

MANAGING EXPLOSIVES FINDS

Sir, you are required pursuant to paragraph (e) of the Terms of Reference to urgently enquire into the matters of urgent public importance set out therein, which reads:

Complaints that some Gardaí in County Donegal may have been involved in hoax explosives and bomb-making equipment finds (in particular discoveries on 11th September, 1993, 19th November, 1993, 11th January, 1994, 14th March, 1994, 4th June, 1994, 13th June, 1994 and 18th July, 1994) and a review of the management and investigation of these issues.

Sir, when the Tribunal first sat on the 15th of July, 2002 you gave an explanation of the Terms of Reference. This is what you said in relation to the foregoing paragraph:

The information which is available to the Tribunal contains allegations made by a number of persons that some members of An Garda Síochána “planted” subversive paraphernalia and later purported to discover it or have it discovered by third parties.

The Tribunal proposes to

- (i) Enquire into and establish the facts in relation to these events;**
- (ii) Enquire into and establish what “finds” were actually made, if any;**
- (iii) Identify the nature of the materials said to have been found on these occasions;**
- (iv) Enquire into and establish the events and circumstances which led to the making of these “finds”;**
- (v) Enquire into and establish the identity of such members of An Garda Síochána, if any, who acted with regard to these finds and attempt to discover whether their actions were proper or improper;**
- (vi) Enquire into the normal Garda procedure and/or practice (if any) relating to the making of such “finds” including practice and procedures relating to preservation of materials found, forensic analysis of same, the preservation and examination of the apparent crime scene, and any other follow-up procedures and practices applicable to such a find and consider whether such procedures and practices were followed in relation to these “finds”**
- (vii) Consider the adequacy of the procedures and practices applicable to the making of such “finds” having regard to the facts which may be established in evidence at the Tribunal;**
- (viii) Enquire into the course and management of the investigations relating to these incidents;**

- (ix) Consider the use and role of informants in this matter: in that regard the approach already set out in relation to Term (B)(3) of the Terms of Reference will be applied;**
- (x) Enquire into and establish the manner in which the complaints made in relation to these events were dealt with by members of An Garda Síochána including complaints made to the Garda Síochána Complaints Board;**
- (xi) Enquire into and consider the relationship, if any, between the events the subject matter of this Term of Reference and any other Term of Reference.**

Sir, the first date mentioned in this Term of Reference is, in fact, the earliest date referred to. Since what we are proposing to do in this Preliminary Opening Statement is to attempt to follow, as far as conveniently possible, a formula of ordering events chronologically, it seems right to begin with issues which concern apparent explosives finds. It also seems to us that we cannot simply begin in September, 1993, but must go back to events which occurred some years prior to the earliest date in the Terms of Reference. Sir, we have already explained how an investigation was commenced under Assistant Commissioner Kevin Carty into the Garda investigation of the death of the Late Richard Barron on the 14th of October, 1996. It was very shortly after that investigation commenced that allegations were made to the Carty investigation team which necessitated their enquiries expanding and embracing, among other things, the terms of paragraphs (e), (g) and (i). The credibility of certain persons looms large in this section of your work, Sir. In simple terms, two people, who are not members of An Garda Síochána, are saying that particular things happened and two persons who are members of An Garda Síochána are saying that they did not. What we intend to do is to present the statements alleging wrongdoing side by side with the response of those who state, in the main, that they were conscientious in carrying out their duty. In relation to the members of An Garda Síochána, a brief outline of their career may help the focus that needs to be brought on these issues.

Noel McMahon joined An Garda Síochána on the 11th of January, 1978 and on completion of training went to Buncrana in June of that year. The following year he was transferred to Burnfoot and after a period of nine months, at his own request, he was transferred to Dublin Castle where he took up duty as a Detective Garda in the Special Detective Unit. He stayed there for a period of nearly six years. During that time, on the 2nd of April, 1981 he married Sheenagh O'Doherty. Mrs. McMahon comes from Buncrana, County Donegal. Both her father and her sister are solicitors practising in that town. At the request of Noel McMahon, he was transferred on the 17th of June, 1986 back to Donegal and took up detective duties initially at Letterkenny and then, on the 23rd of October, 1987 at Buncrana. Noel and Sheenagh McMahon sold their house in Buncrana and purchased a house in Letterkenny for reasons which perhaps related to him being transferred from Buncrana to Letterkenny on the 12th of June, 1997. It would not be normal to speak of anyone's private life in the context of an inquiry such as this. However, it seems to us that certain aspects of the private life of Noel and Sheenagh McMahon are of importance and have been the subject of an investigation by the Carty team prior to this. As

we understand it, some form of protection or barring order was granted to Sheenagh McMahon by the Courts in Donegal in June of 1995 and just prior to Christmas of 1998 the couple separated. Something should also be said about the career and background of the two other people that will be mentioned frequently in relation to this.

Kevin Lennon comes from Cloone, County Leitrim and joined An Garda Síochána on the 8th of January, 1975. He served at Buncrana for eight years from June of 1975 until, in June of 1983, he was transferred to Burnfoot on being promoted to Sergeant. Almost two years later, in May of 1986, he was transferred to Letterkenny Garda Station. Almost six years later he attained the rank of Inspector in March of 1992. He was then transferred to Buncrana where he served until January, 1993. He was then transferred to Letterkenny Garda Station as an Inspector until in May of 1993 he was appointed a Detective Inspector. On the 7th of February, 1996 he was promoted to Superintendent and was then transferred from Letterkenny to Buncrana where he was stationed up until February of 1997. During that month he transferred back again to Letterkenny where he served up until April of 1999. When the Carty investigation began, we understand, he agreed that it was important that he should not be seen to be in any way capable of influencing that investigation and so he was allocated to Millford Garda Station on a temporary basis.

Adrienne McGlinchey was born in 1965 and now lives in Letterkenny. She is one of a family of five children and her father was prominent in the County, having once been a Senator. As we understand it, that family was also blighted by a separation. As far as we know, because the records are missing, Adrienne McGlinchey was arrested for the first time under section 30 of the Offences Against the State Act, 1939 on the 8th of July, 1991. She was released without charge. From some date in 1991 she rented a flat in Buncrana which she shared with a lady called Yvonne Devine. As we understand it, whatever disharmony there may have been between Adrienne McGlinchey and her mother and sister were resolved some time in 1995 and she returned from Buncrana to live with her mother and sister and in order to manage a shop in Letterkenny.

On the 16th of March, 1999 a solicitor, Moya Jane O'Doherty, called to Buncrana Garda Station and made a complaint in relation to the conduct of Detective Garda Noel McMahon. Her interest was both professional and personal since she is the sister of Sheenagh McMahon. Her complaint related to a telephone message left by Detective Garda Noel McMahon on the answering machine of his estranged wife. Three days later there was a formal interview with Moya Jane O'Doherty conducted by Detective Sergeant Leheny at her office. Both on the occasion of the complaint, and on this latter occasion, she declined to make a written statement. She did, however, request a further meeting that afternoon in the presence of her sister, Sheenagh McMahon. At that meeting Sheenagh McMahon made serious allegations against her estranged husband Detective Garda Noel McMahon and against Superintendent Kevin Lennon and, in consequence, these matters were reported to Superintendent Thomas Long. It is important to note from the outset that in respect of every allegation made against both Superintendent Lennon

and Detective Garda Noel McMahon by Sheenagh McMahon, and in respect of later allegations, to which we shall shortly refer, made by Adrienne McGlinchey, that these were denied in emphatic terms by both Superintendent Lennon and Detective Garda McMahon. Those denials are presented in parallel.

On the 29th of March, 1999 Sheenagh McMahon produced five items to Chief Superintendent Denis FitzPatrick. The first two were items which she claimed to have been under the impression were part of a mortar bomb. In fact, they were not and appeared to have had no sinister usefulness other than deception. One of them was a metal tube about three inches in diameter and fourteen inches high with a base of metal fins at the end. The other was a similar, but smaller item. The other items were documents, consisting of a handwritten sheet which she alleged was in Superintendent Lennon's handwriting; an unsigned typed report apparently addressed to Superintendent Lennon by her husband Detective Garda Noel McMahon and a notebook. The typed report apparently gives a glowing reference to Superintendent Lennon, speaking of his integrity and efficiency. The handwritten sheet states that Kevin Lennon never took part in, or authorised, any unlawful activity or operation, any illegal act on or off duty, or any illegality while participating in any operation. These documents are already public knowledge in the sense of having been referred to in the judgment of the Court of Criminal Appeal in the case of *The People (DPP) -v- Frank Shortt* delivered on the 31st of July, 2002. The notebook also makes a reference to Mr. Shortt's premises 'the Point Inn'.

Between the 26th of April and the 18th of May, 1999 Sheenagh McMahon made a number of statements which were signed on the 24th of May of that year. The items of hardware were handed over to Superintendent John F O'Connor, a member of the Carty investigation team, on the 28th of April, 1999. On the 9th of July, 1999 these allegations by Mrs. McMahon were withdrawn. On that occasion Mrs. McMahon was in attendance at Letterkenny District Court in respect of her family law proceedings. Her solicitor, Mr. Niall Sheridan, in a statement dated the 10th of December, 1999, described the circumstances as follows:

Outside the Court I was approached by Garda Martin Leonard who indicated to me that my client wished to withdraw certain allegations she had made in respect of her husband, Noel McMahon in his capacity as a member of An Garda Síochána. I indicated to Garda Martin Leonard that I was not instructed in this matter. However, I pointed out that I was aware that Sheenagh's physical and mental condition on the day was such that she was not capable of making an informed decision as to whether she wished to proceed with her complaints against her husband or withdraw them. I strongly urged to Martin Leonard not to take any such statement. He had suggested that I should assist in this matter and I refused. I subsequently discussed the matter with Sheenagh McMahon in Gallagher's Hotel. Sheenagh McMahon had been sitting with her husband in the lounge and I called her out to speak to her privately. I discussed the matter with her. I advised her that I did not think she was in any fit condition to make any decisions

concerning the investigation into her husband's conduct as a Garda. She agreed with this advice. In fact I had also advised her that she was not in a fit condition mentally or physically to proceed with the related family matters before the District Court and indeed these were adjourned. I spoke to Garda Martin Leonard again and reiterated the view that I believed that Sheenagh was not capable of taking any decision in the matter and that he should not take a statement from her. I indicated to him that I had spoken to Sheenagh and she had agreed with my advice and did not want to make any decisions on that date. I have subsequently discovered that Sheenagh McMahon signed a statement in which I believe that she withdrew her complaints on the same day. This was contrary to Sheenagh's stated wish to me. It was further contrary to the further advice I gave to Sheenagh McMahon which I forcefully communicated to Garda Leonard. Furthermore, I do not believe that Sheenagh was in a fit state to make any statement and it is my opinion that it was wrong of Garda Martin Leonard to take any statement from our client on that date. Sheenagh was clearly under severe stress. This would have been apparent to anybody dealing with her on the day. (10.12.99)

Garda Martin Leonard explains the circumstances, from his point of view, in his statement of the 24th of July, 1999, in the following terms:

...on Friday, the 9th of July, 1999 I was on duty at Letterkenny Circuit Court. I met Mrs. Sheenagh McMahon and she asked me to take a statement of withdrawal of a statement made to Superintendent Long and Superintendent O'Connor. I arranged to meet her at 4.00 p.m. at Tara Court, Letterkenny. I asked Garda Pauline O'Hara to accompany me and to witness the statement. On arrival at the appointed time I asked Sheenagh McMahon if she wished to make a statement and she replied yes. I pointed out to her that it was against the advice of her solicitor. I informed her that I was making a record of this in my notebook. I asked her if I could include it in her statement, but she declined. I proceeded to take the statement in writing including the declaration, read it over to her and she declared it was true and she signed it. I witnessed it as did Garda O'Hara and dated the statement... (24.07.99)

Garda O'Hara made a similar statement. Mrs. McMahon, in that statement of the 9th of July, 1999 said:

I wish to withdraw my statement made to Superintendent Tom Long, Superintendent Jackie O'Connor in the presence of Moya Jane O'Doherty, solicitor made approximately two months ago at the Crescent, Buncrana. I am not happy with the way they conducted this investigation. I feel completely used by the investigation team. This statement has been read over to me... (09.07.99)

On the 2nd of December, 1999 Mrs. McMahon explained that she was not well when she made the statement to Garda Leonard, but was aware of the advice which had been given both to her and to Garda Leonard by her solicitor. She said that her earlier statement, made to Superintendent Long and Superintendent O'Connor, from the 26th of April to the 24th of May: "is all factual and I now wish that it should remain on record". Apart from mentioning Superintendent Kevin Lennon and her husband Detective Garda Noel McMahon, Sheenagh McMahon also referred to the activities of Adrienne McGlinchey. It was as a result of this that Ms. McGlinchey was interviewed between the 31st of May, 1999 and the 23rd of March, 2000 by the Carty investigation team. The allegations which she had to make against Superintendent Lennon and Detective Garda McMahon were in addition to those already made by Mrs. McMahon.

One member of An Garda Síochána has expressed a strong view about the unfortunate breakdown of the McMahons' marriage. Garda Alison Teape was friendly with both Noel and Sheenagh McMahon. She describes the marital disharmony in the following terms:

When in Letterkenny I would call to the McMahons. I was aware from November, 1998 that Noel and Sheenagh's marriage was in serious difficulty. Sheenagh hated Kevin Lennon who was the Superintendent in Letterkenny with a vengeance. She was constantly giving out about him to me. She was always on about how Noel got Kevin Lennon promoted, but her big grievance seemed to be "The Policeman of the Year Award" and how Kevin Lennon got it instead of Noel. She said she had been told that Noel was getting it and I think it was for the drugs seizure at the Point Inn. I advised her on numerous occasions that she should let her hatred for Kevin Lennon go, as it was eating her up. On one occasion in their house Sheenagh McMahon showed me a handwritten letter which I didn't read. I wasn't in a position to read it as she was standing too far away from me. She said that it was a letter written by Kevin Lennon to Noel saying that Lennon didn't do anything wrong. She said to me that she was going to get Kevin Lennon with it. This was before Christmas, 1998. (19.05.99)

It is important to note that Sheenagh McMahon has at all times indicated that she is telling the truth. Further, the physical items to which we have referred were, she indicated, stored by her in order to allow what she states to be the truth to be known at a later date.

Sir, it appears to be difficult to dispute the fact that between 1990 and 1994, Adrienne McGlinchey was treated by members of An Garda Síochána, at the highest level, in County Donegal as being an operative for, and simultaneously an informant against, the IRA. As this narrative progresses it might be reasonable, we feel, to have doubts in relation to her self-acclaimed role as terrorist and as informer, and to wonder how she might appropriately have been handled. One advantage which senior officers within a police force ought to possess is that of experience in serious criminal investigation. One of the

disadvantages, which is a burden on those who are removed from field work, and required to do mainly management and desk work, is that they tend no longer to be in touch with information on the ground. From that point of view, it is surely imperative for those at management rank within a police force to make enquiries of those doing field work and to listen seriously to their viewpoint. It is for you to say, Sir, whether these principles are important and whether they were abided by in relation to the matters under investigation.

Detective Sergeant Hugh Smith joined the Detective Branch in Letterkenny in 1986. Together with colleagues he was involved in border patrols and the monitoring of terrorist suspects. His colleagues included Gardaí Tolan and Gilroy. Garda Tolan's unit included Detective Sergeant Henry and Gardaí Gilroy, Smith and McMahon. Detective Garda Noel McMahon went on transfer to Buncrana after a short time with this unit. In two statements, Detective Garda Tolan says:

During the course of late 1989, early 1990 we became suspicious about the activities of Adrienne McGlinchey...as she was calling to suspect flats at Crievesmith, Letterkenny on a regular basis. As a result of this she was occasionally stopped and searched. At the time she was driving a white Montego car, the number of which I don't remember. The car was owned by her mother. On the night of the 12th of October, 1990 Detective Sergeant [Hugh] Smith and I were on patrol in the Letterkenny area where we met the Montego at Oldtown...it was heading towards the flats at Crievesmith. We turned and followed the car and it turned right off onto a side road before it came to the flats. We stopped and searched the car on this road. During the course of the search I found two maps which Adrienne had tried to dispose of behind the driver's seat. We took possession of the maps and copies of same were subsequently forwarded to Garda Headquarters. Over the ensuing months we received other items of intelligence from Adrienne McGlinchey, most of which was forwarded to Garda Headquarters. Some items which were very vague and which had no intelligence value were not forwarded...In the months following this Adrienne McGlinchey began to supply us with items of intelligence in relation to PIRA activity. Most of these items were passed to Garda HQ per intelligence reports. On one occasion she intimated to us that she had access to a handgun which was hidden in the attic of a flat in Ballyshannon. She stated that the gun had been taken from an RUC man. One night around this time we drove her to Ballyshannon to retrieve the gun. On the night in question she had drink taken. When we got to Ballyshannon she got us to park a short distance away from the flat. She left the car and returned some time later, saying that she could not go into the flat because there was some [person]...in the flat and that it wasn't safe. We returned to Letterkenny and did not go to Ballyshannon with her again. At the time I did not believe that such a gun existed. Then...on the morning of the 8th of July, 1991 a large bomb was found at Wachopes at Ballindrait. Adrienne McGlinchey rang me at home on

the previous Saturday to inform me that there was something happening on the following Monday. She gave me no other details, but was to get back to me with further developments. I heard nothing further until approximately 6.00 a.m. on the Monday morning when the bomb was located. Adrienne McGlinchey was arrested in Letterkenny that morning under section 30...having been found commuting between the flats at Crievesmith and the home of the then O.C. of the West Tyrone Brigade PIRA. Shortly after this Adrienne McGlinchey went to live in Buncrana and I had no further dealings with her... (Statements 10 and 10A, Carty Report, Section 1)

In addition to the foregoing Detective Sergeant Hugh Smith refers to the receipt from Adrienne McGlinchey of photographs of a housing estate and accompanying map about two weeks after the Coshquin bombing in November of 1990. Detective Sergeant Smith, in his statement, stated:

During all our dealings with Ms. McGlinchey she never produced any tangible evidence other than some documents after an incident had happened, i.e. Coshquin bombing. Around June or July, 1991 Ms. McGlinchey had a dispute with her family in which she took a cheque book from her home relating to a dormant account and cashed cheques in business premises around the town of Letterkenny. She subsequently left home and went to Buncrana where she lived in a tent for a while with Yvonne Devine, ex-Letterkenny. I had no further dealings with her. (Statement 9, Carty Report, Section 1)

Sergeant Daniel Kelly has been stationed at Burnfoot since April, 1995. Prior to that time he was attached to the Detective Branch at Buncrana and worked on the same unit with Detective Garda Noel McMahon, for a period. He met Adrienne McGlinchey, for the first time, on the 8th of July, 1991 when she was arrested under section 30. We are not aware of the grounds of arrest, but, Sir, you will be aware that section 30 of the Offences Against the State Act, 1939 allows not only the arrest of persons suspected of crime, but of persons who are suspected of being in possession of information in relation to crime. He says:

From my meetings with McGlinchey and from my observations of her actions and behaviour over a period I formed the opinion that her antics were applied by her to distract the Gardaí and to seek Garda attention. I expressed the opinion I had formed regarding McGlinchey to Detective Garda McMahon on a number of occasions. The convent would be directly across the road from McGlinchey's flat. If carrying out surveillance on the flat it would also be from the convent grounds. I recall an occasion when I was on duty with Detective Garda McMahon I drove into the convent grounds. I am unable to recall the day or the date. I do recall that it was night time. On entering the convent grounds we encountered McGlinchey who was leaving the grounds. In the grounds of the convent I found a bag that contained fifty .220 bullets. I suspected

that this bag of bullets belonged to McGlinchey and that she had probably dropped it when she saw our car entering the grounds. At no time did I ever question her in regard to this ammunition as I took this to be another ploy of hers to seek Garda attention...one night during November, 1991 accompanied by D. Garda McMahon we were carrying out surveillance on McGlinchey and Devine at the shore front, Buncrana. We were doing this from McMahon's father-in-law's grounds. I could see that McGlinchey was carrying a bag. I gave chase to her and during the chase she threw the bag onto the beach at the shore front. I retrieved the bag. In the bag was a walkie-talkie. This matter was reported...we never got this walkie-talkie to work. It was during 1993 that I was told that Letterkenny were taking over the handling of McGlinchey, the exact time I would not be sure of, but I believe it was in the early part of 1993. The units in D Branch were changed in late 1993. I was then working with D Garda O'Keeffe and D Garda McMahon remained working with D Sergeant Walsh. (29.08.99)

In a later statement he refers to the aftermath of her arrest in July, 1991:

The next time I came across her was in early August, 1991. While on patrol one day I found her and her mate by the name of Devine staying in a tent at...Buncrana. I got talking to her and arranged a meeting with her. From that on for the next four or five months accompanied by D Garda McMahon we met her on a regular basis usually in the convent ground at Buncrana. It was usually during the hours of darkness on our late tour of duty. During this time she stayed in a number of locations in the Buncrana area. From the meetings I had with her you would always get small bits of information. Anything that was got was always put in a form C77. The District Officer at the time was always made aware of it. She always talked about arms dumps in the Buncrana area, but these were never identified. At no time did I ever see her with arms or explosives in her possession. Most of the information that was received from her related to incidents that had already happened. As she said herself one time, a percentage of what she tells is the truth. She also talked about a man called her boyfriend named as Paul Doherty nicknamed "Shorty". This man was never identified and was never seen. On at least two occasions she turned up battered and bruised as if she got a beating. "Shorty" was always blamed for it. It was a well known fact that if in bother she would talk to any member she met...Adrienne McGlinchey could be described as a Walter Mitty type person. She always liked to draw attention to herself. At times she would go on a spree of drinking and while doing this she would drink herself stupid and you would be liable to get her lying anywhere... (Statement 11A, Carty Report, Section 1)

Detective Garda Noel Jones also had grave doubts about Adrienne McGlinchey. In a statement to the Carty investigation team he said:

Over the period McGlinchey and Devine stayed in Buncrana...there was a general instruction from the District Officer that if possible the ladies in question were not to receive any undue attention. It was a regular occurrence to observe Adrienne McGlinchey on her own or in the company of Yvonne Devine dashing across the roadway, hiding in cars, in hedges, laneways, etc. This activity took place in day time and at night time. At night time it was as though she was waiting for the headlights of a car to come upon her before she would make her move. She would generally have a carrier item of some description with her, ranged from plastic shopping bags to various sport carrier type bags. In all the times I personally checked Adrienne McGlinchey carrying bags I did not find any items which I considered useful to a terrorist group. I encountered her carrying small objects similar to the component parts contained within a commercial radio or TV, torches and batteries, in some cases the batteries were taped together. Lengths of coloured fine electrical wire, etc. Most of Adrienne McGlinchey's activities centred on the Crescent, St. Oran's Road, the convent/school grounds and shore front. During the period of McGlinchey's stay in Buncrana I do not recall any sightings of her in the company of known members of the PIRA or their associates... (Statement 26, Carty Report, Section 1)

When Tom Shreenan retired in May of 1995 he had served thirty one years in An Garda Síochána and was, at the time, a Detective Sergeant attached to Buncrana for the previous fifteen years. He was working, during that period, with Detective Garda Noel McMahon. In a statement to the Carty investigation he says:

