

TRIBUNAL OF INQUIRY INTO PROTECTED DISCLOSURES MADE UNDER  
THE PROTECTED DISCLOSURES ACT 2014 AND CERTAIN OTHER  
MATTERS FOLLOWING RESOLUTIONS PASSED BY DÁIL ÉIREANN AND  
SEANAD ÉIREANN ON 16 FEBRUARY 2017

ESTABLISHED BY INSTRUMENT MADE BY THE MINISTER FOR JUSTICE  
AND EQUALITY UNDER THE TRIBUNALS OF INQUIRY (EVIDENCE) ACT  
1921, ON 17 FEBRUARY 2017

SOLE MEMBER: MR. JUSTICE PETER CHARLETON, JUDGE OF THE  
SUPREME COURT

HELD IN DUBLIN CASTLE  
ON MONDAY, 5TH FEBRUARY 2018 - DAY 55

55

Gwen Malone Stenography  
Services certify the  
following to be a  
verbatim transcript of  
their stenographic notes  
in the above-named  
action.

---

GWEN MALONE STENOGRAPHY  
SERVICES

APPEARANCES

SOLE MEMBER: MR. JUSTICE PETER CHARLETON,  
JUDGE OF THE SUPREME COURT

REGISTRAR: MR. PETER KAVANAGH

FOR THE TRIBUNAL: MR. DIARMAID MCGUINNESS SC  
MR. PATRICK MARRINAN SC  
MS. KATHLEEN LEADER BL  
MS. ELIZABETH MULLAN, SOLICITOR

FOR SGT. McCABE: MR. MICHAEL McDOWELL SC  
MR. PAUL MCGARRY SC  
MR. BREFFNI GORDON BL

INSTRUCTED BY: SEAN COSTELLO & COMPANY  
HALIDAY HOUSE  
32 ARRAN QUAY  
DUBLIN 7

FOR THE COMMISSIONER: MR. MÍCHEÁL P. O'HIGGINS SC  
MR. SHANE MURPHY SC  
MR. CONOR DIGNAM SC  
MR. DONAL MCGUINNESS BL  
MR. JOHN FITZGERALD BL

INSTRUCTED BY: MS. KATHY DONALD  
CHIEF STATE SOLICITOR'S OFFICE  
OSMOND HOUSE  
LITTLE SHIP STREET  
DUBLIN 8

FOR MR. JOHN BARRETT: MR. JOHN ROGERS SC

INSTRUCTED BY: MR. FELIX MCTIERNAN  
NOBLE SOLICITORS  
FRANKFORT BUILDING  
DUNDRUM ROAD  
DUBLIN 14

FOR MR. COLM SMYTH SC  
MR. MICHAEL MacNAMEE BL  
MR. GARRET BYRNE BL:

MR. PAUL SREENAN SC  
MS. ELLEN GLEESON BL  
MS. CATHERINE DONNELLY BL

INSTRUCTED BY:

MS. GERALDINE CLARKE  
MR. RONAN O'BRIEN  
GLEESON MCGRATH BALDWIN  
29 ANGLESEA STREET  
DUBLIN 2

FOR MS. FRANCES FITZGERALD  
MR. MICHAEL FLAHIVE  
MR. KEN O'LEARY  
MR. NOEL WATERS  
MR. CHRISTOPHER QUATTROCIOCCHI  
MR. MARTIN POWER:

MR. PATRICK MCCANN SC  
MR. GERARD MEEHAN BL

INSTRUCTED BY:

MR. CHARLES WALLACE  
CHIEF STATE SOLICITOR'S  
OFFICE  
OSMOND HOUSE  
LITTLE SHIP STREET  
DUBLIN 8

INDEX

WITNESS	PAGE
MR. JOHN BARRETT	
EXAMINED BY MR. ROGERS .....	5
CROSS-EXAMINED BY MR. DIGNAM .....	66
RE-EXAMINED BY MR. MCGUINNESS .....	68
QUESTIONED BY THE CHAIRMAN .....	83
FURTHER CROSS-EXAMINED BY MR. MCDOWELL .....	93
SUPERINTENDENT NOEL CUNNINGHAM	
DIRECTLY EXAMINED BY MR. MARRINAN .....	95
CROSS-EXAMINED BY MR. MCDOWELL .....	147
CROSS-EXAMINED BY MR. SREENAN .....	192
EXAMINED BY MR. MURPHY .....	201
RE-EXAMINED BY MR. MARRINAN .....	209
QUESTIONED BY THE CHAIRMAN .....	212

1 THE HEARING RESUMED, AS FOLLOWS, ON MONDAY, 5TH  
2 FEBRUARY 2018:

3  
4 MR. JOHN BARRETT CONTINUED TO BE EXAMINED BY  
5 MR. ROGERS:

10:04

6 1 Q. MR. ROGERS: Good morning, sir.

7 A. Good morning.

8 2 Q. Mr. Barrett, we were looking at the minute you prepared  
9 of the meeting with Sergeant McCabe on the 25th  
10 February 2015, and I think we'd got through the first  
11 two pages of that minute. And I wonder could we put up  
12 page 3021, please. You'll recall we looked at this  
13 paragraph at the top of 3021 where the GPSU is  
14 mentioned?

10:04

15 A. Yes, sir.

10:05

16 3 Q. And that's the Garda Síochána Professional Standards  
17 Unit, isn't that right?

18 A. Correct.

19 4 Q. And is there a particular officer who was involved in  
20 that unit at the time, who ran that programme, as it  
21 were?

10:05

22 A. Yes, the chief superintendent that was then associated  
23 with GPSU was Chief Superintendent Pat Clavin.

24 5 Q. Right. And in this passage of the minute, you appear  
25 to be discussing with Sergeant McCabe the work of that  
26 unit. What was the relevance of that?

10:06

27 A. Sergeant McCabe had been seconded to GPSU to assist  
28 them in their review of the FCPS process.

29 6 Q. That is the fixed --

1 A. Charged penalty system, essentially fixed charge  
2 penalty notices. FCPS, FCPN, it's sometimes used  
3 interchangeably.

4 7 Q. Why was Sergeant McCabe assigned to that unit? How did  
5 that come about and why? 10:06

6 A. It came about because he had made a certain set of  
7 public disclosures that the cancellation of penalty  
8 points had continued, despite a number of Garda  
9 Síochána headquartered directives, HQ directives,  
10 essentially instruct the organisation as to what it 10:07  
11 should and should not do. The fourth in a series of  
12 those HQ directives had been issued, Sergeant McCabe  
13 came forward and said it continues, the cancellation,  
14 the unofficial, inappropriate cancellation continues  
15 and the view was taken, I think before my time, that he 10:07  
16 should join the unit in its investigation of that  
17 process.

