

## A P P E A R A N C E S

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His Honour Judge Peter Smithwick

For the Tribunal:

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Mr. Justin Dillon, SC  
Mr. Dara Hayes, BL  
Mr. Fintan Valentine, BL

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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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1           **THE TRIBUNAL RESUMED ON THE 30TH OF JUNE, 2011, AT 11 A.M.**  
2           **AS FOLLOWS:**

3

4           MR. DILLON: Morning, Chairman. We have two witnesses  
5           today, and the first I will call will be Anne McMorrow.

6

7           **ANNE McMORROW, HAVING BEEN SWORN, WAS EXAMINED BY**  
8           **MR. DILLON AS FOLLOWS:**

9

10          MR. DILLON: Before I start, I think I said we have two  
11          witnesses today; I meant to say this morning. We, of  
12          course, have two witnesses this afternoon, as well.

13          Q. I think, Ms. McMorrow, you're still a member of the Garda  
14          Síochána, is that right?

15          A. No, I am retired.

16          1 Q. Oh, you've retired now, have you? I see.

17          A. I've retired, yeah.

18          2 Q. I think your last posting was in Claremorris, is that  
19          right?

20          A. That's right.

21          3 Q. And you joined the Guards in 1978 and initially you were  
22          attached to Pearse Street here in Dublin?

23          A. That's correct, Judge.

24          4 Q. I beg your pardon?

25          A. That's correct.

26          5 Q. Yes. And you were there for about a year and then you were  
27          sent to Roscommon until 1986?

28          A. That's right.

29          6 Q. And, from there, you went to Dundalk, where you remained  
30          until 1996?

1 A. 1996, that's correct.

2 7 Q. And, as I said, you already told the Chairman, after that,  
3 you went to Claremorris, and was it from Claremorris that  
4 you retired?

5 A. It was from Claremorris that I retired.

6 8 Q. And you retired with what rank?

7 A. Garda, yes.

8 9 Q. And you were in uniform all the time, is that right?

9 A. I was in uniform, yes.

10 10 Q. Now, on the 20th of March, 1989, I think it's the case that  
11 you were detailed for duty in the Radio Room, is that  
12 right?

13 A. Yes, in the Communications Room.

14 11 Q. Now, what time did you start duty on the 20th of March,  
15 1989?

16 A. It would have been two o'clock.

17 12 Q. So were you a member of Unit A?

18 A. I was a member of Unit A, yes, that's correct.

19 13 Q. Yes. And I think the Sergeant in charge was Sergeant  
20 Brady, is that right?

21 A. That's correct.

22 14 Q. Do you remember -- sorry, did you attend a parade that day?

23 A. I don't recall whether I did or not, but, normally, the  
24 people that worked in the Communications Room just went  
25 straight there and didn't attend a parade. I might have  
26 went to the Parade Room for post, or something like that.

27 15 Q. But ordinarily, knowing that you were on duty in the Radio  
28 Room, you went there directly, is that right?

29 A. Yes.

30 16 Q. Did you work alone or did you have a colleague with you in

1 the Radio Room?

2 A. There would be one other person working in the Radio Room  
3 with you.

4 17 Q. And I think we've heard that in addition to being a Radio  
5 Room, it was also the telephone-exchange room, if I can put  
6 it that way --

7 A. That's correct.

8 18 Q. -- for the main number into Dundalk Station?

9 A. That's correct.

10 19 Q. There were, of course, dedicated lines or private lines to  
11 certain offices?

12 A. Yes.

13 20 Q. But if one rang the general number for the station, it went  
14 into the Radio Room?

15 A. It went into the Radio Room, yes.

16 21 Q. And telephone calls were graded into three categories, is  
17 that right? Do you remember that at all? Ordinary calls,  
18 alarm calls and 999 calls?

19 A. And 999 calls, yes.

20 22 Q. That is correct, is it?

21 A. Yes, that's correct.

22 23 Q. Now, the 20th of March, you were on duty until what time?

23 A. Until 10 p.m.

24 24 Q. 10 p.m.. While you were on duty, did you receive any  
25 telephone call relating to the murders of the two RUC  
26 officers?

27 A. I don't recall receiving a call.

28 25 Q. So if somebody rang the Garda station, might that call have  
29 been taken by your colleague who was on duty with you?

30 A. It's possible that he could have taken it, but he would

1           have noted it if came directly --if it was reported  
2           directly to the Communications Room.

3       26   Q. And I presume that, if that had happened, I'm making an  
4           assumption here -- first of all, can you remember who was  
5           working with you on that day?

6       A. It was Garda David Sheridan.

7       27   Q. David Sheridan. So if Garda Sheridan had received that  
8           message, likely as not he would have said to you, "Good  
9           Lord, this has happened," or something to that effect?

10      A. Yes, he would have said it or he would have noted it.

11      28   Q. Very well. Now, the Radio Room, it's up on the first floor  
12           of the station, is that right?

13      A. It's on the first floor of the station.

14      29   Q. And how does one gain admittance to that room?

15      A. There was a lock or -- what would I call it? -- I can't  
16           find the word for it now.

17      30   Q. Like a Yale lock?

18      A. There was a number lock on it.

19      31   Q. Oh, like a key pad?

20      A. Yes, a key pad, sorry.

21      32   Q. You had to key in a number?

22      A. Yes.

23      33   Q. And does that mean the door was always closed?

24      A. Yes, it was always closed.

25      34   Q. So only those who had the pass -- or the PIN number,  
26           whatever, were able to get into the room?

27      A. That's right.

28      35   Q. Now, when did you first hear of the murders of the two RUC  
29           officers, can you remember?

30      A. Well, I vaguely recall, but I can't recall fully, but I

1 think somebody came into the Communications Room and said  
2 it.

3 36 Q. Now, you weren't in the Radio Room all the time, isn't that  
4 right? You were in and out from time to time?

5 A. I was in and out from time to time.

6 37 Q. And when you were out on the corridor, I think you saw two  
7 gentlemen?

8 A. That's correct.

9 38 Q. And I think you recognised one of them?

10 A. I recognised Superintendent Bob Buchanan.

11 39 Q. Yes. How often had you seen Bob Buchanan before then?

12 A. I had seen him a good few times down in Dundalk.

13 40 Q. And had you had conversation with him?

14 A. Just to say 'hello' to him, that's all.

15 41 Q. And where did you see them on this occasion?

16 A. Originally, I saw them at the bottom of the stairs.

17 42 Q. This is the main staircase leading from the ground floor up  
18 to the first floor?

19 A. Yes. I possibly saw them at the top of the stairs, too, as  
20 they made their way up.

21 43 Q. Now, you saw them at the bottom of the stairs?

22 A. That's right.

23 44 Q. And you were upstairs, is that right, looking down?

24 A. Yes.

25 45 Q. Did you, in fact, see them go up the stairs?

26 A. No, I can't say I did see them.

27 46 Q. When they were on the stairs, was anybody else with them at  
28 that time when you saw them?

29 A. There was nobody with them at the time I saw them.

30 47 Q. Now, subsequently to -- or subsequently to these murders,

1           you were asked to make a statement?

2           A. That's correct.

3       48   Q. And it seems you, in fact, made two statements?

4           A. Yes.

5       49   Q. Do you recall that at all?

6           A. I don't recall making the second one.

7       50   Q. Very well. I have to ask the question, nonetheless; in  
8           your view, there were two statements, one to Superintendent  
9           Tierney and one to Assistant Commissioner O'Dea, isn't that  
10          right?

11          A. Yes.

12       51   Q. Can you take the one which you made to Superintendent -  
13          that's the wrong one - Superintendent Tierney?

14          A. Yes.

15       52   Q. You see it there?

16          A. Yes, I have it.

17       53   Q. Now, I'm going to read it out:

18          "Statement of" -- I think, in those days, the description  
19          was *bean guard*, isn't that right?

20          A. Yes.

21       54   Q. -- *"Anne McMorro, An Garda Siochana, Dundalk, made on the*  
22          *22nd of March, 1989, at Dundalk Station."* And you make the  
23          usual recitals at the beginning of the statement, and you  
24          went on to say: *"I'm a member of An Garda Síochána*  
25          *stationed at Dundalk Garda Station. Monday, the 20th of*  
26          *March, 1989, I started duty at 2 p.m. I was detailed to*  
27          *work in the Communications Room, Dundalk, along with Garda*  
28          *Sheridan. At approximately 2:25 p.m. I was in the corridor*  
29          *outside the Communication Room door. I saw two men at the*  
30          *bottom of the stairs. One of the men I knew to see, Bob*

1           *Buchanan. The other man I did not know. I went back into*  
2           *the Communications Room. I did not see them after that.*  
3           *While coming into the station at 2 p.m. I did not*  
4           *notice/see anything suspicious." And it's "Signed: Anne*  
5           *McMorrow".*

6           Can you recollect making that statement?

7           A. No, I don't recollect making that statement.

8       55   Q. So you have no recollection, therefore, of Superintendent  
9           Tierney asking a number of your colleagues to make  
10          statements?

11          A. No, I've no recollection of it at all.

12       56   Q. Do you dispute at all what is written in that document?

13          A. No.

14       57   Q. You do recall meeting with Assistant Commissioner O'Dea,  
15           isn't that right?

16          A. That's correct.

17       58   Q. Where did that meeting take place, can you remember?

18          A. As far as I remember, it was in the Superintendent's  
19          office.

20       59   Q. That's, like, the general office, a general office up on  
21           the first floor, is that right, or was it a specific  
22           Superintendent's office?

23          A. Yes. No, it wasn't his general office; it was the  
24          Superintendent's office.

25       60   Q. Which Superintendent are you referring to?

26          A. I think it was Superintendent Murray that was there at the  
27          time.

28       61   Q. I think -- are you referring to Frank Murray?

29          A. Yes.

30       62   Q. I think at that time he was an Inspector, in fact.

1 A. He was an inspector, all right.

2 63 Q. You are quite right, he did become Superintendent  
3 subsequently.

4 A. Yes.

5 64 Q. But might it have been Superintendent Tierney's office --

6 A. It must have been.

7 65 Q. -- or Detective Superintendent Connolly? Do you remember  
8 him, Tom Connolly?

9 A. Yes. No, it was the Superintendent's office, as far as I  
10 can recollect.

11 66 Q. And, by that, you mean Pat Tierney, is that right?

12 A. Yes.

13 67 Q. And how did that -- how did that interview proceed?

14 A. Well, I was asked a number of questions and they wrote down  
15 the reply.

16 68 Q. Yes. Now, would you take -- there is a manuscript  
17 document, could you have a look at that, please. All I'm  
18 asking you to do is to identify the signature at the bottom  
19 of the page?

20 A. This one here?

21 69 Q. The written document.

22 A. Yes.

23 70 Q. Now, you see it says "*Signed: Anne McMorro*." Is that  
24 your signature?

25 A. Yes, that is my signature.

26 71 Q. Very good. Now, if you look at the typed version, and I  
27 can tell you it's exactly identical, and it goes as  
28 follows:

29 "*Statement of Bean Garda Anne McMorro, Dundalk Station,*  
30 *taken on Wednesday, 22nd of March, 1989.*" And the

statement goes as follows: "I'm attached to Unit A, Dundalk Garda Station. On Monday, 20th of March, 1989, I was paraded for duty by Sergeant Brady at 2 p.m.. I was detailed for duty in the Radio Room with Garda Dave Sheridan. At about 2:25 p.m. as I was coming along the corridor near the Radio Room, I saw Superintendent Bob Buchanan and another man whom I did not know at the bottom of the stairs. I knew Superintendent Bob Buchanan as I had met him previously. I returned to the Radio Room and did not see either Bob Buchanan or the man with him after that. I was not aware of any arrangements for a meeting with the RUC members in Dundalk Station on that date. I do not know what car they were using or what route they travelled. No member of the RUC made any communication from the Radio Room. I finished duty at 10 p.m.. This statement has been read over to me by Assistant Commissioner O'Dea and is corrected." Signed by yourself and witnessed by the Assistant Commissioner, and dated the 22nd of March. Now, does that document, or do the contents of that document accurately reflect your recollection of events on the day?

A. Yes, it does.

72 Q. Just to be quite clear on one matter: When you were on duty, you started at 2 p.m.?

A. At 2 p.m.

73 Q. And you didn't receive any phone call from any member of the RUC while you were on duty, is that right?

A. No, I don't recall receiving any.

74 Q. Now, just in very general terms, was there any talk at the time about the possibility of there being a leak or a mole

1 in the station?

2 A. No.

3 75 Q. You didn't have such conversation, is that right?

4 A. That's correct.

5 76 Q. Were you aware of others maybe discussing the possibility?

6 A. Not really, no.

7 77 Q. I think on previous occasions you had seen Bob Buchanan's  
8 car parked outside the station, is that right?

9 A. That's correct.

10 78 Q. You recognised his car?

11 A. Yes, I would have recognised his car. It was a red  
12 Cavalier that he usually came down in.

13 79 Q. Yes. I think you were unacquainted with Detective Sergeant  
14 Corrigan, you didn't know him, is that right?

15 A. No, he worked in Unit C. We wouldn't have met them very  
16 often if you worked in Unit A. He worked on Unit C and we  
17 wouldn't have met them very often if you worked on Unit A.

18 80 Q. Sergeant Leo Colton was on the same unit as yourself, is  
19 that right?

20 A. That's correct.

21 81 Q. I think in the Communication Room, one person was on duty  
22 at night and two during the day, is that right?

23 A. Two during the day, that's right.

24 82 Q. Can you tell us, was there a dedicated line between Dundalk  
25 Garda Station and any RUC station?

26 A. There was a dedicated line from Dundalk to Newry, but I  
27 don't know if had become -- it became obsolete at some  
28 stage, and I don't know if it was obsolete at that stage.

29 83 Q. Was it an open line or a scrambled line?

30 A. Well, it was supposed to be a scrambled line. It was just

1 a phone that you lifted up and you got through to them.

2 84 Q. Just so I understand, you lift the phone, and that was  
3 enough to alert them at the other end?

4 A. Well, I think that -- I can't recall, but I think there  
5 might have been a twirl on it, or a handle.

6 85 Q. Oh, I see, to ring the bell at the other end?

7 A. Yes.

8 86 Q. Were you ever conscious of that line or the line into the  
9 Garda station being interfered with in any way?

10 A. No, I was never conscious of that.

11 87 Q. Did you ever have any experience of telephone-tapping in  
12 your career in the Guards?

13 A. No.

14 88 Q. I think you did a training course at one point in Garda  
15 headquarters, is that right?

