

A P P E A R A N C E S

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His Honour Judge Peter Smithwick

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Mr. Justin Dillon, SC
Mr. Dara Hayes, BL
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NOTICE:

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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THE TRIBUNAL RESUMED ON THE 15TH OF JULY, 2011, AT
11 A.M. AS FOLLOWS:

MR. DILLON: Good morning, Chairman.

CHAIRMAN: Good morning, Mr. Dillon.

MR. DILLON: Your first witness today is Michael Staunton,
please.

MICHAEL STAUNTON, HAVING BEEN SWORN, WAS EXAMINED BY
MR. DILLON AS FOLLOWS:

1 Q. MR. DILLON: Now, Mr. Staunton, could you tell us when did
2 you join the Garda Siochana?

3 A. 1967, in May 1967.

4 Q. And in which year did you retire?

5 A. In 2005, June.

6 Q. And between those dates, I think that from '75 to '81 you
7 were in the border area, is that right?

8 A. I was, yes.

9 Q. And when you say the 'border area', which stations were you
10 in?

11 A. I was -- started off in Dromad station and then to
12 Hacksballcross and Dundalk.

13 Q. And then, I think, you were Sergeant in Hacksballcross, is
14 that right?

15 A. I was, yes.

16 Q. And I think from thereafter, from '81 to '84, you went to
17 Drogheda?

18 A. That is correct.

19 Q. And you stayed there until 1992, is that right?

20 A. Sorry, in Drogheda?

21 Q. In Drogheda, yes.

22 A. No, I went to Drogheda in 1981 and left in 1984.

23 Q. '84. And then you went to Dundalk, is that right?

24 A. And then I went back to Dundalk, yes.

25 Q. Yes. And I think you stayed in Dundalk until 1992?

26 A. Yes, that's correct.

27 Q. And I think at that point you were the Border Inspector?

1 A. Yes.

2 12 Q. Was one of your colleagues the now deceased Frank Murray?

3 A. That is correct, yes.

4 13 Q. How many Border Inspectors were there in your time?

5 A. Well, one per time; there was only one Border Inspector,
6 the other Inspector was general duties.

7 14 Q. I see, yes.

8 A. Although the duties did overlap, we didn't stick rigidly to
9 the particular duty.

10 15 Q. And then, I think, in 1992 you were sent to Baileboro for a
11 year?

12 A. That is correct.

13 16 Q. And then back to Dundalk --

14 A. That's right.

15 17 Q. -- when you became a Detective Superintendent?

16 A. That is correct.

17 18 Q. And then you went on to become the District Officer until
18 2002?

19 A. That's right.

20 19 Q. And then you were transferred to Sligo --

21 A. That's right.

22 20 Q. -- as Chief Superintendent?

23 A. That's right.

24 21 Q. And I think it was from Sligo that you retired?

25 A. Yes, indeed, yes.

26 22 Q. Now, coming to the 20th of March, 1989, can you recall were
27 you on duty that day?

28 A. I was not as far as my recollection goes, I was not on duty
29 that day.

30 23 Q. But that said, you came on duty if not that day the

1 following day?

2 A. Oh, yes.

3 24 Q. And can you tell us, what sort of an atmosphere was there
4 in the station the following day?

5 A. Well, I suppose, one of shock and horror that this happened
6 up the road from where we were, and of course that it
7 happened when the officers were leaving Dundalk, having
8 left Dundalk Garda Station.

9 25 Q. Yes. And were you acquainted with the two RUC officers?

10 A. Yes, quite acquainted with Superintendent Buchanan, less
11 well acquainted with Chief Superintendent Breen.

12 26 Q. How did it come about that you came to know Bob Buchanan?

13 A. Well, he was the equivalent -- he was the Border
14 Superintendent, as it were, on the northern side in the
15 RUC, and in my role as Border Inspector I would have met
16 him quite regularly, both in Dundalk and in Northern
17 Ireland.

18 27 Q. One thing that has been slightly, I suppose, confusing us
19 is that there seems to be an equivalence between the rank
20 of Inspector on the Garda side with the rank of
21 Superintendent on the RUC side, is that right?

22 A. Well, no, that wouldn't be right, but as an Inspector you
23 would meet the Border Superintendent on the northern side,
24 not as an equivalent but as somebody who had a specific
25 role in the border security at the time.

26 28 Q. And clearly, of course, on the RUC side there was no sense
27 that really they should be meeting only with
28 Superintendents themselves?

29 A. No, that was not the case. It wasn't that sort of strict
30 rank structure.

1

2

CHAIRMAN: It was the equivalence of roles rather than of ranks?

3

4

A. Roles, yes, and your involvement in investigations.

5

6

CHAIRMAN: Yes.

7

A. And your knowledge, your intelligence, all this sort of thing. So, it wasn't conducted strictly on a rank structure.

8

9

10

11

CHAIRMAN: Yes.

12

13

29 Q. MR. DILLON: I think you met Bob Buchanan in several stations in the north, is that right?

14

15

A. Yes, I would have, but mainly in Tandragee, I think, but yes, I would have met him.

16

17

30 Q. In Banbridge?

18

A. Yes, to my knowledge.

19

31 Q. Did you meet him in Newry?

20

A. I don't think so. Newry was -- at that particular time wasn't a popular venue for the guards to meet with the RUC.

21

22

32 Q. Did you ever go to see him in Armagh?

23

A. Not to the my knowledge. I could have now, but I just can't recall.

24

25

33 Q. And when you went, were your visits planned?

26

A. Yes, they generally would be planned, yes, yes. I wouldn't go, as it were, unarranged or uninvited, yes. The visits by myself to RUC stations would be planned or organised or at least there would be a communication beforehand to say that I was going.

27

28

29

30

1 34 Q. I think the same didn't apply in the case of Bob Buchanan?

2 A. No, that is certainly correct.

3 35 Q. He was given to turning up unannounced?

4 A. Yes, yes.

5 36 Q. I think the extent of his, how shall I say, his - and I
6 don't mean this is any pejorative sense - but his casual
7 approach is such that you could find him well in the
8 station before you realised he was there?

9 A. Oh, yes, that is certainly the case. He would have come up
10 to my office on occasions without any prior knowledge, he
11 would just come into the station and ask to see me and that
12 would be it.

13 37 Q. What sort of contact did you have with Harry Breen?

14 A. Little or none. Very little. I just knew of him, but
15 otherwise...

16 38 Q. Thinking in terms in way the IRA might have thought, what
17 was their view of a police officer in terms of a target?

18 A. Are you talking about police officers, northern security
19 forces, is it, or generally?

20 39 Q. Well, as I understand it the northern security forces were
21 the ones more prone to be attacked by the IRA?

22 A. Well, it was my clear understanding that all members of the
23 Northern Ireland security forces were, as they put it,
24 legitimate targets, including the RUC.

25 40 Q. So, it's just the fact that you are a member of the RUC
26 that makes you a target rather than who you are within the
27 RUC, is that right?

28 A. Yes, yes.

29 41 Q. So, did it make any difference, do you think, to the IRA
30 whether the passengers in the car were Bob Buchanan or

1 Harry Breen?

2 A. I don't think it made a great deal of difference, it
3 probably would have, if you like, boosted their cause, the
4 fact that they were senior officers, but I don't think that
5 would have been the reason for the murders.

6 42 Q. Amongst the stations that Bob Buchanan called into was
7 Hacksballcross?

8 A. Yes.

9 43 Q. What sort of roads did he have to use to get to that
10 station?

11 A. Well, he could have come to it in a number of ways; he
12 could have crossed the border in what we used to call
13 unapproved roads, a number of them, or he could have come
14 into the town of Dundalk and driven out the Castleblayney
15 road, which would mean that he wouldn't have to cross any
16 of those unapproved road. But he could have come a number
17 of unapproved roads.

18 44 Q. Did you ever speak to Bob Buchanan about possible dangers
19 he faced?

20 A. I don't think that I ever -- I can't recall every saying
21 that to him, but we would have discussed the overall
22 security situation. And of course, any guard or RUC
23 officer would have to have a very clear understanding of
24 just how dangerous the situation was along the border.

25 45 Q. Did Bob Buchanan ever discuss with you any perceived risk
26 he saw in terms of a Garda officer?

27 A. No, certainly not.

28 46 Q. Now, if it were the case that he had expressed a concern
29 about a Garda officer, knowing him as you did, how would
30 you take it? How would you treat such a concern?

1 A. Well, very seriously. Very, very seriously indeed.

2 47 Q. Was Bob Buchanan the sort of person who was very careful
3 before he made...

4 A. Yes, I don't think he would be given to rash statements,
5 no, or that he would make unfounded allegations or
6 suggestions, I don't think that would be his sort of...

7 48 Q. Working with the assumption that a concern is expressed
8 about a Garda officer, what is the normal channel of
9 communication for conveying such a concern?

10 A. Well, straight away if a member of the Garda Siochana, if
11 such concern was expressed to him, then he would
12 immediately notify his authorities, first of all verbally,
13 and then would be asked, no doubt, to make a report on the
14 full circumstances of how he came into this information,
15 who gave it to him and also to evaluate it, I suppose.

16 49 Q. And in terms of coming into possession of the information,
17 in what circumstances might that arise, do you think?

18 A. Well, I am talking generally now because I haven't had any
19 such experience.

20 50 Q. I understand that.

21 A. But -- well, I think it would be -- if it was done
22 officially in writing it would be communicated, I would
23 imagine, from RUC Headquarters to Garda Headquarters, if it
24 was done in a formal way. The other way, possibly, is that
25 some RUC person might mention to a guard that they would
26 know reasonably well that they were unhappy with somebody
27 or that they had concerns, that sort of way, and that way,
28 I suppose, the guard who received that sort of information
29 would commit it to writing, I would imagine, straight away,
30 and would -- on a confidential cover up the line, as we

1 say.

2 51 Q. Now, speaking in very general terms, what was the
3 discussion after the murders about the possibility of there
4 being a mole or a leak in the station?

5 A. Well, I don't remember any discussion that attempted to
6 identify any individual as being connected with it, but
7 because officers in question were immediately -- were just
8 after leaving Dundalk station, that possibility, of course,
9 had to be eliminated, and I think it was more from an
10 elimination point of view than from actual firm evidence or
11 an expression by somebody that this had actually happened,
12 rather it was a process. Because it was a possibility,
13 that possibility had to be immediately examined, and if it
14 be the case, eliminated.

15 52 Q. So it was, undoubtedly, a consideration at the time?

16 A. Well, yes. I mean, you -- even where there's any
17 suggestion by anybody, I mean it was something that would,
18 as they say, cross your mind, that the thing could have
19 happened.

20 53 Q. Were you aware that Assistant Commissioner O'Dea visited
21 Dundalk station immediately after the murders?

22 A. I can't recall that myself now. I cannot recall meeting or
23 seeing him there, but I accept that he was there, but I
24 personally can't recall him being there.

