

**PUBLIC MEETING**

**HELD AT GLENAMOY COMMUNITY HALL, COUNTY MAYO**

**TESTIMONY GIVEN BY CONCERNED CITIZENS**

**TO INTERNATIONAL DELEGATION OF ENVIRONMENTALISTS AND**

**HUMAN RIGHTS SPECIALISTS**

**MONDAY, 26 FEBRUARY 2007**

Meeting Chairman:	Mr B. Peek, South Africa
Hearing Panel Member:	Ms H. Jongepier, Netherlands
Hearing Panel Member:	Mr D. Larson, United States of America
Hearing Panel Member:	Mr P. de Clerk, Brussels
Hearing Panel Member:	Ms H. Griffiths, United Kingdom

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1 MEETING CONVENER, MS MAURA HARRINGTON: I would briefly explain who  
2 this group of people is and why they are here. Essentially, it's been a long time in  
3 the making and coming together. An international delegation such as is represented  
4 here does not come together and congregate in Glenamoy Community Hall on a  
5 whim. The five people who are here, whom I will introduce by name in a moment  
6 and then later on they will introduce themselves and explain to you who they are,  
7 have been aware of what has been going on here for some considerable time. The  
8 first time Denny and I met was at the Shell AGM in London in 2004, and even then  
9 a simple question put to Malcolm Brinded, then CEO of Shell Transport and  
10 Trading, couldn't be answered by him, he kicked for touch on trying to explain how  
11 one TCF of the state's natural resources could provide 60 percent of this country's  
12 energy needs, he couldn't answer it then and it hasn't been satisfactorily answered to  
13 date.

14 I would like to most cordially welcome our five-member delegation from five  
15 countries, representing a considerable international interest in Shell's work –  
16 diabolical work is my own subjective opinion – in this quiet, beautiful, peaceful and  
17 safe corner of north Mayo. It is of particular importance to us as a place because it  
18 is a place which has retained its integrity for all of five millennia, with the traces of  
19 human habitation there to show that longevity. So a sea, air and land assault, which  
20 is precisely what the imposition of the proposed refinery and pipeline complex  
21 means for this greenfield site, is something which people who have a deep love of  
22 place and a connection with place which is virtually unbreakable cannot  
23 countenance, and it is for that reason alone that we are standing as we are. We have  
24 gone through so many processes in good faith and our good faith has been thrown  
25 back in our faces. I would imagine that a lot of the testimony which this delegation  
26 will listen to tonight will be familiar to them, unfortunately, because this delegation  
27 knows Shell on a global scale.

28 I will just briefly introduce the members of the delegation, and after that they  
29 will explain who they are themselves. I would end by saying that as people here in  
30 this place we are neither Luddites nor xenophobic and we heartily welcome  
31 representatives from human rights and environmental groups in five countries and  
32 three continents, if I'm correct. We all know there are good outsiders and bad  
33 outsiders. It is my opinion that these are good people from other places, Shell are  
34 bad people from other places. You are most welcome and thank you very much for

1 coming here. At the end on your right is Hannah Griffiths from Friends of the Earth,  
2 UK; beside her is Paul de Clerk, Friends of the Earth, Brussels; the chairperson for  
3 tonight is Bobby Peek from Durban, South Africa, a former Goldman prize-winner;  
4 beside him is Denny Larson, whom we know of old at this stage in our corner here;  
5 and here beside me is Hanna Jongepier from Friends of the Earth, Netherlands.  
6 Thank you very much.

7  
8 MR BOBBY PEEK: Good evening, everybody. It is a great honour for us to be able to  
9 be gathered here in front of you today to have the opportunity to listen to you and  
10 hear what you have to say. At the outset, before I introduce myself, I would just like  
11 to thank Maura and her colleagues who have set this evening up in order that we can  
12 listen to you. I would also like to thank Eileen Crowley, who will be taking the  
13 recordings and the minutes of this evening in order that we can have it as a record  
14 for reference. Before I explain the rest of the evening I just want to introduce myself  
15 and ask my colleagues to introduce themselves after that.

16 I am Bobby Peek from South Africa and I am Director of an environmental  
17 justice and human rights organisation called GroundWork, and it is part of an  
18 international federation which is known as Friends of the Earth International, who  
19 has members or chapters in 71 different countries and is the world's largest  
20 environmental network. I have also had the privilege to be the adviser to our  
21 Environmental Minister on the Minister's first national environmental advisory  
22 board, where on that board I shared my advice and my insight – I don't know if he  
23 listened to it, but shared that piece of advice, my insight and my experience with the  
24 Minister in terms of advising him and the Department of Environmental Affairs and  
25 Tourism in South Africa on their duties.

26 Without further ado, I would ask Denny, Hanna, Paul and Hannah to introduce  
27 themselves as well. Thank you.

28

29 MR DENNY LARSON: I am Executive Director of Global Community Monitor, which  
30 is an international human rights and environmental justice organisation. I think this  
31 is my fourth trip to Mayo in Ireland in regard to the controversies around this  
32 project. I have, as Bobby has, served on a number of panels before in my country,  
33 the United States. I was appointed by Vice-President Al Gore to a panel on oil  
34 refineries and operations there, to advise the Government on their safe operation.

1           Just in relation to one issue related to Bobby's being winner of this Goldman  
2 Environmental Prize, which is like a Nobel environmental prize, this is a prize that  
3 has been used in the past by the Goldman Foundation to put the international  
4 spotlight on places where actually activists have suffered from the actions of the  
5 legal system and the police. Most notably, Ken Saro-Wiwa of Nigeria was a winner  
6 of that award. Several other awardees have been awarded that prize during a time  
7 when they were facing harassment and even gaol by the police as a way to have that  
8 problem relieved and to get those people out of gaol, because they were put in gaol  
9 for defending their environmental rights. I think that is particularly important to  
10 note in this case in relation to the work that we are doing.

11           We are basically here tonight to listen to what you have to tell us and to gather  
12 information from everybody about what has been happening and the situation here  
13 more recently, since 3 October, when problems erupted, and again on 10 October  
14 and since then, but also within the context of what has been happening in County  
15 Mayo in relation to the residents' efforts to obtain justice and see the legal system  
16 work as it should in relation to the controversy that has erupted over the Corrib gas  
17 project. I'll leave it at that and I look forward to hearing from you tonight.

18

19 MR PAUL DE CLERK: I work for Friends of the Earth International now as Corporate  
20 Campaign Co-ordinator. Before that I worked with Friends of the Earth Netherlands  
21 in Amsterdam. Now I am based in Brussels. I have been involved in following  
22 activities of oil companies on the global level for the past seven years.

23

24 MS HANNAH GRIFFITHS: I work for Friends of the Earth in London. I've spent the  
25 past seven years researching and monitoring the activities of different multinational  
26 companies, including Shell, and working with communities who are affected by  
27 those companies. Thanks for inviting us and giving us such a warm welcome today.  
28 I'm sorry we can't be here for more positive reasons but nevertheless it's an honour  
29 to be here. I'll probably take a few photos through the course of the evening, so if  
30 I'm distracting anyone or if you'd rather I didn't, just shout and I'll stop.

31

32 MS HANNA JONGEPIER: I work for Friends of the Earth Netherlands in Amsterdam.  
33 Friends of the Earth Netherlands works on a lot of local issues but I work for the  
34 international team as a project manager, especially also, like Hannah Griffiths, on

1 global accountability and responsibility. It's my first time here so I am looking  
2 forward to hearing all your stories. Thank you very much for welcoming us. I'll  
3 also be taking some photos if you don't mind.

4

5 MR PEEK: Thanks, everybody. On that process of photos, recording, etc, we have to  
6 record the process, obviously, for a transcript in order that we can review that.  
7 There are TV cameras here, there are video cameras here and there are  
8 photographers here. If you are unhappy with that, please let us know. That's the  
9 first thing. Secondly, when people do come up front to speak and to give testimony,  
10 I would also request or I would tell you that we will obviously be taking that and  
11 listening to it but if you don't want your name to be used in the final report, please  
12 let us know that so that we could put that on as an anonymous comment.

13 In terms of what will happen this evening, we are obviously an external group  
14 of people attempting to find out how the violence has and is occurring in your  
15 neighbourhood. We are on a fact-finding process to hear your point of view. We  
16 will not respond this evening to any of that; we must go away, read it through, speak  
17 about it amongst ourselves and write a report on that. We have a date set to release  
18 that report and to bring it back to the community and the appropriate authorities,  
19 including international agencies, by the end of April. We also request that people  
20 who have information available and they cannot make that information available this  
21 evening, if you could present that information either in an email to Hannah Griffiths  
22 – and I'll make sure that you have that email address before the end of this evening –  
23 or if you are going to leave before we end, please speak to Hannah and Hannah will  
24 write out the email address. Alternatively, we will also be able to deliver that...

25 MR LARSON: The Kilcommon Lodge has graciously offered to allow people who want  
26 to mail something in writing to us for submission to do that through the Kilcommon  
27 Lodge, Pullathomas and they will forward that to us. We will have that period run  
28 for two weeks from tonight. So if you want to submit anything, either anonymously  
29 or with your name, video, photos or anything that you feel is relevant to our  
30 investigation, we invite you to do that after this evening.

31 MR PEEK: Thanks, Denny. We also need to recognise that as a public gathering we  
32 would need to respect each other's views as they are presented, so I would ask all of  
33 us to do that.

1           There is one more important thing: We have come here and we also wrote last  
2 week to the Gardai in the area to meet with us but they have said it is not their habit  
3 to discuss police business with non-statutory activists. I think it is important that  
4 that goes on record, because we are wanting to understand from their side the  
5 challenges that are facing them in your community.

6           Without further ado, I would like to ask is there any question of clarification of  
7 us – let's take a few minutes to go through that and once we have cleared that  
8 business we will then move on to the testimonies. This is a very open process and I  
9 will explain that after you have had clarification of what we have said thus far. Any  
10 queries, if you could just state your name, that will be appreciated.

11

12 MR JOHN MONAGHAN, Rossport: I am just wondering, have any of you been involved  
13 in reviews like this before and what has been the outcome of them?

14 MR PEEK: I think we can all speak. In my individual capacity, in terms of review  
15 specific of this nature I have not been involved in terms of the type of review but in  
16 terms of understanding and reviewing community challenges that are faced either  
17 with communities in Nigeria, where I visited and reviewed and understood all of that  
18 and submitted our concerns to Friends of the Earth International specifically for the  
19 organisation I work for, or within South Africa generally with communities that are  
20 living next to oil refineries, living next to toxic dump sites, where I have gone in,  
21 reviewed and presented those concerns to the necessary authorities for them to  
22 challenge or to take up and respond to them. In terms of police and community  
23 conflict that you have had in this particular area, I must say I have not been involved  
24 specifically in that type of process, but through other processes, yes.

25 MR LARSON: Similar to what Bobby is saying, all of us are very familiar with doing  
26 investigations for our separate organisations and sometimes joining with others in  
27 problems like this but this is the first time we have decided to join together and do  
28 this jointly and try to bring all our expertise together. Some of the other people, and  
29 they will explain in a minute, are very experienced at participating in direct non-  
30 violent action and dealing with authorities and police and how that is handled in a  
31 peaceful way in other countries, so they bring that expertise as well into how it can  
32 be done.

33 MS JONGEPIER: As Denny says, I have been involved in a lot of direct actions in  
34 Holland as well for Friends of the Earth Netherlands, so that is from my side.

1 MR DE CLERK: A similar answer: I have been working on a lot of investigations on  
2 activities of Shell in different parts of the world and working with local communities  
3 varying from South Africa to Nigera, Pakistan, the Phillipines, but, as Denny said,  
4 this is the first time that we do it in such a setting, where we look concretely or  
5 specifically at the human rights issues and police violence.

6 MS GRIFFITHS: Similar again for me, I have done quite a lot of work which has  
7 involved taking testimonies from communities who are impacted by different  
8 projects but nothing specific, nothing where those testimonies have been specifically  
9 related to police actions, but through a whole different variety of things. We do a lot  
10 of work in Friends of the Earth in collecting testimonies and stories and collating  
11 those and making reports, transcribing them and presenting them to outside  
12 authorities.

13 MR JOHN MONAGHAN: Another first for the Corrib gas project. Thanks for that.

14

15 MR PEEK: Any other questions of clarification? If not, is it okay that I move on? Okay.  
16 What we would appreciate for people to do today is to come forward and respond to  
17 one particular question we have in a manner that you see fit and we will give people  
18 – I will first ask how many people will give testimony and then we will decide on  
19 time, because it will be a limited time but it will be where people give a testimony  
20 on their experiences and we will obviously ask questions of clarification. The  
21 question that we would like answered is, “What is your experience on how the  
22 police and the authorities are handling the situation related to the protests against the  
23 Corrib gas project?” It’s as open as that, for people to be able to give very open  
24 testimony on their experiences. We would like you to write your name down in  
25 order that we can have a correct pronunciation of your name, so when we ask  
26 questions we are not embarrassed, so we understand your language better and your  
27 name better. I think that’s all I have to say. What I would like to ask is of the  
28 people who are present here how many are seeking to give testimony this evening?  
29 Could you please put up your hand. We have ten people around the room.

30 MEETING PARTICIPANT: Can I ask a question: When you say “people to give  
31 testimony”, do you mean people who are directly affected or injured or assaulted as  
32 an individual or are they a witness of what they saw, what they witnessed?

33 MR PEEK: I think people who have witnessed what they saw as well as people who have  
34 been affected by that process.

1 MR LARSON: Also let me point out, the question is not only about the police activity but  
2 we are asking about the activity of the authorities, so obviously this includes the  
3 county, the state government, anyone with a position of authority within the various  
4 levels of government, of which of course the police are one part. We want to hear  
5 about your experiences and how they have been dealing with the controversy around  
6 the Corrib project, so it's not just limited to police in other words.

7 MR PEEK: We have ten people and we are able to go for three hours. It's now a quarter-  
8 to seven on my time and we will look at going until nine o'clock and maybe a bit  
9 longer, so let's give each process ten minutes. We would ask people to speak for six  
10 minutes and then we will ask clarification for the next four minutes. We will do a  
11 process where at five minutes we will indicate that you have one minute left, so that  
12 you can sum up your information. May I ask the first person to come up and state  
13 your name.

14

15 MR ED COLLINS: Good evening. Thank you, ladies and gentlemen, for taking the time  
16 to speak to me. My name is Edward Collins. I have been a peaceful protester for  
17 two years at the Bellanaboy gate. I do it for my children and their children. My  
18 particular situation, I was born in America of all-Irish descent. I feel it's my duty to  
19 help my neighbours to protest, to alleviate this project, to make it go away to sea. A  
20 strange few things happened to me in the beginning.

21 On September 14, 2005 I was driving my daughter to Galway when two Shell  
22 jeeps that were in my neighbourhood, one gentleman who lived at the bottom of my  
23 street, the incident happened 50 miles from our home. Now, whether it could be  
24 coincidence, I don't really think so but I will tell the story anyway. I was travelling  
25 past the Breaffy House, I slowed at the school, when Conor Burns in 05 LK 1788  
26 got in front of my jeep. Another man, his name is David, he was an engineer for  
27 Shell - both these men were Shell people – he got behind my jeep. As we were  
28 travelling the man in front locked his brakes at 70 miles per hour, the man behind  
29 me pulled up on my left-hand side, I had nowhere to go. I believe I am a good  
30 driver and nothing happened at that point. They were so serious we could have both  
31 been killed, me and my daughter. That was the first incident I had with Shell.

32 I have been beaten, assaulted, kicked, choked, punched. I made small  
33 statements, I never ever made a complaint. But I will tell you my complaints now. I  
34 will start off: I was taking photographs of the protest on the morning of November

1 10, 2006. When we walked away they were smashing a car when we came around  
2 the side and we were going up towards Bellanaboy bridge, there were about 40 of  
3 us. I was taking photographs. Sixty or more Gards came up to us. There were 14  
4 Gards behind us. They surrounded us. The force was like a tidal wave. They  
5 compacted us. They threw their jibes, they threw their punches and kicks. I  
6 managed to go at the back of the gate – at the back of where the Gards were – and  
7 was walking, proceeding down the road. I put my camera away under my jacket  
8 because it was starting to rain out. A BanGarda ran up to me, she grabbed me by the  
9 arms, I told her I was going home. She said with foul language, “You’re fucking not  
10 going anywhere.” I said, “Please, I want to go home.” Once again she said I’m not  
11 going anywhere. She proceeded to grab my thumbs and laid in a series of kicks at  
12 my legs, she kicked me in the privates, she kicked me in my groin. I bent over. She  
13 grabbed me by my camera strap, she started swinging me. All of a sudden a Garda I  
14 believe is GW 304, he’s about six-five and about 270, came running, charging, at me  
15 with kicks. He gave me such a kick and a shove I flew about six feet in the air, with  
16 the BanGarda because she had her hand wrapped around my camera strap when she  
17 was pulling me. We flew down a 15-foot drain. She landed face-down, I landed sit-  
18 down. I had water up to my waist. I thought – I don’t know what I thought, do you  
19 know, but I panicked. I scrambled up. Three Gards ran down and picked her up. I  
20 asked for help, they told me to go fuck myself. I pulled myself up and I heard shouts  
21 and screams up on the street, I couldn’t see. Some people tried to rescue me but  
22 were pushed and kicked back. Finally two people did manage to come and pull me  
23 up. I laid on the road for about an hour.

24 Anyways, an ambulance came and it was a site ambulance and they looked at  
25 me and they said I was finished, there was nothing they could do, so they drove  
26 away. About 40 minutes later another ambulance came and they took me to the  
27 hospital. On arrival I guess, I couldn’t breathe, I was in excruciating pain all over  
28 my body, my blood pressure was 193:120. I had a series of pain medication  
29 injections. I was sent to the orthopaedic ward. I had serious contusion in my lower  
30 back and I couldn’t walk, I couldn’t feel my feet, I couldn’t move my toes for three  
31 days in the hospital. They said I would get better, they sent me home. I went into  
32 another hospital. The next morning my legs swelled up twice the size. They sent  
33 me back to the hospital, where they took x-rays and they sent me home again and  
34 said I would get better within three weeks. It has now been 15 weeks. I was at the

1 hospital this morning for MRI. It seems that I was kicked so forcibly in the back of  
2 the knee that my leg and my knee is going two different directions, and I probably  
3 will have surgery within the next 10 days.

4 That was why I made a complaint. I have been kicked and battered from Day  
5 One. I just took it that I knew it was wrong for them to be doing it but I'm a big boy  
6 and I thought, you know, I wasn't going to make a fuss about what they were doing.  
7 I've had a Sergeant Gill from Bangor Erris, he actually charged at me with his open  
8 fist and throttled me by the neck and kicked me in my right knee. I had to forcibly  
9 remove his hand before he made me go unconscious. I had another Gard throw me  
10 off a car and crack my right knee, I was on crutches for two weeks, pain medication.  
11 I found the treatment of An Garda Siochana appalling. It seems that they take it  
12 upon themselves to do anything and everything to subdue us, and I don't think it's  
13 right. Like I said, I have been charged at, kicked at, kneed in the face when we sat  
14 down on the road, it's just - and sometimes, sometimes I get afraid, but I have to tell  
15 myself, "Don't be afraid, I have done nothing wrong, I only stood and it was a  
16 peaceful protest."

17 I have an autistic son who depends on me and I haven't really been able to help  
18 him for the past 15 weeks and I feel sad at that, too, do you know, because he needs  
19 me, he depends on me. I am in an awful lot of pain these days. I have trouble  
20 sleeping due to the pain. All I can say is I have a wonderful family and I have  
21 wonderful friends in this room. I think that's all I can say right now.

22 Q. MR LARSON: Would you stay for a couple of minutes, Ed, we have a number of  
23 clarifying questions.

24

25 MR PEEK: I think first of all Maura would like to say something.

26 MS MAURA HARRINGTON: May I establish at this stage how long the RTE cameras  
27 intend to run on this, because I feel that while it is a public hearing we as a group  
28 here may have some difficulty with the entire proceedings being recorded. That  
29 would be, I think, fairly well felt by us, the local people here. It is a matter for  
30 yourselves how you would view it, but, Mr Fahy?

31 MR PEEK: Maura, just give us one minute, would you? In our response, just briefly to  
32 Maura, it is the community's collective call as to what they would want in terms of  
33 the request made by Maura and we would adhere to that, so I just want to indicate  
34 that to RTE. So the question for RTE is how long are you going to stay and

1 dependant upon that, then, the request I understand would be for the community  
2 feeling uncomfortable about RTE being here and for them to be leaving shortly.

3 May I ask that question of – is it Jim, am I correct?

4 MR JIM FAHY, RTE: Through the Chair, we don't have any plan, we simply came here  
5 to observe the meeting and we will abide by the will of the meeting.

6 MR PEEK: Just one minute. What we propose is that it is a public hearing. We  
7 understand the concerns of the community in this regard and I would like to request  
8 that maybe a way forward would be that RTE stays but not film the entire process  
9 and, obviously, afterwards could speak as reporters to whoever they want to, it's up  
10 to them. Would that be okay with you, Jim? Firstly, would that be okay with the  
11 community?

