd.)

2.

14th March 1979

4. Contact with Sister - Richie's sister [REDACTED] is sixteen and lives in another children's home nearby. He has begun to take her out on a regular basis. These meetings have resulted in [REDACTED] taking considerable amounts of alcohol. Also to our great concern staff believe they are [REDACTED]

It must be drawn to your attention that Richie has been a most disruptive and disturbing influence in the children's home. He has caused considerable difficulties for the children. Staff are not accustomed to such behaviour. It is a home for children not a young man approaching manhood.

Given our willingness to help both your agency and the Borstal authorities with the difficult situation in early February we must inform you that Richie Kerr is beyond our control for the above reasons. As the supervising agency I would request you to take immediate steps to remove him to a more suitably supervised environment in order to afford adequate protection for his safety and the safety of the children in our care.

Yours sincerely,

District Social Services Officer

A I think I say that in the report I wrote at the time, that the residential staff had been complaining that he kept them up all night, and that his way of conducting himself was disruptive in the home.

B Q You are talking about the report that you wrote at the time. There is a report that is an exhibit before the Committee headed Social Report, subject: R20. It is signed by you, but undated; one can deduce the date because it refers to "last night, 13 March 1989", which I think strongly suggests that the date when it was prepared was 14 March 1979?

A That would be right.

Q You prepared this report that bears your signature. I think you have a copy of it?

C A Yes, I have.

Q I am not sure whether it has an exhibit number before the Committee. It has I think an exhibit number so far as the police statements are concerned, GC10, is that right?

A Yes, that is the number on mine.

D Q Is it right to say that by 14 March, by the date of your report, he had been in Williamson House and was in Williamson House at that time, or had he been moved prior to the date of your report on 14 March?

A I moved him on 15 March.

Q Where did you move him to on the fifteenth?

A The Bishopscourt Hotel.

E Q Was that for a live-in job, or was it paid for by the social services, or what?

A That was paid for by social services.

Q Eventually, did he go somewhere or did he remain in the Bishopscourt Hotel for as long as the social services department were looking after him?

F A I cannot remember the exact dates. There were about two moves, but he was accommodated in hotel accommodation until -- and again I take the date from the file 19 May.

Q Then where did he go?

A He went to Preston.

THE CHAIRMAN: He went to where?

A Preston, Lancashire.

G Q What was at Preston?

A He had a relative there, an aunt. In April 1979 he had gone over for a holiday and he had decided he wanted to go back and settle there.

MR SMITH: We see that the date of birth of R20 was [REDACTED] so that would have coincided approximately with the date of his eighteenth birthday?

H A Yes.

Q When you had really ceased to be responsible for him?

A Yes, that is correct.

A

Q What sort of hold were you suspicious about?

A A hold that if Joe Mains did not do as he wanted, he would spill the beans on him.

Q Were you connecting that hold with some homosexual activity?

A Yes.

Q That was your suspicion?

A That was my suspicion, nothing more.

B

Q Why were you conveying that to the social workers?

A I think it was their right to know.

Q Why did you think it would be their concern?

A They were responsible for the person, the subject.

C

Q If he did have a hold over Mr Mains, what, in a sense, could they have done about it?

A They might have got it out of him easier than me.

Q They might have got what?

A Whatever it was, hold, he had, over Mr Mains.

Q When you discussed it with Mr Morrow, was there ever any follow-up so far as you were aware, by Mr Morrow or Mrs Gogarty?

D

A I think he went to Mr Higham; he went to his senior about it; to the best of my knowledge I was told they had a meeting about it.

Q It was really because of this hold that you suspected that he had over Mains that you were -- ?

A Yes.

E

Q You have told the Inquiry that before that time you were suspicious that Mains himself may have been a homosexual, is that right?

A Yes.

Q As far as you were concerned, R 20 appeared to you to have homosexual tendencies. Did you think that the hold which he had, or were you suspicious that the hold which he had related to that?

A Yes, it was a bad combination.

F

Q Did you convey to Mrs Gogarty and to Mr Morrow that that was the sort of hold, that it was something connected to the homosexual relation, that was the hold?

A That is correct, yes.

Q At that time, did you have any views yourself as to whether or not Mr Mains was a suitable person to be in charge of the home?

G

A If I had suspicions of him of a homosexual nature he was not a fit person to be in charge of a home.

Q What was the motivation for you going in December to see Mr Scoular? You had spoken to the social workers before; why were you going at that time to Mr Scoular?

A I was going to tell him of my suspicions in regard to Mr Mains and the home.

H

Q Did you think that he was already aware of these suspicions about at that time?

A He had already been informed of my suspicions when he came to

60

MRS GOGARTY
BY MR P SMITH

A

Q Can you give the gist of that conversation to the Committee please?

A Well I described again to Mr Higham what had happened in Court and what Detective Constable Scully had said and he said that there had been an allegation

B

Q Who is "he". Is that Mr Higham?

A Mr Higham said there had been an allegation several years previously about another member of staff but not Mr Mains; I think it was Mr McGrath.

C

Q Was he identified in any way at that time? I mean was that name mentioned?

A I think it was, yes. And Mr Higham said that this allegation hadn't been substantiated. He wasn't very clear about it. David Morrow and I were to go and see Detective Constable Scully again in order to ask him to be more specific about the allegation he'd made to me.

Q Did, in fact, that happen; did you go back and speak to Detective Constable Scully about his suspicions again?

A Yes, we did.

Q Was that yourself alone, or was it yourself in company with Mr Morrow?

A It was both of us.

D

Q And during these Court attendances, did only you go to Court on each occasion or did Mr Morrow, can you recall, ever go to Court with you?

A I can't recall Mr Morrow going to Court. I know he went to Rathgael with me once or twice.

E

Q Let me just ask you one question just to step aside from the chronology for a moment: what about R20 himself? Perhaps I could just ask you to elaborate a little bit - what was it that he was saying that had given you concern in relation to Mains?

A He never really said very much. He just demanded constantly that Mr Mains come to see him; he wasn't interested in a relationship with a Social Worker or with anybody other than Joe Mains. I felt he saw my usefulness only in terms of whether or not I could get Joe Mains to come and see him.

F

Q Did you ever at any time yourself make any direct contact with Mains? You've said that there was an initial telephone call, but did you yourself ever approach Mains and say - "R20 wants to see you"?

A I can't recall that very clearly. I may have, I'm sure I did discuss it with him because I was in Kincora on one or two occasions and I perhaps asked him if he was going to go to Court but I don't recall that clearly.

G

Q Did you recall anything significant in your conversations with Mains, anything significant about his response, or do you remember his response at all?

A I don't I'm afraid.

H

Q And you say that you could establish no relationship with R20 at all. He went on "persistently" I think you said about Mains coming to see him, is that right?

A Yes.

Q You had a number of Court appearances and therefore a number of conversations with R20, is that correct?

A Yes.

Q Did he ever deviate from his insistence?

A No, he never did.

Q You have said you were to

- A Q And did you feel there was anything unusual in regard to these requests?
A He seemed to be wanting to see him as opposed to wanting his support, if you know what I mean. He was making it a condition that he won't answer questions until Mr Mains comes etc., nothing more than that.
- Q And was R20 then remanded to Rathgael?
A R20 was brought to Rathgael on 4 October 1977 on a police note, with R 37.
- B Q And did you hear of anything unusual, or considered unusual, while he was there?
A Again he made requests for Mr Mains to visit him at Rathgael and reception staff approached me knowing that I was in contact with Kincora with regard to R37, to see if this was a normal request. I related that to past practice, that in the past where other boys had been returned from Kincora the statutory role of the field social worker was to visit the boy but not the staff of the hostel, and R20 did have a social worker in the district so that would have been the natural relationship for someone to visit him
- C Q And who was R20's social worker?
A At that time Helen Gogarty.
- Q Did Mains come to see R20 at Rathgael?
A Not to my knowledge, no.
- D Q Did you attend a subsequent remand hearing when R20 asked to be sent to Kincora?
A Yes. Both boys were remanded to the first available Juvenile Court on 5 October. R20 wanted to go back to Kincora. His short experience at Rathgael had frightened him no doubt and he wanted to return to Kincora and although I had no direct responsibility I was asked to pass an opinion. But with the number of offences which were being investigated it was quite clear that a period in Rathgael was the most appropriate measure at that time as opposed to returning to an open Hostel. In 1977 I should add that our reception unit was a semi-secure unit; it wasn't an open unit. In other words, it was very much the remand home as opposed to the open community school that it is now.
- E Q And it was the Magistrate who asked you for your opinion on his request, is that right?
A Yes. Then Commander Mullen, RM, would have asked my opinion, basically because he knew I was from Rathgael and I could possibly pass an opinion, but I made it clear to him I didn't know the lad but that in my opinion he should be returned.
- F Q Did you feel it would be prejudicial to R20 to send him back to Kincora?
A Prejudicial in the sense that he got into a lot trouble during his time in Kincora. As I said the offences that we're talking about, there were quite a number of offences, I recollect something like 16 or 20 offences. We weren't talking about one single isolated offence, we were talking about quite a series and a serious series of offences.
- G Q Was a threat made to you by R20 on your refusal to back up his request?
A Yes, a threat was made while he was being taken out the back of the cells; not heard by me directly but heard by the Prosecuting Inspector who was sitting directly at that door in the Juvenile Court, Inspector Hammond.
- H Q And this was reported to the Magistrate, is that right?
A He then reported that to the Magistrate. I can recollect him being sworn in to give the evidence because I think it was the first time I had ever experienced that within the Juvenile Court so I can recollect that about it. He was sworn in and questioned about the incident.

Date	Summary	Abuse Reported to Welfare Department/ Social Services	Abuse Reported to RUC	Further Information	Reference Document
05/01/1977	RUC Intelligence Document, 'MIONI P74', mentions McGRATH's employment in Kincora.			This is the first time Kincora is mentioned by name in the documents provided by the Military to the 1983 CASKEY investigation; that said it is an RUC SB report as opposed to a military generated intelligence report.	Exhibit SWJS10, part of C64/5/83
June 1977	Captain Brian GEMMELL resigns his Commission from the British Army.				See Exhibit GC12 - 2016
16/08/1977	Kincora resident, R 18, made allegations against McGRATH to Social Services.	R 18 alleged to his Social Worker (Anna HYLAND) that he had been indecently assaulted by William McGRATH.			
17/08/1977	Social Services discussed the allegation made by R 18 against McGRATH.			HYLAND raised the allegations with Joe MAINS but was dissatisfied with his attitude to the matter and informed her superior Alan CHARD. A copy of HYLAND's report was forwarded to Gordon HIGHAM.	Report by D/Supt G CASKEY, dated 23/02/1982, para 27-30
September 1977	Joseph MAINS contacted Richard KERR's social worker, Helen GOGARTY, as he was "mildly concerned" about KERR and wanted her to talk to him.			It is not clear what MAINS' concerns over KERR were. GOGARTY did not discuss this with KERR as he was arrested for burglary in early October 1977.	Exhibit GC14, part of GC10 (C64/2/80)

With every good wish at Christmas



Here's a wish that's Just For You
Now Christmas time is here
May you have a jolly time
That will last you till next year.

*All the best
Richard
From Derek*

Date	Reported to Welfare Department/ Social Services	Military Knowledge	Reported to RUC	Action Taken
<p>1976 Feb</p> <p>Hilary NEILL, Social Worker, was told by Kincora staff of a homosexual incident in the Hostel involving R 9.</p> <p>Mar</p>			<p>RUC became aware of the existence of the Mason File from Social Services.</p>	<p>No further action appears to have been taken by Social Services.</p> <p>Copy of the Mason File given to D/Con CULLEN who claims he passed it on to ACC MEHARG; this is disputed by MEHARG.</p>
<p>1977 Aug</p> <p>Kincora Resident, R 18, made allegations to his social worker re: McGRATH.</p> <p>Oct</p> <p>Social Services became aware of RUC concerns about "events" at Kincora.</p> <p>Nov</p> <p>Richard KERR made allegations of indecent assault by McGRATH to a social worker in Rathgael.</p>			<p>D/Con SCULLY raises concerns to Social Services re: relationship between Richard KERR and Joseph MAINS.</p>	<p>Social Services concluded that R 18 allegations were 'questionable'.</p> <p>A number of meetings were held between RUC and Social Services to discuss concerns. A weekly monitoring system was introduced at Kincora to highlight "untoward" daily events.</p> <p>No further action taken following KERR's allegation.</p>
<p>1978 Jan</p>	<p>Further allegation from R 18 re: MAINS' behaviour whilst on duty.</p>			
<p>1979 Mar</p>	<p>KERR'S Social Worker, Judy KENNEDY, reported to her superior, that Kincora was ruled out as suitable accommodation for KERR as it was "apparently under investigation because of the warden's alleged involvement with a homosexual circle".</p> <p>A senior Social Worker in the EHSSB was told by Gordon HIGHAM that MAINS was suspected of being a homosexual and having a relationship with a Kincora resident.</p>			<p>There are two copies of the report prepared by Judy KENNEDY; one contains the comments about the Kincora Warden's alleged homosexuality and the other copy has this section blacked out at the request of KENNEDY'S supervisor Roy BLAIR. BLAIR had asked for the reference to homosexuality in Kincora to be removed as it was an "unsubstantiated comment".</p> <p>No further action was taken by Social Services, except ruling out Westwinds as a potential alternative address for Richard KERR, on his release from Borstal.</p>

that the relationship between R 2 and MAINS was widely known amongst many Kincora residents, some of whom recalled seeing R 2 visit MAINS in Kincora and remember him staying overnight in MAINS' accommodation in the hostel.

MAINS brought R 2 on social outings, at times, together with MAINS' girlfriend and family.

- **Hugh QUINN**

Hugh QUINN and Joseph MAINS had a 20 year relationship, which began when QUINN was a resident in Kincora and lasted until just before MAINS' arrest in 1980. Their relationship continued after QUINN left Kincora, and Northern Ireland, to live in London. QUINN returned to stay in Kincora on his visits to Belfast and MAINS travelled to London to stay with QUINN.

- **R 4**

R 4 and MAINS continued to have sex after R 4 left Kincora in 1966 until late 1979. R 4 made a number of return visits to Kincora to visit MAINS.

8.3 Corporal Punishment

The official guidelines regarding Children in Residential Care, was that corporal punishment was not allowed as a form of punishment, discipline was to be achieved through *“personal relationships, by way of example, and when necessary, by withdrawing privileges”*.¹⁵

A number of former residents told police that MAINS had physically abused them during their time in Kincora. MAINS admitted that he had used a cane as physical punishment, including on R 5 after he had gone to complain about MAINS to the Welfare.¹⁶

9.0 The Mason File

Three Kincora residents made separate complaints to Social Services between 1967 and 1971 against Joseph MAINS. MAINS was interviewed on several occasions by staff from the Belfast Welfare Authority and, following the completion of enquiries, a consolidated file was compiled by Henry MASON, City Welfare Officer and presented to the Town Solicitor (John YOUNG) in August 1971. Despite the file having a recommendation that the matter be passed to the RUC, there is no evidence that police were made aware of the nature of the complaints against MAINS at this time. Indeed, it is believed that the Mason File was not handed to the RUC until 1976.

10.0 Richard KERR

Richard KERR was a Kincora resident between 1975 and 1977. KERR features prominently in the Kincora 'story' as there were concerns over KERR's 'relationship' with MAINS that prompted his social workers to contact Peter McKENNA of the Irish Independent in late 1979. McKENNA went on to publish the article in his newspaper in January 1980 which exposed the Kincora scandal. A number of other individuals,¹⁷ who knew KERR through their professional involvement in his care,

¹⁵ Statement of Robert BUNTING, 13/05/1980

¹⁶ Statement of D/I McClure 20/08/1980 re interview of J MAINS 01/04/1980

¹⁷ See statements of D/Con J SCULLY, Sgt G SILLERY, H GOGARTY, R CONWAY, J SWANN, R MOORE, W MORRIS

RESTRICTED

Kincora – Exhibit GC8

Person Profile – Richard KERR

MK and SM
Higher Police Analyst (Strategic Analysis)
May 2016

This report should be read in conjunction with the statement of D/C/Superintendent Clarke provided to the HIAI and should not be further disseminated.

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1.0 Background

This profile on Richard KERR is part of a wider strategic review of all Kincora-related material held by the PSNI. This profile has been prepared using a variety of sources of information, though most notably has relied on the material contained in the RUC investigation into Kincora, the Sussex Police Review and associated police files¹. Whilst it is acknowledged that during the last two years Richard KERR has made numerous additional allegations to the media, only those made to police have been included in this report.

This profile has been written with an assumed knowledge, on the part of the reader, in relation to Kincora and some of the key individuals involved.

2.0 Overview

Richard KERR is a key individual with regards to allegations of child abuse at Kincora. It was his social workers (Helen GOGARTY and Judith KENNEDY) who first highlighted the 'goings-on' at Kincora to a journalist, Peter McKENNA of the Irish Independent. The subsequent article which appeared in that newspaper in January 1980, largely focussing on the KERR case, started the public exposure of what became known as the 'Kincora abuse scandal'.

When first interviewed by the RUC in April 1980, KERR made no complaints of [sexual] abuse against any members of staff at Kincora or any of the care institutions he had been resident in. KERR stated *"...during the time I was in homes and other institutions, I did not make any complaints about indecent behaviour, about anyone to any members of the welfare. There were no complaints to make"*².

By 1982, KERR's account³ had altered. He admitted to Sussex police that his initial statements in 1980 were *"true up to [the] point"*; however, he made a number of further disclosures to the Sussex police team, including admitting to having had consensual sex with William EDMONDS and being in a consensual homosexual relationship with [REDACTED] (with whom he was living with in Preston). KERR also alleged for the first time, that he had been abused whilst in care, in Williamson House [c.1979] by Eric WITCHELL, the person in charge.

At the time of his statement in 1982 KERR confirmed that he had had a number of casual homosexual relationships in London and considered himself to be bi-sexual.

3.0 Personal Details

Name: Richard KERR

Date of Birth: [REDACTED]

Previous Family Addresses: [REDACTED]

Residential care:

1966 – Williamson House

June 1975 – Kincora Boys' Hostel

¹ RUC Crime files C64/2/80 & C64/2/80 (1982)

² Statement of Richard KERR, 25/02/1980

³ Statement of Richard KERR, 26/10/1982

4.0 Overview of Richard KERR's allegations to police

KERR was admitted to Kincora on the 27th June 1975 and remained a resident there until his arrest, following his involvement in a series of burglaries, in October 1977; KERR was subsequently remanded in custody to Rathgael. It was following this arrest that D/Constable SCULLY⁴ became concerned about KERR's behaviour, when he [KERR] became "*livid with rage*" after MAINS refused to visit him in police custody. KERR threatened to "*tell all*" if MAINS did not appear. Amongst the issues D/Constable SCULLY had about Richard KERR and Kincora, was the apparent "*lack of discipline*"⁵ in the Home. SCULLY believed there was more substance to KERR's 'veiled threats' and discussed this with a number of social workers, though he had no evidence to substantiate his concerns. David MORROW, Senior Social Worker, appears to have agreed with SCULLY'S assessment, noting that KERR had an "*abnormal attachment*" to MAINS⁶.

During his time in Kincora, KERR told police he looked on Joe MAINS as "*a father*" and would sit in MAINS' flat within Kincora, discussing his future; at times this involved alcohol consumption. KERR stated that MAINS never touched him or said anything to him of a homosexual manner⁷.

KERR told police, however that William McGRATH was known as a homosexual in Kincora, as KERR had been told by other residents that McGRATH had 'tried it on' with them. KERR told police in 1980 that McGRATH "*used to play around*" with him and McGRATH enjoyed it "*in a homosexual way*".

Whilst in Rathgael, KERR continued to ask for MAINS to visit him⁸. Given that hostel staff had no responsibility to former residents once they move into new accommodation, it has been said this was an 'unusual' rather than regular occurrence.

KERR has never made a complaint to police of abuse by Joseph MAINS.

At his trial in December 1977, KERR was sentenced to Borstal training and transferred to Millisle. During his time in Millisle, KERR met William 'Billy' EDMONDS (a Medical Orderly). Initially in 1980, KERR told police that when in Woburn House [Millisle] he became friendly with EDMONDS who "*treated him differently and gave him things*". In 1982 KERR admitted to Sussex police that EDMONDS "*didn't do anything*" to him whilst at Millisle, but after he left there, EDMONDS committed buggery with KERR at EDMONDS' house. KERR also alleged that EDMONDS gave KERR a radio as a gift, following sexual relations. KERR alleged that on two further occasions, EDMONDS attempted to have sex with him, but KERR says he refused. KERR said he didn't tell the RUC in 1980 about EDMONDS bugging him because he was "*embarrassed*" and thought they [RUC] were "*only interested in Kincora*". EDMONDS provided a statement to the RUC in 1980 admitting to having had sexual contact with Richard KERR whilst he was in Millisle Borstal, placing the abuse in Millisle⁹.

There was difficulty in finding suitable accommodation for KERR on his release from Millisle Borstal in February 1979. Kincora had allegedly been ruled out by social workers over concerns about possible homosexual activity there¹⁰. In his statement, William MORRIS, a former social worker¹¹ highlighted that, "*... it was suspected that Joseph MAINS, the Warden of Kincora, was homosexual*

⁴ Statement of D/CON SCULLY, 28/01/1980

⁵ Statement of Clive SCOLAR, 30/04/1980

⁶ Statement of David Patrick MORROW, 13/02/1980

⁷ Statement of Richard KERR, 25/02/1980

⁸ Two letters sent to Mr MAINS from R KERR dated 28/12/1977 and 09/01/1978

⁹ Statement of William EDMONDS, 10/04/1980

¹⁰ Statement of J KENNEDY, 21/04/1982

¹¹ Statement of William MORRIS, 23/09/1982

and believed to be having a homosexual relationship with the boy [KERR] and for the latter's protection it was necessary that alternative accommodation be found".

In 1979, on release from borstal, KERR was placed in Williamson House for a period of 6 weeks. KERR told Sussex police in 1982, it was during this stay in Williamson House when he was abused by Eric WITCHELL. KERR told police that he had sex with Brother Eric WITCHELL. KERR had left Millisle and been placed in Williamson House for a period of 6 weeks [c. February/ March 1979], during that time WITCHELL buggered KERR about 3 or 4 times and that alcohol was involved. KERR stated "*he was the first man to start me off on homosexuality*".

5.0 Statements provided to police by Richard KERR

Richard KERR provided two statements to the initial RUC investigation in February 1980 and a further statement to the Sussex police team in October 1982. The following sections are a résumé of the most pertinent points made in each of his three statements to police.

5.1 Key Points from Statement of 25th February 1980

KERR stated that whilst a resident in Williamson House he met **KIN 340**. They formed a friendship which continued when KERR moved to Kincora. **KIN 340** together with another male, **KIN 341**, collected KERR from Kincora and frequented a number of hostels in the Belfast and Larne areas. KERR stated that he only went with these men as friends and had visited **KIN 341** home where they would have drinks.

In his statement, KERR admitted that he had gone to the Highways Hotel, Larne on 14th October 1977 with **KIN 341** and **KIN 340**. KERR was arrested for theft from the hotel on this date.

During his time in Kincora, KERR looked on Joe MAINS as "*a father*"; MAINS knew about [some of] KERR's criminality (i.e. break-ins). He would sit in MAINS' flat in Kincora, discussing his future; at times this involved alcohol consumption. KERR stated that MAINS never touched him or said anything to him of a homosexual manner.

KERR stated that he was told by a number of other Kincora residents that McGRATH was a known homosexual and that MAINS knew of William McGRATH touching boys who were resident in Kincora. KERR told police that McGRATH had "*played around with me by pulling my jumper and wrestling with me. He would pull me close to him, his front to my back, and press his belly up against me ... I knew he was enjoying it in a homosexual way*".

KERR clarified to police that what he had meant by his threat to "*tell all*" after MAINS failed to turn up for his court case in October 1977. This threat related to their drinking together and that MAINS knew about KERR's criminality and had knowledge of McGRATH's "*behaviour*".

Whilst in Kincora, KERR met Stephen WARING (Kincora resident) and they became involved in criminality with **KIN 274** (Kincora resident) who KERR claimed orchestrated these crimes. KERR stated that he and WARING had a suicide pact, should they be caught for their crimes. KERR said that since hearing the news of WARING's death [November 1977] he had tried to commit suicide by slashing his wrists on several occasions.

KERR told police that when in Woburn House [Millisle] he became friendly with William EDMONDS. When he was released from Millisle, KERR said that EDMONDS visited him in the Park Avenue Hotel and Bishops Court Hotel where he [KERR] was residing and they had drinks together.

Also whilst in Millisle borstal, KERR mentioned that he was visited by Eric MITCHAM [WITCHELL] who was dressed as a church minister but that he [KERR] hadn't asked for this visit.

When KERR moved to live with his aunt in Preston in 1979, he met a [REDACTED], who KERR later shared a house with. [REDACTED] received rent from KERR of £15 per week. KERR stated that he had received the gift of a watch from [REDACTED] for Christmas 1979. KERR told police "there is nothing going on between him and I".

KERR stated that he "did not make any complaints about indecent behaviour by anyone to any members of the welfare. There were no complaints to make".

5.2 Key Points from Statement of 26th February 1980

KERR also told police that two residents, [REDACTED] R 9 and [REDACTED] KIN 46, moved in with a retired social worker [REDACTED] KIN 342 when they left Kincora in July 1977. KERR claimed that there were rumours that [REDACTED] KIN 342 was homosexual.

KERR stated that MAINS had asked him to give him a massage one night, whilst in Kincora; this was witnessed by Stephen WARING. KERR refused. KERR was asked by MAINS if [REDACTED] KIN 46 ever masturbated and KERR wondered why MAINS had asked this.

5.3 Key Points from Statement of 26th October 1982

KERR told the Sussex team that his first statement in 1980 was true up to the point he talked about his friendship with Billy EDMONDS (see Section 4 above).

In his statement in 1982 KERR also told police that he had sex with Eric WITCHELL in Williamson House.

6.0 Conclusion

It is known to the author that Richard KERR has made numerous allegations to the media; however the details of these have not been included in this report. Only allegations contained within statements provided to the RUC and Sussex Review team have been considered.

RESTRICTED

Kincora – Exhibit GC9

Person Profile – Raymond SEMPLE

MK and SM
Higher Police Analysts (Strategic Analysis)
May 2016

This report should be read in conjunction with the statement of D/C/Superintendent Clarke provided to the HIAI and should not be further disseminated.

1.0 Introduction

This profile on Raymond SEMPLE is part of a wider strategic review of all Kincora-related material held by the PSNI. Similar profiles on the two other convicted Kincora staff have also been prepared.

2.0 Background

Raymond SEMPLE was arrested on 1st April 1980 for alleged homosexual activities at Kincora Boys' Hostel. At his trial in 1981, SEMPLE pleaded guilty to 4 counts of homosexual abuse against 2 Kincora residents (buggery x2 and gross indecency x2) and was sentenced to 5 years imprisonment. SEMPLE's sentence was longer than that of McGRATH's (4 years imprisonment following conviction for 15 charges) as it was felt that his sentence should be reflective of the position of responsibility that SEMPLE held at the hostel. SEMPLE was released from HMP Maze on 08/06/1984.

3.0 Methodology and Information Sources

This profile has been prepared using a variety of sources of information, though most notably has relied on the material contained in the RUC investigations into Kincora (1980 & 1982), the Sussex Police Review and associated police files¹. Open source research was also undertaken and is referenced where appropriate in this report.

This profile has been written with an assumed knowledge, on the part of the reader, in relation to 'Kincora' and some of the key individuals involved.

4.0 Key Findings

- Little is known about Raymond SEMPLE, particularly in relation to his life outside Kincora.
- Unlike his fellow convicted Kincora staff members, Raymond SEMPLE, openly admitted to police that he was a homosexual. This was confirmed in a medical examination.
- His 'friendship' with MAINS facilitated his employment at Kincora, on 2 separate occasions.
- Unlike his fellow Kincora convicted staff members, prior to the RUC investigation in 1980, there were no complaints or allegations to police or social services, made against SEMPLE by Kincora residents.
- Raymond SEMPLE's sentence of 5 years imprisonment was reflective of his position as second-in-charge within the Hostel, as opposed to the number of charges and victims, particularly when compared with William McGRATH's case.
- There is no evidence that SEMPLE committed sexual abuse on any other Kincora resident, other than the two he was convicted of abusing.

¹ RUC Crime files C64/2/80 & C64/2/80 (1982)

5.0 Personal Details

Name: Raymond SEMPLE

Date of Birth: 6th January 1922

Date of Death: 7th December 2010

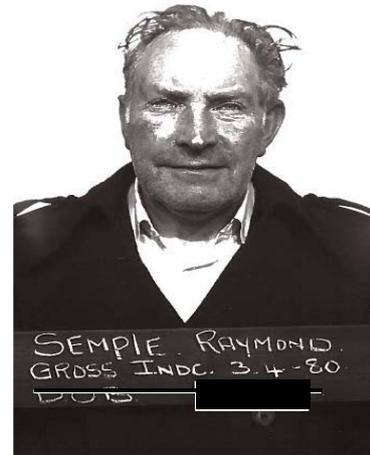
Last Known Address: [REDACTED] Belfast

Employment history:

Shorts- Fitter's Helper (1938 – c. 1945)

Harland and Wolff- Fitter's Helper (c. 1947 – 1964)

Kincora Boys' Hostel-Deputy Officer in Charge (08/09/1964 – 28/02/1966) and (10/06/1969 – suspension on 04/03/1980)



Custody Photo: Raymond SEMPLE

6.0 SEMPLE's Private Life

Prior to his employment at Kincora, Raymond SEMPLE is known to have worked as a Fitter's Helper from the age of 16. He had volunteered with the St John's Ambulance Service for 25 years and was an Officer in the 13th Belfast Brigade of the Boys' Brigade. He also appears to have had an interest in football; he was a Steward for Glentoran FC.

When SEMPLE was interviewed by the RUC in 1980, he freely admitted to be a long practising homosexual. His admission was later confirmed in a medical examination carried out on SEMPLE in April 1980². During his interview, SEMPLE admitted to police that he would regularly frequent Botanic Gardens in Belfast to meet strangers for homosexual sex.

No further details are known about Raymond SEMPLE's private life. He did not have a known long term partner and police do not appear to have identified or spoken to any men with whom SEMPLE had a homosexual relationship outside of Kincora.

7.0 SEMPLE's Employment in Kincora

Raymond SEMPLE had two periods of employment as Deputy Warden in Charge of Kincora Boys Hostel, which included 'living-in'. His first period of employment began in September 1964 when he was aged 42. He had applied for the post at the suggestion of Joseph MAINS, whom SEMPLE knew from their time together with the St John's Ambulance Service. SEMPLE had no formal qualifications relevant to this post, but did, however, work on a voluntary basis in Kincora for a number of years prior to his employment³. Joseph MAINS also provided SEMPLE with a favourable reference which assisted him in successfully obtaining the position.

² Statement of Robert B IRWIN, 17/07/1980

³ Report of the Committee of Inquiry into Children's Homes and Hostels, 1985, para 3.15 & Kincora Visitors Book

In February 1966, SEMPLE resigned from his position in Kincora Hostel, claiming that he left due to his mother's ill health. It is believed that SEMPLE resigned at the suggestion of MAINS following his discovery of SEMPLE's homosexual relationship with [REDACTED] R 1, a Kincora resident. After he left Kincora, Raymond SEMPLE worked in Harland and Wolff and Cyril Lord's Carpets, before returning to the Hostel three years later⁴.

In 1969 Raymond SEMPLE was again appointed as Deputy Warden in Kincora, having again applied for the post with the backing of MAINS. He remained in post until he was suspended on 4th March 1980, following the exposure of the Kincora 'scandal' by the media in January 1980.

8.0 Abusive 'Relationships' with Kincora Residents

Raymond SEMPLE admitted to sexually abusing two Kincora residents in the early 1960s – [REDACTED] R 1 and [REDACTED] R 7. [REDACTED] R 1 and [REDACTED] R 7 were both also sexually abused by Joseph MAINS as well as Raymond SEMPLE when they were resident in Kincora. It is also of note that the 'relationship' between SEMPLE and [REDACTED] R 1 continued for some time after [REDACTED] R 1 had left Kincora.

8.1 [REDACTED] R 1

[REDACTED] R 1 told police that after he left Kincora, he remained friendly with SEMPLE and continued to have sex with him⁵. SEMPLE and [REDACTED] R 1 were both stewards at the Oval. According to [REDACTED] R 1, the two men travelled to football matches together and had sex in the toilets of the train. SEMPLE would also visit [REDACTED] R 1 in his flat where they would have sex. [REDACTED] R 1 claims their relationship continued until c. 1974.

8.2 [REDACTED] R 7

When interviewed by the RUC in 1980, SEMPLE admitted to police that he had sexually assaulted [REDACTED] R 7 when he was resident in Kincora. [REDACTED] R 7 confirmed the abuse.

8.3 Further Allegations

No further allegations of abuse were made to police against SEMPLE by Kincora residents to either the 1980 RUC investigation or 1982 Sussex Review. It is of note that [REDACTED] KIN 26 (ex-resident) in his statement to police claimed that he knew that [REDACTED] KIN 14 was a favourite of SEMPLE's with whom he regularly stayed at weekends [at SEMPLE's home]⁶.

Although no allegations of sexual abuse were made, [REDACTED] KIN 46, former Kincora resident, told police in 1980 that he had gone drinking with SEMPLE on a number of occasions to the Glentoran and Crusaders Clubs⁷.

⁴ Statement of D/Con William McGLADDERY, 06/07/1980

⁵ Statement of [REDACTED] R 1, 12/05/1980

⁶ Statement of [REDACTED] KIN 26, /04/1980

⁷ Statement of [REDACTED] KIN 46, 12/07/1982

9.0 Knowledge of SEMPLE's Abuse of Kincora Residents

Unlike Joseph MAINS and William McGRATH, prior to the 1980 RUC investigation, Raymond SEMPLE had not been the subject of any previous police or social services 'investigations' into sexual abuse allegations.

Joseph MAINS was aware that Raymond SEMPLE had sexually abused [R 1] in Kincora and, allegedly, had told him to stop. MAINS also sexually abused [R 1]. SEMPLE claims that he left [R 1] alone for approximately a week after being reprimanded by MAINS, before recommencing the abuse. Again, MAINS spoke to SEMPLE, this time "*MAINS was serious about it*"⁸. In February 1966 at MAINS' suggestion⁹, SEMPLE resigned from his position.

10.0 SEMPLE's Knowledge of Abuse in Kincora

10.1 Abuse by Joseph MAINS

SEMPLE told police that some of the boys in Kincora had complained to him that "*MAINS was having intercourse with them*"¹⁰ but claims he didn't remember the complainants' names.

10.2 Abuse by William McGRATH

Raymond SEMPLE claimed that he discussed the residents' complaints of abuse against William McGRATH with Joseph MAINS and that they both "*tried to watch McGRATH*"¹¹ to prevent further abuse. SEMPLE alleged that he "*felt embarrassed about the complaints because MAINS had to tell him off about unlawful sexual intercourse with the boys during his first period of employment in Kincora*"¹².

10.3 Co-resident Abuse

Raymond SEMPLE was made aware of some homosexual activity between residents in Kincora. There is no evidence that SEMPLE did anything about these complaints.

11.0 SEMPLE's Association with William McGRATH

Prior to William McGRATH starting work in Kincora in 1971, Raymond SEMPLE did not know him, describing him as "*a complete stranger*".¹³ There is no evidence that the two men were ever anything more than work colleagues.

⁸ Statement of D/Con W McGLADDERY, 06/07/1980

⁹ Statement of D/S J MIDDLEMISS, 13/5/1980

¹⁰ Statement of D/Con William McGLADDERY, 06/07/1980

¹¹ Statement of D/Con J SHORT, 14/04/1980

¹² *ibid.*

¹³ Statement of D/Sgt WA GRAHAM, 20/05/1980 re interview with R SEMPLE on 01/04/1980

12.0 SEMPLE's Association with Joseph MAINS

Raymond SEMPLE and Joseph MAINS appear to have had a long standing 'friendship' for many years prior to becoming work colleagues in Kincora, having met through their voluntary work with the St. John's Ambulance. MAINS told police that he'd also known Raymond SEMPLE through [REDACTED] **BAR 1** (MAINS' fiancée)¹⁴.

