

TRIBUNAL OF INQUIRY
INTO PROTECTED DISCLOSURES MADE UNDER THE
PROTECTED DISCLOSURES ACT 2014 AND CERTAIN OTHER MATTERS

**Established by the Minister for Justice and Equality under the Tribunals of Inquiry
(Evidence) Act, 1921 by instrument on the 17th day of February 2017**

ORDER

WHEREAS a protected disclosure was made under the Protected Disclosures Act 2014, on the 30th of September 2016, by Superintendent David Taylor, wherein he alleges that he was instructed or directed by former Commissioner Martin Callinan and/or Deputy Commissioner Nóirín O'Sullivan, to contact the media to brief them negatively against Sergeant Maurice McCabe and in particular to brief the media that Sergeant McCabe was motivated by malice and revenge, that he was to encourage the media to write negatively about Sergeant McCabe, to the effect that his complaints had no substance, that the gardaí had fully investigated his complaints and found no substance to his allegations and that he was driven by agendas;

AND WHEREAS a Tribunal of Inquiry was set up pursuant to resolutions of Dáil Éireann and Seanad Éireann on the 17th day of February 2017 by instrument signed by the Minister for Justice and Equality to enquire urgently into a number of matters of urgent public importance;

AND WHEREAS THE TRIBUNAL upon consideration of said terms of reference the material available and on reading the written submission on behalf of Ms. D and on hearing what is offered by Counsel for Ms. D and her parents Counsel for RTE Counsel for Detective Sergeant Maurice McCabe the Solicitor for the Irish Times the Solicitor for Associated Newspapers the Solicitor for News Group Newspapers and the Times Newspapers the Solicitor for the Irish Examiner Newspaper Counsel for Tusla and Counsel for the Tribunal;

AND WHEREAS the tribunal is of the opinion that it is expedient for reasons connected with the subject matter of the inquiry and the nature of the evidence to be given to refuse to allow the public to be present at the hearing of the evidence of Ms. D, her father Mr. D and her mother Mrs. D save for bona fide members of the press as may be determined by the Tribunal;

IT IS HEREBY ORDERED Pursuant to Sections 1 and 2(a) of the Tribunals of Inquiry (Evidence) Act 1921 (as amended) that the Tribunal do sit on Monday the 17th day of July 2017 otherwise than in public for the hearing of the evidence of Ms. D her father Mr. D and her mother Mrs. D save for bona fide members of the press as may be determined by the tribunal

AND IT IS FURTHER ORDERED pursuant to Section 4 of the Tribunals of Inquiry (Evidence) (Amendment) Act 1979 (as amended) as follows:-

- (1) that in all reports of said hearing the identities of Ms. D, Mr. D and Mrs. D be anonymised
- (2) that the members of the press present at said hearing be restrained from reporting any identifying details of Ms. D Mr. D and Mrs. D save such details as have been disclosed to date at the hearings of the tribunal and as directed by the Tribunal

(3) hat all official and freelance press photographers be restrained from taking any photographs and/or filming Ms. D, Mr. D and Mrs. D in the environs of Dublin Castle, Dublin 2

DATED: 13th July 2017

SIGNED: Peter Kavanagh

Peter Kavanagh

Registrar to the Tribunal