

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- - - - -

HISTORICAL INSTITUTIONAL ABUSE INQUIRY

- - - - -

being heard before:

SIR ANTHONY HART (Chairman)

MR DAVID LANE

MS GERALDINE DOHERTY

held at

Banbridge Court House

Banbridge

on Wednesday, 29th June 2016

commencing at 9.30 am

(Day 217)

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

1 Wednesday, 29th June 2016

2 (9.30 am)

3 Material relating to RUC and Special Branch

4 dealt with by COUNSEL TO THE INQUIRY (cont.)

5 CHAIRMAN: As always, can I remind everyone that if you have
6 a mobile phone, please ensure it is either turned off or
7 placed on "Silent/"Vibrate". I must also remind you
8 that photography is not permitted either here in the
9 chamber or anywhere on the Inquiry premises. Finally,
10 for those who have perhaps not been with us for a while
11 or before, there will on occasions be names used in the
12 chamber which may be subject to a designation. If the
13 name is subject to a designation, then it cannot be used
14 outside the chamber. Not every name, however, that will
15 be mentioned in the course of our proceedings
16 particularly today will be covered by a designation. If
17 anyone has any hesitation or doubt about that, please
18 consult the Inquiry staff.

19 Yes, Mr Aiken?

20 MR AIKEN: Chairman, Members of the Panel, good morning. We
21 -- at close of play yesterday we were looking at the
22 Cullen/Meharg Inquiry and we had looked at the fact that
23 the Hughes Inquiry concluded that, in effect, the
24 Inquiry, such as it was, had effectively lapsed by
25 July 1974. We looked at the journal entry that was

1 available to the Hughes Inquiry that demonstrated that
2 Detective Constable Cullen along with Roy Garland met
3 some further informants, possibly it seems from
4 Detective Constable Cullen's combination of statements
5 two other individuals, one of whom the identity we know
6 as UDR Captain N and the other we don't know.

7 The investigation or the inquiry, such as it was,
8 whatever the appropriate term for it, was revived, as
9 you know, in January 1976. It seems Roy Garland got in
10 touch again with Detective Constable Cullen. What may
11 have been said is unclear. It is possible that it was
12 a call from Roy Garland to seek an update on what
13 progress the police had made. That is how Detective
14 Constable Cullen describes it.

15 It is also possible -- and I can show you just to
16 ground this -- if we look at 40714, please, you'll see,
17 if we scroll down the page, please, this is Valerie
18 Shaw's witness statement, and we mentioned the fact she
19 was indicating that she had learnt from Roy Garland that
20 Joseph Mains was suspected of homosexuality, and Roy
21 Garland told her that in and about 1974. So if that's
22 right, then whether she's right about the date --
23 because I think in another -- we looked at her
24 transcript before the Hughes Inquiry and she dated it
25 perhaps '75/'76. So it's possible that Roy Garland's

1 telephone call was also telling Detective Constable
2 Cullen what Roy Garland seemed to have found out about
3 Joseph Mains in addition to what he was saying about
4 William McGrath. However, Detective Constable Cullen
5 does not say that. He says it was a call to get
6 an update as to where matters had got to, albeit it was
7 out of the blue some eighteen months later, and
8 thereafter he only heard about Joseph Mains when he went
9 to see Bob Bunting. You saw we looked at yesterday Bob
10 Bunting was saying that Detective Constable Cullen had
11 raised Joseph Mains with him.

12 So there was an unclear picture potentially as to
13 what the position is, but whatever it was, the Inquiry
14 was revived in January 1976, and from the records that
15 were available from the journal of Detective Constable
16 Cullen it was clear that he contacted Assistant Chief
17 Constable William Meharg by telephone on 21st January
18 1976.

19 We can see, please, at 40958 -- and when we come to
20 look at what Superintendent Harrison's report has to say
21 about this, he points out that Detective Constable
22 Cullen did not seem to recognise the significance of the
23 entry. If we just scroll down, the relevant part is
24 underlined. You can see he was taking the dog to
25 Stormont and then -- because he was a dog handler. as

1 you know:

2 "Talked to Mr Meharg (ACC) on phone. Later to
3 [something] to see Mr Meharg and to bring file."

4 Now that is 21st January 1976. So that's before
5 there was the meeting with Bob Bunting. So the file he
6 would have to be bringing, it can't be the Mason file.
7 It has to be his own file certainly in whatever form it
8 was, and -- unless it was about something else, but
9 there doesn't appear to be any other involvement between
10 these two officers in this way. That may be on foot of
11 the telephone call from Roy Garland, whatever that
12 telephone call entailed.

13 It would appear if we just move on to the next page,
14 please -- these are pages that are side by side, as it
15 were. In fact, can we make them side by side? Is that
16 possible to do that?

17 EPE OPERATOR: Yes.

18 MR AIKEN: Thank you. Then if we can make the left-hand
19 page ... I think we need 40958 as well. So 40959 on the
20 right-hand side of the screen and 40958 on the left side
21 of the screen, if that's possible. We are slightly the
22 wrong way round at the moment, but you can see -- we
23 have looked at the entry. On the left-hand side of the
24 page, if we can make that a whole page, you will see
25 that the date and time is underlined of the meeting.

1 CHAIRMAN: Can we just expand that?

2 MR AIKEN: There we are.

3 CHAIRMAN: Now on the left-hand side the reference to:

4 "Talked to Mr Meharg ..."

5 It is not easy to read.

6 MR AIKEN: Can we zoom on the left side of the page and just
7 increase the size of that passage?

8 MS DOHERTY: "Later to headquarters to see ..."

9 "... to HQ ..."

10 MR AIKEN: "... to see Mr Meharg."

11 CHAIRMAN: Yes, and then it continues.

12 MR AIKEN: So it's only the underlined part that relates to
13 ...

14 CHAIRMAN: Yes. So this is his daily log that each officer
15 is supposed to fill in saying how they've spent the day,
16 on duty or not on duty, as the case may be.

17 MR AIKEN: Yes, and on the right-hand side of the page, so
18 it spans two pages, you have the timing of the event.
19 So you have the description on the left side and then
20 the timing of it on the right side.

21 What would appear to happen then, if we can do the
22 same -- if we can have 40960 on the left side of the
23 page and 40961 on the right side of the page, we will
24 see it would appear that on 24th January -- and you will
25 see the date slightly obscured, but you can see on the

1 right-hand side. So on the left side we have got:

2 "Duty to headquarters (appointment with Mr Meharg)."

3 Then on the right side you can see the date and the
4 time that that is said to have occurred.

5 Now the -- why I raise with you the possibility of
6 Roy Garland having found out about Joseph Mains and said
7 something to Detective Constable Cullen about it is that
8 the outworking of this meeting seems to be, taking all
9 of the evidence together, Assistant Chief Constable
10 William Meharg telling Detective Constable Cullen to go
11 to the Eastern Board and make inquiries of them. Now
12 Detective Constable Cullen says he goes to ask about
13 William McGrath and then he's told about Joseph Mains.
14 Bob Bunting describes it differently, and the question
15 you might ask, Members of the Panel, is why -- what was
16 it that was said to William Meharg that had him say,
17 "Well, go to the Eastern Board and make inquiries"?

18 But whatever the right way of it, on 19th
19 February 1976 Detective Constable Cullen met Bob Bunting
20 at the Eastern Board's then headquarters in University
21 Street, and as a result of that meeting -- and you have
22 all of the material from each of them over the course of
23 the first RUC Inquiry, the Sussex Inquiry and then the
24 Hughes Inquiry -- Bob Bunting explains he shows
25 Detective Constable Cullen the Mason file. As you know,

1 that only relates to Joseph Mains. It is in two parts,
2 the '67 incident and the '71 incident, four individuals
3 in total.

4 Detective Constable Cullen appears to have informed
5 the Assistant Chief Constable William Meharg about the
6 existence of the file and was directed to obtain a copy.
7 There is no journal entry that relates to that. It is
8 unclear precisely the sequence of events.

9 On 15th March 1976 Detective Constable Cullen went
10 and had a further meeting with Bob Bunting, the
11 Assistant Director in the Eastern Board, and his boss,
12 Edward Gilliland, the Director of Social Services for
13 the Eastern Board, where he was given the Mason file,
14 having -- Bob Bunting previously explained he would have
15 to get permission for it to be given over. That being
16 obtained from Edward Gilliland, the file was given over,
17 and he copied it and returned it on the next day, 16th
18 March. He, being Detective Constable Cullen, copied the
19 file and returned it.

20 He explains during his evidence in the Hughes
21 Inquiry -- it being suggested to him involved in some
22 sort of cover-up, and he made the point to Hughes in his
23 evidence, "Well, if that was really the case, here I had
24 the original of the Mason file. It is in only my
25 possession. You know, if I had wanted to do something

1 with it, I could have done something with it, but what
2 I did was I got it, I copied it and the next day I took
3 the original back to the Eastern Board".

4 He is then describing what he did do with his copy,
5 which was to put it, as you know, in the internal postal
6 system within the RUC at the time, but not using the
7 normal process for the doing of that so it didn't pass
8 through the clerk's hands in order to be entered in the
9 log. He put it directly into the mail himself and, as
10 you know, Assistant Chief Constable William Meharg's
11 position was he never got it and therefore there was no
12 further communication between them about the Mason file
13 and nothing further happened.

14 Now what's also -- if we can look at 72303, please,
15 I am not sure we have the actual log for this, but the
16 log is described. If we can look at C. So we looked at
17 the relevant part of the 1974 log that was put in
18 evidence, and you saw yesterday that counsel was
19 describing he wasn't making a copy. They were just
20 looking at it before the Inquiry. Those are the entries
21 that we have just looked at, which are 24th January.

22 "Q. Is the next relevant entry 30th January? What
23 does it say?

24 **A. It states 'Inquiries re file -- re HQ file for**
25 **Mr Meharg'.**"

1 **Scroll down, please:**

2 **"Q. What file is that is referred to there?**

3 **A. That would refer to the general inquiries in**
4 **relation to the Kincora file and also it did relate to**
5 **my further contact with the informant and the subsequent**
6 **call at the Eastern Health & Social Services building**
7 **with Mr Bunting.**

8 Q. Is that the Mason file that you are referring
9 to?

10 **A. That would refer to the Mason/Mains file."**

11 **Now that's -- unless the existence of the Mason file**
12 **was already revealed in the communication between Bob**
13 **Bunting and Detective Constable Cullen to set up their**
14 **meeting, which is not what either of them say, then**
15 **what's being described here is difficult to reconcile**
16 **with the sequence of events that are set out in the**
17 **statements.**

18 CHAIRMAN: Well, one way of reconciling would be that when
19 giving evidence several years later Cullen has conflated
20 the sequence of events by wrongly attributing to
21 a description file or including in the description file
22 the Mason file, because according to what Mr Bunting
23 said it wasn't until a considerable number of weeks
24 later that he revealed the existence of the Mason file.
25 So whether or not Constable Cullen had some reason to

1 believe the Mason file existed, he could never have had
2 it until he got it from Mr Bunting long after this entry
3 was made.

4 MR AIKEN: Yes.

5 CHAIRMAN: So the impression that is created by the answer:

6 "That would refer to the Mason/Mains file"

7 is clearly not correct in at least one part of that
8 impression that is conveyed by it.

9 MR AIKEN: Yes. You can see the next entry,

10 6th February 1976:

11 "A. It says 'Duty to Knock headquarters re file'."

12 The difficulty that arises is we are up to now --
13 there's a telephone call on 21st. There's a visit on
14 24th it seems. Now what's not clear is you can't be
15 certain whether or not the Assistant Chief Constable is
16 dealing with the head of -- with the head of the CID in
17 the RUC, whether or not Detective Constable Cullen
18 turned up, but was not able to have the meeting that was
19 scheduled. It is not -- one can't -- the entry is
20 there, but what is clear it seems is there are
21 continuing entries.

22 If we just scroll up a little bit, please.

23 CHAIRMAN: But before we leave that, the entry is:

24 "'Inquiries Castlereagh and Knock re headquarters
25 investigation'",

1 which is at least consistent with, if not
2 indicative of, that the investigation was directed by
3 headquarters. I don't mean to imply by that necessarily
4 every part of it was being controlled by headquarters.

5 MR AIKEN: Yes.

6 CHAIRMAN: But it was in compliance with a direction given
7 by Mr Meharg at headquarters.

8 MR AIKEN: Yes. The issue that I am raising is what were
9 they meeting about --

10 CHAIRMAN: Yes.

11 MR AIKEN: -- because the meeting with Bob Bunting has not
12 happened yet. It is on 15th February. It's -- sorry --
13 19th February. It is on that date that the existence of
14 the Mason file is disclosed. So what is going on on
15 here 5th February:

16 '"Inquiries Castlereagh and Knock re headquarters
17 investigation'.

18 Q. ... the next entry 6th February 1976?

19 "A. It says, 'Duty to Knock headquarters re file'.

20 Q. Does that mean you would have gone to
21 headquarters on that day?

22 **A. Yes. That probably would have meant me calling**
23 **at headquarters. It says, 'Duty to Knock'.**

24 Q. Can you recall who you would have seen there at
25 Knock?

1 **A. I would have assumed that that call again was to**
2 **see Mr Meharg.**

3 Q. Is the next relevant entry 19th February 1976?

4 **A. That is correct.**

5 Q. What does it say?

6 **A. 'To University Street to Health Board office re**
7 **inquiries for Mr Meharg, etc'."**

8 So you can see all of the entries are delphic, and
9 maybe that's just entirely standard in the journal,
10 which I don't have to show you, but there's not
11 a thorough description as to the events that are
12 occurring, and you can see:

13 "Q. Can you recall what that was in relation to?

14 **A. That was in relation to the inquiry. I had to**
15 **speak to Mr Bunting in relation to the Kincora affair**
16 **and it was the time when the matter was discussed in**
17 **relation to the Mason file."**

18 Then:

19 "Q. Is the next entry 25th February 1976?

20 **A. That is correct.**

21 Q. What does it say?

22 **A. 'Other inquiries for Mr Meharg' is the relevant**
23 **part of that.**

24 Q. Can you recall what that was about?

25 **A. I can't recall the exact details of that**

1 **inquiry.**

2 Q. Was this an inquiry on behalf of Mr Meharg or
3 was it an inquiry to Mr Meharg?

4 **A. It was inquiries on behalf of Mr Meharg.**

5 Q. Is the next relevant entry 15th March?

6 **A. Yes. 'Collection of a file re Mr Meharg
7 inquiry'.**

8 Q. What exactly does that refer to?

9 **A. That refers to the collection of the file from
10 the Eastern Health & Social Services Board, known now as
11 the Mason file.**

12 Q. What is the next relevant entry? Is it that of
13 16th March 1976?

14 **A. 'I return file to University Street' and in
15 brackets 'inquiry Mr Meharg'.**

16 Q. Is that the last entry in the journal which is
17 relevant to this Inquiry?

18 **A. That is the last entry I could find in the
19 journal relating to this Inquiry."**

20 **Then -- so this is happening on the third occasion
21 of Mr Cullen giving evidence, because then he is taken
22 to the material that we have been looking at in JC1, the
23 Tara paragraphs 10 and 11, JC2, the 21st March typed
24 report, but with the augmented paragraphs at
25 paragraphs 25 and 26, so the same as DBE16, but with**

1 **these extra paragraphs and with the augmentation in**
2 **paragraph 14 of the device in relation to the massage**
3 **machine, and then JC3, which is a handwritten document,**
4 **but with 54 paragraphs, which includes a lot of sexual**
5 **references, and it begins in the same style as if it's**
6 **a draft of the 21st March '74 report. So those are the**
7 **documents that are then being looked at.**

8 CHAIRMAN: Before we leave that, what Constable Cullen is
9 saying in effect is even if only the typed documents
10 were submitted as a formal report to Mr Meharg, the
11 other two documents were in existence at that time.

12 MR AIKEN: Yes.

13 CHAIRMAN: And therefore he was aware of many of the graphic
14 details of what Roy Garland had told him about his
15 sexual relationship with McGrath.

16 MR AIKEN: He as in Detective Constable Cullen?

17 CHAIRMAN: Yes.

18 MR AIKEN: Yes.

19 CHAIRMAN: The significance of that as it was explored in
20 front of Hughes is that, as no doubt we will find,
21 Constable Cullen said that even if Mr Meharg did not see
22 all three documents, he was made aware of the content of
23 them.

24 MR AIKEN: Yes. We will see his position. I will be coming
25 to that part specifically.

1 CHAIRMAN: Yes.

2 MR AIKEN: His position is, "I made him aware of all of the
3 information".

4 CHAIRMAN: That all comes back to that answer:

5 "In fact, the three of them would have been prepared
6 between March and July '74."

7 MR AIKEN: Yes. You will recall last evening we looked at
8 the letter that Vincent Lynagh, the legal adviser of the
9 RUC at the time, wrote indicating that these documents
10 were created between March and July 1974, and of
11 particular significance that the draft report at JC8,
12 the 16 paragraphs, was written on 25th January 1980, the
13 day after the Irish Independent article. We looked then
14 at how that sits in relation to the police statements.

15 So what I'm showing you based on the entries that
16 were discussed before the Hughes Inquiry is that before
17 the Mason file was according to Detective Constable
18 Cullen revealed to him by Bob Bunting on 19th February,
19 he seems to be doing a series of things related to the
20 investigation or the inquiry to do with William McGrath
21 and Roy Garland. The issue that it raises is what
22 exactly Roy Garland was saying. That's why I have drawn
23 your attention to whether or not, in fact, he may have
24 been referring to the fact he had got information about
25 "another one", as he is said to have described it.

1 Now just going back to the chronology for the
2 moment, having obtained the file, as I said, Detective
3 Constable Cullen, when sending it on to Assistant Chief
4 Constable Meharg -- he says that's what he did -- he
5 deliberately did not enter doing so into the register of
6 internal post, and he said that was for reasons of
7 security associated with the sensitivity of the matter.
8 He said it would have had, when he sent the file,
9 a covering -- a short covering report from him, and that
10 short covering report -- he was asked during his
11 evidence, "Did you keep a copy of that?" and he said he
12 probably would have done, but it may well have been
13 amongst the many papers that were destroyed in the
14 March -- sorry -- in the 1977 bomb attack on Donegall
15 Pass, which included many of his journals and many other
16 officers' paperwork as well.

17 As you know, Assistant Chief Constable Meharg said
18 he never received the Mason file and he accepted he took
19 no steps to follow up his direction that it be obtained,
20 but he did explain -- we will see this shortly -- that
21 he assumed, incorrectly, that the Mason file related to
22 McGrath. As far as he was concerned he had never
23 understood it related to Joseph Mains and his position
24 remained that the first time he saw the file was as part
25 of the RUC Kincora Phase One Inquiry in 1980.

1 So standing back just at that sequence of events to
2 do with the Mason file, whatever the rationale or reason
3 for it, the fact is that a copy was obtained. The
4 original was returned. Detective Constable Cullen says,
5 "I circumvented the normal process for internal mail.
6 I put it in the mail myself. I provided a covering
7 report". "A short report" is how he describes it. The
8 content as to what was in it isn't ever disclosed, but
9 the file and the covering report have never been found
10 and there's no copy of the covering report that's
11 available to the Inquiry.

12 We looked, when we were examining what the Social
13 Services knew, at what the Hughes Inquiry determined was
14 the essence of the 15th March 1976 meeting between
15 Detective Constable Cullen and Messrs Bunting and
16 Gilliland, and I am not going to look at it again, but
17 it is in paragraph 4.111 of the report of the Hughes
18 Inquiry. Bob Bunting and Edward Gilliland would tell
19 the Hughes Inquiry that the meeting would conclude with
20 an agreement that Detective Constable Cullen was to make
21 them aware of any information which would enable them to
22 take action in relation to the hostel staff.

23 Now what's also not clear is at what date Detective
24 Constable Cullen also received from Bob Bunting a list
25 of the names of the residents of Kincora between 1971

1 and 1976. We can see that it was the discussion between
2 Bob Bunting and Clive Scoular that saw that list
3 prepared, and from the evidence of Detective Constable
4 Cullen there seems no doubt that he had it and it would
5 have been with the Mason file.

6 Now that doesn't necessarily follow. So it's
7 something you may want to look at closely, because if
8 the list was provided subsequent to the day the Mason
9 file was provided, then that list of names could never
10 have been on the Mason file that was sent to Assistant
11 Chief Constable Meharg if it was sent the same day as
12 the copy was taken, if that makes sense.

13 But whatever the correct sequence of events about
14 the list and its provision, nothing was done with it,
15 because the boys who were listed on it were not
16 interviewed, and through the police statements and the
17 oral evidence before Hughes Detective Constable Cullen
18 would thereafter receive calls from Bob Bunting
19 enquiring as to whether there was any update on the
20 investigation that the Eastern Board believed the RUC to
21 be carrying out, and whatever Detective Constable Cullen
22 did tell Bob Bunting, the fact was no further action of
23 any kind was taken by the RUC in respect of this
24 investigative opportunity, this inquiry that Detective
25 Constable Cullen is engaging in and liaising directly,

1 circumventing the normal chain of command, with
2 Assistant Chief Constable William Meharg, who is the
3 head of CID in the RUC.

4 Now you will see in the oral evidence of Detective
5 Constable Cullen that the fear expressed by his source,
6 Roy Garland -- whether that be accurate or not and
7 whether that be justified or not, that's what was being
8 said to him, according to Detective Constable Cullen,
9 which is the reason along with the information that he
10 was receiving that caused him to go direct to the top,
11 although you will recall we did see yesterday at least
12 in July 1974 Detective Constable Cullen's superiors in
13 Donegall Pass in the Drug Squad knew he was doing work
14 for Assistant Chief Constable Meharg, because he had
15 permission from his I think it is Sergeant McBride or
16 Inspector McBride to go with his informant to meet
17 others.

18 Now I have tried to set out the events such as they
19 at the moment are capable of being established, and
20 these matters were brought to light in the RUC Phase One
21 Inquiry. As I have alluded to at the beginning of this
22 section yesterday, I drew attention to the fact that the
23 RUC Phase One Inquiry took witness statements, two of
24 them, in fact, from Detective Constable Cullen, and from
25 Assistant Chief Constable William Meharg, and then once

1 the RUC Phase Two Inquiry commences and the Terry
2 Inquiry is overseeing that and reinvestigating that
3 which the RUC Phase One Inquiry had done, the Sussex
4 superintendents, according to Sussex Superintendent
5 Harrison, carefully examined the Cullen/Meharg aspect of
6 the Kincora affair, because it involved an Assistant
7 Chief Constable who was told McGrath was employed at
8 Kincora and was a homosexual. It covers some
9 55 pages -- sorry -- 55 paragraphs across 16 pages of
10 Superintendent Harrison's report.

11 The Sussex detectives spoke to Jim McCormick, Roy
12 Garland, UDR captain N, Clifford Smyth. They engaged in
13 a detailed interview with Detective Constable Cullen
14 that spans 12 pages. They obtained a further statement
15 from Assistant Chief Constable William Meharg, then
16 retired. They took further statements from Bob Bunting
17 and Edward Gilliland. So they reinterviewed all of the
18 people who were connected to this set of events, the
19 source of the information, one of the individuals who he
20 had talked about, another source of information, then
21 those who had done the Inquiry in terms of Detective
22 Constable Cullen and the Assistant Chief Constable, such
23 as it was, and their engagement with the Eastern Board
24 in respect of the Mason file.

