Sent to Mr Peter Finnegan, 3 February 2025 via email and post

No response received – 17 February 2025

Posted on line at close of business 17 Feb 2025

Research Questions

Mr Finnegan, Dail Clerk

Regarding your Role in the Banking Inquiry

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Subsequent Treatment of the Whistleblower

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Litigation High Court Case 2018 / 882P

We hope this message finds you well.

We are currently researching many individuals' roles in the Banking Inquiry and the activities of the Irish banks both before and since the Inquiry.

Your specific role in the Banking Inquiry and the subsequent treatment by you and the Houses of the Oireachtas and Hayes solicitors of the Banking Inquiry Whistleblower, Ms Xxxxxxx and a number of other matters have come to our attention, as we research all these activities on behalf of a production company. We are very keen to understand the complexities of these matters generally and particularly from a legal perspective. Your insights will be invaluable to our project, and we greatly appreciate your time and consideration.

Your right of reply is important to the production company and we reserve the right to publish our queries and your response at any time and in advance of the release of the documentary. If you wish to appear on camera, we will share that information with the team, however, the production company's decision on that will be final.

To assist us in our research, we would appreciate your answers and insights on the following questions.

More recent areas of research

1. What is the name of the individual(s) who is/are issuing instructions to Hayes solicitors in the above litigation and in what department are they located?

   - If not yourself then also please reference the Department for example: the Defendant (Houses of Oireachtas Commission) or the State Claims Agency?

2. The Plaintiff was threatened with an injunction by Hayes solicitors (Joe O'Malley &

Michael J Kelly) on 19 November 2024.

- Were you behind this threat?
- If you were not providing instructions, please provide us with the name of the person providing those instructions, so we can follow up with the appropriate questions?

For the record and based on our research, that: to retaliate against, penalise or vicitimise an individual who has made Protected Disclosures under the Protected Disclosures Act 2014 (as amended) is now a criminal offence. How did it arise that Ms Xxxxxxx received a threat at all?

Banking Inquiry (Cover up?)

How much personal knowledge did you have of any of the following matters that impacted Irish Banks and that were known to the Central Bank of Ireland, much of which has now been reported and is in the public domain:

(i) that the Banks were insolvent rather than experiencing a crisis of liquidity leading up to and beyond the issuance of the guarantee?

(ii) that the Banks had been attempting, over a considerable period of time, to conceal the true nature of their financial position?

(iii) that there was therefore a question mark over the legitimacy of AIB plc issuing a dividend a matter of days before the issuance of the Bank guarantee?

(iv) and that the issuance of a dividend by AIB plc was likely to be unlawful as there were insufficient profits to allow for this?

(v) and that the granting of bonuses to AIB staff in early 2009 was also likely to be unlawful?

(vi) that the main Irish banks upon instructions from the European Central Bank and/or larger banks had been involved in interest rate (EURIBOR) rigging, meaning that certain of the banks' customers and counterparties were being defrauded by means of the deliberate "low-balling" of certain benchmark interest rates?

(vii) that Ulster Bank both north and south of the border had been involved in widespread fraudulent activities, whereby customers' had their assets illegally confiscated through use of fraudulently sold or attached derivative transactions using undisclosed margin credit lines;

(viii) that Ulster Bank borrowed money in the market on the strength of ownership of said assets to which it had absolutely no legitimate legal claim and that the loans were eventually sold on to US hedge funds who may not have had any knowledge of the defective collateral?

(ix) that the Regulator had not taken any remedial or other action when an Irish regulated bank significantly breached its liquidity ratios in 2007?

(x) that at least one of the main Irish banks was engaged in a scheme whereby it advanced funds to borrowers on the basis that the borrowers' ability to repay those loans was derived from payments that the borrower received through means of a widescale cheat on the public revenue?

Ulster Bank Frauds

3. What is your own personal knowledge of the Ulster Bank and other Banking Frauds that were concealed by the Irish Banking Inquiry?

