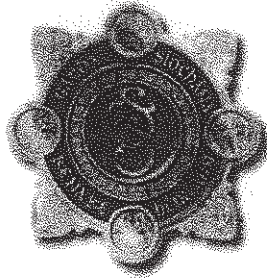


# An Garda Síochána

An Leas-Choimisinéara  
Póilíneachta & Slándála  
An Garda Síochána  
Ceanncheathrú na nGardaí  
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Deputy Commissioner  
Policing & Security  
An Garda Síochána  
Garda Headquarters  
Phoenix Park  
Dublin 8  
D08 HN3X

*Luaigh an uimhir thagartha seo a leanas, le do thoil : / Please quote the following Ref. No. :*

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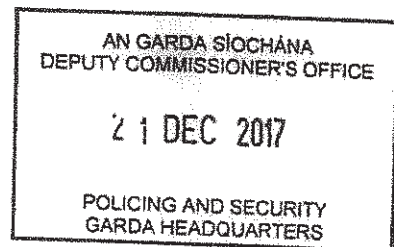


Láithreán Gréasain/Web Site:  
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**SECRET**

OPS\_55-391859/15

Mr. Peter Mullan  
Assistant Secretary  
Department of Justice and Equality  
51 St. Stephen's Green  
Dublin 2  
D02 HK52



**Re: Correspondence regarding the fatal shooting of Garda Anthony Golden at Omeath, Co. Meath on 11<sup>th</sup> October 2015.**

I refer to the above...

Previous correspondence, resting with minute from your office, dated 29<sup>th</sup> November 2017, also has reference.

As you are aware, Assistant Commissioner John O' Driscoll was appointed to conduct a Review of certain matters raised in the correspondence from Deputy Gerry Adams TD, in particular any interactions which took place between An Garda Síochána and Ms. Siobhan Philips and any other persons, regarding Ms. Philips relationship with Adrian Crevan Mackin, in advance of the event which led to the murder of Garda Anthony Golden, at Omeath, Co. Louth, on 11<sup>th</sup> October 2015.

Other issues relating to Adrian Crevan Mackin and, in particular, relating to his alleged subversive related activity, and his interaction with members of An Garda Síochána, are addressed later in this Report, following a separate Review by Assistant Commissioner Eugene Corcoran.

This was a complex and sensitive review, which has taken a considerable period of time to conclude. In summary, the review, conducted by Assistant Commissioner John O' Driscoll, has established that there were two (2) specific incidents that could be classified as complaints to An Garda Síochána, of domestic abuse and violence, alleged to have been committed by Adrian Crevan Mackin against his partner Siobhan Philips. These two incidents

occurred on 6<sup>th</sup> September 2015 and 10<sup>th</sup> October 2015, and each incident is dealt with separately hereunder.

#### *Incident on 6<sup>th</sup> September 2015*

It is advised that on 6<sup>th</sup> September 2015, Mr. Seán Philips, father of Siobhan Philips, became aware via [REDACTED] that Siobhan had confided [REDACTED] that she had been the victim of domestic violence, and alleged that Adrian Crevan Mackin had pushed her a number of weeks previously. On becoming aware of this, on 6<sup>th</sup> September 2015, it is advised that Seán Philips reported his concerns for his daughter's safety to a member of An Garda Síochána at Carlingford Garda Station.

It is advised that this member of An Garda Síochána travelled to Ms. Philips' residence and spoke with her regarding her father's concerns for her safety, but that Siobhan Philips declined to make a complaint, stating that she was not in fear; declined to confirm that any offence had occurred; and claimed [REDACTED]. It is advised that Ms. Philips signed the member of An Garda Síochána's official notebook, confirming that she did not wish that further action would be taken. It is advised that the member of An Garda Síochána advised Siobhan Philips regarding Court Orders which she could seek, to protect her from violence or abuse in her relationship, and later recorded the incident on the Pulse System as an 'Attention and Complaints' Incident.

It is advised that statements taken from Siobhan Philips and other members of the Philips family reveal that the first occasion on which the existence of an abusive domestic relationship involving Adrian Crevan Mackin's treatment of Siobhan Philips was reported to An Garda Síochána, occurred when Seán Philips visited Carlingford Garda Station on 6<sup>th</sup> September 2015. It is advised that the review concluded that this Pulse incident should have been recorded within the category of incidents described as 'DVSA – no offence disclosed', and not 'Attention and Complaints' as was the case. (Note DVSA is Domestic Violence – Sexual Assault).

