

FREE INSIDE

David Attenborough **OCEAN** POSTER



Whistleblower claims key evidence in Colm Horkan murder inquiry was kept from Garda Technical Bureau

SLAIN GARDA'S GUN HOLSTER WAS NEVER TESTED BY FORENSICS

SENIOR gardaí withheld murdered Detective Garda Colm Horkan's defective gun holster from the control of forensic officers charged with investigating the crime, a whistleblower has claimed in a series of damning protected disclosures to the Irish Mail on Sunday.

The whistleblower – a serving member of An Garda Síochána who headed up the Garda National Technical Bureau

SPECIAL REPORT
SIX PAGES OF EXCLUSIVE EXTRACTS
FROM SECOND GARDA WHISTLEBLOWER

By John Lee GROUP POLITICAL EDITOR

(GNTB) – today gives a first person account of his attendance at the incident room at Castlerea Garda station in the hours after Detective Garda Colm

Horkan's murder. In the account, the whistleblower claims that he was told that Det Gda Horkan's murderer, Stephen Silver, initially told investigators he had pulled the slain garda's gun from his holster. This initial account is not the evidence that was given at Silver's subsequent trial, where he was convicted of the capital murder.

Regardless, it means that at the very

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BECKHAM FEUD:
MORE EXCLUSIVE
REVELATIONS



Nicola's a
viper, Posh
tells friends

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Harris got defective

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early stages of the investigation, Garda Horkan's holster was identified as a key piece of evidence.

The whistleblower goes on to detail that, despite the holster being bagged and tagged as a ballistic exhibit, it was not returned to the GNTB for forensic examination.

Instead, it was taken into the possession of another uniformed Chief Superintendent – at the direction of Garda management – who then had the holster examined by a non-forensically trained officer.

The explosive allegations are among those contained in new protected disclosures made by a senior serving officer to former Labour leader Alan Kelly and the Mail on Sunday. Others include that:

■ The whistleblower's attempts to mount a 'warning campaign' about the holsters caused 'frustrations at the highest level' of the force

■ A previous incident where a Garda received life-changing injuries outside the Israeli Embassy when his gun went off accidentally saw that holster being examined forensically, with a report concluding the holster was defective

■ Footage from live-fire training events, prior to the murder of Det Gda Horkan, clearly evidenced the defective nature of the holsters and the dangers they posed

■ An 'alternative report' ordered by Commissioner Harris – which was carried out by the Firearms Stores Section that procured the holsters – was a 'clear conflict of interest' that undermined Garda 'forensic and ballistic experts'

■ This second report was compiled some months later while the whistleblower was on annual leave

■ The senior officer was deliberately targeted for raising the concerns and is currently taking a case in the High Court and the WRC for penalisation.

The senior officer involved in the investigation into Det Gda Horkan's murder claimed the 'initial account', provided by Silver, in custody, was that he was 'able to reach down [from behind] and remove it from Garda Horkan's official issue leather pistol holster'.

But, he notes in his disclosure: 'Court reporting later provided by RTE showed that the narrative had changed, it was now being reported that it was actually Det Gda Horkan who moved to draw his official issue firearm and that Stephen Silver placed his hand on top of Det Gda Horkan's hand resulting in both men drawing the pistol together, with Silver somehow managing to take the firearm from Garda Horkan even though his (Silver's) grip would have been significantly weakened as a result of it being widened by the grip that Det Gda Horkan allegedly already had on the pistol grip of

THE INCIDENT ROOM

AS THE night of the June 17, 2020 merged into the morning of the June 18, 2020, at approximately 1.15am, as I was about to head to bed, I received a phone call from my friend and colleague who informed me that he had just received a call to say that a member of An Garda Síochána had been shot and killed in Castlereagh.

It was not unusual for me to receive phone calls regarding homicides or suspicious deaths at all hours of the day or night, however, this call was far more shocking and emotive than the calls I would normally receive given that the victim was a member of An Garda Síochána.

My colleague had already commenced the process of gathering together a team of GNTB forensic experts, knowing that I would, without issue, sanction the deployment of GNTB resources, with experts being drawn from each of the forensic disciplines of Ballistics, Fingerprints, Photography and Mapping, with an additional Ballistics expert being allocated to the role of Crime Scene Manager, given that the capital murder arose out of a firearms related incident.

My colleague and I agreed that we would each ready an overnight bag and that we would head straight to the scene. My colleague arrived at my home at approximately 2am and collected me in an official Garda vehicle. As we drove towards the scene we endeavored to gather, as delicately as possible, more information regarding the scene and what precisely had occurred, while at the same time liaising with various members of the GNTB forensic investigation team.

We arrived at Castlereagh Garda Station at approximately 4.30am and on entering the station we were guided, by uniformed Garda members, towards the

'Silver stated that he was able to reach down and pull the weapon straight up and out of the holster without issue'

conference room where local managers and investigators were already gathered. With a significant amount of apprehension we entered the room knowing that we could bring little or no comfort to those gathered who had just lost a close friend and colleague, particularly given that the member in question (Detective Garda Colm Horkan) had been murdered with his own official Garda firearm, only minutes away from Castlereagh Garda Station.

While all members of An Garda Síochána, both Garda members and Garda staff (or civilian staff) truly feel the loss of a colleague, particularly in such tragic and horrific circumstances, I knew that no matter how we felt as we entered that room, that it would pale into insignificance compared to the hurt and devastation being felt by Colm's family, friends and colleagues.

I recall entering the room, extending my hand and passing my condolences to those present, all the while feeling a sense of inadequacy given that there was nothing I could do to either console or comfort them.

The atmosphere was understandably sombre and

mournful, with local members clearly very upset. Almost numb. Colm's Superintendent (now a Chief Superintendent in another Division) was very visibly upset. A hugely experienced, professional and dedicated officer, highly regarded by her peers. It was clear from speaking with her that she felt responsible for Colm.