16 A. That's right.

17 89 Q. And were you trained to be on the alert for the possibility  
18 of lines being tampered with?

19 A. No, I don't think so. We wouldn't have been expert in  
20 that.

21 90 Q. You think you weren't expert in that area or that you were?

22 A. In lines, you know, tapping into lines, or anything like  
23 that.

24 91 Q. You say you had no expertise or that you did have  
25 expertise, I didn't quite follow?

26 A. Oh, no, that I had none.

27 92 Q. You had none. I see. Thank you.

28

29

30

**THE WITNESS WAS CROSS-EXAMINED BY MR. McGUINNESS**

**AS FOLLOWS:**

93 Q. MR. McGUINNESS: Good morning, Ms. McMorrow. I appear for An Garda Síochána. Just a couple of questions. May I take it that you had no evidence at all that any lines were being interfered with in the station?

A. Yes, that is correct.

94 Q. And just insofar as the lines in are concerned, were there separate fax lines into the Radio Room or were faxes received over the same telephone line, can you recall?

A. I can't recall for definite whether there was a fax, in fact, there at all at the time. There was a Telex machine and phone lines.

95 Q. All right. There seems to be some evidence to suggest that Superintendent Buchanan sent a fax just before nine o'clock that morning to Dundalk Garda Station, were you aware of that?

A. No, I wasn't aware of that.

96 Q. So if a fax came in earlier in the morning, that would have been dealt with by the previous shift?

A. That is correct, but there was a fax in the Superintendent's general office.

97 Q. It could have come in there?

A. Yes.

98 Q. Would that have been dealt with by the Superintendent's clerk, Mr. Flynn?

A. Yes, that is correct.

99 Q. In any event, you received or made no phone calls about any meeting with any RUC men that day?

1 A. Oh, no, I wasn't aware of the meetings at all. We wouldn't  
2 have been aware of them.

3 100 Q. Just in relation to your statement to Superintendent  
4 Tierney, obviously all of the information in that came from  
5 you and was recorded by Superintendent Tierney; I take it  
6 you'd agree with that?

7 A. That would be correct.

8 101 Q. And Assistant Commissioner O'Dea seems to have asked you  
9 further questions; for example, did you know Bob Buchanan?  
10 Did you see them after you first saw them? Were you aware  
11 of any arrangements? You answered all the questions he  
12 asked you?

13 A. That's correct.

14 102 Q. And in both your statements, you put the time at  
15 approximately 14:25 when you saw Superintendent Buchanan  
16 and the other man, whom you didn't know. Is it possible  
17 for you at this remove in time to say how did you time it  
18 at about 14:25? How were you able to do that the following  
19 day or two days later?

20 A. It's not possible.

21 103 Q. At the moment, yes, yes.

22 A. I don't remember how I timed it.

23 104 Q. But certainly in the day after or the second day after, you  
24 were able to time it at about 14:25, and you obviously had  
25 some reason for doing that; you'd accept that, I take it?

26 A. Yes, of course I would. I must have come out of the  
27 Communications Room for some reason or other

28

29 MR. McGUINNESS: Okay. Thank you.

30

1 MR. LEHANE: No questions.

2

3 MR. COFFEY: No questions.

4

5 MS. O'SULLIVAN: No questions.

6

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

8

9 105 Q. MR. DILLON: Just one brief matter. I do apologise. It  
10 was put to you that your statement to Superintendent  
11 Tierney came about by reason of him asking you questions,  
12 do you remember that? Mr. McGuinness put that point to  
13 you?

14 A. Yes.

15 106 Q. But I think, earlier on, you told the Chairman that you had  
16 absolutely no recollection of making the statement, is that  
17 right?

18 A. Well, I was just saying that from what I have read here,  
19 I've got a copy of the statement, but when I saw the copy  
20 of the statement, I don't recall making it.

21 107 Q. Exactly, yes. That's the point. Thank you very much.

22

23 CHAIRMAN: The Garda statements are taken by way of  
24 question and answer, which the person taking the statement  
25 embodies into a narrative statement, and that's the usual  
26 practice. Thank you very much, Ms. McMorrow.

27

28 **THE WITNESS THEN WITHDREW.**

29

30 REGISTRAR: Nora Burns.

1                    NORA BURNS, HAVING BEEN SWORN, WAS EXAMINED BY

2                    MR. VALENTINE AS FOLLOWS:

3  
4        108    Q. MR. VALENTINE: Ms. Burns, I think you are a civilian  
5                    employee employed by the Department of Justice, is that  
6                    correct?

7                    A. That's correct.

8        109    Q. I think you are currently employed as a civilian working in  
9                    a Garda station?

10                  A. Yes, Carrickmacross.

11       110    Q. And where were you working in March 1989?

12                  A. Dundalk Garda Station.

13       111    Q. I wonder could you just tell the Chairman what other  
14                    civilian employees there were working in Dundalk Garda  
15                    Station at that time?

16                  A. Kathleen Freeman worked in the Superintendent's office.

17       112    Q. Could you move closer to the microphone.

18                  A. Kathleen Freeman worked in the Superintendent's office,  
19                    Rosario Meade was in the Chief Superintendent's office and  
20                    Ann McArdle was in an office upstairs as well.

21       113    Q. I think you have in front of you a floor plan of the  
22                    Dundalk Garda Station?

23                  A. Yeah.

24       114    Q. I don't know if Mr. Mills has that to put it up. I wonder  
25                    if I take, first of all, your own office, if we could  
26                    identify where you worked on the floor plan?

27                  A. The Sergeant's office.

28       115    Q. The Sergeant's office. And that was on the ground floor,  
29                    is that right?

30                  A. That's correct, yeah.

1       116    Q. I wonder if you could just identify where on the ground  
2                floor that was. So that's at the front?

3                A. It's at the front of the building.

4       117    Q. On the right-hand side as you face the front door?

5                A. Yes.

6       118    Q. I think then if you could just identify where the three  
7                other civilian employees, Ann McArdle?

8                A. She was in an office upstairs next to the Chief  
9                Superintendent's office.

10      119    Q. Next to the Chief Superintendent's office?

11               A. Yes.

12      120    Q. Would that be possibly the room behind the Chief  
13                Superintendent's office off the Radio Room?

14               A. Off the Radio Room, I think, yes.

15      121    Q. Ms. Rosario Meade?

16               A. She was in the Chief Superintendent's office.

17      122    Q. She was in Chief Superintendent Nolan's office?

18               A. Yes.

19      123    Q. In the office with him?

20               A. Well, she was with the other clerks in the office.

21      124    Q. They weren't in the same office as the Chief  
22                Superintendent?

23               A. No.

24      125    Q. They had a separate --

25               A. They had a separate room.

26      126    Q. Chief Superintendent clerks' office. And do you know where  
27                that was?

28               A. I can't remember where Chief Superintendent Nolan's office  
29                was. It was upstairs.

30      127    Q. You mean Chief Superintendent Nolan's clerks' office?

1 A. That's Chief Superintendent Nolan's clerks' office. It's  
2 at the back of the building.

3 128 Q. You don't think -- sorry, this office --

4 A. Yes.

5 129 Q. Because I think other witnesses have identified that as the  
6 office in which the Chief Superintendent himself was?

7 A. Okay.

8 130 Q. I'm trying to identify where his clerks were located?

9 A. I'm not sure.

10 131 Q. Okay.

11 A. It was up there, anyway, some place.

12 132 Q. Did you say that you thought it might have been towards the  
13 back of the station?

14 A. Yes.

15 133 Q. I understand that there are some offices that aren't on the  
16 map, effectively, which are covered by the title. It may  
17 be that they're back there?

18 A. Okay, yeah.

19 134 Q. Finally, Kathleen Freeman is the third civilian employee  
20 you referred to?

21 A. Yes, she worked upstairs in the Superintendent's clerks'  
22 office, that office on the right.

23 135 Q. That would be at the front?

24 A. Yeah.

25 136 Q. Immediately above the office where you worked?

26 A. That's right.

27 137 Q. Approximately, what was the total staff in Dundalk Garda  
28 Station, including civilians and members of An Garda  
29 Síochána, at the time?

30 A. About 70 staff.

1 138 Q. And I believe your office, the Sergeant's office on the  
2 ground floor had a view over the car park towards the Garda  
3 station?

4 A. That's right, yeah.

5 139 Q. Did you have a view over the car park where you sat?

6 A. No, my desk was back from the windows.

7 140 Q. Your desk was back from the windows?

8 A. Yes.

9 141 Q. Who else was located in that office with you?

10 A. Sergeant Brady, Harry Murtagh and Jim Dolan.

11 142 Q. Sergeant Tom Brady?

12 A. Yes.

13 143 Q. Did any of them sit at the window, at the front window?

14 A. Sergeant Brady and Sergeant Murtagh would have sat at the  
15 window.

16 144 Q. Both sat at the window and have a view over the front car  
17 park?

18 A. Yeah.

19 145 Q. Can you just outline for the Chairman the nature of the  
20 type of work you were required to do in the Sergeant's  
21 office?

22 A. I dealt with correspondence, typing, warrants, that's  
23 mainly it.

24 146 Q. General administrative tasks?

25 A. Yes.

26 147 Q. I think you told the Tribunal in your interview that there  
27 was no fax machine in the office, is that correct?

28 A. No.

29 148 Q. And I think you said that there was a Telex machine in the  
30 building?

1 A. I think there was one in the Radio Room.

2 149 Q. You may have heard the previous witness refer to the fact  
3 that there may have been a fax machine in the  
4 Superintendent's office, do you have any knowledge of that?

5 A. No.

6 150 Q. You don't. Can you explain how post, incoming post to the  
7 Garda station was processed?

8 A. It was brought upstairs and dispersed then to the  
9 Sergeant's office, or wherever it was going.

10 151 Q. When you say "it was brought upstairs," what do you mean by  
11 that?

12 A. You mean incoming post?

13 152 Q. Incoming post, yes.

14 A. It was brought upstairs and then separated. If the letters  
15 were for the Sergeant's office, we collected them and  
16 brought them down to our office.

17 153 Q. But where upstairs was it brought?

18 A. To the Superintendent's clerks.

19 154 Q. To the Superintendent's clerks?

20 A. Yes.

21 155 Q. So the first place where all incoming post would go to  
22 would be the Superintendent's clerks' office on the first  
23 floor?

24 A. Yeah.

25 156 Q. And they would then go through it, is that correct?

26 A. Yeah.

27 157 Q. And they would direct it towards the different offices as  
28 appropriate?

29 A. Yes.

30 158 Q. Just in relation to the phone system in the station, if

1           someone were to phone the general Dundalk Garda Station  
2           telephone number, where would that call come into?

3           A. The Radio Room.

4       159   Q. And in terms of your office, the Sergeant's office, was  
5           there a direct line into the Sergeant's office?

6           A. I don't think there was. I think all the calls came  
7           through the Radio Room and then diverted to our office.

8       160   Q. To your office, yes. Were you aware whether there were  
9           direct lines to offices upstairs?

10          A. We could ring upstairs from our office, yeah.

11       161   Q. Do you know whether someone from outside the station could  
12          ring directly into an office upstairs?

13          A. I'm sure they could.

14       162   Q. You don't think they could ring directly into the  
15          Sergeant's office?

16          A. No.

17       163   Q. I think you do say in your statement, however, that you  
18          could ring directly out of the Sergeant's office?

19          A. To local numbers.

20       164   Q. Only to local numbers?

21          A. Yes.

22       165   Q. And if you were ringing further afield?

23          A. You went through the Radio Room.

24       166   Q. You'd go through the Radio Room. I think you -- in terms  
25          of your daily routine, you were on a fixed shift, is that  
26          correct?

27          A. Yes.

28       167   Q. Could you just explain to the Chairman your daily routine,  
29          what time you started, your lunch break, et cetera?

30          A. 9:15, and lunch break was from quarter to one until two,

1           and we had a tea break at 3:30 and we went home about 5:15  
2           to 5:30.

3       168   Q. And where did you take your tea breaks?

4           A. We'd sometimes bring in our lunch and have them in the  
5           office and then go for a walk.

6       169   Q. I think in your statement you say that sometimes you went  
7           down to the kitchen for tea?

8           A. Yeah, there was a kitchen downstairs in the basement.

9       170   Q. In the basement of the building. And I think in your  
10          statement you also say you subsequently gave that up and  
11          you had tea in your own office, so was there a kettle in  
12          the Sergeant's office?

13          A. There was, yes.

14       171   Q. Was there a tea break in the morning?

15          A. Yeah.

16       172   Q. And where did you take that generally, do you recall?

17          A. Mainly in the office.

18       173   Q. So the morning tea break would generally just be taken in  
19          the Sergeant's office?

20          A. Yeah.

21       174   Q. In the afternoon you might be more inclined to go out for a  
22          walk?

23          A. At lunch time, you'd go out for a walk.

24       175   Q. And the afternoon tea break at 3:30?

25          A. Probably in the office again.

26       176   Q. Now, just turning to the events of the 20th March, 1989.

27          Do you recall that day, the day that the late  
28          Superintendent Buchanan and Chief Superintendent Breen were  
29          killed?

30          A. Yeah.

1 177 Q. You do recall it?

2 A. Yeah.

3 178 Q. Now, I think in your statement you say you don't recall it?

4 A. Right.

5 179 Q. Can you just explain your recollection to the Chairman of  
6 the events of that day?

7 A. Well, I don't know anything about these men. I don't  
8 remember them calling to the station. I didn't know  
9 anything about them. I probably heard about it on the  
10 news.

11 180 Q. I think you said that you worked in the office until 5:15  
12 or 5:30?

13 A. Yeah.

14 181 Q. And I think, at that stage, information was coming into  
15 Dundalk Garda Station about the shooting on the Edenappa  
16 Road. You've no recollection of that news coming in?

17 A. No.

18 182 Q. Do you have any recollection of the immediate aftermath,  
19 any sense of shock in the station?

20 A. No.

21 183 Q. No recollection of that at all?

22 A. No.

23 184 Q. I mean, it was quite a significant event in that two people  
24 who had left the station, 15 minutes later were killed and  
25 lying dead on the Edenappa Road, but you don't remember --

26 A. I'm sure we talked about it.

27 185 Q. But you don't remember the news spreading through the  
28 station as word came in from the Edenappa Road?

29 A. No.

30 186 Q. Now, I think you said that you didn't know these officers

1 at all?

2 A. No.

3 187 Q. You never met either of these officers?

4 A. No.

5 188 Q. Now, we heard evidence that Bob Buchanan was a regular  
6 visitor and parked at the front of Dundalk Garda Station.  
7 Whilst I appreciate that your actual desk wasn't at the  
8 front, presumably, from standing up and coming in and out  
9 of the office, one would have thought that you might have  
10 seen him at some stage parking his car, coming in and out  
11 of Dundalk Garda Station?

