

An Garda Síochána's Statement to RTE Investigates

In the interests of fairness and balance, it should be referenced on the programme that RTE Investigates asked approximately 90 lengthy and highly detailed questions of An Garda Síochána on a wide-range of matters going back in some cases several years that were often based on protected disclosures that by law we are precluded from commenting on.

In addition, that RTE Investigates provided us with a week to respond to queries for a programme that undoubtedly RTE Investigates had been working on for a long time and with a broadcast date the week after.

In addition, it is noted that RTE started advertising the programme with excerpts before receiving any response from An Garda Síochána.

Since those lengthy and detailed questions and a wide-range of serious allegations will be the basis of your programme, then our full statement should be used to ensure balance regardless of "editorial constraints".

An Garda Síochána has previously addressed many of the issues you have raised in public at Oireachtas Committees, media briefings, and in response to media queries.

An Garda Síochána has kept its oversight bodies advised of these issues.

To protect an on-going process, An Garda Síochána does not comment on matters before the WRC for adjudication.

To protect an on-going process, An Garda Síochána does not comment on matters before the civil courts for adjudication.

To protect an on-going process, An Garda Síochána does not comment on matters before or due before the criminal courts for adjudication.

An Garda Síochána does not comment on matters that may be under investigation by Fiosrú.

It is important that the rights of those making (and those considering making) protected disclosures are protected.

It is equally important that those persons who are the subject of allegations are entitled to fair procedures and due process in respect of investigations conducted.

Directly after the publication of the first Disclosures Tribunal report, it is a matter of public record that Commissioner Harris met with the then Sergeant Maurice McCabe to apologise on behalf of An Garda Síochána for his treatment.

It is a matter of public record that Commissioner Harris introduced the Garda Anti-Corruption Unit to seek to find any Garda personnel engaged in wrong-doing and take enforcement action against them. As part of this Garda personnel were

encouraged to come forward with any concerns they had about Garda colleagues. A number of Gardai are suspended, have been prosecuted or are before the Courts as a result of investigations by the Garda Anti-Corruption Unit.

It is a matter of public record that Commissioner Harris also communicated to the Garda organisation on several occasions to encourage any Gardaí who had been victims of domestic and/or sexual abuse or harassment by a Garda colleague to come forward so that it could be investigated.

Evidence of taking anonymous complaints made to the organisation seriously is the Crowe Report on Roads Policing.

Following the receipt of anonymous correspondence raising concerns about roads policing, Commissioner Harris requested an external body examine them. Those concerns were examined by Crowe consultancy and its findings published by An Garda Síochána. The recommendations by Crowe are currently being implemented by An Garda Síochána.

Protected Disclosures

An Garda Síochána considers the area of Protected Disclosures to be of the utmost importance and is committed to ensuring the integrity of the structure, system and process for making and investigating all such reports.

We encourage and support employees in disclosing wrongdoing and have implemented mechanisms to ensure that workers can raise concerns with the confidence that they will be listened to and that their concerns will be appropriately addressed.

Protected Disclosures can be raised directly within the organisation or through the dedicated reporting channel independently operated by Transparency Ireland.

We proactively address and investigate all reports, including anonymous reports where possible, as evidenced by the Crowe Report on Roads Policing.

All allegations made under Protected Disclosures to An Garda Síochána are treated seriously and are examined for any potential discipline and/or criminal matters that may arise.

All reports of alleged wrongdoing received by An Garda Síochána are processed in line with the Garda Síochána Protected Disclosures Policy which is available on the Garda website. An Garda Síochána reports publicly and to the Department of Public Expenditure and Reform in line with our statutory obligations.

An Garda Síochána's Annual Reports on Protected Disclosures are published on Garda.ie.

The transfer in January 2025 by the Commissioner of the Protected Disclosures Unit (PDU) to Governance and Accountability Section further strengthened protected disclosures within An Garda Síochána. For the record, there was no closure of the PDU.

A dedicated, full-time Protected Disclosure Manager at Assistant Principal level was appointed. Prior to the transfer, multiple managers were overseeing protected disclosures on a part-time basis, while also carrying out their separate day jobs.

Prior to the transfer, the highest rank in the PDU was Sergeant. After the transfer, this was increased to Inspector rank.

In addition, the transfer has further professionalised the service the PDU provides. PDU personnel has received training from Transparency International Ireland (TI Ireland) and Irish Business and Employers Confederation (IBEC). Chief Superintendent, Garda National Risk and Governance Bureau, as well as the personnel in the PDU have also completed a Professional Certificate in Whistleblowing Law, Practice and Policy from Maynooth University.