12 MEETING PARTICIPANT, (Edward Moran): Point of clarification: Over the last five or  
13 six years we have had the experience of the State-owned media being very, very  
14 selective in what they have filmed and then being very, very selective in what they  
15 showed on television particularly and that has left us with very little confidence in  
16 the State-controlled media, and that would be by way of background. There was one  
17 particular instance recently where Prime Time, a well-established and very well-  
18 regarded national programme, came down to Belmullet and filmed what was to be a  
19 very objective and very balanced programme reflecting both sides. There was a poll  
20 conducted preparatory to that and the poll was to be you might say the centre of that  
21 panel discussion. The fact of the matter is that they kept back crucial information  
22 from that poll, did not reveal it till the following day - in which case it was revealed  
23 by a sector of the news media that has clear multinational alliances – so we are left  
24 with feelings of grave doubt and reservation. It is the selectivity; we don't mind  
25 them reporting, we don't mind them coming here, we welcome it, but the selectivity  
26 has left us over the past number of years feeling very, very doubtful, very, very  
27 lacking in confidence. Thank you.

28 MR PEEK: Thank you, sir. Could you please give us your name?

29 MEETING PARTICIPANT: My name is Edward Moran.

30 MR PEEK: So the proposal to the floor is what I mentioned earlier. If there is complete  
31 unhappiness and there is request by the floor that the media should leave, I would  
32 like to understand that. So there are two proposals on the table. If I may repeat that:  
33 the one is that the media remain but do not tape the entire session, and the second  
34 proposal would be that the media leave – RTE leaves now.

- 1 MS MAURA HARRINGTON: I would have no difficulty with the media reporting the  
2 event but, as Edward Moran has stated, we do have some long history of difficulty  
3 with RTE camera work and its activity, so I personally would be willing to accept  
4 Mr Fahy here, Jim Fahy, to report on the matter but I would ask that the RTE camera  
5 may perhaps be switched off at this stage. Thank you.
- 6 MR PEEK: Mr Fahy, is that fine?
- 7 MR JIM FAHY, RTE: Sorry, I'm just waiting for a ruling.
- 8 MR PEEK: The ruling is that you may remain through the session but that your camera  
9 please be switched off from now.
- 10 MR JIM FAHY, RTE: I am in the hands of the meeting.
- 11 MR PEEK: Thank you.
- 12 MR LARSON: And, of course, you are free to interview anyone who wishes to be  
13 interviewed outside of the process if they choose to. Is that fine with everyone here  
14 then?
- 15 MR PEEK: I have two hands, then we will have to move on.
- 16 MEETING PARTICIPANT: Sorry, that's fine.
- 17 MR JOHN MONAGHAN: That would be fine with me, no recording only and they can  
18 interview after – I have no problem with that.
- 19 MR PEEK: Thank you. Thank you, Mr Fahy. I apologise to Ed for this delay.
- 20 MR ED COLLINS: That's okay, sir.
- 21
- 22 MR PEEK: We do have a few questions, Ed.
- 23 Q. MR LARSON: I have a couple of clarifying questions. The cost of your  
24 hospitalisation and medical treatment, how have you borne those – by insurance,  
25 yourself or...
- 26 A. Insurance and, being a carer for my son, I do have a medical card.
- 27 Q. MR LARSON: And those costs have been considerable?
- 28 A. They have been, yes.
- 29 Q. MR LARSON: At the time of your injury were you working and supporting  
30 yourself, are you still able to work? I understand the nature of the caring for your  
31 son, the injury has affected your making a living?
- 32 A. My job was caring for my son. I mean I am still there for him but I can't really go  
33 bowling, I can't go swimming, I can't play football, I can't go hiking, I can't do too  
34 much. Like I said, I'm in severe pain for 15 weeks.

- 1 Q. MR LARSON: At the time you were involved in the peaceful protests as you have  
2 described over this period of time, were you willing as a peaceful protester to be  
3 arrested for doing peaceful protests?
- 4 A. Well, of course, I mean we were willing to be arrested. I mean, I have been  
5 assaulted many, many times, I never made a squawk about it, but when they did  
6 throw me down the drain and left me there, I was hospitalised, I mean I had to speak  
7 up then.
- 8 Q. MR LARSON: The reason for my question is that it would appear to me, having  
9 witnessed other peaceful protests, that there are several choices which law  
10 enforcement may use, one of those is arrest and deportment from the site to prevent  
11 you from doing what you are doing, and then there are obviously other actions that  
12 authorities may take. I am trying to determine whether as someone who was there as  
13 a peaceful protester you were either willing to be arrested or even seeking to be  
14 arrested for your participation in this activity.
- 15 A. Well, I don't believe I was breaking the law, sir, to be arrested. I feel that the way  
16 Shell has gone about this planning permission and a piece here, a piece there, a piece  
17 there, give people jobs, divide the community, split family and friends, it's just – I  
18 believe it's not really a legal way what they are doing, so therefore it is an illegal site  
19 even though they have planning permission to do one or two things in the building  
20 of this terminal, so-called what it is, refinery. To answer your question one more  
21 time, I don't believe I was breaking any laws to be arrested, sir.
- 22 Q. MR LARSON: At any time did you feel that you took an action which was intended  
23 to or would have the consequence of provoking the response that came from the  
24 police officers in the way of being struck and kicked and treated in the way you  
25 experienced? Do you believe your activities provoked that at all?
- 26 A. No, I do not believe my activities provoked that at all, not one iota of that. I have  
27 been a quiet – when we walk in and sit down I am quiet, no name-calling, I don't  
28 provoke them. A lot of times we're outnumbered – you know there's 176 to 80 of us  
29 or 100 of us. They are the law, we are supposed to respect them, but you get kicked  
30 and hit so many times, how can you respect a person who does that to you?
- 31 Q. MS GRIFFITHS: Thank you for your testimony. You said you made a complaint  
32 after the serious assault. Could you tell me a little bit more about who that was  
33 made to, when it was made and has there been any follow-up after that?

1 A. Well, I made a complaint, my first time I ever complained was – I believe it was  
2 January 12, 2007. I mean it happened November 10 but I mean I was pretty messed  
3 up.

4 Q. MR LARSON: So that complaint was in regard to the incident on November 10?

5 A. Yes, on November 10.

6 MR PEEK: And it was January 12.

7 Q. MS GRIFFITHS: Are you expecting any follow-up from that complaint? Sorry, I  
8 don't know how the police system works here.

9 A. I received a letter from An Garda Siochana, a Superintendent Seamus Keane. He  
10 said he would like to interview me. I ripped my knee again, just even walking it rips  
11 as I walk, it just tears, the pain is just excruciating. The medication I was on, I felt  
12 that it wasn't proper to go and be interviewed while I was under serious medication.  
13 I believed I was having surgery tomorrow, or I'll have it within the next 10 days, so  
14 I wanted to wait until I had a pretty clear head and actually find out just what the  
15 extent of the damage to my knee and back.

16 Q. MS GRIFFITHS: So the complaint isn't resolved yet?

17 A. It isn't resolved, no.

18 Q. MS GRIFFITHS: Is it still open?

19 A. Yes, it's still open, it's up to me now to correspond with this Superintendent and tell  
20 him what happened.

21 Q. MR PEEK: Can I ask one question on that, Ed: Is that complaint obviously in  
22 writing - have you copies of that and copies of responses?

23 A. I have a copy of this. The copy of responses, basically the first letter I received said  
24 that my case justifies an investigation. My second letter stated that a certain  
25 individual would be contacting me soon. I can get copies of those letters for you if  
26 you like.

27 MR PEEK: That would be greatly appreciated.

28 A. Okay, I can deliver these to you this evening and I can drop those off tomorrow,  
29 maybe, at the lodge.

30 MR LARSON: You can drop them off at the lodge tomorrow morning, you don't have to  
31 do that tonight.

32 Q. MR DE CLERK: In relation to the first incident that you mentioned, what happened  
33 after the car incident with the two people who, if I understood correctly, were

- 1 working for Shell? What happened when the car stopped? The second question is,  
2 did you specifically address these people about what happened?
- 3 A. Okay. The reason why I am sitting here today is I had some extra money, I bought  
4 four tyres, I bought four brakes, I had my brake linings, I mean my brake fluid,  
5 changed two weeks before this incident, by some miracle. That's what saved my  
6 life. I knew these gentlemen, I didn't really have any vocal with them at all. He  
7 locked his brakes, I went from 70 miles an hour to second gear, first gear, hand  
8 brake, with two feet on the brake. The man pulled up on my left-hand side, I didn't  
9 know what to do. He seen my daughter and kind of veered a bit then and I kind of  
10 went out between the two of them. I made a complaint to the local Garda station  
11 about 10 days later. Believe me, my daughter is everything precious to me and I was  
12 just bewildered, the rage inside I just had to keep it before it went volcano.
- 13 Q. MR DE CLERK: What happened with that complaint, did you ever get a response?
- 14 A. Well, the complaints I put in my local barracks, nothing really happened, no.
- 15 Q. MR DE CLERK: So you were not contacted by the Gardai?
- 16 A. No, I was not, no.
- 17 Q. MR DE CLERK: So there was no formal response to it?
- 18 A. No, there was no formal anything about it. No, sir, there was not. He basically  
19 stated it was their two words against me and my daughter, but, like I said, they were  
20 50 miles away when they were right there this morning, when I drove down my  
21 driveway they were right there, do you know.
- 22 Q. MR PEEK: For clarification, when you submitted your complaint was there a  
23 complaint number given to you from the Gardai on this particular incident?
- 24 A. On the Shell incident?
- 25 Q. MR PEEK: On the incident with the motor vehicles.
- 26 A. No, there was not.
- 27 Q. MR PEEK: Was it a written complaint?
- 28 A. It was just on the telephone.
- 29 Q. MR PEEK: And they didn't record that in any way?
- 30 A. I don't believe it was recorded. I was just so enraged. I believe he said there was  
31 nothing he could really do about and I noted that it can't happen again what they  
32 tried to do to me and my daughter, do you know. I didn't know what recourse I had.  
33 I didn't have it on film, I only had my young daughter, who was 12 years old, 13  
34 years old at the time, and myself. It happened within 25 seconds. I will state for the

1 record, I have been driving a vehicle for 35 years or more and I have never even  
2 scratched a car or had an accident, never. But that's irrelevant. It made me realise  
3 that they will do anything to subdue protesters, scare them, hurt them, so.

4 Q. MR PEEK: I have one last question and then Hanna will have one more question.  
5 This event that you mentioned around the two motor vehicles, are you of the opinion  
6 that this was a planned event and not something caused by the freak conditions on  
7 the road or anything else; was this a planned event?

8 A. Well, sir, one vehicle was at one of the driveways in the Shell compound, which is  
9 down the road. I live two miles from the compound. That vehicle was there till  
10 five-thirty that morning. The other vehicle in question was at the bottom of my  
11 street before I left. I meet these two vehicles 56 miles away from my home, one in  
12 front of me and one behind me, sir. I believe in some coincidences, but - he locked  
13 the brakes on at the last second, we were almost touching. He put a blinker on and  
14 went right, the other guy disappeared left and they just disappeared.

15 Q. MR PEEK: Which area was this?

16 A. This was right in Castlebar, going down the Castlebar-Breaffy road.

17 Q. MS JONGEPIER: Thank you for your testimony. I wanted to go back again to  
18 November 10. Did the Garda in any way like warn you or tell you to do something  
19 or to not do something?

20 A. No, she did not, no, she did not, she did not caution me, she did not do anything.  
21 She just grabbed me by my hands and grabbed me by my thumbs and started  
22 kicking. I told her I wanted to go home. There were plenty of people with cameras  
23 there. That's what has amazed me. There were seven or eight people on the road at  
24 the top, there were more people on the side of the road. I believe I got caught up  
25 with it. I am a protester, I was taking photographs that day. How do you define  
26 being a protester or when you are taking photographs of protesters, is there a thin  
27 line? Thank you for listening to me. I'm sorry for – you know, it's been a long  
28 journey.

29 MR PEEK: Thank you for your time, Ed.

30

31 MS CÉIRE McGRATH, Rossport: My name is Céire McGrath and I live in Rossport. On  
32 26/10/05 I took part in a peaceful protest march towards the main entrance gate of  
33 the building site of the planned refinery at Bellanaboy. We walked on the left-hand  
34 side of the road, as instructed by the police. Suddenly a policeman ran towards me

1 and my brother and my mother and very brutally pushed us towards over to the other  
2 margin on the other side of the road. By doing this they aimed at my shoulder with  
3 both hands, causing damage to the tendons and soft tissue of the shoulder joint.  
4 Betty Schultz improvised a sling for my arm and we arrived at the entrance gate to  
5 the site. That was the first incident.

6 The second time it was 1/11/05. I was in a sling and I was walking towards  
7 Bellanaboy, the refinery, with my mother and my brother, and the Gards came and  
8 brutally pushed us into the side of the road and I got caught on the arm which I had a  
9 sling on and got pushed brutally and they injured my arm again and I had to go to  
10 A&E. That is what happened.

11 MR PEEK: Do you want to say more? Is that it? Thank you for your testimony.

12 Q. MS GRIFFITHS: Thank you, Céire. I hope this question doesn't seem rude, but can  
13 I ask how old you were at the time?

14 A. I was 14.

15 Q. MR DE CLERK: My question would be, was this on a regular day or was this  
16 during a protest?

17 A. No, it was just a regular day.

18 Q. MR DE CLERK: So there was nothing going on...

19 A. No.

20 Q. MR DE CLERK: ...you were just passing by there, walking along the road?

21 A. Just a normal march, a peaceful protest.

22 Q. MR PEEK: But it was a peaceful protest?

23 A. Yes, just a normal march, an everyday march.

24 Q. MR PEEK: And it was 26 October, 2005?

25 A MEETING PARTICIPANT: It was 2006.

26 Q. MR PEEK: And the 1/11 was 2006 as well?

27 A. Yes.

28 Q. MR PEEK: Was that another peaceful protest?

29 A. Yes.

30 Q. MR PEEK: ...a peaceful march?

31 A. Yes.

32 Q. MR LARSON: Again I am just trying to establish with you and other testifiers as to  
33 your participation in peaceful protest and your expectation of that participation. Do  
34 you feel that anything that you did on that day provoked the police activity which

1           you experienced? Did you speak with them or did you try to engage them, did you  
2           have any physical contact with them before they had physical contact with you?

3   A.   No, I didn't provoke them at all on any occasion.

4   Q.   MR LARSON: As somebody involved in a peaceful protest where the police were  
5           there, were you willing to be arrested as part of a protest group or were you even  
6           seeking to be arrested through direct action?

7   A.   If it came to that I would be willing to be arrested, if it came to standing up for my  
8           rights.

9   Q.   MR LARSON: The final question in relation to that: Did you feel you were  
10          engaged in any activity during either of these days that was illegal?

11  A.   No, I was walking on the side of the road I should have been walking on and I  
12          wasn't doing anything wrong, I feel.

13  Q.   MR DE CLERK: I have one very short question: Was there any sign from the  
14          police before they started to push you that you were doing anything wrong – that  
15          they told you to stop walking or whatever?

16  A.   No, it was all of a sudden, I wasn't expecting it.

17  Q.   MR DE CLERK: So the police were not warning you that you were doing anything  
18          illegal, to please stop that?

19  A.   No.

20  Q.   MR PEEK: And the numbers on the march that day, how many people were there?

21  A.   The first time we were split and there were 10 of us and there were more Gards than  
22          there was us. The second time there was just me, my mother and my brother and  
23          about 10 Gards.

24  MR PEEK: Thank you, Céire.

25

26  MR PATRICK O'DONNELL: Patrick O'Donnell is my name. There are a lot of  
27          incidents, I could be here all night but I will keep it short. I haven't the dates but I  
28          will give them to you tomorrow.

29                The first one, we were engaged in a sit-down protest on the Bangor road –  
30          that's off to the left as you go to Belmullet. They started lifting us off the road, but  
31          what was unusual about when they lifted me one of the cops, there were four or five  
32          cops trying to drag me off the road and put me into a side, and there would be 50 or  
33          60 of us sitting on the road at this stage, and one of them jumped up on my knees

1 and banged down his heels on me. I was very hurt after, I had to go to the doctor, I  
2 could hardly walk.

3 The second incident was myself and a friend were driving down from Bangor,  
4 we were travelling at about 50 km on a 60-km road – the maximum speed was 60  
5 km – and a couple of trucks built up behind us and one of them shot out, the second  
6 one behind me shot out in front of me and pulled in and nearly put me off the road.  
7 The second truck pulled up outside me and the third truck to my rear. So I was  
8 boxed in. I locked the jeep immediately but the window was down and two of the  
9 truck drivers tried to pull me out through the window. They said that I was stopping  
10 them from going to work, and the lad that was with me was pulling, keeping me in,  
11 so my jacket was ripped. I reported that to the Super down in Bellanaboy at the  
12 gate, and the response I got from him was, that was Superintendent Gannon, that I  
13 was messing.

14 MR PEEK: Messing?

15 MR PATRICK O'DONNELL: Messing – just acting the eejit, in other words. I said,  
16 “You don't know because you weren't there”, and he said he knows everything. I  
17 reported it then to the Garda Station in Belmullet. They said they would investigate  
18 it. I don't know what happened since, I didn't hear any response about that.

19 The third incident would have been on 10 November - there's a lot of incidents  
20 that day. We were engaged in a protest at the quarry in Bangor, the gravel quarry,  
21 and we were blocking trucks coming out of the quarry. The police came along.  
22 There were about 25, maybe 30 of us in it. The police asked us to move, which we  
23 did, and the trucks started to come out of the quarry. So a bit of a scuffle broke out  
24 between a protester, a young girl I think it was, and I got involved in that and three  
25 or four of the police hauled me across the road and they were hitting me and they put  
26 me down - two or three of them held me down and one put his knee in my ribs. I  
27 ended up in hospital that day and they x-rayed my ribs and they said they were badly  
28 bruised.

29 The next one I think was the day you were back yourself, Denny, and we were  
30 marching down the road. There was a young lad in front of me, Patrick Coyle, and I  
31 seen the cops hitting him. I caught a hold of one of the Gards to protect the lad that  
32 was being hit, and two or three of them grabbed me and held me while the guy that  
33 was hitting Coyle turned around and gave me four or five punches in the face. My  
34 nose was bust and I got x-rays and that. They didn't say it was broken. But about a

1 week after my teeth fell out, my bridge – I have a bridge in and the front section fell  
2 out, so I had three or four visits to the dentist and I had to get another tooth  
3 extracted, down here they broke a tooth, so I had to get that one out, there was  
4 nothing in it to fill.

5 Another incident then, it was early in the protest, I was arrested and they  
6 accused me of pushing a cop into the drain, where they allegedly said that his hand  
7 was broken, his thumb was broken or something, but they kept me in seven or eight  
8 hours and then I was released without charge. They said they were sending a file to  
9 the DPP but I haven't heard of that since. That's about it.

10 Q. MR LARSON: Patrick, this early-on incident, would this be in October 2006 or in  
11 the period when the men had been released from gaol and there was activity at the  
12 Bellanaboy, was it in that period when you were arrested?

13 A. No, it was since October.

14 Q. MR LARSON: After October?

15 A. Yes, it would be about a week into the protest, I think.

16 Q. MR LARSON: And the protest started when?

17 A. It started the second or third of November, I think.

18 MS MAURA HARRINGTON: October.

19 A. Of October, yes, sorry. It would be about a week after.

20 Q. MR LARSON: Was this the first incident that you had with the police?

21 A. No, the first incident was being lifted and they trampled on my knees that day. And  
22 the cop that did it, I have his number and I have a complaint made to the Garda  
23 Commissioner.

24 Q. MR LARSON: You have made a written complaint?

25 A. Yes, because he also said, when he was doing my legs, he said, "Have that, you  
26 fucker."

27 Q. MR LARSON: And that is the day you were lifted in the sit-in...

28 A. Yes.

29 Q. MR LARSON: ...that you filed a complaint.

30 A. Yes.

31 Q. MR LARSON: Have you filed any other complaints in regard to any other  
32 incidents, written complaints?

33 A. I have, yes, I have two total.

34 Q. MR LARSON: Two plus...

- 1 A. We have heard since that there is an Ombudsman going to be appointed so I have  
2 held back the last two complaints. There is another one as well: Sergeant Gill from  
3 Bangor, one day he hit me in the face as well.
- 4 Q. MR LARSON: Did the police give you any reason why on one of these occasions  
5 you were arrested and why on the other occasions you were not arrested?
- 6 A. No, but I would certainly prefer to be arrested rather than getting my teeth knocked  
7 out or ribs smashed in or whatever.
- 8 Q. MR LARSON: So in one case you explained that the group did receive a warning to  
9 move and that you did move away from the gravel trucks as instructed by the police,  
10 correct?
- 11 A. Yes, we moved, and I think we have the evidence of that because when we moved to  
12 a side you could see the trucks on the video moving on and it was after that that they  
13 did my ribs in.
- 14 Q. MR LARSON: Prior to any of these other incidents occurring, were you warned by  
15 the police to move or that you were breaking the law and were you warned and told  
16 to take an action so that you wouldn't receive, you know...
- 17 A. No, no. The day that my teeth got knocked out - the only reason that I got involved  
18 was that they were hurting a young fellow right up in front of me and my natural  
19 instincts were to stop him from being killed.
- 20 Q. MR LARSON: As a witness to that, did you hear this young gentleman receive a  
21 warning from the police that he was engaged in illegal activity or he was to move, or  
22 did it seem unprovoked?
- 23 A. No, it just happened like that.
- 24 Q. MR LARSON: Do you believe that on any of these actions you engaged in any  
25 activity that was either intended to provoke the police or had the effect of provoking  
26 the police into taking action against you?
- 27 A. No, no.
- 28 Q. MR LARSON: During these occasions when you were involved in sit-ins and other  
29 protests were you willing to be arrested or seeking to be arrested?
- 30 A. I was willing to be arrested, yes.
- 31 Q. MR LARSON: Did you ever make this known to the police?
- 32 A. Yes, I have asked them on two or three occasions to arrest me.
- 33 Q. MR LARSON: What were their responses to that?
- 34 A. Just didn't want to know.