#### *Incident on 10<sup>th</sup> October 2015*

It is advised that on 10<sup>th</sup> October 2015, Siobhan Philips informed a family member that she had been assaulted by Adrian Crevan Mackin, and as a result of this, attended Dundalk Garda Station accompanied by Seán Philips and his wife Norma Philips, as Siobhan indicated that she was willing to report the incident to Gardai. It is advised that both Seán and Norma Philips interacted with a member of An Garda Síochána at Dundalk Garda Station who took the report of the incident and, on observing the injuries to Siobhan Philips, and having been informed by her that she was suffering from a pain in her head and felt dizzy, advised her that her main priority should be to obtain medical attention, as well as advising her to not return to 16 Mullach Alainn, Omeath, Co. Louth.

It is advised that this member of An Garda Síochána explained the various Court Orders to Siobhan Philips, advising her to obtain an interim barring order in Northern Ireland, and to report the matter to the Police Service of Northern Ireland (PSNI), as her parents resided in Northern Ireland. It is advised that this member of An Garda Síochána also informed Siobhan Philips that he would liaise with the Gardai in Omeath, inform them of relevant matters, and that once she had been given the all clear at the Hospital, a statement would be taken from her by An Garda Síochána.

It is advised that this member of An Garda Síochána in question subsequently contacted Garda Anthony Golden on his personal mobile phone, and it is advised that Garda Golden told him to record the matter as an Attention and Complaints incident on the Pulse System; that he had previous dealings with both parties; that Siobhan Philips had declined to make a statement on a previous occasion; and that in the event that she would do so on this occasion, the matter could be reclassified on the Pulse System.

It is advised that this member of An Garda Síochána then recorded the incident on the Pulse System as an 'Attention and Complaints' incident, with details of the initial actions contained in the narrative. It is advised that Siobhan Philips then travelled with her family members to Daisy Hill Hospital, Newry, Co. Down, where she was treated for her injuries, and where, following a report from Hospital staff, a PSNI Officer attended and took a statement from, and photographs of the injuries to, Siobhan Philips, advising her to return to Omeath for the purpose of having a statement taken by An Garda Síochána.

It is advised that Siobhan Philips left Daisy Hill Hospital at approximately 23:30 hrs and travelled to Omeath Garda Station, which was closed, but that they encountered a Garda patrol car a short distance away, which was occupied by two (2) other members of An Garda Síochána, who explained that they were covering the Carlingford area throughout the night and, therefore, were not in a position to take a statement. It is advised that the members did however provide a contact telephone number for Garda Golden, who, they explained, would be in Omeath at about 16:00 hrs the next day to take the statement. It is advised that Seán Philips states that the members assured him that they would patrol around the place of residence of his relations up to 04:00hrs when they would complete their tour of duty.

It is advised that Mrs. Norma Philips recalls the members indicating that they were aware of the incident, and that following discussion with Garda Golden, they intended to patrol the areas where Siobhan's brothers reside throughout the night, as well as advising that they visited Adrian Crevan Mackin's home twice, but that it appeared that he was not there.

It is advised that at approximately 16:00 hrs on 11<sup>th</sup> October 2015, Seán Philips travelled to Omeath Garda Station, with both Siobhan and Norma Philips, where they subsequently met with Garda Golden who took a statement from Siobhan Philips.

It is after this that Garda Golden then travelled, alone, in an official patrol car, to 16 Mullach Álainn, Omeath, Co. Louth, behind Seán and Siobhan Philips, travelling separately, arriving at the house at approximately 18:00 hrs. The tragic events that followed led to the murder of Garda Anthony Golden and attempted murder of Siobhan Philips.

### *Review Findings & Recommendations*

It is important to note the review has identified Garda Golden as an exemplary member of An Garda Síochána; that his actions were beyond reproach; and that his approach to dealing with issues presented to him was professional and community focussed.

It appears the first occasion when An Garda Síochána could reasonably be expected to have intervened regarding the domestic abuse, including physical violence, which Siobhan Phillips experienced, was when Seán Philips reported his concerns to a member of An Garda Síochána at Carlingford Garda Station on 6<sup>th</sup> September 2015. In respect of the manner in which this incident was dealt with by An Garda Síochána, the Review concludes that, rather than being categorised as an 'Attention and Complaints' issue, it should, more properly, have been recorded within a category of incidents described as 'DVSA – no offence disclosed'.

In respect of the manner in which the 10<sup>th</sup> October 2015 incident was dealt with by An Garda Síochána, the Review concludes that this incident had also been incorrectly classified as an 'Attention and Complaints' incident. However, it is reported that Siobhan Philips attended the Garda Station and advised the member of An Garda Síochána that she had been physically assaulted, and having observed her visible injuries, he advised her to obtain medical attention. It is clear the member had sufficient information in his possession at the time to ensure that the matter was recorded correctly as a crime incident, in accordance with Crime Counting Rules, as outlined in Garda HQ Directive 139/2003.