Having previously volunteered in Kincora with MAINS, SEMPLE successfully applied for the post of Deputy Warden in 1964; indeed MAINS' influence ensured SEMPLE's reappointment in 1969.

Outside of work, the two men often socialised together in various bars and hostelries in East Belfast and beyond. They were both honorary members of the Harland & Wolff Social Club due to "their work with children"¹⁵. Raymond SEMPLE was also known to frequently socialise with members of the wider MAINS family, including **BAR 1**.

On two consecutive Easter holidays, Raymond SEMPLE and Joseph MAINS went on a tour of Ireland together in the early 1960s, accompanied by Kincora residents Hugh QUINN and **R 2**. **OV 7** also went on these trips.

Both MAINS and SEMPLE were asked by police if they had had a homosexual relationship at any stage; both men denied this.

¹⁴ Statement of D/Sgt J MIDDLEMISS, 13/05/1980 re: interview with Joseph MAINS

¹⁵ Statement of [REDACTED], 02/02/1983

A DETECTIVE CONSTABLE JOHN SCULLY, called and sworn
Examined by MR SHELL

Q Mr. Scully, you are a detective constable in the Royal Ulster Constabulary?
A That is correct.

Q And are you stationed at Strandtown?
A Yes.

B Q And for how long have you been stationed at Strandtown now?
A About 20 years.

Q And for how long have you been in the Force?
A Getting up on 34.

C Q Now, if I might take you to 4th October of 1977, do you recollect that on that date about nine o'clock in the morning you went to Kincora Boys Home to see two youths?

A That is correct, I went at about quarter to nine in the morning.

Q And was that visit concerning certain burglaries that had taken place recently?

A That is correct, yes.

D And Mr. Kennedy, might the witness have the names with the numbers beside?
I think they are R20 and R35.

E

F

G

H

Q. If you look at R20.....

VN/23/1

D/C SCULLY
BY MR SHEIL

A

Q If you look at the list, if you look at R.20 and R.35, do you see the names of the two youths you went to visit on 4 October, 1977.

A R.20 is correct. R.35 is not.

Q It's not correct?

A No.

B

MR KENNEDY: I think the second person to whom you wish to refer is deceased and I think he may have already been mentioned and given a different number.

MR SHEIL: Well as long as we know who we're talking about. What is the correct number Mr Kennedy?

MR KENNEDY: R.37.

C

MR SHEIL: R.37. Now prior to that visit on 4 October 1977, did you know that the Superintendent in charge at the Hostel was Mr Joseph Mains?

A Yes I knew Joseph Mains and I knew Raymond Semple.

Q And prior to that visit on 4 October 1977, did you have any suspicions about Mr Mains in relation to homosexuality?

A I had, yes.

D

Q And would you just tell the Tribunal what exactly was the nature of that suspicion and what it was grounded upon?

A Well for a long time I had seen him in the company of a very well known homosexual.

Q And is that R.2 on the list?

A That is correct.

E

Q But apart from seeing him in the company of R.2, had you any evidence at all to ground that suspicion?

A No evidence, just suspicion.

Q At that stage did you know that R.2 had been a former resident at Kincora: that was in October 1977?

A No I did not, no.

F

Q Had you had occasion prior to October 1977 to go to Kincora from time to time about various police enquiries?

A That is correct. AT times some of the lads had got involved in trouble and I had to call there in the line of duty.

Q During the course of those visits and other enquiries, had anybody at any time made any complaint to you about any homosexual conduct, either by the staff or by any other residents of the home?

A None whatsoever.

G

Q Turning to the morning of 4 October 1977, when you arrived there to see R.20 and R.37, in relation to R.20 if I may concentrate upon him for a moment - was he about the Hostel or was he still in bed when you called?

A He was still in bed. I spoke to Semple. He was the only person who was there.

Q Semple was the Deputy Superintendent?

A He was the Deputy Superintendent, yes.

H

Q And did he say anything in relation to R.20?

A He told me that R.20 wasn't long in bed, that he had come in at 7.00 a.m. very much under the influence of drink.

A

Q Did he then go off and waken R.20 and bring him down to you?

A He did yes.

Q And did you then bring R.20 and R.37 to Strandtown Police Station?

A Yes. I detained them and took them down to Strandtown C.I.D. Office.

Q Dealing with R.20, did you question him in relation with the burglaries?

B

A I did.

Q Did he ask at that stage for anybody to come and see him, or to get in touch with anybody on his behalf?

A He wasn't very long in the Station until he asked for Mr Mains to be rung and informed that he was there and that he wanted to see him.

Q Did he ask on a number of occasions throughout that day to see Mr Mains?

C

A Mr Mains was contacted and he said he'd be there at lunch time. He didn't turn up at lunchtime. There were two telephone calls made altogether. On the last occasion it was about half-past-one, two o'clock and I said that Mr Mains would be done later on and he said - "He'd better".

Q When R.20 said to you that "he'd better", what did you understand from that?

D

A He was very vehement in the way he said it, a threatening attitude. He actually wanted to speak to Mr Mains on the phone and I wouldn't let him.

Q Did you become suspicious at that stage by reason of this comment?

A It was the first time I had met R.20 and his whole mannerisms led me to a suspicion, and I asked two other C.I.D. men to go in and have a look at him as well and see what they thought of him because he was effeminate and had the hallmarks of a homosexual.

E

Q Did Mr Mains then eventually arrive down at the Police Station?

A Yes. He came down about half-past three/four o'clock in the afternoon.

Q And did R.20 request to see him in private, that is in the absence of any Police Officer?

A As soon as he came in he asked to see him in private. I granted this. He spoke to him and then there were statements taken in relation to the series of crimes which I had detected.

F

Q In the course of your discussions with R.20 and your investigations, eventually terminating with statements taken from him, did you ask R.20 if he had any complaints to make against anybody in Kincora, either staff or residents?

A That is correct.

Q And what reply, if any, did he make to that?

G

A He said he had no complaints whatsoever.

Q And did you then eventually take R.20 and R.37 down to the Station?

They were at the Station at this stage were they?

A They were at the Station, yes.

Q Were they detained overnight there, or elsewhere?

A I formally arrested and charged them at about 8.30 that night and conveyed them to Rathgael Training School.

H

Q And then on the following morning, 5 October 1977, did they both appear at the Juvenile Court in Belfast?

A Both appeared at the Juvenile Court in Belfast on the following day, 5 October 1977.

VN/23/3

93

- A** Q On that morning when you were down at the Juvenile Court, did R.20 say anything with regard to whether or not Mr Mains was going to attend the Court? Can you recollect?
A I went to Rathgael that morning and conveyed both to the Court and as soon as I saw R.20 he demanded to know if Mr Mains was going to be at the Court. He actually wanted me to go via Strandtown and ring him and make sure he would be at the Court because he wanted to be bailed out into his custody.
- B** Q Did Mr Mains appear at the Court on that date?
A No he didn't.
- Q What was R.20's reaction to his non-appearance?
A He was very angry and annoyed and at the Court, when a further remand was given, he demanded to see me in the back and demanded me to go and ring Mr Mains to bring him down to the Court because he wanted to get out into his custody, back into Kincora again.
- C** Q What was your feeling about his returning to Kincora on that evening, 5 October 1977?
A Prior to the case being heard I had gone to the Prosecutor. I didn't want him to be put back into Kincora and I asked the Prosecutor, Inspector Hammond, to oppose bail to Kincora and to have them remanded to a Training School.
- Q Well although it might be self-evident, why was that, why were you unhappy about his going back to Kincora?
D A I was very unhappy about Mains and R.20 and the attitude that R.20 was taking towards Mains.
- Q Could you just spell out what was in your own mind. Although it might be self-evident but for the record, what was your concern?
A That there was something going on between R.20 and Mains.
- E** Q When you say "something" do you mean something of a homosexual content?
A That is correct.
- Q Were they remanded then to 14 October 1977?
A They were remanded in custody, yes. They again appeared at Belfast Magistrate's Court on 14 October 1977.
- Q And on this occasion did R.20 again demand that Mr. Mains be sent for?
F A Yes, and Mains refused to come to the Court.
- Q Did he indicate to you at that stage whether there was any implied threat in the way he was putting it, that Mains should come to Court?
A He did yes.
- Q Can you recall just exactly what it was he said? What was the phrase he used?
A It was more or less - "He better, or I'll tell all".
- G** Q Did you ask R.20 what exactly he meant by that?
A Yes. Actually in the cells I put it to him if he had any sort of relationship with Mains and he laughed at me. I told him I had tried to contact Mains but Mains refused to come. He was very, very angry, very angry.
- Q Did you press him then as to what exactly he did mean, that he would "tell all". Did he eventually tell you something about something that had happened between himself and Mains?
H A Yes, he said that he would tell the people that Mains gave him Sherry in his private quarters late at night.

VN/23/4

A

Q At the conclusion of that Hearing on 14 October 1977 was he returned to his cell?

A He returned to his cell where I had a conversation with him and I left him. Shortly after I left him he slashed his wrists with a razor blade which unfortunately he had concealed in the lapel of his coat and I didn't find it.

B

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Q. From what you are aware of

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Q From what you are aware of that incident of his slashing his wrists in the cells, did that appear to be a serious attempt or was it more a gesture?

A It was more a gesture, because all he needed was medical treatment on the spot. He did not have to go to a hospital, and he was returned in custody to Rathgael again.

B

Q Did he eventually appear on 21 October 1977 with R 37 at the Belfast Juvenile Court?

A That is correct.

Q Did he plead guilty to a number of burglary charges and ask for other charges to be taken into account?

A That is correct.

C

Q What happened in relation to R 37, the other youth? He appeared at the same court?

A He appeared at the same court, and he got one to three years in Rathgael training school.

Q What happened in relation to R 20?

A He made a very strong plea to the court, that he was working, had a job as a porter in a Belfast hotel and that he would pay back the money that he had stolen, etc. He made a great plea to the court, as a result of which his case was put back pending his future behaviour on his return to Kincora.

D

Q I think it was adjourned for one year, he having undertaken to pay restitution?

A That is correct.

E

Q Did anybody from Kincora attend that court hearing on 21 October 1976?

A Yes, Mr McGrath.

Q Did he give any evidence to the court?

A I do not think so. I spoke to McGrath at the court that day, and he told me that he did not want R 20 back in the place, that he was a trouble-maker.

F

Q Did he indicate to you what he meant by saying he was a trouble-maker, or did you interpret it?

A I did not ask for any interpretation of it. It was the first time I had ever spoken to McGrath.

Q Subsequently, on 25 November 1977, are you aware that R 35 did escape from Rathgael and eventually went to Liverpool, and was lost overboard on the way back?

A That is correct.

G

Q Then on 21 December 1977 did R 20 again appear at Belfast Juvenile Court in connection with an alleged theft of £40?

A Yes, £80. He actually went into Mr Semple's quarters to steal a pair of socks, and he found his wallet underneath, and he removed £80 from the wallet. He put £40 in an account in the TSB and kept £40 for himself.

H

MT/24/2

96

D/C SCULLY
BY MR SHEIL

A

Q Was he sent to borstal for three years?

A I asked that the cases pending from 21 October be dealt with, and all were dealt with on that day, and he was sent to borstal that day.

B

Q If I may go back to October 1977 when R 20 and R 35 first came to your attention, you have told the tribunal about your concern, having met R 20, that he had some homosexual tendencies, that you had some suspicions about Mr Mains, and that you were concerned there might be some connection between R 20 and Mr Mains of a homosexual nature. Did you discuss it at this stage with any colleague at the police station?

A Yes, I discussed it with the head of Juvenile Liaison Branch, Sgt Sillery, Chief Inspector now.

C

Q He will perhaps elaborate to the tribunal on exactly what that liaison branch was, but will you briefly tell the tribunal what it was?

A It was a pilot scheme that had just been set up in part of Belfast to deal with juveniles who had never been in trouble before, and if they did get in trouble they would be dealt with by the Juvenile Liaison Branch rather than be taken to court.

D

Q Did you tell Sgt Sillery of your suspicions about Mr Mains and about R 20 and that you thought there might be a connection between the two because of the threats he appeared to be making about Mr Mains?

A That is correct.

E

Q We know that on 14 November 1977 Mr Scoular and the last witness, Mr Higham, called down at the Strandtown Police Station. Were you there at that time?

A No, I was not there that day.

F

Q Do you recall subsequently on 5 December 1977 you and Sgt Sillery went to Purdysburn Hospital to see Mr Scoular?

A Yes, we went to Purdysburn to his office.

Q Can you recollect who was there apart from Mr Scoular?

A No, there were just the three of us.

Q What exactly did you say to Mr Scoular, yourself and your colleague Sgt Sillery? What was the discussion that took place?

A I wanted to speak to Mr Scoular regarding my disquiet at Kincora, and also to inform him, which he had already learned from Sgt Sillery, of the number of times boys had been caught committing offences, their late hours, etc.

G

Q So there were really two aspects of your concern. One was about the spate of burglaries and petty crime from Kincora, and the other was your concern that there might be some homosexual activity going on?

A Yes, homosexual activity between R 20 and Joe Mains.

Q Did you specifically refer to Mr Mains?

A Yes.

Q What if anything did Mr Scoular say with regard to Mr Mains?

A He said he could not believe that about Mr Mains. The only member

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of staff was the one I knew least, Mr McGrath. He said that some complaint had been made regarding him but it had been investigated by his department and found to be unproven

B

Q So the position was you had gone to raise a query about Mr Mains and this crime, which we can forget about for the moment, and when you asked him about Mr Mains the position was he said that he really did not know anything about him, but he referred to Mr McGrath and a former report?

A He did.

C

Q Perhaps you would clarify, in case confusion is creeping into it: that former inquiry with regard to Mr McGrath, did you gather that was with regard to some homosexual matter, or was it something totally unrelated?

A No, it was totally unrelated. I think it was harsh discipline, or something of that nature, but it had been investigated by his department and Mr McGrath had been cleared of it. That was the only mention that was made of any member of staff.

D

Q It may be evident from your previous answers, but so that I may clarify it beyond any doubt, was there any reference at all made by Mr Scoular of what has been referred to as the Mason file, namely an investigation with regard to Mr Mains in earlier years?

A No, I never heard tell of it before that.

E

Q How did that meeting conclude? Was there some arrangement made with regard to what would be done about Kincora and keeping an eye on petty crime?

A Mr Scoular agreed with us that he had disquiet over the number of times boys had been involved in crime who were attending Kincora, and, as I told him, about keeping late hours, drinking and the lot. He said that he would monitor the situation on a day-to-day basis, and if anything came up he would tell us. I told him I would be keeping an eye on the place in the meantime and in relation to any boy that had been lifted or arrested for any offence.

F

Q In May 1979 was R 20 eventually released from borstal?

A Yes. I heard that he had been released and was staying in an hotel in east Belfast.

Q Did you go to see him on 17 May 1979?

A Yes.

G

Q What was the purpose of that visit on 17 May?

A I saw him in the afternoon, and I asked him how long he had been out of borstal, and had he been back at Kincora since he had been released? He laughed at me when I asked him that question.

Q Did he say "yes" or "no" to your question about whether he had been back to Kincora?

A No, he just laughed in my face. I put it to him that there was some relationship between him and Mr Mains, and he laughed again, and turned on his heel and walked away.

H

A

Q When you say you put it to him that there was some relationship between himself and Mr Mains were you making it clear to him you were meaning a homosexual relationship?

A That is correct.

B

Q Apart from Sgt Sillery and Mr Scoular - the occasion you went to Purdysburn, who exactly did you see there, Mr Scoular on his own?

A That is correct.

Q You were accompanied by Sgt Sillery?

A That is correct.

C

Q Did you in the course of this period mention the question of Mr Mains, Kincora and R 20 to anybody else?

A Yes, I did. I met R 20's social worker, a Mrs Gogarty. I informed her of my disquiet over the head of Kincora. I informed her that I had suspicions of Mains, and the reason why I had the suspicions of Mains.

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/Q Can you say ...

A Q Can you say approximately when that was?

A That was the first day of the remand in court; I think on the second remand --

Q That was on 5 October?

A On 5 October; on the second occasion I think I met Mr Morrow in court. He had come down, Mr Morrow. I again repeated what I had told Mrs Gogarty about my suspicions of Kincora and Mr Mains. to Mr Morrow and Mrs Gogarty.

Q Did you have any contact with a Mr Lindsay Conway in relation to this?

A Yes. It was as a result of a conversation with Mr Conway that I originally went to Kincora in relation to some crockery found in R37's locker.

Q Was that simply stolen property?

A That was stolen property. I spoke to Mr Conway on 4 October 1977, the day when I arrested the two of them, and he was in Strandtown during the taking of the statements from R37. He was the social worker in respect of that chap.

Q Did you mention to Mr Conway your suspicions about Mains, about R20 and that there might possibly be a connection between the two?

A Yes, I did. Any of the social workers that I had any involvement with in the case, or taking it to court, or having the lads put away -- I mean, the social workers I spoke to -- I mentioned my disquiet in relation to Mains and Kincora.

Q At this period, did you at any time meet Mr Higham, the last witness, can you recollect?

A I cannot recollect; there is a possibility I might, because I think somebody else was with Mr Morrow on one occasion at court that I met.

Q Subsequently in January 1980 were you shown an article in the Irish Independent, of 24 January 1980, referring to a police report, the existence of a file, and that file having been sent to the DPP?

A Yes.

Q Was it clear from a reading of that article, which specified that the matter had been under inquiry by a detective constable at Strandtown, that that was a reference to you, although you were not named in the article?

A That is correct.

Q Can you tell the Committee, so as to remove any doubt about it, had you at any stage opened a police?

A The only file I had was a court prosecution file in respect of R20 and R37.

Q Perhaps I should clarify the point I am making: in relation to homosexuality and Kincora, or anything between Mains or anybody else, such as McGrath and R20, had you ever opened a file of that nature?

A No.

ef/25/2

D/C SCULLY
BY MR SHEIL

A THE CHAIRMAN: In other words, the files were about the burglaries?
A That was the file I had.

MR SHEIL: Therefore it would follow that no such file either existed or was ever sent to the DPP at that stage?
A None whatsoever from Strandtown.

B Q When did you first become aware of inquiries being carried on by D/C Cullen?
A The same day; the day the story broke in the papers.

Q In January 1980?
A In January 1980.

C MR KENNEDY: My learned friend, Mr Fee, will be cross-examining, but I think the hour is such that you may wish to rise, Mr Chairman.

THE CHAIRMAN: Before we adjourn, may I offer you our warmest congratulations on your enhanced status, Mr Coghlan, and our best wishes for every success in silk.

(The hearing was adjourned at 1620 hours until 1030 hours the following day)

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PRONI REF: INQ/1/1/40 - KINCORA

File name: COMMITTEE OF INQUIRY INTO CHILDREN'S HOMES AND HOSTELS - TRANSCRIPT OF EVIDENCE (DAY 40)

January 25th, 1985

EXCERPT: Specifically about KINCORA

Continuation of Examination of D/Constable John Scully, still under Oath

Cross Examined by: Mr P Smith – instructed by Mr B Turkington of McCartan, Turkington, Breen and Co., on behalf of certain members of NIPSA

Mr Fee – instructed by Crown Solicitors, appeared on behalf of Committee

Mr McCartney – QC instructed by Messrs John Johnson and Son, for two former residents of Kincora Home

Mr McNulty – instructed by Messrs Patterson, Taylor & Co, on behalf of former resident of Bawnmore and Kincora

Mr Lavery – instructed by M Stillton of the Central Services Agency on behalf of Eastern Health Board and Social Services Boards

CHIEF INSPECTOR GERALD WILSON SILLERY called and sworn

Examined by Mr Sheil

Cross-examined by: Mr Fee - instructed by Crown Solicitors, appeared on behalf of Committee

Mr McCartney - QC instructed by Messrs John Johnson and Son, for two former residents of Kincora Home

Mr Gillen – Instructed by Mr R Murphy, appeared on behalf of former resident of Kincora Home

Mr McNulty - instructed by Messrs Patterson, Taylor & Co, on behalf of former resident of Bawnmore and Kincora

Mr Coll - NIPSA

INQ/1/1/40

Friday, 25 January 1985

DAY XL 40

COMMITTEE OF INQUIRY

into

Children's Homes and Hostels

held at

Castle Buildings, Stormont, Belfast, BT4 3RA

Chairman: His Honour W H Hughes

Members: Mr W J Patterson OBE
Mr H Whalley

Secretary: Mr S Quinn

A

A P P E A R A N C E S

MR H KENNEDY, QC, MR B FEE and MR D MARRINAN of Counsel, instructed by the Crown Solicitors, appeared on behalf of the Committee;

B

MR MARTIN of Counsel, instructed by Mr R Cole, appeared on behalf of the Department of Health and Social Services;

MR M LAVERY, QC, MR R WEIR, QC and MR A BRANGAM of Counsel, instructed by M Sittlington of the Central Services Agency, appeared on behalf of the Eastern Health and Social Services and other Boards;

C

MR P SMITH, QC, and MR F O'REILLY of Counsel, instructed by Mr B Turkington of McCartan, Turkington, Breen & Company, appeared on behalf of certain members of the Northern Ireland Public Service Alliance;

MR J GILLEN, QC, instructed by Messrs T Smyth & Company, appeared on behalf of three former residents of Kincora and Williamson House Homes;

D

MR R McCARTNEY, QC, instructed by Messrs John Johnson & Son, appeared on behalf of two former residents of the Kincora Home;

MR J McNULTY, QC, and MR C SIMPSON of Counsel, instructed by Messrs Patterson, Taylor & Company, appeared on behalf of a former resident of the Bawnmore and Kincora Homes;

E

MR J GILLEN, QC, and MR P CUSH of Counsel, instructed by Mr R Murphy, appeared on behalf of a former resident of the Kincora Home;

MR J SHIEL, QC, and MR H TONER of Counsel, instructed by Legal Adviser, RUC, appeared on behalf of Mr Sillery, Mr Scully and the RUC; and

ELLIOTT, DUFFY, GARRETT, appeared on behalf of Mr R L Conway.

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(The hearing was resumed at 1030 hours)

A

DETECTIVE CONSTABLE JOHN SCULLY, still under oath
Cross-examined by MR FEE

MR FEE: Detective Constable Scully, my name is Fee and there are some questions I would like to ask on behalf of the Committee of Inquiry.

B

Q You have indicated already that you had some knowledge of Joe Mains prior to this incident in October 1977?

A That is correct.

Q Now, how long had you known Joe Mains?

A Since I moved into the Strandtown area, shortly after 1966 - '65/'66.

Q And you had suspicions for a period that he might be a homosexual?

A That is correct.

C

Q How long had you those suspicions for?

A It is hard to say, it could have been several years before 1977.

Q Was that suspicion that you had, solely because of his relationship with R2?

A That is correct.

D

Q Or was it because of general behaviour?

A Well, he was a flamboyant type of character, and I used to see him regularly with R2.

Q And in your view R2 was well known as a homosexual?

A That is correct.

Q Now, did you know for a number of years prior to 1977 that Joe Mains was in charge of a hostel, of the Kincora hostel?

A Yes.

E

Q And given the suspicion that you had, did you ever at any stage consider passing your suspicions on to the social services, prior to October 1977?

A No.

Q Apart from your knowledge of Joe Mains, did you have any other knowledge about anything unusual in Kincora, prior to October 1977?

A No.

F

Q You had never heard of any previous complaints or investigations in relation to Kincora generally?

A No.

Q Had you known of any complaints or investigations prior to October 1977 into Mains himself?

A No.

G

Q Well, when you spoke to R20 both at the time of his arrest and subsequently at the Court appearances, what was it exactly that led you to the view that there might be some form of homosexual relationship between R20 and Mains?

A Well, from the outset, when I started interviewing him, I came to the conclusion that he had the characteristics of a homosexual, R20, as the day went on; and his manner towards Mr. Mains - asking for him all the time, how good a friend he was, and he'd better get down to the Station; it was his threatening and menacing attitude towards Mains, as if he was holding something over his head.

H

A Q So, was it the combination of your suspicion about Mains, the appearance of R20 and the words he was using?

A That is correct.

Q Now, you felt sufficiently concerned about the possible relationship to mention it to R20's social worker, Mrs. Gogarty?

A Yes, I did.

B Q And can you indicate as best you can at this stage, Mr. Scully, what it was exactly that you told her?

A I told her that I had the feeling that R20 was holding something over Mains' head, that he was threatening Mains if he didn't come to see him he would do something. He was always demanding to see Mains.

Q Well, didn't you in fact indicate to her that you were suspicious that there might be some sort of homosexual relationship?

C A That is correct, yes.

Q And did you tell her that R20 had, in fact, according to the information you had obtained on arresting him, been out for an evening somewhere up the Antrim coast with two men in a car?

A That is correct. When I arrested him shortly before nine o'clock in the morning he was still suffering from the effects of a brave night's drinking; he smelt very strong of drink; he had a sore head - we had to give him several cups of coffee to bring him round.

D Q Well, as far as those men were concerned, were any steps ever taken that you are aware of, to try and trace the two men that R20 was with in this car?

A No.

Q And you never discovered their identity?

A No, I did not.

E Q There is a suggestion - and it may or may not be evidence to this effect given to the Tribunal - that the police at Strandtown at one time were thought to be in possession of the names of the two men, but you are not aware of the names of those men?

A The two men and R20 were arrested at 2 or 3 a.m. in the morning in Larne that same morning, for theft from a hotel. The Larne police would have had all those particulars.

F Q So whether or not their names were actually with the Strandtown police, it would have been available from the Larne police?

A From the Larne police, yes.

Q You further spoke to Sergeant Sillery about these matters?

A That is correct.

G Q And would you have conveyed to him much the same information as you had given to R20's social worker, Mrs. Gogarty?

A Yes, my concern for R20 and Kincora.

Q Was there any particular reason why you spoke to Sergeant Sillery as opposed to any other member of the police force?

A He was Juvenile Liaison in the same building as myself.

H Q At that time who would have been the head of the CID?

A D/I Corrigan.

- A Q Did you ever at any stage consider making a direct approach to him?
A He knew that I was carrying out investigations into Kincora; I told him of my suspicions and he says "keep an eye on the place, if you get anything come to me with it".
- Q That was D/I Corrigan?
A D/I Corrigan, yes.
- B Q In addition to mentioning this to Sergeant Sillery you also conveyed your suspicions to D/I Corrigan then?
A That is correct.
- Q Did you know Mr. Meharg - was he still in situ at that time?
A He was in headquarters, I knew of him.
- C Q Would you ever have had any contact with him?
A None whatsoever.
- Q You were not aware of him having any knowledge or information in relation to Kincora?
A No.
- Q Did you know Detective Constable Cullen?
A I do, yes.
- D Q Or Constable Cullen - you knew him?
A Yes.
- Q Would you have known him then?
A Yes.
- Q Did you ever have any contact with him?
A Yes, he was in the Drug Squad which would operate in our area.
- E Q Were you aware of him carrying out an investigation or making inquiries concerning Kincora?
A No, I didn't know of any inquiries he had made, and it came as a surprise to me when it was mentioned in 1980.
- Q So until 1980, you were not aware that, apart from whatever knowledge you managed to glean and pass on concerning Kincora, that in fact there was another limb of inquiry being made?
A That is correct.
- F Q Now, in the course of your investigations - if we can call them that, Mr. Scully - in relation to what you had suspected, what steps did you take in order to attempt to find out whether or not your suspicion about R20 and Mains was correct?
A Well, I was hoping that I would get something from R20 himself, by more or less not doing what he wanted to do, that is namely to return him to Kincora, keep him in custody in Rathgael, and I was hoping that eventually he would tell me something.
- G Q Did you at any time consider interviewing, for example, R2?
A No.
- H Q To find out what he would say about Mains?
A No.
- Q Are you aware of anyone else speaking to R2 about this matter?
A No.

Q Did you know.....

A

Q Did you know at that time that R.2 had been a former resident of Kincora?

A No I did not.

Q Did you know whether or not Mains and R.2 were carrying on any sort of relationship in Kincora, as opposed to being seen in company elsewhere?

A I had no information regarding that at all.

B

Q Did you speak to any of the officers in charge in either Rathgael or when he was subsequently sent to Borstal in Millisle?

A Yes I spoke to Mr Lindsay Conway who was R.37's Social Worker.

Q Apart from speaking to him, did you attempt to find out, for example, after R.20 had been sent to Millisle, whether or not he had been any more forthcoming about his relationship with Mains?

A No, I had no communication with R.20 until May 1979.

C

Q You have already given evidence, Mr Scully, that you were present at a meeting on 5 December 1977?

A Yes, that's right.

Q There had been a previous meeting on 14 November 1977?

A I was aware that that meeting took place, but I wasn't there.

D

Q That was a meeting that Sgt. Sillery had with Mr Scoular?

A Yes.

Q From the information you have, is the situation that the contact that Mr Scoular made with Sgt. Sillery on 14 November at that meeting arose as a result of the information you had passed on to the two Social Workers, R.20's Social Worker and R.37's Social Worker?

A Well as I said, I wasn't there but I took it for granted that that's what the meeting was about.

E

Q In other words, your understanding was that it was as a result of the information that you had put in that this feedback came by Mr Scoular having a meeting on 14 November?

A That's correct.

Q As far as that meeting is concerned on 5 December, Sgt. Sillery was there as well as yourself?

F

A Yes, that's correct.

Q Did you have any prior acquaintance with Mr Scoular?

A I knew Mr Scoular.

Q How did you know Mr Scoular, before December 1977?

A I had seen him on a few occasions.

G

Q Had you had any discussions with him?

A Not in relation to any matters like this.

Q Had you had discussions with him in relation to problems at Kincora generally?

A No, no.

Q At the meeting in December 1977 you explained your suspicions about R.20 and Mains?

H

A That is correct.

Q And I think you have already indicated that another area of concern at that time was a general lack of discipline at Kincora?

A That is correct. Sgt. Sillery had drawn up a complete list of boys in Kincora who had recently been involved with the police.

A

Q Can the Tribunal take it, Mr. Scully, that in the course of your explanation of your suspicion that you would have indicated to Mr Scoular that one of the reasons you were suspicious was that Mains was known to associate with R.2?

A That's right.

B

Q And would you have mentioned R.2?

A I did. I thought at that time that he was working actually in Purdysburn as an Assistant Nurse.

Q So as far as the Officers of the Board were concerned who were present, they would have been informed by you not only of a suspected relationship between Mains and R.20, but also that Mains was suspected of and frequently seen in the company of R.2?

A That was to Mr Scoular that was made to.

C

Q It wasn't indicated to you at all that there was, for example, a "Mason file" in existence?

A No, I didn't know a thing about the "Mason file".

Q And apart from those words being used, you weren't informed that there had been previous investigations in 1967 and 1971 which had concerned this type of allegation?

A No.

D

Q Were you given any information about an anonymous telephone call in 1974?

A No, I was not.

Q What about the fact that an investigation had been started in 1976, or information had been given in 1976, about a police investigation by Constable Cullen. Were you given any information about that at this stage?

A No, I was not.

E

Q Were you given any information about an investigation or enquiry concerning R.18? I would ask you to look at this list, (witness handed piece of paper).

A No, I was not.

Q You weren't told that there was anything happening in relation to R.18 at that time?

A No.

F

Q If you had been given information that in fact there had been investigations into this type of allegation in Kincora since 1967 and that not only was there one complaint but a number of complaints of the type that I've just mentioned to you, would that have changed your attitude?

A It would indeed.

G

Q And would it have made any difference to the action that you would have taken at that time?

A Yes.

H

Q What difference would it have made in practical terms? In other words, if you had been told at that meeting, and I appreciate your evidence is that you weren't told, but if you had been told at that meeting there had been previous allegations of this type of behaviour in Kincora stretching from 1967, and perhaps maybe four or five allegations right through to 1977, what would you have done in practical terms?

A That's actually what I was looking for when I talked to Mr Scoular. I would have reported it immediately to Headquarters and started off something ourselves from the C.I.D. Office.

- A Q In other words, would there then have been a detailed police investigation?
A Well I think there should have been.
- Q Now you have indicated that was the type of information you wanted from Mr. Scoular, to find out whether or not anybody else had ever had grounds for the type of suspicions you felt?
A Yes.
- B Q And you certainly didn't get any of the information that I've outlined to you. Now, apart from not being given that information, is it in fact the situation that you were misled into believing that there had been nothing previous concerning this type of allegation in Kincora?
A I didn't know that any allegations had been made previous.
- Q You see in your first statement to the police on 28 January 1980, Mr Scully, you said that "Mr Scoular informed us that he had no reason to suspect Mr Mains".
C A That is correct.
- Q "Nor did he believe anything like this took place in the Hostel."
A That is correct.
- Q What I'm asking you, Mr. Scully is; is it the situation that not only were you kept in the dark about investigations which had been going on since 1967, but in fact it was being represented to you that there was no reason for believing that anything like this was taking place in Kincora, and there was no reason for suspecting Joe Mains?
D A That's right.
- Q. If there had been investigations continuing since 1967, would you regard that as a statement that was likely to be helpful to you, that there was no reason to suspect Mr Mains?
A No.
- E Q In relation to your meeting on 5 December, did you keep any notes of that meeting?
A No, I did not.
- Q Did you make any form of report or make any minute at all of the meeting?
A No, it was an informal chat, three of us in Mr Scoular's office.
- F Q Would that not be unusual, Mr Scully, if you had a suspicion about some type of behaviour and you went along to speak to the Officers who you hoped might be able to provide some information, would it not be unusual for there to be no minute at all, or perhaps do you know whether or not Sgt. Sillery took a note of it?
A There's every possibility he did, but nothing came out of the meeting so there was nothing to write down.
- G
- H Q Do you know whether or

A

Q Do you know whether or not Sgt Sillery took notes at the meeting, or if he would have made a subsequent report?

A I do not know. There is a possibility he did make notes.

B

Q You have indicated why you considered it important that you would have been given information about the previous investigations, that is that you would have informed your superiors and presumably there would have been an investigation at that stage. If, in fact, you had known that not only was there a query and previous investigation into the officer in charge, Mr Mains, but that there were also question marks against another member of staff in Kincora, would that have changed your view in any way?

A It definitely would.

C

Q Were you aware of any question mark at all concerning McGrath at this time?

A No, the first time I spoke to Mr McGrath was on 21 October, the date that R 37 was sent to Rathgael.

Q You do refer to the fact that a mention was made that there had been a complaint made by a boy against Mr McGrath, but that had been investigated by his department and they found it had no substance.

A That is correct.

D

Q I think you indicated in answer to my learned friend Mr Sheil, in your direct evidence yesterday, that your understanding from what Mr Scoular said about that was that it was not in any way related to an allegation about homosexual misconduct?

A No, I took it it was for harsh discipline.

E

Q Was that because of the way Mr Scoular described the incident, or was that just an assumption?

A I think he mentioned it was for a disciplinary offence.

Q There certainly was no feedback from the officers of the Board who were present to suggest that there was any information whatsoever about homosexual misconduct either in Kincora or by Mr McGrath or Mr Mains, officers in Kincora?

A None whatsoever.

F

Q You have indicated that you spoke to Sgt Sillery, you spoke to D/I Corrigan. Did you speak to other CID officers concerning this matter?

A Yes, I acquainted every man that was in the station - I think we only numbered seven or eight at that time - of my suspicion regarding Kincora, and I also told them that any time that any one of the Kincora inmates was brought to the CID office I would like to have a chat with him.

G

Q So through your efforts there should have been a fair amount of opportunity for feedback to come to you if anything was heard about Kincora?

A Yes.

Q Would those people that you spoke to have included Constable Cullen, who I appreciate you say was in the drug squad?

A No, he was attached to Donegall Pass; he was not attached to Strandtown.

H

MT/3/2

8

A

Q Did any of the officers to whom you spoke ever come back to you with any information?

A None whatsoever.

Q You have mentioned that in 1979 you made it your business to go and see R 20 when you heard he had been released from borstal.

A Yes.

B

Q Why did you seek him out at that stage?

A Actually, I did not seek him out. I was told that he was there and I made the point of going up that afternoon purposely to see him.

Q Why did you go to see him in 1979? I mean, that was over a year after your meeting with Mr Scoular.

C

A Yes, about a year and a half. It was to have a chat with him to see if he would change his mind, because I put it to him that there was some relationship between him and Mains, which he denied. After he had done his stint at borstal and was not returned to Kincora I thought maybe there was a possibility that he would come across with some information that I required regarding Mains.

Q In October 1977 when this suspicion first came into your mind through your contact with R 20, you had the meeting in December 1977 with Mr Scoular?

D

A Yes.