25 Now the Sussex detectives, as I have said,

1 interviewed Detective Constable Cullen on 12th
2 March 1982. If we can just bring up, please, 40945, the
3 interview is 12 pages long. There is questioning
4 engaged in by the Sussex superintendents. One of the
5 points I would ask you to note, Members of the Panel, as
6 I show you a particular extract is the issue that's
7 arising as to whether the information contained in the
8 likes of JC1 through to JC3 was available to the Sussex
9 superintendents, because when they are speaking to
10 Detective Constable Cullen, if we look at 40946, please,
11 the second page -- if we just pause there, please. Just
12 scroll down. Scroll back up. Sorry. Scroll back up
13 for me. Thank you.

14 "A. I asked Mr McCormick would it be possible to
15 meet the person he had talked about so that I could find
16 out the exact facts about the involvement of William
17 McGrath with sexual offences.

18 Q. Garland ..."

19 Then he is asked the question:

20 "Q. Garland apparently gave you information about
21 an indecent assault that took place in the early '60s.
22 Is that right?

23 **A. Yes, and anything he told me at any stage was**
24 **not current."**

25 **Then in keeping with how Superintendent Harrison**

1 tackled Roy Garland when he spoke to him:

2 "Q. What was so important about an indecent assault
3 that was said to have taken place ten to twelve years
4 earlier that made you bypass your detective sergeant,
5 detective inspector, detective chief inspector", I think
6 then we go detective superintendent, detective chief
7 superintendent, "and go straight to Mr Meharg?

8 A. Because of the political implications of what
9 Roy Garland told me. He specifically mentioned Clifford
10 Smyth and Dr Paisley. Smyth he mentions in connection
11 with McGrath's sexual activities and Dr Paisley as
12 having been made aware of McGrath's behaviour."

13 So that's the reason he's giving and, as you know,
14 the Hughes Inquiry would in due course point out that to
15 link -- the approach of Detective Constable Cullen
16 saying, "These are prominent people connected to
17 Kincora", well, they weren't connected to Kincora. The
18 issue that's being revealed here is not at all connected
19 to Kincora, but it is whether William McGrath's sexual
20 activity of some sort was known to or involved Clifford
21 Smyth and -- in addition to Roy Garland and whether
22 Dr Paisley had been told about it or not.

23 But of fundamental importance at this point what
24 I want you to note is what the Sussex superintendents
25 are not being disavowed of or disabused of, which is

1 a belief based on what is in Detective Constable
2 Cullen's police statement to the RUC Phase One Inquiry
3 in 1980 that what happened to Roy Garland was an attempt
4 by William McGrath to touch his privates.

5 You have the contrast with that police statement in
6 1980 with the draft report and the sexual material that
7 it contains only a few months beforehand written from
8 memory according to Vincent Lynagh's letter to the
9 Hughes Inquiry in 1984.

10 There are two issues that arise at this point. One
11 is whether -- and it appears this is the position --
12 that Superintendent Harrison does not know any of the
13 content of the material we have been looking at in JC1
14 through to JC3 and JC8, and his entire focus is on --
15 what he's saying is: "Well, what was so significant
16 about a minor indecent assault?" and he was given the
17 reason why it was significant. It was the other
18 individuals that were potentially connected, but he is
19 never disabused of the belief that all we are talking
20 about is a minor indecent assault. We looked, when we
21 were looking at Roy Garland, at the fact that in his
22 report Detective Superintendent Harrison explains, not
23 to put a tooth in it, he nailed Roy Garland when
24 speaking to him, "Are you seriously telling me you have
25 gone on this campaign to expose William McGrath because

1 he put his hand on your knee?" and then Roy Garland
2 said, "Well, he touched my privates" and then said
3 subsequently to Detective Chief Inspector, then
4 Detective Superintendent, Caskey that he had gone
5 further, that is Roy Garland had gone further, to the
6 Sussex superintendents than he had wanted to. So that's
7 the first issue, that Superintendent Harrison does not
8 appear to be imbued with the knowledge that you now have
9 and that the Hughes Inquiry ultimately saw in JCs 1 to 3
10 and JC8, and, secondly, he is not being corrected at
11 this point by the person he is interviewing, who is
12 a police officer, who is saying, "Well, yes, there was
13 an indecent assault, but there's actually a lot more to
14 it than that that I was being told and which I was
15 passing on". I am not going to go through -- you are
16 aware of the nature of the sexual detail that's found in
17 the records that are made at JC1 to 3.

18 I am making that point because it is important when
19 we come to look at Superintendent Harrison's report
20 shortly if I can ask you to bear those factors in mind
21 when you are reading what he has to say as to whether it
22 gives any hint at all that he knew about this material.

23 The reason I say that is because the Hughes Inquiry
24 asked the RUC to confirm as a result of questioning
25 I think it was from Mr Lavery whether the Terry Inquiry,

1 as he called it, had been given these documents JC1
2 through to JC3, and the answer that was given was,
3 "Well, the handwritten documents themselves were not
4 given, but the Terry Inquiry had a typed record".

5 Now if that's right, then you might expect the
6 content of this to be graphically different, and what
7 may have been being referred to, and I know The Police
8 Service are looking at this, is the typed record that
9 the Terry Inquiry did have was DBE16, which is the
10 23-paragraph report, which doesn't contain any sexual
11 references, and therefore would not have added to the
12 knowledge of the minor indecent assault that Detective
13 Constable Cullen had described in his 1980 police
14 statement, and which Roy Garland was pressed on by
15 Detective Superintendent Harrison when he spoke to him.
16 I hope I am making a rather complex picture clear to
17 a degree.

18 CHAIRMAN: Well, to sum it up, Constable Cullen says to the
19 Hughes Inquiry that the three documents, one typed, two
20 handwritten -- whether they are drafts or complete it is
21 not clear -- the three documents were in existence by
22 July 1974. During that time he is speaking on several
23 occasions to ACC Meharg. Those documents show that the
24 sexual relationship between Garland and McGrath was much
25 more extensive than what Mr Garland apparently said on

1 a number of occasions. By the time the Hughes Inquiry
2 is looking at this in 1984 the Terry investigation has
3 been running for some time. The two superintendents, as
4 has been made clear, spoke again to virtually everybody
5 the RUC had spoken to, but they do not appear to have
6 been aware for whatever reason of the extensive nature
7 of the sexual relationship between Roy Garland and
8 McGrath in 1974, which Constable Cullen was aware of and
9 which he says he in general terms made ACC Meharg aware
10 of more than just what was in the typed document. So
11 what we have here is the situation where the Sussex
12 Police are questioning someone about their account
13 without being aware of the full nature of the
14 documentation that relates to that account.

15 MR AIKEN: Yes.

16 CHAIRMAN: The point you have made is not only are they not
17 aware of the document, but Constable Cullen does not
18 disabuse them of that.

19 MR AIKEN: Yes. You may consider, Members of the Panel,
20 that one explanation would be well, this is 1982 and
21 therefore he explains that he finds the documents under
22 his -- in a -- we will see shortly in a bag under his
23 desk in -- between days two and three of his evidence
24 and therefore he is in a position to produce them in
25 1984, and you may consider well, perhaps he had

1 forgotten the nature of the information that in fairness
2 he had received ten years previously in March to
3 July 1974. The difficulty with that proposition is the
4 January 1980 draft report --

5 CHAIRMAN: Written from memory.

6 MR AIKEN: -- is written from memory, and you are aware of
7 the nature of the group masturbation activity that's
8 being described there, and there is no finalised report
9 as yet that The Police Service have been able to find,
10 but when written from memory, and then you have the
11 police statement three months later, and we are talking
12 then about something that's repeated here in 1982, which
13 is we are talking about a minor indecent assault, not to
14 minimise it, but in the context of the -- what's
15 disclosed in the draft report as well as the written
16 material a very different picture than what's being
17 described here.

18 CHAIRMAN: Well, a police officer of any rank in those days
19 may well have taken the view that somebody putting his
20 hand on another male's knee did not justify a major
21 police investigation, particularly when it happened many
22 years ago and the person concerned apparently wasn't
23 prepared to stand over the allegation, but if the
24 officer concerned knew that what was happening was very
25 much more substantial, albeit consensual, sexual

1 activity over a significant period of time, a different
2 view might have been taken --

3 MR AIKEN: Yes.

4 CHAIRMAN: -- no matter how long ago it was.

5 MR AIKEN: Yes, and the question that arises is: why is this
6 so?

7 I wonder, Chairman, just if we could take a short
8 break for five minutes at this point.

9 CHAIRMAN: Yes. Very well. Five minutes, ladies and
10 gentlemen.

11 (10.30 am)

12 (Short break)

13 (10.35 am)

14 CHAIRMAN: Yes, Mr Aiken?

15 MR AIKEN: Chairman, Members of the Panel, I am grateful for
16 you taking a short break. I am sure the stenographer
17 will be glad of it, but it has allowed me to have
18 a discussion with Mr Robinson for The Police Service and
19 to reflect on some further material.

20 What I am going to suggest we do, Chairman, Members
21 of the Panel, is to just press pause on the
22 Cullen/Meharg issue, because it is clear that there's
23 an issue that needs to be resolved as to what document
24 went where when, and that is something that's being
25 urgently actioned by The Police Service. It will assist

1 in the long run if we endeavour to get to the bottom of
2 that rather than try to work it out as we go at the
3 moment. So if I can with your assent pause that issue,
4 and we will return to it as soon as we possibly can when
5 we have got to the bottom of what's emerging.

6 I should put on record so it is not lost entirely
7 that The Police Service of Northern Ireland through
8 Detective Chief Superintendent Clarke has already made
9 a number of concessions of systemic failing in respect
10 of how this police investigation or this police inquiry
11 in 1974 was conducted, but because of this issue it is
12 best that I don't take that matter further at the moment
13 and we return to it.

14 CHAIRMAN: Well, I think that's entirely the sensible
15 approach. We have on occasions had to, in common
16 parlance, park a particular issue while we look further
17 into the matter. I think it's entirely appropriate we
18 take that course now and then we return to this when we
19 are able to do so.

20 Material relating to intelligence agencies
21 dealt with by COUNSEL TO THE INQUIRY

22 MR AIKEN: Yes. What I am going to then, Members of the
23 Panel, is move on to what I was going to be doing later
24 this morning in any event, which is to move to
25 a different topic, a different core participant, and

1 I am going to look at what did the intelligence agencies
2 know?

3 You are aware, Members of the Panel, from statements
4 of MI5 and the Secret Intelligence Service that you have
5 a set of potentially complex security and intelligence
6 arrangements in play during the period in the 1970s when
7 William McGrath is working in Kincora.

8 As I have explained, the Inquiry is not examining
9 the conduct of various religious and political leaders
10 nor carrying out an audit of post-1980 investigations
11 necessarily. Neither is this Inquiry carrying out a
12 wide-ranging investigation of security and intelligence
13 arrangements in Northern Ireland in the 1970s. The
14 Inquiry's focus is on the key questions that you have
15 heard me pose on a number of occasions. I am just going
16 to remind you of them for context.

17 Who was abused and by whom?

18 We have worked on that during the first week.

19 Who knew about it?

20 What did they know?

21 When did they know about it?

22 What did they do with that knowledge?

23 What ought they to have done with it?

24 Always coming back to the central question for the
25 Inquiry whether systems failures by the State defined by

1 the Inquiry in the widest sense in respect of this
2 module caused, facilitated or failed to prevent abuse
3 occurring in Kincora.

4 It is to those questions that our focus is directed.
5 So I do not want to say a great deal about the
6 intelligence structures and rather want to take you to
7 what the material uncovered by this Inquiry shows in
8 respect of who knew what and what they did about it.

9 That being said, before I get into the material it
10 is probably helpful if I summarise the broad structures
11 that existed.

12 Prior to Direct Rule in 1972 you have an MI5 liaison
13 officer stationed with the RUC. We have looked at the
14 Special Branch material yesterday and seen the liaison
15 between the RUC and MI5 in 1971 from the perspective of
16 the RUC and we are shortly going to see it from the
17 perspective of MI5, but after the imposition of Direct
18 Rule in 1972 you have different structures. You have
19 intelligence officers on secondment from the
20 intelligence services to The Northern Ireland Office
21 performing the roles of what was known as the DCI, the
22 Director and Coordinator of Intelligence, who was the
23 Secretary of State for Northern Ireland's main adviser
24 on intelligence matters, and then individuals working
25 under the DCI, one of whom was known as the DCI Rep

1 Knock, who was an intelligence officer based with the
2 RUC, and the other known as ASP or the Assistant
3 Secretary Political, based with the Army in HQNI, and on
4 occasions those officers had their assistants. They
5 were not in charge of the RUC or the Army's operations
6 but were advising and assisting and conveying
7 information of relevance to the wider issues that the
8 DCI was advising the Secretary of State about in The
9 Northern Ireland Office. As you know, the RUC and the
10 Army ran agents as part of their activities. So that's
11 one part of the structure after 1972.

12 The other part is from Direct Rule in 1972 you have
13 a quite separate entity, the Irish Joint Section, with
14 offices in London and Belfast, staffed by intelligence
15 officers from MI5 and The Secret Intelligence Service
16 directly running their own agents with a focus on
17 obtaining strategic and political intelligence about the
18 plans and intentions of paramilitary organisations.

19 So you have the intelligence services giving
20 assistance to the police and the Army and advice to the
21 Secretary of State, but you also have a separate Irish
22 Joint Section where the two intelligence services
23 together staffed and ran their own unit and their own
24 agents for different purposes.

25 As a result of the existence of the Irish Joint

1 Section staffed by officers from both services there's
2 an inevitable overlap between what MI5 knew and what The
3 Secret Intelligence Service knew, which is not always
4 easy to or for the Inquiry's purposes necessary to
5 unravel. Therefore, what I am going to do this morning
6 is look at what the material obtained from both
7 organisations when put together -- material is much more
8 limited as to what The Secret Intelligence Service have
9 and knew in terms of what it reveals -- but I am going
10 to put both sets of material together to try and allow
11 you to have an overall picture of what between the two
12 intelligence services was known.

13 Just as I did with the RUC Special Branch at the
14 outset of me working through their material yesterday,
15 I want to show you some of the documents that are likely
16 to be of considerable assistance to you by means of
17 overview.

18 If we can look, please, at 105008, now MI5 have
19 produced to the Inquiry the summary card of information
20 held by it on William McGrath. The entries refer to
21 documents from which the entry on the card is drawn, and
22 although the card is held by MI5, it contains references
23 in keeping with what I have just been explaining about
24 the involvement or the overlap between the two agencies
25 in light of the Irish Joint Section to not just MI5

1 records but SIS records.

2 As you know, and we will come to see, MI5 have
3 explained to the Inquiry that they did not open
4 an actual file on William McGrath until the end of
5 May 1977. So the card which exists before that date --
6 as would have been the case for a number of individuals
7 of interest, a card is created and kept collating for
8 ease of reference about an individual who has come up in
9 material that's being assessed, and recourse is then
10 able to be had to a card each time that person comes up
11 again.

12 MI5 had explained to the Inquiry in the statement of
13 its Deputy Director the criteria that needed to be
14 reached before someone had a file created for them, and
15 in respect of William McGrath that was in May 1977. So
16 the card that we are looking at is a collation of
17 entries from grounding documents that were in the
18 possession of the two intelligence agencies. We will
19 look at the grounding documents in due course, but
20 I want you to just to look with me, if you will, at the
21 summary that is here.

22 So we are looking at the front of the card and you
23 can see that the first entry is of 18th April 1973.
24 William McGrath is said to be:

25 "Leader of the refurbished form of the Tara

1 Brigade."

2 So the first entry that's on the card is 18th April
3 1973. Now we will see that that's not the first time
4 something was known about William McGrath shortly, but
5 that's the first relevant period of information that has
6 been added when the card has been started and then the
7 card is added to over time.

8 Then you can see based on information from 29th
9 November 1973:

10 "He", as in William McGrath, "was a contact of
11 KIN 337 or foreign card believed to be involved in
12 shipping arms to Ireland."

13 So you can see the interest of the intelligence
14 services in terms of international arms arising in
15 respect of this. Whether or not it is right, as I made
16 clear yesterday when we were looking at Special Branch,
17 is not the issue. The issue is this is what was being
18 said, and because it's not fact, it is intelligence, the
19 intelligence officers working for the service have to
20 assess the reliability, credibility, likelihood as to
21 the accuracy of this information and what, if anything,
22 needs to be done with it.

23 Then you can see based on information from
24 13th November 1973:

25 "He runs the Christian Fellowship Centre."

1 That may be also coming from November '7... -- 29th
2 November '73 reference. Then you can see:

3 "Subject 'gets them young and preaches religion to
4 them' which means that he preaches bigotry and
5 anti-Catholic sermons."

6 Now if we pause there, you may remember that phrase
7 appearing yesterday in a Special Branch document. When
8 we come to look at the material itself, I will show you
9 where that arises, because the Special Branch
10 information comes before the information that's then
11 recorded on the card, which suggests it's been
12 transferred across as part of the information sharing
13 arrangements. You can see it is also being suggested:

14 "Possibly also a member of the UVF."

15 As I said whether or not that's right or not is not
16 the issue. That is what is being said. You can see
17 then:

18 "Add."

19 That's likely to be "additional":

20 "188 Upper Newtownards Road, Belfast.

21 Occupation: Boys' hostel warden at Kincora Boys'
22 Hostel."

23 So this appears to be November '73.

24 CHAIRMAN: I think it is more likely "address".

25 MR AIKEN: "Address". Sorry. "Address". You are quite

1 right:

2 "188 Upper Newtownards Road, Belfast.

3 Occupation: Boys' hostel warder" or "warden --
4 warder at Kincora Boys' Hostel, Belfast. He runs the
5 Irish Emancipation Crusade, 4 Greenwood Avenue, Belfast
6 ..."

7 I will ask to note that, because it is possible to
8 see where that information is likely to have originated
9 from, which is the Army:

10 "... which sent threatening letters to Birmingham
11 firms. Reported to be homosexual."

12 Now if we scroll -- in fact, if we move on to the
13 next page, because I think it continues -- no. If we go
14 back up, please, you can see then it continues:

15 "Clifford Smyth knew of homosexual relationship
16 between subject and Frank Millar junior."

17 Then June 1974:

18 "Smyth is said to be living with subject."

19 Now we were looking yesterday at the fact it was
20 June 1973 he moved out. This is an illustration it is
21 not to be taken that this is accurate information that's
22 being collated, and that was provided it seems on 28th
23 February 1975.

24 Then you can see information that seems to be from
25 October '75:

1 "He is a member of Paisley's Martyrs Memorial
2 Church. He is no longer leader of Tara because of
3 a recent illness."

4 That comes from an article published in Hibernia on
5 3rd October 1975. You can see then:

6 "Born: 11th December 1916."

7 So his date of birth. Then:

8 "Son: Worthington McGrath."

9 We looked at his Special Branch file:

10 "He first came to notice as organiser of the
11 Christian Fellowship Centre and Irish Emancipation
12 Crusade at 15 Wellington Park, Belfast. The philosophy
13 of this group is 'Ulster has been attacked in order that
14 Ireland may become the base for operations against
15 England'.

16 1968. Founder of the Tara Brigade.

17 1970. Set up Tara Brigade in Liverpool, which
18 became UVF in 1971.

19 Subject and his son are apparently regarded as
20 somewhat eccentric and unstable. He is still head of
21 Tara."

22 So that information you can see is from a summary
23 document from MI5 of 20th January 1976 and we will see
24 that later. If we scroll down, please:

25 "He has long made a practice of exploiting other

1 people's sexual deviations and Tara is vulnerable on
2 this account. Paisley has expressed strong animosity
3 towards subject."

4 You can see that's referring to information of
5 13th February 1976.

6 "He is strongly anti-Communist. He has accused the
7 Red Hand Commando of having Communist tendencies.

8 Believed to be secretary of Orange Lodge (LOL) 1303
9 named 'Ireland's Heritage'. He is looking for a Gaelic
10 teacher for the lodge."

11 You will recall that that -- there was an equivalent
12 of that within the RUC Special Branch material:

13 "A letter from subject was published in The
14 Newsletter in January '76 attacking the IRA,
15 Catholicism, Eire as all trying to end Protestant faith
16 in Ireland."

17 Then:

18 "Reference for write up on subject and the Tara
19 Brigade on 19th October 1976."

20 We will look at that, because that relates to the
21 documents that Brian Gemmell passed to the intelligence
22 services. You can see then:

23 "Tara E Belfast Company said that subject had
24 promised the East Belfast group a consignment of guns as
25 far back as 196...", I think that's 8, "but it never

1 materialised. He added that he knew that subject still
2 owed £2,000 for the purchase of weapons now in
3 possession of the CO", commanding officer.

4 That's from February 1977.

5 Now you may immediately consider the fact of that
6 document being in that form, saying what it says, will
7 assist you with the question as to whether or not
8 William McGrath was an agent of MI5 operating
9 a paedophile ring for blackmail purposes in Kincora, to
10 take its allegation at its height. What you can
11 immediately note from the summary record pre a file
12 being created on him in March 1977 is there's no mention
13 of Kincora anywhere. There is clear reference to he's
14 a homosexual. When I say no reference to Kincora,
15 I don't mean -- it's described as where he is carrying
16 out his occupation, but no mention of abuse of boys in
17 Kincora in relation to William McGrath or what would
18 need to be the case for the wider allegations.

19 MI5 have then produced to the Inquiry -- if we just
20 scroll up, please, just so that you see the hand... --
21 keep going up for me on to the top of the next page.
22 I said to you -- if we just pause there:

23 "Sent over 24th May '77",

24 and we are shortly going to see the production of
25 the file, and it may be this is indicating the card

1 which may have been held by The Secret Intelligence
2 Service is moved across to MI5, because it is found then
3 on the MI5 file that we are going to see the opening of.

4 If we look, please, at 105158, MI5 have produced to
5 the Inquiry the internal direction of 31st May 1977 to
6 open a file on William McGrath and have confirmed to the
7 Inquiry that it was only at that point that a permanent
8 file on William McGrath was created.

9 CHAIRMAN: Yes. If we just --

10 MR AIKEN: Can we --

11 CHAIRMAN: It appears to be a standard printed form on which
12 handwritten directions are then issued and it reads:

13 "Make file for ..."

14 That's the printed part. Then:

15 "William ..."

16 I can't make out the second name.

17 "... McGrath.

18 Reason for recording: 1971 to 1977 ..."

19 MS DOHERTY: "... Irish ..."

20 CHAIRMAN: "... Irish Protestant extremist."

21 MR AIKEN: Yes. Now, as I have made clear when we were
22 looking at Special Branch material, the Inquiry, as you
23 know, has seen the documents free of any redactions.
24 What we are making available for publication are those
25 parts of this material that are relevant to the issues

1 the Inquiry is considering. So the internal workings of
2 what -- where the file is to go and who is to have it
3 passed to and so on is of no concern to the Inquiry.
4 What we are concerned about is: was there a file? Yes,
5 there was. When was it created? Well, the direction is
6 of 31st May 1977. You saw the card labelled "Passed
7 across 24th May 1977", which seems to indicate the
8 process of this creation taking place. So by dint of --
9 if I can turn it round the other way -- because this is
10 when the permanent file is created, the entries that
11 relate to William McGrath prior to that are put on the
12 card that we have just been looking at.