In or around 1991 Adrienne McGlinchey and Yvonne Devine came to live in Buncrana from Letterkenny...shortly after their arrival I became aware that Noel McMahon had a liaison there. At this stage I, as well as every other member in the Station [knew them] because of their unusual behaviour. It was obvious from their arrival, that they were seeking to attract the attention of the Gardaí by pretending to be involved in illegal activities. By this I mean that every time there was a Garda presence they were seen to be running away or hiding and it was obvious that they were encouraging members to pursue them or to stop them. It became known that Noel McMahon was getting information from them in relation to terrorist activities. It was at this time that Noel McMahon stopped submitting Form C77 in the usual manner. Any information that he may have been given by them was not available to the other members of the unit as heretofore. I found this unusual as it was my belief that these two women were not members of any illegal organisation nor did they appear to associate with any known members of illegal or unlawful organisations. In fact I had information from a reliable source that these two women would not be allowed near [a premises]...which was owned and occupied by

members of the Provisional IRA on the run from Derry at that time. Shortly after their arrival in Buncrana Kevin Lennon was transferred to Buncrana as a uniform inspector. He was not long there when he started to work with Noel McMahon and ignored the remainder of the Detective Unit. It was known that they were handling the two women. I received instructions from Superintendent John P O'Connor on at least two occasions to lay off Adrienne McGlinchey and Yvonne Devine as they were supplying useful information regarding subversive activities to Noel McMahon. I could not understand this as it did not seem to tally with my information or with normal subversive activity on the ground. However, it was an instruction from a superior officer which I adhered to as much as possible. (15.09.99)

Denis Doherty is also a retired member of An Garda Síochána, having served thirty years up to July of 1996. He served as a detective in Buncrana Station from 1981. He was also aware that the contact between Adrienne McGlinchey and Yvonne Devine was Detective Garda Noel McMahon. To the Carty investigation team he expressed this view:

It is my opinion from my knowledge of the subversives in the Buncrana district that Adrienne McGlinchey and Yvonne Divine were not trusted by the Provisional IRA. It is my opinion that they were attempting to draw attention to themselves by their actions, i.e. running aimlessly carrying bags, etc. (20.09.99)

During the early years of the 1990's an incident occurred which might have led reasonable people to the belief that Adrienne McGlinchey enjoyed mischief. Detective Garda James Breslin, in a statement to the Carty investigation team, described it as follows:

...one night I was on duty in the Buncrana area accompanied by D Garda Noel Jones...I observed Adrienne McGlinchey...walking near the Buncrana Leisure Centre. She was carrying a bag. She walked off the footpath and headed in the entrance to the leisure centre. D Garda Jones stopped the car and we both got out. I asked Adrienne what was in the bag. I looked into the bag and saw that it contained an angle grinder. I took out the angle grinder to look at it. It was a 9 inch angle grinder. I cannot remember the make of it. I asked Adrienne what she had the angle grinder for. She stated that it was to fix her washing machine. We allowed Ms. McGlinchey to continue on then... (Statement 116, Carty Report, Section 1)

Detective Garda Michael Galvin, attached to Buncrana Garda Station since August of 1991, in his statement to the Carty investigation team, described another undated incident during a tour of night duty:

Within a couple of hours of starting work at 10.00 p.m. our attention was drawn to the movements of Adrienne McGlinchey and Yvonne

Devine, PIRA suspects, who I believe had a flat at the Crescent, Buncrana at that time. I am being asked about this incident five to six years on so my recollection is not great for the finer details. I believe that Garda John Murphy saw one of the girls I have mentioned throw a bag over the wall at the graveyard, Church of Ireland grounds...again my recollection is that a cloth or satchel bag was recovered with an item in it. I would describe the item as a small cylinder metal object with holes perforated along the sides of the metal tube. It was about 6 inches in length...there was no arrest made as a result of this incident, but we returned to the Station...these two girls were looked upon as being sympathetic to the PIRA and would have been stopped and searched by Gardaí regularly, but it is my belief that it was more messing that they were at... (17.11.99)

On three occasions in 1991 Adrienne McGlinchey apparently came to the attention of the Gardaí in County Donegal as being drunk. As a result of an inquiry from the Carty investigation team, Garda Gerry Vaughan checked his official notebooks and recalled what happened on the 13th of July, 1991. He says:

I arrested Adrienne McGlinchey with an address at 3, Swilly Terrace, Buncrana at 7.40 p.m. on the 13th of July, 1991 for being drunk and a source of danger to herself. I have described her as being in her twenties and a female, with dyed blonde hair. I found her sleeping on the pavement in a very drunk state at St. Oran's Road, Buncrana. I took her to the Buncrana Garda Station, by official patrol car. At this time I am unable to say what member was working with me. She was detained in custody until 10.00 a.m. on the 14th of July, 1991 when she was released without charge...She was not prosecuted for this incident. I do not recall having been approached by anyone, asking me not to prosecute her. At the time of that arrest I was not familiar with Adrienne McGlinchey, however, I now know that Adrienne McGlinchey never resided at 3, Swilly Terrace, Buncrana and that the address should have been No. 5, The Crescent, Buncrana. (14.06.2000)

Similarly, Garda Michael Guckian, as a result of an enquiry, gave a statement saying:

On the 24/11/91 I was on duty in Buncrana. At 1.07 a.m. I arrested Adrienne McGlinchey, The Crescent, Buncrana under section 59 for being drunk and incapable. Miss McGlinchey was taken to Buncrana Station and details entered in the custody record. Miss McGlinchey was then left home by patrol car. No prosecution was taken in this case. No representations were made to me in relation to this case. (16.06.2000)

Similarly, Garda James Canning recalls an incident at Buncrana Garda Station which he believes to have occurred on the 23rd of December, 1991, at 1.50 a.m., this date being supplied by members of the Carty investigation team:

I remember the incident in question. I was on duty at Buncrana Garda Station when McGlinchey and Devine came to the front door. They were both intoxicated. I do not remember what they wanted. When I asked them to leave the vicinity of the Station they both became abusive and violent. They kicked on the Garda Station door and hurled abuse and banged the windows. When they refused to desist I arrested them both for a breach of the peace. They were taken into the Station and placed in the cells. I remember McGlinchey standing in the cell deliberately banging her head off the wall. I did not prosecute either of them for this incident. I was not approached by anybody in relation to the...matter. (19.06.2000)

Finally, Detective Garda James Leheny had this to say to the Carty investigation team on the 5th of June, 2000, concerning Adrienne McGlinchey and Yvonne Devine:

Through time, I discussed with the majority of members of the Detective Branch, both at Letterkenny and Buncrana, the activities of both these ladies and in the early stages of my acquaintance with them, I formed the opinion that they were not members of the PIRA organisation, or any other illegal organisation and that both ladies were operating solo, in order to proclaim themselves as active members of the PIRA organisation...I am still totally satisfied that...any activities that they were involved in was for their own entertainment, gain, in order to give the reputation to the public in general and the Gardaí that they were both actively involved in subversive activity. On numerous occasions over the years while on duty, I encountered both these ladies. Their ploy was to be in possession of various types of baggages and acting in a suspicious manner. When Garda surveillance was put in place, they would carry out anti-surveillance methods. I recall on one occasion that Ms. McGlinchey had in her bag electrical components. I became suspicious as to the source of these items and subsequently confirmed them to be component parts from a TV set. On all occasions when I encountered these two ladies in such a situation, Ms. McGlinchey would be the spokesperson. She would act in an arrogant and challenging manner, while Ms. Devine would remain silent. Of all the items I observed which were found in their possession by the Gardaí over the years, i.e. electrical component partes, walkie-talkie sets, tripods, maps, fertilizer, electric cable, etc., I always formed the opinion that these items were obtained by themselves for the purpose of being detected by the Gardaí in possession of same, in order to give the impression that they were active members of the PIRA organisation. Over the years I can never recall observing both ladies in the company of known active

members of the PIRA while they were engaged in subversive activity. Of the numerous incidents of subversive activity carried out in this division over the years, i.e. murder, explosive finds, shooting incidents, training camps, armed robberies, etc., these two ladies were never associated in any way, with these incidents. They would also give the impression of associating with high ranking members of the PIRA by calling to their homes on false errands...Each year Provisional Sinn Féin holds its annual Easter Commemoration Ceremony on Easter Sunday at Drumboe, Stranorlar, County Donegal. While the majority of people taking part in this commemoration would be members and sympathisers of PIRA/Sinn Féin, nevertheless a large number of the general public would attend out of curiosity. Down through the years, I often attended this annual event on duty. On the occasions I would see McGlinchey and Devine in attendance, they did not associate with any of the people present and played no part in the event. Their presence at the event often puzzled me, as this was an occasion where subversives and their supporters openly communicated with each other. (05.06.2000)

Adrienne McGlinchey claims that her involvement with Detective Garda Noel McMahon began as and from the 8th of July, 1991. The recollection of Garda Martin Leonard in relation to this matter is that she was arrested at 7.46 a.m. on this date. He recalls a serious terrorist incident in Lifford during the night and that three persons were returning from what he describes as "a well known Republican dwelling". Adrienne McGlinchey was taken to Letterkenny Garda Station and subsequently released without charge. It would appear that Adrienne McGlinchey was arrested on six occasions, from 1991 to 1994, under section 30 of the Offences Against the State Act, 1939. The custody records for Letterkenny, Buncrana and Lifford Garda Station are intermittently missing between 1990 and 1994. On all occasions, she was released without charge and on no occasion is there any mention made of her actually being in possession of any explosive substance or any munitions. As regards her arrest on the 8th of July, 1991, this is not an exception to the pattern. Adrienne McGlinchey claims that during the course of that interview she encountered Detective Garda Noel McMahon who asked her to provide him with information. Adrienne McGlinchey claims that she indicated to Noel McMahon that she was involved in distraction activities. We do not know what this means, or was taken to mean at the time. She claims that Noel McMahon told her to cease this, not to relate it to his colleague Detective Garda Kelly, but to resume the same type of activity on his instructions. As Detective Garda Kelly was moved out of the picture it may be that Kevin Lennon moved in. In itself, there is nothing sinister about this. As we know, as and from April, 1992 Kevin Lennon was in Buncrana. In her earlier statements, which Adrienne McGlinchey gave to the Carty investigation team, she claimed that she and Detective Garda McMahon simulated certain activities in order to impress Inspector Lennon, but then claims that he was a full and knowing participant in this activity. As has been said, both Kevin Lennon and Noel McMahon emphatically deny this allegation.

On the 11th of December, 1991, at 12.04 a.m., an anonymous male caller telephoned Buncrana Garda Station. He claimed that he had knocked down a female at the shore front and that, as she fell, a gun had fallen from her bag. The anonymous caller claimed that she had gotten up and put the gun back in her bag and walked away. The caller rang again at 12.15 a.m. and gave a description of the person he had knocked down. This fitted Adrienne McGlinchey. Detective Sergeant George Kyne and Inspector Hugh Coll interviewed Adrienne McGlinchey on the 13th and 14th of September, 1999. She related the issue of being knocked down by a car with another incident. This is how the officers report her statement:

She states that on another occasion she threatened a milkman that lived on the White Strand Road in Buncrana. She states that she got a taxi down to a park where she met this man. She was again in possession of Noel McMahon's official firearm and she produced it to this man and said "take a look at this, the next time I'll use it on you". She describes him as tall, over 6 foot 0 inches with reddish wavy hair in his twenties. She states that on both these occasions she was doing these deals on the instructions of Noel McMahon and Kevin Lennon. In relation to the milkman she was told by them that this man had made a report to the Buncrana Station and that the Provos would hear it back. She further states that as far as she can recall it, as she was returning from this second incident that she was knocked down and the gun fell out on the roadway. She thinks that it was because of this that Kevin Lennon and Noel McMahon came up to her flat in the Crescent in Buncrana and Noel McMahon beat her with the torch. She states that they were probably there to collect Noel's firearm. (13/14.09.1999)

Noel McMahon denied these allegations in interviews with the Carty investigation team on the 25th of February and the 25th of March, 2000. Kevin Lennon was interviewed in relation to this matter on the 23rd of May, 2000 and said: "I know nothing about it. Her references to me in this are total lies and fabrication". The Carty investigation team went to considerable trouble to identify anybody who worked as a milkman, at or around the relevant time, in Buncrana. They obtained a statement from a Mr. Neil Doherty dated the 20th of September, 1999. He, together with his brothers, works in the milk distribution business. He said:

I have been asked by the Gardaí tonight if I have ever received threats in the past or if I was ever threatened with a gun. I recall an incident about four to five years ago where I was threatened. This incident happened at St. Oran's Road between 11.00 p.m. and 11.30 p.m. when I was walking home on my own from the Atlantic Bar. I had a good few drinks on me having been at a wedding earlier that day. Two girls, one of them a blonde one whom I knew as McGlinchey from Letterkenny, were standing on the footpath close to the convent. They had what I would describe as a large box, I think it was a cardboard box. At that time there was a lot of talk around Buncrana, that these two women were moving guns for

the IRA. I said to them as a joke that's a big load you are carrying tonight. With that the smaller of the two women lashed out at me in an attempt to hit me. I am not sure if she made contact, I may have blocked it. I lashed a kick back at her and ran off. The McGlinchey girl shouted after me something like "she won't shoot me". At this stage my girlfriend now my wife had arrived on the scene. We ran off together towards my home. I did not see them again that night. A few days later a Garda spoke to me and asked me if I had been hitting my girlfriend. It was a Garda in uniform and was driving a marked patrol car. I was satisfied he was asking me in relation to that night. I told him I had no row with my girlfriend. I can't remember if the Garda mentioned anything about the two women...I had no more dealings with them. (20.09.1999)

This is the first time that an anonymous call will feature in this narrative, but it is by no means the last. We would ask you to note, Sir, that a pattern of calls will emerge, whereby anonymous persons telephoned the Gardaí with apparent tip-offs in relation to matters you are charged with investigating.

As you have heard, Sir, Sergeant Kevin Lennon was promoted to the rank of Inspector in 1992 and allocated to Buncrana where Detective Garda Noel McMahon was also stationed. On the 21st of June, 1992 an undercover operation began which lasted until the 6th of August, 1992. As we understand it, this involved Noel McMahon and Garda Tina Fowley purchasing drugs at the Point Inn, a discotheque/bar premises, owned by Frank Shortt at Quigley's Point in County Donegal. The actual Garda raid which led to the criminal proceedings took place on the 2nd of August, 1992. Mr. Shortt was indicted on thirty four counts of allowing his premises to be used for various drug-related activities contrary to section 19 of the Misuse of Drugs Act, 1977, as amended. He was convicted on the 28th of February, 1995 on thirteen counts after a trial in Dublin Circuit Court and sentenced to three years imprisonment. He appealed to the Court of Criminal Appeal on the 23rd of June, 1996 and his application for leave to appeal was refused. On the 2nd of December, 1999 Mr. Shortt filed a further notice of appeal pursuant to section 2 of the Criminal Procedure Act, 1993 claiming a 'newly discovered fact'. On the 20th of November, 2000 the conviction of Mr. Shortt was quashed by the Court of Criminal Appeal. The Director of Public Prosecutions at this stage did not oppose the application. On the 31st of July, 2002 the Court of Criminal Appeal declared that the original conviction of Mr. Shortt had been a miscarriage of justice. The judgment is very largely based upon documents discovered since the first trial. Particular mention is made of the documents handed over to the Carty investigation team by Mrs. Sheenagh McMahon. The Court was critical of the activities of Superintendent Kevin Lennon and Detective Garda Noel McMahon. The Court also made a comment in relation to Garda Tina Fowley, but expressly indicated that they were not making any findings of fact against her. Since Garda Fowley was not called in evidence at the Court of Criminal Appeal the Court could not have been entitled to make any finding of fact against her. Kevin Lennon and Noel McMahon were, however, called in evidence and the Court's findings, in that regard, are contained in the judgment of the Court. In the papers relevant to this paragraph of the Terms of Reference, Sir, we intend to furnish to

interested parties the transcript of the proceedings before the Court of Criminal Appeal in the case of the People (DPP) -v- Frank Shortt and the judgment of the Court and the appendices. Although the point in case is not within the Terms of Reference, it would be foolish to pretend that serious issues of credibility do not arise from the handling of that case. You are not bound, Sir, by any finding of fact made by the Court of Criminal Appeal, but the judgment and proceedings before the Court may be otherwise of assistance to you and to interested parties.

On Thursday, the 28th of May, 1992 Sergeant Michael Murphy was on duty with Garda John Forkin at St. Mary's Road in Buncrana. In a statement dated the same day he said:

At about [0.25 a.m.]...we observed [Adrienne McGlinchey] carrying a holdall bag and I decided to search her holdall bag. Having searched her bag I found the following items in the bag: - four walkie-talkies, two detachable roof aerials, two balaclavas, two green army-type jackets, one green shirt, one small nine volt torch, an assortment of electric wire, and an AC/DC converter. She had no reasonable explanation as to why she had these objects. As a result of this search I obtained a warrant under section 29 of the OASA 1939 from Superintendent Brian Kenny to search McGlinchey's flat. I subsequently searched her flat at 2.30 a.m. on 28.5.92. I found one detachable aerial and nothing else was found.

On the 26th of July, 1992 Adrienne McGlinchey was again arrested. Sergeant Liam Tighe described the circumstances, in a statement to the Carty investigation team made on the 16th of June, 2000, in this way:

At around 12.20 a.m. I was about to inspect the licensed premises known as the Central Bar, Lifford. As I walked in the front door I met Adrienne McGlinchey leaving the pub. She was in the company of another female. I noticed that she was carrying a plastic bag of which I was immediately suspicious. I asked her what was in the bag, I cannot remember her reply, but I then searched the bag and I found what appeared to be a homemade aluminium tripod. It was my opinion at the time that this was a device which was capable of being used by a subversive organisation to launch what was popularly known as, at the time, the horizontal mortar. Having received no satisfactory explanation from McGlinchey I arrested her under section 30 of the Offences Against the State Act, 1939 on suspicion of membership of an unlawful organisation. I also arrested her companion. They were both conveyed to Lifford Station. At the Station I asked McGlinchey to give an account of her movements, but she seemed to be hysterical with laughter and thought the whole thing was a big joke. As the facilities in Lifford were not suitable for female prisoners I arranged to have the pair moved to Letterkenny. This was done at 1.15 a.m. I arranged to have a team interview the pair the following morning and I would be commencing duty at 9.00 a.m. also so that I could properly question

McGlinchey. The following morning I reported on duty at 9.00 a.m. to be informed that McGlinchey had been released. I was not consulted. (16.06.2000)

It appears that the tripod was handed over to Detective Sergeant Henry within the next day or two and was brought to the Technical Bureau. It was later recovered from there and identified by Sergeant Tighe. We do not know who ordered the release of Adrienne McGlinchey. The treatment of the tripod was, it appears, in marked contrast to some of the later finds with which Adrienne McGlinchey seeks to associate herself. It was examined at the Ballistics Section of Garda Headquarters by Detective Garda Eugene Gilligan. He says of it:

This item was constructed from three legs of three quarter inch square, thirty six inch long lengths of light metal hinged together at their tops with a short length of metal and gutter bolts. An eighteen inch long length of light chain was attached to each leg and joined together to allow the legs to be opened. A five inch diameter U-shaped metal bracket was welded to the top of the tripod and at the top of the legs of this bracket were attached two - two inch long bolts. These bolts could be screwed inwards to retain an item with the U brackets. The purpose and design of this tripod is unknown and it is the only one of its type encountered by personnel from this section. (Statement 157, Carty Report, Section 1)

In August of 1992 Superintendent John P O'Connor became District Officer at Buncrana. He remained there until February of 1996. Prior to transfer to Buncrana as Superintendent, John P O'Connor was a uniformed Inspector at Letterkenny. Very shortly after his transfer to Buncrana, Adrienne McGlinchey would have come to his attention in the circumstances outlined in the following statement:

On the 7th August, 1992 I was informed in the early hours of the morning of the alleged kidnapping of Adrienne McGlinchey from her flat at Buncrana. I took charge of the search operation and investigation. Ms. McGlinchey was found later that morning and denied any kidnapping. A fax message and report was sent to Chief Superintendent, Letterkenny. It was on this occasion I formally learned that Ms. McGlinchey was working for the Garda Síochána as a PIRA intelligence source. Prior to my transfer to Buncrana it was my understanding that Ms. McGlinchey was supplying information to Gardaí relative to subversives.

Apparently, this scare was commenced by Yvonne Devine reporting to Buncrana Garda Station at 3.00 a.m. on the 7th of August, 1992 that Adrienne McGlinchey had been abducted by a number of men. In an interview conducted on the 31st of May, 1999 Adrienne McGlinchey denied that she was ever abducted by the IRA on that date. Since Yvonne Devine has been mentioned on a number of occasions it is as well to give you, Sir, the benefit of her perspective on these matters from her two statements to the Carty investigation

team dated the 31st of May and the 13th of September, 1999, which are reported in the third person:

She got to know Adrienne McGlinchey when she worked for the McGlincheys in the restaurant at Port Road, Letterkenny. Herself and Adrienne moved to Buncrana and stayed in a tent outside Buncrana. She stated that Adrienne McGlinchey had never anything to do with the IRA and that the IRA would have nothing to do with her. She stated that it was ridiculous to suggest that Adrienne McGlinchey and certain members of An Garda Síochána were involved in a conspiracy to plant explosives etc. in order that they could be found again. She stated that she was only sixteen when they moved to Buncrana and that she found freedom when away from home. She would describe her activities with Adrienne McGlinchey as the 'mad days'. This activity included running around Buncrana and Lifford with bags, etc. and being chased by Gardaí. She stated that Adrienne McGlinchey and her were in Bridgend one night with holdall bags. She did not handle any of them and that she had a row with Adrienne McGlinchey that night and walked away. She would not talk about fertilizer or anything else of that nature being in the flat. She would only repeat that they were 'mad days'. She denied any involvement in planting any devices, hoax or otherwise, in Strabane. She again emphasised that no Gardaí were involved in collusion with Adrienne McGlinchey in planting any fertilizer etc. to be found again... she expressed reticence to talk stating that she wanted to put all that behind her, that she was very young at the time, and it wasn't until it was all over that she realised the seriousness of it. Stated that she didn't know Kevin Lennon, had never spoken to him, saw him only once ever on the street. She knew Noel McMahon, had met him on five or six occasions, but never discussed explosives or anything of the like with him. She stated she was no longer friendly with Adrienne...expressed fear of talking and would under no circumstances make a statement or appear in court to give evidence, as she felt Adrienne was manipulative and very powerful politically. She also expressed concerns about how her own family who are Republican would react if she ever had to give evidence. Stated that shortly before they left the flat in Buncrana they had been visited by the IRA from Derry and threatened to desist from their activities as they, the IRA, were being blamed. Adrienne was not put off in the slightest by these threats. IRA considered her a mad woman. She spoke of why they moved to Buncrana in 1991, arrest for Raphoe bomb, interviewed by Gardaí from Buncrana including Noel McMahon. Adrienne besotted by Gardaí with big brown eyes. After her release wanted to move to Buncrana to be near McMahon. On her arrival there set out to attract his attention. She didn't for a minute believe Adrienne was ever a member of IRA. Adrienne told her about boyfriend Shortt from Derry. Yvonne never saw this fellow and believes it was all made up. I asked her about the fertilizer, etc. She said she would not incriminate herself.

