

A P P E A R A N C E S

The Sole Member:

His Honour Judge Peter Smithwick

For the Tribunal:

Mrs. Mary Lavery, SC  
Mr. Justin Dillon, SC  
Mr. Dara Hayes, BL  
Mr. Fintan Valentine, BL

Instructed by:

Jane McKeivitt  
Solicitor

For the Commissioner of  
An Garda Siochana:

Mr. Diarmuid McGuinness, SC  
Mr. Michael Durack, SC  
Mr. Gareth Baker, BL

Instructed by:

Mary Cummins  
CSSO

For Owen Corrigan:

Mr. Jim O'Callaghan, SC  
Mr. Darren Lehane, BL

Instructed by:

Fintan Lawlor  
Lawlor Partners Solicitors

For Leo Colton:

Mr. Paul Callan, SC  
Mr. Eamon Coffey, BL

Instructed by:

Dermot Lavery Solicitors

**For Finbarr Hickey:**

Fionnuala O'Sullivan, BL

Instructed by:

James MacGuill & Co.

**For the Attorney General:**

Ms. Nuala Butler, SC  
Mr. Douglas Clarke, SC

Instructed by:

CSSO

**For Freddie Scappaticci:**

Niall Mooney, BL  
Pauline O'Hare

Instructed by:

Michael Flanigan  
Solicitor

**For Kevin Fulton:**

Mr. Neil Rafferty, QC

Instructed by:

John McAtamney  
Solicitor

**For Breen Family:**

Mr. John McBurney

**For Buchanan Family/  
Heather Currie:**

Ernie Waterworth  
McCartan Turkington Breen  
Solicitors

**NOTICE:**

**A WORD INDEX IS PROVIDED AT THE BACK OF THIS TRANSCRIPT.  
THIS IS A USEFUL INDEXING SYSTEM, WHICH ALLOWS YOU TO QUICKLY SEE  
THE WORDS USED IN THE TRANSCRIPT, WHERE THEY OCCUR AND HOW OFTEN.**

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THE TRIBUNAL RESUMED ON THE 14TH OF DECEMBER, 2011,  
AS FOLLOWS:

MR. HAYES: Good morning, Chairman. The first witness we have today, Chairman, is retired Detective Garda Terry Hynes, who is coming back to give some small amount of further evidence. If I could call Terry Hynes, please.

1                    TERRY HYNES, HAVING BEEN SWORN, WAS EXAMINED BY MR. HAYES  
2                    AS FOLLOWS:

3

4            1    Q. MR. HAYES: Good morning, Mr. Hynes. Mr. Hynes, I think  
5                    further to what, to the evidence that you have previously  
6                    given to the Tribunal, I think that you were involved in an  
7                    investigation in the mid-1970s that involved you going to  
8                    Newry to interview a suspect, is that correct?

9            A. That's correct, Chairman. In or about early 1976, I  
10                   received a telephone call from a detective inspector from  
11                   the Special Branch in Newry.

12           2    Q. I think, sorry, Mr. Mills, perhaps if you could just give  
13                    over the list of numbers to Mr. Hynes. I think if you  
14                    might just look at that list, and do you see the officer,  
15                    the RUC officer, who spoke to you, is his name on the list?

16           A. It is Witness 57, Chairman.

17           3    Q. Witness 57. Very good.

18           A. He subsequently was promoted. He retired as a Chief  
19                    Superintendent.

20           MR. HAYES: I think it should be near the bottom of the  
21                    left-hand column, Chairman.

22

23           CHAIRMAN: Oh, yes. Yes, I have got it now.

24

25           4    Q. MR. HAYES: I think at the time he was -- what rank was he  
26                    at the time?

27           A. He was a Detective Inspector.

28           5    Q. And what did he do?

29           A. He was informed by this Inspector, Chairman, that on the  
30                    previous Friday evening, a man had alighted from an oil

1           tanker at the permanent checkpoint in Clough outside Newry.  
2           This man approached the members on duty at the checkpoint  
3           and informed them that the lorry he was driving was full of  
4           explosives in one of the tanks.

5           6    Q. What happened?

6           A. The man was promptly arrested and the lorry was taken away  
7           and searched, and the story that he told the checkpoint  
8           officer was found to be accurate. This man was detained in  
9           Newry for a number of days, where he was questioned, but he  
10          refused to communicate with the police there, other than to  
11          give his name, and in, I suppose you might say, a bit of  
12          desperation, I got a call from this Detective Inspector and  
13          he asked me would it be possible if we could go to Newry  
14          and speak with this man. I informed the then-Detective  
15          Sergeant Corrigan, who was my superior, of the situation,  
16          and asked him would he accompany me down, and he said -- he  
17          agreed to do so.

18          7    Q. Did he then communicate the fact of Sergeant Corrigan's  
19          travelling with you, to Witness 57?

20          A. I reverted to the Detective Inspector, Chairman, and I  
21          informed him that we were going to go down and I informed  
22          that Sergeant Corrigan was going to accompany me, and he  
23          had no problem with that whatsoever.

24          8    Q. I see. And then did you then go to Newry?

25          A. That's correct. The station, at that time, Chairman, was  
26          at Corry Square in Newry, and Sergeant Corrigan and I went  
27          to the station and a man was taken into an interview room.  
28          This man asked both of us who we were and we asked him why  
29          did he want to know that, and he said if we were members of  
30          the British Army, the Irish Army or the RUC, he wouldn't

1 speak to us. So I showed him my identification and he  
2 informed us, then, that he had been doing this every Friday  
3 evening for a significant period of time and that his  
4 nerves snapped. He stated that he was not a member of any  
5 organisation, or anything like that; that he was doing this  
6 under duress, and his nerves finally snapped, and he got  
7 out of the lorry and reported the facts to the checkpoint.  
8 He agreed -- we asked him where he was collecting this, and  
9 he agreed, after some discussion, to accompany us to the  
10 source of this explosives.

11 9 Q. There is no need to identify exactly where, but I think it  
12 was generally in County Meath, is that correct?

13 A. That's correct, Chairman, and he -- accompanied by the RUC,  
14 we drove up and he indicated this spot --

15 10 Q. And was he --

16 A. -- which was a farmyard.

17 11 Q. And was he in an RUC vehicle or was he in a Garda vehicle  
18 at the time?

19 A. He was in an RUC private vehicle, Chairman.

20 12 Q. And him having identified the premises in question, what  
21 then happened?

22 A. It was placed under aerial surveillance, Chairman, and a  
23 number of men could be seen working there, and it was  
24 raided subsequently by an army, a joint Irish Army/Garda  
25 operation.

26 13 Q. When the premises had been pointed out to you initially,  
27 did you make any report, or did Sergeant Corrigan make any  
28 report to your superior officers?

29 A. Yes, we reported the matter to the then-Superintendent  
30 Giblin, in whose area this location was.

1 14 Q. And he, I think, at the time was based in Drogheda, isn't  
2 that correct?

3 A. That's correct, Chairman.

4 15 Q. I see. And what did Superintendent Giblin do, or direct,  
5 in relation to it?

6 A. Well, this search was organised, Chairman, and the  
7 army/Garda search was organised.

8 16 Q. And was a warrant then obtained?

9 A. The warrants were obtained, and I think it was Sergeant  
10 Matt Downey from Drogheda who had possession of those  
11 warrants, Detective Sergeant Matt Downey.

12 17 Q. I see. And were the premises searched? Were the premises  
13 then searched?

14 A. It was a farmyard and premises and outbuildings, Chairman.  
15 The whole lot was a two-day operation, it took to search  
16 it.

17 18 Q. And was anything found of interest?

18 A. The following was discovered, Chairman: 88 bags of  
19 crystallised ammonia.

20 19 Q. What's the significance of crystallised ammonia, perhaps  
21 you'll just explain to the Tribunal?

22 A. It's washed fertilizer which is prepared for explosives, in  
23 my understanding.

24 20 Q. Do you understand is that, is it fertilizer that is now  
25 beyond agricultural use, that --

26 A. That's correct, Chairman.

27 21 Q. And what else was found?

28 A. 300-weight of high-unit ammonia fertilizer; one reel of  
29 cortex, which is an explosive initiator; three bags of  
30 mortar components; a .22 rifle; and eight bundles of nails,

1 bolts and nuts.

2 22 Q. And were any -- again, without identifying any persons in  
3 particular, but were any arrests made?

4 A. Well, when the search took place, Chairman, there was a bit  
5 of a scattering-match. All the people who were working,  
6 fled, but there were subsequently a number of arrests and  
7 there were charges brought, but they were dismissed on a  
8 technicality, as I recall.

9 23 Q. I see. Was it a significant finding, in your opinion, or  
10 was it a moderate find or what --

11 A. This would have to be considered, by any standards, a very  
12 significant find, because it put an end and disrupted the  
13 activities of the republicans in the North, which -- and  
14 according to the person who indicated these premises, this  
15 was going on on a weekly basis, every Friday evening.

16 24 Q. Yes.

17 A. And it was a very significant discovery. Also, I'd like to  
18 say, Chairman, that it was, in regard to the Tribunal here,  
19 it was also significant insofar as the RUC, at the time,  
20 had absolutely no objections to the attendance of Detective  
21 Sergeant Corrigan at Corry Square, and the other side of  
22 that particular coin is that had Sergeant Corrigan, as  
23 alleged, been involved in collusion, he had ample time to  
24 warn those at this location, and that did not happen.

25 25 Q. Now, can you just, just to be clear about the matter,  
26 did -- Sergeant Corrigan was obviously involved with you as  
27 you went to Newry to interview the suspect?

28 A. That's correct, Chairman.

29 26 Q. Was he involved with you in the report made to  
30 Superintendent Giblin?

1 A. He and I were together, Chairman, and it was made verbally.

2 27 Q. I see. Was he involved in the subsequent search of the  
3 premises?

4 A. He was, Chairman. I was not. I was engaged in other  
5 matters.

6 28 Q. I think you were involved, Mr. Hynes, in the -- I suppose,  
7 do you recall, just before I move on to the next thing, do  
8 you recall what the nature of the technicality upon which  
9 the charges were dismissed?

10 A. My understanding, Chairman, is that it was due to the  
11 ownership of the land, the deeds of the land. The charges  
12 were brought against one individual but the land was  
13 actually owned by another. That's my recollection.

14 29 Q. Brought against the individual on the basis of --

15 A. He was the owner of the land. But that was found not to be  
16 the case.

17 30 Q. I see. I think you were involved, were you, in, on  
18 occasions, in the escort of VIPs from Northern Ireland, is  
19 that correct?

20 A. That's correct, Chairman. We were involved from time to  
21 time with Sergeant Corrigan, and others members of the  
22 Garda Siochana, on the escort of various high-profile  
23 people who required to be escorted.

24 31 Q. Can you recall what was the procedure for escort duties?  
25 They were done on occasions, I understand, from Dublin, is  
26 that correct?

27 A. On occasion, they were done from Dublin, but, normally, the  
28 Phoenix Park was notified by the relevant department from  
29 Knock, and they would notify the Chief Superintendent's  
30 office in Dundalk, or in Drogheda, who would then notify

1 us, and we were assigned; whoever was available, more or  
2 less, was assigned to it. It could have been anybody.  
3 There was no particular members, Chairman, doing this all  
4 the time. It was a random selection, if you like.

5 32 Q. There weren't specifically-assigned detective gardaí who  
6 did this duty, is that correct?

7 A. No, Chairman, there was not.

8 33 Q. And how many would, in any particular escort, how many  
9 guards were involved, or did it depend on who the person  
10 was?

11 A. It would depend, Chairman, on who the person was. For Sir  
12 Robert Lowry, who was a high-profile target, when he was  
13 returning from Dublin, there was always two members from  
14 Dundalk to patrol the area between the customs and the  
15 border to ensure there was a clear -- and, as I have  
16 already given in my previous attendance here, this  
17 prevented the assassination of Sir Robert Lowry, because we  
18 saw activity across the border while doing that, myself and  
19 another member, and we were able to stop Sir Robert Lowry's  
20 escort before they reached the border.

21 34 Q. So, on that instance, your duty was to patrol, if you like,  
22 that -- that was the customs post just after the  
23 Carrickdale Hotel?

24 A. Yes, Judge.

25 35 Q. And between there and the border. You weren't, then, for  
26 example, in Lord Lowry's car, is that correct?

27 A. No, Judge, we were in the south of Ireland.

28 36 Q. You were in the south?

29 A. South of Ireland.

30 37 Q. But he was coming from Dublin, is that correct?

1 A. He was coming from Dublin, and normally it was the habit of  
2 the detectives who accompanied him from Dublin to just  
3 drive as far as the border and maybe turn their car just a  
4 few yards into the North, and they would have been at peril  
5 on that particular night as well.

6 38 Q. Were there any other people that you can recall -- on that  
7 particular occasion, can you recall who was -- who your  
8 colleague was that was with you?

9 A. I do. He is now deceased. He was a Detective John Whelan.

10 39 Q. I see. Can you recall any other people that you escorted  
11 either to or from the border or had a role in the security  
12 duty relating to their escort?

13 A. There was a mayor of Belfast, Chairman. Now, I cannot  
14 recall his name, but I recall he was a fairly regular  
15 visitor going to functions in Dublin, and also, when he was  
16 going on trade missions to America, he used to fly from  
17 Dublin, and I recall on one occasion he was just about to  
18 get on the plane at Dublin Airport and he realised he had  
19 forgotten his presentation portfolio. We told him to go  
20 ahead, and we got on the phone and we organised it, and by  
21 the time he arrived at Kennedy, the portfolio was waiting  
22 for him. Don't ask me how it happened, but it happened,  
23 anyway. So he was so impressed with that, Chairman, that,  
24 on his next visit, he sought myself and the member who was  
25 accompanying me on that escort and he presented us with two  
26 medallions, silver medallions, of Belfast City Hall, and I  
27 have one of them here, just in case there is any doubts  
28 about it.

29 40 Q. You might show that to the Chairman. And were there any  
30 other?

1 A. Well, another -- there was loads of them, Chairman. But  
2 another high-profile man, a very high-profile man, was Sir  
3 Nicholas Scott, and he was the Secretary of State for  
4 Northern Ireland, and he -- we got on very well with him  
5 any time we met him. And we also had, as I related  
6 previously, Sir John Hermon.

7 41 Q. Was Detective Sergeant Corrigan involved in any of these  
8 escorts with you, can you recall?

9 A. Yes, he was. On the day -- I recall, one day, there was a  
10 bit of -- we called into Donegan's at Monasterboice, and  
11 one of the party who was getting out of the car, a lady,  
12 she caught the heel of her shoe in her dress, and there was  
13 a bit of a fashion emergency, if you like, so we had to  
14 procure a needle and thread and have this remedied before  
15 they proceeded. There was a bit of fun over it with her.

16 42 Q. And Detective Sergeant Corrigan was with you on that trip?

17 A. Yes, he was, Chairman, yes, he was.

18 43 Q. And just to be clear, that was a trip with Sir Nicholas  
19 Scott, is that correct?

20 A. My recollection was, Chairman, he was attending a rugby  
21 game in Dublin.

22 44 Q. Very good. I think, then, just finally, I think you have  
23 just an observation that you wished to make in relation to  
24 the bypassing of Dundalk in relation to intelligence  
25 matters?

26 A. Yes, Chairman. I believe Mr. Blair Wallace gave reference  
27 that Dundalk had to be bypassed. My understanding at the  
28 time was, and understand the method still is, is that all  
29 intelligence from the North of Ireland was given directly  
30 to the Phoenix Park, and that was the protocol that existed

1 at the time, and is still in existence, as far as I know.  
2 In exceptional circumstances, like the one I described  
3 where we were called down to Newry, there was one-to-one  
4 unofficial communications, but the official way of doing it  
5 was through one Headquarters to another and then down to  
6 the divisional officer for action in the area referred to.

7 45 Q. What Mr. Wallace was making reference to was, I think, a  
8 specific piece of intelligence, or specific pieces of  
9 intelligence, where the source in question had given the  
10 information on the basis that it not be shared with Dundalk  
11 in particular, and that any operation that resulted would  
12 be done from Dublin rather than Dundalk. Do you have any  
13 comment in relation to that?

14 A. That's my understanding, Judge. From time to time, members  
15 of the Special Task Force would be sent down to assist with  
16 searches. They always operated with, and in conjunction  
17 with, the local gardaí. And it's my understanding that a  
18 protocol like this, that they could not come into a local  
19 area without their commanders speaking with the local  
20 Superintendent or Detective Inspector, or whoever was there  
21 on duty, to let them know they were coming, and they always  
22 worked in conjunction. There'd be uniform members and  
23 detectives accompanying them at all times.

24 MR. HAYES: Thank you very much, Mr. Hynes. If you'd  
25 answer any questions that any other party might have for  
26 you.

27  
28  
29  
30

1                   **THE WITNESS WAS CROSS-EXAMINED BY MR. O'CALLAGHAN**

2                   **AS FOLLOWS:**

3  
4           46    Q. MR. O'CALLAGHAN: Mr. Hynes, are you aware of any other  
5                   examples of Sergeant Corrigan working effectively with the  
6                   RUC or, indeed, standing up to the IRA, in his career?

7           A. Well, I can recall being in Belfast with him on a number of  
8                   occasions where he met with the late Brian Fitzsimons.

9           47    Q. And he was there in an official capacity on a work context,  
10                  is that correct?

11          A. That's correct, Chairman.

12          48    Q. And are you aware as to whether or not Mr. Corrigan was  
13                  assisting Mr. Fitzsimons in the work he was carrying out at  
14                  the time?

15          A. He was, Chairman, and he was also -- I just want to look at  
16                  the notes here -- Witness No. 27, he was also very closely  
17                  involved with him, who, I believe, already has given  
18                  evidence to this Tribunal.

19          49    Q. And from your experience, had any member of the RUC  
20                  expressed concern to you about Owen Corrigan?

21          A. Well, Chairman, I am probably the most experienced member  
22                  of An Garda Siochana with experience of travelling North,  
23                  to Northern Ireland - this was mainly due to the  
24                  geographical location of my station - but I can assure the  
25                  Tribunal that, in all those years, and I could list out  
26                  probably ten chief superintendents, numerous detective  
27                  inspectors, detective sergeants, and any inquiries that  
28                  ever were made about Sergeant Corrigan to me, were always  
29                  of an affectionate nature, and I never heard any derogatory  
30                  remarks expressed about him at all.

1 MR. O'CALLAGHAN: Thanks very much, Mr. Hynes.

2

3 CHAIRMAN: Any other questions?

4

5 **THE WITNESS WAS CROSS-EXAMINED BY MR. ROBINSON AS FOLLOWS:**

6

7 50 Q. MR. ROBINSON: Mr. Hynes, my name is Mark Robinson. I  
8 appear on behalf of the PSNI. I have a number of questions  
9 regarding your evidence. If we can go back to the finding  
10 of explosives on the farm. You say you were not involved  
11 in the search, is that correct?

12 A. That's correct, Chairman.

13 51 Q. And was it Detective Sergeant Owen Corrigan that was  
14 involved in the search?

15 A. He was, along with a large number of Gardaí and Irish Army.

16 52 Q. Was he the only Detective Sergeant from the guards there?

17 A. No. The search, my understanding, was led by Detective  
18 Sergeant Matt Downey, as I already said, from Drogheda.

19 53 Q. And can you explain a little bit more about the facts of  
20 that, because there was a significant find, by any stretch,  
21 of explosives, that's correct?

22 A. My understanding, it was in excess of two-and-a-half  
23 tonnes, Chairman.

24 54 Q. And this area had been under surveillance prior to the  
25 search, is that correct?

26 A. Just for a day or two.

27 55 Q. Was there a break between the surveillance and the  
28 operation itself?

29 A. No, Chairman, the preparations were made for the search,  
30 and the Irish air force had a base close to where it took

1 place, so a plane was flown over it on a number of  
2 occasions with the member of the Garda Siochana, Sergeant  
3 Corrigan actually in this plane, and I recall the day it  
4 went up, I wouldn't go up in it, it was such a storm  
5 blowing.

6 56 Q. And you gave evidence that all the people on the farm fled?

7 A. All the people who were working on this, left the scene  
8 when they were alerted to the search.

9 57 Q. How many people were involved? How many people fled?

10 A. There was three or four at least, Chairman. That's my  
11 understanding. I wasn't there, now.

12 58 Q. And out of that find, only one person had proceedings  
13 initiated against them, is that correct?

14 A. That's correct, Chairman.

15 59 Q. Was there any explanation as to why the others were not  
16 prosecuted?

17 A. They were never apprehended, as far as I understand,  
18 Chairman.

19 60 Q. So at least three or four people managed to escape?

20 A. Yes, Chairman. But it's my understanding that, at the time  
21 of the search, they were actively working in the  
22 preparation of this explosives.

23 61 Q. Surely, the planning of such an operation ought to have  
24 accounted for people trying to flee the scene?

25 A. I can't comment on that, Chairman. I wasn't involved.

26 62 Q. And only one person is apprehended and prosecuted, and can  
27 you recall what the charge was against that person?

28 A. I believe the person was a son of the owner of the land,  
29 and he actually went on the run, too, and he wasn't  
30 apprehended for some considerable time afterwards. That's

1 my recollection.

2 63 Q. I just want to be clear. This was a planned Garda  
3 operation. The premises had been surveyed for at least two  
4 days prior to the operation?

5 A. Two days, Chairman, I said.

6 64 Q. And Corrigan was involved, and everyone managed to get off  
7 those premises?

8 A. Yes, that's my understanding.

9 65 Q. Now --

10 A. It wasn't due to anything done by Sergeant Corrigan. It  
11 was just the nature --

12 66 Q. Well, Mr. Hynes, you cannot give evidence in relation to  
13 that, can you? You don't watch Mr. Corrigan 24/7, do you?  
14 You weren't there, Mr. Hynes, were you?

15 A. I was not, Chairman, but my understanding is that the  
16 surveillance was done from the air so as not to alert the  
17 persons who were working in there, and that Sergeant  
18 Corrigan actually was a passenger in one of these  
19 airplanes. This was done in conjunction with the Irish air  
20 force.

21 67 Q. Mr. Hynes, the reason you are giving this evidence today is  
22 to demonstrate some level of cooperation on how good Owen  
23 Corrigan was, yet the very same example, not one person was  
24 apprehended, despite a planned operation, and not one  
25 person had a conviction secured against them?

26 A. There was a charge put against this man, and it was  
27 dismissed as the technicality, Chairman, as I have  
28 described.

29 68 Q. What exactly was the technicality, that he didn't own the  
30 land? Is that your belief?

1 A. The charge was preferred against the owner of the -- the  
2 son -- sorry, the charge was preferred against an  
3 individual who was the son of the owner, and he was put  
4 down as the owner of the land when, in fact, he wasn't, and  
5 that's the story. And all this --

6 69 Q. Can you recall, Mr. Hynes, what the charge was?

7 A. I cannot, Chairman, but I'd imagine it was possession of  
8 explosives.

9 70 Q. Do you need to own the land that the explosives are on to  
10 be charged with possession?

11 A. Well, I can't recall the details of the charge, but in any  
12 event --

13 71 Q. Mr. Hynes, is it not correct that that operation was a  
14 complete disaster in relation to apprehending subversives?

15 A. In any event, Chairman, the file for this would not have  
16 been prepared by Sergeant Corrigan; it would have been  
17 prepared at Drogheda Garda Station, which was the district  
18 where the explosives were located.

19 72 Q. Mr. Hynes, is it not the case that this operation was a  
20 disaster in relation to apprehending subversives?

21 A. Chairman, I wouldn't consider it a disaster at all,  
22 because, first of all, it caused significant disruption to  
23 the flow of the explosives from the North of Ireland for a  
24 considerable period of time. This had been going on for  
25 some years, I'd say, and, first of all, that was the  
26 biggest achievement in it. I can certainly say, Chairman,  
27 I would have wished a better outcome, but I wasn't involved  
28 in that and I cannot comment on it.

29 73 Q. Yes, Owen Corrigan was involved and it was a disaster,  
30 that's correct?

1 A. I don't accept that for one second, Chairman.

2 74 Q. Now, the details of that operation: When did you come by  
3 the details?

4 A. Sorry?

5 75 Q. The details of the operation, the quantities of explosives,  
6 how did you come by that information?

7 A. In discussions with people who were involved in it,  
8 Chairman.

9 76 Q. And would you know these people? Who were these people?

10

11 MR. HAYES: I don't think there is any particular need for  
12 the people in question to be identified. Certainly, there  
13 are people who, as you have been told, were never convicted  
14 in relation to it and haven't been put on notice, and I  
15 don't know there is any particular relevance to the  
16 publication of their identity.

17

18 CHAIRMAN: I am not sure that -- who do you want to know  
19 about?

20

21 MR. ROBINSON: The guards, who were the guards?

22

23 MR. CHAIRMAN: Oh, I apologise. I thought he was --

24

25 77 Q. MR. ROBINSON: Who did you speak to in relation to the  
26 information you are conveying to the Tribunal today?

27 A. Well, I spoke with Detective Sergeant Corrigan and  
28 Detective Sergeant Matt Downey, who led the operation.

29 78 Q. And when did you speak with them? When did you speak to  
30 those individuals?

1 A. Following the operation, Chairman.

2 79 Q. And you gave evidence previously to the Tribunal?

3 A. Yes, I did, Chairman.

4 80 Q. And you didn't provide this evidence on that occasion?

5 A. Chairman, I provided that evidence in my original statement  
6 to the Tribunal. It was considered to be sensitive and it  
7 was to be given in a closed session of the Tribunal.

8 81 Q. And --

9 A. That is the reason why it wasn't given.

10 82 Q. And have you had any discussions with Owen Corrigan since  
11 the inception of this Tribunal?

12 A. I visited him in hospital after I was here last Friday, and  
13 he was in hospital in the Mater Private and I visited him  
14 there on my way home.