- 1 Q. MR LARSON: So they didn't give you a verbal response?
- 2 A. No.
- 3 Q. MR LARSON: But the response you received was physical in nature?
- 4 A. Yes.
- 5 Q. MS GRIFFITHS: Thank you, Patrick. I have a couple of questions: When you  
6 intervened when you saw the police hitting the young lad, can you describe in a bit  
7 more detail what you did in that intervention?
- 8 Q. MR PEEK: Before you go ahead: when you say "young lad", could you give an  
9 approximate age?
- 10 A. Twenty-five, 26, maybe 24, 25, I don't know.
- 11 Q. MR PEEK: Go ahead.
- 12 A. I caught a hold of his chest, his shoulders, I started pulling him.
- 13 Q. MS GRIFFITHS: The lad?
- 14 A. No, the cop, to pull him away from him, and as soon as I touched him, had a hold of  
15 him, two or three more cops grabbed me and pushed me back and he in turn then  
16 turned towards me and bang, bang.
- 17 Q. MS GRIFFITHS: My other question is about the incident with the trucks. Were  
18 they marked – you know, were they...
- 19 A. They belonged to the quarries, yes, two of them belonged to Lennon's Quarry and  
20 one of them belonged to Barrett's Quarry.
- 21 Q. MS GRIFFITHS: I don't suppose you would know the registration numbers of those  
22 trucks?
- 23 A. Not the trucks but I identified the drivers.
- 24 Q. MS GRIFFITHS: In your complaint you identified the drivers?
- 25 A. Yes.
- 26 Q. MS JONGEPIER: Thank you very much for your testimony. I was wondering:  
27 when you got lifted off the street in the sit-down protest, how were you lifted off the  
28 street?
- 29 A. By four to five cops, just caught me. But when they laid me down to where they  
30 were putting me one of them jumped on top of me and he put in his heels down on  
31 my legs here, so I ended up going to the doctor after that, I couldn't walk for two or  
32 three days.
- 33 Q. MS JONGEPIER: Another question: The truck drivers, were there any Gardai  
34 involved on that occasion?

1 A. No, I reported it to the Gardai after.

2 Q. MS JONGEPIER: But they weren't there at the time?

3 A. No, no.

4 Q. MR PEEK: Patrick, and to those who came before and folks that are going to make  
5 testimonies later, it would really assist us if you could write down the days and the  
6 stations and the police people you made complaints to in order that we can have a  
7 list of them, and obviously what the complaint was on, not much, just briefly, and if  
8 you do have a number of that complaint – well, at least in South Africa when you  
9 make a complaint they give you a case number and I'm hoping it would be the same  
10 here, so you can refer back to that.

11 A. Yes, I'll get that tomorrow for you.

12 MR PEEK: Thank you, Patrick, thank you very much.

13

14 MR MARTIN O'DONNELL: Martin O'Donnell is my name. I was assaulted there on  
15 November 10 by Super Gannon with the loud-hailer. I seen Ed Collins in the side of  
16 the drain and he was beaten up on the side of the drain there. I went to this Gard and  
17 I told him that this man fell down the drain there and I told the Gard to get the  
18 ambulance. He told me to go off to Super Gannon and tell Gannon. When I was  
19 making my way up to Gannon another Gard pulled me back by the shoulder and  
20 Super Gannon was just walking past me like that and the next thing he struck me  
21 right there on the chin bone with the microphone and he said to me, "You have no  
22 right to be here." I left it, I didn't provoke him or anything, I was just going up to  
23 him for him to make a phone call for the ambulance for Ed, and that's what I got, the  
24 microphone on the side of the jaw.

25 I was assaulted then in 2007 there, about a month ago, the same time my  
26 brother was assaulted there. I came up to the protest. It was kind of late, about eight  
27 o'clock. I seen the people walking down the road towards me and I seen the scuffle  
28 going on. I seen my brother there, the cops beating him up and I went to try to help  
29 him, to save him. I was held back, two cops had me here in my arms and two more  
30 started punching me there, and I got two stitches in my eye and I got a chipped bone  
31 in the back of my neck there. I didn't do anything to the Gards that day, I made an  
32 attempt to save my brother and put up my hand to save myself. My head was down  
33 when they punched me, they punched me uppercuts because the only way I could

- 1 save myself was to keep my head down, you know. I have seen thousands of abuses  
2 by the Gards, verbal abuse and a good few assaults like. That's about it.
- 3 Q. MR LARSON: Martin, just for the record: About the incident that Patrick and  
4 Martin are referring to, I believe that was Thursday, January 18.
- 5 A. Yes, I have it in the house.
- 6 Q. MR LARSON: Again I'll ask some similar questions. Did you receive warnings  
7 from the police prior to the police taking action against you, did they warn you to  
8 stop, that you were doing something illegal?
- 9 A. No, if I was going to do something wrong I would expect to be arrested, I went to  
10 save my brother then.
- 11 Q. MR LARSON: You have already answered the next question; you were willing to  
12 be or you expected to be arrested for activities such as that.
- 13 A. Yes.
- 14 Q. MR LARSON: And, again, do you believe you engaged in any activity which was  
15 intended to provoke the police or may have provoked the police?
- 16 A. No, not that day anyway, because I was sure that my brother would get seriously  
17 hurt if the cops didn't - I couldn't get my way to him, I was held back.
- 18 Q. MR LARSON: And on November 10 as well, when you were attempting to speak to  
19 Superintendent Gannon about Mr Collins' need for help?
- 20 A. That was completely out of the blue, I wasn't expecting it at all. I reported it to the  
21 Castlebar Garda Station when I did get hit.
- 22 Q. MR LARSON: And these are registered complaints that have been filed?
- 23 A. No.
- 24 Q. MR LARSON: Just verbal?
- 25 A. Yes.
- 26 Q. MR PEEK: It is Superintendent Gannon?
- 27 A. Yes.
- 28 Q. MR PEEK: G-A-N-N-O-N?
- 29 A. I think so, yes.
- 30 Q. MR DE CLERK: You mentioned an incident where you I think tried to liberate  
31 your brother?
- 32 A. Yes.
- 33 Q. MR DE CLERK: Can you describe a little more how that went - or maybe I'll  
34 attach a question to it: Could the police persons who were holding him, could they

1 have perceived that as you attacking them, or was it more trying to get your brother  
2 out of their hands?

3 A. To get my brother out of their hands, but I couldn't make my way up to him because  
4 there was a big crowd, a bit crowd of supporters that day and a big lot of Gards and  
5 the road was - you could hardly move up the road with the crowd, it was like  
6 packed.

7 Q. MR PEEK: Did you indicate you were going forward to help your brother?

8 A. Yes, yes.

9 Q. MR DE CLERK: It was not that you were engaging in a fight with the policemen  
10 who were holding him?

11 A. I didn't get that far, they had me back before I got to him.

12 MR PEEK: Martin, thank you very much.

13

14 MR TERENCE CONWAY: My name is Terence Conway, a local resident. I'm not  
15 complaining about – there was no specific assault on me, nothing major, but it's just  
16 on the Gardai in general. When they came in on 26 September I think it was to try  
17 and gain entrance to the site for all the Shell workers Superintendent Gannon did  
18 something very significant that day. He pushed me, but the pushing of me wasn't  
19 the issue, that didn't matter, but standing directly behind me was a woman, a senior  
20 citizen, with a crutch. And he did this in front of cameras. Only for there were  
21 people standing either side of her she would have fallen and possibly been seriously  
22 hurt. So I stated after that that the Gardai were willing to go to extremes. And what  
23 was very significant about that, RTE cameras were there filming it; so when he was  
24 willing to do that, to take the chance of being caught at that in front of cameras, was  
25 very significant. I didn't think they would go to the extremes they did.

26 On October 3 when the Gardai arrived in force to get on site, it is my firm  
27 belief that they intended a riot and that they intended there to be very seriously  
28 injured police, if not dead police. The reason I say that is everything they did that  
29 morning was designed to incite a riot. There was a girl injured needlessly while  
30 Security – this is on-site Security that we never interfered with, we always let them  
31 on site – two or three of them came along first in the morning about approximately  
32 five-thirty in the morning, and we allowed them through. We were in front of the  
33 gates of the site. I don't know, approximately 10 minutes later, another few of the

1 Security arrived to go on site. There was approximately 80 to 100 of us there, so we  
2 just mentioned, “Clear way for the Security.”

3 What the Gards did at that stage, a few of them lined up in front of the Security  
4 people and rushed through the crowd, where they injured a girl needlessly, they  
5 pushed her back against a van and injured her. She was hardly able to breathe, and  
6 people asked for the ambulance to be sent for. The Gards didn’t seem to care. So  
7 somebody phoned Dr Gerry Cowley, he happened to be on his way. When he got to  
8 the bridge at Bellanaboy he was stopped, the Gards would not allow him drive back  
9 to the site, he had to walk a half a mile approximately - which was all designed to  
10 have people ready for trouble, in my mind, but thankfully everybody kept the cool.  
11 Eventually Dr Cowley got there, he treated the girl as well as he could and a while  
12 later an ambulance arrived, took her to Castlebar.

13 At that stage then the Gards ordered us again to clear the way to the gate, so  
14 we all sat down on the road in front of the gate, They had a line of barriers over to  
15 one side. We sat down, so they started lifting us and putting us in behind the  
16 barriers. What they did was I believe carefully planned because it is not possible for  
17 anyone with basic commonsense to be so stupid as to do what they did accidentally.  
18 They put 80 to 100 of us that they had tried to have us ready for trouble in an area  
19 where the average size of stones in the place was that size, where if only one of us  
20 picked up stones and started - the barriers were approximately three feet high and  
21 there was a line of cops tight to the barriers, we were inside it. If anyone had  
22 decided to take on the cops, all you had to do was pick up two stones and if a cop  
23 got hit on the head, guaranteed they were dead. So I sincerely believe the whole  
24 operation was designed to incite a riot.

25 Reading the article in the *Garda Review* that they had, they make one very  
26 notable statement, in it: “There were no arrests. That was part of our strategy.” So  
27 from the beginning they had no intention of arresting people; they wanted, in my  
28 mind, trouble. They had a safer option when they moved us from the front of the  
29 gate, they had an area tarmacked just off the main road, plenty of room, no weapons  
30 available, yet they put us where we had perfect weapons. If you wanted to crack a  
31 person’s skull, you could not ask for a nicer weapon.

32 Their actions all along have been to incite people. I have seen on numerous  
33 occasions, they pick on someone, a lot of times a woman or someone that - they  
34 hope will react and injure one of them. On several occasions I have tried talking to

1 members of the Gards and explain the issues to them, and nearly every single time a  
2 Sergeant, an Inspector or a Superintendent will come over and tell them to move on,  
3 not to listen. So I think the orders came from Bertie Ahern and McDowell and down  
4 the line.

5 Q. MR DE CLERK: Can you explain who these people are?

6 A. Bertie Ahern is the Taoiseach, Michael McDowell is the Minister for Justice.  
7 Because of the actions – like I said, no police force in the world that wanted to keep  
8 the peace would do what they did on the morning in October, and Superintendent  
9 Gannon tried to injure an old woman in front of cameras, when he knew the RTE  
10 cameras were there.

11 Q. MR PEEK: Can I ask you one question, and that is with regards to on-site Security.  
12 On 3/10 you mentioned two occasions about on-site Security, on the first occasion  
13 you let them through and you have never ever in other protests stopped on-site  
14 Security going through?

15 A. That's correct.

16 Q. MR PEEK: But on the second occasion on that particular day when you tried or  
17 when the crowd and the protesters attempted to open up and let the on-site Security  
18 go through the Gardai interfered with that process of allowing the on-site Security  
19 people to gain access to the site?

20 A. That's correct.

21 Q. MR DE CLERK: I have a couple of questions. You mentioned the incident with Mr  
22 Gannon and that there was a camera. Was this released on television?

23 A. It was, yes, it was on RTE, I have a copy of it at home.

24 Q. MR DE CLERK: Was there any follow-up to that?

25 A. No, there wasn't.

26 Q. MR DE CLERK: And there was also not a complaint made by the person involved?

27 A. No. Well, I decided not to put that complaint into the Gardai because I wanted to  
28 leave that for the Ombudsman.

29 Q. MR DE CLERK: So you are saying, do I understand you correctly, that you are still  
30 planning to file a complaint on that once the Ombudsman is in operation?

31 A. Correct.

32 Q. MR DE CLERK: Another question relating to the incident where you mentioned the  
33 police were provoking a clash: how was the police on that occasion, how were they

- 1 dressed in terms of did they have helmets or were they just in normal police  
2 uniform?
- 3 A. Just normal police uniform and Gannon and O'Reilly - Joe Gannon is the local  
4 Superintendent and Conor O'Reilly was the guy from the Special Branch – they  
5 were both well out of the firing line in case trouble started.
- 6 Q. MR DE CLERK: Because it is a strong accusation, because what you are saying is  
7 that they were willing to put their own men and women in a very dangerous  
8 situation, and still you believe that this was done on purpose and this was not by  
9 whatever kind of stupid mistake or...
- 10 A. I don't believe that anyone who has any little bit of knowledge on issues like that  
11 could be so stupid, that is my sincere belief. I mean, even I wouldn't have done it  
12 and I have no police training whatsoever. They had a far safer option. Actually,  
13 they put some of the people in the area where, I mean were I in charge of the  
14 operation where I would put them was where they had nothing but tarmac  
15 underneath them, but they put us where the average size of stone was that size,  
16 guaranteed to crack a skull if anybody did. Even if a Gard was hit in the upper body,  
17 they may not be dead but they would be seriously injured, very seriously injured.
- 18 Q. MR DE CLERK: How much was the distance between protesters and the police on  
19 that occasion?
- 20 A. Just the width of the barrier; the Gards were standing tight up to the barrier, we were  
21 right inside it.
- 22 Q. MR DE CLERK: And there was visual contact between the two sides?
- 23 A. There was, yes, the barriers were about that height or maybe that height.
- 24 Q. MR DE CLERK: A last question: Because you mentioned specifically the incident  
25 with Mr Gannon and also on other occasions other witnesses were also mentioning  
26 him, is he a person from the area himself?
- 27 A. No, he's not. I'm not sure where he's from, I think he's from Galway.
- 28 MEETING PARTICIPANT: Yes, you're right.
- 29 A. He's from Galway, a neighbouring county.
- 30 Q. MS GRIFFITHS: Could you tell me how the protest on 3 October ended?
- 31 A. It ended peacefully. We were all herded into this area inside the pens – actually,  
32 sorry, on that day there was an observer there, an independent observer.
- 33 Q. MS GRIFFITHS: Who was that?

- 1 A. Sister Majella McCarron, and she was just there as an observer, she wasn't taking  
2 part whatsoever in anything we did, and she was removed behind the barriers as  
3 well. It ended up peacefully that day. I'm not sure what time we left there that day,  
4 I think we were there the whole day, some of us.
- 5 Q. MR PEEK: Terence, I have just one question: With regards to a Mr O'Reilly, you  
6 say he is from the Special Branch. What do you mean by the Special Branch?
- 7 A. I think he is from the Special Branch, I know he does some training in Templemore.
- 8 Q. MR PEEK: He's not a normal Garda?
- 9 A. No, he's not.
- 10 MEETING PARTICIPANT: He's a Riot Squad.
- 11 Q. MS JONGEPIER: On that note, how many - do you call them riot police or...
- 12 MEETING PARTICIPANT: Public order police.
- 13 Q. MS JONGEPIER: Can you tell me the difference and how do you see the  
14 difference?
- 15 A. Well, I guess they are a detective branch, a branch of the detectives, they see crime  
16 and everything else.
- 17 Q. MR PEEK: Do they wear different clothes to normal Gardai?
- 18 A. They do, yes, they don't wear the normal uniform.
- 19 Q. MR PEEK: And do they make themselves known as some members of a police  
20 branch separate to the Gardai?
- 21 MEETING PARTICIPANT: No.
- 22 A. No, they're part of the force.
- 23 MEETING PARTICIPANT: No numbers on them.
- 24 Q. MR PEEK: Could we have a bit of silence. We will have a comfort break  
25 immediately after this, but just one more question: Do the police or the Gardai  
26 always have their numbers of identification visible or...
- 27 MEETING PARTICIPANT: No.
- 28 A. No, they don't. A lot of them do but there have been some of them that have  
29 different numbers on them from day to day, and in some cases they may not have  
30 numbers on them at all, that has been noticed with a few.
- 31 Q. MS GRIFFITHS: I don't suppose you have photos of police wearing different  
32 identification – the same police wearing different identification numbers, by any  
33 chance?
- 34 A. I'm not sure, I'd have to go through on the video.

1 Q. MS GRIFFITHS: Could you submit those copies to us, either email...

2 MR JOHN MONAGHAN: Yes, I have emails.

3 MEETING PARTICIPANT: Some of them in civilian clothes, too.

4 Q. MR LARSON: So on October 3 were you asked to move to this containment area or  
5 were you lifted to the containment area or were you...

6 A. As far as I remember, we were asked to move but we chose not to.

7 Q. MR LARSON: All right, and then what happened?

8 A. Well, they proceeded to lift us once we sat down.

9 Q. MR LARSON: They lifted you into that area, and did you personally experience  
10 any, you know, physical violence as has been described before after you were placed  
11 down there, or did you witness any yourself on people who were moved?

12 A. I didn't witness any happening that day. No, I didn't witness it happening on that  
13 particular day.

14 Q. MR LARSON: When you were engaged in these sit-ins and other activities  
15 blockading, were you willing to be arrested or seeking to be arrested?

16 A. I was willing to be arrested.

17 Q. Just to clarify: you were never arrested or charged with anything during any of these  
18 protests?

19 A. No, I wasn't.

20

21 MR PEEK: People, if I may suggest that we have a comfort break of 10 to 15 minutes at  
22 the very longest. I know it's quite late and there are quite a few more people.  
23 Would that be okay with the gathering? Okay, we will be back at a quarter-past  
24 eight at the latest.

25

26 *(Short adjournment)*

27

28 MR PEEK: Before we go ahead, I would please beg your indulgence for two things. One  
29 is that Patrick O'Donnell could please come forward; he wants to mention  
30 something, as part of his testimony. Two, please could I have a show of hands as to  
31 how many more people would like to give testimony? Thirteen. Okay, fine.

32

33 MR PATRICK O'DONNELL: I'm Patrick O'Donnell. There is something I forgot to  
34 mention. In 1997 there was a family trapped in a cave in Belderg, which is along the

1 coast here, and there were two people drowned that night. I was involved in the  
2 rescue from six o'clock Saturday evening till three o'clock Sunday afternoon with  
3 my twelve-year-old son at the time. The second coxon on the lifeboat that night was  
4 Tony McNamara, who would have been the police Superintendent in Belmullet at  
5 the time, he was co-ordinating the rescue. During the night, Saturday night, there  
6 was some Gardai, an underwater unit, flown down from Dublin to Belderg to  
7 participate in the rescue to get into the cave to take out the family. When they went  
8 into the cave during the night they got trapped inside in the cave, there were four  
9 Gardai in it. On the Sunday morning about six, seven o'clock in the morning, I put  
10 my life in danger that night and I also put my twelve-year-old son's life in danger  
11 because I was only a few feet, maybe a metre, from the rocks to rescue these guys,  
12 they were all in an inflatable dinghy, and the lifeboat that was supposed to be doing  
13 the job would have been a half-a-mile off-shore at all times. The story is, anyway,  
14 we got them out of there, all alive, and when I pulled out the dinghy the lifeboat  
15 came in from a half-mile off-shore, cut the rope, took the survivors and claimed all  
16 the glory for the Gardai.