This is all in keeping with Section 6A of The Protected Disclosures Act 2014 as amended by the Protected Disclosures (Amendment) Act 2022 which requires every public body to establish internal reporting channels and procedures for the making of protected disclosures.

In addition, the PDU has a professional working relationship with Transparency International Ireland. PDU recommends that if anyone is considering making a disclosure, they should first seek advice and support from Transparency International Ireland (TII) who operate a Speak Up helpline. TII can provide free confidential expert advice.

Transparency International Ireland (TII) has also provided training to 166 senior Garda managers in the last year. A further 166 will be trained before the end of 2026.

Other Matters

Policing expert – not Army expert - Police use of guns and holsters differs from that of the Army. A policing expert was deemed more suitable to carry out such a review.

Transfer of Firearms Section – This was as part of an overall re-organisation of the Garda Technical Bureau.

Discharge of firearm while on duty

An Garda Síochána does not comment on matters that are subject to internal disciplinary processes.

An Garda Síochána does not comment on matters that are subject to live civil proceedings.

Firearms and Ammunition Storage

An Garda Síochána takes its responsibility for the secure storage of firearms, official firearms and non-official firearms, including evidential material very seriously.

At a PAC meeting in June 2025, the Commissioner outlined in public the measures taken to protect evidence primarily through the Garda Property and Evidence Management System (PEMS). Commissioner Harris did state that the system was robust but was not fool-proof against individual Garda personnel with criminal intent.

PEMS is used by An Garda Síochána to track, store, and manage evidence, and seized items such as drugs, cash, and firearms.

Following commentary based on dated material, then Commissioner Harris invited the Chair and Chief Executive of the then Policing Authority to inspect the firearm storage facilities in Garda Headquarters. There were no adverse comments made by the Policing Authority following this.

At that PAC meeting in June 2025, then Deputy Garda Commissioner Justin Kelly said on the public record that An Garda Síochána had spent a considerable amount of time on the disposal of a container which contained defective Garda ammunition for our own firearms.

Deputy Commissioner Kelly said An Garda Síochána needed specific licences to move it out of the country because there is nowhere in Ireland to destroy it.

Deputy Commissioner Kelly said it had to be done in Germany and that licences were needed to get through all countries on the way to Germany, but that the container had moved out of the country. The defective ammunition was subsequently destroyed.

An Garda Síochána provided the PAC with the following information following its meeting of June 2025:

A technical advisory meeting was held at Daniel Technologies in February 2018, with Fiocchi personnel and members from Firearms Stores where the defects of the ammunition were discussed and resolutions offered. The defective ammunition was replaced by Daniel Technologies at no cost to the public purse. Fiocchi subsequently requested a declaration of destruction for non-conformity in February 2018. This declaration was completed by the member in charge of Firearms Stores under authority from the Executive Director of Finance. At that time, Firearms Stores was under the remit of Finance & Procurement.

An Garda Síochána made the below statement available to media in 2024:

“In mid-2023, as part of an operation into a feud between two criminal gangs, a firearm was seized in the midlands and two males arrested and subsequently charged with firearm offences.

Two days later, following examination of the firearms, the Senior Investigating Officer found that one of the firearms – a pump-action shotgun – had previously been seized by Gardaí in the east of the country in 2009 and records showed that it was supposed to be still in possession of Gardaí in the east of the country.

This firearm had originally been stolen in a burglary in 2004 and was recovered by Gardaí during a search of a premises under warrant in the east of the country in 2009.

Within a week of the firearm being seized, a criminal investigation was instigated into how the firearm left the control of An Garda Síochána and came into the possession of the individuals charged with firearms offences. A substantial number of enquiries have been completed to date and the investigation is in its latter stages.

There has been significant recent public comment, including by Commissioner Harris, on the critical importance of the proper control and recording of evidential material in An Garda Síochána’s possession.

Commissioner Harris has recently provided a report on this matter to the Minister for Justice under Section 41 of the Garda Síochána Act 2005.

Commissioner Harris has also provided a report to the Policing Authority.

Commissioner Harris will keep the Minister, and the Policing Authority informed of matters as they arise.”

The conviction of Stephen Silver for capital murder

The conviction of Stephen Silver for the capital murder of our colleague Detective Garda Colm Horkan is a matter of fact and public record.

Following consideration of a comprehensive Garda investigation file, the independent Director of Public Prosecutions directed criminal charges against Stephen Silver.