15 83 Q. And prior to that visit, when was the last time you saw  
16 Owen Corrigan?

17 A. Oh, it could be months ago. You'd meet him occasionally  
18 around Dundalk.

19 84 Q. And did you speak -- have you spoken to Owen Corrigan since  
20 the commencement of this Tribunal?

21 A. Yes, I have, Chairman.

22 85 Q. On how many times?

23 A. I'd say twice in all, Chairman.

24 86 Q. And what did you discuss with Owen Corrigan during those  
25 conversations?

26 A. We were -- discussed how ridiculous it was to have these,  
27 this Tribunal going on in relation to him.

28 87 Q. And did you volunteer your help to Mr. Corrigan, that you  
29 would give evidence to support him?

30 A. I am giving evidence because I was contacted by members of

1 the investigating Tribunal, like every other guard,  
2 Judge -- Chairman.

3 88 Q. Mr. Hynes, you were in Dundalk, I believe, from 1966, is  
4 that correct?

5 A. That's correct.

6 89 Q. And you were there when Owen Corrigan arrived?

7 A. That's so.

8 90 Q. And you worked with Owen Corrigan?

9 A. That is so.

10 91 Q. And it was a very small team prior to the changes brought  
11 in by the Anglo-Irish Agreement?

12 A. Yeah, there was about eight or ten of us.

13 92 Q. And it's fair to say you built up a close working  
14 relationship with him?

15 A. Yes, we had. Now, I didn't always work with him. We were  
16 sort of on different, opposite ends of units. There was  
17 two units there, and I was, I think, on C, and he could  
18 have been on D, but our paths would cross at least twice a  
19 week, sometimes more.

20 93 Q. Mr. Hynes, the evidence you are giving has a ring of trying  
21 to distance yourself from any full-time involvement with  
22 Mr. Corrigan. There were only eight detectives. You all  
23 were fighting the same direction, one would assume. You  
24 all had to share information, you all had to share the same  
25 station. You developed a close working and, I suggest to  
26 you, personal relationship with Mr. Corrigan. That is the  
27 truth?

28 A. I worked -- I am not denying, Chairman, for a second, that  
29 we worked closely with Mr. Corrigan, other members of the  
30 Detective Branch, but there was very little, if any,

1 socialising, except maybe at festive times like Christmas,  
2 and that.

3 94 Q. And if I can take you, then, to the arrangements for this  
4 interview in Newry. Have you provided the name of that  
5 lorry driver to the Tribunal?

6 A. No, I haven't, Judge, because I can't recall it.

7 95 Q. Is there any way the file in relation to that incident can  
8 be obtained, or do you know where it's stored?

9 A. I'd imagine the file in relation to that individual, who, I  
10 understand, is deceased shortly after these events, would  
11 be in Knock in Belfast.

12 96 Q. And if I can just return briefly to the actual list of the  
13 items found on the farm during the search. That evidence  
14 was quite particular. How did you retain that information?

15 A. I rang Crime & Security in Dublin before I came here a  
16 couple of weeks ago and they provided me with the list of  
17 items that was found.

18 97 Q. And was that following any of your visits with Owen  
19 Corrigan? Was that following any of your visits with Owen  
20 Corrigan?

21 A. It was not. Mr. Corrigan would not have been aware that I  
22 was in contact with Crime & Security at all.

23 98 Q. And what about Mr. Corrigan's legal team, have you ever had  
24 any contact with the legal time?

25 A. Only to say 'hello' to them. I never informed them of any  
26 of this.

27 MR. ROBINSON: I have no further questions.

28

29 CHAIRMAN: Thank you very much. Any other questions? I  
30 don't think --

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MR. HAYES: Just one or two by way of re-examination.

**THE WITNESS WAS RE-EXAMINED BY MR. HAYES AS FOLLOWS:**

99 Q. MR. HAYES: First of all, I think you provided a statement, Mr. Hynes, to the Tribunal on the 28th of February, 2011, is that correct?

A. That is correct.

100 Q. And I think at that time, included in that statement were the details of the evidence you have given today, is that correct?

A. That is so, Chairman.

101 Q. And, just finally, in answer to Mr. O'Callaghan you made reference to having dealt with a number of senior RUC officers over the years. You have, I think, the list in front of you still, is that correct?

A. I have a list.

102 Q. Perhaps if you just look through the lists, perhaps, and just call out the numbers of any of the persons with whom you dealt?

A. No. 24, No. 20, No. 27, No. 57, No. 60, No. 8, and then there was the deceased Brian Fitzsimons, the deceased Billy Mooney - they were Chief Superintendents and Assistant Chief Constable, as I understand; Detective Inspector William Hylands; and my most recent one, I was in Belfast on a murder inquiry and there was a Detective Chief Superintendent Jimmy Molloy, who has since retired.

Mr. Hayes: Thank you very much, Mr. Hynes.

1 CHAIRMAN: Very good. Thank you very much, Mr. Hynes. I  
2 am grateful to you for your help.

3

4 **THE WITNESS THEN WITHDREW.**

5

6 MR. HAYES: That's the end of Mr. Hynes, obviously, for  
7 today. I think, then, the courtroom ought to be cleared.

8

9 CHAIRMAN: Now, I think, Mrs. Lavery, you are taking the  
10 next witness, isn't that so?

11

12 MRS. LAVERTY: Yes, Chairman, I think it might be in ease  
13 of everyone if the Court was cleared by everyone, except  
14 for the Tribunal staff and the stenographer, I think it  
15 would make things easier, Chairman.

16

17 CHAIRMAN: Well, do you mean including the legal teams?

18

19 MRS. LAVERTY: There are quite a lot of lawyers here at the  
20 moment, Chairman. I think it would just make it easier.

21

22 CHAIRMAN: Well, I'd ask everybody, then, to leave court.  
23 The next witness will not be giving evidence under a  
24 cipher, is that correct, Mrs. Lavery?

25

26 MRS. LAVERTY: That's correct.

27

28 CHAIRMAN: It will be in his own name, but he does wish to  
29 be screened from public view, so I'd ask you to be kind  
30 enough to leave so that he can come in and be seated and

1 sworn, and then you can all come back in.

2

3 MR. ROURKE: Mr. Chairman, can I raise an issue in respect  
4 of the proposed application to screen this witness?

5

6 CHAIRMAN: Sorry?

7

8 MR. ROURKE: Sorry, my name is Martin Rourke. I appear on  
9 behalf of Freddie Scappaticci in this case, who is a  
10 witness potentially adversely affected by Mr. Keeley's  
11 evidence. Now, my understanding at the moment is that the  
12 next witness, Mr. Keeley --

13

14 MRS. LAVERTY: Sorry --

15

16 MR. ROURKE: My understanding, Mr. Chairman, is that this  
17 witness seeks to be screened from the public, but I  
18 understand that application does not extend to the lawyers  
19 in the Tribunal. But I also understand, and I may be wrong  
20 and I hope I am wrong, the proposal is that he, in fact, be  
21 screened from the lawyers. Now, if that be the case, I  
22 respectfully submit that that's in inappropriate way to  
23 proceed because the screening of the witness from the  
24 lawyers, we say, adversely affects the effective  
25 cross-examination and assessment of the witness by the  
26 lawyers. Now, I appreciate that you, as Chairman,  
27 ultimately is the arbiter of the credibility of the  
28 witness, but, in cross-examining a witness, it's important  
29 to see the witness as well as to hear what the witness has  
30 to say. And it seems to me, and I submit, that there are

1 less intrusive ways of satisfying the needs of the witness  
2 for screening from the public, without screening from  
3 everyone in the Tribunal. That could be effected by  
4 screening from the public in this case, and it seems to me  
5 that if there is an impediment to that, it's a practical  
6 one rather than one that relates to the needs of the  
7 witness and the requirements of the lawyers who may wish to  
8 cross-examine him. So, my objection is, if it is proposed  
9 to screen the witness from myself, for example, I object to  
10 that, and submit there are less intrusive ways of meeting  
11 the needs of the witness.

12  
13 So I ask that, if he is to be screened, it be in accordance  
14 with his wishes only from the public.

15  
16 CHAIRMAN: Mrs. Lavery?

17  
18 MRS. LAVERTY: I understand My Friend's concern, and it's a  
19 concern I have myself, Chairman, that whoever is  
20 cross-examining the witness should be able to see his  
21 demeanour in the witness-box, and I think that My Friend's  
22 query concerns could be adequately addressed if whoever  
23 actually is cross-examining at the time, would stand in  
24 this position so they would be able to see.

25  
26 CHAIRMAN: I think that would meet your objections.

27  
28 MR. ROURKE: No, with respect, it wouldn't, Mr. Chairman,  
29 because --

30

1 CHAIRMAN: Why not? You want to see the witness?

2

3 MR. ROURKE: Yes, I do.

4

5 CHAIRMAN: Well, then, if you can see him, what's your  
6 problem?

7

8 MR. ROURKE: There are a lot of interested parties in this  
9 Tribunal which share the same, or at least coterminous,  
10 interests, with my client. I wish to see him being  
11 cross-examined and I wish to see him when he is giving his  
12 evidence-in-chief. You can't make an assessment of a  
13 witness just when you are asking him a question; it's how  
14 he responds to other people when asked questions. It's  
15 just as important as how he responds to the particular  
16 questions that I may ask him. I suspect that, in this  
17 case, a number of other lawyers may have a shared interest  
18 in the credibility of Mr. Keeley, and I would wish to see  
19 him when he is being cross-examined by those lawyers. So  
20 the suggestion by My Friend, in my submission, does not  
21 meet my needs.

22

23 CHAIRMAN: Well, I appreciate what you say. It does seem  
24 to me, however, there are very serious concerns about the  
25 safety of this witness, and great precautions have had to  
26 be taken for him, to secure him, his own position, and to  
27 make sure that he wasn't the subject of attack by any  
28 outsider. He has expressed concerns, which I think I have  
29 to have regard to. We'll never achieve perfection in  
30 everything, but while I have heard what you say, I think

1           that the reasonable *via media* is that all lawyers, when  
2           cross-examining him, will be able to see him, will be able  
3           to come forward and take another position in the room and  
4           therefore be able to view him, but I don't think it's  
5           feasible to allow everybody to observe him all the time  
6           during his examination-in-chief without affecting security  
7           matters, and I am afraid I can't assist you in that regard;  
8           I'll have to allow the position as indicated by  
9           Mrs. Lavery to go ahead.

10  
11          MR. ROURKE:    Could I suggest, with respect, Mr. Chairman,  
12          if a screen was positioned behind the lawyers, that would  
13          meet the needs of the witness and meet the needs of the  
14          Tribunal.

15  
16          CHAIRMAN:    No, it wouldn't.  I mean, the screen to protect  
17          the witness needs to be up near where he is giving evidence  
18          from.  I think a screen from behind the lawyers would be  
19          unworkable, and I am afraid I can't assist you in that.  I  
20          think that matter will have to go on as planned.

21  
22          MR. ROURKE:    Well, I have registered my objection.

23  
24          CHAIRMAN:    I appreciate that you have.

25  
26          MR. ROURKE:    And I submit that we are adversely affected by  
27          the procedure suggested by you, Mr. Chairman.

28  
29          CHAIRMAN:    Very well.  Thank you.  Now, perhaps if the  
30          public could leave, please, very kindly, until the witness

1 takes his seat.

2

3

**MEMBERS OF THE PUBLIC THEN WITHDREW**

4

5

CHAIRMAN: Now, Mr. Fulton, before we begin, I want to

6

explain to you that you are screened, of course, you can't

7

be seen by the members of the public. Lawyers for the

8

other parties, other than the Tribunal, have asked that

9

they need to see you when they are cross-examining you;

10

they also ask that you be fully on view at all times. I

11

have ruled you can't be, that you are behind a screen and

12

the screen must be up close to you for your protection, but

13

as they come to cross-examine, they will be allowed to come

14

to your view and each individual lawyer will then see you.

15

I have made that ruling, so I just thought I'd tell you

16

that.

17

A. Okay, thank you.

18

19

**MEMBERS OF THE PUBLIC THEN RETURNED**

20

21

MRS. LAVERTY: The next witness, Chairman, is Mr. Kevin

22

Fulton.

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1                    KEVIN FULTON, HAVING BEEN SWORN, WAS EXAMINED BY  
2                    MRS. LAVERTY AS FOLLOWS:

3

4        103    Q. MRS. LAVERTY: Morning, Mr. Fulton. Mr. Fulton, my name is  
5                    Mary Laverty. I am counsel for the Tribunal.  
6                    Now, I think that you are from Newry originally, is that  
7                    correct?

8                    A. That is correct, yes.

9        104    Q. And I think that you were born on the 1st of October, 1960?

10                  A. That is correct.

11        105    Q. And following school, you joined the British Merchant Navy,  
12                    is that right?

13                  A. Yes, that is correct.

14        106    Q. At what age were you when you joined up?

15                  A. The Merchant Navy?

16        107    Q. Yes.

17                  A. I would have been 15-and-a-half, 16 years of age.

18        108    Q. And how long did you spend in the Navy?

19                  A. It would have been, with training, and that, in the main  
20                    ships, about a year-and-a-half, maybe two years, and that  
21                    would have been it.

22        109    Q. Was there a history in your family of people joining the  
23                    Forces?

24                  A. Yes, some parts of my family were members of the Police,  
25                    the RUC, the British Army, Royal Navy and the British Army.

26        110    Q. Did you like the Navy?

27                  A. Not so much the Merchant Navy. I always wanted to be in  
28                    the British Army, so, when I was young, I went away in the  
29                    Merchant Navy. It kept me out of Newry, where the troubles  
30                    were on, and I got to see a bit of the world.

1 111 Q. But you decided, I think, it wasn't for you, is that  
2 correct?

3 A. Yes, that is correct.

4 112 Q. And when did you decide, then, to join the British Army?

5 A. I joined the British Army in 1979.

6 113 Q. Was that a difficult decision for to you make at that time?

7 A. No, it was no difficulty whatsoever. It's what I always  
8 wanted to do, so I joined the army for me, not for nobody  
9 else.

10 114 Q. Yes. And did you tell your family at the time you were  
11 joining the army?

12 A. No, I decided not to tell anybody because I had a brother  
13 died and things were hard in the family. Also, it  
14 prevented my mum and dad from worrying about me. We lived  
15 in Newry, it was a Republican town. So I joined the  
16 British Army, and I just wanted to get away, so I never  
17 told them.

18 115 Q. What did you tell your family when you went away?

19 A. I actually told my family that I was going back on the  
20 Merchant Navy again, which they were happy because it got  
21 me out of the town.

22 116 Q. Where were you sent to originally?

23 A. When I was joined the British Army, I was sent to the  
24 Recruit Selection Centre, it's in Sutton Coldfield, and it  
25 was to put you through to see which parts of the army would  
26 be suitable or what you would like. So I went to Sutton  
27 Coldfield, went through recruit selection, and then I  
28 decided to join the Royal Irish Rangers, which was an Irish  
29 regiment of the British Army, so I signed up for them and I  
30 was sent to the depot in St. Patrick's Barracks in

1 Ballymena.

2 117 Q. For what period of time did you sign up initially?

3 A. Initially, I signed up for three years, and basically, when  
4 I got a taste of it, which was, again, within a month or  
5 two, I signed up for nine years, which was the maximum at  
6 that time.

7 118 Q. And you obviously intended making a career out of it, is  
8 that correct?

9 A. I did, yes.

10 119 Q. Now, and did you commence basic training the same as  
11 everybody else?

12 A. I did. I started in St. Patrick's Barracks, which was, you  
13 know, it was Anzio Platoon, your basic training. I went  
14 through it just like everyone else, yeah.

15 120 Q. And how long were you actually in training when approaches  
16 were made to you by a third party?

17 A. Around -- just after four weeks, my platoon sergeant  
18 approached me and said that people from -- the British Army  
19 intelligence wanted to speak to me, and I -- well, I agreed  
20 to speak to them.

21 121 Q. Why did they single you out, did they tell you?

22 A. Well, when I spoke to the two people, they were saying, you  
23 know, I was a Catholic, I was from Newry, and, you know,  
24 they were very nice about it and just saying, like, why did  
25 I join the army, and they were quite happy with my answers,  
26 and, as I said, like, "Am I in trouble or anything?" They  
27 said, "No, no, no, you are not in trouble," but they would  
28 like me to help them do things.

29 122 Q. How many other Catholics at that stage commenced basic  
30 training with you?

1 A. I don't really know. There would be very few. Most of the  
2 people there would have been of the Protestant community.

3 123 Q. So did these people who approached you indicating that they  
4 were from army intelligence, did they tell that you they  
5 felt that you had an advantage that perhaps some of your  
6 colleagues didn't?

7 A. Well, they brought it up that I was from Newry. It was,  
8 you know, a mainly Republican town, and basically they  
9 wanted to know would I help them, and I said, yes. You  
10 know, I was in the British Army, you know, so it was  
11 natural.

12 124 Q. So in what way did you help them?

13 A. Well, at that time, they asked me would I help them put  
14 names to faces on photographs? So we went over to the  
15 Education Centre, they would come back and take maybe a  
16 couple of boxes of photographs, we'd have tea. And most of  
17 them were from covert observation posts that was facing  
18 what we would call the dole office, you know the Social  
19 Security where people go in and sign on, because around  
20 that time there was a lot of unemployment in Newry, so most  
21 people would have been signing on for unemployment. And it  
22 was a case, like, you know, they were looking to know  
23 people that were republicans but also people that weren't  
24 -- they wanted to put names to faces.

25 125 Q. And you hadn't any problem --

26 A. No, I had no problem with that.

27 126 Q. -- assisting them as much as you could?

28 A. No, I had no problem assisting them with that at all.

29 127 Q. And how did matters progress after that, then? What  
30 intervals did this assistance -- was this assistance given

1 to these people?

2 A. They would come up every few weeks and, you know, they'd  
3 come up again with more pictures and everything else.  
4 Sometimes, they would say, "We are going to take you away  
5 for a weekend." They would take me to -- down towards  
6 Newcastle, we would go to Ballykinler Army Camp. It was,  
7 basically, a getting-to-know-you type of thing and  
8 engracing you in with them. It was a common interest. We  
9 were all soldiers, they were soldiers. They'd go to the  
10 firing ranges and they would ask me would I leave the army  
11 at that stage and come and help them. I said no, I loved  
12 my job. And I kept saying like, you know, "Am I in  
13 trouble, or anything?" He said, "No, no, you are not in  
14 trouble." And they were quite happy for me to stay in the  
15 army, and they asked me would I be able to help them in any  
16 way, maybe get people that would be sympathetic to the  
17 army, which I got a number of people and recruited them to  
18 work with this army unit.

19 128 Q. And how did you manage to do that? Were you full-time in  
20 training or were you out at weekends or -- what  
21 opportunities did you have to recruit other people?

22 A. When you are in training, you do get a few weekends off.  
23 What actually was happening is I would be giving -- I was  
24 allowed to go with these people. These people had a  
25 greater authority about them, and they came up. My  
26 training major, and all, just basically bent over back ways  
27 to help these people, and if they needed to take me away,  
28 there was no problem with it. It didn't interfere with my  
29 training; I still went through it. You know --

30 129 Q. When you say "they came up," where did they come from?

1 A. Well, I knew, they told me they were down in Bessbrook, in  
2 my area - Bessbrook was just outside Newry - and they would  
3 come up to St. Patrick's Barracks in Ballymena to me.

4 130 Q. And without mentioning names, did you know who they were?

5 A. I only knew them by two names. I mean, at that time, I  
6 never asked any questions. Now, I didn't ask them -- I  
7 knew they were army intelligence. And, you know, it's like  
8 a lot of the things in that there, I was told by them that  
9 if any of the recruits asked, you know, who they were, just  
10 to tell them they were from welfare, SSAFA, which is the  
11 army welfare people, and, you know, I just went along with  
12 that.

13 131 Q. And I think I was just asking you there how did you recruit  
14 other people and other friends to -- I presume do similar,  
15 carry out similar activities to yourself at that stage?

16 A. There would have been some people -- a lot of my friends at  
17 the time that I went about with when I was young, were  
18 Protestants, there was some Catholics as well, and they  
19 were not involved, you know, with crime or terrorists, or  
20 anything. So there is a lot of people -- a few people knew  
21 where -- a few of my friends knew I joined the army, and I  
22 had no problem with that. My own family didn't. But I was  
23 able to judge out who would, maybe, possibly help them, and  
24 I made the approach, and some of them agreed.

25 132 Q. This continued on, then, until I think your regiment was  
26 posted to Berlin, is that right?

27 A. At the end of my training, the First Battalion in the Royal  
28 Irish Rangers were already in Berlin, so I was posted to  
29 the First Battalion and went over to Berlin with the  
30 regiment. They were already there.

1 133 Q. That was in 1980, I think --

2 A. Yeah.

3 134 Q. -- from your statement?

4 A. Yes.

5 135 Q. And were you assigned to somebody else, then, in  
6 Intelligence?

7 A. When I was over there, the Battalion had its own  
8 intelligence cell. I wasn't assigned to anyone there. But  
9 there was a person came from, I think it was 3 Intelligence  
10 and Security, which was from the Intelligence Corps, and I  
11 don't see his name -- can I say his name? No.

12 136 Q. No.

13 A. Well, I was assigned, basically, a baby-sitter, a person  
14 there to bring on skills and to teach me things.

15 137 Q. So he would have been a handler, so to speak?

16 A. Yeah.

17 138 Q. Or a teacher, a mentor?

18 A. Basically, a mentor, yeah, to bring you in and baby -- he  
19 would baby-sit you and nurture you and bring you on, just  
20 to keep you interested in what you were doing to keep  
21 you -- just to keep you doing what you were doing.

22 139 Q. And did you gain some experience working with him?

23 A. I did, yes. I mean, some very basic things. I remember  
24 the first time he took me up to Brigade, which were -- they  
25 had a closed section within Brigade, and it's a thing  
26 that's always stuck with me, because he says, "I'll go out  
27 and get a couple of cups of coffee," and he left his  
28 notebook on the table, and, you know, I just sat there, and  
29 he came back in and he says, "Did you touch my notebook?"  
30 I says, "No, I didn't." He says, "Did you touch it?" I

1           said, "No, honestly, I didn't." He said, "You should have.  
2           When anyone goes out of the room, you start looking at  
3           their notes." I mean, that always stuck with me because I  
4           didn't touch it.

5       140   Q. So how long were you, if you like, working with this  
6           gentleman, then, who was from Intelligence?

7           A. I would have been working with him right up to 1981. But  
8           in between that, as well, when I'd go on leave, I would  
9           meet up with the two gentlemen that met me in Ballymena,  
10          and again, we would -- I would not go home to my home town;  
11          they would put me into, maybe, Newcastle, into a hotel, and  
12          we would socialise there and we would meet up with the  
13          people that I had recruited as well, and we would have  
14          range days, which were these other people were taken to  
15          Ballykinler, they were met in a van, taken in the back of  
16          the van to the fire range, we'd all shoot different weapons  
17          and do different things.

18       141   Q. Did -- were you the only one who was being trained in this  
19          way towards intelligence, so to speak, or did you have  
20          other colleagues, who had entered at the same time as you,  
21          being groomed for this area?

22          A. To my knowledge, no. In my battalion, I was the only one  
23          there getting that done. I mean, there were two other guys  
24          who were going on to be -- they were English guys, and they  
25          were going to become officers for the Royal Irish Rangers,  
26          and this goes back to -- this is a thing that actually  
27          happened during training, it's called a NERT course, where  
28          potential officers would go out and they would go through  
29          the training with us, the recruits, before they would go to  
30          Sandhurst, so, therefore, they'd be conditioned, they'd

1 have a head-start before some of the other recruits in  
2 England going to their regiments. But one of the guys,  
3 anyhow, came, they were actually sent to Ballykinler on  
4 their leave where they went out with the regular units,  
5 which was the Paras, I think, at that time, but one of the  
6 guys came back and said, "That guy that keeps coming up to  
7 you, you know," he says, "they are army intelligence." So  
8 I had to go back and tell the two gentlemen, as well, that  
9 he said that. I presume he was spoken to, you know. But  
10 for doing what I was doing, no, there was nobody else that  
11 I knew of with my regiment.

12 142 Q. Now, did you like the army when you were in Berlin?

13 A. Yeah. I loved the army, full stop. It's what I wanted to  
14 do. I always wanted to be a soldier. So, you know, I was  
15 getting to do the military training. Berlin was actually  
16 good for me because I have a great interest in history,  
17 Second World War. I mean, it was -- you were right in the  
18 middle of everything of history. And we had Spandau  
19 Prison, Rudolf Hess -- we guarded -- I guarded Rudolf Hess  
20 a number of times as well.

21 143 Q. I think you said in your statement to the Tribunal that  
22 working as an ordinary soldier within a regiment in Berlin  
23 does become monotonous and boring?

24 A. It's like any soldier. I mean, if you are there, you are  
25 doing mainly guard duties all the time. It does become --  
26 you are marching up and down the square, and, with these  
27 people, you had an opportunity -- I mean, when I was back,  
28 came back on leave, or anything else, you were learning  
29 photography skills, new weapons, you were handling weapons  
30 that weren't the regular issue of the British Army, and,

1           you know, it was very interesting. You know, it wasn't an  
2           ordinary nine-to-five thing. When we were back in Northern  
3           Ireland on leave, we'd be driving around different areas  
4           fully armed in civilian clothes. It was good, it was  
5           exciting, it was new, and yes, I loved it.

6       144   Q. So, at the end in Berlin, then, did something -- was an  
7           offer made to you?

