

*Neither Confirm Nor Deny:
British Intelligence, Lawless Agent Running and the Suppression of Truth*

John Ware

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Cards on the table, straight away: John Ware is no favourite of *Lobster*. The quickest of quick ganders at the archive¹ reveals an animus that goes back to the early days of publication. This is because John Ware was involved in the state-sponsored smearing of Colin Wallace and Fred Holroyd;² and – even though it’s been clearly pointed out to Ware that he was the government’s patsy – he’s never shown any contrition, nor felt any need to apologise.³

That alone would be enough to permanently bar him from the Christmas card list; but he has also played a part over the years in misrepresentation of the Labour left⁴ and a central role in the media’s character assassination of Jeremy Corbyn. An edition of *Panorama* that Ware fronted, falsely labelled the Labour leader as anti-Semitic.⁵ He feels no need to apologise for that, either.

Personally, I’ve distrusted John Ware since I watched the edition of *Panorama* titled ‘A Licence to Murder – Part Two’ (broadcast 23rd June 2002). In one section, Ware was seen in Beijing, China, having travelled there to ‘confront’ a former commanding officer of the Force Research Unit (FRU) – the

¹ <<https://www.lobster-magazine.co.uk/?s=John+Ware>>

² His partner in crime for this particular endeavour was David McKittrick.

³ Our editor, Robin Ramsay, has previously detailed a rather snooty email received from John Ware in 2004, wherein *Lobster* is bone-headedly branded as being some kind of ‘Dave Spart’ product and Ware childishly states he is ‘quaking’ at the prospect of being challenged over his (proven incorrect) views on Colin Wallace. See the ‘Ware’s world’ section of ‘The View from the Bridge’ in *Lobster* 48 at
<<https://www.lobster-magazine.co.uk/article/issue/48/the-view-from-the-bridge-12/>>.

⁴ See, for instance, ‘Baa Baa White Sheep!’ by Simon Matthews in ‘Where’s Ware?’ from *Lobster* 39 at
<<https://www.lobster-magazine.co.uk/article/issue/39/wheres-ware/>>.

⁵ ‘Panorama: Is Labour Anti-Semitic?’, broadcast 10th July 2019. The book *Bad News for Labour* by Greg Philo, *et al* (London: Pluto Press, 2019) disproves the allegation.

part of the Army's Intelligence Corps that ran agents who infiltrated paramilitary groups in Northern Ireland. 'We're just entering the diplomatic compound where Brigadier Kerr lives', Ware intoned, approaching the front door of the property where Kerr resided.⁶ How the (admittedly small) team from the BBC had been able to 'surreptitiously' enter this 'compound' and go to the front door of Her Majesty's Military Attaché to China is anyone's guess.

There then ensued a slightly farcical, seemingly staged, exchange where the Brigadier opened the door to his home, acted quite stiffly towards the unknown visitor but then, noticeably, relaxed when John Ware introduced himself. It had been mentioned in the build-up to this that Ware had 'written to him twice – asking him if I can talk to him. He's sent back a message through the Ministry of Defence to say he can't comment while the Stevens enquiry is going on'.⁷ Which was, factually, correct and Gordon Kerr still refused to talk.⁸ That trip to China – taken at licence fee-payer's expense, naturally – would therefore seem to have been a complete waste of time. However, I suspect that, at some point after that meeting, Gordon Kerr became an off-the-record source for John Ware.⁹ More anon on the relationship between Ware and Kerr – and those sources, some anonymous, some not.

OK, then: so far, so shit. What, though of this actual book? The only British journalist that I can think of who has had a longer, more established link to reporting on Northern Ireland is Peter Taylor. Similar to Taylor, John Ware has not only covered the more everyday aspects of life during the conflict, he has also regularly included examinations of the activities of the 'Secret State'. At various times they have both relied on sources from within the intelligence community. As a result, just like Taylor's work, Ware's has also been compromised.¹⁰ As I have previously referred to Peter Taylor as the spooks' favourite conduit, John Ware will have to be the spooks' second favourite conduit!

Amongst the footnote references in *Neither Confirm Nor Deny*, the reader

⁶ Transcript at <<https://cain.ulster.ac.uk/issues/collusion/docs/panorama230602.htm>>.

⁷ *Ibid.*

⁸ The Stevens enquiry into allegations that intelligence personnel colluded with paramilitaries, interviewed Gordon Kerr regarding his tenure as boss of the FRU.

⁹ The media attention was getting a bit hot, so Gordon Kerr would have wanted to put his side of the story – such as it was. Who else to do it, if Peter Taylor wasn't interested?