12 A. No.

13 189 Q. Do you ever recall seeing a red northern-registered vehicle  
14 parked in the car park of the Garda station?

15 A. No.

16 190 Q. Do you ever recall seeing any RUC officers coming in and  
17 out of the Garda station?

18 A. No.

19 191 Q. You don't recall ever seeing RUC officers?

20 A. No.

21 192 Q. We understand from evidence yesterday that it's being  
22 suggested that they were quite recognisable, they generally  
23 travelled in northern-registered cars and they were  
24 generally quite well dressed, but you don't have any  
25 recollection of ever seeing an RUC officer in the station?

26 A. No.

27 193 Q. Now, do you recall the visit of Assistant Commissioner  
28 O'Dea to the station in the days after the murders?

29 A. Yes.

30 194 Q. Do you recall making a statement?

1 A. I do, yeah.

2 195 Q. And where did you make that statement?

3 A. In an upstairs office.

4 196 Q. In an upstairs office?

5 A. Yes.

6 197 Q. You don't remember whereabouts upstairs?

7 A. It was an office off the Superintendent's office.

8 198 Q. When you say "the Superintendent's office," do you mean the  
9 Superintendent's clerks' office?

10 A. Yes.

11 199 Q. Who did you make the statement to?

12 A. Inspector Kevin Carty.

13 200 Q. Now, I'm just going to ask Mr. Mills -- I think you have a  
14 copy of that statement both in manuscript and typed form in  
15 front of you. I am going to ask Mr. Mills to put the  
16 manuscript form first up on the projector. Do you  
17 recognise any of the handwriting in that manuscript  
18 statement?

19 A. I do, yeah, it's my handwriting.

20 201 Q. Is it all your handwriting?

21 A. Not all.

22 202 Q. Could you just explain which portion is your handwriting?

23 A. From the beginning where it says, "*I am a clerical*  
24 *assistant*" down to "*anything unusual at the station*".

25 203 Q. "... *anything unusual at the station*?"

26 A. Yes.

27 204 Q. So the introduction, so to speak, the statement of Nora  
28 Burns is someone else's handwriting.

29 A. Yes.

30 205 Q. The last sentence is someone else's handwriting?

1 A. Yes.

2 206 Q. And you confirm, then, that that's your signature?

3 A. Yes.

4 207 Q. And I think that's witnessed by Kevin Carty, Inspector, and  
5 dated 22nd March, 1989. Now, I think just to clarify, in  
6 your statement to the Tribunal you say that *"The first part*  
7 *of the statement is not written by me."*

8 A. That's not true. It should be the other way around. The  
9 first part of the statement is written by me and the last  
10 part is written by, I presume, Inspector --

11 208 Q. I just wanted to clear that up because you do say, *"The*  
12 *last lines of the statement are in my handwriting."* I just  
13 want to clear up that misunderstanding. It may have been a  
14 mistake by the Tribunal when they were preparing your  
15 statement. Turning then to the typed version of the  
16 statement, and I'll just read that into the record:

17

18 *"Statement of Nora Burns, care of An Garda Siochana,*  
19 *Dundalk, made to Inspector Kevin Carty at Dundalk on*  
20 *Wednesday the 22nd of March, 1989.*

21 *I'm a clerical assistant employed at Dundalk Garda Station.*  
22 *I'm employed in this capacity for eight years. On Monday*  
23 *the 20th of March, 1989, I arrived at Dundalk Garda Station*  
24 *at 9:25 a.m. My function is dealing with incoming and*  
25 *outgoing correspondence as well as other office duties. At*  
26 *12:45 p.m. I commenced my meal break and returned to my*  
27 *duties at 2 p.m. I left the station at 1 p.m. and returned*  
28 *at 2 p.m. I continued my duties at the Sergeant's office*  
29 *from 2 p.m. until 5:15 p.m., at which time I left for home.*  
30 *I was not aware that a meeting was being held at Dundalk*

1           Garda Station between RUC police and Garda authorities. I  
2           did not notice anything unusual at the station. I did not  
3           see any members enter or leave Dundalk Station on that day.  
4           This statement is correct. Signed: Nora Burns.  
5           Witnessed: Kevin Carty, Inspector. Dated: 22 March,  
6           1989."

7           Now, I think just from the evidence you've just given us,  
8           the final two sentences of that statement were added in in  
9           someone else's handwriting --

10          A. Yes.

11          209   Q. "-- I did not see any members enter or leave Dundalk  
12               Station on that day. This statement is correct."

13               Did Inspector Carty add those in?

14          A. I presume it was him. That's not my handwriting.

15          210   Q. Do you know why he added those in?

16          A. I don't know.

17          211   Q. What do you interpret that line, "I did not see any members  
18               enter or leave Dundalk on that day" to mean?

19          A. He must have been talking about the two RUC officers.

20          212   Q. But the statement says, "I did not see any members". To  
21               what do you think the word "members" refers, from your  
22               recollection?

23          A. The Gardaí, I suppose. From my office, I didn't see them  
24               coming in and out of the station.

25          213   Q. You wouldn't see any --

26          A. Maybe at lunch time, but, no, I wouldn't.

27          214   Q. I mean, it does seem a rather strange statement to say, "I  
28               did not see any members of the Gardaí enter or leave  
29               Dundalk station that day"?

30          A. Yes.

1       215   Q. But you would agree that that is what the statement appears  
2           to say?

3           A. Yes, but I didn't write that.

4       216   Q. You didn't write it, but you did sign it?

5           A. I did sign it.

6       217   Q. Just in relation to your tea breaks, Ms. Burns, who would  
7           join you for your tea breaks, and I refer to the morning  
8           and afternoon tea break which you generally had in your  
9           office, who else would be there for those?

10          A. Just the office staff.

11       218   Q. And that would be?

12          A. Sergeant Brady and Jim Dolan and Harry Murtagh.

13       219   Q. Were you ever joined for tea by Superintendent Tierney,  
14           Sergeant Rowan, Garda George Flynn?

15          A. No.

16       220   Q. No. They had tea separately, did they?

17          A. Yeah.

18       221   Q. Where did they have tea?

19          A. They had tea in their offices.

20

21           MR. VALENTINE: That's all. Thank you very much.

22

23           THE WITNESS WAS CROSS-EXAMINED BY MR. BAKER AS FOLLOWS:

24

25       222   Q. MR. BAKER: Ms. Burns, I appear on behalf of An Garda  
26           Síochána. Just a couple of questions for you. Just  
27           perhaps in relation, firstly, to the last statement which  
28           we saw on the screen there and use of the word "members" in  
29           it, am I taking it that your interpretation of what was  
30           being referred to there was members of An Garda Síochána?

1 A. I presume so.

2 223 Q. Yes. Now, I take it from your evidence in respect of the  
3 two RUC officers, the late Chief Superintendent Breen and  
4 Superintendent Buchanan, you simply did not see them on the  
5 day in question?

6 A. No.

7 224 Q. You never seen them before?

8 A. No.

9 225 Q. And am I taking it from your line of employment at the time  
10 that you would have had no reason to encounter them?

11 A. No.

12 226 Q. You effectively were a civil servant at the time, is that  
13 right?

14 A. That's right.

15 227 Q. You were employed by the Department of Justice and you  
16 were -- we're dealing with the events, clearly, of the 20th  
17 March, 1989. I think you told the Tribunal previously that  
18 you had been assigned to Dundalk from about 1981, would  
19 that be right?

20 A. That's when I started, yeah.

21 228 Q. So you'd been in that workplace in or around eight years  
22 prior to the commission of the murders?

23 A. That's correct.

24 229 Q. And during the course of that eight years, would it be fair  
25 to say that you would have got a fair idea of who was who  
26 in terms of staff at the station itself?

27 A. I got to know them, yes.

28 230 Q. I think your evidence was that there was approximately 70  
29 people, including Gardaí and civilian employees, and, of  
30 that 70, would you have known them well or would you have

1 known who everybody was by name?

2 A. I would have known them to see, yeah, by name, but I just  
3 did my own work in the Sergeant's office. I didn't have  
4 any dealings really with the other officers.

5 231 Q. Would there have been any socialising at Christmas, or that  
6 kind of thing?

7 A. No, I didn't.

8 232 Q. No. But you would have had a familiarity with them?

9 A. Yes.

10 233 Q. Based on that eight years of experience, am I understanding  
11 you that you've no evidence to suggest that there was any  
12 kind of mole in operation at the time in 1989?

13 A. No.

14 234 Q. I think Mr. Valentine also asked you about Superintendent  
15 Buchanan's car, but I'm taking it that because you didn't  
16 know Superintendent Buchanan to begin with, that you  
17 wouldn't have known what the car would have looked like, in  
18 any event?

19 A. No.

20 235 Q. And I think your evidence was that from your work station,  
21 as it were, in the Sergeant's office, that was away from  
22 the window?

23 A. It was.

24 236 Q. It didn't give you a view of the front of the Garda  
25 station?

26 A. No.

27 237 Q. Are you familiar with the surrounding geography of Dundalk  
28 Garda Station?

29 A. Yes.

30 238 Q. There has been reference made to a street directly across

1 the road from the front of the Garda station referred to as  
2 The Crescent. Do you recall that street?

3 A. Yes.

4 239 Q. There has been evidence given previously that the houses on  
5 that street would have offered a fairly unobstructed view  
6 of the Garda station. Would you have any reason to  
7 disagree with that assessment?

8 A. No, no, the houses are just directly across.

9 240 Q. I think there was also evidence given that some of the  
10 houses were three storeys high, do you have any memory of  
11 that?

12 A. I think they are three storey.

13 241 Q. You don't, by any chance, and I appreciate it's a long time  
14 ago, you don't remember the phone number for Dundalk Garda  
15 Station, do you, the general number?

16 A. No.

17 242 Q. Or the fax number at the time in 1989?

18 A. No.

19

20 MR. BAKER: Thank you very much.

21

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

23 **AS FOLLOWS:**

24

25 243 Q. MR. O'CALLAGHAN: Ms. Burns, evidence has been given to  
26 this Tribunal by a retired RUC officer called Alan Mains,  
27 and he says that on the morning of the 20th March, 1989,  
28 the date upon which the officers were murdered, that he  
29 phoned Dundalk Garda Station and spoke to a woman on the  
30 phone. Did you take a call from him on that morning?

1 A. No, I did not.

2 244 Q. You're absolutely certain of that?

3 A. Absolutely sure.

4

5 CHAIRMAN: Any other questions?

6

7 MR. COFFEY: No questions.

8

9 MS. O'SULLIVAN: No questions.

10

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

12

13 245 Q. MR. VALENTINE: One short matter just arising from the last  
14 question that Mr. O'Callaghan asked you, and that's,  
15 Ms. Burns, did you ever make arrangements for meetings  
16 between officers from Dundalk Garda Station and the RUC?

17 A. No, never.

18

19 MR. VALENTINE: Thank you.

20

21 CHAIRMAN: Thank you very much, Ms. Burns.

22

23 MR. DILLON: The next witness will be at two o'clock this  
24 afternoon.

25

26 CHAIRMAN: Thank you very much.

27

28 **THE TRIBUNAL THEN ADJOURNED FOR LUNCH.**

29

30

1                   THE TRIBUNAL CONTINUED AFTER LUNCH AS FOLLOWS:

2

3                   MR. VALENTINE: Good afternoon, Chairman. The first  
4                   witness this afternoon is Sergeant Vincent Jackson of An  
5                   Garda Siochana.

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SERGEANT VINCENT JACKSON, HAVING BEEN SWORN, WAS EXAMINED  
BY MR. VALENTINE AS FOLLOWS:

246 Q. MR. VALENTINE: Good afternoon, Sergeant Jackson. You are  
a serving sergeant of An Garda Siochana, is that correct?

A. I am.

247 Q. And where were you serving in March 1989?

A. I was attached to Unit D in Dundalk Garda Station.

248 Q. And do you recall where you working on the 20th of March  
1989, the day on which Chief Superintendent Breen and  
Superintendent Buchanan were killed?

A. That's correct, I was working the 6 a.m. to 2 p.m. shift.

249 Q. And what did you do on that day, do you recall?

A. I was driver of the official -- one of the official patrol  
cars, and I was accompanied that morning by Garda Kevin  
Forde and we carried out patrols that morning from 6 a.m.  
to 2 p.m.. I carried out one inquiry in relation to  
malicious damage and we did a number of patrols in the  
border area, Kilcurry, Armagh Road, that type of area, and  
we came back to the station at 2 o'clock and finished duty.

250 Q. So between the period of 6 a.m. and 2 p.m. would you have  
gone back to the station at all or were you on patrol  
constantly during that period?

A. I would guess we came back for a meal relief at 10 o'clock.  
We were the second meal relief and we came back for that.  
I can't recall where we went our separate ways or where we  
went for breakfast when we resumed patrol. No, we wouldn't  
have come back afterwards.

251 Q. And you say that your patrols both took you in and around  
Dundalk town and also up towards the border area. Just to

1 clarify, when you say the Armagh Road, can you just  
2 identify which road that is in terms of the villages and  
3 towns it goes through?

4 A. The Armagh Road would go on through Newtownhamilton, and as  
5 you would leave Dundalk on the Armagh Road you would go  
6 through townlands of Carrickedmond, that would be to your  
7 right, it would be in the parish of Kilcurry and Dungooley  
8 and it would eventually then lead to Newtownhamilton. We  
9 probably went to a number of border crossings and came back  
10 in by Newtownbalregan, I would say, to Dundalk.

11 252 Q. I think in your statement you provided to the Tribunal you  
12 also mentioned the Newry Road, by that do you mean the main  
13 Dublin/Belfast Road?

14 A. That would have been the main Dublin/Belfast Road at the  
15 time, yes.

16 253 Q. Do you recall anything unusual from your patrols on the -  
17 of the 20th of March?

18 A. No, there was nothing unusual about it that day, no.

19 254 Q. Do you recall whether your patrol took you to the Edenappa  
20 Road?

21 A. No, it didn't.

22 255 Q. I think that you mention in your statement to the Tribunal  
23 that you were -- whilst on patrols, Garda are on look out  
24 for information that they can pass on to the collator. Can  
25 you explain to the Chairman how the collator system worked?

26 A. That would be normal, that anything that we would see as  
27 suspicious activity, whether it be subversive or criminal,  
28 that we would collate it, and both of us would make sure  
29 that return was submitted when we finished duty or if not  
30 then the following morning, which would have been another

1 early shift. That was the reasoning behind collating  
2 criminal intelligence and subversive intelligence.