Q There, cold water is really being poured on your suspicions in the sense that you are being told there is no reason to suspect anything like this is going on in Kincora. For how long after that did you continue to try and find out if you could get any firm evidence, or hear of any further suspicions concerning Kincora? How long would it have remained as a matter of importance in your mind?

E

A It remained in my mind until the story broke in the Irish Times.

Q So can the tribunal take it that right through from October 1977 until January 1980 when the story broke this was a matter that had never left your mind, had never been forgotten about?

A That is correct.

F

Q Throughout 1978 was there any development at all, or did you make any further investigation which kept this matter in your mind?

A Nothing came to light; there was no feedback from anybody.

Q In the absence of any feedback, throughout 1978 did you take any positive steps in order to try and find out if you could get evidence?

A I did not; there was nowhere for me to start.

G

Q In other words, throughout 1978 really there was no feedback coming in, and you did not see any further steps that you could take?

A None at all, no.

Q Yet, you say that throughout 1978 this matter stayed in your mind?

A Yes.

H

Q Was there any particular reason for that? This was, after all, just a suspicion that you had. You had not received any encouragement

A

for that suspicion at the meeting on 5 December 1977. Was there any particular reason why this stayed in your mind when during 1978 really nothing happened in relation to it?

A It was just in my mind because it never had come to any satisfactory conclusion.

B

Q In 1979, when you spoke to R 20, he just laughed, I think you have indicated?

A That is right.

Q He did not give you any assistance?

A No.

C

Q Did his reaction at that time in any way change your suspicion that there might well be a relationship between himself and Mains?

A No, I still had that suspicion.

Q During the period from October 1977 up to December 1977 when you had the meeting, from December 1977 up till your last meeting with R 20 were you having any discussions with members of the Board during that period to see if they had found out anything further?

D

A Right up until the court case, no.

Q Had it been left at the meeting on 5 December 1977 that if the Board obtained any information which might assist in ascertaining whether there was any truth in this allegation they would come back to you?

A We were told that the place was going to be monitored on a day-to-day basis instead of a week-to-week basis, and I was under the impression that if anything had come of it we would be informed.

E

Q Were you given details of the monitoring system that was going to be introduced?

A No. It was just that it was going to be monitored on a day-to-day basis. That was the actual expression used.

Q Would you have regarded it as satisfactory if the person who was to carry out this monitoring in the sense of filling in reports was primarily to be the person who was suspected, namely Mr Mains?

F

A I was under the impression that some of the other officers would have been doing it, not Mr Mains. It would not be an internal monitoring, it would be from headquarters.

Q In other words, that on a day-to-day basis officers superior to Mr Mains would be monitoring --

A -- monitoring the situation, that is right.

G

Q Did you gain any impression at the meeting in December 1977, as to the attitude that the officers of the Board who were present had in regard to the affair? In other words, did it seem to you that this was a matter that they were taking seriously?

A It was only Mr Scoular who was there.

Q He was the only one present?

H

A Yes, that is, on 5 December 1977.

- A Q You had not been present on the fourteenth when Mr Higham was there?
A No.
- Q Did you get the impression from Mr Scoular that he was taking this discussion seriously?
A Yes, when it was going to be monitored on a day-to-day basis, he was taking it seriously, as I thought.
- B Q Were you surprised when there was no feedback from the Board?
A No.
- Q Why was that? Did you not expect this day-to-day monitoring to give rise to anything?
A I did not think so.
- C Q Why was that? For any particular reason?
A None at all; it just was in my mind.
- Q Did you ever at any time hear a rumour that social workers might be put off visits to Kincora by the threat of paramilitary action?
A No, I did not.
- Q You never heard of that?
A I never heard of anything like that at all.
- D Q If evidence were to be given that there was a rumour current in social work circles at that time -- I appreciate that you would not have been directly involved in those circles -- in the course of your investigations, you never became aware of any rumours like that?
A None.
- E Q In your statement that you made in 1980, you did not mention at that stage that you had suspicions prior to October 1977 concerning Joe Mains.
A I mentioned in that that I had seen him in the company of a known homosexual.
- Q I appreciate that you do not have copies of your statements in front of you, but I think you indicated in a later statement that that was something which had slipped your mind at the time of the earlier statement?
A Yes, that is correct.
- F Cross-examined by MR McNULTY
- G Q I represent a former resident of the Kincora home. Can you clarify a number of matters for me. First, the first person who was involved, as it were, on the Health and Social Services side whom you informed of your suspicions was the social worker, Mrs Gogarty?
A Yes, that is correct.
- Q She was R 37's social worker, is that right?
A No, she was R 20's, the person who was the subject of our discussion.
- H Q In addition to her, you then spoke I think with a Mr Morrow, is that right?
A Yes, that is correct, I spoke to Mr Morrow at the court one day; it was the first meeting that I had with him.

A Q What did you understand Mr Morrow's role to be in relation to R 20?

A He was a superior at some level to Mrs Gogarty.

Q Was that on an entirely different occasion to the time when you had first mentioned it to Mrs Gogarty?

A Yes, I met Mrs Gogarty either on the day at court, the first remand on 5 October, and I made my suspicions known to her then, and at future dates, the dates of the remand, up until the twenty-first, when they were dealt with.

Q You spoke with Mrs Gogarty on several occasions on her own?

A On her own, yes.

Q That means two or three, at least, is that right, on her own?

A At nearly every remand, at the Belfast Juvenile Court, she was there with young R 20.

Q On nearly every remand, when you met her, did you discuss your suspicions with her?

A Yes; short conversations.

Q Subsequently, when you spoke to Mr Morrow, was that at some stage well into the remand period?

A I think the remand period was only less than a fortnight to three weeks.

Q How did you come to speak to him?

A I was under the impression that Mrs Gogarty had passed on my suspicions to him, as her boss, and as a result of that he came to see me.

Q So he came to see you?

A Yes.

Q Was that with Mrs Gogarty or alone?

A To the best of my knowledge, yes, that was at court when I spoke to him.

Q Alone?

A (No reply)

F Q As I understand it, you also conveyed your suspicions to Mr Corrigan, is that right?

A The D/A, yes, that is right.

Q Did you convey your suspicions to anybody else, apart from Mr Scoular, who was in Social Services?

A Mr Conway, who was the social worker for R 37.

G Q At what point would that have occurred?

A I spoke to Mr Conway at length on the day of the arrest, and it could have been on that day, or it could have been on the future remand dates.

Q Was that before or after you spoke to Mr Morrow?

A Again, I cannot recall.

H Q What was your concern at that time?

A That this young lad, R 20, had some hold over Joe Mains.

A

Q What sort of hold were you suspicious about?

A A hold that if Joe Mains did not do as he wanted, he would spill the beans on him.

Q Were you connecting that hold with some homosexual activity?

A Yes.

Q That was your suspicion?

A That was my suspicion, nothing more.

B

Q Why were you conveying that to the social workers?

A I think it was their right to know.

Q Why did you think it would be their concern?

A They were responsible for the person, the subject.

C

Q If he did have a hold over Mr Mains, what, in a sense, could they have done about it?

A They might have got it out of him easier than me.

Q They might have got what?

A Whatever it was, hold, he had, over Mr Mains.

Q When you discussed it with Mr Morrow, was there ever any follow-up so far as you were aware, by Mr Morrow or Mrs Gogarty?

D

A I think he went to Mr Higham; he went to his senior about it; to the best of my knowledge I was told they had a meeting about it.

Q It was really because of this hold that you suspected that he had over Mains that you were -- ?

A Yes.

E

Q You have told the Inquiry that before that time you were suspicious that Mains himself may have been a homosexual, is that right?

A Yes.

Q As far as you were concerned, R 20 appeared to you to have homosexual tendencies. Did you think that the hold which he had, or were you suspicious that the hold which he had related to that?

A Yes, it was a bad combination.

F

Q Did you convey to Mrs Gogarty and to Mr Morrow that that was the sort of hold, that it was something connected to the homosexual relation, that was the hold?

A That is correct, yes.

Q At that time, did you have any views yourself as to whether or not Mr Mains was a suitable person to be in charge of the home?

G

A If I had suspicions of him of a homosexual nature he was not a fit person to be in charge of a home.

Q What was the motivation for you going in December to see Mr Scoular? You had spoken to the social workers before; why were you going at that time to Mr Scoular?

A I was going to tell him of my suspicions in regard to Mr Mains and the home.

H

Q Did you think that he was already aware of these suspicions about at that time?

A He had already been informed of my suspicions when he came to

A Strandtown station in late November and saw Sergeant Sillery.
To the best of my knowledge Sergeant Sillery informed both Mr Higham and Mr Scoular of my suspicions.

Q So that when you went to see him about this, this was a meeting to discuss the suspicions which you had of which he was already aware?

A Yes, that is correct. I asked for this actually; I said I would like to see him.

B Q But he was already aware before you went to see him of these suspicions?

A That is correct.

Q Do you know whether he became aware of your suspicions from anything other than what was conveyed to him at Strandtown in November; whether in fact there was any information that ever came to him, as it were, through Mr Morrow?

C Q When you were suspicious, what was your concern? Why were you going in fact to Mr Scoular?

A He was the top man.

Q What were you seeking to have done?

A I think I would have been guided by him in relation to this.

D Q Your primary function was the investigation of crime, is that not right?

A Yes, that is correct.

Q Whilst this information may have come to you through a combination of your own inquiries and your own knowledge and observations, and incidentally during the course of investigation of a crime, when you were going to see Mr Scoular, was that in furtherance of any criminal investigation?

E A No, it was not in furtherance; if he could help me in any way; to inform him of my suspicions so he could take it from there.

Q What I am...

F

G

H

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Q What I am trying to ascertain is, when you say he was to take it from there, first of all what was he to take and where did you think he was going to go? Take what?

A That decision would be made by Mr Scoular.

Q Where did you think it should have gone?

A Whatever action he deemed necessary.

B

Q What did you anticipate?

A That he would investigate the home.

Q In what sort of way? How could he investigate it any better than you?

A Well, he was the man who could walk in and out of it at any time of the day or night; I could not.

C

Q As I understand your evidence, when in fact you put your suspicions to him again he said to you that he did not believe that Mr Mains was a homosexual. Is that right?

A He did not think that that type of thing was going on.

Q He did not think what?

A Any carry on like that was going on at Kincora.

D

Q Were you discussing Mr Mains in that context?

A Oh yes, he was the subject of our conversation.

Q He was saying at that time that he did not believe that anything like that went on?

A Yes.

E

Q Are you quite positive about that?

A Yes.

Q That is what he actually said to you?

A I do not know his exact words, but the gist of it was to that effect.

Q How did the discussion about McGrath come up?

A It was he who volunteered that information. I knew very, very little about Mr McGrath except his name.

F

Q Were you concerned at that particular time about Mr McGrath?

A None whatsoever.

Q Were you concerned with any disciplinary features within the home itself?

A No.

G

Q When in fact Mr McGrath's name was mentioned, was that in the context of the discussion about your suspicions that homosexual activity may have been going on in the home?

A It came up in the conversation.

Q During your period of suspicion, before you went to visit him, are you sure that you never had any information about McGrath?

A None, no. The first time I spoke to him was the day that R37 was sent to Rathgael and R20 was returned to Kincora.

H

Q Had there not been, as it were, trouble with the boys from Kincora committing petty offences over the years?

A There had been, yes.

A Q Through that sort of contact would you not at least have been aware who the staff of Kincora were?

A I knew who the staff were; I knew Joe Mains and I knew Raymond Semple.

Q Are you saying you did not know anything about McGrath?

A I knew there was a Mr McGrath there but on any occasion that ever I went to Kincora it was either Semple or Mains I spoke to.

B Q What would the relevance of any investigation into a disciplinary matter, carried out by the Board in connection with Mr McGrath, have been, in the middle of a conversation about your suspicions about homosexual activity going on in Kincora in which Mains may have been involved?

A I took it that that was the only complaint he had received about any members of his staff.

C Q Would that have been relevant to the discussion that you were having?

A It would yes, because I was complaining about a member of his staff and he said he had received no complaints regarding any member of his staff with the exception of Mr McGrath.

Q But the complaint you were concerned about was the complaint of a homosexual nature?

A That is right.

D Q What you were concerned with at that time would have been whether or not there was any further or similar type of information regarding homosexual activities?

A That is correct, yes.

Q What I am not sure at the moment about is, where the relevance of the McGrath thing would have come in that conversation.

E A He brought it up.

Q Did you query him about what that investigation had been and how it had been carried out?

A A disciplinary matter in the home had nothing to do with me.

F Q As I understand it, even though he said to you that he did not think there was anything like that going on, and he did not think that Mr Mains was involved in anything like that, he did agree that there would be further monitoring?

A Yes.

Q Did he indicate to you that there had been previously some monitoring of the home?

A No.

G Q Or that there was any ...

A He told us he was going to start a day-to-day monitoring system.

Q Was that for the purposes of ascertaining whether or not there was any homosexual activity going on in the home, or was it just for general disciplinary purposes?

A That I do not know.

H Q What did you think it was?

A I was hoping that he would be able to maybe come back with some information to us.

- A** Q Were you concerned at that stage about the general discipline within the home?
A I was concerned from the very start from the day I arrested R20.
- Q Following that meeting with Mr Scoular, you never had any further contact with him about it?
A No, I do not believe I have ever seen him since.
- B** Q Did you never go back to him at any point in time and say: "Look, three months have elapsed, six months have elapsed, what is the position? Have you got any further information to help me?"
A No.
- Q Did you let the matter drop then?
A I did not indeed, no.
- C** Q What did you do then?
A Sergeant Sillary was keeping in touch - that was his job with the Juvenile Liaison people - and he would be seeing them more often than I would.
- Q Were you in contact with Sergeant Sillary on a regular basis when this conversation would have come up?
A Every day.
- D** Q Was there this feature of possible homosexual activity in the home at the forefront, as it were, on a day-to-day basis?
A Knowing Sergeant Sillary if he had got any information he would have soon passed it on.
- Q So you are really saying that so far as your personal investigations were concerned you had no further role to play but if in fact Sergeant Sillary had further information then you would have adopted a different position?
A He would have passed it on to me, yes.
- E** Q Did you ever have any further contact with the social workers?
A No, I do not think so.
- Q To whom you had conveyed your suspicions?
A No.
- F** Q Did you not think it was a matter of very great concern, if your suspicions were well founded, that Mr Mains would still have been in post and that boys were still being admitted by the Board to that home?
A Could you repeat that question?
- Q Did you not think it was a matter of very great concern, as time went on, that Mr Mains was still in position there and that boys were still being admitted from time to time into the home?
A No, I do not think so.
- G** Q You do not think you were? You thought it was part of your job to be concerned about that?
A Oh it is, yes. I was concerned from the word go regarding R20 and Mr Mains.
- Q Was that really because you thought there may have been an offence committed?
A That is correct.
- H**

A Q Between R20 and Mr Mains?
A That is correct.

Q What you were really trying to find out was whether or not there was any information which would have tended to support your suspicion that an offence or offences had been committed between the two?
A That is what I was looking for.

B Q What I want to know is this: were your suspicions that an offence or offences had been committed in Kincora itself?
A Well, I was not that happy. I was concerned over the attitude that R20 was adopting towards Mr Mains.

Q When you conveyed your suspicions to, I think it was R37's social worker ...
A That is correct.

C Q ... did he appear in fact to be, as it were, either sceptical or open about the matter? Did he seem to be concerned about it?
A He is here; he will be giving evidence regarding that point. What he felt I do not know.

Q What was your impression when you were discussing it with him?
A I did not feel anything at all. I just told him and that was it.

D Q You just told him. You did not get any indication from him as to whether in fact he believed it or did not believe it?
A None.

Q Do you think now, with hindsight, that there was anything further that you could have done?
A No, I honestly do not.

E Q OK.

Cross-examined by MR P SMITH

F Q My name is Smith, and I appear for Mrs Gogarty and Mr Morrow, who I think you recall in connection with this matter. Mrs Gogarty was the social worker, was she not, who had some responsibility for R20?
A That is correct, yes.

Q And you spoke to her on a number of occasions?
A Yes, at least three, maybe four, occasions.

G Q Initially you would have spoken to her at the Court hearing; is that correct?
A Yes. I think that was the first time I met her, at the first remand on 5th October.

Q As a result of your conversations you meet Mr Morrow? Is that correct?
A Yes, she brought Mr Morrow to a later remand hearing.

Q And you would have understood Mr Morrow to be her immediate superior?
A That is correct, yes.

H Q Then, as it were, you progressed, meeting more and more senior people, or people who were more and more senior in the social work structure? Is that

IT/5/5

A correct?

A Yes, that is correct.

Q She is to give evidence in due course before the Committee of Inquiry, and I want to briefly put to you her recollection of the conversations with you: that you conveyed to her in the course of these conversations, in relation to R20, that you felt that Kincora was a terrible place - that kind of impression?

A It was very, very clean and very tidy.

B

Q No, I do not mean terrible in the sense of the fabric of the place, but what you were conveying to her was that you felt it was a terrible place in the sense of the moral atmosphere and the moral danger in which the boys were being placed?

A If my suspicions were true with regard to the warden, Mr Mains, it was a terrible place.

C

/Q Yes, I understand ...

D

E

F

G

H

- A Q Yes, I understand that, but this was the impression that you were, as it were, deliberately giving her in order to warn her that it was a very unsuitable place for R20 to be returned to?
A Mrs Gogarty showed her concern from the word "go".
- Q In other words, she picked up the message that you were transmitting?
A Well, more or less, yes.
- B Q And would it be fair that because you had no hard evidence?
A None whatsoever.
- Q You didn't want to be too explicit in making, in conveying, allegations to a social worker?
A That is correct, yes.
- C Q But your anxiety was, as I understand it, that R20 had overt homosexual tendencies?
A That is correct, yes.
- Q As far as you were able to discern?
A Yes.
- Q And you were particularly concerned about him in conjunction with a man whom you suspected to be a homosexual, namely Mains?
A Yes.
- D Q Now, she will also say that you expressed to her - perhaps not in these specific words, but that you were concerned about "boys", that is Kincora boys, going to hotels up the coast?
A I informed her about R20 being arrested that morning in a hotel in Larne for a theft charge; she was aware of that fact.
- E Q But do you not agree or accept that you at any time would have said to her that you were concerned about Kincora boys going to hotels up the coast, the implication being that there was some sort of homosexual activity that may have been going on at these hotels up the coast?
A Well, the matter of R20 - he was only a fifteen-and a-half year old boy, being out to seven o'clock with two strange men that the staff of Kincora didn't even know who they were, until seven o'clock in the morning, and had been arrested for committing a crime and came home full drunk, was a matter of concern for everybody.
- F Q Right. So it is consistent with your recollection?
A Yes, it is, yes.
- Q That Mrs Gogarty may have taken out of your conversation that you were expressing concern....?
A I was concerned for R20.
- G Q Well, she may have misunderstood what you were saying and taken it in the plural rather than the singular, that she thought you were expressing general concern about "boys", plural, going to hotels up the coast? It may not be precisely what you intended to convey but you can understand Mrs Gogarty taking that out of it, is that correct?
A Yes, yes.
- H Q And she also will say that she understood from you that you were indicating to her that you had seen Mains in known homosexual places?

- A A Well, I had seen him with a known homosexual, maybe that's.....
- Q But can we take it - and I think you have already given this evidence, but if Mrs Gogarty picked this up from you she misunderstood what you were saying?
- A Yes, it is possible.
- Q What you were saying was.....?
- B A What I was saying was that I had seen him, R2, who is a known homosexual, in the company of Mains, in different places.
- Q But the places were not known homosexual places?
- A No.
- Q But Mrs Gogarty may have taken that out of what you said, without you intending to convey that?
- A Yes, that is correct.
- C Q And do you remember seeing Mr. Morrow, probably in company with Mrs. Gogarty, at Strandtown Police Station - now you remember, you have said that you saw him at Court?
- A Yes, I think on one occasion they did come to Strandtown Station.
- Q And is it right to say that you repeated your concern about Kincora to Mr. Morrow?
- D A I voiced my concern to any social worker who would listen to me.
- Q And you had, I think, a number of reasons for concern; one of them was the crime rate?
- A That is correct.
- Q Not connected with sexual misconduct at all?
- A Yes, yes.
- E Q But you did express to Mr. Morrow that you were suspicious about homosexuality, or homosexual activity, between boys and Mains?
- A That is correct.
- Q And that you were specifically concerned again, still about R20?
- A R20 was my main concern.
- F Q Now, Mr. Morrow, his recollection of the conversation or conversations is, that you indicated to him that Mains moved in homosexual circles outside Kincora - could you have.....?
- A Well, if I see him with a homosexual outside Kincora, he's moving in homosexual circles.
- Q So it is then possible that that kind of expression was used to Mr. Morrow by you and he is accurately remembering the substance of the conversation?
- A It is possible, yes, it is possible.
- G Q And he also recalls it being said by you that Mains had connections with homosexuals in the Bangor area?
- A No.
- Q You don't recall anything like that at all. If that is Mr. Morrow's recollection it didn't come from a conversation with you?
- H A I can't think.....

A Q That doesn't ring any bells in your memory at all?
A R2 was living in Bangor.

Q And you would have been aware of that?
A I actually was not aware of that until 1980.

Q Well, you have said that you had seen Mains in company with R2?
A Yes, that's right.

B Q Had you ever seen Mains in company with R2 in Bangor? Could that be the explanation for it?
A No.

Q And at that time, that is in the autumn of 1977, had you any knowledge of a group of homosexuals in Bangor?
A No.

C Thank you.

Cross-examined by MR McCARTNEY

MR McCARTNEY: My name is McCartney and I appear on behalf of a number of former residents.

D Q Tell me, Detective Constable, at approximately what stage did you form the view that Mains was a homosexual or had homosexual tendencies?
A Well, I have already stated that it was two or three years before this 1977 thing.

Q Can you be more specific than that?
A Unfortunately not, it is a long time ago now.

E Q You see, you have used a lot of terms very, very loosely, or have used language that other people have apparently, Detective Constable, managed to get the wrong impression. For example, did you give the impression to Mrs. Gogarty that the fact that R20 was found in Larne was really giving a cause of concern to you about homosexual activities?
A Well, it was a matter of concern; he had been taken away from the home in the early hours of the previous evening, and taken by two unknown men to Larne, where he fell into the hands of the police. I think - the social worker - it was a matter of concern for her too.

F Q But I am asking you specifically, and I want you to answer the question specifically; were you making an allegation about - from those circumstances and nothing more - of homosexual activity, or were you just throwing out a general slur?
A It was no slur; he was lifted by the police in Larne in the wee hours of the morning for a crime.

G Q For what crime?
A The crime of theft.

Q For theft?
A Yes.

H Q And what has theft got to do with the impression that you gave to Mrs. Gogarty about homosexual activity? What evidence was there of homosexual activity?

A I had no evidence, no information whatsoever regarding R20; it was my own suspicions.

Q What I want to know is; upon what did you base those suspicions?

A I have already explained to the Tribunal here; his general manner, the attitude he was adopting towards Mains; the threats and menaces that he was throwing out towards Mr. Mains.

B Q I am talking specifically about the circumstances in Larne. What was there about the circumstances in Larne that had any homosexual overtones whatever?

A If Mrs Gogarty got the impression that there was homosexual tendencies in Larne, I know nothing about that.

C Q Well I am suggesting to you that that is exactly what was put to you by my colleague; that was exactly the sort of smear you flung out and the impression you gave to Mrs Gogarty - "Huh; up in Larne; half seven in the morning" - winking and nodding and giving an impression without any evidence whatever. What do you say to that suggestion?

A Whatever impression Mrs. Gogarty took in relation to what I told her about the boy that she was in charge of, is entirely up to herself.

Q I see. Now, what was the basis in 1977 or 1978 upon which you formed the impression that Mains was a homosexual?

A Because I had seen him, as I said before, in the company of a known one.

D Q I am going to come back to this in a moment. Are you telling the Tribunal, so that they can be absolutely clear about this, that your only grounds for suspicion of Mains had got absolutely nothing to do with Mains' conduct per se, but simply because you saw him in the company of someone whom you suggest.....?

A That is correct.

E Q So the evidence is, as an experienced policeman, you are telling this Tribunal that the sort of judgements you form are on the basis that if you see one man with another man whom you suspect to be a homosexual, ergo you suspect that man of being a homosexual?

A I have never made a judgement on it, it was suspicion all the way.

Q I see. Now, tell us about the evidence you have that R2 was a homosexual, tell us about that?

F A It was well known.

Q Ha! By whom?

A I got that information that he was.

Q From whom?

A Oh no, I am not going to divulge my informant.

G Q I am suggesting to you that you have not a scrap of information of your own knowledge or your own investigation, other than this slur, second-hand slur, that you fling out - is that right? Apart from this second-hand information from an undisclosed source, you have no knowledge whatever or evidence, that R2 was a homosexual?

A I have no evidence that R2 was a homosexual, it is what I was told.

H Q Yes. Are you aware, of course, of the terrible damage that can be caused by flinging out unsubstantiated statements such as this?

A I am just telling you of my suspicions.

- A Q Now, we all know about Mains, but what I am putting to you, as an experienced police officer, is the following situation; so that we can test the quality of your testimony: you start off from the position that R2 is a known homosexual, you have no evidence whatever, none whatever, that R2 is a known homosexual, other than what somebody told you, is that right?
A That's correct, yes.
- B Q You make absolutely no inquiry of any kind into the basis upon which your informant, or the evidence which your informant has, for that statement, is that right?
A That's right, yes.
- Q So you have a man, whom someone has told you is a homosexual, you don't make any inquiry even in a second-hand way as to the information upon which you made that judgement - is that right?
A That's correct, yes.
- C Q And then you use that totally unbased piece of evidence to say - "and if I see another person with a person whom I have been told is a homosexual, without any evidence whatever I then form the view or the suspicion that that other person might be a homosexual" - is that right?
A That was my suspicion, yes.
- D Q Is that right?
A That was my suspicion, yes.
- Q So that we have you absolutely clear; you had no evidence of any kind about R2 other than what you were told, is that right?
A That's right, yes.
- E
- F
- G
- H Q You had sought no.....

- A Q You had sought no basis for your informant's knowledge of what he was telling you, is that right?
A That's right, yes.
- Q Do you accept, as a policeman, that that sort of evidence, if it is evidence at all, is not worth a light?
A I don't know about that.
- B Q You don't. I am suggesting to you that that is the sort of evidence you would be howled out of Court if you put it forward to attempt to establish the proposition, chased out of Court by any responsible judicial figure. Is that not a fact; that is the sort of evidence you wouldn't dare get into the witness box and put up in any form of criminal charge?
A I don't know about that Sir.
- C Q And then you have the affrontery to come here, Detective Constable Scully, and whatever Mains may be, or whatever he has done, you branded him as being a homosexual for being in the company of this person against whom you have no evidence whatever?
A That's right.
- Q I see. And I'm suggesting, Detective Constable, that you are exactly the sort of person who goes about, as you did to Mrs Gogarty, flinging out insinuations and innuendoes ...
- D MR SHEIL: Mr. Chairman, I think that is a quite unwarranted way to put the matter to the witness. The witness has made it clear that he had a suspicion, as many police officers must have suspicions. He had absolutely no evidence, and there's no suggestion made by the witness that at any time he thought that any of the parties had been guilty of a homosexual offence as such.
- E MR McCARTNEY: That may be. I don't withdraw, unless I am directed to withdraw, the manner in which I have put this question. I think it is absolutely well founded on this witness's own testimony.
- MR SHEIL: My objection, Mr. Chairman, is to phrases such as "flinging out allegations" as if the police officer was simply, with no grounds whatever, was making a general allegation that he was making to everybody around the place.
- F MR McCARTNEY: I want to make it clear Mr Chairman that Mr Sheil has picked up exactly what I am putting to this witness totally accurately. That is exactly the point I am making; that without a scrap or tinge or scintilla of evidence...
- MR SHEIL: There was a suspicion Mr Chairman. I mean we needn't debate it at length. I think the Committee is clear what the position is with regard to this witness.
- G THE CHAIRMAN: Suspicions were based on what he took to be associations.
- Mr McCARTNEY: Yes, I don't object to that if there is any evidence whatever that the people with whom he was associating are supposed to be what he is alleging them to be. If we are talking, Mr Chairman, about associations with someone with a string of homosexual offences or someone seen in the company of someone who is a known thief, that might warrant a suspicion. I've gone beyond that, with respect Mr Chairman, to establish that there was absolutely no evidence of any kind of even the people who Mains was associating with..
- H THE CHAIRMAN: Well I think we've taken that in Mr McCartney.

- A Q You made a statement, Detective Constable, on 28 January 1980 I believe and at continuation page 343, it's a half page commencing: "As a policeman" - have you got that? It ends: "I tried hard to get R.20 to substantiate his innuendoes but he wouldn't agree."
A Yes, that's correct.
- B Q You say there: "I have never said to anyone that I had seen Mains and other members of staff in known homosexual haunts at all times of the day and night." Now Mr Smyth has already asked you some questions about that. Are you suggesting that you never, ever could have used language that gave that impression, or suggested you were in the possession of much harder information than was actually the case?
A I have clarified that in my next sentence - "I may have mentioned to some social worker in or around the time of the () case in 1977 that Joe Mains was often in the company of a()."
- C Q Well now you know the rules as well as anybody, about the mentioning of names, don't you?
A Yes.
Q Why did you break that rule?
A A slip of the tongue, sorry I apologise Mr Chairman.
- D Q I suggest you have made a whole lot of slips of the tongue in your time.
MR SHEIL: With respect, Mr Chairman, the witness has apologised and we know that even Counsel here have made the same slips of tongues in relation to numbers and names of people.
MR CHAIRMAN: Alright. We'll wipe it out.
- E MR McCARTNEY: Q And again, we are back to this same basis upon which you created this whole atmosphere about Mains, based on an association which you did not bother to investigate, is that right?
A That's correct, yes.
Q You used the suggestion, the unsubstantiated suggestion that R.2 was a homosexual and you never at any time were motivated to find whether this linchpin of your whole suspicion had in reality any basis of truth?
A Yes, that's right. I suspected that he was one.
- F Q That's not the question.
A I had no other reason to investigate it. There was no complaint made to me in relation to him.
- G Q But you were going about making statements and voicing your suspicions, based on something which you never investigated and which you were suggesting to others was not only the truth, but was a well known truth. You just didn't brand him as - "I suspect R.2 is a homosexual." You let everybody know - "there is really no argument about this; this is a well known fact." Isn't that so?
A I voiced my suspicions, not to everybody, but to Social Workers in confidence.
Q Did you use the phrase "well known"?
A That is correct.
- H Q And that it was a "well known fact"?
A Yes.
Q Is that a phrase that was intended to give an authority and a certainty to the assertion you were making?
A I don't know.

A Q Well I'm asking you to think about it. When you say "it is a well known fact" were you really suggesting that this fellow is a homosexual, that it's a matter of public notoriety?

A I had a suspicion he was a homosexual.

Q I'm asking you were you giving the impression that R.2 was a homosexual in such circumstances that it was a matter of almost public notoriety?

A I don't think so.

B Q What is the difference between "public notoriety" and "well known fact"?

A I don't know Sir.

Q Has this "well known fact" turned out to be absolutely unproven?

A Again, I don't know.

C Q Has this "well known fact" turned out, as far as you are concerned, even to this present day, to be unproven, without any evidence?

A I honestly don't know Mr Chairman.

Q Have you any evidence at this time?

A I have no evidence.

Q Do you know of any evidence?

A I do not.

D Thank you very much. I have no further questions.

MR MARTIN: I have no questions.

Cross-examined by MR LAVERY:

MR LAVERY: My name is Lavery Mr Scully. I appear for the various Health & Social Services Boards who are involved in this Inquiry and I would like to ask you some questions.

E Q In the 1970's you were part of the local C.I.D. in fact, based at Strandtown. Is that correct?

A We covered Strandtown from Mountpottinger then until 1976 when we opened a C.I.D. Office in Strandtown Station itself. I was a member of that, yes. I have been in Strandtown since 1965.

F Q But the way the police were organised, and indeed may still be, although there have been some changes, is that each area has its local C.I.D. men who are responsible for ordinary crime in that area, is that correct?

A From 1976. Prior to that all C.I.D. were based at Mountpottinger. From 1976 there was an independent office opened in Strandtown.

Q Yes, just purely C.I.D.?

A Yes.

G Q But I mean your responsibilities were local responsibilities?

A Local responsibilities at that stage.

Q And you were concerned with local crime?

A Yes.

Q One of the areas that was causing you concern at that period was local crime associated with Kincora?

A Yes.

H Q Some of the boys were making a nuisance of themselves and they were breaking in and stealing and things like that?

A Yes, that's right.

A

Q And at that time Sgt. Sillery, as he then was, was involved in some community policing operations?

A He started the pilot scheme of the Juvenile Liaison Office.

Q Yes, and he was C.I.D. as well?

A Well, it's a Unit on their own.

B

Q Yes, but obviously they would work closely with the ordinary police, with you and with welfare authorities?

A Yes, that's correct. They would work and operate very well with welfare and social workers.

Q And a matter like this of, course, would cause concern to his Unit just as much as to yours?

A Yes, they were juveniles.

C

Q And wasn't it against that background that he was meeting Mr Scoular, Sgt. Sillery that is?

A Yes. He would know the social workers better than I would.

Q R.20 came under your notice as a result of being involved in ordinary crime, albeit a crime not committed in your area?

A Yes, all the crimes were committed in our area.

D

Q The one in Larne, that wasn't?

A That was just incidental to what had happened but I originally arrested him in connection with 18 burglaries; R.20 and 37 both.

Q In that area?

A In the Strandtown area alone.

E

Q So these boys were something of a great nuisance in this area?

A That's correct, yes.

Q And obviously this was something that the authorities would want to raise with those responsible for the boys?

A Yes.

F

Q And what I'm suggesting to you is that this conversation about your suspicions took place against the background of a fairly acute problem of burglary and crimes of that sort in the area?

A Yes.

Q And that would have been the basis of Sgt. Sillery's original contact with Mr Scoular?

A Yes.

G

Q To see what could be done about this crime wave, if that's the right word?

A That's right.

Q Which was being associated with Kincora boys. Now it came to your knowledge, in the course of investigating these local crimes, or you came to suspect that one of these boys might be a homosexual?

A Yes.

H

Q And that the man who was in charge of the home might also be a homosexual, and quite understandably as a police officer you were concerned about such a combination?

A That's correct, yes.

A

Q As a police officer then you felt it your duty to tell your superiors and to pass the word on to the authorities?

A Yes.

Q But your suspicions weren't such, Mr. Scully, that you would have felt justified in going out and arresting Mr Mains and questioning him about this matter?

B

A I had nothing to go on.

Q And of course as a police officer if you had reasonable grounds for suspicion you would have had power certainly to question someone and perhaps even to arrest them? But your state of mind had never reached that stage, had it?

A I had nothing to go on, only suspicion.

C

D

E

Q All you were conveying to

F

G

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Q All you were conveying to these people when you met them, then, was a fairly low-grade unsubstantiated suspicion of the sort that would not even justify your arresting a man?

A That is correct.

B

Q You were not saying that as a matter of urgency, that something ought to be done about Mains, and you really had no grounds for saying that?

A I had nothing to go on.

Q It did not occur to you or to Sgt Sillery that Mains might be engaging in wholesale abusing of boys in the home?

A No.

C

Q Obviously, if you had even suspected that, you would have taken more urgent action than the action that you took?

A Yes.

Q So here was a situation, as you saw it, of possible danger there: there might be nothing to it, there might be something to it, and you felt it your duty - quite properly, if I may say so - to voice these suspicions?

A That is correct.

D

Q And, of course, if they had any information that would help to substantiate the suspicions, as a police officer you would have welcomed that?

A Yes.

Q What really your suspicions were largely confined to was the relationship between Mains and the boy?

E

A That is correct.

Q You have been cross-examined on the basis that the whole question of Mains' activities in Kincora was discussed in depth. That did not really happen that way, did it?

A I am sorry?

F

Q It has been sort of put to you that you were given assurances that Mains was not engaging in any activity in Kincora. You did not put it on the basis "Well, do you know anything about Mains?" and they would have said "No, not really" or something to that effect?

A That is right, yes.

G

Q The way it was left, was it not, was that you were not going to close your mind on the matter; you were going to continue making inquiries or keeping your ears open for any information; and if anything further came to you you would get in touch with them?

A That is right.

Q Similarly, you expected them --

A -- them to come to me. That is right.