25 54 Q. I see. Because our understanding is that he was there for
26 in or about two days?

27 A. Yes.

28 55 Q. On the --

29 A. Yes, I don't remember speaking with him. I may have, but I
30 certainly can't recall it.

1 56 Q. Were you aware that there was a government decision taken
2 asking for a report on the circumstances and arrangements
3 for the meeting with the two RUC officers?

4 A. No, I'm not aware of that. I can accept that there would
5 be such a requirement, but I'm not aware of it.

6 57 Q. Now, could you help us with this: There were houses in
7 front of the station?

8 A. That's right.

9 58 Q. I think the street is called The Crescent?

10 A. That's right.

11 59 Q. Now, what sort of an eye was kept on those houses?

12 A. There was intelligence that a telephone kiosk across from
13 the station which is there at The Crescent might have been
14 used by members of the IRA to carry out surveillance, as it
15 were, or observations on ongoing in the garda station,
16 which was just across the road. I cannot say that I can
17 recall intelligence that the houses as such were used, but
18 I'm not saying that that intelligence didn't exist, but I
19 personally at this time cannot recall it. But I do recall
20 the telephone kiosk being mentioned, that it was the
21 subject of attention.

22 60 Q. Maybe I can help you with the telephone kiosk, because --
23 evidence has not yet been given of this, but I can tell you
24 that around about the time that the two RUC were either
25 arriving or at the station two calls were made from the
26 telephone kiosk. Both numbers were traced and both numbers
27 were eliminated as being possible tip-offs, if I can put it
28 that way?

29 A. When I said that, I'm not talking specifically about the
30 date, I'm saying that the word was that it used in a

1 general way.

2 61 Q. Yes. Now, that leaves the houses facing the station as
3 possible a vantage point?

4 A. Yes.

5 62 Q. Was there a policy on the station to keep an eye on these
6 houses to make sure they weren't being used for
7 surveillance?

8 A. I have the vaguest recollection that that was the case, but
9 I have to say that I am totally vague about the thing. I
10 just have the vaguest...

11 63 Q. And if one of the houses were vacant or a flat in a house
12 was vacant; in other words a house was either wholly or
13 partially vacant, does that merit extra attention?

14 A. Well, it would, yeah. Again, you know, it would be
15 intelligence-driven, you know. First of all, if we became
16 aware it was vacant, well then the possibility that it
17 might be used, but then there is also the chance that we
18 had intelligence that it was being used, but I cannot not
19 -- that's mere speculation on my part.

20 64 Q. I understand that, yes. And I think your view is that the
21 IRA had a very good monitoring system along the border?

22 A. Yes, yes.

23 65 Q. And can you tell us, if you know, what was the nature of
24 their monitoring system?

25 A. Well, the border roads in south Armagh, you know, purely a
26 rural area, and they would be very, very familiar with
27 those roads, and of course some of them lived in that area.
28 And it would be used mostly by local traffic. So, people,
29 generally speaking, in that area, and including the IRA,
30 of course, they'd become very familiar with the traffic

1 that would be moving around there, and traffic that wasn't
2 familiar would soon become the focus of attention.

3 66 Q. So the monitoring system in a sense is relying on locals to
4 report in, as it were?

5 A. Yes. Well, I mean don't forget also that some of the
6 locals would have close affiliations with the organisation,
7 so you know it wasn't just a question of them coming in and
8 seeking the information, they were already part of the
9 society, you know.

10 67 Q. Now, you dealt with the fact that consideration had to be
11 given to the possibility of there being a leak. Could the
12 IRA have mounted this operation without a leak?

13 A. Oh, absolutely, yes.

14 68 Q. And what do you base that opinion on?

15 A. Well, as I said already the border roads being purely rural
16 local roads, they would have been very familiar with the
17 traffic that was going there. It would be easy to know and
18 to trace cars that weren't familiar into the Garda station
19 and see them come back out again, because try as you would
20 to make the RUC officers' arrival as confidential as
21 possible, they still had to drive no matter from which
22 direction they came into a very public Garda station and
23 back out again.

24 69 Q. Yes. Now, evidence was given of this matter yesterday, you
25 may not be aware of it, but I can tell you that there was
26 evidence that a car was seen driving through the station
27 yard at a time when it is believed the RUC officers were in
28 the station, and the driver seemed to be checking out cars
29 in the yard. What does that say to you?

30 A. Well, that's certainly a possibility, but I know that we

1 did realise or had intelligence or at least information
2 that that sort of thing was going on, not in relation to
3 this particular incident but generally speaking. The
4 result was that we closed -- the Garda station forecourt in
5 Dundalk, you drive in one gate if you wish and back out the
6 other.

7 70 Q. That's right, yes.

8 A. Now, to sort of counteract that possibility we closed the
9 gate at the northern end, shall we say. Now, I'm not sure
10 where that closure, the decision to close that came after
11 the incident or was in place at the time of the incident.

12 71 Q. Well, our understanding is that it came after the incident?

13 A. Right, yes, yes.

14 72 Q. But your evidence to the Chairman is that it wasn't an
15 unusual occasion - sorry, I will start again - it wasn't an
16 unusual occurrence for a car to drive through possibly
17 checking who was in the station?

18 A. Well, it was a very usual occurrence for persons, both the
19 public and guards, to drive in one gate and out the other.
20 It was very convenient to do it that way. And if anybody
21 wanted to avail of the opportunity to exercise surveillance
22 for their own purposes, then yes certainly that could be
23 done.

24 73 Q. I don't mean again -- I don't mean to sound in any sense
25 prejudicial or pejorative, but effectively somebody could
26 spy on Garda cars right in front of the station?

27 A. Oh absolutely, yes, yes.

28 74 Q. Now, I think that you dealt with the RUC, you mentioned a
29 number of stations, but you also went to Mahon Road station
30 in Portadown?

1 A. That was much later on, that was much later on. That was
2 not before or at the time of this incident.

3 75 Q. And I think the people you met there were -- is it Bob
4 McCreish, is that his name?

5 A. Yes, I'm not sure of his Christian name. He was a Deputy
6 Assistant Chief Constable.

7 76 Q. And you also met Harmon Nesbitt and Mark Rossier?

8 A. I did, yes.

9 77 Q. And I think at no time did any of those three mention any
10 concern in regard to any member of the Garda Siochana?

11 A. No. But again I have to say, that that was later on. That
12 was later on. That was after the incident.

13

14 MR. DILLON: I understand. Thank you.

15

16 CHAIRMAN: Just going back for a moment to The Crescent.
17 Was any systematic check made on houses there or did you
18 just depend on information coming that there might be a
19 vacant house?

20 A. I cannot be sure of that. I cannot be sure. There could
21 have been searches carried out, but I really cannot recall
22 myself if there was.

23

24 CHAIRMAN: Thank you very much. Now, there may be some
25 questions for you.

26

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

28

29 78 Q. MR. DURACK: Good morning. I appear for the Commissioner
30 of An Garda Siochana. The question of suspicions arising

1 within the station, am I right in understanding that what
2 we appear to have been told so far is that the detectives
3 tended to work in pairs but not necessarily the same pairs
4 all the time?

5 A. Oh, yes, that's correct.

6 79 Q. And that they moved around so that -- and that there were
7 about 20-odd, I think, and maybe four Sergeants?

8 A. That would be roughly correct, yes.

9 80 Q. So it was a very small and intimate group of people who
10 were constantly interchanging?

11 A. It would be big by rural standards.

12 81 Q. Oh, I accept that. But I we are talking about less than 30
13 altogether?

14 A. Yes, yes.

15 82 Q. And I take it any of those would have been on the watch for
16 anything that suggested that there was in their midst a
17 mole or a traitor?

18 A. Oh, yes, yes.

19 83 Q. Because clearly that would put their lives at risk?

20 A. It would put every member of the Garda Siochana in
21 jeopardy.

22 84 Q. And you would expect that if there was any reality to any
23 such suspicion that it would be immediately reported to
24 superiors?

25 A. Oh, certainly, yes.

26 85 Q. And something would be done about it. And as far as you
27 know during the course of your extended period there,
28 nobody ever raised any such concern?

29 A. Not with me, nobody ever did.

30 86 Q. And you would expect to know about it if they had?

1 A. I would.

2 87 Q. Could I perhaps take you to maybe another issue which you
3 may be able to cast some light on. In relation to the books
4 of records kept, I think in the Detective Office am I right
5 in thinking there is an overtime book?

6 A. Yes, there would be an overtime book, I suppose, in every
7 office in the Garda Station to keep record of extra duties,
8 yes.

9 88 Q. But I am thinking particularly about the detectives. I
10 think that while there is On/Off Book that people signed
11 for their regular shift?

12 A. That On/Off Book would not be in the Detective Branch, it
13 would be in the Public Office as you come in.

14 89 Q. But that for the purpose of overtime in fact, that book is
15 maintained in the Detective Office for the purpose of that?

16 A. Oh, yes.

17 90 Q. I think there was also the station diaries which would
18 record --

19 A. Yes, yes.

20 91 Q. -- the presence of people there or not, as the case may
21 be?

22 A. Yes, people in and off duty would be recorded in the
23 station diaries.

24 92 Q. So that in fact, if you like, the information for what
25 shifts and times people were at work would come from a
26 series of books?

27 A. A series of books, well, yes. Apart from the diary which
28 recorded people on and off duty, there would also be a
29 record in the particular Detective Branch office detailing
30 people for duty; the duties they were detailed for or

1 whether they were on leave or that sort of thing.

2 93 Q. Indeed. Now, just in relation to your consideration of
3 there being no need for a leak, I take it, as you say, when
4 you are in a country area that most of the traffic, for
5 instance, around Edenappa, Jonesboro would be all local
6 traffic?

7 A. It would be, yes.

8 94 Q. And that any strange car would stand out?

9 A. Yes.

10 95 Q. And I take it also, that in fact it is correct to say that
11 the IRA would have monitored the cars of officers?

12 A. Yes.

13 96 Q. And in fact it has been suggested here in the course of
14 evidence that they also knew all the detectives' cars?

15 A. Oh, absolutely, yes.

16 97 Q. And I take it this information could come from as far away
17 as Armagh or Newry or whatever, but it would be collated
18 almost within that area of the IRA?

19 A. Yes.

20 98 Q. And that it wouldn't -- that if, for instance, Mr.
21 Buchanan's car had been seen the previous week going down
22 this road, undoubtedly it would have stood out?

23 A. It would have, yes.

24 99 Q. And equally it could be that the car could have been seen
25 in Newry before they left to come down to Dundalk at all?

26 A. Indeed.

27 100 Q. What is your view about the time it would have taken for an
28 operation to be mounted in this case? I mean we know, for
29 instance, as I say that Mr. Buchanan was a very regular
30 visitor and that in fact he had used the back road to

1 return on a number of occasions?

2 A. I would say a very short period would be enough because
3 this thing, the personnel and the equipment that they
4 needed would be immediately available to them. So I would
5 say a very short period of time.