3 256 Q. Thank you. Can you explain how it was submitted?

4 A. It would have been submitted on -- at that time, there was  
5 a collator book and it had -- we were able to put -- keep a  
6 copy, which your sergeant would verify and check, we would  
7 put in the original to the collator.

8 257 Q. And do you recall who the collator was at that time?

9 A. I think it was the late Tom Staunton and probably Tony  
10 Hamill was working with him at that time as well.

11 258 Q. Now, I think you said that the shift terminated at 2 p.m.,  
12 is that correct?

13 A. That's correct, yes.

14 259 Q. And do you recall what you did at the end of your shift?

15 A. I remember standing out at the steps of Dundalk Station and  
16 I was chatting to Kevin Forde, Garda Kevin Forde, who was  
17 working with me, and I remember meeting the two RUC  
18 officers going into the station. I didn't know them at the  
19 time, and to clarify it, Judge, when I heard the news that  
20 evening, I realised that I actually had met those men,  
21 those unfortunate men, and I suppose everything came  
22 flooding back then to who I saw and who was about the  
23 station at the time.

24 260 Q. Did you speak to the two men?

25 A. I probably said hello. I think they greeted us and we  
26 greeted them.

27 261 Q. You didn't recognise their faces?

28 A. No, I didn't know the gentlemen before at all.

29 262 Q. You'd never seen them before?

30 A. No.

1       263   Q. How did you know that they were RUC officers?

2           A. It was probably a presumption on my part at the time, they  
3           were very well dressed and they looked -- at the time, they  
4           cut a certain dash when you saw them about the station.

5       264   Q. Did you see them get out of their car or did you simply  
6           meet them on the steps and didn't see where they came from?

7           A. No, I didn't see them getting out of their car. There is a  
8           number of steps at the top of the station and that is where  
9           we were standing.

10      265   Q. Can you put a time on this encounter, Sergeant Jackson?

11           A. Yes, I think it was about 2:00/2:05 something like that.

12      266   Q. Is it possible that it may have been perhaps ten or 15  
13           minutes later?

14           A. It could have been, yeah. I was always slow to get out of  
15           work, yeah.

16      267   Q. So you may have been on the -- lingering on the steps for  
17           15 minutes, perhaps?

18           A. Yeah, could have been, yeah.

19      268   Q. And what did you do then after you saw -- after the two men  
20           went into the station?

21           A. Kevin and I were more or less ready to head off and I went  
22           back in for my sports bag because I think we were playing  
23           football later on that evening and I left and went home.

24      269   Q. Did you - do you recall seeing Sergeant Leo Colton on the  
25           steps of the station during that period that you were  
26           there?

27           A. No.

28      270   Q. Can you just explain briefly for the Chairman how Gardaí  
29           signed in and out at that time?

30           A. Normally, the station orderly would sign the full unit in

1 block and sometimes he would -- he or she would refer to  
2 the on/off book. Occasionally we would sign that on/off  
3 book, well more -- probably more than normal we would sign  
4 it, but the station diary was the most exact record of who  
5 was on and off duty.

6 271 Q. But you didn't sign the station diary?

7 A. No, the station orderly.

8 272 Q. The station orderly signs the station diary?

9 A. Yes, and they make a record of who comes on and off duty  
10 and other entries that they would put in the diary.

11 273 Q. And then there is a separate on and off book which you  
12 usually sign, if I understand you correctly, not always?

13 A. Yes, it's more of an aid to the station orderly.

14 274 Q. OK. If could I just turn then, Sergeant Jackson, to the  
15 following day. I believe you were on duty on Tuesday 21st  
16 of March?

17 A. Yes, I was on duty at Dromad Hill. There was the operation  
18 for the removal --

19 275 Q. Sorry, what time did you come on duty?

20 A. 6 a.m.

21 276 Q. 6 a.m.

22 A. And I was detailed to Dromad Hill.

23 277 Q. Where is Dromad Hill exactly?

24 A. That would overlook the Edenappa Road, that area, where the  
25 remains of the two officers were and there was an operation  
26 to safely remove the two bodies.

27 278 Q. Am I correct in thinking that Dromad Hill effectively is an  
28 area of land between Edenappa Road and the main  
29 Dublin/Belfast Road?

30 A. Yes, there are a number of hills overlooking that area. I

1           actually didn't know that area very well because I was in  
2           Dromad district and I was put up on top of a lane in a  
3           rocky area overlooking --

4       279   Q. Do you recall who was with you?

5           A. I was on my own.

6       280   Q. You were on your own in Dromad?

7           A. I probably had an army unit.

8       281   Q. So there was an army unit with you?

9           A. Probably a Land Rover with four.

10      282   Q. Four army officers?

11           A. Yes, soldiers, yes.

12      283   Q. I think you say you saw the removal of the bodies from the  
13           scene?

14           A. No, I was in kind of a protection area that would have been  
15           created, that was pretty normal in case there was another  
16           terrorist attack that we would - when we would do an  
17           operation like that, that a number of areas would be  
18           protected and I would be checking everybody that was coming  
19           up that lane, but where I was, was quiet. There was very  
20           little activity and I didn't see, even with the aid of  
21           binoculars I wouldn't have been available to see right on  
22           the scene. I was a little bit distanced and restricted  
23           from the actual area.

24      284   Q. So you didn't have a direct line of sight to the scene. Do  
25           you recall a visit by the Chief Constable, or do you recall  
26           a lot of helicopter activity that day?

27           A. Like I said, if the Chief Constable -- of the RUC you mean  
28           coming down?

29      285   Q. Yes.

30           A. I would not have been able to see.

1       286   Q. Very good. Can you remember what the weather was like?

2           A. It was a cold day. I remember it was a cold day. I was  
3           cold at the termination of duty.

4       287   Q. What time did you finish duty?

5           A. 2 o'clock at that point.

6       288   Q. Yes. I think you said earlier that you heard of the  
7           murders on the news on Monday evening?

8           A. Yes.

9       289   Q. You didn't return to the station then?

10          A. No.

11       290   Q. So the first time you were in the station after the murders  
12           was at 6 a.m. on Tuesday morning?

13          A. Yeah, I would have -- I think I would have heard it on the  
14           evening news. I was shocked because I realised I had met  
15           those two officers a couple of hours and spoke to them  
16           before that day.

17       291   Q. Yes. When you came in to work on the Tuesday morning, do  
18           you recall there being much discussion? Do you recall the  
19           discussion in the station in relation to the murders?

20          A. Yes, there would have been discussion, yes, probably about  
21           the route they took home and, you know, that it happened  
22           the way it did.

23       292   Q. I think on that point, you say in your statement to the  
24           Tribunal "*The chat in the station was that they were going*  
25           *home the main road.*"

26          A. Yeah, I think some people were of the view that they were  
27           going home the main road, because I suppose that was  
28           speculation because we probably didn't -- we probably  
29           assumed that some of the RUC personnel hadn't been down  
30           south too often and may have not known the route, that

1 Edenappa Road, the back -- back route, if you like, that  
2 they may have stuck to the principal routes, i.e. the main  
3 road.

4 293 Q. So you said the chat was that they were going home the main  
5 road, I mean, was that people who had said that yesterday  
6 Monday, *"I believe that they were going home the main road"*  
7 or --

8 A. No, I would say it was more speculation on why they took  
9 that route, because the main road would have been the  
10 safer.

11 294 Q. So you think it was simply speculation by people on  
12 Tuesday, saying *"That is strange, I would have expected*  
13 *them to go on the main road"*?

14 A. I would say you have summed it up perfectly.

15 295 Q. Do you have any particular view about the Edenappa Road  
16 yourself as a route? In terms of its security issues on  
17 that road, do you have any particular view yourself?

18 A. Well, there were hijackings and different incidents took  
19 place on border roads over the years and a quiet isolated  
20 road would be more dangerous and more -- you would take  
21 much more of a risk than going the main road.

22 296 Q. Do you recall that Tuesday morning whether there was much  
23 speculation as to how the operation had been mounted and  
24 carried out by the Provisional IRA?

25 A. Well, we had heard news reports, we had some -- some  
26 information was filtering back. It seemed that the IRA  
27 knew their target and were very precise about what they  
28 done.

29 297 Q. What information was filtering back?

30 A. That all roads were covered.

1       298   Q. And that was filtering back through whom?

2           A. I think it could have been speculation. We didn't really  
3           know. The only information we had, that there was a lot of  
4           people involved in the killing of the two officers.

5       299   Q. And that was information that was known in the Garda  
6           station, but where did it come from or what was your  
7           understanding of where it came from?

8           A. I don't really know. It was obviously very, very topical  
9           conversation that morning, but like I said, I wasn't around  
10          too long; I was detailed out to Dromad Hill.

11       300   Q. And you said you had obviously heard that -- you'd all  
12           obviously heard the news reports, do you recall what had  
13           been on the news?

14           A. That two RUC officers who had been returning from Dundalk  
15           Garda Station were killed outside Jonesboro.

16       301   Q. And do you recall --

17           A. And it didn't take much more to analyse that it was  
18           probably the two gentlemen I had met.

19       302   Q. At that stage, was there any speculation as to concerns  
20           about a security leak from Dundalk Garda Station?

21           A. I never heard of that at the time.

22       303   Q. Now, do you recall making a statement after the deaths of  
23           the two officers?

24           A. Yes.

25       304   Q. Do you recall to whom you made that statement?

26           A. No, I don't recall. I know I typed that statement myself  
27           and I made it within days because it was a long time before  
28           I saw that statement again.

29       305   Q. I will just ask Mr. Mills to put a copy of the redacted  
30           statement and to provide the Chairman with the original

1 statement, to put a copy of the redacted statement on the  
2 overhead screen. I think you have a copy of the statement  
3 in full in front of you, Sergeant Jackson. Now, just to  
4 explain, we have redacted to protect the identity of  
5 persons who were in the vicinity of the Garda station at  
6 the time?

7 A. I understand.

8 306 Q. I am just going to read -- I should say that the Tribunal  
9 doesn't have a manuscript version of this statement. I am  
10 going to read this statement into the record, "*Statement of*  
11 *evidence of Garda Vincent Jackson of An Garda Siochana*  
12 *Dundalk County Louth*", after the usual averments you say,  
13 "*I am a member of An Garda Siochana stationed at Dundalk*  
14 *County Louth, on the 20th of the third, 1989. I was on*  
15 *duty from 6 a.m. to 2 p.m.. during that time I was driving*  
16 *the official van*" -- the registration number is given --  
17 "*accompanied by Garda Kevin Forde. From 6:30 a.m. to*  
18 *8:30 a.m. we were accompanied by an army unit. During that*  
19 *period of patrol, I patrolled the Newry Road, Armagh Road,*  
20 *Dungooley, Kilcurry, Drombilla and the Armagh Road. During*  
21 *that time I stopped no known subversives. I made a call*  
22 *regarding a malicious damage at Alpacino's Cafe, Earl*  
23 *Street. I went on my meal break from 10 a.m. to*  
24 *10:45 a.m.. I completed a number of calls and inquiries*  
25 *between then and 1:45 p.m.. I then returned to Dundalk*  
26 *Garda Station. I saw a man whom I know as*" -- and the name  
27 and address has been redacted -- "*he was speaking with*  
28 *Garda Matthew Reilly. I spoke with*" -- and that is the  
29 same man -- "*as accompanied by a friend of his who I know*  
30 *works with a security firm in Dundalk. I also saw a man*

1           whom I know to see sitting in what I think was his own red  
2           Ford Escort. He was seated in the car with his legs on the  
3           ground with the driver's door open. I know that this man  
4           lives at either" -- and an address is given -- "He was  
5           accompanied by a woman and a stout man with glasses. The  
6           woman was walking" -- and a name has been redacted --  
7           "sombody's baby son up and down in front of the station.  
8           I saw two middle aged men enter the Garda station who I  
9           believe were two RUC officers. I returned to the Garda  
10          Station where I collected my sports bag and left the  
11          station driving my own car via the Carrickmacross Road gate  
12          exit. I did not notice any subversives or anything unusual  
13          as I left. This statement is correct." And it's signed  
14          Vincent Garda [sic] Jackson and your number is given.

15  
16          In relation to that, just for the benefit of the Chairman,  
17          the person you name, who you saw and recognised, halfway  
18          down that statement, can you confirm whether you have any  
19          reason to believe whether that person has associations with  
20          subversives?

21          A. Never had to my knowledge, that gentleman, no.

22          307    Q. I think you refer to that person being accompanied by a  
23                  friend of his who works a security firm in Dundalk. Do you  
24                  have any reason to suspect that that person has  
25                  associations with subversives?

26          A. No, absolutely not.

27          308    Q. And I think you didn't know the remainder of the people, is  
28                  that correct?

29          A. Yeah, that's correct, yeah.

30          309    Q. Chairman, just for the sake of completeness, Chairman, I

1           should indicate that the address given for the person  
2           seated in the car would suggest that he is a neighbour of  
3           the person who Garda Jackson knew?

4           A. Yes, that's correct, yes.

5  
6           MR. VALENTINE: Just for the sake of completeness,  
7           Chairman, I should also say the person whom Garda Jackson  
8           names in his statement is also the person named in the  
9           statement of Garda Val Smith and whom Garda Smith was asked  
10          about on 23rd of June when he gave evidence. Garda Smith's  
11          evidence was, if I recall correctly, was that he no longer  
12          remembered the person even though he had named him in his  
13          statement in 1989.

14        310   Q. Finally, Garda Jackson, I wonder if you yourself have any  
15           view as to how the operation was carried out by the  
16           Provisional IRA?

17           A. It looks like they mobilised a number of units and had  
18           their target in sight at all times.

19        311   Q. When you say "*had their target in sight at all times*" what  
20           do you mean by that?

21           A. I mean the location that they chose was well away -- it was  
22           a hilly area, it was probably a safe place for them to  
23           carry it out and to escape undetected.

24        312   Q. I think you said in your statement that in your experience,  
25           if there was any risk involved, an operation would be  
26           abandoned?

27           A. Yes, yeah, but on that day, they seemed to have enough  
28           people out operationally-wise to carry it out and to stop  
29           the RUC officers and to carry out the killing.

30        313   Q. And in terms of your assessment of the operation, is that

1 based on any direct knowledge which you have or is it, in  
2 effect, just speculation from your own experience?

3 A. I have spent my entire service on the border. I am  
4 familiar with operations that the IRA would have carried  
5 out and ones that would have gone wrong where they got  
6 apprehended and ones they would have had to abort.