18 8 Q. That seems quite an inclusive thing to have done in the  
19 overall circumstances?

20 A. It was. It was both inclusive and I think it added 10:07  
21 value to the process being undertaken.

22 9 Q. Yes. And you'll see you have recorded there, you seem  
23 to be quoting:

24  
25 "He said that he felt good about that project because 10:07  
26 it was a genuine effort by An Garda Síochána to examine  
27 its process and take steps to close the loopholes which  
28 has existed and been exploited. He said the view that  
29 the new arrangements should enjoy greater public

1 confidence and that the clarity of process and  
2 oversight will ensure that the system operates close to  
3 what was originally intended."  
4 A. That's correct.  
5 10 Q. "He points to the view that nothing would have changed 10:08  
6 if he had not taken a stand on this and been prepared  
7 to have the courage of his convictions."  
8  
9 Now, that seems to be a fact, is that right? That, had  
10 he not intervened at the point that he did to point to 10:08  
11 the failure of the organisation to comply with these  
12 directives, that that would have passed without notice  
13 A. Well, that was very much his conviction in the meeting.  
14 I think history is probably on his side; a series of HQ  
15 directives, four in number, where the absence of 10:08  
16 compliance had continued. Up to this point I think the  
17 view he took was, it was his stance that had brought  
18 about the GPSU engagement.  
19 11 Q. Yes. There is an expression then that he was no saint  
20 and he said he just wants to do the job, and that what 10:09  
21 he wants to do in the job are reasonable standards.  
22 A. Yes, he said that.  
23 12 Q. And: "He takes pride in the fact that were it not for  
24 his actions, which have been a significant and ongoing  
25 cost to he and his family personally, that change such 10:09  
26 as the establishment of the Garda Authority and new  
27 oversight arrangements around FCPS would not have come  
28 into place."  
29

1 It would appear from that, that Sergeant McCabe had  
2 developed a fairly significant belief in his own  
3 influence?

4 A. Yes. That is exactly what I wanted to convey in that,  
5 because he was very clear about those points, he felt 10:09  
6 he was influential in both of those areas. I didn't  
7 make any comment on it, I simply noted what he said.

8 13 Q. Yes. And then there is a passage which refers to a  
9 meeting he had with the Commissioner. I think we  
10 discussed that on Friday, do you recall us discussing a 10:10  
11 certain meetings with the Commissioner, one of which  
12 his solicitor was in attendance?

13 A. Yes.

14 14 Q. And he expressed dissatisfaction about his most recent  
15 meeting? 10:10

16 A. He did.

17 15 Q. And what he -- what you record him as saying:  
18  
19 "Even though the Commissioner was clearly aware of the  
20 approach he had taken of the motivation which he had 10:10  
21 acted upon in seeking to bring these matters to the  
22 attention of management in the first instance, and the  
23 time he invested in using the process, no real support  
24 was given to him. He stated the view that he feels  
25 that there is nothing to support the good words he 10:10  
26 hears, that there is no real commitment and engagement.  
27 Sergeant McCabe feels frustrated by this as he believes  
28 he has something of real value to contribute to  
29 bringing change about."



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Now, it's hard to -- without some explanation, it's hard to understand how he was saying that at the same time as he had recorded his involvements in the GPSU. Could I ask you this: was it the emergence these incidents in Mullingar in more recent times about which he was complaining, I think on 11th and other dates in February --

10:11

A. I think --

16 Q. -- was it those matters that he felt he was not supported in or what was the problem?

10:11

A. I think there is an important distinction to be drawn between the satisfaction that he got from being involved in the FCPS, and perhaps he is better placed to address all of this than I am, but he got certainly satisfaction from being involved with the Garda Professional Standards Unit in dealing with the penalty points issue. He continued to raise -- and the correspondence bears this out, he continued to raise concerns about two things that Mr. McGuinness asked me about: One, was the working conditions in Mullingar, as in the actions of certain members of the station party, and the other was publication that appeared in the Garda GRA, Garda Review, in September of the previous year which he felt were not dealt with.

10:11

10:12

10:12

17 Q. Right. And if you go on to the next paragraph, you seem to have pressed him on this, on how he would contrast and compare his role in FCPS investigation and, say, his role as traffic sergeant in Mullingar.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

"He pointed out that he feels that he was able to make a substantial contribution to the FCPS review by GPSU and that he thinks he could equally make a contribution to the reform of the culture of An Garda Síochána if there is a commitment to really do something substantial around that agenda. I asked him what such a role would look like and he said he had written some thoughts down as to what he believes he could contribute. I asked him to forward those thoughts to me as I am absolutely committed, as is the Commissioner, to addressing the area of cultural change as measured in terms of the values, attitudes and beliefs of the organisation and as evidenced in performance behaviours."

Now, this appears to be the first time really in this note that the issue of culture comes up.

A. Yes.

18 Q. And you asked him to send you these thoughts. Did you get them from him?

A. No. We discussed them subsequently at a meeting we had in April, but I didn't get what I thought were going to be written. But we did have a lengthy discussion at a meeting subsequently in April.

19 Q. Yes.

A. Which was a follow-on to this first meeting.

20 Q. A factor that begins to emerge in this passage that I have just read is what appears to be his belief that he

1 could make "a substantial contribution" to the reform  
2 of the culture of An Garda Síochána. Was that  
3 something that had emerged as a significant motivation  
4 of Sergeant McCabe?

5 A. He said it was a motivation for him and I was inquiring 10:14  
6 into it. It's something I was unaware of up to that  
7 point.

8 21 Q. I see. And it looks as though he became animated after  
9 you voiced your interest in receiving these thoughts of  
10 his, is that right? 10:14

11 A. Yes, that is exactly what happened.

12 22 Q. "He said he stood up to make the job better." This is  
13 an expression of his standing up, is it?

14 A. Yes.

15 23 Q. It seems to be a language he uses? 10:14

16 A. Yes.

17 24 Q. "And that he feels the actions of the Commissioner have  
18 been to throw him back to the wolves. He specifically  
19 complained that he was not being really engaged and the  
20 matters he raised were being ignored in essence about 10:15  
21 the recent promotion of so-and-so as an example of a  
22 disregard."  
23

24 Now, that language, throwing him back to the wolves, is  
25 that a direct quotation of Sergeant McCabe? It appears 10:15  
26 to be.

