

Duncan Campbell

Corrupt MoD land agent jailed

THE BRITISH Ministry of Defence's former Land Agent whose corrupt dealings were exposed in the *New Statesman* last year, has been convicted on 17 charges of deception, accepting bribes, and using documents with intent to deceive. Eric Garland, the former Hong Kong Defence Land Agent, was sentenced by a Hong Kong court late last year to six months imprisonment, suspended for two years. He was ordered to repay his current employers, a subsidiary of Freeman Fox and partners of London, some £50,000 of which he had cheated them.

Garland's offences came to light during an investigation of corruption and the loss of secret information from the electronic espionage station in Hong Kong, which the NS and the *Daily Mirror* carried out last year. A former supervisor at the station, Jock Kane, then described in detail the fiddles and corruption which some employees of the Government Communications HQ intelligence agency had been using to line their pockets. We placed our information concerning Garland and the other past and present senior staff of GCHQ with Kong Kong's Independent Commission Against Corruption (ICAC), whose subsequent investigation resulted in Garland's conviction on all 17 charges.

During the course of the investigation, it subsequently emerged, GCHQ bugged the rooms in which we were staying, tapped the phones and used the information they got to tip off those in the corruption network. The Foreign Office later admitted that a former GCHQ operations officer,

Frank Wilks, who ran a hotel and company and other deals with Garland, had been warned even before we arrived.

We found ample evidence that Garland and Wilks, and another ex-officer had run a hotel company and other



Hetherington: sending evidence where nothing can be done

businesses in order to profit from Garland's position as Defence Land Agent, responsible to the MoD and GCHQ for finding and approving accommodation for their staff with sensitive intelligence jobs. Evidence of Garland's profitable conspiracy with Wilks was published in last year's article. However, ICAC were unable to pursue these allegations, since an Amnesty for corruption offences was decreed four years ago. (The crimes Garland committed at Freeman Fox occurred less than four years ago and thus are not covered by the Amnesty.)

The amnesty does not affect British law, so we provided the full documentary evidence to the Director of Public Prosecutions for action under British law — since it was, after all, the British taxpayer who was cheated by the pair. The DPP, Sir Thomas Hetherington, took no interest, however and told us he had 'forwarded the papers to the Attorney General of Hong Kong' — where, as one may presume the DPP is

well aware, no legal action is possible because of the Amnesty.'

Later last year, after the Hong Kong Attorney General had indeed taken no action, we wrote again to the DPP, pointing out that the appropriate place to deal with British serving and former officials conspiring to cheat the British government in a Crown Colony was in Britain. Sir Thomas merely replied that his course had been 'proper'.

Jock Kane, whose allegations started the whole affair, had, he says, already spent five years fighting GCHQ from within over a 'total cover-up'. The Foreign Office has admitted that GCHQ warned off a man who has now been proven to be a crook — in the name of 'obligations under the Official Secrets Act'. GCHQ bugged phones and rooms in order to tip off other alleged crooks, British and Chinese. The DPP might now reconsider whether it is sufficient to send evidence of offences to those who can do nothing with it. □