H

Q And it is right to say that you never went back to them because nothing had ever come to your notice?

A Nothing at all.

A

Q Nothing had ever come to your notice, although you were part of a unit that was operating in the same area, who was responsible for the area in which the home was?

A Yes.

B

Q Although you had alerted quite a number of your colleagues as to the nature of your suspicions, nothing came to your notice?

A That is right.

Q So with all the eyes and ears of the law, and so on, you still were unable to transform that suspicion into anything more concrete than a suspicion?

A That is correct.

C

Q I have to ask you about McGrath, because at about that time there had been a complaint in respect of McGrath about R 18. Were you aware of that?

A No, I was not aware of that complaint at all.

Q But you have heard evidence?

A I have heard evidence, yes, but I was not aware of that complaint.

D

Q Might it not have been in that context that McGrath was mentioned by Mr Scoular or someone else?

A I do not know. There were no details given, except it was a disciplinary matter.

Q Mr Scoular has very little recollection of the details of the conversation with you, but there was no disciplinary matter in connection with Mr McGrath other than the R 18 one, and if he mentioned McGrath he said it would only have been in that context, though he does not know whether he gave you any details or how much detail.

E

A There were no details given whatsoever.

Q You did not take any notes or anything during the meeting?

A No. It was a very informal meeting between the three of us.

F

Q The fact that it was informal would have confirmed to the people that you were dealing with what the nature of your suspicions were, or what the level of your suspicions were?

A Yes.

Q It was not a meeting where you were formally asking them to take some urgent action, or anything like that?

A No.

G

Q Could I ask you generally about police procedure. If somebody were investigating a person who lived or worked or had some connection with your area, some other police officer not from your area, would you expect him to come to the local police to see if they knew anything?

A Usually, if you are going to do a search or arrest somebody in our area, there usually is the procedure to tell us.

H

Q Suppose, for one reason or another, a police officer becomes interested in somebody who is living or working in your area, would you expect him as part of his ordinary investigation process to ask the

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local police if they knew anything about him?

A Initially, yes, but after that he would work on his own.

Q But as a matter of routine he would go to the local police and first and say "What do you know about this man?"

A Yes, depending again on the inquiry.

B

Q Do you know Chief Superintendent Graham, now retired? He was in charge in the mid 1970s of all police operations in Belfast, apparently.

A Detective Superintendent Graham, John Graham?

Q I do not know his first name.

A There was a Detective Superintendent John Graham who was in charge of CID operations.

C

Q Reference was made by an earlier witness to this police officer, that she had reported something to him about McGrath. Do you know anything about that?

A No.

Q That he had said that a watch would be kept upon McGrath?

A No, I do not know about that.

D

Q And on the home?

A I do not know anything about that.

Q That is the sort of thing that would be done by local police? I mean, nobody from outside your area would come in and start watching, except in very exceptional circumstances?

A He could obtain a headquarters team to do that himself.

E

Q On the other hand, he could have contacted the local police?

A He would.

Q Either for information or for assistance in surveillance?

A That is correct.

Q If a police officer was so interested in a person that he thought it worth his while having him put under surveillance, you would expect him, would you, to go to the local police?

F

A Not usually.

Q Thank you.

MR FEE: There is no re-examination, Mr Chairman, and that concludes Mr Scully's evidence.

G

THE CHAIRMAN: Thank you, Mr Scully, very much indeed.

(The witness withdrew)

H

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A MR FEE: I ask Mr Sillery to come forward. His evidence will be taken by my learned friend Mr Sheil.

CHIEF INSPECTOR GERALD WILSON SILLERY, called and sworn

Examined by MR SHEIL

B Q Mr Sillery, you are now a Chief Inspector in the Royal Ulster Constabulary?

A That is correct.

Q Situated in the north-west?

A Strabane.

C Q In October 1977, were you Sergeant in charge of E Division Juvenile Liaison Branch based at Strandtown?

A That is correct.

Q Would you explain briefly to the committee what was this Juvenile Liaison Branch, what exactly its purpose was, and how long it had been set up in October 1977?

D A The Juvenile Liaison Scheme was a crime prevention exercise in relation to young offenders. Basically, the young offenders fell into two groups, ones who had actually committed an offence, and ones who by their behaviour, whilst not actually committing offences, were seen to be potentially delinquent. The idea of the scheme was early intervention and cautioning of the young people, rather than bringing to court the first time. It was cautioning of them in the hope that that might divert them away from their possible path into criminality.

E An element of the scheme was a close working relationship with the Health and Social Services, probation and educational welfare services for the area, and, it being the pilot scheme - which was then expanded throughout the force - the Health and Social Services were involved right through the scheme, as were probation and educational welfare. They assisted with the assessment of the scheme before it was expanded to other divisions.

F The scheme is designed principally for first offenders and those who are seen to be at risk, rather than for people who have numerous convictions. The criteria laid down for cautioning included such things that it would have to be a first offence; the offence would have to be admitted, and so on.

Q Were you based at Strandtown, at the same police station as the last witness, D/C Scully?

G A Actually, when the pilot scheme started up in November 1975 we were at Connswater, but my recollection is we moved in 1976, and my office was opposite the CID office. There is one thing I should say. I think Mr Scully said we were under the CID. That is not correct.

Q In that position, did you have contact with Mr Scoular from time to time?

H A Yes. Mr Scoular always showed a very keen interest in the scheme from its inception. He had arranged, as I recall, a meeting of all the Health and Social Services personnel in the area when we set the scheme up. He kept an interest in it and indeed, as I recall, he wrote an

STATEMENT OF WITNESS

STATEMENT OF: RICHARD KERR

AGE OF WITNESS [if over 21 enter "over 21"]:

OCCUPATION OF WITNESS: BANQUETING PORTER

ADDRESS:

TO BE COMPLETED WHEN THE STATEMENT HAS BEEN WRITTEN

I declare that this statement consisting of 4 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 25th day of FEBRUARY 19 80

(Sgd.) G Caskey, D/Chief Inspector. (Sgd.) Richard Kerr
SIGNATURE of MEMBER by whom SIGNATURE of WITNESS
statement was recorded or received.

I was put into Williamson House, 448 Antrim Road, Belfast, when I was four years old. I stayed there being looked after by the Welfare until I was fourteen. I went to Harberton Primary School until I was eleven and after that I attended Mount Vernon Secondary School. When I was fourteen I was transferred from Williamson House to Kincora Hostel, Upper Newtownards Road. While I was in Williamson House a man who would say he was my uncle - KIN 340 would visit me. A son of his - was in the home. He called himself 'Uncle' to all the boys in the home. He brought us sweets. He did not take me out then. His last address known to me was. Another man KIN 341 who lives on the used to drive KIN 340 to the home. He sometimes came into the home and spoke to us, that is the boys in the home. Later I got to know these men better and when I was in Kincora I used to visit KIN 341's house and have drinks there. He is married and has two children and his wife lives with him. Only once did KIN 341 and KIN 340 collect me at Kincora Hostel. KIN 341 was driving a car he had hired for 24 hours. That was the evening I was caught for stealing money from the Highways Hotel in Larne. It was the 4th October 1977. The three of us were out that evening for a drink. It was KIN 341's idea that we should

SIGNATURE of WITNESS: (Sgd.) Richard Kerr

STATEMENT CONTINUATION PAGE

STATEMENT OF: RICHARD KERR CONTINUATION PAGE NO: 2.

go there for the Country and Western music. I went out with these older men because I had no friends and I knew them from their visits to Williamson House. There was no other reason - just as friends. They phoned me to Kincora and made the arrangements to go out. I had no prior arrangement with them. While I was in Kincora from July 1975 to November 1977 I looked on Joe Mains as a father. I was very fond of him. When I was doing break-ins he said to me that he knew I was doing them. He asked me to tell him the whole story about the break-ins and I told him part of it, that is about doing some break-ins. I mean by break-ins, breaking into houses and stealing. Later the police caught up with me for the break-ins. I used to sit up late at nights discussing my future with Joe Mains. A couple of times he gave me Babycham to drink. Once I brought him whiskey which I knew he liked. These discussions and drinks took place in Joe Mains flat in the hostel. I looked up to and respected Joe Mains and while I was in his flat he did not touch me or say anything to me which would have suggested anything of a homosexual nature. At the hostel Mr McGrath, the house master, was known as a homosexual. Boys in the hostel told me that he had tried it on them. Some of these boys are - **KIN 46**, **R 10**, **R 9** and a boy named **HIA 533**. McGrath used to play around with me by pulling my jumper and wrestling with me. He would pull me close to him, his front to my back and press his belly up against me. It wasn't normal wrestling and I knew he was enjoying it in a homosexual way. The boys used to tell me that McGrath put his hands round their private parts. Mr Mains knew that all this was going on because the boys told him. I was not there when Joe Mains was told but the boys told me that he had been told. This all happened while I was in Kincora from July 1975 to 1977 (November). After these complaints were made to Joe Mains the woman cleaner wakened us in the morning. This had always been McGrath's job and it was while wakening the boys he would feel them under the bed clothes. When I made the threats about Joe Mains to the police and social workers that if he did not come to court I would tell all, I was referring to the drinks I had in

SIGNATURE of STATEMENT MAKER: Richard Kerr

STATEMENT CONTINUATION PAGE

STATEMENT OF: RICHARD KERR CONTINUATION PAGE NO: 3.

his flat, that he knew about my break-ins and also about Mr McGrath's behaviour. I thought by making these threats he would come and help me because he would be scared. I never intended to tell but just to put pressure on Joe Mains to help me. The Belfast Juvenile Court after I was a few weeks on remand in Rathgael Training School sentenced me to Borstal Training. In Woburn House I became very friendly with Billy Edmonds the Medical Orderly. He knew that I had no one to turn to and that I got no visits and no presents. He treated me different from the other boys by giving me things and letting me do things that he would not let the other boys do. After I was released from Borstal in February 1979 Mr Edmonds visited me twice at the Park Avenue Hotel where I was staying and had drinks with me. He called with me once at the Bishops Court Hotel, Upper Newtownards Road. These visits happened between February 1979 and May 1979. I went to Preston in May 1979. While I was in Borstal I was visited twice by Joe Mains. I wrote two letters to him asking him to come and see me which he did. I told Mrs [REDACTED] in the Borstal Reception that Joe Mains had come once dressed as a church minister. This is not true because it was Eric Mitcham who is in charge of Williamson House who came dressed in this way. We were not allowed visits in Borstal during the day time and Eric thought if he came dressed as a minister he would get in. He got in and he told me that why he came was to see how I was getting on. I did not ask him to visit me. I was in about four months at this time. I moved to Preston in May 1979 and Mrs Kennedy my Social Worker gave me money for the fare. Before I left Northern Ireland and during the time I was in homes and other institutions I did not make any complaints about indecent behaviour by anyone to any members of the welfare. There were no complaints to make. I only made the threats I have referred to to Detective Scully, Mrs Gogarty and Mr Morrow my Social Workers. In May 1979 I moved into my aunts house at [REDACTED] Preston. I met a man she knows - [REDACTED] who lives at - [REDACTED] [REDACTED] where I now live. I met [REDACTED] in [REDACTED] 1979. I was having difficult times with my aunt, Mrs

SIGNATURE of STATEMENT MAKER:(Sgd.) Richard Kerr.....

STATEMENT CONTINUATION PAGE

STATEMENT OF: RICHARD KERR CONTINUATION PAGE NO: 4.

[REDACTED] and [REDACTED] knew that. He offered me a boarding room in his house if I got a job. I got a job in a hotel and moved into [REDACTED] house in September 1979. I pay him £15.00 a week rent. He bought me a watch for Christmas. There is nothing going on between him and I. Back in 1978 [REDACTED] who had been in Borstal told me that there was something in the Belfast Telegraph about homosexual play acting in Kincora. I did not see this in the Belfast Telegraph but I believed what he said because I knew it was going on. I met Stephen Waring in Kincora Hostel. He came there after me. I think he came to Kincora in 1977. He and I got involved with a [REDACTED] KIN 274 who was also in Kincora. [REDACTED] KIN 274 planned the break-ins that I have referred to and Stephen and I helped him to carry them out. Stephen and I felt we were under pressure from [REDACTED] KIN 274 and we decided if we were caught we would go to London, take a lot of drink and then take an over dose of tablets. We were intending to commit suicide. It was Stephen who suggested suicide. I did not go to London and I didn't go out drinking with him or take tablets. We were both in Rathgael Training School when he escaped and I heard a short time later that he was supposed to have jumped overboard on the Liverpool boat. Since Stephen's death I have slashed my wrists on seven occasions. Once in the Court, twice in Rathgael and four times in Borstal. Once I was serious, that was in Borstal in a cell. The remainder I was not serious about suicide but only wanted attention for I was crying out for help. I got hospital treatment on each occasion. I was questioned by Mr Morrow and Mrs Gogarty about three times my reason for going with [REDACTED] KIN 340 and [REDACTED] KIN 341. I just said what I have told you. They also asked me why I was so close to Mr Mains. I told them that I looked on him as a father.

RK

SIGNATURE of STATEMENT MAKER: (Sgd.) Richard Kerr

QUESTION NO 27BACKGROUND NOTE

1. As will be apparent from the reply to Question No. 25, there have been police enquiries into allegations involving certain members of staff in a children's home in East Belfast over some 3/4 years. The allegations involve homosexual activities possibly involving one or more members of the staff but not necessarily being carried on at the home or involving children in the home.
2. In this situation, the Eastern Health and Social Services Board has been unable to take independent action by way of investigation but, in view of possible risks to the children in the home, they have strengthened social work support for the home and ensured that regular visits to the home are made by Board staff. There is no evidence that any of the boys in the home have been involved in any of the allegations. Nor has there been any evidence on which the Board could have instituted disciplinary proceedings against staff.
3. The Department of Health and Social Services became aware of the police investigation as a result of the story carried on the front page of "The Irish Independent" on 24 January 1980 (copy attached). Discussions were held immediately with representatives of the Eastern Board and the RUC. No action is possible, however, until harder evidence is adduced and until the DPP rules on whether there is a case to be heard.

(Not for communication outside NIO)
Kincora assorted correspondence re police enquiries into allegations of abuse (39) - DHSSPS - 04-11-13 OPT

BACKGROUND INFORMATION

Within the last week, the Eastern Health and Social Services Board has suspended the caring staff at this home on full pay pending the outcome of the police investigations. There is therefore no danger to the boys in the home. This information has not been made widely known by the Board and, it is suggested, should not be used in the Secretary of State's reply. The Minister of State (Mr Alison) is being kept fully apprised of developments.

Mr Alison has written privately to Mr Robinson bringing him up to date with the present state of play which is that the three senior members of the caring staff in the home have been placed on precautionary suspension (with pay) while the allegations are being investigated.

Note for the Record

KINCORA CHILDRENS HOME

1. Asst. Chief Constable Meharg and Det Inspector Mooney called with me on 3 March 1978. I was accompanied by Mr Wilde and Mr Gilliland. I explained the background: My discussion with Chief Inspector Caskey on 29 February, my subsequent discussion with Messrs Gilliland and Scoular (which I had interpreted as a message conveying real concern and anxiety) on 1 March (when I had communicated the anxiety of the RUC) and my request through Chief Inspector Caskey to his superior for whatever additional specific information could be released. I also referred to a report in the Sunday Independent of 2 March.
2. Mr Meharg confirmed my view of the position. Mr Caskey had indeed wished to convey grave concern and the police were now prepared to go further. These investigations were going on, they did not know how far the ripples would spread. The police were now satisfied that on the basis even of their present information they would be submitting a case to the DPP in relation to two individuals (Mr Mains, Head of Home and Mr McGrath, 3rd in charge), and DPP would have to decide whether to prosecute. Police evidence was now harder as a result of statements taken over the week-end and without prejudging the case, he seemed to anticipate eventual prosecution. The investigations would take another 3 or 4 months after which the DPP might take 2 weeks to decide whether or not to prosecute. It would be some time then before the case came to court.
3. He said their investigations seemed to discount (i) the use of the home as a homosexual brothel, or the procuring of boys (ii) the involvement of outside businessmen or others and (iii) the involvement of paramilitary organisations. Up to the present only two people were concerned (whether acting separately or in concert was not yet known) and the investigation ranged over (i) the allegations made in the Irish Independent on 26 January (ii) earlier allegations against Mr McGrath uncovered by a Detective on another case in the mid 1970s which had not then been substantiated (iii) allegations made against Mr Mains in an investigation of the Stephen Waring case (lost overboard from Liverpool boat) for which an explanation had apparently been accepted (iv) allegations against Mr Mains in the mid 1960s which had been the subject of an enquiry by Belfast Welfare and (v) the allegations that there had been a cover up. The specific events now being alleged seemed to refer to events in 1976 and earlier.
4. He said that a boy named Kerr who had been an inmate of the home and who now appeared to be living as a homosexual in London had made a statement that Mr Mains had taken him into his bed, that Mr Mains had been sexually aroused and had been guilty of indecent assault but not gross indecency or buggary. Mr Mains had also been accused of interfering with a boy at a summer camp in Helens Bay some years earlier (3(iii) above) and with undue familiarity with boys (3(iv) above).
5. Mr Mooney said that over the week-end a statement had been taken from a mentally handicapped man called R 12 who had been in the home about 7 years ago and who now lived with his father. R 12 alleged that Mr McGrath at that time a part-time or relief worker at the home had caressed, kissed and indecently assaulted him and had made persistent homosexual advances. Mr Meharg said that the earlier investigation had arisen out of a complaint by a student and included a letter written by McGrath of a very affectionate nature advocating homosexual relations as an ~~experience~~ experience of Christian Love. This case had not involved the hostel or any of the children there and had not resulted in a prosecution.

6. Messrs Meharg and Mooney, in confirming that Mr Caskey's visit was an expression of police concern now went on to say that the police now considered that neither Mr Mains nor Mr McGrath was a fit person to have care of children and they had sought this meeting in order to inform management of this. They were more worried than they had been on ^{Friday} ~~finding~~ as a result of the R12 statement which they regarded as much more serious than the allegation against Mains. They now had two statements making serious allegations against the two officers and this constituted sufficient ground for taking action. It was quite clear that they wished to see the two men removed from Kincora. [It transpired in later discussion that R12 was ESN rather than registered Mental Handicapped].
7. Mr Mooney said that they would now wish to interview all the boys at present in the hostel and all there who had been there in the past few years. He did not think this investigation could be carried on satisfactorily if the two officers concerned remained in charge.
8. Mr Gilliland was very concerned at the allegations which he took very seriously. He was concerned to have grounds on which he would base a change from 'no action' on Friday to drastic action this week. He agreed that he would seriously consider what action management could now take and that any action which would remove the officers from the home could be presented as a response to the police investigations and in the best interests of the boys, the home and the staff and without making any assumptions about the truth or otherwise of the allegations, as a reasonable and prudent step to safeguard the welfare of the children concerned. The police confirmed that no allegations had been made against the Deputy Head, Mr Semple, and thought he was likely now to deny all knowledge. Mr Mooney thought he might be culpable in not having discovered what was going on in the home and that there might be justification for an at least temporary clean sweep of the top management.
9. We agreed that Mr Gilliland should now consider what action he should take and the practical consequences of this; that when he had decided on a course of action he should inform the RUC and this Department.
10. I thanked the police officers for their help and co-operation and in this Mr Gilliland joined. The meeting had lasted over an hour.
11. After the police had left Mr Wilde, Mr Gilliland and I had a short discussion. It was quite clear that Mr Gilliland had made up his mind to remove the men from the home and was now concerned mainly with tactics. He was anxious not to appear either to be accepting the allegations as to be involving the disciplinary procedure. He would consider whether to suspend, to transfer, to re-deploy, to send on leave or study leave or otherwise. He would discuss with local management in East Belfast and Castlereagh and with Sir Thomas Brown and he would keep the Department informed.



M N HAYES

CONFIDENTIAL

ROYAL ULSTER CONSTABULARY

INTERVIEW NOTES

SUSPECT'S NAME Richard Kerr D.O.B. [REDACTED]
 ADDRESS [REDACTED]
 INTERVIEW AT [REDACTED] Police Station DATE 25.2.80
 TIME COMMENCED 6.15 pm a.m./p.m. TIME CONCLUDED _____ a.m./p.m.
 INTERVIEWING POLICE OFFICERS Sgt. [REDACTED]
Sgt. [REDACTED]

PARTICULARS OF INTERVIEW:

Aunt - lives at [REDACTED]
Sister Robinson at H.A.
Came to [REDACTED] May 1949 - JS by Judge
Kennedy. Her Robinson in [REDACTED] near market.
Plugged in street & said to meet my Aunt.
about August 1949. Moved to where she is
Left 19 - no understanding that I would
for a job - got out because the Aunt's
disagreement with her husband & they suggested
that I find somewhere to live.
Went to Williams when 4 yrs. - 1965 to
14 yrs. - 1975. To school next. July 1975
3 yrs in Knives - Mount Vernon Secondary School
Primary - Hartston P.S. Balnace until 14 yrs?
11 yrs. then secondary until 16 years.
From met William in Knives. Admitted that
he & William killed the female girl. - the were
born in Boston, had a problem & couldn't escape
the cars. He knew we couldn't for us.

INITIALS OF INTERVIEWER(S) _____

CONTINUATION — INTERVIEW NOTES — SUSPECT: R. KERR. PAGE NO. 2

I don't think he committed suicide - His body wasn't found - I know Stephen - He not the type of lad to do it. There were a lot of pressure & influence by other - Same the billion a. He was the one who did it all. There been come to that means the money suggesting that the billion come to Kurlow a. I worked to have problem at my job - before Kurlow. Time breaking - left for last of last yr approx. 6.20pm. Refer to Remand ex. Court. Alleges that some workers made mistake - some workers - Goughby Kennedy & Johnson. CIA Staff assist - Man charged for know that assist. - I don't say that but do think he would have help but was disappointed that he didn't - He was fond of me. - He kind of my imagination & thought I needed more attention. You said in Court - If he doesn't come to Court he'll be in there for good.

It's a long time ago. - You don't want to remember. I make from file - You get annoyed & said he (Mr. Khan) he better come - I'll tell about getting me Henry what was purpose. Did you get Henry. He (Mr.) treated me better & probably that was wrong for me He wouldn't allow me to make any own decisions

SIGNATURE OF INTERVIEWER(S)

D

2

CONTINUATION — INTERVIEW NOTES — SUSPECT: R. Kerr PAGE NO. 4

Others - I know what he was doing he was trying.
 He was trying at an earlier time. He never
 done nothing - I only know what happened
 to other - M. was - fundamentally had come to the
 Street. They did he had go to Court. He
 know about what B & B had done Good Tim Power.
 Any sensible man would have gone to the Police
 He knew because he told us. He said is.
 Money & I going out at night time a lot of
 money & said it was about your doing.
 it's at doing that time you hang out. About
 I checked - used to take about his work
 at Williamson's house. He suggested that of
 was doing B & B. he would help. to keep
 the Police off my back. He had that Police
 timber to you - Some one must have mention
 something - Did you not know - Yes.
 Also do you know - myself - I had.
 They we solve you the B & B. in my location.
 Are you saying that nothing happens there
 place between you. Man & the Queen took place.
 You were sent to R. Kerr. - They sent me to
 Court. because of what happen at & Wang.
 Wang was to Barrow - I was Barrow
 when was - first time you asked about - at the

SIGNATURE OF INTERVIEWER(S) _____

CONTINUATION — INTERVIEW NOTES — SUSPECT: _____ PAGE NO. 5

Court. What did you do or write. What
 with things - what things - six times
 2 or 3 times. - ~~4~~ or 5 times. 6 1 in Court.
 Had any names in Court. - So. Did you
 know any of the names at Court. -
 I know them all. - Did you know Edward.
 Yes. - He's a doctor - medical orderly.
 Did you ever have contact with him. Yes or
 He's after release for Bussell & before then
 one to - [redacted] - where - The Hotel that
 you accommodated - Park Avenue - He was
 in at William Smith House during 2 weeks after
 my release. He had no responsibility over me.
 How often did you contact with him - 9 for the 10 -
 Bishop's Court - we drank in - Park Ave.
 Did he go to you 2nd room - No. You're not
 allowed - Did he ever say anything - So
 He not mention any name - He been in
 about divorce - So family. What has
 interest. Because of my Aunt, was
 outside assistance. I visit or parents. I had
 2 visits - Hazel & Allen. - They remember.
 Mrs. Grogan by one time or over time. She
 brought my case - Mr. Pains. - 2 times. I asked
 her to - I wrote a letter to him. Was he

SIGNATURE OF INTERVIEWER(S) _____

CONTINUATION — INTERVIEW NOTES — SUSPECT: _____ PAGE NO. 7

Truck - found of ambulance.
 [redacted] - Person was willing to give
 me job in London - Name of Dance Worker.
 Tom - Probation Officer in Belfast.
 2. Gray's House. - wife Peter
 Linda's friend - Billy - Bangor. That's
 Edna do. - [redacted]
 J. - 154/ - J. Petland
 b. Kelly - [redacted]
 Edna & [redacted] - [redacted]
 Underneath it - Why. - Janet Under
 John me this Kennedy name.
 David & Bruce - Friends - [redacted] etc
 used to play at lot of pool.
 56715? 1/15. - about 1000.
 What do x for - They were days this
 Monday was to take me to Birmingham
 John gave me the change
 Letters were from Probation Officer in Boston.
 Kelly from [redacted] - DA should be name
 Ref. BO 8. and people who went with you
 for the case. - Stephen Wain P. was with me.
 I was returned to [redacted] on those offences
 They for Highways Hotel - that was T. I. C.
 Who was boy - [redacted] KIN 341 & [redacted] KIN 340

SIGNATURE OF INTERVIEWER(S) _____

CONTINUATION — INTERVIEW NOTES — SUSPECT: R. Kerr PAGE NO. 8

KIN 341 - friends of my father. - They weren't involved - Why did they accompany you - because they were friends - You were 15 - I mean can you tell you are - yes. But Mr. Fisher was drinking - that's right - Mr. Fisher was drunk when you - Then why do you mean as you - then - Sarah Johnson you had been - you had been any lower than me - He had been out - so you prefer to be with women - going out with drunk. yes - sex with woman - In taking this truthfully, he was satisfied. - Yes I know why - because when I was in hospital I got no visits, from a. - Why drinking was means - I even had a problem - He was his me & also played having. I never saw him with other boys. Did he do any petty white work - NO. Any suggestions - NO. You never suggested - agreed he - & yes he did a lot for me. Purdyes - handling by me. - I was like the teacher's pet. - Why should you make suggestion - I trusted him to help me if I got into trouble - he had never let me down. How do you know he had been

SIGNATURE OF INTERVIEWER(S) _____

CONTINUATION — INTERVIEW NOTES — SUSPECT: L. KERR PAGE NO. 9

Further warning of danger to me.

Remains to be seen by

Locally, [REDACTED] **KIN 46** [REDACTED] **R 9** ✓

[REDACTED] ?

SIGNATURE OF INTERVIEWER(S) _____

STATEMENT OF WITNESS

STATEMENT OF: RICHARD KERR

AGE OF WITNESS [if over 21 enter "over 21"]: [REDACTED]

OCCUPATION OF WITNESS: BANQUETING PORTER

ADDRESS: [REDACTED]

TO BE COMPLETED WHEN THE STATEMENT HAS BEEN WRITTEN

I declare that this statement consisting of 2 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 26th day of February 1980

G CASKEY D/CI
SIGNATURE of MEMBER by whom statement was recorded or received.

RICHARD KERR
SIGNATURE of WITNESS

It was about the beginning of 1977 whilst I was in Kincora Hostel that [REDACTED] KIN 300, a resident there, found a tape under [REDACTED] R 9's bed. He played it on [REDACTED] R 9's tape recorder and it was a recording of [REDACTED] R 9 and [REDACTED] R 17 having sex. On the tape [REDACTED] R 17 was asking [REDACTED] R 9 to wank him. I heard noises to that effect on the tape. After [REDACTED] R 9 and [REDACTED] KIN 46 left Kincora in July 1977 they went to live with [REDACTED] KIN 342 a retired social worker. There was talk that [REDACTED] KIN 342 was homosexual. This was the talk of Kincora. He would visit the boys in Kincora. He talked to me sometimes but never touched me. I remember Joe Mains asking me one night to massage him. I was making his tea in kitchen. Stephen Waring was with me. Stephen said don't go near him he is an old poof. I told Joe that I would not massage him. One other night I was making Joe's tea in the kitchen when he came in and asked me if [REDACTED] KIN 46 masturbated. I didn't know what to say and I changed the subject. I wondered why he asked me that question. I should tell you

SKK
MM

SIGNATURE of WITNESS: RICHARD KERR

STATEMENT CONTINUATION PAGE

STATEMENT OF: RICHARD KERR CONTINUATION PAGE NO: 2

that **KIN 46** was found in a bed with another boy in Williamson House. Both of them were naked when found by one of the ladies. He was about 15 at the time. He was also found under a bed with **[REDACTED]** in Williamson House.

SIGNATURE of STATEMENT MAKER: RICHARD KERR

STATEMENT CONTINUATION PAGE

STATEMENT OF: JAMES OLIVER McCCLURE CONTINUATION PAGE NO: 11

Q Is there anyone else you had a full relationship with

A No

Q Did you use creams

A Not necessarily no

Q What do you mean, yes or no

A I never bothered with them, no

Q Do you remember **KIN 66**

A He was a hostel assistant, he only stayed when Semple left during 1968 I think

Q Is **R 5** complaint right

A No. I only checked his underwear, he was a guy who was never changing and I pulled his pants back and looked at them when he was in the bathroom to see if they were clean

Q Did he have trousers on

A No he didn't

Q Did you give **R 5** a hiding when he told you he had reported the incident to the Welfare

A He got a hiding yes, I used a cane

Q Why did you think he made the allegations

A These boys had a personal grudge against me and they concocted this to get back at me

Q Did anything happen with Richard Kerr

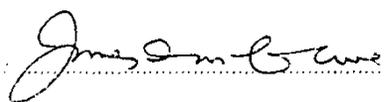
A No

Q What about **R 8**A **R 8** came to the hostel after **R 5** and had been employed in the brother's shop, I think he was stealing cigarettes, I think he did this to get back at me

Q Did he rub cream on your back

A Yes but nothing else happened

Q Did you give him a French kiss

SIGNATURE of STATEMENT MAKER: 

STATEMENT CONTINUATION PAGE

STATEMENT OF: JAMES OLIVER McCLURE CONTINUATION PAGE NO: 15

He was very depressed and I used to have long conversations with him and one time he told me that McGrath had told him he was a qualified masseur and had massaged creams into [REDACTED] back. I felt that [REDACTED] was making this story up as he had an intense dislike of McGrath and one time [REDACTED] told me that he was gay from when he was ten and this was the reason he couldn't mix with the rest of the boys. I told his Social Worker what he had said and she continued to counsel him. His relationship became more pleasant with McGrath and we had a case conference. At the conference it was discussed and it was decided to make him mix with the other boys and not make him feel that he was of any importance. I discussed McGrath with Mrs Hyland, [REDACTED] Social Worker, and we couldn't make our minds up whether it was true or not, although I think she believed [REDACTED].

I left the interview room at 3.50 pm and returned at 4.08 pm.

Q [REDACTED] R 21

A He never complained to me he was very secretive. He wouldn't have told me

Q [REDACTED] KIN 43

A I can't remember that, it's a good while back

Q There was another [REDACTED] HIA 532/B1/R13 I haven't got his statement here.

Do you remember him reporting an incident with McGrath

A No

Q Richard Kerr, what was your relationship with him

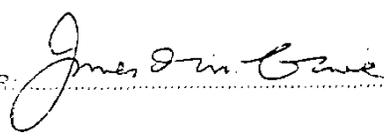
A Good always very good

Q Did you know Kerr's friend [REDACTED] KIN 340

A This was supposed to be his uncle

Q Kerr was involved in burglaries he discussed these things with you

A Yes that's right he told me after he had been caught.

SIGNATURE of STATEMENT MAKER: 

STATEMENT CONTINUATION PAGE

STATEMENT OF: JAMES OLIVER McCLURE CONTINUATION PAGE NO: 16.

Q Did he complain about McGrath.

A I asked about McGrath when he was in Rathgael when he was in Training School and he told me that McGrath tried it on him several times.

Q Did you question McGrath.

A Not at that time I thought if Richard Kerr had anything to say he would say it himself.

Q Do you know Billy Edmonds.

A No.

Q You visited Kerr in Borstal.

A Yes, he wrote several times to me to visit him, he thought because he had been sent down the hostel had not stood by him.

Q Did you know Eric Witchell from Williamson House.

A Yes.

Q Why did you visit Kerr.

A To ease the situation, we would visit if requested by the boy.

I left the room at 4.25 pm and returned at 4.30 pm. I showed Mains Exhibit Number GC 21 Part of GC 3 a statement made by **R 6**

I read it over to Mains and Mains said there was nothing in that no.

I showed Mains Exhibit Number GC 24 Part of GC 1 a letter by **R 8**

I read it over to him, Mains made no comment. I showed Mains Exhibit Number GC 19 Part of GC 3 a letter by **R 8** Mains was told that this was virtually a copy of the first letter. He was then shown

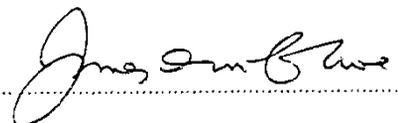
Exhibit GC 20 A Part of GC 3 a statement by **R 5**

Q Are you saying that the allegations made by these boys are untrue.

A Yes there was nothing of a sexual nature going on as they seemed to describe.

I showed Mains Exhibit GC 50, a file on himself, and pointed out references which were in his own handwriting and asked him why.

SIGNATURE of STATEMENT MAKER:



STATEMENT CONTINUATION PAGE

STATEMENT OF: MARGARET JOCLYN REID CONTINUATION PAGE NO: 3.

D/S Q In connection with your problem.

A Yes.

D/S Q Did it help.

A It brought a certain amount of understanding to the problem, yes.

D/S Q Do you know which boy had it.

A No it was just found in the home.

D/Sergeant Middlemiss then showed Mains a letter addressed, Dear Mr Mains from Richard Kerr.

D/S Q Is this letter one of the requests made by Kerr to go and see him in Borstal.

A That's right aye.

D/S Q Can you date the letter for me.

A About Christmas time 1977.

D/S Q The envelopes dated January 1978 you're not far out.

D/Sergeant Middlemiss then showed Mains a letter dated 23.12.77 from Richard Kerr.

D/S Q And that's a similar request.

A Yes that's right but I couldn't go down and see him, my mother died on 22 December 1977.

D/Sergeant Middlemiss then showed him a photograph album and said

Q These are just photos of one hostel holiday.

A That's right yes.

D/S Q When **R 6** and **R 5** complained about you during '67 who came to see you from the Welfare.

A Mr Moore he was Childrens Officer at the time.

D/S Q What about **R 8** complaint in 1971.

A I think that Mason came out to the hostel, the complaint was made to who referred to Bob Moore, Mr Moore spoke to me about it. I had to call and see him and Mason came and saw me a few weeks after that.

SIGNATURE of STATEMENT MAKER: MJ-Reid

STATEMENT CONTINUATION PAGE

STATEMENT OF: MARGARET JOCLYN REID CONTINUATION PAGE NO: 4.

- D/S Q These case conferences you had on boys with their Social Workers you took part in them didn't you.
- A That's right yes.
- D/S Q Did McGrath
- A Some not them all.
- D/S Q How did McGrath get involved with them.
- A He would be called on to the case conference if he had anything to complain about or bring up.
- D/S Q So you would mention to him that a case conference was going to take place and ask him if he had anything to say and if he did he would attend is that right.
- A Yes.
- D/S Q When you were at these conferences you discussed his welfare moral, personal and health problems. How did you feel about it when you might have been having a relationship sexually with them.
- A I discussed quite openly the boys problems but the sexual aspect never came up.
- D/S Q What was your relationship with McGrath like.
- A We had little or no conversation, his manner was very polite. His main topic of conversation was the Orange Order, politics and gardens and plants. He also spoke of boys not getting up in the morning and other hostel matters.
- D/S Q You never socialised with him.
- A He wasn't the sort of man you could mix with he kept himself aloof from the staff.
- D/S Q What are the regulations at the hostel concerning ex boys visiting and staying overnight.
- A Any boy is welcome to come back except certain boys who might be involved in crime, they wouldn't be welcome.

Mains continued, if anyone stayed overnight permission was generally granted by Mrs Wilson she was our Assistant Principal Social Worker, she has since retired.