In the period that followed, the circumstances of Colm's murder (as understood at that time), what led up to the murder, the arrival of other members at the scene and details of the culprit's arrest were relayed to us. It was further relayed that an individual by the name of Stephen Silver had been

arrested for Colm's murder and that he was detained in the station. We were given to understand that he was behaving like a mad man (my recollection was that he had stripped down and was spitting at female members in his proximity).

Crucially, it was also stated at one point that Silver had opened up and provided an initial account as to what had occurred after Colm exited his official Garda vehicle and approached him. We understood that Silver had stated that during his confrontation with Colm he had managed to get behind Colm, on Colm's back and that as Colm

shook from side to side, in an effort to remove Silver from his back, that Colm's jacket had also swayed from side to side in line with his body movements and that as it did so, it presented Stephen Silver with a view of Colm's official firearm, which was housed or contained in his official issue leather holster on his hip. Having observed Colm's firearm, Silver stated that he reached down and that he was literally able to pull the weapon straight up and out of the holster, without issue, after which, he started to shoot Colm. As this tragic information was relayed, I recall thinking to myself, 'oh God, he mustn't have had his retention strap closed on his holster'. I obviously didn't voice such a comment out loud, however, I would imagine others in the room who were used to carrying sidearms would have held similar initial thoughts or observations.

As the details surrounding Colm's murder were relayed to us, I was completely unaware (at that time) that armed members of An Garda Síochána had been issued with defective leather pistol holsters purchased by the Garda Firearms Stores Section from an equine Saddlery in Co. Kildare. This was despite an incident having already taken place on June 11, 2020 at the Israeli Ambassador's residence in Dublin 4 concerning the accidental discharge of an official Garda firearm, which resulted in life-changing injuries being suffered by a member of the Special Detective

'We were given to understand he was behaving like a mad man'

the firearm.'

The officer said that, while Silver's account changed, that narrative did not match with what was originally relayed to him early on June 18, 2020.

His disclosure claims: 'The narrative had been revised to suggest that the late Det Gda Colm Horkan had actively moved to withdraw his official issue firearm from his holster. While this was clearly the evidence provided, including by Silver himself it is at significant variance from what was originally presented.'

Mr Kelly last night called for a full investigation by the Department of Justice into the dossier of allegations, which include serious claims made against the force and Garda Commissioner Drew Harris.

The MoS revealed in late 2023 how another Garda whistleblower made separate disclosures to Garda management, warning about defective Garda-issued holsters prior to the killing of Det Gda Horkan shortly before midnight on June 17, 2020.

Convicted killer Silver is serving a mandatory minimum sentence of 40 years after he shot the plainclothes garda 11 times after disarming him.

In one disclosure from the second Garda whistleblower, the senior officer also alleges Commissioner Harris 'personally sought' an 'alternative report' that ultimately concluded a defective holster did not play a role in the life-changing injuries suffered by a Detective attached to the Special

Detective Unit (SDU) – despite mounting circumstantial evidence that it had.

Crucially Det Gda Horkan was using the same type of defective holster on the night of his murder.

'Harris sought an alternative report'

The second whistleblower writes: 'It must be asked if there is a deliberate effort or intent by Drew Harris and others to conceal a dangerously defective holster that facilitated the unobstructed removal of Colm's firearm by Stephen Silver, which ultimately resulted in Colm being murdered

QUESTIONS:

Commissioner Harris



gun holster retested

Unit (SDU) and which arose out of the defective nature of the holster in which the member's firearm was being carried. While I was not personally aware of the dangerously defective nature of the leather holsters on issue at the time, I am now confident, from the extensive material available to me, that there was significant corporate knowledge of the dangerously defective nature of the leather pistol holsters in question.

Given that I am now aware that members of the Firearms Training Units in Dublin and the Garda College had raised numerous complaints/concerns regarding the serviceability of the leather pistol holsters and their unequivocal view that the holsters in question were a health and safety risk to those issued with them, coupled with the fact that (almost a year before Colm's murder) an ex-Garda Armourer, who was previously attached to the Garda Firearms Stores Section, had made very detailed and concerning protected disclosures surrounding the activities of Firearms Stores Section and the dangerous nature of the leather pistol holsters procured from an equine saddlery in Kildare and which were on issue to armed members of An Garda Síochána, I have often wondered if Drew Harris determined, at the time of Colm's murder, that the issue of defective holsters would need to be concealed and obscured from the media, from the public and in particular from the members of An Garda Síochána and the Horkan family.

When Silver's trial came before the Courts, I was extremely surprised to hear RTÉ report a somewhat different narrative as to how Silver obtained Colm's official Garda firearm from his holster. RTÉ was undoubtedly reporting the evidence that was given. However, that narrative did not match with what was originally relayed to me on the morning of 18 June, 2020. The narrative had been revised to suggest that the late Detective Garda Colm Horkan had actively moved to withdraw his official issue firearm from his holster and that as he did so Stephen Silver had placed his hand on top of Colm's

by his own firearm.

'Commissioner Harris must now ask of himself if Det Gda Horkan would still be alive today if he had actively pursued the protected disclosures of the original confidential reporter (made a year before the murder).'

The senior officer claims that respected retired Defence Forces weapons expert Lieutenant Colonel Ray Lane was initially hired to look into another whistleblower's claims about the Garda Firearms Store.

But he said this was dropped after Commissioner Harris made it clear that he did not want a Defence Forces member involved in any inquiry, and that he would get a former colleague from the North to look into it instead.