It is advised that from reviewing the available material, it is evident that the member of An Garda Síochána did not deal with the initial report to him at Dundalk Garda Station, strictly in

accordance with policy, as there was an obligation on him to record a complaint from Siobhan Philips, upon her attendance at Dundalk Garda Station on 10<sup>th</sup> October 2015. It is advised that Seán Philips was not satisfied with this course of action at the time.

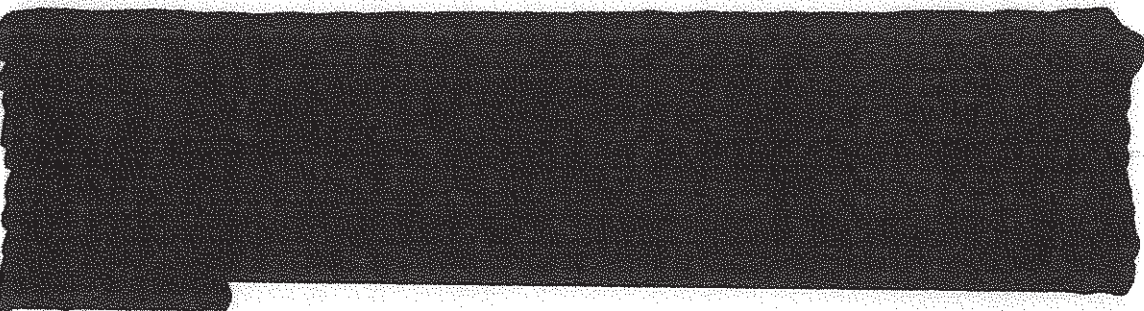
In respect of the two (2) members of An Garda Síochána who had an encounter with the Philips family as they passed by Omeath Garda Station on the night of 10<sup>th</sup> October 2015, the Review finds that, although no statement of complaint was taken from Ms. Philips by either member, arrangements were made with Garda Golden, while at the scene, to have Ms. Philips statement taken the following day.

While it is accepted that the two (2) relevant incidents were not recorded on the Pulse System in a manner that would comply with relevant Policy and HQ instructions, the review by Assistant Commissioner O' Driscoll notes nonetheless, in respect of both incidents, that significant actions were taken by the relevant members of An Garda Síochána for the purpose of addressing the issues subject of the complaints. It is further advised that, even if a more appropriate Pulse record had been created in respect of the two (2) incidents, it is unlikely that Garda Golden would have taken a course of action other than bringing Siobhan Philips to her place of residence on 10<sup>th</sup> October 2015, for the purpose of collecting her personal belongings.

In this regard, it is relevant that when Garda Golden entered the premises at 16 Mullach Aláinn, Omeath, Co. Louth, immediately prior to being murdered, he had interviewed Ms. Philips and had taken a detailed statement from her, in which he was provided with detailed information regarding the relationship between Siobhan Philips and Crevan Mackin.

It is advised that Adrian Crevan Mackin's involvement in terrorist activity was known to the law enforcement authorities in this jurisdiction and Northern Ireland. A Criminal Intelligence Bulletin which had issued in January 2015 by the Criminal Intelligence Office at the Special Detective Unit (SDU), detailing the arrest and charge of Adrian Crevan Mackin in January 2015, including bail conditions, had been circulated to the Criminal Intelligence Officer at Drogheda Garda Station. However this bulletin was not disseminated any further for the information of the general membership.

In light of the entire circumstances of this tragic series of events, and in view of the findings of Assistant Commissioner O' Driscoll's review, An Garda Síochána is not considering the initiation of any disciplinary proceedings in respect of the actions of the members of An Garda Síochána referenced in the review. An Garda Síochána has implemented a number of developments in respect of how it supports victims of domestic abuse, including the publication in April 2017 of the *Revised Policy of the Garda Síochána on Domestic Abuse Intervention*.



It is important at this juncture to highlight a number of recent significant developments, designed to improve the manner in which An Garda Síochána deals with victims of domestic abuse, including the establishment of the GNPSB, the rollout of Divisional Protective Service Units (DPSUs), and the launch in April 2017 of the *Revised Policy of the Garda Síochána on Domestic Abuse Intervention*. The Policy incorporates changes in legislation, developments arising from the Cosc National Strategies on the prevention of Domestic, Sexual and Gender-

based Violence, and to comply with the Istanbul Convention and the EU Victims Directive (2012/29/EU).