SIGNATURE of STATEMENT MAKER: M J Reid

STATEMENT CONTINUATION PAGE

STATEMENT OF: MARGARET JOCLYN REID CONTINUATION PAGE NO: 5.

- D/S Q The register you had in Kincora did that cover every boy who stayed there.
- A Yes every boy that stayed there officially was entered in the book.
- D/S Q Is it all your writing.
- A No some of it's Raymonds he copied from the old book into the new book including the references from the old book. The old book is still in the hostel too.
- D/S Q Why did **KIN 342** come to the hostel.
- A He was an old retired welfare courts officer and had retired about twelve years. He also provided accommodation for some we couldn't house.
- D/S Q Was he gay.
- A Heavens no.
- D/S Q So he was just helping out.
- A Yes a lonely old man just helping, he used to play a lot of golf but he took pains in his arms and had to stop.
- D/S Q Did you recommend boys to **KIN 342** when they were leaving the hostel.
- A Sometimes yes with the Social Workers approval of course.
- D/S Q Did he ever ask you to recommend a certain type of boys to him.
- A No he knew most of them by his visitations to the house.

D/Sergeant Middlemiss showed Mains Exhibit No. SGH 3 Part of GC 1 a report relating to **R 18**

- D/S. Q That's the original of the report I showed you earlier today.
- A Yes that's right.

D/Sergeant Middlemiss then showed Mains a paper entitled Summary of **R 18** for July and August 1977 signed by Anna Hylands.

- D/S Q This report states you and Mrs Hylands discussed **R 18** problems with McGrath and how he might cope with it if it happened again.

A That's right yes.

- D/S Q Did you tell her that **R 18** had complained to you previously.

A Yes that's right I did.

SIGNATURE of STATEMENT MAKER: M J Reid

STATEMENT CONTINUATION PAGE

STATEMENT OF: MARGARET JOCLYN REID CONTINUATION PAGE NO: 6.

D/S Q Did you discuss this matter with Gordon Higham.

A Yes.

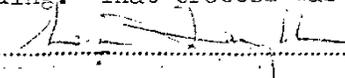
The interview terminated at 11.25 am.

SIGNATURE of STATEMENT MAKER: M J Reid

STATEMENT CONTINUATION PAGE

STATEMENT OF: NORMAN McLAUGHLINCONTINUATION PAGE NO: 12

- Q This is a serious allegation, why should **KIN 46** want to make such an allegation?
- A He must be telling lies. You're not dealing with perfect gentlemen.
- Q He is one of many boys who have made allegations?
- A Yes you have underlined that.
- Q Does that mean they're all telling lies?
- A Yes, I have told you I have had no homosexual activity at any time.
- Q Before I outline all the allegations I can tell you that this is a relatively minor one compared to others?
- Q Did you know a boy called Ritchie Kerr?
- A Yes he was resident in Kincora. He was actually in twice.
- Q He has alleged that from July 1975 to November 1977 that you would play around with him by pulling his jumper and wrestling with him and that you pressed your belly up to his back in a homosexual way?
- A Ritchie Kerr said that.
- Q Comment?
- A Not one bit of truth in that. From the day he came there he continually showed animosity. He was one of the few boys who did not conform. There was always stress and strain between us. That is partly explained in some cases because the officer on duty in the mornings always fell for ill will because he has to insist on the boys getting up.
- Q Kerr told Mains about this and after that the boys were wakened by a woman cleaner and by that the complaint to Mains was that you interfered with boys?
- A When I went to waken them.
- Q When you went up to waken them in the mornings, did the woman cleaner take over that responsibility?
- A No it was a free and easy arrangement, there was no hard and fast rule. The last two years there was two boys who were out early but that only involved switching on the light and giving them a shake, and leaving the light on on the landing. That process was repeated

SIGNATURE OF STATEMENT MAKER: 

STATEMENT CONTINUATION PAGE

STATEMENT OF: NORMAN McLAUGHLIN CONTINUATION PAGE NO: 13

later in the morning.

Q Why should Kerr, like [REDACTED], make such an allegation against you?

A I haven't a clue.

Q Didn't you say earlier it was your responsibility to get the boys out?

A That is true, there was no particular responsibility.

Chief Inspector Caskey then referred to the statement of [REDACTED] KIN 48 -

A That's a long way back, that's the boy who's in [REDACTED] D/Chief Inspector Caskey replied "Yes".

McGrath stated "He [REDACTED], what did he say?"

D/Chief Inspector Caskey -

Q He said that one morning he woke up to find you had your hand under his bedclothes touching his thigh?

A Yes.

Q That he told you to beat it. Is that true?

A No sir, I shook him by the shoulder. If he attributed it to a homosexual approach he's telling lies.

Q Did you have your hand under the bedclothes?

A No I did not.

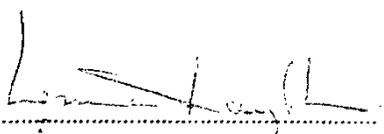
Q Do you know a person called [REDACTED] R 12

A Yes, that's going a bit back.

D/Chief Inspector Caskey - "Yes from May 1973 until May 1974, do you accept that?"

A Yes.

Q He has said that you sexually assaulted him on several occasions in the hostel whilst an inmate there?

SIGNATURE OF STATEMENT MAKER: 

STATEMENT CONTINUATION PAGE

STATEMENT OF: NORMAN McLAUGHLIN CONTINUATION PAGE NO: 36

A When a boy is coming up to within a few months of being due to leave Kincora, one of our tasks is to find out accommodation and if he has somewhere to go. In these days most of them want a flat or digs. **R 21** was about the most undomesticated person we have ever had. He could do nothing to look after himself. In discussing the problem of accommodation I advised him he would be better getting digs in a good home. I advised him to place an add in the Newsletter or the Telegraph to this end. I had no idea of any flat or accommodation. I told him of other boys' experiences and of what had happened to them.

Q Have you ever arranged for a flat for any boy?

A No only to advise them to advertise in a newspaper, I never told them to go to a particular address.

Q Have you any influence where a boy could go?

A No only to tell them to go to an estate agents.

Q Have you any idea where the boys go after Kincora?

A No that is not my job.

Q Some of them have returned to Kincora?

A The only one I know ever came back was **R 9**

Q What about **R 17**

A He may have called once or twice over a couple of years.

Q Did you do any duty over last Christmas and was there anybody stayed in the hostel during last Christmas?

A I remember getting a message about two people at that time.

Q Did you know that Mr Mains was aware that two people were there?

A I presume he did, he did not tell me and I did not see them.

Q What do you know about **HIA 534/R 4**

A He did call quite often.

Q Did Mr Mains give you permission to let him into the home?

A No, but he was in charge.

Q Were you aware that a man called and collected Richard Kerr from Kincora Hostel?

SIGNATURE OF STATEMENT MAKER: 

STATEMENT CONTINUATION PAGE

STATEMENT OF: NORMAN McLAUGHLIN CONTINUATION PAGE NO: 37

A Richard Kerr was a bad ticket all round and what he was involved in I didn't know. The only thing I knew was that he was involved in crime, never in sexual activity. He worked in the Cavalier Hotel and I heard he was thrown out because he had some man in his room although I never heard of any sexual activity.

Q Were you aware that Richard Kerr was a criminal?

A No he never told me anything, he never spoke to me only when he had to do.

Q What about Stephen Waring?

A He was very smart and I talked to him a lot about his future. He told me his idea was to resist authority.

Q In the light of this were you surprised that he committed suicide?

A Well was it suicide.

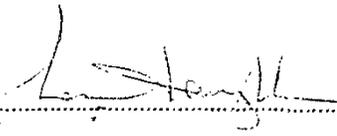
Q Well people have said that they tried to pull him back over the side of the boat again?

A Well his body has never been found.

Q Is there anything else you want to say about these allegations at the moment?

A No.

At 8.45 pm D/Sergeant Elliott and I left the interview room. The interview was then continued by D/Constables Preater and Bell. I again saw William McGrath in an interview room at Mountpottinger Police Station at 9.55 am on 2 April 1980. On this occasion I was accompanied by D/Sergeant Elliott and D/Constable Preater. McGrath was brought from the cell block to the interview room by uniformed personnel. He was already aware of our identities and the nature of our enquiries. I reminded McGrath that he was still under caution. He made no reply. The interview then continued in question and answer form, the questions and answers being noted, by me:-

SIGNATURE OF STATEMENT MAKER: 

STATEMENT OF WITNESS

KIN-50864

OCD-53-(50pg) BOX 3 - R v Witchell Mains IP Kerr

STATEMENT OF: RICHARD KERR

AGE OF WITNESS (if over 21 enter "over 21"): OVER 21

OCCUPATION OF WITNESS: TELEPHONIST

ADDRESS: [REDACTED]

I declare that this statement consisting of 2 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 26th day of October 1982

(Sgd) R A Flenley, C/Inspector

(Sgd) Richard Kerr

SIGNATURE OF MEMBER by whom statement was recorded or received.

SIGNATURE OF WITNESS

I am employed as a telephonist at Mount Pleasant Hotel, Kings Cross Road, London. I have been asked by D/Superintendent Harrison about the statements that I made in 1980 to the RUC. The first statement is dated 25 February 1980. It is all true up to the point where I talk about my friendship with Billy Edmonds the medical orderly at Woburn House, Millisle. He didn't do anything to me whilst I was at Millisle but after I left he committed buggery upon me after I had gone to his house. The next morning he made a gift to me of a radio. Twice after that he saw me and attempted to have sex with me but I refused. I didn't tell the RUC about Edmonds bugging me when they interviewed me in 1980 because I was embarrassed and I thought they were only interested in Kincora. The rest of my statement is true up to the point where I refer to lodging at [REDACTED] house in [REDACTED] and I maintained a homosexual relationship for 2 years. He didn't force me into the relationship. My second statement dated 26 February 1980 is true. Another man who had a homosexual relationship with me was Brother Eric Witchell. After I left Millisle I went and stayed at Williamson House where Witchell was in charge. I was at Williamson House for about 6 weeks. During that time Witchell bugged me about 3 times after giving me alcohol. He was the first man to bugger me. On one occasion when I was about 15 years old I was picked up by a man in the Springfield Road, Belfast. I returned to the man's house with him and during the course of

SIGNATURE OF WITNESS: (Sgd) Richard Kerr

TO BE COMPLETED WHEN THE STATEMENT HAS BEEN WRITTEN

STATEMENT CONTINUATION PAGE

STATEMENT OF: RICHARD KERR CONTINUATION PAGE NO: 2

conversation he put his hand on the inside of my leg. Nothing else happened. I do not know the man and would not know him. I continue to have casual homosexual relationships in London where I live and work. I consider myself to be bi-sexual.

SIGNATURE of STATEMENT MAKER: (Sgd) Richard Kerr

STATEMENT OF WITNESS

STATEMENT OF: ERIC PETER WITCHELL

AGE OF WITNESS [if over 21 enter "over 21"]: BORN [REDACTED]

OCCUPATION OF WITNESS: FRANCISCAN

ADDRESS: [REDACTED]

TO BE COMPLETED
WHEN THE
STATEMENT HAS
BEEN WRITTEN

I declare that this statement consisting of 3 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 26th day of March 1980.

Sgd G C Caskey D/C Inspector
*SIGNATURE of MEMBER by whom
statement was recorded or received.*

Sgd Eric P Witchell
SIGNATURE of WITNESS

Prior to May 1975 I was known as Brother Eric of the Society of St Francis attached to the Friary in Deerpark Road, Belfast. I am a qualified child care officer having received my certificate in child care at the National Children's Home in London. (Highbury Park, Islington). It was the result of a visit to the Department of Health and Social Services at Iveagh Buildings, Belfast I was offered the job of officer-in-charge at Williamson House Children's Home, 446 Antrim Road. When some technical matters between my Order and the DHSS were sorted out I was appointed to this post in May 1975. I remained in this post until I tendered my resignation on 24th January 1980 to take effect from 1st March 1980. On 12th May 1975 I signed a written undertaking that I would not carry out any of my religious duties at any time during my employment and that I would not personally engage in any such duties. I did not construe this to mean that it would prevent me from engaging on pastoral work whilst off duty. I have been read a portion of Richard Kerr's statement about a visit I made to him at Millisle Borstal about 2 to 3 years ago. I remember this visit. On that day I was delivering a resident of Williamson House - [REDACTED] to a holiday caravan at Millisle. I knew Richard Kerr as he had been resident in Williamson House and I took the

Sgd Eric P Witchell
SIGNATURE of WITNESS:

STATEMENT CONTINUATION PAGE

STATEMENT OF: ERIC PETER WITCHELLCONTINUATION PAGE NO: 2

opportunity of visiting him while I was in the Millisle area. That day I wore a clerical collar which I am entitled to do so on the authority of Bishop Arthur Butler, Church of Ireland who lives in [REDACTED]. I gave my name at the Borstal Reception and there was nothing sinister about the visit. I have been asked about my close relationship with [REDACTED] HIA 22 [REDACTED] about my efforts to get him a post at Williamson House and the holiday in London. The holiday in London was paid for by my Order. I took [REDACTED] HIA 22 his sister [REDACTED] and another resident [REDACTED] to my home in London. The girls slept in one bedroom in a double bed. [REDACTED] HIA 22 slept with me in a double bed. My brother [REDACTED] also occupied the same room. I kept them there for one week. The holiday was officially sanctioned by the DHSS - Miss Judith Williamson gave the authority for it. I wanted [REDACTED] HIA 22 to get the post of Assistant House Parent at Williamson House. [REDACTED] HIA 22 had been in care at Williamson House since he was 3 years old and left it when he was sixteen. I thought he was suitable for the post as did other members of staff there. Even though [REDACTED] HIA 22 had left Williamson House sometime in 1978 I still had contact with him because his landlady - [REDACTED] of [REDACTED] felt that she could relate better to me in as much as I had known [REDACTED] HIA 22 for six years, than the Social Workers. I also taught [REDACTED] HIA 22 to drive in my car. [REDACTED] HIA 22 whilst at the house in 1977/78 was considerably older than the other residents and assisted the staff and myself with the day to day life of the House. This is one of the reasons I felt he was suitable for a post of Assistant House Parent when he applied for it in 1979. There was nothing other than a parent/boy relationship between [REDACTED] HIA 22 and myself. It must be remembered that he had a socially deprived background. His mother died when he was [REDACTED] and his father was and still is a drunkard. Until now I was totally unaware that my resignation letter is dated 24th January 1980 the same date that the Irish Independent Newspaper published allegations of homosexual activity at a East Belfast Hostel. This is purely co-incidental as I resigned because of staff appointment procedure at Williamson House. In January 1979 I objected to Richard

SIGNATURE of STATEMENT MAKER: Sgd Eric P Witchell

STATEMENT CONTINUATION PAGE

STATEMENT OF: ERIC PETER WITCHELL CONTINUATION PAGE NO: 3

Kerr being admitted again to Williamson because of his age - nearly 18 at the time and the adverse affect it would have had in the whole home. He stayed a short period during which time he attempted to commit suicide twice, one occasion by taking tablets and on another by threatening to slash his wrists. My objections at the time are well documented at Williamson House. I did not know Stephen Waring. I visited Kincora Hostel on four occasions at the most. One was to bring a message from Richard Kerr to Joe Mains for Joe to visit Richard in Borstal. That was as a result of the visit already described. The others were in connection with admissions from Williamson House. I did not hear of any complaint regarding homosexual activity at Kincora Hostel whilst I was in the employ of the DHSS. In 1975 when I took up the post at Williamson House it was two separate units contained in one large house. I was responsible for one unit at 446 Antrim Road, the unit which housed boys who eventually were transferred to Kincora was 448 Antrim Road. My unit endeavoured to have the children fostered or boarded out when they reached the right age. In 1978 the House was converted into one unit and the children in 448 were moved to another home known as Shore House. That meant that I had more room to accommodate my children.

Sgd E P W

SIGNATURE of STATEMENT MAKER: Sgd Eric P Witchell

ROYAL ULSTER CONSTABULARY

'S'

Division

CID

Sub-Division/Department

C1(a)

Station/Branch

13 OCTOBER 1983

Date

SUBJECT: KINCORA BOYS' HOSTEL ENQUIRY -

(1) DIRECTION TO INTERVIEW ERIC PETER WITCHELL

(2) ALLEGATIONS BY KIN 83

TO: D/CHIEF INSPECTOR C1(a)

- 1 Following the submission of the report by Sir George Terry concerning Kincora Boys' Hostel and a related report by D/Superintendent G Caskey, the Director of Public Prosecutions issued a direction that Eric Peter WITCHELL the ex Officer in Charge of Williamson House Children's Home be re-interviewed concerning an allegation made by Richard KERR to the Sussex Police on 26 October 1982.
- 2 It is not intended in this report to reiterate previous investigations relating to Richard Kerr and Eric Peter Witchell. Reference is however made to the findings as reported in the Kincora Phase I file reference number DPP 1675/80, RUC reference C64/2/80, paragraphs 181-199, paragraphs 349-361 and paragraphs 517-554.
- 3 A prosecution file DPP reference number 2250/81 and RUC reference C64/6/81 refers to offences of indecency committed by Eric Peter Witchell on residents of the Williamson House Children's Home, 444 Antrim Road, Belfast. On 16 December 1981 at Belfast Crown Court, Witchell pleaded guilty to 6 charges of indecent assault and gross indecency and was sentenced to 18 months' imprisonment.
- 4 It will be noted that during the course of the RUC Kincora Hostel Investigations, Richard Kerr was interviewed by D/Superintendent Caskey and D/Sergeant Elliott at Preston Police Station on 25 and 26 February 1980. In two witness statements recorded during the interviews Kerr made no allegations concerning Witchell.

Part IV
Pages 1 - 2

Part II
Pages 1 - 4
Pages 5 - 6

STATEMENT CONTINUATION PAGE

STATEMENT OF: DENNIS BERKELEY ELLIOTTCONTINUATION PAGE NO: 2

the advice he gave his authorities. He did not consider Kerr suitable for Williamson House. I then read a portion of Richard Kerr's statement dated 26 October 1982 - "Another man who had a homosexual relationship ----- . He was the first man to bugger me". I invited Witchell to reply to the allegation. He stated, "I've done nothing with him. Can this be proved"? I advised Witchell that the purpose of my investigation was to prove or disprove the allegation. I asked Witchell what contact he had with Kerr after he first left Williamson House in 1975. Witchell suggested that he had no contact with Kerr and not until he was reminded of his visits to Kerr as indicated on Kerr's statement of 25 February 1980 and his own statement dated 26 March 1980, did he admit or recall the contacts with Kerr. In relation to his visit with Kerr at the Millisle Borstal Witchell stated "Of course, of course I remember now. I was leaving Stephen McCullough down to a caravan and I took the opportunity of seeing Kerr". When questioned as to his reason for the visit Witchell denied that there was anything devious in the visit or the reason for it. It was suggested to Witchell that he had used his clerical collar to gain access to Kerr. Witchell denied this and suggested that he had the authority of Bishop Butler to wear the collar. When it was suggested that the Social Services Department did not approve of him wearing a clerical collar, Witchell suggested that his visit to Kerr was pastoral rather than in the course of duties as a Social Worker. Witchell was questioned at length regarding contact he made with Kerr prior to Kerr being placed at Williamson House. Throughout Witchell denied that there was anything unlawful in the association. Witchell recalled an occasion when Kerr visited Williamson House sometime after 1975. Witchell showed Kerr around the building which had been altered and joined into one unit. Once again Witchell denied that anything sexual had occurred in the meeting. Witchell in reply to further questioning recalled that Kerr was released

10

SIGNATURE OF STATEMENT MAKER: *D. Elliott*

21

Part III
Exhibit No GC35

Part III
Exhibit No DBE5
Part of GC35

Part III
Exhibit No GC54
Part of GC35

Part II
Pages 13-15

Part II
Pages 16-18

Form 51/2

- 13 An examination of Richard Kerr's Social Services file reveals that he was discharged from the Millisle Borstal on 9 February 1979 and placed in Williamson House as a temporary measure.
- 14 Documentation within the file clearly indicates that the persons responsible for the running of Williamson House were receiving complaints regarding Kerr's suitability for the Home. There seems little doubt that Witchell had complained to his authorities about Kerr's presence in the Home. This is best illustrated by the letter marked DBE/5 part of GC35 which is a written request from the District Social Services Officer to the Assistant Chief Probation Officer to take responsibility for Kerr.
- 15 A report marked GC54 part of GC35 also refers to the problems being created for Witchell as a result of Kerr's presence in the Home.
- 16 It should be noted that when Witchell was interviewed by D/Superintendent Caskey on 26 March 1980 regarding his relationship with Kerr, Witchell referred to his protests at having to accommodate Kerr. A copy of Witchell's statement made to D/Superintendent Caskey on this occasion is attached for information.
- 17 As stated in a previous report on this matter Kerr's credibility throughout this investigation has been in doubt. Despite his comments in his statement to Sussex Police, Kerr when interviewed by the RUC on 25 and 26 February 1980 was given every opportunity to make allegations concerning both Edmonds and Witchell. On that occasion he insisted that he had no allegations to make concerning either person.
- 18 It may be significant that when William Edmonds was interviewed on 10 April 1980 he admitted committing acts of gross indecency with Kerr in the surgery at the Millisle Borstal. Further indecent acts were committed after Kerr's release from custody. No prosecution was directed in this case. A copy of Edmonds' statement is attached for information.

- 19 In light of Edmonds' admission there is every possibility that Kerr has now told the truth about his relationship with Witchell but in view of Witchell's denials and in the absence of any evidence to support Kerr's allegation I consider that a prosecution of Witchell would not succeed. I therefore respectfully recommend no further action in this matter.
- 20 It is now intended to deal with an allegation made by **KIN 83**, [REDACTED] [REDACTED] [REDACTED]
- 21 On 2 September 1983 **KIN 83** appeared at Ballymena Crown Court on charges of indecency concerning men and young boys. The offences did not relate to Kincora or any other children's home and the matter was the subject of a report to the DPP - RUC reference number C64/10/83 and DPP 2442/83.
- 22 A few days prior to the trial **KIN 83** solicitor communicated with the Kincora investigating team and requested details of **KIN 83** period of residence at Kincora. This information was supplied firstly by telephone and confirmed in writing.
- 23 On his appearance at Crown Court, **KIN 83** pleaded guilty to a number of charges. In mitigation Defence Counsel advised the court that his client had been influenced by the actions of the officer in charge of Kincora whilst **KIN 83** was a resident. However, no specific allegation was made to the court and **KIN 83** was sentenced to 12 months' imprisonment.
- 24 In light of Counsel's comment it was decided that Dunbar be interviewed and given the opportunity of recording a complaint.
- 25 On 23 September 1983 **KIN 83** was interviewed at Belfast Prison by D/Sergeant D B Elliott and W/D/Constable Reid. **KIN 83** confirmed that he was resident at Kincora from 7 June 1958 to 27 June 1958 as indicated by the Kincora Hostel Register.
- 26 In a witness statement **KIN 83** recalled that when he first arrived at Kincora Joseph Mains took him to an office and ordered him to drop his trousers and underpants. Mains then touched **KIN 83** on

Part IV
Page 3
Page 4

Part III
Exhibit No PJM/3

Part II
Pages 19-20

Form 51/2

underground politics and boys of his are involved in all shades of Unionists Politics, most of these young men would have been involved in perversion with him personally and he is not adverse to pressurising them into adopting policies according to his political objections which are unknown. He has contact with certain local MPs who are known for their homosexuality and it is thought this is the lever used to obtain his job as a Social Worker. He has contacts throughout N Ireland and also in London and beyond. He is constantly in financial difficulty. He leads a secret Militant Organisation known as 'TARA', he is widely known among Loyalists and others, but mainly because of the shame and danger attached to exposing him and the repercussions he is allowed to continue. His methods of dealing with boys is to suggest homosexual activities will cure a variety of complaints. McGrath claims the boys are suffering. Once allow McGrath to get his hands on them they are wide open to exploitation, sexually, politically and financially".

During the next year the only activity was by post, letters and articles until in April 1974 the UVF in their magazine 'Combat' took them to task for a recent attack in a newspaper article, against the UVF. In particular the 'Combat' article pointed out that as far as they know the Tara organisation had never been involved in any physical attack against the Republican movement and in fact were possibly incapable of mounting such an attack. They were to all intents and purposes a 'paper tiger'.

In the same month there was a report that the Tara organisation consisted only businessmen who were not connected with any other organisation. It was not possible to give a figure for total membership.

At the time of the 'Loyalist Strike' in May 1974 the organisation had an article in the Newsletter backing the strike, See Copy of Statement at Appendix 'A'.

On 20/6/74 the views of Tara came to the fore again when they issued a 'Proclamation' which was published in the Newsletter. See Copy attached at appendix 'B'.

In 3 July 1974, [REDACTED] KIN 301, DOB [REDACTED] living at KINCORA BOYS HOSTEL, 236 Upper Newtownards Road was arrested for theft. Documents relating to 'TARA' were found in his locker at the hostel. He refused to say where he had obtained the documents, but it was noted that one of them was written by WILLIAM McGRATH who is employed as a house father at KINCORA HOSTEL.

At a press conference in West Belfast reported in the 'Irish Press' on 25/10/74 a UVF spokesman talking about their ongoing ceasefire stated that, "The Tara organisation was controlled by a 'DUP' member who had waged a bitter vendetta against the UVF for years".

A report dated November 1974 laid down the requirements for acceptance into the Tara organization, as follows:

1. TARA is considered to be the elite of all Protestant Organisations. Conditions of membership are very strict and include:
 - a. Applicants must have no criminal record whatsoever.
 - b. They must be members of the Orange Order.
 - c. They must be proposed by someone who is already a member. Applicants are carefully vetted and the time lapse between application and acceptance can be up to six months while the applicant's background is investigated.
 - d. They must be of sober [REDACTED] and stable background.

Programme	Spotlight
Date & Time	07.10.14 (22.42)
Subject	Kincora
Prepared By	Typist: Jennifer Higgins
	MMU: PC

CHRIS MOORE

This is a child abuse scandal that I began investigating over 30 years ago. Kincora has raised many questions. How could such corruption of boys in public care go on undetected for so long? And still it hasn't given up all its secrets. Kincora was home to teenage boys in care about to make the transition from classroom to workplace. But it was a haven for three paedophile care staff. Warden Joe Mains, his deputy Raymond Semple and house father William McGrath stood trial and were jailed for sex offences against boys in their case in 1981. When I first began to cover the story public attention focused on William McGrath, a preacher, an Orangeman, well connected in unionist circles and known to leaders like Ian Paisley. It's the story of a decades long scandal. One that continues to this day. A story of horrific abuses perpetrated against young boys and of how the integrity of the State and the unionist establishment was put before protection of young lives. It's a cover up that dates back to the start of the conflict, but only now is the truth finally beginning to emerge. This is Clint Massey, today's he's speaking out on a period of his life that for years he had kept in the shadows. Clint entered the care system aged 10.

CLINT MASSEY

My mother left my father for another guy and I couldn't get on with him, there was bad feeling right all round. And somewhere along the line it was decided that I would go into a children's home.

CHRIS MOORE

At 16 he was sent to Kincora, but like so many other abused he couldn't tell his family about the abuse.

CLINT MASSEY

I didn't want my mother to think of bad things that happened to me. I didn't want to put any guilt onto this woman. And up until she died I always let her believe that I was okay in there, nobody touched me, nobody done anything to me in there. After my first night there, the next morning that's when it all started. I was totally stunned by what happened. I was, I had no comprehension of anything like that. I, just, it wasn't in my world all them things. Getting woken up by this old guy's hand inside your pyjamas, that was the shock of my waking up.

CHRIS MOORE

Clint recalls feeling powerless to do anything to stop the abuse.

CLINT MASSEY

Why did I not resist? Why did I not fight back? I couldn't fight back. I mean this person was officially my guardian. I just could not fight back against him, this all powerful man.

CHRIS MOORE

His abuser was William McGrath, the most violent and prolific paedophile at the hostel.

CLINT MASSEY

McGrath continued to rape me right up until I left.

CHRIS MOORE

William McGrath was more powerful than Clint could ever have imagined. In the '60s there was a power and authority that came from unionists within Orange lodges and which McGrath tapped into. The leader of Orange Lodge 1303, he also controlled a shadowy doomsday organisation called Tara.

ROY GARLAND

He had been predicting blood on the streets, including on the Shankill, where I first heard him preaching and that we would have to stand up and fight the cause. What he got was, at least initially, an evangelically led paramilitary group.

CHRIS MOORE

Here we see Tara's banners at a religious rally in Belfast. For God and Ireland. Roy Garland was McGrath's second in command in Tara.

ROY GARLAND

We were led to believe there's this big cataclysm coming. But in actual fact we were creating the problem.

CHRIS MOORE

The 1970s began with the violence that appeared to confirm the doomsday McGrath had predicted. The onset of an IRA bombing campaign put Tara on a war footing to defend Ulster. As a result they attracted the attention of British Army Intelligence. In the 1970s Brian Gemmel was a young undercover Army Intelligence Captain, stationed in Northern Ireland, and tasked with running an agent inside Tara to investigate loyalists and in particular McGrath.

BRIAN GEMMEL

William McGrath, according to my source in Tara, claimed to be an agent, maybe that just means an informant, for MI6 and then MI5. But begs the question, what really was Tara? Was Tara, was it an intelligence gathering organisation in the loyalist and protestant community on behalf of the security service? Or was it a means of achieving some of their political ends? Was it an organisation of influence? Was it an organisation that could massage events?

CHRIS MOORE

What undoubtedly was of interest to British intelligence was the group of unionists who were part of McGrath's circle of influence. He had the ear of the Ulster Unionist Party leaders, like Sir Knox Cunningham who supported Tara and Jim Molyneaux both of whom had visited McGrath's house, as well as unionist leaders of the future, Reg Empey, the former Stormont Minister Nelson McCausland and John Laird, now Lord Laird, among them. But they didn't yet know about the dark secret Roy Garland had discovered, that McGrath had been abusing boys who had attended evangelical meetings.

ROY GARLAND

I talked to, I reckon at least a score of young people, this was serious abuse. This man was dangerous, in terms of young people and dangerous in terms of politics. I spoke to at least a dozen clergymen, the Orange leaders, I said to the District Master, in fact he said to me, I'll put my cards on the table, I know about this man. And he didn't, a lot of them didn't need to tell them, they knew.

CHRIS MOORE

Garland didn't realise it, but complaints of abuse from residents had become an open secret. For nearly two decades police, social services, and members of the Orange Order as well as politicians were being told about sexual abuse in Kincora. There was a growing sense that the Kincora staff were either very lucky or were, for some reason, being protected. So you were disappointed with the reaction to...

ROY GARLAND

Disappointed not the word. We thought, we'd heard all these stories about the Soviet Union and the lack of freedom and the lack of transparency and so on, and we thought, it's here, it's here in Northern Ireland and this is allowed to continue. And young kids are being destroyed and have been destroyed for decades.

CHRIS MOORE

In the mid-70s Roy Garland shared his concerns with Brian Gemmel.

BRIAN GEMMEL

What I was wanting from Roy Garland, who does this in Tara, what is Tara's task? Just how real is it, how much is it a figment, how much is it a real organisation and who are the

people? In a way what Roy wanted was to deal with the Kincora scandal and it was a kind of a quid pro quo, he gave me information that I agreed, and I was more than willing to do it, I agreed to take up the story of the abuse of boys at Kincora.

CHRIS MOORE

What happened next stunned the young captain, he was summoned by one of the most senior MI5 officers in NI, rather than report the abuse he was told to drop his interest in Tara and Kincora and therefore also McGrath.

BRIAN GEMMEL

I was shocked, I know I'd done a good job, I'd got information on Tara, it wasn't a lot but this is only the beginning of something, I had dealt with and brought to light something that was potentially criminal behaviour, the line was very clearly, drop this.

CHRIS MOORE

The abuse at the boy's home continued for five years after MI5 asked Gemmel to drop his investigation yet a later police report into Kincora would make no mention of this and instead would praise the co-operation of the intelligence services.

But my police sources told a very different story, they complained about MI5 obstruction, requests to interview the MI5 officer who'd ordered Brian Gemmel to drop all interest in Kincora, Tara and McGrath were ignored, MI5 simply refused to produce the officer. My sources say this amounted to a cover-up.

The police report was written by Sir George Terry, a Chief Constable brought in from an English force, but as with a subsequent public inquiry MI5s involvement was never meaningfully investigated.

CHRIS RYDER

I don't think it would be an exaggeration to say that many police officers at a senior level in the RUC at that time believed that George Terry had been handed a great can of white paint and sent here to pour it over everything and cover it up and I think his report speaks for itself, the fact that the later tribunal didn't produce any damning or serious conclusions again reflects the attitude that there's nothing here, move on.

CHRIS MOORE

The big question remains, what was so important about Kincora that had MI5 involved in a cover-up?

PATRICK CORRIGAN

That is the question to which all of Northern Ireland still awaits answers and particularly the boys who were abused in that home await answers, there's still been no real accountability apart from the three workers who were found criminally responsible, there's been no other accountability for those who perpetrated the abuse or indeed potentially those who authorised it or who organised a subsequent cover-up.

CHRIS MOORE

Some of those abused at Kincora believe they suffered because MI5 chose to protect an agent and put their own operation ahead of the boys' welfare.

CLINT MASSEY

I'm aware that there's a section within the security forces who will use any means to achieve their goal, the fact that they had to sacrifice young boys like myself, young men like myself to

do it, that there is very, very hard to accept. I want the state to answer me, was it worth it? Your dirty tricks, was it really, really worth it? Did you get anything of any value out of it? I would say that answer to that would be no. It didn't change one thing to what was going on in Northern Ireland, it achieved damn all.

CHRIS MOORE

Clint's abuser, William McGrath, served two years of a four year jail sentence, in 1990 I went to his home in Ballyhalbert on the Ards peninsula, I wanted to ask why the security services had been so keen to cover-up his crimes. When I met William McGrath here in Ballyhalbert he told me he was the only person who knew the true story of Kincora, he didn't share that with me then and he didn't share it with anyone before he died taking his secrets to the grave.

Significantly all the inquiries into Kincora have said the abuse started and finished in the home, all were adamant there was no paedophile ring. But all those years ago I knew of one boy who told police he had been taken outside Kincora to have sex with unidentified men. His story blows apart the official version that has persisted for decades.

32 years ago at the conclusion of the Kincora trial I tried to trace a number of the former residents in Kincora, one of the boys I was particularly keen to speak to was Richard Kerr. I didn't find him then but strangely two months ago he got in touch with me from his home here in Dallas. He's been living here since 1986. It seemed he was ready to talk about his life in Kincora, I brought with me notes on Richard Kerr typed up in the BBC many years before.

These are some notes that I have managed to keep on files, the date at the top of these notes is the 31st October 1983 and this is the section that I'm finding most interesting because it refers to diaries that I had access to for a time. Diaries that were kept in the drawer of the desk in the office at Kincora and in this it tells a story about a boy from west Belfast being released on a number of weekends to an address in west Belfast and there's nothing wrong with that except that the address doesn't exist and according to local people I spoke to, that's what I've written here, it has never existed.

But the false address did not help me find Richard Kerr in 1982, what I didn't know then was that he'd already left Belfast. The name of Richard Kerr is prominent in here, he had a very important story to tell if you read these notes, it's taken me a long time though to hear that

story. Richard was in care from the age of five until he was 18, he was sexually abused at every public facility he was sent to. He arrived at Kincora when he was just 14, warden Joe Mains appeared to have an interest in Richard's welfare.

RICHARD KERR

I got close to Joseph Mains, he was the head warden of Kincora and one night he invited me down to his office and then he invited me to his room and then he would talk to me and told me that I really care for you, I really like you. He made me feel special that first evening. He offered me some whiskey and then he had some whiskey.

CHRIS MOORE

Richard was flattered by the attention Mains was giving him but he was being lured into a paedophile ring.

RICHARD KERR

Me and my best friend we would go out on trips and one time we went to the Park Avenue Hotel and we would be in the lounge and we would have drinks and there was other gentlemen there and one of them would ask one of us to go up to the room and we would perform oral sex in one of the rooms at the Park Avenue Hotel and then when I would come downstairs we acted like nothing happened and then we'd order more drinks.

CHRIS MOORE

You were what age at this time?

RICHARD KERR

At this time I was going on 16, I was not 16 but I was in my 15 year.

CHRIS MOORE

Were there other places that you were taken?

