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EXCLUSIVE: The explosive minutes of meeting that undermines O'Sullivan's testimony to Dáil committee

# BLISTERING MEMO THE GARDA CHIEF MUST DREAD



AN explosive dossier of detailed notes, memos and minutes backing up Garda HR chief John Barrett's claims against Garda Commissioner Nóirín O'Sullivan suggest the embattled Garda boss was aware of issues at Templemore a full month earlier than she has testified to in the PAC. The claim is made in a series of forensically detailed documents regarding Mr

By John Lee  
POLITICAL EDITOR

Barrett's attempts to get the force to confront the significant financial and cultural issues at the Garda College. Among them are the minutes of the disputed meeting with the Commissioner

Turn to Page 4 >>

**THE TEMPLEMORE DOSSIER**  
GARDA COLLEGE WORSE THAN FÁS  
AND CONSOLE, SAYS HEAD OF HR **PAGES 4-9**



# #1 WAS AWARE

» From Page One

which he says lasted more than two hours, and which she testified was a 'very brief' meeting over a cup of tea at the Tipperary campus.

There is an avalanche of new revelations in Mr Barrett's dossier which includes a chronology outlining his attempts to uncover what he calls the 'ugly truth' after he became aware of questionable practices at the college.

The revelations include:

■ A letter from Tipperary TD Michael Lowry to Minister Frances Fitzgerald about Templemore Golf Club was discussed at a meeting with the Commissioner and referred to as a 'complicating' factor;

■ A €220,000 gross redundancy payment for staff negotiated with SIPTU was paid out of a slush fund known as the restaurant account;

■ Stark fears were expressed about potential breaches of the law. At one point he says 'if funds were misappropriated into private accounts, a criminal investigation will be required under the Criminal Justice (Theft and Fraud) Act 2001;

■ A claim by Mr Barrett that then-Garda chief administrative officer Cyril Dunne told him on a number of occasions that the Commissioner was aware of their investigations into Templemore College a full month before she told the PAC she was made aware on July 27.

■ Claims that the working group the Commissioner testified that she set up after the July 27, 2015 meeting in Templemore, was in fact set up by Cyril Dunne on July 2;

■ Extensive details of the minutes of that July 27 meeting call into significant question the Commissioner's assertion that the meeting was 'very brief' and a chat over a cup of tea. Other comments noted include a suggestion by the Commissioner that she had yet to see evidence of misappropriation of funds;

■ Mr Barrett likens it to the Roddy Molloy FÁS scandal and Console charity scandal, but suggests that some of the expenditure in the FÁS debacle was more justified.

■ Criticism of the promotion of people involved in the administration of Templemore subsequent to the problems emerging, suggesting this showed that compromising the rules, and maladministration was 'no impediment to advancement';

■ Mr Barrett describes vast amounts of money passing through accounts. He says the revenue relating to tens of thousands of transactions through the shop, accommodation, laundry, bars and restaurant was mixed with State money over 10 years amounted to more than €12m.

■ The money was distributed into 42 accounts – eventually found to be 50 – at banks and credit unions and that Mr Barrett believes this means the official Garda accounts are 'compromised';

■ Details of gardaí earning three hours on a special weekend holiday

## O'Sullivan dismissed fears about college when she was first told of them

By Debbie McCann

GARDA Commissioner Nóirín O'Sullivan dismissed concerns about financial irregularities at the Garda College in Templemore, Co. Tipperary, when they were first raised with her at the disputed 'very brief' two-hour meeting in July 2015, the dossier claims.

Detailed minutes of the meeting between the Commissioner and the Executive Director of Human Resources and People at An Garda Síochána John Barrett cast serious doubt over Ms O'Sullivan's suggestion the meeting was 'very brief' and over a cup of tea.

Responding to questions at the Public Accounts Committee (PAC) on May 4, Ms O'Sullivan said: 'I believe there was a very brief conversation in a room after the meeting in Templemore in which Mr Barrett raised certain issues specifically around some work he was doing when I was present, along with two deputy commissioners and the chief administrative officer. My recollection is very brief.

'I would say, I don't know, deputy, but I would say from recollection and memory, it was brief.'

Ms O'Sullivan also said she 'immediately' set up a working

group to look into the issues. The meeting was held in the Garda College on July 27, 2015, and was attended by Mr Barrett, Chief Administrative Officer Cyril Dunne, Commissioner O'Sullivan, then Deputy Commissioner John Twomey and then Deputy Commissioner Dónall Ó Cualáin.

Mr Barrett's minutes claim the meeting lasted for 'well over' two hours, noting the meeting started at approximately 5.20pm and that he left the meeting at 7.37pm. Another main issue arising from the minutes of the meeting is that, during the meeting, Ms O'Sullivan said she could not see any evidence of misappropriation of funds. In the minutes, Mr Barrett says Ms O'Sullivan

rate overtime for 'pool sampling' work at the college swimming pool. A civilian still had to serve as a lifeguard.