6 101 Q. Are we talking about the course of a day?

7 A. Oh, yes. Oh, less than a day.

8 102 Q. It has been suggested that perhaps that the operation was
9 mounted as a result of a tip-off from the Garda station
10 after they'd arrived?

11 A. Yes.

12 103 Q. We know that they left by 4 o'clock, that they were gone?

13 A. You see, I don't know, and perhaps it is known otherwise,
14 but I don't know whether there was any communication by the
15 officers in question to the Gardai as to the route that
16 they were taking home. I'm not aware of that.

17 104 Q. There is no evidence as to that?

18 A. Yes. Well, then, I don't know, you know, whether they had
19 planned to go that way or decided, you know, when they were
20 leaving the station that they were going to go that way or
21 whatever, I'm not sure. I have no idea what caused them to
22 take that particular route, which I think for those of us
23 who knew the border wouldn't be a natural choice.

24 105 Q. The point I was really making was that the suggestion has
25 been in the course of evidence that a phone call was made
26 from the Garda Station sometime after the men had arrived
27 there at about 20 past 2 to somebody to tip them off and to
28 mount the operation?

29 A. Yes.

30 106 Q. And we know they were dead at around 4 o'clock?

1 A. Yes.

2 107 Q. Would that have been time enough to mount it if they'd only
3 got an hour or an hour-and-a-half to two hours?

4 A. Well, it would seem a very, very short time to mount that
5 sort of operation, unless the information was very, very
6 precise as to which border road they were crossing. But if
7 that information wasn't available, then, you know, how many
8 border roads were you going to man? So, I don't know. But
9 it seems to me that an hour would be a short time if the
10 information wasn't specific.

11 108 Q. I take it -- also it has been suggested here in the course
12 of evidence that patterns are extraordinarily dangerous for
13 the avoidance of surveillance?

14 A. Absolutely, yes.

15 109 Q. And if there had been a pattern it would make it even
16 easier?

17 A. Yes, absolutely.

18 110 Q. Yesterday we had a Detective Larry Crowe who told us that
19 he thought that there would be a necessity to arrange for a
20 vehicle, which may in fact be in storage, but equally a
21 need to arrange for weapons to be lifted, to be up-lifted,
22 and then arrange for them to be taken away again, and that
23 this he thought would take some significance time?

24 A. Yes, it would. It would depend again, of course, on how
25 available the weapons were, where they were located and, of
26 course, the personnel, how familiar they were. And I would
27 have to imagine that for operations like that, the weapons
28 wouldn't have to move all that far and that the personnel
29 wouldn't have to come that far either. But, again, an hour
30 seems a very short time to do even if -- given that the

1 availability of the weapons and the personnel were at hand,
2 it still seems a short enough time, yes.

3 111 Q. He also told us that in fact a number of the people who
4 would be, if you like, form part of the local active
5 service units, that a lot of them in fact worked, and some
6 of them in fact worked in Dublin in construction, and that
7 that they wouldn't necessarily be, if you like, waiting to
8 go into action?

9 A. Yes. Well, that is true. That is quite true.

10

11 MR. DURACK: Thank you very much indeed.

12

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

14 FOLLOWS:

15

16 112 Q. MR. O'CALLAGHAN: Good morning, Mr. Staunton, I appear for
17 Owen Corrigan. I just have a few questions for you. You
18 said you arrived in Dundalk in around 1984, Mr. Staunton,
19 is that correct?

20 A. In Dundalk, yes, Dundalk station in '84, yes.

21 113 Q. And can I ask you, between 1984 and March 1989 when
22 Superintendent Bob Buchanan was, unfortunately, murdered,
23 was he a frequent visitor to Dundalk Garda Station as far
24 as you are aware?

25 A. Sorry, who was that now?

26 114 Q. Bob Buchanan?

27 A. Oh, yeah. Well, I don't -- not over that entire period
28 now, I mean it was towards the later end of that period. I
29 perhaps -- I don't know exactly when, but it would not
30 certainly go back to '84, it was a much shorter period,

1 possibly less than two years.

2 115 Q. Okay. And during that period of two years when he was a
3 frequent visitor, how often from your recollection would he
4 visit the station in Dundalk?

5 A. Well, he visited it quite regularly, perhaps once every
6 couple of weeks or maybe in a particular instance more
7 often, but I would say on average perhaps that sort of...

8 116 Q. But he could visit the station without you seeing him,
9 isn't that correct?

10 A. He could of course, yes, yes.

11 117 Q. And evidence was given to the Chairman that on occasion he
12 visited sometimes two occasions a week, would that surprise
13 you?

14 A. No, that would not surprise me, no, no.

15 118 Q. Obviously no blame for his death can in any way be attached
16 to Bob Buchanan, but can I ask you, Mr. Staunton, did you
17 thing he took sufficient care for his safety considering
18 the threat he was under from the IRA?

19 A. No, no, I did not. I thought that he should have had a
20 greater awareness of it, of the security risks involved.

21 119 Q. And what way do you think he wasn't sufficiently careful
22 about his own safety?

23 A. Well, I thought that he would come to the station in a sort
24 of a -- perhaps in a casual way. There was nothing wrong
25 with him coming to the station, but that to do it in the
26 way that he was doing it did expose him to risks that I
27 thought -- that were unwise.

28 120 Q. And am I correct in stating that he visited according to a
29 pattern that would be fairly easily to spot for somebody
30 who was trying to survey him?

1 A. Yes, yes, he did. He didn't seem to have any real concern
2 for his safety.

3 121 Q. Can I ask you, what do you think of the decision that he
4 made or that was made to use the Edenappa Road when they
5 were travelling back on that fateful day?

6 A. I think it was very badly thought out. I think it was a
7 very unfortunate choice of road.

8 122 Q. Why do you say that, Mr. Staunton?

9 A. Because it is a very narrow road and traffic on it would be
10 very well known locally. And, you know, to use that road,
11 certainly I would have to say it was a very poor choice
12 from all the points of view because of the traffic that
13 travelled on it, because of the nature of the road, all
14 that sort of stuff.

15 123 Q. And would I be correct in stating that as a road it would
16 be an easy road and a good road to launch an ambush?

17 A. Oh, yes, yes.

18 124 Q. In respect of the kiosk you mentioned to Mr. Dillon, did
19 that telephone kiosk give a good view of Dundalk Garda
20 Station?

21 A. It did, yes.

22 125 Q. And would it give a good view of persons coming and going
23 from the Garda Station?

24 A. It would, yes.

25 126 Q. And of cars arriving and departing?

26 A. Oh, yes.

27 127 Q. And of course, would you agree with me, Mr. Staunton, that
28 a telephone kiosk can be used for surveillance even if a
29 person doesn't make a phone call from that kiosk?

30 A. Very much so, yes.

1 128 Q. I want to ask you a few questions about my client, Owen
2 Corrigan. We have stated and Mr. Corrigan will state that
3 he stood up to the IRA during his time as a member of An
4 Garda Siochana. Do you believe that he was to the fore in
5 the fight against the IRA at this time?

6 A. I do, Chairman, I do certainly, yes.

7 129 Q. Do you recall whether or not he was successful in bringing
8 IRA suspects before the courts?

9 A. I do. When I went to the border as a Sergeant in 1975 he
10 took charge of a Detective Unit in Dundalk. I think he
11 then had only six members, six guards and himself. I know
12 that they worked extremely hard and, if I may say so, were
13 very successful in curbing -- in dealing with the
14 operations of the IRA at the time.

15 130 Q. Do you recall, Mr. Staunton, whether or not Mr. Corrigan
16 was harassed by the IRA because of his membership of An
17 Garda Siochana?

18 A. I do. Yes, he was harassed.

19 131 Q. Can you give an example?

20 A. Well, I know that - this is later on again now, at the time
21 that the late Dominic McGlinchey was being extradited -
22 that he took a very forward part in that and was in the
23 actual handing over of the late Mr. McGlinchey to the
24 Northern Ireland forces, and that he suffered very much for
25 his part in that, in that he was harassed about the town of
26 Dundalk, and there were small posters exhibited here and
27 there decrying him for what he did.

28 132 Q. Can I ask you, do you think Owen Corrigan was a good
29 detective?

30 A. He was a good detective, a very good detective, yes.

1 133 Q. And do you have any evidence to give to the Chairman
2 suggesting that Owen Corrigan in any way colluded in the
3 unfortunate murders of these two RUC officers?

4 A. I have no evidence information or evidence either
5 officially, unofficially, informally or formally that he
6 did so.

7
8 MR. O'CALLAGHAN: Thank you very much, Mr. Staunton.

9
10 CHAIRMAN: Mr. Coffey.

11
12 THE WITNESS WAS CROSS-EXAMINED BY MR. COFFEY AS FOLLOWS:

13
14 134 Q. MR. COFFEY: I appear on behalf of retired Sergeant Leo
15 Colton. Can you tell the Tribunal who were the uniformed
16 Superintendents in Dundalk Garda Station in the period from
17 '84 to 1992?

18 A. To 1992?

19 135 Q. Well, say 1990?

20 A. Yes. Well, you had Hugh Sreenan.

21 136 Q. Yes.

22 A. You had Pat Tierney, Pat Culhane, Frank Murray, the late
23 Frank Murray.

24 137 Q. Superintendent McCabe?

25 A. Brian McCabe, yes.

26 138 Q. And I think that in the case of Superintendents McCabe and
27 Murray, they were long-standing serving members in Dundalk,
28 is that correct?

29 A. That is correct.

30 139 Q. They would have been there as Sergeants and Inspectors

1 throughout the 70's and 80's?

2 A. That is right. Well, yes, Brian McCabe came as an
3 Inspector, but Frank Murray had his entire Garda history in
4 the Dundalk area.

5 140 Q. And how would you rate both officers, that is
6 Superintendents McCabe and Murray?

7 A. Conscientious, hard-working diligent officers.

8 141 Q. And if either of those men had been made aware of a
9 complaint by one uniform member against another uniform
10 member, what kind of response would you expect from those
11 Superintendents?

12 A. I'd expect them to fully investigate it.

13 142 Q. Yes. And again, if you take the situation where a
14 uniformed officer's private life might have been considered
15 to compromise his professional duties, would an
16 investigation have taken place?

17 A. It would. I mean, if it is deemed to be conduct which was
18 inappropriate --

19 143 Q. Yes.

20 A. -- for a member of the Garda Siochana, then our internal
21 rules and regulations would require it to be investigated.
22 Unbecoming I think was the word, conduct unbecoming.

23 144 Q. Would you expect that either Superintendent McCabe or
24 Superintendent Murray or, indeed, the other Superintendents
25 that you have named would have acted on any such complaints
26 or having been informed or made aware of the possible risks
27 of a uniformed member's private life jeopardising his
28 professional duties?