27 A. It is.

28 25 Q. Yeah. Well, who are the wolves?

29 A. I think he perceived -- the very clear sense that I got

1 was, he felt there was a hostile working environment in  
2 the Mullingar station at that time, and certain of the  
3 decisions that would have been made in and around  
4 personnel at that station were not welcomed by him and  
5 that is the reference there.

10:15

6 26 Q. Right. And then you appear to go out of your way to  
7 assure him and you say:

8  
9 "I assured him that the Commissioner was personally and  
10 professionally committed to change in the organisation  
11 and my only personal testimony was that if there was no  
12 commitment to bringing about fundamental change, then I  
13 would not have joined in the first instance."

10:16

14  
15 I just want to ask you firstly about the first part of  
16 that sentence; your assurance that the Commissioner was  
17 personally and professionally committed to change in  
18 the organisation.

10:16

19 A. Yes.

20 27 Q. Would you tell the Chairperson how you concluded that  
21 opinion of the Commissioner and her commitment to  
22 change?

10:16

23 A. Well, this is no different from I suppose the kind of  
24 tools you use to analyse any character: what they do,  
25 what they say, what is done and said about them. And  
26 in the period since I joined the organisation, even  
27 since before I joined the organisation, in October '14,  
28 I would have been -- I would have seen a commitment to  
29 change, a conversation around change, in the way that

10:16

1 the organisation conducted itself. And I was persuaded  
2 by that.

3 28 Q. Yes. Well, we can all have conversations. Did you see  
4 it being given effect to?

5 A. Well, I saw -- specifically in relation to Sergeant 10:17  
6 McCabe, I saw my engagement with him as being very much  
7 around the business of dialling down the conflict that  
8 existed between the organisation and Sergeant McCabe,  
9 dialling down the way in which the dialogue had played  
10 out between the two, and that was a very key change 10:17  
11 initiative, as evidenced by the public attention that  
12 it got, the correspondence that was going to the  
13 Taoiseach, the Tánaiste, the Commissioner. Very  
14 clearly this was a point of conflict and to change  
15 that, if you like, in the glare of public attention, 10:18  
16 was, I thought, a very clear statement of wanting to  
17 make change happen, just as one example.

18 29 Q. Yes. Well, this sentence seems to appear -- seems to  
19 deal with your own motivations as well, Mr. Barrett.  
20 You mention how the bringing about fundamental change 10:18  
21 had something to do with your joining?

22 A. Yes.

23 30 Q. Can you explain that to us, please?

24 A. Well, part of the attraction on the occasion of my  
25 joining the organisation was, here was a significant 10:18  
26 and a large organisation that needed, and I felt it  
27 needed to make change happen, and this fundamentally is  
28 around how it behaves and performs, cultural mores that  
29 need to change and there was a large public discourse

1 around this at that time, and that was part of the  
2 attraction for me wanting to join this organisation.  
3 And it was part of the interview process on my joining  
4 the organisation; what experience I had, where I had  
5 worked, what was my exposure to cultural change, to 10:19  
6 negotiation, to dealing with, you know, difficult  
7 employee and collective situations.

8 31 Q. Yes. Well, the word you use there is "fundamental  
9 change".

10 A. Yes. 10:19

11 32 Q. Why did you use that word?

12 A. Well, that was the general reality of the time. We  
13 were talking about creating fundamental change within  
14 the organisation.

15 33 Q. About what? 10:19

16 A. About its values, attitudes and beliefs, about its  
17 cultural mores and trying to bring about a more  
18 transparent outward-looking measurable organisation.

19 34 Q. Was that reflected in the actions of senior management  
20 around you? 10:19

21 A. At that time I had no doubt that that is the mission we  
22 were on. None.

23 35 Q. Yes. And you go on then to talk about the courage of  
24 Sergeant McCabe, and acknowledged it:  
25 10:20  
26 "...he showed in raising the issues that he did  
27 contributed to the changed momentum, but my from my  
28 experience in managing large scale organisations change  
29 in many places in the private sector, change is always

1 created --"  
2  
3 And then you say.  
4  
5 "-- by the coordinated work of committed and dedicated 10:20  
6 teams of people."  
7 A. Yes, that is true.  
8 36 Q. Why were you saying that to him?  
9 A. Because I was a little concerned that he was  
10 attributing the change -- the momentum for change to 10:20  
11 himself personally. The reality is, that in any large  
12 institutional organisation, it's never one individual;  
13 it's a collective of -- and generally, you know, the  
14 engagement of a number of different themed  
15 organisations, to really bring about fundamental 10:20  
16 change. It's never the construct of a single  
17 individual.  
18 37 Q. Yes. And this seems to have triggered in Sergeant  
19 McCabe a need to return to this issue of his own  
20 personal fortitude? 10:21  
21 A. Yes.  
22 38 Q. You had raised this with him earlier:  
23  
24 "He said that he can handle being blanked --"  
25 10:21  
26 I suppose that is being shunned, is it?  
27 A. Correct. I think, just being ignored as he might walk  
28 a corridor or people meet him in the car park and they  
29 walk a past him.

1 39 Q. " -- and that he cannot overlook the fact that his  
2 decision to stand up clearly frustrated many people.  
3 The majority of the station party in Mullingar treat  
4 him properly and professionally but from the time the  
5 then Commissioner Callinan made his remarks to the PAC, 10:21  
6 describing the actions of Sergeant McCabe as  
7 disgusting, a number of the Mullingar station party  
8 felt they had support for their actions to "take it out  
9 on Maurice". He said that once this remark from the  
10 Commissioner was made it was open season." 10:21  
11 A. Yes, that is what he said.  
12 40 Q. Had you heard or understood that to be a sensation or  
13 an effect that was experienced by Sergeant McCabe  
14 arising from these events when the former Commissioner  
15 spoke, as he did? 10:22  
16 A. The specific comment was news to me in the sense that  
17 he was being quite clear about what it was that dialled  
18 up the temperature in Mullingar. The general concerns  
19 about the working arrangements in Mullingar were not  
20 new to me. I had read the correspondence that he had 10:22  
21 sent to the Minister, to the Commissioner, regarding  
22 the working conditions in Mullingar, the ongoing  
23 harassment, as he described it. So, to that degree, it  
24 wasn't a surprise. The specific of its initiation or  
25 its accentuation by the comments made by Commissioner 10:22  
26 Callinan, that I hadn't joined those dots until he said  
27 it. And I just simply noted what the man said.  
28 41 Q. I see. But it would appear from that, that the  
29 comments of a personal leadership role had direct



1 adverse impact on this man, according to what he says?  
2 A. Yes. Yes. But that is not -- that is not unique to An  
3 Garda Síochána. Closed cultures generally and those  
4 that, you know, have a rank structure, would be very  
5 sensitive to matters like that. It wouldn't be 10:23  
6 entirely unique to An Garda Síochána. There is quite a  
7 considerable amount of other examples in the literature  
8 on that very subject. The view of the leader can have  
9 a profound effect.