¹⁰ My review of Peter Taylor's highly flawed book on Operation Chiffon was in *Lobster* 87. See <<https://www.lobster-magazine.co.uk/article/issue/87/operation-chiffon-by-peter-taylor/>>.

will find that 'confidential source' is given no less than 261 times! With a total of 20 sections to the book – a preface, 18 numbered chapters and an epilogue – that's more than 13 times per section. As the most recent of the core events discussed in the book happened almost a quarter of a century ago, this is ridiculous. How John Ware expects his work to stand up to any kind of serious analysis is beyond me. Anybody who was working in intelligence at that time, and who had the necessary seniority to have known anything worthwhile about the issues, will now be retired or deceased. There is no need to hide their identity behind a veil of secrecy and, if their word is to be seriously believed, it needs to put on the record.

In the 'Acknowledgements' section, at the start of the book, reference is made to 'the people who had provided information that has gone into this book [and who] cannot be named for obvious reasons. They know who they are, and they are all honourable servants with inquiring minds and respect for facts and truth'. We have to hope that this lavish hagiography is accurate, seeing as they are anonymous and we have no way of checking.¹¹ Three lines later we also learn that 'Advice and help was always available from David McKittrick'. . . Oh dear! (See footnote 2.)

Right from the get-go, he displays what seems to be a disturbing level of naivety. The second paragraph of the 'preface' tells how

For the most part, the rule of law did apply to the overt arm of the Northern Irish counter-insurgency, on the streets and in the courts. It did not, however, apply to everyone, despite Margaret Thatcher's injunction that it must. The law was mostly silent over how the state's covert arm was run.

Is he presenting this as some kind of completely unexpected and unusual action on the part of the law? Only the most uninitiated of uninitiated readers would find this even mildly revelatory. For someone so clearly indoctrinated in that covert arm of the state – with so many sources who 'cannot be named for obvious reasons' – how could one not be aware of how the law has *always* treated the secret services and spooks?¹² I had to ask myself: is this guy for

¹¹ Ware also uses phrases such as 'I'm satisfied, [the confidential sources] were in a position to know the facts' but fails to detail his process for establishing such.

¹² Writing for *Declassified UK* in 2020, Mark Curtis provided an 'Explainer' on the '17 British policies violating domestic or international law' – such as 'Intelligence agencies committing criminal offences' <<https://www.declassifieduk.org/explainer-is-the-uk-a-rogue-state-17-british-policies-violating-domestic-or-international-law/>>.

real?!

The naivety mounts constantly throughout. Early on, in some kind of attempt to show Nelson in a more positive light, we are told of a conversation between John Ware and Brian Nelson (the FRU asset in the Loyalist UDA): “‘My father had many Catholic friends,” Nelson told me in 1991.’ This being the same Brian Nelson who in 1973, as Ware himself notes, participated in ‘UDA romper-room sadism, when he led a gang of thugs who electrocuted and beat up the partially sighted Gerry Higgins’. The same Brian Nelson who, as the UDA head of intelligence was responsible, with the help of his FRU handlers, for ‘refining and updating a vast quantity of old UDA targeting files’ on Catholics. That John Ware (a) even believes Nelson and (b) thinks that a weak claim that his father ‘had many Catholic friends’ makes Brian Nelson some kind of a pleasant character, I find incredible.

Much time is taken to describe how the FRU attempted to control Nelson. In doing so, the unit’s general incompetence is (unintentionally, perhaps) laid bare. Nelson was recruited after ‘a mere month-long assessment’ and he displayed a very lax approach to security. Yet ‘Even so, they [FRU] raised his weekly payment’ and ‘his weekly retainer nonetheless rose to £25’. Having knocked them down, Ware then unreservedly quotes FRU documents and says that they are ‘in my view, broadly credible’!

Returning, for a moment now, to Gordon Kerr, it is very interesting how a number of quotes, lauding him, have been cherry-picked. A paragraph is devoted to slathering Kerr with praise. Here is just the first half of it:

The following sample of comments are a fair reflection of the respect in which he was held: a ‘superb man’; an ‘extremely good bloke, well-liked by everyone’; ‘very personable’ and ‘ambitious’; ‘probably the closest thing to James Bond’; ‘very professional’; the ‘best commanding officer the FRU has had’.