13 Now another document that I want to show you at this
14 point is in -- as I explained during the opening week,
15 while it may not have been known publicly, a
16 cross-government headed by the MoD or a representative
17 from the MoD, a Mr Rucker, investigation was conducted
18 in 1989/'90 into wider allegations made by Colin
19 Wallace, but because he also talked about Kincora, the
20 Rucker report encompassed looking at what he had to say
21 about Kincora, and in the doing of that the MoD received
22 responses or material or explanations from a raft of
23 different Government departments and agencies, including
24 MI5, and I am going to show you -- if we look, please,
25 at 105128, this is a -- just to explain it, the

1 telegram -- a lot of the documents we are going to look
2 at are on a telegram system, which is why they are in
3 the typeset that we see, travelling from Belfast to
4 London and vice versa, and therefore it's important to
5 understand with each document where the author is that's
6 writing it, because obviously, as you can imagine, with
7 intelligence material -- and we are talking about the
8 1970s and 1980s -- material will have to be in Belfast
9 and there will be material that has to be in London and
10 it may not necessarily be the case that what's in
11 Belfast is in London or what's in London is in Belfast.

12 So here you have and you can see "Dated and received
13 8th November 1989". So this is nine years after the
14 Kincora scandal has hit the media and December 1981
15 McGrath is convicted, but as part of the Rucker
16 investigation that was going on questions have obviously
17 been asked and an intelligence officer in Belfast is
18 replying to London saying:

19 "I can find no evidence that [this particular
20 section] has ever held a file on McGrath or that McGrath
21 was ever an agent."

22 So this is the intelligence officer in Belfast
23 saying this, and we know that the file in London was
24 created in May 1977, but what is being said here is
25 "Can't find a file in Belfast" and then it goes on to

1 say what they found the position to be as far as the
2 suggestion that William McGrath was an agent.

3 "The substance of the reports" or "the report was
4 contained in the telegram of 13th February 1980."

5 They give the source of the information.

6 "This telegram was sent and copied across to
7 London."

8 You can see:

9 "[The particular section] holds an index card on
10 William McGrath, born on 11th December 1916, which has
11 three entries which appear to be relevant."

12 This is a reference back to the card that we have
13 been looking at. You can see:

14 "McGrath is a boys' hostel warden and apparently
15 homosexual and runs Tara. Not believed to be involved
16 in subversive activities at the moment. 10th
17 September 1973. 12th September 1973."

18 So this may be a different card that's held in
19 Belfast, because that's not an entry I recall seeing on
20 the card that's in London, but you can see then:

21 "22nd November 1973. Social worker, Kincora Hostel,
22 Belfast."

23 Then the third entry of relevance:

24 "Subject is the warden of Kincora Boys' Hostel, 188
25 Upper Newtownards Road. Involved with Tara and the

1 Reverend Paisley. Information from 31st March 1975."

2 We will be able to see that shortly.

3 "The first entry on McGrath's index card" -- if we
4 scroll down, please -- "is dated 13th April 1973 ... on
5 Tara has opened ..."

6 You can see it is a date in 1974:

7 "So far I have traced the original documents in
8 respect of only a third of these index card entries.
9 This is a letter of 31st March 1975 ..."

10 It is an Army letter which we have and we will come
11 to:

12 "... concerning means of gathering intelligence on
13 the DUP. Attached to this letter is another letter
14 (from LINCO/CONCO)", so those are Army officers, "East
15 Belfast dated 22nd March 1975 sent to a captain in the
16 Army in the 39 Brigade Headquarters ..."

17 39 Brigade was Belfast, Lisburn:

18 "... from a constable in the RUC, who was involved
19 in the Special Patrol Group intelligence."

20 You can see that this letter which is summarised
21 here contained information that that RUC officer had
22 obtained from Miss Valerie Shaw:

23 "... personal assistant to Paisley. On McGrath the
24 letter notes his address as being 188 Upper Newtownards
25 Road and that he was the warden of Kincora Boys' Hostel.

1 The letter goes on to say that McGrath used to live at
2 Finaghy before the scandal broke and it makes clear that
3 McGrath was having or had an affair with Roy Garland.
4 It has assessed that" or "it was assessed that
5 [an individual] would assist with any intelligence
6 approach to Shaw provided that the RUC were not
7 involved."

8 So I think that's that the RUC officer would assist
9 with any intelligence approach to Shaw provided that the
10 RUC were not involved. Whether that's right or not is
11 another matter, but:

12 "However, it is thought highly unlikely that DCI
13 would approve any such approach."

14 So what's being summarised here is that the Director
15 and Coordinator of Intelligence was not going to permit
16 an approach to Valerie Shaw to recruit her or for
17 further information from her. Then the author in 1989
18 goes on to say:

19 "Other papers on [the file that's being looked at]
20 confirm that the HQNI were aware that McGrath ..."

21 That's Army Headquarters Northern Ireland, so based
22 in Lisburn. As you know, I explained you have HQNI in
23 the Army and then the three brigades: 39 dealing with
24 Belfast and Lisburn, 3 based in the Lurgan area and 8
25 based in Derry, and you have:

1 "HQNI were aware that McGrath was connected with
2 Tara and that he was a homosexual. However, I have as
3 yet found nothing to indicate that the RUC were aware of
4 either of these facts."

5 Well, the officer writing this may not know what the
6 RUC know and we have looked at what they did know, which
7 was broadly the same.

8 CHAIRMAN: If we just analyse what is laid out in that
9 analysis, which is some years after, as is accurately
10 stated, the scandal broke, some of that information is
11 clearly not right, because McGrath had ceased to live in
12 Faith House in Finaghy many years before 1980, because
13 he moved from Finaghy to Wellington Park, where he lived
14 for quite a number of years, and then moved to Greenwood
15 Avenue in East Belfast before going to 180 Upper
16 Newtownards Road. So that perhaps illustrates the point
17 you have made more than once, which is something that is
18 put forward as intelligence is not necessarily accurate.

19 MR AIKEN: Yes. We will see it seems that when we look at
20 the letter something happened in Faith House in 1960
21 that's being referred to, because there's reference to
22 a member of staff going off, but it's not clear what
23 that is, but it's -- the import of -- when you take the
24 allegation at its height and then you consider that
25 an intelligence officer working in Belfast communicating

1 with his colleague in London is writing in this way, and
2 it is that that I am asking to you reflect on as to when
3 you sit that against the allegation that, amongst other
4 things, Tara was a construct of MI5, they were running
5 William McGrath, they were operating an intelligence
6 operation in Kincora through the use of paedophile
7 sexual abuse to blackmail, when you compare that to the
8 card that collated information up to 1977, the opening
9 of the file in 1977 -- and I am just showing you one key
10 document as an aid to summary, because, as you know, we
11 have a huge volume of this type of material, which you
12 have seen all of the material, the unredacted material,
13 which contains lots of terribly interesting but
14 irrelevant material for the Inquiry's purposes. What we
15 are making available publicly are those matters that are
16 relevant to what the Inquiry is investigating -- but
17 when you sit those documents against the allegation, you
18 will wish to consider the impact of that.

19 CHAIRMAN: Well, of course, the Inquiry, as has been said
20 more than once, but bears repetition in view of the
21 interest that there is in these matters, has seen not
22 just the full document, but it has seen the files
23 and all of the documents that are in the files from
24 which these document have been extracted --

25 MR AIKEN: Yes.

1 CHAIRMAN: -- in their unredacted form.

2 MR AIKEN: Yes. If I could just push that a little further,
3 as the Panel is aware, if there is material on
4 an individual and there's not a file on them until
5 March 1977, then the material is on files other than his
6 file. The Inquiry, as the Chairman is saying, we have
7 looked at all of that material contained on all of the
8 files that are relevant in unredacted form and what we
9 are producing and what I am walking through now this
10 morning is a collation of the relevant material in
11 relation to the issues that we are addressing.

12 If we scroll down on to the next page, which I think
13 is the final page of this letter or telegram, you can
14 see then something that we will come back to in
15 paragraph 6:

16 "It also contains -- the file also contains a letter
17 from Ian Cameron of HQNI."

18 Now Ian Cameron was the ASP, so MI5 officer, but
19 working in the role as the liaison with the Army in
20 HQNI:

21 "Reference of 22nd April 1976 which was sent to MI5
22 and copied to the Director and Coordinator of
23 Intelligence enclosing an article which appeared in The
24 New Statesman on 19th March 1976 (written by one Robert
25 Fisk). Ian Cameron noted that the article contained

1 information on Tara and considered that this information
2 originated in his records at HQNI."

3 Now I don't think that's meaning --

4 CHAIRMAN: No, it is "AIS records".

5 MR AIKEN: Sorry. "AIS records."

6 CHAIRMAN: Army Information Service.

7 MR AIKEN: The Army Information Service.

8 "Cameron felt that the information had been drawn
9 from G INT files ..."

10 So that's the intelligence section in HQNI:

11 "... at a time when the IP", information policy,
12 "element within the Army Information Services was
13 working closely with G INT",

14 the intelligence section:

15 "Cameron remarked that Wallace would have had access
16 to Army Information Service files and that there was
17 little doubt that he was Fisk's source."

18 Now just to put that in context very briefly, there
19 had already been an investigation into the leakage of
20 material to Robert Fisk and the conclusion that Colin
21 Wallace was responsible for that and he had already by
22 this stage been transferred from Northern Ireland and,
23 in fact, by the date of this note was no longer working
24 in the Civil Service.

25 What's being referred to here is after all that has

1 happened a subsequent article in The New Statesman which
2 refers to Tara, and Ian Cameron is commenting that he
3 can trace the content of that article to something
4 that's in the Army Information Service files and is
5 making the connection that there's little doubt the
6 information has been conveyed to the journalist by Colin
7 Wallace.

8 Then you can see:

9 "As far as I can tell relevant section do not have
10 any file dealing with psy ops", psychological
11 operations, "in the early or mid 1970s."

12 As I said, the Inquiry is not investigating the
13 Army's conduct in the 1970s.

14 "A final thought. It may be worth asking another
15 individual at the NIO whether he has any relevant
16 papers."

17 So you can see what's happening. A request has been
18 made for, "What have you got? What can you tell us?",
19 because a contribution is being made to the Rucker
20 report by MI5, and the intelligence officer on the
21 ground, as it were, in Belfast, looking at the file
22 that's available to him in Belfast, is setting out that
23 which is known.

24 Now I have shown those documents in order to give
25 some grounding to the chronology that we're now going to

1 work through, because, as we saw yesterday with the
2 opening of the Tara Brigade file of Special Branch,
3 which opened, you may recall, in June 1971, and
4 I pointed out to you that the cause of the opening of
5 the file by the RUC appeared to be a communication from
6 MI5, and this is, of course, pre Direct Rule, so this is
7 when there's an MI5 liaison officer in the RUC.

8 If we can look, please, at 105168, we can see on the
9 screen a report on the Tara Brigade from MI5 of 16th
10 June 1971. You can see that:

11 "Source speaking to MI5 was asked by an individual
12 to join a defensive organisation. On agreeing he was
13 instructed to meet an individual on a particular evening
14 in June 1971 to attend a meeting.

15 He attended the meeting on the evening and the
16 meeting was held in a particular location attended by
17 a number of men, of whom, like him, were accepted into
18 the organisation on the personal recommendation of their
19 sponsors. A prerequisite of membership is prior
20 membership of the Loyal Orange Order. According to the
21 officer commanding, a man called McGrath ..."

22 I will ask you to note that. It is not "William
23 McGrath". It's "a man called McGrath":

24 "... this brought the number of new appointments to
25 this rank during the last month to a particular number."

1 You can then see:

2 "The organisation, which apparently represented all
3 areas of the Province, has the title 'The Tara Brigade',
4 which it was explained literally translated as 'The
5 King's Brigade' ..."

6 As you know, Tara was where the High Kings of
7 Ireland were said to originate:

8 "... which it was explained literally translated as
9 'The King's Brigade' but which they would take to mean
10 'The Queen's Brigade'. McGrath explained the aims of
11 the organisation as the preparation of an effective
12 defence force against the day when it would be required.
13 He emphasised that those joining would not be required
14 to undertake offensive action but would be required to
15 carry out drill and a certain amount of intelligence
16 work."

17 You can see:

18 "This report should not be passed to the RUC but
19 an MI5 officer will be taking a copy over personally for
20 Assistant Chief Constable Johnston."

21 We saw then the interaction that goes on. The RUC
22 Special Branch file is opened on Tara and then we begin
23 the sequence of events which we are now going to look at
24 from MI5's perspective.

25 You can see also you may be -- you may consider of

1 significance, Members of the Panel, the MI5 note -- so
2 the one above is it's going to be taken over and shared
3 with the head of Special Branch, but you can see that
4 there's going to be a new file opened called "The Tara
5 Brigade" in MI5.

6 Now you will wish to consider, Members of the Panel,
7 given that two of the allegations are that William
8 McGrath was a British agent since the 1950s and that
9 Tara was a construct of the British intelligence
10 services, whether the existence of this document could
11 be reconciled with those allegations.

12 In effect, you have the author in London writing to
13 the head MI5 man in Belfast. He doesn't seem to know
14 that this is William McGrath, something we know, their
15 man in their organisation based on the allegation, if
16 that allegation were true.

17 If we can look, please, at 105166. Sorry. We have
18 seen it. We don't need to do that. That's covering the
19 report going across.

20 On 2nd July 1971, if we look at 105175, please, you
21 can see this is some two weeks later and it's an MI5
22 report on George McGrath. We know he is George McGrath,
23 Dungannon from the RUC material. As I said, he's got
24 nothing whatsoever to do with Kincora or Tara, but what
25 is happening you can see, if you scroll down, efforts

1 are being made to identify who the McGrath -- not
2 William McGrath -- but the McGrath Officer Commanding of
3 Tara is, and you can see a George McGrath has been
4 identified:

5 "This information came from Army intelligence. I am
6 wondering whether this is the McGrath in the Tara
7 Brigade source report dated 16th June 1971",

8 that we have just looked at.

9 You can see they are not going to pass this
10 intelligence to the RUC, but you can see at the bottom
11 of the document, if we just scroll down a little
12 further, you can see this is annotated 14th July. So
13 this is twelve days later:

14 "Thank you. Put it on to the Tara Brigade file.
15 Seems to centre on County Antrim. See your report.
16 Therefore I think it is unlikely that this man is the
17 McGrath referred to in your report."

18 So more than one person in MI5 is trying to work out
19 who this is.

20 If we look, please, at 105171, on 4th August 1971,
21 so in between that latter comment we just looked at of
22 1st and 2nd August -- 2nd -- sorry -- this is 4th
23 August 1971. So this is two weeks later again after
24 it's being said, "I don't think this is -- I don't think
25 this is the right man". They are referring back to the

1 report we have looked at about McGrath, the Officer
2 Commanding, and what he had to say:

3 "Attached to this report are two photographs, plus
4 two copies of each ... of George McGrath.

5 Source has confirmed on being shown these
6 photographs that:

7 (a) that the George McGrath, the commanding officer
8 of the Tara Brigade, had much thinner hair -- hair on
9 top, approaching baldness, wears glasses and is about
10 50 years old. His remaining hair ...", and so on.

11 A description is given. We discussed this when
12 looking at the RUC Special Branch material. The
13 photographs to try and identify were -- resulted from
14 the RUC Special Branch Headquarters asking their
15 Dungannon officer to get updated photographs. This is
16 before that happens. So they've got photographs of
17 George McGrath. They've been given to MI5. They have
18 been shown to the individual, who is being asked, "is
19 this the person?", and you can see -- I don't want to
20 read too much into paragraph 3, but you may consider one
21 reading of it is they are already working on the basis
22 that the McGrath is George McGrath, and they are just
23 trying to make sure they identify the right one, because
24 you can see the phrase is:

25 "Was that the George McGrath the commanding officer

1 of the Tara Brigade?"

2 Of course, you know, Members of the Panel, we should
3 be talking about William McGrath, but MI5, as with the
4 RUC Special Branch, appears from the material not to
5 have worked that out yet.

6 You can see this report, if we scroll down, please,
7 is also going over to the RUC Special Branch. It
8 perhaps indicates the type of world we were living in
9 that this document is being brought by an individual
10 travelling. So it is not e-mail communication the way
11 we might do today. The context of this is a very
12 serious security situation taking place in the country.

13 The next day, if we look at 105173, please, on 5th
14 August 1971 we have another MI5 report about the
15 identification of George McGrath in charge of Tara and
16 the continued suggestion this might be the same man as
17 in the photos.

18 Then if we look at 105176, please, on 24th
19 September, so another six weeks later, a letter from the
20 RUC arrives making reference to the reports of 4th and
21 5th September. That would appear to relate to the
22 reports of 4th and 5th August. It may be whether the
23 date is a mistake or deliberately changed to try and
24 avoid if communications fall into the wrong hands them
25 being identified, but we have just looked at them. Here

1 the RUC are providing MI5 with two recent photographs of
2 George McGrath which they have obtained from their
3 officer in Dungannon for MI5's source to look at.

4 Then if we look at 105177, please, we have another
5 MI5 report of 2nd November 1971, which records that:

6 "The recent George McGrath photos received from the
7 RUC have been shown to MI5 source, who confirmed that
8 while they were similar to the McGrath who was the head
9 of Tara, they were not the same person."

10 You can see if we scroll down, that this
11 information, this conclusion, was communicated to the
12 head of the RUC Special Branch as well as to the
13 Director and Coordinator of Intelligence.

14 Now if we look, please, at 105180, some two weeks
15 later on 17th November 1971 we have an MI5 report on the
16 Tara Brigade and on the source's belief as to its
17 strength and structure. If we scroll down just a little
18 bit, please, we can see:

19 "May be of help to the RUC.

20 I have passed the chart together with the additional
21 details to head of Special Branch and to the Director of
22 Intelligence by letter. Your source is gradually
23 producing a picture of the organisation and one hopes
24 that he will be able to fill in the details over
25 a period of time."

1 The chart that was attached has George McGrath at
2 the top of the organisation as they endeavour to work
3 out who is in it.

4 If we look, please, at 105181, on 15th March 1972 in
5 an MI5 report its source is recorded as reporting that:

6 "The Tara Brigade is now fully disbanded."

7 You can see the source is saying that:

8 "Tara's leader ..."

9 Again you can see it is still a surname only:

10 "... surname McGrath, who had not been seen since
11 the first two weeks of December 1971."

12 You can see that:

13 "Source has reported that McGrath is said to be a
14 civil servant, who was said to be last working on the
15 problems of drug addiction. He also holds an MBE."

16 You can see at the bottom that the information was
17 going to be passed, if we scroll down, please, to the
18 RUC Special Branch and you will recall then seeing that
19 language in an RUC Special Branch document.

20 CHAIRMAN: I think if we just pause at this point, it is
21 perhaps relevant to remember when these inquiries are
22 being made in August 1971 apparently trying to find out
23 who is this man McGrath, in August 1971 we have
24 internment and all the political community turmoil that
25 took place at that time, and on 15th March 1972, when

1 the source reports that Tara is now finally disbanded,
2 this is less than two weeks before the imposition of
3 Direct Rule and, of course, up until the imposition of
4 Direct Rule the RUC Special Branch was responsible to
5 the Northern Ireland devolved government, not to Her
6 Majesty's Government in London, although there was
7 clearly an element of cooperation, as we have seen from
8 these documents.

9 MR AIKEN: Yes. It's also the case that William McGrath is
10 already working in Kincora. He began in June 1971.

11 CHAIRMAN: So nine months have gone by and all they have
12 found out about a man called McGrath is that he hasn't
13 been seen since December. He is not George McGrath of
14 Dungannon and he is supposed to be somebody who holds
15 the MBE and has been working on drugs matters. Those
16 two things have never so far as I am aware ever been
17 attributed to Mr McGrath.

18 MR AIKEN: No.

19 CHAIRMAN: They don't seem to know very much about him.

20 MR AIKEN: No. I have said on a number of occasions and
21 I make the point again, because it is important to bear
22 in mind, we are looking at a very focused particular
23 point, and as the Panel is aware, there was a huge
24 amount of violence, civil unrest going on, which will be
25 attracting the attention of the very same people who are

1 writing these reports, and therefore the reporting -- as
2 you can see, Tara is described as a defensive action.
3 It is said it never have fired a shot in anger in
4 Northern Ireland. It is obviously something of
5 interest, but you may well consider that it is likely to
6 be very well down the pecking order of matters that are
7 concerning the RUC and the intelligence agencies in 1971
8 and 1972.

9 Now MI5 have produced to the Inquiry a letter
10 received from James Millar, a name you will be familiar
11 with from your work in preparation for these public
12 hearings.

13 If we look, please, at 105005, this letter is of
14 7th April 1982, and what we are making available is the
15 part that relates to William McGrath that the Inquiry is
16 interested in:

17 "Have been told by an individual that the Tara CO",
18 Commanding Officer, "McGrath had been accused of
19 assaulting small boys and that he could not account for
20 any cash that had been handed to him over a period of 12
21 months."

22 Now something the Inquiry is aware of, which perhaps
23 James Millar writing the letter may not have been aware
24 of, in 1971 there was the break with Roy Garland and
25 that ended up with a judgment for money and there was

1 clear financial issues when we look at Roy Garland's
2 description of events between him and William McGrath.
3 So the Panel may be less surprised at a reference to
4 money in this form at this time, but you can see that
5 this individual, who is still to James Millar Tara CO
6 McGrath, had been accused of assaulting small boys.

7 That allegation about the man named McGrath, the
8 Officer Commanding of Tara, would be carried forward, if
9 we look at 105007, please, in an 11th April 1972 MI5
10 report on "Extreme Protestants". You can see:

11 "It is reported that the former Commanding Officer
12 of the Tara Brigade -- McGrath -- had been accused of
13 assaulting small boys and could not account for any cash
14 that had been handed to him over a period of a year."

15 Now if we just scroll down, please, you can see:

16 "This information obtained through unconscious
17 sub-source whose reliability open to doubt."

18 You can see then:

19 "Passed to Director of Intelligence Northern Ireland
20 for ..."

21 I think that's ...

22 CHAIRMAN: "... for ..."

23 MR AIKEN: It is probably:

24 "... disclosure as ... consider ... will be able to
25 ..."

1 CHAIRMAN: Yes. Unfortunately some of these documents which
2 we have seen do not photograph terribly well.

3 MR AIKEN: No, they don't. We will see if we can get to the
4 bottom of that. I am pretty sure I can get to the
5 bottom of that.

6 I want to pause just at that point to show you what
7 MI5 have said.

8 CHAIRMAN: Can we just look at what we can make out?

9 "Any information pointing to [something] ..."

10 MR LANE: "... interaction ..."

11 CHAIRMAN: "... interaction [something] characters in Ulster
12 Vanguard."

13 That's another political movement that was growing
14 rapidly at that stage.

15 MR AIKEN: Yes, and obviously we have -- there's material on
16 this "Extreme Protestants" report that's not related to
17 William McGrath and Tara. You can see what has
18 attracted the interest of the intelligence officer who
19 is writing this part.

20 As you know, there is an issue over claims that
21 James Millar would make to journalists in 1987 and,
22 which will be unknown until now, his subsequent
23 recanting of what he said to the journalists in 1987 in
24 the aftermath of the article, and we will come back and
25 look at that at another time, but I want to pause just

1 now to show you what -- because of the importance of
2 that document, which refers to the assaulting of small
3 boys, albeit we are talking about the McGrath person
4 unknown, no connection yet made to Kincora and no first
5 name.