29 A. Yes, I'd expect them to investigate it, yes.

30 145 Q. Yes. Now, with regard to the activities of the IRA

1 monitoring either individual members of An Garda or,
2 indeed, the Garda Station; if surveillance was being
3 carried out by the IRA on the Garda Station would you
4 expect them to take, if you like, counterintelligence
5 measures?

6 A. Sorry, whom now?

7 146 Q. If the IRA were carry out surveillance on the Garda
8 Station --

9 A. Yes.

10 147 Q. -- would you expect them to carry out counterintelligence
11 measures? Would you expect them to drive in their own car,
12 for instance?

13 A. Oh, no, no, I wouldn't. They would conceal the fact as
14 much as possible that they were doing that, yes.

15 148 Q. And if a car was being used in the surveillance of the
16 Garda Station, what kind of measures would you expect IRA
17 members to carry out?

18 A. Well, I would expect them, first of all, I suppose to do it
19 at a time when they would be least detected and, I suppose,
20 at a time when it would be most fruitful for them to do it,
21 most productive.

22 149 Q. Would they carry out any alterations to the car?

23 A. They certainly would not do it in cars that we would be
24 familiar with, nor would they do it with cars -- with the
25 same cars on a number of occasions. I would expect that
26 they would not do that.

27 150 Q. Could they use false registrations plates, for instance?

28 A. Well, they could, although that could in itself, I suppose,
29 be a problem if they were detected. But, yes, it is
30 certainly a possibility, yes.

1 MR. COFFEY: Thank you, Mr. Staunton.

2

3 CHAIRMAN: Thank you. Any other questions? Mr. MacGuill.

4

5 **THE WITNESS WAS CROSS-EXAMINED BY MR. MacGUILL AS FOLLOWS:**

6

7 151 Q. MR. MacGUILL: Chief Superintendent, I think that we heard
8 quite a number of witnesses who had lengthy experiences of
9 the border but your experience is unique I think in the
10 order of 24 years service in the border area, covering both
11 uniform and detective branch and at all ranks?

12 A. That is largely correct, yes, I wasn't a Chief
13 Superintendent but other ranks, yes.

14 152 Q. So taking your broad experience I think there will be
15 evidence at some later stages, in 1970's you were involved
16 in recovering a firearm in Hackballscross as part of a
17 garda operation?

18 A. Yes, there was a number of searches and finds at that time,
19 yes.

20 153 Q. Is it fair to say that throughout your entire career that
21 it was a constant struggle with the IRA?

22 A. Yes, all of my years in Dundalk district was such a
23 struggle.

24 154 Q. Every single day?

25 A. Every single day from '75 to the time I left it, yes.

26 155 Q. You are very familiar with the methods of operation and the
27 local area?

28 A. Yes.

29 156 Q. If I can take you just through the features of Dundalk
30 Garda Station to start with it. I think first of all it is

1 on an elevated section of ground?

2 A. Yes.

3 157 Q. It is on very busy route in terms of commuter traffic
4 coming into town from various areas from Ardee?

5 A. That is correct.

6 158 Q. It is probably the easiest surveyed Garda Station in the
7 State?

8 A. It certainly would be up there with the top, absolutely.

9 159 Q. I think the car park at the front is very visible?

10 A. Very visible.

11 160 Q. Exceptionally easy to monitor?

12 A. Yes.

13 161 Q. I think that in terms of it's busyness as a station, on a
14 daily basis would be there be 20, 30, 40 members of the
15 public call?

16 A. At least absolutely maybe more I would say on average.

17 162 Q. Within that category there would be people arriving in
18 custody?

19 A. Yes.

20 163 Q. People arriving to advise people in custody, family members
21 to people in custody to visit them?

22 A. Yes.

23 164 Q. People arriving to produce tax and insurance?

24 A. All of that, yes.

25 165 Q. People arriving for reporting crime?

26 A. Yes.

27 166 Q. Inquiring as to progress of crime investigations, people
28 signing on as a condition of their bail?

29 A. Indeed.

30 167 Q. People on sign on bail from the Special Criminal Court?

1 A. Yes.

2 168 Q. Would there be a day in your entire history as a Garda in
3 Dundalk, that a member of the IRA would not be required to
4 attend at the Garda Station for one reason or another?

5 A. Probably not.

6 169 Q. If the IRA wanted to monitor what was going on in Dundalk
7 Garda Station, they had any number of opportunities to do
8 so?

9 A. Absolutely, yes.

10 170 Q. All more likely than a leak from an Garda Siochana?

11 A. I think say so.

12 171 Q. I think in expressed in restrained terms your assessment of
13 the wisdom of travel on the Edenappa Road, would you on a
14 social occasion travel down the Edenappa Road?

15 A. No, it is a road I would avoid.

16 172 Q. Most people would avoid, never mind people in your line of
17 business it is a no go area?

18 A. Yes, during those years I would describe it as that,
19 certainly from a security - from anybody involved in the
20 security operations I would say so, yes.

21 173 Q. A strange vehicle would be immediately detected?

22 A. Yes.

23 174 Q. Would be the subject of speculation?

24 A. Yes, I would agree.

25 175 Q. Of informed inquiry by the intelligence unit of the IRA?

26 A. Yes.

27 176 Q. Would be instantly tracked as to who it was?

28 A. Yes.

29 177 Q. If it couldn't be explained further inquiries would be
30 made?

1 A. That's right.

2 178 Q. This was an area where huge resources had been put into
3 monitor the citizens, the watch towers and all the rest of
4 it?

5 A. Yes.

6 179 Q. And citizens in that area were very acutely aware of
7 finding out who was watching them?

8 A. Yes.

9 180 Q. So unfortunately the choice of that road was not only
10 ill-advised, effectively suicidal?

11 A. Ill-advised certainly, ill-advised, yes.

12 181 Q. In your expert opinion, knowing what you know about the
13 area, knowing what you know about the IRA, what was the
14 inevitable consequence of travelling in the same vehicle on
15 repeat visits for a senior member of the RUC?

16 A. Unfortunately, the inevitable consequences was a real
17 possibility.

18 182 Q. What transpired. Now, I think in the period of your daily
19 contact with the IRA from the 1970's through to this day
20 1989, I think it is fair to say each side increased it's
21 sophistication?

22 A. Yes.

23 183 Q. We heard evidence yesterday, for instance, that substantial
24 sums were available to the RUC in terms of inducements to
25 persons who give information against the IRA?

26 A. I accept that.

27 184 Q. I think a retired Garda witness yesterday said while sums
28 were available in this jurisdiction they were in the tens,
29 where the sums discussed yesterday were £5,000 per week,
30 very substantial sums were available. Would you agree in

1 consequence of that, the IRA became particularly security
2 conscious?

3 A. Oh, yes, yes.

4 185 Q. And reduced to a minimum the involvement of persons outside
5 their trusted ranks?

6 A. Yes, yes.

7 186 Q. With IRA information?

8 A. Absolutely.

9 187 Q. If IRA could maintain information without going outside
10 their ranks that is what they would do?

11 A. Yes.

12 188 Q. I think you expressed and it wasn't intended in any
13 flattering way, a view about my client Mr. Hickey, you
14 expressed the view this is not a man the IRA would have
15 approached, is that your professional view?

16 A. Yes, I would accept that. Yes, I would accept that.

17 189 Q. I think when he subsequently had his difficulties the State
18 case was that he had no subversive connection?

19 A. Yes.

20 190 Q. Thank you very much.

21

22 CHAIRMAN: Any other questions? Any re-examination?

23

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

25

26 191 Q. MR. DILLON: One or two matters. You agreed with the
27 suggestion that observation by the IRA was a more likely
28 explanation for how they carried out the operation rather
29 than a leak. The fact is that the question of a leak had
30 to be considered?

1 A. Yes, I mean....

2 192 Q. Had to be part of the consideration.

3 A. ...it was a possibility that became clear at the very
4 beginning. And the investigation, my recollection of it
5 was brought about because to eliminate the suggestion of
6 that possibility and not because there was firm evidence to
7 say it happened.

8 193 Q. I understand that. The fact it was a matter that had to be
9 considered?

10 A. Yes.

11 194 Q. Now, you made a comment about members of active service
12 units, can we just consider for a moment the sort of person
13 who might be a member of an active service unit. Presumably
14 somebody who needs to be available for duty if I can call
15 it that?

16 A. Yes.

17 195 Q. Sometimes at short notice?

18 A. Yes.

19 196 Q. You agree with the proposition that members of active
20 service units could be employees on building sites?

21 A. Could be, yes.

22 197 Q. In Dublin even?

23 A. Yes.

24 198 Q. Going back to 1989 and we didn't have the excellent road
25 system we have today it took much much longer to get to
26 Dublin say from south Armagh?

27 A. Yes.

28 199 Q. In addition, if an employee were to be summoned up for duty
29 that would mean leaving his job that could cause difficulty
30 at that end?

1 A. Yes, I would be - reluctant to think that it happened in
2 the way that you are suggesting. That somebody who was
3 employed in a building site in Dublin would be deployed on
4 this particular thing, I don't see that as a strong
5 possibility.

6 200 Q. Yes, thank you.

7

8 THE WITNESS WAS RE CROSS-EXAMINED BY MR. MACGUILLAN AS
9 FOLLOWS:

10

11 201 Q. MR. MACGUILLAN: One question arises out of re-examination.
12 I think that you accept of course entirely that the
13 possibility of a mole had to be inquired into and you are
14 aware from the questioning earlier that Commissioner O'Dea
15 attended at the Garda Station, you weren't interviewed?

16 A. I was not, to my knowledge I was not interviewed.

17 202 Q. You were not on duty on the day?

18 A. On the day.

19 203 Q. You didn't have the means of knowledge of the presence of
20 Messrs Buchanan and Breen?

21 A. If I was not interviewed and I don't think I was, that was
22 most likely the reason for it, yes.

23 204 Q. And conversely you would expect Commissioner O'Dea to
24 interview everybody who had the means of knowledge?

25 A. Yes.

26

27 CHAIRMAN: Thank you very much, Mr. Staunton. Thank you
28 very much for coming.

29

30 THE WITNESS THEN WITHDREW

MR. HAYES: Chairman, the next witness this morning is
Mr. Gerard Murray, please.

1 GERARD MURRAY, HAVING BEEN SWORN, WAS EXAMINED BY MR. HAYES

2 AS FOLLOWS:

3 205 Q. Good morning, Mr. Murray. My name is Dara Hayes and I am
4 counsel for the Tribunal. I think that having passed out
5 from Templemore in 1972, I think you were first stationed
6 in Dundalk?

7 A. That is correct.

8 206 Q. And I think you were in Dundalk for a matter of two years
9 before you went to Trim?

10 A. That is correct.

11 207 Q. Which I think is within the same division?

12 A. That is correct.

13 208 Q. Having been ten years in Trim you returned to Dundalk in
14 1984?

15 A. That is correct.

16 209 Q. I think then obviously when you went to Trim, you were -
17 you were a uniformed member of the guards?

18 A. That is correct.

19 210 Q. And I think subsequently you became a Detective Garda?