However, when I put a number of things to her she agreed that what Adrienne was saying was probably right...confirms the grinding of fertilizer in flat with coffee grinders. She doesn't know whether Noel McMahon knew of all the activities of Adrienne with fertilizer or not. Doesn't know what Adrienne told him. Adrienne is a very convincing liar, and will always tell the story that will find her in the best possible light... (31.05.1999 and 13.09.1999)

Because of the many missing records, it is impossible to give precise details about some incidents. Superintendent John P O'Connor, for instance, states that on the 5th of October, 1992 Adrienne McGlinchey was arrested at Buncrana under section 30 of the Offences Against the State Act. He indicates that he conveyed intelligence gathered from the arrest to Superintendent FitzGerald in Letterkenny, but cannot recall any further details about this matter. Superintendent John P. O'Connor also reports that on the 18th of November, 1992 Detective Sergeant Shreenan told him in confidence that he felt there was a problem with Detective Garda McMahon and excessive drinking. The Superintendent asked Detective Sergeant Shreenan to monitor Detective Garda McMahon and claims that on the 24th of January, 1993 Detective Sergeant Shreenan reported back that he was "now okay".

Another hoax call comes into the picture on the 8th of September, 1992 but its relevance does not become apparent until later in December of that year. What happened was that the Fire Brigade in Letterkenny received a hoax call to go to the scene of a fire and departed urgently, leaving the station open. Two Motorola MX 1000 portable hand radios were stolen. On the 23rd of December Sergeant Cyril Meehan was on mobile patrol at High Road in Letterkenny at approximately 8.45 p.m. This is what he said to the Carty investigation team in his statement dated the 15th of June, 2000:

...I observed two ladies talking to each other on the street pavement. These two ladies, namely Adrienne McGlinchey, Port Road, Letterkenny and Yvonne Devine, Knocknashina, Letterkenny were well known to me. As I drove past the ladies I concluded that both were behaving suspiciously. Adrienne McGlinchey in particular appeared to be very uncomfortable with my presence. I further noted that she was in possession of a "backpack" type bag. I stopped the patrol car, got out and confronted the two ladies. At 9.00 p.m., as a result of my observations and suspicions, I arrested both ladies under section 30, Offences Against the State Act, 1939 on suspicion of membership of an unlawful organisation. I conveyed both prisoners to Letterkenny Garda Station. At the station a search of the bag found in the possession of Ms. Adrienne McGlinchey resulted in the discovery of two Motorola MX 1000 portable hand radios with batteries attached. I was already aware that similar radios had been stolen in the course of a burglary at the Fire Station, High Road, Letterkenny on the 8th of September, 1992. I contacted Detective Sergeant Jim Leheny who was then also stationed at Letterkenny and made him aware of the full facts of the case. He spoke briefly with Ms. Adrienne McGlinchey before

leaving the Station for a brief period. When Detective Sergeant Jim Leheny returned he informed me that on the instructions of Chief Superintendent Sean Ginty, Divisional Officer for Donegal Division, both prisoners were to be released without charge. Detective Sergeant Leheny told me that if I wished to confirm the instructions I could make direct contact with Chief Superintendent Ginty by phone. I was satisfied to act on the instruction/direction of my superiors and as a result I caused both prisoners to be released without charge at 11.00 p.m. I kept possession of the two radios which had been found in the possession of Adrienne McGlinchey. As a result of subsequent enquiries I established that the two...radios, valued at £1,000 each were indeed the property of Letterkenny [Fire Station] having been stolen from the premises on the 8th of September, 1992. The said property was returned...by me personally on a later date against receipt. (15.06.2000)

Detective Sergeant Leheny was called on to involve himself in the interrogation of Ms. McGlinchey and Ms. Devine at that time. In a statement dated the 16th of June, 2000 he recalled questioning Adrienne McGlinchey and calling on her to explain her possession of the portable radio sets stolen from the Fire Brigade. She constantly indicated, according to him, "that D Garda Noel McMahon could explain the circumstances as to how she was in possession of the radios". Every question that he put to Adrienne McGlinchey elicited a similar answer. He contacted Detective Garda Noel McMahon at Buncrana by phone. He requested that both ladies should be released. Detective Sergeant Leheny indicated that he would not do this, but intended to continue with his investigation. Detective Garda McMahon then requested that he contact Chief Superintendent Sean Ginty. He declined to do this, but returned to the interview room and continued with his interrogation. She continued to give the same answer. He therefore contacted Chief Superintendent Sean Ginty by going to his home. He explained the circumstances of the arrest and the requests made that he contact Detective Garda Noel McMahon. Chief Superintendent Ginty then directed the release of both ladies from Garda custody. Later, in January, 1993, a battery charger was found in the possession of Adrienne McGlinchey. Detective Sergeant Leheny brought this to the Fire Station where it was confirmed as being part of the theft of the 8th of September. Detective Sergeant Leheny concludes:

This concluded my dealings in relation to this matter and no Garda investigation file was prepared or submitted, to my knowledge, in relation to this crime. I have carried out a search at Letterkenny Garda Station for the Garda custody record in respect of the 23rd of December, 1992 and I have failed to locate same. I have been informed that the Garda custody records covering this period have been destroyed. (16.06.2000)

Sean Ginty retired on the 12th of June, 1995 as Chief Superintendent for the Donegal Division. In a statement made to the Carty investigation team on the 14th of September, 1999 he says:

Some two or three years before I left Letterkenny, which would have been in the early 90's, I became aware that Kevin Lennon and Noel McMahon were dealing with a woman who was giving them information. This woman was close to the IRA and frequented the Provo house in Rahan, Letterkenny. I was aware that she supplied certain information to Kevin Lennon and Noel McMahon which I considered to be good and reliable. This resulted in certain actions being taken and items recovered. In one instance a person who was to visit Donegal from Northern Ireland was advised not to do so. In another a find of explosive materials was made at Bridgend. In another a find of munitions was made in Strabane by the RUC which followed information from the Gardaí and was a similar operation to that at Bridgend. These incidents suggested to me that this woman was a useful source of information and in my discussions with Kevin Lennon I became aware that she had more useful information and that she was inclined to go so far in regard to certain information and would not go all the way. I would have encouraged Kevin and Noel to develop this information as far as possible. I never met this woman on occasion. I only dealt with Kevin Lennon. I never had any dealings with Noel McMahon except on one occasion...I was aware that this source was arrested on a few occasions under section 30 OASA. One such occasion was following a search of her flat in Buncrana. I felt that these arrests would bring her under notice and that to charge her would bring her under further notice. I felt that she was more useful to the Gardaí while she was at large. I do not remember giving any specific direction to the Divisional Force in this regard, but I would have approved of this method of dealing with the situation and I would expect that my attitude in this regard would have filtered through to the members on the ground... (14.09.1999)

On the evening of the 31st of January, 1993 a dramatic anonymous telephone call was received by Garda Edward Griffin at Burnfoot Garda Station. This is how he described the call in an interview with the Carty investigation team:

On the 31st of January, 1993 I was on duty in uniform in Burnfoot Station from 10.00 p.m. to 6.00 a.m. I recall some time around 11.25 p.m. I took an anonymous call from a male caller. This was not a 999 call. The caller stated that as he was coming from Manorstown Cross to Bridgend he approached a van that was parked at a vacant house that was beside the school. He was told by a woman in the van to move off and he was threatened then by a man. I knew at this stage he took the threat to this man very seriously. He was left with no impression other than he had to leave the area. I asked this caller for his name and he hung up. I would describe this voice as being that of a young person - a teenager, definitely male with a local accent. Subsequent to this call myself and Paul Reid went to the scene. Prior to leaving the Station we requested armed assistance. We went to the scene and found nothing suspicious. We carried out a full search of the area that night and found

nothing. I got no other description of the vehicle from the caller. I had the impression that the caller was local and from the vicinity of the scene where he had been threatened... (07.06.2000)

Superintendent John P O'Connor describes his involvement in the following way:

On the night of 31st January, 1993 I learned of an armed incident near Bridgend National School. It involved an armed man, a female, van and scanner. I directed a Garda operation and got assistance of Army. I believe a tripod was located as a result of operation. A report was sent to Headquarters.

On the following morning the area was searched by a joint Army-Garda team. Corporal Pat Doherty noticed an area of freshly dug earth and a tripod was uncovered. According to Garda Paddy Battle, Superintendent John P O'Connor visited the scene. Someone took away the tripod and brought it to Burnfoot Garda Station. Fortuitously, Detective Sergeant Seamus Quinn was present. Somebody handed him a tripod and, apparently, informed him that the item was 'for destruction'. He received no paperwork in relation to same. He was not required to make any statements. He took the item to Clancy Army Barracks. He simply described it as "a homemade-tripod". An item was recovered from Clancy Barracks and shown, by the Carty investigation team, to Corporal Patrick Doherty and then to Garda Battle. Corporal Doherty indicates that it was not the tripod he located and Garda Battle stated that the tripod found on the search was lighter than that shown to him. On the 27th of June, 2000 the tripod was shown to Adrienne McGlinchey who indicated that she had never seen it before. In an interview of the 9th of August, 1999 she had proclaimed her involvement in this incident. She said:

I recall on one occasion either Kevin Lennon or Noel McMahon asking to get a tripod made. To the best of my knowledge it was Kevin Lennon who asked me to get it made because Noel McMahon was in some kind of trouble. I got this tripod made in a place beside the mart in Carndonagh. I think it folded in and it was made of steel. This tripod was taken to Bridgend and either Kevin Lennon or Noel McMahon was with me. We had a shovel and we went into a field opposite the school in Bridgend. We dug a hole and placed the tripod in it and covered it over then. I have recently pointed out this place to Detective Sergeant George Kyne. There are houses built in this place now. The tripod had been put in a black bag before we put it into the hole...at this time Noel McMahon made an anonymous phone call to Burnfoot Garda Station stating that there was suspicious activity around this area. I later learned that there was a find made in this area and as far as I can recall it was publicised. (09.08.1999)

When asked about this matter on the 23rd of May, 2000 Superintendent Kevin Lennon stated:

I know nothing about it. On this date the 27th May, 2000 I wish to add that our allegation concerning I and Noel McMahon is in the alternative by means of the word "or". This is an absolute lie in so far as it concerns me and I have no knowledge of it. (23.05.2000)

Noel McMahon was also asked about this allegation in interviews on the 25th of February and the 25th of March, 2000 and emphatically denied the allegations explicitly stating that Adrienne McGlinchey was a "liar". Adrienne McGlinchey also claimed that the tripod which she was involved in burying was similar to the tripod recovered from her on the 26th of July, 1992. The unusual feature of this incident is that somebody apparently told Detective Sergeant Quinn that a statement would not be required from him and that the item was for destruction. It is difficult to imagine how any member of An Garda Síochána could make that assumption at the beginning of an investigation. A new pattern possibly begins to unfold, Sir, of a failure to follow up incidents with appropriate paperwork. This pattern may or may not become more apparent as we progress.

In a statement made to the Carty investigation team on the 15th of May, 2000 Ciaran Noel Waldron indicates some information which he said he had heard about the Gardaí in Donegal. He also details an incident, which he says he was personally the subject of, at the hand of Detective Garda Noel McMahon. The latter denies that such an incident occurred.

On the 18th of May, 1993 Kevin Lennon was appointed to the Detective Branch. As a Detective Inspector it may be that he assumed a wider role within the Donegal Division.

On the 18th of May, 1993 a warrant pursuant to section 29 of the Offences Against the State Act, 1939 was issued to Detective Sergeant Shreenan to search the premises of Yvonne Devine at the Crescent, Buncrana, where Adrienne McGlinchey also resided. We understand that prior to the issue of this warrant Adrienne McGlinchey had been arrested, though the details are obscure. Superintendent John P O'Connor states that he later gave authority to have Ms. McGlinchey fingerprinted, palm printed and photographed. She was arrested at 12.15 a.m. and released six hours later at 6.15 p.m. During this detention she was questioned by Detective Garda John O'Keeffe. He indicated to the Carty investigation that, during the course of this interview, Adrienne McGlinchey had told him that she had been asked by a "leading PIRA member in Letterkenny to fax a drawing of a cylinder object from her place of employment to the...engineering factory at Ballybofey". Having mentioned, Sir, that Sheenagh McMahon in 1991 or 1992 had, as she claims in the interests of the truth, secured two steel items which she later produced to the Carty investigation team, and it is as well to note that another pattern possibly begins to emerge of these items appearing at various points in the narrative which follows. In the aftermath of the arrest of Adrienne McGlinchey on 18th May, 1993, Superintendent John P O'Connor, on the following day, directed Detective Garda Jones "not to compromise Ms. McGlinchey following his interview with her...". On the 20th of May he directed Detective Sergeant Shreenan "not to use Ms. McGlinchey as a tout as she was then being handled by another member Garda McMahon...and her life was not to be endangered".

Superintendent John P O'Connor asserts: "I gave this direction in compliance with instructions from senior management in Letterkenny". He also says that on the 25th of May, 1993 he directed Detective Sergeant Shreenan to report on what information Ms. McGlinchey gave to members when being interviewed under section 30 and referred to the need to bear in mind the contents of a Garda Directive on Secret Intelligence Gathering and Reporting. Superintendent John P O'Connor claims that on the 7th of September he met with Detective Sergeant Shreenan and Detective Gardaí Jones and Doherty at the request of Buncrana Station where he reminded "these members of the policy and directions of "hands-off" which all were informed about some months previously...". He says that Detective Garda Jones fully appreciated the "on-going need for compliance with Directives concerning Ms. McGlinchey".

On the 2nd of July, 1993, at 3.30 p.m., Brian O'Donnell, a Department of Agriculture employee secured his blue Mitsubishi van, registration 91 D 34294, at the Department of Agriculture compound at Raphoe. When he checked, on the afternoon of the next day, the van was gone. In the meantime it had been used in a bombing in Strabane. On the 3rd of July, 1993 a 100 lb van bomb exploded at the Court House in Strabane. At 9.20 a.m. Angela Ayton had seen a van being driven in the direction of Raphoe. She recognised the van and presumed that the driver was Brian Lynch. As it turns out it was not, but was obviously someone involved in a criminal conspiracy. She waved at the driver, but he did not acknowledge her, something which Brian Lynch would habitually have done. At 10.41 a.m. a caller telephoned the Samaritans in Derry/Londonderry stating that a bomb had been placed in Strabane. Apparently a second call was made to the Riverside 101 Radio Station. On both occasions the caller was male and no code word was used. The security forces in Northern Ireland conducted a search and discovered a blue van, namely the van stolen from the Department of Agriculture compound in Raphoe. The Court House and immediate area was evacuated and at 11.10 a.m. the bomb exploded causing blast damage and what are described as "minor injuries" to three people. According to the RUC, GC, the bomb consisted of about a 100 lbs of homemade explosives, which was a mix of ammonium nitrate, fertilizer, and sugar. We have mentioned the van because it is of importance in the context of allegations made by Adrienne McGlinchey against Kevin Lennon and Noel McMahon. The matter first came up in the statement of Sheenagh McMahon made between the 26th of April and the 24th of May, 1999. This is what she said:

I said earlier in this statement about Noel, Kevin Lennon and McGlinchey moving stuff around County Donegal. I have told you about the black plastic bags in the shed at our house at Porthaw. The Strabane bomb is the one that I heard about first and stands out in my head. I am talking about a bomb that went off at the Court House in Strabane. I don't know what year it was, but I know about it for years. Noel specifically mentioned a bomb at the Court House in Strabane. Noel told me that himself, Kevin Lennon and Adrienne McGlinchey had information that the bomb was going into Strabane, but it had to get through to save McGlinchey. I mean by this that Noel kept telling me she was a tout and she had to be

protected. She had to get things done and had to be coming across for the IRA. The thing that annoyed me about this bomb was that a senior officer in the Guards like Kevin Lennon had information that a bomb was to go into Strabane and let it go ahead to explode. At the time I wasn't that annoyed as nobody was hurt. I thought it was part of the way Lennon, Noel and McGlinchey were operating. Noel kept telling me they were saving lives. I was well aware that McGlinchey was operating for Noel and Kevin Lennon and the IRA at the same time, but I knew she was more on the Guard's side. I was told by both Kevin Lennon and Noel never to mention McGlinchey's activities or she would get shot, which I never did. I fully believed this operation had the full sanction of the Gardaí from Commissioner down. I felt that Noel always had a problem with the activities he was involved in, it was obvious to me his conscience was bothering him. He mentioned the Strabane bomb quite a few times over the years. He would just say about the Strabane bomb "we saved lives". (24.05.1999)

The statement of Adrienne McGlinchey in relation to this matter is not in any way structured. It is as well, therefore, to attempt to put order on it, if that be possible. She claims that Noel McMahon had asked her to get some nitroglycerine from the Regional College in Letterkenny. Nitroglycerine is not in fact in stock there. She claims instead to have got nitrobenzene, by bribing a student. This was, according to her, to make an arms dump that was being planned "more realistic". She claims that at the instigation of Noel McMahon she began grinding fertilizer and then putting it in black bin bags which were stored with the aid of other members of An Garda Síochána who were later interviewed in relation to this allegation, and expressly denied it. Adrienne McGlinchey first claimed that Detective Garda Noel McMahon and another Garda had driven off the van and that Noel McMahon had later told her:

In a threatening way that the fertilizer that I had ground down at Ashbrook House was used to bomb the Court House in Strabane. Kevin Lennon used to always throw this up at me as well. I met Kevin Lennon a few days ago in the car park of the Courtyard Shopping Centre in Letterkenny and he said to me "I hope that it never comes out that you bombed the Court House in Strabane". I was never involved in any way in the bombing of Strabane Court House. Noel McMahon had told me more than once that he drove a van bomb into Strabane and left it at the Court House. He told me that this van bomb exploded and there was 1,000 lbs of explosives in it. (09.08.1999)

This description is of importance because it is utterly inconsistent with a description given shortly afterwards in the course of the same interview. This now places not Noel McMahon as the planter of the bomb, but Adrienne McGlinchey herself as the prime operative. She claims that Noel McMahon asked her how to put a bomb together and that she got details from "a number of individuals". She wrote down the details, she claims, and gave them to Noel McMahon. Then, she claims, she gathered together materials. She claims that

the van containing fertilizer was taken away from her house and then stored somewhere "at a Guard's house on the outskirts of Letterkenny" over a period of days. The van was then, she claims, picked up at Ballindrait. She claims that Noel McMahon had assured her that she would not be stopped by the British Army or the RUC on the east side of the border and that "he seemed certain of this". She claims to have gone into Strabane with the bomb, gone into the shops and walked around the shops for an hour and a half, then returned to Lifford and had tea. Apart from the two radically different accounts of how the bomb came to be placed, the bomb could not have been stored over a period of days, given that the actual van used in the Strabane bomb had been stolen just the day before. Adrienne McGlinchey, one might reasonably think, could hardly have walked around Strabane for an hour and a half blindly unaware as to when the bomb would explode. The description given of the bomb is vague and could be based upon media reports. Finally, she makes no mention of an explosion and as Lifford is only across the river from Strabane, this omission is hard to explain. Detective Garda John O'Keefe was interviewed by the Carty investigation team on the 3rd of June, 1999 because of the allegations initially made by Mrs. Sheenagh McMahon. In the course of that statement he said:

In relation to allegations concerning explosives I recall a night possibly in June or July, 1996 I was off duty and I called into O'Flaherty's Bar at Main Street, Buncrana. I was alone and I observed D Garda Noel McMahon seated at the bar. I joined his company. At the time I formed the opinion that Noel had consumed quite a lot of alcohol and he appeared intoxicated. I joined him for a drink. After a short while we moved from the bar to a seat at the rear of the bar. We had a general conversation concerning our job. I recall that Noel stated that he had driven a bomb into Strabane in order to assist two females, whom I was aware at that time were involved with Noel in relation to his duty as a Detective Garda. At the time I did not believe him, as I was of the opinion that he was trying to impress me. On previous occasions I found him untruthful regarding oral statements he made while under the influence of drink... (03.06.1999)

In his interview commencing on the 23rd of May, 2000 (a memo of which he signed on the 10th June, 2000), Superintendent Kevin Lennon denied the allegations of Adrienne McGlinchey. These were put to him, out of necessity, in a piecemeal fashion and hence his replies, by way of questions and answer, tend to be somewhat disjointed:

I never knew the Gardaí had a navy coloured van and I know nothing about fertilizer being taken to Lifford...[in relation to the allegation that Kevin Lennon was behind the whole affair and orchestrated the van going into Strabane] that never happened, from my involvement, I know nothing about this van or this alleged incident. There was a permanent checkpoint on the British Army side, which included a tower and recorded all vehicles going into Strabane and was going back into a central computer system...I categorically say that this is a lie...I was never at her house...[in

relation to the allegation that Kevin Lennon and another Garda drove off towards Raphoe] this is more lies, orchestrated lies, I was never in a van with [this Garda] I never sat in his car in my lifetime and I was never on an operation with him alone, other than when I was supervising operations on border security. I never had beer kegs in my possession anywhere including at my home because it is an offence to have beer kegs, the property of beer companies. I am one hundred percent positive I never met Adrienne McGlinchey in Ballindrait or indeed in the general Lifford area. I deny this as a scurrilous vexatious allegation, born out of malice. (10.06.2000)

Detective Garda Noel McMahon was also interviewed. On the 14th of July, 1999 he claimed that he had heard Adrienne McGlinchey talking, apparently unspecifically, about a proposed bombing of Strabane Court House and that she had overheard the man whom we have had to mention earlier, namely Paul "Shortt" or "Shortie" Doherty, supposed to be of Strabane, talking about it. In further interviews, including following his arrest on the 10th of June, 2000, Noel McMahon denied these allegations. In that interview, the Gardaí put it to him that he had indicated to his wife that his conscience was troubled because of his possession of information that a bomb was going to go off in Strabane, but that it had to get through. At the notion that Adrienne McGlinchey could, in some way, make up a bomb, or be involved in it, he indicated that she "would not be able to let off a banger at Halloween". He said that he knew nothing of any such incident and that it was "utter fiction". In an interview conducted by Detective Sergeant James Martin and Sergeant Dermot Flannery at Ennis Garda Station on the 10th June, 2000, Detective Garda Noel McMahon made the following response to the allegation that he had information in relation to the bomb at Strabane Courthouse, but that it had to get through to save Adrienne McGlinchey, and his wife's assertion that this incident troubled his conscience afterwards. "It didn't trouble my conscience. I couldn't do anything about it."

Enquiries were made in relation to Paul "Shortt" Doherty. Detective Sergeant Michael Keane enquired of the RUC, GC, if such a person existed. No such person did exist, but, extraordinarily enough, his name does appear on RUC files. These, however, were opened as a result of enquiries in 1993 from the Gardaí in Donegal. Detective Garda Noel Jones, in circumstances which cannot be described as anything other than in pursuit of his duties, did make such enquiries in 1993 because of a contact which he had with someone who told him that Adrienne McGlinchey, as we have heard, used to often refer to such a person.

On the 30th of August, 1993 Kevin Lennon began a specialist "Supervisors Agent Handling Course" with the British security services in London. He completed this course on the 3rd of September, 1993. In that month, as well, Detective Garda Noel Jones and Detective Sergeant Tom Shreenan carried out a search at Flat No. 3, No. 5, The Crescent in Buncrana. This was a mistake because the flat which they wished to search was, in fact, Flat No. 2 in the same house. As a result they made contact with Ciara McLaughlin and Bernard Logue who were a source of some information as to the activities in the flat below, which was in fact occupied by Misses McGlinchey and Devine. It is

implicit in the statements of Detective Garda Noel McMahon that as he indicated that he had taken no part in this matter that he could not, equally, have been speaking 'in his cups' about his supposed role in it.