RICHARD KERR

There was other places. There was a hotel in Portrush, I don't know the name of that hotel but I do know it was on Main Street.

CHRIS MOORE

Was it ever made clear to you that by Joe Mains that you were expected to perform sexual favours for the other men, did he ever say that to you?

RICHARD KERR

No not at first, when we would drive out we would get there, it was always alcohol that I would be asked to drink and he would say to me that we have somebody nice, why don't you go up and spend some time with him, he's got a gift for you and they would sit in the bar area while I would go upstairs in the elevator to a room, we would walk in and this person says, well get comfortable, just relax, everything is going to be fine and they would get on the bed with me and we would have a sexual encounter.

CHRIS MOORE

What sort of gift?

CHRIS MOORE

What sort of gifts did they give you, did you receive a gift?

RICHARD KERR

Chocolates, things like that. A watch, a small radio, just little gifts.

CHRIS MOORE

The years of abuse have left Richard very damaged and in need of professional help.

STUART COUCH

When you're dealing with people that have his kind of problems, they don't recognise the post-traumatic stress disorder type of situation which he has. Those who have gone through the kind of extraordinary stress that he has had do display these symptoms. In some cases they don't display them until later in life. They're able to adapt to the type of abusive daily routine that seems to be ordinary and then once they see that it's not ordinary then it becomes one that they are feeling guilty and shameful about.

CHRIS MOORE

It was clear the boys in the hostel, like Richard, felt trapped and alone.

RICHARD KERR

I would talk to my friend when we were in our bedrooms at night and he said, it's always best not to say anything Richard. Nobody's going to believe you.

CHRIS MOORE

What's shocking is that Richard had informed the police during interviews in the early 1980s about being taken to hotels and private houses. But the police rejected this as evidence of an organised paedophile network. Today Richard is adamant that he and a friend of his, who he says killed himself as a result of the abuse, were the victims of a paedophile ring.

RICHARD KERR

Looking back, with an open mind, I can say that there was a vast huge group of people were involved in this.

CHRIS MOORE

So there was a network?

RICHARD KERR

It was a huge network. Because children that I have spoken to have said, this has been done to them. It was done to my friends, it was done to people that I came into contact, after they left the home; it was surely done to people of my friends who committed suicide.

CHRIS MOORE

What we have revealed tonight indicates that the extent of crimes and the cover up at Kincora is much wider than previously thought, and casts a shadow over the cover up that has been denied for decades. Richard Kerr's testimony has strengthened demands for a full inquiry.

PATRICK CORRIGAN

What we're talking about here is not simply what came to light in the criminal trial in 1981 with the three men found guilty. But what we're talking about potentially is a very well organised paedophile ring. Those boys deserve the truth and wider society deserves and is entitled to accountability for that sort of criminal activity.

CHRIS MOORE

In Great Britain the Jimmy Saville scandal has been followed by a number of deeply troubling cases where those in positions of power and authority appear to have failed to have acted on information about child abuse. It's for this reason that the government has set up an overarching inquiry into institutional abuse. Many are calling for Kincora to be included in that new inquiry, among them Keith Vaz MP, chair of the Home Affairs Committee at Westminster. I showed him part of Richard Kerr's interview. What are your thoughts when you hear that?

KEITH VAZ

Well obviously it's pretty shocking that anyone of that age should be put through that kind of mental and emotional torture. It is obviously very difficult for the person concerned to recount it because it's something that must have affected deeply at that age. This seems to be new information and that information needs to be put before the inquiry team so that we can examine everything.

CHRIS MOORE

Last week the Stormont Assembly called for Kincora to be included in the Westminster inquiry to be led by solicitor Fiona Wolff. But central to any inquiry into Kincora is that it must have powers to get answers from MI5 about why it failed to report allegations of sex abuse in 1975 and why it obstructed a subsequent police investigation. Effectively that represented a cover up of the sex abuse at Kincora, but it may also have contributed to a cover up of what seems to have been a sophisticated and much wider paedophile ring.

CLINT MASSEY

Other people were dictating our path through life there and they used that. I just hope they're proud of themselves, I really do. No doubt they'll, at the end of the day they probably think, yeah, we had to do it. No you didn't bloody have to do it. If that's the only way you can get a result well then you're doing something wrong. Surely we're above that, as a society we're far more intelligent than that.

CHRIS MOORE

Is it on any level, as far as you're concerned, acceptable that an operation centred on a boys' hostel should allow abuse to continue?

KEITH VAZ

No, and that is why, when Lady Wolff conducts her inquiry we will expect her to ask these questions in an open transparent way, the reasons why this was allowed to continue. And it is for her to be able to probe that, but we will be expecting that to happen and we will be putting that to her when she appears before us.

CHRIS MOORE

Brian Gemmel says he left intelligence not long after his Kincora assignment. He could no longer reconcile his career with his conscience. He'd been troubled for years by what had happened back in the '70s. So what would have happened had you gone to the police? You could have stopped the suffering a long time earlier for some of these young men?

BRIAN GEMMEL

Yeah, I accept that, yeah.

CHRIS MOORE

In order to put that right will you be prepared to give evidence to an inquiry?

BRIAN GEMMEL

I will, and I deeply regret, retrospectively, that as a young man I didn't throw my career to the wind. I'm deeply sorry and I apologise to any of those victims, all of those victims who suffered because I didn't do what I had the, I didn't have the guts to do then what I've got the guts to do now.

CHRIS MOORE

No inquiry has ever before taken the evidence of Brian Gemmel, so central to the revelation of an MI5 cover up. Spotlight asked the Home Office and MI5 for comment on the allegations of cover up. The Home Office told us it would not comment on security matters and wouldn't confirm or deny the identities of agents.

STATEMENT OF WITNESS

STATEMENT OF: **KIN 340**

AGE OF WITNESS (if over 21 enter "over 21"): DOB **██████████**

OCCUPATION OF WITNESS: UNEMPLOYED LABOURER

ADDRESS: **██**

TO BE COMPLETED
WHEN THE
STATEMENT HAS
BEEN WRITTEN

I declare that this statement consisting of 3 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 20th day of March 1980

(Sgd) W J A Girvan D/Constable
.....
*SIGNATURE of MEMBER by whom
statement was recorded or received.*

KIN 340
.....
SIGNATURE of WITNESS

In **██████████** I married and up until **██████████** I lived with my wife **██████████** and **██████████** children, **██████████**. We lived in various addresses in East Belfast. My wife left me in **██████████** taking **██████████** children with her. About a year after that she contacted me and said that she couldn't cope with **██████████** so I took him back. **██████████** started to mitch school and the welfare stepped in. A woman called Mrs O'Hara, Shankill Road Office took charge of **██████████** and got him into Williamson House, Antrim Road. While he stayed there I visited him on a daily basis, just going up to see him and maybe take him out to the shop or play football with him. It was at Williamson House that I met a boy called Richard Kerr, while **██████████** was in Williamson House. I moved to **██████████** and squatted in a house there. Next door to me lived Richard Kerr's family. Richard came to his mother's house and it was through this that I got to know him. On occasions when Richard was at home he would call into my house, either to sit and talk or to take the dog out for a walk. I had an alsation at the time. It was usually a Saturday when he was at home. He would have spent maybe an hour or two in my house. His reason for coming into my house was that his Ma was giving him a hard time. About 3 - 4 years ago **██████████** left Williamson House. I never took anybody

SIGNATURE of WITNESS: **KIN 340**

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else out of Williamson House except [REDACTED]. When [REDACTED] left Williamson House I never went back to it. I'm sure about that. I never brought sweets up to any of the other boys in Williamson House. I did not know that I was known as [REDACTED]. My son [REDACTED] was fostered out of Williamson House to his present address which is [REDACTED]. On two or three occasions when Richard was home he slept in my house. He slept on the settee. He never slept in the same bed as me. Nothing happened between us. I lived in [REDACTED] for about a year and then moved to the [REDACTED]. Richard was still in Williamson House at this stage. He came up to see me in [REDACTED]. Again it was usually a Saturday. He never stayed overnight. He just came up to take the dog out. I never went to Williamson House to see him. Nothing happened between Richard and me when I lived in [REDACTED]. I left [REDACTED] about three years ago and moved to my present address, [REDACTED]. I think Kerr was still in Williamson House at this stage. Kerr got to know my mate, [REDACTED] KIN 341, through me going to see [REDACTED] at Williamson House. I have known [REDACTED] KIN 341 for about 7 - 8 years. Kerr used to get in touch with me and told me that he wanted to hire a car out. He would get [REDACTED] KIN 341 to hire the car in his own name and Kerr would pay for it. This happened about a dozen times. We used to go to several hotels such as the Park Avenue, Kilwaughter House, the Cavalier and the Stormont. On one occasion we went to Kilkeel. Kerr used to always buy the drink. He always had money and he bought the drink. I only went out with him because he had the money. He used to come to my house quite often. He stayed overnight sometimes and would clear off in the mornings. On one occasion he asked me to go to the Park Avenue Hotel. He hired a room. We went to the room at 1 pm and stayed there playing cards until 4.00 am the following morning. I slept on a chair that night and Kerr slept on the bed. We had beer and sandwiches brought to the room. I only left the room to go to the toilet. [REDACTED] KIN 341 and I called for Kerr one night at Kincora. He phoned us and asked us to pick him up. We went to the Stormont Hotel that night. A fellow called [REDACTED]

SIGNATURE of STATEMENT MAKER: KIN 340

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was with us that night. [redacted] lives in [redacted]. [redacted] went out with Kerr to the Kilwaughter House on their own a few times. There was no homosexual activity between Kerr and me. I didn't know any of the staff at Kincora Hostel. I was only in the hallway when I called for Kerr on that occasion. Several times I asked Kerr where he was getting all the money. He wouldn't tell me and I don't know.

SIGNATURE of STATEMENT MAKER: KIN 340

STATEMENT OF WITNESS

STATEMENT OF: **KIN 341**

AGE OF WITNESS (if over 21 enter "over 21"): 'OVER 21'. DOE **[REDACTED]**

OCCUPATION OF WITNESS: Unemployed Lorry Driver.

ADDRESS: **[REDACTED]**

TO BE COMPLETED
WHEN THE
STATEMENT HAS
BEEN WRITTEN

I declare that this statement consisting of 4 pages, each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary enquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated this 20th day of March 1980

(Sgd.) **KIN 341**

SIGNATURE of MEMBER by whom statement was recorded or received.

SIGNATURE of WITNESS

I am presently living at **[REDACTED]**, **[REDACTED]** and have done for the past eight to nine years. Prior to that I lived at **[REDACTED]**. I have been friendly with **KIN 340** for about 10-12 years. When I first met **KIN 340** he lived at **[REDACTED]**. He was then married and had a couple of kids. It must be four years ago when I started to drive **KIN 340** in my car to Williamson's House Welfare Home at Antrim Road to visit his son **[REDACTED]** who was there under care. **KIN 340** would have gone to the home quite often himself but I would have driven him down once or twice a month. **[REDACTED]** was only about 5-6 years of age at that time. **[REDACTED]** was then fostered out to a home in **[REDACTED]**. When I visited the home in **[REDACTED]** I used to speak to the other kids in the home, particularly **[REDACTED]** and **[REDACTED]**, who were originally from **[REDACTED]**. I knew the **[REDACTED]** family before they went into the home. Sometimes **KIN 340** and I would take **[REDACTED]** out of the **[REDACTED]** home and drive to **[REDACTED]** to get him sweets. We never took any of the other kids out of the home. At the present time I believe **[REDACTED]** is fostered out to a family at **[REDACTED]**. I first got to know Ritchie Kerr about 3 years ago, when **KIN 340** brought him to my house. At that time

SIGNATURE of WITNESS: **KIN 341**

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KIN 340 was living at [REDACTED]. I think Ritchie was in the Kincora Hostel at that time. He and **KIN 340** seemed to be very friendly and apparently Ritchie had spent a lot of time with him. Quite often Ritchie would be staying at **KIN 340** house and about 2 or 3 times a month **KIN 340** would come to my house and suggest I take him and Ritchie out in my car. I rarely ever had any money unless I had a win on the horses, but Ritchie always seemed to have money and try to show off with this money though he was not a big spender. When I took them out we would go to various hotels such as the Girton Lodge, Europa and the Stormont Hotel. I think these were places that Ritchie had worked in at various times. When we were out we generally drank, but neither **KIN 340** or Ritchie ever bothered with women. There were many occasions when we could have made it with women but they, **KIN 340** and Ritchie, didn't want to know. At that time **KIN 340** was separated from his wife and was living alone. One night about 2 years ago the three of us drove to Larne. We eventually went to the Highwayman Hotel. **KIN 340** and I were in the bar and had a lot of drink taken. Ritchie had gone off in my car. Quite often he would take the keys of my car as he was learning to drive. I got into an argument with the bar staff and eventually went out to the car park. My car wasn't there and I assumed that Ritchie was away in it. He arrived in the car park after about 10 minutes and told me that he had been leaving two girls to Larne. I was about to get into my car when a number of men jumped out of three other cars in the car park. They all jumped on me and gave me a beating. I eventually went to the Police Station and reported the assault. The police brought me to the car park at the hotel where we found Ritchie sitting in my car. The police brought Ritchie and I back to the Police Station. Whilst at the Police Station the police told me that Ritchie had stolen money from the hotel. They also said that this was probably the reason for me getting the beating. When I was getting the beating **KIN 340** must have run away. I eventually appeared in Court as a

SIGNATURE of STATEMENT MAKER: **KIN 341**

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witness against the men who had assaulted me but apparently they had absconded to Scotland where they were from. **KIN 340** told me later that I probably got the kicking because Ritchie stole the money. Since I got the beating I never saw Ritchie Kerr again. Occasionally I got telephone calls from Ritchie after he went to England. He was only asking how I was. On one occasion when Ritchie thought I was separated from my wife, Ritchie rang my house and spoke to my wife, **KIN 340** Ritchie had apparently given the telephone to his mate, an English man. This man told my wife that he would love to rape her. I grabbed the telephone and gave off to this man. During the times I went out with **KIN 340** and Ritchie I went to Kincora Hostel on two occasions. I think I rang the hostel on one occasion and spoke to someone at the hostel. That man, I don't know who he was got Ritchie on the phone. Ritchie suggested we pick him up at the hostel. On the two occasions I only went into the hallway of the hostel and waited until Ritchie appeared. We never spoke to anyone else in the hostel. I remember when **KIN 340** Ritchie and I were drinking in the Bailey Bar, Queen's Square, Ritchie suggested that he ring Kincora and get another lad to join us as he had money. After a while this lad appeared and joined the company. He was aged 16-17 years, dark fair hair, very spotty faced. This lad stayed with us for about an hour. Ritchie and him spoke alone together and then he left. Throughout the time I knew Ritchie Kerr he was always in the company of **KIN 340**. They were both very close and often confided in each other. I don't know if the relationship went any further though Ritchie spent a lot of time in **KIN 340** house. They were always supposed to be playing cards in the house, in fact **KIN 340** told me that Ritchie took £20 off him in a card game. Ritchie always had an amount of money in his wallet and I was suspicious as to where he got it from and felt he was stealing it. Two weeks ago Ritchie Kerr's mother came up to my house and told me that her **KIN 340**, **KIN 340** had got a telephone call from **KIN 340**, Mrs Kerr's **KIN 340** who was living in **KIN 340**. **KIN 340** had apparently suggested that Ritchie was queer. Mrs Kerr asked me what I thought of Ritchie, and asked if I thought

SIGNATURE of STATEMENT MAKER: **KIN 341**

STATEMENT CONTINUATION PAGE

STATEMENT OF: **KIN 341** CONTINUATION PAGE NO: 4

he was a queer. She said that he was living with a man in England. On about two occasions **KIN 340** came to my house and gave me money which he said he got from Ritchie. This money was for me to pay for the hire of a car. I would hire the car and drive the two of them around hotels. I remember **KIN 340** telling me that he and Ritchie had spent a night in a bedroom of the Girton Lodge Hotel playing cards. Ritchie was working in the hotel at that time. During the time that I was friendly with Ritchie he never made any homosexual approaches to me or to **KIN 340** in my presence.

SIGNATURE of STATEMENT MAKER: **KIN 341**

ROYAL ULSTER CONSTABULARY

STATEMENT

LARNE Station 'P' Division

197

Name: Richard Kerr
Address: 236 Upper Newtownards Road, Belfast
Occupation: Hotel Porter

Age: (17 years)

Statement: I Richard Kerr wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say may be given in evidence.

Signed: Richard Kerr

Tonight when I was in the Highways Hotel with KIN 341 and KIN 340 I wanted to make a telephone call to Kincora Boys Hostel, Belfast. There was too much noise in the bar to 'phone from there. I asked the girl in the reception if I could use her 'phone. When I was in behind the desk making the call I saw a box of money bags. I went away again but the money was still on my mind. I went back to the toilets which is convenient to the reception desk. I looked in to the reception desk and there was no body there so I took some of the money bags. I did this about twice. The money was there for the taking, there was nobody behind the reception desk. It was very tempting. I am sorry I done it. KIN 341 and KIN 340 had nothing to do with it.

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

Signed: Richard Kerr

Time Commenced 3.05 a.m.
Time terminated 3.40 a.m.
Day and Date Tuesday 4.10.77.

Where taken R.U.C. Station, Larne.
Persons present R/Con. H. Robinson
Signature of Officer D. Shortall

Certified correct.

[Signature] Sergeant

Signature

Signature witnessed by Reserve Con. H. Robinson.

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Continuation Page

Page No. 34

Part IV (A)

196. As already stated Kerr has convictions for burglary and theft offences.

Part II
Pages 66 - 68

197. When [REDACTED] KIN 340 who is [REDACTED] years of age was interviewed he alleged that he first met Kerr when he visited his own children who were under care at Williamson House. Eventually [REDACTED] KIN 340 who was separated from his wife squatted in a house next door to the Kerr family home at [REDACTED], Belfast. As a result he continued to see Kerr when the latter visited his mother. [REDACTED] KIN 340 admits that on two or three occasions Kerr slept in his house but he denies that anything improper took place between he and Kerr.

Pages 69 - 72

198. When [REDACTED] KIN 341 was interviewed he agreed that he accompanied [REDACTED] KIN 340 to Williamson House when [REDACTED] KIN 340 was visiting his son. Both [REDACTED] KIN 340 and [REDACTED] KIN 341 alleged that Kerr regularly paid for the hire of a car which was driven by [REDACTED] KIN 341. They visited various hotels within Belfast and surrounding area. It seems obvious that [REDACTED] KIN 340 and [REDACTED] KIN 341 were taking advantage of Kerr's apparent wealth and willingness to pay for their outings. [REDACTED] KIN 341 admits that on two occasions he went to Kincora where he collected Kerr. [REDACTED] KIN 341 further related in his statement that [REDACTED] KIN 340 Kerr and he visited the Highwayman Hotel at Larne on the evening of 3 October 1977. Sometime during the evening [REDACTED] KIN 341 was assaulted and complained to local police who visited the hotel. At 12.55 am on 4 October 1977 police found Kerr in [REDACTED] KIN 341 car counting loose change. Subsequent investigations by the police established that Kerr had stolen the money from the hotel.

Pages 179 - 181

199. When William Edmonds, the medical orderly at Millisle Borstal, was interviewed he accepted that the relationship with Kerr was homosexual. Admissions by Edmonds in respect of this relationship will be covered later in this report.

Occurrence enquiry log report

Police Service of Northern Ireland

Occurrence: RM14075953 Contact recor (CTAC) @29/12/2014 11:11 (Spotlight programme Kincora)
Task status: All
Log type: All

Valid as of March 07, 2016 at 08:43
 Printed by #19442 WHITE, D.

Type	Entry time	Event time	Author	Link	Task
Investigator action Log entry:	29/12/2014 11:16		#19752 HUTTON, C.	No	
Investigator action Log entry:	29/12/2014 11:54		#19752 HUTTON, C.	No	RM opened regarding Spotlight Program on BBC regarding Kincora Childrens Home in October 2014. Following the broadcast of the Spotlight show a meeting occurred on the 8th October 2014 at DCS Clarke's office at Police HQ, Brooklyn.
Supervisor review Log entry:	06/01/2015 14:39		#PW1268 HIGGINS, P.	No	Gold Commander - D/C/Supt George Clarke - directed that a transcript of the Spotlight show be obtained. This was to be examined in tandem with the ongoing analysis work being conducted with the archived Kincora Related Material for the HIA Inquiry. To establish from the ongoing analysis what matters were examined previously during the previous historical Police Inquiry's regarding the relevant nominals and any new allegations or information contained within the recent Spotlight program that may require further examination. To be determined later by the Corporate Silver SIO, D/C/I Alan Little for op Danzin once the analysts have fully examined the archived material and produced relevant analysis products for each nominal concerned within the programme. Review by DI Higgins and DS Moore with Con Hutton.
Investigator action Log entry:	06/02/2015 09:54	06/02/2015 09:54	#19752 HUTTON, C.	No	DI higgins to seek direction from DCI little as to how this matter will be progressed and by whom. On Wednesday 4th Feb a Silver meeting chaired by DCI Little regarding the ongoing analysis task re kincora. It was outlined by the silver SIO that Mr Kerr's previous SQE should be collated for his consideration of release to KRW Law.
Investigator action Log entry:	06/02/2015 10:01	06/02/2015 10:01	#19752 HUTTON, C.	No	The analysts outline of a final version of the profile re Mr Kerr should be available in the near future. Our Ref: CT/L407/CMK/DC Dear Sir Re: Richard Kerr D.Q.B [REDACTED] We refer to our above named client and we would be grateful if you would please provide our office with any police statements that were made by Richard Kerr who was a resident in Kincora Boys Home from 1966-1977 We await hearing from you. Yours faithfully KRW LAW - LLP 45 Castle Street Belfast BT1 1GH Main Office (028)90 241888 Fax: (028)90 244804
Investigator action Log entry:	06/02/2015 10:06	06/02/2015 10:06	#19752 HUTTON, C.	No	Previous entry is an email recived from KRW law to my email address. I replied on the 4/2/15 with the following email - Danielle I will look into this request and get back to you when I have some information. Chris Hutton Constable Antrim Road PSNI Extn 30202
Investigator action Log entry:	06/02/2015 10:24	06/02/2015 10:24	#19752 HUTTON, C.	No	The outlined matters / circumstances reported are continuing to be researched and examined at this stage within the ongoing analysis task being undertaken by appointed analysts regarding the historical information held for this institution. On completion , this will then be considered by the Silver SIO in order to inform decision making ref any further lines of enquiry or actions that may require to undertaken or not.
Investigator action Log entry:	14/04/2015 13:38	14/04/2015 13:39	#19752 HUTTON, C.	No	I have received an email from Kate Morrison. Four Statements have been approved by DCI Little and legal services to be released to KRW Law. I will hand deliver these today to KRW offices.
Supervisor review Log entry:	28/04/2015 10:58		#PW1564 KNOX, L.	No	REVIEW -

WAITING ON DIRECTION FROM SIO REGARDING APPROACHING VICTIM .

Investigator action 30/06/2015 12:53 #19752 HUTTON, C. No
 Log entry: On a Spotlight programme, 07/10/14, a Richard Kerr made complaints about his abuse at Kincora. Transcript of programme is attached to Serial.
 In the original enquiry 4 statements were made which have been now handed to KRW law. The solicitor informs me that he has made a complaint to the Police Ombudsman regarding this case. (Believed to be regarding the historical Police investigation rather than present investigation.) This sits with the SIO ? to date we have been directed not to contact him to investigate.

Victim contact 30/06/2015 12:53 #19752 HUTTON, C. No
 Log entry: I contacted KRW law. They are going to cvcheck with their client to see if he wishes to make a complaint. he is currently in Texas. He will be returning to NI when the result of the judicial review is being announced,.

Investigator action 30/06/2015 12:55 #19752 HUTTON, C. No
 Log entry: Serial started on request of Insp Atkinson. This is to log potential new allegations against [REDACTED] Most likely this will not be a B District investigation but most likely C and E district and is loosely related to Kincora. Sits with SIO
 Analysts will have an oversight of this within their area of work.
 There are 2 files from the 80?s regarding CF, both child sexual cases linked to children?s homes, but no obvious links to Kincora and No Prosecution directed.

Investigator action 30/06/2015 12:56 #19752 HUTTON, C. No
 Log entry: Previous entry entered in error. Please ignore.

Investigator action 17/09/2015 11:54 #19752 HUTTON, C. No
 Log entry: From: Claire McKeegan [REDACTED]
 Sent: 17 September 2015 11:22
 To: HUTTON Chris
 Subject: RE: 1.NOT PROTECTIVELY MARKED-All Networks: Richard Kerr

Hi Chris

He wont be over to be honest before then so I don?t know how possible unless PSNI go over?

CMCK

From: chris.hutton [REDACTED]
 Sent: 17 September 2015 11:19
 To: Claire McKeegan
 Subject: 1.NOT PROTECTIVELY MARKED-All Networks: Richard Kerr

Claire

Have you had any confirmation yet from Richard Kerr to see if he wishes to speak to Police regarding what happened to him in Kincora?

If Mr Kerr wishes to speak to Police the most appropriate way of obtaining his evidence will be via ABE interview. I believe this interview will take a number of days in order to obtain the best evidence from him. I would be happy to explain the ABE process directly to Mr Kerr if he wishes me to contact him.

If I have not received confirmation that Mr Kerr wishes to make a formal complaint to Police by the 8th October 2015 the investigation will be filed away. This can be reopened at any time if Mr Kerr decides to engage with the PSNI.

Chris Hutton
 Constable 19752
 Extn 30202

Investigator action 17/09/2015 12:02 #19752 HUTTON, C. No
 Log entry: I have spoken to Claire McKeegan at KRW law regarding Richard Kerr. He is happy to speak to Police about what has happened to him. Claire did inform me that there is a complaint to PONI about how he was treated by Police in the original investigation. I informed Claire that that is a separate matter with PONI and would have no bearing on the current investigation.

Richard Kerr is not going to be in Northern Ireland any time soon. He hopes to be here for the announcement of the judicial review however this review is being delayed by a Supreme court decision on another matter. There is no current date for the Supreme Court decision.

Claire informed me that Mr Kerr had concerns about having to speak to separate Police forces regarding his allegations in NI and in England. I informed Claire that when Mr Kerr speaks to Police the agenda is set by him and he can tell Police about as much or as little as he wants. But he will be given the opportunity to speak as long as is needed. I also explained to Claire that I believed the ABE could take a number of days to complete.

Claire is going to take instructions from Mr Kerr to see if he is happy for myself to contact him directly.

Supervisor review 14/10/2015 16:02 #20746 MCCAFFERTY, No
 Log entry: Chris
 Is there any update from the solicitor

Jules

Supervisor review 01/11/2015 14:03 #PW1268 HIGGINS, P. No
 Log entry: RM14075953 ? Open - On a Spotlight programme, 07/10/14, a Richard Kerr made complaints about his abuse at Kincora. Transcript of programme is attached to Serial.
 In the original enquiry 4 statements were made which have been now handed to KRW law. The solicitor informs me that he has made a complaint to the Police Ombudsman regarding this case. (Believed to be regarding the historical Police investigation rather than present investigation.)
 Action to Con Hutton ? Contact the solicitor, Claire McKeegan, Kevin Winters Solicitors, to see when Mr Kerr is back in NIreland and would he like to meet with police to provide evidence. She will let police know if this is the case.
 To be followed up by 03/08/15.

Update ? Claire McKeegan is on AL until 10/08/15 ? Con Hutton to follow up after that.

Update 20/08/15 ? Con Hutton delivered per hand a letter to Claire Keegan ? she indicated that Mr Kerr would wish to speak with police but had no idea when. Con Hutton spoke to her again on the 17th and she had not as yet had a reply from Mr Kerr. She also stated that the judgement re Kincora had been pushed back until October 2015. Con Hutton will continue to liaise with her. D/I Z McKee has been identified as the Tier 5 co-ordinator for the witness interview.

Update 07/10/15

DI Z McKee has produced a product re the Tier 5 witness interview should Mr Kerr wish to be interviewed. Con Hutton has spoken with the solicitor and made her aware of time frames and the process of collating Mr Kerr's evidence. She is awaiting contact from him to confirm details as to when he will speak with us.

Update 01/11/15

Con Hutton spoke with Claire Mckeegan, solicitor, as follows on 17/09/15;

I have spoken to Claire McKeegan at KRW law regarding Richard Kerr. He is happy to speak to Police about what has happened to him. Claire did inform me that there is a complaint to PONI about how he was treated by Police in the original investigation. I informed Claire that that is a separate matter with PONI and would have no bearing on the current investigation. Richard Kerr is not going to be in Northern Ireland any time soon. He hopes to be here for the announcement of the judicial review however this review is being delayed by a Supreme court decision on another matter. There is no current date for the Supreme Court decision.

Claire informed me that Mr Kerr had concerns about having to speak to separate Police forces regarding his allegations in NI and in England. I informed Claire that when Mr Kerr speaks to Police the agenda is set by him and he can tell Police about as much or as little as he wants. But he will be given the opportunity to speak as long as is needed. I also explained to Claire that I believed the ABE could take a number of days to complete.

Claire is going to take instructions from Mr Kerr to see if he is happy for myself to contact him directly.

Con Hutton, spoke again to the solicitor on 20/10/15, she still has not forwarded Mr Kerr's details. DI Higgins sent an email to the solicitor 01/11/15.

Open to Con Hutton

Victim contact
Log entry:

01/11/2015 14:07 #PW1268 HIGGINS, P. No
From: HIGGINS Patricia
Sent: 01 November 2015 14:07
To: 'claire [REDACTED]'
Subject: 1.NOT PROTECTIVELY MARKED-All Networks: Richard Kerr

Claire,

I believe Constable Chris Hutton has been in contact with you on a number of occasions both by email and telephone regarding contact details for your client Mr Richard Kerr.

This is to enable us to progress his complaint and conduct an investigation regarding Kincora.

I would appreciate it if you could forward his contact details as your earliest convenience to Con Hutton and or myself.

Regards

Trish

Patricia Higgins
D/Inspector PW1268
Antrim Road PPU
Phone 101 Ext 18706

Victim contact
Log entry:

09/11/2015 14:16 #19752 HUTTON, C. No
From: HUTTON Chris
Sent: 09 November 2015 14:15
To: 'richardkerr [REDACTED]'
Subject: 1.NOT PROTECTIVELY MARKED-All Networks: Kincora

Richard

I am a Police Officer in the Police Service of Northern Ireland. I work in the Child Abuse Investigation Unit in Antrim Road Station, Belfast. One of my roles is to deal with allegations regarding Kincora Children's Home in Belfast.

Would you like to make a complaint to Police regarding your treatment at Kincora Children's home?

Chris Hutton
Constable
Antrim Road PSNI
Belfast Public Protection Trust
Police Service of Northern Ireland

Supervisor review
Log entry:

30/11/2015 14:04 #PW1268 HIGGINS, P. No
Update 30/11/15

Con Hutton was able to obtain Mr Kerr's email address from the solicitor. Con Hutton has been in contact with him per email. Between contact with Mr Kerr and the solicitor, the update is that he will not be coming to N Ireland until the judicial review in Belfast into Kincora re being included in the Westminster enquiry is finalised and there is no date for that as yet. There have been questions as to where the ABE would take place, given the uncertainty of when Mr Kerr will attend N Ireland. This can be discussed with the D/Supt Shields at the next meeting.

Supervisor review

04/01/2016 11:04 #PW1268 HIGGINS, P. No

Log entry: Update 04/01/16

D/Supt Shields informed us that the Met enquired if we had made contact with Mr Kerr as yet. I informed D/Supt Shields that Con Hutton has per email.
 Con Hutton emailed Mr Kerr early December 2015. Mr Kerr stated in reply, per email, that he had spoken with his own solicitor and for Con Hutton to speak just with his solicitor.
 Con Hutton emailed the solicitor again this morning ? she states that the court has not indicated when the decision will be announced regarding the Judicial Review. She has stated that Mr Kerr does wish to make a complaint however she does not know if and when Mr Kerr will return to N Ireland. Con Hutton has made her aware of the time frames required to collate his evidence should he wish to do so in N Ireland.

Actions

Con Hutton to copy all emails and note all correspondence with Mr Kerr and the solicitor on the OEL.
 Decision to be made do we wait until the Judicial Review is made, however the solicitor has indicated that Mr Kerr may not return for the JR, or do we progress collating his evidence whilst he is still in America.

Victim contact 06/01/2016 15:51 #19752 HUTTON, C. No
Log entry: From: HUTTON Chris
 Sent: 06 January 2016 15:50
 To: 'Claire McKeegan'
 Subject: 1.NOT PROTECTIVELY MARKED-All Networks: Mr Kerr

Claire

We would be keen to speak to Richard Kerr in Northern Ireland regarding Kincora, Williamson House and Millisle. The Metropolitan Police are also interested in speaking to him regarding the information he has provided to the media about London. This interview could be facilitated and conducted by the PSNI.

As I have previously stated it could take up to four days to complete any interview of Mr Kerr, judging by the information he has already reported to the media. In order to obtain the best evidence this should be conducted in Northern Ireland. However if Mr Kerr is not planning on coming to Northern Ireland any time soon then we could request the authorities in the USA to obtain the complaint.

The HIA module for Kincora is currently scheduled for June 2016. I appreciate this is subject to change but could Mr Kerr be asked if he intends to travel to Northern Ireland for the module or the Judicial Review announcement. If he is not intending to come to Northern Ireland could Mr Kerr be asked if he would be happy to speak to the USA authorities about what happened.

Regards

Chris Hutton
 Constable

Supervisor review 07/01/2016 16:18 #PW1268 HIGGINS, P. No
Log entry: Update 06/01/16 as a result of the meeting with D/Supt Shields

The Kincora module is scheduled for June 2016 and we presume that Mr Kerr will return for that.

D/Supt Shields directed that Con Hutton email the solicitor with the following points:

- We are keen to progress collating the evidence of Mr Kerr
- It is preferable that it is collated by the PSNI
- The Met are also interested in speaking with / collating the evidence of Mr Kerr and we can collate that for them
- Outline time scales required to obtain the best evidence
- If he is not going to be in N Ireland in the near future and or if he prefers we can arrange for the American authorities to collate his evidence but we would stress that it is preferable that we do so

DI Higgins has directed Con Hutton to forward the email today 6/1/16 ? if there is no return within 3 weeks then forward the email again with the note that if we do not hear back from the solicitor within a further 2 weeks then we will close the matter down until such times that Mr Kerr makes contact.

Victim contact 04/02/2016 13:57 #19752 HUTTON, C. No
Log entry: From: HUTTON Chris
 Sent: 04 February 2016 13:56
 To: 'Claire McKeegan'
 Subject: 1.NOT PROTECTIVELY MARKED-All Networks: Mr Kerr

Claire

I refer to the below email.

Since sending the email I have not received any correspondence from yourself or Mr Kerr regarding this matter.

If nothing has been heard by Friday 19th February 2019 then this case will be closed until such time as Mr Kerr makes contact. The Police reference number for this case is RM14075953.

Regards

Chris Hutton

From: HUTTON Chris
 Sent: 06 January 2016 15:50
 To: 'Claire McKeegan'
 Subject: 1.NOT PROTECTIVELY MARKED-All Networks: Mr Kerr

Claire

We would be keen to speak to Richard Kerr in Northern Ireland regarding Kincora, Williamson House and Millisle. The Metropolitan Police are also interested in speaking to him regarding the information he has provided to the media about London. This interview could be facilitated and conducted by the PSNI.

As I have previously stated it could take up to four days to complete any interview of Mr Kerr, judging by the information he has already reported to the media. In order to obtain the best evidence this should be conducted in Northern Ireland. However if Mr Kerr is not planning on coming to Northern Ireland any time soon then we could request the authorities in the USA to obtain the complaint.