HERO GARDIA: Detective Garda Colm Horkan was shot by Stephen Silver

hand and they drew the firearm together, after which Silver won the day and took the firearm from Colm. While this was clearly the evidence provided, including by Silver himself (as I recall), it is at significant variance from what was originally presented. The revised or amended evidence critically avoids or obscures any defects that existed with the holster that may have

permitted Silver to remove the firearm directly from the holster without any input or assistance from Colm, as per the original account provided. It is, of course, open to any defendant to adjust, amend or clarify his/her evidence, however, when that amended evidence is combined with ballistics exhibit DO'L 2(a), i.e. Detective Garda Colm Horkan's leather pistol

holster (which was one of the holsters purchased from the equine saddlery in [REDACTED]), not being presented to the GNTB Ballistics & Forensic Investigation Section for forensic Examination and when it is now evident that the non-delivery of the holster was not merely an oversight, but rather a deliberate redirection of the exhibit by Commissioner Drew Harris (or his agents) to an operational/uniformed Chief Superintendent completely unconnected with the area of forensics or ballistics, in order for that Chief Superintendent to arrange an examination of

‘Was there a deliberate effort to conceal the dangerously defective holster?’

Colm's holster in a non-ISO 17025 accredited environment, by an individual without expert status and without the necessary ballistics or forensic qualifications to conduct such an examination and without any input from the lead forensic and ballistic experts in GNTB, it must be asked if there is a deliberate effort/intent by Drew Harris and others to conceal a dangerously defective holster that facilitated the unobstructed removal of Colm's firearm by Stephen Silver, which ultimately resulted in Colm being murdered by his own firearm.

It must also be considered at this juncture that even if the holster was now presented to GNTB (or an equivalent EU forensic laboratory) for examination that GNTB (or alternative ISO 17025 accredited laboratory) could not be certain it was the same holster that was taken from the scene of Colm's murder, given that the continuity of the exhibit was deliberately broken by Drew Harris (or his agents).

directed criminal charges against Stephen Silver.

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

Mr Kelly, Labour's Justice spokesman, has repeatedly raised the issue in the Dáil of the defective Garda holsters in the Dáil. He said he has examined the holsters, which remained in official use until March 2023.

The Tipperary TD said: 'This senior garda officer is very sincere, hard-working, experienced, highly qualified and decent. He is distinguished and is so on top of his area of expertise and responsibility. I understand that to be the sense amongst senior gardaí who have dealt with and worked with him. I've met with him on many occasions after he approached me last year. He has shown me the holsters. When you make comparisons between them and similar issue holsters there is no comparison in quality. It is quite easy to manipulate them as they are of such poor quality. Having raised this issue in the Dáil... many gardaí of all ranks have been in touch with me to say that it was well

‘Well known these holsters were faulty’

known that these holsters were faulty and they refused to use them. Gardaí used to purchase their own holsters rather than use these, which says it all.

'There is no doubt that another garda warned the Commissioner and the Garda authorities that these holsters were faulty and substandard and that if they were left in place that gardaí would be injured and could possibly be murdered.

'There is also no doubt that in two cases where there was potentially an issue with holsters that deliberately there were two different approaches to the follow-up investigations of the firearms and holsters that took place. Why was this? Were those who carried out the investigation qualified to ISO standard? What this garda is alleging is so concerning that the future Garda Commissioner and the current Minister for Justice will have no choice but to launch a full investigation into all facets of his allegations. They are problematic on so many levels. I'll keep raising them in the Dáil until they are investigated.'

A Department of Justice spokesman said: 'Minister [Jim] O'Callaghan is aware of the issues raised in your email. As the issues form part of an investigation by Fiosrú, it would not be appropriate to comment at this time.'

john.lee@mailonsunday.ie

FULL DOSSIER Pages 26-30

The holster, labelled examined by experts

THE second garda whistleblower, whose allegations we publish today, backs up in their entirety the previous revelations printed by the Irish Mail on Sunday regarding the container at Garda HQ which was in effect a secret arms dump – and that Garda management knew well in advance of Det Gda Colm Horkan's death that there were issues with the

standard Garda-issue holster. In the following protected disclosures he alleges that initially the investigation into Det Gda Horkan's murder was told by Stephen Silver that he pulled the gun out of the holster. So at this initial stage at least, the holster was a key piece of evidence, which would, in the normal course of events, be forensically examined.

MURDER SCENE: Gardai at the scene in Castlereagh where Garda Colm Horkan was shot dead in June 2020

DEFECTIVE HOLSTER

IN recent months, Deputy Alan Kelly of Labour raised a number of significant Parliamentary Questions with the Department of Justice regarding the dangerously defective nature of leather pistol holsters (procured from an equine saddlery in [REDACTED]) which were on issue up until 23rd March 2023, at which time it was understood that the Garda Commissioner advised the Minister for Justice that all such leather holsters had been removed and shredded beyond use, even though it has since been shown that this was not the case.

It is now apparent... that following an accidental discharge of an official issue Garda firearm on 11th June 2020, which resulted in life-changing injuries to the member carrying the weapon, that it was discovered by the forensic/ballistic experts attached to the Garda National Technical Bureau that the leather pistol holster on issue to the member was so dangerously defective that the holster could actually engage the trigger and fire the weapon of its own accord, as illustrated in the photograph above. It was further identified by the ballistic experts, who operate under ISO 17025 accreditation that the holster was so poorly designed/made that the firearm could be removed from the holster with the so-called retention strap fully



FOLD: Pictures supplied by the whistleblower show how the leather bunches up to potentially catch the gun's trigger

closed/fastened. This obviously left the gun open to removal by individuals other than the Garda member carrying the firearm. This

serious defect is also illustrated in the photographs above.

This critical health and safety risk later became the subject of a warning notice from the Acting Head of the Garda National Technical Bureau given his very real concerns for the safety of Garda members and the wider public.

