

## RESEARCH QUESTIONS FOR

██████████ is the Barrister based at the Irish Law Library who had originally been engaged by ██████████ Solicitor of ██████████ in late 2023 to represent ██████████ as a GDPR Expert, as he was described by ██████████

Without ever meeting with ██████████ or consulting on the case, ██████████ BL then represented ██████████ in ██████████ Motion to Come Off Record, appearing in the High Court on 11 March 2024 and again on 17 June 2024, before Mr Justice Paul Coffey.

It is not clear whether ██████████ BL appeared in the High Court having taken instructions directly from ██████████ or from ██████████, a Legal Manager employed by a different law firm entitled, ██████████.

In recent years we have been researching banking and other frauds in Ireland in preparation for an upcoming documentary. Having interviewed ██████████ extensively and reviewing her paperwork, we have certain questions for you and as a courtesy, we wish to afford you the right of reply. We would be grateful if your response could be forwarded by 27 February 2025 or within two weeks of the date of receipt.

If you wish to be interviewed on camera, that request will be considered by the production company. We confirm that these questions will be shared on a website supporting the documentary film and may or may not be addressed during the making of the film.

### General Questions

It is our understanding that you were engaged by ██████████ of ██████████, Solicitors to represent ██████████ in or around October/November 2023.

1. Please confirm that our understanding is correct and please confirm the date on which you understood that you had been engaged.

No doubt ██████████ informed you following her consultations with ██████████ about the various Bank frauds that had been concealed with the assistance of a wholly inadequate Banking Inquiry and facilitated by several bank executives that had provided false testimony to the Joint Committee of Inquiry into the Banking Crisis as well as to the Stormont hearings held in 2010.

Presumably ██████████ also communicated with you that the Bank frauds in question have resulted in thousands of suicides in Northern Ireland alone up until 2014 but without the number of suicides tracked correctly in the South. ██████████ had outlined to ██████████ and ██████████ SC the detail associated with the Ulster Bank frauds during her consultation and how the frauds had been committed by the Bank executives and expects ██████████ ██████████ would have advised you of this in advance of engaging you to work on ██████████ case.

2. Is this correct and do you have any further comment?

3. Do you have any conflict of interest to declare that was previously not declared at the time [REDACTED] engaged you to represent [REDACTED]
4. Considering that [REDACTED] had instructed [REDACTED] to challenge the [REDACTED] Report under the GDPR, [REDACTED] has confirmed that [REDACTED] referred to you as a “GDPR Expert”. Please confirm that this is correct.
5. Please confirm the length of experience that you have had with the GDPR.
6. How many cases have you run in which the GDPR featured or was a consideration to warrant [REDACTED] designating you as a “GDPR Expert”?
7. [REDACTED] conveyed to [REDACTED] that you were “*honoured and privileged*” to work on such a significant case. Please confirm that this is correct.
8. Were you in fact “*honoured and privileged*” to be selected by [REDACTED] to work on this case? Why?
9. Did you and [REDACTED] ever consult in person in regard to [REDACTED] GDPR case, with a view to rectifying the fabricated [REDACTED] Report?
10. If so, when did that consultation take place and would you be willing to say what transpired?
11. Turning to [REDACTED] desire to come off record, on what precise date did you first learn about her wish to come off record?
12. Why do you believe that [REDACTED] sought to come off record? Note, we have been advised that [REDACTED] was leaned upon by an individual representing the State to come off record? Is that correct?
13. In any event, did [REDACTED] explain to you and [REDACTED] SC why she wished to come off record and did you agree or disagree with her reasoning?
14. The Motion to Come off Record was scheduled for 11 March 2024 and [REDACTED] became aware that [REDACTED] had included contrived reasons in her Affidavit to come off record which she has succinctly explained to us. [REDACTED] drafted a Replying Affidavit that she then sought to file. The staff at the High Court Central Office instructed [REDACTED] to send to [REDACTED] and request her to file the Replying Affidavit as [REDACTED] remained on record for [REDACTED]. [REDACTED] sent the Replying Affidavit to [REDACTED], yet [REDACTED] abruptly returned it by a courier to [REDACTED] home address. Do you know on what basis [REDACTED] refused to file [REDACTED] Replying Affidavit?
15. Were you part of a strategy discussion with [REDACTED] and [REDACTED] SC, whereby [REDACTED] discussed refusing to file [REDACTED]’ Replying Affidavit?
16. Was anyone else involved in such a strategy discussion?

**Your High Court Appearance before Mr Justice Paul Coffey on 11 March 2024**

17. Did you appear in the High Court on 11 March 2024 either at the direction of [REDACTED] or [REDACTED]?
18. Were you instructed by [REDACTED] or [REDACTED] to claim that [REDACTED] Replying Affidavit was “*irrelevant*” and therefore should not be filed?
19. Did you come to the conclusion yourself that that [REDACTED] Replying Affidavit was “*irrelevant*”?
20. How could you have made a determination as to the relevance of [REDACTED] Replying Affidavit?
21. Is it not a matter for the presiding Judge to determine the relevance of any sworn Affidavit?
22. Did you read [REDACTED] Replying Affidavit before attending court on 11 March 2024?
23. Mr Justice Paul Coffey decided to allow [REDACTED] to personally file her Replying Affidavit as if she was a litigant in person. Do you agree or disagree with this decision of Mr Justice Coffey?