20 A. That is correct.

21 211 Q. And do you recall when you became a detective?

22 A. In 1978.

23 212 Q. And did you remain as a detective for the remainder of your
24 service in the guards?

25 A. That is correct.

26 213 Q. I think the remainder of your service, having moved back in
27 1984, was in Dundalk Garda Station?

28 A. That is correct.

29 214 Q. When you were back in Dundalk in 1984, I think it was mid-
30 1984, is that correct?

1 A. I came back to Dundalk in July, July '84.

2 215 Q. Do you recall what the size of the detective branch in
3 Dundalk was?

4 A. It would have been one Detective Sergeant and approximately
5 eight detectives at that time.

6 216 Q. Who was the Detective Sergeant?

7 A. Owen Corrigan.

8 217 Q. And was he, at the time, the most senior detective in the
9 station?

10 A. He was - I cannot say whether he was the most senior
11 detective, he was the only Detective Sergeant at the time.
12 There was one or two detectives that were - that had a good
13 bit of service.

14 218 Q. I don't mean, perhaps you are misunderstanding, I don't
15 mean in length of service, was there a Detective Inspector
16 above him in the station?

17 A. Not at that time.

18 219 Q. He was the only Detective Sergeant?

19 A. That is correct.

20 220 Q. In terms of rank rather than service he was the most
21 senior?

22 A. That is correct.

23 221 Q. I think then at some point there was an expansion in the
24 detective branch, is that correct?

25 A. That is correct, the detective branch was increased after
26 the Anglo Irish Agreement.

27 222 Q. I think the Anglo Irish Agreement was in November 1985?

28 A. That is correct.

29 223 Q. The expansion, I suppose, was that sometime in the early
30 months of the following year, do you recall?

1 A. Sometime afterwards the detective branch was increased in
2 Dundalk.

3 224 Q. And what was the extent of the increase?

4 A. It would have been, it would have been doubled at least at
5 the time. The units would have been increased from maybe
6 two members to six members.

7 225 Q. When there had been eight detectives there were four units
8 of two, is it?

9 A. When there was eight detectives, it was - you might only
10 have a unit with one member on it at a particular time but
11 a lot of the time there was two members on each unit.

12 226 Q. Yes?

13 A. Yes.

14 227 Q. The four units structure remained after the expansion?

15 A. That is correct, yes.

16 228 Q. Was there an increase in the number of Detective Sergeants?

17 A. There was.

18 229 Q. There was. So, I suppose, before the - before 1985 or 1986,
19 Detective Sergeant Corrigan was your Sergeant?

20 A. That is correct.

21 230 Q. After the expansion who was your Sergeant?

22 A. My Detective Sergeant after the expansion was Detective
23 Sergeant Sean Gettins.

24 231 Q. And certainly up to and I think in or about the time or
25 beyond the time that the Tribunal is interested in in March
26 1989 was Detective Sergeant Gettins your Sergeant
27 throughout that period, is that correct?

28 A. Yes.

29 232 Q. What unit do you recall was that?

30 A. That would have been Unit 'C'.

1 233 Q. Unit 'C'. After the expansion and was Sergeant Corrigan
2 ever your Sergeant again, your direct Sergeant?

3 A. No, I never actually worked directly with Sergeant
4 Corrigan, he was on a different unit.

5 234 Q. Am I right in assuming that the - the units worked one at a
6 time, is that?

7 A. Yes, there was an early unit and a late unit.

8 235 Q. And was it a case there was a strict demarkation between
9 the units, I mean were you required to go to your own
10 Sergeant or was there?

11 A. - at that time - mostly I dealt with my own Sergeant but
12 if my own Sergeant was on leave or on courses or away on
13 some other duties, I would deal with Detective Sergeant
14 Corrigan.

15 236 Q. After 1985 was there then a, I suppose, more senior ranks
16 by way of detectives at the station?

17 A. That is correct, Chairman.

18 237 Q. And who then became above the Sergeant, was there a
19 Detective Inspector?

20 A. There was Detective Inspectors and Detective
21 Superintendent.

22 238 Q. And in 1989 do you recall who the Detective Inspectors
23 were?

24 A. I think Detective Inspector Prenty was there at that time.

25 239 Q. Was Detective Inspector Murray there? Frank Murray?

26 A. Yes, well he wasn't a Detective Inspector, he would have
27 been an Inspector.

28 240 Q. He was a uniform Inspector?

29 A. Uniform Inspector.

30 241 Q. Who was the Detective Superintendent at the time?

1 A. Around that particular time there was a number of border
2 Superintendents, I just can't recall who exactly was the
3 Detective Superintendent in '89.

4 242 Q. In '89?

5 A. Yes.

6 243 Q. When you worked with Detective Sergeant Corrigan, before
7 the expansion, what was he like to work with?

8 A. Detective Sergeant Corrigan, in my opinion, he was an
9 excellent Detective Sergeant, who had great knowledge of
10 the persons likely to engage in subversive activity.

11 244 Q. And then subsequently you then worked with Detective
12 Sergeant Gettins and what was he like to work it?

13 A. Detective Sergeant Gettins was an excellent Detective
14 Sergeant. He was a great help, gave advice and was - was
15 a great help to me in my detective duties. In actual fact
16 both were.

17 245 Q. Yes. In the ordinary course of your duties what was the
18 nature of your duties?

19 A. My duties - my most important part of my duties were
20 monitoring persons likely to engage in subversive activity.
21 But I was also a qualified scenes of crime examiner. I
22 also investigated crime but my main duties was monitoring
23 persons likely to engage in subversive activity.

24 246 Q. You had a mixture of subversive and ordinary crime?

25 A. That is correct, Chairman.

26 247 Q. In respect of the subversive crime, you said that part of
27 your duty was to monitor certain persons?

28 A. Yes.

29 248 Q. And in the course of such monitoring I take it that you
30 amassed information in relation to people?

1 A. That is correct, I would have gathered information in
2 relation to persons likely to engage in activities,
3 subversive activities.

4 249 Q. What was done with such information?

5 A. Normally I would report them either their activities to my
6 Detective Sergeant or I would report it to Headquarters if
7 I had received any confidential information that - that I
8 wanted to pass on directly, I would have put it on a C77 at
9 the time and passed it directly to Headquarters.

10 250 Q. It wasn't a requirement then to go through your more senior
11 ranks within the station first of all, no?

12 A. No, normally what I would do I would tell my Detective
13 Sergeant, either Gettins or Corrigan or the other Detective
14 Sergeants during the years there, there was Detective
15 Sergeant Gannon and Detective Sergeant Pat O'Donnell, Lord
16 have mercy on him. I would probably have mentioned it to
17 them I had received some information and they would have
18 been aware of it, most of the time. And also the Detective
19 Inspector, Detective Superintendent would be aware of any
20 information that I would have got, they would be aware of
21 it also.

22 251 Q. I see. Would that be the case also with the information
23 that you sent directly to Headquarters?

24 A. Yes, if it was very confidential the one man that I would
25 speak to directly would have been my Detective Sergeant,
26 Sean Gettins.

27 252 Q. I see.

28 A. And often, not too often, it would go directly either to
29 Headquarters, but he would know about it.

30 253 Q. He would know?

1 A. Yes.

2 254 Q. And was that -- was it the same case when Sergeant Corrigan
3 was your Sergeant?

4 A. Not all the time, but a lot of the time any information I
5 got he would have been aware of it, but there was some
6 occasions that I did not make him aware of confidential
7 information that I did get.

8 255 Q. And is there any reason for that?

9 A. No particular reason, it is just that I just -- my
10 Detective Sergeant that I worked closely with was Sean
11 Gettins and he was the man that I --

12 256 Q. No, sorry, perhaps you misunderstand me. I am talking
13 about, would you have shared the information with Sergeant
14 Corrigan when he was your Sergeant, when he was your direct
15 Sergeant, in the way you shared it would Sean Gettins?

16 A. Yes, I would, I would, Chairman.

17 257 Q. In the course of your duties as a detective, did you have
18 much or did you have many dealings with the RUC?

19 A. Not -- in later years I did in relation to -- a lot of the
20 times I would have met the RUC with my Detective Sergeant
21 it would have been more socially than business. I did have
22 direct contact with the RUC during a murder of a drug
23 addict who was dumped on the border, and I liaised with the
24 RUC for a number of months in Castlerea and Knocknagoney.

25 258 Q. Yes.

26 A. I was part of the investigation on that murder. It wasn't
27 subversive, but I did have contact with the RUC on a weekly
28 basis. I used to meet them in either Castlerea or --
29 mostly Castlerea.

30 259 Q. Yes. That was -- but that then that was RUC/CID, was it,

1 that you dealt with?

2 A. Correct, CID, it wasn't Special Branch, it was CID.

3 260 Q. In the course of your duties did you have cause to meet
4 with Special Branch?

5 A. No, not -- no, I did not directly, no.

6 261 Q. Not directly?

7 A. No. Except socially.

8 262 Q. Socially?

9 A. Socially, yes.

10 263 Q. And was that in the 1980's or in the 1990?

11 A. It would have been in the late '80s and 1990s mostly.

12 264 Q. And 1990. And was that both north and south?

13 A. Mostly north.

14 265 Q. Mostly north?

15 A. Yes. It would have been at Christmas time usually.

16 266 Q. I see.

17 A. For a Christmas meal or a few drinks or something like
18 that. It was always -- I was always accompanied by
19 Detective Sergeant Gettins.

20 267 Q. You went with your Sergeant?

21 A. Yeah, he would have more direct contact than I would have
22 with the Special Branch.

23 268 Q. Yes, usually would it have just the two of you or several
24 of your colleagues?

25 A. There could have been maybe four of us or that you know,
26 three or four, it depends.

27 269 Q. Was it the case that perhaps then your Sergeant had more
28 dealing or more cause to liaise with RUC colleagues than
29 the detectives themselves?

30 A. Yes, that would have been the case -- on my unit anyway.

1 270 Q. Of course you can only speak from your own knowledge?

2 A. My own knowledge, yes.

3 271 Q. Yes. Do you recall, were you working on the 20th of March
4 1989?

5 A. I was not, I was not.

6 272 Q. That was the day of the murders?

7 A. I was not working on that particular day.

8 273 Q. You were not working?

9 A. Yes.

10 274 Q. I think in the aftermath of the murders there was a murder
11 investigation commenced within this jurisdiction?

12 A. That is correct.

13 275 Q. And did you play any part in that?

14 A. Well, I probably would have been, you know, making
15 inquiries in relation to find out could I get any
16 information into how it happened or what was the cause of
17 it. I would have done inquiries, general inquiries, as
18 part of my detective duties naturally enough.

19 276 Q. Do you recall who led that investigation?

20 A. It would have been - it would have been - I can't
21 actually remember who led it but we would have been all
22 part of the investigation in our own day to day duties.

23 277 Q. I appreciate that but was it led by one of the Sergeants
24 was it led by the Superintendent or the Inspector?

