

## **RETALIATION BY THE IRISH CIVIL SERVICE AGAINST THE INVESTIGATOR DUE TO THE MAKING OF PROTECTED DISCLOSURES BETWEEN APRIL 2015 AND JULY 2015**

The Irish Civil Service unfairly, unnecessarily and disproportionately retaliated against the Investigator in breach of numerous provisions of the Protected Disclosures Act 2014 (as amended);

- On 27 April 2015, it caused a superior to be stationed on the street outside the office entrance to monitor the Investigator's arrival at work and to alert others of her arrival – the alerting to others of her arrival was executed in her presence;
- It caused the stationing of yet another superior "to greet the Investigator" on the floor upon which she worked, to ensure she could not then engage with her colleagues on the Expert Support Team, in particular the individuals who were very supportive of the Investigator in making the Protected Disclosures;
- It attempted to reassign the Investigator to an entirely different role, away from her role in investigating the Central Bank of Ireland and the Financial Regulator, in breach of the Protected Disclosures Act, 2014 which prohibits reassignment once Protected Disclosures have been made;
- It facilitated the making of defamatory statements about the Investigator during a meeting that took place during the afternoon of 27 April 2015, in circumstances in which one of her superiors – (now working in a senior position in AIB Bank plc) suggested that the Investigator should not have made the Protected Disclosures, in an attempt to dissuade others who supported her;
- It failed to take into consideration the statements of support for the Investigator that were nevertheless raised during and following the meeting that took place on the afternoon of 27 April 2015;
- It inappropriately issued a request to the Investigator NOT to discuss evidence that the Investigator had reviewed, during her time acting as an Investigator regarding the activities of the Central Bank of Ireland and the Financial Regulator, with any of her colleagues who would remain on the Regulatory Stream, upon which the Investigator had worked;
- It unlawfully attempted to prohibit the Investigator, via a superior, from communicating with any Member of the Joint Committee of Inquiry into the Banking Crisis – the very Committee that had engaged her to brief Members as a subject matter expert;

- It commenced and conducted an internal review into the Investigator's concerns in late April 2015, early May 2015 completely unbeknownst to the Investigator;
- Ms Elaine Gunn, the Inquiry Co-ordinator, now Dáil Clerk conducted the review, failing to inform the Investigator, nor did she conduct any interviews with the individuals who shared the Investigator's concerns;
- It facilitated the production of a report in May 2015 (the Gunn Report) which contained a false statement about the Investigator with the intention of discrediting her;
- It prohibited the Investigator from having an opportunity to review this Gunn Report in advance, in breach of the principles of natural justice;
- Despite Ms Gunn being on notice that no other Investigator on the Expert Support Team has yet contradicted the statements made by the Investigator in her Protected Disclosures, with one having attended with a Solicitor at the taxpayers' expense in July 2015 and confirming that the Protected Disclosures were one hundred per cent accurate;
- It caused the false announcement of the Investigator's resignation during the week of 1 June 2015;
- It caused the clearing of the Investigator's desk and personal items by an employee of the Service, without their knowledge; *[Note: when challenged by the Investigator, as she had not resigned, there was an immediate back-pedaling in relation to the Investigator's staged and false resignation by Mr Michael Errity (another employee of the Service) in which he stated that desks were simply being reconfigured];*
- It caused the issuance of a threat to withhold the Investigator's salary and failed to prevent publication of that threat, resulting in other Investigators becoming fearful about continuing to support the Investigator;
- In these circumstances a newspaper headline publishing this threat appeared in a mainstream Sunday newspaper, causing significant distress to the Investigator and to her family members;
- When two elected representatives (former Deputy Joe Higgins and former Senator Marc MacSharry) argued against the suspension of the Investigator's salary, it was the Civil Service that advised them that it was not a matter of concern to the elected representatives, despite it being a matter of the fundamental breach of Irish legislation;
- It caused the issuance of a false statement to the media in respect of the Investigator's former colleague's reasons for resigning, putting forth a false narrative that the other Investigator had resigned due to "*stresses and strains*" rather than the abject failure to deal with the Protected Disclosures that had been made;

- It completely disregarded all the other investigators who were on notice of the Services' knowledge of the reasons for resignation of the Investigator's concern and that they are linked to the Investigator's concerns;
- It caused the deployment of the Official Secrets Act, utterly devoid of merit, simply to intimidate the Investigator as she diligently engaged with Mr Justice Senan Allen in the conduct of his Review – basically masquerading the requirement for accountability as sedition on the part of the Investigator;
- It caused Mr Senan Allen SC to mercilessly berate, belittle and intimidate the Investigator during his Review, when the Civil Service was on notice that her Protected Disclosures were and are accurate and credible;
- It caused Mr Senan Allen SC to discredit the Investigator by means of a lengthy character assassination in a fabricated official report, when the Civil Service was on notice that her Protected Disclosures were accurate and credible;
- It caused the issuance of a false government press releases (issued under the name of Mr Ciarán Lynch, the Chair of the Joint Committee of Inquiry into the Banking Crisis on 8 September 2015) and a false statement issued by the Acting Dáil Clerk, Mr Peter Finnegan on 5 October 2015 - when the Civil Service was on notice that the Investigator's Protected Disclosures were accurate and credible;
- It caused the false government Press Releases to be published in numerous publications across Ireland, when the Civil Service was on notice that the Investigator's Protected Disclosures were accurate and credible;
- It caused the faithful reporting of the fabricated Senan Allen Report on the national broadcaster channel's news bulletins when the Civil Service was on notice that the Investigator's Protected Disclosures were and are accurate and credible;

**TO BE CONTINUED TO INCLUDE EVENTS FROM SEPTEMBER / OCTOBER 2015 TO DATE TO INCLUDE CONDUCT OF THE CIVIL SERVICE, LAW FIRMS AND THE STATE CLAIMS AGENCY**