8           A. Yes. They asked me would I come back. At this time, the  
9           hunger strikes, and that, were on, there was a lot of  
10          trouble, and my interest in that type of work was actually  
11          good. They actually made an offer, "Would you come back?  
12          We'll give you a false discharge, and you come back, work  
13          with us." And at that stage, it was very hard to refuse  
14          because they had recruited people to do things that I  
15          wasn't actually doing. But at this stage, you know, the  
16          excitement was there. It's very hard for people who aren't  
17          military to understand it. The troubles was on. There was  
18          a lot of -- it was basically a type of war. And you learn  
19          the skills in the army to do a certain job. It would be  
20          like a plumber learning to do plumbing and never going near  
21          pipes, you know, to fix them. So, basically, I was offered  
22          a chance to put the skills that I had learned into  
23          practice.

24       145   Q. Who offered you the chance at this stage? Because  
25           obviously it was an important step for you, so who were you  
26           going to work for or who actually offered you?

27          A. Well, these people were army intelligence, it was the two  
28          gentlemen, and I agreed that I would go back. They said,  
29          "We'll give you a false discharge as if you were thrown out  
30          of the army, it's not suitable, and if things don't work

1 out, we can RTU you, which would be return you to your  
2 unit," and I was quite happy to do that. So therefore,  
3 they put a thing into play where they told me things to do  
4 so they could get me my discharge. They got me to get my  
5 father to say that he was very ill, and I said I wanted it,  
6 you know, on compassionate grounds, but they'd give me a  
7 discharge book as well to say that I was kicked out of the  
8 army, I wasn't suitable. But my father then, he got a  
9 letter from the doctor saying he needed me to work in the  
10 business. Our family had a business, a wallpaper and paint  
11 shop. So I wasn't -- at this stage, my mum and dad knew I  
12 was in the army, so they were -- my dad was happy to get me  
13 back. So he got a letter from the doctor. There was a  
14 visit set up from SSAFA, which is the army welfare people,  
15 army and navy welfare, but the person that went to my  
16 father was my platoon commander's father, and he was a  
17 member of Her Majesty's Customs and Excise, so it was all  
18 kept in-house. So it wasn't really what it was supposed to  
19 be, and I did then get a discharge from the army, that I  
20 wasn't suitable, but they put it through to hold things. I  
21 got another discharge book at soldier's own request. Even  
22 though I was a nine-year man, I didn't have to pay any  
23 money, nothing. So I went back to Newry and, basically,  
24 met these people every week. Well, I thought they were  
25 based in Bessbrook, which they were, but they sometimes  
26 took me to Bessbrook and sometimes to Castledillon, which  
27 is outside Armagh, which was a big stately home, or  
28 something, it was.

29 146 Q. You mentioned in your statement that there was a new unit  
30 set up in the British Army in 1980, 1981. Now, tell us

1 about that unit, and were you working for them? Or were  
2 you working for someone else?

3 A. No, no, no. That unit was started in 1981, it was a force  
4 of search unit. Before that, it was called, I think,  
5 something field unit. They kept changing the name every so  
6 often. I mean, it didn't really mean much to me, you know,  
7 but they had started up, and the person who baby-sat me in  
8 Berlin, was actually going from Berlin straight over to  
9 Bessbrook, as well, to this unit, you know, so I knew him  
10 and I knew the two other gentlemen who had been with me,  
11 you know, from the start of my training.

12 147 Q. But you weren't working for that particular --

13 A. Well, I was working for them, yes.

14 148 Q. For them?

15 A. Yeah.

16 149 Q. Now, so you now had -- you have told the Chairman that you  
17 had effectively false discharge papers, is that right?

18 A. Yes, that's correct.

19 150 Q. And was that to provide you with a cover in the event  
20 that --

21 A. That was -- what I was instructed from these people was,  
22 when I started going in with people that would have been  
23 IRA people, "not to lie to them, tell them you were in the  
24 British Army," and I actually thought no, this is crazy.  
25 They said, "No, it's not, because if you don't tell them  
26 the truth at the start and they find out, they'll kill  
27 you." So I actually went along with it, and I'd say to  
28 people, "No, I have been in the army, I got kicked out."  
29 Now, there would have been very few people in the  
30 Republican movement or Republican people I would have told

1 that. One person that engraced me in at the very start  
2 would have been a Sinn Fein councillor, I won't name him  
3 here but I can give you his name, in Newry. He got me in  
4 at the start. I started hanging about with him and going  
5 to a club and playing snooker and, you know, things just --  
6 it took a very long time to get in. I just had to build --  
7 I had a life in Newry because I was a local, and this was  
8 all explained to me. You know, because they brought up the  
9 thing with Robert Nairac, he was an Englishman pretending  
10 to be from a certain part of Northern Ireland, which was  
11 easy to check out because they just needed to lift the  
12 phone. So, as they said, you know, "you are a native from  
13 the town, you have history, you have family."

14 151 Q. Now, so that was your brief, to get yourself in with the  
15 IRA?

16 A. Yes.

17 152 Q. And to pass on information to your two handlers --

18 A. Yes.

19 153 Q. -- who were army intelligence?

20 A. Yes.

21 154 Q. And what was the deal in relation to who was going to pay  
22 for this or how you were going to support yourself?

23 A. Well, I was getting my army wages in cash every week, so I  
24 was still getting paid, in cash, my wages. And at that  
25 time, they wanted me to build a life in the town, so I was  
26 to take a job. So whatever I got in the job, I would have  
27 got it as well, but I was still getting my army wages.

28 155 Q. Were you able to drive at the time?

29 A. No, they actually learned me to drive. I wasn't taught how  
30 to drive in the army. They taught me how to drive and they

1           taught another number of people I recruited, because the  
2           other person I recruited as well, could drive. So they  
3           gave us driving lessons and a Triumph Dolomite, a car that  
4           they would use.

5       156   Q. And was the car purchased for you?

6           A. A car was purchased later on. This car was their car.  
7           This was a Q-car, this is one of their own cars with their  
8           own plates, and things, on it.

9       157   Q. But did you subsequently get a car from them?

10          A. I did get a car from them, yes.

11       158   Q. And in what you were doing in encouraging confidences, I  
12          suppose, was that car an advantage to you?

13          A. It was, because it meant I could actually drive out around  
14          the town. At one stage, they fitted a switch into it --  
15          around this time, the IRA were actually mounting a lot of  
16          checkpoints in south Armagh, and what they had put on it  
17          was a switch inside the car, and I was actually told to  
18          drive a certain route, which I would start from maybe, say,  
19          Newry, head out towards Bessbrook, Camlough, south Armagh,  
20          and I was given a route to drive around. And at this time,  
21          the British Army were trying to catch, they were trying to  
22          kill the IRA, because the IRA were doing a lot of  
23          checkpoints around Crossmaglen, and that, so the route I  
24          would follow, if I was stopped at a checkpoint I would just  
25          throw the switch and basically they would be waiting in  
26          Bessbrook and could come up in a helicopter, to know the  
27          route where I am on, and they would do their thing.

28       159   Q. Were they protecting your back, in other words?

29          A. Thinking at it now, were they protecting my back? I don't  
30          know. They may have zapped me with them. It's just the

1 way it happens. It's politics.

2 160 Q. So you said that when you returned initially, you were  
3 being looked after financially, you were getting the  
4 equivalent of your wages in cash?

5 A. Yes.

6 161 Q. And if you got a job, well that was surplus to your basic  
7 requirements.

8 A. Yes.

9 162 Q. And you said you got a job in a meat factory?

10 A. I did, yes, I got a job in Anglo-Irish Beef Packers.

11 163 Q. Was that the main employer in Newry at the time?

12 A. It was. It was Larry Goodman's factory in Newry.

13 164 Q. Did you stay long at that?

14 A. I stayed a while at it. I didn't like it, but, I mean, I  
15 stayed a while, and I eventually got out of it, too,  
16 because it wasn't very nice.

17 165 Q. Now, the documents that you had, your false discharge  
18 documents, I presume that you carried them around with you  
19 or --

20 A. No, no, you wouldn't carry it around. It's a red book, a  
21 red discharge book. You wouldn't carry it around with you.  
22 It's just there for employers. And the book that they'd  
23 give me, you wouldn't show it to nobody because you were  
24 thrown out of the army, but that was in case IRA people  
25 wanted to to see it.

26 166 Q. So it was an insurance policy more than anything else?

27 A. It was proof. I mean, there was some members of the IRA in  
28 Dundalk and different places had been members of the  
29 British Army many years beforehand, so they would know what  
30 to look for. Anyone in the army would know what to look

1 for.

2 167 Q. Do you still have that document?

3 A. No. That document was given back to the -- I had my own  
4 official document, but the PSNI raided my property and took  
5 all my photographs, computers, discharge book, everything,  
6 as there is active investigations into a number of murders  
7 and terrorist offences and they are investigating me. So  
8 they have took all this stuff as evidence.

9 168 Q. I think that it is possible to confirm that you did have  
10 false discharge papers, is that correct?

11 A. Well, how am I going to do it now? I mean, at this moment  
12 in time, the army is saying nothing. You know, nobody is  
13 talking even to me, you know, it's... sorry --

14 169 Q. Sorry, continue on. You were going to say something?

15 A. No, no, it's just, it's unbelievable and it's not  
16 unbelievable. They are saying nothing. They are sticking  
17 to: "No, you were discharged at soldier's own request."  
18 You know, nobody is giving anything. Nobody wants to admit  
19 anything.

20 170 Q. This would have been, I think, in 1982? When were you  
21 discharged from the army?

22 A. No, 1981.

23 171 Q. 1981?

24 A. 1981 I was discharged, yeah.

25 172 Q. And then how many years did you spend in the meat factory?

26 A. I would have spent a few years in it, and then I went back  
27 to painting and back into my dad's shop as well.

28 173 Q. So you continued on working but also supplying information  
29 and being paid?

30 A. Yes. The information wouldn't actually have been good. It

1 would have been what they would have called 'eyes and  
2 ears'. What they would say to me, "You have got to go  
3 through it slowly, it takes many years to do it, may  
4 years," and it was actually very frustrating, and at one  
5 stage I actually asked to be returned to my unit, and they  
6 wouldn't do it.

7 174 Q. So, you were picking up, I suppose, effectively, crumbs of  
8 information here and there, is that right?

9 A. To me, it was nothing, because you were seeing who was  
10 going to what club. To me, at the time, I didn't really  
11 understand the significance of even the 'eyes and ears'  
12 stuff. It was building a big picture for people who had  
13 other people working for them, so it was building the  
14 jigsaw. Who was in the club last night with you, right, so  
15 they were able to put this person, this person in the club  
16 at that time. It would be a case of, some people were  
17 having extramarital affairs, and what it actually did, I  
18 have learned laterally, it actually built pictures for them  
19 to actually approach other people and make them, as they  
20 would say, they would negotiate an offer with them, to try  
21 to get them to give information.

22 175 Q. So is it correct to say that they told you to be patient,  
23 that it would take a few years to build up the level of  
24 trust they wanted you to have with the IRA, is that right?

25 A. Yes.

26 176 Q. And did they also give the impression that any little bit  
27 of information was better than none?

28 A. They did. Well, they explained to me later, like, "Even  
29 though you think it's nothing, it can be the piece of the  
30 jigsaw that we need." To me, it was very frustrating

1 because I wanted to get in and do a lot of different things  
2 as well. But, as they say, you have got to really, really  
3 do it slowly. And in the end, they were actually very  
4 right, because --

5 177 Q. In a situation like that, you mentioned that it was  
6 frustrating, is there -- when you are meeting people on a  
7 regular basis who expect you to give them information, is  
8 there kind of an expectation that you want to please them  
9 or that you want to give them some kind of information?

10 A. No, no. It's not even that. A lot of times we would meet  
11 and we would go for pool -- we'd go to Newcastle, we'd play  
12 pool in certain pubs, and it was like a social thing. It  
13 was explained, you do go through the thing. A lot of  
14 times, there is no information. Well, as far as I was  
15 concerned, it wasn't information. It was just who was  
16 there drinking, who was playing pool, but it does build the  
17 picture. But you have to work your way in to get to the  
18 people that they want you to get, and you just don't walk  
19 in, you know.

20 178 Q. I presume, do you know from your experience if the IRA  
21 build up information in the same way as army intelligence  
22 do?

23 A. Absolutely. The IRA basically are an army. They have the  
24 same structure. The IRA would have a bigger  
25 intelligence-gathering cell because they have all their  
26 supporters on the street. They have people who go to Irish  
27 nights where they play Irish music, maybe, you know,  
28 there'd be a function on, and I remember certain -- they  
29 said, always watch for people, watch who claps the loudest,  
30 because the IRA would then approach those people and ask

1           them, you know, "Would you hold gear for us, hold dumps,  
2           hold a gun for us or do this, lend us your car?" The IRA  
3           worked the exact same way as the British Army in gathering  
4           information and intelligence, you know. Girls pushing  
5           prams, seen the Brits, seen the cops doing this and that.  
6           Everything. The IRA would do it as well. If anyone was  
7           even arrested, they would -- if they knew, they'd actually  
8           say to them, "What happened?" They'd actually debrief  
9           them, "What happened? How did the police -- when the  
10          police entered your home, what did they do? Did they take  
11          photographs? Did they draw anything?" So this is the way.  
12          I learned, even, years later, the IRA debriefed me as well  
13          whenever I would be arrested, they built up their own  
14          intelligence exactly the same as the police, army,  
15          intelligence.

16        179    Q. Now, did you ever, during this period of time did you ever  
17            get bonuses for information that came in?

18        A. At that time, at the very start, there was no real  
19           information coming in. So I was getting my wages and  
20           moving along, and then we did, then, move on to going up to  
21           Dundalk, where there was -- at that time, they had -- well,  
22           the IRA people, Sinn Fein or something, they'd opened a  
23           place called Eireann Nua, the 'New Ireland', and at this  
24           stage it was republicans, a lot of republicans on the run  
25           from Belfast, from Derry, different places, Newry, would be  
26           living there, and what they'd do there, they'd actually  
27           have a board up, like plumbers, some of the guys would be  
28           plumbers, painters, anything, gardeners, and you would get  
29           work through the centre. So I started going up there and  
30           engracing -- ingratiating myself in there as well, and I

1 made friends with two people there, and I'll go back to my  
2 handlers and say who they were, and then it came around  
3 that I would try to join the IRA. So, at this stage, I  
4 went in and I took another person with me, and he was going  
5 to join the IRA, but we'd been going up a few times  
6 visiting the place, seeing these people, and they arranged  
7 for us to come up one evening, and when the two of us did  
8 come up, they says, "Go on up into the top room, we'll be  
9 up in a minute." So we went up to the top room and, next  
10 thing, a few guys burst in with a mask, a Webley 45, and  
11 I'll never forget the shape of it because of the barrel,  
12 and they started cursing at us, "get down, get down," you  
13 know, because at this stage I had told this guy, as well, I  
14 am ex-army, I was thrown out. "Get down," they were  
15 cursing things like that. So me and this person lay down.  
16 They basically stripped us to our underwear, searched us,  
17 and then they separated us and, basically, "You are a Brit  
18 agent, you are a Brit agent." I kept saying, "No, I am  
19 not, I am not." And basically, one part of my family, my  
20 father's side, would have been on the Republican side,  
21 where my mother's side were all RUC, British Army, Royal  
22 Navy, and I said -- at that stage, Joe Cahill was actually  
23 very close to some of my uncles, but not my father, and I  
24 always said, listen, I want a proper hearing, I want to get  
25 Joe Cahill, because he would have been know who my father,  
26 and all, was. And they went through the whole thing and  
27 they did -- scared the life clean out of us, you know, and  
28 they took us down into the yard and they had a lorry going,  
29 and I was in my socks and my underclothes, and they said,  
30 "I am going to take you out. Say an act of contrition and

1 a Hail Mary." I thought I was going to be shot, you know,  
2 simple as that, and the other guy with me thought that he  
3 was, too. So, at the very end, they took us back in and  
4 says, "No, no, that's all right. Come back up another  
5 night." And I thought, basically, f-you, you know, no way.  
6 So I did go back to my handlers, and we had a fall-out over  
7 it. They were going, "Yes, yes, this is great, this is  
8 what we want." I said, "No f-ing way." It really scared  
9 me, like. But then as time, and you were meeting them and  
10 they'd come on to things and explain things, and you  
11 listened to them, and it sounded very logical and you went  
12 back again.

13 180 Q. So that's what you got for pushing it too hard, do you  
14 think?

15 A. The thing is, the secret is that you don't ask. And I  
16 learnt a lesson. Maybe they could have shot me. I mean,  
17 my handlers knew exactly who these people were. And as  
18 they were saying, if you had admitted it, you were dead.  
19 You know, I really did, I thought I was going to get shot  
20 dead. I mean, totally convinced I was going to get shot  
21 dead, you know, but...

22 181 Q. And around this time, as well, did you find a gun prior to  
23 joining the IRA?

24 A. I did, yes. I knew where there was an M3 submachine gun,  
25 which was from the Second World War. It had a silencer on  
26 on it, it was a 45 calibre; it was nicknamed a 'spitting  
27 dummy' because you couldn't hear it firing, so I worked out  
28 where it was. And the army, as I didn't drive at that  
29 stage, they had got me to go with some other civilian that  
30 they had, and I went up with this lady and we got the gun

1 and brought it back down to Northern Ireland. And we drove  
2 down from Dundalk down the main Dublin Road, and the army  
3 people met us at Clough Bridge, they scouted us, and we  
4 went to Warrenpoint, and I won't say where we went in  
5 Warrenpoint, and they took over the gun and were delighted  
6 with it. It was a 'spitting dummy'.

7 182 Q. Now, at that stage, were you still living in Newry and did  
8 you travel up and down to Dundalk on a regular basis?

9 A. I was -- yes, I was living in Newry, and at this stage I  
10 was going about a lot with this Sinn Fein person, and we  
11 were on Hill Street, which is the main shopping street in  
12 Newry, and, next thing, there was a guy who I had seen  
13 before and I had heard about -- I think I am allowed to say  
14 his name. I mean, he has been here giving evidence.

15 183 Q. If he has been here, you can.

16 A. He has been here giving evidence under his own name.  
17 'Mooch' Blair. I was with this Sinn Fein person and we  
18 were standing outside the cathedral talking and 'Mooch'  
19 came over, and I knew who he was but I had no dealings with  
20 him at this stage. He said, "Oh, God, an old friend of  
21 yours from Dundalk was asking about you." I went into near  
22 panic because I hadn't even told the Sinn Fein guy what had  
23 happened previous. And he says, "No, don't worry about  
24 it," he just laughed. He says, "Give me a shout." Because  
25 at this stage 'Mooch' was living in Newry, he was just out  
26 of prison, he was living in Derrybeg. So then I started  
27 ingratiating myself with 'Mooch' as well, and we became  
28 very good friends.

29 184 Q. I think that would have been about 198 -- he said 1982 or  
30 '3, would that be right?

1 A. '82, '83, it would have been, yeah.

2 185 Q. '85, he got out of the prison, would that be correct?

3 A. Yeah.

4 186 Q. What did you know about him? Did you know his reputation  
5 was that of an IRA man?

6 A. His reputation of an IRA man, yes, yeah.

7 187 Q. So this was a good connection for you to make?

8 A. It would have been an inroad, yes, yes.

9 188 Q. And how did the friendship develop?

10 A. I think it developed very well. We actually became good  
11 friends. He was -- I know some people might think it's  
12 very funny -- he was very likable, you know, he's very  
13 sociable, and he knew the background of me because he had  
14 been in touch with the people in Dundalk, and everything  
15 else, and he actually took me under his wing, and I was  
16 quite happy and so were other people.

17 189 Q. Was he driving in those days?

18 A. No, he wasn't driving.

19 190 Q. So was your car an asset to him?

20 A. Yes, a car was -- a car was an asset because it means -- it  
21 was a great asset to me and to the military because I could  
22 drive everywhere and take people that didn't drive to  
23 places where they wanted to be, so I got to see things. At  
24 the very start, it was all eyes and ears, ears. You know,  
25 just, I never, ever asked to join the IRA again at that  
26 stage, never, you know, because I wasn't going to do it,  
27 but it was --

28 191 Q. 'Mooch' Blair described you as a gofer, he says.

29 A. Well, that would be his words, maybe. I mean, he has been  
30 very economical with the truth.

1 192 Q. But that would describe, initially, what you have described  
2 to the Tribunal, driving here and there. Were you picking  
3 up things? Were you delivering things?

4 A. Yes. I would have done that for him, as well. Well, it's  
5 not actually a gofer. I mean, the IRA, there is a lot of  
6 people within Sinn Fein who are not members of the IRA and  
7 never would be in the IRA. Now, I was never in Sinn Fein,  
8 but I was in the IRA.

9 193 Q. When did you achieve that? When did you become a member of  
10 the IRA?

11 A. I would have been sworn in after I came out of prison. I  
12 was actually -- I actually went to prison --

13 194 Q. Perhaps we'll go back a little bit to that.

14 A. Sorry.

15 195 Q. So you were hanging around with 'Mooch' Blair. You were  
16 making inroads into his world, so to speak?

17 A. Yes.

18 196 Q. And presumably, all the time, passing on information to  
19 your handlers?

20 A. Yes.

21 197 Q. And what was the next thing then that happened?

22 A. We had arranged to -- I used to have a bed-and-breakfast,  
23 and one of the girls staying in it was, she was going out  
24 with a lorry driver, and the IRA were always looking for  
25 ways of making money to fund themselves, and everything  
26 else, so the lorry driver, I got speaking to him and he was  
27 taking containers out of Belfast docks and it was  
28 Mitsubishi Blue Diamond TVs and videos, so I arranged with  
29 him if he would hand over the lorry, the IRA would give him  
30 some money, so it was arranged, and 'Mooch' and the Sinn

1           Fein person knew we were doing it as well, and a team of  
2           people were put together to take the lorry. It wasn't even  
3           hijacked. He was just going to hand it over and say that  
4           he was abducted and, you know, it wasn't -- it was nothing.  
5           The guy was just giving you the keys of the lorry when he  
6           came out of the docks and, you know, some people did that  
7           for the IRA.

8       198   Q. But I think it went wrong, didn't it?

9           A. Well, it did, because as soon as he was arrested, we got  
10          the lorry, we got it away, we got most of the stuff away.  
11          He was arrested, as he would have been the only suspect,  
12          and he broke under police interrogation and named  
13          everybody. So anybody that he knew - there was people he  
14          didn't know who were never arrested - but the people he did  
15          know, we were all arrested and charged. We made our own  
16          statements in the police station.

17       199   Q. And I think that you took responsibility for it and went to  
18          jail at the time, isn't that right?

19          A. I did, yes. I was sentenced to two years' jail.

20       200   Q. Now, to get back to why the IRA, why you were looking --  
21          they were always looking for schemes to make money. Why  
22          was that? What was a volunteer paid, or was he paid  
23          anything at all?

24          A. No, most volunteers are not paid anything. People who were  
25          further up the ranks and maybe have a family or doing IRA  
26          business, you've got to remember some of these IRA people  
27          did IRA business seven days, seven nights a week, that was  
28          their life, and that was 'Mooch' Blair's life, was the IRA.  
29          I mean, his -- everything he did every day was IRA  
30          business, so therefore, he couldn't actually hold a job, as

1 such, you know, a nine-to-five job. So the IRA would give  
2 them money whenever they had money, but there were lots of  
3 times that there was no money. So, sometimes, local units  
4 were tasked into -- they would go out and they rob  
5 somewhere, not for themselves, and that money would be put  
6 in the kitty. There -- maybe, say, the Newry unit would  
7 take what they would need and give the rest to a central  
8 fund in Dundalk, which would be to -- Man A, actually, at  
9 the time, held the cards in the accounts for the IRA in  
10 that area. So the money would go in there.

11 201 Q. So I think he did make a reference to the fact that you  
12 were always approaching him with various scams, and would  
13 that be a way of getting in?

14 A. It is. I mean, if you can show a use to anything. But you  
15 have got to remember at that time, too, 'Mooch' himself  
16 actually had an ingenious thing; there was a thing called  
17 the black box and, you know, people had the electricity,  
18 the way the wee wheel goes around. What you do is you get  
19 the transformer and you'd reroute the transformer and you'd  
20 put your own coil in and stick the two wires up -- there is  
21 four wires come out of your electric box, so what it would  
22 do, it would wind the clock back ways. So instead of your  
23 electric going forward and clocking up, this would go back  
24 ways, and we sold hundreds of those all over the country.  
25 A lot of it went into his pocket because it was his own  
26 personal thing, but money went to the IRA as well.

27 202 Q. And I presume to yourself?

28 A. Oh, absolutely. I mean, I was doing the things with him,  
29 you know, and -- yeah.

30 203 Q. So you said that when you came out of jail then after the

1 theft of the lorry, I presume your handlers were aware of  
2 that?

3 A. Oh, they were all well aware of it. I got a lump sum when  
4 I came out, yeah.

5 204 Q. And did that increase your standing within the IRA then,  
6 that you had pleaded guilty or you hadn't spoken?

7 A. No, no, no. I had made my own statement, but I didn't hang  
8 anybody elsewhere. I could have. And it's a case -- I  
9 mean, at that stage, the IRA usually -- at this stage, I  
10 wasn't even in the IRA, but it brought me forward into it.  
11 It gave me stature that, number one, I was prepared to do  
12 something, you could do something. I mean, there is a lot  
13 of people will talk a good job and do nothing. All right,  
14 we got caught, but as 'Mooch' says, not to worry. He  
15 signed his statement the first time he was caught, but you  
16 never do it again. I mean, I never forget the police  
17 officer, when I was charged at being in Town Hall Street in  
18 Belfast, and he says, "Tell you what," he says, "if you'd  
19 kept your mouth shut for another few hours, you were  
20 walking out of here." I never forgot that.

21 205 Q. So when did you get accepted into the IRA then?

22 A. I was -- again, back down to Dundalk, 'Mooch' was living in  
23 Dundalk at this stage because the mortar attacks had  
24 happened, do you remember?

25 206 Q. In Newry?

