

SECURING THE IRISH STATE

1922 – 2022

JOHN O'BRIEN

SECURING THE IRISH STATE

POLICING THE 1920S.....1

PROVISIONAL GOVERNMENT OF THE FREE STATE 1922.....1

FILLING THE VACUUM – DEPARTURE ROYAL IRISH CONSTABULARY ...3

IRISH REPUBLICAN POLICE (IRP).....	4
ORIEL HOUSE CID, PROTECTIVE CORPS, CITIZENS DEFENCE FORCE	5
FOUNDATION OF THE CIVIC GUARD/AN GARDA SÍOCHÁNA (AGS) 1922.....	5
MICHAEL COLLINS AND HIS AGENTS	8
TIMETABLE - NEW FORCE	10
POLICE ORGANISING COMMITTEE	15
RIC FINDING IT HARD TO LEAVE	16
HISTORIC MISCALCULATION.....	17
RECRUITS 1922 PRINCIPAL COUNTIES	19
RDS - INITIAL RECRUITMENT WAS NOT PUBLICLY ADVERTISED.....	19

MUTINY CIVIC GUARD RECRUITS – 15 MAY 1922 22

RIC AND IRA PERSONNEL APPOINTMENTS NOTIFIED MAY 1922	23
COMMISSIONER MICHAEL STAINES, TD (IRA), (10 MARCH) (MAYO).....	23
DEPUTY COMMISSIONER PATRICK WALSH (RIC), (6 APRIL)	23
ASSISTANT COMMISSIONER PATRICK BRENNAN, TD (IRA), (CLARE).....	23
CHIEF SUPERINTENDENT MICHAEL RING (IRA), (MAYO)	23
DEPOT COMMANDANT CHIEF SUPERINTENDENT MATHIAS MCCARTHY (RIC).....	23
BARRACK MASTER CHIEF SUPERINTENDENT MICHAEL MCCORMACK (RIC)	23
ACCOUNTING OFFICER SUPERINTENDENT JEREMIAH MAHER (RIC).....	23
PRIVATE SECRETARY SUPERINTENDENT P. J. HAUGH (IRA)	23
ADJUTANT SUPERINTENDENT JAMES BRENNAN (RIC)	23
ASSISTANT BARRACK MASTER SUPERINTENDENT PATRICK HARTE (EX-RIC).....	23
ASSISTANT ACCOUNTING OFFICER SUPERINTENDENT BERNARD O'CONNOR (RIC)	23
THE TIPPING POINT.....	24
ORDERS OF THE DAY 17 MAY 1922	27
BRENNAN AND LIDDY SUMMONED TO MEET COLLINS 22 MAY 1922	27
9 JUNE STAINES REFUSED PERMISSION TO ENTER KILDARE BARRACKS	28

17 JUNE 1922 KILDARE ARMOURY RAIDED BY RORY O'CONNOR AND DEFECTIONS TO THE EXECUTIVE FORCES..... 29

CONSPIRACY AT NEWBRIDGE	29
REPORT COMMISSION OF INQUIRY – KILDARE MUTINY	31
CIVIC GUARD POSTINGS	35
SERGEANT JOHN NIXON SHAW 1747 JOINED 17 AUGUST 1922	36
JAMES GUNN RIC MEMBER AND AGS INSPECTOR	39
ADVERTISED - NEW RECRUITING OCTOBER 1922	40
COMMISSIONER O'DUFFY 1922.....	40
NEW YORK 1923	41