6 If we can look at paragraph 4074, please, the MI5
7 officer has endeavoured to explain what's going on. You
8 can see we've got the same extract on the screen. You
9 can see just above -- if we just scroll up, please --
10 sorry -- to paragraph above, 91. Scroll up to the next
11 paragraph up, please. Yes.

12 "We located a letter written by Mr Millar dated 7th
13 April 1972 in which he reported having been told by
14 an associate that the Tara Commanding officer, whose
15 name was given as McGrath, 'had been accused of
16 assaulting small boys'.

17 However, Mr Millar did not provide McGrath's first
18 name."

19 If we scroll down, please:

20 "He did not indicate anything about McGrath's
21 sexuality or employment, and he did not expand on what
22 was meant by 'assaulting'."

23 If I can just pause there, obviously we know lots
24 more information, but what the officer is asking the
25 inquiry to do is to -- what was known at the point this

1 is being said, and there's not in the records we looked
2 at reference yet to him being a homosexual and not yet
3 a reference to him working in Kincora. What's being
4 said here, there is nothing described as to what is
5 meant by "assaulting".

6 "Part of Mr Millar's letter was reproduced almost
7 verbatim in an MI5 report about 'Extreme Protestants'.
8 The author of the MI5 document included the comment that
9 reliability of the person who told Millar about the
10 accusation was 'open to doubt'."

11 So again this is intelligence information and doubt
12 is being cast on the provenance of what has been then
13 written by James Millar in respect of what he has been
14 told. Then the Deputy Director explains:

15 "We believe the MI5 officer would have taken into
16 account a number of factors when assessing the
17 information in Mr Millar's letter at the time. These
18 would probably have included, for example: when had the
19 accusations been made; by whom were the accusations made
20 (by victims, police or others)."

21 Scroll down, please:

22 "Against whom were the allegations made (the leader
23 of Tara, Mr McGrath, was not yet fully identified); when
24 had the alleged assaults taken place (recently or in the
25 past); and what kind of assault had been carried out:

1 physical (eg slapping/punching) or sexual (or even
2 verbal) and at this point there has been no allegation
3 about Mr McGrath's homosexuality.

4 At the time that Mr Millar's letter was passed to
5 MI5 in April 1972 the service was still uncertain about
6 the identity of Mr McGrath who was the Commanding
7 Officer of Tara. Even his forename was in doubt. It
8 was an RUC letter of 22nd November 1973 ..."

9 So that's almost eighteen months later:

10 "... that provided McGrath's full name, date of
11 birth and gave his occupation as 'social worker' at
12 Kincora Hostel.

13 Also we ought not to assume that 'assault' would
14 have been interpreted at the time by the MI officer who
15 read Mr Millar's letter or by anyone who read it as
16 being of a sexual type. McGrath was after all running
17 a paramilitary organisation, and physical abuse or rough
18 handling of young recruits might have been anticipated.

19 For example ...",

20 and he gives an example of:

21 "... an MI5 source reporting about the UDA prior to
22 8th July 1972 stated that there was 'a very bullying
23 attitude by the leadership toward the rank and file',
24 which was not well received. In this context we should
25 also bear in mind that Loyalist paramilitaries, like

1 their Republican counterparts, used youngsters in their
2 cause.

3 The MI officer who drafted the April 1972 report did
4 not give their reason for assessing the sub-source's
5 reliability as 'open to doubt'."

6 If we scroll down, please:

7 "It may be that the officer based his judgment on
8 information obtained from elsewhere, including
9 discussions with others (eg, Army intelligence and RUC
10 Special Branch officers). However, we do know that in
11 October 1971 MI5 had reporting that there was some
12 'discord' within Tara, some of whose members appear to
13 have been defaming or insulting each other and McGrath.

14 We should note too that the MI5 officer's focus in
15 Northern Ireland at that time would have been to obtain
16 strategic intelligence on paramilitary capabilities,
17 activities and intentions. The accusations against
18 an as yet unidentified McGrath as reported in the 1972
19 letter would not have been passed to the police not just
20 due to the factors we referred to above, but also
21 because it could be judged to fall below the
22 intelligence threshold. It was a generalised assertion
23 and insufficiently robust. The MI5 judgment on
24 Mr Millar's letter would have been made at
25 a particularly challenging time for the security forces.

1 Terrorists had killed 180 people during 1971 and in 1972
2 up to the date of this letter", which is April 1972,
3 "they had already killed some 50 people. Therefore
4 an accusation of dubious provenance about
5 an unidentified person and ambiguous interpretation may
6 well have been considered simply not to meet the
7 threshold for dissemination.

8 MI5 did pass some of its reports, in whole or in
9 part, to RUC Head of Special Branch. However, this was
10 discretionary and it is not possible to tell from the
11 MI5's 'Extreme Protestants' report whether or not the
12 RUC Head of Special Branch was told about the accusation
13 against McGrath. Nor can we tell whether or not the RUC
14 had received a copy of Mr Millar's letter."

15 Well, we as an Inquiry are able to see that that's
16 not -- that didn't happen:

17 "So while the accusation made against the McGrath
18 cited in Mr Millar's letter may be judged to be of some
19 significance in hindsight, we are satisfied that it was
20 not actionable" at the time.

21 Then the Deputy Director goes on to look at the
22 issue over what James Millar had to say in 1987, which
23 we will come back to. So I wanted to show you, because
24 that will be the first time that document has ever been
25 seen, and the report that flowed from it. Without

1 understanding the context one could easily go away,
2 given what everyone knows now about William McGrath, and
3 attribute to it something that it doesn't bear based on
4 the state of knowledge at the time the document was
5 written and considered.

6 Now on -- that's April 1972. On 26th June 1972, by
7 which William McGrath had been working in Kincora for
8 one year, MI5 received a report from the Metropolitan
9 Police in London on information about the UDA. I will
10 just show you the first page, please. KIN105183. You
11 can see it is from the Metropolitan Police. It is based
12 on a Special Branch report concerning someone involved
13 in the Ulster Defence Association. Now the document
14 runs from 105183 to 105191. So it's nine pages and, of
15 course, it contains all sorts of terribly interesting
16 material, but none of which is relevant to the Inquiry.

17 The part that is relevant to the Inquiry, if we can
18 look, please, at 105187, at paragraph 17 of the
19 document, you can see that the person who is being
20 spoken to:

21 "... continually made reference to the Tara Brigade
22 as being a trained armed force which posed much more of
23 a threat than the UDA."

24 Now based on the other material we were looking at
25 yesterday in the RUC Special Branch file again you can

1 see the difficulty with taking as fact or taking as read
2 the accuracy of the information that has been provided
3 by anyone at any given time. You can then see further
4 down:

5 "Other men actively concerned with the Tara Brigade
6 in Ulster were Billy McGrath, Hollywood Road, Belfast."

7 So added to the knowledge by this date in June 1972
8 is in connection with Tara, although not being said to
9 be the Officer Commanding Tara, is a man called Billy
10 McGrath, but who lives on the Hollywood Road. As you
11 know, William McGrath never had an address on the
12 Hollywood Road that the Inquiry is aware of.

13 Then you have -- if we could move through to 105190,
14 please, you have an annexe to the report and on the
15 second page of the annexe you can see it begins:

16 "Persons and organisations mentioned in report."

17 So someone is setting out a list of those who come
18 up in this lengthy document. If we move through to the
19 second page, please, we will see that you have got:

20 "Billy McGrath. May be identical with man of same
21 name, an Orange official mentioned in Irish News on 6th
22 October 1969."

23 So the Metropolitan police officer who authors this
24 document has obviously looked at a newspaper article.

25 I am not clear what's in that. It may be it is the same

1 William McGrath and he is suggesting that they are one
2 and the same person, but you can see then, if we scroll
3 further down, that in respect of Tara it is being said
4 by the Metropolitan Police:

5 "No trace."

6 Now if we look at 105192, please, in an MI5 note for
7 file of 16th August 1972 you can see that the MI5
8 officer had a conversation at RUC Headquarters with
9 an Army police liaison officer who was responsible for
10 extreme Protestants, and he had information on a man who
11 had an MBE but whose name he did not know:

12 "He was, however, known to be a fairly important
13 individual in the extreme Protestant milieu."

14 Then he says:

15 "On 14th August I rang him to say that I had
16 recently come across a reference to someone with
17 an MBE",

18 and he quoted the reports which had been passed on
19 for onward transmission:

20 "I added that, of course, we did not know whether
21 they had, in fact, been passed on, but that these might
22 give him a lead."

23 So you can see what's going on as they are trying to
24 work out who this is, because we looked at the material
25 that suggested he was a civil servant, working with

1 drugs and had an MBE.

2 That appears to be that this officer who is writing
3 the note -- if we look at 105181, please, you can see
4 that he appears to have found the report -- 105181 --
5 thank you -- he seems to have found the report of 15th
6 March 1972, which we looked at. You can see in the
7 first paragraph the reference to the MBE.

8 Now if we look, please, at 105193, on
9 9th November 1972 in a report held by MI5 you can see
10 what's being said about Tara:

11 "Tara Brigade has been completely disbanded. Its
12 members either joined with others in forming The Orange
13 Volunteers or joined the UVF. The Tara Brigade was said
14 to be the extreme wing of the UVF."

15 If we scroll down, please, we can see reference to:

16 "East Belfast, Tara Brigade organisation. Arms and
17 equipment were stored in a particular location."

18 He refers back to other documents. If we move on to
19 the next page, please -- just scroll down a little
20 further -- yes, you can see page 2. In fact, we have
21 moved on to another document. So that's what was being
22 said about Tara in November 1972, that it had disbanded.
23 I think that sits with the document we looked at to
24 explain that McGrath had not been ...

25 CHAIRMAN: Not been seen since December, December of '71.

1 MR AIKEN: Yes, or maybe it doesn't sit entirely with that
2 then, because that's a year earlier. It is now being
3 said again that it's disbanded and --

4 CHAIRMAN: Well, March '72 it was reported that it was
5 finally disbanded and McGrath had not been seen since
6 the first two weeks in December. That was 105181 you
7 told us about.

8 MR AIKEN: Yes. So that's November '72. If we look at
9 3557, please, and this is a Secret Intelligence Service
10 record of the 18th April 1973. There was a reference
11 found to it on the card we were looking at. You can
12 see:

13 "New Protestant organisation: Tara (daily
14 intelligence summary). (10th April 1973)."

15 So there's been reporting of it's disbanded. There
16 has been this break with people going off into other
17 organisations, which, as you know, sits with what Roy
18 Garland was saying happened in, in fact, 1971. Now you
19 have:

20 "New Protestant organisation: Tara.

21 Source has provided further information on Tara, the
22 new Protestant organisation about which there has been
23 recent press reports. According to the source", and
24 they quote someone from the UDA -- if we scroll down,
25 please -- "Tara originated in 1968 from within the

1 Orange Debating Society. In its refurbished form the
2 leader is William McGrath, a Paisleyite, and his son
3 Worthington is secretary. Another prominent member is
4 Clifford Smyth, a leading member of Paisley's Democratic
5 Unionist Party. It seems likely from this latter
6 information that our guess about an individual's
7 involvement was probably wrong. I think it is unlikely
8 that Tara has or will develop much influence. It seems
9 clear from the indications we have had there are fears
10 in UDA circles about its posing a possible threat that
11 its existence will add further to the divisions and
12 jealousies among extremist Protestants."

13 Now that is an SIS record of 18th April '73, but
14 what I want us to do, if we go back, please, to 55021,
15 to a document we looked at yesterday, so you can see
16 this is the daily intelligence summary, 10th April 1973.
17 If we scroll down, please, on to I think the next page,
18 you can see that we are looking at the same information
19 that we were looking at yesterday. It's collated in
20 a different form, but it's obviously information that
21 has been shared.

22 Now on 11th July 1973, if we look at 105194, please

23 --

24 CHAIRMAN: I am sorry. Just so we are clear about this, so,
25 in other words, the Secret Intelligence Service, MI6,

1 appear to have sent this to Special Branch. Is that the
2 way you interpret it or the other way round?

3 MR AIKEN: Probably the other way round, that the Director
4 and Coordinator of Intelligence in Northern Ireland
5 doing his intelligence summary has provided information
6 to the RUC, but it's also been passed to The Secret
7 Intelligence Service as well as MI5 in London. It just
8 so happens The Secret Intelligence Service hold the
9 record we were looking at.

10 CHAIRMAN: But that would seem, therefore, to indicate that
11 if you look at RUC Special Branch, MI5 and MI6 at that
12 point in time, that represents a common understanding,
13 pooling their various sources of information, of what
14 McGrath's position was.

15 MR AIKEN: Yes. If we scroll up, we will see this document
16 we have been looking at -- I think it -- if we scroll up
17 a little bit more, we can maybe see the -- yes. It's
18 the same date. Scroll down a little further. You can
19 probably see -- I think somebody has written in hand on
20 it "18th April '73", but it's the same date as the SIS
21 record we were looking at. In fact, it has a 19th April
22 stamp along the bottom. So it's a document that the
23 information seems to be collated and then sent in
24 a number of different directions.

25 If we can look at 105194, please, this is a report

1 of 11th July 1973. It's a similar document in the sense
2 it's a daily intelligence summary document that's held
3 by MI5 and records information provided by a source. If
4 we scroll down just a little bit, please, you can see:

5 "Daily intelligence summary (11th July 1973)."

6 You can see that:

7 "Source reports that William McGrath, leader of
8 Tara, has approached another individual with a request
9 for a meeting to consider Tara's position and discuss
10 the whole defence."

11 They you can see this:

12 "Although there has been one report in May 1973 of
13 the Tara Brigade being resuscitated in a particular
14 area, we see the present report as confirmation of our
15 earlier view that this is unlikely to develop into
16 an influential ..."

17 I think it is meant to be "entity". It could be
18 "party".

19 CHAIRMAN: Well, there seem to be only three letters. Hard
20 to make out what they are.

21 MR AIKEN: Yes. On 13th November -- so that we are looking
22 at is 11th July. On 13th November, if we look at 3558,
23 please, this is another Secret Intelligence Service
24 record and it records the receipt of information about
25 Tara that arose from an interrogation report. So you

1 can see:

2 "We attach copies of an interrogation report on
3 a member of Vanguard Service Corps carried out at a
4 police station. We attach a set of comments on
5 personalities mentioned which has been compiled by our
6 research section."

7 Now the -- if we move on to the next page, please,
8 we will see the relevant part of the interrogation
9 section that relates to Tara and William McGrath:

10 "Subject then stated that he had knowledge of
11 another organisation called Tara. Subject explained
12 that Tara is a splinter group formed from UVF. Subject
13 stated that Tara is run by McGrath ..."

14 and someone has written in "William":

15 "... from his house on the Holywood Road. Subject
16 explained that McGrath got them young and preached
17 religion to them. Subject appeared to mean that McGrath
18 preached bigotry and anti-Catholic sermons. Subject
19 stated that Tara were responsible for the wrecking of
20 the chapel on the Cregagh Road and further stated that
21 he had been told that this organisation had 500 Thompson
22 machine guns. Subject stated that Tara was very secret
23 and was not generally talked about or known to exist.
24 Subject went on to say that he thought McGrath may also
25 be part of UFF. Subject was sure that McGrath associate

1 was also a member. Subject stated that he was given
2 this information and told that he had been told that UFF
3 always take a souvenir from their victims."

4 So again I stress the point just because someone has
5 provided this information does not mean that it's
6 accurate, because, as you know, Members of the Panel,
7 from looking at all of the Tara material that's
8 available, there doesn't seem to be any suggestion that
9 they had 500 Thompson machine guns or indeed that
10 William McGrath was ever involved with the UFF.

11 Now what you may consider to be interesting, just
12 carrying on from the point we made over the last
13 document, if we look, please, at 55098, we looked at
14 this document which is on the RUC Special Branch file
15 yesterday, and you can see in the top corner that -- we
16 looked at the date. It is 17th October '73. So it's
17 the same information that you are seeing in the middle
18 of the page, and it's again obviously been transferred,
19 but not necessarily -- it's taken about four weeks for
20 it to get on to an SIS record that has been provided to
21 the Inquiry, but again you can see the evidence of --
22 and in fairness in the SIS officer's statement he
23 explains that the documents you can see are being sent
24 from intelligence officers in Belfast to London, copied
25 to SIS, copied to MI5 and that's generally what appears

1 to have been happening.

2 Now on 22nd November 1973, if we can look at 105195,
3 please -- and we looked at this letter yesterday -- on
4 22nd November the RUC write to MI5 making them aware
5 that they had received information that William McGrath
6 was to travel to Amsterdam. You can see it confirms
7 McGrath is a social worker and works in Kincora.

8 I stand corrected. This appears to be the first time
9 that MI5 have a record telling them that William McGrath
10 is someone who is working in Kincora Hostel. It is
11 coming from the RUC. We looked at it yesterday from the
12 perspective of the RUC making the intelligence service
13 aware where someone is going to be travelling abroad and
14 is connected in this way with a potential paramilitary
15 organisation.

16 But you can see the analysis of the RUC Special
17 Branch in respect of Tara. You can see:

18 "Intelligence on this group, which is believed to
19 have close links with the UVF and the Orange Order, show
20 that it was dormant for some time prior to 11th April
21 1973 when it made a public announcement in the press of
22 its reformation. Little threat is offered by this group
23 at present, and while it has claimed a large membership
24 throughout Northern Ireland, it is, in fact, a small
25 group of people operating in Belfast with a very small

1 membership."

2 You can also see that -- the personal confidential
3 info is just the national insurance number. The Panel
4 is aware. You have the unredacted document. It does
5 not appear to make reference to McGrath's sexuality in
6 the document.

7 Now if we look, please, at 105008, the -- you can
8 see there is a document, the second one down, of 29th
9 November '73 which obviously references William McGrath
10 as being:

11 "... a contact of KIN 337 , foreign card,
12 believed to be involved in shipping arms to Ireland."

13 In keeping with other documents referenced on the
14 card we have seen and will see, the card summarises the
15 information about the individual in the larger record.
16 The intelligence officers or the intelligence agents
17 have not been able as yet to find the record from which
18 the information on the card was extracted. However,
19 other than the fact of the information it does not
20 appear to bear any relevance to the matters of interest
21 to the Inquiry.

22 The same index card, as you can see, if we -- at
23 105008, records an entry of 28th February. If we can
24 scroll down just so we can see. Yes. No. Just go up
25 so we can -- that's it. Up more line more. There.

1 Thank you. We can get both parts of this on the screen.

2 You can see that there is a reference -- an entry of
3 28th February 1975. So the last of it is on the front
4 and the rest -- the first of it is on the front and the
5 rest of it is on the rear, and it describes William
6 McGrath as being:

7 "The warden at Kincora. Reported to be homosexual",
8 and then the reference to a sexual relationship
9 with Frank Millar and Clifford Smyth.

10 "Clifford Smyth is said to be living with McGrath."

11 We have not been able to date -- the organisations
12 have not been able to trace that record from which the
13 information on the card was extracted, but you can see
14 that it's recording he is reported to be a homosexual.

15 Then if we can look, please, at 105196, on
16 31st March 1975, and you can see the date in the top of
17 the page, and if we scroll down, please, it refers back
18 to a note of 11th March. This is about the Democratic
19 Unionist Party:

20 "As you are aware, we are at present seeking means
21 of gathering intelligence on the Democratic Unionist
22 Party.

23 In this context MI5 have been passed a copy of the
24 attached letter from LINCO/CONCO Army officers in East
25 Belfast working in the intelligence section of 39

1 Brigade concerning the possibility of recruitment of the
2 Reverend Ian Paisley's secretary, Miss Valerie Shaw.

3 Prior to exploring ways and means by which we might
4 exploit the situation set out in the attached letter, we
5 consulted the DCI", so the Director and Coordinator of
6 Intelligence, "on whether clearance for the formal
7 recruitment of the secretary would be likely to be
8 forthcoming.

9 It was the Director and Coordinator of
10 Intelligence's firm view that clearance would not be
11 granted as, for example, Paisley's position with regard
12 to the Protestant paramilitary forces was quite
13 different to that of another individual. We are
14 therefore taking no further steps in this case and we'll
15 be advising the Army to beware of becoming actively
16 involved in the case."

17 Now we have made clear we are not investigating Ian
18 Paisley and attempts to recruit people who could report
19 on him. We have left that available and we are looking
20 at it because it relates to Valerie Shaw, who played
21 a role in respect of Roy Garland and trying to make
22 people aware of William McGrath.

23 So this document is saying, "See the letter that's
24 attached", and we are going to look at that letter. If
25 we look, please, at 105011, on -- so the letter of

1 31st March referred back -- attaches this letter of
2 22nd March 1975. You can see it is one of two copies
3 and it is given to an officer from 39 Infantry Brigade
4 and it is described as:

5 "Talent spotting -- Democratic Unionist Party.

6 Over the past six months a sergeant and a corporal
7 in 39 Brigade have developed a good personal
8 relationship with a constable in the RUC Special ..."

9 CHAIRMAN: "... Special Patrol Group ..."

10 MR AIKEN: "... Patrol Group and as a result of this
11 relationship he has passed over useful information.

12 Since November 1974 the corporal has been working on
13 a project concerning the organisation known as Tara."

14 So you can see that the Army are interested in Tara:

15 "... have been given background information on Tara.

16 The police officer's source for this information is one
17 Miss Valerie Shaw, who is employed as PA to the Reverend
18 Ian Paisley.

19 The following is a summary of information that was
20 passed by Miss Shaw on Tara and personalities so far."

21 Now if I can just pause there before we look at
22 this. This is obviously important, because you have
23 Valerie Shaw's recollections in 1980 and 1982 and 1985
24 as to what she was told and what she did with the
25 information, and we know that in June 1974 she spoke to

1 Superintendent Graham. This is recording information
2 that she seems to have passed to a police officer, who
3 is then passing it on to these Army officers. You can
4 see:

5 "William McGrath: 188 Upper Newtownards Road."
6 So it's got the address, his home address, correct:
7 "Warden of Kincora Boys' Hostel",
8 which, as you know was at 236, not 188. It says:
9 "He used to live in Faith House, 25 Orpen Park,
10 Finaghy. This was the house he lived in before the
11 scandal broke."

12 Unfortunately he moves from Orpen Park in 1960. It
13 is not clear what is being referred to here that is then
14 recorded in the document:

15 "He then moved to 5 Greenwood Park ..."

16 That's not quite right, as you know. It was
17 Greenwood Avenue:

18 "... where Clifford Smyth stayed with him until
19 Smyth got married.

20 There was a Scottish matron type that worked in
21 Faith House who became disenchanted with McGrath's
22 habits and packed up and went home. Source said she
23 would know a lot about his earlier activities.

24 He is the Master of the Ireland Heritage Lodge,
25 which meets in the John Knox Memorial Hall, Cliftonpark

1 Avenue, of which there is a suggestion that Paisley had
2 some sort of control of.

3 It was over the use of this hall that McGrath and
4 Paisley had a disagreement. McGrath wanted to use the
5 hall for a meeting, to which Paisley agreed. Source on
6 hearing of this went to Paisley with a set of letters
7 and papers ..."

8 You will recall we've looked at those:

9 "... written to one Roy Garland by McGrath when they
10 were having an affair, to show Paisley what sort of man
11 he was dealing with. Paisley then tried to prevent
12 McGrath using the hall, to which McGrath replied by
13 threatening to publicise Paisley's 'undemocratic usage
14 of Orange Halls' and to organise a protest march using
15 the members of his lodge outside Paisley's church.