Three other Gardaí are dragged into what we can only describe as the confusing and contradictory narrative of Adrienne McGlinchey. Garda Matthew Tolan came across Adrienne McGlinchey in 1990. His view of her has already been quoted. He also recalled the specific incident where she claimed that she had access to a handgun hidden in the attic of a flat in Ballyshannon. She brought the Gardaí there and then claimed that she could not go into the flat claiming that a relation of a named person was in the flat and that it therefore "wasn't safe". In the middle of 1991 Adrienne McGlinchey had moved out of his area of operation in Letterkenny. He states:

In relation to an allegation made by Adrienne McGlinchey that I was in Ballindrait at some stage with her, Kevin Lennon and Noel McMahon in a van containing beer kegs, I wish to state that this is totally untrue. I have never been in Ballindrait with Kevin Lennon or Adrienne McGlinchey either individually or as a group. I have never been in a van with either Kevin Lennon, or Adrienne McGlinchey. The only vans I have ever been in with Noel McMahon have been official vehicles in the course of our duties. I have been to Ballindrait with Noel McMahon during the course of border patrols, but never in a van. I have never seen a van in Ballindrait with beer kegs in the back of it. (Statement 10A, Carty Report, Section 1)

Michael Brennan, a retired member of An Garda Síochána, was interviewed by Detective Inspector O'Mahony and Detective Sergeant Treanor on the 8th of September, 1999. He said he was never at Adrienne McGlinchey's home in Ashbrook, Letterkenny and further that he never loaded fertilizer into a blue van or picked up a van from her in Strabane. Patrick Cafferkey is also retired. He was a Detective Garda stationed at Letterkenny from 1980 until 1999. He was, it appears, extremely angry when allegations made by Adrienne McGlinchey were put to him and stated that they were completely false. He said that he would "not allow D Garda Noel McMahon to come near his house and definitely not allow Adrienne McGlinchey near his house". He pointed to his long record of service and commitment to his duties.

Sir, you will recall the metal items secured by Sheenagh McMahon. A similar item emerges in this narrative in early September, 1993. The date is uncertain, but Detective Inspector A T Donnelly of the RUC, GC places it by reference to another incident to which we shall shortly refer. This definitely occurred in September of 1993. He says in his statement of the 2nd of May, 2000:

Around that time on another occasion Detective Inspector Lennon brought an object to Strand Road for me to view. I would describe this object as a metal cylinder 18 inches to 24 inches in height with holes drilled in the side. It is approximately 4 inches to 6 inches in diameter.

Chief Superintendent Denis FitzPatrick also remembers an incident. In his statement made on the 13th of July, 2000 he refers to the metal object as follows:

Around that time D Inspector Lennon arrived to my office with a metal tube with fins welded at the end and painted silver, it was in a Dunnes Stores plastic bag. He told me that he got the item from Ms. McGlinchey who had it for the purpose of transporting it from Letterkenny to Buncrana and that we (the Gardaí) could only hold onto it for a short while, I think about two hours was suggested, and it had to be returned to Ms. McGlinchey. The item was supposed to be part of some new device the PIRA was manufacturing. It meant nothing to me. Because of time constraint I told him to take it to the RUC to see what they could understand from the item. The item was brought to Derry, Strand Road Station. I cannot be sure but I may have gone to Derry with D/I Lennon. I can recall discussing the item with D Inspector Donnelly of the RUC at some stage and the item was photographed. I described the items to members of the Ballistics Unit, but we could find no use or purpose for the item. I subsequently saw a similar item with Ms. Sheenagh McMahon at H C Doherty, Solicitors' Office, Buncrana on the 29/3/99 and later I saw another of these items at the D/Superintendent's Office, Letterkenny, after this inquiry had commenced.

Let us stop here, Sir, and go forwards and backwards as to the appearance of rocket-like steel items. We have, firstly, the two steel items secured by Mrs. Sheenagh McMahon. Now we have this metal item and it appears to be the same metal item as Inspector Hugh Coll discovered in the Superintendent's office in Letterkenny on the 18th of March, 1999. That makes three. In addition, you will hear that on the 11th of September, 1993 Detective Garda Jones found Adrienne McGlinchey in possession of a cylinder with holes drilled through it. Finally, you will hear that in Adrienne McGlinchey's flat on the 14th of March, 1994, under the bath, another person saw a similar object. We actually have physical custody of three objects, one from the Superintendent's office in Letterkenny, and two from Mrs. McMahon. Before weaving these into this narrative further, it is as well to get an expert view. Superintendent Jack O'Connor, as part of the Carty investigation, gave Inspector Edwin S Hancock, a ballistics expert attached to the Garda Technical Bureau for the last twenty nine years, the three extant metal things. He says the following in his statement of the 29th of April, 1999:

[The first is] one galvanised steel cylindrical object, 30.2cm high, 8.1cm internal diameter, 8.9cm external diameter, 4mm thick. A series of twelve steel fins were welded around the external circumference at the base of the cylinder. Each fin was 4.8cm long by 3mm deep and 6.45mm thick, these fins were equidistant from each other. A series of forty five holes, varying in size from 5.92mm to 6.1mm in diameter were bored into the steel around the circumference running from top to bottom. The external surface of the cylinder and the fins had been painted with silver paint. The

ends of the fins were roughly cut and with pieces of steel missing and bore traces of rust. The standard of welding was very poor. The cylinder weighed 2.84kg and was open at each end. This object, from a purely visual point of view, could to the uninitiated, resemble a propulsion unit from an improvised mortar bomb. However, in my opinion this object could have no practical application for use with a mortar - the fins have no aerodynamic practicability. It is possible to break the fins away from the cylinder by manually moving them to left or right.

In relation to the other two items he gave measurements, a description and then expressed an identical opinion. Bernard Logue who, as we recall, lived in a flat downstairs from Adrienne McGlinchey, gave some assistance in relation to this matter to the Carty investigation team. In his statement dated the 14th of June, 1999 he described his involvement with these metal objects and in a statement dated the 6th of September, 1999 he indicated: "they didn't look real to me, they looked like something that you would use as a decoy. When I saw these things I knew they weren't Christmas tree holders". In the earlier statement he described that last, and peculiar, reference and related it to his dealings with her:

Adrienne McGlinchey's mother had a shop in Letterkenny and she said she was going to work there at weekends. She said to me that she was looking for Christmas tree holders for outside the shop and she wanted to know if I could do any welding. I said that I could, but that there was no place to do it at the flat. She asked me if I knew any person who could help and I said I didn't know anybody in Buncrana. One night Adrienne asked me to go with her to Marian Park and for me to ask a man there if he could do welding and that I would supply the piping and flat iron. Neither herself or Yvonne Devine wanted to ask this man. I don't know this man's name. I would describe him then as early twenties, 5 ft 9 inches, strong/well built, black hair and light moustache. Adrienne, Yvonne and I walked to Marian Park. They remained near the phone box while I went to this fellow's house which was close by. I had a sketch which Adrienne had drawn of what was wanted. I said to this fellow that I heard he could do some handiwork, welding and if he could make the items as in the sketch. I will draw for you roughly what they looked like - some of them had holes. I said that we needed something like six or ten of these and he said it was no problem and he asked for a few pounds for each of them. We were in his garage and I think he had an electric welder. I then returned to the phone box and told Adrienne that the man would do the job. It was either that night or the night after it. I went with them to a warehouse near the Drift Inn, Buncrana between the Inn and the bridge and on the same side. Here was the piping and the flat iron. I think that they dropped this stuff off near this man's house and then I left it at his garage. This all happened a number of weeks before Christmas, 1993. They paid for the piping at the warehouse and it was cut to lengths of 1½ to 2 feet. About a week later I went back to Marian

Park and collected a sample of the item. I have been shown two exhibits...and it was like the smaller one - a piece of piping about 9 inches with four pieces of flat iron welded around the base. I brought this back to Adrienne McGlinchey at the phone box and she appeared to be happy with the work done. I then returned to the man and said it was okay to go on and make the rest. I had no more dealings with this man and Adrienne and Yvonne undertook to arrange collection of the rest. In their flat I later saw one or two of the items and I also saw a number of other similar items. These were longer, painted silver and with more prongs at the base. Some of them had holes drilled in them. I have now been shown a silver piece of piping with eleven prongs at the base and holes drilled into the tubing. This is similar to the ones I saw in their flat. In around the same time I saw Adrienne and Yvonne grinding an off-white coloured substance in a food processor/coffee grinder. Some time after that they asked me to look at the food processor/coffee grinder as the motor was broken. On examining same I knew the substance was fertilizer. The motor was knackered and I could not fix it. Also around this time I noticed circuit boards in their flat...I believed then that they were mixing fertilizer for bombs. I was worried for our safety living in a flat above these two girls...I remember also seeing one time large calibre empty shells in their flat and they were about 2 to 2½ inches long. (14.06.1999)

The Carty investigation team arrested a man called Patrick Sweeney under section 30 of the Offences Against the State Act, 1939. He agreed that he had made Christmas tree stand-holders, but that he was certainly never involved in anything to do with the manufacture of explosives. He had done some work for Adrienne McGlinchey in relation to window grills for a shop in Letterkenny, but, having ordered them and left a deposit, he says that she did not come back; something which annoyed him. He was told by a taximan to stay away from her because, as his friend put it, "she was always in trouble with the Guards in Buncrana". He was shown the metal objects and said that the workmanship was "rough work...wouldn't like to make a gate like that". One of these items was shown to Superintendent Kevin Lennon by Inspector Hugh Coll. This is how he describes the circumstances:

On the 18th March, 1999 I arrived in Letterkenny Garda Station on a temporary basis to carry out an examination of the investigation into the death of Richard Barron and other related matters. I was allotted the Detective Superintendent officer's room, no. 227 at Letterkenny Station. On examination of the contents of the room I found a metal object with holes drilled in it and fins attached to it in a press in the office. I retained possession of this item and on the 24th March, 1999 Superintendent Kevin Lennon entered the office. Superintendent Jackie O'Connor, Sergeant Denise Flynn and I were in the office at the time. Superintendent Kevin Lennon was shown this metal object and he stated that he had got this from a tout and that [it] was a new prototype device being used by the PIRA for setting off barrack buster [bombs].

On the 14th of June, 2000 Superintendent Lennon was interviewed by Superintendent McNally and Detective Inspector McHugh. He was asked the following question:

In relation to the steel rocket - steel item with fins which was shown to you by Inspector H Coll, was there any information that this was a new type rocket being made by the PIRA? On the first occasion you were shown this item by members of the investigation team you stated that it was a sample of a new prototype device developed by the PIRA for setting off barrack busters.

He answered:

I had not information on it, as I have already stated. I went to seek information on it, but the ceasefire came and I did not pursue the matter. I knew from the way the fins were fitted that it could not be used. I have no recollection of saying it was a new prototype device to any members of the investigation team. I merely said it was [a] similar looking device to the one I handed over to my Detective Superintendent. I was never formally shown that piece of metal until I was interviewed on the 14th July, 1999 by Chief Superintendent McNally. (14.06.2000)

Earlier in an interview of the 23rd of May, 2000 Superintendent Lennon had been asked about these three steel items by Detective Chief Superintendent McNally and Detective Superintendent McGarty. In answer to the question: "what do you know about these items?" he said:

I know nothing about them, other than I was shown three items by Inspector Coll on the 14/7/99. He suggested to me that one of the larger items with holes in it, was found in a press in the Detective Superintendent's office and that he had two more, one similar and one smaller one. I can say that one similar to the larger one shown to me by Inspector Coll was given to me in 1993 or 1994 by D/Garda McMahon who as far as I am aware was given it by Adrienne McGlinchey. However, I did not query the source of it, but I presumed it was Adrienne McGlinchey who gave it to Noel McMahon. I was aware from my professional knowledge and experience of subversive devices seized in this division and components used in explosive devices that it was not such an item from the Provisional's arsenal and I was happy in my own mind that it was a non-effective item. However, I had it checked out, bearing in mind that the PIRA were always developing new techniques and devices and phase testing them. I do believe that on one occasion I brought this item to D/Inspector Tim Donnelly at the Strand Road in Derry for him to view it. I also brought it to the attention of D/Superintendent FitzPatrick and it was my understanding from him that he had it checked out and my own views were satisfied that it was a useless item. I sought further clarification from Adrienne

McGlinchey, personally, and the ceasefire subsequently came and that ended my contacts with Adrienne McGlinchey. (23.05.2000)

Superintendent Lennon was also asked about an allegation by Adrienne McGlinchey that these steel items were made on the instructions of Noel McMahon and that Kevin Lennon had reviewed the items and said that they were perfect. Kevin Lennon said that this was total lies and that he was never in her shed at Ashbrook, as she had asserted in this context, or any other shed, where this conversation was supposed to have taken place. She also alleged that the tubes were supposed to be stuffed with semtex. She claimed that Kevin Lennon put a small piece of semtex into the top part of the cylinder in her presence. He said:

Other than the steel items that I have previously accounted for, I wish to state that I never saw, had possession of by way of actual possession or constructive possession of any other steel item relative to subversive activity...I never knew Noel McMahon to have semtex and I never saw him in possession of semtex, nor was it ever discussed...it is fabricated...I wish to state that I have no technical ability of any nature and I have no qualification in that field. I could not fix the leg in a chair if it was broken. It is criminal slander to suggest that I assembled some device which is suggested to be a rocket. I never had semtex in my possession in my life and certainly from my knowledge of viewing rockets from previous finds, such rockets have cone shaped heads made from copper and are not cylindrical at the top...I don't know why or for what reason Ms. McGlinchey would make such a scurrilous accusation against me. (23.05.2000)

Detective Garda Noel McMahon in his statement dated the 14th of July, 1999, said:

I have been shown two items by Detective Sergeant Barker. They are both made of tubular steel and have fins welded to them. They are of different sizes. I recall Adrienne McGlinchey gave these items to me on a date that I cannot remember. She stated that they were PIRA equipment and she was giving them to me to see and have examined. I gave these items to Kevin Lennon and they were subsequently returned to me by Kevin Lennon. I think it was said that Denis FitzPatrick had shown them to the RUC and that they had never come across anything like them before. I left these items in the garage of my house at Porthaw. Adrienne McGlinchey asked me several times for to return them, but I wouldn't give them back to her.

When questioned by Sergeant Flannery and Detective Sergeant Martin, following his arrest, on the 10th of June, 2000, Detective Garda Noel McMahon said that he never gave Adrienne McGlinchey any instructions to make rockets and that allegations about putting semtex in the rockets were malicious and "pure fiction". When shown one of the steel items he said: "I would have got

that from Adrienne and gave it to Kevin Lennon". Adrienne McGlinchey in various interviews refers to allegations that Noel McMahon got her to buy particular types of piping which she endeavoured to get processed into what she claimed, as we have heard, were items intended as weapons. She also claimed that Detective Garda McMahon showed her a picture of the thing that he wanted made and then showed her an item which he called a "barrack buster". She also claims in her statement of the 29th of June, 1999 that six steel items were made in her flat in Buncrana. The Carty investigation team point out that in April of 1992 Garda Headquarters issued a booklet which detailed the particular kinds of improvised weaponry in use at the time in the terrible campaigns of violence of the IRA. On the 20th of July, 2000 Detective Sergeant Kyne showed this booklet to Adrienne McGlinchey, but she claimed that she had never seen it before. However, she pointed at an item on page 22 which she claimed that she had seen in another larger Garda book shown to her by Noel McMahon. Sir, we draw to your attention that Detective Garda McMahon has described all of these attempts to implicate him with apparent rockets as "pure fiction".

Sir, we already told you that on the 7th of September, 1993 Detective Garda Noel Jones found Adrienne McGlinchey in possession of a steel item with holes drilled in it at the Shore Road in Buncrana, an item of which he did not take possession. That, however, is not all that happened on that day. This is the description of Detective Garda Noel Jones given to the Carty investigation team:

At 7.00 p.m. on the 7th September, 1993 Ciara McLaughlin alerted me at the Garda Station by phone to an envelope that had been left outside and close to the door to McGlinchey's flat a short time earlier. Ciara told me that McGlinchey and Devine were not at home at the time. I went to the location by foot and took the envelope to the Garda Station. The envelope was not sealed. I took this envelope to the office of Superintendent J P O'Connor where he was present and we examined it. It contained (1) thirty shot gun cartridges, (2) three dozen .22 bullets, (3) about 2 yards of electrical wire red in colour and (4) two handwritten notes. I photocopied these two notes and retained a copy in my possession. Following the examination of the envelope and on the instructions of Superintendent O'Connor I returned the envelope to the spot where I had taken it from. The envelope was in my possession for about ten to fifteen minutes. At 9.30 p.m. on the same date I observed Adrienne McGlinchey carrying a similar envelope openly at Main Street, Buncrana. I did not check her at that time. (Statement 26, Carty Report, Section 1)

Superintendent John P O'Connor strongly disagrees with this statement. He made a number of statements from Tralee, where he is now District Officer, and we combine these:

...D/Garda Jones showed me an envelope which he said he had just come into possession of and which I noted contained "items of interest" and two notes, copies of which I made. I now believe these items were bullets. I have no record nor recollection of

directing D Garda Jones to return the envelope and contents to where they were found as he alleges...I refute this allegation made by D Garda Jones. I received no direction or request to do anything with the bullets...I did not instruct D Garda Jones to return the envelope and bullets as previously stated. I refute that allegation. I cannot comment on alleged action taken by D Garda Jones not arising from direction given by me...later on the night of 7th September, 1993 I met D/Superintendent FitzPatrick in Letterkenny and brought all of the aforementioned matters to his notice and had a full discussion thereon. It was also decided that D/Superintendent FitzPatrick would meet the Detective Sergeant in my district re: the "hands-off" policy regarding Ms. McGlinchey. In the meantime I undertook to meet D/Sergeant Shreenan, D. Gardaí Jones and Doherty the next day to re-enforce this policy. (The apparent intrusion over this period of time by some Detective Branch members in Buncrana into the handling of Ms. McGlinchey, a State informant as I understood her to be, was of serious concern to senior officer in Letterkenny). (One statement undated, the other 21.07.2000)

The allegation of Adrienne McGlinchey in relation to this is that Kevin Lennon and Noel McMahon became aware that Ciara McLaughlin was working for Detective Garda Noel Jones and therefore attempted to make him look foolish. She claims that she told Ciara McLaughlin that she was expecting a delivery and set her, and ultimately Detective Garda Jones, up by putting the padded envelope obviously outside her door containing the ammunition, or as Superintendent John P O'Connor puts it, the "items of interest". It was implicit in everything that Superintendent Kevin Lennon and Detective Garda Noel McMahon have said that they would not countenance such an action. Kevin Lennon says at page 5 of his memo of the 23rd of May, 2000:

I know nothing about that and Noel Jones never told me that he found an envelope. I might add at this stage, when I first met Adrienne McGlinchey in the capacity of a D Inspector, I warned her that if she breached the criminal law in any respect, or was found in possession of any materials within the meaning of the Explosive Substances Act, 1883 then, she should not expect that I would intervene on her behalf. She fully understood that. I know nothing about ammunition in an envelope as is suggested in this question and I still don't know anything about it as of today...

The fact is that Detective Garda Noel Jones did file a report on the 13th of September, 1993. He also indicated to his authorities that Adrienne McGlinchey was trying to purchase a coffee grinder, that she had a box full of bullets, and that between August and September of 1993 she had a number of bags of strong smelling granulated mixture kept in her flat. In a statement to the Carty investigation team, Detective Garda Noel Jones indicated that his information was that these bags were removed on the 3rd September by a number of men. The ammunition in the envelope may be of importance in the context of what happened a few days later on the 10th of September, 1993. Bernard Logue

said that Adrienne McGlinchey paid him for some ammunition which he had. They were .22 bullets and cartridges. He also travelled with her to Carndonagh in order to get ammunition and to get fertilizer. He also recalled Adrienne McGlinchey accusing Ciara McLaughlin, his girlfriend, of talking to a Detective Garda Noel Jones. Patrick Doherty, a firearms dealer of Bridge Street, Carndonagh, was interviewed by the Carty investigation team and his records show that on the 13th of May, 1992 he sold two boxes of .22 ammunition on foot of a firearms certificate issued to Paddy Logue, who is, it seems, Bernard Logue's father. Mr. Doherty's belief is that the ammunition was in fact sold to Bernard Logue on the production of his father's certificate. It is also worth noting, Sir, that Detective Garda Noel McMahan was the holder of a firearms certificate in respect of a .22 rifle from 1980 to 1990. He then obtained a firearms certificate for a double barrelled shotgun which he held until the 6th of November, 1996 when his firearm and his official revolver were seized from him by Superintendent Kevin Lennon. The official firearm was subsequently returned: when we do not know.

At 6.00 a.m. on the 11th of September, 1993 an RUC search operation was carried out in the town centre in Strabane, County Tyrone. The immediate area was sealed off until 8.15 a.m. Detective Inspector A T Donnelly of the RUC, GC, spoke with the Carty investigation team and his interviews are recorded as follows:

On Friday evening 10.9.93 in Strand Road Station, Londonderry, Detective Inspector Lennon of the Garda Síochána informed me that a suspicious device had been placed on a ledge close to the bookies shop near the river in Strabane. I immediately passed this information on to the Superintendent in Strabane. From records made available to me I am aware that a search was carried out. At 06.00 on 11.9.93 on the water wall beside the bridge in Strabane Security Forces recovered a white plastic bag inside which was a tupperware box containing 50 x shotgun cartridges and 101 rounds of .22 ammunition...[I] kept no notes, but [my] recollection is that what is recorded in [my] statement is that a suspicious device had been planted and [I] passed on that information to Superintendent in Strabane and...had no further part in the operation...Kevin Lennon told [me] that it was a woman that was involved. (02.05.2000 and undated)

Detective Sergeant Thomas Shreenan, now retired, also made a statement in relation to this matter on the 15th of September, 1999 where he said:

My suspicions were further aroused in 1993 by an incident in Strabane. I was returning from Monaghan with my wife and family and as I was crossing the bridge between Strabane and Lifford I observed Adrienne McGlinchey and Yvonne Devine walking across the bridge in the direction of Lifford. I remember saying to my wife what are they two doing there. A few days later I was talking to my counterparts in the RUC in Derry. While discussing subversive activity in general it was mentioned that Kevin Lennon had passed

on information to them that a real bomb was to be located in Strabane on the same day that I had observed the two women crossing the bridge at Lifford. I was also informed that a device had been discovered and that it proved to be a hoax. I was aware that this information had been passed by Kevin Lennon to a new Detective Inspector in the Branch in Derry at that time. It was at this point that I became suspicious of these two women, that they were planting devices and explosives at locations along the border to be found by the Security Forces and that these locations were pre-arranged by them with whoever found these devices...