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Regards

Chns Hutton
Constable

Occurrence details

Police Service of Northern Ireland	
Printed:	07/03/2016 08:47 by 19442
Occurrence:	RM14075953

Occurrence details:

Report no.:	RM14075953
Dispatch type:	Contact recor (CTAC)
Occurrence type:	
Occurrence time:	27/10/2014 20:14 - 27/10/2014 20:14
Reported time:	29/12/2014 11:11
Place of offence:	
Source:	
Priority:	
Clearance status:	Horizon use only - Resulted - NICHE Admin
Concluded:	No
Concluded date:	
Summary:	Spotlight programme Kincora
Remarks:	

Involved persons:**Involved addresses:****Involved vehicles:****Involved officers:**

- Supervising officer / 9 / MCCAFFERTY, J. / #20746 / PSNI / Police officer / ANTRIM ROAD / 14/10/2015 / 20151014 --:--:--
- SIO (Deputy) / 9 / HIGGINS, P. / #PW1268 / PSNI / Police officer / ANTRIM ROAD / 07/05/2015 / 20150507 --:--:--
- Owing police unit / 9 / PUBLIC PROTECTION BELFAST TRUST / PSNI / Assignable / 07/05/2015 / 20150507 --:--:--
- Owing police unit / 9 / PUBLIC PROTECTION BELFAST TRUST / PSNI / Assignable / 06/05/2015 / 20150506 --:--:--
- SIO / 9 / SHIELDS, R. / #PW1844 / PSNI / Police officer / MUSGRAVE STREET ((Land line) 26005) / 06/05/2015 / 20150506 --:--:--
- SIO [A] / 9 / LITTLE, A. / #16884 / PSNI / Police Officer (not serving) / ANTRIM ROAD / 29/12/2014 / 20141229 --:--:--
- Loggist [A] / 9 / CONNOLLY, K. / #C108570 / PSNI / Support staff / CASTLEREAGH / 29/12/2014 / 20141229 --:--:--
- [A] / 9 / MOORE, R. / #21527 / PSNI / Police officer / NEWTOWNARDS (PSNI NEWTOWNARDS, JOHN STREET, NEWTOWNARDS, DOWN Northern Ireland BT23 4LX (POLICE SERVICE OF NORTHERN IRELAND) (District: C, LPC: NARD, DEA: NERD, WCode: N08001116, Ward: Conway Square) (Type: POLICE STATION)) / 29/12/2014 / 20141229 --:--:--
- Investigating Officer [A] / 9 / HUTTON, C. / #19752 / PSNI / Police officer / ANTRIM ROAD / 29/12/2014 / 20141229 --:--:--

Reports:

RESTRICTED

Printed by: 19442 Date: 07/03/2016 08:47 Computer: KGONW080DSCT Page 1 of 1



Applicant: G. HOY

R. Kerr: 1st : 16th February 2015

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND
QUEEN'S BENCH DIVISION (JUDICIAL REVIEW)
IN THE MATTER OF AN APPLICATION BY GARY HOY FOR LEAVE TO APPLY
FOR JUDICIAL REVIEW AND IN THE MATTER OF DECISIONS OF

1. THE SECRETARY OF STATE FOR NORTHERN IRELAND
2. THE CHAIRMAN OF THE HISTORICAL INSTITUTIONAL ABUSE
INQUIRY

AFFIDAVIT OF RICHARD KERR

I, RICHARD KERR, of [REDACTED] [REDACTED] aged eighteen years and upwards, make oath and say as follows:

1. I spent some time as a resident at Kincora Boys Home and I make this affidavit in support of the above application. I will refer to a bundle of documents attached hereto and marked with my initials "RK1" to which I will refer throughout this affidavit.
2. I was born in Belfast on [REDACTED]. In 1966 I was removed from my family by Social Services and taken into care in Williamson House in Belfast. I was physically and sexually abused in that institution.
3. In 1975, at the age of 14, I was moved to Kincora Boys Home. Although everyone there was supposed to have a job I still had 2 more years left of school. However Joe Mains, the "headmaster" of Kincora, was friends with [REDACTED] who ran the Europa Hotel. I remember attending a meeting with Mr Mains and [REDACTED] and he got me a job as a Bellboy at the Hotel.

4. I was sexually abused soon after I arrived in Kincora. My first memory of where the abuse took place in Kincora was in Josephs Maine's bedroom. He was a former RUC man, he told me he was a B Special. He invited me to his office one night and then he asked me to go to his bedroom, he offered me some whisky and then he would have whisky too. He told me he liked me and he wanted to take care of me. Sometimes he would offer me Sherry and I remember thinking it was very sweet. He asked me to lie down on the bed. He asked me to take my clothes off. He started putting cream on my back. I wasn't sure what that cream was and I was beginning to feel frightened. Then he offered me more whisky. Then he asked me to put cream on his back. Then he started to fumble around with my private parts and then he asked me to fumble around with his private parts since I had cream in my hands. Then he asked not to mention this to anyone. He said he wanted to be nice to me, good to me. And when we were finished he asked me to wash up and told me to go to my room.
5. After that Joe Mains had more encounters with me like this, one or two times a week. He would talk to me and tell me things. He told me about a boy that had died in 1973 who he had been close to.
6. William McGrath began to fool with me (sexually abuse me), in the bathtub. I eventually told him to back off and I told Joe Mains about it and he stopped after that.
7. After a while I began to be taken to meet other people in hotels in Larne and other places I cannot recall. I remember going to a Hotel on the Upper Newtownards Road, I don't remember the name but it was not far from Kincora. When I worked in the Europa Hotel sometimes men would come and take me to their rooms and abuse me.
8. There was a time I went to Park Avenue Hotel with Mr Mains, Mr Semple, my friend Stephen and then I met other men, and I went to a room with someone and we had a sexual encounter. I cannot remember his name or the names of the others. I remember we arrived to the hotel by the driveway and went in by the back and up in the lifts which were at the back of the hotel.

9. There were other men who abused me who never gave their names, some of them were older men who appeared respectable. I remember one man who drove a Rolls Royce car. I met another man in his house someplace off the Springfield road who masturbated me in his home. I remember he had medals hanging on the living room wall above the fireplace, and I thought he was an army Captain.
10. Some gentlemen used to come by in cars to pick me up. One man said he was called [REDACTED] and another [REDACTED] but I do not remember second names. There were other men but I can't recall their names at all. These things happened to me at different times, sometimes during the week and sometimes weekends. Since I went to school, I would come home early and then go to hotels. Sometime I would be in Joseph Main's bedroom. Sometimes on the weekends, in the evenings I would go to places like Larne, Bangor, Portrush.
11. I remember one time being taken to Kilwaughter House Hotel in Ballyclare. I remember there was some trouble there and that something went wrong. I am not exactly sure what happened but the manager of the hotel told us we had to leave.
12. I remember in particular being taken to a hotel in Portrush in a blue van. I was in the front beside Joe Mains. We went around 4pm. When we got to the hotel we sat in the lounge, and Mains sent someone to the bar, which he always did. I was too young to get served at that stage. They told me that someone wanted to meet me and I was taken up to a room in the elevator. When I got to the room there was a man there who told me not to be nervous, and told me to get into bed and take my clothes off. Then he abused me, and made me stick my penis in his behind.
13. The abuse was extreme and degrading. It included oral sex, penetrating, sometimes even peeing in their mouths. Sometimes the men would tie my hands. Anal sex was involved, sometimes they would ask me to put my penis inside of them, and sometimes they put their penis inside of me. One time they asked me to blow black balloons. I remember once they tied my hand and then they masturbated me and took photographs with a black and white Polaroid camera.

14. I don't know why they did all this, and I am not sure why Joe Mains would take us to these places. I don't know whether they paid him.
15. I remember on one occasion I came home from school early because it was snowing and I remember I walked into Joe Mains office and there were three men there in suits sitting with Mr Semple and Mr Mains. They stopped talking as soon as I came in and I got the strong feeling I had interrupted something secret and important. I would describe them as being shocked to see me.
16. People from the UVF would also come to Kincora, I remember a man called [REDACTED] [REDACTED] from Antrim and also [REDACTED] being there. I also remember being sexually abused by people I knew were members of the UVF.
17. As it went on the abuse would get worse. Soon I began to "act out" and get into trouble. I think Social Workers knew but were scared to say anything, I think they didn't want to step out of line, I almost feel they were scared when they came to see me.
18. I remember being taken to the Harbour Inn Hotel in Larne which I believe was ran by a woman. I was with two men who had picked me up at Kincora that day and drove me to the hotel. I was given a lot of alcohol and I was drunk and they had sex with me. On this one occasion I was arrested by the Larne Police, who said I had stolen money from a hotel room. Somebody had reported me to the Larne Police. I didn't tell them that I had had sex with these two men but I am certain that the police knew. I was taken back to the police station from someplace in the Larne Harbour. I told them I was from Kincora and they called Joseph Mains. I arrived back in Kincora at 2:30 or 3 am in the morning. Mr. Mains just told me to go to my room.
19. In Kincora I was given something I think was called Black Magic Chocolates, alcohol, watches, a little transistor, and sometimes small amounts of money, I used to get large pennies. As I recall most of the perpetrators told me to keep quiet or they would put me away where I couldn't speak.

20. I do not know how many other boys in Kincora were abused, but I know my friend Stephen was. There were also boys there who I believed were plants as they seemed not to fit in. They were two brothers aged around 18 or 19 and I now believe they may have been placed there by the security forces or security services to keep an eye at what was going on. Although I remember their names I would not like to name them in this affidavit in case I am incorrect and being unfair on them. I also believe that some of the other boys were paid off so they wouldn't talk.
21. The abuse stopped when I ended up in a Courtroom due to being charged with theft, and sent to Rathgael remand centre. Around this time I stood in the Courtroom and told everybody I would tell everybody what was going on in Kincora if Joseph Mains did not come down to the Courthouse for me. I believe this happened in November 1977. This was later reported in a newspaper article by Peter McKenna published on 24th January 1980 which is exhibited to this affidavit [RK1 Tab 1].
22. I also remember in 1977 being in a police station off the Holywood Road, and telling them about the abuse at Kincora. I remember police officers who were friends with Joseph Mains hit me over the head with a telephone book and said "what have you been saying?"
23. Around this time my friend Stephen was sent to Rathgael. He ran away from Rathgael and got a boat to Liverpool. He was caught and put back on the boat to Belfast and he apparently jumped off the boat and died. I believe he committed suicide as a result of the abuse he had suffered, we had previously spoken about committing suicide together.
24. Eventually the "Irish Times" got hold of the story and that was when the investigation started to happen.
25. I started to injure myself many times and I was sent to Rathgael again and placed at Borstal, a home for young offenders. I was there when the police were investigating the sexual abuse at Kincora. When I was there I was visited by Joe

Mains and Mr Semple who asked me "what have you told them?" and "*why did you stab me in the back?*" I couldn't believe that he was allowed in to see me as I thought they were under investigation.

26. After I left Kincora I was also abused at Borstal and then abused again when I was sent to Williamson House although I understand that these proceedings do not relate to those institutions so I will not describe this in detail. When I left Williamson House I was told to stay in hotels. I remember a Social Worker visited me at a hotel and told me I was "*an embarrassment to the government*". She also told me they had decided for me to go to England and stay with my aunt. They put me on a boat to Liverpool.
27. After I left Borstel, the Mr Mains, Mr Semple and Mr McGrath were arrested and convicted. I believe this happened in 1980.
28. These people hurt me very badly and the abuse has ruined my life. I have attempted suicide and have self-harmed many times, and my arms and wrists are completely scarred. I suffer from Post-Traumatic Stress Disorder and I also have had difficulties with alcohol and attended AA for a number of years. I now have clearance to work for the US Government but I only work part-time due to stress.
29. Even after I went to England I found it hard to get away from everything. I suffered abuse in various places. I also found it hard to get away from Kincora.
30. I remember on one occasion when I was working at the Crumlin Hotel in London. Ian Paisley was staying there for one or two nights and I remember him speaking to me and saying "*don't talk about anything*". I remember thinking it was strange that he was staying there and knew I was there. On another occasion [REDACTED] who was the night manager at the Crumlin Hotel, received nude photos of me which had been sent to him at the hotel.
31. I remember in 1983 I had just arrived back to Heathrow after visiting my sister in Ireland. I went to Leicester Square and met my friend [REDACTED] in the Steakhouse there. Over dinner I started speaking to him about Joseph Mains and

what had happened to me. Suddenly the man next to me grabbed my throat and said "you need to shut your mouth." He then left and the owner came over and apologised to me. After that I went to the flat I was staying in in [REDACTED]. Approximately forty minutes after I arrived back, the buzzer went and a man spoke to say he needed to talk to me. When I went down to let him in there were three men there in plain clothes and one in uniform. They told me they were from Secret Service and put handcuffs on me. They took me back to the flat, threw me to the floor, and roughed me up a bit. They then sat me in a chair and said I'd been talking too much. The man whose flat it was, [REDACTED], then arrived downstairs to see what was going on. One of the men called him aside into the kitchen. After that they undid the handcuffs and left.

32. The next two men called to the flat and said they were from Marleybone Police Station which was the closest to the flat. He told me that they wanted to apologise and that they had made a mistake, and that if I wanted to make a formal complaint I could but he was there in person to apologise. Because of this I did not make a formal complaint.
33. Another time I was interrogated by police when I was staying in a B & B in Kings cross in London. They told me that I better not say anything and said that they could put me away. Again when I lived in Preston the police came and assaulted me physically. They searched my flat and I remember they opened all my drawers. They put me in a cell and I remember 2 men in particular, one with dark brown hair and one blond, and they treated me like a criminal. I think one may have been called Detective Sculley or something similar. I remember thinking they were from here but I'm not certain.
34. I believe these incidents were in some way related to the security services or security forces and I believe they were related to me talking about what happened to me at Kincora. I believe that MI5 were involved in the abuse and I know that the RUC knew what was going on. I believe that the fact that two army officers have come forward to say that the Security Services were involved strengthens the evidence of this.

35. I believe that it is important to find out the truth of what happened. I understand that the Inquiry does not have power to force witnesses who are outside the jurisdiction to attend, or to obtain documents from outside the jurisdiction. I think if the Inquiry does not have the power to force all relevant witnesses to attend or to obtain all relevant documents then it will not be possible to get the truth.

36. I also believe it is important that victims are provided with legal representation for any inquiry. I have difficulty trusting people after what happened to me. I would not trust or feel comfortable talking to someone who works for a government body. I want an independent lawyer to represent me for the purposes of the Inquiry, otherwise I would not feel safe.

37. Save as otherwise appears I depose to the foregoing from my own knowledge and belief.

Sworn at 9-15 QUEEN ST
BELFAST

in the County of the City of Belfast

on the 16th day of FEBRUARY 2015

Before me a Solicitor Empowered to Administer
Oaths for the Supreme Court of Judicature in
Northern Ireland in and for the said County



This Affidavit is filed on behalf of the Applicant by his Solicitors, KRW Law,

A MAJOR scandal erupted in the North last night on allegations of an official "cover-up" over the recruiting of boys at a Belfast children's home for homosexual prostitution.

The matter is to be raised at Westminster by independent MP Gerry Fitt, who was "shocked to the core" by the reports. "If these allegations are true there has been some kind of Watergate cover-up and those responsible should be brought to book."

The shock allegations about the home on the outskirts of the city resulted in a police report being sent to the Director of Public Prosecutions. But no action was taken—and reports on certain cases were destroyed under orders from a senior member of the Social Services Department, it is claimed.

A member of the staff at the boys' home is alleged to be involved with a Loyalist para-military group. Officials in the Health Department were told this, but he has retained his job—despite being suspected of encouraging children to engage in homosexual acts for money, and accepting payments for pimping.

The police reports name a number of important Northern businessmen as being involved. So far, one of the children involved is alleged to have committed suicide, and another—now living with an elderly homosexual—is said to have attempted suicide.

Mr. Fitt said: "I am prepared to raise this matter at Westminster and call for a full inquiry."

The situation first came to light in 1977. One boy who knew of the child prostitution is said not to have received any support from social workers when he faced a criminal charge—because it was thought advisable to have him locked up where he could not talk.

Files on the allegations currently exist in two police stations, Strandtown and Donegal Pass, Belfast.

A detective at the Strandtown station is understood to have conducted an intensive investigation of the boys' home and the staff member under suspicion, and to have worked on the report which was sent to the D.P.P.

A number of people with information are ironically forbidden under the Official Secrets Act from revealing what they know about the crimes and the official cover-up.

Since the police inquiry, two Justices of the Peace in Belfast have continued to send boys to the home.

Children at the centre range from 10 to 17. Some of the alleged offences are claimed to have involved boys as young as 12.

Last night, a reliable source claimed that the man suspected of having made large amounts of money by "hiring out" teenage boys, still held a senior post at the home.

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANDTOWN

Station E Division

4TH OCTOBER 1977

Name: RICHARD KERR

Age: 16 YRS

Address: 236 UPPER NEWTOWARDS ROAD,

Occupation: PORTER

Statement:

I Richard Kerr wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say will be given in evidence.

SIGNED RICHARD KERR
J MAINS

One day about the beginning of August 1977 I was with Stephen Waring on the Belmont Road. We went in to Wandsworth Road. We decided to do a big house that was sitting in off the road. We rang the bell at this big house and when no one answered I climbed up the spout and through the window into a bathroom. I then opened the front door and let Stevie in. We searched the house but we did not get any money. I saw Stevie get a ring which was sitting in an ash tray beside the sink in the kitchen. He put this ring in his pocket and we both left the house.

SIGNED RICHARD KERR
J MAINS

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J MAINS

Signature

RICHARD KERR

Signature
witnessed by

JOHN SCULLY, D/CON

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original
Form 38/36 (n)

C. Dorman D/Sgt

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANDTOWN

Station E

Division

4TH OCTOBER

1977

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SIGNED RICHARD KERR
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Signature

RICHARD KERR

Signature
witnessed by

JOHN SCULLY, D/CON

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Checked and certified a true copy of the original
Form 38/36 (n)

C. Dorman Sgt

ROYAL ULSTER CONSTABULARY

STATEMENT

Station Division 1977

Name: RICHARD KERR

Age: 36 YRS

Address: 235 UPPER HORTONWOOD ROAD,

Occupation: DRIVER

Statement:

I Richard Kerr wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say will be given in evidence.

SIGNED RICHARD KERR J 1977

One day about the beginning of August 1977 I was with Stephen Kerley on the Solent Road. We went in to Handsworth Road. We decided to go a big house that was sitting in off the road. We rang the bell of this big house and when no one answered I climbed up the front end through the window into a bedroom. I then opened the front door and let Steve in. We searched the house but we did not get any money. I saw Steve get a ring which was sitting in an ash tray beside the sink in the kitchen. He put this ring in his pocket and we both left the house.

SIGNED RICHARD KERR J 1977

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED WALTERS J 1977

Signature RICHARD KERR

Signature witnessed by JERRY WALTERS J 1977

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

C. Norman Sgt

ROYAL ULSTER CONSTABULARY

STATEMENT

Strandtown Station E Division 4th October 1977

Name: STEPHEN WARING

Age: 15 yrs

Address: 236 Upper Newtownards Road, Belfast.

Occupation: School Boy

Statement:

I Stephen Waring wish to make a statement. I want someone to write down what I say I have been told that I need not say anything unless I wish to do so and that whatever I say may be given in evidence.

SIGNED Stephen Waring

About the beginning of Sept 1977 I was with Richard Kerr in North Road.

We went to [redacted] I kept watch while Richard went over and broke into the house. Richard Kerr came out in a few minutes. He gave me a watch which I have since sold.

SIGNED Stephen Waring

I have read the above statement and I have been told that I can correct alter, or add anything I wish This statement is true. I have made it of my own free will.

SIGNED Stephen Waring

Signature

(SIGNED) Stephen Waring

Signature

witnessed by (SIGNED) L Conway

J Scully, D/Constable

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C. Doman Dept

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SIGNED Stephen Waring

Signature

(SIGNED) Stephen Waring

Signature witnessed by

(SIGNED) J Scully, D/Constable

J Scully, D/Constable

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

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Form 38/36 (n)

C. Downan D/Sgt

ROYAL ULSTER CONSTABULARY

STATEMENT

Strandtown

Station E

Division

4th October

1977

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SIGNED Stephen Waring

Signature

(SIGNED) Stephen Waring

Signature

witnessed by (SIGNED) L Conway

J Scully, D/Constable

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Form 38/36 (n)

[Handwritten signature]

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANDTOWN

Station E: Division

4TH OCTOBER

1977

Name: RICHARD KERR

Age: 16 YRS

Address: 236 UPPER NEWTOWNARDS ROAD

Occupation: PORTER

Statement:

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SIGNED RICHARD KERR.
J MAINS

One day about the beginning of September, 1977 I was with Stephen Waring in North Road. We decided to do a house. Stephen sat on the wall facing the house and I went across the road to I think [redacted] I got into the house by after Stephen broke the glass in the door. That was before he went to sit on the wall to keep dick. I went into the house and searched around I got a watch which I later gave to Stephen Waring. Ear rings, a gold chain, a bracelet and a twenty dollar bill and a ten dollar bill. I cashed the bill Dollars in the bank and gave the other stuff away.

SIGNED RICHARD KERR

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J MAINS

Signature

Signature
witnessed by

JOHN SCULLY, D/CON

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

C Norman [Signature]

ROYAL ULSTER CONSTABULARY

STATEMENT

STRAIDTOWN

Station E Division

4TH OCTOBER

1977

Name: RICHARD KERR

Age: 16 YRS

Address: 236 UPPER NEWTOWARDS ROAD

Occupation: PORTER

Statement:

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J HAINS

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SIGNED RICHARD KERR
J HAINS

Signature

Signature
witnessed by

JOHN SCULLY, D/CON

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Checked and certified a true copy of the original
Form 38/36 (n)

C. Doman J. Hains

ROYAL ULSTER CONSTABULARY

STATEMENT

STRAIDROGH

Station

E

Division

4TH OCTOBER

1977

Name:

RICHARD KERR

Age: 16 YRS

Address:

256 UPPER NEWTOWARDS ROAD

Occupation:

POSTER

Statement:

I Richard Kerr wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say may be given in evidence.

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J HAINES

Signature

Signature
witnessed by

JOHN COUALLY, D/CON

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Form 38/36 (n)

C. O'Sullivan

ROYAL ULSTER CONSTABULARY

STATEMENT

Strandtown Station E Division 4th October 1977

Name: STEPHEN WARING

Age: 15 yrs

Address: 236 Upper Newtownards Road, Belfast.

Occupation: Schoolboy

Statement:

I Stephen Waring wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say may be given in evidence.

SIGNED Stephen Waring

On Sunday night 25th Sept 1977 I was with Richard Kerr. We were on the Belmont Road. About 7 pm we decided to do a house. We went to Belmont Park and we both went up to the door and rang the bell. When no one rang answered I forced the front door by kicking it we both searched the house. We got a whole lot of jewels, a bracelet, locket, necklaces, and a watch. We also found 3 £5 notes and loose change in a drawer. We divided the money I got £8 to £9. I put all the jewels in my pocket. I brought all the jewels back and gave them back to the man who lives in [redacted]

I have spent all the money.

SIGNED Stephen Waring

I have read the above statement and I have been told that I can correct, alter or add anything I wish This statement is true. I have made it of my own free will.

SIGNED Stephen Waring

Signature

(SIGNED) Stephen Waring

Signature

witnessed by (SIGNED) L Conway

J Scully, D/Constable

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SIGNED Stephen Waring

Signature

(SIGNED) Stephen Waring

Signature witnessed by

(SIGNED) L Conway

J Scully, D/Constable

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

Donnan Sgt

ROYAL ULSTER CONSTABULARY

STATEMENT

Strandtown Station E Division 4th October 1977

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Signature

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Signature

witnessed by

(SIGNED) L Conway

J Scully, D/Constable

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Form 38/36 (n)

[Handwritten signature]

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANDTOWN

Station E: Division

4TH OCTOBER

1977

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Age: 16 YRS

Address: 236 UPPER NEWTOWARDS ROAD, BELFAST

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SIGNED RICHARD KERR
J MAINS

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SIGNED RICHARD KERR
J MAINS

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J MAINS

Signature

RICHARD KERR

Signature
witnessed by

JOHN SCULLY

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Checked and certified a true copy of the original

Form 38/36 (n)

C. Donnan

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANDTOWN

Station E Division

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SIGNED RICHARD KERR
J MAINS

On Sunday 25th Sept 1977 I was with Stephen Waring. About 7 pm we decided to do a house. We went up the Belmont Road and into Belmont Park. There was a house there that appeared to be no one at home. We rang the door bell and when no one answered we Stephen forced the door open and we went in. We searched the house and got jewels, bracelet, locket and other things. We got 3 £5 notes in a drawer as well as loose change. We divided the money. I got about £9 stephie kept all the jewels.

SIGNED RICHARD KERR
J MAINS

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J MAINS

Signature

RICHARD KERR

Signature
witnessed by

JOHN SCULLY

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

[Handwritten signature]

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANDTOWN

Station B Division

4TH OCTOBER

1977

Name: RICHARD KERR

Age: 16 YRS

Address: 236 UPPER HUNTERFARMS ROAD, BELFAST

Occupation: FORTNER

Statement:

I Richard Kerr wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say may be given in evidence.

SIGNED RICHARD KERR
J HAINES

On Sunday 25th Sept 1977 I was with Stephen Haring. About 7 pm we decided to do a house. We went up the Belmont Road and into Belmont Park. There was a house there that appeared to be no one at home. We rang the door bell and when no one answered we Stephen forced the door open and we went in. We searched the house and got jewels, bracelet, lockets and other things. We got 5 85 notes in a drawer as well as loose change. We divided the money. I got about 1.9 stephie kept all the jewels.

SIGNED RICHARD KERR
J HAINES

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J HAINES

Signature

RICHARD KERR

Signature
witnessed by

JOHN SCULLY

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

Chorman

ROYAL ULSTER CONSTABULARY

STATEMENT

Strandtown Station E Division 4th Oct 1977

Name: STEPHEN WARING

Age: 15 yrs

Address: 236 Upper Newtownards Road

Occupation: School boy

Statement:

I Stephen Waring wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say may be given in evidence.

SIGNED Stephen Waring

Richard Kerr and I have over the past five months maybe six broken into

houses in the Belmont area. We broke into [redacted]

[redacted] and [redacted]

[redacted]

[redacted] and attempted to get into [redacted]

[redacted] and [redacted]

SIGNED Stephen Waring

I have read the above statement and I have been told that I can correct, alter, add anything I wish. This statement is true. I have made it off my own free will.

Signature

(SIGNED) Stephen Waring

Signature

witnessed by (SIGNED) L Conway

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

C. Dorman Sgt

ROYAL ULSTER CONSTABULARY

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[redacted] and [redacted]

[redacted]

[redacted] and attempted to get into [redacted]

[redacted] and [redacted]

SIGNED Stephen Waring

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Signature

(SIGNED) Stephen Waring

Signature

witnessed by

(SIGNED) L Conway

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

[Handwritten signature]

ROYAL ULSTER CONSTABULARY

STATEMENT

Strandtown

Station

B

Division

4th

Oct

197 7

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[redacted] and attempted to get into [redacted]

[redacted] and [redacted]

SIGNED Stephen Waring

I have read the above statement and I have been told that I can correct, alter, add anything I wish. This statement is true. I have made it off my own free will.

Signature (SIGNED) Stephen Waring

Signature witnessed by (SIGNED) L Conway

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.) Checked and certified a true copy of the original

C. Donnan J. Sgt

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANDTOWN

Station E Division

4TH OCTOBER 1977

Name: RICHARD KERR

Age: 16 YEARS

Address: 236 UPPER NEWTOWNARDS ROAD

Occupation: PORTER

Statement:

I Richard Kerr wish to make a statement. I want someone to write down what I say. I have been told that I need not say anything unless I wish to do so and that whatever I say will be given in evidence.

SIGNED RICHARD KERR

Stephen Waring and I for the past 6 months have been breaking into houses around Belmont. We both broke into [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] We also tried to break into [REDACTED] and [REDACTED]

SIGNED RICHARD KERR

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J MAINS

Signature

Signature
witnessed by

JOHN SCULLY, D/CON

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original

Form 38/36 (n)

[Handwritten Signature]

ROYAL ULSTER CONSTABULARY

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SIGNED RICHARD KERR

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[REDACTED], [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED]

[REDACTED] We also tried to break into [REDACTED] and [REDACTED]

SIGNED RICHARD KERR

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J HAINS

Signature _____

Signature witnessed by JOHN SCULLY, D/CON _____

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original Form 38/36 (n)

Deanna West

ROYAL ULSTER CONSTABULARY

STATEMENT

STRANSTOWN

Station B Division

4TH OCTOBER 1977

Name: RICHARD KERR

Age: 16 YEARS

Address: 236 UPTON HENTONHARDS ROAD

Occupation: PORTER

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SIGNED RICHARD KERR

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[REDACTED]

[REDACTED]

[REDACTED] We also tried to break into [REDACTED]

and [REDACTED]

SIGNED RICHARD KERR

I have read the above statement and I have been told that I can correct, alter or add anything I wish. This statement is true. I have made it of my own free will.

SIGNED RICHARD KERR
J HARRIS

Signature

Signature witnessed by

JAMES HARRIS, D/COM

Use both sides if necessary. (If this is done, both sides of the form must be signed and witnessed.)

Checked and certified a true copy of the original Form 38/36 (g)

[Handwritten signature]

**BBC Radio Ulster – Good Morning Ulster
18 February 2015 @ 6:30am**

Discussion starts 1 hour, 46 minutes and 10 seconds into show

Conor Bradford

Now a victim of abuse at the former Kincora Boys Home has won the first stage in his legal battle to have the scandal investigated by the UK wide Westminster Inquiry and not with HIA Inquiry which is currently being held here. Lawyers for Gary Hoy argued that the local Inquiry is not the right body as it cannot compel witnesses such as former intelligence officers to give evidence. Three staff members from the home were convicted in 1981 of sexually abusing a number of children in their care but there have been persistent allegations that more prominent public figures may have been involved.

Karen Patterson

Yesterday's development has been welcomed by former resident who spoke about the abuse he suffered for the first time to the BBC last year. Our reporter Michael Fitzpatrick began by asking Richard Kerr, who now lives in the United States how he felt when the judge granted leave for a judicial review yesterday.

Richard Kerr

I believe something inside of me, before I went there when I heard about the date, I felt like it's going to go the way it's supposed to go and it went exactly that way today. That's the feeling I want. I wasn't excited but I felt like this is the path I'm on to help others.

Michael Fitzpatrick

You came out last year and spoke publically for the first time, has that helped you?

Richard Kerr

Yes, it has. It helps me on my recovery of getting through what I had to go through and I believe that this isn't about me, that we really need to change the system because the way it was done when I was there was wrong. I'm a survivor of it but there are those that didn't survive this and there'll be a voice for them too.

Michael Fitzpatrick

Can you remind us, for those who perhaps who don't know about when you were at Kincora and some of the details?

Richard Kerr

Well I was taken from Williamson House by Joseph Maines and his boss to Kincora in 1975, my age was 14 at the time, the details were, I was there for a while then Joseph Maines asked me to go to his office and then he eventually asked me to his bedroom, he offered me some whiskey, and then he has some whiskey. Things started to happen then.

Michael Fitzpatrick

And how long were you at Kincora?

From: EIS Typists [<mailto:typistsEIS@dojni.x.gsi.gov.uk>]

Sent: 12 March 2015 13:33

Subject: Nolan Show-R Kerr, L Clarke, P Corrigan -Kincora victim speaks out-12.03.15

Programme	Nolan Show
Date & Time	12.03.15 (09.04)
Subject	Kincora victim speaks out
Prepared By	Typist: Jennifer Higgins/Donna Morris MMU: GI

STEPHEN NOLAN

Victims who suffered at the notorious Kincora Boys' Home in Belfast have made a legal challenge against the government's refusal to include them in its inquiry into child sex abuse. Now one of those victims supporting the legal action is Richard Kerr. Richard's 53, he lives in Dallas in Texas, and he was abused in Kincora and have waived his right to anonymity to speak to the Nolan Show about what happened to him, it's very very important stuff this. Richard was placed in care from the age of five, initially at Williamson House. I began by asking him what he remembered about that time.

RICHARD KERR

I was removed from my family in 1966, I believe, sometime in December, and we were taken to Williamson House, me and my sister.

STEPHEN NOLAN

What are your memories of your first day going in there?

RICHARD KERR

My first evening, because we arrived there in the evening, I remember having bangers and beans and that was the first meal that was given to us by Miss Courtney was the lady in charge of the side of Williamson House that I was in. And I felt confused and I remember saying to my sister, where is my mother? So we went on and then they put us to bed and then the next day I believe we ended up in a courtroom and told us that we would be put into care until the age of 18.

STEPHEN NOLAN

And little did you know, Richard, what was to happen, because the abuse, before Kincora, which we'll talk about later, the abuse started in Williamson House, didn't it?

RICHARD KERR

It started in Williamson House, yes.

STEPHEN NOLAN

What happened? You were eight years of age, weren't you?

RICHARD KERR

Yes, at first, at eight years of age, I was in the playing room where a gentleman would come in and they start wrestling with me in the playroom, it's like children's playroom and I would be lifted up into the air and been over this person's back and while he was doing that he was playing around with my private parts. And it got

more serious later on. And I believe it was around about when I was about 11 and when I was in my room. The boys rooms were on the ground floor, I mean the top ground floor, the girls rooms were on the top level floor, and there was a doorway divided the home into two parts. One for the Catholics and one for the Protestants. So this person came through the hallway at night and my bedroom was closer to the doorway and he'd come into my room and get into the bed with me. I had a teddy bear, and I believe it was some kind of golly wog, I remember it at the time because it was black and it had things coming out of, around the head area, he just got into my bed and he started, he just started playing around with me and I remember biting, biting hard on the teddy bear. And then he would get out of the bed and I was feeling so afraid that I couldn't, I actually froze for about two hours, I was in fear, I couldn't move. So that was the memory of that first time.

STEPHEN NOLAN

And you were 11 years of age, you knew it was wrong. Presumably you're so young that you know it's wrong but you're confused, is that fair?

RICHARD KERR

Yeah I felt, yes, yes, yes, yes, that would be, yes.

STEPHEN NOLAN

And then you're moved to the notorious Kincora Boys Home in Belfast, Richard?

RICHARD KERR

Yes, yes.

STEPHEN NOLAN

You're a teenager now?

RICHARD KERR

Yes.

STEPHEN NOLAN

How long after you arrived there did the abuse start?

RICHARD KERR

Well when I arrived in Kincora, Joseph Mains and his boss came to Williamson House and they had a meeting, because I was getting angry, because I remember trying to tell one of the staff about the abuse in Williamson House and she said that she would look into it, and they never did. And she was removed and I just remember them coming up, having a meeting and in the following two days my sister was removed from Williamson House and then I was removed and went with Joseph Mains and his boss up to Kincora. And I remember when I arrived in Kincora, what I remember arriving in Kincora, there was only three boys there at the time when I arrived. And I felt, I felt okay when I arrived the first day in Kincora, because I felt I was getting away from my abusers back in Williamson House. So it gave me some kind of relief that I was getting away from Hell House 1, if you don't mind me saying that, okay.

STEPHEN NOLAN

Yeah.

RICHARD KERR

I never realised that I was going to Hell House 2. It was only when Joseph Mains, after a week or two, and Joseph Mains invited me to his office. He said that he liked me and that, then he invited me to his bedroom and then he offered me some whiskey, and I think he also had sherry there, some sort of sweet sherry.

STEPHEN NOLAN

How old are you now, as a child, when this happened?

RICHARD KERR

In Kincora?

STEPHEN NOLAN

Yeah.

RICHARD KERR

Fourteen.

STEPHEN NOLAN

Okay.

RICHARD KERR

I remember when I arrived there there was only three other boys.

STEPHEN NOLAN

And, of course, Richard at 14...

RICHARD KERR

And I had my own room.

STEPHEN NOLAN

And, Richard, at 14 years of age your body is developing, you, privacy is important, you're confused and the last thing that you want is for this abuse to continue, because it's such a formative age, isn't it, 14 years of age, you're a child but you're starting to get your independence, as I say, you're aware of sex, you're aware of sexual development but an adult abusing you, my goodness, horrible, and it started in Kincora all over again?

RICHARD KERR

Well it was, I was very confused about that when I got to Kincora, because of what happened in Williamson House and it was, I was dealing with some flashbacks from (unclear). What I felt, at the time I felt here's a man who is taking me away from Hell House 1, and that's how my journey, that's how I felt when I got to Kincora. But then a week or two later it began again, when Joseph Mains invited me to his office and then he invited me to his room. And this was done in the evening, usually around about 7 o'clock. Because we had afternoon tea, I remember having afternoon tea at 4.30 and then there was like a TV room. There was three other boys, but they

already, one of them had left the house , the other two were there in the TV room, then around about 7 o'clock I was invited into his office and then he took me back to his bedroom and then he said he liked. And then he gave me some whiskey and he asked me to put cream on his back and then he put cream on mine and then we had sexual encounter in the end and then he told me to get up and get washed. He had a shower in that place, it was downstairs in his room, and after that I was told to go back to the TV room. And then it started to happen kind of on a regular basis.