Reflective of the increased focus being afforded by An Garda Síochána to vulnerable victims of crimes against the person, including where the incidents of criminality occur in a domestic setting, a decision has been made to review policy relating to the area of domestic abuse every two (2) years. At paragraph 2.9 of the Policy document, provision is made for a scenario where an investigating Garda has reasonable cause to suspect that an offence has been committed and a power of arrest exists. In such circumstances, the member is required to utilise an available power of arrest, even if no order is in existence. The victim's approach to the issue is not to be the determining factor in respect of the exercise of such a power. This particular aspect of the new Policy significantly strengthens the response of An Garda Síochána in domestic abuse incidents.

The establishment of DPSUs in An Garda Síochána is also a major development, with three (3) DPSUs already operational in the Cork City Division, the Dublin Metropolitan Region West Division, and the Louth Division, with an additional four (4) DPSUs expected to be operational by the end of 2018. It is planned to establish DPSUs in each of the twenty-eight (28) Garda Divisions.

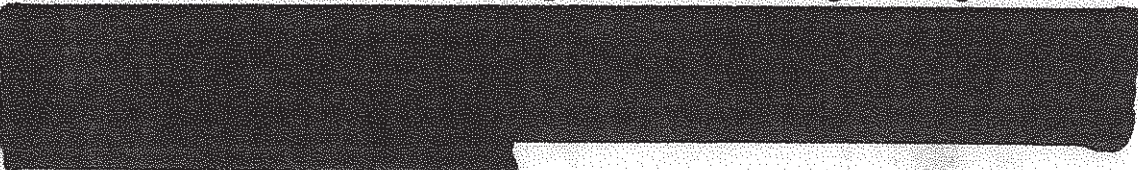
In addition, in April 2017, the Garda Information Services Centre (GISC) commenced classification of PULSE incidents for the Northern Region, as part of a Pilot Programme on improvement of PULSE Data Quality. Personnel attached to GISC, Data Quality Section, oversee the classification of PULSE incidents and maintain quality checks on incidents created, and carry out ongoing assessments of the quality of incident classification. This Pilot was extended to the Western Region in November 2017, and it is intended to roll out this process nationally throughout 2018.

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*Separate Review conducted by Assistant Commissioner Eugene Corcoran*

It is advised that Assistant Commissioner Corcoran, was tasked with conducting a separate Review into the interaction of Adrian Crevan Mackin with members of An Garda Síochána, and his alleged subversive activity.

Assistant Commissioner Corcoran has reviewed the documentation made available to him in respect of the contacts between Adrian Crevan Mackin and An Garda Síochána prior to the tragic events of 11<sup>th</sup> October 2015, including documentation relating to intelligence matters



Assistant Commissioner Corcoran has also reviewed the documentation made available to him in relation to the subsequent prosecution of Mr. Mackin under the Offences Against the State Act, 1939/98, as amended, including the book of evidence, and is satisfied that all material has been furnished to GSOC to enable a full review of all matters forming part of the investigations in question.

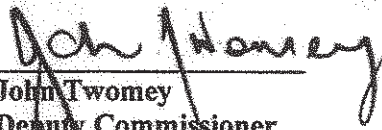
*Status of the Investigation into the Murder of Garda Golden and Attempted Murder of Siobhan Philips*

It is advised that a full criminal investigation into the murder of Garda Golden and the attempted murder of Siobhan Philips was conducted at Dundalk Garda Station, under the strategic direction of Assistant Commissioner, Northern Region. A comprehensive Investigation File, including a statement of Ms. Siobhan Philips, was prepared by the Investigation Team at and forwarded to the Office of the Director of Public Prosecutions

(DPP) on 10<sup>th</sup> May 2017. Directions from the DPP that there was to be no prosecution in the matter were received on 13<sup>th</sup> June 2017. A separate Investigation File is also being prepared for the Coroner in respect of the death of Garda Golden.

As you will also be aware, these matters are also subject of investigation by GSOC following complaints by [REDACTED] and following representations by Deputy Adams, an investigation pursuant to Section 102(4) of the Garda Síochána Act, 2005, which it is understood is being investigation pursuant to Section 98 of the Garda Síochána Act, 2005 (suspected of criminality).

An Garda Síochána awaits the outcome of the investigations being conducted by GSOC into these matters, and it is advised that all materials sought by GSOC have been fully complied with, save for records held at Security & Intelligence Section, which are being dealt with under the relevant protocols governing sensitive material.

  
John Twomey  
Deputy Commissioner  
21 December, 2017