■ There are extensive references to the tax liabilities incurred by mismanagement of finances, and the potential lack of cover by insurance;

■ An admission by top gardaí that Templemore Golf Club had not paid six years of rent arrears amounting to €87,500 and that chances of recovery were 'low', and an admission that the golf club had a potential case for 'adverse possession' or squatter's rights.

The 125-page dossier raises significant and serious questions over Commissioner Nóirín O'Sullivan's account of a crucial meeting about



**UNDER PRESSURE:** Commissioner Nóirín O'Sullivan meeting Prince Charles at the British ambassador's residence this week

'perused' a 2008 report into financial irregularities at the Garda College, carried out by Barry McGee, and concluded 'there was no evidence of

**'I felt a real tension in the room'**

misappropriation'. 'I countered and raised my concern that the structural arrangements complained of in 2008 are still currently operating, and that material funds from the vote were not accounted for in the accounting process and continue

to be managed and controlled outside the view of the CFO and the responsibility of the accounting officer,' he said. Mr Barrett's minutes claim the room became tense after he said it was a briefing from him that prompted the Head of Legal Affairs Ken Ruane to inform Ms O'Sullivan of her legal obligation to inform the Minister for Justice in July 2015.

He said: 'Early in the meeting, I made clear that I was the source of the briefing of HOLA [head of legal affairs] upon which his opinion was based. I felt a real tension in the room around my acknowledging that I was the concerned party behind the letter of advice from HOLA.' His minutes also detail how a 'local

the extraordinary financial mismanagement at Templemore and exposes in forensic detail the scandal at the Garda College.

Mr Barrett's dossier was submitted to the Public Accounts Committee this week and has been seen by the Irish Mail on Sunday.

The dossier details further contradictions of Ms O'Sullivan's account of the scandal.

Appendix 3 of the documents carries three pages of minutes from the disputed meeting on July 27, 2015 attended by Mr Barrett, Ms O'Sullivan and three others. The document details what time the meeting started, that it took place in the library in the Garda College and that Mr Barrett felt 'real tension'. His notes reveal that 'all others in attendance said that I "needed to be

very careful" when he referred to loss of books of account of the Templemore restaurant. Such is the level of detail and recall that it is difficult to see how Ms O'Sullivan can continue to claim the meeting with four other people took as little

**'It appears to be reckless disregard of the law'**

as five minutes. The dossier also details how Ms O'Sullivan found out about the issues at Templemore on June 30, 2015. A direct contradiction of her evidence under oath to the PAC two weeks ago that it was July 27 – a whole month later – that

she first learned of the issues.

In minutes of a June 30, 2015 meeting between Mr Barrett and Garda Chief Financial Officer Michael Culhane, and Barry McGee he notes that CAO Cyril Dunne had informed him that he: 'Had advised the Commissioner directly.'

This claim is repeated in his minutes of a meeting later that day with Mr Dunne: 'I... asked to ensure that the #1 was fully aware. Cyril said he had spoken to her and the Commissioner was aware.'

Mr Barrett excoriates the culture within An Garda Síochána. In the instance where one co-director of the Garda College was promoted to Assistant Commissioner he says 'participation' in 'malfeasance' is no 'impediment to promotion'.

Mr Barrett uses some evocative

# What Garda HR chief was told when he asked of concerns at Templemore

PICTURE: IRISH EXAMINER



## And this is the head of Templemore who Nóirín promoted – AFTER the commissioner knew of concerns at the college

By Valerie Hanley

THE promotion of people involved in managing the Garda College, after financial irregularities there became known, has been criticised by Garda HR chief John Barrett.

In comments which can be taken to refer to Assistant Commissioner Ann Marie McMahon who was co-director of Templemore in 2015 when the issues began to be uncovered by Mr Barrett, he said: 'It seems that participation and involvement in this maladministration was no historic or contemporary impediment to promotion. The universality of promotion in a ranks organisation as a message of approval and endorsement is unique.'

'It is the unequivocal statement of approval. It is the most public of endorsements and, in circumstances like this, it also communicates silent words of

comfort and approval to the insider and cognoscenti. It says aloud and for all to hear that maladministration, the compromise of accounting rules, the infringement of Department of Justice, Department of Finance regulations is not important. It is no impediment to advancement.'

Ms McMahon was among the last senior gardaí promoted by Ms O'Sullivan in late May 2016, from Chief Superintendent to Assistant Commissioner, weeks before the Policing Authority assumed responsibility for promotions.

Ms McMahon had previously been Director of Training and Development at the Garda Training College in Templemore.

political dimension' was discussed and a letter to the Minister for Justice from Tipperary TD Michael Lowry was seen as a 'complicating factor'.

The minutes also detail the scale of the money involved.

He said: 'At the meeting in the college, I made specific reference to my concerns around the scale of the comingled monies involved. (£12m over ten years), the practices in the restaurant, laundry and shop (some of which had now ceased), the existence of a total sum of the order €2.3m in various investment accounts at peak, (but estimated to be some €600,000 as at the date of the meeting and no clarity around the historic disbursements of monies

other than lands were purchased at some stage and €222,000 was expended on staff redundancies c2010).' Mr Barrett says he received 'considerable' push-back when he referred to the loss of all books of accounts prior to a date which coincided with the retirement of a restaurant manager.