You will note, Sir, that Mr. Shreenan's assertion of what he heard from his counterparts in the RUC is hearsay, but that what is said by Detective Inspector Donnelly is not. Chief Superintendent Denis FitzPatrick has also recorded a statement on this matter. He said:

In relation to the find of .22 bullets and cartridges in Strabane on the 11/9/93 by the RUC, I remember D Inspector Lennon telling me that Ms. McGlinchey and Ms. Devine had gone into Strabane with a packet and that he had already briefed the RUC. I recall that this packet was allegedly for the purpose of creating a security alert in Strabane on the following day which was a Saturday. Subsequently he told me that the packet contained .22 bullets and cartridges. I was annoyed that the operation was allowed to progress. The matter was not pursued further because Ms. McGlinchey was already working for the Garda Síochána and in the interest of cross border co-operation. (13.07.2000)

Yvonne Devine initially told the Carty investigation team, in May, 1999, that she was not involved in planting "any devices, hoax or otherwise, in Strabane". However, in September of 1999 she agreed she was in Strabane and claimed that she: "saw Adrienne throw a package over a bridge and ran. Again, didn't know what it was all about". Mrs. Sheenagh McMahon told the Carty investigation team, as part of her main statement, of a number of meetings with Adrienne McGlinchey. These were, from their description, not pleasant meetings and the implication from them was that Adrienne McGlinchey was claiming that she had been falsely imprisoned by the Provisional IRA and was worried about her safety as regards Mrs. McMahon and what she might say. In consequence of these alleged encounters, Mrs. McMahon went to see Des Walsh, a former Detective Sergeant who had been very supportive of her in relation to the break up of her marriage. She says:

I told Des Walsh what she had said. I told him the whole story about McGlinchey saying about the loose talk about what was going on in our house at Porthaw, Buncrana over the years. I also told Des about Shortie Donnelly coming to see McGlinchey, as she told me. I told him about what she said to me that I'd better not talk about what was going on between her and Noel. I had a long talk/chat with Des Walsh. He said to me "listen Sheenagh that one is only a fraud". The conversation developed into talk about what

was going on between Noel and McGlinchey and Lennon over the years. He talked about the hoax bomb in Strabane. Des said there was a hoax bomb in Strabane and the whole street was sealed off for a long time. He didn't tell me when this was and didn't say what street was sealed off. I gathered it was a good few years ago. Des said that the RUC realised afterwards that it was Kevin Lennon who was behind it and they were very upset about this. I don't remember what else he said about this hoax bomb. (24.05.1999)

Sir, you will note that what was said to Mrs. McMahon by Mr. Walsh is hearsay. Mr. Walsh himself indicated that the source of his opinion was Detective Branch "gossip". He stated, in an interview with the Carty investigation team on the 16th of September, 1999, that on one occasion he mentioned "his suspicions" to Superintendent John P O'Connor and Chief Superintendent Ginty but, apart from that, kept it to himself because he was winding down towards retirement. He spoke of the unease and jealousy among Detective Branch and Station party Gardaí and his frustration at the whole situation. However, the word from his superiors was that she was 'a tout' and was to be 'left alone'. Noel McMahon, he said, was always going over his head in relation to matters about McGlinchey. He never saw any fertilizer or any other activity which might be related to bombs in Noel McMahon's house, which he often visited.

Sir, the allegations of Sheenagh McMahon were put to Superintendent Kevin Lennon on the 14th of July, 1999. He claimed that he had been asked by Chief Superintendent Ginty to supervise the handling of this informer and also claimed that she "had been acting as an agent of the State previously under the management of other members". Who these are, we are unable at the moment to identify. He accepts that he "assessed the informer". He continues:

Information then came to hand that an ammunition deposit was to take place in Strabane, County Tyrone within a set time frame. This information was supplied personally by Noel McMahon's informer to both myself and Noel McMahon. I consulted with Chief Superintendent Ginty and I notified Detective Inspector Tim Donnelly of Strand Road Police in Derry. It is my understanding that the ammunition which included cartridges was being deposited for the purposes of extracting black powder which was commonly used in explosive devices. This was the information supplied by the informer. There was no risk to life in the course of this deposit. I wasn't aware of the source of the ammunition, neither was I aware of the site of the pick up. I did however know that it was going to be collected by the informer and a friend and delivered to a location in Strabane along a road adjacent to the town where it was going to be collected by a female. I passed this information to Detective Inspector Donnelly and I was aware that the RUC set up an operation and recovered the material concerned. Shortly after this incident I became aware that the information I had passed to the RUC was somehow leaked back to a then serving member of the Detective Branch at Bunrana who is now a retired Detective Sergeant. I complained about this to Detective Inspector Donnelly

of the RUC and I informed Chief Superintendent Ginty and Detective Superintendent Denis FitzPatrick of the situation. I subsequently learned that the RUC person who was suspected of leaking the information was admonished. I wish to clearly state that this Strabane incident was a joint operation between the Gardaí and the RUC legitimately carried out in the best interests of public safety and was not a hoax or intended to be a hoax and I take exception to the media presentation that a hoax device was placed in Strabane under my guidance or control. (14.07.1999)

On the 14th of June, 2000 Detective Inspector Joseph McHugh asked Superintendent Lennon what was the exact information he relayed across the border to Inspector Donnelly. He claimed that his recollection on the matter was quite clear to the effect that there was ammunition and cartridges being moved and that he never used the word "device". He did not report the matter to Crime and Security at Garda Headquarters, but only to his Chief Superintendent and Detective Superintendent. In his interview of the 23rd of May, 2000, Superintendent Lennon claimed that the purpose of the delivery was to enable black powder to be extracted from cartridges and ammunition and then used as a propellant for bombs. Chief Superintendent Ginty, now retired, in his statement taken on the 10th of July, 2000, said this:

I have no recollection of having been informed of this movement of ammunition from Donegal into Northern Ireland prior to the incident in Strabane. I have no recollection of the time that this happened. I do recall having been informed about the incident in Strabane, about I am not sure who informed me or whether it was before or after the incident. When I was informed about this I was made aware that the person carrying the ammunition was Adrienne McGlinchey, from Letterkenny, but living at that time at the Crescent in Bunrana. It is my recollection that the ammunition was to be left at some location, I do not know, for collection there by some IRA person in Strabane. It is my further recollection that she became suspicious or afraid and as a consequence she dropped the ammunition at another location. I want to explain that this is a recollection after seven years of what was regarded at the time as being a relatively minor incident. As far as I can recall, Detective Inspector Lennon was in direct contact with the RUC in relation to this incident. I am unable to say whether this contact was before, during or after the incident. Incidents of this kind, it would have been the norm for me to have given D Inspector Lennon the go ahead, but I have no specific recall on this matter. I never became aware of any disciplinary action being taken against any member of the RUC in relation to this incident. I had no communication with the RUC in relation to this incident.

Noel McMahon was interviewed on six occasions about this matter. On the 1st of June, 1999 he said that in September of 1993 Adrienne McGlinchey informed him that she was leaving "stuff, clothes" for collection at the bridge in Strabane and that this information was relayed to Superintendent Lennon. On the 13th of

July, 1999 he said that his information on the matter was that there was to be a drop off in Strabane and that he and Superintendent Lennon alerted the RUC and had nothing more to do with it. On the 14th of July, 1999 he said that in September, 1993 Adrienne McGlinchey informed him that she and Yvonne Devine, and another person, were to make "a drop" on the ledge of a bridge in Strabane. He said he relayed this information to Kevin Lennon. In interviews on the 25th of February and the 25th of March, 2000 he denied any allegation of impropriety and expressly indicated that he did not know what was found and did not arrange for the plant of anything. Adrienne McGlinchey's allegation on this is that she took a package from Buncrana to Strabane on the instructions of Noel McMahon and left it on a bridge. She cannot date the event, but she claimed that it was in the early stages of her dealings with Superintendent Lennon and Detective Garda McMahon. She claimed that Noel McMahon had purchased a lunchbox for her, but it is difficult to know why she needed somebody else to purchase such an article. Detective Inspector Hancock was asked about the notion that propellant could be removed from bullets and cartridges as a component of an explosive device. In his statement of the 29th of April, 1999 he said this:

I have been asked about the feasibility of the Provisional IRA removing the black powder from a hundred rounds of .22 LR ammunition and fifty shotgun cartridges and using this powder to launch mortar bombs and to be used in incendiary devices. The rounds of .22 LR ammunition and the shotgun cartridge cases do not contain black propellant powder, they contain nitrocellulose propellant powder, which is often referred to as smokeless powder. Black powder generates a large volume of smoke. I am not aware of any instance in which the Provisional IRA have removed the propellant powder from any cartridge cases and used same for explosives. The Provisional IRA are self-sufficient in the production of homemade high quality black powder which they have used in a wide variety of explosive devices. I have, however, frequently encountered improvised explosive devices, which have been attributed to Loyalist terror groups, and which contained propellant powder removed from shotgun cartridges.

On the 7th of October, 1993 £60,000 was stolen from the Post Office at Main Street in Buncrana, managed by Carl McGinley. Wade McGinley subsequently pleaded guilty in the Dublin Circuit Court and received a suspended sentence. He was in fact the son of the manager of the Post Office. The investigator was Detective Inspector Kevin Lennon, then at Letterkenny. In relation to this, Adrienne McGlinchey claims that Wade McGinley handed her £5,000 to be passed on to Lennon and McMahon. However, it is important to note that this is not the recollection of Wade McGinley. He claims that he never knew Adrienne McGlinchey, apart from being able to recognise her on the street, and, he says, in his statement of the 7th of October, 1999, he "certainly never gave her any money". Nor, he says, did he give any money to Noel McMahon or Kevin Lennon. The fact that Kevin Lennon spoke up for Wade McGinley is not in the slightest bit unusual and is in conformity with the proud tradition of the humane disposal of cases by An Garda Síochána. The only recollection of Wade

McGinley in relation to a meeting with Kevin Lennon and Noel McMahon is one in the presence of his solicitor, Mr. Ronnie O'Doherty who has no recollection of this. The Garda side, Mr. McGinley recalls, offered to keep the incident in proportion in the event of a plea of guilty, but that was all. In the covering report on the Post Office robbery, Superintendent Lennon said that he had confidential information that the IRA carried out their own investigation into the robbery and that Wade McGinley had agreed to pay them the sum of £15,000, one third of which had already been paid. He goes into other theories in relation to the pursuit of a duress defence. When interviewed on the 23rd of May, 2000 Superintendent Lennon could not recall from whom he got the information in relation to the IRA investigation theory, but said it was a Detective Officer in Buncrana. Equally, Detective Garda Noel McMahon, on the 25th of February, 2000, denied all of these allegations by Adrienne McGlinchey.

On the 12th of October, 1993 behaviour occurred at Adrienne McGlinchey's flat in Buncrana which could only rationally be described as ostentatious. It is hard to imagine that it could be regarded as anything other than a deliberate attempt by her to draw attention to herself and her companions. This is how Garda Catherine McGonigle described it in her statement of the 6th of April, 2000:

I can recall being outside this flat with Detective Sergeant Tom Shreenan. There was steps up to Adrienne McGlinchey's flats and I remember being at the bottom of the steps. There was other [Gardaí] there, but D Sergeant Tom Shreenan was the only Guard that I can remember was there. I can't recall if it was day or night, but the area was well lit up. I could see a velux or roof window in Adrienne McGlinchey's flat and I could see a fine white powder running from this window down along the roof. This did not happen once, we were there for about a half hour and white powder came out of the flat window of Adrienne McGlinchey's flat several times. I can't recall seeing who was throwing this white powder out onto the roof. I can't remember what happened after that or what anybody else did...I would have expected arrests as Adrienne McGlinchey and Yvonne Devine were known to me as two Provos. (06.04.2000)

One of the other Gardaí that was there is former Detective Garda, Denis Doherty. He recalls being with Detective Sergeant Tom Shreenan when they got a call to the flat because of suspicious activity. He says:

During my period there I heard taps running and toilets flushing on a constant basis. There was also a substance being thrown out by the women onto a roof on a lower level. I believed at the time that they were trying to dispose of some substance that...was illegal. (20.09.1999)

The former Detective Sergeant, Tom Shreenan, said the following in his statement of the 15th of September, 1999:

On arrival there we noticed that there was water running from the taps in their flat (every tap seemed to be running - I could hear the

water running). I could see the two women, Adrienne McGlinchey and Yvonne Devine, inside a window which was half open, they were throwing what appeared to me to be an explosive mix onto the roof of the building adjoining. This was a sloped roof and this substance was falling onto the ground below. Other Gardaí also arrived at the scene...I returned to the Station leaving other Gardaí at the scene and I made a telephone call to Superintendent John P O'Connor and I informed him of the situation and I requested that he issue me with a warrant under section 29 of the OASA, 1939 to search their flat. He said he would let me know. I returned to the scene and about an hour later, I was told on the walkie-talkie that there would be no warrant issued for the search of this flat. I withdrew from the area along with the other Gardaí. I was very annoyed and frustrated by this decision, but I felt there was nothing I could do about it.

In an interview on the 3rd of June, 1999 he also referred to this incident and the fact that he had been told on a number of occasions "by the then Chief and by Superintendent O'Connor not to be stopping McGlinchey and to back-off". Mr. Doherty expressed a similar view in his statement when he said: "we withdrew from the area. I felt frustrated that no warrant was issued for what I thought had been a justifiable search". In his first statement to the Carty investigation team, which helpfully gives a chronological account of each event in relation to Adrienne McGlinchey as it occurred, Superintendent John P O'Connor deals with the request to him to issue a section 29 warrant for the search of her flat in this way:

On the night of the 12th of October, 1993, D Sergeant Shreenan rang me in Letterkenny seeking a section 29 warrant to search Ms. McGlinchey's Buncrana flat. He told me of a report received at Buncrana Station to the effect that there was unusual noise coming from [McGlinchey's] flat at the Crescent, Buncrana and the caller to the Station also alleged she thought she saw what looked like a gun or walkie-talkie through the window. D/Sergeant Shreenan had surrounded the flat while awaiting my instructions. Having considered the matter including consultations with Chief Superintendent Ginty, D/Inspector Lennon and the SO at Buncrana, I did not issue a search warrant as I believed there was no legal basis to do so. I directed Gardaí to call off the operation. On 13th October, 1993 I met D/Sergeant Shreenan again and reminded him of the instructions he had received from D/Superintendent FitzPatrick re: Ms. McGlinchey. He said he [understood] and would comply. He also said he had been in a difficult situation the previous night. On 12th November, 1993, I discussed an item of intelligence re: Ms. McGlinchey with D/Superintendent FitzPatrick. (Statement 28, Carty Report, Section 1)

Detective Superintendent John P. O'Connor indicates that on one particular occasion, his only direct dealing with Detective Garda Noel McMahon, he was requested to call off a Garda search in Letterkenny where homemade

explosives were supposed to be kept in sheds in the vicinity. He called off the search. He indicated that he normally only dealt with D/Inspector Lennon, as one might expect. He recalls verbal briefings of his attitude that arrests of Adrienne McGlinchey, and more particularly charging her, would bring her under further notice which would not have been helpful to what he believed to have been her usefulness as a "good and reliable" informant. Superintendent Kevin Lennon recalls this event. In his interview of the 23rd of May, 2000 the statement of Adrienne McGlinchey on this matter was put to him. She recalls Detective Sergeant Shreenan knocking at her door and asking to be let in. She was in the company of Yvonne Devine and indicates there was a lot of fertilizer in the flat at the time, some of which she put down the toilet and some of which, inexplicably, she threw out of the window. Superintendent Lennon says:

I recall Superintendent John [P] O'Connor ringing me. My recollection of the event is that he, Superintendent O'Connor, then District Officer at Buncrana had been requested by D Sergeant Shreenan to issue him with a warrant under section 29 of the Offences Against the State Act, 1939 to search the flat of Adrienne McGlinchey. My recollection is that Superintendent O'Connor told me that D Sergeant Shreenan had seen somebody in the flat with a radio to his ear. I advised Superintendent O'Connor that I had no information that there was anything in the flat and that the issue of a section 29 warrant was a matter for him based on reasonable belief that the facts in his possession warranted his entitlement to comply with the provisions of section 29 and that the decision rested with him. I advised him that if he wished to seek advice, to seek it from higher authority than me. I did not seek to influence his judgment or negative his decision.

As to the role of Detective Garda Noel McMahon, he was questioned about this during his detention at Ennis Garda Station on the 10th of June, 2000. At page 7/8 of the transcript he claims he was contacted by John Murphy to tell him about the search:

She was throwing stuff out the window. John knew I was dealing with her. I don't know if I rang Kevin Lennon at that stage. J P O'Connor called off the search because he knew she was passing information to me. I knew J P O'Connor and Denis FitzPatrick reprimanded Tom Shreenan over this in Letterkenny for interfering with Adrienne McGlinchey. I don't think Kevin Lennon reprimanded him...[Adrienne McGlinchey knows that John Murphy rang me because] I must have told her. I probably told her or Kevin [Lennon] [that Tom Shreenan was reprimanded].

Sir, it is appropriate to make a comment at this point. Let us for the moment suppose that senior members of the Gardaí in Donegal had come to the conclusion, in good faith, that Adrienne McGlinchey should be protected against any unwarranted publicity by way of arrest or charge in order not to draw attention to her as a Garda informer. One wonders how any person who had heard the account from Detective Sergeant Shreenan as to her behaviour on

this evening could have so regarded her. Her actions in firing what was apparently ground-up fertilizer out the window of her flat and onto a roof, in full view of the public, and in making a racket apparently calculated to draw attention to herself must have had the potential effect of the creation of a public spectacle. It is hard to imagine, in these circumstances, why a warrant had been refused. It is, perhaps, even harder to reconcile the stated opinion of Gardaí of officer rank in Donegal as to the need for secrecy to protect Adrienne McGlinchey in the circumstances outlined. This is a point we must return to towards the end of the narrative of this particular aspect.

If there had been a search then the events of the next stated date in paragraph (e) of the Terms of Reference may have been looked at differently.

On the 19th of November, 1993 a section 29 warrant was issued, but not for Adrienne McGlinchey's flat, but instead for a vacant house at Ardchicken. Superintendent Michael Duffy, the Superintendent in charge of the Ballyshannon Garda District, issued the warrant. His recollection is, perhaps understandably, limited at this stage. He can recall issuing at least two search orders, one for a vacant house at Ardchicken, near Donegal town. It may be that he regarded independent verification as important before he would rely on the word of an informer. Inspector Thomas V O'Brien, then a Detective Sergeant stationed at Donegal town, recalls the incident in this way:

I recall during my time [in Donegal town] that there was a find of homemade explosive...in a vacant house at Ardchicken, Donegal town on Thursday 19th November, 1993. I also recall being instructed by Superintendent Michael Duffy (now retired) to covertly search a vacant house at Ardchicken, Donegal on the 18th/19th November, 1993 to confirm the presence of [homemade explosive] in the front room under timber. The house was described as being adjacent to the road on a bad bend. I recall searching the house under cover of darkness and discovering the presence of a fertilizer-like substance in plastic bags in the front room of the house under some broken timber. I confirmed the presence of the substance to Superintendent Duffy and the house was later searched pursuant to a warrant by uniform personnel from Donegal town. I was instructed not to have any Detective Branch personnel on the second search. I was not informed where the information had originated from...from 20th to 23rd November, 1993 I carried out follow up searches and house to house enquiries with negative results in the Ardchicken area. (18.07.2000)

Superintendent Duffy states:

I have no recollection of asking Vincent O'Brien to check out a vacant house at Ardchicken...I do recall asking him to check out a house on the Rossnowlagh Road...which was believed to be in use by PIRA and I recall telling him not to tell anybody about that house, including members of Special Branch. I do not recall issuing any instruction to the effect that no Special Branch members were to be

involved in the search of the vacant house at Ardchicken, Donegal town... (19.07.2000)

Captain Colm Farrell was an explosive ordinance disposal officer at Finner Camp in Donegal at the relevant time. He examined the find and in a statement taken on the 19th of July, 2000 said:

This instance consisted of a find of what appeared to be a bulk explosive consisting of 61 x 5kg (approx) bags of white powdery substance... there was no means of initiation of the apparent bulk explosive present. I decided that it was safe to move this substance. I gave one bag to the Gardaí for forensic examination and the remainder I disposed of by dispersal.

Sergeant Thomas McPartland took part in the search, but was not involved in any follow up investigation. Aidan Murray was then a Detective Sergeant based at Ballyshannon, and is now retired. He also took part in the search. As the scenes of crime examiner he retained a sample of the material which he subsequently sent to Garda Headquarters for examination, but he cannot recall what became of the sample, which was subsequently returned to him. Nobody was arrested or questioned in connection with the find. Dr. Sheila Willis examined the substance and found that it contained urea which is a constituent of fertilizer and some animal feeds. The owner of the house, Michael Rose, was not a person in any way associated with this kind of activity. Besides, anyone could use the property without his knowledge. The Carty investigation team were of the view that no Garda investigation was carried out into this discovery of explosives. It might be expected that if explosives were concealed in a disused house that surveillance might be kept over it, to see if anyone would come to retrieve it, or to otherwise deal with it. It might also be expected that there would be an attempt at developing forensic evidence or fingerprints. However, and this is a comment that needs to be made again, none of the obvious steps were taken to follow this matter up. We do not know why. In her main statement in this matter, Sheenagh McMahon recalls a conversation that she had with Adrienne McGlinchey where, apparently suddenly, she said "don't ever mention Donegal town". In answer to the question "why, what went on in Donegal town?" Adrienne McGlinchey is recorded as having smirked and said "never mind" with a laugh. Adrienne McGlinchey's allegations in relation to this matter include one that she taped a crucial conversation with Kevin Lennon and Noel McMahon in her house. However, this alleged recording has never been forthcoming. Her account of this matter is contained in her statement of the 9th of August, 1999. She claims that Noel McMahon had her purchasing and grinding, in coffee grinding machines in her flat, fertilizer with high nitrogen content. She claimed that bags of fertilizer were also stored in Detective Garda McMahon's house. These were dispensed into freezer bags. These bags were, indeed, the method of packing at Ardchicken, and then subsequently at Rossnowlagh on the 18th of July, 1994. She claims that apart from Detective Garda McMahon, that another Garda assisted in moving this apparent explosive. We are talking here about a weight in excess of 300 kg. Yvonne Devine in her statement of the 13th of September, 1999 is recorded as having said that she had gone to Donegal town twice with Adrienne McGlinchey

seeking a suitable location to leave fertilizer, but was not, she claims, there when the alleged concealment took place. Nonetheless, Adrienne McGlinchey refers to a bus journey from Letterkenny to Donegal town with Ms. Devine, where they persuaded the driver to stop near the house, on a pretext, with both of them carrying suitcases. On another occasion she claimed to have got a loan of a car. There seems to have been three deliveries in all. She says at page 29/30:

This third delivery to the old house was made in the evening time. It was winter time and I know that it was before Christmas. Noel McMahon contacted me before I delivered any bags to Donegal. He wanted more and more stuff left there and he knew beforehand about the two deliveries I was making with my friend. Noel McMahon arranged with me that he would bring Kevin Lennon to my house and that I was to tell Kevin Lennon about the dump in Donegal town. Noel told me what to tell Kevin Lennon. A couple of days after the last delivery to Donegal town Kevin Lennon and Noel McMahon arrived at our house in Ashbrook in Kevin Lennon's car. It was night time. We had a few drinks. Kevin Lennon was drinking Brandy. I don't think that Noel McMahon was drinking. I told Kevin Lennon about the dump in Donegal town as Noel McMahon and I had arranged. I didn't tell Kevin Lennon exactly where it was, but I told him I would bring him to it. He said that he would go up to the Garda Station and get the Special Branch car. Kevin Lennon went off in his own blue Honda car and arrived back with the red patrol car. Kevin Lennon, Noel McMahon and I then drove to Donegal town. I recall as we were approaching the old house Kevin Lennon said "there it is there, pull in there". I found this unusual as I was supposed to be pointing the house out to him. Noel McMahon must have been driving and we stopped opposite the old house...I stayed in the car and Kevin Lennon and Noel McMahon got out and went over to the old house...[they] returned to the car and Kevin Lennon was excited about what was in the old house. They then left me home to Ashbrook and they went off...Noel McMahon had told me afterwards that the Army was brought to this house in Donegal town afterwards. I had told Kevin Lennon on Noel McMahon's directions that the fertilizer was only being left there temporarily and was eventually to be made into a bomb and taken to Belleek. I continued to grind fertilizer in our flat at the Crescent in Buncrana after this. (09.08.1999)

Adrienne McGlinchey claims that the back of the old house was over-grown and she was never there. She claimed not to know anything of a running tap at the back of the house, and not to understand what 'a marker' was. The owner of the house indicates that there was indeed a tap at the back wall of the house. In his statement of the 14th of July, 1999, Superintendent Lennon states:

In November, 1993 I received a phone call at my home from Detective Garda McMahon to the effect that there was subversive materials which were non-specified at some location in Donegal

town. I asked D/Garda McMahon to bring his informer to Letterkenny to meet me. I took McMahon and his informer in my car to Donegal town to point out the location to me. We went out the Ballyshannon Road and actually passed the scene and returned to a disused house which the informer had pointed out to me. I parked the car away from the scene and the three of us moved towards the house. I took up a cover position and Detective Garda McMahon crawled through the undergrowth and briars to the house followed by his informer. The three of us went into the house which was a small, old dilapidated bungalow and in one of the rooms under the floor boards I noted a number of transparent plastic bags with some material in them. There was a tap running outside at the back of the house and I went to turn it off and the informer told me not to turn it off that it was a marker. We left the house and returned to Letterkenny. I queried the informer about the purpose of these materials and was advised that they were for the purpose of mounting an operation in the Fermanagh area. It was about 2.00 or 3.00 o'clock in the morning when we visited the house in Donegal. Later that morning I notified Superintendent Duffy, Ballyshannon Station and also my authorities at Letterkenny, namely Chief Superintendent Ginty and the D/Superintendent. For the purposes of the media and as a cover scenario for the informer it was dealt with as an anonymous tip-off and a search was conducted under the command of Superintendent Duffy and the materials recovered. I was in contact with Superintendent Duffy afterwards and learned what the materials consisted of. I have been asked by Chief Superintendent McNally to name the informer and I now do so as Adrienne McGlinchey. I wish to state that I was never in her flat at the Crescent, Bunrana nor did I enter any other accommodation owned or to which she had access either at her family home in Covehill, Letterkenny or elsewhere. I was often in her shop, while passing by, to buy cigarettes, but I was not in her shop since I became aware of this investigation on the 14th April, 1999.