Approximately one week after the accidental discharge of the official Garda firearm, on the night of the 17th June 2020, the late Detective Garda Colm Horkan was murdered following an engagement with now convicted murderer Stephen Silver. While there is no doubt that Stephen Silver was ultimately the person who murdered Detective Garda Horkan, it is now known that the late Detective Garda Horkan was wearing one of the defective leather pistol holsters procured from an equine saddlery in [REDACTED] at the time his official Garda firearm was removed from its holster. Given what was known about the leather pistol holster removed from the scene of the accidental discharge on 11th June 2020, the question must be asked as to whether the defective holster was a significant contributing factor in Stephen Silver being able to access Detective Garda Horkan's firearm?

HOLSTER NEVER FORENSICALLY EXAMINED

ON 4th March 2025 when Labour TD Mr Alan Kelly took to his feet in the Dáil he pointedly asked Minister Jim O'Callaghan as to whether the forensic examination undertaken by the Garda National Technical Bureau (as the expert forensic service to An Garda Síochána and GSOC and the only section with qualified ballisticians and firearms experts working within an ISO 17025 environment) showed Colm's [Garda Horkan's] holster to be defective?

This question was quickly followed up by Deputy Kelly with an additional statement which indicated that for reasons unknown to [HIM] and the members of the Garda National Technical Bureau Colm's [Garda]

Horkan's] holster was never presented to GNTB for ballistic examination despite Colm's holster being gathered by GNTB crime scene investigators and despite the holster being bagged and tagged as a ballistic exhibit. Such was the detailed understanding of the circumstances by Deputy Kelly that he was also able to state with confidence that the holster was labelled as "DO'L 2(a)" in case Minister O'Callaghan wanted to enquire from the Garda Commissioner as to why the exhibit was not presented to the appropriate section of An Garda Síochána for examination. Deputy Alan Kelly has confirmed... that despite the significant period of time that has elapsed since his raising

QUESTIONS: Labour Party TD Alan Kelly

these issues before the Dáil, he has yet to receive a response from either the Minister or the Garda Commissioner...

Furthermore, Deputy Kelly enquired of Minister O'Callaghan if perhaps he or a member of his Department should enquire of the Horkan Family if they were made aware by the Garda Commissioner that the holster worn by their son/brother was not examined by the relevant forensic experts within the Garda National Technical Bureau and if they would have liked the holster to be examined in the same manner that the holster from the incident on 11th June 2020 was forensically examined. While Deputy Kelly is aware from media reporting at that time that Minister O'Callaghan had subsequently met with the Horkan family as a direct result of his [Deputy Kelly's] contribution to the Dáil, he has never received a formal response to the questions he raised.

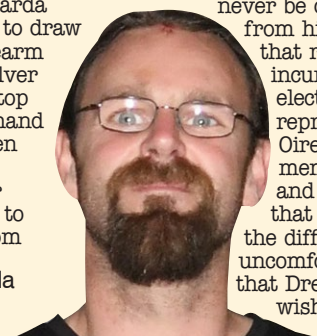
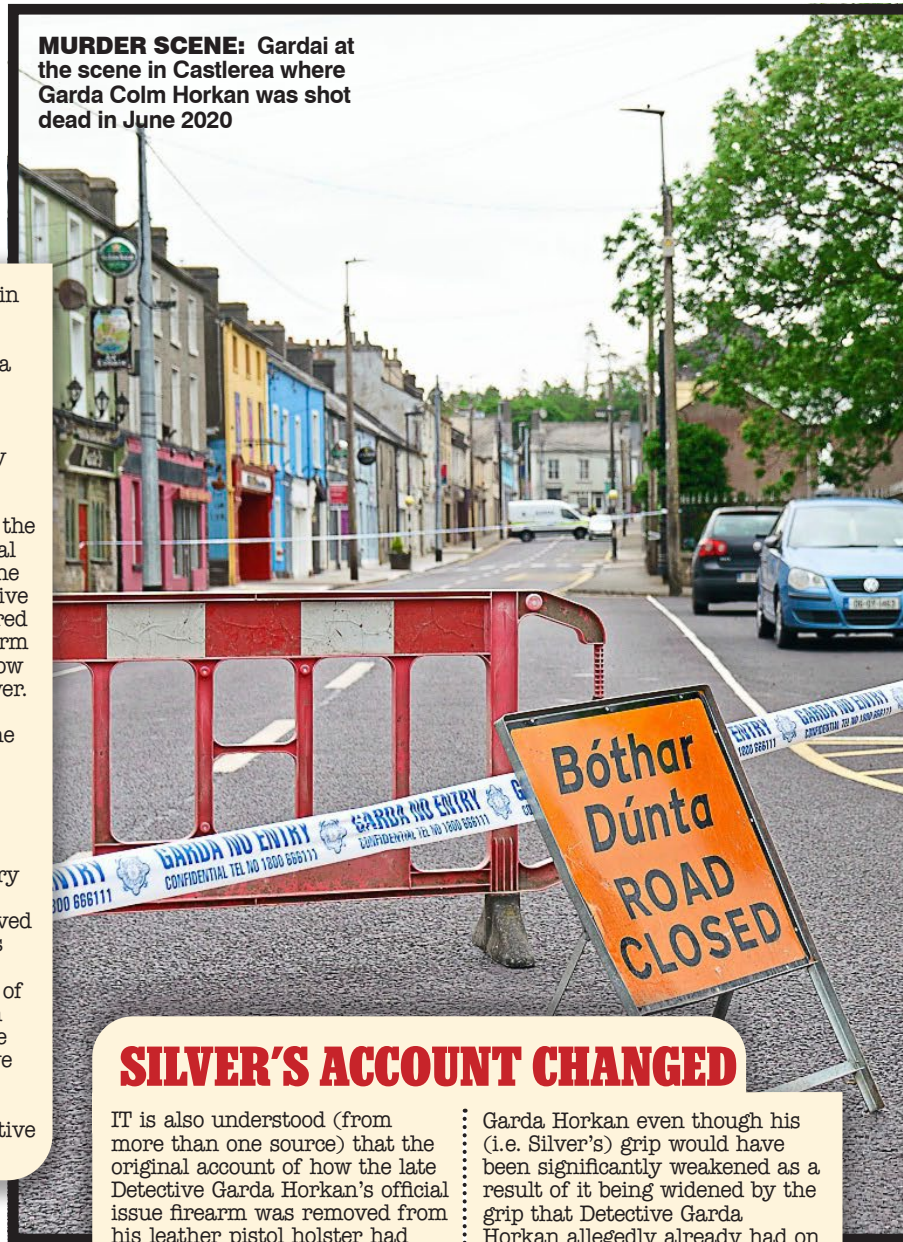
SILVER'S ACCOUNT CHANGED