16 In the late '60's, early '70s McGrath was collecting
17 funds, reason not known. Garland had donated £4,000 in
18 good heart. Somewhere along the line McGrath went
19 crooked, used the money for his own ends. Garland found
20 out and demanded his money back. When McGrath refused,
21 Garland sued him, the outcome of which McGrath had to
22 sell Faith House to pay off the debt."

23 Of course, that's not quite right, because he sold
24 Greenwood Avenue to pay off the debt:

25 "Roy Garland: He owns his own business, something

1 to do with chemicals. He is the man who was in source's
2 words influenced by McGrath and who kept the letters and
3 papers exchanged between themselves whilst the affair
4 lasted."

5 As I repeat again, this is information that's being
6 conveyed from one individual to another and then to two
7 more and it's the fact it is being said, not that it is
8 necessarily accurate. Then you have:

9 "Clifford Smyth: For the last convention the DUP
10 party machinery was geared to support Smyth."

11 That gets in to do with politics between -- if we
12 scroll further down, please, you can see then that it is
13 being said:

14 "He was asked if he was a homosexual in any way
15 connected with McGrath. He denied this, and as nobody
16 gave evidence against him, he was given the benefit of
17 the doubt."

18 You can see:

19 "Reverend Martin Smyth: He was trying to do
20 something about Smyth",

21 as in -- I think that should be something about
22 McGrath:

23 "He was involved in some action in Scotland to
24 discredit Smyth."

25 Maybe this is McGrath was doing this against

1 Reverend Smyth, but anyway:

2 "He also knows about McGrath."

3 If we scroll down, please:

4 "Miss Shaw has a grievance to settle with McGrath,
5 whom she dislikes intently for moral reasons. To this
6 end she is prepared to pass information and hopefully
7 Tara to the police officer.

8 For his part he is prepared to pass on the
9 information to the military through the sergeant and the
10 corporal. It is doubtful if he will object to passing
11 information direct to HQNI providing a suitable handler
12 is found. He is adamant, however, that he does not want
13 the RUC or Special Branch involved."

14 So you can see what's going on here. Then:

15 "At present the following background is known on
16 Miss Shaw: deeply religious person, a member of
17 a particular mission, generally involved with missionary
18 work. Employed as PA to the Reverend Paisley."

19 If we scroll down, I think that's the end of the
20 letter. It is.

21 So that's the information in March 1975, and what
22 you may consider to be important, Members of the Panel,
23 is in addition to what's in the letter as to what they
24 have been told, what's not in the letter, which is then
25 being conveyed across to MI5.

1 SIS also held a copy of 22nd March 1975 talent
2 spotting letter -- I will just give you the reference
3 for that: it is at 3561 through to 3563 -- which they
4 had received under cover of a communication of
5 31st March 1975, which is at 3560.

6 In May 1975, so two months later, if we look at
7 105014, please, Merseyside Special Branch, so the
8 police, Merseyside Police, provide MI5 with a report
9 which it is likely to relate to McGrath and which refers
10 to him as a homosexual. We saw some information like
11 this but recorded in a different document when we were
12 looking at the RUC Special Branch documents, but you can
13 see they are not entirely clear who this person is that
14 had come over in 1970 to begin this organisation, but
15 you can see that the person is said to be:

16 "Apparently quite affluent. Living in a large
17 house. Strongly suspected of being a homosexual."

18 Then it seems two men from the UVF came over to
19 reorganise the Tara company as a UVF brigade.

20 Now if we look at 3564, please, we saw on the card
21 we were looking at that The Secret Intelligence Service
22 -- if we can rotate that round, please -- we saw on the
23 card a record of a reference to a Hibernia article of
24 3rd October 1975. It is the third column, halfway down.
25 So if you can increase the size of that third column as

1 large as possible. So this has come to attention. It
2 has been recorded on the card, but you can see:

3 "It is oddly named Tara. It quite seriously
4 advocates driving all Catholics from the North and
5 eventually hopes to see a takeover of the South and the
6 eradication of the Catholic religion from the island.
7 Tara prides itself on its secrecy and names of its
8 members very rarely appear in print. Its leader until a
9 recent illness was William McGrath of East Belfast. Its
10 administrative officer is David Brown of Bangor. Its
11 intelligence officer is Clifford Smyth, and Douglas
12 Hutchinson is in its ranks."

13 So the article and the fact of it, what it had to
14 say, is being recorded on the card relating to William
15 McGrath.

16 If we can look, please, at 105197, this is
17 an extract from the Director and Coordinator of
18 Intelligence daily intelligence summary of 17th
19 January 1976. If we -- you can see the section that is
20 on this particular extract relates to the:

21 "UVF/Tara cooperation in arms buying."

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

23 "William McGrath was reported in March 1975 to be
24 warden of the Kincora Boys' Hostel. He has previous
25 Tara traces and is said to be a homosexual. Another

1 regular and reliable source has recently indicated that
2 the UDA and William Craig may be aware of this Tara/UVF
3 activity in the arms field."

4 Now that reference to the March '75 trace in all
5 likelihood is to the letter of 22nd March 1975 that we
6 were looking at where it talked about McGrath as the
7 warden of Kincora Boys' Hostel.

8 There is another version of this, just to show you
9 how this material is disseminated. If we look at
10 105016, you will see another slightly different version
11 that has the wrong date on it. You will see it has 17th
12 January '76 and then 20th January '77. I hope it didn't
13 take a year and three days to travel, but you can -- if
14 you scroll down, you can see it's the same information.
15 So there's information sharing going on about what is
16 known about William McGrath.

17 The Secret Intelligence Service had a record of
18 a similar communication from MI5 in London sent to
19 Belfast but also copied to the Secret Intelligence
20 Service of 20th January 1976. You will find that at
21 3565.

22 If we just look at that, please, it contains
23 a summary being shared with MI6. So MI5 is sharing with
24 The Secret Intelligence Service a summary of what it
25 knows about William McGrath.

1 You can see there's reference to 16th January '76:

2 "We have the following, which are probably identical
3 with first name unknown McGrath."

4 So having got that information, I think this is The
5 Secret Intelligence Service recognising what they know:

6 "McGrath first came to notice as organiser of the
7 Christian Fellowship Centre and Irish Emancipation
8 Crusade at 15 Wellington Park, Belfast. The philosophy
9 of this group is 'Ulster has been attacked in order that
10 Ireland may become the base for operations against
11 England'. At this time McGrath was employed as a social
12 worker at Kincora Boys' Hostel."

13 You can see:

14 "1968" -- if we scroll down, please -- "Tara Brigade
15 formed from within the Orange Debating Society ..."

16 You will recognise those words from an earlier
17 report:

18 "... and its founder and Commanding Officer was
19 William McGrath.

20 1970 -- McGrath probably identical with the man who
21 set up a Tara Brigade in Liverpool ..."

22 We looked at that document:

23 "... the forerunner of the UVF there. Travelled
24 over from Belfast. On his return to Belfast this man
25 was investigated by Loyalists, who decided that he

1 constituted a security risk because of his homosexual
2 tendencies. Liverpool Tara Brigade was then transformed
3 into a UVF group.

4 1975 -- reported to be the secretary of an Orange
5 Lodge with Gaelic ..."

6 I think that's McGrath's son that's being referred
7 to there:

8 "The McGraths are apparently regarded as somewhat
9 eccentric and unstable. There is no trace of William
10 McGrath being a senior Northern Ireland civil servant."

11 Then we move on to a record which we are about to
12 look at. So you can see that I think that is an MI5
13 summary that's sent to the Secret Intelligence Service,
14 but you can see what's being shared between them as to
15 what they know, and at 3566, which is what we are at
16 now, we have the -- a reply from The Secret Intelligence
17 Service of 2nd February. I think if we scroll up just
18 to make sure I'm looking at the right -- yes -- a reply
19 of 2nd February. You can see this is a reply to MI5:

20 >Your paragraph 1 and source comment McGrath, first
21 name unknown, of 188 Upper Newtownards Road is William
22 McGrath, born 11th December 1916, warden of Kincora
23 Boys' Hostel at that address. He is well documented as
24 a homosexual and leading light in Tara."

25 Then you can see:

1 "Inquiries with the RUC show the following recent
2 information."

3 You've got:

4 "6th June 1975. Red Hando Commando -- Red Hand
5 Commando has a contract out on McGrath, which resulted
6 in a warning bomb being placed, as subject strongly
7 anti-Communist and has accused the Red Hand Commando of
8 having Communist tendencies."

9 So you will see this language and then, of course,
10 you have seen Army documents which said, "Well, McGrath
11 was a Communist". So you can see the language being
12 traded, and then you can see reference to the entry to
13 do with the Gaelic teacher for the lodge.

14 "15th January '76. ... published in The Newsletter
15 attacking the IRA and the Southern Government."

16 You can see:

17 "There is no evidence that McGrath is or ever was
18 a civil servant."

19 Now if we can look -- there's then an entry of
20 13th February 1976, and I want us just to bring up 3569,
21 please, and if we scroll -- just scroll down, please,
22 for me. So we're seeing -- keep going so we only see
23 paragraph 9. Just scroll back up a little so we can see
24 paragraph -- stop there. Thank you.

25 This is on 13th February 1976. The Secret

1 Intelligence Service as well as MI5 receive a telegram
2 from intelligence staff in Northern Ireland containing
3 information provided to them. While no doubt the
4 entirety of the document is terribly interesting,
5 because it begins at 3567, the part that's relevant for
6 this Inquiry's purposes is that at paragraph 9, and you
7 can see that the information that's being provided is
8 that:

9 "McGrath makes a practice of exploiting other
10 people's sexual deviations."

11 So:

12 "Source explained that Tara had been destroyed in
13 1972 by a smear campaign. They had been 300 strong
14 and included a number of UVF members. Now they were
15 much smaller and of higher calibre and were UVF's main
16 rivals. Roy Garland, who was formerly in Tara but now
17 UVF, is a bisexual, who once had an affair with William
18 McGrath, the Tara leader. McGrath (according to source)
19 has long made a practice of exploiting other people's
20 sexual deviations and Tara is vulnerable on this
21 account. Paisley has expressed strong animosity towards
22 McGrath."

23 So I stress again just because that's what's being
24 said doesn't mean that is a fact. It is information
25 that's being conveyed. For the Inquiry's purposes, as

1 the Panel will be very aware, it's what's not being
2 said, given the allegations that are made, that will be
3 of considerable importance to the Inquiry.

4 I note the time, Chairman. It's a detailed
5 examination that I've been doing and I am not going to
6 complete it before lunch.

7 CHAIRMAN: No. Well, I think it is probably a convenient
8 point at which to interrupt and we will resume again at
9 2 o'clock.

10 (1.00 pm)

11 (Lunch break)

12 (2.00 pm)

13 DCS GEORGE CASKEY (retired) (called)

14 CHAIRMAN: Yes, Mr Aiken?

15 MR AIKEN: Chairman, the witness today is now retired
16 Detective Chief Superintendent George Caskey and he is
17 aware, Chairman, that you are going to ask him to take
18 the oath.

19 DCS GEORGE CASKEY (sworn)

20 CHAIRMAN: Thank you very much. Please sit down.

21 Questions from COUNSEL TO THE INQUIRY

22 MR AIKEN: I was explaining to you earlier, George, that we
23 call everybody by their first name. So don't be alarmed
24 at that.

25 Coming up on the screen, George, in front of you

1 will be what I hope is the first page of your witness
2 statement, which is at KIN1908. Can you just have
3 a look at it and see that it matches -- you recognise
4 the statement as yours?

5 **A. I do.**

6 Q. And if we go to the last page, please, which is at
7 KIN1918 --

8 **A. Yes.**

9 Q. -- and you recognise the last page, and you can confirm
10 that's your signature on the document, George?

11 **A. I do, sir.**

12 Q. And you want to adopt the content of your witness
13 statement as part of your evidence to the Inquiry today?

14 **A. I do, sir.**

15 Q. Now, George, you explain at the start of your statement,
16 if we go back to 1908, please, that you served for
17 39 years in the RUC and you retired in December 1996 as
18 a detective chief superintendent.

19 **A. Yes.**

20 Q. And during the 1980s, which is the period of the
21 investigations that we are going to look at, you were
22 initially a detective chief inspector investigating
23 serious crime in Belfast in CID.

24 **A. Yes.**

25 Q. And during the investigations that are the subject of

1 this Inquiry's analysis you became a detective
2 superintendent, and I think that occurred between the --
3 what we call the Phase One Inquiry, which saw Mains,
4 Semple and McGrath convicted, and then the Phase Two
5 Inquiry, which was sparked off by various media reports
6 in the early part of 1982 after the convictions.

7 **A. That's correct, sir.**

8 Q. And between 1980 then, when The Irish Independent wrote
9 their article on I think it was 24th January 1980, and
10 the period culminating in the Hughes Inquiry in 1985 you
11 led a series of major police investigations into Kincora
12 Boys' Hostel and then other matters that sprang out of
13 your investigation into Kincora Boys' Hostel.

14 **A. That is true, sir.**

15 Q. And you acknowledge in your statement that The Police
16 Service have explained to you that they have provided
17 the Inquiry with all of the material that it holds
18 presently in respect of the investigations.

19 **A. Yes.**

20 Q. And it may not surprise you or it may surprise you to
21 know that culminated in twenty-six boxes of material
22 being provided to the Inquiry, and just I'm going to
23 summarise it in this way, George, and you can tell me
24 that I'm right about this, because obviously there's
25 a vast swathe of material and you could spend literally

1 weeks giving evidence about the content of your
2 investigations, which isn't how we're going to go about
3 this and wouldn't be of assistance to you or the
4 Inquiry, but the voluminous papers break down into
5 various phases.

6 The Phase One Inquiry was started by you being
7 tasked at the time by, if I have understood this
8 correctly, Assistant Chief Constable Bill Meharg, who
9 was the Head of Crime in the RUC, Head of CID, and you
10 were given through him and I think was it Detective
11 Chief Superintendent Monaghan the responsibility -- or
12 Mooney. Sorry.

13 **A. Mooney.**

14 Q. -- the responsibility of, "You're to investigate this"
15 and you were basically given a newspaper article --

16 **A. Yes, that's true.**

17 Q. -- and you were to select your team and then begin the
18 inquiry.

19 **A. Yes, sir.**

20 Q. And the -- that was the Phase One Inquiry, which
21 resulted ultimately -- it operated from January 1980.
22 Your report to the DPP was in August 1980, and in the
23 end it ended with Mains, Semple and McGrath, but not
24 just them, three other men working in two other
25 children's homes being convicted before the then Chief

1 Justice in December 1981.

2 **A. Yes, that's true.**

3 Q. And then the Phase Two Inquiry again involved you being
4 asked to investigate matters that were arising in media
5 articles that were being carried about all manner of
6 different issues spawning from Kincora, including
7 allegations that there was an establishment, whatever
8 one means by that term, police officers, judiciary,
9 Justices of the Peace, businessmen, all involved in some
10 form of paedophile ring connected to Kincora, and you
11 were asked then to investigate that, and that formed
12 part of the Phase Two Inquiry, which ran during 1982 and
13 resulted in you providing another report to the DPP.

14 **A. Yes.**

15 Q. And as part of that -- we call it Phase Two -- sorry --
16 Phase Three, but really it was a secret part of Phase
17 Two, if I can call it that. You were also as part of
18 that work examining what the military intelligence knew
19 about Kincora.

20 **A. Yes, sir.**

21 Q. And we have called that Phase Three. Phase Two and
22 Phase Three were overseen by an outside police force.
23 Sir George Terry was called in and brought some of his
24 Sussex officers to oversee your ongoing investigation
25 and to look back at the Phase One investigation.

1 **A. That is correct.**

2 Q. And I am not going to go to the pages, George, but the
3 Sussex superintendents, who I presume were the two
4 individuals Harrison and Flenley that you had most
5 contact with, acknowledge in their report that they were
6 given by you and acknowledged receiving full cooperation
7 not just in the letter but in the spirit. That's the
8 words that Superintendent Harrison uses in his report.

9 **A. That is true, sir.**

10 Q. Those two parts, if you like, Phase Two, Phase Three, or
11 both part of the one investigation, you were able to
12 submit your open report to the DPP earlier than your
13 closed report, if I can put it that way, or the secret
14 investigation into military intelligence, because there
15 was a loose end that you were trying to get closed off
16 in respect of the secret investigation.

17 **A. That is correct, sir.**

18 Q. And we will come back to look at that.

19 Then there's one more major limb, George, to the
20 work that you did, although, as you explain in your
21 Phase Two report, as you turned over a stone in the main
22 Phase Two Inquiry, that tended to lead off to
23 an investigation into an offshoot, as it were, and you
24 had various officers who conducted investigations into
25 specific matters that were raised, which really in the

1 end had nothing whatever to do with Kincora, even though
2 media articles linked them to Kincora.

3 **A. Yes.**

4 Q. And then if we scroll down, you had come across Colin
5 Wallace during your initial secret investigation into
6 military intelligence, and I will come back to that, but
7 the Phase Four investigation in 1984/'85 was
8 specifically about a document that was put into the
9 public domain in a rather circuitous manner in 1984,
10 dated 8th November 1974, said to be authored by Colin
11 Wallace, and if that is correct that it was written at
12 that date, contained a whole series of serious
13 allegations that would have entirely changed the
14 complexion of what you had discovered up to that point
15 in time.

16 **A. Yes.**

17 Q. I will come back to talk about him shortly.

18 We have mentioned the smaller investigations that
19 were offshoots. I was asking you -- you I think did
20 start to give evidence to the McGonagle Inquiry in 1982
21 and then it came to an end, but you didn't have to give
22 evidence to the Hughes Inquiry, although you were
23 present on occasions when that was being dealt with, but
24 you have agreed even in retirement to come and give
25 evidence to this Inquiry.

1 **A. Yes, sir.**

2 Q. You explain a series of key points in your witness
3 statement that I just want to highlight, George, and
4 give you the opportunity to comment on if there's
5 anything further you want to augment to them.

6 You have made the point to the Inquiry that you are
7 satisfied that the reports you provided -- and in
8 fairness to you they are all of considerable length --
9 that they are an accurate record of the investigations
10 and the conclusions that you reached on foot of your
11 investigations.

12 **A. That's true.**

13 Q. There are some specific points you wanted to draw to the
14 Inquiry's attention in respect of them. You explain
15 that the Phase One investigation -- this all began with
16 you effectively being handed a newspaper article, but it
17 ended up with six men, three of whom worked in other
18 children's homes not connected to Kincora, being
19 convicted of and imprisoned for sexual offences against
20 multiple victims dating back many years prior to the
21 date of the article in January 1980.

22 **A. Yes, sir.**

23 Q. And you explain in your statement, if we just scroll
24 down so it can be seen on the screen, that the direction
25 that you were given, including at the start, because, as

1 you know, George, there ends up being a major issue
2 connected to Assistant Chief Constable Bill Meharg, but
3 the direction you were given, if we scroll down so we
4 can see 6(b) please, from the Chief Constable, at that
5 stage Sir John Hermon, and your superiors -- by that
6 I take you to mean Bill Meharg and Chief Superintendent
7 Monaghan and ultimately --

8 **A. Mooney.**

9 Q. Mooney. Sorry. I keep saying "Monaghan". Forgive me
10 -- and then later Assistant Chief Constable John
11 Whiteside --

12 **A. Yes.**

13 Q. -- and throughout all of those investigations the
14 position you were to adopt was there was to be no stone
15 left unturned.

16 **A. Those were the words of the Chief Constable at the time,**
17 **sir.**

18 Q. And --

19 **A. A direction down to me, yes.**

20 Q. And the reality, if I can put it this way, George: the
21 materials that are available to the Inquiry demonstrate
22 that there wasn't -- whoever came up whose name came up
23 in whatever way, whether they be a leading politician,
24 Orange Order members, churchmen, in an entirely
25 different direction men engaged in homosexual activity

1 in Belfast, men said to be interested in children,
2 whatever, whoever's name came up, they were traced and
3 spoken to.

4 **A. That's true.**

5 Q. And the -- I think I've lost the -- there were many
6 hundreds, if I can put it that way, of witnesses spoken
7 to both in the first inquiry and then in the second
8 inquiry and then in the secret inquiry you pursued
9 military figures, including some who would not normally
10 want to be engaged in police inquiries because of their
11 own roles, that would give statements to you as part of
12 those investigations.

13 **A. Yes.**

14 Q. You make the point that many prominent people in public
15 life were spoken to where it was believed that they
16 could either assist with getting to the bottom of what
17 was being said or investigated where they themselves
18 faced allegations.

19 **A. Yes.**

20 Q. I will just give one example that the Panel is aware of.
21 In your Phase Two Inquiry, George, you may remember
22 this, but as a result of one of the media articles
23 linking a particular man who was acquitted of offending
24 in 1970, which was a man called Alan Johnson I think, if
25 I've got the name right, you went back and

1 reinvestigated what occurred in 1970 that resulted in
2 his acquittal, which included chasing down retired
3 resident magistrates and court clerks and working out
4 who signed the register at a given point in time. I am
5 raising that because the Panel are aware of that case as
6 an example of the point you are making that you turned
7 over every stone regardless of who was sitting on it.

8 **A. That is so.**

9 Q. The point you make, if we scroll on then, please, to
10 (d), certainly, George, when we come to especially the
11 Phase Two Inquiry, which was largely driven by articles
12 that were written or reported in the media --

13 **A. Yes.**

14 Q. -- that involved you chasing down lots of avenues that
15 were increasingly distant from allegations of sexual
16 abuse in Kincora.

17 **A. That is true.**

18 Q. You make the point that you weren't always assisted by
19 people who were writing articles but not then sharing
20 with you the sources of the information that were said
21 to be evidence for these articles.

22 **A. That is so.**

23 Q. And is it fair, George, if I put it like this: unless
24 you can trace where the information is said to come from
25 as a police officer conducting an investigation into

1 serious crime, you are in a rather difficult position
2 starting off?

3 **A. Yes, that would be true.**

4 Q. And the point you make in paragraph (d) that's on the
5 screen is that many of the media allegations that were
6 made or published turned out to have no evidential
7 basis.

8 **A. That is so, sir.**

9 Q. If I can try and hone that down a little, George, it is
10 not that there was some truth to them that just you
11 couldn't get any evidence to prosecute with. It was
12 when you examined the claims, it was that there was no
13 evidence for them.

14 **A. That is correct, sir.**

15 Q. Now I am not talking about all of the claims and neither
16 are you, but many of the claims you investigated that
17 result -- that arose from media allegations were simply
18 groundless.

19 **A. I think that is fair comment, sir.**

20 Q. You give two examples in paragraph (d), George, I want
21 to just ask you about. Part of what sparked the Phase
22 Two Inquiry was the R 23 case, and the suggestion of
23 a paedophile ring through him connected to Kincora.

24 **A. That's so.**

25 Q. What you spend many pages in your Phase Two Inquiry

1 setting out, having gathered all of the evidence, and if
2 I can boil it down to this, that particular boy,
3 R 23 , who was abused by his uncle and two of his
4 friends, made the point to you when you traced him that
5 he was never actually in Kincora.

6 **A. That is so, sir.**

7 Q. Didn't know anybody who lived there and didn't himself
8 regard himself as involved in a paedophile ring other
9 than being involved with his uncle and his two friends.