26 A. In Newry, yeah. And the thing is, 'Mooch' was living  
27 there. The morning, I think a morning or two afterwards,  
28 the person who was the supergrass, I think I can name him,  
29 he is dead now, he is murdered -- Eamon Collins -- Eamon  
30 had named a lot of people, 'Mooch' and lots of people, IRA

1 people from Newry, and they were all arrested, but 'Mooch'  
2 actually got away after the mortar attack, he heard the  
3 jeeps coming into the housing estate and run, and he went  
4 and lived in Dundalk. So, I used to travel up and down to  
5 Dundalk again with him and I got an ice-cream van and it  
6 was kitted out with secret compartments, there was cameras  
7 in it as well, and I did most of my work around Dundalk  
8 because I could drive around all the housing estates and I  
9 could sell ice cream and I used to leave my ice cream and  
10 flakes and everything at 'Mooch''s house because, you know,  
11 it saves storage but it also gave him free ice cream and  
12 the kids loved it and --

13 207 Q. Who paid for the ice cream van?

14 A. I got it off the military alone. They paid for it. I mean  
15 they gave me the money for it, yeah.

16 208 Q. How much was it, do you recall?

17 A. It was about over a thousand and a half, maybe £2,000, I  
18 can't remember it's so long ago.

19 209 Q. So you would have paid cash for it?

20 A. It was cash, yeah.

21 210 Q. And did you carry -- in return then, when you were driving  
22 around, did you start carrying stuff for the IRA?

23 A. It was there, it was open for the IRA, yes. At one time I  
24 showed 'Mooch' -- I used to smuggle my own ice cream from  
25 Northern Ireland to the Irish Republic because it was twice  
26 the price, you know, to buy it in Dundalk. So 'Mooch' had  
27 seen the part, and there was an air show at Belfast  
28 International Airport and you could go into the air show  
29 and the thing is, I had booked my place in the air show and  
30 we were planning that, there was a tent beside me was the

1 UDR and different things and he says we could maybe do a  
2 slider. Now a slider in ice cream is usually a block of  
3 ice cream, you put a wafer and then cut the ice cream and  
4 put another one on it. My ice cream van didn't do that, I  
5 had whipped ice cream, you know they pull the cone and the  
6 swirley cone on it, so it didn't come off, but I mean we  
7 looked at it. And the thing is, if you had to put Semtex  
8 in, he was planning to take a bomb into the place, someone  
9 would come up and asks for a slider, give them the thing  
10 and they would put it in and blow the soldiers up. It  
11 never came off anyhow, but he looked at it. There was  
12 never a day that 'Mooch' and other people didn't look at  
13 how to kill members of the security forces.

14 211 Q. And when did you get green booked? Perhaps you could  
15 explain what that means or how you were officially accepted  
16 into the IRA?

17 A. Well basically, the IRA -- again I was doing a lot of stuff  
18 with 'Mooch' and Man A on the cipher, he would be very  
19 close to 'Mooch' and lived around the corner from him. And  
20 basically, he had the nickname "Reports Coming in"; he was  
21 an IRA man who lived in Dundalk but was originally from  
22 Newry, and I was doing a lot of stuff, I was very friendly  
23 with all of them at this stage, and 'Mooch' had basically  
24 said, after an incident that happened in Northern Ireland,  
25 there was two people who were helping the IRA, there were a  
26 man and wife and they were called the McMahons; they were  
27 murdered. So, basically, the IRA, after that there, they  
28 were taken out and shot dead: the husband and wife. They  
29 had allowed their house to be used, you know, to store guns  
30 for the IRA, and the IRA came up with a rule that anyone

1 who helped the IRA from after that had to be green booked.  
2 The green book was basically the rules and regulations of  
3 Oglagh na hEireann, the IRA, and basically, you came under  
4 their military law, even if you were not a volunteer, if  
5 you are helping, even a driver, you have to be green  
6 booked. So therefore you are eligible to be executed if  
7 you are recruited and as an informant or anything else.  
8 And what the green book did actually as well, you were  
9 green booked, you were taught a little bit about history  
10 but you were also taught anti-interrogation things: what  
11 the police would do when you are arrested, it will tell you  
12 how the police will arrest you, how they process you. And  
13 they tried to get you to, like, even if an approach is  
14 made, you must tell us. And there was people approached  
15 and they would go to the IRA and the IRA would say, "Right,  
16 what we want you to do is move out of the six counties and  
17 come up to Dundalk or Drogheda" and you know, "stay, there  
18 is no problem." And a lot of people did that.

19 212 Q. Was there anything in the green book, or in the  
20 instructions about what happened if you didn't observe the  
21 rules?

22 A. Oh, if you give information to the enemy or help the enemy,  
23 you'd be executed.

24 213 Q. Was that one of the sanctions in the rules?

25 A. That's one of the things. I mean it was a list -- when I  
26 seen the green book, it wasn't actually a green book, it  
27 was a photocopy. You know, very few people actually have  
28 the green book, but it was a photocopy of the rules and  
29 regulations of the IRA, and it basically told you what  
30 would happen to you. It would tell you there'd be a court

1 of inquiry, a court marshal, whatever, and that this would  
2 happen to you if you broke certain rules; it's execution.

3 214 Q. When do you think that that might have happened?

4 A. Oh, the actual year I can't think straight off.

5 215 Q. Are we talking mid-eighties or are we talking earlier?

6 A. It could be earlier -- mid-eighties, early, mid-eighties,  
7 yeah.

8 216 Q. Okay. And as a result of your being green booked then, was  
9 there -- were you more actively involved? Were you asked  
10 to carry out more serious tasks?

11 A. Well, after I was green booked -- I mean, to be green  
12 booked, it actually takes maybe a month or two months  
13 because you have got to go to learn, they actually send you  
14 to different places to learn lessons on the IRA, the  
15 founding of it, the politics, a little bit about politics.  
16 I had no interest in politics but I still had to go through  
17 it, and, yes, after you are green booked. When you are  
18 green booked and then sworn into the IRA, I was sworn in by  
19 'Mooch' and Man A here on the cipher. Man A here actually  
20 swore me in. 'Mooch' was actually the witness there, he  
21 was an officer of the IRA. So I was actually in Man A's  
22 house, in his front sitting room, and you stand to  
23 attention, and Man A would read out the thing of you know  
24 "I promise to obey by the rules of Ograigh na nEireann. I  
25 follow the rules of its officers..." you know, just a  
26 swearing in ceremony.

27 217 Q. If Man A and 'Mooch' Blair swore you in, who was the boss  
28 between the two of them? Who was the commander, if you  
29 like?

30 A. Well 'Mooch' would have been the OC at the time. This was

1 still in Newry OC, but he was based in Dundalk. And at  
2 that time, most things happened from Dundalk not Newry.

3 218 Q. Was this -- I understand that they were in close proximity  
4 to IRA brigades, there was south Armagh and there was south  
5 Down, which one were you?

6 A. South Down. Even though most of the time I was based in  
7 Louth, I was still south Down command of the IRA.

8 219 Q. And who else was in your unit, if you could, if they are  
9 all included in the cipher there, perhaps you might tell  
10 us? Who was in the unit with you, because I think they  
11 are, actually, ciphers of the people you mentioned in your  
12 statement?

13 A. Yeah, yeah. Actually everybody there on that. A, B, C, D,  
14 E, F and G.

15 220 Q. And how many, including yourself and 'Mooch' Blair, how  
16 many people is that?

17 A. In all, seven people.

18 221 Q. Seven people?

19 A. Yeah.

20 222 Q. Were there any others that are not on that list?

21 A. Sometimes people would come and go. Yeah, there was one  
22 guy called --

23 223 Q. Well, you better not. If he is dead --

24 A. He is a Belfast guy who was on the run from Belfast, and he  
25 came in as well, and another guy came in, but those names,  
26 they were the main ones that were with us, yeah.

27 224 Q. I see. And what did that -- what did your unit do?

28 A. Well, basically, that unit -- when I was with 'Mooch',  
29 'Mooch' actually was a bomb maker. I mean, he made -- well  
30 he taught me how to make fire bombs, how to build

1 mercury-tilled switches, how to build under-car booby  
2 traps, they called them up-and-unders. I was there when  
3 they ground fertilizer. I was then tasked to go round and  
4 try to get grinders. I went all around Ireland to get  
5 coffee grinders because what they'd use that for is to  
6 grind the ammonia nitrate fertilizer into dust, but they  
7 were very hard to get and the IRA would put the money up.  
8 If I could get them, I would buy them, take them back.

9 225 Q. Were these the old Bewley's type coffee grinders?

10 A. Yeah, the Bewley's ones are the best because they actually  
11 -- the old Bewley's ones are the old heavy ones. The  
12 modern ones are small, they're fast but they are not the  
13 same build as the real old ones.

14 226 Q. And did they last long, coffee grinders, when they were  
15 grinding down fertilizer?

16 A. When you grind down ammonia nitrate fertilizer the wheels  
17 inside jam up and the nitrate actually rots, you know, the  
18 workings. So what you have got to do is keep taking it  
19 apart and washing the wheels down with diesel, you know  
20 diesel fuel you put in the car, you keep cleaning it with  
21 the diesel so it washes it all down and you put it together  
22 agains and you start grinding.

23 227 Q. So you were being taught how to make bombs and you made  
24 bombs with 'Mooch' Blair?

25 A. Yes.

26 228 Q. Did anybody else in the unit make bombs besides yourselves  
27 and 'Mooch'?

28 A. Yeah, there was, yeah. And one of the other main ones as  
29 well would have been Man C.

30 229 Q. I see.

1 A. And another person that would have helped would have been  
2 G.

3 230 Q. And where did these bombs go? Where were they intended for?

4 A. The bombs would be made, maybe, in Dundalk. They would  
5 have been made in Omeath. You could make them anywhere.  
6 Grinding the stuff was actually quite easy and mixing the  
7 stuff up was quite easy as well, all you needed was a yard  
8 or a shade or an old disused factory unit or anything -- a  
9 small -- it didn't take much room to mix them up.

10 231 Q. And who did you supply them to?

11 A. They would have been given to different units coming up,  
12 maybe, from Newry and they went to different areas.

13 232 Q. Were they customised? Did the various units ask for  
14 specific types of explosive devices?

15 A. If a unit in an area wanted to do a job, they go to the OO,  
16 which is the Operations Officer, they say we want to, say,  
17 take out the tax office. So they would have to work out  
18 roughly what size of a device, because if it's too big you  
19 are going to wreck everything, but I mean they build a  
20 device suitable for that job. They'd put it into either  
21 gas bottles, I call them the blue salt bins, you know the  
22 plastic bins, and at some stages for some of the big land  
23 mines they used, maybe, four or five big wheelie bins that  
24 you would use at the house. So you'd fill them up and put  
25 booster charges into those and set them up.

26 233 Q. Now, did you know where these bombs were going?

27 A. A lot of times, no. And some of the times, because of  
28 active police investigations in Northern Ireland, I'm being  
29 investigated for things, there is some things I can't tell  
30 you because I am being investigated. But I mean, I did

1 make bombs in the Irish Republic. Those bombs were handed  
2 over to people, and some of these bombs went off in places,  
3 I don't know -- I can't say, but they did go.

4 234 Q. And what about the information as regards their making?  
5 Were you passing this on?

6 A. Whenever it was possible, I passed it on. But I mean,  
7 nobody had any worry with it. You know, the main thing of  
8 intelligence that people wanted was, Mooch and these people  
9 didn't just make bombs. They shot people as well and they  
10 targeted people. The thing is, as I said before, there  
11 isn't a day that you weren't trying to kill members of the  
12 security forces. So, basically, if someone came and said  
13 so and so living at such and address is in the UDR, he is  
14 in the police, those people would then be looked at. And  
15 you know...

16 235 Q. Now, you mentioned that there was someone in the unit from  
17 Belfast, and I am going to mention his name because he is  
18 represented here. Can I ask you who the person from  
19 Belfast is? Do you know if he has representation?

20 A. There were a few people from Belfast, but, yeah, you can go  
21 ahead.

22 236 Q. Was Mr. Scappaticci in your unit?

23 A. He was in the, what do you call it, the Internal Security  
24 Unit. This unit that -- see the A, B, C, D, E, F, G, they  
25 were the ones that did the bombings with us; they were the  
26 regular unit. Internal Security was totally different, and  
27 that's what Scappaticci was with. He was wasn't making  
28 bombs with us or anything.

29 237 Q. Did you know him?

30 A. Yes.

1 238 Q. And where did he live?

2 A. He was living in Dundalk at the time. I think some of them  
3 -- at that time, there was something happened in Belfast  
4 where an informant, there was an informant was saved by the  
5 police as well and some of that unit all moved to Dundalk  
6 which was, I am allowed to say the man who is dead, aren't  
7 I?

8 239 Q. Yes.

9 A. John Joe Magee, and there was other people whose names are  
10 not there, I don't know whether I can say them. Man G was  
11 one of the ones moved up as well, but he was -- he was shot  
12 in the neck, I don't know if I can say that either. But  
13 some of their friends moved up from Belfast. They were  
14 mainly Belfast people moved up. But the one person who did  
15 go back home was Mr. Scappaticci. The the rest of them  
16 stayed in the Irish Republic.

17 240 Q. Did you have any dealings with him?

18 A. I had --

19 241 Q. At that stage?

20 A. At that stage, not straight away, but when I was taken into  
21 the -- as I was a driver, I was actually tasked into hire a  
22 van and what they would do is they would, when things would  
23 go wrong with the IRA, there'd be an inquiry and if it got  
24 to a stage where someone was suspected of being an  
25 informant, a safe house would be set up where you could  
26 take the person, but the IRA would just be like the police;  
27 they'd say we are going to arrest the guy. They would  
28 arrest him. They would have all the information read from  
29 his OC, what went wrong in the operation, if he was  
30 suspected. Usually they would come up and say, right, his

1 OC would tell him you are going on a training course for  
2 three, four, days, so the guy would have nothing -- usually  
3 they wouldn't think about it, so he would turn up at a  
4 prearranged spot to be picked up to go on a training  
5 course. And of course we would turn up in the van, the  
6 house would be ready, and he would be arrested in the back,  
7 a gun would be shown to him, he'd be blindfolded, sometimes  
8 cable-tied, and then the gun would be got out of the van so  
9 we are not carrying a gun and the guy in the back would  
10 always have a pair of scissors because if the police  
11 stopped us we would just snip the cable-ties and take the  
12 blindfold off him and say, "say nothing." So sometimes  
13 people would be delivered to Mr. Scappaticci and to John  
14 Joe. 'Mooch' would be there as well. And another person  
15 sometimes would be there as well; it would be Man C was  
16 there regular too.

17 242 Q. And was there a specific location or did the location move  
18 around for these inquiries, shall we say?

19 A. Sometimes -- we had one house we always used in Omeath --  
20 you don't want me to say -- the person who owned that house  
21 is now dead. I mean the new owners would know nothing  
22 about it. The person who did lend us the house actually  
23 belonged to another organisation but he was very friendly  
24 with 'Mooch', and he gave us the bungalow to use any time  
25 we needed it.

26 243 Q. I don't think it's necessary to name it. If the Chairman  
27 wishes, you can write it on a piece of paper and give it to  
28 him?

29 A. There was another, then, house where, again, the owner knew  
30 nothing about it but his brother lived in the house and he

1           would let us use that house as well. So, in Omeath we had  
2           two houses for interrogations.

3       244   Q. Did you take part in the interrogations?

4           A. No, no. My job would have been just to basically -- I was  
5           the runner. I would take -- I would drive the van for the  
6           arrest and take the person with --

7       245   Q. Can you move a little bit nearer the microphone, I am  
8           concerned that maybe people might not hear you.

9           A. Sorry. I -- no, no, I never interrogated anybody. I was  
10          basically the driver of the van, so when you would arrest  
11          the person, he would go down with some of the crew with you  
12          to the location. They would take him into the house.  
13          Inside the house you would have John Joe, sometimes Mr.  
14          Scappaticci as well, and what they would do is they would  
15          question the person. So they -- what the IRA had in south  
16          Armagh was a voice stress analyser, which is a machine that  
17          he bought from America, and what it does, it was a similar  
18          type of thing to a polygraph, but this was only to give  
19          them readings to basically work out what was happening.  
20          So, what they'd do is, I have seen many a time John Joe  
21          would do it, it would be like an examination sheet and  
22          you'd have "Your name is Joe Bloggs, you live at such and  
23          such a thing." Basically what they would do is take a base  
24          reading of, you know, the truthful answers, and they'd be  
25          recording the thing and every now and again he would change  
26          the order of the, you know, the questions and ask him  
27          stuff. But every night I would go back down to the  
28          location where they are being interrogated and I would get  
29          the coms and the tape. The coms were basically a lot of  
30          cigarette papers and things wrote on it and it would be

1 sealed up and you put it in your mouth and it would go out  
2 to that man in, I think it's Hackballscross. You know the  
3 man's name.

4 246 Q. I think you can mention his name, he has been asked --

5 A. Patsy O'Callaghan.

6 247 Q. Yeah, Mr. O'Callaghan. He has been asked if he'd like to  
7 come to the Tribunal but he has declined.

8 A. Yes, and it would go out to him. Sometimes when I go out,  
9 Man A would come out with me for the spin. It was actually  
10 quite funny because where this man lived there was an army  
11 watchtower just, you know, in the hill facing where he is,  
12 facing his house, and he'd come out with a torch and he'd  
13 wave you in, you know, in the yard and it was actually,  
14 you'd be in, hand over the stuff and turn and away back out  
15 again. So, you'd come back the next day for the answers to  
16 what he had, you know, you brought the tapes and the  
17 questions out the night before. Next day you would get  
18 another set of, another coms to bring down to either Scap  
19 or John Joe, down at the house, and that would be another  
20 set of things and it would say maybe the person is weak on  
21 this, strong on this, so you'd adopt the questions then. I  
22 mean, the person would be told again you are away on a  
23 training course for a few days so therefore most of these  
24 people would be saying to their family I am away for a few  
25 days, so nobody was looking for them. There was no panic,  
26 no balloon went up. So you had a couple of days to talk to  
27 them controlled without, you know, people squealing, police  
28 looking, nobody was looking for them; they weren't missing.

29 248 Q. So, in addition to bringing the coms backwards and forwards  
30 and the results of the questioning, I think you told us

1           that you had other jobs as well that you would perhaps have  
2           to get food in the place?

3           A. Yes, food, toilet-roll. Sometimes that was done before  
4           they even moved in and sometimes if they needed supplies  
5           you would get that as well.

6       249   Q. Did you have a radio?

7           A. Yes, you would use a radio and you would have a prearranged  
8           time roughly what time you would come to the house in the  
9           morning, which would be early, and they would have their  
10          radio on and switch on and just say "I am coming up now."  
11          Someone would come out, get the stuff, basically a quick  
12          handover, and away you go.

13       250   Q. And were these frequent events, these interrogations?

14          A. They would be pretty frequent. But a lot of times nothing  
15          ever happened to the people. Sometimes people were  
16          dismissed from the IRA with ignominy. Sometimes -- I know  
17          one or two occasions somebody got shot in the legs and  
18          dismissed. You know, it was -- a lot of it happened --  
19          there was a lot of inquiries, say, in John Joe's house but  
20          weren't full interrogations but if it got further in and  
21          went down that road, this is when they really suspected at  
22          this stage you were an agent or an informant. I mean,  
23          there is many a time if a job goes wrong you just go down  
24          and everybody involved writes their statement of what their  
25          job was, what happened, and John Joe and Scap would go  
26          through it. And I mean, I seen jobs I was on and when they  
27          would go through what I had written and maybe three or four  
28          other volunteers, there was one job two volunteers were  
29          caught and arrested and there was three others of us and we  
30          gave our statements in different parts of John Joe's house

1 in Dundalk. And he went through it and he'd say "You'd  
2 think so and so and so weren't even on the operation with  
3 you." They had sent their statements out from prison, and,  
4 you know, it ended up there was a couple of informants in  
5 the unit, not just me.

6 251 Q. Were you ever interviewed yourself about operations that  
7 you had passed on information about to your handlers?

8 A. Yes, and that is one of the most scary times. When you  
9 give your handlers information, you know, usually they tell  
10 you what they'll do with it. A lot of things, what your  
11 handler will do is called a frustration, and, really, it is  
12 the best, because if they frustrate an operation, if they  
13 know we are going to kill there is an army patrol or a  
14 policeman drives past this spot every morning, they'll tip  
15 that person off and he won't turn up. So, therefore,  
16 they'll -- the security forces will let you and your units  
17 go out with your guns, your bombs but your target won't  
18 show up, so therefore he doesn't get killed. Usually that  
19 doesn't really cause any great problem. The great problem  
20 is if someone is caught on a job. That's when everybody,  
21 then, is brought in, you know, everybody's statements is  
22 got down --

23 252 Q. That is if someone is arrested if an operation is gone  
24 wrong?

25 A. That's when it becomes serious even for the agent or the  
26 informant and that's where -- you know, people say that you  
27 have to trust your handlers. Sometimes it's very hard  
28 because sometimes they do things that really put your life  
29 in really, really -- your life is always in danger, full  
30 stop, don't get me wrong, but sometimes they'll do things

1 and many a time when I did operations with, I gave my  
2 handlers information, people get caught with explosives,  
3 they were caught red-handed, and even though you know there  
4 is a chance this will happen, when it actually happens,  
5 seriously, your world, it falls apart, and that's when your  
6 handlers will basically call you, come to meetings, they'll  
7 reassure you that this will happen, this will happen, but  
8 you know you are going to be pulled in because you know  
9 even a snippet about it.

10 253 Q. We are just noting the time, Chairman.

11  
12 CHAIRMAN: It's five to one.

13  
14 254 Q. MRS. LAVERTY: And I think that this continued to be the  
15 case until the early nineties, I think, is that right?

16 A. Yes.

17 255 Q. You continued to work for, was it army intelligence?

18 A. It was army intelligence. There was a time when there  
19 would be a lot of friction between us; they'd want to you  
20 do things on your job and, you know, really, the stress of  
21 it actually just wiped you out and you just wanted to get  
22 away. There was a lot of things you couldn't do. The army  
23 was there in that -- I had a good relationship with them  
24 but it was so frustrating. I mean it's very hard for  
25 people to understand. I mean everybody here has been  
26 informants and agents and everything else. Yes, there is  
27 brave policemen living and everything else, but you can't  
28 explain the stress that you are under. And it really,  
29 really, really is hard. You have living with it 24/7. It  
30 doesn't go away.

1 256 Q. And was there a particular incident, then, that resulted in  
2 you going off to Paris that you wanted a break from it?

3 A. Yeah, there was a couple of incidents. I tried to get away  
4 and -- you are talking Tom Oliver?

5 257 Q. Well, I'm not, no --

6 A. Which one are you on about?

7 258 Q. We'll come to that in a minute. But I think that the  
8 incident that you were talking about where you were  
9 interviewed because of an operation that went wrong, and --  
10 going to Disney as a result of that?

11 A. There was a couple of operations went wrong. There was  
12 operations I gave information where guns were held and  
13 people were arrested and a lot of operations -- a lot of  
14 times, if I asked people to hold guns for me, you don't  
15 like to give those people away because it's those people  
16 wouldn't have done it for the IRA, they have done it for  
17 you. But the thing is, there is one specific time these  
18 girls held the guns -- there was me and another IRA  
19 volunteer put the stuff in their coal shed and told them  
20 not to touch it as well, and they did, they took it and put  
21 it in their house. There was a Stemex; there was the  
22 eye -- the flash unit; there was, I think there may have  
23 been a G3 rifle; there was tonnes of ammunition as well.  
24 There was just a lot of things came on top and we were  
25 quizzed on it. The police even arrested me on that as  
26 well.

27 259 Q. Did they arrest the girls?

28 A. They arrested the girls, yeah, and the girls signed  
29 statements and they got jail, you know, but the thing was  
30 they shouldn't have taken the stuff in and they couldn't

1 have been touched, it was in an outhouse, a coal house,  
2 anyone could have left it there but they took it into their  
3 house. So there was a lot of times things like that  
4 happened and it does, it eats you, it kills you. Yes, the  
5 guns were caught, and I know people will say well the girls  
6 had the guns, it serves them right. But a lot of times  
7 when you ask people to do things for you, they wouldn't  
8 normally do it.

9 260 Q. So did you feel at that stage, then, you just wanted out  
10 for a while?

11 A. For stress and strain, yes, I just needed a break, I wanted  
12 out. I wanted away from everything.

13 261 Q. I think in 1991 you went to?

14 A. Eurodisney.

15 262 Q. Can you recall what month you went?

16 A. No, not the exact month. I know I wasn't there too long  
17 and then a paper, newspaper stories appeared: IRA gang in  
18 Eurodisney, yeah.

19 263 Q. And did you have to come back then? Were you sacked as a  
20 result of that?

21 A. Well, we lost our jobs with my van, my van was the company  
22 we were working for and it was in the Sunday, I think it  
23 was the *Sunday Express*, and the journalist was Barry  
24 Penrose and Eve Pollard, I think they had something to do  
25 with it.

26 264 Q. And there was somebody else with you, I think, who was  
27 named as an IRA person as well?

28 A. Yeah. Can I name him?

29 265 Q. I don't think he is on the list.

30 A. No, he is not on the list, no.

1       266    Q. It doesn't matter. Anyway, there was an article on the  
2                *Sunday Express* and as a result of that, then, you lost your  
3                job?

4                A. Yes.

5       267    Q. So how long did you last in Disney before you had to come  
6                back?

7                A. I was there a few months.

8       268    Q. And I think you were painting, is that right?

9                A. I was, I was a painter on Big Thunder Mountain; we were  
10               doing a lot of different types of, like, movie sets, you  
11               know, for the Disney complex. It was a new type of  
12               painting which was -- it was good.

13       269    Q. Did you find out who, where that information came from? I  
14               presume you didn't give it to them yourself?