The article on the below link from The Times, Mr James Hurley is an excellent summary of some of the frauds.

https://www.thetimes.com/article/natwest-fixed-rate-loan-scheme-for-companies-effectively-theft-kg2wr638j

4. What is the extent of your knowledge in regard to Mr Senan Allen being one of the High Court judges (prior to his elevation to the Court of Appeal) that facilitated the return of assets to Ulster Bank where customers had been fraudulently sold derivatives transactions in order to trigger loan to value covenants?

5. Do you have any information to suggest why Mr Senan Allen may be compromised in these matters as he was while investigating Ms Xxxxxxx' Protected Disclosures?

Mr Senan Allen's Hiring & Other

Some of these questions may be repeated elsewhere as they flow through other themes also

1. "Why wasn't an independent review separated at arm's length from the Houses of the Oireachtas not undertaken" Irish Times July 2015
   a. Was the reason for this so that the Houses of the Oireachtas could control Senan Allen?
2. Under whose direction were you acting when you hired Senan Allen (then SC) to "investigate" Ms Xxxxxxx' Protected Disclosures?
   - Did you influence the drafting of the Terms of Conditions of his Review?
   - Did you cause or permit Mr Allen to exceed his Terms of Reference?
   - Did you fail to prevent Mr Allen from exceeding his Terms of Reference?

3. Why did you fail to ensure that Mr Allen applied the rules of natural and constitutional justice and fair procedures to the Review and/or in his treatment of Ms Xxxxxxx?

4. Why did you cause or permit the Senan Allen Review and/or the Report to bifurcate into an inquiry of Ms Xxxxxxx as opposed to the substance of Ms Xxxxxxx' allegations?

5. Why did you fail to ensure that there was a proper, fair and lawful investigation into Ms Xxxxxxx' Protected Disclosures?

6. Why did you cause or permit Ms Xxxxxxx to be retaliated against, penalised and victimised for making the Protected Disclosures?

7. What was the Office of the Parliamentary Legal Adviser's role in regard to Ms Xxxxxxx's Protected Disclosures and dealing with her requests to have the Report withdrawn?

8. You wrote a DRAFT Letter to Ms Xxxxxxx' legal representatives on 3 December 2015 and referred to an OPLA file number

   What was the significance of the OPLA file number?

9. Why did you instruct Ms Xxxxxxx' legal representatives not to circulate her response to the Report? Did you not agree that Ms Xxxxxxx had a right of response or was it because Ms Xxxxxxx' Response easily decimated Mr Allen's Report and showed that it had been fabricated?

10. After the publication of the Allen Report, two of Ms Xxxxxxx' Protected Disclosures were immediately externally substantiated:

    Firstly, it is a matter of fact that Mr Frank Browne, former Head of Monetary Policy and Financial Stability in the Central Bank of Ireland (CBI) submitted evidence to the Banking Inquiry on **7 September 2015** and confirmed that "*a large amount of critically important material was omitted*" by the Central Bank of Ireland in complying with the Direction.

    i. Within six (6) days of the publication of the Senan Allen Report deeming Ms Xxxxxxx to be a "*wholly unreliable historian*", Mr Browne submitted extensive evidence that substantiated Ms Xxxxxxx' Protected Disclosure as set out in her Report dated 10 July 2015.
        1. Who made the decision to conceal and suppress Mr Browne's evidence from anywhere from two to seven months? The seven month figure has arisen from a deep search of the web?
        2. Why did it take until November 2015 to post Mr Browne's testimony on the Oireachtas website?
        3. What was contained on the USB mini hard drive that Mr Browne submitted with his written testimony and where is that evidence now?

    ii. Why was the investigation or Review by Mr Senan Allen unable to unearth information that was so easily forthcoming a few weeks later from a senior former Central Bank executive?

    iii. The names of all of the Central Bank witnesses were after all freely available to Mr Allen and it was open to him to **consult with certain witnesses** to ascertain whether core documentation had been withheld by the Central Bank as Ms Xxxxxxx had quite correctly disclosed.

Secondly, it is a matter of fact that Ms Xxxxxxx's Protected Disclosure regarding the inability of the investigation team to be in a position to produce an Inquiry Report that would be '*fit for purpose*' was also externally substantiated.