HISTORIC PARADE 1,400 CIVIC GUARDS THROUGH DUBLIN 20 FEBRUARY 1923	41
CIVIC GUARD CONSECRATED TO THE SACRED HEART GARDA DEPOT PHOENIX PARK 1 APRIL 1923	42
CIVIL WAR.....	43
AFTERMATH OF THE CIVIL WAR – CIVIL POLICING CONTEXT.....	46
POLICY OF SUCCESSIVE GOVERNMENTS TO THE INTERNAL THREAT.	47
EMERGENCY LEGISLATION 1923–1977.....	48
MINISTER O’HIGGINS, APPOINTED 1922 – ASSASSINATED 1927	50
GARDAI MURDERED ON DUTY IN THE FIRST DECADE	51
FIRST MURDER – GARDA HENRY PHELAN 1347 – MULLINAHONE, COUNTY TIPPERARY 14 NOVEMBER 1922.....	52
MURDER SERGEANT JAMES WOODS 2358 – SCARTAGLEN, COUNTY KERRY 3 DECEMBER 1923.....	53
MUTINY ARMY 18 MARCH 1924.....	54
ARMING THE GARDAÍ – ENFORCING THE LAW 1925.....	55
ARMED ELEMENT.....	56
CONCENTRATED ATTACK BY THE IRA - GARDAI MURDERED, 14 NOVEMBER 1926, SERGEANT JAMES FITZSIMONS AND GARDA HUGH WARD.....	58
GENERAL ELECTIONS 1927	60
UNREST IN THE RANKS.....	61
UNREST AGAIN	67
CULT OF PERSONALITY	69
ROME	71
POLICING THE 1930S	73
MURDER SUPERINTENDENT JOHN CURTIN TIPPERARY, 20 MARCH 1931.....	74
IRA JUSTIFIES MURDER.....	78
COMMISSIONER DOUBTS PROSPECT OF SUCCESS IN FINDING THE KILLERS.	79
FUNERAL.....	79
COMPENSATION.....	80
CAT AND MOUSE BATTLE WITH THE IRA	80
GARDA MURDERS 1926 -1932.....	81
WILLIAM (BILLY) ROE IRA TO SPECIAL BRANCH 5 AUGUST 1933	82
PUBLIC ACCEPTANCE.....	84
FIANNA FÁIL IN CONTROL – GENERAL ELECTIONS 1932 AND 1933	86

FIANNA FÁIL TAKES POWER FOR THE FIRST TIME, 3 MARCH 1932	86
FIANNA FÁIL IN GOVERNMENT 24 JANUARY 1933.....	88
COMMISSIONER O'DUFFY FIRED 22 FEBRUARY 1933 COMMISSIONER BROY TAKES OVER	89
BROY HARRIERS OR DEVS HARRIERS?	91
CONTEXT – THE CONTENDING FORCES AUGUST 1933	93
ON 22 AUGUST THE CONSTITUTION (SPECIAL POWERS) TRIBUNAL WAS REINTRODUCED WITH THE SAME MILITARY PERSONNEL AS 1931.....	94
ECONOMIC CONTEXT FOR STREET BATTLES.....	95
MARSH'S YARD 13 AUGUST 1934	96
MINISTER FOR JUSTICE MR. PJ RUTLEDGE:	98
AMAZING CASE OF DEPUTY COMMISSIONER COOGAN 31 JULY 1936 .	99
DE VALERA READ THE SIGNS – IRA NOT HIS ALLY	101
NEW CONSTITUTION AND GENERAL ELECTIONS 1937/1938	102
WAR CLOUDS	103
TACA SÍOCHÁNA 1939 – 1942 AND THE AGEING FORCE	104
DISORDER AND MAYHEM 1931 – 1942	105
POLICING THE WAR YEARS 1939 -1945	106
IRON FIST 1939.....	106
MAGAZINE FORT RAID	108
INTELLIGENCE GATHERING.....	108
MURDERS GARDAÍ 1932 – 1942.....	109
ATTEMPTED MURDERS OF GARDAÍ BY IRA	110
CONSPIRACY TO MURDER GARDAÍ BY THE IRA	110
STATE RECOGNITION AND FAMILY COMPENSATION	111
D/GARDA RICHARD HYLAND, D/SERGEANT PATRICK McKEOWN (MURDERED), D/GARDA MICHAEL BRADY (WOUNDED) 16 AUGUST 1940	113
D/SERGEANT DENIS O'BRIEN (MURDERED) 9 SEPTEMBER 1942.....	114
DETECTIVE GARDA MICHAEL WALSH (MURDERED) AND D/SERGEANT DELANEY (WOUNDED) 1 OCTOBER 1942	118
DETECTIVE GARDA GEORGE MORDAUNT (MURDERED) 24 OCTOBER 1942	119
MONETARY COMPENSATION	121
FORMAL STATE RECOGNITION	122
RETROSPECTIVE ON THE WAR YEARS 1939 –1945	123
THE METRICS – STATE ACTION	125