17 What is interesting about this, the morning – the first morning of the protest  
18 that we were lifted from the gate, I recognised two of the Gardai that I saved in  
19 1997, one of them by the name of Kieran Flynn, the other guy by the name of Dave  
20 Mulhall. I shook their hand and I said, "Welcome to the protest", that's all I says,  
21 and I said, "Obviously money is more important to you guys than friendship",  
22 because I remained friends with these guys. I said, "You do your job and I'll do  
23 mine." The day I was arrested there was a witness statement against me that he seen  
24 me throwing a cop into the drain. That witness statement came from Dave Mulhall,  
25 the guy I rescued. I told the fellows who were questioning me the only reason that  
26 he had a statement was he recognised my face, he knew me well and his evidence  
27 would stand up in court. The other guy, Kieran Flynn, had a allegation against me  
28 that I threw him out in front of a gate. So that's what you're up against.

29 Q. MR PEEK: Can I ask you one question: You threw a cop in a drain?

30 A. Yes, I mentioned that earlier on, I was arrested and accused of that.

31 Q. MR LARSON: That is the one time you were arrested as opposed to the other  
32 occasions when you were not arrested?

33 A. That's right, yes, I mentioned that earlier.

34 Q. MR PEEK: And nothing happened on that case since?

1 A. Well, I was released without charge but they have a file sent to the DPP.

2 Q. MR DE CLERK: The second accusation, that you were said to have thrown a cop in  
3 front of a car, what happened with that accusation?

4 A. Nothing.

5 Q. MR DE CLERK: Nothing?

6 A. No, it was just he knew me and...

7

8 MR PEEK: People, we have a challenge about time so please be patient with us, we  
9 might go a bit longer than expected.

10

11 MS DEIRDRE McGRATH: My name is Deirdre McGrath. The only reason that I am  
12 here tonight really is - I have never suffered any assaults from the Gards but I have  
13 witnessed it and I have some video footage on my camera here – I am here to tell  
14 you that a normal citizen, a nurse as well, of the community that I have lost faith in  
15 the Gardai from one particular incident especially. I was coming down – I live up in  
16 Northern Ireland but I am from here, my family is here and I come every holiday. I  
17 was down for the Christmas holidays. Every time I am down I support my  
18 community by going to the peaceful protest every morning. I came with my fiancé,  
19 who is from the North of Ireland, his father is in the police there.

20 We were at a peaceful protest just before Christmas and as I was leaving,  
21 myself, my fiancé and my father were driving off. As we were leaving the protest  
22 site, refinery site, we were pulled over by four Gards, I think there was one Sergeant  
23 in it. The four of them jumped out. They obviously saw – I had a sticker on my car  
24 that says, “Shell to Sea” so they identified me then as just a protester. They pulled  
25 me over and asked for my identification. I was under – I just couldn’t understand  
26 why, I wasn’t involved in any confrontation with them, all we did on that particular  
27 morning was just walk up and down the road, that was it. It was just before  
28 Christmas. They asked for identification, I gave them my licence - a full, clean  
29 licence. Then they said, “This car is illegal, this car can be taken off you  
30 immediately.” It was a Northern Irish car. I said, “As far as I’m aware it can’t be  
31 taken off me”, because Andrew, my fiancé, his father is from the police force in  
32 Northern Ireland and he said it’s fine for us to drive a Northern Irish car down as  
33 long as we are living and working in Northern Ireland. I said to him, “I’m not aware  
34 that I’m committing any crime.” And I said, “There’s my identification, clean

1 licence.” I said, “As far as I understand, my car is fine to drive down here because  
2 it is registered up in Northern Ireland and I’m only down to visit family.” It really  
3 terrified me because my fiancé tried to speak up for me and he was told to shut up.  
4 And even though my fiancé was trying to tell him, “No, no, this is wrong, you’re  
5 telling this girl the wrong aspect of the law” he was quite annoyed at me and then  
6 when he told me to drive on he said I was blocking the road – the reason I was  
7 blocking the road was because he had pulled up in front of me. So I was getting  
8 nowhere with these Gards at all, I just felt, “Who am I supposed to go to here?”

9 I did talk to some of my neighbours and I talked to Patrick O’Donnell there  
10 and he said, “No, you need to go and tell someone senior what has just happened to  
11 you.” I was terrified at this stage that my car would be taken off me, I need it  
12 because I am a nurse. So myself and my fiancé and Patrick O’Donnell went to  
13 approach the Gards in a car and wanted clarification of what the law is relating to  
14 bringing down a car from North of Ireland on your holidays. We approached some  
15 Gardai who were sitting in a car outside the refinery site, and they just drove off any  
16 time we approached them. I said, “I want to make a complaint, I want to clarify the  
17 law here on this aspect” - drove off, they were laughing at us. I have never been  
18 involved in any confrontation with the Gards, in fact I have always respected them,  
19 as my community has. I remember times when I went on a cycling trip with the  
20 Gards to raise money for the local church, we had a fantastic relationship with the  
21 Gards, we always had, I have cousins in the Gards - fantastic relationship with the  
22 Gards. Now I just feel there is no-one to go to. I’m glad there is an Ombudsman  
23 coming because when I try to confront the Gards and ask them for clarification of  
24 the law they drove off on me. I phoned a Superintendent in Dublin, I had to go as  
25 far as Dublin to ask, “Can we have some help here”, and they told me, “That Gard  
26 needs his wings clipped.” I told them the number of the Gard, they forwarded me to  
27 another Garda station, in Castlebar, and another one, in Roscommon, so I was just  
28 being sent from Garda station to Garda station to Garda station and no-one was  
29 saying that this Garda needs to be spoken to about the way he’s treating us.

30 As a nurse if I were to give a patient wrong information, false information,  
31 they would take me to court. This is what we are facing down here, they are giving  
32 us false information. We don’t know the full law and then they are coming telling  
33 us that, “This is the law.” We are breaking no law yet they are telling us, “You are  
34 breaking the law”, but when you find out from somebody else – I just find it difficult

1 now to trust the Gardai, as a nurse and someone who is getting married and going to  
2 bring up my children here in the South of Ireland in the future, it has come to a very  
3 sad state of affairs.

4 But nobody has got back to me since. Even when I did ring the Gardai back  
5 nobody has come back and said, “Right, we’ve spoken to” this Garda “and he is  
6 going to be disciplined in some way because he told you lies.” And I have witnesses  
7 that lies were told, my father and my fiancé. I have some footage here if you want to  
8 look at it of just a peaceful sit-down protest, and you can see how heavily-handed  
9 the Gards have treated my community.

10 Q. MR PEEK: Is there any way we can get a copy of that footage?

11 A. Yes.

12 Q. MR LARSON: I have one question as well: Actually, earlier today we spoke to a  
13 landowner, while we were filming an interview with RTE, interestingly enough, but  
14 this gentleman expressed a similar feeling, that he had always respected the Gards  
15 and now since the incidents in County Mayo he feels that he can no longer do that. I  
16 wanted to ask you, based on your experience, do you believe this is a feeling that is  
17 now widely held here...

18 A. Yes, I think so.

19 Q. MR LARSON: ...that people respected the Gards previously but due to the  
20 activities that have occurred in the past few months the trust and respect has been  
21 destroyed by the Gardai’s actions?

22 A. Yes, when you see them telling lies to your face and when you see them beating up  
23 your family, your friends, your community, people you have respected over the  
24 years, and you see them being hauled off the road and into ditches and drains, it’s  
25 awful. Baton charges here were unheard of until that incident a few months ago.  
26 It’s like – I mean, I live in Northern Ireland, my fiancé knows what it’s like, it was  
27 all hell broken loose 30 years ago, and now it’s happening here. We are shocked  
28 and we can’t believe it, but this is our community, this is what is happening us.

29 Q. MR LARSON: When you were witnessing these events, again, did you witness that  
30 the police would give a warning to the citizens prior to taking action?

31 A. No, not all the time. In fact, there was a time when I was behind, as I say, the line,  
32 just standing there and watching the lorries go by, I have heard Gards say, “Get him”  
33 just, “Get him.”

34 Q. MR LARSON: Then what happens after the words, “Get him”?

- 1 A. We were sitting down or standing up, lorries go by. I don't know if they did get  
2 them at that stage but obviously a few people were got here. But if you are passing  
3 comments - we have been sworn at by the Gardai. I mean, they are professional  
4 people; nurses wouldn't get away with that.
- 5 Q. MR DE CLERK: I have a question, it may be that you are not be able to answer it  
6 but maybe someone else in the crowd. We heard a lot of stories of Gards behaving -  
7 not only on the protest site but also on other occasions – behaving in a very rude  
8 way. Has anyone ever been in contact or been approached by a Gard who from  
9 within was telling the story of kind of a whistle-blower type of statement, that  
10 someone was admitting that there is a policy within the Gardai that people are  
11 treated in this unreasonable way?
- 12 A. MR ED COLLINS: The day I got my receipt that An Garda Siochana would take  
13 action and investigate my complaint, a Detective-Sergeant in An Garda Siochana  
14 came to my house and stated that I was an illegal alien and that I was not an EC  
15 member and what did I have to say for myself. When I explained that I was an EC  
16 member and that all my ancestors are from Ireland, I am married to an Irish woman  
17 and I have three Irish children, and they still didn't like the answers, the large Garda  
18 he bent down into my face and said, "Yeah, you take care of yourself." I kind of  
19 took that as a threat but I brushed it aside. But that is the day I got my letter, so  
20 another coincidence has happened to me like that.
- 21 A. MS MAURA HARRINGTON: In answer to your question, I personally am not and  
22 I do not think there is anybody in this room aware of any Garda whistleblower. I  
23 don't think there is anybody here who has had any expression of regret or any  
24 intimation of that given to them by any level or rank within the police force.
- 25 Q. MR PEEK: Could I ask two general questions of the floor. One is: Since the  
26 beginning of this process that you are facing in this part of the world, obviously the  
27 Gardai have to come from a particular area, have the Gardai changed, are they  
28 locals, and have the Gardai over the years changed to become Gardai that are  
29 brought in from other areas, or are local Gardai still part of the process? That is the  
30 first question. The second question: Generally, because there might be other folk  
31 who have experienced this, have you found that by having evidence that you are  
32 involved in the Shell to Sea campaign either on your house or on your person or on  
33 your motor vehicle, has that evidence in the form of stickers, etc led to harassment?  
34 Could you respond to that when people do come up?

- 1 A. MS DEIRDRE McGRATH: I believe it is responding to harassment, because  
2 myself again and my fiancé were coming down from Northern Ireland for another  
3 holiday. We had stickers on our car and we were pulled over by the Gardai quite  
4 late at night. We of course were astounded by this because it was on a very rural  
5 road by the cliffs and we knew that they weren't to be trusted, from the evidence that  
6 I had seen throughout the few months. They stopped us again, were a bit rude to us,  
7 asked us for identification, "Where are you going? Are you protesters?" They  
8 asked for my fiancé's identification, his licence. We said, "What are you stopping  
9 us in relation to", and they laughed, they were literally laughing at us. Then he said,  
10 "I want to see your licence", and he asked my fiancé for his insurance. My fiancé  
11 didn't have the insurance details with him but he said he could produce them at a  
12 station. They asked him what station, and he said a station in Northern Ireland. But  
13 they never issued him with a letter to say that it needs to be issued at a particular  
14 police station. It was just the fact we had a Shell to Sea sticker on our car. It was  
15 quite late at night. They also tried to gain access to our car as well. They tried the  
16 door, our doors were locked because we were travelling quite late at night, it was  
17 just the two of us, and my fiancé just lowered down the window enough so that we  
18 could speak to him. Even at that, even though they could hear us and speak to us  
19 properly, they tried to gain access to the car. We were by ourselves, we had no  
20 signal on our mobile phone if anything went wrong. Andrew said, "Why are you  
21 trying to gain access to our car?" They said, "We want to talk to you", and my  
22 fiancé said, "Sure the window is down, aren't we talking now."
- 23 A. MEETING PARTICIPANT (Andrew): It was only the fact that I myself am a  
24 driving instructor and know the laws that I knew that because that hadn't issued me  
25 with a certificate to produce my certificate of insurance details they were pulling my  
26 leg, basically, they were trying to have a laugh. If I hadn't known that, I could have  
27 been going back and forth to police stations, "Can I produce this certificate of  
28 insurance", and other police officers there would have been laughing at me, "Why  
29 are you here?" They were very intimidating.
- 30 A. MS DEIRDRE McGRATH: I think it was solely because we had the Shell to Sea  
31 stickers on our car.
- 32 A. MR JOHN MONAGHAN: You asked a question about Gardai being local or not. I  
33 think as a general rule Gardai appointed to an area are not from the local area, but

1 we do have one or two exceptions here. This was a major operation, the Gards were  
2 from all over the country.

3

4 MR JOHN FARRELL, Ballycastle: “To Whom It May Concern, It is with grave concern  
5 I have taken to writing you this letter. On 10 November last, when on peaceful  
6 protest with my fellow protesters outside Barrett’s Quarry, the Garda Siochana came  
7 to remove us from the entrance. On removing us, we were pushed to the right-hand  
8 side of the entrance by some members of the force. While this was happening an  
9 individual known to us as Sergeant Conor O’Reilly took up position behind the  
10 force. When we were being pushed to the side Mr O’Reilly kicked me in the back of  
11 my left leg. I was angry and saddened that a so-called member of the Garda  
12 Siochana could behave in such a manner. I called him a thug in my anger and  
13 disbelief. With this, a few moments later, while facing him, he gave me a kick in the  
14 right leg, for good measure, it seems. Am I to believe that this now is the state of  
15 policing in Ireland today, that I as an Irish citizen can be subjected to such treatment  
16 while trying to help my fellow citizens against the evil of Shell? It is my humble  
17 opinion that this man Conor O’Reilly should be removed from such a position of  
18 authority until a full investigation can be carried out on the matter. Yours trustfully,  
19 John Farrell.”

20 Q. MR PEEK: John, you mention you are from Ballycastle.

21 A. Correct.

22 Q. MR PEEK: That is not in the immediate vicinity?

23 A. It is 19 miles from the proposed refinery.

24 Q. MR PEEK: Is Sergeant O’Reilly the same O’Reilly that was mentioned, from the  
25 Special Branch, earlier?

26 A. As far as I am aware, he is.

27 A. MEETING PARTICIPANT: I don't think he is Special Branch. As far as I know,  
28 he is stationed in Templemore, the training unit for An Garda Siochana. I think he is  
29 a member of the Public Order Act. What I believe is that he usually over to France,  
30 maybe with the Riot Squad, for training every so often. As far as I know, I don't  
31 think he is Special Branch, I think he is stationed in Templemore.

32 Q. MR LARSON: When you were pushed on this occasion and then received the kicks  
33 you were involved in a peaceful protest and do you believe that you took any action  
34 which provoked this kicking from Sergeant O’Reilly?

1 A. No.

2 Q. MR LARSON: At these peaceful protests were you either willing to be arrested or  
3 seeking to be arrested?

4 A. Well, if standing up for your rights means that you have to be arrested, so be it.

5 Q. MR LARSON: Well, do you believe that you were engaged in any activity that was  
6 illegal?

7 A. No.

8 Q. MR PEEK: Thank you very much, and if I may ask you, John, to leave that note  
9 with us for our records?

10 A. Here?

11 Q. MR PEEK: You want to keep that? That's fine, John, we have it on record so that's  
12 fine, you can keep it.

13 MR ED COLLINS: I would like to state at this time that on numerous occasions people  
14 went up to this Conor O'Reilly and asked him for his identification number or his  
15 credentials and he has always refused to produce such.

16 MR JOHN MONAGHAN: Just to add to that, I did manage to get to see his ID on one  
17 occasion, very early on.

18

19 MS BETTY NOONE: My name is Betty Noone. I have lived in Mayo over 30 years, I  
20 have children and grandchildren born in Mayo. On a day previous to 10/11/06 I was  
21 back in Bellanaboy. I spoke with Gardai, many of them, I wanted to get feedback  
22 from them as to how they felt about Shell. A lot of them were pro-Shell and made  
23 this clear to me in conversations I had with them. I have no personal knowledge of  
24 any of the names of these Gards and did not know any of them or indeed a lot of the  
25 people back here, but I came back as an observer because I was totally shocked to  
26 read in the local papers that Maura Harrington, a person I had never met before, had  
27 been thrown into a drain previous to that, so I came back to see for myself what was  
28 happening. I totally support the Shell to Sea campaign and believe in what they are  
29 doing.

30 Following that I came to the 10/11 demonstration. I understood it was to be a  
31 protest, a peaceful protest, and we arrived after facing a detour of many, many miles,  
32 which the Gardai had put in place, we arrived some time between half-seven and  
33 eight o'clock, it was just getting bright at that time. I wanted to see what was  
34 happening so I went right up to the front of the group. In front of me was a line of

1 Gardai and they had their arms like that, holding on to each other. I just looked at  
2 them. I was very naïve, I didn't know that they were expecting trouble and I  
3 certainly didn't. I spoke to one or two of them, one I particularly remember, a  
4 Donegal Garda - I spoke to him again after that, and he will remember that occasion.

5 The crowd was swelling at the back of me and also the Gards started off, one  
6 deep became three and four deep in a row, and I was aware of getting squashed. I  
7 was spun around by the Gard in front of me, who grabbed me, spun my around and  
8 pushed me to the side. Another Gard - and I know this to be a Gard although I  
9 didn't see his face - picked me up, my feet off the ground. I was in a car-park area  
10 this time and I hadn't voluntarily moved one step. I was picked, taken toward the  
11 mouth of a drain, my feet were caught in briars and I was thrown face down. As I  
12 landed half-way down I was aware of a large rock sticking out and my leg lodged  
13 against that. I needn't tell you the pain was excruciating. I was totally shocked.  
14 Some people helped me up.

15 I can't identify the Gard because he came from behind but I know that there  
16 was a lot of people rushing past and the Gards, and just general shoving, pushing,  
17 stuff like that. I composed myself for a minute or two and tried to get up but I  
18 couldn't, I had to be helped up. It was at that point that the Garda glove fell from  
19 under my armpit and I knew – it was a Garda glove, they were the only people really  
20 who were wearing leather gloves and it was big. I crawled out of the drain, with  
21 help, as I said. I went to a soft area because my leg was in such pain, it was down a  
22 bank. I tried to get away from the crowd and I stood down there for a while.

23 There was a lot of action at this time and as I looked up the road I couldn't  
24 believe what I saw; people were being dragged right, left and centre across the road,  
25 thrown, told to get off the road, there is no footpath, they were thrown down banks  
26 and when they tried to get up again they were pushed repeatedly. Three Gards to my  
27 right were grabbing a person, I took that person to be a lady. They dragged her to  
28 the side and she tried to get up, and as a third Gard left her, again, after pushing  
29 again, he kicked her. I screamed and shouted for the cameras to come, because that  
30 was our only weapon that day, we were totally and completely non-violent that day  
31 and the cameras were the only protection we had, and if we had cameras the Gards  
32 stopped abusing people – and I'm sure everybody will testify to that.

33 At a later stage – I don't know what happened because I was in a state of shock  
34 – I tried to get through a Garda cordon. An ambulance had arrived and injured

1 people were being taken to it. I approached one Garda, who I later identified as  
2 Garda Devers, I have his number in here, I approached him and said, “I need  
3 medical assistance and I need it fast.” He looked at me and he said, “What’s the  
4 matter?” I said, “My leg is injured”, and at this stage it was absolutely swollen to  
5 the tightness of the trousers I was wearing. He looked to the right to another Garda  
6 and he said, “She’s hurt her leg, oh dear, she’s hurt her leg.” I said, “One day I will  
7 remind you of what you have just said, you are refusing me the right to medical  
8 assistance and that is unforgivable.” I just left it at that. I went down the bank again  
9 and I approached another Gard because I wanted strapping for my leg or something,  
10 I thought it was fractured. He allowed me up the bank, and as I went towards the  
11 ambulance there were several other people and they were much worse than me, and  
12 the ambulance people were working flat out, and it was totally irrelevant at that  
13 stage, my injuries, when I saw what was there.

14 As I was ordered back then through the cordon of Gards to come through to the  
15 crowd, the group of people had again assembled. I was aware of that O’Reilly Gard  
16 rushing at me, told me, “Get off the road”, and I was barely able to walk at this stage  
17 and a BanGarda rushed forward and got between him and I, he would have  
18 attempted to throw me in the drain again. I screamed at him, “Don’t you dare touch  
19 me”, because I think it is wholly and totally unacceptable for members of the Garda  
20 Siochana to brutally abuse or hurt anyone, to raise their hands and batons later on -  
21 now I didn't see that because I was at another situation at the time but I saw it on  
22 DVD and I am totally appalled at what happened there.

23 I have been back since. I went to the hospital that same day and I had x-rays  
24 and since that and even now I have a large haematoma, which took five weeks to  
25 disperse, in my leg. I will be faced, probably, with the risk of ulcers and what-not  
26 down the line. As I said, I am a 63-year-old grandmother, and to be thrown at that  
27 stage in my life into a drain by people I would have expected we could have trusted.

28 If you ask me now why I didn’t report this or go to any Garda barracks to  
29 report it, there is no trust left, nothing. I couldn’t trust them after what I saw that  
30 day. I don't believe they were all bad, I believe there were hand-picked groups there  
31 and they were from outside the area. As I say, I spoke to them afterwards and I  
32 identified them in my own mind, who was where, and with my own photographs. I  
33 know they weren’t all bad but they were hand-picked, those, and that’s all I can say  
34 about them today. I have this if you want it.

