

MI5 in Northern Ireland

Margaret Gilmore examines the expansion of MI5 in Northern Ireland and the decision to transfer responsibility for the Province's national security away from the PSNI

On 4 December 2007, a select group of senior security officials with a particular interest in Northern Ireland converged on an impressive new building on the shores of Belfast Lough. Jonathan Evans, the Director General of MI5 was there, along with the Northern Ireland Secretary Shaun Woodward. Their task? To open a massive new high-tech security centre.

Rather too late some might say, given the increasingly relaxed security situation in the Province. But 'Loughside', with its high central atrium and sensational views across the Lough is housing an operation with a remit that goes far wider than Northern Ireland. Some inside the Province are deeply unhappy about it.

Second UK headquarters

Erected inside the British Army's former Palace Barracks in Holywood, Loughside is the Province's new headquarters for MI5. It is a far bigger building than the other eight regional stations MI5 has opened elsewhere in the UK. As its cost (estimated at £20 million) and size became clear in the months before it opened, many local politicians became alarmed.

MI5 has always worked in the shadows in Northern Ireland. It arrived in 1969 and while the police and military worked on intelligence at a local level, the Security Service was working on top level strategic intelligence – trying, for example, to unravel what Provisional IRA leaders were planning in the coming years. By tradition, nationalists and republicans have viewed MI5 with deep suspicion, regarding it, rightly or not, as an organisation biased against their community whilst turning a blind eye to the loyalist threat.

It has now emerged that the new building has been erected not just to run local intelligence operations, but as a second UK headquarters for MI5. Senior

sources say that if there were a national emergency and the main headquarters at Thames House in London could not be used, Loughside would become a backup headquarters and operations would be transferred there, along with up to 400 key staff. The building provides surge capacity and a back-up computer system for the Security Service as a whole.

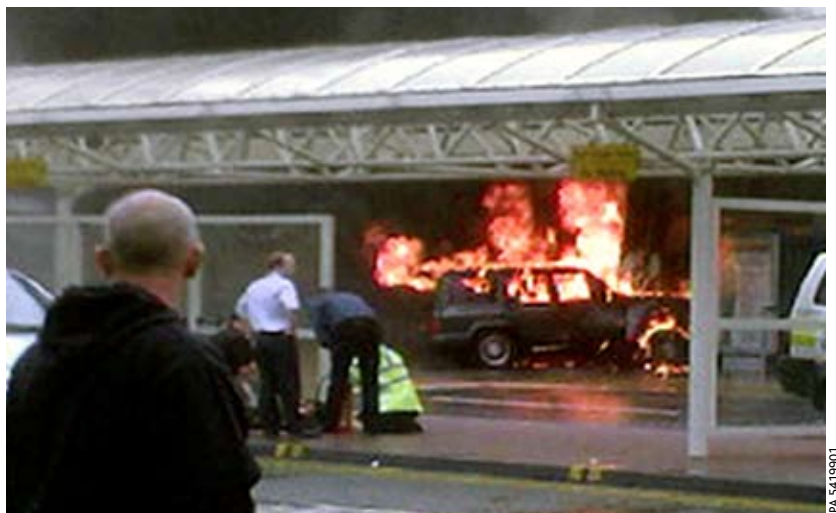
There are already human resources staff, interpreters, linguists and computer experts based at Loughside full time, working on UK-wide projects. According to one senior Whitehall source: 'MI5 sees Loughside as part of its international counter-terrorism operations – it's not like the other regional stations, where there are fewer people who are operationally focused on the local region. You can have foreign linguists in Northern Ireland listening live to telephone calls intercepted from anywhere in the UK. They can listen live on surveillance operations in real time in Birmingham for example, transcribe them into English and send them to analysts in London or even get

them analysed on site in Loughside. You don't actually have to be in London or Birmingham to do that.'

The giveaway that the function of the building would be very broad came recently when, after decades of denying it had spies and agents in Northern Ireland, MI5 took the unprecedented step of recruiting openly in nationalist and loyalist newspapers. An extraordinary series of advertisements has been appearing in the *Irish News*, the *News Letter* and the *Belfast Telegraph*, looking for IT technicians and language experts such as Arabic speakers to work for MI5. As the *Irish News* put it: 'asking the spied on to become the spooks'.

The Al-Qa'ida threat

There are two reasons why MI5 has opened this building now. Firstly, the percentage of its resources spent on Irish terrorism is down from 23 per cent two years ago to 17 per cent, while international counter-terrorism work is increasing massively, accounting for 63 per



The suicide bomber who rammed a jeep into the Glasgow Airport terminal had studied in Belfast

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PA 4802707 Northern Ireland's Chief Constable, Hugh Orde (left), with Shaun Woodward, Minister for Northern Ireland, in July 2007, following terror attacks on London and Glasgow

cent of resources compared with 15.5 per cent ten years ago. The Province, like the rest of the UK, is now a target not just for Irish dissidents but for international terrorists: the suicide bomber who died after ramming a jeep into the terminal building at Glasgow Airport had studied at Queen's University in Belfast. An Algerian, Abbas Boutrab, was arrested near Belfast and jailed in 2005 for terrorist offences. So MI5 is expanding and Northern Ireland has a strong potential workforce.

