



GARDA COLM HORKAN MURDER

STATE WAS WARNED OF DANGERS OF GARDA HOLSTERS

Whistleblower raised alarm nine months before tragedy

A GARDA whistleblower warned management and the Garda watchdog that gun holsters used by officers were 'not fit for purpose' before tragedies that led to the death of Detective Colm Horkan and left another with life-changing injuries,

EXCLUSIVE

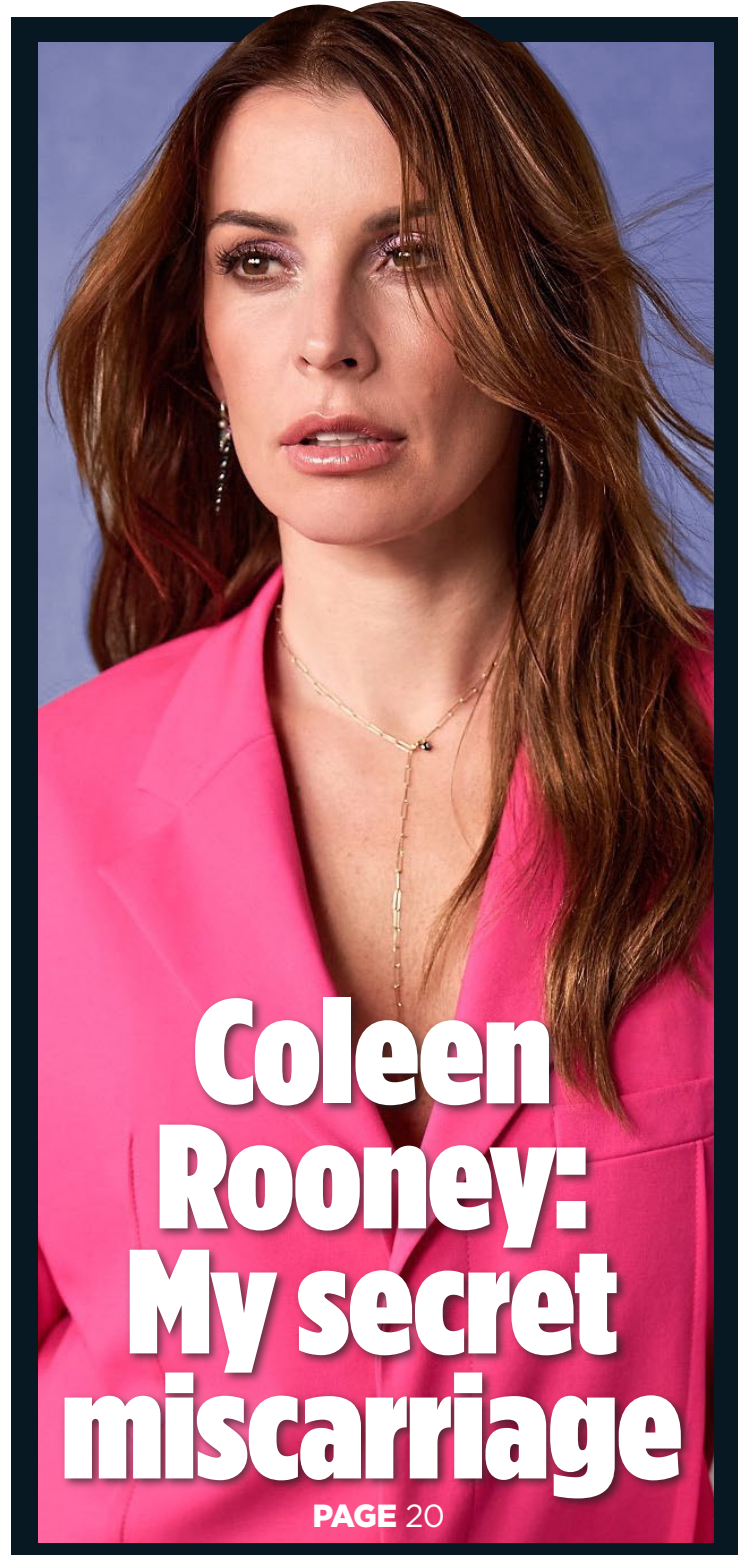
By **John Lee** GROUP POLITICAL EDITOR

the Irish Mail on Sunday can reveal.