7 314 Q. So again, just to ask the question in relation to whether  
8 you have any direct knowledge as to how this operation was  
9 carried out?

10 A. I don't have any direct knowledge on how it was carried  
11 out, no.

12 315 Q. OK. Thank you very much.

13

14 **THE WITNESS WAS CROSS-EXAMINED BY MR. DURACK AS FOLLOWS:**

15

16 316 Q. MR. DURACK: Good afternoon, Sergeant. I appear on behalf  
17 of the Garda Siochana. When did you first go to Dundalk?

18 A. I went to Dundalk in June 1981.

19 317 Q. And were you long in the Guards at that stage?

20 A. That was straight from -- well, I went to Dundalk district,  
21 went to Hackballscross, my first station, and I joined in  
22 December 1980.

23 318 Q. I see. And as you told us, you spent your whole career on  
24 the border?

25 A. To the last five years.

26 319 Q. I see. Oh, yes, and in the last five years I think you  
27 have become a community officer?

28 A. Crime Prevention Officer in Drogheda.

29 320 Q. In Drogheda?

30 A. Yes.

1       321   Q. Now, on this morning in question, you were -- sorry, on  
2           the -- yes, on the morning in question, you came on at  
3           six o'clock and you headed off in the patrol van?

4           A. That's correct, yes.

5       322   Q. And you had an army escort, how many were they?

6           A. Probably a unit of four army personnel.

7       323   Q. In a jeep or --

8           A. Yeah, they would have been in a jeep, probably an open  
9           backed jeep at the time.

10      324   Q. And what was the purpose of your patrol?

11           A. Accompanied by the army our duties would have been to  
12           patrol the border areas and to carry out a number of  
13           checkpoints. They may have been specific or they may have  
14           been non-specific.

15      325   Q. You have no particular recollection at this stage?

16           A. I can't recall if there were specific checkpoints.

17      326   Q. But I take it the purpose of it was to show a presence on  
18           the border?

19           A. Yes.

20      327   Q. And perhaps subvert anything else that might be going on?

21           A. Exactly, yes.

22      328   Q. In the circumstances, that morning I think the only thing  
23           you had to look into was a question of malicious damage and  
24           ordinary crime?

25           A. Yes, I suppose after the meal break I took the opportunity  
26           to get on with some of my own work, yes.

27      329   Q. Yes, and how do you differentiate the patrol work or at  
28           least the border controls from your own work?

29           A. You see, in those days when you had the army you had to do  
30           that duty and your own work came later.

1 330 Q. I see. Because they would have been --

2 A. That was priority duty.

3 331 Q. Yes. And at that stage you would have been in uniform,  
4 isn't that correct?

5 A. Absolutely.

6 332 Q. Because I think the practice was the army went with the  
7 uniformed?

8 A. Yes.

9 333 Q. And then the detectives went on their own. Now, and your  
10 purpose at that stage was to see what -- to see if there  
11 was anything of note and to report it?

12 A. Exactly, yes.

13 334 Q. You came back at two o'clock and you were in the process of  
14 checking out and the next shift is coming on?

15 A. Yes.

16 335 Q. Had you seen the RUC previously, ever?

17 A. No, I didn't, but I knew officers had come down from time  
18 to time.

19 336 Q. Because it does appear that Superintendent Buchanan was in  
20 and out on a regular basis, a number of times a week?

21 A. I didn't -- I wasn't aware of that.

22 337 Q. I see.

23 A. -- at the time.

24 338 Q. And I take it, as you were out all day, you weren't aware  
25 that there was a meeting planned?

26 A. No, I wouldn't have known about that, no.

27 339 Q. Now, could you just tell us about the road where it  
28 happened. On which side, as you look north, on which side  
29 of the road were you on the following day? You told us  
30 it's a hilly area?

1 A. Yeah, it would have been to the right of that.

2 340 Q. So you're to the east of the road?

3 A. Southeast.

4 341 Q. Now, how many units or how many members were involved in  
5 overlooking the road the following day?

6 A. I honestly don't know. I wouldn't have detailed that  
7 operation. At the time I would have been a person who did  
8 what I was told, basically.

9 342 Q. I see. Could you see other army personnel or Garda  
10 personnel in the hills?

11 A. Yes, I would have known that there were others.

12 343 Q. There were supposed to be others, and you knew that?

13 A. I would imagine there were quite a number of us deployed  
14 that day, yeah.

15 344 Q. And could you, in fact, see any of them were from where you  
16 were or what was your view?

17 A. I would have had a radio. I may not have been in sight but  
18 I would have been in contact, if needed.

19 345 Q. So that a number of you could overlook the road and  
20 approach the road, if necessary?

21 A. No, not approach, your job was to stay in that area and  
22 prevent anything else happening.

23 346 Q. Mm-hmm. But I get the impression from what you're saying  
24 that if there were a number of IRA people involved in this  
25 attack, that they could, in fact, have been well hidden in  
26 the hills on either side of the road prior to moving in?

27 A. Yes.

28 347 Q. And that equally, one could have conducted surveillance on  
29 the road from the hills at the side?

30 A. Yes.

1       348   Q. Now, you know the area, of course, how long would it take  
2            if you were coming to Newry to Dundalk and came down the  
3            main road? How long would that take, about, from Newry  
4            Police Station?

5       A. At that time, it probably would have taken about 25 minutes  
6            to half an hour because you must remember, there were  
7            customs posts on the old Newry Road and traffic moved very  
8            slowly and there was only a small bridge, the old Newry  
9            bridge, so traffic didn't move quickly.

10      349   Q. And equally, getting through Dundalk, I take it, was  
11            difficult enough, as it was carrying all the north/south  
12            traffic?

13      A. It was, yes.

14      350   Q. And that if one were to leave Newry Police Station that,  
15            you could be seen at any stage between that and getting to  
16            Dundalk?

17      A. Absolutely, yes.

18      351   Q. You mentioned in your statement to the Tribunal that you  
19            thought that there was a mobile team deployed by the IRA,  
20            and equally, that you were surprised by the route taken.  
21            You also add in, then, that the people in the station were  
22            concerned as to why they had gone on that route and you  
23            suggest that maybe they went to see where the bombs on the  
24            line?

25      A. Yes. Yeah, if you want me to clarify that, there had been  
26            a number of incidents where, you know, diversions had to be  
27            put in place because bombs had been placed on that railway  
28            line over the years quite a lot, sometimes hoax, sometimes  
29            a genuine bomb, and that was an area chosen by the IRA for  
30            a lot of activity and it would be an easy area to ambush

1           somebody and illegal checkpoints, all sorts of activity  
2           would have gone on in that area by active IRA units at the  
3           time.

4       352   Q. But there weren't -- as far as you were aware was there a  
5           specific bomb scare on the day?

6       A. No, I would have made a note of that because we were on the  
7           early shift on that morning and we would have known about  
8           it.

9       353   Q. Because we know that the Northern Military had the area out  
10          of bounds certainly until around noon or thereabouts, in  
11          the morning, and I think from the previous day?

12       A. That is probably true, that we had the army unit with us at  
13          the time doesn't change it either way because it was normal  
14          enough for us to have the unit.

15       354   Q. But I am saying were you told that it was out of bounds, do  
16          you remember?

17       A. I can't recall.

18       355   Q. And if you yourself were choosing to head back from Dundalk  
19          to Newry how would you have gone?

20       A. The main road, the safest route possible.

21       356   Q. Because you suggest again in your statement that there were  
22          three roads home?

23       A. Yes.

24       357   Q. That would be the main road, the Edenappa Road and?

25       A. The main road, the Edenappa Road and maybe the back road to  
26          Omeath, over the mountain.

27       358   Q. I see. Is that a much longer route?

28       A. It's longer, yeah.

29       359   Q. Would it be safer or --

30       A. No.

1 360 Q. You'd still go for the main road?

2 A. Not then. I'd still take the main road.

3

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

5 AS FOLLOWS:

6

7 361 Q. MR. O'CALLAGHAN: Good afternoon, Sergeant Jackson. I  
8 appear for retired Detective Sergeant Owen Corrigan. I  
9 have a few questions for you. Am I to take it that you  
10 don't have any evidence suggesting that there was collusion  
11 between An Garda Siochana and the IRA in respect of the  
12 killing of these unfortunate officers?

13 A. I don't have any evidence.

14 362 Q. And am I to take it that you don't believe that there was  
15 any collusion, from your experience of being on the border  
16 for so many years?

17 A. Could you repeat that question?

18 363 Q. Am I to take it that you don't believe there was any  
19 collusion between the Gardaí and the IRA in respect of the  
20 killing of these officers?

21 A. I don't have any knowledge of that.

22 364 Q. Yes. You mention in your statement that someone could have  
23 been in the yard of the Income Tax Office to the right of  
24 the station?

25 A. Yes.

26 365 Q. Would it be the case that, from your experience, if the IRA  
27 were conducting an operation such as this, that they would  
28 keep Dundalk Garda Station under surveillance?

29 A. If they were going to carry out an operation it would  
30 probably make sense that they would do some surveillance on

1 the Garda Station. And the reason I chose that location,  
2 it's directly to the left of the Garda Station as you  
3 approach it and it's an open, unrestricted view to the  
4 front of Garda Station.

5 366 Q. And you conclude your statement by stating that "*The IRA*  
6 *knows exactly what happened on that day, you should speak*  
7 *to them.*" From your experience, and you have worked on the  
8 border all your life, do you have any information or  
9 assistance you can give to the Tribunal as to how you  
10 believe the IRA carried out this operation?

11 A. Everybody knows it was the IRA that carried it out.

12 367 Q. I know, but the reason we are all here is because there is  
13 a suggestion that the Gardaí tipped them off or something  
14 like that?

15 A. I have no knowledge of any Garda tipping off anybody about  
16 the movements of the RUC officers.

17 368 Q. And have you any knowledge or information from the IRA  
18 confirming that, that there was no involvement by any Garda  
19 in this?

20 A. All I know is that some IRA people said it was a successful  
21 operation.

22  
23 MR. O'CALLAGHAN: Thanks very much, Sergeant.

24  
25 **THE WITNESS WAS CROSS-EXAMINED BY MR. COFFEY AS FOLLOWS:**

26  
27 369 Q. MR. COFFEY: If I may, Mr. Chairman.  
28 Sergeant Jackson, I appear on behalf of retired Sergeant  
29 Leo Colton, and I just want to ask one or two questions, if  
30 I may.

1

2

First of all, you recounted that you met the two RUC

3

officers as you were standing on the steps of entry into

4

the Garda Station, isn't that correct?

5

A. That's correct.

6

370 Q. And can you recall for how long you had been standing at  
the top of the steps?

7

8

A. A couple of minutes, I'd imagine.

9

371 Q. And can you tell the Tribunal, is that a regular feature,  
that members, serving members of the Gardaí going in and  
out of the station might pause for a couple of minutes,  
either to have a social chat with another colleague or  
whatever, or just to take a bit of fresh air?

10

11

12

13

14

A. It's not unusual at all.

15

372 Q. And I take it that it wouldn't be unusual for other members  
such as Sergeant Leo Colton to come out and stand for a  
moment or two on the top of the steps and then go back into  
the station?

16

17

18

19

A. Yes.

20

373 Q. And I take it, equally, given that you yourself had only  
stayed there for a few moments, you don't know whether  
Sergeant Colton had been out on the top of the steps either  
some minutes before or after your own period of time there?

21

22

23

24

A. I don't know.

25

374 Q. Yes. Now, in the course of your direct evidence, you said  
in your opinion and belief, you considered that  
considerable planning had gone into these murders, isn't  
that correct?

26

27

28

29

A. Yes.

30

375 Q. And again, based on your own experience and expertise, does

1           that considerable planning involve, if you like,  
2           considerable time input into the planning?

3           A. It probably was a combination of everything.

4       376   Q. But if I may focus on this, in order to carry out and  
5           implement considerable planning, would that involve  
6           considerable time input to put in place and carry out the  
7           planning?

8           A. Yes, it would.

9       377   Q. Could it be more specific, that in order to carry out such  
10          a detailed murder operation, that some time was necessary  
11          to put in place the various pieces of armory and personnel  
12          on the ground to ambush the RUC officers?

13          A. It depends on the unit and the distance which the unit had  
14          to travel from and that the weaponry were stored and later  
15          disposed of.

16       378   Q. Well, you indicated, again on your own expert opinion, that  
17          you considered that there was considerable planning went  
18          into this; that is highly organised operation?

19          A. Yes, yes.

20       379   Q. And again, you acknowledge that, on occasions, IRA units  
21          would call off an operation if they thought there was any  
22          risk to themselves or the operation being compromised?

23          A. Yes.

24       380   Q. And would you express any view, then, as to whether, in  
25          carrying out and preparing for this operation, that some  
26          considerable time went into the planning of it?

27          A. Yes, it's possible that -

28       381   Q. Well, could it have been carried out within 30 minutes?

29          A. Yes, probably.

30       382   Q. You think so?

1 A. Yes.

2 383 Q. From the time that the RUC officers left the Garda Station,  
3 that they could have put men in place?

4 A. Oh, no, I mean moving into the road. A certain amount of  
5 planning would have been required to get people and weapons  
6 and vehicles.

7 384 Q. Yes. I don't know if you are aware, evidence has been  
8 given that a van used in the murder was stolen on the  
9 Saturday night before the murders. Are you aware of that?

10 A. No, but vans often were housed for longer periods of time  
11 than that.

12 385 Q. Would you draw any significance between the van being  
13 stolen on the Saturday night and its use in the murder?

14 A. It's probably the most serviceable one that was available.

15 386 Q. But that there was part of the planning, the considerable  
16 planning that you felt went into this?

17 A. It could have been part of it, yes.

18 387 Q. Yes. And that, in other words, that this operation to  
19 murder the men, the two RUC officers, might have extended  
20 over a number of days prior to the Monday?

21 A. Or it could have been previously aborted.

22 388 Q. Yes. But, again, a big time element?

23 A. And a little bit of luck.

24 389 Q. Yes. Now, Sergeant, you were a uniformed Garda in March of  
25 '89, isn't that correct?

26 A. Yes.

27 390 Q. And you had been stationed in Dundalk as a uniformed Garda  
28 from '81, is that right?

29 A. About '85.

30 391 Q. '85?

1 A. Yes.

2 392 Q. In the period from '85 to '89, when stationed in Dundalk,  
3 were uniformed Gardaí regularly transferred from Dundalk to  
4 work in Drogheda while based in Dundalk or assigned to  
5 Dundalk, the Dundalk Station?