IRA ACTIONS – METRICS.....	125
IRA CHIEFS OF STAFF	126
CHIEF SUPERINTENDENT SEAN GANTLY KILLED 21 JANUARY 1948	127
GENERAL ELECTION 4 FEBRUARY 1948	130
UNREST IN THE FORCE AGAIN	131
COMMISSIONER’S REPORT 1948	131
GENERAL SEAN MAC EOIN MINISTER FOR JUSTICE	132
MAJOR DE VALERA.....	133
IRA ARMY ORDER NO 8.....	134
POLICING THE 1950S	135
DEMOGRAPHIC TIME BOMB PRIMED 1950S.....	135
POLICING THE 1960S	141
POLITICAL CHANGES & IRA CAMPAIGN 1956–1962.....	141
OPERATION HARVEST 1956–1962	141
DEATH TOLL	144
TIPPING POINT 1961	144
ENTER EAMONN GUNN WITH ARCHBISHOP MCQUAID	146
MINISTERS CHANGE PLACE, COMMISSIONER DEPARTS, DEPARTMENT OF JUSTICE	
REMAINS CONSTANT	148
JACK MARRINAN AND PETER BERRY	149
THE ROAD TO THE CONROY COMMISSION 1968.....	149
POLICING THE 1970S	151
TRUTH WILL OUT – CONROY REPORTS 1970.....	151
THE PERFECT STORM	156
CAPACITY AND INTEGRITY	158
CAN YOU TRUST THE POLITICIANS?	161
FOLLOW THE MONEY	162
ORDER OF DÁIL 1 ST DECEMBER 1970	162
MEETINGS OF THE COMMITTEE	163
WITNESSES	163
THE MONEY TRAIL	163
SUPREME COURT.....	165
CRIMINAL TRIALS.....	166
THE PRINCIPAL ACTORS - ARREST, TRIAL AND ACQUITTAL	166
PETER BERRY	168
MURDER GARDA RICHARD FALLON 3 APRIL 1970 - ROBBERIES.....	170

ARMED ROBBERIES	172
WHAT THE GARDAÍ KNEW	173
OPEN QUESTIONS AND FEW ANSWERS.....	175
WHEN THE DUST SETTLED.....	177
BURNING BRITISH EMBASSY 2 FEBRUARY 1972	178
FOURTEEN INNOCENT DEAD IN DERRY	180
ATTACKS ON GARDA STATIONS AND HUNGER STRIKE.....	182
OPPOSITION POLITICIANS VACILLATE – GOVERNMENT DEPUTIES WAVER DECEMBER 1972 – BOMBS EXPLODE.....	183
BOMBING ATTACKS IN THE SOUTH	186
CHANGING POLITICAL MINDS - CAR BOMBS – DECEMBER 1, 1972....	187
CAR BOMB AND THE ALL-BLACKS DUBLIN 20 JANUARY 1973	189
BRITISH SPIES AND GARDA COLLUDER 1972-1973.....	190
DUBLIN & MONAGHAN BOMBINGS FRIDAY 17 MAY 1974	193
THE BOMBING ATTACKS	194
WHAT DID THE DUBLIN GOVERNMENT DO?	195
THE BRITISH GOVERNMENT ADMITS.....	195
LOYALISTS COULD NOT HAVE ACTED WITHOUT ASSISTANCE.....	197
FRANK KITSON.....	198
LOYALTY AND THE MINISTER 1972 -1977.....	199
ADVERSARIAL CULTURE.....	202
MEETING MINISTERS COONEY, COLLINS, AND COMMISSIONER GARVEY	206
MEETING COMMISSIONER GARVEY	208
COMMISSIONER FIRED & COMMISSIONER HIRED JANUARY 1978	210
ASSASSINATING AMBASSADOR, MURDERING GARDA - 1976	211
ARMED ROBBERY TRENDS.....	214
KEEPING THE PROVISIONAL IRA (PIRA) IN JAIL 1972 - 1988.....	215
18 MAY 1972 - RIOT MOUNTJOY PRISON	215
26 NOVEMBER 1972 – ARMED RESCUE MACSTÍÓPHÁIN, MATER HOSPITAL	216
31 OCTOBER 1973 – HELICOPTER ESCAPE MOUNTJOY PRISON.....	217
18 AUGUST 1974 – NINETEEN PRISONERS ESCAPED PORTLAOISE.....	219
17 MARCH 1975 – BATTERING RAM ESCAPE ATTEMPT	221
16 OCTOBER 1976 – MURDER GARDA MICHAEL CLERKIN	224
15 JULY 1976 – SPECIAL CRIMINAL COURT ESCAPE.....	224
21 JULY 1976 – BRITISH AMBASSADOR MURDERED	224
25 MARCH 1983 CHIEF PRISON OFFICER BRIAN STACK SHOT	225
24 NOVEMBER 1985 – FOILED AT THE LAST GATE.....	226
18 MAY 1988 PATRICK McVEIGH PORTLAOISE.....	227
20 JULY 1988 TOMMY McMAHON HIGH COURT ESCAPE BID	227