25 A. It would have been led by the District Officer at the
26 particular time.

27 278 Q. I think Tom Connolly was the Detective Superintendent, he
28 led the investigation?

29 A. Yes.

30 279 Q. In the ordinary course and not - I mean obviously you

1 weren't working on this day and you don't have -- but in
2 the ordinary course of your dealings in Dundalk Garda
3 Station, were you generally aware that RUC officers paid
4 visits?

5 A. I was aware that members of the RUC would have visited the
6 station and spoke to some officer in the station.

7 280 Q. Yes?

8 A. But I wouldn't have been aware of when and how they
9 travelled or anything like that.

10 281 Q. No, no. And when you say they were there to meet some
11 officer, are you talking about one of the senior officers?

12 A. It would have been usually either from Detective
13 Superintendent, the Superintendent or Detective Inspector.

14 282 Q. And were they the people who came to visit of similar rank
15 in the RUC?

16 A. I wouldn't have known.

17 283 Q. You wouldn't know?

18 A. Who actually came.

19 284 Q. But insofar as you are aware, RUC officers came to visit
20 and came to visit your superiors?

21 A. I would have - I would have been aware that there had been
22 maybe a visit from some RUC personnel from maybe just
23 hearing it in the station or maybe seeing them myself
24 coming up the stairs or something like that. But that would
25 have just been it.

26 285 Q. They weren't coming to meet you?

27 A. No, no.

28 286 Q. Okay thank you, Mr. Murray. If you answer any questions
29 that any other party has for you?

30

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

287 Q. MR. DURACK: I think it was the practice, Mr. Murray, of the
detectives to work in pairs once the numbers had been
expanded?

A. That is correct, we always worked in pairs, Chairman.

288 Q. You weren't working with a set partner throughout?

A. Not all the time but I would have worked with two or three,
two or three detectives all the time they were on the same
unit.

289 Q. Yes. I take it that all of the detectives knew one
another, a reasonably small group of people less than 30
altogether?

A. Yes, we would have known each other well, yes.

290 Q. If anybody had any suspicion about the loyalty of any of
that group it would have immediately been acted on?

A. Certainly, Chairman.

291 Q. It would have placed both your group and the Gardai at
large at risk?

A. That is correct.

292 Q. During the course of your time, do you recollect any
discussion about a mole in Dundalk?

A. No.

293 Q. It does appear to have been a matter that was discussed in
the newspapers around the time but was there ever any
credence given to that by the Gardai?

A. No, as far as I am concerned, Chairman there was never any
credence given to that. I - I would have read it and I
would have heard it mentioned but I would - personally, I
would have given no credence to it.

1 294 Q. And in relation to your meetings with the RUC and I think
2 you told us mostly it might be confined to the CID, that
3 there would have been social gatherings with Special
4 Branch?

5 A. There would have been social gatherings either a meal at
6 Christmas time or a game of golf.

7 295 Q. At any stage during the course of those interactions did
8 any members of the RUC express any concerns to you or any
9 of your colleagues, that you are aware of, about a mole in
10 Dundalk?

11 A. Any concerns like that were never expressed to me or to any
12 one that I know of.

13 296 Q. I take it that your relationship was such that you got on
14 well enough that it wasn't a case that anybody would hold
15 back on information if such a matter was available?

16 A. Could you repeat that, please?

17 297 Q. I am saying, if it was a case that any of the RUC had
18 suspicions that certainly you would expect them to make
19 them known to you or known to their authorities?

20 A. I would surely, yes, Chairman, expect them to make it
21 known, yes.

22 298 Q. And again no such - no such information or concerns was
23 ever mentioned to you?

24 A. No.

25 299 Q. You are familiar with how the operation was carried out, I
26 take it?

27 A. Yes, yes.

28 300 Q. From your knowledge of the - of the IRA in south
29 Armagh/Dundalk, that general region, how do you think it
30 was done?

1 A. Well, it was - it was planned, I would suggest it and it
2 was planned from intelligence gathered by what means I
3 don't know, Chairman.

4 301 Q. When you say "planned", what sort of period?

5 A. Well, I would imagine that it could have been planned
6 within hours, in my opinion, the operation itself. But the
7 - you know, I would say a lot of time, hours might have
8 been put in by the IRA in monitoring the roads or whatever.
9 It wouldn't have been just, the whole operation wouldn't
10 have been done in hours, the actual act would have been
11 planned fairly quickly within hours. It could have taken
12 weeks, it could have taken days, months, the whole
13 operation.

14 302 Q. We heard it discussed that, of course, unusual cars or
15 should I say non local cars would be spotted on this back
16 road on Edenappa by all of the locals?

17 A. Yes, I would say a strange car would have been or an
18 unusual car would definitely have been spotted by the
19 locals.

20 303 Q. I take it equally that you would expect that the IRA were
21 aware of the cars and registration numbers of all of the
22 senior officers of the RUC in the area?

23 A. Well, I can't say that, Chairman. I don't know if they
24 were aware of that because I am sure the RUC over months
25 and years did not use the same cars.

26 304 Q. It appears in this particular case that this car had been
27 used by Mr. Buchanan for some years?

28 A. Well, if that was the case I am sure the IRA would have
29 been aware of that.

30 305 Q. I take it that in so far as you yourselves were monitored,

1 I suppose, you expect that the IRA knew your cars, where
2 you lived and drove?

3 A. The IRA would have known where I lived and what I drove
4 because on a regular basis I questioned them and
5 interrogated them, they would have known me well.

6 306 Q. And that equally you would expect that the movements
7 particularly of Superintendent Buchanan because he was
8 crossing the border on a regular basis, would have been
9 monitored?

10 A. I am sure they would have.

11 307 Q. And the -- it does appear that he had been in Dundalk the
12 previous week and in fact, had used this particular road to
13 return?

14 A. Well, I was not aware of that, Chairman.

15 308 Q. Do I gather from what you are saying in terms of hours that
16 there would have to be a plan in place that might not -
17 that could be activated within hours?

18 A. There definitely would have been a plan in place could have
19 been activated, in my opinion, within hours.

20 309 Q. The suggestion is that the men arrived at about a quarter
21 passed two, I think, in the Garda Station in Dundalk. The
22 suggestion is that somebody phoned from Dundalk two members
23 of the IRA to advise them this was there, this was there,
24 that this had occurred and we know that they left after
25 about an hour. And they were dead before four o'clock.
26 That would appear to leave less than two hours of an
27 opportunity, would that be sufficient in your view?

28 A. In my view, I doubt if that scenario happened, Chairman.

29 310 Q. Would the time line allow it?

30 A. Emmm -

1 311 Q. In order to assemble, I think there were...

2 A. -- it is a possibility, Chairman. It is a possibility,
3 just a possibility.

4 312 Q. Do you think it likely?

5 A. - I cannot say, I cannot say, Chairman.

6 313 Q. Thank you very much indeed.

7

8 CHAIRMAN: Mr. O'Callaghan.

9

10 **THE WITNESS WAS CROSS-EXAMINED BY MR. O'CALLAGHAN AS**
11 **FOLLOWS:**

12

13 314 Q. MR. O'CALLAGHAN: Good afternoon, Mr. Corrigan, I appear for
14 Owen Corrigan. Can I ask you, were you aware of Bob
15 Buchanan visiting the Dundalk Garda Station prior to 1989,
16 at all?

17 A. No, Chairman.

18 315 Q. Had you ever met Bob Buchanan?

19 A. No, never met him.

20 316 Q. Would you agree with me that the IRA would have the
21 capacity to put the Dundalk Garda Station under
22 surveillance if they wanted to?

23 A. I would agree with that.

24 317 Q. Have you any evidence such as the previous witness gave
25 indicating they did, in fact, keep the Garda Station under
26 surveillance?

27 A. I have no evidence or I am not aware of it.

28 318 Q. You mentioned that Mr. Corrigan was an excellent detective,
29 can I ask you was he good at getting information about
30 subversives?

1 A. He was - he had - he was a fantastic detective, in my
2 opinion.

3 319 Q. Would you agree with me he stood up to the IRA during this
4 difficult time in the 1980's and when he was a Garda
5 Officer?

6 A. He definitely did.

7 320 Q. Do you think he would have assisted the Provisional IRA?

8 A. I would not agree with that, that is a terrible suggestion,
9 in my opinion.

10 321 Q. Yes and you would reject such a suggestion that he assisted
11 the Provisional IRA in any respect?

12 A. I would reject that fully and it is a terrible accusation,
13 in my opinion, to make about the man.

14 322 Q. What is it about - can you elaborate for the Chairman, why
15 are you so certain that Mr. Corrigan and we agree with you
16 entirely obviously, what makes you so certain that Mr.
17 Corrigan would not in anyway assist the IRA, Mr. Murray?

18 A. I know Mr. Corrigan hated the IRA. He did everything in
19 his power to -- what will I say, to put the IRA behind
20 bars. And he was a very dedicated policeman and put his
21 life on the line. He hated the IRA.

22 323 Q. Were you aware as to whether or not Mr. Corrigan was
23 harassed by the IRA because of standing up to them?

24 A. Well, I know there was posters put up around the place,
25 around Dundalk. I can't remember what the contents of the
26 posters were but it was - it was criticising him in
27 relation to handing over Dominic McGlinchey at the border
28 that time, I remember that. I was in his company one
29 particular day when they called him a "bastard".

30 324 Q. And finally, Mr. Murray, would you agree with me that the

1 suggestion that Owen Corrigan in anyway colluded with the
2 IRA in the killing of these unfortunate RUC officers, that
3 is a shameful suggestion for any person to make?

4 A. I would agree with that, Chairman.

5 325 Q. Thanks, Mr. Murray.

6

7 MR. COFFEY: No questions.

8

9 THE WITNESS WAS CROSS-EXAMINED BY MS. O'SULLIVAN AS

10 FOLLOWS:

11

12 326 Q. MS. O'SULLIVAN: Mr. Murray, I represent Finbarr Hickey. I
13 think you indicated to the Tribunal that you weren't
14 working the day on the 20th of March. Is it not the case
15 that later on that evening there was a general call up of
16 Gardai and Detective Gardai to come in after the murders?

17 A. That -- that could be correct, Chairman, I cannot say for
18 definite.

19 327 Q. I think there is what is known as the On/Off Book in the
20 Tribunal, I wonder if that can be handed to the witness. I
21 think you are familiar with the On/Off Book?

22 A. Yes, yes.

23 328 Q. And I think that is a book that was used, I understand from
24 other witnesses, mainly by Detectives sometimes by members
25 of an Gardai to indicate when they were coming in and when
26 they were leaving the Garda Station or leaving duty, I
27 suppose?

28 A. Yes, the official record was the station diary.

29 329 Q. Exactly. So it wouldn't necessarily that everybody was on
30 duty or not on duty wouldn't necessarily be recorded in the

1 On/Off Book, it was the station diary was the official
2 record, this was used, I understand, to assist the Station
3 Orderly in completing the station diary?