6 A. Not often to -- Dundalk to Drogheda you mean?

7 393 Q. Yes, just a Dundalk-based uniformed Garda, would they ever  
8 work in Drogheda over a long period of time, without being  
9 transferred?

10 A. No, probably the opposite.

11 394 Q. Yes. Thank you.

12

13 **THE WITNESS WAS CROSS-EXAMINED BY MS. O'SULLIVAN**

14 **AS FOLLOWS:**

15

16 395 Q. MS. O'SULLIVAN: Just a couple of questions. Good  
17 afternoon, Sergeant. I represent Finbarr Hickey. I just  
18 want to clarify you've given evidence today that you were  
19 on the D Unit at the time in 1989?

20 A. That's correct.

21 396 Q. I think Finbarr Hickey was on the C Unit, so wasn't on your  
22 unit at that time?

23 A. Yes, I think Finbarr Hickey was attached to C.

24 397 Q. C, and I think you in fact knew Finbarr Hickey because you  
25 had trained with him, isn't that right?

26 A. I trained with Finbarr, yes.

27 398 Q. OK. I think you have given evidence to the Tribunal that  
28 at the time on the day in question, you were detailed to  
29 patrol with Kevin Forde, is that right?

30 A. Yes.

1       399   Q. And we have also heard evidence from a Tom Mulpeter and  
2               Michael Johnson that they were on the D Unit. Do you  
3               remember them?

4               A. Very well.

5       400   Q. And do you know who else would have been working on the D  
6               Unit that day or who else was on the D Unit at that time?  
7               You may not remember?

8               A. Some people changed over the years. P.J. Galvin was  
9               probably with us, Aidan Costello, I am not sure.

10      401   Q. And I think you indicated in your statement that you made  
11              to the Tribunal, that generally, the D Unit would be  
12              followed by the A Unit. I wonder if you could just  
13              explain, was there a rota where D followed A, then was  
14              followed by C, was followed by B or did it change?

15             A. No, it didn't change. You could tell, Judge, from one  
16             Christmas to the next what you were going to be doing the  
17             next Christmas Day. On that particular day Unit D were on  
18             a Monday and they were six to two. Unit A would have been  
19             following on the 2:00 to 10 shift. And unit B would have  
20             been starting on a Monday night. Unit C, which Finbarr  
21             Hickey was attached to, would then by my recollection be  
22             resting and not due back until Wednesday night.

23      402   Q. So Unit C would have had two rest days, the Monday and the  
24              Tuesday, but then would come back on on the Wednesday  
25              evening?

26             A. Sometimes three rest days. Sometimes two, sometimes three.

27      403   Q. And that would be scheduled out very far in advance, you  
28              would have a very good idea of when, as an individual,  
29              uniformed officer, you knew when you were due to work next?

30             A. It's still the same.

1       404   Q. Very good. And one other matter. You indicated in your  
2           evidence, your direct evidence that you wouldn't have known  
3           that the RUC officers were visiting that day; was that  
4           because, as a uniformed officer, you wouldn't have been  
5           privy to that type of information?

6           A. I wouldn't have been privy, no.

7       405   Q. Very good. I have no further questions.

8

9           CHAIRMAN: Thank you very much.

10

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

12

13           MR. VALENTINE: Just a few points, Chairman.

14       406   Q. Firstly, just in relation to the 21st of March 1989, the  
15           Tuesday, and this is when you were on Dromad Hill. I think  
16           you said you were accompanied by an army unit?

17           A. I think I was, yes.

18       407   Q. And would they have remained with you or would you all have  
19           dispersed when you arrived at Dromad Hill?

20           A. The army unit would have been with me, I think. Now, I  
21           could have been on my own but I think I had an army unit.

22       408   Q. OK. And just to understand better how these joint  
23           operations work, would the army unit and the Garda have  
24           been in radio contact with each other? Obviously if they  
25           were side by side it wouldn't be necessary then, is that  
26           correct?

27           A. No, I think at that time they had radio communication with  
28           their own base who in turn contacted Dundalk Garda Station,  
29           but with my walkie-talkie I couldn't communicate with them  
30           at the time.

1 409 Q. OK. And the patrol were from what army barracks?

2 A. Aiken Barracks in Dundalk.

3 410 Q. Aiken Barracks in Dundalk. And was it quite common for you  
4 to just - I am not speaking specifically about the 20th or  
5 the 21st of March, but at that time was it quite common to  
6 carry out joint patrols with the army?

7 A. Yes, quite common.

8 411 Q. And how were those patrols organised?

9 A. They were usually organised at probably the  
10 Superintendent's office level in consultation with the army  
11 and schedules were drawn up and we carried out the duties.

12 412 Q. And do you know how far in advance the schedule would be  
13 drawn up? I mean in terms of the rostering of joint  
14 patrols, would they be done a day in advance, several days  
15 in advance, a week in advance more?

16 A. Probably from the District Office, maybe a week in advance,  
17 two weeks in advance, but very often you didn't know from  
18 one day to the next what you were doing.

19 413 Q. So when you came on shift in the morning you'd be told then  
20 and only then, today you are on joint patrol with the army  
21 at such-and-such a time, is that how it worked?

22 A. Yes. Now, you may have a little bit more knowledge on  
23 basic routine patrols as we used to call them, but if there  
24 was a special operational duty, which is what happened on  
25 Tuesday the 21st, then that is different.

26 414 Q. That is different. And routine patrols then, you may have  
27 been told a day or two in advance?

28 A. Yes.

29 415 Q. Coming on to -- you expressed the opinion that the main  
30 road back north to Newry, Dundalk/Newry Road or the

1 Dublin/Belfast Road as some people refer to it, was the  
2 safest. But it is the case that that wasn't fully safe  
3 either, isn't that correct?

4 A. It probably wasn't on that day.

5 416 Q. Are you aware of any incidents on the --

6 A. No.

7 417 Q. Are you aware of the killing of Lord Justice and Lady  
8 Gibson on the main road?

9 A. Yes.

10 418 Q. And the Hanna family?

11 A. Exactly, yes.

12 419 Q. So it wasn't fully safe either, isn't that correct?

13 A. No.

14 420 Q. Now I think in response to questions from Mr. Coffey, you  
15 indicated that you were a couple of minutes at the top of  
16 the steps when you saw the army officers, but I think under  
17 direct examination, did you say it was possible that they  
18 didn't arrive until 2:15 or 2:20, so I just want to clarify  
19 is it possible that you were on the steps for possibly ten  
20 or fifteen minutes?

21 A. Yes, could have been yeah, because I see from my statement  
22 that I spoke to that other man that is not named here but I  
23 did speak to him.

24 421 Q. So you could have been chatting to him for several minutes?

25 A. Could have been there for a little while, yeah.

26 422 Q. In relation to how the operation were carried out, in your  
27 experience, did the south Armagh brigade of the Provisional  
28 IRA have ready access to weapons?

29 A. Yes.

30 423 Q. How quickly could they get hold of weapons, do you think?

1 A. I would say within 15 minutes.

2 424 Q. Within 15 minutes. And do you think it would be possible  
3 to put together an operation in a matter of hours?

4 A. Yes.

5 425 Q. In relation to a question from Mr. Coffey about the van  
6 that was stolen the previous Saturday, I note you commented  
7 that you had known vans to be housed for longer periods of  
8 time. Am I correct in taking from that that it's your  
9 understanding that sometimes, that effectively the  
10 Provisional IRA maintained a stash of vehicles?

11 A. And weapons, yes.

12 426 Q. So, if a vehicle is stolen, it doesn't necessarily follow  
13 that it was stolen with a particular operation in mind?

14 A. No, we have recovered vans over those years that were cut  
15 out for mortar tubes, rocket launchers, other type of  
16 operations that were being carried out.

17 427 Q. So the Provisional IRA liked to maintain at their disposal  
18 a number of vehicles?

19 A. Yes.

20 428 Q. Not necessarily with any particular operation in mind?

21 A. Yes.

22 429 Q. Was there an active service unit available in south Armagh  
23 at all times to the IRA?

24 A. I'd imagine more than one.

25 430 Q. Thank you very much for your evidence.

26 I have no further questions, Chairman.

27 CHAIRMAN: Thank you very much.

28

29 **THE WITNESS THEN WITHDREW.**

30

1 MR. HAYES: Chairman, the next witness is retired sergeant  
2 John Gerard Connor.  
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JOHN GERARD O'CONNOR, HAVING BEEN SWORN, WAS EXAMINED BY  
MR. HAYES AS FOLLOWS:

431 Q. MR. HAYES: Good afternoon, Mr. Connor. My name is Dara  
Hayes and I am counsel for the Tribunal.

A. Good afternoon.

432 Q. I think you retired a short number of years ago,  
approximately two years from An Garda Siochana?

A. 18 months ago to be precise.

433 Q. I think you had joined the Force in 1977?

A. That is correct.

434 Q. And I think initially you were stationed in Hackballscross  
Garda Station?

A. That's correct.

435 Q. And is that part of the Dundalk district?

A. It is.

436 Q. And you were there I think until about 1980?

A. 1980 I moved into Dundalk.

437 Q. And I think at that time, am I correct in saying, you were  
a uniformed Garda?

A. That is correct.

438 Q. And do you recall, then, or I suppose -- in the first  
instance you were promoted then or you became detective in  
1986?

A. That is correct.

439 Q. When you were a uniformed Garda do you recall what unit you  
served on, possibly more than one?

A. Yes, possibly. In Dundalk, possibly, Unit D.

440 Q. And do you recall who your sergeant was?

A. Yes, one of them was Sergeant Leo Colton.

1       441   Q. I see. And then in 1986, I think there was an expansion of  
2           the Detective Unit Dundalk, is that correct?

3           A. That is correct.

4       442   Q. And perhaps you'd just explain to the Chairman the  
5           background to that?

6           A. Yes, at the time, there was recruitment drive to increase  
7           the Detective Branch unit in Dundalk, and I think the  
8           figures increased by approximately nine or ten Detective  
9           Branch members. Following on from Margaret Thatcher's  
10          reign at the time, she sought, I understand, that the unit  
11          be strengthened on the border and recruitment was put in  
12          hand and we were allocated to the Detective Branch after  
13          interview and selection.

14       443   Q. I think this had come in the aftermath of the Anglo-Irish  
15          Agreement?

16          A. That is correct, the Anglo-Irish Agreement.

17       444   Q. And before '86, when this expansion took place, do you  
18          recall how large the Detective Unit was in Dundalk?

19          A. With difficulty. It wouldn't have been that big, perhaps  
20          maybe a half a dozen people but I couldn't recall with  
21          accuracy.

22       445   Q. So this was at least a doubling, if not more?

23          A. Oh, absolutely.

24       446   Q. Yes. And then I think from 1986, for several years  
25          thereafter, you were a Detective Garda in Dundalk?

26          A. That is correct, Judge.

27       447   Q. And do you recall the unit you were attached to as a  
28          Detective Garda?

29          A. Yes, I was attached to Unit A.

30       448   Q. And do you recall at that time then who your sergeant was?

1 A. Sergeant Jim Gannon was my sergeant.

2 449 Q. I think, just to finish your career path, I think you were  
3 promoted in 2003, and at that stage you left Dundalk and  
4 went to Dublin?

5 A. That is correct, for two years.

6 450 Q. Then, in, I suppose in the late 1980's, when you were there  
7 as a Detective Garda, what was your general work pattern?

8 A. Generally, when we arrived for work, either duties were  
9 allocated to us or we went on patrol in the vicinity of the  
10 town of Dundalk to the border, either east or west of the  
11 station, basically that was it, with a view to monitoring  
12 and observing and driving to prevent crime of subversive or  
13 a criminal nature.

14 451 Q. Yes. And in respect of your duties, were you dealing with  
15 subversive crime or ordinary crime or a mixture of both?

16 A. Essentially, subversive crime.

17 452 Q. Yes. And did you work in the norm with a partner?

18 A. Yes, well, I worked at the time with a couple -- a few  
19 different members who were on that unit.

20 453 Q. Yes.

21 A. We wouldn't necessarily be together every single day, but  
22 we would alternate, perhaps.

23 454 Q. There was no -- you weren't from the beginning paired with  
24 the one person and he came your partner?

25 A. No, that wasn't the case.

26 455 Q. But you did -- I suppose would it be more accurate to say  
27 you worked in pairs?

28 A. Correct, yes.

29 456 Q. And was it -- we heard from the last witness, who explained  
30 how the -- there was work in the units. With the Detective

1 Unit, was it the case that one unit was on at a time or  
2 could there be a mixture of units on at the same time?

3 A. Generally it was one at a time, maybe a slight overlap but  
4 generally one unit at a time.

5 457 Q. Yes. And what were the usual sort of duty hours for a  
6 Detective Unit?

7 A. Well, from memory, we worked 5 p.m. in the evening to  
8 1 a.m. in the morning. I think at the very beginning,  
9 around 1986, perhaps the tours of duty were longer in that  
10 we worked at night 10 p.m. to 6 a.m., 2 to 10 and 6 to 2, a  
11 straightforward three relief system which mirrored the  
12 uniformed section, but if memory serves me correct I think  
13 that changed and we worked 5 p.m. in the evening to 1 a.m.  
14 and perhaps 9 a.m. to 5 p.m. as well.

15 458 Q. So there was no longer an exact mirroring of the uniformed  
16 units?

17 A. No, there was not.

18 459 Q. And when you came on duty, was there any sort of signing on  
19 or did you have to sign in in any way?

20 A. Well, we had to bring our presence to the attention of the  
21 station orderly, who has responsibility for ensuring that  
22 the records are kept and that would be the norm.

23 460 Q. And would that have to be, I suppose, done personally,  
24 would you have to announce yourself to him or there was a  
25 book to sign?

26 A. Well, a mixture of both, if it was quiet you might announce  
27 your presence to him and he would note your presence in the  
28 book or if it was very busy, as often Dundalk was, it would  
29 be impossible for him to keep track of everyone, we just  
30 filled in a book of our tour of duty. It would have a

1 start time and finish time to make things easier for  
2 himself or herself.

3 461 Q. I suppose at shift change times were particularly busy  
4 times I would imagine?

5 A. Yes, it would be and that individual would have  
6 responsibility for dealing with the public at reception, so  
7 it was a very, very busy job.

8 462 Q. Yes. And from your recollection, was there a similar  
9 requirement for the uniformed units?

10 A. Oh, absolutely, yes.

11 463 Q. I think, do you recall the 20th of March, 1989?

12 A. Yes.

13 464 Q. Yes. Do you recall what duties you were engaged on on that  
14 day or, first of all I suppose, do you recall what time you  
15 started duty at that day?