'I was counselled by all others in attendance that I "needed to be very careful" in making such unproven assertions and connections. I agreed and withdrew the remark, noting the perspective of the meeting.'

He goes on to say: 'A discussion also took place around the need to ensure that we had appropriate context and that "we must not get

trapped into seeing this historic situation through 2015 governance lenses" which may not be appropriate. There was general agreement on this...'

### 'I was counselled that I needed to be careful'

During the alleged two-hour meeting, they also debated the degree to which the Department of Justice was aware. Mr Barrett said: 'I referenced a point made to me by [executive director of finance and services] Michael Culhane, at a meeting on July 2,

that the department were aware of the profit-making potential of the college operations and were supportive if such profits were used for investment in college facilities.

'I offered my opinion that they were likely to be completely unaware of the scale of what has transpired over the years.

'I did point out there was some anecdotal evidence that the department would have had to be aware of the restaurant situation to some degree because previous efforts to have the staff there made civil servants had been refused.' Mr Barrett goes on to say the meeting was of the view that there was 'no evidence' of wrongdoing on the part of

individuals. 'With specific reference to my remark concerning the disappearance of the books of account, quoted in the McGee report, I was warned again to 'be very careful'. 'The action was given to the CAO [Cyril Dunne] to move forward with the work of the "working group" and for that such should progress before any thought of a S41 [a section of the Garda Síochána Act which puts certain obligations on the Garda Commissioner to report matters to the Minister for Justice] could be considered fully, thus rejecting the letter from HOLA.' Mr Barrett said he left 'perplexed' as Ms O'Sullivan, Mr Dunne, Mr Twomey and Mr Ó Cualáin were 'in continuing discussion'.

and sometimes almost apocalyptic language in his dossier. He notes that he feels as if he was treated like the 'devil' for his questioning of longstanding College practices.

'In particular I believe there needs to be an appropriate exploration of

the cultural statement which this long-running saga makes about the deep cultural artefacts surrounding the use of power and control within the Garda organisation,' he writes.

'This entire matter has been euphemistically described to me as

being akin to devil worship at the heart of the seminary.'

'It appears to be the reckless disregard of law, prudent financial

**COMMENT** Page 21

## THREE HOURS' OVERTIME FOR 'POOL SAMPLING'

GARDA HR director John Barrett's curiosity about goings-on in the Garda College was first aroused when he came across certain inexplicable costs. 'I learned that the cost of firearms training was a function of travel and sub [subsistence] for 17 members working year round... There appears to be no sustained efforts at either economy or more efficient operations... no review of and no review structure.

'The swimming pool gives rise to a constant

three hours OT [overtime] for 'pool sampling' on Saturdays, Sundays and public holidays... minimum payable time window... work not done by lifeguards – they tend to be guards and it's necessary to call in a civilian.'

This prompted Mr Barrett to look into costs and financial management at the college, which led to the audit that uncovered a plethora of serious financial irregularities.



governance and stewardship of public funds within the walls of the training college where Garda formation takes place.'

Mr Barrett points out in the dossier that many of the documents have been sent by registered post to participants in meetings.

There is clearly an effort to establish an irrefutable evidence trail.

In appendix 4, written weeks after the promotion of Assistant Commissioner Anne Marie McMahon, who worked as director of training at Templemore, Mr Barrett writes: 'It seems that participation and

involvement in this maladministration was no historic or contemporary impediment to promotion,' he says.

He says of Garda promotion policy: 'It says aloud and for all to hear that maladministration, the compromise of accounting rules, the infringement of Department of Justice, Department of Finance regulations is not important. It is no impediment to advancement.'

In March, the MoS reported the operation of a slush fund through the Garda 'restaurant account'. However, the dossier shows such were the resources of this slush fund that it funded redundancies of €220,000 in 2008 and a pension scheme – a huge financial undertaking in itself.

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By Craig Hughes

A DAMNING internal memo written by the civilian Garda HR chief John Barrett has likened the revelations at the Garda College in Templemore to the scandals that enveloped FÁS and Console.

The memo, seen by the Irish Mail on Sunday, uses vivid language to describe his feelings a year after he first began to raise issues at the college. It also details a meeting he had with the chairman of the Garda Audit Committee Michael Howard on June 2, 2016.

During the two-and-a-half-hour meeting, Mr Barrett detailed the extent of the alleged malpractice, improper accounting and misappropriation of funds – some of which could have criminal consequences – and how internal probes into the controversy had been hidden from Mr Howard and the Garda Audit Committee by senior Garda management for more than a decade.

Mr Barrett compared the litany of maladministration to the recent scandal at suicide charity Console. However, he said the current controversy was far worse, given that it was public servants abusing the public purse.