Now, several things need to be clarified about those statements. Firstly, it’s something of a daft idea to make a comparison to a fictional character, which is what James Bond is. Secondly, the footnote references that are given for these statements include the name of one ‘Phil Smith’, and his quote is taken from the *Daily Telegraph’s* ‘Bed of Lies’ podcast series. If one listens to the specific episode from where the quote is taken, one will notice that the host, Cara McGoogan, does not interview anyone she calls ‘Phil Smith’. The person who gives that specific statement attributed by John Ware to ‘Phil Smith’ is named as (the pseudonymous) ‘Rob Lewis’, author of a book on the FRU. Students of

the spook world may know, therefore, that this is not 'Phil Smith' but actually 'Philip Campbell-Smith'.

And Ms McGoogan barely touches upon Mr Campbell-Smith's post-FRU career as a private investigator. In 2009 he was arrested for involvement in phone hacking and 'blagging' – 'illegally obtain[ing] private and confidential information including details of bank accounts and phone calls, as well boasting that he could obtain medical records and Interpol files'.¹³ Having been found guilty, he was given a four month prison sentence – which ran concurrently with the additional four months he received 'for possessing a small amount of ammunition'.¹⁴ So not quite the unblemished source John Ware would perhaps have us believe.

Thirdly, there are a number of other quotes from the 'Bed of Lies' podcast that cast a different light on Gordon Kerr. One statement goes, 'Oh my God, he is nothing but trouble - wherever he goes. The arrogance of the man, too!'. In another, Cara McGoogan asks: 'You say Kerr is the archetypal spy, a spook's spook and a master of dirty tricks and "Dirty Wars": backstabbing, double dealing and underhand tactics and morals?' and her interviewee replies, 'I think that's a fair summation of the tactics of Brigadier Kerr, definitely.'

Further, Ms McGoogan gives a brief chronology of Gordon Kerr's military career before he worked in Northern Ireland, including when he was 'posted to the front lines of the Cold War in Germany where his tactics were, and this is a direct quote, "pointlessly aggressive and confrontational"'. A real zinger of a source. If he was the 'best commanding officer the FRU has had', how bad were the others?

However, the most obsequious moment comes with John Ware's description of Tommy Lyttle, head of the UDA in West Belfast.

You couldn't help liking Lyttle – at least I did. He had a gentle manner for one who presided over an organisation that dealt in death, racketeering and unspeakably brutal punishments meted out to those who offended the organisation's raw political sensibilities or became too greedy.

Pass the sick bag, Alice!

At other times it is that which is not mentioned that is most interesting

¹³ <<https://www.independent.co.uk/news/uk/crime/court-told-of-murky-world-of-blogger-at-heart-of-computerhacking-allegations-7440665.html>>

¹⁴ <<https://www.bbc.co.uk/news/uk-17157490>>

and revelatory. You can look as hard as you like in *Neither Confirm Nor Deny*, but the name of Peter Keeley (a.k.a. Kevin Fulton) is nowhere to be found. He is the 'Former RUC, MI5 and British army [spy] . . . currently at the centre of around 25 legal cases linked to his role in the Troubles'.¹⁵ The British Government have continually said they can 'Neither Confirm Nor Deny' that Peter Keeley was tasked by the FRU.¹⁶ Seeing as Ware's book is supposedly dedicated to providing a solid argument against the use of 'NCND' (the 'Neither Confirm Nor Deny' of the book's title) by the British Government in relation to state agents, I found this quite striking.

Deidre Young, the Irish journalist who has written for *Village* magazine and the website <coverthistory.ie>,¹⁷ has alleged that Keeley was 'A sometime member of the IRA's. . . Internal Security Unit – Keeley acted as a driver and fixer for John Joe Magee and Freddie Scappaticci'.¹⁸ Whilst Ware spends much time in the book re-examining the 'careers' of FRU spies Brian Nelson and Freddie Scappaticci, he leaves out other equally murderous, equally NCND, agents like Keeley. One can only assume, given that John Ware is frequently hand-in-glove with the intelligence community, that discussion about Mr Keeley (in particular) is an even more thorny subject as far as HMG is concerned.

The only time the wider issue of state agent criminality (beyond the well-known names of Nelson and Scappaticci) is even remotely touched upon – with what must be the longest of bargepoles – is in the Preface, where we are told:

Due to the scale of agent recruitment, it is a reasonable assumption that compromises of the gravity that were made in the cases of Nelson

¹⁵ <https://www.irishnews.com/news/northernirelandnews/2023/07/05/news/british_agent_linked_to_deaths_invited_to_troubles_service_attended_by_king_charles-3411041/>

¹⁶ Peter Keeley is at the centre of litigation by another former FRU agent, Sam Rosenfeld, who has claimed in the High Court that 'he has been harassed and threatened by Mr Keeley'. See <<https://www.u105.com/news/u105-news-and-sport/former-spy-hopes-kevin-fulton-will-be-named-as-british-agent/>>. (Sam Rosenfeld is another FRU/NCND person whose name is weirdly missing from the purview of John Ware.)