- 1 MR PEEK: Yes, we would greatly appreciate it.
- 2 Q. MR LARSON: I just want to ask again, before you were thrown into the drain did  
3 you receive a warning from the police that you needed to take some sort of action in  
4 order to avoid...
- 5 A. No, it happened in seconds, it just happened.
- 6 Q. MR LARSON: And there was no general warning given to the whole lot of you to  
7 get off the road?
- 8 A. No, the getting off the road was jumping into a drain, there was no warning us.
- 9 Q. MR LARSON: Did they say, "You need to jump into the drain"?
- 10 A. No, I was totally taken by surprise at what happened, totally and completely.
- 11 Q. MR LARSON: If you had been given an order by the police to disperse or to go into  
12 the drain, would you have followed that order?
- 13 A. I would probably have felt that I had the right not to heed that warning. We have a  
14 right to protest, and if that means walking on half the road and the Shell lorries using  
15 the other half, so be it, we would have done that and we would have done it  
16 peacefully.
- 17 Q. MR LARSON: So you didn't engage in any activity that was intended to provoke  
18 action of the police?
- 19 A. No, none.
- 20 Q. MR LARSON: Were you willing to be arrested or seeking to be arrested as part of a  
21 peaceful protest?
- 22 A. I cannot understand why, if I broke the law in their eyes, why I wasn't arrested  
23 because I don't think they have the right to beat me. Quite simply, I don't think they  
24 have that right, and if I was breaking the law then I say they should have arrested  
25 me, they didn't.
- 26 Q. MR LARSON: We have been handed a copy now of the Garda magazine *North*  
27 *Mayo Garda Review November 2006*, which was earlier quoted to us, in which I  
28 believe Mr Gannon states, "There were no arrests. This was part of our strategy."  
29 Was this consistent with your observation...
- 30 A. Yes.
- 31 Q. MR LARSON: ...that you were not offered the opportunity of arrest...
- 32 A. No.
- 33 Q. MR LARSON: ...instead you were offered another type of enforcement activity,  
34 which you are describing as being pushed and beaten?

- 1 A. Yes. And further to that, I was very defiant afterwards, I was in complete and total  
2 shock and I wanted to walk up the gate, up that road, as we had intended to do on  
3 that morning. I felt I had to do it and I went with my crutches. On that morning the  
4 Gardai formed a very close line on the white line to my right. One of them pushed  
5 another one in front and he in turn pushed – I didn't see this but I have two witnesses  
6 who will swear to it, and many more – and he pushed himself into me, dug his elbow  
7 in my shoulder, opened up his fists like that and caught me against the chest. I was  
8 totally and completely winded, and I was on multi painkillers at this stage.
- 9 Q. MR LARSON: And there was no warning that you needed to step back or move  
10 away?
- 11 A. No, I was in the middle of a row of people. I think because they had this attitude  
12 that outsiders were causing the trouble, this covered up an awful lot of what was  
13 happening, “Blame the outsiders.” I think they thought, and quite wrongly, that I  
14 had come from somewhere else to start trouble or whatever, because of my accent,  
15 it's different. I think that's why I was targeted. On a third occasion one Garda  
16 turned around, he had his hands like this here, he was the last in the line of Gardai –  
17 this was another day, I go there repeatedly and will keep going back there, I feel that  
18 I have more of a right now than ever to do that - and he claimed that he had done my  
19 leg, he pointed to my leg and he did...
- 20 Q. MR LARSON: This was on an occasion after you had been injured, a Garda  
21 approached you and took credit?
- 22 A. Took credit.
- 23 Q. MR LARSON: For the action?
- 24 A. For the action, yes.
- 25 Q. MR LARSON: What was your response to that?
- 26 A. To be quite honest, I didn't realise what he was saying and what he was doing until  
27 he had turned around and then it hit me, what he was doing – you know, he pointed  
28 to my leg, pointed to himself, that he had done it – and I don't believe he was the  
29 Gard who did it, funny enough, but he was a young Gard and I thought this was just  
30 point-scoring.
- 31 Q. MR PEEK: Just one question: Of that particular Garda, do you have any particular  
32 details on him, who indicated that?
- 33 A. I would recognise him.
- 34 Q. MR PEEK: You would recognise him?

- 1 A. I would recognise him. A lot of them wore balaclava-type hoods following that,  
2 covered up their faces completely. I think he was there the day following that, when  
3 I was doing the march again, I think he was there that day but I couldn't be sure of  
4 him that day to get his number. When things happen, it's the last thing you think  
5 about, getting somebody's number, you're just shocked, you're not expecting it and  
6 you're either hurt or not - you just don't react like that, to get their number.
- 7 Q. MR ED COLLINS: I would like to ask this lady a question, Betty.
- 8 MR PEEK: No – Betty, did you want to? Do you want to leave? No. Just one minute,  
9 Edward. Edward, we're just going to hold back on the question. Hanna has just one  
10 general question.
- 11 Q. MS JONGEPIER: I want to ask all of you maybe, have the Gardai ever asked you  
12 for your name or your identification during the protests?
- 13 Q. MR LARSON: Other than on the occasion that has been mentioned about the  
14 driving incident earlier.
- 15 A. MEETING PARTICIPANTS: Yes, yes.
- 16 Q. MS JONGEPIER: They do?
- 17 Q. MR LARSON: They do ask for that, and you have complied with that?
- 18 A. MEETING PARTICIPANTS: Yes.
- 19 A. MS MAURA HARRINGTON: Mr Chairman, in other instances they know your  
20 name and they are familiar with it, in other words, you know, "Maura, it's time you  
21 were getting to school."  
22
- 23 MR P.J. MORAN: I suppose the first instance that I would record of them was the first  
24 morning I came behind to the site. The Gardai – to me, it was a whole planned thing  
25 from the word go. The stopping of a doctor coming in to a girl who was very sick  
26 was the first thing that I was really disgusted about, because I always believed a  
27 doctor should never be stopped whilst he's coming in to see a patient. They totally  
28 stopped him, they wouldn't let him bring his car, because he phoned me from where  
29 they stopped him, and he said they wouldn't let him bring his car and he had to walk  
30 and carry his three bags.
- 31 Q. MR PEEK: Is this on the day of 10/11?
- 32 A. No, the third.
- 33 Q. MR LARSON: October 3, and this was Dr Cowley?
- 34 A. Dr Cowley, yes.

1 Q. MR LARSON: October 3, as previously discussed?

2 A. Yes. I was totally disgusted at that. To me that told me that the Gardai were going  
3 to be working totally out of order. I was back the road then another bit from that  
4 incident the same night with Maura, because she phoned me as well and I remember  
5 her going back. One of them told me, that particular, I wanted to come back again,  
6 he said, "This is our road tonight, we own it." I remember saying to him, "I thought  
7 this property was owned by the council, it was a public road"; "No", he said, "we  
8 own it from tonight on." And it all took off from there.

9 The next incident was that same night again, early in the morning. I was in the  
10 trailer that we have back there with my sister, just the two of us. They told us to  
11 leave the trailer. About two minutes after that, when we were about to leave it, a  
12 Sergeant ordered four Gards to come in. They knocked her down in the trailer and  
13 dragged her out around to where they were holding the rest of the protesters. Now,  
14 they never touched me, but they did it to provoke me when I would see them doing  
15 that to her. Now she is hardly five foot and I suppose about eight stone so it didn't  
16 take four Gardai to drag her and knock her, one of them would have done. It was  
17 done on the grounds to provoke me, that I would hit one of them and they were  
18 going to beat me. Now, I didn't do it, I didn't even pretend to do it, but it was very  
19 hard to stand there and watch that happen to your sister, very hard to watch it happen  
20 to anybody, regardless your sister. That took place.

21 A week later, it went on, I was threatened myself by a Sergeant, and three  
22 other Gards but they didn't say anything. I was just getting in my car after leaving  
23 the protest we had in the morning to walk back the road when they came along,  
24 stopped beside me. He was driving the car and he let down the passenger window.  
25 He just said to me, "I have your number and your time is up." I asked him, "What  
26 do you mean?" He said, "You heard what I said, your time is up", and he used  
27 brutal language on me at the same time and told me he was going to close my big  
28 mouth. Now I had no come-up with this Gard whatsoever at any time, didn't even  
29 know the man, I knew him previous from the protest day but that's all I knew, but  
30 had no come-up with him whatsoever, but the only reason that I think he did it was  
31 probably because I was just talking to the media off and on, but never concerning the  
32 Gardai at any time I talked to the media, never had any dealings with them, never  
33 had any come-up with the Gards whatsoever even before this protest. So I was  
34 worried about it at the time because to me I took it that he was going to kill me.

1           About three days later or four days later I got two phone calls from a local pub  
2 saying that I better watch myself because “you’re saying the same thing in the pub”,  
3 and used my name, that I was at the end of the line and that he was going to take me  
4 out of it. The people were very worried, they said, “What have you done to him?  
5 You must have done something.” I said, “I barely know the man.” So I was more  
6 worried then. A few times after that they came and used to turn at my house with  
7 the paddy wagon or the squad car or something and just drive slowly past the house,  
8 they did that on four or five occasions after that.

9 Q. MR PEEK: This particular Sergeant, the Garda, his name?

10 A. He is Butler, Dermot Butler. He’s MY 28, his number. He is fairly well known to  
11 us now at this stage.

12 Q. MR PEEK: Dermot Butler, MY 28?

13 A. Twenty-eight, yes.

14 Q. MR PEEK: And your understanding of his threat – I just want to be clear – is that,  
15 “I have your number, your time is up”?

16 A. Mm hm.

17 Q. MR PEEK: And you understand that as?

18 A. Well, I take it as the man was going to kill me, you know, because I would fully  
19 believe if I said to some ordinary person and if they reported it I would be  
20 questioned and I would be asked what did I mean. To me it is meaning that you’re  
21 going to kill somebody when you tell them that their time is up.

22 Q. MR PEEK: And which road are we talking about?

23 A. At Bellanaboy, at the site.

24 Q. MR PEEK: So when he said, “our road, we own it”, which road are we talking  
25 about?

26 A. The Bellanaboy site.

27 Q. MR PEEK: The main road?

28 A. Yes, right by the site there, yes.

29 Q. MR DE CLERK: When he was saying that to you did other policemen hear that?

30 A. Yes, there were three with him in the car, one of them I know for the past 25 years, I  
31 went out dancing with him.

32 Q. MR DE CLERK: Sorry, you what?

33 A. I went out dancing with him – well, not dancing with him but... I know him I  
34 suppose 25 years, very well.

- 1 Q. MR DE CLERK: Did you ever address that to this person?
- 2 A. I did, the next morning, and he denied it.
- 3 Q. MR DE CLERK: He denied it?
- 4 A. He denied it, yes, he totally denied that such a thing happened. And he was in the  
5 passenger seat, because the Sergeant talked across him when he was talking to me,  
6 and I could see his face. Okay, he didn't know what the Sergeant was going to say  
7 and he was totally taken aback by it, I could see that he was, but the next morning he  
8 denied that there was ever such a thing said.
- 9 Q. MR DE CLERK: So the person who said that to you was his superior?
- 10 A. Yes, yes.
- 11 Q. MR DE CLERK: Did you consider submitting a formal complaint about this?
- 12 A. I did, but I have heard nothing about it since.
- 13 Q. MR DE CLERK: In what way did you submit a complaint, on paper or over the  
14 phone?
- 15 A. On paper.
- 16 Q. MR DE CLERK: And you have not received any response?
- 17 A. No.
- 18 Q. MR DE CLERK: How long ago did you submit the complaint?
- 19 A. Oh, it's three-and-a-half months anyway.
- 20 Q. MR DE CLERK: Did you contact them, phone them to find out?
- 21 A. I didn't, not yet, a lot of people who put in complaints around the same time have  
22 word got, so I was just leaving it to see what would happen but I was thinking of  
23 renewing it again very shortly if I don't hear something - to Dublin I complained,  
24 now, to the Head Office.
- 25 Q. MR PEEK: You said it is in writing, have you a copy of that?
- 26 A. I have it in writing, yes.
- 27 Q. MR LARSON: Yes. PJ, on the time that you are speaking about when the incident  
28 happened at the trailer, what date was that – was that November 10?
- 29 A. That was November 10, that was with my sister – sorry, it was the third.
- 30 Q. MR LARSON: The third of October?
- 31 A. Yes, sorry, yes.
- 32 Q. MR LARSON: And your sister, is that Mary?
- 33 A. Mary Horan, yes, she's not here tonight now.
- 34 Q. MR LARSON: She's not, she's probably baking those scones.

- 1 A. More than likely, yes.
- 2 Q. MR LARSON: So in this incident she was in the trailer, away from where the  
3 activity was?
- 4 A. Yes, just me and her were there, yes.
- 5 Q. MR LARSON: There were four Gardai?
- 6 A. There was a Sergeant and a Gard standing at the door of the trailer and he told us to  
7 get out of the trailer.
- 8 Q. MR LARSON: He gave you an instruction?
- 9 A. He did, yes, and she was just tidying up and she said, "Okay, in a minute." With her  
10 saying that, he called three more Gardai, plus the one who was standing beside him,  
11 and they grabbed her. Now, I understood that there were two of them probably  
12 going to guard me and two of them...
- 13 Q. MR LARSON: Because the instruction was given to both of you?
- 14 A. Yes.
- 15 Q. MR LARSON: And after she asked for a minute to tidy up, because, as I recall, you  
16 actually have cooking utensils...
- 17 A. Yes.
- 18 Q. MR LARSON: ...and you have electricity and a generator and you have to take care  
19 of those things – the day, there was a little steam coming up...
- 20 A. Exactly, yes.
- 21 Q. MR LARSON: ...and you have to make sure that everything is safe, but instead of  
22 waiting for that to happen or removing both of you when they brought four Gards,  
23 they only removed her?
- 24 A. Yes, they never touched me, they left me standing there. I walked out of my own  
25 accord after they were dragging her out.
- 26 Q. MR LARSON: They gave no reason for removing her but letting you behind?
- 27 A. No reason.
- 28 Q. MR LARSON: They said nothing to you?
- 29 A. No, they didn't. I think at this stage I probably could have waited there.
- 30 Q. MR LARSON: But you then left?
- 31 A. I walked after, to try to protect her because I was afraid her head would hit the  
32 ground or something, the way they were dragging her.
- 33 Q. MR LARSON: And then they put her in an area where they had other people?
- 34 A. Yes, and I just walked in myself.

- 1 Q. MR LARSON: And you walked in and just voluntarily entered the area?
- 2 A. They ignored me, it was like I wasn't even there.
- 3 Q. MR LARSON: And your interpretation of that was they were intending to provoke
- 4 you...
- 5 A. Exactly.
- 6 Q. MR LARSON: ...to attack them.
- 7 A. Yes.
- 8 Q. And in fact when you witnessed that did you feel that you should do something to
- 9 protect your sister
- 10 A. Very much so.
- 11 Q. MR LARSON: But you restrained yourself, you resisted the temptation?
- 12 A. I did, and it wasn't easy to do.
- 13 Q. MR LARSON: Why did you do that?
- 14 A. Because I knew it would only probably make the issue worse and that she might
- 15 have got really hurt in the whole thing, but she got very bruised on her arms, she has
- 16 photographs of the bruises.
- 17 Q. MR LARSON: So it did provoke some feelings in you?
- 18 A. Oh, it did, a lot.
- 19 Q. MR LARSON: Which nearly pushed you to that point?
- 20 A. It was pretty close, it was pretty close. Just another incident with Mr Gannon as
- 21 well, the day the batons were on the road.
- 22 Q. MR LARSON: That day with the batons was November 10, the baton charge.
- 23 A. Yes. He started calling out my name, and there was a lot of people listening, asking
- 24 where I was, and he was standing right in front of me, he was watching me, just kind
- 25 of blackguarding me, and then he starting copying me, what I would say to the
- 26 media later, "Oh, you'll be saying this is a disgrace, what happened here today", he
- 27 was saying this to my face. I never even pretended the man was in it, because to me
- 28 the man is sick, what he is doing, but he was again trying to provoke me, that's what
- 29 he was trying to do.
- 30 Q. MR LARSON: But you were not provoked?
- 31 A. No, I didn't even pretend he was in it.
- 32 Q. MR LARSON: He gave you no instructions about where to stand or move or
- 33 anything?

1 A. No, he just started calling out my name, and there were 10, 15, 20 people there  
2 listening to him. He was standing there from where I am to where you are and that's  
3 when he started talking to me, what I would be saying to the media later on in the  
4 day, that it was a disgrace what the Gardai did here today and all this.

5  
6 MR PAT COYLE: The first incident was a few weeks back, it was a Friday and we were  
7 just walking from Jacintha's house over towards the terminal, and on the way over  
8 just say about the bridge when as the convoy of workers started to arrive there was a  
9 bit of a scuffle where the local Sergeant - do I give his number and name, yes? It is  
10 MY 28, Dermot Butler. He was trying to provoke a member of the crowd, trying to  
11 get him out, they wanted to drag him out, they wanted to provoke him so he would  
12 cause trouble, so they were trying to pull him out. I was holding on to the lad that  
13 they were trying to get out. So then there was a bit of a scuffle and then I got hit in  
14 the front of the head first and after I turned around then to go back into the crowd a  
15 Gard raced through the crowd – I was about three deep into the crowd at this stage -  
16 and he hit me on the back of the head with what felt like a baton at the back of the  
17 head. I remember getting hit and I remember getting up, I don't remember falling to  
18 the ground. But when I did get up again I got his number, it was GW 232, and the  
19 date of that morning...

20 Q. MR LARSON: I take it that is January 19 this year?

21 A. January 19, yes, with Pat O'Donnell and Martin. And the Gardai did start it.  
22 Dermot Butler and RG 144 was a fellow he was hitting people. In the incident I got  
23 my front tooth knocked out and I got cut on the forehead, so I think it was  
24 completely over the top because there was absolutely no hassle whatsoever that  
25 morning, none whatsoever.

26 Then last Friday there was another incident, where I got threatened when I was  
27 walking back the road. CN 77 and GW 232 again, I was on my own with them two  
28 and they threatened me, they told me I was going to get my comeuppance, that I was  
29 going to get what was coming to me. I asked them what were they going to do, was  
30 it do me for a bald tyre again in the future; "No", they said, "You'll get what's  
31 coming to you." In the meantime Dermot Butler arrived up again, MY 28, and he  
32 said, "You are going to get it" he said, "and when you do get it I'll be laughing." I  
33 said, "What? Will you do me for a bald tyre?" He said, "No, I won't waste my time  
34 on that, you'll get what's coming to you." It wasn't - I don't believe that they will

- 1 try to do anything as regards that motoring offence, I do believe that - whether they  
2 are going to give me a beating or get someone to give me a beating.
- 3 Q. MR LARSON: This was last Friday, February 23?
- 4 A. This was last Friday, yes.
- 5 Q. MR LARSON: This was in the morning?
- 6 A. In the morning, yes, just before eight o'clock say.
- 7 Q. MR PEEK: How many of you guys were on the protest that day?
- 8 A. There would have been maybe 50, 60.
- 9 Q. MR PEEK: You mentioned earlier – it might be just a phrase or language, I'm not  
10 too sure – you mentioned a lad?
- 11 A. Well, a fellow, a man.
- 12 Q. MR PEEK: A man, not a youngster?
- 13 A. Yes.
- 14 Q. MR PEEK: You said you were alone last Friday?
- 15 A. Well, what happened was we were walking back from the terminal, the refinery, the  
16 site, and we were walking back and say I kind of – there were cones along the road  
17 and he wanted me to walk inside the cones every time you came to them, so I kind  
18 of stopped at a cone, rather than go round it I stopped at a cone and I kind of stayed  
19 there for a while and meantime the rest of the people on the road had gone further  
20 than me, so I ended up being on my own at that time with these two particular  
21 Gards.
- 22 Q. MR DE CLERK: Do you think that the Gards know you personally, the ones who  
23 said those things?
- 24 A. Oh, yes, they do definitely, yes.
- 25 Q. MR DE CLERK: They know you from other occasions, other protests?
- 26 A. Not from other protests, no, I wouldn't have any dealings with Gards whatsoever;  
27 the only protests I have been involved in is this like, I am local.
- 28 Q. MR DE CLERK: I mean from other occasions where you were at the morning..
- 29 A. Oh, yes, definitely one Gard is based in Belmullet, the other two wouldn't be, they  
30 would be drafted in.
- 31 Q. MR PEEK: I just want to repeat the numbers: JW 232?
- 32 A. GW 232.
- 33 Q. MR PEEK: RG 144?
- 34 A. That's right, yes.