15               A. No, I didn't give it to them because it actually lost me my  
16               job. I was trying to rebuild a life. It came from the  
17               security services.

18       270    Q. And what do you think was their reason for doing that?

19               A. It was to draw you back in. To drag -- it dragged you back  
20               in. I got sacked. Lost my job.

21       271    Q. And when you came back, did you resume your relationship  
22               with the same intelligence officers?

23               A. No, no. When I came back, then, it was, the people that  
24               came in in charge then was, they called themselves the  
25               Security Services, it was MI5, they were there with the  
26               army, and this was them two on their own, not Special  
27               Branch.

28       272    Q. And was that from about '92 to '94, am I correct?

29               A. It would have been.

30       273    Q. I think from '94 to '96, you were with Customs, is that

1 right?

2 A. Yeah, I gave stuff. I mean there was breakdowns with the  
3 stuff even with MI5 and army because they asked could  
4 Special Branch actually come in with them to sit in because  
5 a lot of things were happening and they wanted to bring  
6 Special Branch. I never worked for Special Branch and I  
7 wouldn't, because at one stage many years earlier, when I  
8 broke away from the army and I didn't want nothing more,  
9 the Special Branch actually came into my father's business  
10 and where I was working and basically tried to blackmail  
11 me; I was actually blackmailed. So myself and my father  
12 went to Fr. Fall and a gentleman called Mr. Canning, I  
13 think he was a councillor, and they actually went to the  
14 police to say -- I mean, my father didn't know what I was  
15 doing, that I was working as an agent, and basically I was  
16 saying no, they are trying to blackmail me and they want me  
17 to become an informant. We went to down and spoke to Fr.  
18 Fall and Fr. Fall approached his contacts within the RUC,  
19 which he had a lot of good contacts, and he came back and  
20 said to my father, he says they can do nothing for him, he  
21 is driving about some of the top men in the IRA. My father  
22 wasn't pleased with it, you know, but he said, Fr. Fall is  
23 saying his people in the RUC could do nothing for me.

24

25 CHAIRMAN: I think we'll break at this point.

26

27 MRS. LAVERTY: May it please you Chairman.

28

29 CHAIRMAN: Two o'clock.

30

1 MRS. LAVERTY: Chairman, do you want to clear the court to  
2 allow the witness to leave?

3

4 CHAIRMAN: All right. We'll clear the court first of all,  
5 and then the witness will retire, please.

6

7 **THE TRIBUNAL ADJOURNED FOR LUNCH.**

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1                    THE TRIBUNAL CONTINUED AFTER LUNCH AS FOLLOWS:

2

3                    CHAIRMAN: Well, now the witness will have to resume his  
4                    seat, so I'd ask members for the public to leave until the  
5                    witness has again taken his seat.

6

7                    MR. ROURKE: Before that is done, Mr. Chairman, can I take  
8                    this opportunity to put the Tribunal on notice that  
9                    pursuant to the Tribunal's ruling this morning regarding  
10                  the arrangements of this witness giving his evidence and in  
11                  particular, his screening from the lawyers in this case,  
12                  that I am instructed to apply to the High Court forthwith  
13                  for Judicial Review of that decision, we intend to file  
14                  those proceedings as soon as we can, and I formally object  
15                  to this witness continuing his evidence until the outcome  
16                  of that application.

17

18                  CHAIRMAN: Of course you have the right to apply to the  
19                  High Court if you wish, but I am not proposing to stop  
20                  hearing this witness. May I remark that this is now, I  
21                  don't know what day it is, the 65th or 66th day of the  
22                  hearing. Your client has been present through his, through  
23                  your solicitors and himself during the hearings. This  
24                  procedure has been used on many occasions without any  
25                  objection or any notice that you required any better form  
26                  of visibility than I have made it plain you will get, this  
27                  was never mentioned before to the Tribunal. Do you have  
28                  any reason why that was not done?

29

30                  MR. ROURKE: We were not on notice that this witness had

1 made an application to be screened until in fact I attended  
2 this morning.

3

4 CHAIRMAN: Now, this witness is under very great security.  
5 Witnesses throughout, who have been screened, have given  
6 evidence in this form and your solicitor has raised no  
7 objection.

8

9 MR. ROURKE: Those witnesses didn't affect us,  
10 Mr. Chairman. This witness, the issue with this witness  
11 is, fundamentally, his credibility. You cannot ascertain  
12 the credibility of a witness behind a screen. I object to  
13 this procedure continuing, and if you insist it goes on, so  
14 be it, but you have my objection in that regard,  
15 Mr. Chairman.

16

17 CHAIRMAN: Well thank you. You may take your own course,  
18 but I propose to hear the evidence of this witness. The  
19 public should leave before the witness takes his seat,  
20 please.

21

22 (The public then withdrew).

23

24 CHAIRMAN: You are already sworn, you don't have to be  
25 sworn again.

26

27 MRS. LAVERTY: That's correct, Chairman.

28

274 Q. Now, Mr. Fulton, we were talking about your career as an  
29 informant prior to you going to Paris in 1991 to work for  
30 Disney. I just wanted to take you back there a little bit

1 without going into that.

2 A. Yes.

3 275 Q. I think that you described the internal security squad and  
4 repercussions on people that may have been perceived to  
5 have broken the rules of the IRA, is that right?

6 A. Yes.

7 276 Q. And was 'Mooch' Blair at one stage arrested by Internal  
8 Security?

9 A. Yes, he had told me that he had been arrested at one time,  
10 as a lot of people do be if there is a suspicions that they  
11 have worked as an agent or an informant, yes, he had been  
12 arrested by them.

13 277 Q. And he had been, presumably, discharged?

14 A. Well, the I thing is, when there is suspicion of people, it  
15 never goes away. Do you want me to explain what steps is  
16 usually taken by Internal Security or not?

17 278 Q. Please do.

18 A. What happens: It's a process of elimination. Even the  
19 times when I was out on active service and things went  
20 wrong, the unit would be called into Dundalk, they'd all  
21 write their statements down, what happened and what their  
22 job was, so if there was a suspicion that there was maybe  
23 an informant in there and they hadn't enough to get him,  
24 they would split the unit up and put each member of the  
25 unit with a different unit, and then they'd watch it maybe  
26 six months, seven months to see if anything else went wrong  
27 with those other units. It was a process of elimination to  
28 see whereabouts the agent was.

29 279 Q. And when you were talking about the manufacture of bombs, I  
30 think you said in your statement that if there was a bomb

1 to be planted to carry out damage, that there would be  
2 warnings given?

3 A. Yes, that's correct.

4 280 Q. And how was that effected?

5 A. Usually, the person would go, it's usually a bomb team  
6 would be sent maybe with two volunteers, so basically you  
7 have the timer power unit and the way it's done is, a  
8 volunteer's is trained, they are not trained to make the  
9 bomb but they are trained to set up the timer power unit is  
10 there, you pull the wooden thing back, it's like an ticker,  
11 an egg timer with a nail on it and another nail with a  
12 rubber. So what do you is, there is also a wooden peg  
13 built into the box and these are two safety mechanisms to  
14 protect the volunteer when he plants the bomb. So what you  
15 do is you set your timer, you take off the rubber off the  
16 nail, the upright nail, and you pull the peg, it's a  
17 wooden, like, dowl rod with a bit of wire on it and you  
18 show that to the other volunteer and then usually buck it  
19 away, so it means you've showed that you have primed the  
20 bomb. It's a case of --

21 281 Q. And how do you call in the warning then?

22 A. Usually the warning about will go to the likes of  
23 Samaritans, a hospital, or some organisation like that, and  
24 at that time in Newry the code word was 'Walter', that was  
25 the IRA code word, and would you give the 'Walter' code  
26 word. Sometimes, if it's a big attack of, I have been in  
27 Dundalk when units attack the likes of targets in the  
28 North, I don't want to say actually where they were, but  
29 what would happen is [deleted] -- oh, sorry...

30 282 Q. Go ahead.

1 A. Well, I would now be taken to a phone box in an area and he  
2 would ring in and say where the attack -- this is South  
3 Down command of the Provisional IRA claiming responsibility  
4 for the attack and something, and it was a code name  
5 'Walter', and that basically the code name gave the  
6 security forces that, you know, it was a genuine --

7 283 Q. Confirmation that it was a genuine?

8 A. It was a genuine warning or even giving the warning of it.  
9 The volunteers actually on the bomb raid, if they planted  
10 the bomb, would usually shout a warning to the people, you  
11 know, you have 20 minutes, it's ticking, you know.

12 284 Q. Now, do you recall the day of the Breen and Buchanan  
13 murders which, of course, is why we are here today?

14 A. Yes.

15 285 Q. And where were you on that particular day?

16 A. I was down at 'Mooch''s house. Most days I was down in  
17 'Mooch' Blair's house.

18 286 Q. When you say "down," that means you would have travelled  
19 from Newry?

20 A. Yes, from Newry; I would call it going down to Dundalk.

21 287 Q. Yes. OK. And was he there himself?

22 A. He was there, yes.

23 288 Q. He actually told us that he was gone out of the house for  
24 several hours, four hours, I think, that day?

25 A. No, no, he was in the house. Most times when I would be  
26 down he would be with me.

27 289 Q. Had you any reason to be there if he wasn't there?

28 A. No, if he wasn't there I would have no reason to be there  
29 at all.

30 290 Q. Yes. And when you were there, were you working together or

1 talking or what were you doing?

2 A. We'd always be talking. Sometimes we would be in his  
3 kitchen, he would be soldering things, he would be making  
4 things with plastic tubing.

5 291 Q. And on this particular day, was it any different to any  
6 other day, as far as you were concerned?

7 A. At the time I was down, no, it was no different than any  
8 other day until then, A came over and basically say  
9 "reports coming in".

10 292 Q. Was A living nearby?

11 A. A lived in the next square, it was, like, across the road  
12 and in another street.

13 293 Q. And he was part of your unit, is that right?

14 A. He was part of that unit, yes.

15 294 Q. Yes, and he came over and he said?

16 A. Well, we always nicknamed him "reports coming in" because  
17 he had the phone, he always watched the TV and people would  
18 ring him.

19 295 Q. Did 'Mooch' Blair have a phone?

20 A. No, not at that time, no.

21 296 Q. And he didn't have a car either?

22 A. He didn't have a car either, no.

23 297 Q. So "reports coming in"?

24 A. Yes, it was a nickname we gave him because usually when TV  
25 channels and things happen, reports are coming in of a  
26 shooting or bombing so we nicknamed 'A' that: "reports  
27 coming in".

28 298 Q. A when did he come over to the house, do you think?

29 A. He came over, basically, after the incident had happened.

30 299 Q. So this would have been sort of late afternoon?

1 A. Yes.

2 300 Q. About perhaps after five?

3 A. At tea time, yes.

4 301 Q. Yes. And did you know anything in advance about this?

5 A. No, absolutely not, no.

6 302 Q. Did any of you know anything about this?

7 A. No, I don't think he knew anything about it either. None  
8 of us did. The thing is, South Armagh was a different unit  
9 than us in Dundalk. Sometimes the people in the unit in  
10 Dundalk were used with South Armagh. A lot of times you  
11 wouldn't have got much warning, they would come in and what  
12 you'd call "bumped", so they'd come in and say "we need  
13 five, six people" and in IRA terms, you can be away for an  
14 IRA minute, which could be two days, or you could be away  
15 for a normal minute which would be five minutes in ordinary  
16 time. IRA time was different than real time.

17 303 Q. So you might be "bumped" into an operation, to use your  
18 expression, in other words, you would be asked to join into  
19 something?

20 A. You could be. I remember one time I went up to meet with  
21 'Mooch' and others, just my normal daily routine, and I was  
22 told by his wife that he was gone. And at that time he was  
23 away for, him and a few others, there was about four of  
24 this team were all gone, and I think it was two, maybe two  
25 days before they came back. But at that time there was an  
26 attack in Derryard, which was a PVCP, which was a permanent  
27 vehicle checkpoint, and again, when 'Mooch' and all came  
28 back and said "you were lucky because if you had have been  
29 here you would have been away with us." South Armagh came  
30 and took people and they didn't know where they were going

1 until they got to their place and got their weapons and did  
2 the attack. That attack, there was actually one Scottish  
3 soldier was shot dead and I think there was -- it sounds  
4 maybe hard for people outside the IRA to understand but  
5 there was, there was a very dark sense of humour within  
6 people in organisations, I think it helps them cope with  
7 what they do. But they actually took the Browning 9mm  
8 pistol, and it was a great trophy, off the young soldier  
9 that was shot down, so they stole his 9mm pistol, and I got  
10 that confirmed from handlers as well, that that did happen.  
11 I don't believe that was in the papers, but the IRA  
12 attacked the Derryard checkpoint, they drove a massive  
13 lorry bomb in, it didn't detonate, but they -- I think they  
14 killed the one soldier and the army actually ran from the  
15 PVCP. The IRA shot everything up. They blew the Sangers  
16 up, everything. It was a major, major attack by the IRA.  
17 But the unit -- our unit didn't know anything about that.

18 304 Q. Yes.

19 A. And I was not on it.

20 305 Q. So on the 30th -- the 20th of March 1989, your unit didn't  
21 know anything about the murders of Breen and Buchanan?

22 A. Not that I knew of in advance and not from my -- not from A  
23 or 'Mooch'.

24 306 Q. Yes. Well when Man A came in, what was the information  
25 that he had?

26 A. Well, basically, that there was this shooting and "our  
27 friend" -- sometimes we would use the thing as "our  
28 friend". "Our friend" at that time, which was the Garda,  
29 there was only one garda that I knew as "our friend".

30 307 Q. So, just be very careful with this now. You are saying

1           that there was a member of the Garda who was a friend?

2           A. Yes.

3       308   Q. Of the IRA or of your unit?

4           A. No, no, of the IRA. It wasn't actually our unit. This  
5           Garda was a friend of, it would have been that man from --  
6           I am allowed to say his name, aren't I?

7       309   Q. Yes, you are indeed?

8           A. Patrick O'Callaghan.

9       310   Q. Just for the sake of the record, Chairman, the Tribunal did  
10          write to Mr. O'Callaghan in relation to your statement,  
11          Mr. Fulton, and he said that he *"was aware of a person*  
12          *called Kevin Fulton. This person has been referred to in*  
13          *the media on numerous occasions over many years as a*  
14          *British agent who infiltrated the IRA. I believe that*  
15          *Kevin Fulton is an alias for a person called ..."* and he  
16          refers to your name. *"This is widely known in the wider*  
17          *Newry and south Armagh area. I will refer to this person*  
18          *as Kevin Fulton in this statement. Kevin Fulton was never*  
19          *at my home had Hackballscross that I am aware of, or with*  
20          *my assent. I have never had a friendship or any sort of*  
21          *relationship with a member of the Garda Siochana. I*  
22          *believe that Kevin Fulton is delusional. I believe he is*  
23          *confusing facts with the fiction of his own delusions. He*  
24          *has referred to matters concerning myself that never*  
25          *occurred, and with or without any semblance of truth.*  
26          *Therefore, I have no interest in viewing his intended*  
27          *evidence or meeting counsel for the Tribunal."*

28          So Mr. O'Callaghan knows he is being referred to.

29          A. Yes.

30       311   Q. So, you were aware or you had a perception that there was a

1 friend, that the IRA had a friend in the Garda?

2 A. No, no, I was aware of it.

3 312 Q. You were aware of it?

4 A. Yes.

5 313 Q. And did you, at that stage, know who it was?

6 A. Yes.

7 314 Q. Did you always know? How long had you been aware of --

8 A. It was actually one of worst kept secrets within our unit.

9 I mean this person had helped on a number of occasions when  
10 things went wrong, when there was explosive finds in Omeath  
11 as well, "our friend". There was fingerprints on equipment  
12 inside in a place in Omeath, I think it was 1000lb bomb, at  
13 that stage it was one of the biggest bombs ever found in  
14 the Irish Republic.

15 315 Q. I have been trying to check that out, Mr. Fulton. On the  
16 28th of August 1989, there was a bomb factory found in  
17 Omeath?

18 A. In a garage.

19 316 Q. Would that be?

20 A. It would be, yes, just above the -- when you go into Omeath  
21 there is like a small square -- no, a crossroads, and it's  
22 just as you go up on the hill and on the left-hand side  
23 that is where the house.

24 317 Q. That would have been, of course, later the same year that  
25 bomb factory was found, and I think at the time you told  
26 the Tribunal, in your statement, that your fingerprints,  
27 everyone's fingerprints --

28 A. Everybody's fingerprints was on equipment inside where the  
29 bomb was being manufactured and I think there was a Hiace  
30 van as well that had been hijacked in Newry, Ballyholland.

1 318 Q. And what was the outcome of that panic?

2 A. Well, basically, at that time when I went up to Dundalk,  
3 'Mooch' and all had to go on the run. He was already --  
4 well we all believed he was on the run from Northern  
5 Ireland, so he went on the run from his own house. So did  
6 also, Man C.

7 319 Q. What about yourself?

8 A. Well, I was just told to go north and stay north.

9 320 Q. Mm-hmm.

10 A. Yes.

11 321 Q. And when did you -- when did you get the all-clear that you  
12 could come back again?

13 A. I think it could have been about 24, 48 hours later word  
14 came a back from Mr. O'Callaghan that everything is clear,  
15 it's OK, go back home, there is nothing, it's all cleared  
16 up.

17 322 Q. Did he give a reason why it was all cleared up?

18 A. Well basically "our friend" had cleared it up. I don't  
19 know how he cleared it but there was fingerprints on the  
20 equipment inside it.

21 323 Q. Now, the -- on the day of the murders, was there -- besides  
22 the notification that there had been murders, was there any  
23 other communication from the neighbour?

24 A. The neighbour: basically after that had happened, when  
25 they had spoke a bit more, it was actually turned out that  
26 the IRA had planned, well this was what I was told by them,  
27 by 'Mooch' and that, they had planned to actually abduct  
28 the two officers and take their notes and I think after  
29 that actual thing, the IRA issued a thing to all IRA  
30 volunteers, I think they gave them 48 hours or something

1 amnesty, that they had taken the notes from these policemen  
2 and got information of it. They give volunteers an amnesty  
3 to come forward and that they wouldn't be shot down if  
4 anyone gave themselves up.

5 324 Q. How were you aware if that?

6 A. Because we were told it. I mean everybody was told it.

7 325 Q. Was this ever in the papers?

8 A. I think it may have been, yeah.

9 326 Q. So in any event, there was an amnesty offered?

10 A. There was an amnesty to IRA volunteers: if you have been  
11 compromised, you have given information, you can come  
12 forward. I think they said, you know, you can bring a  
13 priest with you, and it would have been a way of them to  
14 purge people. People panicked. And, you know, when things  
15 like that actually happen, informants and agents do panic  
16 because I mean, at times when bodies were found on the side  
17 of the road I would get a call from my handlers and say  
18 "come down". They would give you comfort and reassurance,  
19 because everybody panics.

20 327 Q. Well, was there any other chat the day of the murders about  
21 how it might have taken place or who was involved?

22 A. Yeah, well actually what was said to me was that the IRA  
23 had actually closed, that they had volunteers on every  
24 route coming from Dundalk. That was every main road was  
25 covered. Now that would have took a lot of men and a lot  
26 of planning to do that. I don't believe that that could  
27 have been done in an hour. You know, this would have took  
28 a lot of planning, preplanning as well. I mean --

29 328 Q. How come you didn't hear about it then?

30 A. Because our unit wasn't involved in it.

1 329 Q. And so, is it the case that every volunteer has a  
2 particular job to do within the IRA structure and doesn't  
3 talk to anyone else about it?

4 A. That's supposed to be the way it works, but what actually  
5 happens is I mean, if stuff happened in Newry, you sort of  
6 knew who did it. You are not supposed to and you are not  
7 supposed to talk about it, but people did talk, you know.  
8 If someone was knee-capped, you know, and you are not  
9 supposed to know who the other units are in the local area  
10 but everybody knew each other, so it was not working.

11 330 Q. And was there any other reference the day of the murders by  
12 volunteer A?

13 A. Just that "our friend" had helped on the operation.

14 331 Q. He said that on the day?

15 A. That "our friend" had helped, that is -- "our friend", yes.

16 332 Q. Yes. And what did that suggest to you?

17 A. Well, it would suggest to me someone would have to tell the  
18 people on the operation that -- it's like somebody has to  
19 tell that you your target is there. You know, normally  
20 people don't sit for days watching a place. You'd be  
21 tipped off. I mean --

22 333 Q. Would the car be enough? The fact that a car had arrived,  
23 would that be sufficient?

24 A. I can't say that. I don't know.

25 334 Q. But you think that --

26 A. Unless someone was sitting physically watching the whole  
27 time, but was somebody physically watching, sitting outside  
28 from the IRA? I don't know.

29 335 Q. Well you were told at the time that all the roads in and  
30 out of Dundalk were covered, so that is a lot of men; it's

1 a lot of exposure?

2 A. Yes.

3 336 Q. Am I correct in thinking that the IRA normally didn't work  
4 like that during the day?

5 A. No, you wouldn't work like that during the day. You only  
6 put your area men out when you know your target is there.  
7 I mean, when the IRA put land mines in or do an  
8 up-and-under on a car, they physically have to see, for an  
9 up-and-under, three consecutive days that your target gets  
10 into the car with no other member of the family. The IRA  
11 do have rules like that to try and stop civilian  
12 casualties.

13 337 Q. So there would need to be some kind of confirmation, you  
14 believe?

15 A. Absolutely, yes.

16 338 Q. And could that be -- could the confirmation be carried out  
17 by, perhaps, an ordinary vomiter or would it take somebody  
18 more important?

19 A. Well the thing is, an ordinary volunteer -- who has the  
20 credibility? You need pure credibility to put a unit out  
21 like that there. I mean, if someone had have went to  
22 'Mooch' or anybody, if they have no credibility, you  
23 wouldn't put an active service unit out.

24 339 Q. So it would have to be somebody who was very trusted, is  
25 that right?

26 A. I would say very, very trusted, yeah.

27 340 Q. And are you suggesting that this person referred to so far  
28 as "our friend", was involved in this?

29 A. Well that's what I took it to be, "our friend" and there  
30 was only one person I knew as "our friend" in the Garda.

1 341 Q. And who was that?

2 A. That was Owen Corrigan.

3 342 Q. And did you know who Owen Corrigan was?

4 A. I had seen him before, as well, yes.

5 343 Q. So, was the reference specifically to Owen Corrigan that  
6 day or was the reference to "our friend"?

7 A. "Our friend".

8 344 Q. So it might not necessarily have been Owen Corrigan?

9 A. Well I took it that it was Owen Corrigan.

10 345 Q. And that is because you didn't know of anyone else?

11 A. I didn't know of anyone else in the Garda, no.

12 346 Q. Could there have been someone else in the Garda?

13 A. I did not know of anyone else. Could there be? Of course  
14 there could be anybody but I only knew of "our friend".

15 347 Q. So, because we have to be obviously -- obviously we are  
16 trying to find the truth here --

17 A. Yes.

18 348 Q. -- Mr. Fulton. There was a reference on that particular  
19 day to "our friend" --

20 A. Yes.

21 349 Q. -- lending assistance to the operation?

22 A. Yes.

23 350 Q. Was there -- there wasn't mention of his name on the day?

24 A. No, it was "our friend."

25 351 Q. "Our friend". And you took that to mean Owen Corrigan?

26 A. Absolutely, yes.

27 352 Q. And subsequently, the -- when the bomb factory in Omeath  
28 was discovered on the 28th of August, 1989, was his name  
29 mentioned?

30 A. That was "our friend" again.

1 353 Q. Was his name mentioned at that stage?

2 A. No, it was "our friend".

3 354 Q. "Our friend"?

4 A. The Garda, yeah.

5 355 Q. Was there any discussion about "our friend"?

6 A. No, it was actually one of the worst -- we all knew who  
7 "our friend" was in the Garda. When I say "our friend", he  
8 wasn't anybody in our unit, nobody there was working with  
9 him, he always worked with Patsy O'Callaghan.

10 356 Q. And you knew that from?

11 A. I knew it from 'Mooch' and the people in our unit. I mean,  
12 it was one of the worst kept secrets. It wasn't even -- I  
13 mean people say "Oh God, how would you know that?" It  
14 was -- you had people from different backgrounds everywhere  
15 helping people. It was nothing -- you know, I didn't see  
16 it as --

17 357 Q. Well, do you think that this was -- I mean, did you get the  
18 impression that this was because of political conviction or  
19 was it for money or what was the impression you were  
20 getting about the assistance of "our friend"?

21 A. Well, we all knew he sold cars, he sold cars, he done  
22 wheeling and dealing, do you know what I mean? It's normal  
23 around the border.

24 358 Q. Mm-hmm.

25 A. Was he doing it for money? I don't know. Was he doing it  
26 for political conviction? I don't know. I wouldn't ask.

27 359 Q. But in any event, you don't specifically remember his name  
28 being mentioned on both -- on either of those occasions; it  
29 was just "our friend"?

30 A. It was just "our friend", and I took that to be Owen

1           Corrigan.

2       360   Q. You took it to mean Owen Corrigan?

3           A. Yeah.

4       361   Q. Now, did you have a -- on a subsequent occasion -- firstly,  
5           did Owen Corrigan ever arrest you?

6           A. When I was actually getting - I was arrested once on the  
7           Avenue Road and I remember Owen Corrigan coming into the  
8           interview room when I was in Dundalk Garda Station --

9       362   Q. I think you were arrested because you were in the company  
10          of 'Mooch' Blair, is that correct?

11          A. Yes. He was not arrested, I was arrested and taken out of  
12          the car.

13       363   Q. And you were kept overnight?

14          A. I was kept overnight in Dundalk Garda Station.

15       364   Q. So you remember him coming into the room?

16          A. I remember him coming. I was interviewed that day, that  
17          evening and the next morning.

18       365   Q. Did you know him to see?