On several dates (November, December 2015 and January 2016), it was reported in several newspapers that this was in fact the case and terminology was used as follows which came from Committee Members:

"*not fit for purpose*" and calling "*for a complete overhaul of the Report*"; and "*toothless and deeply flawed*" .

10. Did you ever discuss with Mr Allen why his investigation or review was unable to unearth information that was so easily forthcoming a few weeks later and covered extensively in the media?

- You are no doubt aware that Allen refused to interview the Ms Xxxxxxx' colleague, Ms Helen Caulfield who had resigned due to her dissatisfaction with the manner in which the Ms Xxxxxxx' Protected Disclosures were being handled and had wholly agreed with Ms Xxxxxxx' assessment. The Irish Times even carried an article about this Investigator leaving due to dissatisfaction with the process

11. Did you or someone else in the Houses of the Oireachtas or elsewhere advise Mr Allen not to interview the numerous investigator colleagues identified by Ms Xxxxxxx?

Did you ever discuss with Mr Allen the reason(s) why he refused to interview the witnesses that he had been asked to interview by Ms Xxxxxxx?

12. Were you aware that Mr Allen had in fact reassured Ms Xxxxxxx in writing on **27 July 2015** that he would indeed interview the individuals that she had asked to be interviewed,

- Yet later he wrote to Ms Xxxxxxx' legal representatives and said that he had no intention of so doing?

13. Are you concerned that the person that you engaged (Mr Allen) to conduct an independent and impartial review about issues of central significance to the Banking Inquiry could engage in these sort of questionable tactics or was Allen carefully chosen to ensure that the Banks' fraudulent activities would be concealed?

- Who provided Mr Allen with direction?

Failure to Correct the Record

- Are you aware that by not coming forward to correct the record, Mr Allen was in breach (and is currently in continuing breach) of the Bar of Ireland's Code of Conduct, as he knowingly allowed false and misleading statements of fact to remain on the record in a publicly available report in relation to matters of significant public interest?

  Please advise if you discussed these concerns with Allen or indeed anyone else?

14. Do you know why Mr Allen's Report had been entitled using the words "CERTAIN MATTERS CONCERNING THE INVESTIGATION TEAM" when Ms Xxxxxxx' main Protected Disclosures related to critical evidential deficits in disclosure by the Central Bank and primarily that the Central Bank was clearly withholding significant information related to the Banks' supervision and other matters related to ongoing fraudulent activities of various Banks?

a) Did you approve the title of this Report?

b) If not, why did you permit the Senan Allen Report to be titled and framed in this manner for the public, when in fact you had already met with Ms Xxxxxxx on 24 June 2015 and you had engaged in a lengthy discussion about the Protected Disclosures – you knew her concerns related to the Central Bank's withholding / redaction of documentation and so you must have known that the title used by Allen was wholly misleading?

Mr Allen's Failure to review Declarations

a) If as admitted by Mr Allen in the transcripts that he had no intention of reviewing the declarations of interest submitted by all investigators and therefore **did not actually investigate Ms Xxxxxxx' Protected Disclosure** about inappropriate conflicts of interest, are you in a position to explain
   a. How he could come to the conclusion that the protocols around conflicts were robustly applied as appeared in the press release that accompanied your Report?
   b. Did you discuss the fact with Mr Allen that he "did not actually investigate Ms Xxxxxxx' Protected Disclosures"?
   c. If you did not discuss them with Mr Allen, why not?
   d. Who did you discuss them with him prior to the issuance of what appears to be his fabricated Report and the linked false Press Releases?
   e. Did you ascertain from Mr Allen the reason for him not investigating certain Protected Disclosures considering this was the reason for which he was engaged in the first instance?

Issuance of an inaccurate and False Report

a) Why was the Senan Allen Report issued when it was obvious from the transcripts that the Protected Disclosures were in fact not investigated by Mr Allen?
b) Did you approve its release?
c) If not, who approved it?

Breach of Bar of Ireland's rules

- Please comment generally (with the assistance of Counsel if required) on the fact that Ms Xxxxxxx has now provided overwhelming prima facie evidence that Mr Allen was in fundamental breach of Ireland's crucial Bar of Ireland rules for managing conflicts of interest.
- Was Mr Allen required to complete a declaration of interests before he was engaged?
- After the Senan Allen Report was published and you were in receipt of Ms Xxxxxxx' detailed Response, was Mr Allen required to complete a declaration of interest at that point in time?