10 **A. That is correct.**

11 Q. Now that's not, as you know, to minimise what happened
12 to him, but it's an example, if I understand you
13 correctly, of the difficulty that you were faced with,
14 that you were having serious allegations being linked to
15 dreadful events that had happened that were
16 sensationalising them, if I can put it that way, and
17 then when you examined them, they were found to be
18 without foundation.

19 **A. That's correct, sir.**

20 Q. The other example that you give was the -- relates to
21 the horrific murder of Brian McDermott in the early
22 '70s. During your Phase Two Inquiry a journalist linked
23 that murder to Kincora --

24 **A. Yes.**

25 Q. -- and individuals said to be associated with Kincora,

1 and as a result of that you had to effectively reopen
2 that investigation to see was there any basis for the
3 claim that was being made to you.

4 **A. Yes, sir.**

5 Q. That resulted by the time you'd done the work and
6 gathered the evidence that it's not that there was some
7 evidence of that which wouldn't amount to a prosecution,
8 but simply there was no evidence whatever of anyone
9 involved with Kincora and your inquiry into Kincora
10 being involved in any way with Brian McDermott or anyone
11 connected to him or his murder.

12 **A. That is true.**

13 Q. But the point you make is it didn't matter ultimately
14 whether or not they were right. They were investigated
15 as far as you could investigate them and the reality of
16 the situation as you describe it in your statement is
17 that took you far and wide --

18 **A. Yes, sir.**

19 Q. -- well beyond the jurisdiction of the United Kingdom.

20 **A. Yes.**

21 Q. You then cover, George, at paragraph (e) of your
22 statement that obviously there were issues that arose
23 for the RUC in -- when you conducted your investigation,
24 because you yourself identified in your report, and then
25 the Sussex investigators carried them on, two particular

1 occasions which we have been looking at before the
2 Inquiry. One related to Superintendent John Graham and
3 information he had been given and the other related to
4 information that arose from Detective Constable Cullen
5 and his communications with the Assistant Chief
6 Constable Bill Meharg.

7 **A. Yes.**

8 Q. You set those out in your report. Those were different
9 matters, as it were, from -- that's a failure to act
10 potentially on relevant information, different from what
11 you were being asked to do in Phase One, which was to
12 catch the people responsible for abusing children in
13 Kincora.

14 **A. Yes.**

15 Q. But the materials in your Phase One report -- and you
16 were explaining to me that, in fact, you had
17 conversations that it was appropriate that an outside
18 force come in and look at these matters because of what
19 you had found as part of your Phase One work.

20 **A. Yes.**

21 Q. What I wanted to ask you, George, as you look back on
22 what was effectively five years of investigating all
23 sorts of matters around Kincora, you make the point that
24 no-one in the RUC ever interfered in the investigations
25 you were conducting.

1 **A. That is so.**

2 Q. So whatever might have been the case about failures to
3 act previously, you weren't put under pressure not to
4 look at something, or not to investigate something, or
5 not to speak to someone at any stage during your work?

6 **A. That is so.**

7 Q. You make the point, often said by police officers
8 pursuing serious crime, "I went wherever the evidence
9 took me".

10 **A. That would be fair comment.**

11 Q. A point you make in paragraph (f), George, is that quite
12 early on in your Phase One report you make the point
13 that you could see that there were boys in Kincora
14 effectively themselves victims but who, as the law stood
15 at the time, were telling you about homosexual activity
16 they were engaged in, which on the face of it could lead
17 to them being prosecuted as well as those they were
18 involved with.

19 **A. Yes, sir.**

20 Q. You felt it was appropriate, so that they could be free
21 to tell you what the position was, that you would go to
22 the then DPP, which was Sir Barry Shaw, and obtain from
23 him an immunity for what began as a particular group of
24 residents who disclosed things in the initial phases of
25 the first inquiry, but then a general immunity as you

1 completed and provided your first report that any
2 resident or ex-resident who was said to engage in
3 homosexual activity shouldn't face prosecution, that
4 they should have immunity, and that was your way of
5 ensuring that those individuals were free to tell you
6 exactly what had gone on.

7 **A. That is true, sir.**

8 Q. Now part of -- the point you make is -- lest it be said
9 of your investigation that that was some form of
10 cover-up, you make the point that you in addition to
11 having a newspaper article and ending with six people in
12 prison, but you genuinely believe that your team
13 couldn't have done more to ensure that the victims of
14 abuse in Kincora were able to speak freely and fully to
15 your team about what had occurred.

16 **A. That is fair comment, sir.**

17 Q. Now one of the consequences -- and I think you were
18 explaining this to me when we spoke previously, George,
19 and you can maybe explain it to the Panel as to what you
20 mean by this -- but where an individual who was living
21 in Kincora, you then are quite often speaking to them as
22 an adult, many of them continued to engage in homosexual
23 activity --

24 **A. Yes.**

25 Q. -- and many of them disclosed to you other individuals

1 not connected to them necessarily during their time in
2 Kincora who they were engaging in homosexuality with --
3 having homosexual relations with. Your investigation,
4 if you like, went to the next step of tracing those
5 individuals who themselves were never said to be in or
6 involved in Kincora or having -- engaging in sexual
7 offences connected to Kincora, but because at the time
8 their activity was criminal behaviour, you pursued them
9 and obtained in many cases confession statements from
10 adults who were engaging in homosexual activity with
11 other adults --

12 **A. Yes.**

13 Q. -- or in some cases boys or young men under 18, and all
14 of those matters were reported to the DPP, and you
15 recommended they be prosecuted, and it was then a matter
16 for the DPP to decide whether they should be prosecuted
17 or not.

18 **A. Yes, sir.**

19 Q. In the end the Panel are aware from the DPP direction
20 that they elected not to prosecute the significant
21 number of individuals that had disclosed homosexual
22 activity to you as part of the investigation.

23 **A. Yes.**

24 Q. But you make the point in your statement, George, that
25 this process of moving to the next ripple, if I can put

1 it that way, was your way of ensuring that you chased
2 down any potential for there being rings and
3 prostitution or anything of that nature connected to
4 Kincora, because each time someone was named, you went
5 and found them, and if they named someone else, you went
6 and found the third person and so on until everybody who
7 had been named had been spoken to --

8 **A. Yes, sir.**

9 Q. -- where they could be found.

10 **A. Where they could be found.**

11 Q. In paragraph 8 -- and we have covered this already,
12 George -- you make the point about the cooperation you
13 gave to the outside investigators when they came in --

14 **A. Yes.**

15 Q. -- which they refer to. You make the point in
16 paragraph (i) that when it was apparent that Assistant
17 Chief Constable William Meharg had been previously
18 involved to some extent in allegations relating to
19 William McGrath, your recollection is that Sir John
20 Hermon arranged for you to report directly to Assistant
21 Chief Constable John Whiteside.

22 **A. Yes.**

23 Q. That was the way to avoid any conflict of interest.

24 **A. Yes.**

25 Q. Your recollection is at the start, because he was the

1 Head of Crime, Bill Meharg was involved in effectively
2 setting up the investigation and handing it to you to
3 get on with --

4 **A. Yes.**

5 Q. -- but your recollection is that John Whiteside
6 ultimately would become the main person you would
7 communicate with --

8 **A. Yes.**

9 Q. -- in respect of it.

10 **A. Yes, sir.**

11 Q. Then in paragraph 7, George, you make points which may
12 well be obvious to the Panel Members, but -- that as
13 part of your investigations into Kincora, but in your
14 general policing investigations over the course of
15 a career of almost forty years, but this applied to the
16 Kincora investigations, as I understand the point you
17 are making, not all the allegations that were made were
18 true.

19 **A. Yes. That's right.**

20 Q. Some individuals were prepared to and did make
21 allegations which were untrue.

22 **A. Yes.**

23 Q. Some individuals exaggerated what happened or attempted
24 to minimise their role in what had occurred.

25 **A. Yes, sir.**

1 Q. If we scroll down to (d), some individuals, including
2 responsible adults, as the Panel has looked at over the
3 last number of days, made allegations to the media that
4 had no basis in fact, or which were wildly exaggerated,
5 or so wildly exaggerated that allegations appeared in
6 the media that were entirely unsupported by the
7 evidence.

8 **A. That is correct, sir.**

9 Q. You have made the point which is in paragraph (e), which
10 is that journalists by not giving you the identities of
11 sources made it more difficult for you to investigate.

12 **A. That's right.**

13 Q. Now you then -- if we scroll down, please, at
14 paragraph 8 you address a number of specific incidents
15 that you draw to the Panel's attention and the Inquiry
16 discussed them with you.

17 The first related to Joss Cardwell. You have
18 explained in the statement, as you did in your report,
19 that Joss Cardwell's name only came up in your
20 investigation because a journalist brought it up --

21 **A. That's right, sir.**

22 Q. -- and that at no time, as I understand -- and you have
23 said this I think if we scroll down slightly further --
24 yes, it is in paragraph 11 -- at no time during your
25 investigation did anyone ever make an allegation against

1 that man.

2 **A. No-one, sir.**

3 Q. And it doesn't -- to the Inquiry's knowledge no
4 allegation has ever been made subsequently. The point
5 you were making is when you carried out the
6 investigation as a result of his name being raised with
7 you, his name did appear in the visitors' book in
8 Kincora, but with good reason --

9 **A. Yes.**

10 Q. -- in that part of his role meant he was required at
11 times to visit.

12 **A. Yes.**

13 Q. Unfortunately, as you point out, you don't know why, but
14 he subsequently a number of weeks after being
15 interviewed committed suicide.

16 **A. Yes, that's true.**

17 Q. You go on, George, in paragraph 13, if we scroll down on
18 to the next page, please, to speak about Ian Cameron --

19 **A. Yes.**

20 Q. -- the MI5 intelligence officer who was based as the
21 Assistant Secretary Political with the Army in
22 Headquarters Northern Ireland in Lisburn in Thiepval in
23 1975.

24 **A. Yes.**

25 Q. You point out at the start of this passage that the

1 direction and your approach was to leave no stone
2 unturned, and the one area where that was not achieved
3 to your satisfaction was during the secret investigation
4 or the Phase Three investigation, as we are calling it,
5 into military intelligence.

6 **A. Yes.**

7 Q. That related to Captain Brian Gemmell and what he said
8 to you in his police statement after an interview
9 with -- that he had with Roy Garland.

10 **A. Yes.**

11 Q. Now the Inquiry is going to look at, as I explained to
12 you, George, all what was said to you at the time and
13 what has been said subsequently by him and others in
14 relation to it, but what you were dealing with at the
15 time was he had said to you in his police statement that
16 he'd spoken to Roy Garland and that he'd brought
17 information to Ian Cameron.

18 **A. This is Brian Gemmell?**

19 Q. This is Brian Gemmell. He had got his information from
20 Roy Garland, brought it to Ian Cameron and Ian Cameron
21 had given him a direction not to get involved in
22 homosexual matters. Now there's a major issue about
23 what exactly he was told and what Ian Cameron was
24 answering when he was asked about these matters by Brian
25 Gemmell, and the Inquiry will look at that, but from

1 your perspective as a police officer investigating,
2 Brian Gemmell -- Brian Gemmell raised his name with you
3 as someone who had some knowledge that Brian Gemmell had
4 passed on to him, and he had received a direction from
5 him and as a result you wanted to speak to him.

6 **A. Yes.**

7 Q. I think you -- it's phrased delicately in your
8 statement, but the result of you wanting to speak to him
9 caused all manner of issues, and if I summarise it this
10 way: your desire to speak to him resulted in your Chief
11 Constable, the Director of Public Prosecutions, the
12 Attorney-General of the United Kingdom, the legal
13 adviser for the security service, M15, all engaging in
14 prolonged discussions over many months about your desire
15 to talk to Ian Cameron.

16 **A. Yes.**

17 Q. And the -- eventually we got to the point of you writing
18 thirty questions that you wanted a formal response to.

19 **A. Yes, sir.**

20 Q. Formal answers were not provided to you.

21 **A. That's correct.**

22 Q. This ended, as the Inquiry is aware, with Assistant
23 Chief Constable Whiteside writing a letter in 1983
24 saying, "Well, this is what we wanted to do. This is
25 where it's at. Now over to you", and he hands it over

1 to the DPP and the Attorney-General, saying you, as in
2 he and you, stand ready to take the matter any further,
3 but you can't take it further if you can't talk to this
4 individual.

5 **A. Yes.**

6 Q. Now you'll know -- if we scroll down so we can see
7 paragraph 18 -- the Inquiry having gained material --
8 you were coming at it from an RUC senior officer
9 investigating and from the knowledge that you had, and
10 what the Inquiry has been able to do, as we were
11 discussing previously, was gather the information from
12 the other angle, as it were, as to what MI5 were doing
13 and then put the two together and allow the Panel to
14 look at that material in the round.

15 There are documents, as you know, from July to
16 November 1982 involving discussions, with Special Branch
17 facilitating discussions, where information is being
18 given to you, and one of those, as I was discussing with
19 you, shows a suggestion at any rate that a summary of
20 what Ian Cameron's position was, which largely agreed
21 with what Brian Gemmell said in his police statement,
22 was communicated to you, but your position was well --
23 if I can summarise it this way, George, but maybe let
24 you put it in your own words -- it's all very well
25 someone telling you what the position is, but as

1 a police officer that's not enough for you to finish
2 your inquiries.

3 **A. It was not in this case.**

4 Q. You in paragraph 19 address the fact that although there
5 is the document which suggests the gist of Ian Cameron's
6 answers were provided to you and you are recorded as
7 having said they matched what Brian Gemmell had said,
8 you don't at this remove -- and you were making this
9 point to me when we discussed it -- you don't remember
10 those meetings specifically at this remove, which would
11 have been in fairness thirty --

12 **A. Yes.**

13 Q. -- thirty-three, thirty-four years ago.

14 **A. That is true.**

15 Q. But the point you are making is even if the record is
16 entirely accurate that you were conveyed the information
17 and you could see that what was being said broadly
18 matched what Brian Gemmell was saying, you as
19 an investigating police officer wanted a formal response
20 to complete your inquiry --

21 **A. Yes.**

22 Q. -- and you did not get that formal response.

23 **A. That's correct.**

24 Q. Therefore am I right in saying, George, that you always
25 regarded that part as not complete, because you can't

1 get it as a police officer formally on the record?

2 **A. Yes. I would say it was a loose end.**

3 Q. You can understand, and we were discussing, because the
4 material which you didn't know then but which you know
5 now coming in the opposite direction, which were the
6 reasons why the Security Service didn't want one of
7 their personnel being interviewed by police generally as
8 a rule, because they regarded it as not being able to
9 contribute anything and so on, and these discussions are
10 going on at a high level, that's all very well, but you
11 wanted the thing closed off?

12 **A. Yes.**

13 Q. The other loose end, if I can put it that way, George,
14 you then talk about from paragraph 21 on in your
15 statement and that related to Colin Wallace. If we --
16 you can see you have said in paragraph 21 that was the
17 other outstanding line of inquiry. In effect you say,
18 to try and summarise it, he refused to cooperate with
19 the investigation --

20 **A. Yes.**

21 Q. -- despite claiming he wanted to assist.

22 **A. Yes.**

23 Q. Now if I can try and unpack that a little, the sequence
24 of events tended to be he wanted to assist. You would
25 go and see him. There would be some issue raised. You

1 would go off, try and address the issue, come back and
2 be told what you'd done wasn't sufficient.

3 **A. That's correct.**

4 Q. Now I think, if I am not being inaccurate, at one stage
5 in one of your reports you thought you had done enough
6 to call his bluff, having got immunity for him in
7 respect of the matters he said he wanted to tell you
8 about.

9 **A. Yes.**

10 Q. But when that was presented I think -- do you want to
11 explain? It was a very short interview when you
12 presented the immunity.

13 **A. Yes, about fifteen minutes I think. It was under
14 an hour anyway.**

15 Q. The point that you are making in paragraph 22, George,
16 to summarise a long sequence of exchanges, was you
17 wanted to get to the bottom one way or the other of the
18 claims he was making.

19 **A. That's correct, sir.**

20 Q. But by him adopting this course of, on the one hand,
21 telling you he wanted to cooperate, but then giving you
22 reasons why he couldn't cooperate --

23 **A. Yes. He set down conditions.**

24 Q. -- the result of that was that you just couldn't get to
25 the bottom of it.

1 **A. No, sir.**

2 Q. Did you form a view eventually, George, in the course of
3 this that did he intend to cooperate, did he want to
4 cooperate, or had you formed a view that well, that was
5 what was being said to you, but that wasn't really the
6 reality?

7 **A. Well, when I -- at my final interview with him I formed**
8 **the opinion that he was not going to cooperate in any**
9 **way.**

10 Q. You then make the point in paragraph 23, and the Panel
11 has your two reports, because you deal with Colin
12 Wallace's claims during your secret investigation Phase
13 Three and then Phase Four was looking specifically at
14 the document that came to light, and I am right in
15 saying, George, that when you were looking at the
16 military intelligence aspect and Colin Wallace in '82
17 and '83, there was no mention of this document?

18 **A. No, not at all.**

19 Q. The document materialised at a later date --

20 **A. Yes.**

21 Q. -- which seems to be I think November '84, and
22 thereafter you carry out a specific investigation into
23 it.

24 **A. Yes.**

25 Q. Again the same sequence of events occur.

1 **A. That's true.**

2 Q. You set out the findings then in your report as far as
3 you could take them.

4 **A. That's correct, sir.**

5 Q. And the point, if we scroll down to paragraph 25, in
6 summary that you make, George, is:

7 "Colin Wallace adopted a very strange approach for
8 someone who claimed through many media articles" -- and
9 indeed is still claiming through many media articles --
10 "that he wanted to speak and assist about Kincora."

11 **A. That is true, sir.**

12 Q. Now then, George, I want to look at what you say in the
13 conclusion section of your statement. You have
14 obviously, George, over the years saw many media
15 articles about this place that you spent five years
16 investigating.

17 **A. Yes.**

18 Q. You are aware of the more sensational, if I can put it
19 that way, of those allegations that have been carried
20 and continue to be carried.

21 **A. Yes.**

22 Q. But the point that you are making to the Inquiry is from
23 your investigations you were satisfied that the RUC
24 identified and had prosecuted those individuals who had
25 sexually abused boys in Kincora.

1 **A. Yes.**

2 Q. That the sexual abuse occurred generally in secret
3 between the two individuals who were involved at any
4 particular point in time.

5 **A. Yes.**

6 Q. That you did uncover many potential missed opportunities
7 to detect the offences --

8 **A. Yes.**

9 Q. -- which you were then uncovering in 1980, but you
10 didn't find any evidence that an individual had
11 deliberately tried to cover up the abuse in Kincora, and
12 you explain what you mean by that, because, as you know,
13 the words become more elastic nowadays in reports, but
14 what you are talking about is in the sense that
15 an individual knew boys were being abused and did some
16 positive act to hide it or turned a blind eye to the
17 fact that it was occurring --

18 **A. Yes, that's true.**

19 Q. -- as opposed to different information, which was
20 someone was a homosexual and simply a belief that that,
21 therefore, meant they would be abusing.

22 The point that I take you to be making here is that
23 you didn't -- you never found any evidence of
24 an individual who knew boys in Kincora were being abused
25 and did something to try and hide it.

1 **A. That's fair comment, sir.**

2 Q. Then you make this point, George, in the next
3 paragraph of your -- 26(e), and you make the
4 qualification, just to be clear, it depends what exactly
5 is meant by these phrases, but you were and remain
6 satisfied there was no evidence of a prostitution ring
7 --

8 **A. That is true, sir.**

9 Q. -- connected to Kincora; that there wasn't a paedophile
10 ring as it might be today defined of people coming into
11 Kincora on some sort of organised basis to engage with
12 or take boys out to engage with them in homosexual
13 offences?

14 **A. That is very true, sir.**

15 Q. And the same applies to the concept of a vice ring?

16 **A. Yes.**

17 Q. What you did uncover was three men who abused the trust
18 that was placed in them and took advantage of the boys
19 in their care.

20 **A. Yes.**

21 Q. But you also found evidence of boys in Kincora engaging
22 in homosexual activity with other people.

23 **A. Yes, sir.**

24 Q. But not prostitution ring or paedophile ring in that
25 sort of form that's envisaged in the allegations.

1 **A. No such evidence or suspicion.**

2 Q. The point that you make then in paragraph (f), and this
3 was the allegation that sparked the second phase inquiry
4 that led into all manner of investigations in various
5 directions, there was no evidence of any prominent
6 establishment figures coming into Kincora to sexually
7 abuse boys or take boys out of Kincora for that purpose.

8 **A. None whatsoever.**

9 Q. So, George, you from your experience as a police officer
10 will be familiar between the difference of there's some
11 evidence for this, but it's not going to be sufficient
12 to sustain a prosecution and there's just no evidence
13 for it, and what I take you to be describing here is not
14 the former. It is not the case that you found some
15 evidence for this, but you weren't going to get the
16 person convicted of it. It's you didn't find any
17 evidence of this at all.

18 **A. That's why I said "none whatsoever".**

19 Q. You point to in your statement that the best evidence of
20 this fact is what the boys themselves have to say, and
21 the Panel is aware, because I have gone through what,
22 giving voice to the victims, each of them had to say to
23 you and to subsequent investigations and have said
24 subsequently to the Inquiry.

25 Now none of this is to say, George -- you, of

1 course, prosecuted the men for the offences that they
2 did commit --

3 **A. Yes.**

4 Q. -- on the boys in their care, but the point you're
5 making is that none of them ever claimed to have been
6 involved in this type of wider activity of paedophile
7 rings or prosecution rings involving prominent or
8 establishment figures, politicians and businessmen and
9 that type of thing. None of them made those claims.

10 **A. That is true, sir.**

11 Q. You make the point there were isolated examples of
12 Kincora residents associating with men outside the home
13 and you investigated those allegations, but they don't
14 fall into the type of category that you and I are
15 presently discussing.

16 **A. That is true, sir.**

17 Q. You make the point there was no evidence of anyone being
18 blackmailed because of their sexual activity at Kincora.
19 No-one ever claimed to you that that was the case.

20 **A. No-one, sir.**

21 Q. Now then you address at the Inquiry's request, George,
22 the wider allegation which has continued to run and
23 continued to be reported even to today and that is that
24 there was some State-run operation to promote or
25 facilitate sexual offences in Kincora for some

1 intelligence-gathering or other purpose. So not
2 a reactive attempt to cover over abuse that was
3 occurring, but a proactive for a State purpose of some
4 kind operation that saw boys in a care home,
5 a children's home, sexually abused to gather
6 information, and the point that you make in this
7 paragraph is you found no evidence of that whatever.
8 Not again that there was some evidence that wasn't going
9 to meet the evidential test. There was just no evidence
10 of it.

11 **A. I found no evidence whatsoever, sir, on anything like**
12 **that.**

13 Q. And no boy or men ever claimed anything like that to
14 you?

15 **A. No.**

16 Q. Then you make the point that follows from that point,
17 George, in paragraph 5. Consequently you didn't find
18 any evidence of an individual or organisation trying to
19 cover up that sort of scheme, because you didn't find
20 that sort of scheme in the first place.