In separate protected disclosures to Garda management and the Garda

Síochána Ombudsman Office (GSOC) in 2019, nine months before Detective Horkan's murder, the whistleblower raised safety concerns about Garda HQ-issued holsters with automatic

Turn to Page 6 >>



**Coleen
Rooney:
My secret
miscarriage**

PAGE 20

► From Page One

pistols used by armed detectives. Holsters specifically designed for the 9mm Sig Sauer P226 and Walther guns make it impossible for an assailant to take the weapons or for them to fire accidentally.

The year after the whistleblower made his initial two protected disclosures, on June 17, 2020, Detective Colm Horkan was murdered in the line of duty when his killer took his Sig Sauer from his holster and fired 15 rounds, hitting him up to 11 times. Detective Horkan's killer was convicted of capital murder this year.

Just six days before the murder, on June 11, another detective garda on protective duty outside the Israeli Embassy in Ballsbridge, Dublin, sustained 'life-changing' injuries to his groin when his Walther pistol discharged accidentally.

Both officers were carrying their pistols in leather holsters made by a another supplier that the whistleblower – a firearms expert – claimed in his protected disclosures was not approved by the gun manufacturers.

GWSOC this weekend confirmed it launched an investigation into the holsters in June/July 2020 in the wake of the tragic events, but nine months after the whistleblower first raised his concerns with the watchdog.

An Garda Síochána also confirmed the holsters were replaced in September 2020. Many of the whistleblower's claims are repeated in a letter his legal representatives sent to Justice Minister Helen McEntee last Monday. The letter states how, on September 9, 2019, the whistle-

'Retaliatory steps were then taken by people'

blower met members of the Garda Ombudsman at the Stillorgan Park Hotel in Dublin, where he outlined his concerns about the safety of the HQ-issued holsters alongside other issues. After the two tragedies – shortly after Ms McEntee was appointed justice minister – the whistleblower made a further disclosure in August 2020 to the Fine Gael politician, after which an investigation was launched into his allegations separate to the GSOC safety investigation launched the previous month. Separately, the whistleblower also made a protected disclosure to the State's spending watchdog, the Comptroller and Auditor General.

The whistleblower, who worked at the Garda Firearms Stores at Garda Headquarters in Dublin's Phoenix Park, made his initial protected disclosure to Garda liaison staff on June 7, 2019.

In the letter sent to Ms McEntee this week, the whistleblower's legal representative claims 'a series of retaliatory steps were then taken' by people in the force.

This led the officer to go to GSOC. During his September 2019 meeting with GSOC officers, the whistleblower made a protected disclosure, according to documents seen by the Irish Mail on Sunday.

In claims repeated in the letter to Ms McEntee, the whistleblower said: 'Explicit reference to his very substantial concerns that... holsters being purchased by An Garda Síochána [were] not fit for purpose.'

According to the documents, the whistleblower told GSOC officers: 'The holsters were officially issued to gardaí carrying Sig Sauer P226R DAO, S/A D/A and Walther P99c DAO pistols. These holsters were unapproved by the gun manufacturer, Sig Sauer, and did not have

Gardaí turned on firearms expert over alert

SPECIAL REPORT



By
JOHN LEE

GROUP POLITICAL EDITOR

essential safety features common to such specialist accessories which ensure that they have rigid protection to avoid unintended discharge and that a pistol worn in that holster can only be drawn from the holster by the holster wearer.'

Similar concerns were raised in the whistleblower's first protected disclosure to Garda management.

Referring to the two tragic incidents involving firearms, the whistleblower said the June 11 incident at the Israeli Embassy occurred when the detective's pistol 'discharged accidentally while con-

tained in its Garda-issued holster'.

The document states: 'The Garda Síochána-issued holster was made of pliable leather... it lacked the necessary rigidity to prevent inappropriate or unintended pressure being applied to firearm carried within. D/Garda [name deleted] sustained life-changing injuries when his Garda-issued firearm, a Walther P99c DAO pistol, which was contained in a holster in his pocket, discharged accidentally.'

The whistleblower said of the fatal shooting of Detective Horkan: 'Six days later again, on June 17, 2020,

the gun of D/Garda Colm Horkan was removed from his Garda-issued holster by an assailant.'

'The event took place on the street in Castlerea, Co. Roscommon. The Garda Síochána-issued holster was made by the same [supplier]. Garda Horkan died of 11 bullet wounds from rounds discharged from his Garda-issued weapon, a Sig Sauer P226R DAO, which was removed from the... holster.'