IT is also understood (from more than one source) that the original account of how the late Detective Garda Horkan's official issue firearm was removed from his leather pistol holster had altered from the time of Stephen Silver's initial arrest. MoS understands that the initial account provided by convicted murderer Stephen Silver was that on seeing Detective Garda Horkan's firearm that he was simply able to reach down (from behind) and remove it from Garda Horkan's official issue leather pistol holster. However, it is understood that in the court reporting later provided by RTE that the narrative had changed somewhat, in that it was now being reported that it was actually Detective Garda Horkan who moved to draw his official issue firearm and that Stephen Silver placed his hand on top of Garda Horkan's hand resulting in both men drawing the pistol together, with Silver somehow managing to take the firearm from

MURDERER: Garda killer Stephen Silver

Garda Horkan even though his (i.e. Silver's) grip would have been significantly weakened as a result of it being widened by the grip that Detective Garda Horkan allegedly already had on the pistol grip of the firearm. Perhaps Silver did indeed alter his narrative, however, when this significant change in statement is considered in conjunction with Drew Harris's direct attempts to exclude the expert ballisticians and forensic experts attaching to GNTB from examining Colm's leather pistol holster under ISO 17025 accreditation standards the question must be asked if there is something more sinister at play. The account of the late Detective Garda Horkan can

never be obtained arising from his murder and in that regard it is incumbent upon elected representatives of the Oireachtas and members of the press and media to provide that voice and to ask the difficult and uncomfortable questions that Drew Harris might wish to avoid.



DO'L 2(a), was never in garda forensics



SECOND HOLSTER EXAMINATION

IN April/May 2021, some ten months after the fatal shooting of the late Detective Garda Colm Horkan and the infliction of life-changing injuries to a member of the Special Detective Unit, Commissioner Drew Harris personally sought for an alternative report to be compiled in respect of the holster. Bizarrely, he considered it prudent for the section that procured and purchased the defective equipment to stand over the serviceability of the equipment.

While that in itself was a cause of alarm to the senior officer concerned, he initially thought it may have been ignorance or a lack of corporate knowledge given Harris's limited experience in the Garda organisation. In an effort to assist Harris's understanding of the role and functions of the Garda National Technical Bureau and the Firearms Stores Section, given that both sections were now under the senior officer's management, the senior Garda officer sought to engage with the Office of Deputy Commissioner, Policing & Security. Despite interventions with that office directions continued to issue in respect of a second report being compiled.

In May 2021, the senior officer made a protected disclosure to then Detective

'ARMS DUMP AT GARDA HQ'

Garda chiefs 'tried to keep it all quiet'



GARDAÍ FEAR FOUR LOST FIREARMS 'IN CRIMINAL HANDS'

COVERAGE: Revelations by the Irish Mail on Sunday

Chief Superintendent Paul Cleary, (now Assistant Commissioner for the Dublin Metropolitan Region) given that (at that time) Cleary carried an additional oversight role in respect of GNTB over and above his appointed role as Chief Superintendent within the Garda National Cyber Crime Bureau (GNCCB), wherein he questioned the appropriateness of a second report being compiled by the Garda

Firearms Stores Section given the clear conflict of interest arising and given that Garda Armourers had no role in the forensic investigation function attaching to a crime and that the provision of any such report would serve to undermine the forensic and ballistic experts who provide evidence on behalf of the Garda organisation and the State at some of the most serious and complex cases.

NON-EXPERT EXAMINATION OF HOLSTER

THE holster taken from the scene of Detective Garda Colm Horkan's murder was never delivered to the GNTB Ballistics & Forensic Investigation for forensic examination, despite it being bagged and tagged as a ballistics exhibit. Some might consider that this was merely an unfortunate oversight that the holster was never sent for examination. However, [GARDA MANAGEMENT] tasked an operational uniformed Chief Superintendent with no forensic or ballistics expertise to conduct an examination of Detective Garda Horkan's holster. The Garda National Technical Bureau (Ballistics & Forensic Investigation Section) was neither advised of this course of action nor asked to participate in any such examination despite the GNTB Ballistics & Forensic Investigation Section being the only section with qualified ballisticians and firearms experts working within an ISO 17025 environment. It is understood that rather than engaging the expert forensic services

of the Garda National Technical Bureau, the Chief Superintendent in question chose instead to ask a firearms trainer to assess the serviceability of the holster and to determine if the holster failed to adequately retain the firearm and prevent it being taken from Garda Horkan. Whatever tests, if any, conducted by this non-ballistics, non-firearms expert and non-forensic expert they could not have been conducted under ISO 17025 accreditation, which as stated earlier in this article, is a legislative requirement in respect of all forensic laboratories. Even if the tests conducted (if there were any conducted) took place in a laboratory of sorts, it would be akin to asking a driving instructor to stand over the mechanics of your engine. This wouldn't be acceptable to any motorist who would want a professional mechanic to stand over the engine. Likewise, the public and, in particular, the Horkan family will not accept a non-ballistics expert telling them that there's nothing to

see. In fact, at this point, how can the public and more importantly the Horkan family be certain that the same holster was even examined... Perhaps in Harris elevating the profile of this lone non-expert... he failed to recognise that the individual in question was previously included on correspondence from the Garda College and Firearms Training Units in both Dublin and Templemore that called out the health and safety risks attaching to the leather pistol holsters procured from the equine saddlery in [REDACTED]. In fact, his own colleagues had produced video footage from live-fire training events, (prior to the murder of the Detective Garda Horkan and the infliction of life changing injuries to another member of the Special Detective Unit), which clearly evidenced the defective nature of the holsters and the dangers they posed. Harris must have missed those crucial points when he endorsed the individual in question to be rolled out by the organisation to create the positive narrative that Harris required.