In key excerpts from this explosive memo, Mr Barrett writes: 'I have concluded that this matter may have a number of historical

**'Loyalty is more important than honesty'**

parallels. The matters which beset FÁS in the era of Mr Rody Molloy as CEO, gave rise to significant public controversy and received much media and academic attention at the time and since.

'In that case, funds from the public purse were expended on a variety of projects that, when held up to public scrutiny, were considered more for the benefit of staff than the public served and deliberately wasteful of public funds. The FÁS case was one, where a policy argument could be advanced to explain the travel and programmes supported. Less of a case, however, in my view, can be advanced for the opaque and outside the Vote ['Vote' refers to the total taxpayer money assigned by the Oireachtas to the Garda] expenditure and accounting in An Garda Síochána.'

Of Console, he said: 'Those running the charity were not full-time public servants, paid by the State and bound by ethics in public office legislation or the terms of the An Garda Síochána Acts. The known abuse of office and the blurring of the lines in the management of public money within the Garda College is a huge concern which arises directly with respect to all the struc-

# 'Devil worship at the heart of the seminary'

## Head of Garda HR likened goings on in Templemore to scandals at FÁS and Console. Read his excoriating memo

tures and all the transactions within the Garda organisation. In the case of Console, quite properly, huge public disquiet has resulted from the abuse of public trust. The same arises in this case, except that those involved in the off-balance sheet activities are all paid public servants making decisions with respect to money, all of which can be traced to the public purse.'

Mr Barrett later writes of a disregard for the law at the centre of An Garda Síochána that was like priests being devil worshippers. 'This entire matter has been euphemistically described to me as being akin to devil worship at the heart of the seminary. It appears to be the reckless disregard of law, prudent financial governance and stewardship of public funds within the walls of the training college where Garda formation takes place.'

Mr Barrett details how during a meeting Mr Howard was 'animated and engaged' in discussions and was keen to arrange a number of follow-up meetings. However, seven weeks after the meeting there had been no follow-up contact, prompting Mr

Barrett to write the memo. 'I have now decided to formally write this memo to file as, curiously, more than seven weeks have now elapsed since Mr Howard met with me. I'm struck by the contrast between his statements at our meeting regarding his desire to have a follow-up meeting(s) in short course, the seriousness which he apparently attached to the entire matter as I outlined it to him and the deafening silence which has followed in the interim.'

'In the more than seven weeks since our meeting, I have had no contact whatsoever from Mr Howard, who is the statutory office holder under S29 of the Garda Síochána Act 2005,' he wrote. During the meeting, Mr Howard spoke about his 'close personal relationship with the Commissioner'.

Mr Barrett seems to point to this 'close personal relationship' as the reason why he believes there had been no follow-up meetings.

'I have been informed by [Head of Internal Audit] Mr Niall Kelly, however, that Mr Howard had a meeting with the Commissioner in the immediate aftermath of his meeting with me,' Mr Barrett wrote. He also said he had been informed that, previously, at least one Garda commissioner blocked details of the scandal from emerging.

'Mr Kelly, who has also had sight of the historic files on the Garda College issues, alerted me to this as, historically, there is evidence to suggest that previous efforts were made to prevent these matters moving towards the purview of the C&AG [Comptroller and Auditor General] by at least one former Garda Commissioner.'

Mr Barrett outlines how details of the maladministration at the college were raised internally, to former Garda Commissioner Fachtina Murphy, as far back as 2007, and that copies of the historic report had been blocked by senior management from being given to Mr Kelly.

'Despite Mr Kelly's best efforts to get a copy of the 2007 report, he was denied access to it by senior Garda management. This process of exclusion essentially closed down any prospect of the matters going beyond the walls of Garda HQ and becoming matters visible to your committee, the C&AG, the Public Accounts Committee and thereby into the public domain.'

'I have noted with deep concern the way in which the requirements of the legislation and indeed the standard set out by the Fennelly Commission, seem to have been ignored. I am mindful, too, of repeated failures of successive management representatives on your committee to inform you, as Chairman of the Audit Committee, in clear and unequivocal terms of the risks and associated matters

**THE  
TEMPLEMORE  
DOSSIER**

## Slush fund restaurant account paid pensions and €220k in redundancy

THE 'restaurant account' at the Garda College in Templemore was used to fund pension and redundancy payments.

The February 2017 Interim Audit Report into Financial Procedures in Templemore showed this account was effectively used as a slush fund. A wide variety of cash, much from non-restaurant-related activities, flowed into it while everything from retirement presents to charitable donations was paid out of it. But Mr Barrett's dossier shows a far more serious outlay. 'The employees of the College

restaurant are paid and taxed by an unlimited entity which purports to be independent. It has acted with quasi independence in that it remits PAYE and has an independent pension scheme (documents unseen by author),' he writes.

He also uncovered that the College Restaurant paid redundancy payments worth €220,000 to workers in 2008.

It is unclear who made these decisions to commit to paying employees such support from an account that was beyond the control of the State.

## Some officers were absent for over 24 hours to have a uniform fitting

AN INTERNAL Garda audit report showed how resources could be used 'more prudently'.