16 A. That day I started at 9 a.m. in the morning.

17 465 Q. Yes. And I suppose in the normal way you came into the  
18 station?

19 A. Yes, familiarised ourselves with event that had happened  
20 overnight or may need looking investigation into, was there  
21 anything unusual that we should be specifically doing.

22 466 Q. Yes.

23 A. And then, pairing up, I think on that day I paired up with  
24 then Detective Garda Errol Boyle.

25 467 Q. And sort of the assignation or the assignment of duties was  
26 that done about by the Sergeant?

27 A. It was done by the Sergeant generally, yes, however if it  
28 wasn't done and there was nothing specific to do, we would  
29 go on patrol and on our own initiative.

30 468 Q. So I suppose in the -- it could be that the Sergeant

1 assigned or it could be just that you took your own  
2 initiative?

3 A. Yes.

4 469 Q. OK. So on 20th of March you were on duty with Detective  
5 Garda Boyle?

6 A. That's right.

7 470 Q. And do you recall what duty you engaged in on that day?

8 A. I don't specifically recall what duty we did, except that  
9 we obviously left the station and patrolled, as would be  
10 quite normal.

11 471 Q. Yes. Do you recall whether your patrolling was in the town  
12 or in I suppose outside the town?

13 A. Well, invariably it was a mix of both, we would be in the  
14 town but we would generally expand out a bit as well.

15 472 Q. Well, I will ask you to comment on this rather than -- was  
16 there a set routine to your patrolling?

17 A. Yes, it would be, to travel, to patrol town and outlying  
18 areas.

19 473 Q. Yes, but I suppose what I mean, I mean, was it a case that  
20 there was a set path that you followed or did you follow  
21 your instinct?

22 A. No, there was no set pattern.

23 474 Q. Do you recall that day did you come back to the Garda  
24 Station at any time during the course of the day?

25 A. I cannot recall if we returned for lunch or where we took  
26 lunch that day.

27 475 Q. Yes. In the ordinary course, and not just in relation to  
28 this day, but if you were out patrolling, would it be the  
29 norm that you would pay occasional visits back to the  
30 station or could you be out for the entire --

1 A. No, we could be back at the station at intervals.

2 476 Q. On the -- I think on the short number of days afterwards,  
3 you gave a statement to Assistant Commissioner O'Dea?

4 A. Yes.

5 477 Q. Do you recall having done that?

6 A. Yes.

7 478 Q. I am going to show you a copy of the handwritten statement.

8 (Handed to the witness)

9 A. Thanks.

10 479 Q. Now, I just ask you in the first instance, there appears to  
11 be two signatures at the bottom of the page just above the  
12 date of 22nd of March '89?

13 A. That is correct.

14 480 Q. Is one of those signatures yours?

15 A. It is, yes.

16 481 Q. It is. The handwriting above the statement, or sorry, the  
17 handwriting of the statement, is that your handwriting?

18 A. No, it isn't.

19 482 Q. It's not. Do you recall meeting Assistant Commissioner  
20 O'Dea?

21 A. Vaguely.

22 483 Q. Vaguely?

23 A. I would have to say.

24 484 Q. Yes. Do you recall whether he took the notes of your  
25 statement, or not?

26 A. I would have imagined he did, yes.

27 485 Q. Now, I am just going to read it out. I am going to read  
28 out the typed version. You might just confirm that it  
29 matches what is written. *"Statement of Detective Garda*  
30 *Gerry Connor, Dundalk Garda Station taken Wednesday 22nd of*

1           *March 1989 by Assistant Commissioner E.J. O'Dea.*  
2           *I am a Detective Garda attached to Dundalk Garda Station*  
3           *Unit A. On Monday 20th of March, 1989, I commenced duty at*  
4           *9 a.m. in the Detective Branch Office. At about 9:20 a.m.*  
5           *accompanied by Detective Garda Errol Boyle we commenced*  
6           *mobile patrol and remained on patrol until 2:30 p.m. when*  
7           *we returned to the station. We left soon afterwards and*  
8           *did not return until 4:30 p.m.. I was not aware of any*  
9           *meeting being held at Dundalk between Chief Superintendent*  
10          *Nolan and RUC officers on that day. I did not notice*  
11          *Superintendent Buchanan's car in the station forecourt. I*  
12          *did not know either Superintendent Buchanan or Chief*  
13          *Superintendent Breen. This statement has been read over to*  
14          *me by Assistant Commissioner O'Dea and it is correct." And*  
15          *then it's signed.*

16          A. Yes.

17       486   Q. Yes. Would it be fair to say that if your recollection two  
18               days after the event, that you had returned to the station  
19               at half past two, is likely to have been correct?

20          A. Absolutely.

21       487   Q. And it wouldn't have been at all unusual for you to have  
22               done that?

23          A. No.

24       488   Q. I think from the -- from that statement it didn't sound as  
25               if you spent a very long time in the station when you  
26               returned?

27          A. No, it wouldn't have been the case, but we would generally  
28               come back, do whatever we had to do and resume duty again.

29       489   Q. Did you see that day, did you see either RUC officer in  
30               Dundalk Garda Station?

1 A. No, I did not.

2 490 Q. And did you see their car in the car park of the Garda  
3 Station?

4 A. No, I did not.

5 491 Q. In the ordinary course, and leaving aside this day, were  
6 you aware that RUC officers, on reasonably frequent  
7 occasions, visited Dundalk Garda Station?

8 A. Yes, I would be generally aware that visits were made to  
9 the station by RUC personnel.

10 492 Q. Yes. And insofar as you are aware, were they generally  
11 visits made by senior officers or were they, at times, more  
12 junior officers?

13 A. I wouldn't honestly know. I never met them.

14 493 Q. You have anticipated my question. In any of the meetings,  
15 they were never -- you were never --

16 A. -- introduced or --

17 494 Q. -- part of them?

18 A. -- or was never aware that there were people arriving or  
19 leaving.

20 495 Q. OK. So I suppose from general knowledge you knew that  
21 visits were made?

22 A. Yes.

23 496 Q. But when visits were due to happen, were you aware?

24 A. No, I was not, Judge.

25 497 Q. And as far as you're aware, was that the general procedure  
26 with your colleagues of your rank?

27 A. Yes, that would be the case.

28 498 Q. Did you on any occasion ever see RUC officers when they  
29 were in the -- not necessarily to meet, but did you ever  
30 see them walking through the corridors or along the stairs,

1 for example?

2 A. Not around that time. Subsequently, much later, I can  
3 recall seeing RUC personnel, all right, but not around that  
4 time.

5 499 Q. Are you aware as to whether or not RUC officers visiting  
6 the station would be either given an escort or offered an  
7 escort?

8 A. Well, I am not, but I presume the offer may be made,  
9 depending on security considerations.

10 500 Q. Were you ever involved in escorting RUC officers anywhere  
11 in the country?

12 A. I was, yes.

13 501 Q. And what was the nature --

14 A. Generally, it was meeting them at the border to bring them  
15 to Dublin or further afield, where inquiries were required  
16 by them, and we would meet them at the border and take them  
17 to whatever location we were due to take them.

18 502 Q. And I suppose, just for the record, did you know either or  
19 had you ever seen previously Chief Superintendent Breen or  
20 Superintendent Buchanan?

21 A. No, I did not know those two gentlemen.

22 503 Q. I think then, having gone back out on duty at half past two  
23 or sometime shortly thereafter, you came back to the  
24 station, again, later that afternoon?

25 A. Yes, Judge.

26 504 Q. And do you recall approximately what time you came back at?

27 A. In the region of 4:30 or thereabouts.

28 505 Q. Do you recall being told of the murders that took place  
29 that afternoon?

30 A. I don't recall being told, but obviously I did hear about

1 it, but I don't recall being told.

2 506 Q. Yes. I think then that subsequently, there was a murder  
3 inquiry set up in Dundalk Garda Station?

4 A. Yes, that is correct.

5 507 Q. And do you recall who was the -- who was in charge of that  
6 inquiry?

7 A. Perhaps it was the then Superintendent Tom Connolly or the  
8 District Officer. I can't be precise.

9 508 Q. Did you take part in that investigation?

10 A. Yes.

11 509 Q. Do you recall was it a large investigation?

12 A. I presume it was, but my part in it was relatively small,  
13 but I can only imagine that it was quite an extensive  
14 investigation from our end.

15 510 Q. Yes. Do you recall whether, I suppose, do you recall  
16 Detective Sergeant Corrigan?

17 A. Yes, I did.

18 511 Q. Did you ever work with him?

19 A. Not directly, but he was the Detective Sergeant in charge  
20 of the Special Branch, Detective Branch when I went in  
21 there in '86.

22 512 Q. And are you aware as to whether he was involved in the  
23 murder investigation?

24 A. I am not aware, no.

25 513 Q. You are not. Would it have surprised you were he not to  
26 have been involved?

27 A. Could you repeat that question?

28 514 Q. Would it have surprised you if you had known that he was  
29 not involved in the investigation?

30 A. Yes, it would be a surprise if he was not involved.

1       515   Q. OK. I think that in the days after the murders, or I think  
2            I suppose in the first instance, on the day of the murder I  
3            think there was some roadworks taking place just outside  
4            the Garda Station?

5            A. Yes, there was some gas works taking place for a period of  
6            time outside the Garda Station.

7       516   Q. And I think that one of the duties that was assigned was to  
8            ascertain who were the gas board employees at the time?

9            A. That is correct, Judge.

10      517   Q. And do you recall having any part in that?

11           A. Yes, I interviewed, if memory serves me correctly, a number  
12           of people who were working on those works in the vicinity  
13           of the Garda Station on that particular date.

14      518   Q. I think, also, then, you took a statement from an employee  
15           of the company who was doing the work?

16           A. That is correct, Judge.

17      519   Q. And I just ask you to take a look at that.

18           (Handed to the witness. )

19           I think that statement was taken on 22nd of March?

20           A. That is correct, Judge.

21      520   Q. And I think that the person in question told you that he  
22           was working and laying a gas main at Dundalk?

23           A. That's right.

24      521   Q. On 20th of March, they were laying pipes across the Ardee  
25           Road at The Crescent?

26           A. That is correct.

27      522   Q. I think he said that he was on point duty at the junction  
28           of Stapleton Place and the Ardee Road?

29           A. That's correct.

30      523   Q. And that he noticed at about half past eleven, a red car,

1           which was a Ford Capri with a Northern Ireland registration  
2           number?

3           A. That is what he said.

4       524   Q. He didn't note the number but he did note that the front  
5           corner was damaged?

6           A. That is correct.

7       525   Q. Or that the front of it, sorry, was damaged. He said it  
8           had extensive damage?

9           A. Correct, yes, Judge.

10      526   Q. He was unable to describe the driver to you but I think he  
11           gave a description of the passenger?

12           A. Yes, he gave a description of the passenger, he could not  
13           describe the driver, according to his statement made to me.

14      527   Q. I think then he saw the car again approximately at about  
15           half past one?

16           A. Yes, he did say that, the second time he saw the car was at  
17           1:30 p.m.

18      528   Q. And I think again it came out of Stapleton Place and turned  
19           right towards the roundabout which is at the town side of  
20           the station?

21           A. Yes, that's right.

22      529   Q. And I think then again he saw it again at about half past  
23           two?

24           A. That is correct, yes.

25      530   Q. And he didn't see it thereafter?

26           A. That is correct.

27      531   Q. I think then a number of days later, I think you, along  
28           with your colleague, Detective Garda Duffy, observed a red  
29           Capri with a damaged front?

30           A. That is correct, yes.

1       532   Q. And I think it was driven, you noted, by a person, who at  
2             the time was suspected of being a member of the IRA?

3             A. That is correct.

4       533   Q. And did you facilitate any observation of that car?

5             A. Yes, Judge.

6       534   Q. And the person from whom you had taken the statement did he  
7             get to look at that car?

8             A. Yes, we arranged that the car was brought to the Garda  
9             Station and that individual who made a statement to me and  
10            who was working on the date of the 20th, viewed the car  
11            close-up and, so as to ascertain, as far as he could make  
12            out, was it one and the same vehicle that he saw on the  
13            20th.

14       535   Q. Yes. Was he able to say one way or the other whether it  
15             was the same car?

16            A. My understanding and recollection, that he discounted the  
17            fact that it was the same car.

18       536   Q. Now, if I could just ask you about, I suppose, just in  
19             general again about your work as a detective. Was there a  
20             large number of, I suppose, of people of interest in the  
21             vicinity of Dundalk for the Detective Unit to monitor?

22            A. Absolutely, huge numbers.

23       537   Q. And were you all required to observe all of them or did you  
24             concentrate on particular persons?

25            A. Well, we concentrated on particular individuals that were  
26            assigned to us but of course, obviously then if we  
27            encountered other individuals who were of note we would  
28            record any details that were -- that may be of a useful  
29            nature.

30       538   Q. And if there was any observations that you had made, what,

1 in the main, would you do with such observations?

2 A. Well, we would record them in writing, generally.

3 539 Q. And were they kept in the station or did they go elsewhere?

4 A. Well, depending on the type of reports submitted, they may  
5 go to Crime & Security Branch in Dublin or they could have  
6 remained within the station.

7 540 Q. And who would make that decision?

8 A. Well, it could have been -- these decisions could be made  
9 by myself, if I decided that the information was of a  
10 particular type, that could be submitted on a confidential  
11 report, which was, at the time, termed a C77. It was sent  
12 down to our senior officer, who, if memory serves me  
13 correctly, I think we could post it directly to Crime &  
14 Security Branch ourselves, but in addition, to give him or  
15 her a copy.

16 541 Q. Just so I understand, was it that you could give it to your  
17 senior officer or that you had to give it to your senior  
18 officer?

19 A. Well, generally, I think we gave it to the senior officer  
20 in addition to sending it direct to Phoenix Park.

21 542 Q. And who do you mean by the senior officer?

22 A. The Superintendent generally in charge of Detective Branch  
23 at the time.

24 543 Q. Yes.

25 A. Yes.

26 544 Q. Would it be a case that it would go up through the ranks  
27 through Sergeant Inspector or would you approach directly  
28 your Superintendent?

29 A. No, it wouldn't go up through the ranks. It would go  
30 direct to him.

1       545   Q. And on occasions then it would merely stay within the  
2             station with a collator?

3             A. With a collator, yes. It would be recorded in a pad and a  
4             copy would be kept in the original pad and then the  
5             original would be filed with the collator, who would then  
6             make use of it whatever way he or she saw fit.

7       546   Q. OK. And is it correct to say that in the first instance,  
8             it would be your own call as to whether it went into the  
9             collator's book or went to the Superintendent?