10 42 Q. He went on then to deal with other events, leaving 10:24  
11 aside the PAC remark of the former Commissioner, this  
12 is slightly more detailed and it relates to an event  
13 when he was able to disprove something by reference to  
14 a recording he had made, isn't that right?

15 A. That's correct. 10:24

16 43 Q. And the way you record it is:  
17  
18 "Referring to the scheme of events, Sergeant McCabe  
19 acknowledges that were it not for the fact that he had  
20 a recording of his engagement with the inquiry --" 10:24  
21  
22 what inquiry is that?

23 A. There were a number of inquiries. One celebrated  
24 recording he made was of his discussion with Oliver  
25 Callinan, who was the Confidential Recipient. I think 10:24  
26 the ultimate release of that caused some public  
27 controversy. There was other recordings he made of  
28 other senior staff, Chief Superintendent Mark Curran  
29 being one, and then ultimately reference that came

1 later in relation to what happened at Mullingar. This  
2 had been seen as a practice, and I was aware of it, as  
3 something that Sergeant McCabe had done. Frankly, I  
4 had no concern for it. At the very beginning of this  
5 meeting I asked Sergeant McCabe was this meeting being 10:25  
6 recorded, and he assured me it wasn't. I accepted his  
7 word in that regard. But this relates to other  
8 circumstances where he didn't have sufficient trust and  
9 did take the steps to record meetings. And this is a  
10 reference to one of those. 10:25

11 44 Q. Yes. So:

12  
13 "This was an inquiry that had been ordered by the  
14 Commissioner and he seemed to believe he was at real  
15 risk of being destroyed but for this recording. He 10:25  
16 felt extremely fortunate to be able to refer to the  
17 actual recording of his cooperation with the inquiry so  
18 that he could unequivocally refute the suggestion made  
19 publicly that he had not cooperated."

20 A. Correct. I think that relates to a statement made in 10:26  
21 the House by the then-Minister Alan Shatter to Sergeant  
22 McCabe not having cooperated with a particular inquiry,  
23 but that Sergeant McCabe had a tape-recording of his  
24 contribution.

25 45 Q. Yes. 10:26

26  
27 "He was contacted by --"

28  
29 Is that Micheál Martin?

1 A. Yes.

2 46 Q. Mr. Micheál Martin?

3 A. That is the leader of Fianna Fail.

4 47 Q. "-- regarding the matter and after a subsequent  
5 consultation with his barrister, Michael McDowell, it 10:26  
6 was decided to release the recording to 'Prime Time' on  
7 RTÉ television to prove that the statement made by the  
8 Minister was incorrect."

9 A. Yes.

10 48 Q. "He recounted a discussion which he had with a 10:26  
11 subeditor of The Irish Times who told the sergeant that  
12 The Irish Times had a front page heading set up which  
13 suggested that the denial of cooperation stated  
14 publicly by the Minister was the story. When the  
15 recording became public so-and-so of The Irish Times 10:27  
16 told Sergeant McCabe that they would be very  
17 circumspect about denials from An Garda Síochána in the  
18 future. He highlighted that he had worked in Mullingar  
19 from 2008 to January 2014 without such difficulties and  
20 this changed after the appearance of the former 10:27  
21 Commissioner before the PAC where he sought to  
22 denigrate the actions of Sergeant McCabe."

23 A. That's correct. A certain amount of that was news to  
24 me in giving me that context. And I noted it carefully  
25 because it was very clearly delivered with real 10:27  
26 certainty by Sergeant McCabe on the occasion.

27 49 Q. Yes. Can I just ask you this, Mr. Barrett: Generally  
28 speaking, professional people and people in management  
29 positions and even colleagues at the same level would

1 have real difficulty with a colleague or employee,  
2 co-employee, engaging in recording and the use of those  
3 recordings; what is your attitude to that?

4 A. I would agree wholeheartedly with what you said.

5 50 Q. You agree?

10:28

6 A. I would agree that people in senior roles don't expect  
7 to be recorded by their subordinates and that is  
8 universal. Equally, what I took from the dialogue that  
9 we were having was, there was a fundamental breakdown  
10 in the bond of trust that was essential to repair any  
11 of these many years of damage and that Sergeant McCabe  
12 was in effect justifying, you know, the occasions where  
13 he didn't trust, there were, if you like, liberties  
14 taken with the truth, and he was able to, by virtue of  
15 these recordings, point to the truth by way of  
16 audiotape or documentary evidence in those audio tapes.  
17 The message I was taking from this, quite frankly, was:  
18 If there is any progress to be made here there is a  
19 bridge and a bond of trust to be rebuilt.

10:28

10:29

20 51 Q. Right. So the resumé then goes on to revert to these  
21 articles in the Garda Review, you say:

10:29

22  
23 "He expressed his horror at the articles which were  
24 written in the Garda Review by Mr. So-and-so, the  
25 general secretary of the GRA. He felt that the  
26 September article in the Garda Review, which had been  
27 picked up subsequently by the Anglo Celt newspaper and  
28 a further follow-up article in November, were  
29 extremely -- hugely damaging and encouraging of those

10:29

1 who sought to undermine his position as an operational  
2 member. He referenced his discovery of a typed  
3 publication of a paper in the traffic office in  
4 Mullingar in or around December '14 which detailed  
5 further negative commentary about him. Both Chief 10:30  
6 Superintendent O'Brien and I both insist that the Garda  
7 Representative Association did not speak in any way for  
8 the organisation or the Commissioner or its leadership.  
9 These were the opinions of the author and anything  
10 which was damaging to his ability to deliver on his 10:30  
11 duty was something we could not -- we would not  
12 condone."