**Your High Court Appearance before Mr Justice Paul Coffey on 17 June 2024**

24. Turning to your appearance at the rescheduled Motion to Come off Record on 17 June 2024: in addressing the Court, why did you assume that the Judge had read all the relevant papers?
25. Had you read the Replying Affidavit that [REDACTED] had filed?
26. Why did you mislead the Judge by stating that [REDACTED] received a section 150 solicitor/client engagement letter in November 2023, when you must have known that it was first sent to [REDACTED] on Friday, 12 January 2024?
27. Who provided you with the direction to mislead the Judge?
28. Or did you decide to mislead the Judge on your own volition?
29. You were on notice of [REDACTED] Replying Affidavit that we have reviewed and it clearly states that the section 150 letter was actually sent on 12 January 2024 at approx. 6:50pm by [REDACTED] Solicitors.
30. Inasmuch detail as possible, please explain why you ignored this fact and tried to create a false impression that [REDACTED] was stalling over signing the section 150 letter?
31. Did you read the response from [REDACTED] on 16 January 2024 to [REDACTED] Solicitors requesting a hard copy of the section 150 letter as had been proposed to [REDACTED] in the 12 January 2024 email to her, and we quote:

“PS [REDACTED] please send me a hard copy of the S150”

32. Were you misled as to the dates by either [REDACTED] or [REDACTED]?
33. Did you wish to mislead the Judge because you had other information and knew that the reasons for [REDACTED] coming off record were contrived?
34. We have interviewed others present in the High Court when [REDACTED] left after the Judge indicated his desire to read the papers and we ask why was [REDACTED] so angry with you and the two other members of [REDACTED] & Co.’s staff during lunch recess on this date?
35. Is it typical or usual for a Solicitor seeking to come off record to instruct another Solicitor and a Barrister as well as send two of her subordinates into the courtroom in seeking to come off record?
36. Why did [REDACTED] feel the need to “lawyer up” at this hearing?
37. Were you aware that one of [REDACTED] subordinates, [REDACTED] (present in the High Court) had previously suggested to [REDACTED] that they both approach [REDACTED] in regard to setting up a banking fraud practice within [REDACTED] practice?
38. [REDACTED] had been compelled to attend the High Court, yet she failed to do so, despite her office being 3 minutes from the Four Courts. Why do you believe that [REDACTED] failed to appear?
39. [REDACTED] had returned [REDACTED] file to Messrs [REDACTED] without [REDACTED] knowledge, consent or authority. Why did [REDACTED] take such an action considering she had roundly criticised Messrs [REDACTED] and former Counsel in writing?
40. Under whose direction was [REDACTED] acting?
41. Mr Justice Coffey repeatedly asked you under whose knowledge, consent and authority was [REDACTED] file returned to Messrs [REDACTED] and you simply failed to respond? Why?
42. Were you providing cover to the person who had instructed [REDACTED]?
43. We note that at the conclusion of the hearing, you made an application for legal costs. Who provided you with that direction to make an application for costs or did you do so of your own volition?
44. Upon what basis did you believe it was appropriate to make such an application?
45. Considering no section 150 letter had been signed, why did you seek to apply for costs?

46. Was this application for costs a pre-arranged strategy designed to intimidate [REDACTED] or a matter that arose on the day and that you pursued of your own volition?

47. Mr Justice Coffey refused your application for costs and appeared irritated by your application. Would you agree?

### **Regulatory Considerations**

48. If a Solicitor or Barrister becomes aware of frauds or crimes, do you believe they have a regulatory obligation to report that fraud?

49. Are you aware of the Section 19 Criminal Justice Act 2011 reporting obligation that apply to Solicitors?

50. You had been representing [REDACTED] who was made aware of widespread banking frauds. [REDACTED] terminated [REDACTED] instructions having been leaned upon by the State in our opinion - had [REDACTED] asked you directly for advice what advice would you have given [REDACTED]

### **Communications**

51. Are you aware of any communication that has taken place between members of any government department, members of the Irish Civil Service (including the Office of the Parliamentary Legal Adviser) and/or members of the Bar of Ireland, the Law Society of Ireland or the Legal Services Regulatory Authority - to or with [REDACTED] or you in regard to the representation of [REDACTED] and [REDACTED]'s representation of [REDACTED] in relation to her breaches of GDPR?

52. Are you aware of any communications that have taken place between [REDACTED] and other Solicitors or Counsel or between you and other Solicitors or Counsel that may have unduly influenced [REDACTED] or you, such that a decision to abruptly withdraw legal representation from [REDACTED] was taken together with an instruction that this should be executed without speaking with [REDACTED]?