On the 23rd of May, 2000, having been cautioned by Detective Chief Superintendent Austin McNally, Superintendent Lennon was asked as to what steps were taken to secure the area from the time he had seen it to the time it was reported to Superintendent Duffy. Superintendent Lennon said:

When we were at these locations I queried Ms. McGlinchey as to the risk to our personal wellbeing at the scenes and she advised me that she was aware that the PIRA were not operational on them particular nights, that she had personal knowledge of their whereabouts "that is the people that she said was involved in these deposits" and that they were not immediately to be moved into operations to the targets which I have already outlined in previous questions. It was quite late in the night time and I knew from my own experiences and from operational knowledge in this border area that the members of the PIRA didn't usually operate in striking targets after certain hours. The only attack, I am aware of that took

place in the late night or early morning, by that I mean before dawn, was the one at Cushquin Military Checkpoint. It was early morning time when I contacted Superintendent Duffy and it was over to him after that. At all stages I alerted my authorities to all the facts in my possession which included information passed to me.

Sir, it is appropriate to note a potential pattern of terrorist organisations being 'off duty' at particular times.

Superintendent Lennon added to this in his interview of the 14th of June, 2000 by indicating that it was "up to Superintendent Duffy to do" written reports and that Adrienne McGlinchey had named a person as the crusher of the fertilizer and another as the deliverer. In his statement of the 14th of July, 1999, Detective Garda McMahon indicates how he cultivated Adrienne McGlinchey and, according to him with another Garda, how he gave her "a lot of attention which eventually led to her becoming very useful". He describes the Ardchicken matter as follows:

In November of 1993 I met with Adrienne McGlinchey and she told me that she knew of the location of a house outside Donegal town where a bomb was stored by the PIRA. I made immediate contact with Kevin Lennon and that night we went with Adrienne McGlinchey to find this house. We used the official surveillance van. I think Kevin Lennon drove the van. Adrienne McGlinchey would have been in the middle. We drove on her direction to Donegal town and on the Ballyshannon side of Donegal town in the townland of Ardchicken she pointed out a vacant bungalow...Kevin Lennon dropped McGlinchey and I and he drove off in the van. Adrienne McGlinchey came with me around to the back of the house and she opened the back door. It was obvious to me that she had been at and in this house before. She pointed out a room, when we had entered, and said that the stuff was in it...I saw that there were bags of stuff there. Once I had verified that there was stuff there we left and walked up the road and Kevin Lennon picked us up. She was not forthcoming with any more details on this find. In my opinion she was a person who could not live with the knowledge of knowing of the stuff if there was ever any loss of life. She appeared to be happy in passing on this particular piece of information as it would not come back to her. I informed Kevin Lennon that the stuff was there and he took it from that point. I know that the following day Gardaí from that area searched the vacant bungalow at Ardchicken and that stuff was found. The search I recall was conducted under the direction of Superintendent Mick Duffy of Ballyshannon. After she pointed out the house I would have dropped her back to Bunrana. Adrienne McGlinchey never discussed Ardchicken again with me and she never even looked for money or a reward for information. When we entered the house at Ardchicken it was about 12.00 midnight. There was a tap dripping on the wall at the back of the house. On the way out I went

to turn it off and Adrienne told me to leave it alone and that it was a marker. (14.07.1999)

Detective Garda McMahon explicitly denies being in any way involved in the grinding of fertilizer. In his interview, upon his arrest, on the 10th of June, 2000, Detective Garda McMahon at page 22 indicated that Kevin Lennon did not know where the house at Ardchicken was. He also said that Kevin Lennon had come into the house on that night and that it was he who wanted to turn off the running tap at the back of the house and that Ms. McGlinchey had "told him not to as if he did, it would be known there was someone at the house".

On the 7th of December, 1993 Detective Sergeant Shreenan was again told by Superintendent John P O'Connor of what one might call the "hands-off" policy in relation to Adrienne McGlinchey.

We now move into 1994. In doing so it is appropriate to mention an apparent incident which can only be dated to some time in 1993 or 1994. This incident was first reported to the Carty investigation team by Garda Seamus Gordon on the 16th of November, 1999. They had heard about the incident earlier and it was confirmed on that date by Garda Gordan. This is his recollection:

I recall that I was on duty in Buncrana Garda Station as Station Orderly one night from 10.00 p.m. to 6.00 a.m. the following morning...I recall receiving a radio message from Garda John Murphy before 11.00 p.m. that night to the effect that Adrienne McGlinchey who was known to me was observed by Garda Murphy carrying a large plastic bag under arm at Main Street, Buncrana. Garda Murphy requested assistance to have her stopped and searched...I believe that Adrienne McGlinchey was later stopped and searched by the Gardaí, but was not in possession of the black plastic bag or the item that had been in it...I recall that a follow up search located the black plastic bag which contained a tripod and that this was located in the general area of Church Street, Buncrana...I knew Adrienne McGlinchey from the Summer of 1991 when she first moved to Buncrana and took up residence in a tent at Ballymacarry Lower with Yvonne Devine. I knew that both of these women were well known to Detective Branch members and uniform members in Buncrana...I recall that after refreshments were availed of that night that Garda Tom McDonagh, Garda Michael Galvin and I were talking in the public office...we were joined by Inspector Kevin Lennon and D Garda Noel McMahon. There was a general conversation which was light-hearted and jovial. I cannot recall the exact content of the conversation...but I do recall that Noel McMahon reacted to something that I said to him. He was standing beside the table at this point and he leaned forward towards me and pointed his official Smith and Wesson revolver at my face. I knew from the movement of his hand that he cocked the hammer of the firearm after he pointed the gun at me. He then released the hammer and cocked it again and again he released it by placing gentle pressure on the trigger while holding the hammer with his

thumb. I cannot remember how many more times he did this. The gun was approximately two feet from my face and the front of the barrel was pointing at the bridge of my nose. The gun was pointed at my face for approximately five to ten seconds. I sat still in the chair while the gun was pointing at me. Moments later, somebody stated "put the gun away". I believe that it was Inspector Kevin Lennon who said this. D Garda Noel McMahon then placed his firearm back in his holster. During the time that the gun was pointed at me I was in fear and I later learned that the gun had been loaded with bullets and this caused me greater anxiety over the following weeks and months. I had difficulty getting to sleep for months after this incident and I did not tell my wife about the matter as I did not want to worry her. I knew Inspector Kevin Lennon well and I regarded him as a conscientious officer and I expected that the matter would be addressed. Inspector Kevin Lennon never spoke to me about the matter and nobody in authority ever approached me about it. I did not pursue the matter as I knew my authorities were aware of it. Detective Garda Noel McMahon did not speak to me about the incident again and he never apologised to me for it...Inspector Kevin Lennon and D Garda Noel McMahon left the public office together shortly after the incident. (16.11.1999)

Detective Garda Michael Galvin recalls the incident and in a statement of the 17th of November, 1999 he indicates that his attention was concentrated on the fact that the gun was pointed at Garda Seamus Gordon. He also recalls Inspector Lennon saying something to the effect of "Mac put away that gun" or "stop messing around with that gun" and their leaving shortly afterwards. Garda Thomas McDonagh recalls such an incident, describing it as occurring "for no reason that I can remember". He also recalls that Detective Garda McMahon was told to put away the gun by Inspector Lennon. Detective Garda Noel McMahon was interviewed in relation to this matter on the 25th of March, 2000 and said that he never produced his official firearm to Garda Gordon at Buncrana Garda Station. Kevin Lennon, when interviewed by Detective Superintendent Austin McNally and Detective Superintendent McCarthy on the 23rd of May, 2000 is reported as having said that of all the accusations levelled against him that this one seemed to have 'a bit of substance', but as there was a professional person making the allegations that he should have made notes and that the failure, in that regard, was more serious than the alleged event.

On the 11th of January, 1994 fertilizer and icing sugar were apparently discovered at Bridgend, County Donegal near a border crossing. Sheenagh McMahon, at page 12 of her main statement, recalls her husband making a reference to a bomb at Bridgend and saying "if I go down, I'll bring the whole...lot with me". She says that he was drinking a lot at the time and that Chief Superintendent Denis FitzPatrick had watched Adrienne McGlinchey carrying a bomb at that location. She also describes a drinking incident involving her husband, Kevin Lennon and Adrienne McGlinchey in her house. Adrienne McGlinchey deals with this matter at page 4 of her statement on the 22nd of June, 1999 and pages 31 to 33 of her statement of the 9th of August, 1999. In the earlier statement she claims that she was told by Noel McMahon to get a

taxi to Bridgend and to leave bags with fertilizer in them at a particular place. She claims that Denis FitzPatrick and Kevin Lennon were, according to Noel McMahon's plan, to be there and that Denis FitzPatrick "would be acting as a drunk man" and that there would be a Garda checkpoint. She describes arriving with Yvonne Devine in a taxi at Bridgend and throwing the bags over the wall. She claims to have seen Chief Superintendent FitzPatrick in his attitude of disguise. She claims that virtually immediately, the Gardaí moved in and that she knew this because she saw a Garda patrol at the roundabout and then Gardaí shining torches around the place. She claims to have done this 'drop-off' because "you could not say no to Noel. He would keep torturing me until I carried it out". She also claimed that if she did not do his bidding that he had threatened to tell her mother or father and "the Provos". In the later statement she claimed that she was to leave the fertilizer and sugar under pallets beside a bathroom store. She claimed that when the taxi stopped at this location Yvonne Devine paid the taximan and then walked over towards the roundabout to thumb a lift to Letterkenny. She then took, she says, the three holdall bags out of the boot of the taxi and left them behind a small wall "so that the taximan would not see where I was going to leave them". The plan about putting the bags on pallets was not fulfilled because "Yvonne shouted at me that there was a checkpoint over the road and I panicked". She claims to have recognised Chief Superintendent Denis FitzPatrick "from his demeanour and dress". After staying in a café, partaking of refreshments, and watching the Garda operation, she claims they thumbed a lift back to Buncrana. She claims that Kevin Lennon was hiding in a small forest area at the side of the bathroom store. She also claims to have known that there would be no Gardaí around Buncrana and that the taxi would not be stopped on its way to Bridgend.

It certainly appears to be the case that at 9.50 p.m. on the 11th of January, 1994 Garda Gerard Burke received an anonymous telephone call, from a man, which indicated that two people had left a number of bags to the rear of McCallions. The people were described as "youths dressed in dark clothing". The caller spoke "with a slight southern accent and from the sound of his voice...was a middle aged male". Garda Burke learned later that a number of bags had been found containing a suspicious substance. It is perhaps noteworthy that the operation to intercept the bags commenced immediately, a decision which, one would imagine, might have endangered Adrienne McGlinchey as a source because it was so proximate to her arrival at Bridgend. Garda Terence McMahon uncovered three holdall bags containing eleven freezer bags with ground fertilizer and four freezer bags containing icing sugar. This amounted to 42½ kilograms of fertilizer and 12 kilograms of icing sugar. The scene was preserved overnight with a search of the area on the following morning with no further results. Sergeant Michael Murray, a scenes of crime examiner, took samples and forwarded these to the Forensic Science Laboratory. Superintendent John P O'Connor has this to say:

On the night of 11th January, 1994 I met D Superintendent FitzPatrick and D Inspector Lennon in my office by appointment. We arranged a security operation in the Burnfoot border area between 8.45 p.m. and 10.00 p.m. At 9.50 p.m. Gardaí at Burnfoot Station received an anonymous call about youths acting

suspiciously near Bridgend roundabout. Gardaí went to the scene and later three "holdall" bags were found with fifteen plastic bags of what was believed to be explosive mix. The seizure was later taken to Burnfoot Station. I visited the scene as did D/Superintendent FitzPatrick, D Inspector P Lennon. It was preserved overnight for technical examination. Telex message was sent to HQ. The following day I directed further enquiries into this find and gave media interviews...I have no recollection about the making of an anonymous call to Burnfoot Garda Station being discussed. Neither have I any recollection of knowing who was leaving the deposit at Bridgend on 11.1.94. I cannot recall considering the issue of surveillance at Bridgend on 11.1.94. As the scene of this find was preserved surveillance was not put in place. (21.07.2000 and undated)

Chief Superintendent Denis FitzPatrick recalls being aware that the source of the information leading to the Ardchicken find was Ms. McGlinchey. He recalls the Burnfoot events in the following way:

I was informed by Detective Inspector Lennon that Ms. McGlinchey and Ms. Devine were going to transport crushed fertilizer from Bunrana to Derry for the PIRA. He had already a plan in operation to frustrate the consignment moving to Derry. I can recall we discussed the morning find by the RUC [in relation to a find of homemade explosives at Maureen Avenue, Derry in a wheelie bin] and the fact that they (PIRA) were going to take fertilizer mixture through a British Army/RUC checkpoint at Cushquin. The plan was that a taxi was to convey the two females and the mixture from Bunrana to Derry via Bridgend. A Garda checkpoint was to be in place at Bridgend which could be seen from the roundabout. When the taxi approached the roundabout the passenger would stop the taxi and discard the fertilizer mixture at the old galvanised sheds beside the roundabout. We were conscious that the PIRA would probably be monitoring our radio system. It was decided that a telephone call would be made to Burnfoot Garda Station to the effect that people were acting suspiciously at the sheds, and if the call taker asked the caller to identify themselves the caller would decline. I informed the RUC in relation to the operation. I met with Superintendent O'Connor, Detective Inspector Lennon at Bunrana just prior to the operation. I travelled to Bridgend with Detective Inspector Lennon. He drove to the border and I got out of the car at the border, it was approximately 8.50 p.m. I walked from the border in the direction of Bridgend. The Garda checkpoint was in place. Sergeant Michael Brennan was it with a number of Gardaí. I was on the left hand side footpath as one approaches the roundabout and I saw a red car pull up at the galvanised shed, I could see movement, but due to darkness I was unable to see what was going on. I saw the car go off in the direction of Bunrana. I could not see the number plate. I then saw two females walking on the road towards Letterkenny. I went to Detective Inspector Lennon, he was in his car

near the front of the 'Nineteenth Hole Public House'. We left and went towards Buncrana. I made a telephone call to Burnfoot Station, the call taker did not ask for my name and I did not offer same. I told the call taker that two people were acting suspiciously at the sheds. Subsequently, Superintendent J P O'Connor rang me on the mobile phone and said that the Gardaí were at the scene and had the bags of mixture. On our way back to Letterkenny Detective Inspector Lennon and I stopped and viewed the scene and spoke with Superintendent O'Connor. I had no further dealings with the find. (02.05.2000)

He later said that he presumed the two women were Ms. McGlinchey and Ms. Devine. He said in this later statement, on the 13th of July, 2000, that Detective Inspector Lennon was very happy and praised Ms. McGlinchey on the way the operation had gone off. He also says:

The idea of arresting them was never considered. In relation to the phone call, I can say that I only ever discussed this with Detective Inspector Lennon until now. I was pleased myself on the night with the operation and the fact that we had prevented the material moving into Derry. Prior to this I had been dubious of her activities, this incident and the one [at Ardchicken]...convinced me that she was being used by the PIRA to transport equipment, and that she had been helpful to the Gardaí by giving this information. Prior to this operation I would have expressed concern to D Inspector Lennon about Ms. Adrienne McGlinchey, he never accepted my concerns and said that himself and D Garda N McMahan could handle her. He told me he was keeping notes of their conversations with Ms. McGlinchey for comparison purposes so as to ensure she was telling the truth to them. I never saw any notes. (13.07.2000)

Sergeant Michael Murray took a sample from each of the fifteen bags and conveyed them to Dr. Thomas Hannigan at the Forensic Science Laboratory. Captain Lenny White was called in and he weighed and destroyed the remainder of the fertilizer and icing sugar. Dr. Hannigan found the substance to be commercially available fertilizer and icing sugar. Yvonne Devine, in an interview of the 13th of September, 1999, claimed not to know the full extent of what was going on at Bridgend, but went along out of some 'sense of fun'.

According to Superintendent Kevin Lennon, in his statement of the 14th of July, Detective Garda McMahan had notified him of an apparent transport of materials to Derry. He claims that as a result of this he informed Chief Superintendent FitzPatrick and set up the security operation. Detective Garda McMahan in his statement dated the 14th of July said that he was informed by Adrienne McGlinchey that this material was to be dropped at Moyne's Coal Yard, Bridgend, for onward transmission to Derry. He claims not to have witnessed the drop. He expressly denies that the matter was set up by him to impress 'more experienced' Gardaí, and those superior to him in rank.

There is nothing to suggest that the relevant bags were retained for fingerprint and forensic examination. Surveillance was not placed on the deposit to see who might come to deal with it. Given that the alleged plan, as apparently disclosed by the informant, was for a deposit to be made on one side of the border, and for someone to collect it and bring it to the other side of the border, the absence of surveillance is difficult to understand. Although Chief Superintendent Denis FitzPatrick did not see the number of the taxi, it would hardly be beyond the scope of the Gardaí present at Bridgend, for one of them to have noted its registration. If they had, or perhaps if they were interested, they could have followed this up and they would ultimately have spoken to the driver of the taxi John Francis Quinn. This is part of his account of his dealings with Ms. McGlinchey and Ms. Devine, taken by the Carty investigation team on the 17th of June, 2000:

I remember [Adrienne McGlinchey and Yvonne Devine] as, in my opinion, two loony bins. They were always giving the impression that they had something to hide and also that they were hiding from someone. I myself have strong Republican views and would come from a family background of being Sinn Féin/Fianna Fáil. I would not give them any credit at all to what they were claiming. They were generally making it known that they were couriers and decoys for the PIRA to distract the Gardaí. No one in their right mind would use them or have them as they were always mouthing and you could not trust them to keep quiet...I recall taking them to Bridgend, on a few occasions. On some of these occasions they would have nothing with them. However, there were a couple of occasions where they had carrier bags...on the occasion I lifted them with this bag Yvonne first came to the taxi rank and we drove into the Crescent where Adrienne was waiting with the bag. I would say it was about 9.00 p.m. to 10.00 p.m. on a Winter's night. I would have drove direct to Bridgend on the directions of Adrienne. Yvonne generally remained quiet...on this occasion I would have let them off at Bertie O'Neil's shop at Bridgend...Adrienne did not say what was in the bag, but would have said I hope the pick-up is on time because I think we were being followed by the Gardaí. On all the occasions I gave Adrienne a lift I was never stopped by the Gardaí...I don't know what they did afterwards...I never carried bags of fertilizer for them, and I don't remember carrying any metal objects for them either...on all the occasions I left McGlinchey and Devine to Bridgend I would never have to wait to take her back. What she would say to me was, "you never seen me, you don't know me" and things like this. I think this was to make herself feel important.

Another taximan, John Bradley, recalls driving the two women around carrying sports bags. Reading this, one wonders why it was necessary for the Carty investigation team to do this work, by which we mean to query why it was not done before. More importantly than that, perhaps, one wonders why apparent terrorists would announce their presence by using taxis and asking complete strangers for discretion.

On the 11th of March, 1994 Yvonne Devine held a birthday party at the flat which she shared with Adrienne McGlinchey. The latter alleges that there was a padlock fitted to her bedroom door so that guests would not enter and discover the amount of fertilizer that she had there. Later examination discloses that there was a fitting for a padlock which, on interview, her landlord indicated that he had not put on the door. While she blames Detective Garda Noel McMahon for this security, we should remind you, Sir, that he has asserted that he had nothing to do with the fertilizer grinding operations which she alleges were located in that flat using two coffee grinders in rotation, one for ten minutes, and then the other, so that the motors would not burn out.

Sir, you will recall that on the 12th of October, 1993 a warrant was refused to search Adrienne McGlinchey's flat in the context of fertilizer-like material being fired out the window in public. On the 14th of March, 1994 a search warrant was issued in respect of the flat of Ms. McGlinchey and Ms. Devine. It would appear that after being held for a period of time under section 30 following their arrest, neither was charged, no investigation file was prepared and no effort was made to link either of them by forensic investigation to the material apparently found in their flat. A Ms. Vivienne Eccles lived in the Crescent block of apartments from March, 1993 to September, 1994. This is what she said in a statement dated the 30th of August, 1999:

There were two girls living in the flat overhead...there used to be a lot of noise coming from the flat above, a lot of banging and hammering, and also a whizzing sound. I complained to these two girls a few times but got no satisfaction. This noise often kept my son awake at night. There used to be fellows calling to this flat late at night. I recall seeing Noel McMahon call to this flat a couple of times. I don't think he was alone or perhaps there would be someone in the car with him. The Guards called to this flat on several times, uniformed Gardaí as well as Detectives. I remember one day I returned to the flat having left Jonathan to school and I found my kitchen floor very wet and water was coming through the ceiling. I went to a nearby phone box and called the landlord, John Mackey and told him of the water leak. At this stage Garda Tom Rattigan had called to my flat. I was at this time doing a line with him. About an hour later John Mackey and his wife arrived and they went upstairs to the flat above and Tom Rattigan and I went up. In looking for the leak Mr. Mackey went into the bathroom and water was coming out from under the bath. John Mackey pulled off the bath panel and there was something there that caused him alarm. Tom Rattigan had a look.