- 1 Q. MR PEEK: And CN 77?
- 2 A. That's right, yes, and Dermot Butler, MY 28.
- 3 MR MARTIN O'DONNELL: CN 77 it was that assaulted me that time.
- 4 Q. MR PEEK: That is Patrick...
- 5 MR MARTIN O'DONNELL: Martin O'Donnell.
- 6 Q. MS GRIFFITHS: Do you have any thoughts or speculations about why they picked  
7 you out to carry out these threats?
- 8 A. MR PAT COYLE: I have done sit-down protests, I have been at the front line, like  
9 I've done no more than what anyone else has done. I think I've been there most  
10 days. I think they want at this stage to get us off the road and that's it.
- 11 Q. MR LARSON: When you have been there engaged in a peaceful protest have you  
12 been willing to be arrested?
- 13 A. Well, I don't know when you sit down is it an arrestible offence or what, but I don't  
14 think they want to arrest anyone. Like I wouldn't go out of my way – I don't know  
15 do they mean provoking, I think the only way they will arrest you is maybe if you  
16 lash out or hit one of them like, but we are not going to do that, so I think they are  
17 trying to provoke us into doing that.
- 18 Q. MR LARSON: But you don't believe that you have been engaged in any illegal  
19 activity or provoked any action out the police?
- 20 A. No, with the workers going into work and that, same as you have seen the videos.
- 21 Q. MS JONGEPIER: Again the question about the warning, you know, before you got  
22 knocked in the head did you get any warning from the Garda?
- 23 A. No, not at all. If I had, I wouldn't have turned my back. I had turned and gone into  
24 the crowd, I was about three deep at the time, I know my mother was there, she just  
25 seen this Garda racing through the crowd. I didn't see him. All I remember is  
26 getting hit and I remember getting up, I don't remember falling like. I was only out  
27 for a couple of seconds. So there was no way I would have thought that he was  
28 going to come at me.
- 29 Q. MR PEEK: Did you go for any medical examination?
- 30 A. Yes, I went to Casualty, to A&E in Castlebar. I had to go to the dentist as well, I  
31 have actually had three appointments with the dentist since.
- 32 Q. MR PEEK: In terms of the medical examination, with particular reference to the  
33 fainting, concussion, what did they say, what was their report?

1 A. They examined me but they didn't take x-rays, they just asked questions like what  
2 day it was.

3  
4 MR EDWARD MORAN: My name is Edward Moran. I come as a witness rather than as  
5 a victim. I would have been involved in the campaign from a very early stage, in or  
6 about May 2001. Maura Harrington organised a seminar in or about that time. Up  
7 to that time all we heard was you might say the blitz of PR about all the jobs and all  
8 the prosperity and all the good will that would flow from Corrib and I took it at face  
9 value, as most people did, but after attending the seminar that Maura organised I  
10 came away quite convinced that there were serious questions to be answered. The  
11 seminar was centred on the EIS, which had been published very shortly before that,  
12 and the information that had been made available in connection with the application  
13 for planning permission, so it was all very factually based. But for the next four or  
14 five years I mean our activities were entirely paper-based, we had mountains of data  
15 to wade our way through, to come to terms with; we had objections to lodge with  
16 Mayo County Council, An Bord Pleanola; we followed all the various steps and  
17 stages.

18 Then in 2005 the men went into gaol and things became, you might say, more  
19 on the street insofar as protest, public protest, and making our presence felt at the  
20 Mayo County Council offices, etc. But then about a year after the men came out of  
21 gaol and so on you had a new initiative, a decidedly new initiative, and it dated from  
22 October 2006, October 3. I would have been there throughout every day, as I would  
23 believe, from October 3 right through to the middle of November. During that six-  
24 week crucial period of confrontation I would have been right through that and I  
25 would have seen it close up and been in the midst of it.

26 What I have seen is that in the early stages we had sit-down protests and for  
27 the first one or two, maybe even three, days the tactics employed by the Gardai were  
28 relatively normal; they lifted people relatively, you know, politely out from the road  
29 and made away. But quite rapidly then tactics changed and quite rapidly it became  
30 apparent that there were different groups within the Gardai; there seemed to be about  
31 20 percent – my own estimate – who had been trained in what I would have to call  
32 dirty tactics, very provocative behaviour, very painful tactics, they knew how to hurt  
33 without seeming to hurt, kicks in the shins and that kind of thing. As regards the sit-  
34 down protests even the regular Gardai - people I would call regular - instead of just

1 lifting people, they would then come among us and they would fall on top of us, and  
2 quite clearly it was intentional, in my estimation. They would throw people in on  
3 top of others who were sitting on the road, so at quite an early stage there were these  
4 differences of tactics visible. Then it moved on to another stage, where it wasn't sit-  
5 down, it was more or less on the road and marching and cordons of police, cordons  
6 of Gardai, and wherever there was an incident, I found, and very often in my  
7 estimation the incidents were caused by the Gardai; you would find that you were  
8 being pushed in on top of this incident by the Gardai.

9 The first time it happened to me I turned around and I couldn't believe that the  
10 Gardai were pushing us in on top of this incident. I turned completely around and I  
11 said, "What's going on here", at which they kind of backed off and they looked at  
12 one another, but obviously they had been instructed to. I would not see those as the  
13 Gardai who had been trained in dirty tactics, they were just following orders, but that  
14 obviously was part and parcel of their orders; wherever there was an incident, push  
15 people in on top, create a bigger incident, seemed to be the purpose of the exercise.

16 Against that kind of background I would like to mention a few particular  
17 incidents that did occur. There was the incident regarding Maura Harrington, where  
18 she was literally thrown to the ground. I happened to be a little distant from the  
19 incident as it happened but I was close enough to see the general picture, and when I  
20 watched it on television afterwards, on the RTE report, it was quite clear from that  
21 picture – and that picture is available - that she was literally thrown to the ground.  
22 As she lay prostrate on the ground nobody was doing very much by way of getting  
23 any aid for her. An ambulance in the employ of Shell came by. I was between the  
24 ambulance and Maura, in other words there was no more than 10 feet between the  
25 ambulance and Maura lying on the ground. The ambulance seemed to look and see  
26 – they could clearly see somebody was lying on the ground. The Gardai waved  
27 them on, the Gardai did not ask them to help, the Gardai waved them on and they  
28 went on. I was shocked and horrified later to find that that was actually a Red Cross  
29 ambulance and that a Red Cross ambulance had seen somebody lying on the ground  
30 yet had been directed by the Gardai to go on.

31 I was shocked and horrified to find that a Red Cross ambulance was actually in  
32 the employ of Shell. I got on to Red Cross Headquarters in Dublin, I lodged a  
33 complaint. I was told I would get a call back, I got no call back. Two weeks later I  
34 went back on the phone and I demanded to speak to the manager. I was told that the

1 person who was on the ambulance was a manager, that she was a locally based and  
2 she would handle all queries. I knew that other people had contacted her already and  
3 been given very evasive – I demanded, I eventually was put through to a gentleman  
4 who claimed to be in a senior position and who claimed that he would bring this to  
5 the attention of the board and that he would get back to me. That is two months ago.  
6 He has never got back – nothing, no indication whatsoever. He accepted that, yes, it  
7 was a Red Cross ambulance. He accepted that, yes, their personnel were aboard this  
8 ambulance. He tried to liken it to the Red Cross attending a football match and  
9 sporting events. I pointed out that there could be no possible comparison between  
10 the Red Cross attending at sporting events and being on you might say regular  
11 service with a private corporation, in on their ground, in on their land. Anyway, I  
12 found that a disturbing instance of the way that the various agencies collude.

13 The next one that shocked me and shocked me thoroughly was November 10.  
14 Again I was there that morning. I was there when Ed Collins was being pulled up  
15 out of the drain. Betty Schultz in particular demanded of the Gardai who were  
16 present - and several of them were just standing there looking – she demanded that  
17 they contact an ambulance, that they call an ambulance. He was obviously in huge  
18 distress, he was obviously incapable of looking after himself in any way whatsoever.  
19 They simply refused, they said, “It’s not our job.” This was filmed, there was a local  
20 person filming all this. He was shocked by the reaction of the Gardai and he  
21 particularly filmed them as they refused. They didn’t seem to mind one way or the  
22 other, they seemed to be quite confident that the orders they had would back them up  
23 and support them in this kind of behaviour.

24 What I didn’t see first-hand that morning was the incident regarding Maura’s  
25 van and the manner in which it was attacked, but I did see it later on TV. I was  
26 shocked, I was horrified at the viciousness, the ferociousness, of the attack on a van  
27 that was stalled, that was in the midst of a very large crowd, it could not have been  
28 moving, yet they beat at the windscreens, smashing them in whatever way they  
29 could – in fact they failed to smash them in, they smashed in the side windows, they  
30 tried to pull Maura physically out. That was most shocking, it was horrifying, and  
31 that was thoroughly well recorded on TV.

32 Other instances that I only really saw when I looked at the TV footage  
33 afterwards were people being thrown across crash barriers, being thrown in like dead  
34 weight, thrown in, and the Gardai just walking away, they didn’t care if they landed

1 on their heads or whether they were injured, they just threw them in as though they  
2 were waste and walked away. That was recorded more than once, several times, that  
3 people were thrown in that manner. Other instances of people being thrown down  
4 ditches – deep, steep ditches – and again the same attitude, throw them down and  
5 walk away. They seemed to want to put a message across, “This is the way we will  
6 deal with you.”

7           There was an incident about two years earlier which ran prior to either one of  
8 those big EU meetings in Dublin or one of those big international bank type  
9 meetings which have drawn serious protests in other countries abroad. About a  
10 month prior to that there was an incident in Dublin on a Sunday, a very lovely  
11 Sunday, some students decided to have you might say a party on the streets. They  
12 called it “Reclaim the Streets”. It wasn’t an impromptu thing, it was something they  
13 set out to do and do in a very peaceful and you might say carnival way. The way  
14 they were dealt with outraged the public at the time. The Gardai came in, they  
15 batoned them, they beat them, they beat members of the media. That caused public  
16 outrage at the time, but I feel that we were seeing precisely those tactics on  
17 November 10, that a message was being put across to us, “Stand up and you will be  
18 beaten down.” As I say, I came here as a witness; these are things I witnessed with  
19 my own eyes or saw in circumstances where I had every reason to believe that what  
20 I was seeing on TV did tie in with what I had witnessed on the ground.

21           The other incident that shocked me, again on November 10, was the manner in  
22 which Pat O’Donnell, who gave evidence here earlier, was treated. There seems to  
23 be a policy of targeting the people who contribute most to the campaign. Maura has  
24 been targeted most unmercifully, and not from just one source, from so many  
25 different sources. Pat O’Donnell was targeted. Pat O’Donnell was a hero, a public  
26 hero, two years earlier when there was a rescue operation that went seriously wrong,  
27 where the Gardai and the life-saving boat were involved. They couldn’t handle it;  
28 the skill, the knowledge, the experience of the local fishermen could. Pat O’Donnell  
29 skippered the boat that day in a situation that as I understand it took first-class  
30 seamanship and held a situation whereby two Gardai were rescued, lives were saved,  
31 that was admitted at the time. Pat O’Donnell received public acclamation, awards,  
32 medals, and over a period of a year I gather was at so many events where that event  
33 was marked and honoured. Yet on that very day he was the man who was targeted  
34 by the Gardai – he was a hero, he had to be taken down, they had to show that even

1           heroes didn't matter. I felt that that was shocking and disgraceful and shouldn't  
2           have happened.

3                       They would be my experiences, and I leave it at that.

4   MR PEEK: Thank you very much.

5   Q.   MS JONGEPIER: Just to clarify: When you mentioned that the tactics changed  
6           from the Gardai, did the Gardai themselves change or did just their tactics change –  
7           did the people change?

8   A.   I wouldn't be aware of the personnel changing. What I would have been aware of  
9           was that this was the first time we saw a massive turn-out of Gardai, like well over  
10          200 Gardai, which would be extraordinary for this part of the country. So I think  
11          that because the numbers were so big they thought that numbers alone would  
12          intimidate people and that day by day, as people weren't being intimidated, they  
13          upped the ante, and particularly the 20 percent as I would put it, some people might  
14          claim much more, specially trained and very clearly trained in provocative and dirty  
15          tactics, they were much more clearly manifest, yes.

16   Q.   MS GRIFFITHS: You said that somebody was filming when the Gardai were  
17          refusing to help Ed Collins.

18   A.   Yes.

19   Q.   MS GRIFFITHS: Does anybody have a copy of that for us?

20   A.   I would know the man, yes, I'm not sure whether he's here tonight. I'm sure the  
21          copy will be readily available, yes.

22   Q.   MS GRIFFITHS: My other question is: Near the beginning when you were  
23          speaking you said that you witnessed lots of incidents and that very often incidents  
24          were caused by Gardai. Can you give any examples of where they weren't?

25   A.   Sorry, where they?

26   Q.   MS GRIFFITHS: Where they weren't, incidents weren't caused by the Gardai?

27   A.   Well, you know, where there are big numbers of people, I mean at a football match  
28          or wherever there is a big crowd, wherever there's a bit of pushing or shoving that  
29          will happen normally and then somebody will push a little bit harder and somebody  
30          will push back, those would be the kinds of incidents. But where those incidents  
31          were taken advantage of, as I would see, by the Gardai to provoke them into a bigger  
32          thing, where somebody would actually be knocked to the ground, where it was quite  
33          unnecessary to knock them to the ground, and then there would be the tendency to  
34          push everybody in on top of them.

- 1 Q. MR DE CLERK: Have you seen or experienced any incidents which were clearly  
2 initiated by the protesters?
- 3 A. Well, I mean it's a gradual process. I wouldn't have been aware at any time of a  
4 protester striking or setting out to injure. I mean, I would be aware of protesters  
5 standing their ground and that leading to a pressure back and forth, you know, but as  
6 I say that kind of thing goes on in crowd situations, football matches or whatever.
- 7 Q. MR DE CLERK: So what you are saying is that, unlike incidents which were  
8 clearly initiated or, in your words, provoked by the Gardai, you are not aware of a  
9 similar kind of approach or similar kind of behaviour of the protesters?
- 10 A. Not provocative behaviour, defiant maybe but not provocative, and I would see a big  
11 difference between the two.
- 12 Q. MR DE CLERK: I have two other questions: You mentioned that there was TV  
13 footage about Maura being harassed, you said that it was clearly on TV. Was there  
14 any follow-up either that there was kind of a debate in the media or there were  
15 politicians speaking out about it or that there was some other institution who was  
16 raising questions about the behaviour of the police in relation to these kind of  
17 images?
- 18 A. Yes, I would have been aware of public outrage up and down the country, country-  
19 wide, where people saw these images on television and were outraged, but no, no  
20 attempt by any public figure to call for an inquiry, no attempt by the Gardai to hold  
21 an inquiry. They had this evidence as abundantly clearly as we had, but, no, there  
22 was no body, no group willing to stand up; neither church nor State agency willing  
23 to stand up and say, "This is wrong, this has to be investigated."
- 24 Q. MR DE CLERK: Do you have an explanation for that, because I guess that there are  
25 politicians who are supporting the Shell to Sea campaign and there are probably also  
26 some other organisations supporting it, so what would be the explanation of no-one  
27 taking the discussion to a different level?
- 28 A. All I can think is everybody leaving it to everybody else insofar as nobody willing to  
29 stand up and call for a public inquiry. I suppose they expected that we would – and I  
30 feel personally that we should have done an awful lot more in that regard at that  
31 time. We did make protests but they were largely individual protests. I think there  
32 was also a feeling of helplessness that this was a massive you might say campaign –  
33 I mean, 250 Gardai coming into an area, there had been a big build-up in the media  
34 over about a six-week period, the notion that Shell workers were going to go back on

1 site and that whoever stood in their way would be pushed aside. This build-up had  
2 been going on for at least six weeks in advance, so I don't think anybody was, you  
3 might say, that surprised. I suppose the memory of taking back the streets was still  
4 very much alive in people's minds. There had been an inquiry into that and that  
5 inquiry was ongoing in the intervening two years. By the way, that inquiry didn't  
6 lead to any clear indictments, you follow, some serious reprimands but nothing like  
7 it should have led to in the sense of dismissals, etc.

8 Q. MR PEEK: I'm sorry, what process was that?

9 A. An incident which happened about two years previously, it was students on a  
10 Sunday afternoon, I mentioned, taking back the streets they called it, it was a  
11 peaceful protest.

12 Q. MR DE CLERK: I have a question related to what might be the reason for the  
13 Gardai to act in such an aggressive, violent way. Am I correct that you said or that  
14 at least what you were indicating was that in the first stage the Gardai clearly wanted  
15 to show who is the boss, who is making the rules, and trying to intimidate the  
16 protesters so they would probably back off or stop the protest, would that be correct?

17 A. Yes, it was such a massive you might say campaign on their side, so many Gardai,  
18 so much publicity and so many public announcements leading up to this, that this  
19 was to be a fait accompli, this was so massive that "you will melt away before it."

20 Q. MR DE CLERK: My follow-up question is: If that was their reasoning then they  
21 must have seen now that this approach has not been very successful, this is rather  
22 making you more determined, and is there any difference in the way the Gardai are  
23 approaching the protests now; do you see any difference, or are they still continuing  
24 trying to intimidate and do you think they are still following the same kind of  
25 reasoning?

26 A. No, I think the incident of November 10 was intended to be the ultimate lesson, and  
27 definitely we had another event scheduled for 22 November, just two weeks later,  
28 and we cancelled that simply because we felt that the danger to life and limb was  
29 very, very great and we felt that it could even escalate well beyond the November  
30 10, so in a sense we backed off, and we have emphasised repeatedly the extent to  
31 which our campaign is non-violent and we stick to that. By the way, there is one  
32 point I would make there in referring to footage on television: the independent  
33 television station gave you a very clear picture of the attack on Maura's van; RTE,  
34 the people who were here earlier tonight, the State television station, gave you a very

1 fuzzed picture, the picture was taken from behind a crowd, you knew something was  
2 happening, you knew it was something serious, but you could not see. TV3 showed  
3 it as it was. So that's why I spoke up earlier in that regard, one of the reasons.

4 Q. MR LARSON: In some of the press reports that we have seen, like the *Western*  
5 *People* edition of January 23, 2007 and an article from the *Garda Review*, there are  
6 counter-charges made by the Gardai that in fact the protesters have been provoking  
7 and attacking the Gards in the description I think of the blockade of the road at the  
8 Bellanaboy incident, according to the *Garda Review* Gannon states that, "One of the  
9 central figures of the protest, not one of the Rosspport Five, bonded scrum-like with  
10 his son and his son's friend and propelled two lads forward into a Sergeant who was  
11 distracted and he was rammed into a ditch into a deep drain." And then in this case  
12 Superintendent Gannon on January 23 states that, "A young Gard was pulled into the  
13 mob and assaulted as the Gardai attempted to stop the protesters from blocking the  
14 bridge near the terminal site." So there seem to be statements coming from the  
15 Gardai that the provocation and the actual attack is being instituted by members of  
16 the protesters. What is your response to that?

17 A. Well, I just didn't see those incidents. And I drew the distinction earlier between  
18 provocation and defiance. Now, if you're being pushed around and you're being  
19 told you may not go here, you're being pushed back, back, back, defiance – and I see  
20 a huge difference between defiance on the one hand and provocation on the other.

21 Q. MR LARSON: Or, as is alleged here, actual attack, that the attack, the punching,  
22 was started by the protesters, not just provocation but actual physical...

23 A. Well, I haven't seen any attacks.

24 Q. MR LARSON: You haven't seen that?

25 A. I haven't seen any attacks.

26 MR JOHN MONAGHAN: I would like to make a point on what the Gards actually say  
27 and what happens on the ground. Just one example: the official line from the Garda  
28 Press Office on the incidence of November 10 is that there were no riot police in the  
29 area. Now, I would say at least half the people in this room saw the riot police on a  
30 bus. What they say and what actually happens are two completely different things,  
31 and there are more incidences of that.