It has now emerged that questions were raised about the holsters within the force immediately after the two incidents in June 2020.

In response to detailed queries from the MoS, GSOC confirmed that it launched an investigation into the holsters' safety and issued correspondence formally notifying Garda management about concerns relating to the holsters in July 2020, the month after Detective Horkan's murder.

However, in the letter sent to Ms McEntee this week, dated October 30, the whistleblower's legal advisers are critical of GSOC, claiming that they refused to investigate the safety concerns he expressed in his protected disclosure in 2019.

Whistleblower raised concerns over

JUNE 7, 2019: A Garda firearms expert meets with the force's employee liaison and raises issues about safety, procedure and procurement at Garda HQ. They specifically refer to safety concerns about Garda-issued holsters for Sig Sauer and Walther weapons.

SEPTEMBER 9, 2019: Garda whistleblower meets two GSOC officers at Stillorgan Park Hotel,

Dublin, to make a protected disclosure. The disclosure includes claims Garda-issued holsters are 'unfit for purpose'. The whistleblower says holsters officially issued to gardaí carrying Sig Sauer P226R and Walther P99c DAO pistols were unapproved by weapons' manufacturers. Walther did not have essential safety features common to such specialist accessories which ensure they have

rigid protection to avoid unintended discharge. Sig Sauer pistols were not carried in a manufacturer holster that can only be drawn by the wearer.

JUNE 11, 2020: A detective garda suffers serious injury on protective duty at the Israeli Embassy.

JUNE 17, 2020: Detective Garda Colm Horkan is murdered after an assailant took his Sig Sauer from his

holster during an incident in Castlerea, Co. Roscommon.

JUNE 27, 2020: Leo Varadkar appoints Fine Gael TD Helen McEntee as Minister for Justice.

JUNE/JULY 2020: GSOC opens an investigation into the accidental shooting of a detective garda at the Israeli Embassy and the holsters. The investigation remains open.



PROBLEMS:
Justice Minister
Helen McEntee
and Garda
Commissioner
Drew Harris



**'WHY I QUIT
FORCE I
LOVE AFTER
INJURY'**
Comment, page 36

Separately Ms McEntee was also informed in last Monday's letter that GSOC investigators told the whistleblower on June 24, 2022 that after failing to gain access to Garda files on the whistleblower, they were forced to close their investigation. Despite this, five months later a Justice official told the whistleblower the GSOC investigation was 'well progressed' – raising significant questions about departmental oversight and co-operation between An Garda Síochána and GSOC.

In a statement issued this weekend, GSOC said: 'GSOC is precluded

from either confirming or denying the existence of protected disclosures made to it. GSOC is equally precluded from disclosing or discussing any operational or other matters that may arise from disclosures it may receive.

'GSOC will therefore not be providing any comment with respect to your queries.'

However, the Ombudsman, in acknowledgement of a query relating 'to the injury sustained by a named D/Garda while on duty', added: 'This incident [the accidental shooting of the garda] was the

subject of a referral to GSOC by An Garda Síochána under s102 of the Garda Síochána Act 2005.'

A spokesman confirmed: '[During] the course of this investigation, GSOC issued formal correspondence to An Garda Síochána to alert them to safety concerns in respect of firearm holsters. This correspondence issued in July 2020. I can also advise that this investigation is nearing conclusion. I am given to understand that this matter is also before the civil courts, so GSOC cannot comment any further.'

Garda headquarters this week-

Garda pistol same as one used to take down Osama

By John Lee

THE Sig Sauer P226 is a semi-automatic pistol issued to many police forces around the world.

It is the official service pistol of the famed US Navy SEALs, the elite army unit who killed Al Qaeda leader Osama Bin Laden.

The weapon was first issued to gardaí ten years ago. The manufacturer recommends use of approved holsters, mostly rigid hard plastic, but there are some recommended rigid leather ones.

Because there is no manual safety catch on a Sig Sauer, the manufacturer recommends a holster that gives protection against accidental firing.

Manufacturer-recommended holsters also offer additional safety in that they make it difficult for an assailant to withdraw the gun from an officer.

Recommended holsters include the Rounded Gear IWB Kydex Holster, the IMI Level-2 Tactical

Holster, the Comp-Tac International Holster and the 1791 Gunleather holster.

The Walther P99c, a German made weapon, is also issued by An Garda Síochána to officers, but is less commonly used than the Sig Sauer.