ESCAPES UNAIDED?	228
POLICING THE 1980S – MURDER, CONFUSION AND DYSFUNCTION..	229
CONTINUOUS CHURNING OF KEY FIGURES – POLITICAL AND GARDA	230
EIGHT GARDA MURDER VICTIMS.....	232
JACK MARRINAN’S INFLUENCE.....	233
H BLOCK PROTESTS – 1981 – PROVOS BITE IN THE SOUTH.....	237
HAUGHEY AND THATCHER	238
GPO – BOBBY SANDS PROTEST – 5 MAY 1981.....	239
UBIQUITOUS BLACK FLAGS.....	240
GENERAL ELECTION JUNE 1981	242
18 JULY 1981 BRITISH EMBASSY RIOT	244
PROPAGANDA.....	247
COMMISSIONER’S CRIME REPORT 1981.....	249
D/GARDA JOHN MORLEY AND GARDA HENRY BYRNE 7 JULY 1980.....	250
PETER PRINGLE.....	252
COMMISSIONERS TUMBLE AGAIN 1983.....	255
THE DOWRA AFFAIR	256
THE WALL.....	257
SERGEANT TOM TULLY	257
PHONE TAPPING.....	258
PROVIDING A TAPE RECORDER AND TRANSCRIPTION OF A RECORDING BETWEEN MINISTERS	258
FLYING TOO CLOSE TO THE SUN	258
1983 MURDERS AND KIDNAPPING.....	261
H BLOCK ESCAPEES	261
DESSIE O’HARE’S KIDNAPPING OF JOHN O’GRADY 1987	265
1989 MURDERS OF SENIOR RUC OFFICERS	273
DRAMATIS PERSONAE	273
INDISPUTABLE FACTS	274
CRITICAL FACTS	275
SECURING THE STATE – INTERNATIONAL DIMENSION.....	279
POLICING THE 1990S	281
DUNDALK.....	281
STRATEGY.....	282
COMMUNITY CONNECTION	283
SECURITY MISSION	284
OPERATION MOONSHINE.....	287
PROVISIONAL IRA BUNKER ATHBOY.....	288

THE ARSENAL INCLUDED	288
SERENDIPITY – WIDOW SCALLAN’S – 1994	290
NEW MINISTER – COMMISSIONER UNIMPRESSED.....	291
CEASE FIRES AUGUST 1994, JULY 1997	292
NEW MINISTER, NORA OWEN FINE GAE (DECEMBER 1994 – JUNE 1997)	293
DETECTIVE GARDA JERRY McCABE AND DETECTIVE GARDA BEN O’SULLIVAN	294
MURDER, MANSLAUGHTER, AND INTIMIDATION	296
MURDER VERONICA GUERIN, CAB, WITNESS PROTECTION, 1996	300
NEW COMMISSIONER – THE BYRNE YEARS	306
PUBLIC RELATIONS	307
FULL AGENDA	309
THE HONEYMOON	310
PEACE DIVIDEND – OPERATION LIFESAVER	310
DARK CLOUDS	311
SERGEANT ANDY CALLANAN 21 JULY 1999	312
POLICING THE 2000S DECOMMISSIONING AND LEGACY	313
SUBVERSIVE THREAT RECEDES	314
INDEPENDENT INTERNATIONAL COMMISSION ON DECOMMISSIONING (IICD)	316
INDEPENDENT MONITORING COMMISSION	316
INDEPENDENT REPORTING COMMISSION (IRC)	317
DEFINITION OF STATE SECURITY – GARDA SÍOCHÁNA ACT 2005	317
THE CHALLENGE OF CHANGE	318
ACCEPTABLE POLICE FORCE	319
INDEPENDENT COMMISSION ON POLICING FOR NORTHERN IRELAND 1998.....	319
LEGACY ISSUES.....	320
CUSTODY OF THE PROTECTED INFORMATION	321
TRIBUNALS AND COMMISSIONS – WHAT’S THE POINT?	321
SMITHWICK TRIBUNAL - COLLUSION CONUNDRUM.....	323
SMITHWICK TRIBUNAL - APPOINTED 2005/REPORTED 2013 (KEY DEVELOPMENTS).....	326
FINDINGS	327
JURISDICTION PROBLEM.....	327
THE CENTRAL HYPOTHESIS.....	328
TRIBUNAL TARGETS UNFULFILLED.....	328
FRUIT OF THE POISONED TREE	330
OPINION OF ONE-MAN (JUDGE SMITHWICK)	330
EXTRACTS FROM THE SMITHWICK TRIBUNAL HEARING WITH KEY WITNESSES.....	330
OPERATION KENOVA TANGENTIAL TO THE SMITHWICK TRIBUNAL	334