19          A. I knew a lot of the guards to see, yeah.

20       366   Q. Did you know him to see?

21          A. I knew him to see as well, yeah.

22       367   Q. And did you subsequently meet him in the company of 'Mooch'  
23          Blair?

24          A. Once, yeah. 'Mooch' was actually covering for Patsy  
25          O'Callaghan and the reasons we would be close with Patsy  
26          O'Callaghan was, with the Internal Security Unit all the  
27          comms had to go out to Patsy O'Callaghan's, you know, for  
28          the voice stress analyser and the tapes, and 'Mooch'  
29          covered for him there and met him.

30       368   Q. Perhaps you might take that a bit slowly now. So 'Mooch'

1 was covering for Patsy O'Callaghan?

2 A. Yes.

3 369 Q. Who was obviously away somewhere?

4 A. Yeah, he must have been away somewhere.

5 370 Q. And did you have occasion to go out and see him or how did  
6 the meeting come about?

7 A. I had to drive 'Mooch' out to Fintan Callan's Ceili House;  
8 it was on out past Patsy O'Callaghan's, on further out the  
9 road.

10 371 Q. And did he give you a reason why you were going out there?

11 A. No, just out to see someone. A lot of times you drive  
12 'Mooch' to places, you just didn't ask what you were doing,  
13 you just drove them and he did his business.

14 372 Q. He said he wanted to go to Fintan Callan's Ceili House?

15 A. Yeah.

16 373 Q. No relationship, I presume, to Mr. Patsy O'Callaghan?

17 A. I don't know whether it is or not.

18 374 Q. And what happened when you got there?

19 A. I stayed in the car. I just -- as I always did, 'Mooch'  
20 got out and walked in and then came out and Owen Corrigan  
21 came out behind him, got into the back of the car and  
22 'Mooch' got in. They were talking about, it was Tom Oliver  
23 who was working as an informant, he had been caught with an  
24 unlicensed shotgun and again, I sat there. I never, ever  
25 spoke, I just sat and listened and looked out.

26 375 Q. Did you know who Tom Oliver was?

27 A. At that stage, no.

28 376 Q. Was the name mentioned at the time?

29 A. In the car?

30 377 Q. Yes.

1 A. Yes, his name was mentioned but I did not know who Tom  
2 Oliver was.

3 378 Q. Mm-hmm. And go back over the conversation again.

4 A. Yeah, it was basically that he had been caught with an  
5 unlicensed shotgun and he had agreed to give the guards --  
6 he was giving the guards information.

7 379 Q. And who was telling that to whom?

8 A. Owen Corrigan was telling that to 'Mooch'.

9 380 Q. And what was the purpose of the conversation, do you know?

10 A. Well, he was actually telling 'Mooch' who an informant was.

11 381 Q. And did 'Mooch' respond? Do you remember him responding to  
12 the conversation?

13 A. Well, he was talking to Corrigan. The conversation was  
14 very short and sweet. He got out. On the way back in the  
15 road he said "I'll blow the f-ing back out of him with an  
16 AK."

17 382 Q. This was his comment?

18 A. But that would be a normal comment to make, you know, with  
19 that type of thing.

20 383 Q. I see. So when -- where did you drive back to? Did you  
21 drive 'Mooch' back home was there other --

22 A. No, just back into Dundalk, back to his house. We  
23 would always drive --

24 384 Q. Did he explain to you what this was about?

25 A. No, it was quite clear what it was about. It was somebody  
26 who was working as an informant. I mean, that's what  
27 'Mooch''s job was as well, he worked with Internal  
28 Security. I mean, he had already been named in a paper,  
29 there was a man in I think, a citizen of the Irish Republic  
30 living in Warrenpoint had given interview to a newspaper

1 and 'Mooch' had suspected him of being an informant and, I  
2 think he worked in the Sinn Fein Centre in Newry but, again  
3 it's the black humour of the thing, because in the  
4 interview to the paper he says that 'Mooch' had wrapped  
5 his -- his private parts around his leg, and we were sort  
6 of, we would laugh, we'd say I wonder could you do that for  
7 me to make them a bit bigger. But this guy had named  
8 'Mooch', his photograph was in the paper as well, where  
9 'Mooch' had abducted him, toured him.

10 385 Q. So this was in the public domain at that stage?

11 A. Yeah, about this other guy from Warrenpoint, he was a  
12 citizen of the Irish republic but he was living in  
13 Warrenpoint but working in the Newry Sinn Fein Centre, and  
14 I am sure it should be in some of the papers because I  
15 remember reading it and we all had a laugh about it.

16 386 Q. So when -- was that the end of that, if you like, was that  
17 the first time that you had encountered Owen Corrigan?

18 A. In that sort of role?

19 387 Q. In that situation?

20 A. That was the first and only time, yeah.

21 388 Q. Only time?

22 A. Yeah.

23 389 Q. And did you know him as somebody who was anti-IRA around  
24 Dundalk?

25 A. The thing is, with a lot of -- the thing is, he would have  
26 been maybe known as anti-IRA, but the thing is, I was known  
27 as anti-RUC, I was known as an IRA person in Newry who  
28 hated the police and everything else. I played my role.  
29 The thing is, I would be no good as an agent for my  
30 government if people knew that I liked the police or

1 anything else, you'd be dead. You know, people say, you  
2 know, you play your part. I had been arrested and charged.  
3 I mean I had policemen who used to batter me, which was  
4 basically illegal, and I'd be charged with obstruction but  
5 equally, those people didn't know what game I was playing,  
6 who I was working for.

7 390 Q. How many times of the day were you stopped on occasions?

8 A. In Newry I could have been stopped five, six times a day,  
9 searched, and maybe searched now, I'd walk down the road  
10 five minutes later, be stopped again, searched, if I'm in  
11 the car, stopped searched, taken to the PVCP at Clough.

12 391 Q. And this was because of your reputation?

13 A. This was because of my reputation and at times my handlers  
14 became very worried because they were afraid of someone in  
15 the police shooting me. I think there would be plenty of  
16 policemen would confirm that they actually hated me at the  
17 time. Since, you know, I have been exposed I have met one  
18 policeman who used to give me a very hard time, he shook my  
19 hands and said "We hated you" and I talked to him and I  
20 says, my handlers -- we actually talked about it -- we were  
21 afraid of them -- we were afraid of a policeman shooting  
22 me, but that never happened.

23 392 Q. I think you mentioned at one stage that there was one  
24 particular Garda in Dundalk who was a terrible thorn in  
25 your side?

26 A. Tom Molloy, yes.

27 393 Q. And I think that he gave the IRA terrible hassle, is that  
28 correct?

29 A. He gave everybody hassle. You know, he was a guard that  
30 hated the IRA.

1 394 Q. So his reputation would have gone before him, in the IRA?

2 A. Everybody knew Tom Molloy. You knew them all to see, and  
3 at times if you were driving around Dundalk they would look  
4 at you and we would wave at them, you know, if we were  
5 driving past. You'd have nothing in the car, you'd give  
6 them a wee wave and they'd smile and laugh; it was like a  
7 game.

8 395 Q. So you have described this meeting in a car park with  
9 'Mooch' Blair?

10 A. Yes.

11 396 Q. And Owen Corrigan. And a man called Tom Oliver?

12 A. Yes.

13 397 Q. Subsequently, did this -- did something happen as a result  
14 of that conversation?

15 A. It did. I was actually told to go and get a van. I would  
16 usually hire a van from a garage near Hilltown, I would  
17 hire cars, vans, and I hired a small van with a sliding  
18 side door in it, and the unit actually got together and  
19 arrested Tom Oliver; they took him away.

20 398 Q. And who was in the unit? Or the --

21 A. Yeah. You had A, B, C. D wasn't there. E wasn't there.  
22 G was there, and there was an another person there, he is  
23 not there and there's another Belfast man, his name is not  
24 there, he was there that evening.

25 399 Q. Did you know what his name was?

26 A. I do know his name. I don't know if I am allowed to say  
27 it.

28 400 Q. For the moment, you can leave it. And so how many people  
29 in all were there in this operation?

30 A. About eight of us total.

1       401   Q. And the operation you are about to describe, would this be  
2            par for the course for lifting someone to take them away to  
3            interrogate them?

4            A. For an IRA volunteer, no, but for someone else who was  
5            maybe doing that -- with IRA volunteers it's very easy to  
6            get them to come to you where you say "Oh, you are going  
7            training," you know, "be at such a place" and they will be  
8            there. But someone who is not an actual volunteer, you  
9            can't tell them I want to come and talk to you. So what  
10          they do is, just the way the police would come to your  
11          house in the early hours of the morning, knock the door in,  
12          come in and lift you. There's a shock factor in it. So  
13          basically what they did was, we all went down, I had the  
14          van, there was another car went with us, we went to the  
15          Ballymascanlon Hotel, pulled into the car park, I got into  
16          the car with this other guy from Cooley, and the team went  
17          in the van that I had brought down to his house and they  
18          arrested him. So, in the meantime, we actually drove out  
19          of the car park, because I mean there was bouncers at the  
20          hotel, people would look at you. So we actually went out  
21          onto the road where the Ballymascanlon turn-off is and we  
22          waited, there was like a telephone box down the road. So  
23          we waited there in the car with the car turned around, but  
24          during this time when we were sitting talking, me and the  
25          guy in it, again never asked his name, he didn't ask mine,  
26          we were sitting talking and next thing the border patrol  
27          came up, which was one garda car with two guards in it,  
28          uniformed, in like a Land Rover Discovery, you know that  
29          kind of jeep thing, which was the Irish army, and they  
30          actually came out and came and knocked on the car window

1 and asked us, basically, they were going to ask us who we  
2 were. So what we came up with is: I am giving you a price  
3 for painting your house. So, I said to the guy, and the  
4 guard did come, he asked us "Who are you? What are you  
5 doing?" I said, "I am giving him a price for painting his  
6 house." And we were panicking because we were expecting  
7 the guys coming at any time with the van, and lucky enough  
8 the guards finished their notes, wrote their notes down and  
9 got into their thing and away on they went.

10 402 Q. What happened then?

11 A. Next thing, a few minutes later the van pulled up behind us  
12 and we had actually told them what happened. So we went  
13 into the car park, they actually got into the car, 'Mooch'  
14 got into the back of the van, I got into the front, drove  
15 it, and it already had been a prearranged place in  
16 Kingscourt for me to leave off the person, so it was.

17 403 Q. So you drove the van?

18 A. I drove the van, yes.

19 404 Q. With 'Mooch'?

20 A. And Tom, yeah, and the man in the back, yeah, yeah.

21 405 Q. Was there anybody else with you at that stage?

22 A. Not in the van at that stage. That was us just heading  
23 straight out.

24 406 Q. Had you a car behind you then?

25 A. No, that car, they all got into the car, the boys that were  
26 in the van, and went back to Dundalk.

27 407 Q. I see. And when you got to the place you were dropping him  
28 off, were there more people waiting there?

29 A. Yes, there was a car with C, Man C, and Freddie  
30 Scappaticci. And Man C lifted Tom Oliver out of the, you

1 know the side of the van, he was actually tied up, he had  
2 cable-ties and he was blind folded and I didn't realise it  
3 until he -- he put him into the boot of the car, so I went  
4 away home, and at that stage we had already talked about  
5 the guards turning up, and I was actually told you will not  
6 be able to come back down again because this guy is not  
7 coming back, but it ended up he did come back because he  
8 never admitted anything. But when I got into -- I went out  
9 home through South Armagh through Crossmaglen and into  
10 Camlough. So what I did is, I pulled in at the, they call  
11 it the yellow house, it's a small estate but there's, like,  
12 a big wall and there's big grounds, and I checked inside  
13 the back of the van and there was a Wellington boot still  
14 in it so I threw the Wellington boot over the wall.

15 408 Q. Was he a fat man? A tall man? A thin man?

16 A. No, he was a wee small man, because Man C is actually quite  
17 tall and slim and he just lifted him out. I mean it always  
18 sticks with me, he was a slight man.

19 409 Q. How did you know who he was?

20 A. Well we had only talked about him with thing, so it was Tom  
21 Oliver.

22 410 Q. So you knew going there it was Tom?

23 A. Going there yeah, yeah.

24 411 Q. And did you know who he was then because of --

25 A. Not really, it didn't cause me any concern to know who he  
26 is or what he is. I mean, we were arresting people on a  
27 regular basis.

28 412 Q. But on that occasion, did you get the job of bringing him  
29 back?

30 A. No, no, I didn't bring him back because at that stage we

1 thought he wasn't coming back. So it was C, Man C actually  
2 said "Don't be coming back because you will have to stay  
3 north now," you know, because we were stopped by the  
4 guards, they had our details, so we thought automatically  
5 they will connect us with that because their intention he  
6 wasn't coming back.

7 413 Q. But on that occasion I think that Tom Oliver was released?

8 A. He was, yes.

9 414 Q. He didn't admit to anything?

10 A. No.

11 415 Q. Did you hear about that subsequently?

12 A. Well the thing is, what the IRA usually do is, if the IRA  
13 arrest you, if you admit that you are passing information,  
14 that automatically sanctions them to execute you. But  
15 there has been times when a lot of people have gone in and  
16 denied everything. And remember, when the IRA actually  
17 goes forward to abduct you or arrest you, they are pretty  
18 sure that you are an informant, you know, but he didn't  
19 admit it. And I know some people will say "Oh the IRA shot  
20 people without this and that". Maybe it did happen. I  
21 have never seen that happen. I have seen people arrested  
22 who are IRA volunteers and have been released. Someone,  
23 one or two have been shot in the legs, others were  
24 dismissed with ignominy.

25 416 Q. You are quite sure that on that occasion he was released?

26 A. Positive, yeah.

27 417 Q. And when did that happen? We tried to narrow it down  
28 but --

29 A. The exact date: it was before -- before I went away then  
30 to Eurodisney, and then when I was away he was actually

1 shot dead.

2 418 Q. You said you couldn't recall exactly the month you went to  
3 Disney?

4 A. No.

5 419 Q. But if I can help you, I know that Mr. Oliver was murdered  
6 in July 1991?

7 A. Yeah.

8 420 Q. Was it --

9 A. I would have been in Disneyland at that time.

10 421 Q. I think there is, if I may just draw your attention to the  
11 fact that in this book "*Unsung Hero*" which is attributed to  
12 you, it says you went in August 1991.

13 A. I don't know. The book has got inaccuracies in it. I had  
14 no editorial control of it.

15 422 Q. How did you hear about Tom Oliver's murder?

16 A. I think it was in the papers.

17 423 Q. And did you know straightaway that it was the same man that  
18 you had --

19 A. That's right, it was the same man, yeah.

20 424 Q. -- helped to abduct sometime before that?

21 A. Yeah.

22 425 Q. Are we talking about months, are we talking about weeks  
23 beforehand?

24 A. I would say maybe a month or so. It wasn't -- I didn't  
25 keep track of time. I always remembered who it was and in  
26 that area, and when 'Mooch' said he would actually blow the  
27 back out of him. The IRA were certain, they knew that he  
28 was giving information but he never admitted it. And  
29 subsequently, I have seen stories and heard things how they  
30 caught him out, I don't know if that's true, you know.

1       426   Q. Did you ever tell your handlers about this information that  
2            you had?

3       A. A lot of times I would have briefed them on everything  
4            after it as well, yeah. And even when I went to London  
5            years later, when MI5 took over and, as I say, the MI5 is  
6            keeping their heads well out of it, I actually went to  
7            London, I had to do a whole debrief of all my stuff again  
8            to them and they took notes. There was people from army  
9            intelligence, MI5, and I presume maybe there was police  
10           there as well. And this was everything from, again, like  
11           from when I joined the army, all the jobs I did, they  
12           wanted everything, and they would have been briefed on  
13           every single thing that I had done.

14       427   Q. Now, I think that you went to -- did you get on with your  
15            handlers? You said before lunch there was a change of  
16            handlers in the early nineties?

17       A. Yes.

18       428   Q. And the people you had been dealing with were moved to a  
19            different -- I think you had a different title, the new  
20            organisation?

21       A. Well, it was the people that took over was British  
22            intelligence, that's the way they described them, and they  
23            said they were really running the whole thing. There was  
24            army there, too. They asked that members of the Special  
25            Branch be brought in. They knew that I would not work for  
26            Special Branch, because number one, I did not like -- I  
27            just did not want to work for Special Branch. So because  
28            things were happening and bombs, different types of  
29            technologies were being developed, they asked could they  
30            bring some people from Special Branch in. I was assured

1 that I would not be working for SB, I would be working  
2 still for MI5, they would be paid my wages. I was quite  
3 happy with that. The way it was explained is, because  
4 everything is happening so quickly, when they would meet  
5 with me they would have to go and set up another meeting to  
6 brief Special Branch. So two Special Branch officers were  
7 basically allowed to come and these two Special Branch  
8 officers came all the time with the handlers from MI5 and  
9 army. So there was all departments were present but I was  
10 actually being controlled by Box MI5.

11 429 Q. And would that, am I correct in thinking that went on until  
12 1994?

13 A. It would have, yes.

14 430 Q. Was there ever a break in the continuity of, for example,  
15 your payment?

16 A. No, no, I always got paid. My wages always came in cash  
17 and the difference when MI5 took over was, a lot of times  
18 with the army you would be debriefed in either a house or  
19 sometimes in a car or a van. But when MI5 came, I mean  
20 next thing is they were flying us to Paris, Glasgow,  
21 London. This was for debriefs. So what they actually done  
22 was, in a way it was actually, it was more enjoyable  
23 because they took you out of the situation, and I mean,  
24 would fly you to London for 24, 48 hours. Just you would  
25 tell your people, your wife, I have a job on, I am doing a  
26 bit of work, and they would debrief you and take you out,  
27 have a meal with you. They did it totally different than  
28 the military.

29 431 Q. And I think you got involved with Customs, then, from 1994  
30 to 1996, is that right?

1 A. There was a couple of times we had arguments with my  
2 handlers because I felt they were actually putting my  
3 life -- I knew my life was always in danger but they were  
4 actually playing very rough and fast and loose with it and  
5 we had arguments, you know, big time. And then the -

6 432 Q. You give the impression, or whoever wrote the book in your  
7 name, gives the impression in the book that you felt that  
8 it was all becoming a big game; that that was the attitude  
9 of your handlers?

10 A. Yeah, it was a big game but it was my head on the chopping  
11 block. You know, the thing is, do you trust your handlers?  
12 No. Do your handlers trust you? Absolutely not. They  
13 can't.

14 433 Q. So am I correct in thinking that there was a sort of a, you  
15 weren't getting on very well with your handlers at this  
16 point in time?

17 A. With some of them, yes.

18 434 Q. With some of them?

19 A. Absolutely, yes.

20 435 Q. Right. So you then went on to Customs, and that was fine?

21 A. I will tell you why I did that. Because a lot of the  
22 people I was giving information on, a lot of the times you  
23 expected them to be arrested or maybe caught in an  
24 operation and maybe there could be a firefighting and they  
25 could be killed, but none of this ever happened. What  
26 actually the handlers did, and again it was part of my  
27 brief, was to find out about people. I mean, I would maybe  
28 find out about you and find out what your weaknesses are.  
29 I would give that to my handlers and they would try and  
30 recruit the person. You know, but, a lot of these

1 people -- you know, for an intelligence thing it maybe was  
2 the right thing because you were getting killers who were  
3 maybe turning and passing on information, maybe saving on  
4 more lives. But a lot of things, I felt I was actually  
5 being set up to take the fall for other people that -- you  
6 know, I can give you some incidents.

7 436 Q. That were more important, you think, than you?

8 A. Not even more important. There was one thing that actually  
9 really, it shocked me one time. There was a certain man in  
10 Newry gave information on his, a family member, one of his  
11 own in-laws, that he was a member of the security forces.  
12 Now, I was with, his name is not here, a Belfast man who  
13 was very senior in GHQ staff, and I was getting a bit of  
14 work done on my car, and when we were in this person's  
15 place of work he started saying about his brother-in-law  
16 was a UDR man, and basically, he lived in a, and I can say  
17 the area because he doesn't live there any more, he was  
18 evacuated out it, he lived in a place in Banbridge called  
19 Bramblewood, and the IRA man with me says, "We will take  
20 him out," and I reported this back to my handlers and they  
21 were saying, "Right, what you have got to do is, tonight,  
22 you go down to Bramblewood in your car. We are going to  
23 give you a producer" -- they gave me, it's a thing that the  
24 police gave you, uniform gave you to stop you, produce your  
25 licence, tax and insurance, so they gave me a producer and  
26 they actually said to me, "Go you back down to Belfast and  
27 tell those people you took a drive around and uniformed  
28 police stopped you." Now, that actually would be against  
29 IRA rules, you know, to go in and do that. So again, they  
30 purposely put my life in even more danger than it would be

1 normally. I was not happy about it, but I had to do it.  
2 And it ended up it caused a massive row with GHQ staff, the  
3 IRA in Belfast, because they wanted to kill this guy. And  
4 of course the next day I was in with his actual in-law, and  
5 he was saying, he was actually angry and he says "I told  
6 yous yesterday that guy and his family have all been taken  
7 and spirited out of the house."

8 437 Q. Are you happy that your information caused lives to be  
9 saved?

10 A. Oh, absolutely, yeah, yeah. I can give you situations  
11 where it did save lives, yeah, if you want. It's up to, I  
12 don't mind, if you want me, I will tell you.

13 438 Q. You might give us a few indications because you probably  
14 take it for granted and we are interested in certain  
15 aspects in this inquiry.

16 A. Yes. Well one time -- one time, the Newry courthouse was  
17 getting rebuilt and the IRA had planned to do mortar attack  
18 on it. The blast wall had been built which meant if the  
19 mortars had have went in, the blast would have just rattled  
20 and killed everybody inside it. So I gave my handlers  
21 that. I knew the mortars were made and I told them where  
22 the target was, and where the van -- the van would have had  
23 to go to the car park facing it, and at this stage, you  
24 know, there was no barriers, but again, within, I think, 24  
25 hours, they'd put barriers up, you know, the height  
26 restricters, so the vans could not go in. So what actually  
27 happened was then, the next day after that, the IRA went  
28 down with the mortars and had to abandon that attack, so  
29 they drove the mortars to an industrial estate facing the  
30 old police station. But with mortars, mortars are built to

1 a specification and measured for the trajectory and for the  
2 propulsion inside it, so when they fired the mortars at  
3 this new target, it only went halfway and didn't explode in  
4 the field. So those lives were saved.

5

6 Another time the IRA have planned to use a command wire  
7 bomb in Patrick Street in Newry, there was a steel gate.  
8 And what they had planned to do was put, at the time they  
9 were planning to do a wheelie bin but I found out and told  
10 where the operation was, what they were going to do. Now,  
11 handlers, basically a specialist army unit were put in, and  
12 I think they were there for two or three days watching and,  
13 in the meantime, they observed two people -- I mean, they  
14 were convicted, and I can name them, do you want their  
15 names? There was guys called Marks and Coyle, they were  
16 observed by the specialist unit putting in two command  
17 wires. And when the police and army then rushed them and  
18 arrested them, they fired shots in the air and I think  
19 there was something like 2 or 3 kilos of Semtex with the  
20 command wire and detonator that was going to be used there.  
21 Also, do you want me to keep going?

22 439 Q. You can do a third one.

23 A. Another one was an old man who was a cleaner inside the  
24 Newry RUC Station, and every day he was observed going in  
25 in the morning to a newspaper shop called Thompson's in  
26 Sugar Island in Newry, and at that stage I was going to be  
27 the one that was supposed to shoot him, because he went in,  
28 there was two doors into Thompson's, one on the main street  
29 and one on the side street. Again I alerted my handlers to  
30 that and he retired, so he was never shot.

1 440 Q. So that's what you described earlier as sort of frustrating  
2 an operation rather than moving it?

3 A. Yes, yes.

4 441 Q. And then nobody is suspected?

5 A. Nobody is suspected. Nobody is caught. You can go out  
6 with your bombs, your guns, and nothing happens.

7 442 Q. Now, I think that you were registered as a CID informant on  
8 18th June 1996?

9 A. Yes.

10 443 Q. And in 1997, you were granted participant status?

11 A. Yes.

12 444 Q. And we have already, the Chairman has already had evidence  
13 from your handler and from another member of the equivalent  
14 of, sort of CAB, in the last few days giving evidence about  
15 your participation in those matters so we don't need to go  
16 back over those.

17 A. Right.

18 445 Q. And I think that they found you very satisfactory?

19 A. Yes.

20 446 Q. Now, I think that in 1998, then, you passed on information  
21 to your handler in relation to just prior to the Omagh  
22 bomb, is that correct?