13  
14 So he was left in no doubt about your position in  
15 relation to the Garda Review materials and the apparent 10:30  
16 coordinated effort to, as he saw it, damage him through  
17 the GRA's publications, is that right?

18 A. That's correct. He was very animated about that and  
19 the correspondence I think that even predates my  
20 arrival. These articles were published in September 10:30  
21 '14, as I understand it.

22 52 Q. The following passage continues in relation to that,  
23 and Chief Superintendent Barry O'Brien asked him to  
24 make available the particular material, isn't that  
25 right? 10:31

26 A. That's correct.

27 53 Q. Yes. If we go over the page then, at 3023, and if you  
28 see the first sentence in the first paragraph there,  
29 you are pressing him as to how he feels he could best

1 contribute to the change and transformation agenda.  
2 Now, what was that?  
3 A. Well, the narrative that was in the public domain at  
4 that time was the organisation was going to change, the  
5 Commissioner was speaking publicly about it and 10:31  
6 internally there was a lot of consideration being given  
7 to how best, you know, fundamental change in the  
8 organisation could be accomplished. My question to him  
9 was, against that backdrop how could he best contribute  
10 to it. 10:32  
11 54 Q. Yes. There is a reference, just down the page you will  
12 see:  
13  
14 "Chief Superintendent Barry O'Brien outlined the shape  
15 and purpose of the Transformation Office and the reform 10:32  
16 programme launched by the Commissioner."  
17  
18 what was the Transformation Office? Does it still  
19 exist?  
20 A. It does. There is a thing called Strategic 10:32  
21 Transformation Office. It's charged with the programme  
22 management of certain change programmes within the  
23 organisation. At that time. Or shortly thereafter,  
24 Barry O'Brien, who was involved with the Strategic  
25 Transformation Office, stepped away from it and a 10:32  
26 different chief superintendent was appointed. But  
27 Barry would have been centrally involved at that point.  
28 55 Q. Yes. And he gave an outline of its structure and this  
29 fixed-build operate methodology was set out by him, is



1 fine, the issue relates only to a minority. He said  
2 that as he comes to work at Castlepollard he begins to  
3 feel nervous. He reported that he sleeps about two  
4 hours per night."

10:34

6 Did you have any indication at this stage as to the  
7 extent to which -- just from this interview, the extent  
8 to which this man was affected by these conditions?

9 A. Yeah. I was quite concerned about his description of  
10 it. I mean, there is no human being that could come  
11 through what was then about five or six years, I think,  
12 of the engagement that he had, without it having, you  
13 know, a fairly profound effect. This was --

10:35

14 60 Q. Can I just interrupt you there?

15 A. Sorry.

10:35

16 61 Q. He seemed to say that his time in Mullingar was all  
17 right up to the PAC events?

18 A. Yes.

19 62 Q. That it seemed for a pretty prolonged period of about  
20 five or six years he had got by there, it looks as  
21 though this is a more recent phenomenon?

10:35

22 A. That is the way I read it. I read it in the context of  
23 his earlier remarks.

24 63 Q. I see. So this business of being nervous and sleeping  
25 about two hours a night, that is not something that had  
26 gone on for four or five years?

10:36

27 A. No. But I think the sort of residual that caused him  
28 to move to Mullingar in the first place from Bailieboro  
29 would have been in his consciousness. I think there is



1 definitely a different order of discomfort following  
2 the remarks of January '14 or whenever those remarks  
3 were made.

4 64 Q. I see. And Chief Superintendent O'Brien was concerned  
5 to get some focus on the recent bullying, isn't that 10:36  
6 right?

7 A. That's correct.

8 65 Q. And he went through the process he had used to gather  
9 the fact of the matters raised by Sergeant McCabe --

10 A. Yes. 10:36

11 66 Q. -- and referenced the various meetings which they both  
12 had, including one at the McCabe family home?

13 A. That's correct.

14 67 Q. Sergeant McCabe said that since he stood up, he had  
15 been contacted by many members who assured him that 10:37  
16 there is "a Maurice in every district in the country".

17 A. That is what he said. Yes.

18 68 Q. Now, do you see this first sentence of the next  
19 paragraph:

20 10:37

21 "I returned to the question of what an attractive role  
22 might entail specifically. I invited him to make a  
23 request of us and to elaborate on the thought he had  
24 already put into this. He stated that he would love to  
25 be involved in the change programme. He again 10:37  
26 referenced the document he had mentioned earlier  
27 wherein he said he had set down some of his thoughts.  
28 I said, Maurice, I need, it send it to me and he  
29 confirmed that he would."

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Now, that passage seems to suggest that there had been some discussion during this meeting of finding or there being or something about an attractive role which might be available. Am I misled by that or what is --

10:38

A. No. It's building purely on the contribution that he had made to the GPSU work, which was, you know, useful in every respect.

69 Q. Well, was he proposing a role or were you proposing a role or was this a sort of a general thought of a follow-on from the GPSU?

10:38

A. I was simply to building a bridge. I was trying to create a situation where the engagement with Sergeant McCabe would be moved forward in a way that he would feel that he was being genuinely able to contribute, and the organisation would be in a position to listen in a way that perhaps the circumstances in Mullingar had perhaps intervened in a way that wasn't helpful. So I'm exploring ideas, this is my first meeting with the sergeant and so it's -- you can see the thing is not following a linear path here, I am simply exploring as we go.

10:38

10:39

70 Q. Yes. And it seems he reverted to outlining reasons why he said change was essential?

A. Yes.

10:39

71 Q. He wasn't very kind in his words about the "duds" who were recruited between '04 and '08 and he thought that "on the ground things need to change massively". And then there is this sentence:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

"He said that the Garda Representative Association is a real problem."

A. Yes.

72 Q. "If a sergeant says "put your tie on", it's bullying." 10:39

A. Yes.

73 Q. "He said that discipline is gone."

Now, first of all, that seems to come across there as a statement by Sergeant McCabe of his belief in what might be a core problem. 10:40

A. That's correct.

74 Q. Is that right?

A. That's correct.

75 Q. Yes. And at the time, sir, did you understand that that might be the case or that it was or what was your understanding of it? 10:40

A. I was aware, I had read the materials in relation to some of the issues that had arisen at Bailieboro that Sergeant McCabe had brought to the attention of the organisation and that subsequently had become part of history, and they relate to this lack of discipline, as he saw it. This is a theme I think that Sergeant McCabe, and not unique to Sergeant McCabe, would say needs to be addressed. 10:40

76 Q. Yes. Mr. Barrett, I mean, what is in this passage is quite alarming if it's true. The next sentence are:

"There are real issues on the ground of "ownership" for

1           superintendents. Sergeants on the ground in many units  
2           have become glorified guards. They are no longer  
3           supervisors."