Ms Xxxxxxx' Performance

a) During your meeting with Ms Xxxxxxx on 24 June 2015, you did not have any information to share whatsoever with Ms Xxxxxxx about her performance and how she had interacted with individuals in the office?

In fact no negative feedback whatsoever had ever been shared with you in relation to Ms Xxxxxxx, otherwise you would have shared it on 24 June 2015?

Ms Xxxxxxx did not attend the office on a day to day basis post 27 April, 2015 and so could not have been assessed by anyone after her last day in the office.

Therefore, you were clearly fully aware that Mr Allen's characterisation of Ms Xxxxxxx was **entirely false** and had been invented by him and the HOO approved his press release

- Why did you resolutely refuse to correct the record?
- Were you acting under direction from others?
- If you were acting under direction of others in what department were they so we can send them some questions

HR Manager requesting Ms Xxxxxxx to return to work

- As there is no evidence regarding Ms Xxxxxxx' performance or behaviour in the office, were you not therefore highly alarmed and astonished at how Ms Xxxxxxx was characterised in the Senan Allen Report?
- Your own Human Resources Manager, Ms Margaret Crawley had for weeks been asking Ms Xxxxxxx to return to the office and later to become involved in key aspects of the Inquiry Report (the Guarantee)?
- Why did you do not take immediate steps to correct the Senan Allen Report?

Request to Join Legal Team

a) Were you aware that Ms Cathy Egan, Legal Advisor to the Inquiry had asked Mr Peter Murray, the Senior Investigator if Ms Xxxxxxx could be seconded onto her own team as she was impressed with Ms Xxxxxxx' skills and had supported Ms Xxxxxxx in writing regarding her concerns about conflicts of interest of certain investigators?

b) Why did you do nothing to correct the Senan Allen Report?

Conflicts of Interest

The following section deals with your Failure to Manage Senan Allen's Conflicts of Interest.

Ms Xxxxxxx has alleged that Mr Allen was in fundamental breach of the Bar of Ireland rules on the avoidance of conflicts of interest, as follows:

1. Bank of Ireland (BoI)

Mr Allen made a reference to having contacted BoI during the course of his Review and this is evidenced in written transcripts prepared for Wednesday, 5 August 2015. He indicated (Line 18 – Page 168) that he had in fact made contact with BoI outside the process of the Review and before the commencement of the Review, as 5 August 2015 was day upon which his Review commenced. Since BoI was a Participant in the Banking Inquiry, would you agree that BoI had a strong vested interest in the suppression of Ms Xxxxxxx' Protected Disclosures:

(i) Did Mr Allen inform you that he had contacted BoI about Ms Xxxxxxx?

(ii) Did Mr Allen tell you the nature of his connection with that individual(s) from BoI was and with BoI generally?

(iii) Do you think it was appropriate for Mr Allen to contact an individual at BoI (in relation to Ms Xxxxxxx during the time in which it was a Participant in the Banking Inquiry?)

(iv) Did Mr Allen advise you in advance the purpose of why he was making contact with individual(s) at BoI in relation to Ms Xxxxxxx?

(v) Do you agree that Mr Allen's connection(s) or indeed his intention to make contact with BoI should have been disclosed by him *prior to* the commencement of the Review in order to allow Ms Xxxxxxx the opportunity to object to his participation in the Review.

(vi) As a result of his discussion with his contact(s) at BoI, Mr Allen made a very derogatory comment about Ms Xxxxxxx, despite BoI being a long standing client of Ms Xxxxxxx' private practice?

Section Continued

(vii) Did Mr Allen tell you the meaning behind this derogatory comment or the purpose of making such a derogatory comment?

(viii) Did you approve of the use of such a derogatory term during the course of a review that you commissioned?

(ix) Did you discuss this derogatory comment with Mr Allen and do you believe it was made in an attempt to intimidate Ms Xxxxxxx with a view to her potentially withdrawing her Protected Disclosures?