10            A. That is correct.

11       547   Q. OK. In general, did you -- not you in particular, but did  
12             one share information with one's colleagues?

13            A. Yes, there was some exchange of information, obviously.

14       548   Q. And was there -- were there occasions, I suppose, when  
15             discretion would be required?

16            A. Yes, perhaps.

17       549   Q. And if you were to put in a C77, for example, say, to the  
18             Crime & Security Branch, do you have any knowledge of what  
19             would happen to it from there?

20            A. No, not generally.

21       550   Q. Not generally. It's the case that you had made your report  
22             and it was for --

23            A. Up for others to follow on or whatever action was required.

24       551   Q. And could that follow-on include coming back to you for  
25             further information?

26            A. Yes, occasionally, I think so.

27       552   Q. On a professional basis, I suppose, what was your view of  
28             Sergeant Corrigan; did you have any view, in particular?

29            A. I hadn't that much interaction with him because I was a  
30             junior member of the Detective Branch.

1       553   Q. Yes.

2           A. And so therefore, I didn't work alongside him, although we  
3           worked out of the same office. But the few times I did  
4           have interaction with him, I found him quite a pleasant  
5           man.

6       554   Q. OK. When you say you worked out of the same office, is  
7           that that there was a detectives' room?

8           A. There was, yes.

9       555   Q. Were there sergeants -- did sergeants have particular  
10          offices of their own or did they work out of the general  
11          room too?

12          A. At the time they worked out of the same room, if memory  
13          serves me correct.

14       556   Q. And in general, given that Detective Sergeant Corrigan was  
15          a different unit to you, would it, in the ordinary course,  
16          be the case that you were not generally on duty at the same  
17          time?

18          A. That is correct.

19       557   Q. OK. You told us earlier that Sergeant Colton had been your  
20          Sergeant?

21          A. Yes, he was one of many.

22       558   Q. One of many?

23          A. Yes.

24       559   Q. Was he your Sergeant for long, do you recall? Were you in  
25          his unit for long?

26          A. I don't know how long. Perhaps, certainly maybe two or  
27          three years. In the early '80s, if memory serves me  
28          correct, he was Sergeant when I went in from Hackballscross  
29          in 1980, in June, and how long afterwards he was on that  
30          unit or we were together, I can't recall, but certainly

1                   potentially two to three years.

2       560   Q. I see.

3                   A. Maybe longer.

4       561   Q. Was Sergeant Brady on the same unit at that time, do you  
5                   recall?

6                   A. No, I don't think he was.

7       562   Q. You don't think he was. And again, what was your view on a  
8                   professional basis of Sergeant Colton?

9                   A. He was a very professional man and capable individual,  
10                  doing his work.

11      563   Q. In the ordinary course when you were on his unit did he  
12                  tend to parade you?

13                  A. Yes, he did, yes, he was in charge and allocated duties or  
14                  paperwork, distributed paperwork and ensured that we were  
15                  briefed before we left the station to commence patrolling.

16      564   Q. I think you are aware that allegations have been made in  
17                  relation to some of your former colleagues?

18                  A. Yes, I am, of course.

19      565   Q. And do you have any information that would tend to show one  
20                  way or the other whether such allegations are correct?

21                  A. I do not have that information.

22      566   Q. Thank you very much, Mr. Connor. If you'd answer any  
23                  questions.

24

25                  **THE WITNESS WAS CROSS-EXAMINED BY MR. McGUINNESS**

26                  **AS FOLLOWS:**

27

28      567   Q. MR. McGUINNESS: I appear for An Garda Commissioner and An  
29                  Garda Siochana. You were stationed initially in  
30                  Hackballscross?

1 A. That's right.

2 568 Q. And that was entirely uniform duty at that time?

3 A. That's correct.

4 569 Q. And that is several miles outside Dundalk?

5 A. Approximately, seven miles, I would imagine, from the town  
6 centre, yes.

7 570 Q. Yes. And that is on the Armagh Road, essentially?

8 A. No, it's on the Castleblayney Road out of Dundalk, yes.

9 571 Q. And that is closer to the border than Dundalk?

10 A. Absolutely, yes.

11 572 Q. And if you go north from Hackballscross, you are heading to  
12 Forkhill, really, isn't that right, in south Armagh?

13 A. Well Crossmaglen, perhaps, if you went northeast you would  
14 be heading to Forkhill.

15 573 Q. Yes. And slightly west really if you are going towards  
16 Crossmaglen, really?

17 A. Yes.

18 574 Q. And did your duties at that point in time require you to do  
19 a lot of work along the border itself?

20 A. Oh, absolutely, that was our sole objective and we didn't  
21 concern ourselves with what went on in Dundalk town centre.  
22 It was purely border patrol duties.

23 575 Q. And you would have acquired a lot of local knowledge about  
24 suspects and what was going on or alleged to be going on in  
25 the area by the IRA?

26 A. Some.

27 576 Q. Some. And then, you went to Dundalk in 1980 and remained  
28 there until 2003?

29 A. That's correct.

30 577 Q. So essentially 26 years' service in connection with border

1 duties and subversives?

2 A. Yes.

3 578 Q. Now, in terms of the red Ford Capri, just to deal with that  
4 first, obviously inquiries disclosed very quickly the  
5 possibility that some of the people working for Bord Gais  
6 might have seen something?

7 A. Yes.

8 579 Q. And part of your duty was to establish exactly who had been  
9 working there on the day for Bord Gais?

10 A. Yes, that was my recollection, yes.

11 580 Q. And that led to the statement of this contractor or  
12 employee being taken?

13 A. Correct.

14 581 Q. And essentially, what he was telling you was that he had  
15 seen this Ford Capri three times?

16 A. That is correct.

17 582 Q. And he wasn't saying that he had seen it go in and out of  
18 the station?

19 A. No.

20 583 Q. It had come out of Stapleton Place on each of the three  
21 occasions?

22 A. That's correct.

23 584 Q. And around the roundabout?

24 A. Around the roundabout.

25 585 Q. Is Stapleton Place, is there a one-way system there, do you  
26 have to drive back into it?

27 A. No, it's a one way system.

28 586 Q. So for that car to get back into Stapleton Place it would  
29 have to go back around another route to get back in there?

30 A. Yes.

1       587   Q. And events led you, in conjunction with your colleague, to  
2            identify a red Ford Capri within a day I think, is that  
3            right?

4            A. Pretty soon afterwards, yes.

5       588   Q. And you were able to have that brought to the station?

6            A. That is correct.

7       589   Q. And certainly the contractor had expressed confidence in  
8            his ability to identify the car that he had seen?

9            A. Well, he described the car and I can't recall if he  
10           expressed confidence that he would be able to identify it  
11           once again, but he was cooperative and helpful.

12       590   Q. Yes. Well, the last sentence was "*I would know the car  
13           again if I saw it because of the damage to the front.*"

14           A. Yes.

15       591   Q. And then the car you were presenting with or asking him to  
16           confirm whether it was that, it was clear he was clear it  
17           wasn't that in his own mind?

18           A. That is my recollection of the outcome of that.

19       592   Q. Are you aware as to whether any other inquiries were  
20           conducted to try and find the car that he had seen on the  
21           day, that is the 20th, or did you participate in any  
22           further inquiries?

23           A. I am not aware but I imagine there were.

24       593   Q. Yes. In relation to the work of the Detective Branch, you  
25           mentioned Special Branch; were you a special detective or  
26           just a detective in Dundalk?

27           A. Well, a detective, working in the Special Detective Branch  
28           Unit.

29       594   Q. Yes. And in terms of the details of this IRA operation,  
30           what would you say about their capacity to have conducted

1 surveillance on these officers; would that be part of their  
2 modus operandi?

3 A. Oh, I am sure it would be.

4 595 Q. And would you expect them to have put quite a degree of  
5 time into identifying RUC personnel and the cars they were  
6 driving in?

7 A. Yes.

8 596 Q. And in particular, Superintendent Buchanan?

9 A. Yes.

10 597 Q. And would you express it as a view or an opinion that it  
11 was unlikely that this was planned on the 20th of March, it  
12 was planned before that, would you think?

13 A. Yes, I imagine that they were waiting for an opportunity to  
14 strike.

15 598 Q. Thank you.

16

17 **THE WITNESS WAS CROSS-EXAMINED BY MR. LEHANE AS FOLLOWS:**

18

19 599 Q. MR. LEHANE: Good afternoon, my name is Darren Lehane and I  
20 appear for retired Detective Sergeant Corrigan.

21

22 First of all, you told Mr. Hayes that you were a relatively  
23 junior member of Detective Branch and that you had limited  
24 dealings with Mr. Corrigan, but on the few occasions that  
25 you dealt with him you found him to be a pleasant man, is  
26 that correct?

27 A. Yes.

28 600 Q. Now, just in relation to your service as a detective in  
29 Dundalk, evidence has been given to the Tribunal that  
30 serving as a Garda and more particularly, as a Detective

1           Garda, in Dundalk during the '80s was a very difficult  
2           posting, would you agree with that?

3           A. I would.

4       601   Q. Evidence has been given that persons serving in that  
5           capacity were effectively on the frontline in a battle  
6           against subversive organisations?

7           A. That's correct.

8       602   Q. Evidence has been given to this Tribunal, Sergeant, that a  
9           number of Gardaí were harassed or suffered at the hands of  
10          the IRA?

11          A. That is correct.

12       603   Q. Yes. In particular, a former colleague of yours, Garda  
13           Greene, gave evidence that his house was burned down by the  
14           IRA?

15          A. Yes, I am aware of that.

16       604   Q. Did you yourself suffer any harassment at the hands of the  
17           IRA, either in direct sense of being attacked or  
18           intimidated by members of the IRA?

19          A. No, not in a direct sense but I have encountered them on  
20           duty and arrested many individuals over the years.

21       605   Q. Indeed, I think evidence was given to the Tribunal that  
22           members of subversive organisations used to just follow  
23           detectives around, just to intimidate them; did you ever  
24           experience that?

25          A. Yes, I did on one occasion experience that.

26       606   Q. OK. Now, you were asked by Mr. Hayes about the  
27           investigation following the deaths of these two RUC  
28           officers, and you said that you participated in that  
29           investigation in a relatively minor way?

30          A. Yes.

1       607   Q. And you were also asked by Mr. Hayes whether my client was  
2           involved in the murder investigation, and when you were  
3           informed that he wasn't, you were asked were you surprised,  
4           and you said yes, because most people were involved; that's  
5           right, isn't it?

6           A. Yes.

7       608   Q. Now, how many Gardai were working in Dundalk Garda Station  
8           in 1989?

9           A. In 1989?

10      609   Q. 1989, both as say detectives and ordinary guards?

11           A. Oh, quite a considerable number.

12      610   Q. There would be a lot of guards in the Garda Station?

13           A. A lot.

14      611   Q. And how many guards were involved, either uniformed guards  
15           or detective guards, in the investigation into these  
16           killings, do you know?

17           A. I have no idea.

18      612   Q. Again you were involved at a relatively minor level?

19           A. I have no idea of the numbers.

20      613   Q. You served with Garda Jim Lane, I think he was in your  
21           unit, Unit A?

22           A. That is correct, he was, yes.

23      614   Q. And I think Garda Lane had been in Dundalk from 1964 and,  
24           would you agree that he was a relatively experienced Garda  
25           and Detective Garda?

26           A. Very experienced gentleman.

27      615   Q. And he had a lot of involvement encountering subversives  
28           during that time?

29           A. Absolutely.

30      616   Q. Would it surprise you that Garda Lane wasn't involved in

1 the investigation into these murders?

2 A. Well, if he was working at the time, it would.

3 617 Q. Yes. Because I think on the 24th of June at question 59,  
4 Mr. Lane was asked: *"Now, did you take any part in the*  
5 *investigation to into these murders subsequently?"* And he  
6 answered *"no."*

7

8 Thank you very much, Sergeant.

9

10 **THE WITNESS WAS CROSS-EXAMINED BY MR. COFFEY AS FOLLOWS:**

11

12 618 Q. MR. COFFEY: If I may very briefly. Mr. Connor, you have  
13 indicated that serving members of the Gardaí came under  
14 threat from the IRA during the '80s and '90s, isn't that  
15 correct?

16 A. That is correct.

17 619 Q. And did that apply to both uniformed and plain clothes  
18 Gardaí?

19 A. Oh, absolutely, yes.

20 620 Q. And is it fair to say that, faced with that threat, that  
21 members of the Gardaí required the trust and the  
22 professional support from colleagues?

23 A. Yes.

24 621 Q. And you, as a Garda who served both in uniform and plain  
25 clothes, did you ever feel or suspect that that collegiate  
26 trust and support was ever absent or withheld from you  
27 or --

28 A. No.

29 622 Q. You'd always full confidence in your colleagues?

30 A. I did, yes.

1       623   Q. And can you say, Mr. Connor, whether members of the Gardaí  
2           serving in Dundalk felt a mutual sense of support with  
3           members of the RUC in their common fight against the IRA,  
4           that you both shared the same risk of attack and injury  
5           from the IRA?

6           A. Yes, I would agree with that, but certainly the RUC, now  
7           the PSNI, shared a slightly greater risk obviously.

8       624   Q. Of course. But you would express the view that members of  
9           the Gardaí that you knew and worked with, would have a  
10          sense of support and loyalty to the protection and the  
11          bodily protection of RUC officers?

12          A. Oh, without doubt, absolutely.

13       625   Q. And would you be confident that if any member of the Gardaí  
14           in Dundalk had any information which might expose members  
15           of the RUC to risk in life and limb, that they would report  
16           such suspicions?

17          A. I would.

18       626   Q. Yes. Thank you.

19

20           MS. O'SULLIVAN: I have no questions.

21

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

23

24       627   Q. MR. HAYES: One further question, it's not strictly by way  
25           of re-examination, it's one I neglected to ask and I don't  
26           think there will be any controversy about it. Mr. Connor,  
27           you told us on 20th of March you had gone patrolling, most  
28           likely throughout the town and up towards the border?

29          A. Yes.

30       628   Q. During your patrol on that day, did you notice anything

1           suspicious or anything that aroused your particular  
2           suspicion?

3           A. None that I can recall.

4

5           CHAIRMAN: Thank you very much.

6

7           MR. HAYES: That, then, sir, is the evidence for today and  
8           the next evidence is scheduled for 11:00 tomorrow morning.

9

10          CHAIRMAN: Thank you very much. 11:00 tomorrow then.

11

12          THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING DAY,  
13          FRIDAY, 1ST OF JULY, 2011, AT 11 A.M..

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