4

5           Now was that said at this meeting by Sergeant McCabe? 10:41

6           A. Yes.

7       77 Q. Did you believe that that may be true?

8           A. I don't -- I am not making any comment as I go through  
9           this. I am trying to faithfully record what he is  
10          telling me. I want to understand Sergeant McCabe's 10:41  
11          mindset as he presents himself to me. That is the  
12          purpose of this.

13       78 Q. Yes. "He said we need to get back to basics. He said  
14          that supervisors need to remember that the popularity  
15          test for guards is not in the station but out with the 10:41  
16          public."

17

18          That seems a very fundamental observation?

19       A. It is, and I think he's been true to that.

20       79 Q. Yes. You went on then to seek to direct the discussion 10:42  
21          to what you called the key question:

22

23          "I asked him why and specifically what we can do to  
24          improve his working environment and contribution to An  
25          Garda Síochána." 10:42

26

27          That is what you were at?

28       A. Yes. That was my instruction also; I was asked to  
29          inquire into this prior to the meeting.

1 80 Q. "He said that while he was working with the GPSU he  
2 could sleep. "I would love to be facilitated in a  
3 similar role in making change happen." He pointed out  
4 that over the course of the previous six years he felt  
5 that he had been "knocked and knocked and knocked". He 10:43  
6 made clear that what he did was done within the  
7 established processes and that he had paid a huge price  
8 for having the persistence that he did. He stated that  
9 he was "totally loyal to the force but not loyal to  
10 things that are done wrong within the organisation". 10:43  
11 He stated that if we were to survey sergeants-in-charge  
12 throughout the country, they would confirm what he is  
13 saying. Ruefully he added "I never set out to do  
14 this"."

15  
16 Now, it would appear that in these passages the  
17 sergeant is drawing particular attention to the  
18 position of officers of his rank and the difficulty  
19 they have in securing discipline and their authority  
20 within the force, is that right? 10:43  
10:44

21 A. That's correct.

22 81 Q. It's not something you hear very much about,  
23 Mr. Barrett. You have heard an awful lot in this  
24 entire matter, if one was out in the public relying on  
25 reportage of this entire controversy, it's not 10:44  
26 something one hears about?

27 A. I think the organisation regards sergeants as perhaps  
28 the key rank in the entire organisation. Good  
29 sergeants are hugely crucial to delivering service,

1 quality service to the public. Sergeant McCabe  
2 believes that he stood up as a good sergeant for a  
3 variety of issues that he encountered, and I think the  
4 organisation -- frontline supervisors in any  
5 organisation anywhere are critical to quality delivery 10:45  
6 of product or service. So, to the general degree, I  
7 wasn't surprised by his comments. He had specific  
8 experience himself which, you know, I was reading  
9 myself into. Again, this is my first time meeting him.  
10 My modus operandi with this discussion and this note 10:45  
11 was to see whether or not Sergeant McCabe was credible:  
12 was he presenting like somebody who had the necessary  
13 introspection, the ability to articulate these issues?  
14 And frankly, I was impressed.

15 82 Q. Yes. Now, you then summarise the position by saying: 10:45  
16  
17 "We were committed to taking action and addressing the  
18 issues raised now and previously. I made it clear that  
19 Chief Superintendent O'Brien and I were fully engaged  
20 and understanding of the macro and micro processes 10:46  
21 involved. I said that he could count on a response and  
22 that the message delivered was understood."

23  
24 That is his message, isn't that right?

25 A. Yes, his message to us. 10:46

26 83 Q. "I made it very clear, however, that I was very  
27 uncomfortable with a situation where conversations like  
28 this would find their way into correspondence to the  
29 Taoiseach and the Minister and the Commissioner. My

1 preference was that we would, together, embark on a  
2 process which would see real engagement and open,  
3 honest dialogue, free of the media and megaphone games  
4 of correspondence tennis."

5 A. Yes.

10:46

6 84 Q. "I told Sergeant McCabe that if that was his favoured  
7 way to proceed I would have a real discomfort with that  
8 and he responded, he assured us that he would  
9 discontinue his political correspondence and allow our  
10 dialogue to proceed. I expressed satisfaction with  
11 that and said, that was good enough for me."

10:47

12  
13 Now, is the Chairman to understand that this was an  
14 important deal you were seeking to make with Sergeant  
15 McCabe regarding this correspondence tennis?

10:47

16 A. Yes. I mean, in any situation, creating a kind of a  
17 psychological contract, developing a commit that works  
18 both ways, in circumstances of conflict is really,  
19 really important. And so, I wanted to understand what  
20 the man's perspective was, I wanted to get him to a  
21 point of saying, look, I am going to vest trust in this  
22 correspondence -- in this dialogue that we are going to  
23 open up, and I wanted also to present his perspective  
24 as honestly and openly as I could. And you know, that  
25 essentially is what was a necessary initiation point in  
26 my view for dialling down the temperature that is  
27 reflect in all the correspondence through January and  
28 February of that year.

10:47

10:48

29 85 Q. Right. Those are the emails and communications he had

1           made earlier?

2           A.    Yes.

3   86   Q.    Some of them written late at night to officeholders and  
4           to the Commissioner, etcetera?

5           A.    Yeah.  They were certainly the kinds of correspondence   10:48  
6           in my view, that speak to a very troubled, very unhappy  
7           situation.  And, you know, the approach clearly of  
8           answering the specific issues asked on its own, without  
9           trust, was not going to yield any success.

10   87   Q.    Yes.  Now, I don't think there is anything really           10:48  
11           further in the final major paragraph there.  You  
12           assured him there was no reason to doubt the  
13           determination to bring about change at all levels of  
14           the organisation, most especially culturally.  Is this  
15           a language that was being spoken with meaning?           10:49

16           A.    Yes, in both of our parts.  Barry was probably at that  
17           point still involved with the Transformation Office.  I  
18           was new and I believed that, you know, what I was  
19           saying was part of what was necessary to make change  
20           happen.   10:49

21   88   Q.    Right.  well, the meeting ended.  It was two and three  
22           quarter hours long.  It was nearly three times or four  
23           times as long as you had expected it would be, is that  
24           right?