We continue with the account of John Mackey given on the 11th of June, 2000:

After I entered the flat...I first checked the kitchen. I did not see anything unusual there. I then went to the bathroom and again there was nothing unusual to be seen. It was only when I took off the side panel of the bath, that I saw the metal tubular objects. I

think there was two of them. Also on the ground strewn around loosely under the bath was what I thought was fertilizer. There were no bags or packages to be seen. I immediately became suspicious and concerned at what I had seen. I immediately contacted Tom Rattigan whom I knew was going with Vivienne Eccles in the flat below and who had reported the matter of a leak to me...I showed him to the bathroom and he looked at what I had uncovered. Neither of us touched anything that was there. I think Garda Rattigan and I glanced into the other rooms of the flat and the only thing I recall seeing was a bag of farm fertilizer in the bedroom to the left as you go towards the sitting room. This bag seemed to be a 1 cwt bag unopened lying on the ground and slightly under the bed.

In his statement of the 4th of August, 1999 John Mackey said:

I think I let myself in through a broken pane of glass in the door. They had damaged the lock to the flat some time before. They said that it was faulty. I was checking the flat for a leak and I took off the bath panel and I saw metal tubular objects with fins attached and I became suspicious. I went downstairs and met Garda Rattigan who was visiting the girl downstairs, Vivienne Eccles. I brought Garda Rattigan upstairs and showed him the items under the bath. He also looked into a bedroom and I saw what looked like a bag of fertilizer. Garda Rattigan then said something like we've a bomb factory here. I said I'll go and leave you to it and I left. I knew then that something was up and I later became aware from a neighbour in The Crescent that the Guards were searching the flat. The following day I was called to Buncrana Garda Station and I spoke to Sergeant Walsh. I had my mind made up to get rid of these girls. A Detective asked me to leave them and they would keep an eye on them. I met this Detective a day or two later in Buncrana. I can't recall his name, but he lives around Buncrana. He approached me and was on about catching bigger fish. I had my mind made up and I got these girls out of the flat a few weeks later. I have never had any dealings with these girls since.

Garda Thomas Rattigan indicates in one of his statements that on the report being made to him he ordered that everything should be left as it was and that he reported the matter. Mr. Des Walsh, an ex-Detective Sergeant from whom we have already quoted, recalls being involved in the search of Adrienne McGlinchey's flat when, as he put it, 200 cwt or 300 cwt of fertilizer was found. He believes that he got the warrant for the search from Superintendent John P O'Connor and says that any time he went to Superintendent John P O'Connor for a warrant for any place he always got it. Superintendent John P O'Connor has no recollection of issuing a warrant on this particular day because, as he says, he was attending a seminar at Letterkenny Garda Station. Sergeant Michael Murray, a scenes of crime examiner stationed at Buncrana, recalls being aware of Adrienne McGlinchey and Yvonne Devine whom he describes as "known active members of the Provisional IRA". Strangely, by the time he

arrived in the flat, he did not find any steel items with fins attached. This is his description:

Detective Sergeant Walsh identified a number of plastic bags, two suitcases, a holdall bag two 50 kg bags of fertilizer, which were located in the bathroom area of this flat. These items had been uncovered during the course of a search of the flat under warrant. The suitcases and holdall bag contained a number of plastic bags which contained white powder and granulated material. The plastic bags also contained white powder and granulated material. The two fertilizer bags contained granulated material. I conducted a thorough and detailed examination of the flat together with Detective Sergeant Walsh and I did not find any firearms or any other terrorist related equipment. The plastic bags, two suitcases, holdall bag and two 50 kg bags of fertilizer were taken possession of and taken to Buncrana Garda Station. On the morning of the 15th March, 1994...I took samples from each bag of white powder and granulated material, which I placed in nylon bags, sealed and labelled them. These samples were identified MM1 to MM341, inclusive. I retained these samples...until...I conveyed them to the Forensic Science Laboratory...where I handed over all the exhibits...to Dr. Sheila Willis, Forensic Scientist. Dr. Sheila Willis asked me to try and verify details related to one of the bags of fertilizer so as to assist her with analysis. I did not make reference to their being no proceedings in this matter as it is not within my remit to make such comments and the possession of materials of this nature is a matter for the Director of Public Prosecutions. I did not influence the forensic scientist nor was I ever asked to do so. My examination of the scene was carried out methodically... (18.11.1999)

Commandant N Dowling visited the scene. He gave his view that fertilizer and icing sugar are principle constituents of most of the then recent PIRA homemade explosives. He described the contents. There were:

1. 37 x 5 lb. plastic bags containing a white substance which was fertilizer and icing sugar.
2. Two x 1 cwt of Maxisward fertilizer.
3. Five x 5 lbs plastic bags of granulated fertilizer.
4. Five x 1 lb plastic bags of icing sugar.
5. Welding rods and angle iron.

Dr. Sheila Willis recalls receiving samples of this material on the 16th of March, 1994. She states:

These were referred to as having been discovered in the flat of Adrienne McGlinchey and Yvonne Devine. At the time of receipt I was told there would be further communication if analysis was needed. As I have not heard since I am returning the materials to Sergeant Murray via the Liaison Office without examination. (Statement 52A, Carty Report, Section 1)

The scene at the Crescent, Buncrana, it would seem, was not technically examined for fingerprints and forensic evidence. It would appear that no effort was made to establish the origin of the materials and that no investigation was conducted. No file was prepared and submitted to the Director of Public Prosecutions. At 9.10 p.m. on the 14th of March, 1994 Adrienne McGlinchey was arrested under section 30 of the Offences Against the State Act, 1939 by Detective Garda Noel McMahon and taken to Burnfoot Garda Station. She was detained for just under twenty four hours until 7.45 p.m. on the next day when she was released without charge. At 11.04 p.m. on the 14th of March, Yvonne Devine was arrested at Burnfoot by Garda Christopher Galligan and taken to Buncrana. She was detained until 7.00 p.m. the next day when she was released without charge. The custody records reveal that Adrienne McGlinchey made a complaint against Kevin Lennon. Inspector Patrick J McMorrow was, in March, 1994, attached to Buncrana. He recalls these arrests. His recollection is as follows:

I was acting District Officer on the 14th, 15th and 16th March, 1994 in the absence of Superintendent J O'Connor. I was aware that D/Inspector K Lennon of Letterkenny Garda Station was in overall charge of the operation. I was briefed from time to time by D/Branch members at Buncrana on the progress of the investigation. On the morning of the 15th March, 1994 I attended Carndonagh District Court as Prosecuting Officer. At around 3.00 p.m. on that date I can recall speaking to Commandant Paul Dowling of Finner Camp Military Barracks. Commandant Dowling informed me that from his preliminary examination of substance found he was of the view that it was ammonium nitrate mixed with icing sugar in a mixture known as ANIS. I was aware that Sergeant M Murray of Buncrana Garda Station was the scenes of crime examiner at the scene and that he had obtained samples of the substances for transmission to the Garda Forensic Laboratory...on the evening of the 15th March, 1994 I consulted briefly with D/Inspector K Lennon on the progress of the investigation. The member stated that there was insufficient evidence at that stage to link any of the accused with the substances found. The member stated that he was considering releasing both accused from the provisions of Section 30 OASA, 1939 and submitting investigation file in course for consideration by the DPP. Both accused were then released from custody on evening of the 15.3.1994. I did not have any further dealings with the matter. (Statement 65, Carty Report, Section 1)

On the 14th of March, Garda Christopher Galligan was member in charge, according to the custody records at Burnfoot. He processed both prisoners. He recalls at 5.40 p.m. Adrienne McGlinchey saying to him that she wished to make a complaint, though she was not, as he puts it, "overly perturbed or excited, you would think she was serious but was laughing at the same time, it seemed to be a charade". The complaint was "about D Inspector Kevin Lennon's mannerism". She refused to elaborate. The officer who arrested Yvonne Devine was Garda Christopher Galligan. According to him, the officer who arrested Adrienne McGlinchey, was D Garda Noel McMahon. Garda Galligan recalls Detective Garda McMahon being accompanied that night by Detective Inspector Kevin Lennon. Adrienne McGlinchey's account of this matter is given in her lengthy statement of the 9th of August, 1999. She claims to have been building up quantities of fertilizer. She claims that there was a party shortly before the search, this is the one which necessitated, according to her, a padlock on the door to her bedroom. At page 35 she says:

On the following Monday I went to work in Jay Bee's. That afternoon I got a phone call from Noel McMahon. He said. "there is a problem". He went on to tell me that there was a leak in the flat and that the owner John Mackey had been to the flat and had discovered some of the fertilizer. Noel told me that he had reported this to the Guards and that the flat was going to be searched. He told me not to worry and for me to finish work and he would collect me. I finished work early and Noel McMahon collected me in Carndonagh and took me to his house at Porthaw, Buncrana.

She claims that half an hour later Kevin Lennon arrived and that together they discussed her arrest. She claims to have been transported to the flat and then arrested. She claims that her interrogation was a charade. She claims to have been brought reading material and sweets. She claims never to have been questioned about the fertilizer. She claims to have been told during the day by Kevin Lennon that she should make a complaint, and this she did. In his statement of the 14th of July, 1999 Superintendent Lennon claimed not to have been at the scene of the find and did not recall any involvement in the arrest of Adrienne McGlinchey or Yvonne Devine or their detention in Burnfoot. On the 23rd of May, 2000 Superintendent Lennon, having consulted the custody record, accepted that he must have been in Burnfoot Garda Station. In answer to Adrienne McGlinchey's allegation that he was in her home when she got arrested, in his interview of the 14th of June, 2000, he said:

I was not in her house when she was arrested. I was on call out from Detective Sergeant Walsh in relation to this incident and I met Detective Garda McMahon on his arrival at Burnfoot Station with the prisoner. As far as I can recollect Detective Sergeant Des Walsh was with Detective Garda McMahon when I met them.

Detective Garda Noel McMahon, in his statement of the 14th of July, 1999, stated that he did not recall this particular search and did not think he was involved either in it or the subsequent arrest of Adrienne McGlinchey. As far as he could recall, Kevin Lennon never interviewed Adrienne McGlinchey while she

was in custody. During detention at Ennis Garda Station on the 11th of June, 2000, Detective Garda McMahon acknowledged that he did arrest and question Ms. McGlinchey. In an interview the previous day he claimed that Adrienne McGlinchey had given him the names of PIRA members who had left fertilizer in her flat.

This matter was regarded as being of importance in District Headquarters in Letterkenny. A telex was sent from Letterkenny to the Superintendent in charge of the Communications Centre in Dublin Castle, to the Assistant Commissioner of Crime and Security and to the Garda Press Office. A copy marked to be sent to: the Secretary, Mr. O'hUiginn, Mr. Hughes, Mr. Brosnan, Mr. Cotter, and Runaí Aire. Chief Superintendent Conroy copied to the same people a note to the effect that Gardaí had recovered the items which we have earlier listed from a house in Buncrana and stated that Adrienne McGlinchey had been arrested. The telex, after having given details of the find, and the arrests, ends: "enquiries are continuing and developments will be reported". If the Carty investigation team are correct in their analysis, no investigation was carried out and, as might be expected, there were no developments to report.

Sir, as we recall from the statement of John Mackey, Adrienne McGlinchey and Yvonne Devine left the Crescent in Buncrana shortly after this, in mid-1994, and moved into a rented house in the Dumfries area near Buncrana. The next two finds, if that is what they were, occurred in June. Garda P J Thornton, states:

On 4th June, 1994 I was stationed in Letterkenny and I worked from 6.00 a.m. - 2.00 p.m. At approx. 7.00 a.m. I received information and accompanied by Garda Leonard went to a location near to Oatfield factory fence. There we found two holdall bags containing bags of a powdery substance. We placed these two holdall bags in the patrol car and brought them to Letterkenny Garda Station. Later on the same morning these two holdall bags were handed over to members of Detective Branch at Letterkenny Garda Station...I wish to state that I don't know the name of the man that reported this matter to me at the time and I have not seen him since. At the time I did not know this man's identity. (19.04.2000 and 26.06.2000)

Garda Martin Leonard simply recalls accompanying Garda Thornton to an area adjacent to the Oatfield Sweet Factory in Letterkenny and recovering two holdall bags containing a powdery substance, taking them to Letterkenny Garda Station and informing members of the Detective Branch. He also says: "I assisted Garda Thornton when confidential information was received at the Station. I have no further statement to offer" (18.04.2000). A contemporaneous document exists which is in the form of a telex dated the 5th of June, 1994. It was sent from Divisional Communications in Letterkenny to the Superintendent in charge of the Communications Centre in Dublin, the Assistant Commissioner of Crime and Security and the Garda Press Office. It is headed "Suspected bomb making material found at Letterkenny, County Donegal on Saturday, 4th June, 1994". It says:

At 11.25 p.m. on Saturday, 4th June, 1994 a local person (known to Gardaí) reported that while he was out walking/exercising his dog in the vicinity of Oatfield Sweet Factory, Rathmelton Road, Letterkenny, the dog unearthed 'packages' concealed behind a wall/hedge in this area. Gardaí went immediately to the scene and recovered at least 14 stone weight of a white powdery type substance suspected of being ground/crushed fertilizer. The substance was contained in twenty seven polythene type bags, sixteen of which were packed into two large black coloured holdalls and the remainder was packed into three cardboard boxes. All the items are quiet (sic) dry suggesting that not a lot of time has elapsed since they were concealed there, possibly late afternoon as there were showery spells up to that time. This material is being held at Letterkenny Garda Station awaiting forensic examination to ascertain what precisely it is. Enquiries are continuing with a view to establishing its origin and possible destination. Developments will be reported.

According to the Carty investigation team, they were unable to identify the Garda members to whom these explosive substances were handed. The location is adjacent to lands owned by the McGlinchey family. On the 13th of June, 1994 there was another apparent find of explosive substances at Covehill, County Donegal. The shed where the material was discovered was owned by the McGlinchey family. Chief Superintendent Carty reports:

No Garda investigation was carried out into these finds of explosive materials. No samples were forwarded to the Forensic Science Laboratory for analysis. The bags were not retained for fingerprint or forensic examination. This inquiry has established that the contents of these finds have been destroyed.

Sir, we now come to the last date mentioned in paragraph (e) of the Terms of Reference. Mr. Des Walsh, former Sergeant whom we have mentioned before, recalls speaking about finds made on this date with Mrs. Sheenagh McMahan. He had a particular concern for her welfare, following the breakup of her marriage. He stated that he had mentioned a find of fertilizer in a vacant house near Ballyshannon as being part of Ms. McGlinchey's activities. This, however, was only surmise on his part as he had no evidence to back it up. This is apparently also the conversation as recalled by Sheenagh McMahan at page 17 of her statement of the 26th of April, 1999. Adrienne McGlinchey mentions these two apparent finds, which were at Ardeelan, Rossnowlagh, and at Rathfragan, Rossnowlagh, in her statement of the 29th of June, 1999. This is what Adrienne McGlinchey says at page 6/7 of her statement:

I made a couple of runs to Rossnowlagh and left ground down fertilizer, icing sugar, diesel, a beer keg and some bullets in the house. I probably purchased the bullets somewhere. On the last occasion I went to Rossnowlagh Noel McMahan called to the house in Clonmany. He was driving a beige Garda van. He reversed the van into the shed at the house and we loaded whatever ground

down fertilizer was left into the van. I cannot recall whether Kevin Lennon was in the van at Clonmany or whether we picked him up in Letterkenny. Anyway, we drove to our shed at Letterkenny and loaded containers of diesel into the van from the shed. We then drove to the County Council offices in Letterkenny and loaded two beer kegs into the van. The beer kegs had been hidden in trees at the County Council offices. I may have carried the diesel over to the County Council offices and they were not collected at our shed as I previously stated. Kevin Lennon was told by Noel and I that the reason for moving this stuff was that the Provos was going doing a job in Bellecks and that I was asked to move this stuff for the Provos. This was only a story that was being spun to Kevin Lennon. Noel McMahon was driving the van. Kevin Lennon was in the front passenger seat and I was in the back. We drove to Rossnowlagh and Noel reversed the van down to a small shed and we unloaded the stuff into it. We then drove to a nearby derelict house where I had put the other stuff. We went up the stairs and looked at the stuff which was in an upstairs room. On today's date I drove with Inspector Coll and D/Sergeant Kyne to Rossnowlagh and I recognised the shed where the fertilizer, etc. were placed. I also now remember the house in Rossnowlagh where the stuff was put. Noel McMahon, Kevin Lennon and I then went back towards Letterkenny and on the way back we were stopped at a Garda checkpoint near Ballybofey. I cannot recall where I purchased the bullets that we put into the house at Rossnowlagh.

The search warrant for the two houses was issued by Superintendent Michael Duffy, since retired. In his statement of the 25th of June, 1999 he stated:

On the 18th of July, 1994 two further seizures of homemade explosives were made at Ardeelan, Rossnowlagh, County Donegal. The information as to the location of the three seizures was brought to my notice by Superintendent Kevin Lennon. He was then an Inspector attached to Letterkenny Station. As far as I can remember I issued search orders in relation to at least two of the searches, the one at Donegal town and one of the searches at Rossnowlagh and I visited all locations after the discoveries were made.

Mr. Martin Collins, a retired Sergeant formerly based at Ballyshannon, recalls receiving instructions from Superintendent Duffy that searches were to be carried out in Rossnowlagh on the 18th of July, 1994. His recollection is that three or four other search parties were organised. He was detailed to a vacant house at Ardeelan, just off the main road. There was nothing there except bales of hay. At another house, very close by, he decided to go upstairs, having been told that a quantity of explosive material was found, and, as he puts it in his statement of the 1st of July, 1999:

I went upstairs and in a front room on the first floor, I saw a number of clear plastic bags each containing a couple of kilos of white mixture. These bags were strewn on the floor in an untidy manner.

There was also some tape, green and red in colour, pliers and torch lying on the floor...at the time I thought it unusual that subversives should choose such locations to hide explosive material by reason of the fact that both locations were wide open and exposed and no effort made to hide such a big amount of stuff.

Mr. Collins also records finding some beer kegs about half a mile away from this find two days later. Mr. Aidan Murray joined the Garda Síochána in April, 1959 and retired in 1995. He was a member of the Special Branch when these finds were made. He recalls two finds of explosives, 400 lbs in all, and the recovery of two hundred rounds of .22 ammunition, one beer keg and four containers of diesel oil. The larger of the two finds was in the vacant house at Ardeelan, and the smaller one was in a vacant shed at Rathfragan. These were a half a mile apart. As scenes of crime officer he took samples and forwarded same to the Forensic Science Laboratory. At a later date he recalls receiving the results of the examination and filing them away. He recalls that no one was ever charged or questioned in relation to these finds and that an army team took away the explosives, beer keg and diesel oil. He does not recall the bags which contained the substance being fingerprinted. He states there were no house to house enquiries, but he himself made a few enquiries in the area. He states that no group claimed responsibility, but that it came back through the station party that the local branch of the IRA had claimed that they had nothing to do with it. Annette Forde, a forensic scientist, examined the samples. The liquid consisted of diesel oil and the white powder consisted of icing sugar. She states:

The main ingredient identified was ammonium nitrate. This is commonly present in some fertilizers, and the samples could not be classed as explosive mixtures. The combination of crushed ammonium nitrate fertilizer with approximately 10% icing sugar or crushed ammonium nitrate with approximately 6% diesel oil have been encountered in...homemade bombs. (Statement 69, Carty Report, Section 1)

Detective Garda William Brennan received ninety three rounds of .22 ammunition from Sergeant Murray. They were high velocity hollow-point Winchester super speed bullets in excellent condition in the original wrapping and box. They can be used in a wide variety of rifles, pistols and revolvers. Detective Garda Noel Jones examined the records of Mr. Patrick Doherty, a firearms dealer in Carndonagh. These show that he sold two boxes of ammunition on foot of Mr. Paddy Logue's firearms certificate to Bernard Logue. Sir, as you recall, Bernard Logue had indicated that he had purchased ammunition on behalf of Adrienne McGlinchey. You will also recall that Sergeant Daniel Kelly encountered Adrienne McGlinchey in the convent at Buncrana and that on her leaving he found a bag containing some fifty .22 bullets. The owners of the houses in which these finds were made were persons held in the highest esteem both in the local community and among members of An Garda Síochána. Obviously, also, anyone can put anything in a deserted building. This is what was found in the vacant house at Ardeelan:

1. Seventy freezer bags containing fertilizer and icing sugar each weighing 11½ lbs;.
2. One 4 stone bag of sugar;
3. 3 gallons of diesel oil;
4. Ninety three rounds of .22 ammunition.

In the vacant shed at Rathfragan the following was found:

1. 3.5 cwt of ground fertilizer;
2. 84 lbs of icing sugar;
3. 12 gallons of diesel oil;
4. One beer keg.

Sir, you will note that freezer bags are also identified here. This may be relevant to the search of Ms. McGlinchey's flat on the 14th of March, 1994. Freezer bags were also present in the Ardchicken find on the 19th of November, 1993. As to Adrienne McGlinchey's allegation that she was stopped, together with Detective Garda McMahon and Superintendent Lennon, at a checkpoint, all of the Gardaí attached to the relevant centres were interviewed by the Carty investigation team and none of them can recall stopping these people at a checkpoint: see the statements of Sergeant Gabriel Bell, Detective Sergeant Keane and Detective Sergeant James Martin. Assistant Commissioner Carty makes the following comment:

The investigation has failed to identify any noticeable Garda investigation, which was carried out into the Rosstown finds. The scene was not examined and items found were not preserved for fingerprint and forensic examination. Surveillance was not undertaken in order to detect those responsible. No effort was made to establish the origin of the materials, no suspects were identified and no arrests were made.

Superintendent Kevin Lennon made a number of statements on this matter and we feel it is important to quote them. In his statement of the 14th of July, 1999 he said:

I have been referred to a find of explosive materials in Rosstown on or about the 18th July, 1994. This information came to me via D Garda Noel McMahon. I went to the scene in Rosstown with D Garda McMahon and his informer, Adrienne McGlinchey. From my recollection I drove my own car and they came with me. She had information that there was explosive materials in a disused shed in the Rosstown area and that it was to be placed in a disused touring caravan up the road nearby and was to be taken to

a British Army checkpoint at Beeleek, County Fermanagh and that the caravan was to be unhitched into the checkpoint. At the time, this appeared to me to be a similar operation to the devastation that was committed at Coshquinn in 1990. I was concerned about it and in accordance with the policy in existence in the Division I decided this should be taken out of commission. We drove around the Rossnowlagh area looking for the shed and Adrienne McGlinchey pointed out the shed, I think it had a red door which was broken, and it was near a junction on a side road. The three of us entered the shed and I saw transparent plastic bags containing what appeared to be fertilizer. It was night time. The three of us then left the scene and returned to Letterkenny. As far as I can recollect, I notified Superintendent Michael Duffy, Ballyshannon. I think I rang Superintendent Duffy either that night or early the following morning. I wish to add on reflection that when we drove to the shed in Rossnowlagh, Adrienne McGlinchey then took us to a ramshackle house further up the road and I further wish to add that she said there was a decoy at the top of the stairs that you would fall through and would be an indicator to the Provos that people had been in the house. I also remember seeing transparent plastic bags in an upstairs room in this house. I don't recall seeing any drum of diesel or other items in the room. The plastic bags contained what appeared to be fertilizer...I wish to add that I saw this as a legitimate operation based upon the best interest of the force and the public good. I acted on the information as I received it and in accordance with the obligations imposed upon me to do so. I also wish to add that I never took part in nor would I condone the conveyance of any materials, explosives or component parts of such explosives or munitions to any site. I always operated within the strict code of the criminal law and I would never condone anyone under my command to so breach the criminal law or participate in illegal activities with my expressed or implied knowledge.