CONFLICT OF INTEREST?	337
JON BOUTCHER (OPKENOVA.CO.UK)	338
BIZARRE INVOLVEMENT IN THE TOM OLIVER MURDER INVESTIGATION	341
DRAFT PROTOCOL ON THE PUBLICATION OF PUBLIC REPORTS	344
REVICTIMIZING THE VICTIMS	345
POLICE OMBUDSMAN NORTHERN IRELAND RIC HANDLING OF LOYALIST PARAMILITARY MURDERS	345
OMAGH BOMBING 15 AUGUST 1998 - LEGACY ISSUES IN THE SOUTH	347
IMMEDIATE CONSEQUENCES	348
BACKGROUND	349
EXTRAORDINARY ADMISSION	351
REQUEST TO INCLUDE ODD JOB IN THE WITNESS SECURITY PROGRAMME	352
DAVID RUPERT	354
ATTEMPTS TO PENETRATE THE WITNESS SECURITY PROGRAMME	355
MORRIS TRIBUNAL – EXAMPLE OF DELAY	356
CARTY REPORT	359
WIDER PERSPECTIVE TO POLICING	360
COMPLEX ORGANISATION 2005	364
REPORT OF THE COMMISSIONER 2005 TO THE MINISTER	364
1. STRATEGIC GOAL ONE - NATIONAL/INTERNATIONAL SECURITY -EXAMPLES....	367
2. STRATEGIC GOAL TWO – CRIME	367
3. STRATEGIC GOAL THREE – TRAFFIC/ROAD SAFETY	369
4. STRATEGIC GOAL FOUR – PUBLIC SAFETY	370
5. STRATEGIC GOAL FIVE – PUBLIC CONFIDENCE	370
6. STRATEGIC GOAL SIX – ETHNIC AND CULTURAL DIVERSITY.....	371
GSOC REPORT AND SERGEANT MAURICE MCCABE	374
A DECADE OF CONFUSION.....	376
POLITICAL CURRENCY	378
HOUSE OF CARDS 2014.....	379
ALMOST UNKNOWN RECORDINGS.....	380
CALLINAN LOSING THE BATTLE.....	380
APPOINTMENT OF THE COMMISSION OF INVESTIGATION – JUDGE NIAL FENNELLY	381
NEW MINISTER AND NEW COMMISSIONER	382
POLICING AUTHORITY.....	383
UNREST IN THE RANKS.....	385
MEMBERS KILLED ON DUTY	386
DETECTIVE GARDA ADRIAN DONOHUE KILLED ON 25 JANUARY 2013.....	386

GARDA TONY GOLDEN KILLED ON 11 OCTOBER 2015	386
DETECTIVE GARDA COLM HORKAN KILLED ON 17 JUNE 2020.....	387
THE EMERGING ALTERNATE THREAT TO STATE SECURITY.....	388
INTERNATIONAL COOPERATION	390
PARADOX	392
THE NEXT BIG IDEA – COMMISSION ON THE FUTURE OF POLICING..	392
APPOINTMENT OF A NEW COMMISSIONER.....	393
POLICING (OPERATING) MODEL.....	394
COVID	394
EPILOGUE CAPTURING OUR HISTORY	396