For example, it detailed how members were absent for up to, and over, 24 hours for the purpose of uniform fittings.

In one case, a garda was absent from 5pm on July 10, 2008, to 7pm the following evening. In another case, a member was absent from

9pm on September 29, 2008, to 8pm the following night.

The report said this would not appear to be an effective use of a member's time. 'GIAS [Garda Internal Audit Section] considers that other options should be explored, for example, engaging local tailors or, when there are a number of people requiring uniforms, having a tailor travelling from Santry to the college.'





# Barrett's journey from UCC debates to Garda HR chief

By Jennifer Allen

WATCHING the Garda HR chief John Barrett contradict the Garda Commissioner at the PAC and reading his notes in today's Irish Mail on Sunday, it is hardly surprising to learn that he honed his skills in the Philosophical Debating Society while a student in University College Cork.

He graduated in 1984 with a commerce degree and went on to enjoy considerable success in the private sector.

He has over 30 years of experience working in HR. Mr Barrett worked with a number of organisations before joining the gardaí in 2014, these include the Federated Union of Employers, now IBEC, Applied Materials Corporation in California, Applied Materials in Europe and Millipore Corp.

Along the way, he returned to university to complete a master's degree in organisational behaviour at the University of London in 2000.

A number of glowing recommendations from previous colleagues are featured on his LinkedIn profile, where he is singled out for his communication skills and his ability to develop excellent working relationships and build teams.

Normally a man in the background, attracting no public attention, he has been thrust into the spotlight this month thanks to his damning testimony at the Public Accounts Committee about An Garda Síochána's management failures.

He told the committee: 'I think there is a very clear role for public servants to stand up and call the truth as they find it. That's all I did, I'm asking for no bouquets.'

It was at the PAC that he contradicted Garda Commissioner Nóirín O'Sullivan's version of a meeting they



ADMIRER: HR chief John Barrett

had in July 2015. He has more than 30 years experience in HR matters and has been recommended and praised on LinkedIn for his work with the Garda Síochána.

Eugene Banks, a principal officer in the Department of Justice, said: 'John brings a multi-dimensional approach to his role as Executive Director of Human Resources and People Development in the Garda Síochána.'

For a person who has put in many hours of sleuthing to attempt to get the bottom of issues at Templemore College, it is appropriate that Mr Barrett perhaps appropriately quotes Sherlock Holmes in one of the letters in the dossier.

'Arthur Conan Doyle's Hound Of The Baskervilles famously gave detective literature the conundrum of the "dog that did not bark" and we too, in a practical sense, as guardians of the public purse, need to understand how our internal guard dogs did not bark. And most especially how this came to happen over many years. The comment is made in a letter to the head of Garda Audit, Niall Kelly.

which were clearly known to them and documented in the internal reports from 2007, 2010 and most recently mine of a year ago.'

In a damning overview of Garda culture, Mr Barrett said the malpractices that the public had hoped were eradicated from the force following the Smithwick and Fennelly inquiries had not gone away.

'In light of the entire standard set out by the recent Fennelly Commission and the commitments made to the public in recently published Policing & Security with Trust, it is essential, in my view, which account-

ability is shown to have meaning and consequence. In reality, and in a most profound cultural statement, these calculated actions say that the old ways of doing business, as chillingly described by Smithwick [the 2003 Smithwick Tribunal report that exposed Garda corruption] are still in vogue; that loyalty is more important than honesty.'

He said his office had been isolated since he had attempted to raise the issues, but that 'isolation and marginalisation is not confined to me but extends to other senior civilians whose professional opinions and

input on this and similar matters are contrary to current orthodoxy.'

He said repeated efforts were made to undermine his office since he met with Garda Commissioner Nóirín O'Sullivan and other senior gardaí on July 27, 2015, when he raised his concerns. At this meeting he also told them that it was a briefing from him which prompted the head of legal affairs, Ken Ruane, to write to Ms O'Sullivan and advise her that the issues fell under Section 41 of the Garda Síochána Act which would oblige her to tell the Minister for Justice. He wrote:

'Since the meeting of July 27, 2015, repeated and visible efforts have been made to undermine the role and influence of my office following my explanation at that meeting that this matter was of deep concern and that Mr Ruane's opinion with respect to a S41 referral was based on my decision to seek his professional advice as Head of Legal Affairs.'

In the lengthy memo, Mr Barrett outlines how he had immediate concerns at how the review was being conducted. 'I became concerned very early on that the process was less about resolution, and more

about implementing a containment strategy without any in-depth inquiry being made into the extent of the problems or the profound cultural statements which their existence made.'

Concluding, he wrote: 'You will recall that on the occasion you shared dinner, and drinks, and bonhomie with the very many who were clearly aware of the occluded truth concerning the Garda College and how you and your committee members had been skilfully excluded from coming to know it.'

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## Civil service staff were drafted in to work in shop at Garda college

IN A report prepared by Garda HR director John Barrett to express his main areas of concern over operations at Templemore, he highlights 'deployment of civil service staff and other resources to support an independent private enterprise'.