21 **A. That is true, sir.**

22 Q. You make this point then, that you remain content with
23 the conclusions that you reached as expressed in the
24 reports at the end of the different phases of the
25 investigation, and you make the point again that there

1 was no paedophile ring or prominent figures involved in
2 abusing boys in Kincora at least to the extent of your
3 police inquiry, which was to trace I think in the end --
4 there was some debate over the figures -- but around
5 about -- you managed to trace half of approximately the
6 resident of Kincora that had ever been through it
7 between '58 and '80.

8 **A. Yes. That is true.**

9 Q. The point you make about those wider allegations is
10 they're not only not made, but they're entirely
11 inconsistent with what the victims of Mains, Semple and
12 McGrath and the other former residents of Kincora
13 actually had to say to you.

14 **A. That is true, sir.**

15 Q. George, as you know, I mentioned to you the Inquiry is
16 looking at the RUC failures in '74, including involving
17 Messrs Cullen and Meharg, and we're continuing issues
18 around that. I have said to you we will speak to you
19 again about that --

20 **A. Yes.**

21 Q. -- if the need arises and you have said you are happy
22 for us to do that.

23 **A. Yes, sir.**

24 Q. I, George, am not going to ask you any further questions
25 at this point. The Panel Members may want to ask you

1 something. So if you wouldn't mind, if you would bear
2 with us for a short while they do that.

3 Questions from THE PANEL

4 CHAIRMAN: First of all, Mr Caskey, can I thank you on
5 behalf of myself and my colleagues for coming out of
6 retirement to look again at what on any showing was
7 a vast undertaking or perhaps more accurately series of
8 undertakings that you and your officers engaged in, but
9 before I do that may I ask you perhaps one or two things
10 that may seem obvious? You retired with thirty-nine
11 years' service. Was the majority of that as
12 a detective?

13 **A. It was thirty-four years, sir.**

14 Q. And during the period we are looking at you were
15 initially a detective chief inspector and then
16 a detective superintendent.

17 **A. That is so.**

18 Q. Then subsequently you were promoted to and retired as
19 a detective chief superintendent.

20 **A. Yes, sir.**

21 Q. So if we may put it this way, in operational terms, as
22 opposed to an ACC, who might oversee matters such as the
23 CID in general, you were one of those who was at the
24 highest rank of operational detective policing in the
25 RUC. Is that correct?

1 **A. Yes, sir.**

2 Q. And as is evident to us from having looked at the vast
3 quantity of material you and your colleagues drew
4 together, you carried out a great many of the interviews
5 of individuals who were investigated yourself with, as
6 is the standard practice, another officer present,
7 usually of junior rank to yourself.

8 **A. That is so, sir.**

9 Q. And if I might just ask you: with your experience as
10 a detective would you agree that not everybody will be
11 either entirely accurate or entirely truthful in what
12 they say to a police officer?

13 **A. Yes, sir. That can happen.**

14 Q. And they may have difficulty in remembering things that
15 happened?

16 **A. Yes.**

17 Q. They may need to have their memory prompted with
18 a document or a statement made by another witness and
19 then they may either genuinely or perhaps reluctantly
20 agree that their earlier account was inaccurate or
21 perhaps incomplete?

22 **A. Yes. In cases such as these, sir, because some of the**
23 **residents we interviewed had -- had been married and**
24 **they didn't to disclose entirely what actually happened.**
25 **So there was an understanding when interviewing people**

1 **that we had to make sure that there was no embarrassment**
2 **alluded to them if they were going to make a statement.**

3 Q. And arising out of that in a general way was it the
4 approach certainly when you came to submit your reports
5 that where someone had been prevailed upon as a young
6 man perhaps or as a teenager to engage in what were then
7 illegal sexual acts, that generally speaking, unless
8 they themselves had breached some form of trust, that it
9 was your view that it would not be in the public
10 interest for them to be prosecuted?

11 **A. That's true, sir.**

12 Q. And I think it is evident from the documents that we
13 have looked at that apart from the Kincora Boys' Home,
14 which we are concerned with at this moment, that, in
15 fact, you investigated -- when I say you, you and your
16 team investigated quite a number of other homes, such as
17 Williamson House and places of that nature --

18 **A. Yes. That is true.**

19 Q. -- because there were three other men who appeared at
20 the same court as Mains, Semple and McGrath for similar
21 offences perpetrated elsewhere.

22 **A. Yes, sir.**

23 Q. And in addition to those homes which you were directly
24 responsible for it appears to be the case that at some
25 point when allegations emerged in relation to other

1 homes that you were given the task of perhaps
2 maintaining a watching brief over those investigations
3 or at least being informed of them to ensure that, first
4 of all, they were properly investigated and, secondly,
5 that the whole wider picture, if there was one, was laid
6 before you.

7 **A. Yes, sir. That is so.**

8 Q. One of the things that is perhaps not generally
9 appreciated is that in the normal way when a police
10 investigation is carried out and the papers are
11 submitted to the relevant prosecuting authorities, if
12 there is a prosecution, then it follows, does it not,
13 that the nature and extent of the investigation will
14 appear publicly if there's a trial?

15 **A. Yes, it would, sir.**

16 Q. If the accused pleads not guilty --

17 **A. Not guilty, yes.**

18 Q. -- then it is laid out in very considerable detail and
19 you see the witnesses who are called. If the accused
20 pleads guilty, well, then generally, even if the papers
21 are before the court, a relatively short description of
22 the salient points but not all of the detail --

23 **A. No.**

24 Q. -- will be made before the judge and therefore before
25 the public. Isn't that right?

1 **A. That's true.**

2 Q. But if there is a decision that there should be no
3 prosecution, then the nature and extent in detail of the
4 work that has been done is never brought before the
5 public. Isn't that so?

6 **A. That's true.**

7 Q. And even if, as there was in the case of Sir George
8 Terry's Inquiry, another force under another Chief
9 Constable's direction was brought in, the normal course
10 is only to publish the conclusions. Isn't that so?

11 **A. That's true, sir.**

12 Q. But the one exception where there has not been a trial
13 is when there is a public inquiry such as our own or
14 that conducted by the late Judge Hughes, and in those
15 circumstances the nature and extent of any police
16 investigations may well be placed before the public.
17 Isn't that so?

18 **A. That is true.**

19 Q. When you were conducting your inquiries in 1982 and '83,
20 that is the second and third, the third being the secret
21 phase, were you aware that, perhaps just from newspapers
22 and public comment, that there were calls for a public
23 inquiry into Kincora and into the way the police had
24 investigated it, that that was a possibility?

25 **A. Oh, yes. It would be, sir.**

1 Q. Yes, and would that knowledge have been in any way
2 an added spur to you to ensure that no stone was left
3 unturned?

4 **A. Well, when you are getting a direction from someone like**
5 **Sir John Hermon, you left no stone unturned, nor would**
6 **I even consider leaving any stone unturned in such**
7 **circumstances.**

8 Q. If we could come then to one or two of the particular
9 things that you have told us about, leaving no stone
10 untold -- unturned, you felt that there was a loose end
11 in relation to your attempts to interview Ian Cameron.
12 Isn't that correct?

13 **A. Yes, sir.**

14 Q. And it will become apparent from documents we will look
15 at later that The Security Service was not very happy
16 with the idea that you would directly speak to Ian
17 Cameron. Isn't that so?

18 **A. That's true.**

19 Q. And ultimately you drafted the thirty questions?

20 **A. That's so.**

21 Q. Can you recall if the idea for the thirty questions was
22 your own idea and adopted and approved by others or did
23 it come from another source and you thought that was
24 a good idea?

25 **A. I wanted to do that, but I did speak with who later**

1 **became Sir Alasdair Fraser in the Director's office, who**
2 **had been appointed by Sir Barry to liaise if there were**
3 **any difficulties the police investigation encountered,**
4 **and whilst I can't remember exactly, but I'm pretty**
5 **certain that I discussed this with Sir Alasdair and the**
6 **questions were formulated or they were maybe changed in**
7 **some way.**

8 Q. And Sir Alasdair sadly has since died --

9 **A. Yes.**

10 Q. -- who later succeeded Sir Barry Shaw --

11 **A. Yes.**

12 Q. -- as Director of Public Prosecutions, but in any event,
13 although you may not have been aware of this at the
14 time, your Chief Constable, Sir John Hermon, Sir George
15 Terry, the Attorney-General, the DPP and the legal
16 adviser to the Security Service were all at different
17 times -- they weren't all there on each occasion -- but
18 they all appear to have spent a great deal of time
19 discussing how your, if I may say so, very proper
20 insistence that Mr Cameron should at least answer the
21 questions was to be met.

22 **A. I would have thought so, sir.**

23 Q. Yes. Indeed, in 1983, when you finally submitted your
24 report, we will hear I think that Assistant Chief
25 Constable John Whiteside had earlier sent your questions

1 to The Northern Ireland Office in an attempt to through
2 that route get an answer.

3 **A. Yes.**

4 Q. Were you aware of that at the time?

5 **A. I was aware that he submitted them, but -- to the**
6 **Northern Ireland Office.**

7 Q. Yes. So far as Sir Alasdair Fraser, whom you have
8 referred to, but Sir Barry Shaw was concerned, you I am
9 sure submitted a great many reports which were
10 ultimately considered in other cases by Sir Barry, cases
11 of -- controversial murder cases or matters of that
12 sort?

13 **A. Yes, that would happen, sir.**

14 Q. Was his reputation as a Director someone who was
15 meticulous in the work that he expected others to
16 provide for him?

17 **A. That's my belief, sir.**

18 Q. And was he anxious to ensure that whatever was placed
19 before him was dealt with in a thorough and impartial
20 way by his Department?

21 **A. Very much so.**

22 Q. Would it be unfair to put it this way, that you had to
23 cross all the Is and dot all the Ts -- the other way
24 round -- I am sorry -- dot all the Is and cross all the
25 Ts?

1 **A. Well, I know when I was sending anything to Sir Barry,**
2 **yes, they were all dotted and stroked.**

3 Q. You have pointed out to us that you interviewed a very
4 large number of people. Would it be fair to say, with
5 very few exceptions, everybody, no doubt with varying
6 degrees of enthusiasm, was prepared to submit to being
7 interviewed and to answer questions?

8 **A. Yes, sir.**

9 Q. But there were two areas in which that does not seem to
10 have been the case from what you said. The first was
11 a number -- I should say not all, but a number of
12 journalists would not give you the source from which
13 some form of assertion had come.

14 **A. Yes, sir.**

15 Q. If that happens, is there anything you can do?

16 **A. In these cases it depended on the depth of the**
17 **information one was getting, and I never saw any reason**
18 **to threaten, if I may use that word, any journalist that**
19 **there could be repercussions for them if they didn't,**
20 **because most of them, if not all of them, did give me --**
21 **not giving the names of their sources or the sources of**
22 **the information, but were passing on the material, which**
23 **I found useful.**

24 Q. Yes. So in some instances they might say perhaps,
25 "Well, I will go back and speak to the person and try

1 and encourage them to change their position and speak to
2 you"?

3 **A. No, I never got that position. I don't recollect**
4 **anything that might have happened, sir, but I don't**
5 **recollect that happening.**

6 Q. Yes. Finally, you did make a number of efforts I think
7 to speak to Mr Wallace.

8 **A. Yes.**

9 Q. More than one, if I recall correctly.

10 **A. I spoke with him twice in prison, in the prison in**
11 **Sussex, and I sent my Detective Inspector Ted Cooke on**
12 **one occasion to see him. That was between my first**
13 **interview and the second interview.**

14 Q. So there were three visits from RUC officers.

15 **A. Yes.**

16 Q. Is that correct? As you said, he was in prison at that
17 time. As will become apparent, he was serving
18 a sentence for manslaughter and his conviction was
19 quashed some years later.

20 **A. That's true, sir.**

21 Q. But he was in prison when you were speaking to him or
22 your officer spoke to him?

23 **A. Yes, he was.**

24 Q. I take it there were quite a number of matters that you
25 would have wished to discuss with him?

1 **A. Yes, indeed.**

2 Q. And I think the way you put it was that you felt he
3 adopted a very strange approach?

4 **A. He did, and he just wasn't cooperative and wanted**
5 **conditions laid down for him to speak with me. One of**
6 **them I recall was that he said he would need to return**
7 **to HQNI and it would take him probably six months or**
8 **more to find the material that he could address me with,**
9 **and -- but then when -- when we got the immunity for him**
10 **from the Director of Public Prosecutions and the --**
11 **I think he was entitled Inspector General, but a very**
12 **high-ranking situation within the Army, and when**
13 **I served the letters on him, he discussed the matters**
14 **with his solicitor and the solicitor advised him to say**
15 **nothing more, and that was the end of our contact with**
16 **Mr Wallace.**

17 Q. I think you may be referring to Major-General Garrett,
18 who gave an authorisation --

19 **A. Garrett, sir. That's the very name, yes.**

20 Q. -- that he was permitted to discuss matters that might
21 be covered by the Official Secrets Act.

22 **A. That's it. That's the one.**

23 Q. And of course when Mr Wallace suggested he would need
24 six months in Lisburn, he was a serving prisoner in
25 England at the time.

1 **A. Yes. He was very keen to get out of prison at that**
2 **time.**

3 Q. That's probably a pretty universal view of most
4 prisoners.

5 **A. Yes.**

6 Q. I think those are all the questions I have for you,
7 Mr Caskey, unless my colleagues wish to ask you some
8 questions.

9 MS DOHERTY: Thanks very much, Mr Caskey. I am over here.
10 Hi! That has been very, very helpful.

11 I have just one question and I ask it in the
12 knowledge that this is a long time ago that I'm asking
13 about, but we're conscious that Mr Semple and Mr Mains
14 knew each other before they actually began to work
15 together in Kincora, and I was just wondering if you
16 ever picked up whether Mr McGrath had relationships with
17 them or knew them or knew of them before he came to
18 join? Was there any -- did you pick up any connection
19 between McGrath and those two gentlemen?

20 **A. I don't recall that indeed. I can't answer that one.**

21 Q. Okay. Thanks very much.

22 **A. Thank you.**

23 MR LANE: If I might ask one too. You were talking about
24 Colin Wallace just now to the Chairman. Did you feel
25 that whatever solutions you came up with, such as

1 immunity from prosecution, he was going to find other
2 objections and really didn't want to speak to you?

3 **A. Without a doubt.**

4 Q. Thank you. The second question is that obviously you
5 will have been focusing on looking at the offences and
6 the allegations of offences and so on, but did you form
7 any other views about the way Kincoira was run or managed
8 as a hostel?

9 **A. The home itself was very clean. I have to say that's**
10 **how I looked upon it, and Mr Mains seemed to be a very**
11 **competent social worker, if that was his title at the**
12 **time, in the home, and so much so that he -- that the**
13 **Social Services had every confidence in him, and I just**
14 **feel he was a man who was able to say "You know, I am on**
15 **top of all this" and exuded confidence, if you like, to**
16 **people who would have come into the home.**

17 Q. There were some allegations that boys were beaten and so
18 on on occasion. Did you come across those at all?

19 **A. I have no recollection of that, sir.**

20 Q. You don't. Fine. One last question. Clearly you made
21 it absolutely clear that there was in your view no ring
22 of any sort that was organised, but how come that three
23 out of three of the staff ended up as being predatory
24 paedophiles? Do you have any view of how that happened?

25 **A. Yes, but when the allegations were made of that, it was**

1 **that there were other high-ranking individuals coming**
2 **into the home or boys being rented out to them, and**
3 **there was no evidence whatsoever of that. Yes. You**
4 **were saying was it a paedophile ring with Mains, Semple**
5 **and McGrath?**

6 Q. Yes.

7 **A. We gained the impression that they operated as**
8 **individuals. They knew what each other was doing, but**
9 **there was no question of, say, running a party in the**
10 **home and ending up with boys being sexually abused.**
11 **There was nothing like that.**

12 Q. Accepting that there was no ring, it must have been
13 really an incredible coincidence that three people were
14 all recruited with that sort of proclivity.

15 **A. That is something we looked at.**

16 Q. Did you form any view on that?

17 **A. Well, other than it happened, and very difficult to**
18 **understand just how it -- the three of them had to keep**
19 **it quiet. That is the one thing, and it did not appear**
20 **to get out to the Social Services responsible for**
21 **running the home.**

22 Q. Thank you very much indeed.

23 CHAIRMAN: I am afraid, Mr Caskey, I have realised
24 I overlooked two things and I would like to just ask you
25 about them again, but arising out of my colleague's last

1 questions, Mains was there for many years, Semple was
2 there for a shorter period of time, McGrath was the last
3 to arrive, and when you started to conduct your
4 investigations, Mains and Semple made a number of
5 admissions. They did not admit everything, but they
6 made a number of admissions to very substantial and
7 serious, very grave sexual crimes up to and including
8 buggery. McGrath denied everything and maintained his
9 plea of not guilty until he was faced with the prospect
10 of the trial getting underway and on that day he pleaded
11 guilty. Isn't that right?

12 **A. Yes, that's right.**

13 Q. So far as he was concerned, neither you nor your
14 colleagues with the mass of evidence you had were able
15 to come to a position where he would admit his guilt no
16 matter what you put to him. He maintained a complete
17 denial. Isn't that right?

18 **A. That's so.**

19 Q. Was that the case when Semple was examined or
20 questioned?

21 **A. No. If I could use probably police language, Semple was
22 the weak link --**

23 Q. Yes.

24 **A. -- or the weakest of the three. Mains had more to, if
25 you want to put it, cover up, because he -- he was**

1 responsible for the residents coming into the home, and
2 there was a suspicion that when he I believe was
3 stationed or was based in Williamson House, that others
4 who were passing children on, say, to Bawnmore and then
5 eventually through age coming into Kincora, that Mains
6 knew by then if -- what the proclivities of that
7 child -- sexual proclivities of that child was to.
8 There was one or two cases of that we looked at quite
9 closely.

10 Q. And did you find anything to suggest that, as it were,
11 Predator A in one home would pass to Kincora, you know,
12 "Here is a boy that you can exploit"?

13 A. Well, as I under... -- sorry. As I understood it, Mains
14 worked with a fellow who was in Williamson's House--
15 Williamson House, and that was the suspicion or the
16 information -- sorry -- that was coming through, that
17 Mains was being advised by a friend of his back either
18 in Bawnmore or Williamson House to -- so that he would
19 know whether or not to approach the guy -- the resident
20 when he would come in.

21 Q. Of course, if that were happening, it would be something
22 that would be very difficult to prove without
23 an admission. Isn't that so?

24 A. Very much so.

25 Q. Did you find anything that elevated it perhaps from

1 a mere allegation or not surprising inference to
2 something more concrete?

3 **A. I have to confess I just could not answer that question**
4 **now, because of time.**

5 Q. No.

6 **A. I don't remember.**

7 Q. But I think it's fair to say there were never any formal
8 charges in relation to anybody procuring children for
9 Kincora?

10 **A. That type of behaviour. You are quite right, sir.**
11 **There was not.**

12 Q. And if I might then pose this question to you. If, let
13 us say, in 1967 or 1971 before McGrath arrived, as he
14 did, later in 1971, but if in those years the matter had
15 been reported to the police and Semple was questioned,
16 do you think it is possible or perhaps even more likely
17 or probable that Semple would have immediately confessed
18 and therefore the whole ambit of what had happened up to
19 that date might have been revealed and investigated?

20 **A. I don't know, but when we interviewed both Mains, Semple**
21 **and indeed McGrath, the evidence was overwhelming at**
22 **that time and so it was a pretty strong case against**
23 **them even at the interviews. Now that other part of it**
24 **I just could not say if -- to what extent --**

25 Q. I believe, subject to correction, I think Semple did

1 make a number of admissions to matters that had not yet
2 been alleged when he was questioned, but perhaps you
3 can't remember that degree of detail?

4 **A. I don't remember that in detail, sir.**

5 Q. Well, I think I can promise this is the last question
6 I am going to ask you, Mr Caskey, and it relates to
7 a completely different matter, but you are aware to some
8 degree I am sure of the fact that during the Hughes
9 Inquiry it emerged that Detective Constable Cullen of
10 the Drug Squad at Donegall Pass had made a direct
11 approach to Assistant Chief Constable Meharg, the Head
12 of Crime in the RUC. In other words, he did not go
13 through the normal chain of command. He bypassed it,
14 went straight to an ACC and certainly was given some
15 response. I put it in that neutral way.

16 Were you ever aware of that happening in that time
17 when you were an officer of the RUC, a detective
18 constable by-passing many ranks and going straight to
19 the most senior detective in the police?

20 **A. I would find that extraordinary.**

21 Q. Well, Mr Caskey, thank you again for coming to speak to
22 us, particularly since you are being asked to come out
23 of retirement to do so in relation to matters so long
24 ago. I think I can say without in any way pre-judging
25 what it is we are going to decide that one thing that is

1 clear beyond any doubt is that you and your officers
2 worked extremely hard over a very long period of time to
3 investigate all of these matters, and no doubt when our
4 Inquiry is finished, that will become apparent to the
5 public, even if assertions in the past to that effect
6 have been made and not believed, but thank you very much
7 for coming to speak to us.

8 **A. Thank you.**

9 **(Witness withdrew)**

10 MR AIKEN: Chairman, Members of the Panel, if possible, if
11 we took a short break and we could resume and carry on
12 for a period of time looking at the material.

13 CHAIRMAN: Yes. We will rise for a few minutes.

14 (3.45 pm)

15 (Short break)

16 (3.55 pm)

17 Material relating to intelligence agencies
18 dealt with by COUNSEL TO THE INQUIRY (cont.)

19 CHAIRMAN: I think we are reduced to a few faithful
20 attenders.

21 MR AIKEN: Yes. There is additional Brownie points for
22 Mr McGuinness today!

23 The next -- we'd looked at a document from 13th
24 February 1976.

25 I shouldn't leave out Mr Murray, who is also

1 present.

2 CHAIRMAN: I did say in the plural.

3 MR AIKEN: Yes.

4 CHAIRMAN: I could see Mr Murray, even if you couldn't.

5 MR AIKEN: The next document we are going to look at is of
6 15th October 1976, and this begins a sequence of
7 documents that are likely to be highly relevant to your
8 consideration, Members of the Panel. These are
9 documents that arise from Brian Gemmell, who was, as you
10 know, a captain in the Army, meeting two SIS officers in
11 London. Now it appears he believed them to be MI5
12 officers, and it shows the difficulty with the Irish
13 Joint Section, but he provided them with the material
14 that's summarised in a Secret Intelligence Service
15 record.

16 If we can bring up 3508, please, of 19th
17 October 1976. Now we will be able to go to better
18 quality copies of these documents shortly, but what
19 I want to do is just immediately identify the
20 significance of this, because you will recall it's
21 in 1975 in March, April, May and June that there's
22 engagement between Brian Gemmell and Ian Cameron in
23 respect of Roy Garland and also someone else. There's
24 an issue, as you know, about conflation between
25 different individuals occurring, but that being said, on

1 19th October 1976 you have got this record, which is the
2 first of a sequence, and what it is saying is:

3 "We spoke about the above. I attach a copy of
4 a letter written by HQ 3 Infantry Brigade, Lurgan about
5 that above."

6 Now just to be clear, what that is is the
7 Halford-MacLeod letter of 28th January 1976. The SIS
8 officer is saying, "Here you are. I have got this" and
9 he is sending it to MI5.

10 "As our copy of this letter was obtained
11 unofficially, please ensure that neither -- you guys
12 don't take any action on this without reference to us."

13 Now if we just scroll down on to the next page,
14 please, we then have a further document of 19th October
15 and this is an internal document within The Secret
16 Intelligence Service and it is saying:

17 "Tara.