32 MR EDWARD MORAN: I saw the riot police, I mean I was...

33 Q. MR LARSON: How do you know they were riot police?

34 A. Because of the gear they were wearing.

- 1 Q. MR LARSON: They were wearing?
- 2 MEETING PARTICIPANT: Helmets.
- 3 A. Well, helmets and they obviously had shields. They remained inside the bus but  
4 they were there, and they were there on more than one occasion.
- 5 Q. MR PEEK: I saw the RTE footage. Am I correct, I mean that was international  
6 footage?
- 7 Q. MR LARSON: That was on the January 19 issue?
- 8 Q. MR PEEK: No, it was on the footage of November 10. Did they not have shields  
9 and helmets on them?
- 10 A. MR EDWARD MORAN: No.
- 11 A. MEETING PARTICIPANT: No, not on the road.
- 12 Q. MR PEEK: So the RTE footage, there was no shields and helmets on them?
- 13 A. MEETING PARTICIPANT: No.
- 14 A. MR ED COLLINS: They were on stand-by, sir.
- 15 Q. MS GRIFFITHS: Does anybody have photos of that?
- 16 A. MEETING PARTICIPANT: Here.
- 17 Q. MS GRIFFITHS: And you said their official statement said that there were no riot  
18 police, do you have a copy of that?
- 19 A. MEETING PARTICIPANT: I read it in a newspaper, I'm sure we can track it  
20 down.
- 21 Q. MS GRIFFITHS: That would be great, thanks.
- 22 Q. MR PEEK: Do you know, Edward, if there was any footage taken of any of the  
23 incidents by the police, experiences that the police in some cases video the footage  
24 of the protests?
- 25 A. All the time, every time. I mean you couldn't go anywhere without having a police  
26 video camera in your face.
- 27 Q. MR PEEK: Is it safe to say, then, that the senior police in Dublin would have access  
28 to that raw footage?
- 29 A. MR EDWARD MORAN: This was ongoing. Visiting politicians would have these  
30 cameras on them all of the time, all of them remarked on the extent to which Gardai  
31 were going around with these video cameras, I mean constant, no let-up, I mean  
32 everything that happened they have it.
- 33 Q. MR LARSON: And this is recorded also in the article from the *Garda Review*,  
34 which says, "Much of the protest is being video-recorded as part of the evidence-

- 1 gathering process. This is a new concept in Irish policing plans. Members have  
2 been filming three to four hours of video footage per day and now have well over 50  
3 hours of tape by the end of October 2006.” That is from the Gardai themselves.
- 4 A. MR EDWARD MORAN: Absolutely, yes. And stills, I mean they have tripods and  
5 still photographs.
- 6 Q. MR DE CLERK: Have there been reports in the media or are you aware of them, or  
7 anyone else, about police staff ending up in hospital, because Mr Gannon is at least  
8 making the implication that police were attacked by protesters, so are there any kind  
9 of reports, public statements or proof that actually police did end up in hospital?
- 10 A. MR EDWARD MORAN: I wouldn't be aware of any major article or even any  
11 substantial article, I would be aware of references from statements made by  
12 individual police, and not very many of them, but, yes, there would have been such  
13 statements. I did not necessarily believe them or find them credible in the  
14 circumstances.
- 15 A. MR STEPHEN OLENDE: My name is Stephen Olende, I am staying down at the  
16 camp. I have taped the November 10 news item, like there was loads of news items,  
17 saying at least one police person had been hospitalised.
- 18 Q. MS JONGEPIER: Can I also ask you as a witness the question of the warning by  
19 the police. Did you hear on any occasion the police warning people to do something  
20 or not to do something?
- 21 A. The warning that I would be most aware of, and again I was there and yet I didn't see  
22 it happen, but they baton-charged. When I saw that on television I couldn't credit it.  
23 I mean I felt that that was a total set-up and I felt that RTE absolutely colluded in it  
24 insofar as the Garda closest to the camera was young, looked very fearful, had the  
25 baton you know – you'll see it for yourselves – slightly shaking, and Superintendent  
26 Gannon with the loud-hailer calling out a warning and he called on his men now to  
27 perform this baton charge so to speak. But I felt the manner in which that was  
28 photographed and shown on public television made it seem that these Gardai were  
29 doing this reluctantly, fearfully, and that these were young Gardai and that they were  
30 totally inexperienced, yet footage a little later on shows them hitting people on the  
31 knees, hitting people where it wouldn't show but where it would hurt. I do believe  
32 that this man O'Reilly, Sergeant O'Reilly, was using a type of baton that is actually  
33 illegal, that is banned in all countries as I understand it, it is a collapsible type of  
34 baton and he seemed to make great - now I did not see this myself but I did see him

1 in action several times and found the report entirely credible - that he made great  
2 show of this collapsible baton, shaking it out and collapsing it, but above all beating  
3 people and knowing where to beat them, where it would hurt most.

4 MEETING PARTICIPANT: That was a metal baton.

5 MR PEEK: Edward, thank you very much. I beg your indulgence, guys, we have five  
6 people left on your list, Maura – we have six people with Philip. I beg your  
7 indulgence, if we could keep to a strict time of five minutes each so it takes us a  
8 half-an-hour, I apologise for that.

9

10 MR PHILIP McGRATH: On 3 October I was sitting, we had gone to ground we'll say, we  
11 were sitting down at the front of the refinery gates, the proposed refinery, and we  
12 were all linked together when first of all we saw Sergeant O'Reilly and he was just  
13 grabbing people from all sides, you know, really rough handling, but he dragged the  
14 people in front of us and the Gards carried them away and tossed them into the  
15 stoned area. Everybody was just tossed in, whether you hit your head or not it didn't  
16 make any difference. But when it came to my turn I was linked up with Johnny  
17 Farrell and I wouldn't let go because we had a tight grip on each other. He said, "I'll  
18 do this and I'll do it the hard way." He asked me to let go my grip and I refused, so  
19 he caught my thumb and he pushed it back at full force until it cracked, so naturally  
20 enough I let go my grip straight off, and four Gards dragged me over to the stoned  
21 area. I knew at this time that my finger was damaged so I sat on the stones for about  
22 maybe 10 minutes. I was in severe pain and I suppose I was numb really and  
23 surprised at what was happening around us. Then I think Gerry, Dr Cowley, came to  
24 my assistance, and he told me that – he examined my finger and he said, "It's  
25 dislocated", so he put a bandage on it and he wrote me a letter to go to the Casualty,  
26 which I did. They x-rayed my finger and they said it had dislocated, it had come out  
27 of the socket, so it was quite painful.

28 On another occasion then – I haven't the date but I'll submit it later – the rest  
29 of the bunch were sitting on the bridge on a sit-down protest. I was about 50 metres  
30 or so away from them. They asked me to join the bunch. I said no because I wasn't  
31 with them. So four Gards knocked me to the ground and carried me. One of them  
32 was a Sergeant, Sergeant Butler MY 28 – you will be familiar with that number by  
33 now – and he caught me here at the back of my coat and he twisted like this and I

- 1 was gasping for air and he said to me, “I would like to take you out to it”, he said, “I  
2 would love to kill you”, they were the words he used.
- 3 Q. MR LARSON: I just want to clarify on that: Were you with the group sitting on the  
4 bridge or not?
- 5 A. Well, they carried me to the group, I was away from them.
- 6 Q. MR LARSON: You were away from the group and they approached you  
7 specifically...
- 8 A. Yes.
- 9 Q. MR LARSON: ...and asked you to go to sit on the bridge with the other protesters?
- 10 A. Yes, and I refused.
- 11 Q. MR LARSON: And you refused and that was the point at which...
- 12 A. They knocked me to the ground and they carried me then and just threw me in on  
13 top of the others.
- 14 Q. MR DE CLERK: My question: Did you file any complaint?
- 15 A. Yes, I put in a complaint but I have heard nothing back since.
- 16 Q. MR DE CLERK: Which way did you file the complaint, was it written?
- 17 A. Typed and signed.
- 18 Q. MR DE CLERK: When did you submit that?
- 19 A. It's about two months.
- 20 Q. MR DE CLERK: Two months ago, and you didn't get any formal reply?
- 21 A. No, not yet...
- 22 Q. MR DE CLERK: Also no phone calls?
- 23 A. ...but I would expect something shortly.
- 24 Q. MR PEEK: Have you a copy of that for us?
- 25 A. I haven't it today but I will have it.
- 26 MR LARSON: In general, anyone who has filed a written complaint, if we may get a  
27 copy of that and any responses you have received, that would be helpful to us.  
28
- 29 MS SIOBHÁN McDONNELL: My name is Siobhán McDonnell. The day I was hurt  
30 was 11 October 2006. We staged a peaceful protest, a sit-down protest, and we got  
31 up to go back to our vehicles and we were at a bridge on the Bangor road, I was just  
32 walking back down towards Bellanaboy to get the car along with another group of  
33 people, about 40 or so. We were cordoned off by a line of Gardai linking arms, and  
34 they started pushing us towards the drain. I was at the back, I was actually trying to

1 get past the crowd to walk back to my car safely to get out of the way, when three  
2 Gards came through the crowd in a V-like formation, with their heads down and  
3 their shoulders up, and they knocked me and I fell on to my lower back. As they  
4 knocked me they sort of scattered everybody else as well, much like skittles off a  
5 bowling ball, and there were people falling backwards, falling onto my legs, walking  
6 all over them, they had nowhere else to go, you know. They came nearly all the way  
7 through to where I was, lying on the ground, which was right beside the ditch. I was  
8 looking up at one of them, screaming at him to stop because I couldn't get up, and  
9 every time I tried to put my hand down to get up there were more people coming  
10 back on top of me and I was afraid they would stand on my head, stand on my chest  
11 and abdomen and all those places. As this was going on all the people behind me  
12 who hadn't been knocked were screaming at them as well to stop, that there was a  
13 girl on the ground, "Stop pushing, stop pushing." Eventually they did stop and I was  
14 helped up by a few of my mates and just stood up, and once they stopped pushing  
15 they all sort of let go of each other and wandered away, and I was walked back to  
16 my car by my father and another man. I suffered lower lumbar vertebra damage - I  
17 think that's the technical term. I am still being treated by a chiropractor; I had to see  
18 her at the very start for about two months twice to three times a week, I wasn't  
19 mobile at all, I was barely able to get out of the bed. She found out as well through  
20 treatments that I had bruised my left ribs all down the back as well. That's about it,  
21 that's as much as I can say.

22 Q. MR LARSON: This incident where you had peacefully walked the bridge then you  
23 concluded that protest and you were attempting to leave the scene, and this is the  
24 point at which the group was approached by the Gardai in a linked fashion, did they  
25 give you any instruction as to what they wanted you to do to avoid whatever they  
26 were proposing to do?

27 A. No. As I walked back there was a convoy of lorries coming and I think they had sort  
28 of tried to shove us into the side to let these lorries go by. They never said anything,  
29 they just pushed.

30 Q. MR LARSON: They didn't warn you to get off the road and let the lorries go by?

31 A. No.

32 Q. MR LARSON: But you were not intending to nor did you block the lorries?

33 A. No, I was walking back to my car.

34 Q. MR LARSON: And was there enough room for the lorries to get through?

1 A. Yes, they had the other side of the road.

2 Q. MR LARSON: The whole other side?

3 A. Yes.

4 Q. MR LARSON: You weren't in the middle or...

5 A. You know the white line in the middle, we were at one side, they had the other side.

6 Q. MR LARSON: So as far as you know you were behaving within the proscription  
7 that they had given you?

8 A. I was just going home.

9 Q. MR LARSON: And they gave you no other instruction?

10 A. No.

11 Q. MR PEEK: Could you clarify the date?

12 A. It was 11 October 2006. I made a report as well.

13 Q. MR LARSON: You made report?

14 A. Yes, I have those and I have a photograph of my leg damage as well.

15 MR LARSON: If we could get those, that would be helpful.

16 MR PEEK: Thanks, Siobhan, thank you very much.

17

18 MR JOHN COYLE: My name is John Coyle. My experience is not to do with the front  
19 line, it is to do with intimidation of another kind, and that was when Shell published  
20 an advert in the paper to say that they were applying for a foreshore licence to the  
21 Department of the Marine to survey the bay, that would be for the purpose of  
22 surveying the bay for the future laying of the pipeline. Usually these things would  
23 be available to view in public, council offices or libraries or whatever. The only  
24 place these could be viewed were in Garda stations, either Belmullet Garda Station  
25 or Ballina Garda Station. When I rang Belmullet Garda Station to say I wanted to  
26 go in and see it, I was told I could go in and see it. I said, "Okay, can I photocopy it  
27 when I get there", and they said, "No, we don't have a photocopier." I asked could I  
28 bring it out to photocopy it, and they said, "No, you're not allowed to leave the  
29 station with it."

30 I went in anyway and viewed it, but it was quite detailed, there was well over  
31 100 pages in it. When I was reading the report the Gard who had given it to me  
32 would come over every two minutes and say, "That's a very big report" or, "There's  
33 a lot of reading in it", he would do this continuously so that I didn't have time to get  
34 anything of note from it; I had noted from it that the application said that Shell

1 would be doing this work in 2006, this report was in January so obviously I would  
2 have liked to have a copy to bring away with me but they didn't provide that.

3 So the following day I rang Ballina Garda Station in the hope that they might  
4 be able to provide something like that. I said, "I'm from the Belmullet area but I'd  
5 like to view it in Ballina if possible" and I said I'd like to photocopy it as well if that  
6 was okay, and the girl on the phone said "No, we don't do that." I said that  
7 obviously I'd pay for the paper and I was told, "No, we don't do that." I said, "Can I  
8 bring it out to photocopy it", and she said, "No, it's not allowed to leave the station,  
9 and anyway it's quite a big document and anyway you'd only be interested in a few  
10 pages, the pages with the maps and the pictures on it." When I was told this I asked  
11 her why she said that. She said, "Well, the other stuff is very technical." I found it  
12 very intimidating that I had to go into a Garda station to view a document that  
13 should have been viewed easily in public.

14 Q. MR LARSON: And what you are saying is that it is the usual procedure for  
15 documents like that to be elsewhere?

16 A. They would be, yes, this was the first time I have ever seen it that a document like  
17 this would...

18 Q. MR LARSON: So you have had occasion to review other documents for planning  
19 purposes?

20 A. Yes, and they would be in libraries or in county council offices.

21 Q. MR LARSON: And this was the only occasion on which you had to go to the Garda  
22 station?

23 A. Yes, and I rang Shell about it and said, "Could I view it in your offices", and they  
24 have always maintained that they are open and that, but they said, "No, the Garda  
25 station is the only place to view it, they are fully responsible for it."

26 Q. MR LARSON: Was there any explanation from the Gardai or Shell or anyone as to  
27 why this particular application could be viewed only in the Garda station?

28 A. No, none whatsoever. They refused to photocopy it; I think Ed Moran suggested  
29 that we bring in our own photocopier at the time. I found it very insulting as well  
30 that the girl in Ballina said that the only pages I would be interested in...

31 MR LARSON: Yes, we took your point on that.

32 Q. MR DE CLERK: Did you have other experiences in which you would be allowed  
33 either to get a copy of a document or to make a copy yourself?

34 A. In other cases?

1 Q. MR DE CLERK: Yes.

2 A. Not to do with Shell?

3 Q. MR DE CLERK: Yes.

4 A. Other times it's possible, you can go into any county council office or library and  
5 you will be able to get a copy of it, a photocopier is readily available for you, and in  
6 some cases they don't even charge you for it.

7 Q. MR DE CLERK: Did you consider something like a freedom of information  
8 complaint?

9 A. No, I rang the Department of the Marine about it as well and again they said, "No,  
10 it's a matter for the Gardai or for Shell", so they refused to take any responsibility  
11 for it. They were all passing the buck on to each other. The Gards said to me inside  
12 in the station that if I wanted a copy of it that maybe I should go to Shell for it, and  
13 Shell said the same thing to me, that I should go to the Gardai.

14

15 WINNIFRED MACKLIN: My name is Winifred Macklin. In Scotland I'm a bit wary  
16 about gas, very really, and I took a great interest in this right from the start. I have  
17 been coming here all my life, my grandparents are from here, I was born in Scotland.

18 In the street where I live on 21 October 1971, in Busby Road in Clarkson, there  
19 was a gas explosion, a very, very – it's kept under wraps, it's called the Forgotten  
20 Explosion. So I have witnessed at first hand what gas can do. I have been  
21 researching, tracing around homes, and I have seen people who were really badly  
22 injured, in wheelchairs, so it made me very wary and I took a great interest when I  
23 saw the place that I love and have come to for tranquillity, peace and good food,  
24 with wonderful people who love the land, peace-loving people, family-orientated  
25 people – I have never seen fighting or battling here in my life and I am 62 years of  
26 age. I always felt safe here until I heard the gas was coming in, and I knew there  
27 would be a lot of misinformation around and a lot of lies pedalled and I knew they  
28 disrespected the people right from the start, they did not recognise the fact that they  
29 are very intelligent people, they know the land like the back of their hand,  
30 fishermen, farmers, people who provide food for Irish tables, good food, hard-  
31 working people – builders, teachers, well-educated people. The land of saints and  
32 scholars, that's what I was reared hearing, my grandmother was proud of where she  
33 came from. She left when she was 18.

1           I have never seen such violence and disrespect as I have seen in the past year  
2 here. I could feel it happening. I was here on 3 October when we were herded - first  
3 of all I wasn't allowed to drive along the road to where the terminal is, and this  
4 pipeline that I'm frightened of wasn't a domestic pipeline like the one that exploded  
5 in Clarkson, killing 35 people and injuring 58 – one woman, a judge's wife, all they  
6 found was her wedding ring. One of the shops I worked in, a hairdressing salon, that  
7 is a car park, the shops are underneath and there is a basement, and there was a gas  
8 leak and it fell, the basement, so it was an unexploded bomb – and it wasn't a high-  
9 pressure pipe like this pipe, and they keep it under wraps, as I say, the facts.

10           I was there on 3 October. Finally we did get round it and we drove round  
11 together and had to walk quite a distance then, we had to park where the  
12 experimentation place is and we had to walk quite a bit to the terminal. When we  
13 got there they had been through the mill from the early hours of the morning, good  
14 people. They were herded in like sheep, we were flung in along with them. I  
15 couldn't believe I was in Ireland, in the countryside. I have seen scenes like that, the  
16 miners' strike and the B-specials up the North, but I never thought it would come to  
17 here, for the sake of profit, for the sake of money, the lust for gold. We were herded  
18 in, as I say, like sheep. It didn't matter, disrespectful to everybody; nuns, a doctor,  
19 teachers, farmers, the lot, myself included, behind a fence.

20           I was there the morning that Siobhan was injured and we were herded again,  
21 pushed, pushed and there's a drain about four feet in depth and water in the drain,  
22 and half of us were on the bridge and the other half the drain was there and it was a  
23 long and a hard place, you were being pushed, you could feel the suffocation, and I  
24 knew somebody was down there, I didn't know it was Siobhan. But they were  
25 shouting at her to get up. There was Gardai around, "Get off the ground", push,  
26 push, pushing and the fellow in the black, I don't know what his name is, O'Reilly  
27 somebody said, I'm not sure, the one with the cropped hair in the black, he, not  
28 content with us being nearly suffocated and somebody lying there injured, he was  
29 shouting into their faces; "There's a girl" – it was like that doesn't matter, I have  
30 seen sheep getting treated with better respect. Excessive force, goading young boys,  
31 who could react because they have a dagger in their tank, they are young. I have  
32 four sons, I know what men are like. I have been out in the world in Glasgow, it's  
33 called no mean city, I have never seen people being treated with such disrespect by  
34 their own countrymen. I thought I'd never see the day.

1           Young boys – and I don't know how they kept their temper, seeing members of  
2 their family, females of their family, Pat Coyle there, for example, I could confirm  
3 the fact. I have great respect for them how they managed to keep their temper,  
4 because I don't know if I could have, seeing somebody I loved getting treated and  
5 brutalised, it was brutal, excessive force and so disrespectful. I don't want to go on  
6 too long, I know you have only a few minutes, yet those young men kept their  
7 temper, I have great admiration for them.

8           As I say, the ditch was behind us, the police, the Gardai, pushing in front. I  
9 have never seen brutal Gards like that here, there was always a great relationship  
10 between people and Gard, all my life. As I say, I've been coming here seven weeks  
11 at a time, we were always staying over here on summer holidays, and I have never  
12 seen anything other than courtesy between Gards and people. I can't believe that I  
13 am in Ireland and I am seeing this horror, and it's a horror and it's a war, and it's a  
14 war for money and it's a war of force. And it's like Garda Shell Con rather than  
15 Garda Siochana, peace, guarding our peace, the people of this area - that's what they  
16 are paid to do, that's what I thought they were paid to do, and I have never been so  
17 disappointed with what I have seen.

18 MR PEEK: Thanks.

19

20 MR JOHN MONAGHAN, Rossport: My name is John Monaghan and I live in Rossport.

21 I have been involved in this campaign loosely since probably 2000, 2001 and I have  
22 been pretty much full time on this since January/February 2005. I am part-time, I  
23 am an artist and I was in the habit of carrying a camera with me and I accidentally  
24 became a photographer for the early stages at least for the Shell to Sea campaign, so  
25 I have lots of records and I can support what I have here with more photographs  
26 after, and it has also allowed me to record things pretty much to date and time of  
27 day. What I have here is my experience of some of the incidents I have had with the  
28 Gardai recently on protests. They are just six pages, one incident per page. I would  
29 like to read them onto the record and for the benefit of some of the people here, who  
30 may not have heard the accounts before.

31           This was on 4 October, the day after the Gards came in in big numbers. It was  
32 on the Bellanaboy to Bangor Erris road. Whilst travelling alone to Bangor Erris for  
33 repairs to our van, which was leaking steering fluid, I was followed at 15-20 miles  
34 per hour by an unmarked 06 D 76732 dark blue Ford for a period of about half-an-

1 hour. The car repeatedly stopped when I stopped and parked directly behind me on  
2 once occasion. At this point I telephoned a friend for help, who arrived shortly after,  
3 so a witness. When I approached and challenged the occupants of the vehicle on  
4 their actions, at which point I discovered they were Gardai, I found them to be most  
5 obstructive, denying they were following me and refusing to identify themselves  
6 when asked. I informed them this was obviously intimidation, at which they  
7 exchanged between themselves a couple of brief words and a small laugh. Not  
8 getting any co-operation, I continued on my journey, stopping again further down  
9 the road to check fluid from the van. Again the unmarked car stopped at the same  
10 time, slightly further away but in clear view, where it remained parked for a further  
11 five minutes before driving away. I have observed Garda vehicles overtly following  
12 me a number of times since and have subsequently learnt that several people have  
13 been faced with similar treatment recently, both day and night, a systematic  
14 programme of intimidation. That is the first incident.