23 A. Yes, there was a few times that, at that time 'Mooch' Blair  
24 had moved on with, would have been classed as dissidents,  
25 he didn't agree with the ceasefire, and I was still friends  
26 with him and everything else and he had given me his  
27 shopping list that they wanted to buy guns. At this stage  
28 I was moving back and forth all over the world and to  
29 London, and I had said "Oh yeah, I deal with drug dealers,  
30 that type of thing, and what is it you need? Do you need

1 guns?" He gave me a list. I showed the list to my  
2 handlers as well. And basically, some of the times I met  
3 'Mooch', he had been mixing -- the thing is, when you mix  
4 bombs, I know newspapers have put a lot of stuff out and a  
5 lot of it is rubbish -- you smell of diesel. The diesel is  
6 used, sometimes you can mix it with the bomb or you can use  
7 benzene or sugar, but you always use the diesel to clean  
8 your wheels of the grinder because the grinder will break  
9 and clog up and it stops. And the thing is, when you are  
10 grinding, I mean I knew he was grinding because I have made  
11 bombs with him for many years before that, I grinded stuff,  
12 it's a very monotonous job to do the grinding. So I went  
13 back to my handlers -- I mean I wasn't going to ask him what  
14 he was doing but I knew he was grinding -- so I said "Mooch  
15 is -- actually expect bomb in the next few days, he's  
16 grinding, he's making a bomb. I didn't know where it was  
17 or anything else and I wouldn't ask. He gave it to my  
18 handler and he put it in the system. I think on two  
19 occasions prior to Omagh, bombs did come within the next  
20 few days. And it came, one was in Newry, and I think there  
21 was a Banbridge one as well. Then again, prior, just the  
22 one just 48 hours before Omagh, I was going to go on  
23 holidays and 'Mooch' wanted to see me so I met him at the  
24 Claret Bar, which is just on the -- it was actually about,  
25 it was near midnight when I met him, and again, he had the  
26 diesel on him, you could see the powder, the dust, you  
27 know, and he again gave me the list for these guns, but I  
28 was going on holiday the next day. So what I did is, I  
29 rung my handler and then went down and met him, gave him  
30 the stuff. I went on holidays. And again I'd say "There

1 is a bomb coming in the next few days". They knew 'Mooch'  
2 was there making it. They knew the registration of his  
3 car. And I thought no more of it. And when I was in  
4 Tenerife on holidays with my then-wife, I always rang home  
5 to my father, you know, just to check he was all right, and  
6 he said -- I says, "Well, any news? Anything happening?"  
7 And he says, "Yeah, yeah, there was a major bomb in Omagh  
8 and lots of people have been killed." And I says, "No  
9 way." He says, "Go and look at *Sky*." So I did, I ran up  
10 to the apartment in Los Cristianos and it was on *Sky News*  
11 about the bomb in Omagh that had just happened.

12 Straightaway, it was a Saturday, I remember that, because I  
13 rang Sam's -- I rang his mobile phone, my handler's phone,  
14 I wasn't really expecting to get him because he always  
15 played football on a Saturday, but he did answer it and I  
16 said it to him -- this was Witness Number 71 -- and he  
17 answered it and I said "Did you see the stuff?" I said,  
18 "Did you put that in the system?" He says curse, he is  
19 very good, and he says "Thank F I did." I think it shocked  
20 him as well.

21 447 Q. Where is the Claret Bar, as a matter of interest?

22 A. The Claret Bar: if you are coming from Dundalk town centre  
23 going towards Newry, it's way off to the left and it's down  
24 past a housing estate, wee cottages, it's right on a  
25 corner, it leads towards a place called, I think it's --  
26 it's not Fatima, or something, I know the areas but I  
27 couldn't tell you the names of the streets.

28 448 Q. Just in relation to the information that you passed on, I  
29 think it's fair to say that you couldn't say where the  
30 bombs were going?

1 A. Absolutely not, no.

2 449 Q. And when you warned your handler about a previous bomb that  
3 went off in Newry, you weren't able; you just knew it --

4 A. I just knew there was a bomb being made. I think it was on  
5 three occasions that happened. I didn't know where any of  
6 them were going. I would never ask. I just wouldn't.

7 450 Q. Were you aware of anybody else making bombs at that stage  
8 besides 'Mooch' Blair?

9 A. Yeah, a person that was helping him, in the Omagh bomb  
10 report done by the Police Ombudsman, there was a Man B in  
11 that report, and I don't know if I can name him but I can  
12 tell you his name at any time.

13 451 Q. You could write it down, actually, and give it to the  
14 Chairman.

15 A. Yes.

16 (Witness writes name and hands to the Chairman)

17 452 Q. I think as a result of the information that -- or perhaps,  
18 Chairman, do you have any questions, Chairman, before I  
19 proceed? You have no questions arising out of that?

20

21 CHAIRMAN: No.

22

23 453 Q. MRS. LAVERTY: I think as a result of the information that  
24 you passed on, it was subsequently publicised in a  
25 newspaper, is that right?

26 A. Which?

27 454 Q. The fact that you had passed on information that had been,  
28 to a large extent, ignored?

29 A. Well the thing is, that journalist that did that, I had  
30 never spoke to that journalist. At that time, we would not

1 have been on friendly terms, you know, because he was  
2 actually exposing me. But since, we have had to make up  
3 and become friends because we were attacked by Ronnie  
4 Flanagan and the Government and everything. But on the  
5 heading -- the headline of that newspaper story, I will  
6 never forget it, says I told cops about Omagh. I never  
7 spoke to the journalist and I have never told anybody about  
8 Omagh. You know, but what that story then actually did, it  
9 actually prompted the Ombudsman's investigation.

10 455 Q. Yes. I think it caused an awful lot of trouble for you as  
11 well?

12 A. It did. I mean I was actually publicly, I mean Ronnie  
13 Flanagan got on to TV and said this guy is a Walter Mitty,  
14 a fantasist, you know, and everything, and he told the  
15 Omagh families that this guy was of no use, his information  
16 was rubbish. Now, I understand that, one of my handlers  
17 has confirmed it, that Ronnie Flanagan apologised to my  
18 handlers, because my handlers did everything by the book,  
19 this was the CID people, and he made notes, he did  
20 everything by the book, and Ronnie Flanagan actually  
21 apologised to him after making that comment about my  
22 information -- he was not given the full story by Special  
23 Branch. He was led to believe that I was an alleged  
24 fantasist, Walter Mitty. But he confirmed to my handler  
25 that, you know, he agreed that my information was good and  
26 I was not a fantasist and a Walter Mitty. And also,  
27 Jeffrey Donaldson, he was a source that confirmed to him  
28 that my stuff was a hundred percent. I was a genuine  
29 person. You know, this is something that is not known by  
30 the public.

1 456 Q. I think up to 1998, until the Omagh bomb, you were under  
2 the radar working away, very satisfactorily it would  
3 appear, from the previous witnesses, with CID, is that  
4 right?

5 A. It is, yes. And what a lot of people don't realise is, the  
6 Special Branch said "Oh, this was criminal." It wasn't  
7 because it was against people like 'Mooch' Blair who were  
8 IRA and Real IRA, all the people I targeted were IRA  
9 people, and I do know it was a case of, I have already got  
10 it confirmed myself, I was an informant hanging other  
11 informants which made Special Branch very angry. It was a  
12 case of, I was touting on the touts, and it was causing  
13 great problems. But I mean, one thing -- I mean, CID  
14 people, the first time I met them, they actually put it to  
15 me: if you do anything wrong and you tell us, we will  
16 arrest us. They were very honest about it. The Special  
17 Branch and MI5 and the military do not operate that way.  
18 They recruit people that have done things. The CID people,  
19 which -- I mean, it did get results, people got arrested  
20 and I have seen times where they have went and things were  
21 put in the CID people's way to stop them doing things and  
22 just knocked doors down and went in and arrested everybody.

23 457 Q. I think your counsel, the last witness before the Tribunal,  
24 listed out successes that you had with CID and during those  
25 years, major successes involving a lot of money where your  
26 information was very valuable. So I am not going to go  
27 into it again; he can go into it when he is putting  
28 questions to you.

29 A. Yes.

30 458 Q. But I think, in any event, that because of all of this,

1           your career, actually, came to an end by the year 2000,  
2           isn't that right? You were outed, effectively?

3           A. What actually did happen, what ruined it as well that, I  
4           made a thing -- after the Omagh bomb, I spoke to other  
5           people and we actually targeted 'Mooch' Blair, to bring  
6           him -- not to do him harm but to get him arrested and to  
7           get him to talk about the Omagh bombing, and every single  
8           thing was frustrated by Special Branch. At this time,  
9           'Mooch' Blair had come to me. They had access to one  
10          million Viagra tablets held in a secure store in the Irish  
11          Republic. Now, at that time Viagra tablets sold for £10 a  
12          tablet on the black-market, and I told him I had someone, a  
13          drug dealer, again it didn't exist, from London who would  
14          give him £5 per tablet -- this was for the Real IRA. He  
15          says "Right." I says "But I need samples." Again I  
16          reported this to the CID and my handler says "Get samples".  
17          So, 'Mooch' did get samples. He had blister pack of four  
18          but two were taken out of it, so he gave me the blister  
19          pack and the serial number was still on it. I gave that to  
20          my handler and he then did his inquiries and it came back  
21          that yes -- he must have been to the Pfizer company and  
22          they confirmed that this stuff was theirs, it was not in  
23          circulation, and at that time [deleted] was trying to  
24          organise an operation to do a sting to arrest Blair and  
25          these people who were going to rob these tablets. And that  
26          was actually stopped. I got a phone call from [deleted],  
27          he says "I can't talk to you any more. I am not allowed to  
28          meet you." Because, basically, Special Branch stopped the  
29          operation and stopped my handler from speaking to me.

30         459   Q. And did you finally have to get out of the North because of

1           one particular piece of information that you passed on to  
2           your handlers? I think it was to do with -- I know you are  
3           in the witness-box all day, but it was in relation to the  
4           protection of a high-ranking member of the police?

5           A. Derek Martindale.

6       460   Q. I don't know whether you should have mentioned his name but  
7           anyway...

8           A. Oh, sorry. It's common knowledge.

9       461   Q. I think it is public knowledge, yeah.

10          A. Yeah. At the time I was working with GHQ staff, the person  
11          I was working with, he is now dead - is it OK to say his  
12          name? - which was Gerard Bradley, 'Whitey' Bradley. And  
13          his -- and a relation of his introduced me to him, I worked  
14          with this relation in Eurodisney and he was saying, "We  
15          need a mobile phone, we need a car" and at this stage I had  
16          a flat on the Antrim Road because I was working a lot in  
17          Belfast, so at that stage I told my MI5 handlers and they  
18          said, you know, he wants a phone, he wants, what you call a  
19          "basher", and a basher is a phone that you used to get  
20          those days, it was cloned, say, to London Water or Thames  
21          Water, so you would have another phone and you could make  
22          all the phone calls you wanted on this was free and the  
23          bill would go to them. So, mobile phones were very  
24          expensive to run in those days. So I got the phone, and it  
25          wasn't a "basher", and the only way I could get it, my  
26          handler says get one on a contract, and I got a phone on  
27          contract, on my then-wife, on her name, she knew nothing  
28          about it. I gave the phone to MI5 and they did their magic  
29          on it and they gave me the phone back. I was also told to  
30          give them the phone, which I did, and MI5 monitored the

1 phone. I also got them a car, and basically, Bradley told  
2 me we want a car, and his story he gave me is, we were  
3 moving a bit of gear in this lady's car, she loaned us a  
4 car and we crashed it, we need to replace it. So I got him  
5 a cheap car, which was good, and I gave him the car, but  
6 before I gave him it I told my handlers "here is the car,  
7 there is the registration and I have to leave it on such a  
8 street." And they were happy with that, so they watched  
9 that. And I think about 48 hours later I was going back  
10 down to Bradley's house one morning, and as I was driving  
11 up the street, the police and army were outside his house.  
12 You know, I knew they were doing, I didn't ask, I didn't  
13 know the actual particulars, but I knew they needed the  
14 stuff, and my handlers were very excited. So the army were  
15 there raiding his house, so I went around to his in-laws'  
16 house so I says, "The police and the Brits are at Whitey's  
17 house," and he says "Stay here. Nobody is to move." So I  
18 had to stay there all day. And basically, what it was, the  
19 IRA, GHQ staff, stood everybody down that had anything to  
20 do with the job because everybody was caught. I mean,  
21 there was Davy Adams, there was other people, I mean the  
22 police just smashed the whole ring of top IRA men going to  
23 kill this senior RUC officer who was -- he was doing  
24 imminence damage to the IRA, you know, financially with  
25 their, in operations he was carrying out, they wanted to  
26 kill him before the big ceasefire, but he was saved. I  
27 mean, yes, I supplied the stuff and my handlers were able  
28 to do it. Did I know the operation? Absolutely not. It  
29 was my policy never to ask questions, and that is how a lot  
30 of times -- but, yeah...

1       462   Q. As a result of that, then, I think that you were  
2           interviewed by Mr. Scappaticci, is that right?

3       A. Yes, first of all, my then-wife was arrested in work  
4           because the phone was in her name. She knew nothing about  
5           it. So the police took her to Castlereah. And I had a  
6           meeting that day with my handlers, and I was going, "What  
7           the 'f' is going on?" He says, "Don't panic. The police  
8           want to arrest you, they are looking for you, they have  
9           raided your house," because I was in Belfast but my house  
10          was in Newry, even though I had a flat on the Antrim Road.  
11          And my handler says, "Listen, you have got to hand yourself  
12          in." And I says, "I can't," the IRA just don't hand -- he  
13          says, "Where will you be tomorrow morning?" I said, "I  
14          will stay in my dad's house on the Warrenpoint Road." It  
15          was facing my house. So it was arranged that the police --  
16          well, I mean, the police didn't know it was arranged, but  
17          they were given the information by Special Branch that I  
18          was down at my dad's house. They raided it, arrested me,  
19          took me to Castlereah. When I was in Castlereah, the  
20          detectives there basically just looked at it, and they  
21          straightaway says, "Who the 'f' are you working for?" And  
22          again, my brief from my handlers always is, "You do not  
23          tell CID anything, you can't, because CID will charge you,"  
24          and they would nearly go after Special Branch as well. So  
25          Special Branch always watch, and MI5, from a distance, you  
26          know, what is going on. They know what is going on, they  
27          tell you they have the inside track. But I spent, I think,  
28          three days, and never made a statement, never spoke to  
29          them, and, at that time, my then-wife and myself were  
30          actually released, but, straightaway, then, the IRA came to

1 the house and said, a certain IRA man -- I will not name  
2 him here, but I don't know, I don't know if I have named  
3 him to you? -- said, "You and your wife" -- at that time --  
4 "have to go to Belfast to be debriefed." And I said,  
5 "Listen, my wife knows nothing." And she didn't, she was  
6 totally innocent. I was really worried for her. But I was  
7 told, if you don't take her down, we will f-ing drag the  
8 two of you down. So she'd no choice, she had an offer she  
9 couldn't refuse, she had to go to Belfast. So we went to  
10 Bradley's in-laws' house, who I worked in Eurodisney with,  
11 and then he took us around, this was Unity Flats. He then  
12 arranged and took us around to another flat where there  
13 were other people waiting. We went in, were separated, me  
14 and my then-wife, and I was blindfolded, sitting in one  
15 room, and she was took to another room. I knew the voice  
16 of the person behind me. There was two people in the room  
17 that was blacked out and one was of those was 'Scap', it  
18 was Freddie; the other person, I don't -- he knew I knew  
19 him. I mean, I drank with the person, too. And he went  
20 in, you know, started going over the stuff with he  
21 Martindale, "Did they brief you? How were you arrested?  
22 What did you tell them?" I told them nothing. I says, "I  
23 didn't make any statements, didn't do anything." "What did  
24 you know about the operation?" I said I knew nothing, but  
25 why they had asked me to get a phone, a car. And at that  
26 time I was letting them use my flat for meetings, and it  
27 was monitored as well. But I actually didn't know anything  
28 about the job, so that was standing to me, but after a few  
29 hours they released me and my wife, and gone back, and my  
30 wife was in a terrible state and she was saying what is it

1 about. I says -- you couldn't argue with it, because it's  
2 the IRA, end of story. If they tell you to come down, you  
3 have to come down. And basically, we were asked to come  
4 back again -- can I have a wee drink of water?

5 463 Q. Take your time.

6 A. So, basically, we had to come back down again, so I  
7 arranged to meet my handlers and I said that they are  
8 pulling us back down, and they were saying, "You are OK.  
9 We have the inside track, go back down." So my wife had to  
10 come as well. And again, we were quizzed again about the  
11 whole thing and, at the end of that meeting, she was going  
12 back home to say "that is me finished," but I was told I  
13 had to come back again because 'Scap' started mentioning  
14 things -- jobs that I was involved with that went wrong,  
15 nothing happened --

16 464 Q. So dragging things up, in other words?

17 A. No, no, what actually happened is, they start going over  
18 all the jobs that you have been on over the years that  
19 didn't happen. So I knew, with working in Internal  
20 Security, that they were starting to look really deep into  
21 me, and I knew I would not survive, I just couldn't do it,  
22 so I went to my handlers and asked to be pulled out, and  
23 they said, "No, go back, go back". And I had a friend who  
24 was in the intelligence services, actually said to me,  
25 "Don't go back, you are not coming back," but I already  
26 gathered that myself. So I didn't go back the third time.

27 465 Q. What help did you get to get out?

28 A. None.

29 466 Q. So I think that you left the country at that stage --

30 A. I did, yeah.

1 467 Q. -- is that right? Yes. And since you left, I think you  
2 had dealings -- your own situation has never been sorted  
3 out, is that correct?

4 A. To an extent. I mean, when I had to go away and, I mean, I  
5 knew people were out to kill me, so I had to run, I got  
6 help from my father, family, and -- you know. What,  
7 actually, I did, I couldn't do it any more, so I was living  
8 on the street, so what I actually did, Hugh Orde became  
9 Chief Constable and he actually had done the Stevens  
10 Inquiry into collusion, and I had spoke to them before  
11 because I was asked to speak about a certain thing, and I  
12 did, but I know he told certain journalists that he did not  
13 want to go down the track after me, Stevens did not want to  
14 go down that track about what I was involved in. So,  
15 actually, I rang, it was the PSNI at this stage, and I  
16 said, "Listen, I am coming over, you know, you are going to  
17 have to sort something out," I said, "I am going to chain  
18 myself to the gates of Headquarters and I am taking all the  
19 TV crews." I mean, I had CNN lined up, CBS, ABC, and they  
20 were all coming with me, and at that stage he did, Hugh  
21 Orde did, sort of, sort me out at that stage as well,  
22 and --

23 468 Q. We are talking about financially now, because --

24 A. No, no, it's not financially. I mean, number one, I was  
25 told there's a security package which is standard, which is  
26 a new identity, your new life. The time -- you were saying  
27 about rewards for different things.

28 469 Q. Mm-hmm.

29 A. At this time, with MI5, and that, I was told I had my  
30 secret account, it's an emergency getaway. It's not a

1 reward; it's your bonuses of £200,000. I had no reason to  
2 doubt that because when I needed money, say, to repair my  
3 house, I would say I need money from my account, and they  
4 would say, "How much do you need?" "£5,000 to put a hip  
5 roof on the side extension." There it is, it was coming  
6 out of my account. I had no reason never to believe that  
7 MI5 and the army and the branch who was with them, but I  
8 was not working for branch, but at this stage they just  
9 pulled everything. I mean, I was not meant to come back  
10 after the third time going down to Belfast, so when all  
11 that there happened, I didn't get my new identity. I still  
12 live under my own name, I have never been given a new  
13 identity to this day, and they won't give me it. I mean,  
14 anyone who even -- in England, even, who gives information  
15 on drugs thing or gets an arrest, they are given a new  
16 identity immediately. I am actually -- I have my own legal  
17 case, I mean, it's going on, but at the minute, it's MI5  
18 are paying for my accommodation and living allowance, but,  
19 I mean, there is nothing settled. I used to get security  
20 briefings from New Scotland Yard, and when I would go for a  
21 security briefing, I would be warned by Special Branch "if  
22 you try to speak about anything, we will terminate this  
23 briefing". Because what I did a few times, I would walk in  
24 to the police, and I know a policeman is under an  
25 obligation, if you mention a crime, they must investigate,  
26 and this is why they actually stopped giving me security  
27 briefings. If I need to get -- it comes by -- a uniformed  
28 officer hands me it. No one will speak to me. And the  
29 thing is, I am actually in limbo. Yes, I live comfortably,  
30 I can survive. I cannot move forward, I couldn't get a

1 job, I can't do anything because I still live under my own  
2 name and my own identity. I mean, my identity is out  
3 everywhere. A photograph of me was published in the *North*  
4 *Belfast News*, that was a stolen photograph, and again, the  
5 same stolen photograph was presented here by lawyers in  
6 this Tribunal, they used a stolen photograph and  
7 distributed it and published it. You know, that is just  
8 what you are up against. But, I mean, I will carry on my  
9 legal case. I mean, anyone who works for any government  
10 organisation is entitled to their pension. I mean, there  
11 is no doubt that the job I did was a very special type of  
12 job, so, I mean, am I not entitled to get what my package  
13 was promised? I mean, it's there for everyone. Everyone  
14 else has got it, some former agents have got it two and  
15 three times. People took it very personal when I went to  
16 the Ombudsman and gave information about certain things. A  
17 lot of people is not happy because it exposed a lot of --

18 470 Q. I think as a result of your information that you did give  
19 the Ombudsman and as a result of that inquiry, there was a  
20 lot of criticism, on the part of the Ombudsman, of the  
21 procedures perhaps used by the police force at the time, is  
22 that right?

23 A. Yes.

24 471 Q. And that would have rubbed off on criticism of you?

25 A. Well, it did, but, I mean, I don't think that it was me did  
26 that. I mean, there was their own thing, they have their  
27 own procedures, and, if they weren't working right, that is  
28 not my fault, you know.

29 472 Q. Witness 71 --

30 A. Yes.

1 473 Q. -- was discussing in the witness-box the sort of  
2 arrangements for, again, the matters that you are concerned  
3 with now?

4 A. Yes.

5 474 Q. The fact that you carried out this job and you had  
6 expectations and they weren't met?

7 A. Those were promises.

8 475 Q. And he said, at page 100 of the day of his evidence:

9 *"Whenever I was asked to find out what would make him go*  
10 *away" -- that being you -- "basically, what he wanted, the*  
11 *agreement that he wanted didn't materialise."*

12 So he was obviously working on your behalf as well?

13 A. He was. At one stage, the Northern Ireland office, that is  
14 what they call themselves, but it's MI5 that's looking  
15 after me, the agreement was that if, she was my wife then,  
16 if we sold the house and went together, they would put a  
17 deposit together, give us a new identity, everything, but I  
18 said I wanted it in writing, and nobody would give me it in  
19 writing, so therefore, I couldn't take it, I could not  
20 trust -- I mean, I had already been crossed by them. I  
21 couldn't trust them. I wanted it in writing, and no one  
22 would give it. To this day, we have nothing in writing,  
23 but I do get -- I am well looked after at the moment, but  
24 that can stop in the morning. I have nothing in writing.

25 476 Q. Do you have any regrets about your participation in the  
26 intelligence service over these years?

27 A. There is a lot of things I have done and I am very proud of  
28 it, I have saved lives. There are an awful lot of things  
29 that I am not proud of. I have my own demons. I have to  
30 live with myself. You know, do those demons go away? No,

1           they will never go away.

2       477   Q. I think that you spoke to Jeffrey Donaldson, MP, in about  
3           the year, I think, early 2000?

4           A. Yes.

5       478   Q. 2000s. And he felt that you had concerns for people who  
6           had become victims of the activity of the IRA during the  
7           time that you were a member. He didn't know whether it was  
8           a matter of conscience for you, but he spoke of you  
9           visiting two of the victims' families?

10          A. Yes.

11       479   Q. And he said at no stage did you ask for anything for  
12          yourself at that point in time?

13          A. No.

14       480   Q. And did you feel that, by talking to them, that you were  
15          able to help them in some way?

16          A. Well, the thing is, you know, people say it's exercising  
17          your demons. It was therapy, to an extent, with me. A lot  
18          of people have been touched by terrorists, by agents, you  
19          know. I mean, I can't implicate myself. I am being  
20          investigated for an awful lot of murders and terrorist  
21          things. My handlers knew everything I had done, but  
22          didn't -- you know, I mean, it is a case of, let's just  
23          say, in Northern Ireland, agents were involved in murders,  
24          agents were involved in bomb attacks that killed soldiers,  
25          policemen. The police and army and security services know  
26          this, and people say, "Oh, they were protecting you." They  
27          weren't protecting me; they were protecting themselves. I  
28          have already been told by -- I still do have friends in the  
29          intelligence community -- that, basically, all the files  
30          that implicate the handlers and things that I have been

1 involved with, allegedly involved with, have now been  
2 destroyed. And the only person I can talk into jail is  
3 myself, you know, and I am being actively investigated by  
4 HET, by the PSNI, on serious, alleged serious crimes,  
5 terrorist crimes, and, you know, it's -- it's a case of  
6 just, allegedly, not even me, but a large number of agents  
7 for different agencies were involved when human bombs,  
8 attacks on people, terrorists, that maybe they were agents  
9 at the time when they did certain murders, were never  
10 arrested; they were recruited. Yes, maybe they saved more  
11 lives after that, but I can only talk for me. I exercise  
12 my demons, but --

13 481 Q. But in any event, obviously the powers-that-be feel that  
14 they have a sense of responsibility and a duty of care to  
15 you --

16 A. Yes.

17 482 Q. -- if they are supporting you?

18 A. Yes. With me, it was very political. I had been given my  
19 package by John Reid, and we only found this out, my legal  
20 team, you know, with the court documents, but no one had  
21 told us that I had been given a package after Omagh. I  
22 mean, the security services did not tell us. And it ended  
23 up, there was another Secretary of State came into Northern  
24 Ireland, it was a female one, it wasn't Mo Mowlam, it was  
25 somebody else, and she took advice from the NIO, and it's  
26 like a political football. I would have supporters on one,  
27 maybe, end, and other people, I don't, and they took it off  
28 me.

29 483 Q. I think that the authorities have never seen fit, though,  
30 to, for example, take a gagging order against you or take

1 any steps to prevent you from carrying on your life in as  
2 ordinary a way as you can, despite the circumstances?

3 A. Well, if they took a gagging order, it would actually just  
4 get my back up, I would just go out and do it. I mean,  
5 they will not silence me. If I want to talk about  
6 something, I will do it. I have done it. And it's not a  
7 case that I am using it as blackmail, or anything else; I  
8 have talked to people, I have talked to victims. At one  
9 stage, I was asked by a victims' group, I mean, they had  
10 come to me and I went to this victims' group, and only two  
11 people in the group knew my real identity and the rest of  
12 these people didn't, and I had sat and listened to these  
13 people talking about their involved ones being murdered,  
14 and a number of years previous to that I listened to the  
15 same stories from the people who actually murdered them,  
16 and it just was an awful experience to listen to the  
17 families, but they didn't know who I was, but I had  
18 listened to the people who had killed their loved ones from  
19 Dundalk.