18 We attach copies of papers handed to the SIS
19 individual by Gemmell on 15th October, which he obtained
20 from his Army files. He made the following comments on
21 these papers."

22 Then you can see what's referred:

23 "(a) Tara -- note to file."

24 It is given "3350/18 Volume II". That's an Army
25 reference:

1 "This paper was written by Gemmell and is based on
2 the contents of his file on Tara."

3 Then the second document:

4 "(b) Notes on interview with Roy Garland. These
5 were made by Gemmell and his NCO after a 'one-off'
6 debrief sanctioned by Ian Cameron."

7 Now you can immediately see if that's accurate, then
8 some of the subsequent statements about the sequence of
9 events may be being conflated and misremembered, because
10 as opposed to being told not to speak to, you can see
11 that this is notes of an interview that have taken place
12 after permission was given to speak to, and then the
13 third document is a Tara proclamation.

14 Now I want us to look at the two key documents that
15 were handed over by Brian Gemmell to The Secret
16 Intelligence Service officers he met. It is irrelevant
17 for Inquiry purposes whether Brian Gemmell -- it may be
18 irrelevant for Inquiry purposes whether Brian Gemmell
19 was entitled to or should have as an Army officer handed
20 over the documents to The Secret Intelligence Service.
21 The fact is according to the record made by The Secret
22 Intelligence Service officer that is what he did.

23 The note to file that's referred to here is dated
24 14th October 1976. So it is a document that is dated
25 one day before the meeting that is recorded in these

1 records, which is said to have taken place, as you can
2 see in the second line of paragraph 1, on 15th October.

3 Now there is a better copy of it. There's a copy at
4 3509, but there's a better copy at 105030, please. Just
5 if we scroll down, please, it allows you to -- it is
6 easier for you to read that document. So you can see
7 exactly what was being recorded in the note.

8 We can now look at the note to file. You will find
9 a copy at 3532, 3533 and 3534, but there's better copy
10 I want to show you at 105027. Now I want just to -- you
11 can see the reference in the top left, the note to file.
12 So it's matching the reference in the memo that we
13 looked at indicating the note to file, and you can see
14 in the top right it's dated 14th October 1976. You have
15 the SIS officer telling his colleague in the SIS, "Brian
16 Gemmell told us he wrote this and we met him on 15th
17 October 1976".

18 So you can see then there is a record of Tara first
19 coming to notice and the development of it you can see.
20 In paragraph 2 the organisation and its roots, its
21 recent coming to public notice with the issue to the
22 press of an unsigned proclamation of intent in
23 January 1972. You can see:

24 "It was about this time that William McGrath formed
25 Tara on its present day lines."

1 You can see he is noting the strangeness of the name
2 in the context of the organisation, but then you can see
3 the section that begins "Members of Tara":

4 "Sources indicate that the Tara membership is small,
5 possibly 300 Province-wide and about 70 activists in
6 Belfast."

7 Now, as I said to you, it is not about whether it's
8 accurate or not. It's about the information that he has
9 and he's then recording in a report and providing.

10 "There is evidence that a number of the members are
11 sexually deviant."

12 Just pause. It is going to be difficult, but this
13 is not written in 2016. This is written in 1976.
14 Therefore what that phrase might mean today is perhaps
15 different from it would have been intended to mean in
16 1976. You can see he goes on to describe what he means:

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

20 Then you can see he goes on to explain about the
21 nature of the organisation, and then in paragraph 5 he
22 is recording an individual as reporting that the numbers
23 are falling and they had gone public to create a myth
24 about their size.

25 "A senior member of Tara recently claimed that,

1 although not a large operation, it was able to operate
2 through pulling strings. This is believed to be
3 factual."

4 Then you can see:

5 "In 1975 it was reported that many of the older
6 members of the UDA were anxious to join Tara. Some had
7 been in Tara."

8 So intelligence around Tara. Then you can see the
9 "Conditions of entry", paragraph 7, the qualifications
10 that allowed you to join Tara.

11 If we scroll down a little further, please, you can
12 then see "Role and aims", and you can see it sets out
13 the different references to what Tara intended to do and
14 its contrast with other organisations, and it was
15 described as:

16 "... the hard core of Protestant resistance, defence
17 and planning organisation for use only in a Doomsday
18 situation.

19 Its current active role is that of intelligence
20 gathering. They are known to operate contacts in the
21 Loyalist political parties."

22 Then you have got reference to "Weapons" and then
23 "Structures". You can see the reference in paragraph 15
24 to the platoons and then you can see "Major
25 personalities":

1 "OC -- William McGrath, 5 Greenwood Avenue."

2 So again you've got the same reference to 5, which
3 is incorrect:

4 "May be stood down due to ill health."

5 You have got the other individuals whose names you
6 know in any event ascribed to those positions.

7 Now he then summarises the raison d'etre. If we
8 just scroll down, you can see there is no other
9 information on the page. So that's the note for file, 3
10 of 3 pages.

11 Now what will be immediately apparent, Members of
12 the Panel, is that this document written on
13 14th October 1976 is said to be a summary of what is
14 known about Tara and its principal members, and if we go
15 back up, please, to the first page, paragraph 4, you can
16 see what is said about William McGrath, that:

17 "... [he] is almost certainly bisexual and there are
18 homosexuals in his immediate circle of Tara associates."

19 There is no reference to Kincora. There is no
20 reference to allegations of abuse taking place in
21 Kincora on anyone in his care. The allegation is he is
22 bisexual and there are others around him in Tara who are
23 homosexual.

24 Now the Army wasn't in a position or is not yet in
25 a position to produce this document to the Inquiry.

1 That is because it has not yet been possible to find the
2 Army HQNI Tara file, which definitely did exist, or the
3 39 Brigade Tara file, which may be the one that Brian
4 Gemmell had and which this document may well have been
5 found on. Those files, according to Mr Rucker, who you
6 are aware did the report examining much wider issues,
7 but including looking at matters relating to Kincora and
8 the Army, according to Mr Rucker, they appear to have
9 last been with The Security Service in that he sent them
10 to The Security Service for them to reconsider matters
11 in them that he was looking at, but The Security Service
12 hasn't as yet been able to trace them in order to know
13 do they still have them, did they send them back to the
14 Army or have they been destroyed. Getting to the bottom
15 of that is going to be difficult, but it's the case that
16 Mr Rucker reviewed those two files in 1989/'90 when
17 writing his report, and we will be able to look at what
18 he says about that.

19 Then it is also the case that Major Saunders had
20 access to them in 1982 and produced some of their
21 contents to Detective Chief Superintendent Caskey during
22 the secret part of the RUC Phase Two investigation or
23 Phase Three, as I have called it, the investigation into
24 military intelligence. We know from Major Saunders'
25 witness statement that he had access to those files and

1 from them he carved a number of documents that he
2 considered relevant, and this was not one of them, if it
3 was to be found on either of the files.

4 Going back to the note, the second document that's
5 referred to in the memo from the SIS officer of 19th
6 October 1976 which was also said to have been handed
7 over on the same date by Brian Gemmell was his interview
8 notes that he and/or his NCO had with Brian -- with Roy
9 Garland. Now those are exhibited to the -- the
10 interview notes are exhibited to the SIS statement at
11 3532 through to 3534.

12 If we just look at 3532, please. Sorry. If we just
13 scroll down on to the next page in case I've got the
14 reference wrong. Yes. Sorry. 3533 and 3534. So you
15 can see someone has written along the top:

16 "Notes of an interview with Roy Garland, ex-Tara
17 member, left 1972."

18 I don't know whether you can read into the -- on the
19 left-hand side beneath "Notes" whether that is a start
20 of a 9 that has been cut of and then a 7 and a 5,
21 indicating we are missing a 1 on the left-hand side and
22 the side -- the left-hand side of the 9 or whether it is
23 something else, but you can see:

24 "Garland introduced to McGrath when he was 15
25 (20 years ago). McGrath at the time

1 Christian/evangelical crusader. Held meetings at
2 McGrath's, attended also by CS", Clifford Smyth, "and
3 UDR Captain N. McGrath proposed they should form a group
4 as these youngsters all had makings of becoming Prime
5 Ministers, etc. They first formed a group called Cell.
6 However, McGrath thought this sounded rather red and
7 they decided on Tara (this was about 1965-'66).

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

15 Then the information goes on to look at various
16 individuals associated with Tara. I am not going to
17 spend time going through that now, because it doesn't
18 contain any more information of the type the Inquiry is
19 interested in other than you can see Roy Garland never
20 saw any weapons.

21 "Many [something] became disillusioned after joining
22 either with McGrath's unsavoury reputation or with all
23 the talk and no action. The Christian overtones did not
24 go down well with a percentage of recruits."

25 So if we just scroll a little further down, please,

1 you can see then various individuals are discussed. You
2 have got Frank Millar, Worthington McGrath. You can see
3 this allegation is recorded:

4 "Roy Garland claims that McGrath was responsible for
5 spreading rumours of John McKeague's homosexual activities,
6 having posters posted around Belfast 'Nice boy John McKeague'."

7 You will find that in documents we come back to look
8 at:

9 "According to Roy Garland, John McKeague knows that McGrath
10 was responsible for this."

11 You can see:

12 "Roy Garland believes although Ian Paisley knows of
13 McGrath's nefarious activities, he would be better to
14 take action, because the exposé would also affect
15 Clifford Smyth, therefore doing DUP no good."

16 I think that sentence is missing a word.

17 CHAIRMAN: One might logically think there should be a "not"
18 after "better".

19 MR AIKEN: Yes. If we scroll down on to the next page,
20 please, there's a short paragraph to finish it off.

21 Now what you will immediately note, perhaps
22 consistent with Brian Gemmell's interest, and, in fact,
23 when we come to look at a note, a direction that this
24 one-off debrief with Roy Garland was to be what he could
25 tell us about Tara, there is nothing in it, as you can

1 see, about Kincora or McGrath committing homosexual
2 offences on boys living in Kincora. So it is a record
3 of perhaps where the Army officers' interests lay on one
4 view, and you will recall that Brian Gemmell told
5 Detective Chief Superintendent Caskey in 1982 -- the
6 reference -- I am not going to bring up, but it is at
7 30146 in the middle of the page -- of having written
8 a four-page MISOR, a military intelligence source
9 report, following -- it is on the screen. We will see
10 the reference to the MISOR if we scroll down just
11 a little. He -- you will want to look very closely at
12 whether, in fact, he had a second meeting with Roy
13 Garland, and/or if he did, or was involved in the
14 writing up of his Corporal -- Corporal Q we are going to
15 call him for now -- Corporal Q's meeting with Roy
16 Garland, whether the record we are now looking at is
17 more likely to be the record Brian Gemmell is referring
18 to. So either -- there's the notes for interview and
19 whether or not that has been conflated with a MISOR, or
20 whether by the time he's speaking in 1982 he is
21 remembering his 14th October '76 document, which albeit
22 was a year after he met Roy Garland, that he says he
23 wrote, or when we look at the sequence of events,
24 unfortunately the complexity is in understanding his
25 belief that it was after he met Roy Garland that he

1 wrote this MISOR and was told then to break off contact
2 with him, when, in fact, the sequence of events in the
3 document seems to suggest that he had interviewed Jim
4 McCormick and then before meeting Roy Garland was given
5 the instruction that getting into matters of
6 homosexuality was not the interest of the Army but there
7 could be a one-off debrief about Roy Garland's knowledge
8 of Tara. So what exactly was said to be on the MISOR
9 and the correct sequence of events may be conflated and
10 confused in this document, but in any event no-one has
11 been able to find a MISOR that arose on foot of the Roy
12 Garland meeting that Brian Gemmell had.

13 What we do have are the interview notes that Brian
14 Gemmell provided to The Secret Intelligence Service
15 along with his note to file on Tara and you may ask in
16 reflecting on these matters if there had been a MISOR on
17 Tara or on William McGrath or anything to do with
18 Kincora, when he is handing these documents over to the
19 Secret Intelligence Service, given they are not --
20 shouldn't be receiving any of them, why not include the
21 MISOR, a copy of which would presumably be on the same
22 file that he's gone to to get the document that he has
23 produced?

24 Now on 19th October, as we saw, if we go back to
25 3508, please, the Secret Intelligence Service write to

1 MI5 and provide the Halford-MacLeod letter, and the
2 clean copy of that is at 30297 to 30302, and the author
3 is explaining, as you saw, that the communication -- in
4 this communication to MI5 that the Halford-MacLeod
5 letter was obtained unofficially. We looked at the
6 index card earlier. If we just go back to 105009,
7 please, and if we look at the entry of 19th
8 October 1976, you will see:

9 "See reference for write-up on subject and the Tara
10 Brigade, 19th October 1976."

11 So whether this is the note that is referred to
12 there based on the documents that are attached to the
13 19th October '76 memo that we have seen, or if there was
14 some other report, it hasn't been possible as yet for
15 The Secret Intelligence Service to find that. So it may
16 be that that, the document we have just been looking at
17 of 19th October '76, is what this entry refers to.

18 Then on an MI5 telegram of 21st January 1977, if we
19 look, please, at 105202 -- so these documents have been
20 sent across to MI5. If we scroll down, please, you can
21 see the date, 21st January 1977. Titled:

22 "William McGrath and Tara.

23 Reference ...",

24 and you can see to the document of 19th
25 October 1976 that we have just looked at.

1 "The attachment to your above-referenced letter has
2 raised several questions. As the source was said to be
3 retaskable, please would you enquire whether further
4 information can be sought.

5 For your own information only ... has been
6 identified, who has had a contact in London and is
7 probably identical in 19...

8 The questions are as follows."

9 So what's being read here is the Halford-MacLeod
10 letter. You will remember it contains all sorts of
11 names and information, and questions are then being
12 asked about the contacts that are identified in the
13 Halford-MacLeod letter and being set out as questions
14 that MI5 would like consideration to be given to getting
15 answers.

16 If we scroll down on to the next page, you can see
17 at paragraph 4(c), for instance, they are saying MI5 did
18 not have any information on the revolutionaries
19 conference that McGrath was said to have attended in the
20 1960s. Further questions were asked about that to see
21 can they find out any other information about it.

22 Now if we scroll down a little further, please, on
23 31st January, so ten days later, if we go to 105032,
24 please, the SIS have produced a copy of this as well.
25 It is easier to read here. You can see "Dated:

1 31st January, Received: 1st February". This is
2 a UK-based Secret Intelligence Service officer sending
3 a telegram to intelligence staff in Northern Ireland,
4 and copying it to MI5 in London and to SIS, and it
5 refers to having given a copy of the Halford-MacLeod
6 letter to MI5, and they are asking if the source can
7 re... -- can be retasked. So they are referring back to
8 the document we have just looked at, saying, "This is
9 what has been asked".

10 If we scroll down on to the next page, I think we
11 will see:

12 "We have spoken to Gemmell, who has confirmed that
13 there would be no objection to one of the MI5 or SIS
14 officers discussing this letter with the Army."

15 On 2nd February, the next day, if we look at 105204,
16 please, MI5 in Belfast reply expressing their reluctance
17 to ask about the Halford-MacLeod letter, given that they
18 had received it when they should not have, and Belfast
19 asks to see the letter, including because they did not
20 know the source for it.

21 Then on 4th February, so two days later, at 105205
22 a note attached a report investigating the potential
23 involvement of you will see RIS, the Russian
24 Intelligence Service, with Protestant extremists in
25 Northern Ireland. In the report if we scroll down,

1 please, to 105206, you can see that paragraph 2(b) does
2 contain a reference to William McGrath. So it's looking
3 at a whole list of individuals who are not relevant to
4 the Inquiry, but if we scroll down to 2(b), please, you
5 can see:

6 "Reverend William McGrath ..."

7 So we have moved from an MBE to a minister of
8 religion:

9 "... leader of Tara, attended a conference of
10 revolutionaries in the mid-1960s."

11 Some other representatives were also present:

12 "McGrath is said to have some hold over Paisley."

13 Then on 11th February 1977, if we can look at 3570,
14 please, MI5 and SIS in London receive a telegram from
15 intelligence staff in Northern Ireland providing
16 information about Tara. You can see that William
17 McGrath features in paragraph 3. If we scroll down
18 a little bit, you can see:

19 "Talking about arms, the commander said that William
20 McGrath, another prominent figure in Tara, had promised
21 the East Belfast group a consignment of Thompson machine
22 guns as long ago as 1969."

23 So you can see the reference back to -- there were
24 said to be 500 of them:

25 "This consignment had never materialised. He added

1 that he knew that McGrath still owed £2,000 for the
2 purchase of weapons now in the possession of the
3 commander."

4 You can see:

5 "In the past there have been few indications of the
6 Tara quote orbat unquote semicolon the existence of
7 a commander in East Belfast is, in itself, of interest."

8 On 15th February 1977, if we can look, please, at
9 3511, an SIS officer in London sent a telegram to
10 intelligence staff in Belfast and also to MI5. There is
11 an MI5 copy, which might be easier to read, if we look
12 at 105208, please. If we just scroll down, please.
13 Yes. So one officer is giving the other officer
14 congratulations for having -- flushing out information
15 on Tara via his source, and then:

16 "We look forward to learning more about the orbat
17 and finances of this organisation. When we have such
18 information we may be able to put Tara in its proper
19 perspective.

20 Two points raised immediately by your telegram."

21 Then they are looking to discover various pieces of
22 information. You can see in (B):

23 "Would the Tara recruiting campaign", that's
24 postulated, "offer a loophole to penetrate Tara if
25 considered -- if we considered it a worthwhile target?"

1 You may consider, Members of the Panel, whether this
2 is a rather strange document if Tara was a construct of
3 or controlled by the intelligence services and the
4 leader was one of their agents. This is February 1977.
5 McGrath has been working in Kincora since June 1971 and
6 has already sexually abused most of the boys who would
7 make allegations against him, including all of the boys
8 who claimed he engaged in homosexual sex with them.

9 On 16th February 1977, if we look at 105209, please,
10 MI5 in London confirmed, if we scroll down, please, that
11 Tara was a worthwhile target and supported recruitment
12 to penetrate. Now you can obviously -- the implication
13 of supporting an attempt to recruit to penetrate the
14 organisation carries an implication as to the position
15 at the point in time when consideration is being given
16 to recruit to penetrate.

17 The following day, 17th February 1977, if we look at
18 3512, please, this is an SIS record. It's article 6.
19 Intelligence staff in Northern Ireland respond to the
20 suggested penetration. You can see it is on the screen
21 at article 5, but if we scroll down, it is said:

22 "Beyond knowing that there is a recruiting campaign
23 in Tara, we know little about it. So we are not sure
24 whether we are yet in a position to discover a loophole
25 that could be exploited by the Irish Joint Section. We

1 do not know, for instance, where Tara seek its recruits
2 apart from quote other organisations unquote. Certainly
3 considers Tara to be a worthwhile target. Both the two
4 individuals have been briefed to find traces of this
5 elusive organisation."

6 On 30th May, if we look at 3513, please, MI5 wrote
7 to The Secret Intelligence Service requesting details of
8 the subscriber to an international telephone number who
9 was believed to be a contact of William McGrath but of
10 whom they had no trace.

11 Now MI5 have then produced to the Inquiry the
12 internal direction, if we look at 105158, please, that
13 we have looked at already, to produce a file in the name
14 of William McGrath, and you can see the reason given for
15 the opening of a file. You may consider the date of
16 this occurrence to be of considerable significance to
17 your work, Members of the Panel.

18 On 15th June 1977, if we can look at 105210, please,
19 an MI5 report of a discussion with a source did include
20 a section on Tara and you can see that it is recording
21 historical information that the individual provided as
22 to the nature of the organisation.

23 A record of 6th August 1979, if we can look, please,
24 at 105211, and we look at the bottom of the page and
25 then on to the next page, this records a conversation

1 between MI5 officers on 31st July 1979 about what's
2 described as "minor Protestants". You can see that Tara
3 gets a mention and you can see what's said about it.

4 Then on the next page you can see that it's
5 described as "microscopic":

6 "Eventually most Tara members left or joined the
7 more defensively minded UVF and Tara withered to its
8 present 'microscopic' size."

9 You can see:

10 "It's a group of thinkers rather than doers."

11 On the -- you can see they are said to have a friend
12 close to the centre of the Southern Government.

13 On 27th October 1979, if we look at 105213, please,
14 MI5 received an extract from an RUC intelligence report
15 which recorded someone other than William McGrath then
16 being the OC of Tara and confirming that very little had
17 been heard of Tara in recent years.

18 Now then if we look at 3520, please, so right up to
19 this point the Kincora scandal has not appeared in the
20 news, in the documents that we have been looking at up
21 to this point, and this document is dated
22 13th February 1980. So it's after the Kincora scandal
23 has broken, and intelligence staff in Northern Ireland
24 are writing to the Secret Intelligence Service in
25 London. You may consider it's not surprising that the

1 intelligence officers got out their material they have
2 on William McGrath. You can see:

3 "The above report named first name unknown McGrath
4 as leader of Tara and alleged to be involved in the
5 alleged scandal of homosexual activity in a Belfast
6 boys' home. A number of demands are being made for
7 a public inquiry and you may be interested in the
8 following details.

9 McGrath is William McGrath."

10 Gives his date of birth:

11 "In 1976 he was reported to be warden of the Kincora
12 Boys' Hostel, 188 Upper Newtownards Road, where he still
13 lives."

14 That's not accurate, as you know:

15 "He is (or was) leader of Tara. Our records suggest
16 he is or may have been known to an agency based here or
17 in London.

18 McGrath is reported to be a very active homosexual."

19 You can see his conquests are said to include
20 a particular individual and a number of different
21 individuals named as having been involved with him. You
22 can see then:

23 "Some contact ... said to have been responsible for
24 posters reading 'Nice boy John McKeague' which appeared all
25 over Belfast."

1 If we scroll down, please, you can say -- this is
2 recorded:

3 "[For] London only.

4 In view of the possibility of a public inquiry
5 possibly lifting the curtain on this fascinating scene
6 you may like to consider whether any of this needs to be
7 passed to ..."

8 a particular section within the organisation.

9 So it only took us thirty-six years, but there we
10 are. The curtain on the fascinating scene is being
11 lifted.

12 So the phrase that's up above about being known to
13 the -- if we scroll up, please:

14 "Our records suggest he is or may have been known to
15 an agency based here or in London",

16 it is not clear what that is a reference to.
17 Obviously the person is drawing on information in
18 Northern Ireland. So we saw in the 1989 document that
19 was internal between MI5 officers that they had access
20 to the card, and it may be the same or a different card
21 than the one that was held centrally by MI5.

22 But we've gone through the material based on the
23 Inquiry examining -- examining a vast swathe of
24 intelligence records, and what we have -- what I have
25 endeavoured to set out for you publicly are those

1 documents that disclose what intelligence officers in
2 either MI5 or the Secret Intelligence Service were on
3 notice of in respect of William McGrath.

4 As you know, there's much further post-1980 analysis
5 material that has been made available to the Inquiry by
6 the intelligence agencies where they are looking back at
7 what they knew, and we will touch on that material in
8 due course.

9 CHAIRMAN: Well, I think we have reached a natural break in
10 the proceedings. We will adjourn now and resume
11 hopefully as close to 9.30 tomorrow as possible.

12 (4.40 pm)

13 (Inquiry adjourned until 9.30 tomorrow morning)

14 --ooOoo--

15

16

17

18

19

20

21

22

23

24

25