25           A.    Yes.   10:49

26   89   Q.    And I think that that is a meeting that happened in  
27           Garda Headquarters?

28           A.    Yeah, in the Shangan Building.

29   90   Q.    You left that area then, when you saluted one another



1 to say goodbye, you left that area and you travelled a  
2 distance, is that right?

3 A. I had an obligation to be elsewhere, so I had to drive  
4 down country --

5 91 Q. Right. 10:50

6 A. -- after that meeting.

7 92 Q. And I think that we know that there was a meeting after  
8 that --

9 A. Yes.

10 93 Q. -- which you dialled into -- 10:50

11 A. Correct.

12 94 Q. -- while you were travelling, is that right?

13 A. That's correct.

14 95 Q. Now, would you just tell us about what that meeting  
15 was, who convened it, and what it was about. 10:50

16 A. From my car I dialled into a meeting that took place in  
17 the Commissioner's conference room. It involved the  
18 Commissioner, both acting Deputy Commissioners John  
19 Twomey and Donal Ó Cualáin, Cyril Dunne, Ken Ruane,  
20 Tony McLoughlin. I think that there may have been 10:50  
21 others present, but they were all present. So this was  
22 essentially the senior staff of the organisation around  
23 the table, discussing what had just transpired at the  
24 meeting that Barry and I had with Sergeant McCabe.

25 96 Q. Yes. Well, so the Commissioner was there, Deputy 10:51  
26 Commissioner Ó Cualáin was there, is that right?

27 A. That's correct.

28 97 Q. Ken Ruane was there?

29 A. Yes.

1 98 Q. Chief Superintendent McLoughlin was there?  
2 A. Yes. Chief Superintendent Barry O'Brien went from the  
3 Shangan Building to that meeting.  
4 99 Q. I see. And was Deputy Commissioner Twomey there?  
5 A. Yes, he was. 10:51  
6 100 Q. Mr. Dunne was there?  
7 A. He was.  
8 101 Q. Was Frank Walsh?  
9 A. I think Frank Walsh may have been there. It would be  
10 normal that he would, he was the Commissioner's private 10:51  
11 secretary.  
12 102 Q. Chairperson, the notes of Mr. Ken Ruane, which are at  
13 4860, may be of some assistance at this stage. So when  
14 we look at -- they may be coming up in front of you  
15 there, Mr. Barrett, do you see them? 10:52  
16 A. Yes, they are on the screen. I don't have a file.  
17 103 Q. Yes. 4060. Sorry, 4860. 4860.  
18 A. Yes.  
19 104 Q. Just by way of introduction to this minute, have you  
20 read this minute? 10:52  
21 A. I saw the minute when it was circulated last week --  
22 105 Q. Okay.  
23 A. -- for the first time in typed form.  
24 106 Q. Yes. It seems to be an extensive minute. It goes on  
25 for a number of pages, and I don't want to get us, as 10:52  
26 it were, bogged down in it, but when we look at it, at  
27 the very end of it, at 4868, you needn't go to that  
28 just now, but at 4868 it says:  
29

1 "JB off phone 8:24pm."  
2 A. That's correct.  
3 107 Q. So it looks like you were something on the phone for  
4 something like, could it have been a couple of hours?  
5 A. It was almost a couple of hours. I was nearly at my 10:53  
6 destination by the time I hung up the phone.  
7 108 Q. Yes. And when one looks at this minute, it's quite  
8 clear that it was a very both wide-ranging discussion  
9 about what had emerged in your discussion with Barry  
10 O'Brien and Sergeant Maurice McCabe, but it was also a 10:53  
11 discussion which was in many respects extremely  
12 specific, isn't that right?  
13 A. That's correct.  
14 109 Q. And just by way of a few remarks, if I am wrong tell  
15 me, it looks as though the Commissioner very 10:53  
16 deliberately led the discussion in relation to this  
17 with purpose?  
18 A. Yes. I felt we were at one in terms of how do we go  
19 forward and the Commissioner led the discussion.  
20 110 Q. Yes. 10:54  
21 A. Obviously --  
22 111 Q. It's indented with numerous interventions by the  
23 Commissioner seeking to -- what would appear to be  
24 seeking to give focus to the discussion?  
25 A. Correct. 10:54  
26 112 Q. Right. And what was your first role in entering the  
27 meeting and explaining what had happened? what did you  
28 seek to convey?  
29 A. The fundamental first question that I was asked about

1 was to account for a summary of what had transpired  
2 over the previous two and three quarter hours in our  
3 meeting with Sergeant McCabe.

4 113 Q. I am not going to ask you to do that now, but could you  
5 briefly tell us what did you tell them about it? 10:55

6 A. I found that Sergeant McCabe was credible and I found  
7 what he had to say and how he said it, I just -- a  
8 brief segue, Mr. Rogers: I spent a number of years  
9 involved in negotiation of all sorts of things, so you  
10 get to learn a little bit about it from neurolinguistic 10:55  
11 programming, CARIS courses, it's -- the biofeedback  
12 that somebody seeks to deliver their message by is very  
13 telling. And I found Sergeant McCabe's presentation of  
14 the issues, his introspection, his articulation, the  
15 way he conducted himself in the meeting to be credible, 10:55  
16 I found what he said made sense, it followed -- he came  
17 across not as the man that had been described to me in  
18 the pre-meeting, but as somebody who didn't fidget. He  
19 didn't seek to leave the meeting after 45 minutes. He  
20 didn't attend with his solicitor. He had the 10:55  
21 confidence to do all that himself. And I was impressed  
22 by what he had to say. I tried to reflect that  
23 subsequently in the note with some balance, of the key  
24 things that -- the messages that he delivered to us.

25 114 Q. Right. well, if we just look then at 4860, we see an 10:56  
26 intervention from you there - "JB on speaker phone" -  
27 and one of the things you seem to have remarked was  
28 that Sergeant McCabe "not armed solicitor".  
29

1           what is the significance of that?

2           A.    I had been told -- and there is nothing disrespectful  
3           in this, I had been told he would come armed with his  
4           solicitor.

5   115   Q.    Yes.  I see.  And you seem to use the words: 10:56  
6  
7           "Guy credible speaking in front first time."  
8  
9           Do you see those words?

10          A.    Yes.  These are Ken's notes, Mr. Rogers, so -- 10:56

11   116   Q.    Yes.  But they seem to record what you have just  
12          indicated to the Chairman?