In his later statement of the 23rd of May, 2000 Superintendent Lennon indicated that he had met with Adrienne McGlinchey and Detective Garda McMahan at a point down the road from his house. An allegation by Adrienne McGlinchey that he and Detective Garda McMahan had unloaded material from a van into a small shed and then went and looked at other material in a different house was, he said, untrue. He indicated that they were not stopped by a Garda checkpoint on that occasion, but on another occasion in July or August of 1994. At page 34 he is reported as having said:

I asked her why this had been put there in Rossnowlagh and she said the Provos in Letterkenny were saying that the organisation in Ballyshannon were useless in mounting operations. I did no further search because I believed that there could be risk involved if some of the IRA members came upon us. I left and returned to Letterkenny with D Garda McMahan and Ms. McGlinchey. I took this at the time to be bona fide information and saw this as a legitimate operation.

As a matter of fact, a mobile camper van was in the vicinity of these finds when the Gardaí made their searches. When interviewed on the 14th of June, 2000, Superintendent Lennon indicated that there were no written reports in relation to explosives finds at Ardchicken, Donegal town, Rossnowlagh and Bridgend. He indicated that it was up to Superintendent Duffy and to his Detective Superintendent in Letterkenny to do the reports. He also indicated that it was not up to him to arrange for surveillance of these apparent finds. What the appropriate procedures are, and where the responsibility lies, is a matter for you, Sir.

Detective Garda Noel McMahon in his statement of the 14th of July, 1999, stated his position as follows:

I am now being asked about two finds in Rossnowlagh on the 18/7/1994. These finds resulted from information supplied to me by Adrienne McGlinchey. My recollection on this is that having received information from McGlinchey I contacted Kevin Lennon and all of us, Kevin Lennon, Adrienne and myself, travelled in Kevin's car to Rossnowlagh some time after midnight in order that she point out the locations to me. Kevin dropped us off at a point where Adrienne pointed out an old vacant two storey house...she led the way in and I don't remember if the door was locked. It was an old derelict house. She led the way upstairs and pointed to a section of floorboards on the landing which were a trap and we had to stretch over them. She went straight to the door of a bedroom and opened it and pointed out that stuff was in there. I had a quick look in with my maglight and there were bags of stuff there. We then left the house and she then brought me with Kevin in the car down the road. She brought me to a shed on the opposite side of the road about a quarter of a mile from the house. I don't remember entering the shed, but I know there were bags of stuff in the shed. We then returned to Kevin and I confirmed to him that there was some stuff in both locations and I was finished with it then. We returned back to Letterkenny and back home to Buncrana. On the way back I recall we stopped for food at a chip shop in Donegal town. I think this was about 2.00 a.m.

When interviewed by Detective Inspector Tadhg Foley on the 25th of March, 2000, Detective Garda Noel McMahon had put to him Adrienne McGlinchey's allegation that he and another Garda had brought fertilizer contained in freezer bags, and packed into holdall bags, to Ardchicken in his own car and he denied it.

Sir, on the 18th of July, 1994 at 17.00 hours a telex was sent from the Divisional Communications Centre in Letterkenny for the information of the Assistant Commissioner in Crime and Security and the Garda Press Office. Its subject is: find of homemade explosives at Ardeelan, Rossnowlagh, Ballyshannon, County Donegal on the 18th July, 1994. It reads:

At about 3.30 p.m. on this date Gardaí carrying out searches of vacant houses in above townland located a quantity of homemade explosives in a derelict house: the house, a two storey building contained seventy bags of homemade explosives each weighing 11½ lbs making a total of 805 lbs, a bag of sugar weighing 4 stone, 3 gallons of diesel oil and one hundred rounds of .22 ammunition were also recovered. Further searches are also contemplated. Developments will be reported.

On the 19th of July, 1994 Mrs. Máire Geoghan-Quinn TD was sent a letter of congratulations by the Right Honourable Sir John Wheeler DL MP, Minister of State at the Northern Ireland Office in Whitehall. This reads:

Dear Máire,

May I offer my congratulations to an Garda Síochána on their excellent find of explosives, bomb making equipment and ammunition in County Donegal yesterday. Invaluable counter-terrorist work such as this will maintain relentless pressure on the terrorist gangs. Members of the Gardaí and Irish Army can take satisfaction in the knowledge that their professionalism will surely prevent the death and injury of innocent people, and I sincerely hope that such efforts will continue to bring rewards. I understand that the Gardaí are hopeful of making arrests following the operation. Please convey my thanks to Pat Culligan and his colleagues on this heartening success.

Yours sincerely,

John

This was transmitted through the British Embassy in Dublin to the Private Secretary to the Minister for Justice, Mr. John O'Dwyer. A copy of this was sent, on the direction of the Minister for Justice, to the Commissioner of An Garda Síochána. No arrests were ever made.

On the 29th of August, 1994 Detective Inspector Kevin Lennon accompanied by Detective Superintendent John Gallagher visited the scene of a find of a barrack buster bomb at Beeleek, County Fermanagh. Kevin Lennon told Superintendent Gallagher that he had received confidential information concerning a barrack buster bomb in the Ballintra area. Nothing came of this.

The two finds at Rossnowlagh on the 18th of July, 1994 constitute the end of what Adrienne McGlinchey claims were her operations in support of deception with Kevin Lennon and Noel McMahon. That is her claim and we have quoted their reply. In early 1995 Adrienne McGlinchey and Yvonne Devine moved to a rented two storey house belonging to the Late Mary Doherty at Ballyliffen, County Donegal. On the 16th of January, 1995 Detective Sergeant Shreenan called to Superintendent John P O'Connor's office and asked that the official firearm should be taken from Detective Garda McMahon, on the basis that he

felt it was a threat to his wife. Superintendent John P O'Connor says that he discussed this matter with Detective Sergeant Leheny and because it amounted to "hearsay rumour and innuendo" he left the weapon with Detective Garda McMahon. The matter was to be reviewed. On the 26th of January, 1995 Superintendent John P O'Connor says that he met with Detective Sergeant Shreenan and told him that he was keeping Detective Garda McMahon's position as an armed detective under review. On the 16th of June, 1995 some form of barring or protection order was granted to Sheenagh McMahon against her husband, Detective Garda Noel McMahon. We have already drawn your attention, Sir, to some aspects of that matter. In the aftermath of this Superintendent John P O'Connor claims that he met Detective Garda McMahon in his office to tell him that he was being monitored and to offer him the services of the Garda Welfare Officer. A similar meeting in relation to the firearms issue took place on the 17th of July, 1995. Detective Sergeant Leheny says in relation to this matter:

...on the 13th of January, 1995 I was transferred permanently back to Buncrana where I have remained ever since. On taking up duty in Detective Branch at Buncrana in January, 1995 the then District Officer, Superintendent J P O'Connor directed that I allocate myself to unit B in order to have D Garda N McMahon under my close supervision. I have known D Garda McMahon since his allocation to this district in 1978. On my return to Buncrana in January, 1995 I was fully aware of the serious matrimonial situation and other related matters which then existed in the McMahon family home.

In February of 1996, John P O'Connor ceased to be District Officer at Buncrana. On the 7th of February, 1996 Kevin Lennon was promoted to the rank of Superintendent and allocated to Buncrana district. We would wish to remind you, Sir, that it was in June/July of 1996, in O'Flaherty's Bar in Main Street, Buncrana when Detective Garda Noel McMahon is supposed to have told Sergeant John O'Keeffe that he had driven a bomb into Strabane in order to assist Adrienne McGlinchey and Yvonne Devine. We should also remind you, Sir, that this is denied by Detective Garda McMahon and that Detective Garda John O'Keeffe in his statement of the 18th of June, 1999 specifically indicated that on previous occasions he had found Detective Garda McMahon to be untruthful in making statements under the influence of drink. On the 14th of October, 1996 the death took place in Raphoe, County Donegal of Mr. Richard Barron. At page 25 of her main statement, Sheenagh McMahon indicates that after her husband was transferred to Letterkenny he had told her that Superintendent Lennon had wanted him to take part in the investigation into the death of Richard Barron, but that he declined. His stated reason to her was: "I am not going on this case as there will be heads rolling over it". She notes this as a statement made at a time when he was drinking heavily. On the 24th of August, 1999 an extremely elaborate story was told by Adrienne McGlinchey to Inspector Hugh Coll and Detective Sergeant George Kyne. To summarise, she claimed that Noel McMahon rang her in Dublin because he needed to get his hands on money quickly because there was a Garda in trouble. He asked for £10,000 and she managed to raise £3,000. It was arranged that she drive to a hotel in Lifford and meet a person. There was a man in a Land Rover whom

she describes as "a farmer type person about fifty years of age". She gave him the money and in return, two weeks later she was asked to get another item. The same individual met her at Letterkenny Hospital and handed over an item "a metal weight". On instructions from Noel McMahon she put it in the bath and washed it. She claimed that this could be blood. She claimed that Noel McMahon told her that it had something to do with the death of the Late Mr. Barron. She then dumped it in a forest. Gardaí later searched the forest with negative results. She claims that Noel McMahon had told her the following:

He told her that two Guards were in a car driving outside Raphoe. They came upon this man who was very drunk and out on the road. They shouted at him to get off the road, but he told them...off. One of the Guards got out and there was a scuffle. The other Guard then got out and clobbered this person with this metal object that she had been given by the farmer type person. Noel talked to her about her DNA being found on it if it was ever found afterwards. She thinks that the story that Noel McMahon told her was rubbish.

It is implicit in what Detective Garda McMahon has told the Carty investigators that none of this happened. There is nothing whatever to suggest that this story may be in any way true.

On the 6th of November, 1996 the legally held shotgun and the official revolver of Detective Garda Noel McMahon were seized from him by Superintendent Kevin Lennon. The official weapon was returned at some stage, a date cannot be established, but the shotgun was retained and was, at the date of the Carty investigation, still stored in Letterkenny Garda Station.

On the 5th of February, 1997 Superintendent Lennon was transferred to the post of District Officer at Letterkenny. He thereafter assumed some interest in the Barron investigation. Superintendent Lennon indicates, however, that he only became actively involved in September of that year. On the 3rd of March, 1997 a large operation was mounted to search lands at the instigation of Superintendent Kevin Lennon. These were lands owned by Jim "Lofty" Gallagher, a person held in high esteem within the community and among members of An Garda Síochána. Nothing was found. Later on the 5th of March, Superintendent Lennon told other Gardaí that he had actually marked the site of what he claimed was a 'barrack buster bomb' on the land with a stick, but that the search operation had walked over it. Superintendent Lennon claimed that the search had disturbed the operation which was supposedly to move such a bomb.

In 1997 Sheenagh McMahon, perhaps arising out her matrimonial difficulties, was moving out of her former home at Porthaw in order to move to Letterkenny. Sergeant Mick Brennan, who has since retired, was, she says, helping her to clear out the shed of the house. She states:

He called me and showed me a wee cardboard box with what looked like three detonators in the box. Mick Brennan told me they were detonators. I was aware he had been a Detective for years and

would be very knowledgeable in this stuff. I had never seen anything like them before and I called Noel. Noel looked at them and he said they were detonators. Mick Brennan told me he found them in the shed. We were in the shed together at this time, me and Mick Brennan. I asked Noel were they dangerous and he said they were not. I didn't ask Noel where the three detonators came from and how they got into our shed. He didn't tell me how they got there. Mick Brennan said "these are mine - I need this one". As far as I am concerned Brennan took them...

In his statement of the 25th of May, 1999 Michael Brennan states that there were no detonators in the shed, but that he merely remembered coming upon "a lot of small boxes with fishing gear in them". In a later statement dated the 8th of September, 1999 he says this:

When they were moving house one day before they moved to Letterkenny, Sheenagh was with me. I found a box, a small box, with what looked like detonators. Two of them I think. I showed them to Sheenagh. I told her they were detonators. She said that she had seen them before. I can't remember wires coming out of them. I took them out to a fire that I was using to burn rubbish. They didn't explode. When they didn't explode I just thought they must not have been detonators. I have been asked if Noel McMahon came into the shed and I can't remember. "No, I don't think he was. I am sure the I put them in the fire".

These allegations were put to Noel McMahon on the 14th of July, 1999 and on the 25th of February, 2000 and on the 10th of June, 2000. They were denied by him.

Sir, we now want to move through some details related to this paragraph of the Terms of Reference and to present them concisely. In February of 1999 Sheenagh McMahon met Adrienne McGlinchey and, Sir, we remind you that the latter claimed that she had been lifted by the Provisional IRA the previous night and held for eleven hours. Adrienne McGlinchey was concerned that her name should not be mentioned and, Sheenagh McMahon claims, pointed to her phone and told Mrs. McMahon not to mention her name or she would end up with a bullet in her head, saying "don't forget you have yourself and your three children to think about". On the 12th of February, 1999 the Carty investigation team was, as we have said, set up after Kevin Carty, the Assistant Garda Commissioner, Northern Region, conveyed his apprehension about the suspected involvement of a Garda in a failed extortion attempt, namely the phone calls to the Peoples' house on the 9th of November, 1996. In February/March of that year Sheenagh McMahon was receiving support from former Detective Sergeant Des Walsh. We have told you of the information that is to hand in relation to this matter.

In March of 1999 Superintendent Kevin Lennon voluntarily moved on transfer to Millford Garda Station in order to avoid any question as to conflict of interest in relation to the operations of the Carty investigation. On the 16th March, 1999, Moya Jane O'Doherty made a complaint at Buncrana Garda Station which led to

her being interviewed and which, in turn, as we have indicated, led to the complaints being made by her sister, Sheenagh McMahon which ultimately identified Adrienne McGlinchey whereby statements were taken from her.

On the 18th of March, 1999 Inspector Hugh Coll, moving into the Detective Superintendent's office at Letterkenny Garda Station pursuant to his duties with the Carty investigation team, discovered a rocket-like tube item with fins. We have already gone over the apparent similarity of this item to the item apparently seen by John Mackey in Adrienne McGlinchey's flat on the 14th of March, 1994, to the item found in the possession of Adrienne McGlinchey by Detective Garda Jones at Shore Road, Buncrana on the 11th of September, 1993, to the metal tube Kevin Lennon brought to Chief Superintendent Denis FitzPatrick and to the items secreted in 1991/1992 by Sheenagh McMahon which she says she obtained from her husband. Sir, we have told you about the items produced by Sheenagh McMahon to Chief Superintendent FitzPatrick on the 29th of March, 1999.

At that time, in other words in late March of 1999, Adrienne McGlinchey, according to Kevin Lennon, telephoned him. He called to her sweet shop on the next day. The video tape from the shop, which is not dated, shows him conversing with Adrienne McGlinchey in the shop for about five minutes. According to Adrienne McGlinchey, Superintendent Lennon called to her shop to tell her to go to Buncrana to get Sheenagh McMahon to shut up. She claims to have been lifted by the Provos and held for eleven hours. Superintendent Lennon says that Adrienne McGlinchey told him during this conversation in the sweet shop to go to Sheenagh McMahon and to tell her to shut up. This matter was not reported by Superintendent Lennon to the Carty investigation but, in fairness, it is possible that he did not know that the investigation had started or that it was his duty to report what he alleges was said to him by Adrienne McGlinchey.

On the 26th of April, 1999 Sheenagh McMahon commenced making written statements to Superintendent John F O'Connor and Superintendent Long which were eventually completed on the 18th of May and signed on the 24th of that month. On the 28th of April, 1999 she handed over to the Carty investigation team the items which she had already produced to them on the 29th of March, 1999.

On the 31st of May, 1999 Adrienne McGlinchey was interviewed and made further more serious allegations which, Sir, we have already outlined. On the 30th of June, Adrienne McGlinchey brought Detective Inspector Hugh Coll and pointed out the Ardchicken house where she said she left the fertilizer on the 19th of November, 1993. Sir, we have told you that on the 9th of July, 1999 Garda Martin Leonard was instrumental in Mrs. Sheenagh McMahon withdrawing her statement.

On the 25th of August, 1999, because Adrienne McGlinchey was complaining about death threats, she was afforded full time protection by members of the Emergency Response Unit. On the 31st of August, 1999 Adrienne McGlinchey was being interviewed by Inspector Hugh Coll and Detective Sergeant George

Kyne. She became agitated after receiving and making a number of phone calls on her mobile phone. She told them that Eleanor McDermott had been threatened. The Gardaí went and visited Eleanor McDermott who claimed to them that on the previous night a man had approached her after she was dropped home from work by Karen McGlinchey, a sister of Adrienne's, and that the man had told her to give Adrienne a message and took a gun out of his pocket saying "this will go in her mouth if she talks".

On the 13th of September, 1999 Detective Garda Noel McMahon's home at 2, Kilty Court, Letterkenny, County Donegal was searched under section 29 of the Offences Against the State Act, 1939. In it were found two bags of granulated substance together with assorted spent shells, ten rounds of assorted ammunition and six Hilty gun blanks, 1.983 grams of cannabis and an 'advice on proofs' type document, or response to same, in relation to the Frank Shortt case. The granulated material, according to John McCullough of the Forensic Science Laboratory, may have originated from commercial fireworks. Noel McMahon claimed that the cannabis came from his wife, even though it was in the breast pocket of a men's suit. The ownership of this cannabis was denied by Mrs. McMahon. In her statement of the 17th of September, 1999 she stated that she knew her husband had some cannabis in the house, but that it had been found at the Point Inn and brought back to her house by her husband. On the day of the search Detective Garda Noel McMahon was suspended from duty at 12.00 noon.

On the 20th of September, 1999, still under full time Garda protection, Adrienne McGlinchey told Detective Sergeant Jeremiah Twomey that someone had just smashed the windscreen of her car. He says that at 12.45 a.m. she got into her car at Port Road, Letterkenny and sped up the laneway to her home. When he followed her, he found her car was stopped and that Adrienne McGlinchey had a black glove on her left hand claiming that someone was after breaking her windscreen. He examined it and found that there was damage. On the 30th of September, 1999 Adrienne McGlinchey admitted that she damaged the car herself. On the 24th of October, 1999 Karen McGlinchey claimed that her house at Brookside House, Letterkenny was the subject of a burglary.

On the 15th of November, 1999 Eleanor McDermott was arrested under section 30 of the Offences Against the State Act in respect of information in relation to firearms offences. During the interview she admitted making silent telephone calls from public kiosks in Letterkenny to Adrienne McGlinchey at her instigation. These calls were made while she was being interviewed on the 24th of August, 1999. Adrienne McGlinchey has alleged that she received numerous similar calls but, according to Eleanor McDermott, these particular ones were made at her own instigation. She also told Gardaí that the report of the burglary at Karen McGlinchey's house was a false report, and that Adrienne McGlinchey had told her so.

On the 2nd of December, 1999 Sheenagh McMahon confirmed that the statements which she had made to Superintendents John F O'Connor and Long were factual and she said that she wished that they would remain on the record.

On the 23rd of March, 2000 the last of the statements of Adrienne McGlinchey to the Carty investigation team was made.

On the 10th of June, 2000 Detective Garda Noel McMahon was arrested by Detective Sergeant George Kyne at Ballycor Road, Newmarket-on-Fergus, Co. Clare under section 30 of the Offences Against the State Act, 1939 for possession of ammunition in County Donegal between the 9th and 11th of September, 1993. Sir, you will recall this is around the time of the envelope with bullets/Strabane incident. He was detained for thirty five and a half hours at Ennis Garda Station until his release at 10.10 p.m. on the 11th of June, 2000. On that day Kathleen Hayes made a statement to the Carty investigation team which is hearsay, because although she claims to have seen bags, she never looked in the bags and can therefore give no first hand information as to what might have been in them.

Sir, the foregoing outline was intended as a presentation of the issues which may be involved in this particular paragraph of the Terms of Reference, as already explained by you. It seems to us that certain issues may commend themselves to you as being worthy of a particular focus in the course of this inquiry. These include:

1. Whether there were doubts about the credibility of Adrienne McGlinchey from the inception of her first substantial dealings, as a supposed informant, with members of An Garda Síochána and subsequently throughout the course of these apparent events.
2. One might wonder whether those in command in the Donegal Division either did not know or chose not to listen to the concerns of those in other ranks of An Garda Síochána. It may be that they did listen, but felt that Ms. McGlinchey was a useful source of information in the context of the carnage occurring across the border. Perhaps an attitude grew up that any potentially useful source of information should be retained and cultivated in order to prevent further harm being done. It seems to us that you must enquire into the legitimacy of Adrienne McGlinchey as an informant and the motivation of those who accepted her throughout all of these events. The judgment of those involved must necessarily also be called into question.
3. It may be that some of these events are more understandable in retrospect or, as the proverb puts it: Tar éis a chítear gach beart. However, a question which continually springs to mind is as to when the involvement of Adrienne McGlinchey with An Garda Síochána was going to be ended by them. She, after all, could at any time have distanced herself from them or she could have continued, notwithstanding discouragement, to supply them with what was apparently information. There are a number of points throughout this narrative where one might wonder why Adrienne McGlinchey was not re-classified. These include the issue of the assault on the milkman in July of 1992; the hoax call to the Fire Station and the possession of walkie-talkies, and subsequently a battery charger, in December, 1992/January, 1993; the wild behaviour at

her flat on the 12th of October, 1993; and the Bridgend/Burnfoot episode on the 11th of January, 1994. If the taximan inveigled innocently into this matter had been interviewed in the aftermath of that incident a completely different perspective would have been potentially open on her behaviour. When, in early September, 1993 one of the metal yokes in the form of a rocket was produced to senior Garda officers, this was surely an opportunity for them to make available to themselves the opinion which we have now that this thing was of no useful purpose. Similarly, the Carty investigation team were able to interview a number of persons who flatly stated to them that Adrienne McGlinchey never had any connection with Sinn Féin or the IRA.

4. One wonders what is "cross border co-operation" and how that notion can justify the apparent sweeping under the carpet of the Strabane incident of the 10th and 11th of September, 1993. It may be that this matter was properly dealt with or it may be, Sir, that you might not regard the response of the Garda authorities as appropriate. We draw specifically to your attention, however, the later mention of a reason that Noel McBride, an 'informer' in the Barron case, should not be prosecuted in respect of false information given to the Gardaí. The stated reason why a prosecution might not be appropriate was in order apparently to preserve the standing of the Gardaí in Donegal among the local community. We shall be going on to give an outline of this shortly.
5. Lastly, as one goes through this narrative one asks oneself the question as to why the ordinary methodology of investigation was not applied, apparently again and again. In particular, we refer to the lack of a file in relation to the arrest of Adrienne McGlinchey on the 23rd of December, 1992; the lack of a file in relation to the tripod find of the 31st of January, 1993; the lack of a stake out, the lack of an apparent investigation, the lack of fingerprinting and the lack of forensic investigation in respect of the Ardchicken find of the 19th of November, 1993; the manner in which the search of Ms. McGlinchey's flat of the 14th of March, 1994 was dealt with by the disappearance of the rocket-like yoke and the failure to analyse the fertilizer and the failure to initiate a prosecution or send a file to the Director of Public Prosecutions; the absence of information in relation to the Oatfield sweet factory find on the 4th of June, 1994 and the destruction of the contents, the lack of fingerprints and the lack of 'stake-out' of the premises; a similar comment in relation to the Covehill find of the 13th of June, 1994; and the failure to preserve the Rossnowlagh finds overnight (apparently on the basis that the IRA were not operational at night), the failure to stake out the house and the failure to do fingerprint and forensic analysis.

These, Sir, are some of the questions which seem to us to be worthy of particular consideration. Paragraph (g) of the Terms of Reference also apparently involves an explosive and paragraph (i) may conveniently be considered in a context of its own. We, therefore, move on to these next.