¹⁷ For samples of her works, see <<https://muckrack.com/deirdre-young/articles>>.

¹⁸ 'A Walk on the Dark Side: The British agents who operated in Ireland – deniable no more' by Deidre Young. See <<https://coverthistory.ie/2025/04/06/dark/>>.

John Joe Magee is another very interesting character. Ex-Special Boat Service, his background makes him look so much like a spook plant that he can't possibly have been a spook plant! For an examination of this conundrum, see Chapter 18 of *Agents of Influence* by Aaron Edwards (Newbridge, Ireland: Merrion Press, 2021).

and Scappaticci were also made with many of their fellow agents.¹⁹

Nothing further than that. No mention of Peter Keeley, no mention of Sam Rosenfeld – spies placed to become involved with and inform on Republican groups; no mention of Ned Greer, the second-in-command of the Lisburn UDA, who was a state agent/provocateur within the Loyalists at the same time as Brian Nelson.²⁰

There is a but a single mention of the Glenanne Gang – dismissed by John Ware as

the UVF's so-called 'Glenanne Gang' – which was less a gang and more an alliance of two dozen rogue soldiers and police officers in cahoots with the UVF who, between them, were responsible for some 127 murders in the mid-1970s.

Stakeknife/Scappaticci was responsible for perhaps two dozen murders and gets about 50% of the (rehashed) coverage in *Neither Confirm Nor Deny*. The Glenanne psychos – who were literally riddled with informants/spies like Robin Jackson and Billy Hanna – get one mention, were just a 'so-called' gang, and merely killed more than a hundred people.²¹ The perspective is perverse.

Ware does acknowledge that 'A vast number of agents and informers were recruited', so perhaps he feels there were far too many to detail? This would explain his focus on the two most widely known: Brian Nelson and Freddie Scappaticci. But within that lies the main problem with this book: there is literally nothing that hasn't been raked over a dozen times already. If, as he boasts, Ware has such amazing sources in the intelligence community, why doesn't he use them to clarify which organisation – i.e. FRU, MI5 or RUC Special Branch – was in control of any number of other 'touts'? If that were done, we might get a clearer picture as to the conflicting pressures and loyalties that underpinned the motivations and actions of certain state agents. But, no, whenever he can Ware prefers to shift the reader's focus away from more sensitive matters and obscure the truth.

And I noticed a very interesting example of this in the way he refers to a specific FRU officer. Of the publicly named FRU personnel, one of the team that acted as handlers for Brian Nelson, was a female NCO. In this book, she is

¹⁹ The expression 'No shit, Sherlock!' comes to mind.

²⁰ See <<https://www.theguardian.com/uk/2003/apr/20/northernireland>>.

²¹ This single reference to the Glennane Gang comes very late, on page 25 of the 29 pages of the penultimate chapter.

named as Sergeant Margaret Jones – and I believe that Ware is being somewhat ‘economical with the *actualité*’ here, because he is using her maiden name. Which is a distinct change from the days of the Panorama ‘A Licence to Murder’ double episode, when he more accurately referred to her by the name she had been using post-service in Northern Ireland: Margaret Walshaw.²² Perhaps she was another ‘confidential source’ and, in return, Ware has done a little bit to move attention away from the ‘Walshaw’ version of ‘Mags’?²³

Throughout the book Scappaticci and Nelson are often referred to by their FRU code numbers – 6126 for Scappaticci and 6137 for Nelson. This is truly redundant language; it’s not as if these are major state secrets any more. The usage of these code numbers is just silly window-dressing. Which this book is full of, there being nothing remotely new or groundbreaking. It really is perplexing that John Ware continues to be held in such high regard, when he produces duff works like this.

Robin Ramsay asked me what I thought John Ware might be trying to achieve with this book. My answer was: ‘I’ve absolutely no idea.’

²² See the transcript of the first episode ‘Collusion’ (broadcast 19th June 2002) at <<https://cain.ulster.ac.uk/issues/collusion/docs/panorama190602.htm>>.

²³ We pause here and give a hat-tip to Richard Tomlinson for an amusing bit in his book *The Big Breach* (Moscow: Narodny Variant, 2001). In Chapter 4 he tells how one of his fellow MI6 recruits delighted in annoying ‘Mags’ of the FRU – or, as she was referred to, the ‘Troll-bitch from hell’ – during a night-time training exercise.