(x) Finally, are you aware whether Mr Allen shared Ms Xxxxxxx' Protected Disclosures with BoI prior to, during or after the Review?

2. Allied Irish Bank plc (AIB)

It has come to light in the interim, that Mr Allen previously acted as an investigator for AIB. In fact, it is reported that he undertook this role in or around July 2014 and concluded his investigation, finding in favour of AIB. See link: https://www.irishtimes.com/news/crime-and-law/investigator-thought-bank-manager-should-be-dismissed-over-60m-loan-letter-1.1858653

Since AIB was a Participant in the Banking Inquiry, it also had a strong vested interest in the suppression of Ms Xxxxxxx' Protected Disclosures.

(i) Did Mr Allen declare in advance that he had worked as an investigator for AIB during the previous year?

(ii) Considering Ms Xxxxxxx' Protected Disclosures dealt with the matter of whether the Irish banks were in fact insolvent prior to the issuance of the blanket guarantee; if it was in fact the case that AIB was insolvent, several questions would have followed such as:

(a) how AIB could have legitimately issued a dividend a matter of days prior to the issuance of the bank guarantee?;

(b) at that time, what did the regulator understand in relation to AIB's financial position?;

Section continued

(c) had the regulator engaged in any concerted efforts under the direction of the ECB to ensure Irish Banks manipulated the benchmark interest rates? Were you aware of these efforts? Was the government at the time aware of these interventions?

(d) had the market counterparties of Irish banks engaged in concerted efforts to encourage Irish banks (specifically BoI and AIB) to submit false rates to the EURIBOR panel? Were you aware of these efforts?

(e) do you agree that Mr Allen's prior connection(s) with AIB should have been disclosed to Ms Xxxxxxx *prior to* the commencement of the Review in order to allow Ms Xxxxxxx the opportunity to object to Mr Allen's participation in the Review?

(f) are you aware whether Mr Allen shared Ms Xxxxxxx' Protected Disclosures with AIB in advance of his Review or at any time during or after the Review?

3. Former Taoiseach, Mr Enda Kenny

Mr Allen disclosed a close connection to the former Taoiseach, Mr Enda Kenny during the course of the Review as evidenced in transcripts prepared for Friday, 21 August 2015 (Line 16 – Page 139) to articulate the alleged difficulty in investigating, at any level Ms Xxxxxxx' Protected Disclosure that related to an inappropriate conflict of interest within the investigation team. Since the Banking Inquiry was investigating the role of the Government including the Office of an Taoiseach, it is likely that it also had a strong vested interest in the suppression of Ms Xxxxxxx' extensive Protected Disclosures.

i) Do you agree that his connection with Mr Enda Kenny should have been disclosed *prior to* the commencement of the Review in order to allow Ms Xxxxxxx the opportunity to object to his role in the Review?

Section Continued

ii) Ms Xxxxxxx alleges that as a Member of the Bar of Ireland, Mr Allen was engaged by the Houses of the Oireachtas Commission to conduct an independent and impartial review and as such he was required to be distanced from other branches of the State in the performance of his duties, so that he could render decisions based on the requirements of law and justice, without fear or favour. The written transcripts show that Mr Allen was not sufficiently distant from the executive branch of the State.

    Please comment.

iii) To your knowledge, were there any further conflicts affecting Mr Allen about which Ms Xxxxxxx or for that matter ordinary Irish citizens should have known?

iv) Was Mr Allen or anyone closely related to him to your knowledge a member of any of the political parties then in power as Ms Xxxxxxx' former counsel has emerged as wholly conflicted and attending government fundraisers?

v) Did any relationship that Mr Allen have play any role in his selection by you for the Review?

    a. Did his friendship with Mr Enda Kenny play a role?
        i. *He claimed to have his access to his "private bathroom*"
    b. Did he represent Mr Kenny's wife as a Barrister before he was hired by you?

vi) Had he or anyone closely related to him attended any fundraising events for any of the political parties then in power?

vii) Mr Allen was eventually promoted to the High Court after the Inquiry Report was published, despite his own Report being fundamentally flawed and of course you had full insight into Ms Xxxxxxx' response to the Senan Allen Report.