Criminal trials are carried out in public and evidence adduced by both the prosecution and defence are tested, examined and cross examined. After hearing the evidence, a jury of his peers convicted Stephen Silver of the capital murder of Detective Garda Colm Horkan.

As such, any matters relating to the capital murder of our colleague Detective Garda Colm Horkan have been examined by a number of independent bodies - the Director of Public Prosecutions, defence senior counsel, prosecution senior counsel, a jury, and the judiciary.

The (reserved) judgment of the Court of Appeal which heard Mr Silver's case earlier this year is awaited. Thus, this matter is also sub-judice at this time.

As part of the investigation into the murder of Detective Garda Colm Horkan there was a forensic examination of Detective Garda Horkan's holster.

This was done by a forensics expert in Forensic Science Ireland and was referred to at the trial for capital murder of Stephen Silver for which he was found by guilty.

A Garda ballistics expert from the Garda National Technical Bureau also gave evidence at this trial on the holster.

All evidence at a trial is subject to examination by the defence and prosecution.

A holster is not regarded as a technical piece of equipment.

Following the murder of Detective Garda Colm Horkan, a Chief Superintendent was appointed to conduct a lessons learned review. This review made a number of recommendations including replacing the holster on issue at that time with a more modern holster with a secure automatic locking system. The recommendations have been implemented.

A tender process for a new holster took place and this process resulted in a new supplier of holsters being retained by An Garda Síochána.

The family of Detective Garda Colm Horkan, the Minister for Justice, Home Affairs and Migration, and the Policing and Community Safety Authority (PSCA) have all been informed of the above by An Garda Síochána.

It is a matter of public record that the matter of the Garda who was injured on duty is before the civil courts for adjudication.

An Garda Síochána provided the following information to the PAC: Expenditure on Holsters between 2013 – 2020, the duration of the relevant contract was €89,061.60.

The holsters were withdrawn over a period of time as new equipment was issued, and members were trained on the new holster and there was tactical training to do with the issue of the new holster.

Arrest operations

In general, and without commenting on any specific case, decisions on arrest operations are based on the risk profile of the individual or individuals including

whether they might have access to firearms and the potentially deadly risk this may pose to the public, Gardaí and the suspect.

It is a matter of public record that Mr Rochford is charged with 15 criminal offences including the alleged theft and illegal possession of military grade firearms and ammunition.

Mr Luke Rochford

As indicated above, An Garda Síochána is generally precluded by law from commenting on or addressing in detail on persons named in reports, and the contents and issues arising within protected disclosures.

However, in the following instances where you have named individuals as disclosers or identified the circumstances as PDs, An Garda Síochána has serious and substantial concerns as to whether your research to date and the proposed airing of these issues has appropriately protected and respected the rights of those named or implicated in your correspondence.

In particular, the position pertaining to Mr Rochford, who is presently before the courts on criminal offences with a trial date of 23 November 2026.

As no doubt you are aware, the constitutional rights of an accused person to a trial in due course of law and to fair procedures are found in Articles 38.1 and 40.3 of the Constitution of Ireland. Article 6 of the European Convention on Human Rights also guarantees that a person charged with a criminal offence has the right to a fair trial.

As such, matters are sub-judice at this time and it is not appropriate to comment, beyond noting that any further comment could be regarded as potentially prejudicing the fair trial rights of this accused person and likely to interfere with the due and proper and fair trial of any legal proceedings, particularly criminal proceedings.

On foot of your correspondence dated 2 September 2026, Garda Legal wrote to the Office of the Director of Public Prosecutions appraising them specifically of the relevant paragraphs in your correspondence as they relate to the prosecution in DPP v Luke Rochford.

Review of the Report by then Chief Superintendent

In question 12, you reference a document sent by a named member of Garda staff to a PD investigator, a Chief Superintendent, which questioned the Chief Superintendent's report into a protected disclosure, and the "unwarranted" response to this from the Garda Commissioner.

An Garda Síochána is not in a position to comment on this as the provenance of said document sent by the named member of Garda staff is under investigation.

In closing, An Garda Síochána now relies on you as our national public service broadcaster with a reputation for upholding the highest journalistic standards to ensure that any broadcast of these matters is balanced, supported by empirical evidence and facts and most especially appropriately protects the significant legal and constitutional rights engaged as detailed above.

Moreover, as stated at the outset, it is imperative as a matter of public confidence in An Garda Síochána that the constraints restricting a full and open dialogue on many of the issues raised are not unfairly presented as a reluctance on our part to engage with these issues.