4 A. That would be correct, there would be members coming and
5 going all the time. The Member in Charge of the station
6 mightn't be aware of detectives coming and going this was a
7 book to assist him when he was filling in the station
8 diary.

9 330 Q. Particularly because detectives wouldn't necessarily be
10 working set hours, they would be coming and going rather
11 than coming on shift at 6 am or 2 pm?

12 A. Detectives worked different hours, it depended on if they
13 were off they would be called in on overtime or whatever.
14 And -- or if they had specific duties to do in relation to
15 a specific case they would come in and complete their tasks
16 in relation to that. It wasn't set times they worked the
17 Detectives even though they might have been working at that
18 time they might have been detailed for late duties, they
19 could come in if they wanted to complete a file or do some
20 work.

21 331 Q. And I don't know the On/Off Book you have open in front of
22 you, did that refer to the date of the 20th of March 1989?
23 I understand it should do. On the "On" page the date at the
24 top should be the 20th of March 1989, the first date?

25 A. Yes, I see that first page there, yes.

26 332 Q. I think about 12 lines from the bottom of that page there
27 is a signature Detective Garda G. Murray?

28 A. Yes.

29 333 Q. With the number 18430 F, was that your number?

30 A. That is correct, yes, Chairman.

1 334 Q. And the time refers to is 8:30 pm?

2 A. That is correct.

3 335 Q. Would that suggest, Mr. Murray, that you came on duty that
4 evening at 8:30 pm?

5 A. That is correct, I did. And I left at 11 pm.

6 336 Q. That is referred to what is referred the "Off" side of the
7 book, on the right-hand side of the book?

8 A. Yes.

9 337 Q. That would suggest you came on duty for approximately two
10 and a half hours that evening?

11 A. That is correct, Chairman.

12 338 Q. I think, if you look above the time that you came on duty,
13 there seems to be a number of Detectives coming on duty at
14 6:30, 6 pm and 5:15 pm?

15 A. That is correct, Chairman.

16 339 Q. It numbers approximately ten detectives who came on duty in
17 the course of the evening?

18 A. That is correct.

19 340 Q. That would suggest that there was a general call up of the
20 detectives coming on duty that evening?

21 A. - yes, Chairman, it looks like that, yes.

22 341 Q. That would have been a direct response to the murders that
23 afternoon?

24 A. It more than likely was a conference, I just can't
25 remember, Chairman.

26 342 Q. And more than likely there would have been a call up of the
27 ordinary uniform guards as well, they would have to perhaps
28 do - some road blocks or something of that effect that
29 evening?

30 A. That would have been correct, Chairman.

1 343 Q. Very good, I have no further questions.

2

3 CHAIRMAN: Thanks very much. Mr. Hayes have you any?

4

5 MR. HAYES: Just one or two questions by way of

6 re-examination.

7

8 THE WITNESS WAS RE-EXAMINED BY MR. HAYES AS FOLLOWS:

9

10 344 Q. MR. HAYES: Mr. Murray, you told us in answer to Mr. Durack
11 that in your opinion this had been planned by intelligence
12 that they had monitored over a period it would have taken
13 them some hours to put the operation into place?

14 A. That is correct, Chairman.

15 345 Q. Am I correct in saying that is the benefit of your years of
16 experience rather than any actual knowledge on your part?

17 A. It would be - then again, Chairman, when I say that it is
18 just speculation on my part. But I cannot say for definite
19 I am only speculating from my experience.

20

21 CHAIRMAN: Your experience and your knowledge?

22 A. From my experience and my knowledge of the way the IRA
23 worked.

24

25 346 Q. MR. HAYES: That is what I am asking, the benefit of your
26 experience rather than --

27 A. Yes, Chairman.

28 347 Q. Also just in relation to the length of time it might have
29 required them to put the operation into place, I think that
30 the two officers arrived in the Garda Station, as Mr.

1 Durack said, sometime in the region of a quarter past two
2 that afternoon?

3 A. That is correct.

4 348 Q. They left sometime we believe before half past three or
5 thereabouts?

6 A. Yes, well I agree with that.

7 349 Q. They were, in fact, murdered shortly before 4 o'clock?

8 A. Yes.

9 350 Q. If it were known in the Garda Station some hours in advance
10 of that, in fact, they were coming would that give
11 sufficient time to the IRA to mount the operation?

12 A. In my opinion, the IRA could have actually operated the
13 operation within a couple of hours. If they had prior
14 knowledge of them coming, that would have been -- that is
15 my opinion, they could have got the guns they could have
16 got the personnel within a couple of hours if they had
17 prior knowledge of them actually coming to the station.

18 351 Q. Prior knowledge from whatever source?

19 A. Whatever source, yes.

20 352 Q. Finally and the last question I have for you, in answer to
21 Mr. O'Callaghan you made reference to posters having been
22 put up in relation to Mr. Corrigan after the extradition of
23 Dominic McGlinchey?

24 A. Yes, I can't remember what the contents of the posters were
25 but I think it might have been - I think I remember
26 "traitor" written on some walls "Corrigan" down around some
27 of the estates, something like that. And I think there was
28 posters put up but I remember he did get a lot of "hassle"
29 if I can use the expression from sympathisers in relation
30 -- after the McGlinchey episode.

1 353 Q. Two things perhaps arise. First of all, I think Dominic
2 McGlinchey we were told yesterday was a member of the INLA
3 rather than the IRA?

4 A. That is correct.

5 354 Q. And secondly the hassle that Mr. -- or that Sergeant
6 Corrigan got, was that over and above the hassle that the
7 -- your other colleagues received from IRA sympathisers or
8 was it much of a muchness?

9 A. It would have been more than other members of the Detective
10 Branch would have got definitely.

11 355 Q. Sergeant Corrigan got more?

12 A. That is correct.

13 356 Q. Thank you very much.

14

15 CHAIRMAN: Thank you very much indeed, Mr. Murray, very
16 helpful, thank you. That concludes our mornings work, we
17 resume then at 2 o'clock.

18

19 MR. HAYES: Thank you very much.

20

21 THE TRIBUNAL THEN ADJOURNED FOR LUNCH

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1 THE TRIBUNAL RESUMED AFTER LUNCH AS FOLLOWS:

2
3 MR. HAYES: Good afternoon Chairman. We have one witness
4 scheduled for this afternoon, that is Mrs. Cathleen
5 Freeman, please.

6
7 REGISTRAR: Cathleen Freeman.
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CATHLEEN FREEMAN, HAVING BEEN SWORN, WAS EXAMINED BY
MR. HAYES AS FOLLOWS:

A. Cathleen Freeman.

357 Q. MR. HAYES: Good afternoon, Mrs. Freeman. My name is Dara
Hayes and I am counsel for the Tribunal. I think you --
you remain a member of An Garda Síochána, is that correct?

A. No, I am civilian staff.

358 Q. You are civilian staff, I see. I think you were in -- you
worked in Dundalk Garda Station?

A. Yes.

359 Q. From 1985 to 1990?

A. Yes.

360 Q. Yes. And, I think, was that when you first started working
with the guards?

A. Yes.

361 Q. That was your first job?

A. Well, I was in the Four Courts here before that and then
moved to Dundalk.

362 Q. I see. Then you went to Monaghan in November 1990?

A. 1990, yeah.

363 Q. And you have been and you have been working in Monaghan
since that?

A. Since.

364 Q. And will you just explain to the Tribunal what the nature
of your work in Dundalk was in those five years? It is a
long time ago, I appreciate?

A. It is. Well, I worked in the Superintendent's office in
Dundalk for the length of time I was there.

1 365 Q. Yes?

2 A. And just did basic correspondence, register, helping, all
3 the usual filing, everything else that went with it.

4 366 Q. Administrative work.

5

6 CHAIRMAN: Can everybody hear?

7

8 MS. O'SULLIVAN: No.

9

10 CHAIRMAN: If you could Ms. Freeman get the microphone a
11 little nearer to you.

12 A. Yes, okay.

13

14 CHAIRMAN: Thank you.

15

16 MR. HAYES: Thank you, Mrs. Freeman.

17 367 Q. And was that the Superintendent's office, was that also
18 known as the District Office?

19 A. Yes.

20 368 Q. It was. And this was the uniform Superintendent rather
21 than the Detective Branch?

22 A. Yes, uniform Superintendent, yes.

23 369 Q. And do you recall who the uniform Superintendent or
24 Superintendents were when you were working in Dundalk?

25 A. Well, there was Superintendent McCabe and Superintendent
26 Frank Murray.

27 370 Q. Yes?

28 A. Now, apart from those two, I'm not sure...

29 371 Q. Was there a Superintendent Tierney, do you recall him?

30 A. Yes, I know the name but I can't actually remember now that

1 I worked for him now, but I remember the other two
2 Superintendents, I did work for them.

3 372 Q. Yes. And in the Superintendent's office and I suppose more
4 particularly in the later years that you were there maybe
5 1988/1989, who worked in Superintendent's office with you?

6 A. Vincent Rowan.

7 373 Q. Yes and what was his role?

8 A. He was, I think when I went there he was the Sergeant.

9 374 Q. Yes?

10 A. He was the District Clerk.

11 375 Q. Yes?

12 A. And George Flynn. And then there would be a few different
13 staff working in and out. Regina McArdle, Jim Dolan.

14 376 Q. Yes?

15 A. I can't really remember any others.

16 377 Q. And were you the only civilian working in the
17 Superintendent's office?

18 A. Yes, I think so. Yes.

19 378 Q. I think there were some other civilians working elsewhere
20 at this stage --

21 A. Yes, in the other parts of the building all right but I was
22 the only one in the District Office.

23 379 Q. Yes. And on a day-to-day basis, did you have much
24 interaction with the members of the guards?

25 A. Not a lot. Just unless they came into the office looking
26 for files or something and just the ones that were in the
27 office, in the District Office, but otherwise not really.

28 380 Q. And I suppose who -- I mean, could anyone wander not --
29 could anybody come in and look for files?

30 A. Well, yes.

1 381 Q. Yes. And would they need any particular reason to do so
2 or...

3 A. No, not really.

4 382 Q. Not really. They could -- okay. Did you share facilities
5 through the station with the other members? I mean did you
6 have -- was there a like a common room for lunch?

7 A. Yes, down the basement we had a kitchen.

8 383 Q. Yes?

9 A. And yes, we went down for tea on our breaks and at lunch.

10 384 Q. Yes. I mean -- and this was a station for all employees
11 whether Garda or civilian?

12 A. Yes, for everybody.

13 385 Q. A room, yes. I think that on a reasonably frequent basis
14 members of the RUC visited the station, Dundalk, to meet
15 the senior officers. Do you recall that?

16 A. Not really, no.

17 386 Q. Not really. I mean, would you have had much knowledge and,
18 as I say, I appreciate it is a long time ago now, but did
19 you at the time have much knowledge, say, of what your
20 Superintendent was about, what duties he was doing at any
21 particular time of the day?