REPORT DONE WHILE WHISTLEBLOWER ON ANNUAL LEAVE

FROM the information available, it is apparent that the holster in question was returned from GSOC to the Garda organisation in April 2022. However, the holster and other items were not delivered to Firearms Stores Section for the purpose of obtaining the alternative report until August 2022 (some four months later) just as the senior officer/confidential reporter was taking an extended period of annual leave.

The second report, which the senior officer had advised against, was compiled and issued while the officer was on annual leave.

CHIEF: Drew Harris



The alternative report lacks sufficient detail in respect of the holster and ultimately concludes that there was nothing to see and that the holster was serviceable.

This report was undoubtedly the report that Drew Harris wanted and needed. The senior Garda officer who disclosed the dangerously defective nature of the leather pistol holsters stated that what is glaring about the second report is not what is contained in it, but rather what is absent from it. He describes the report as nothing short of a sham designed to deflect from the dangerous reality of the defective holster.

Lives of gardaí, citizens and dignitaries were put at risk because

Mistakes continued to be made despite repeated warnings

ONCE the second Garda whistleblower, who is a senior officer responsible for the Garda National Technical Bureau (GNTB), began to raise concerns about the defective holsters – and instigated a recall of the faulty Garda issue equipment – he claims he was excluded from key decisions despite a lot of them being squarely within his remit, which

officially included the Garda Firearms Stores Section. Here are some of the issues that this alleged approach from Garda management caused, including almost issuing ammunition that had not been properly tested, and initially replacing the defective holster with another one that had to be sent back to manufacturers as the gun could still be removed.

DEFENCE FORCES EXPERT DISMISSED

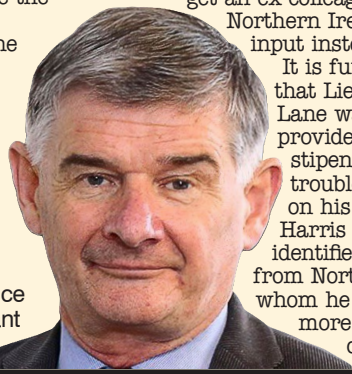
Information has come to light which suggests that in Q2 2021, Garda Commissioner Drew Harris directed that the services of a highly professional and internationally recognised expert in the area of ordnance be dispensed with.

Following extremely concerning disclosures made by a confidential reporter regarding the activities of the Garda Firearms Stores Section, relevant staff, formally appointed by the Garda organisation to manage such disclosures and to support the confidential reporters, sought external independent expert advice from a highly-qualified and internationally-recognised expert and former member of the Irish Defence Forces Ordnance Directorate.

Given the significance and gravity of the disclosures made, a decision was made by the Protected Disclosures Managers to seek external independent advice in determining the accuracy of the level of risk attaching to some of the disclosures made.

Given that many of the concerning disclosures related to firearms and ordnance matters, it was decided to engage the services of a retired ordnance expert in the form of retired Lieutenant Colonel Ray Lane. Having only recently retired from the Irish Defence Forces Ordnance Directorate and given his significant,

REPLACED: Ordnance expert retired Lieutenant Colonel Ray Lane



internationally recognised expertise in the area of ordnance, he was considered by all key relevant stakeholders to be an appropriate choice to provide expert opinion in support of or against the disclosures made. On being approached and recognising the significance of the disclosures made, Lieutenant Colonel Lane was very happy to assist An Garda Síochána and to lend his expertise. On becoming aware of Lieutenant Colonel Lane's engagement, Commissioner Harris summoned the relevant Protected Disclosures Managers – who were very senior and experienced civilian staff members – to his office for a meeting.

There was a certain turbulence to the meeting during which Harris felt it necessary to emphasise his dissatisfaction at a former member of the Irish Defence Forces being engaged to provide expert opinion on the protected disclosures made.

Having shared his views on the participation of Lieutenant Colonel Lane, Harris subsequently directed that Lieutenant Colonel Lane's services be dispensed with immediately, adding that he would get an ex-colleague of his from Northern Ireland to provide input instead.

It is further understood that Lieutenant Colonel Lane was subsequently provided with a small stipend for his troubles and was sent on his way, while Harris personally identified an associate from Northern Ireland whom he obviously felt more comfortable dealing with.

UNTESTED NEW AMMUNITION

In 2021, while serious questions already existed in regard to Commissioner Drew Harris's previous knowledge of the defective leather pistol holsters procured by the Garda Firearms Stores Section from an equine saddlery, he needlessly moved to try and force through the introduction of a new 9mm Expanding Mono-Block (EMB) round of ammunition to appease certain members of the Garda Firearms Stores Section (the section that had previously procured the dangerously defective leather pistol holsters) and their suppliers. It's understood that while there was a long-standing view within the organisation that there was a requirement to replace the current 9mm Full Metal Jacket (FMJ) round on issue to all armed members of An Garda Síochána, the matter of its rushed replacement by an inadequately tested EMB round became a significant focus for Commissioner Harris. From the information available it is evident that the Acting Head of the Garda

National Technical Bureau (GNTB) – the same senior officer who, in July and September 2020 highlighted significant health & safety issues relating to the defective leather pistol holsters procured from an equine saddlery prior to Firearms Stores Section coming under the responsibility of GNTB, was purposefully precluded from the initial discussions that took place regarding the introduction of the 9mm EMB round.