The second and equally important reason for MI5's expansion in Northern Ireland relates to changes in the Province's own security situation and a significant new role for the Security Service within that framework. And that is what has really worried nationalists and republicans.

MI5's new role

For decades, the PSNI (Police Service of Northern Ireland) has been responsible for national security in the province. But on 10 October 2007, the police relinquished that responsibility, passing it instead to MI5. The handover took place without any official comment. According to security sources, the Chief Constable Sir Hugh Orde wrote to the Secretary of State for Northern Ireland on that date,

confirming the handover had taken place. That apparently innocuous yet historic document has never been published and even getting anyone to talk about the shift is extremely difficult.

Not surprising with all the secrecy in an environment where, for decades, suspicion between communities has undermined security, conspiracy theories on MI5's new role abound. It is now clear that the building is so large because it has been built as a back-up national headquarters. But concerns remain within Northern Ireland about accountability, about how transparent MI5 should be, and about the effect on the PSNI's ability to tackle crime and criminality now the Security Service

is taking the lead on national security intelligence gathering in the Province. In the run-up to the handover, these fears were loudly articulated by nationalist and republican politicians – and by the Police Ombudsman for Northern Ireland and the Policing Board (the equivalent of a Police Authority elsewhere in the UK).

How it will work?

'The whole area of intelligence and how it is operated and managed is an area of work that is critical to public confidence', the Board said recently. It's right, of course. In Northern Ireland many if not most people will be less concerned about Al-Qa'ida and more about how MI5 will run informers – a legacy of years of rumour, suspicion and controversy over the way it has handled informers in high profile cases such as the murder of solicitor Pat Finucane and the covert dealings of intelligence officers from all the security agencies.

So what will MI5's new role actually mean? Firstly, it brings the structures for intelligence gathering by the Security Service in Northern Ireland in line with everywhere else in the UK. In the Province itself, the Security Service will continue to run its agents and the PSNI will continue ►

► KEY POINTS

- In December 2007, MI5 opened a new headquarters in Northern Ireland.
- With the opening of the new offices, responsibility for national security in the Province passes from the Police Service of Northern Ireland (PSNI) to MI5.
- Not everyone in the Province welcomes the move and MI5 will need to tread carefully in order to make sure it wins over political and public opinion.

◀ to run theirs. The police will continue to deal with arrests and see through court cases. It's what happens further up the line that's changing. Responsibility for targeting where intelligence should be sought, and for analysing the intelligence received, now falls to MI5. The Security Service, not the police, is now officially responsible for tasking agents and sending out messages and requests for specific pieces of intelligence, although sources say consensus will be sought with PSNI officers allocated to work alongside MI5.

The one thing that has been published is a memorandum of understanding between the PSNI and MI5 setting out the ground rules. It reflects concerns over how far police will continue to get access to intelligence. The Chief Constable Sir Hugh Orde argued that all intelligence relating to terrorism in Northern Ireland should continue to be visible to the police. The Security Service, knowing that cooperation with the police is vital, agreed to this and agreed to inform the police of all investigations and operations relating to Northern Ireland. But that obligation does not extend to operations relating to elsewhere in UK. Both organisations have also agreed that the majority of 'covert human intelligence sources' – informers

– will continue to be run by police rather than MI5 officers. A memorandum of understanding on access to intelligence by other interested parties has not yet been forthcoming, however.

The outgoing Police Ombudsman Nuala O'Loan criticised the planned takeover by MI5 in her 2006 annual report – her concern was that her office could lose some of its powers to investigate intelligence complaints. At the time, she wrote, 'it is vitally important that the police complaints system has the ability to access all relevant information and intelligence matters when investigating a complaint from the public ... We are currently in discussion with the Security Service, who have no obligation to disclose material to us, and are attempting to reach an agreement which would facilitate our access to material held by the Security Service. Of course, it would be better if there were legislation which compelled them to disclose information'.

Accountability

More than a year later, when O'Loan moved on and MI5 took over, she had not persuaded the authorities of the need for new laws and was still unable to agree a memorandum of understanding.

'There's no sign of any imminent agreement', says a spokesman for the Ombudsman's Office, 'but it's something the new Ombudsman Al Hutchinson will have to return to, probably sooner rather than later'.