15 The second one crosses over two days, 7 October and 9 October, as part of the  
16 protest action, and I have named all the Gardai involved here. At Bellanaboy on  
17 Saturday, 7 October I witnessed an ill-tempered Garda ordering a driver to move his  
18 vehicle from its location at the side of the road and noticed that he was displaying  
19 only one of his numbers, on his right shoulder. This number was SL 286. I drew  
20 this to his attention. On the following Monday morning at about a quarter-to nine  
21 the same Garda was on duty at the Bellanaboy bridge, displaying no numbers at all.  
22 Later on, that afternoon, about one o'clock, the same Garda was displaying a  
23 different set of numbers, LY 259, which I understand is highly irregular and totally  
24 against the law. When I informed Superintendent Joe Gannon of the Belmullet  
25 Garda Station, who was present, he dismissed me as only a nuisance and showed n  
26 interest in my complaint. I won't deny that I'm a nuisance. This particular Garda  
27 has been regularly on duty at Bellanaboy and has been to the fore on many occasions  
28 of aggression by the Gardai, along with a number of colleagues who regularly  
29 appear with no identifying numbers. Given the level of abuse by Gardai in their  
30 latest operation at Bellanaboy, it is most important that members of the force be  
31 readily identifiable in any alleged instances of assault. At the moment the ordinary  
32 people in the area have no protection from the abuses currently being perpetrated by  
33 the Gardai.

1           The third incident was on 10 October in Bellanaboy. Three Gardai are named  
2 here that have been named previously. At Bellanaboy on Tuesday, 10 October 2006  
3 I was completing a training run for the upcoming Dublin City Marathon on the  
4 Bangor Erris to Bellanaboy road in running gear and high-visibility vest. On  
5 approaching the trailer, which was my destination, about 200 metres away, I was  
6 accosted by three Gardai in dark clothing with no identifying numbers. They had  
7 jumped out of a Garda van short of the main gate to the Shell refinery site. I was  
8 roughly handled without warning and the apparent intention was to drag me behind  
9 the van. I was totally unprepared and tired from the run and whilst I was being  
10 dragged one of the Gardai whispered into my ear, “Do you know what you need? A  
11 good few thumps”, which I assumed was what I would get once behind the van and  
12 out of sight. Luckily, most of this was spotted by several people near the trailer and  
13 I tried to signal to them that I was in trouble. About four or five people rushed  
14 towards where we were on the roadside and once they were within earshot the  
15 Gardai let me go and loudly said, “Mind yourself now”, as if I had just been given  
16 friendly advice on road safety. Subsequently, I learnt the identities of the officers  
17 from people who recognised them on that day, and they have all been involved in  
18 other incidents of intimidation and assault. Those three officers are Kieran Flynn,  
19 Dave Mulhall and Conor O’Reilly.

20           The next incident relates to 13 October at about half-past eight at Bellanaboy  
21 on one of our peaceful marches up the road. I apologise ahead of time for some of  
22 the language you will hear here. On the early morning protest march at Bellanaboy I  
23 was discussing with fellow marchers the general attitude of Gardai on the protest  
24 and how abusive they were being to non-violent protesters, both physically and  
25 verbally, particularly the officers in charge on any given day. I spotted a short  
26 distance away a Garda Sergeant who was becoming notorious for his particular  
27 enthusiasm for abuse, MY 28. He had on a previous occasion physically assaulted  
28 me by ramming into me with his shoulder jarred from behind, totally without  
29 warning, and knocked me to the ground. It was also common knowledge that he had  
30 punched and kicked several people and made sinister and threatening comments to a  
31 number of individuals. Commenting to a neighbour, I jokingly pointed out that the  
32 “XL” label on the back of the Garda’s jacket was probably relating to his mouth.  
33 Obviously hearing this, Garda Sergeant Dermot Butler replied over his shoulder,  
34 “It’s me cock and your fucking wife will know all about it.” I was stunned by this.

1           When challenged if he had any more comments about my wife, he continued with a  
2           smirk and said, “I don't know the woman – well, not exactly.” I continued on the  
3           march and somehow managed to keep my anger at bay. I found these comments  
4           shocking and extremely insulting and have on a couple of occasions asked Sergeant  
5           Butler to apologise for his comments on that day, which he did not do. I have also  
6           informed Superintendent Gannon of the conduct of his officers and he has responded  
7           only by pretending to be mildly surprised but clearly unwilling to take any action.  
8           And I have that voice-recorded as well.

9           On 10 November, the big protest day, the day of the baton charge, I was  
10          assisting Ed Collins on that day when we tried to get him medical assistance, so I  
11          missed some of the fireworks in Bellanaboy. I ended up in Bangor Erris, where we  
12          had a protest. A number of protesters had gathered at Barrett's Quarry, Bangor  
13          Erris, on November 10, 2006, where a large number of Gardai had also arrived.  
14          They were clearly bad-tempered and very soon started jostling people around and  
15          shouting abuse. At one point the hat I was wearing was torn off my head and thrown  
16          into the road by Garda Inspector Pat Robinson, despite being secured by a chinstrap.  
17          A scrum of Gardai then proceeded to push people into the middle of the road over  
18          broken pieces of stone, and I found myself singled out and subjected to punches to  
19          the body and kicks about my legs. I did not return any blows and managed to stay  
20          on my feet. At this point Sergeant Conor O'Reilly approached the group and  
21          shouted, “Take him”, pointing to me. I asked the officers if I was being arrested and  
22          they said yes, so I immediately submitted myself and did not resist. On the way to  
23          the Garda van, whilst being held on either side by police, I was approached from the  
24          front by Inspector Robinson, who smiled at me and punched me in the mouth. I was  
25          handcuffed and brought in the Garda van to Belmullet Garda Station, where I  
26          provided my name and address and made a phone call to my wife. I was told I was  
27          arrested for obstruction, failing to comply with Garda instructions and a breach of  
28          public order. I informed the Gard on duty that I was assaulted by Inspector  
29          Robinson but I was told it would be difficult to arrange. I didn't push the issue, even  
30          though I expected to be assaulted further. As it happens, I was held in a cell and  
31          released after about one hour without being questioned or charged and left to make  
32          my own way home, some 20 miles away. Before leaving Belmullet, I visited the  
33          local doctor and received treatment for minor lacerations to the mouth and swelling,  
34          and suffered discomfort in my jaw for a couple of weeks.

1           The last incident I have here - but it's not the last in reality, it's the last one I  
2 have today – is really two incidents back to back, one on 9 January and one on 13  
3 February, both involving a similar matter. Living in Rossport Village, my family  
4 and I have become very aware since last October of a dramatic increase in Garda  
5 vehicles in the area. The road on which we live is a cul de sac and there is no  
6 possibility of through traffic. In spite of this, we see Garda vans and squad cars  
7 passing by our house almost on a daily basis, even though there is no protest activity  
8 in the village and no project works going on. The most recent examples of this  
9 police presence that I have noted involved Garda MY 28, Sergeant Dermot Butler.  
10 On the evening of 9 January last I noticed from our front window a Garda van pass  
11 by at slow speed. On this occasion I decided to photograph the incident as a time  
12 and date record. After turning around at the end of the road, the van, registration  
13 No. 04 D 1943, passed by again at slow speed and met a neighbour's car shortly  
14 down the road. The neighbour then informed me it was Sergeant Butler driving.  
15 This worried me greatly because of his past actions and comments towards myself  
16 and others. On Tuesday evening, 13 February I was travelling in our van towards  
17 Glenamoy and met a squad car heading in the opposite direction, towards Rossport.  
18 When the car approached I was surprised to be greeted by a two-finger up-yours  
19 salute by the Gard in the front passenger seat, who just happened to be Sergeant  
20 Dermot Butler.

21           And this is kind of a summary for all of these: These incidents are only two –  
22 and maybe six or seven – of many similar ones that occur on a regular basis. That's  
23 just a taste of what's happening.

24 Q. MR LARSON: These incidents you are talking about are over at Rossport?

25 A. And Bellanaboy.

26 Q. MR LARSON: And Bellanaboy, but the recent ones you're talking about...

27 A. Rossport.

28 Q. MR LARSON: ...by the cul de sac where you live are at Rossport, which is away  
29 from the protest site?

30 A. Yes, exactly.

31 Q. So there is no protest or activity by protesters in Rossport?

32 A. There is no protest work – there is no protest going on and there is no work going  
33 on, there is nothing in the area.

34 Q. MR LARSON: When did the protests and the work stop in Rossport?

- 1 A. There have been no protests in Rossport for months.
- 2 Q. MR DE CLERK: I have the same question as for some of the other statements. You  
3 mentioned that you have complained about several of these examples...
- 4 A. No, I haven't. I have been recording them with a mind to making a complaint but  
5 when I heard there was a Garda Ombudsman on the way I was holding them off till  
6 then, so none of these has been registered as a complaint but it is my intention to do  
7 so.
- 8 Q. MR DE CLERK: Maybe either you or someone else could clarify a little more  
9 about the Ombudsman, and what stage is the process of decision-making on this  
10 person?
- 11 A. I don't know an awful lot about it, maybe someone else would know.
- 12 Q. MR LARSON: Is it your belief that there may be a better process and response by  
13 waiting for the Ombudsman rather than filing the complaints now?
- 14 A. I believe from the headlines that we've been subjected to in the past few years in the  
15 press that any other system would be better than the one we have. At the moment  
16 you complain to Gards about other Gards, and history has shown - and there is an  
17 inquiry going on at the moment, the Morris Tribunal - that any Gardai who have  
18 been found to be guilty of wrongdoing in this State get promoted to keep them quiet.  
19 That is what is happening in the country and that is why a Garda Ombudsman has  
20 been called for over a case in Donegal and is deemed to be appropriate.
- 21 Q. MR LARSON: If you have any information like that that you can submit to us as  
22 well, and press reports or whatever, regarding the Ombudsman and what you have  
23 referred to, that would be helpful as well.
- 24 A. Yes.
- 25 Q. MR DE CLERK: Is there anyone else who can give a little more clarification about  
26 the Ombudsman?
- 27 A. MS MAURA HARRINGTON: It's not so much clarification as this would be my  
28 own feeling. I would caution against perhaps you as a delegation putting too much  
29 faith in the office of Ombudsman in this country, because unless there is a complete  
30 change in mindset within the ruling classes in this country then creating the office of  
31 an Ombudsman is merely a veneer. We are in such a state of kind of suspended  
32 feelings at the moment, and I would just refer briefly to my own personal feelings on  
33 the morning of October 3.

1 I was in Galway on the night of October 2, I wanted while Sr Majella came by  
2 taxi from Limerick to Galway, she then drove from Galway down to Bellanaboy  
3 gates with me. We arrived there at about one or two o'clock in the morning and we  
4 were there through the night. I will never ever forget that night. One thing that  
5 hasn't been mentioned, as well as the menace of hundreds of police - and I now call  
6 them police rather than give them their title of Gardai, which was a title of respect  
7 up to this – as well as hundreds of police and the sense of menace, they had a local  
8 quisling hired with a sceptre and chains attached to it, and this was used in the  
9 middle of the night to pull away people's cars – any which way the cars were  
10 parked, they had their handbrakes on, there was no attempt to respect either people  
11 or property that night. But when the early hours of dawn came I remember standing  
12 there and saying was it for this that my parents made sacrifices and plenty of them to  
13 get me educated, to produce their eldest child becoming a teacher, which involved  
14 considerable sacrifice – and I am not alone in that, that is a story which is told by all  
15 of us here, every last person here has had sacrifice in their lives and their sacrifice  
16 was to contribute to the communal good. That was destroyed for me on the morning  
17 of October 3 and that is why a police Ombudsman will have to do an awful lot of  
18 good work, verifiably good work, before I would trust them with anything. Thank  
19 you.

20 Q. MR DE CLERK: I understand the concern, but still I think for us it would be useful,  
21 whether you have trust in it or not, to know what the state of decision-making is  
22 relating to the police Ombudsman.

23 A. MS MAURA HARRINGTON: We will get that information for you.

24 A. MEETING PARTICIPANT: There is a website: [www.gardaombudsman.ie](http://www.gardaombudsman.ie). It is  
25 due to go in in May 2007.

26 Q. MR DE CLERK: And that would be an Ombudsman on the national level or  
27 specifically.

28 A. MEETING PARTICIPANT: At the national level, yes.

29 A. MR JOHN MONAGHAN: I would like to finish up by kind of agreeing with  
30 Maura, I will be putting this through the system. We have done that all along, we  
31 have played by the rules and we have been let down every time, so I wouldn't expect  
32 an Ombudsman to produce any magic either. Just one thing on the impact on our  
33 family – it's a small thing but it means a lot to me. My wife is at home at the  
34 moment minding a small baby girl and she drives around the place, sometimes on

1 her own, sometimes with the child, sometimes we're together, and the first thing she  
2 does when she sits into the car is she locks all the doors because there are so many  
3 police in the area. I think that is perverse, it's frightening, but that is where we're at.

4 A. MEETING PARTICIPANT: A point on the Ombudsman: The Police Complaints  
5 Board, the head of that is an ex *Irish Times* journalist, Conor O'Cleary, and he is  
6 reported as having said that he believes the police are doing an excellent job, so he  
7 has pre-empted and glorified them – so that goes to show how much...

8

9 MR GERRY LAVELLE: My name is Gerry Lavelle. I am married to my wife, Margaret,  
10 and we have five beautiful kids. I was there on the night of 3 October. As Maura  
11 said, I will never forget it for the rest of my life. It started off when the police came.  
12 They told us, "Move back, let in the Security." Now at that stage the Security  
13 people were actually walking in between us. We didn't say anything to them, not  
14 one word, we never insulted them or anything. They were actually walking right in  
15 between us, we just let them go by to do their own thing. Then there was a car  
16 coming, he said, "Let in the car", there was plenty of room for the car to go in that  
17 night. So all of a sudden the Gards charged us. As far as I can remember, they  
18 might have been ten deep behind me. We were pushed back. The Gards linked  
19 hands like that, at that stage they were level with our throats. I was beside the girl  
20 that was injured badly that night, she was about the third person up from me. They  
21 kept pushing us back and a voice came from behind, "Gerry, we can't go back any  
22 more, we're against a van." At that stage we couldn't get our hands up because we  
23 were all bunched in together, so I pleaded with the Gards, I said, "You're choking  
24 us, in fact you are choking that the girl there", because what happened, they pushed  
25 us so back that I was a little bit taller than her but her throat was against a Gard's  
26 arm. Now there was another Gard in behind that, a second Gard behind that. He  
27 said, "Shut your mouth", and he hit me in the stomach. I replied, "Is that the best  
28 you can do?" At that stage they got excited, they could hear the girl, she was short  
29 of breath, so they released her at that stage and she fell on the ground and the doctor  
30 was called. I think that's what saved us that night, if that hadn't happened – I think  
31 if we were women, kids, whatever we had there, they were going to kill us or badly  
32 beat us. I could see in their faces the anger that was on them before the girl got  
33 injured and I could see their faces as they moved back when the girl started to choke  
34 that night.

1 I'm not there every day, my wife is there. On one occasion I was there and I  
2 was told to push in off the road, I was inside the white line. He said, "Get in off the  
3 road", he said, "You thug, you, don't you know there's a big articulated truck  
4 coming"; I said, "So what? What do you know about them?", I said, "I happen to  
5 drive them for a living"; "Do you", and with that he backed down; I said, "If he  
6 cannot get through there, he shouldn't have a licence."

7 Other than that, I would like to sum up by saying, above anyone here in the  
8 hall, the Gardai in Belmullet I have helped them out more than anyone with  
9 directing traffic at funerals. There was a drowning a couple of years back at  
10 Glengad, I took six days off work, I was there at seven in the morning until dark at  
11 night. There are many Gards – I won't mention their names, they're not there any  
12 more – they have it, they said, "There's two books in Belmullet", now I don't know  
13 whether they're telling the truth or not, "some for the not-so-good guys and some for  
14 the good ones and", they said, "your name is at the top of the list." But I always  
15 respected the Gards, always, but not any more. That's all I have to say.

16

17 MR BOBBY PEEK: First, I just want to summarise on where we're going to go to from  
18 here. As I said earlier on – for the people who came late – for the next two weeks,  
19 until 15 March, please if there is any additional information that you have for us  
20 email Hannah, and we will give you the email address after this, with any  
21 information. Secondly, up until 15 March as well we would really appreciate it if  
22 there are any documents that you have that could assist us, please leave them at the  
23 Kilcommon Lodge.

24 MR DENNY LARSON: It can be mailed there or delivered and it will be sent on to us –  
25 videos, film, written documents, anything you have that you can't email.

26 MR BOBBY PEEK: Please send that through, that will be greatly appreciated.

27

28 MS MARY KATE COYLE: I would add one point: On 3 October when all the police  
29 were there, there was a Mr John Egan present as well, who works for Shell, he stood  
30 across the road and he observed everything that the Gardai did.

31 Q. MR PEEK: John Egan?

32 A. MS MARY KATE COYLE: John Egan.

33 Q. MR LARSON: Do you know his position with Shell?

34 A. MS MARY KATE COYLE: He does PR for Shell, he is a solicitor as well, I think.

1 MS MAURA HARRINGTON: On a point of information: John Egan is particularly  
2 loathed by us here. He was a BBC journalist at the time of Ken Saro-Wiwa's  
3 hanging and we believe that John Egan - he has actually boasted of the fact that he  
4 was the first foreign journalist to interview the wife of Saro-Wiwa. In ten short  
5 years that man, who is a native of this county, he is a native of the county town –  
6 and his father, for the record, was a land agent for Lord Lucan – in ten years that  
7 man has turned from being a BBC reporter to working for Shell. Previous to  
8 October 3, on the first occasion that the police tried to break through us without their  
9 reinforcements from outside, John Egan was also there and he was standing  
10 deliberately and provocatively in front of the nine crosses that we have at  
11 Bellanaboy commemorating the Ogoni Nine.

12 MR TERENCE CONWAY: Just a very quick thing I forgot to put in: Back at the gate to  
13 Bellanaboy, opposite the gates to the site, we have the nine crosses with the names  
14 of the nine people tortured and hanged in Nigeria. One of the crosses disappeared.  
15 We're not sure what happened to that but it was replaced and it disappeared again.  
16 The second time it disappeared the Gards were on duty there 24 hours a day; now, it  
17 was done either with the blessing of the Gards, but I suspect it was done by the  
18 Gards to – another thing to try to provoke us. Incidentally, the Gards have got  
19 verbal abuse. I personally have given individuals among them, certain individuals, a  
20 bit of verbal abuse.

21  
22 MR BOBBY PEEK: Thank you for that. Just to get back to the process, we will do our  
23 report by the end of April, we will submit the report to the necessary authorities and  
24 we will also get the transcript of this going up onto a website so people can  
25 understand what has been said here today. What I would really appreciate is that  
26 over the next few days, or Maura could you do this for us, whoever has spoken this  
27 evening, to please have their full name and address so that we have had that for the  
28 record.

29 MS MAURA HARRINGTON: Yes, I'll do that.

30 MR BOBBY PEEK: Is there anything else I've missed in my submission?

31 MR DENNY LARSON: I would just add that when Bobby says we will forward the  
32 report to the proper authorities, we want to see what the report says first, so we don't  
33 know exactly who that is, but we imagine it might be a variety of different  
34 authorities within Ireland or beyond Ireland, but we don't want to lead up

1 expectations as to where it might go until we have put all the information together,  
2 but certainly I think that it will have to go a number of places, based on what we  
3 have heard tonight. We have invited information from the Gardai and the county,  
4 they haven't provided us with that, but we are going to persist in sending them  
5 written invitations and questions to answer, because we do want to hear their side of  
6 it and see what they have to say, but regardless of that if they persist in not providing  
7 the information, we will use information that they have published, printed and said  
8 and we will issue our report, that will not hinder us from issuing a report.

9 MR BOBBY PEEK: We will also, as Hanna suggested, use the freedom of information  
10 process in Ireland.

11 MS MAURA HARRINGTON: I wish you luck.

12 MR BOBBY PEEK: For those who came in late, I repeat the fact that we have  
13 approached the Gardai to speak with us and they have said in response to that that  
14 they do not speak to – the exact words were?

15 MR PAUL DE CLERK: They do not want to discuss police issues with non-statutory  
16 bodies. I want to show our appreciation that you wanted to share these experiences  
17 with us, specifically because for some of you it was not easy, and I think that is very  
18 valuable. Thank you.

19

20 MR BOBBY PEEK: The email address is: [hannah.griffiths@foe.co.uk](mailto:hannah.griffiths@foe.co.uk).

21

22

23

24

MEETING CONCLUDED AT 10.45 PM

25

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27

28

29

30

31 I certify the foregoing to be a correct and complete  
32 transcript of my shorthand notes:

33

34

35 E. Crowley

36