Section Continued

Mr Allen's promotion to the High Court bench occurred despite Mr Allen having included identifying remarks about Ms Xxxxxxx in his Report in breach of Irish legislation;

a) attempted to mislead Ms Xxxxxxx in relation to her own evidence;
b) attempted to intimidate Ms Xxxxxxx into withdrawing her Protected Disclosures;
c) made derogatory comments to Ms Xxxxxxx and to her legal representatives;
d) selectively quoted from the transcripts in a transparent attempt to discredit Ms Xxxxxxx – all was proven in the Response drafted by Ms Xxxxxxx but somehow you chose to disregard this, to actively try to suppress it, and allow the Senan Allen Report to stand?

Please explain:

a) Why the Allen Report was not withdrawn or corrected to this date? and

b) Why did you not believe it was your duty to halt his promotion to the High Court Bench as you knew he had intentionally created a fabricated Report to mislead the Irish public?

Any assurances given to Mr Allen?

a) Are you aware of any commitments made or reassurances given to Mr Allen in return for his undertaking his role in the Review and creating a fabricated Report?

Attempts to Mislead through False Pretences

This section deals with Mr Allen's Attempts to Mislead Ms Xxxxxxx under False Pretences and any knowledge you or others may have of his activities and who might have given him such an instruction

(i) During the course of Mr Allen's Review, Mr Allen endeavoured to convince Ms Xxxxxxx (on 21 August 2015 at Page 167 – Line 9 to Page 169 – Line 7) that she had not remembered significant evidence that was contained in an email that had actually been sent to the Lead Investigators by Deputy Pearse Doherty?

(ii) When Ms Xxxxxxx said: "*I can't remember*" referring to her recollection of the precise language in the email and then she said: "*but you have the email*" – Mr Allen's response was: "*I do, but you don't, that's the point.*"

Why do you believe Mr Allen would simply not share the evidence that he had with Ms Xxxxxxx?

(iii) Instead, Mr Allen in fact verbally relayed to Ms Xxxxxxx varying evidence other than that which really existed?

Why do you believe that Mr Allen took such an approach if he was purporting to be engaged in an independent investigation?

(iv) Mr Allen, when questioned about misleading on evidence by Ms Xxxxxxx' legal representatives in writing: he responded in a letter dated 28 August 2015 by stating: *"With respect, it is not sensible for you to suggest that your client was or was not mislead* (sic) *about the content of an e-mail which neither she nor you have ever seen"*.

Why do you believe that Mr Allen took such a highly offensive and deceptive approach if he had been engaged to conduct an independent investigation?

(v) Did Mr Allen expect that Ms Xxxxxxx would not be in a position to gain access to the said evidence, whether from other investigators or from a Member of the Joint Committee, to verify that her recollection was one hundred per cent accurate?

(vi) When Ms Xxxxxxx obtained access to the evidence confirming that it was one hundred per cent accurate, Mr Allen then appeared to be more interested in ascertaining from whom Ms Xxxxxxx obtained the evidence. (29 August 2015 – Page 161 - Line 18).

Why did you believe that Mr Allen took such an approach? Was this on instruction from some other individual?

(vii) When Ms Xxxxxxx raised concerns (29 August 2015 - Page 163 – Lines 4, 25, 28) about Mr Allen's attempt to mislead her on her own evidence, Mr Allen failed to address her concerns or even give any explanation for his approach. Please comment.

RETALIATION

The following among other items will be addressed by our team under retaliation

i) Who was responsible for making a false announcement about Ms Xxxxxxx' resignation during the week of 1 June 2015 including the clearing of Ms Xxxxxxx' desk and personal items without her knowledge or consent?

ii) Who was responsible for announcing the suspension of Ms Xxxxxxx' salary on 15 July 2015?

iii) Who was responsible for issuing a false statement to the media concerning the circumstances of Ms Helen Caulfield's resignation?

iv) Were you responsible for sending Ms Xxxxxxx a letter accusing her of breaking the law at a time when Ms Xxxxxxx was trying to prepare for and participate in the Review and at a time after which Mr Allen had already deemed the disclosures to be Protected Disclosures in his letter of 27 July 2015?