Legislation in Northern Ireland gives the Ombudsman a right to access all the intelligence the police get. Hutchinson wants the same with MI5 but MI5 says it has passed on all relevant intelligence voluntarily in the past and that the system works. It is opposed to any new lines of accountability in Northern Ireland, in the belief its officers should not be answerable to a Police Ombudsman but should have the same oversight it currently faces in the rest of the UK. It points out that it already has Ministerial, Parliamentary and Judicial oversight enshrined in law and there is a separate Investigatory Powers Tribunal to handle complaints. A Whitehall source insists: 'National Security is not devolved. And Northern Ireland is no different from

England and Wales'.

MI5 is also uncompromising on the thorny issue of how much of its work will focus on republican dissidents and how much on loyalists. Security sources admit MI5 officers in Northern Ireland will focus almost exclusively on republican dissident groups that they deem a threat to national security, while they believe loyalist dissidents are more a law and order/serious crime problem, and thus should be dealt with by the police.

Nationalist and republican politicians don't like these developments. Sinn Féin's Policing and Justice Spokesman Alex Maskey says, 'I treat with scepticism anything MI5 does and our aim is to get it out of here'. He believes it is 'nonsense' to expect the secret organisation to be made more accountable, although the nationalist SDLP is campaigning for this. Two days after MI5 took on its new role, the SDLP representative on the Policing Board, Dolores Kelly complained:

'We worked hard for two years to get agreement around two ground-breaking accountability mechanisms which made possible a new beginning in policing – the Policing Board and the Police Ombudsman. MI5 operates outside the control of these mechanisms and as far as the ordinary public and voters are concerned it is a law unto itself.

'Whose national security they are going to protect? Certainly all through our dirty war, they were curiously blind to the threat coming from the loyalist community. The British Government declared more than a decade ago that it had "no selfish or strategic interest in Northern Ireland", but clearly this is no longer the case given the massive spy centre they have built at Hollywood.'

Nothing since, she says, has changed her mind. She claims that in the past, British Security has allowed its informants to get involved in serious criminal activity and says they should be subject to 'far more oversight'.

Trust in MI5 has been further undermined by claims that it had been warned in advance of the Omagh bomb in 1998 in which 29 people died. The claims were initially made by two people believed to be former informants for the



Former Police Ombudsman Nuala O'Loan criticised the MI5 takeover in her 2006 annual report

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The new MI5 headquarters in Northern Ireland, pictured in January 2007 when its scale had become clear

British security forces, and later by an Irish police officer who says he also passed a warning to his bosses from a Real IRA informer he was handling. The claims are strongly denied. In 2006, the PSNI Chief Constable Hugh Orde told the Northern Ireland Policing Board, 'it is the view of the SIO [senior investigating officer] that the Security Service did not withhold intelligence which was relevant to ... the Omagh enquiry'.

Why now?

All of this leads one to wonder why MI5 and those in authority in Northern Ireland have bothered to give MI5 the national security portfolio there as well now.

The answer lies in Devolution. It is a 'necessary preliminary to the devolution of policing and justice functions to the Northern Ireland Assembly', the Police / MI5 memorandum of understanding states, 'it is central to the desire to create a more 'normalised' security environment in Northern Ireland'.

The secrecy which has always surrounded MI5's work and its refusal to comment when criticised has clearly brought a lot of political baggage. Officers accept that in their new role they are likely to be tarred with dubious legacies

– even in cases where MI5 wasn't involved.

Because of this, the Security Service has made a conscious decision to ask for full representation at many of the most controversial ongoing inquiries where intelligence is an issue – even where it was not involved at the time. It was represented for example at the Bloody Sunday Inquiry, and the Inquiries into the murders of the solicitor Rosemary Nelson and of the loyalist prisoner Billy Wright.

'MI5 has to take on the baggage as it

Board that has met and been briefed by the new Director of MI5 operations in Northern Ireland.

The handover hasn't been sudden. Behind the scenes, MI5 officers have been shadowing their police counterparts for several years and have had details of the PSNI agent stable for the last two years. The official line from the Policing Board is that it is satisfied with the arrangements in place for the transfer of primacy.

In this ever complex and tense political

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now has responsibility for this area', a senior Whitehall source explained: 'MI5 is keen to have a dialogue on legacy issues even if it wasn't involved. It wants to show a willingness to engage and discuss any recommendations'.

It is of course an irony that MI5 must now explain itself to some of the very people who in the past it will, with little doubt, have been covertly following. This is an irony not missed by Sinn Féin's Alex Maskey for instance, who was twice interned without trial at the start of the Troubles, and now sits on the Policing

environment, where suspicion is still rife, the challenge for MI5 will not be to convince the police but to convince ordinary people and the politicians who represent them – particularly on the nationalist side – that the Service can be trusted. ■

Margaret Gilmore began her BBC career as a correspondent in Northern Ireland in the 1980s at the height of the Troubles and has reported on it ever since. She is a Senior Home Affairs Correspondent based in London and is now an Associate Fellow at RUSI