20 484 Q. Just one last thing, Mr. Fulton; you gave a statement to  
21 Judge Cory?

22 A. Yes.

23 485 Q. And how did that come about?

24 A. I was contacted by a journalist who said that there was,  
25 again it was a person of a victims' group called William  
26 Frazer. At this stage, I didn't know William Frazer or his  
27 victims' group. At this time, I was in London. I didn't  
28 even know there was an investigation by Judge Cory. In  
29 England, you don't hear of these things because no one  
30 covers it. It's the same as this Tribunal, no one is

1 covering it. And the journalist asked me would I speak to  
2 William Frazer because this group, FAIR, had done their own  
3 investigations and looked into things, so I said yes, so I  
4 talked to them, and he had asked me about, again, the  
5 Garda, the IRA units in Dundalk. He says, "Would you come  
6 to Dublin and speak to this Judge?" I said, "Yeah, yeah,  
7 that is OK." So I did come to Dublin with him. I mean,  
8 and it ended up after that, this is the victims' group that  
9 I did visit, which is FAIR, and listened to these people,  
10 yes.

11 486 Q. And did they appear to have information that -- did William  
12 Frazer, for example, seem to have information that  
13 corroborated what you told Judge Cory?

14 A. He did, he had other information as well going back as far  
15 back as the Narrow Water -- you know, the bombing in Narrow  
16 Water. I mean, his group seemed to have done a lot of  
17 research into certain things.

18 487 Q. But the evidence that you gave Judge Cory was, very simply,  
19 in relation to this, this murder, isn't that right?

20 A. Yes.

21 488 Q. And you haven't elaborated much on that, it would appear?

22 A. No.

23 489 Q. Yes. Thank you very much, Mr. Fulton. I am sure there  
24 will be lots of questions people will want to ask you.

25  
26 MR. RAFFERTY: Chairman, I was just going to ask on behalf  
27 of Mr. Keeley, he has been giving evidence all day, if you  
28 were thinking of sitting late, perhaps he be given a  
29 five-minute comfort break?

30

1 CHAIRMAN: You would like a five-minute comfort break,  
2 would you?

3 A. Well, I will stay on.

4

5 MR. O'CALLAGHAN: Chairman, I would just point out that I  
6 am next to -- of the first to cross-examine Mr. Keeley. I  
7 certainly won't be finished by 4 o'clock, and I know  
8 Mr. Keeley is destined to be here for tomorrow as well, so  
9 I would like to start now.

10

11 CHAIRMAN: You would like to start now?

12

13 MR. O'CALLAGHAN: Well, I don't know whether you intend to  
14 sit late? If you wish to, I have no problem with that, but  
15 that is a matter for the Tribunal.

16

17 CHAIRMAN: I don't imagine we will. We have allowed for  
18 tomorrow.

19

20 MRS. LAVERTY: And the day after, if needs be.

21

22 CHAIRMAN: If need be. I think Mr. Keeley doesn't seem to  
23 need a comfort break, so I think --

24

A. I am OK.

25

26 MR. RAFFERTY: Just if you were thinking of sitting late,  
27 just merely if you were thinking of sitting late.

28

29 CHAIRMAN: No, I wouldn't have thought we will. I think  
30 4 o'clock should be sufficient.

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MR. RAFFERTY: Very well.

**THE WITNESS WAS CROSS-EXAMINED BY MR. O'CALLAGHAN**  
**AS FOLLOWS:**

490 Q. MR. O'CALLAGHAN: Good afternoon, Mr. Keeley.

A. Good afternoon.

491 Q. I appear for retired Detective Sergeant Owen Corrigan. I just want to ask you some questions. Just at the end of your evidence to Mrs. Lavery there, you said that you didn't know Willie Frazer or his victim group prior to you going to meet Judge Cory, is that correct?

A. That's correct, yes.

492 Q. And you wrote your letter to Judge Cory on the 9th of September 2003, isn't that correct?

A. That was actually in relation to that, that is why I knew him.

493 Q. And how long before that did you meet Willie Frazer?

A. I hadn't actually met Willie Frazer. I was talking to a journalist who was in touch with Willie Frazer.

494 Q. And you had never met Willie Frazer before that?

A. Not to my knowledge, no.

495 Q. Did you not meet Willie Frazer with Jeffrey Donaldson in the House of Commons in early 2000?

A. Actually, yes, I would have, yeah, I did.

496 Q. Why did you lie to the Chairman about --

A. I did not lie to the Chairman, sir.

497 Q. Why did you lie to the Chairman about not telling him that you had met Willie Frazer prior to September 2003?

1 A. Was that question asked of me, was it?

2 498 Q. You said in your evidence that you didn't know William  
3 Frazer or his victim group, and that when you met him  
4 sometime before the 9th of September 2003, you wrote to  
5 Judge Cory, isn't that correct, that was your evidence?

6 A. I would have wrote to Judge Cory, yes.

7 499 Q. And you had met Willie Frazer with Jeffrey Donaldson some  
8 two-and-a-half or three-and-a-half years earlier, isn't  
9 that correct?

10 A. I would have met him at the Houses of Commons, well I  
11 hadn't realised on the dates, yeah.

12 500 Q. Why didn't you tell that to the Chairman?

13 A. Because it didn't come into my mind when I was saying it.

14 501 Q. I have to suggest to you, Mr. Keeley, that that is the  
15 first of your many lies that you are going to tell me under  
16 cross-examination?

17 A. No, sir, it's not.

18 502 Q. Did you ever hear of a man called Paddy Shanaghan?

19 A. Paddy Shanaghan - the name doesn't actually ring a bell,  
20 no.

21 503 Q. He was a man who was murdered in Dublin in 1993. Do you  
22 recall informing the RUC that you had information outlining  
23 where the murder weapon used in his murder was kept?

24 A. Yes. I will explain that to you as well. At that time, I  
25 was having great problems with my handlers. It's not that  
26 I contacted the RUC to tell them I had information. I was  
27 actually working with MI5 and the RUC at that time, and  
28 basically, we were having problems together, me and my  
29 handlers; they were lying to me, so I lied to them. And I  
30 said that basically, I had been tipped off by another

1 handler that what was happening, so I told them "Yeah, I  
2 had something to do with the murder." My handlers arranged  
3 to meet me and they took me down to Dublin and they said,  
4 "Right, show us where you dumped, you know, the motorbike  
5 and the gun." I says, "It was Ballymun, the tower blocks.  
6 A doorway," I says "that doorway there." And when we got  
7 back to Belfast they were saying that is a lie. I says "Of  
8 course it is. Yous lied to me." What actually they were  
9 doing with me, they were telling me lies and then I told  
10 them lies back to catch them lying out, so we caught each  
11 other out.

12 504 Q. Mr. Keeley, I will go back to my first question again: Did  
13 you ever hear of a man called Paddy Shanaghan?

14 A. The name doesn't ring a bell but the murder does. He was  
15 shot by someone on a motorbike in Dublin.

16 505 Q. So you are distinguishing between the name of a man and the  
17 fact that he was murdered, is that correct?

18 A. What do you mean distinguishing between?

19 506 Q. Did you ever hear --

20 A. I had nothing do with the murder.

21 507 Q. So clearly you did hear of a man called Paddy Shanaghan?

22 A. Well I know the situation, the circumstance you are talking  
23 about now.

24 508 Q. Just answer the question. You do recall a man called Paddy  
25 Shanaghan?

26 A. Not the man. I remember the incident.

27 509 Q. And you do recall going to the RUC and informing them that  
28 you knew where the murder weapon used in his murder was  
29 kept, isn't that correct?

30 A. I was actually working with the RUC at the time; I was one

1 of their sources, along with MI5 and the army. At that  
2 time we were having arguments and problems with each other;  
3 they were lying to me, putting my life in danger, and I  
4 lied to them about that.

5 510 Q. And tell us about your lie to the RUC in respect of  
6 Mr. Shanaghan's murder. You brought them down to Dublin,  
7 isn't that so?

8 A. No, they brought me to Dublin, actually, and quite clearly,  
9 my handlers were looking rid of me, I had already been told  
10 that, so what were they going to do? They were going to  
11 get the guards to -- I found out since, they had arranged  
12 with the guards to follow me with them. They were looking  
13 to the guards to arrest me, hopefully, for a murder, but of  
14 course I didn't do it.

15 511 Q. Did you tell the RUC, or your handlers, that you knew where  
16 the murder weapon was hidden?

17 A. No, it was actually the motorbike it was supposed to be,  
18 not the murder weapon.

19 512 Q. Did you tell your RUC handlers that you knew where the  
20 motorbike was hidden?

21 A. Yeah.

22 513 Q. Where did you tell them it was hidden?

23 A. It was a store door at the bottom of a block of flats in  
24 Ballymun.

25 514 Q. Did you travel down to Dublin with your RUC handlers?

26 A. They weren't my handlers. These were two Special Branch  
27 branch men that assisted my handlers, yes.

28 515 Q. You travelled down to Dublin with them?

29 A. Yes, I did.

30 516 Q. And you were aware that they had contact with a member of

1           Garda Siochana, former Garda Assistant Commissioner Joe  
2           Egan, are you aware of that?

3           A. No, I am aware now of that, but at that time, I wasn't.

4       517   Q. And you travelled around in the car with the two RUC  
5           officers, isn't that correct?

6           A. That is correct, yes.

7       518   Q. And Mr. Egan was travelling behind you in his car, isn't  
8           that correct?

9           A. I didn't know that at the time, no.

10      519   Q. And your function in that car was to point out, and I have  
11           to put it to you, it was the weapon as opposed to the  
12           motorbike?

13           A. No, it was actually the motorbike.

14      520   Q. Well, you were to point out, whether it's the weapon or the  
15           motorbike, you were to point out where this incriminating  
16           piece of evidence was in the murder of Paddy Shanaghan,  
17           isn't that correct?

18           A. Because my handlers thought I had taken part in it.

19      521   Q. Isn't that correct?

20           A. That is correct, yes.

21      522   Q. And tell the Chairman, what did you point out to the RUC  
22           and the member of An Garda Siochana?

23           A. I pointed out a doorway at the bottom of a block of flats,  
24           a big high block of flats, because it was a on a Saturday  
25           that my handlers had bumped me and said "Come on with us,  
26           we were going down to look at" because I had already told  
27           them it and they knew I had lied and I said, "Yes, I have  
28           lied to you because yous have lied to me." They had  
29           actually sacrificed my life on other things as well, so I  
30           did it exactly on them.

1 523 Q. And you pointed to the premises of a senior Dublin  
2 politician, isn't that correct?

3 A. No, I had never even seen the Dublin politician thing. It  
4 was a door at the bottom of a high-rise block of flats, a  
5 small door, because I remember when we got back to Belfast  
6 my handlers were able to tell me the next day that you  
7 couldn't put anything in there, it's such a small room.

8 524 Q. Mr. Egan gave evidence to the Chairman yesterday that the  
9 premises that were pointed out were the constituency office  
10 of a senior politician in Dublin. Are you saying that he  
11 was giving false evidence to the Chairman?

12 A. Well I don't know any senior politicians in Dublin that  
13 were there. I did not see any names of a doorway, we  
14 actually drove past it on a roundabout and I pointed a  
15 door, there was no sign on it, I didn't know any  
16 politician's office there.

17 525 Q. But you pointed to a premises that was occupied, isn't that  
18 so?

19 A. It was a doorway in a multi-storey block of flats, a  
20 doorway with no sign on it.

21 526 Q. So you were prepared to incriminate the wholly innocent  
22 people who were behind that doorway, isn't that correct?

23 A. Oh, get away. I was showing my handlers where the doorway,  
24 I pointed any doorway out to where it was. I lied to my  
25 handlers because they lied to me. My handlers had set me  
26 up to be murdered, yeah.

27 527 Q. And you were prepared to incriminate the individual who  
28 resided behind that doorway in order to facilitate and  
29 uphold your lies, isn't that correct?

30 A. No, sir, that is not correct.

1 528 Q. You subsequently retracted the story to the RUC. When did  
2 you tell them that your story was a tissue of lies?

3 A. They knew the next day.

4 529 Q. How did they know?

5 A. Because they had a meeting and we thrashed it out. They  
6 had lied to me and I had lied back to them.

7 530 Q. And you admitted to them that this was all a lie?

8 A. Absolutely, yes.

9 531 Q. OK. Can I ask you to look at the cipher listing the  
10 members of the Royal Ulster Constabulary which you should  
11 have in front of you. Can you identify, without naming  
12 him, No. 64?

13 A. Right.

14 532 Q. Are you aware of that gentleman?

15 A. I don't actually know him. I have heard the name.

16 533 Q. He served as Detective Inspector in charge of Special  
17 Branch, Newry, from 1988 to 1994?

18 A. Yes.

19 534 Q. And he was in charge of the team that handled you?

20 A. Right.

21 535 Q. You never heard of him?

22 A. I have heard of him actually since I have been away from  
23 Northern Ireland, not during that time, no.

24 536 Q. Mr. Fulton, literally ten seconds ago you told the Chairman  
25 that you had never heard of him. Now, ten seconds later  
26 you are telling the Chairman you have heard of him. Why  
27 are you repeatedly lying to the Chairman?

28 A. Hold on a minute. At that time I did not know that man,  
29 OK? When I left Northern Ireland, I heard his name. When  
30 I heard his name, he had visited the victims of a doodlebug

1           rocket attack in Newry, in which a woman police officer was  
2           murdered. He went to the home of the male police officer,  
3           and him and Ronnie Flanagan told this person that this  
4           person, Kevin Fulton, was never an agent, never an  
5           informant. This, No. 64, went to that person's house, so  
6           he did, yet I heard No. 64 denied that he ever did it.

7       537    Q. Was Witness No. 64 ever one of your handlers or one of the  
8           people you dealt with?

9           A. No.

10       538   Q. He wasn't?

11           A. No.

12       539   Q. OK. So when he gave that evidence to the Chairman, he was  
13           lying?

14           A. He must have been, yes.

15       540   Q. Could I tell you what he said in his evidence on Day 53,  
16           Mr. Fulton?

17           A. Yes.

18       541   Q. I asked him: If there were occasions when you gave  
19           information which you were aware was misleading  
20           information. And this is what he said in his answer, he  
21           said: *"Well, there was probably a number I could give.  
22           But one particularly interesting one was, we were given  
23           intelligence about an IRA Active Service Unit planning to  
24           travel to Great Britain to carry out a series of attacks  
25           there and Mr. Fulton told us that he had been asked to  
26           prepare weapons hides in Great Britain to facilitate the  
27           logistics of that unit travelling to Great Britain. Police  
28           operations were put in place in England and Scotland and  
29           quite considerable police time, effort, resources went into  
30           carrying out preparatory work to try and catch the alleged*

1           *Active Service Unit, only for Mr. Fulton to subsequently*  
2           *state that it was something he had made up."*

3           A. No, actually, that is, actually, quite wrong.

4       542   Q. What's your recollection of the incident recounted by  
5           Witness 64?

6           A. At that time I was working with GHQ staff in Belfast. At  
7           this time the ceasefires were on, weapons were handed over  
8           as well. I was asked to go to England and purchase  
9           firearms. I was told to dig in two dumps: one outside  
10          England and one at Scotland. When an agent goes to England  
11          to the mainland, you are guaranteed you are going to get  
12          stopped, it's going to be finished, you're gone. At that  
13          time, I was to buy guns and put them in the two dumps for  
14          the GHQ staff in Belfast. My handlers had told me I had to  
15          do the dumps. It was my handlers said, "No, this isn't  
16          about guns, this is about bombs." I said, "OK, yeah, it's  
17          a bombing campaign" because I knew a bombing campaign would  
18          never be allowed to happen. Anything that happens in  
19          England, the agent is automatically burnt. Was I afraid?  
20          Yes, you better believe I was afraid. But for this officer  
21          to say that is actually wrong.

22       543   Q. Just so that you are aware, Mr. Keeley, what Witness 64  
23           said is that you admitted to him that you had made this  
24           whole story up. Are you saying that is incorrect?

25          A. I actually don't know this person personally. I know the  
26          name, I have never met him. I can give you the names of  
27          the two Special Branch officers that always handled me.

28       544   Q. I just want to ask you the question --

29

30           MR. RAFFERTY: I just want to make a point of query. In

1 relation to Witness 64, my recollection is he was in charge  
2 of the team that handled, not the --

3

4 CHAIRMAN: Sorry?

5

6 MR. RAFFERTY: That Witness 64 was in charge of the team  
7 that handled Mr. Fulton, not that he personally was the  
8 handler. And that is what was being represented and that's  
9 what's being put as Witness 64 as his handler saying that  
10 you have told him this. As I have understood it, Witness  
11 64 only ever said that he was in charge of the team that  
12 handled this man.

13

14 MR. O'CALLAGHAN: Well the evidence given was:

15 *"Could I ask you, sir, were you his handler, were you the*  
16 *person to whom he gave information?"*

17 *Answer: I was in charge of the Special Branch team that*  
18 *would have handled him, yes."*

19 And the evidence he gave, Chairman, when I asked him was  
20 that, he said that Mr. Keeley gave information which  
21 Mr. Keeley subsequently admitted was false. And I am  
22 asking Mr. Keeley is the evidence of Witness 64 wrong?

23 A. Well, I am explaining to you, sir, what it was. I never  
24 said that I was going over for a bombing campaign in  
25 London. I told my handlers that I was there for arms and  
26 that's what I was there to buy. My handlers from MI5 and  
27 Special Branch travelled to London with me and to Scotland;  
28 they knew it was to buy firearms. And when it didn't  
29 materialise, then they said, "No, this is bombing." And I  
30 did, I said, "Yes," because I was panicking. That's what

1           it is. My handlers knew it was firearms I was to buy for  
2           GHQ staff.

3       545   Q. So, you are saying he was giving false evidence to the  
4           Chairman?

5           A. You will need to ask him to rephrase it again. I am just  
6           saying to you that my handlers knew it was for firearms.

7       546   Q. OK. But the important point, from the Chairman's point of  
8           view, Mr. Keeley, and from my point of view, is that you  
9           are stating to the Chairman that you didn't state to him  
10          that you made the whole thing up?

11          A. No, I did not state that I made the whole thing up. They  
12          knew that I was there to buy the firearms, they knew who  
13          the person was to ask me, who was 'Whitey' Bradley, Gerry  
14          Bradley who was dead, the same person involved in the  
15          Martin Dale stuff.

16       547   Q. And I asked him why it was that somebody would make such a  
17           story up, and in response, he said the following, he said:  
18           *"I think it was probably a complex mixture of things.  
19           There was obviously financial reward, and sometimes greed  
20           can triumph over common sense. I think also attention  
21           seeking ego, there are lots of factors that could play in  
22           there but you would really need a good psychiatrist or  
23           psychologist to give those answers."*

24           Do you agree with that assessment of you provided by  
25           Witness 64?

26          A. No, sir, I don't, because, number one, you get your basic  
27          wage from your department, whether it be MI5 or Special  
28          Branch. There would be no financial gain for something  
29          that did not happen. This is a nonsense. I mean you don't  
30          get a bonus for the work that didn't turn up, so that is

1 absolute rubbish.

2 548 Q. Can you look at Witness 62 on the cipher, please,  
3 Mr. Keeley?

4 A. Right.

5 549 Q. Are you aware of that gentleman?

6 A. No.

7 550 Q. You never worked with him?

8 A. I don't know. I mean, I don't know who it is. You must  
9 remember that a lot of handlers would give you a name that  
10 is not their own names.

11 551 Q. Well, he gave evidence to the Chairman under oath that, in  
12 his opinion, from his experience, that you were "a  
13 *compulsive liar, a fantasist, and a con-man of the highest*  
14 *order.*" He also said you were an intelligence nuisance.  
15 Do you agree with his assessment of you?

16 A. No, I don't, because number one, I don't know who he is.  
17 In what context does he know me? And what jobs, name some  
18 jobs he was on with me or whatever. I mean, it's a name  
19 that I have never heard, I have never seen.

20 552 Q. He gave evidence of the following, Witness 62, because I  
21 asked him could he give an example of stories that you  
22 invented and he said, yes, he can give examples -- this is  
23 on Day 51, page 120, and he said the following:

24 *"I can recall very clearly on one occasion his, one of his*  
25 *handlers coming to the regional headquarters and explaining*  
26 *that he had intelligence to the effect that Keeley had*  
27 *taken part in the grinding of explosives where fertilisers*  
28 *were ground down into a fine powder to be made into a large*  
29 *bomb, and he then described to his handlers where the*  
30 *journey had started and where it had ended up, and it was a*

1           *series of left turns, right turns, drove half a mile, drove*  
2           *a mile, drove a mile-and-a-half, crossroads, T-junctions*  
3           *etc., etc. We then spent the best part of an hour of*  
4           *poring over a map of north Louth, staring at where he said*  
5           *he started and trying to work out where this farmhouse*  
6           *would have been where they ground the explosives. Our*  
7           *intention was to pass this intelligence to Garda Siochana*  
8           *so that they could mount a raid, a destructive raid on*  
9           *this. It all turned out to be fantasy. We couldn't work*  
10          *it out and later on we found out it was purely invented by*  
11          *him."*

12          Do you recall giving that information to your handlers in  
13          the RUC?

14          A. No, and was I supposed to be in the car with them and they  
15          were doing left turns, right turns to find the house?

16          553    Q. You had given them information as to where this bomb  
17          factory was.

18          A. Was I with them when they went looking for the bomb  
19          factory?

20          554    Q. No.

21          A. Well then how can I say where they were looking?

22          555    Q. Did you give this information that I read out to you to the  
23          RUC?

24          A. Any information I gave where bombs were being made, that's  
25          where the bombs were being made. Whether they got their  
26          map-reading right or wrong is not my concern.

27          556    Q. Have a look at Witness 71.

28          A. 71.

29  
30          MRS. LAVERTY: Chairman, I wonder could I interrupt here?

1 I am very reluctant to interrupt My Friend, but a problem  
2 has arisen and that is that there is a cipher there with  
3 RUC officers on it and Mr. Fulton is being asked to  
4 identify them, their names and their numbers are there. In  
5 normal circumstances he wouldn't know who they are but he  
6 is now being given the identity of each officer as we go  
7 along which is against the protocol we agreed in relation  
8 to protecting the anonymity of the RUC.

9  
10 CHAIRMAN: You mean that the witness is being told the  
11 identity and not anonymous to him?

12  
13 MRS. LAVERTY: Perhaps people that specifically relate to  
14 him but not generally, Chairman.

15  
16 CHAIRMAN: What answer do you see to that?

17  
18 MR. ROBINSON: I wonder, Mr. Chairman, if could you rise  
19 briefly for five minutes to iron out this issue?

20  
21 MR. O'CALLAGHAN: Well, I am in my cross-examination. I  
22 can understand why the PSNI and the Tribunal would be  
23 fearful about Mr. Keeley getting information, but I have to  
24 cross-examine him in order to protect my client's  
25 interests, and that requires me to identify, in the same  
26 way as every other witness who has come to give evidence  
27 here, can be given the cipher and they look at the names.

28  
29 MR. ROBINSON: I am not attempting to interrupt My Learned  
30 Friend's cross-examination, we have all day for that

1 tomorrow to continue. This is an important issue, it needs  
2 to be dealt with sensitively and it's my respectful  
3 submission, if you rise briefing the matter can be dealt  
4 with

5

6 CHAIRMAN: I will have to say this, that I can see  
7 Mr. O'Callaghan's point. That he -- that various witnesses  
8 said something and he has to test this matter in  
9 cross-examination, and how is he to do it?

10

11 MR. ROBINSON: Well the position, Mr. Chairman, and I am  
12 trying to put this as sensitively as I can: the witness in  
13 his position would not have known the names of many of the  
14 people and they were in positions above him, potentially  
15 above him in the system. So, therefore, the actual  
16 identities of these witnesses are indeed privileged and  
17 should not be disclosed.

18

19 CHAIRMAN: Well, we are now five to four. We are not going  
20 to sit beyond four o'clock. I think it might perhaps be  
21 advisable, then, to rise at this point for the day.

22

23 MR. ROBINSON: Certainly, yes.

24

25 CHAIRMAN: I think that is better rather than rising for  
26 five minutes and then resuming again.

27

28 MR. ROBINSON: I wonder if the list could be taken from the  
29 witness?

30

1 CHAIRMAN: Well for the moment, the witness -- the list is  
2 removed from the witness. But, yes, certainly, you can  
3 discuss the matter with Mrs. Laverty and indeed, for that  
4 matter, with Mr. O'Callaghan. But, yes, very well,  
5 11 o'clock tomorrow morning. Sorry, I beg your pardon, we  
6 have got to clear the court, first of all, for the witness  
7 to retire, so can everybody -- can the court be cleared,  
8 please, so that the witness can retire.

9

10 MR. RAFFERTY: While members of the public are being  
11 removed, as it were, I am very conscious that Mr. Keeley is  
12 a witness in evidence, but we also have, as a legal team  
13 for him, have various pastoral issues because, quite  
14 clearly there are arrangements made for his welfare, as it  
15 were, and is it permissible that we speak to him or not  
16 speak to him about his evidence?

17

18 CHAIRMAN: Oh, of course, yes, indeed, because I know you  
19 won't speak to him about his evidence.

20

21 MR. RAFFERTY: You have both my undertaking and my  
22 solicitor's undertaking.

23

24 CHAIRMAN: Yes, thank you very much, as of course you must.

25

26 MR. RAFFERTY: I am very much obliged.

27

28 **THE WITNESS THEN WITHDREW.**

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THE TRIBUNAL THEN ADJOURNED TO THE FOLLOWING DAY, THE 15TH  
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