Mr Barrett writes: 'In the reports and enquiries made to date, there is reference to two separate occasions where college staff were deployed to support the independent service provision arrangements.'

'1) Deployment of a civil servant to work

in the college shop, and 2) deployment of a grounds man to support the maintenance of the sports fields.'

He added that the buildings and facilities all appear to be 'fully fitted and provided by the OPW' [Office of Public Works].

He also pointed out decision making for the 'restaurant, shop, laundry, bar and consequential investments' rested ultimately in the hands of members of Garda management whose role and function was a college-based assignment at senior rank.

## Existence of 40 bank accounts and 'bizarre' purchase of boat by gardaí

IN A letter to Garda's audit unit head Niall Kelly, Mr Barrett addressed the purchase of a boat by gardaí. He referred to 'the existence of more than 40 bank accounts and disbursement of funds unreturned to the vote for the purchase of assets (such as a boat)'. He added that it 'seems bizarre'.

Former deputy Garda commissioner Peter FitzGerald – the line officer for the Garda College – was president

of the private Garda Boat Club when €100,000 was transferred. The application for the money – made in four instalments between 2000 and 2003 – was signed by Mr FitzGerald. When later asked by an

audit team to explain his actions, he said the 'assistance' was given to the Boat Club 'for the right reasons'.

Asked to comment this week, Mr FitzGerald had nothing to say.





# Templemore golf club, and fears of exposure

TD's letter to the Minister sparked Garda fears of public scrutiny and a backlash

By Valerie Hanley

A LETTER from Independent TD Michael Lowry to Frances Fitzgerald regarding a 'notice to quit' served to Templemore Golf Club provoked consternation among top civil servants in the Justice Department, as well as senior officers at Garda headquarters.

The revelation is in a number of places in the dossier submitted to the Public Accounts Committee by the Garda Executive Director of Human Resources John Barrett this week.

It references a detailed note of his meeting with the Garda Commissioner about financial irregularities at the Garda College in Templemore. A meeting he claims lasted more than two hours but Nóirín O'Sullivan insists was 'very brief'.

According to the minutes taken by Mr Barrett of that meeting on July 27, 2015, with the Commissioner – and then-acting Deputy Commissioner John Twomey, and then-chief administration officer Cyril Dunne – the letter from Mr Lowry to Frances Fitzgerald was deemed to be a 'complicating' factor.

Mr Barrett's written notes are central to the PAC's investigation into financial irregularities at the Garda College because they put on the record when the beleaguered Commissioner first learned of the serious issues in Templemore.

The Garda College established Sports Field Company Limited – which leased an OPW-owned parcel of land that made up part of Templemore Golf Club.

The minutes state: 'You [Cyril Dunne] raised the issues arising from the Sports Field Co. Ltd, the Templemore Golf Club, in the context of the Minister getting a letter from Michael Lowry TD.

Your introduction was designed to present additional context to the letter from HOLA [Head of Legal Affairs Ken Ruane] and to give an update to the Commissioner and Acting Deputy Commissioners.'

It continues: 'We spent a period of the meeting discussing the Sports Field Co. and comfort was taken from the fact that the land owned was purchased before the 2005 Act became law. The appointment of Dublin-based solicitors to act for the Sports Field Co. was seen as proactive and the notice to quit was noted as having been served.

'The local political dimension was

THESE are edited extracts from contemporaneous notes made by Garda HR Director John Barrett in 2015 while beginning his investigation into issues at Templemore.

## WEDNESDAY, JUNE 17

Meeting between then-chief administrative officer Cyril Dunne, Chief Financial Officer Michael Culhane and Mr Barrett.

I raised my concerns about management of the College. 'Michael Culhane pointed out that it was felt that these matters were best kept away from internal audit and would be very serious if they were to come into the view of the comptroller and auditor general.

'I realised at this meeting that the risk and jeopardy of these appeared to be news to the CAO [chief administrative officer] who sits as part of the Audit committee.

## THURSDAY, JUNE 18

Meeting between Templemore College Co-Director Pat McCabe and Mr Barrett.

Supt McCabe following me into my office. Pat said 'well you have been doing a bit of digging'. I expressed my surprise about what I had learned since my meeting of last week where a wide variety of matters had surfaced... I explained I had become very concerned that such large transactions had essentially been managed by local arrangement; referenced the canteen, the shop, the sports field, the investments. Pat behaved in a very uneasy manner which suggested to me that while he might have anticipated a reference to the pool, firearms training and perhaps general laxness in the management of OT and T&S (per last week's meeting) he appeared surprised by the degree of detail I had from 2008 and the quantum of the investments.

He told me that the investments had fallen in value to about €600,000 and that there was a plan to use some of it to contribute to the refurbishment of the building... I asked 'why would that be a good idea?' He told me the shop was loss making and that 'lots of tidying up had been done since 2008'... I explained that as far as I was concerned it would all have to be put right, fully investigated and reviewed at a decision and transaction level. I offered the opinion that this was 'bizarre stuff' in the context of a civil service organisation. It was particularly unacceptable in the context of the standards of accountability and transparency I believed we should and will be held to. Pat said 'he would welcome an effort to regularise the issues' and concluded by saying 'bring it on'.