Again, there are manufacturer approved holsters which greatly reduce the chances of accidental discharge.

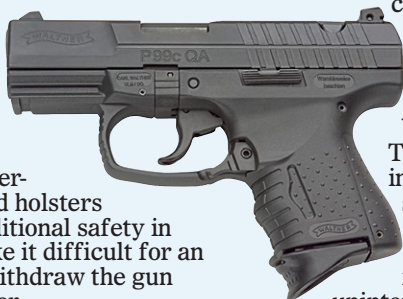
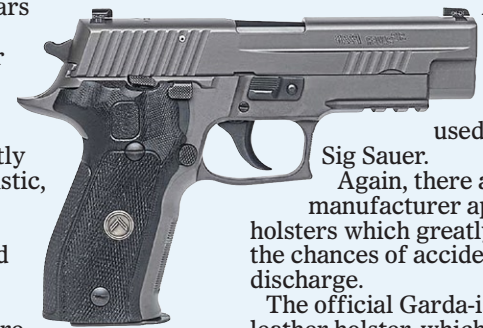
The official Garda-issued leather holster, which is not one of those recommended by the manufacturer, is designed to

carry the self-loading 9mm Sig Sauer P226, and a similar one is used to carry the Walther.

The pistol is placed in the sheath and secured by a single snap button. But in some instances firearms have

unintentionally fallen to the ground during on-foot pursuits or physical altercations.

Some serving detectives and members of the Garda Armed Support Unit have purchased their own modern plastic holsters from the United States.



GARDA ISSUE: Sig Sauer P226 and, below it, the German-made Walther P99c weapon

end said it could not comment on any matters subject to protected disclosures. Asked if the holsters remain in use, a spokesperson confirmed: 'A tender process for firearms accessories concluded in September 2020. This process resulted in a new supplier of holsters being retained by An Garda Síochána.' Correspondence sent to Garda stations across the country by the Garda Technical Bureau in September 2020 warned about the holsters. Headlined 'Examination, Assessment and Replacement of Official Issue Leather Hip Hol-

sters', the circular said: 'The Garda National Technical Bureau has become aware of a potential softening of some leather hip holsters, for both the Walther P99c and Sig Sauer P226 pistols.'

It warned this softening 'may impact on the holstering and carriage of the firearm'.

The communique said that all official leather hip-holsters for the Walther P99c and Sig Sauer P226 should undergo safety checks by Garda armourers.

In June this year, Stephen Silver was found guilty of the capital murder of Detective Horkan.

The jury of seven men and five women deliberated for eight hours and 39 minutes before returning its unanimous verdict to Judge Tara Burns at the Central Criminal Court. Silver now faces a minimum sentence of 40 years in prison.

Regarding the claims made by the whistleblower, a spokesperson for Ms McEntee said the Department of Justice 'cannot confirm or deny the existence of any protected disclosure,' adding: 'This policy is in place to preserve the statutory guarantee of anonymity under the Protected Disclosures Act.'

The supplier who made the holsters did not respond to phone calls or emails.

holster safety on several occasions

AUGUST 14, 2020: Whistleblower makes a protected disclosure to Minister McEntee in the aftermath of the killing of Detective Horkan. The minister refers the protected disclosure to GSOC, which opens another investigation into the whistleblower's claims, 11 months after the initial disclosure.

SEPTEMBER 2020: A 'tender process for firearms accessories'

concludes. A Garda spokesperson confirmed that 'this process resulted in a new supplier of holsters being retained by An Garda Síochána'.

SEPTEMBER 9, 2020: The Garda Technical Bureau issues a circular to garda stations across the country warning that it 'has become aware of a potential softening of some leather hip

holsters, for both the Walther P99c and Sig Sauer P226 pistols'.

NOVEMBER 1, 2022: Whistleblower makes further protected disclosures to the justice minister, the Taoiseach and the Tánaiste relating to his concerns about the holsters' safety.

MARCH 15, 2023: Stephen Silver is convicted of the murder of Detective Horkan at the Central

Criminal Court in Dublin. He is eventually sentenced to 40 years in prison.

OCTOBER 30, 2023: Solicitor Kevin Winters of Belfast firm Human Rights Solicitors corresponds with Ms McEntee on behalf of the whistleblower, requesting an official independent inquiry and for action to be taken on claims made in his protected disclosures.