v) Why did you fail to prevent Mr Allen from making derogatory comments about Ms Xxxxxxx during the course of the Review?

vi) Why did you cause or permit the Review to become a "witch-hunt" of Ms Xxxxxxx whereupon Ms Xxxxxxx' credibility and character were attacked? – especially when you knew that your HR Manager had repeatedly asked Ms Xxxxxxx to come back into the office to continue working to complete the Inquiry Report?

vii) Why did you cause or permit the Review to be unfair, unbalanced and an assault on Ms Xxxxxxx' integrity?

viii) Why did you fail to provide Ms Xxxxxxx with a right of comment on the Report before finalisation and/or publication?

ix) Why did you cause or permit Mr Allen to impugn and discredit Ms Xxxxxxx' character, professionalism, intelligence, faculty of reasoning and judgment in the Report?

Section continued

x) Why did you cause or permit or fail to prevent Mr Allen from describing or using words which meant and intended to mean that Ms Xxxxxxx was motivated by "thwarted career ambition" in making the Protected Disclosures?

xi) Why did you fail to comply with the provisions of the Protected Disclosures Act, 2014?

xii) Why did you fail to comply with the requirements of the Houses of the Oireachtas' Interim Procedures?

xiii) Why did you fail to apply fair procedures in the investigation of Ms Xxxxxxx' Protected Disclosures?

xiv) Why did you fail to ensure that Mr Allen did not identify Ms Xxxxxxx especially since he understood his legal obligation not to identify her as set out in his letter to Ms Xxxxxxx dated 27 July 2015?

xv) Why did you cause or permit Ms Xxxxxxx to be capable of identification from the Report?

xvi) Why did you cause the publication of and/or publishing the Report notwithstanding the foregoing?

xvii) Why did you fail to mitigate the detriment and damage caused to Ms Xxxxxxx by the Report?

xviii) The following questions also revert to the earlier section as to who provides direction to Hayes solicitors

a. Who told Hayes solicitors to request Ms Xxxxxxx' **medical records trawl**

   for a period 12 years before the Banking Inquiry?

   i. Would you have engaged in such a request of a professional man?

b. Who instructed the Mediator not to comply with GDPR and to refuse to communicate with Ms Xxxxxxx as a litigant in person?

c. Who on behalf of the Defendant attended the January 2022 telephone conference regarding mediation?

d. Did you make the decision on behalf of the Defendant to delay the mediation for almost three years from when Hayes solicitors first proposed it on behalf of the Defendant?

e. Was the delay with mediation, 34 months, aligned to the time needed for

Ulster Bank to receive approval to leave the Irish market?

Acceptance of the Senan Allen Report

a) Why did you accept and/or endorse the Senan Allen Report notwithstanding the foregoing in this document?
b) Why did you cause the Chairman of the Joint Committee of Inquiry into the Banking Crisis to accept the Report?
c) Why to this day has Ms Xxxxxxx been refused access to the transcripts of interviews conducted by the Reviewer apart from her own transcripts? Will you share them with us?
d) Why did you cause a delay to the commencement of a proper investigation in to Ms Xxxxxxx' Protected Disclosures?

Final Questions that will be key to our partners as to your specific actions

(i) Were you involved in causing the Inquiry Coordinator's Report to be prepared without Ms Xxxxxxx' knowledge?

(ii) Did you collude with Mr Allen to ensure that Ms Xxxxxxx did not have an opportunity to review or comment on the Terms of Reference?

(iii) From our research, you have failed to ensure that there were no conflicts of interests in the preparation by the Inquiry Coordinator of her Report?

Would you like to comment?

(iv) Why did you not ensure that Ms Xxxxxxx was able to contribute to the investigation required for the Inquiry Coordinator's Report?

v) Why did you fail to correct errors in the Inquiry Coordinator's Report when Ms Xxxxxxx raised them?

vi) Why (from our research) did you fail to investigate Ms Xxxxxxx' allegations against an employee of the Houses of the Oireachtas Service in a timely manner and/or properly or did you even investigate the allegations?

Your right of reply is important to the production company, and we reserve the right to publish our queries and your response any time. As mentioned in our cover note if you wish to appear on camera we will share that information with the team.