I asked Pat was he attending the scheduled 16.00 recruitment meeting and he asked 'do I have to?'... rather than accentuate the awkwardness, I said to him it's not necessary. He did not attend.

discussed and the letter to the minister from Michael Lowry TD was seen as a complicating factor.'

Asked this weekend about the letter, Mr Lowry told the Irish Mail on Sunday he'd written to the minister once, made representations to her twice and raised the matter in the Dáil, on behalf his constituents.

However, he insisted he was totally unaware of the financial irregularities at the College when he wrote to the Justice Minister.

Templemore Golf Club is adjacent to the Garda College and was set up in 1971 by gardaí. It was jointly run by gardaí and civilians until 1980 when gardaí assumed full control until the turn of this century.

Some of the 28-acre course was bought with profits from the Garda College restaurant based and on a number of occasions since 2015 Mr Barrett has queried whether the club may claim 'adverse possession' of the property bought with funds that should have been returned to the taxpayer.

Mr Lowry was not the only local

TD to contact the minister on the issue. Fine Gael's Noel Coonan also raised it with Ms Fitzgerald.

But it was Mr Lowry's call that prompted the minister's senior aide Eugene Banks to call Mr Barrett on June 23, 2015.

A note of a meeting between Mr Barrett and then-chief administrative officer Cyril Dunne in the dos-

'She became upset and I assured her that this was not a witchhunt'

LEAFY: The 28-acre golf course in Templemore

## MONDAY, JUNE 22

Meeting between Garda Head of Legal Affairs Ken Ruane and Mr Barrett.

In the early morning of Monday, I presented at the office of Ken Ruane, HOLA, and asked for his advice. Over a coffee we discussed the situation, some of which he was aware of. He advised in the strongest possible terms to ensure that this matter was dealt with openly and transparently and that approach had to be the new orthodox in AGS [An Garda Síochána], irrespective of who might seek to oppose it.

## TUESDAY, JUNE 23

Supt Pat McCabe called me on my desk telephone and advised me that he had sent me a copy of a report from 2010 on the outcome of a review led by AC Nolan on behalf of the Commissioner. The review confirmed that action was taken and the general issues were well understood. I said I had not yet read it but I would. Pat informed me that the position was known and understood at the level of the Commissioner, AGS Executive Staff, in the Department of J&E, D PER, the Department of the Taoiseach etc. I was relieved.

## WEDNESDAY, JUNE 24

Chat with Supt Matt Nyland

Following our PAF meeting (10am-11.30am) Supt Matt Nyland offered to walk with me to C&S as I had an appointment with AC O'Mahony. As we walked, we discussed the history of this matter and his previous advice to me that I, as Exec Dir HR&PD, should not get involved in the resolution of these

matters. I expressed my deeply held reservation about his approach and why I was clear that I could not and would not, close my eyes, as a senior civil servant, to this malpractice which I described as being unacceptable to the organisation and those staff members now in the middle of the maladministration.

Matt suggested that this was well known and that it was up to others in Finance etc to address this. I indicated to him that I was troubled by this suggested approach, though I understood the cultural warning and concern for my personal wellbeing that might be inherent in his suggestion.

NOTE: Matt is a longstanding, charming, bright and capable officer. He is deeply enculturated and trusted. His appointment to IA [Internal Affairs] in 2015 is a reflection of his 'safe pair of hands' reputation. His approach is classically old-school 'protect the house' and his extensive awareness of this matter suggests to me that there is indeed an historic level of visibility on the issue and an awareness that there have been powerful forces preserving the status quo. I was concerned for his approach and the well-meaning warning inherent in it as I reflected upon in the days since.

THE  
TEMPLEMORE  
DOSSIER

# unpaid rent of €87k as Lowry got involved

**PUBLIC:** Michael Lowry's intervention sparked fears



**QUIET TOWN:** The Garda College has put Templemore in the spotlight

he was working toward the same end we were; the full and complete resolution of the historic issues and the establishment of robust and transparent structures which would conform to the best governance going forward.

*Meeting between Cyril Dunne and Barrett, 4.30pm.*

Having reviewed with Cyril some of the correspondence on file, I raised the question as to whether or not this entire matter warranted a S41 (1) (b) & (c) referral to the Minister for Justice... and the Sec General of the department. My logic was this matter did (in my judgment) fit that definition as it is on a material scale and has a substantial political dimension to it likely to effect [sic] public confidence, locally and nationally, most especially in the run up to a general election. Cyril said that while he was not ruling that out, he did not think that the time was right now for a S41.