22 A. Not really, apart from that you would know when he was
23 going to court and stuff like that, but otherwise not
24 really.

25 387 Q. Not really. You worked in the District Office, is that
26 right?

27 A. Yes.

28 388 Q. And his office was a private office next --

29 A. Yes, just beside it with a connecting door.

30 389 Q. And was his office one that you could get into his office

1 either by going through the District Office or directly
2 into his office? I mean, did you have to go through the
3 District Office to go into his?

4 A. I'm not sure. I presume there was another door that led
5 out to the corridor, but I couldn't say for definite.

6 390 Q. Yes. And on a ordinary day and just I'm talking in general
7 terms and not -- I will move on to the 20th of March 1989
8 a little bit later. But in an ordinary day I presume
9 people would telephone looking for the Superintendent or...

10 A. Yes.

11 391 Q. And who would generally answer the phone in the District
12 Office?

13 A. Probably I would say Vincent Rowan, as he was the District
14 Clerk.

15 392 Q. Yes. And if he was, I suppose, otherwise engaged?

16 A. Anyone else.

17 393 Q. Anyone else. Whoever --

18 A. Anyone else in the office would.

19 394 Q. Yes. And on occasions would you answer the phone in the
20 District Office?

21 A. Yes.

22 395 Q. You would. Now, on the 20th of March, 1989, two RUC
23 officers came to visit the station sometime after
24 lunchtime?

25 A. Yes.

26 396 Q. Being Chief Superintendent Breen and Superintendent
27 Buchanan?

28 A. Yes.

29 397 Q. Do you recall them being there that day?

30 A. Well, actually, just there has been progress since -- you

1 see, when I came up here to make a statement originally I
2 was just thinking of it after I went home and I was
3 wondering why I -- my memory is not great but I just
4 wondered why it was so bad. Then I realised I was on
5 maternity leave. So I - because my eldest was born in
6 December '88. So I rang personnel last week before I came
7 up here and was due back at the beginning of April '89.

8 398 Q. Yes?

9 A. And I was off a month sick which I didn't realise so
10 actually, I have a letter here from personnel just giving
11 the date of when I came back which I think was the 10th of
12 April.

13 399 Q. Yes?

14 A. Because I wondered why I just you know, something that
15 serious especially from Dundalk Garda Station, that I
16 actually couldn't recall it, but.

17 400 Q. That would make a lot of sense?

18 A. I was on maternity leave.

19 401 Q. Yes. Can we have a copy of the --

20 A. Yes, that is why I brought it here, yes.

21 402 Q. Thank you very much. I suppose, just in the first instance
22 you might just show it to the Chairman?

23 A. Yes. (Document handed to Chairman.)

24 403 Q. And I'm sure we will be able to provide copies for other
25 parties afterwards.

26

27 CHAIRMAN: Yes, this says "I wish to advise that Ms.
28 Cathleen Freeman was on maternity leave from the 21st of
29 November, 1988, until the 2nd of March, 1989 and certified
30 sick leave from the 3rd of March until the 9th of April,

1 1989. She resumed duty on the 10th of April, 1989. If you
2 have any further queries, please do not hesitate in
3 contacting me" - and it gives a telephone number. Sarah
4 Swaine, Garda Civilian, HR directorate.

5

6 So, if anybody wants a copy of that. Does anybody want a
7 copy of it?

8

9 MR. HAYES: I suppose we perhaps might. If anybody they
10 can approach us afterwards perhaps if they do.

11

12 CHAIRMAN: Very good.

13

14 404 Q. MR. HAYES: I suppose well that explains quite a lot then.
15 So, obviously therefore you wouldn't have answered the
16 phone that day to any member of the RUC?

17 A. No.

18 405 Q. Quite clearly, yes. I suppose then just moving back to
19 slightly more general things. And you have told us that in
20 your role in the District Office you didn't have much
21 interaction with the other members of the -- or members of
22 the guards in the station. What was the -- if the District
23 Office sort of required to communicate with members of the
24 guards, what was the procedure for doing that?

25 A. Well, on paper everything goes through every office from
26 District Office down to Sergeant in Charge. And again, out
27 to units and they reply to that correspondence and it goes
28 back up along the line and up to the Chief's Office, that
29 is the way it goes all the time.

30 406 Q. So, if you wanted to right write to a particular member, a

1 particular Detective Garda --

2 A. Yes.

3 407 Q. If the District Officer wanted to write, he would write to
4 his Sergeant in Charge and pass it down the line like that?

5 A. Or in the case of the detective it would go to the
6 D/Sergeant then.

7 408 Q. D/Sergeant then?

8 A. And it would go out to whatever unit he was on and back
9 again.

10 409 Q. And any report would come back up the line in a similar --

11 A. Yes.

12 410 Q. So you wouldn't have cause, am I right in saying, to have
13 to go around the station giving letters out if --

14 A. No.

15 411 Q. If the District Officer wanted them done it would --

16 A. In all stations it goes that way, this is all the same
17 procedure.

18 412 Q. Yes. And you weren't, then, familiar with any particular
19 members of the guards other than the ones you worked with
20 the office?

21 A. Yes. Familiar -- well you would know them, you know,
22 meeting them in the station or on breaks, but I mean, apart
23 from that, that would be it.

24 413 Q. Yes. You would know them in the way you would know
25 somebody who worked in the same building as you, would that
26 be it?

27 A. Yes.

28 414 Q. The Tribunal has previously heard and I just want to ask
29 you briefly about this, that some significant period of
30 time after the murders that intelligence was received by

1 the, by the Police Service of Northern Ireland that a
2 civilian administrator based in an unknown location had a
3 role in organising meetings such as the one that took place
4 on that day. In your experience from working in the
5 District Office, are you aware of meetings being arranged
6 for your Superintendent other than directly with him or
7 with his District Office?

8 A. No, I wouldn't be aware of that.

9 415 Q. Did you -- there is no -- there was no -- was there any
10 circumstance in which such a thing was likely to have taken
11 place, such an arrangement?

12 A. Not that I know of.

13 416 Q. Not that you know of.

14

15 CHAIRMAN: Who replaced you when you were on leave, do you
16 know? Was it a guard or a civilian?

17 A. It could have been a guard, but I can't remember.

18

19 CHAIRMAN: All right. Thank you very much.

20

21 417 Q. MR. HAYES: I suppose one -- I think this is the last thing
22 I am going to ask you. If somebody was to telephone the
23 District Office and you had answered the telephone looking
24 either for let's say your Superintendent or looking to
25 speak to Sergeant Rowan, what procedure or was there any
26 procedure for recording a message to pass on?

27 A. Not really, no. Just answer the phone and if the person
28 wasn't in the office you were in you actually had to
29 sometimes, I think, go out of the office maybe to another
30 office to either get them to -- because the system was

1 quite old, it was from what I remember. It definitely had
2 to go to other offices sometimes to look for people or else
3 just take a message for them if we couldn't get them.

4 418 Q. If you couldn't get them?

5 A. Um.

6 419 Q. Was there any system in the District Office for the logging
7 of telephone calls that were received?

8 A. No, just -- it would be just like putting it on a piece of
9 paper and leaving it for somebody, a message, just, but
10 there was no log or anything.

11 420 Q. Yes.

12

13 MR. HAYES: Thank you very much. Some of the other parties
14 might have some questions for you.

15 A. Okay.

16

17 CHAIRMAN: Any questions?

18

19 MR. DURACK: No questions.

20

21 CHAIRMAN: Any questions for anybody else.

22

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

24 **FOLLOWS:**

25

26 421 Q. MS. O'SULLIVAN: I just have a few questions for
27 Mrs. Freeman. Mrs. Freeman, I represent Finbarr Hickey. I
28 think you were interviewed by the Tribunal initially in
29 relation to this back in 2007, is that right?

30 A. Yes.

1 422 Q. When you were interviewed by them did you know why they
2 were interviewing you specifically?

3 A. No, not really. I never really thought about it much. I
4 just realised that there was an inquiry into this, but...

5 423 Q. And I think you knew that they were investigating the
6 events of the 20th of March, 1989?

7 A. Yes.

8 424 Q. And you assumed that you were working in the station at the
9 time, did you?

10 A. I did, actually, yes.

11 425 Q. I think, in fact, you told them that *"to the best of my*
12 *recollection I was working that day between the hours of*
13 *9:15 and 5 p.m."*?

14 A. Yes, because I just never looked it up.

15 426 Q. And I don't think any records were produced to you to
16 suggest that you weren't working on that day at that time?

17 A. No.

18 427 Q. So that was what you presumed your recollection was?

19 A. Yes.

20 428 Q. And I think, you then subsequently thought about it some
21 more and made some investigations yourself. What
22 investigations did you make?

23 A. No, just before -- when I got the letter to attend here, I
24 was thinking afterwards just of the dates of when my eldest
25 fella was born. And then I realised that was the end of
26 '88 and this was the beginning of '89. And just to be sure
27 I just rang personnel in Navan just to find out. And she
28 looked up the records and said that I wasn't actually back
29 until the 10th of April. So...

30 429 Q. So there was somebody in Navan that was able to give you

1 that information very easily?

2 A. Yes.

3 430 Q. And were you surprised that that information hadn't been
4 previously obtained by the Tribunal?

5 A. Well, I was in a way, I suppose, because I just assumed
6 that maybe records would be looked up first of all to see
7 who maybe was working in the station at that time.

8 431 Q. Thank you, Mrs. Freeman.

9

10 CHAIRMAN: Any questions from anybody else?

11

12 MR. HAYES: Just one question by way of re-examination.

13

14 THE WITNESS WAS RE-EXAMINED BY MR. HAYES AS FOLLOWS:

15

16 432 Q. MR. HAYES: I don't think you had told us before you have
17 just given evidence just now --

18 A. No, I had no idea when I was here originally and it never
19 occurred to me, actually before that to check up because it
20 was only being asked the question at the time that I was
21 here giving my statement, that it was only now that I
22 realised maybe I should just check it to up, just to make
23 sure that I was actually working.

24 433 Q. And I don't say that in any way by way of criticism. But
25 we -- the Tribunal would have had no reason to believe that
26 you were on maternity leave at the time?

27 A. Yes.

28 434 Q. Thank you very much.

29 A. Okay.

30

1 CHAIRMAN: Very well. Thank you very much Mrs. Freeman for
2 coming and giving us your attention. Thank you.

3
4 THE WITNESS THEN WITHDREW

5
6 MR. HAYES: Sir, that is the evidence for this afternoon.
7 I apologise that it didn't take any longer than it did but
8 I think the next evidence is scheduled for Tuesday morning.

9
10 CHAIRMAN: Tuesday morning at 11 o'clock then, thank you
11 very much.

12
13 THE PROCEEDINGS ADJOURNED UNTIL TUESDAY THE 19TH OF JULY,
14 2011, AT 11 A.M..

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