The acting head of the GNTB was concerned as to the adequacy of the testing undertaken by Garda armourers and that no independent testing, in an environment outside of the manufacturer's environment, had been undertaken by the Garda organisation in respect of the ammunition concerned. Out of genuine concern for members of An Garda Síochána, the acting head of GNTB raised his concerns about only one round being tested, with no comparative testing being undertaken with other similar munition products, the

adequacy of the testing undertaken – in particular that the item had not been appropriately tested against the Garda ballistic protection, such as ballistic vests and ballistic helmets – and that the proposed round had not undergone forensic testing to ensure that it could be properly tested by the GNTB Ballistics Section in the event of a shooting involving a Garda firearm.

These were blatant gaps in the testing, which was alleged to have occurred in the presence of the Garda armourers who had travelled to Fiochi in Italy in June 2021, without the knowledge of their senior management.

It is evident that Commissioner Drew Harris recklessly disregarded the concerns of the acting head of GNTB and did not deem it appropriate to engage with him directly to fully understand the senior officer's concerns.

Instead, Harris chose to direct that no comparative testing would be undertaken

with other similar munition rounds, due to an alleged contractual commitment in place, which was highly questionable, while he also (initially) declined for any additional testing to be undertaken by GNTB ballistics experts.

Given the very real concerns of the senior officer concerned in regard to the health and safety of those members of all ranks who are required to carry firearms, and other members who may be present at a time when an armed member is required to deploy their official firearm, he engaged directly with the Chair of the STOC Advisory Group, who had been tasked with implementing the round, subject to human rights considerations. In doing so, the Chair of the STOC Advisory Group supported the voice of the senior officer and he pressed for the additional testing to be undertaken.

This intervention resulted in Commissioner Harris relenting and reluctantly agreeing to the round being

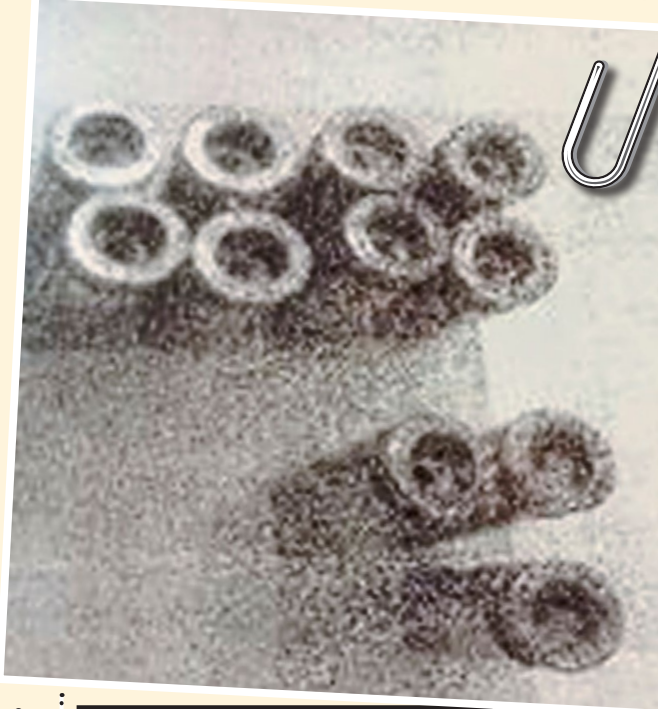
of 'defective' ammunition and holsters, says second whistleblower

DEFECTIVE AMMUNITION

Alan Kelly, the Labour TD, recently corresponded with the Minister for Justice in regard to the purchase of a significant amount of defective .416mm ammunition rounds, which had been previously purchased by the Garda Firearms Stores Section (the same section within An Garda Síochána that purchased the defective leather pistol holsters), circa December 2017, at considerable cost to the State.

The engagement with Minister Jim O'Callaghan arose out of a number of significant concerns, which were recently brought to the attention of Deputy Kelly, namely:

- 1) That Garda members attached to An Garda Síochána's elite Emergency Response Unit (ERU) were likely carrying out their key functions in regard to the security of the State with defective .416mm ammunition in their official Garda firearms that may/would not have functioned, as required.
- 2) Having regard to the defective nature of the ammunition on issue and the key role and function of the ERU, not only were the members of the ERU at risk. Rather, the ERU, other Garda members, members of the public, and the most high-profile visiting dignitaries to the Irish State were being placed at risk in the event that the ERU's official firearms would not have functioned as required.
- 3) That despite a global recall by the Italian manufacturers [Fiocchi], the defective ammunition was not returned, but rather it was needlessly stored in an inadequately secured shipping container in the grounds of Garda Headquarters, which was the focus of previous reporting by the MoS.
- 4) In retaining the defective ammunition in Garda Headquarters since its recall circa 2018, the Firearms Stores Section has solely served to protect the interests of the manufacturer or delivering agent and not the interests of An Garda Síochána or the Irish State.
- 5) While it is understood that the defective ammunition was subsequently replaced by the manufacturer, as would be required of them, the significant costs associated with the shipping and destruction of the defective ammunition, which was originally estimated to be in the region of €1 per round or €500,000 for 500,000 rounds (as per the advice of the Office of the Director of Ordnance) was not met by the



RECALLED: The .416mm ammunition was not fit for purpose. The photos here are supplied by whistleblower

only state with certainty that the defective ammunition had been fully withdrawn in March 2023, some five years later.

7) The defective nature of the ammunition was such that it could have resulted in a misfire, a jamming of the mechanism of the firearms, thus preventing the firearm from firing again or, in a worst case scenario, the dislodged primer from the defective ammunition could have dropped into the mechanism of the firearm, which could have resulted in the weapon

exploding with the Garda member or those in close vicinity to the member being seriously injured or even killed. 8) [IT IS UNDERSTOOD] that the ultimate cost of destroying the defective ammunition may be far less than the €500,000 originally estimated (which had been based on the informed advice of the Director of Ordnance)... It is still understood that a significant bill will still have to be footed by the Exchequer due to the inexplicable actions of the personnel attached to Firearms Stores Section.