*Telephone conversation between Mr Barrett, Cyril Dunne and Eugene Banks.*

As we began to review a separate issue... my telephone rang and it was Mr Eugene Banks from the Department of J & E. With Cyril's consent I took the call and we both spoke with him on speaker. Ironically, he advised us that he was calling about a letter which the Minister had received from Mr

Michael Lowry concerning Templemore Golf Club and matter relating the efforts by AGS to have the Golf Club removed for the non-payment of rent.

Mr Banks explained that the Minister would be writing to us seeking a comprehensive update on this entire matter in the coming days. Cyril asked Eugene a number of questions as to his state of knowledge of the matter and Eugene explained he had... called Michael Culhane some weeks earlier when another question was received by the Minister from Noel Coonan TD and he had got certain of the details from Michael including the confusion around the ownership structure, and the fact that no rent had been paid by the Golf Club for almost six years, and that notice to quit was served more than two and a half years ago.

After the call ended...Cyril ... said that we need to anticipate ... matter was likely to become public given the political dimension, the all-too frequent use of the media in matters internal to AGS and the local networks. I agreed... and asked to ensure the #1 was fully aware. Cyril said he'd spoken to her and Commissioner was aware. Cyril proposed... establishing a steering group to verse all aspects of the necessary review of College affairs... and proposed Michael, myself and himself as central figures.

## THURSDAY, JULY 2

*8.54 am: Phone call between College Training Director Chief Supt Ann-Marie McMahon and Mr Barrett before meeting*

*with Michael Culhane and Cyril Dunne*  
En route to the Garda College, at 8.54 I phoned Chief Ann-Marie McMahon ... I advised her that Michael Culhane and Cyril Dunne would be in the College to join our 10.30 meeting. She expressed her surprise and asked why and I explained the financial and administrative matter we had reviewed in the course of our last conversation on the morning of Monday, June 29th were extremely serious and had substantial risk for the entire organisation.

She became upset and I assured her that this was not a witchhunt of any sort. This was all about dealing with the realities as we found them and seeking to understand the extent of the problems in their totality.

*9.15am meeting at College between Mr Barrett, Cyril Dunne and Michael Culhane.*

Cyril arrived and explained how he wanted to proceed with the meeting. His views in summary were that he wanted to make it clear that the opacity and local arrangements could not continue. He suggested that he wanted to kick the process off and establish a steering committee which should have HOLA [Ken Ruane] and the Director of Training [Chief Supt Ann McMahon] at the College in addition to ourselves. He said... he believed... this entire matter would... enter the public domain. He confirmed that he had spoken to the Commissioner about it.

*10.30am Chief Supt Ann-Marie McMahon and Supt Jack Nolan join the meeting.*

Cyril began by outlining his lack of awareness of the structures... operated within the college and his concern for good governance. He expressed the view that the lack of clarity exposed the college and the Commissioner to public enquiry. He... said he was not suggesting that people were doing wrong but that matters were opaque and he did not have clarity around funds flow, funds under management.

He made the point that all AGS monies flowed from the vote ultimately and any surpluses declared and returned to the Exchequer at year end.

Cyril said that he was only interested in the structure so he could advise the Accounting Officer and maybe down the road the PAC. Cyril offered the meeting the conclusion that 'there is an element of which suggests that the College was funding itself'...

...Chief McMahon pointed out that there was surplus money here and that it was practice to invest this in the College. Cyril responded that he would have assumed that the Garda Vote would have paid the bills in the College as they do in all other parts of the organisation.

At this point Cyril expressed his discomfort with Supt Nolan and I taking notes... and I immediately agreed to cease.



**JUNE 30, 2015**

*Meeting between Mr Barrett, CFO Michael Culhane and Barry McGee.*

I advised the meeting that I had a meeting scheduled later that day with the CAO and I would be bringing him up to speed on our discussion. I explained I had an earlier conversation with him by phone wherein he said he had advised the Commissioner directly and that I understood from him that

sier reads: 'My telephone rang and it was Mr Eugene Banks from the Department of J & E. With Cyril's consent I took the call and we both spoke with him on speaker. Ironically, he advised us that he was calling about a letter which the Minister had received from Mr Michael Lowry concerning Templemore Golf Club and matter relating the

efforts by AGS [An Garda Síochána] to have the Golf Club removed for the non-payment of rent. Eugene Banks explained that the Minister would be writing to us seeking a comprehensive update on this entire matter in the coming days.'

Mr Banks had also spoken with Mr Barrett a week earlier about Templemore Golf Club and his min-

utes of that conversation state: 'He [Eugene Banks] said that he was aware that at some point some funds from the College restaurant had been used to fund the purchase of lands through a limited company and that the Golf Club had leased the lands purchased from the guards and that now there was a dispute of some sort as rent due was

not being paid. Noel Coonan TD had alerted the Minister to the dispute in the interests of there being no loss of access to his local constituents in Templemore.'

A Justice Department spokesman said: 'It would not be appropriate for the department to comment on material which has been provided to the PAC which forms part of its

examination of these matters. However, it is already a matter of public record that the department became aware of certain issues in relation to Templemore having received representations from local TDs' about access to the golf club. He said this was 'separate' from the lack of proper financial controls.'

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