

Kenova Disclosure – External Review Unclassified Summary

Introduction

Between October 2024 and January 2025, I conducted a review of specific aspects of MI5's disclosure process within Operation Kenova at the request of MI5's Director General.

Four sets of material, related to Operation Kenova's investigative remit, were identified by MI5 in 2024 after the disclosure process had been confirmed by MI5 as complete. At least part of the material should have been disclosed to Operation Kenova. This gave cause for concern about MI5's disclosure practices and its Northern Ireland 'legacy' information management more widely.

In a letter¹ to the Secretary of State for Northern Ireland, the Head of Operation Kenova, Sir Iain Livingstone QPM, described part of the material that was identified as follows:

"...our initial assessment is that the files received from MI5 contain significant new material which appears to point to new investigative leads not previously known. Importantly the material does not indicate further murders of individuals that involved the agent Stakeknife and as such no further deaths would fall into the Operation Kenova terms of Reference based on the now disclosed material. However, the material does appear to cast doubt on some of the documents and witness evidence obtained by Kenova and some statements made in the Interim Report. This includes information provided by the security service around the dates when they became aware of the agent Stakeknife".

The Director General asked me to carry out an independent external review in order to establish the facts of what had happened and to draw out lessons that needed to be learned.

I provided a detailed report to the Director General at the end of January 2025. The report is classified because of the sensitivity of much of the information within it. This is an unclassified summary of the report.

The material

Four separate sets of material that related to the matters under investigation by Operation Kenova were identified between March and October 2024. This material ranged from a very small number of paper files in one set to a large number of reports in another.

The material was identified because MI5 was proactively working to organise and digitise its Northern Ireland 'legacy' archive. MI5 intensified its searching after the first set of material was identified; this led to the other sets being identified.

¹ 6th August 2024; on Operation Kenova website

Each set of material had a different history. Two sets had been stored incorrectly years ago and had never been added to MI5's central file index. Two were recorded in that central file index but had not been identified in MI5's disclosure process.

MI5 staff have carried out further extensive searches and no similar material has been found since.

The Review

I have been able to consult with about twenty members of MI5 and with about five Operation Kenova investigative team members. Every one of them has been eager to support the review and the identification of learning.

I studied MI5's disclosure process for Operation Kenova and reviewed its records carefully. I was provided with access to classified information, files and locations. I was also given a presentation about MI5's historic information management processes for Northern Ireland material, which helped me to understand how these had changed and developed over time.

Together, this information enabled me to research the history of each set of material in some detail, so that I could understand where it was located when MI5 staff identified it, how it got to that location and how it was indexed. I have been able to visit the relevant file storage locations and to review the files themselves.

I tracked the specific information contained within the material identified in 2024 and found that much of it had in fact been disclosed to Operation Kenova during the original disclosure exercise.

Conclusions

I have not seen evidence of a deliberate attempt to withhold the material identified in 2024. Therefore, I have concluded that none of the material was deliberately withheld from Operation Kenova at either an individual or an organisational level.

However, MI5's disclosure exercise drew on historic information management practices for Northern Ireland material which were not as strong in the past as those that MI5 had in place for its other material. This meant in some cases that material was not properly stored and indexed when it should have been, and in others that it was indexed in a way that meant its relationship to Operation Kenova's remit was not recognised.

In addition, MI5's approach to the disclosure exercise was, as agreed with Operation Kenova, to respond to requests for information provided to it. MI5 did not conduct a broader assessment of its own position in relation to Operation Kenova's investigative remit and the material it might hold. Had it done, some of the material might have been identified earlier. So might it have been if MI5 had maintained stronger relationships with the Operation Kenova team.

I would note, however, that MI5's historic Northern Ireland information management practices were better than those of most other agencies at the time. They were able to contribute a great deal of information to Operation Kenova.

Review Recommendations

I made six recommendations. All have been accepted by MI5. Several build on changes that MI5 was already making, which I have been able to see for myself.

The first two recommendations relate to MI5's management of its Northern Ireland 'legacy' material. MI5 has been carrying out a digitisation programme for this material for several years. This has been boosted and MI5 now has a stronger understanding of this important material. I recommend that MI5 should complete the archiving work and the searchable database of its holdings, and ensure that information management good practice is complied with.

The third recommendation advises MI5 to engage strongly with Operation Kenova, which is currently working on its 'family' and 'final' reports, including by inviting key members of the Kenova team to view my classified report.

The fourth recommendation is that MI5 should continue to support key personnel and roles in maintaining a constructive relationship with the Independent Commission for Reconciliation and Information Recovery (ICRIR).

The fifth recommendation is that an accurate timeline of MI5's knowledge of and engagement with those running STEAK KNIFE² is created. This, by necessity, would be a classified document, but it may enable MI5 to play a part in Operation Kenova's analysis, as appropriate.

The final recommendation provides MI5 with a checklist to support its leadership approach in future Northern Ireland 'legacy' investigations by the police and the ICRIR.

Helen Ball QPM³
February 2025

² This is the spelling used by MI5.

³ During a police career of 35 years, I served in the Metropolitan Police Service and Thames Valley Police. I was the Senior National Co-ordinator for Counter-Terrorism Policing from August 2013 to October 2016 and one of four Assistant Commissioners in the Metropolitan Police Service from September 2017 to my retirement in October 2022. I led nationally for hostage and crisis negotiation for eight years. The Queen awarded me her Police Medal in 2014.