STEPHEN NOLAN

What would he say, Richard, after sex? Would he apologise, would he scare you into not telling people?

RICHARD KERR

No, no, he was not that way at first, he was very, he wasn't that way at first. Remember he had, he was taking more drink, I was taking more drinks, and he always knew, because he was a friend of Eric, who was in Williamson House, so they were communicating back and forward. So he would say things like, you know Richard, I'm really going to be good to you, I'm going to be nice to you, I'll take care of you. He said words like you are a special person and he kept reassuring me, he was very, very manipulating as I look back.

STEPHEN NOLAN

And this was the warden, this was one of the men that was supposed to be protecting you?

RICHARD KERR

In charge yes, he had a lot of control over Mr Semple and Mr McGrath.

STEPHEN NOLAN

Semple was his assistant, Mr McGrath was the house father of Kincora, William McGrath, all these three are dead now.

RICHARD KERR

Yes and Mr McGrath never lived in Kincora, Mr McGrath just lived down the street from Kincora.

STEPHEN NOLAN

McGrath was always considered the ring leader wasn't he?

RICHARD KERR

Yes.

STEPHEN NOLAN

He was manipulative in how he controlled the paedophile ring in Kincora.

RICHARD KERR

Let me tell you they (unclear) Mr McGrath because they wanted to have it all focused on Mr McGrath, he was impulsive yes, but what the newspapers and the books are saying it is not the truth about it, it is just not the truth. Mr Semple never abused me. I never saw Mr Semple abuse any of the boys in Kincora, if he had it had to be

where Mr Semple would have to take them out of Kincora either to a football match, usually that is the way it was and Mr McGrath would be impulsive, you wouldn't know when he was going to do it. He tried it with me in the bath tub and he tried it a few times with me in the television room.

STEPHEN NOLAN

How did he get access to you when you were in the bath? Were you not able to keep him away, shut the door?

RICHARD KERR

This is the way he worked, he would have come and cut people's hair, okay, so in a dining room area that is where you go in, he would close the door and say next please. He was a hair cutter, so he closed the door behind him, cutting people's hair. Sometimes he would use that little bathroom downstairs because there was a mirror in there where he could close the door and have some reason to cut hair, so he could separate you from the others.

STEPHEN NOLAN

Were you aware that other boys were being abused too?

RICHARD KERR

Okay there were other boys being abused but the boys were being inside and there were boys picked to go on the outside.

STEPHEN NOLAN

Did you talk about it among yourselves?

RICHARD KERR

I talked to Stephen about it, and Billy about it but we were the three boys that were told that we would be going out of Kincora, the other boys were to stay in Kincora. Those who stayed in Kincora had more of relationships with McGrath, the ones on the outside had more relationships with Joseph Mains.

STEPHEN NOLAN

And how did they control you, this paedophile ring, did they bully you, did they beat you, did they control you by fear, how did they actually control what they were doing?

RICHARD KERR

Well they controlled, with me, I can speak from my experience, they controlled me by reassuring me that they were there to take care of me, that was the number one thing. They would have me go to hotels and then give me alcohol and they manipulated you with kind words about yourself. I had low self-esteem my journey up to then I was totally, totally damaged. And I became an object to them and it was more about pleasing them. Joseph Mains took me under his wing.

STEPHEN NOLAN

Did he ever threaten you that if you spoke out what would happen?

RICHARD KERR

Well we are going to get into another area here. There was times that he got angry with me when things got out of control, I will give you an example. I was in Larne with two men in a hotel and I kind of was drinking pretty heavy and I believe I started stealing from them, not from them, from a room in the hotel and then somebody reported me to the police and then the police found me at the harbour and then they brought me to the police station and they asked me where do you come from, I said well I am staying at Kincora, they called Joseph Mains up and Joseph Mains told the police to bring me back to Kincora and then I got back to Kincora, Mr Mains wasn't very happy with me, he asked me to go to my room and he said he would talk to me tomorrow. And he brought me into his office the next day and he sat down and talked to me and he says I don't like the fact that you are stealing money and he just showed anger towards me.

STEPHEN NOLAN

This is a sex offender showing anger towards you for stealing.

RICHARD KERR

Yes because that brought up something with the police in Larne, I think they wanted to know why I was in a room with two men and they wanted to go and look at it.

STEPHEN NOLAN

So the police had a record that you had told them that you were in a bedroom with two adult men?

RICHARD KERR

Yes they do have that.

STEPHEN NOLAN

And how old were you at the time?

RICHARD KERR

15.

STEPHEN NOLAN

And that would have been the RUC at the time, Royal Ulster Constabulary, what did they do with that knowledge?

RICHARD KERR

I don't know they didn't do anything with the knowledge but it is in the papers, the newspapers got a hold of it, I don't know how.

STEPHEN NOLAN

Did you give descriptions of these men?

RICHARD KERR

Yes I did.

STEPHEN NOLAN

Did you know who the men were?

RICHARD KERR
Yes I did.

STEPHEN NOLAN
You knew their names?

RICHARD KERR
Yes.

STEPHEN NOLAN
And these men had sex with you?

RICHARD KERR
Yes, many others.

STEPHEN NOLAN
And the police knew about it and did nothing?

RICHARD KERR
The police knew about what happened at the hotel because people complained and no word of them where they were located again. All was done was that I was brought back to Kincora, Mr Mains told me to go to my room, he wasn't very happy, he said I will speak to you tomorrow in the office, he said I don't like the fact that you stole.

STEPHEN NOLAN
You said that there were many men, so were you often brought to hotels?

RICHARD KERR
Yes I remember being brought to the Park Avenue Hotel.

STEPHEN NOLAN
Which is right in the heart of Belfast.

RICHARD KERR
My last visit there I went up there with someone and took photographs, it really hasn't changed. Me and Stephen and Billy were put back in the corner of that room there with the black leather chairs and the red carpet and I when I got there I remembered that we never went through the front door we actually went through the back door because if you look at the Park Avenue Hotel there is two entrances to come in. So we used to come in there in the back way at night and you couldn't know anybody going in or out.

STEPHEN NOLAN
And when you are in the bedroom as a 15 year old child and these adult men walk in what did they say to you?

RICHARD KERR

They never talked a lot that was the point, they never walked together all the time up the staircase, one would go into the elevator and I would go up the stairs, that is the way it was and sometimes they were already up in their room.

STEPHEN NOLAN

And there would be more than one man in the room with you at a time?

RICHARD KERR

Well the first time at the Park Avenue Hotel, a few times at the Park Avenue Hotel there was only one person, so I would go up there, I was given a room number, knock on the door they would ask me to come in and they were kind, they were nice. Lay on the bed, let me do this to you, they would even remove my clothes, they got a thrill of removing their clothing, but remember I was under the influence of alcohol at the time and I needed the alcohol to deal with it. The real things started to happen when Joseph Mains, when things came tumbling down, when Joseph Mains got me to go to a job at the Europa Hotel as a bell boy and he went and brought me down and we spoke to ██████████ in his office. He told ██████████ I would like him to have a little job here. You got to remember I was 14 and leaving the morning at 8.30 to come back 3.45, I had more time in Kincora, I was the youngest so I saw more. Most of the boys were working boys, they would leave early in the morning at 7 and then they would come back at 7 at night, so I was going to school at the time, so when I came 16 he got me a job as a bell boy at the Europa Hotel.

STEPHEN NOLAN

Did the abuse continue there?

RICHARD KERR

Oh yes, because I had the keys, the pass key. They, the people would come in (unclear) and then they would, they knew that, who to go to and one of them would say they'd lost their key out, so I would go up to the, sort of the seventh floor or something, go to their room, I'd got in and I would have a sexual encounter. And they would pay me things, more, they did pay me money there.

STEPHEN NOLAN

And meanwhile you're hurting inside, this is destroying you inside, Richard?

RICHARD KERR

Well I was hurting since the beginning at Williamson House, it just increased, it progressed.

STEPHEN NOLAN

Can you tell me what the pain feels like? The psychological pain of being abused constantly?

RICHARD KERR

Well I feel like, you feel like your soul is being destroyed. And I was in constant fear and sometimes you feel like you're being hypnotised actually, this is not real. And sometimes I'd feel like I can't get out of this reality. I had a constant fear at night, I couldn't sleep, I sweat, I would be sweating at night. I couldn't bear the light being

out, it was getting to that point. Then I would have to sleep with my clothes on, I struggled with that for years, I had to have double clothing underneath, even in hot weather.

STEPHEN NOLAN

You had to have double what?

RICHARD KERR

Double clothing underneath, people didn't understand that. So I can protect myself, keep myself safe. But this whole thing didn't lead into, it led into more things, more disgusting acts that they wanted me to do. I don't need to get into those, I'm sorry but...

STEPHEN NOLAN

No, I don't want you to get into those, I don't want you to get into that. I don't want you to...

RICHARD KERR

One of my friends, Stephen, was part of this...

STEPHEN NOLAN

You've mentioned Stephen a few times, and I know that Stephen, who was also abused, this is Stephen Warren you're talking about, he killed himself, took his own life?

RICHARD KERR

The boys who were working on the outside all killed themselves, except for me. I did make an attempt. The boys who were working in the inside, who were abused by McGrath were a little older, so the time when it came for the investigation to happen. You see the story is this, Stephen, they wanted to confine it to the home, but they used only the boys to testify, the ones who were confined to the home. The other boys, who were not confined to the home, were either removed or either committed suicide, in my case they got rid of me to go to England. And they would intimidate those boys because some of those boys were married.

STEPHEN NOLAN

Stephen Warren jumped to his death...

RICHARD KERR

They were given immunity, but they were putting the words into their, they were putting the words into them to tell them what to say. Focus on McGrath. As long as we kept focus in on McGrath, it can just stay at Kincora. They fabricated the story, you've been reading all this stuff in the newspapers for years, they wanted you to focus it actually at Kincora and that is not what the story is about.

STEPHEN NOLAN

You said that you were taken to England?

RICHARD KERR

Yes, I remember being taken to England. I have evidence of that, I have a photograph of me with other people, 1977, February the 26th, there's a date, registration that sets the photograph with the date and time, I would have only been 15. My birthday's on [REDACTED]. And I'm supposed to be going to school. How I got there I don't remember, but a photograph doesn't lie.

STEPHEN NOLAN

There's also a record in the visitors' book for the Elm Guest House, the infamous Elm Guest House, which says Belfast...

RICHARD KERR

Yes, but five, but if you look at that, five Richards one in Paddington, I lived in Paddington, the other one was in Greenwich, I lived there with a man in Greenwich...

STEPHEN NOLAN

It says in this entry, Belfast NI Richard, that was you?

RICHARD KERR

Belfast Northern Ireland.

STEPHEN NOLAN

Yeah.

RICHARD KERR

And those are the list of boys, in the third line is what they do.

STEPHEN NOLAN

And you say you had to live with a man?

RICHARD KERR

I was living with men, yes, in Manchester, Liverpool, in Preston, Lancashire, I was living with men. I was brought to a house in, outside Manchester, where they would, there was other boys there and they were taking photographs of us and they said that you look good, we can make money from this and we'll send these and put this in a boys magazine and then we'll send them off to Amsterdam.

STEPHEN NOLAN

And they got you to do that by getting you drunk or what?

RICHARD KERR

Well not at first. They were giving me drinks, but not, they kind of, what they try to do is that they try to build you up.

STEPHEN NOLAN

But explain to me, Richard, when you go to one of these houses in England, how they coerce you, how they force you to pose naked for them. How do they do that?

RICHARD KERR

When you're in a situation you have nowhere else to go, you're brought in and you're trained. I came from a home as a child, so all I ever knew, the kind of people that took care of me was abusers. I didn't know any better.

STEPHEN NOLAN

And when you were in England, you're 14 or 15?

RICHARD KERR

When I was 14, you mean when I was in Kincora?

STEPHEN NOLAN

When you were in England, when you were in Elm House and Manchester and Dolphin Square, Eccleston Square you were in too in London?

RICHARD KERR

I was in many places, I was even in the Rembrandt, I haven't mentioned that yet, the Rembrandt, it's a place in Manchester, that's like a, it's like a bar guest house, the rooms are on the top floor and the bar is down below. I even lived in Rochdale, I even lived in (unclear).

STEPHEN NOLAN

And now you want justice, obviously you want justice and your deserve justice. And the government, so far, is refusing for the paedophile abuse scandal at Kincora to be included within the scope of the Westminster inquiry that was established by the Home Secretary, Theresa May. And the reason that I've tried to get you to go over so much testimony in detail, Richard, as uncomfortable as it is for you to tell, as it is for people to listen to, I feel it necessary for people to hear that level of detail for them to then understand why you would be so angry that the government is not allowing your abuse scandal, and abuse like you have encountered in Belfast, to be included within the Westminster inquiry. Now what message does that send out to you?

RICHARD KERR

Well that's the same message that they tried to do back in 1979, (unclear) and I'm going to have to mention this. Colin Wallace was getting the right information, I mean he was on the right path. He knew something else was going on...

STEPHEN NOLAN

Explain to people who Colin Wallace was?

RICHARD KERR

Colin Wallace was one of those, he was one of the, Captain or he was in the media and they removed him from his post, he was in the army. And he would be, you could connect the dots because you're a very smart man, Stephen. He was removed in 1975 (unclear) Kincora. It's a (unclear) he was removed from ***** 1976, okay. The activities of the abuse increased when I went to the Europa. I started (unclear) night by working for these people and breaking into homes, with me, Stephen and [REDACTED] (unclear) they couldn't control it anymore. We got out of control...

STEPHEN NOLAN

And this, Richard, is Stephen Warren who jumped to his death on a boat to Liverpool?

RICHARD KERR

Yes, maybe he came back too soon...

STEPHEN NOLAN

He killed himself?

RICHARD KERR

...and that's what I don't understand today why nobody's really investigating that. If he was confined, this is what the witness says, he was confined because he made threats that he was jumping over, he had alcohol in him, but (unclear) decided to let him go and run around on the front of the boat again. That does not make sense, (unclear).

STEPHEN NOLAN

You've also heard allegations, Richard, you've also heard allegations that MI5 was involved in covering up the sexual abuse of children in order to protect an intelligence gathering operation that ran in Northern Ireland in the '70s. Now do you think those allegations ring true?

RICHARD KERR

I think some of them ring true, because based on what happened to me in London and that's a legal matter that I really don't want to get into, but things happened to me in London that definitely indicates that something happened at Kilwaughter House, outside Larne, in Ballyclare, and other things. Something badly went wrong in Kilwaughter House with two men.

STEPHEN NOLAN

But why would you think the security forces were involved?

RICHARD KERR

I believe the security forces were involved is that they had some connections to the Orange Order and that some of the homosexuals were in the Orange Order, and I was meeting people in the Orange Order. And I'm not saying all the Orange Order are, I'm just saying there are people that I did meet and the people that Joseph Mains asked me to go and meet, because some of these people would come up on the bus, they wouldn't come up in cars all the time, they came up on a bus, they came in, I would go with them, take the bus downtown, somewhere in Royal Avenue near North Street there was a rental place, and then they would go in and rent a car and then off we'd go to Larne or Portrush or Ballyclare, and sometimes Newcastle. And something happened in Ballyclare, Kilwaughter House, there was a fight. We were outside, there was like a situation happened. Two cars came up to the front of the hotel, I was taken away from the two guys, those two guys were put into a car, I was put into another car with three men, I was sitting right in the middle. One was to my right, one was to my left and then you had the driver and then they took off. They brought me back to Kincora, by the side door. Mr Mains knew about this because he had a telephone call, he knew that I was coming back. I knocked on the door and Mr

Mains opened up. He told me to go to my room and he said not to say anything. And then, getting back to this, the real story about Kincora, the witness that they didn't want to have at the time of the trial in 1981 are the ones who were working on the outside. Two of them have already died but I was still alive.

STEPHEN NOLAN

Richard, were there ever any high profile politicians, either in Northern Ireland or England, involved in your abuse?

RICHARD KERR

Yes there were, that is something I am talking, it's a legal matter so, and I don't really want to discuss that. But I can answer yes to that.

STEPHEN NOLAN

Would any of those politicians be still alive?

RICHARD KERR

Well that's what they're looking into in England. One just has passed away, but there was others.

STEPHEN NOLAN

I guess I'm asking you are the police looking into that now?

RICHARD KERR

I believe so.

STEPHEN NOLAN

Have you given evidence to the police, Richard, that high profile politicians abused you?

RICHARD KERR

I have given evidence to the police and I haven't used those words, but I have given some names, yes.

STEPHEN NOLAN

And were any of those names high profile politicians?

RICHARD KERR

I'm not going to say right now, while this is an ongoing investigation.

STEPHEN NOLAN

Okay. I guess I'm not asking you to name them, but I'm just trying to get a sense here, because there will be some people, Richard, that feel that some people in this society are untouchable, and this is why I'm asking you. If some people have a certain level of status in the country that they get away with abusing children. And that's the reason why I'm asking you, for no other reason, if there were people who would be household name politicians that for many years now have got away with abuse?

RICHARD KERR

Well some of them died, a lot of them have died. A couple of months ago some person died and I think you all know it, but I'm not going to get into that, I have evidence of that. But that's something that we're in the process of getting through that where this inquiry leads.

STEPHEN NOLAN

Okay.

RICHARD KERR

'79 is when they asked me, or at the beginning of 1980 they asked me to leave England (sic). They gave me a ticket at the side of the Europa Hotel where a bus is, told me to take the bus to the boat and go to England. And then they came to visit me in England three times. First time they interrogated me, they put me in a cell for seven hours...

STEPHEN NOLAN

Who interrogated you?

RICHARD KERR

The police, whoever they were, they were plain clothes people. They came to my place where I was staying...

STEPHEN NOLAN

Interrogated you about what?

RICHARD KERR

About what I had said. And I was told not to say anything. And they said if you say lies, we can put you away. And this was during the time that the investigation, where they wanted to narrow it down to McGrath and Joseph Mains and Mr Semple.

STEPHEN NOLAN

But it was bigger than that?

RICHARD KERR

I have explained to you that this story isn't about those three, yes, they did some bad things to me, not all of them, just Joseph Mains, Mr McGrath tried his way with me but Joseph Mains got him to back off. And...

STEPHEN NOLAN

Can you tell me, Richard, what the, can you tell me now what life is like now, what are the flashbacks like?

RICHARD KERR

I'm coping with life one day at a time. It hasn't been easy. I deal with it the best way where I deal with it today is try to live in the moment. But I'm just thinking how, this is not really all about me now, I've gotten a lot of help, I've gotten a lot of support, I'm learning to trust people who care about...

STEPHEN NOLAN

But the abuse, the abuse still has an impact to this day, doesn't it? It's affected you to this day?

RICHARD KERR

It has, but I'm working on that and...

STEPHEN NOLAN

How does it affect you to this day, Richard, what does it do, all these years later?

RICHARD KERR

Well it affects me in lots of ways. It can affect you in relationships, trusting people. Anger, you get angry and you wonder why. You keep secrets that you, that stays with you. You start to isolate and you don't believe that nobody cares or nobody's listening. You got to understand, Stephen, the most important thing about this, they didn't want me to come to the trial, I was the wrong witness, because I could have opened up this whole thing could have been looked at back in 1980.

STEPHEN NOLAN

Who talked you out of coming to the trial? Who tried to stop you?

RICHARD KERR

The police, because they knew, from all of us back then that we were taken to hotels...

STEPHEN NOLAN

And the police asked you not to come?

RICHARD KERR

Yes. They came to me three times, twice in London and once in Preston. They came to my place in Kings Cross and they said these words to me, you need to change your lifestyle and you need to not talk any more about this. They didn't want me to come as a witness so they could, they were playing a smoke and mirror games.

STEPHEN NOLAN

Listening to all of this has been your councillor Stuart Couch, we have gone through Richard's story and it is quite extraordinary that given what he has been through that he is still able to function, what damage has this done to him?

STUART COUCH

He has a prevailing lack of trust, he has emotions that are painful, he is not really able to sleep very well, he is still doing the sleeping on the sofa fully dressed with lights on. He has memories, we are working on the treatment for the Post Traumatic Stress Disorder and his anxieties and all of the typical symptoms of the PTSD I would say that while he is coping much better now that he is talking about it, it was not until about three years into the therapy that he even started to talk to me about it other than the third time that I saw him. He was afraid and then he was blaming himself and he had a sense of emptiness and a sense of despair that he did not even know how to identify. When he began to talk about the events and he was in

communications with people in the UK then we really were able to start getting down to business of his talking.

STEPHEN NOLAN

How important would it be to Richard's recovery if he were to get justice?

STUART COUCH

He must get justice. When he has, with any victims, he has the ability to have the perpetrator is actually convicted, is actually identified and takes responsibility it is a major step for any victim. The victim can now feel that whatever they had been saying has been verified and it takes one of the major steps toward relieving the shame, certainly the guilt is going to be something that they feel that they did and the shame will be something that they feel that they are. Getting justice is being able to clarify who they really are.

STEPHEN NOLAN

Maybe I can speak to Richard again, thank you Stuart. What is your message to the authorities if they are listening to this?

RICHARD KERR

My message to the authorities I just hope they can change the system the way they are running those children's homes and make sure that they check out these people before they are given employment.

STEPHEN NOLAN

Do you think you will ever get justice?

RICHARD KERR

I am getting justice, yes, I do believe I will get justice. As I speak out, I am speaking for the voices that didn't have a voice and I am speaking for others that are willing to come out today and talk about what is going on.

STEPHEN NOLAN

And your message to those who are refusing to see Kincora brought into the Westminster inquiry?

RICHARD KERR

While I'm still around, and I am willing to come over and I am willing to share what really happened and if they thought that I had passed on, I am afraid not. I am still here.

STEPHEN NOLAN

Thank you very much for talking to us. It is quite extraordinary isn't it, now maybe you will understand why we gave that the 42 minutes of radio that it undoubtedly merits and by the way, if you were wondering about his reference to a politician within that interview I did try to quiz him on which English politician he was talking about but he wouldn't elaborate. Extraordinary interview, harrowing account of life in Kincora from Richard Kerr. It also delved didn't it into the murky world of abusive power and allegations of paedophile rings involving very high profile public figures. Richard says his abuse took place in England as well as Belfast arguing that that

adds considerable weight to the case for Kincora to be brought into the Westminster inquiry into child sex abuse. Let's discuss this with the journalist Liam Clarke who has been reporting on the Kincora scandal for many years and who has interviewed Richard himself for the Belfast Telegraph and Patrick Corrigan from Amnesty International with us too. I am just looking at my Twitter feed and there are some people saying they are absolutely speechless at what they have just heard.

LIAM CLARKE

Well I think it is, you hear people referring to child abuse and, you know, it is just a word but when you hear the reality of a frightened child, I remember listening to Richard describing it to you, speaking to him myself, he was removed from his home, his mother was taken away under restraint at the age of five, he was taken into the care system and this is what happened to him from a fairly early age and consistently and it was reported and nothing happened.

STEPHEN NOLAN

Your initial reaction Patrick.

PATRICK CORRIGAN

As I have heard these traumatic stories from Richard and from others before so for me they no longer have the shock value apart from the fact that one is shocked rigid that not only was this allowed to happen in a supposed care home but further, if one believes the allegation about security services involvement, is that actually people charged with defending national security and defending the people of this country allegedly allowed this abuse to continue unchecked for many years when it could have been stopped and further allegedly actually were using this paedophile ring for their own intelligence gathering purposes and I think that is what sets it apart, the abuse at Kincora Boys Home as opposed to the child abuse that we know took place in many other children's homes as well in NI, as well as elsewhere. It is those set of allegations about security services involvement that set this apart.

STEPHEN NOLAN

What does the government need to do now?

LIAM CLARKE

We need a full inquiry and I would associate myself with Paddy's comments, it is fairly clear that people raised the alarm within the intelligence services and at the very least said look this man McGrath is in Kincora, he has a taste for young boys, this can't go on and they were warned off, they were warned off by a specific officer in MI5, so that is a very serious matter. The Government needs to come clean on this, there is no point in ducking and diving and trying to lose things between two inquiries. The people involved in Kincora, still some of them young enough to come forward in the future, but we should remember that this was a sickness of the whole society. Now I agree the government has a specific duty but we look at this that the care system was weak, the Catholic Church ran homes and there were allegations of abuse in them, the IRA got allegations of abuse and moved the abusers about, there is allegations the same thing happened among loyalists. This was a deep sickness people covered up for this, these little cliques developed and protected themselves.

STEPHEN NOLAN

Do you believe the State would have covered, protected the likes of McGrath and Mains in return for information?

LIAM CLARKE

Like Patrick Corrigan I suppose I am familiar with the allegation now. I first started hearing it in the 80s and I became aware at that stage that the number of people who had unorthodox sexual case were security forces agents and I presume they could have been busted for this and then you speak to people like Colin Wallace who was raising it and you found that these stories converge, however we need an inquiry to get to the back of it, we need a body that is competent to look at all the documents, to investigate all the witnesses and to compel people to attend.

STEPHEN NOLAN

It is quite astonishing Patrick isn't it when you listen to that today that people still to this day like Richard have not got justice, haven't got the truth.

PATRICK CORRIGAN

And with the rumours around Kincora and the involvement of security forces, the involvement of establishment figures in carrying out the abuse, they have been common currency in NI for decades so I think people here are fairly familiar with the basics of this story and I suppose at this stage almost are beyond disillusionment with the justice system or the government has failed to ever get to the bottom of it and that the only three people ever convicted for the abuse at Kincora were the three men who worked at the home that you talked about with Richard, but as he has said and I think it is widely believed this paedophile abuse ring went much wider in terms of the numbers of people involved in carrying out the abuse and the numbers of children who were abused and I think the interesting dimension particularly to Richard's story is that he was one of the boys who was abused not just in the home but was effectively trafficked around various locations in NI and then across the water to England where further abuse was carried out and the identification potentially of Elm Guest House in London where Richard believes he was also abused, that was the centre of what is now believed to be a Westminster based paedophile ring and there are allegations of senior British politicians being involved in that abuse ring and those allegations go all the way up to Cabinet level and I think it was only last year that Norman Tebbit, former Conservative Cabinet Minister during the 80s, says that he believes there may well have been a government cover-up of child abuse during that era, so I think that there is now a compelling unanswerable case for this, for the Kincora investigation to be brought within the remit of the Westminster inquiry that has the powers to compel files out of Whitehall filing cabinets and out of the security services and I think it would give confidence to the likes of former military intelligence.....

STEPHEN NOLAN

You are expecting an announcement today from Theresa May aren't you?

PATRICK CORRIGAN

There is, as your programme ends at 10.30 the Home Secretary is due to make a written statement to the Commons around the child abuse inquiry. We hope that that will bring Kincora inside the remit of that inquiry but she may decline to do so yet

again, instead it may simply be an announcement about the names of new panel members for that inquiry panel and I think if that is the case if she does decline to respond to the Home Affairs Committee to Amnesty, to the NI Assembly to bring Kincora into the inquiry it will be another massive missed opportunity for justice.

STEPHEN NOLAN

The PSNI have given us a statement, they have said that there is currently a public inquiry ongoing in relation to Historical Institutional Abuse they say they are determined to cooperate fully with that inquiry. Any allegation they say that officers, they are basically saying if you have any allegation of officers committing any wrong doing, acting inappropriately go to the Police Ombudsman, is what they say.

ROYAL ULSTER CONSTABULARY

'P' Division LARNE Sub-Division
 LARNE Station/Branch 2nd December, 1977 Date
 SUBJECT THEFT AND TAMPERING WITH MOTOR VEHICLES -
 STEPHEN WARING and RICHARD KERR

TO Sergeant 'C' Section

On 22.9.77 I was Observer in the D.M.P. car accompanied by Constable McElhinney. At approximately 12.30 a.m. I received a call to go to the Harbour Area in Larne and contact Mr. Daniel Cooke who is a Harbour Policeman. On my way to the Harbour via the Harbour Highway I met two youths walking along the side of the highway in the direction of Belfast at a few hundred yards from the roundabout at Ship Street. I stopped both these youths and asked them who they were and where they were going. They gave me their names and addresses and I then put them both in the Police car to take them back to Larne Police Station to check both boys out as to their names and addresses as neither had any identification on them. At this point the Harbour patrol van pulled up alongside me. A man whom I know to be Daniel Cooke, a Harbour Policeman, got out of this van and approached me. He was carrying a black holdall bag. He told me that the two boys he had called us earlier to see had entered a house on the Coastguard Road and came out carrying something which he believed was this bag. On checking the bag out I found it contained school books and belonged to [REDACTED]

I then told Daniel Cooke that I had picked up two youths whom I was going to have check out. He identified both boys as the boys whom he had called us earlier about and also the boys involved with taking the bag out of the house on [REDACTED]. Both boys denied all knowledge of this when I asked them about the matter.

I then went to [REDACTED] the home of [REDACTED] and found the front door to be open and the inside door just beyond this to be ajar. I went inside and found the place to be in darkness. I then called out but no-one answered. I had a look around and could see nothing irregular. I then went out to the car and had both boys conveyed to Larne Police Station where we arrived at 12.50 a.m. I ascertained that boys - Richard Kerr and Stephen Waring - were from 236 Newtownards Road, Belfast.

At approximately 1.00 a.m. I called round again to the home of [REDACTED] who by this time was at home. I asked him if he found anything irregular about the house and then when he told me there wasn't I produced the holdall bag and asked him if he recognised it. He said he thought it belonged to his daughter. I handed this bag to him and he ascertained that the bag did indeed belong to his daughter. He said that his daughter leaves her bag at the bottom of the stairs in the hallway every night ready for School in the mornings. See attached Statement of [REDACTED]. I then went back to the Police Station and arranged transport for the boys to be taken back to Belfast. Both boys were collected by a Mr. Conway of Rathgael Training Centre.

On 10.10.77 I interviewed Richard Kerr and Stephen Waring at Rathgael Training Centre and received the attached Statements taken after caution.

In his Statement, Richard Kerr admits to taking the bag out of the house of [REDACTED] believing it to contain money and also to tampering with a Motor Vehicle. Stephen Waring in his Statement only admits to looking at some new cars that were parked in the Harbour area but not to tampering with any Motor vehicle. He also denied entering the house of [REDACTED]

This is a case where two youths, being Richard Kerr and Stephen Waring, had come to Larne from Belfast and missed their transport back by time. Both boys had endeavoured for some time to get a lift back to Belfast but as they had no money they were unable to get a taxi or bus. Richard Kerr tampered with some vehicle hoping as he says to find somewhere warm to sleep for the night. As a last resort, after being chased out of the Harbour area by Daniel Cooke, the two boys made their way towards the Dual Carriageway hoping to thumb a lift. The boys noticed the door open at the home of [REDACTED] which is situated at the start of the Dual Carriageway. On seeing this they thought they could make another phone call to their Guardian in Belfast. Richard Kerr went up and knocked the door and when he got no answer opened the door which he found to be unlocked. On going inside he saw a bag and immediately thought there might be money in it which would have paid a taxi to Belfast. He took possession of the bag and left the house joining Waring who was waiting outside. On looking inside the bag they found it to contain school books. They then dumped the bag beside the roundabout which is only a few yards from [REDACTED] home.

Daniel Cooke, Harbour Policeman, who was closely watching these two boys since they were chased off the Harbour area by him then approached them and questioned them as to what he had seen. They denied all. Cooke then sent them on their way up the Dual Carriageway towards Belfast. I stopped these youths a few hundred yards up the Carriageway.

Stephen Waring is now deceased due to an unfortunate accident on the Belfast/Liverpool boat.

I now recommend that Richard Kerr, 16 Years, Hall Porter, 236 Newtownards Road, Belfast be prosecuted contrary to Sec. 9 of the Theft Act (N.I.) 1969 for the theft of a School bag and further recommend him to be prosecuted contrary to Sec. 149 of the Road Traffic Act (N.I.). 1970 for tampering with Motor Vehicles.

Please find attached:

Statement of Stephen Waring,
Statement of Richard Kerr,
Statement of Daniel Cooke,
Statement of [REDACTED]

~~Form 39/20(a) in respect of Kerr,~~

Crime Forms and Fingerprints for Kerr have already been submitted.

A. D. Fulton
.....

A. D. Fulton Constable 12274

ROYAL ULSTER CONSTABULARY

'P' Division LARNE Sub-Division
 LARNE Station/Branch 9th NOVEMBER 1977 Date
 SUBJECT THEFT FROM HIGHWAYS HOTEL, LARNE - RICHARD KERR

Sergeant 'A' Section, Larne

TO

At 12.55 am on 4.10.77 KIN 341 [REDACTED] reported to me that he had been assaulted by members of Highways Hotel Staff outside the hotel a short time earlier.

Along with KIN 341 and Constable Doherty I went to the Highways Hotel to investigate. On arrival at Donaghys Lane convenient to the hotel I spoke to one of KIN 341 mates whom I now know as Richard Kerr, 17 years, Hotel Porter (Europa Hotel) Kincora House, 236 Upper Newtownards Road, Belfast. He was seated in the front of a Fiat car in Donaghy's Lane. While I spoke to Kerr he was lifting money, 10p's, 5p's, 2P's and 1p's off the floor and putting them in the front passenger compartment of the car. (This car was in fact hired out by KIN 341 for the day).

A few minutes later [REDACTED], Assistant Manager, of Highways Hotel came to the scene. He told me that money, silver and copper had been stolen from the hotel and that he suspected one of KIN 341 mates, the youth whom he knew worked in the Europa Hotel, Belfast.

By this time Kerr and KIN 341 had left with other police to try and find their mate KIN 340 [REDACTED] years, Unemployed labourer, [REDACTED]. He had run away at the time of the fight. Accompanied by Constable Doherty I returned to the Fiat car and found £15.05 made up as follows of silver and copper:

10p	-	£3.60
5p	-	£9.05
1p	-	£2.40
		<u>£15.05</u>

In the Police station later after interviewing Todd and Kerr re the assault I interviewed them re the theft. I obtained a statement from Kerr admitting the theft of the money from the Hotel.

It appears that the theft took place about 10 pm on 3.10.77. Kerr went to the reception desk to make a telephone call, he saw the money, and returned later when there was no one behind the desk and stole the money. Kerr states that neither of his mates KIN 341 or KIN 340 knew anything about the theft. I do not believe that they did as they would have left the Hotel sooner.

When KIN 341 was interviewed about the theft he stated verbally after caution "I don't need to steal money like that, there is a bookies docket for £400. Kerr was out of the Hotel most of the night. I thought that he was out at the car".

KIN 340 was not interviewed about the theft. He did not turn up that night in Larne. I had Belfast Police interview him about the assault

In the Police Station I also took possession of £4.11 which was found in Kerr's pockets. It was made up as follows:-

50p	-	£0.50
10p	-	£2.30
5p	-	£1.10
2p	-	£0.04
1p	-	£0.17
		<u>£4.11</u>

Kerr said that the money may have got mixed up but that most of this was his own. This would be borne out by the fact that [redacted] states that he lost about £15.

When Kerr was interviewed that night and two statements obtained by Constable Doherty and I he gave his age as 17 years DOB [redacted] He also produced a Provisional Driving Licence. I did not check the groups then. Constable Fulton this station is also dealing with Kerr in connection with another offence in Larne. He gave him his age as 16 years, DOB [redacted]. Belfast Police are also dealing with Kerr and have his DOB as [redacted]

I have obtained a statement from [redacted] Highways Hotel in which he states that about £15 of silver and copper were stolen.

There is no doubt in my mind but that Kerr was the person who stole this money as he admits. I recommend that he be prosecuted for Theft of £15.05 contrary to Section 1 Theft Act (NI) 1969.

FP forms, FP4, and copies of statements attached.

D. Shortall

D Shortall

Constable

7255
Royal Ulster Constabulary
P DIVISION
9 NOV 1977
Duty Sergeant's Office
LARNE

Constable SHORTALL

Bearing in mind that KERR is still a juvenile the name etc., of a parent or guardian should be included for summons purposes.

A. J. McMahon

Sergt. 8661

A.J. McMAHON

Larne.
9. 11. 77

At the time of this incident Kerr lived at Kincora Boys Home, 236 Upper Newtownards Home, Belfast. The person in charge of this home is Joseph Mains. Kerr is now in Rathgael Training Centre and is not likely to be back at Kincora Boys Home.

D. Shortall

C/n. 7255