While this substantial and unnecessary cost to the State must now be explained by Garda Commissioner Drew Harris, he must also, more importantly, provide a comprehensive explanation regarding the significant risks that Garda members were exposed to, given that their firearms may not have functioned as required and given that the defective primers could have caused their official issue firearms to explode in their hands.

Not only are the Garda members and their representative bodies entitled to an explanation as to how this was allowed to occur, they are also entitled to a personal apology from Commissioner Harris for the danger that he and his Firearms Stores Section personnel placed them in.



manufacturer/agent due to an inexplicable commitment being provided by the Sergeant in charge of the Firearms Stores Section in the form of a 'Declaration of Destruction', which placed the financial burden back on An Garda Síochána and the Irish State. 6) That despite the members of the Firearms Stores Section declaring that all such defective rounds were recalled, that such defective ammunition may still have been in use by Garda members.

A source close to the investigation team tasked with the investigation of Protected Disclosures dating to 2019 believes the investigation team could

tested against the Garda ballistic vest. In March 2022 terminal ballistic comparison tests were performed at the GNTB Ballistics Section. The results of those terminal ballistic comparison tests were as follows:

■ The ballistic vests were repeatedly defeated when the Fiocchi 9x19mm EMB round was tested, with the discharged bullet completely perforating the armour panels

■ Having defeated the armour panels, the discharged bullet was found to have penetrated a soft tissue simulant up to a depth of 265mm (Approximately 10.5 inches). Without any ballistic vest the penetration was up to 310mm (12.5 inches).

■ The test results raised concerns, which, in the view of GNTB ballistics experts and the acting head of the GNTB, required further consideration and debate, in advance of the Garda organisation moving to procure the Fiocchi 9x19mm

EMB round

The test results obtained by expert ballistics attached to the GNTB – which should clearly have been obtained by Commissioner Harris in the first instance, prior to him directing that the organisation move to this new round of ammunition given his statutory obligation to provide a duty of care to his personnel – created a significant dilemma for Harris who was now placed in a situation where, if he introduced the EMB round, he would be required to replace every ballistic vest on issue to the members of An Garda Síochána, both armed and unarmed members. When this significant risk was highlighted to Commissioner Harris, he was forced to rescind his original direction, knowing that he had significantly erred and that the arrogance of his initial actions could have placed members of An Garda Síochána at significant risk.

BALLISTIC VESTS COULD UNLOCK NEW HOLSTERS

While the retention issues identified by the Firearms Training Unit (FTU) members were subsequently resolved by the manufacturer, the absence of comprehensive testing by all relevant stakeholders within An Garda Síochána in advance of Harris choosing a replacement holster resulted in a further defect compatibility issue going undetected. The rush by Harris to exclude others and to make the decision himself resulted in holsters being tested without having regard to compatibility of the holster with other equipment such as the Garda ballistic vests on issue to all members of An Garda Síochána. It is understood that in the first quarter of 2023 the Superintendent in charge of Firearms Training and other specialist operational training in An Garda Síochána, wrote to the Commissioner to highlight a significant health and safety issue with the new holster. In simple terms, when the new King Cobra EVO 5 Polymer Holster (as selected by Harris) was worn in conjunction with the Garda ballistic vest on issue to Garda members and where only the single retention

was engaged on the polymer holster the ballistic vest was literally depressing and releasing the single retention lock, which could lead to the member's firearm being ejected, often without the member even being aware.

The Superintendent in question wrote:

Reference above and email hearunder regarding a fault with the King Cobra Pistol Holder. Supt CSOS reports that a problem exists with the retention of the Firearm when it is only retained in the holster with a single lock. During movement exercises on the range, it has been recognised that member's ballistic vest can push down on the locking mechanism, releasing the

Firearm from the single locking device. This has resulted occasionally, with the firearm being ejected from the holster and falling to the ground with the member unaware that he/she has lost it. It is understood that despite this significant compatibility issue and the very serious risk to life issues arising, that Drew Harris did not move to issue a further warning notice to members of An Garda Síochána, which, if true, can only be viewed as a significant failure on Harris's behalf given the statutory obligations placed on him as an 'employer' under the Health & Safety Act. However, it should also be borne in mind that the risk to life issues extend beyond Garda members given that a member of the public, even a child, could wind up encountering the ejected weapon.

Will it take another death or further life-changing injury for Drew Harris to step up and deal with this significant issue?



GUNS COULD STILL BE PULLED FROM REPLACEMENT HOLSTERS

As Harris moved to identify a replacement holster, the senior manager who had raised his concerns – the same senior officer who had taken over management responsibility for Firearms Stores Section some nine months earlier – was deliberately excluded by Harris from the discussion and decision-making surrounding the replacement holster, despite the officer having management responsibility for this. The senior officer had also sought the inclusion of the Firearms Training Unit (FTU) in any testing of prospective replacement holsters, but that

too was ignored by Commissioner Harris until he had identified a replacement holster of his choosing.

The small-mindedness and unprofessional behaviour of Mr Harris in excluding the senior manager with responsibility and FTU members from the decision-making process resulted in those individuals only being engaged with when the first of the new King Cobra EVO 5 Polymer Holsters (as selected by Mr Harris) were first delivered to An Garda Síochána. Within minutes of handling the holsters, FTU members identified that even with both retention locks

activated on the holster, the member's firearm could literally be pulled out of the holster if someone approached the holster from the side and pulled the weapon towards them rather than in an upward motion. Amazingly this dangerous defect was not identified, in the first instance, by members of Firearms Stores Section, including those engaged as Garda Armourers. This resulted in the new holsters having to be taken back by the manufacturer and replaced with new holsters that would not allow the weapon to be literally pulled from the holster.