13          A.    Yes.

14   117   Q.    All right.  And you seem to record, if you just look  
15          four lines from the very bottom, you seem to be quoting 10:57  
16          him:  
17  
18          "No one will be able and no one wants solve it."

19          A.    Yes.

20   118   Q.    Is that something you were recording? 10:57

21          A.    Yes.  I'm very clear that if there was a single message  
22          from the engagement, it was:  Challenge to us.

23   119   Q.    Yes.  And the last line seems to be something you are  
24          saying or Superintendent O'Brien:  
25  
26          "He deserves an Oscar or we should listen carefully." 10:57

27          A.    Yes.

28   120   Q.    "He is either a good actor or else he has something  
29          really important to say."

1 A. That's correct.

2 121 Q. Is that it?

3 A. That's correct.

4 122 Q. Okay. And over the page then, you seem to record in  
5 the second line or -- it seems to be attributed to you: 10:58  
6  
7 "Are we going through the motions?"  
8  
9 Was that something he was -- you believed he was  
10 raising with ye? 10:58  
11 A. Yes.

12 123 Q. I see. And then there is an intervention from the  
13 Commissioner:  
14  
15 "External person. What is his attitude?" 10:58  
16 A. Yes.

17 124 Q. Can you just help us with that?

18 A. Part of the -- and this meeting was reflective of  
19 searching for a solution and one of the things that was  
20 previously raised in discussions with Deputy 10:58  
21 Commissioner John Twomey, I think at the meeting of the  
22 12th January, was that an external person would be  
23 considered as a mediator or as a facilitator to try and  
24 deal with these issues.

25 125 Q. Yes. And then the Commissioner raises again "McCabe 10:58  
26 happy that --" that possibly was a question.

27 A. It was.

28 126 Q. You seem to have said:  
29

1 "Not certain he knows what he is looking for."  
2 A. Correct.  
3 127 Q. And:  
4  
5 "He valued the GPSU helping investigation." 10:59  
6 A. Yes.  
7 128 Q. All right. Two lines down, you are quoted, it seems:  
8  
9 "Is a piece of this move McCabe like helps with change  
10 programme." 10:59  
11  
12 Now, you seem to have been feeding into the meeting  
13 that Sergeant McCabe might be of assistance in the  
14 change programme, is that right?  
15 A. This is a very staccato minute, but I think that is 10:59  
16 consistent with what would have been discussed at the  
17 meeting with McCabe and I believe that is probably what  
18 I am saying. I am not --  
19 129 Q. Yes. And then Commissioner then, you will see there is  
20 an indent there with a colon there is a reference to an 10:59  
21 email of the 19th and 22nd January?  
22 A. Yes.  
23 130 Q. Those are the emails, one I think of which was close to  
24 midnight?  
25 A. Yes. 10:59  
26 131 Q. So the Commissioner was aware of the minutiae of  
27 Mr. McCabe's situation, isn't that right?  
28 A. That's correct.  
29 132 Q. And then if we drop down five or six lines we see the

1 Commissioner again particularising -- referring  
2 "particularised 14 incidents"?

3 A. Yes. These were incidents under investigation by Barry  
4 O'Brien who was the selected -- or at least the agreed  
5 person to undertake that investigation by Sergeant 11:00  
6 McCabe, or with Sergeant McCabe's consent or  
7 engagement.

8 133 Q. Yes. And if we just go down to the bottom of the page,  
9 if you go up six lines:  
10 11:00  
11 "Commissioner, no faith in local Garda management."  
12 A. Yes.

13 134 Q. Is the impression we get there that she is deducing  
14 that Mr. McCabe has no such faith?

15 A. That is how I read it. But I don't have a recollection 11:00  
16 of the comment.

17 135 Q. And then they appears to say:  
18  
19 "Looking to have these addressed. "Why go Minister and  
20 Taoiseach?""  
21 11:01  
22 A. Yes. The reality is, much as I said at the end of the  
23 meeting we had directly with Sergeant McCabe, the  
24 megaphone engagement was not helping the process of  
25 local resolution and I think that may be the reference  
26 11:01  
27 136 Q. Yes. And you seem to have said that to the meeting  
28 then in the last two lines there:  
29 "No further correspondence on this issue. He was



1           convincing persuasive."

2           A.    Yes.

3 137   Q.    So you were happy to convey to this meeting that that  
4           was Sergeant McCabe's position?

5           A.    That is what I asked him and, as it turned out, that is 11:01  
6           what he delivered.

7 138   Q.    Yes.  And if we go to the top of the next page,  
8           obviously the Commissioner is concerned about this  
9           correspondence with the Minister, isn't that right,  
10          4862? 11:01

11          A.    Yes.

12 139   Q.    We see that again.  And if we drop down again to about  
13          ten lines down, there is a Commissioner reference:  
14

15          "Another email, GRA, anything apart email?" 11:01

16

17          And this would appear to be a reference to Sergeant  
18          McCabe's concern about the GRA publication?

19          A.    I would assume so.  Yes.

20 140   Q.    And if we just go down four or five lines then, you 11:02  
21          see:  
22

23          "Commissioner:  Next steps."  
24

25          She seems to be pressing, isn't that right? 11:02

26          A.    Correct.

27 141   Q.    And you are answering a point:  
28

29          "He does not see resolution."

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

And then:

"Cultural. Remove all silence. Morris. Unpleasant, small cohort station making life difficult and skills part change programme."

11:02

Is that right?

A. That's correct. I raised those issues as things we needed to consider about -- bear in mind, this meeting takes place on a morning which the Minister writes a particularly clear letter to the Commissioner asking for her steps for resolution. So this meeting that we are talking about here in this minute is very resolution-focused: what are the things we can respond to Frances Fitzgerald in saying we were going to do and undertake? It is quite a focus.

11:02

11:02

142 Q. And the Commissioner immediately intervenes, it appears:

"Corporate knowledge specific issues. Did he say no faith in investigations?"

11:03

Do you see that?

A. Describe where this line lives?

11:03

143 Q. It's underneath the reference to "next steps"?

A. Yes.

144 Q. "Commissioner: Corporate knowledge seems specific issues. Did he say no faith in investigations?"

1 A. I didn't answer the question and I don't remember it,  
2 frankly.

3 145 Q. Yes. And then again:  
4  
5 "Commissioner: Over years number of issues. MCC lost 11:03  
6 faith in ability of investigate to resolve his issues  
7 or change culture.  
8  
9 solution in terms McCabe... cultural An Garda Síochána  
10 corporate perspective protected disclosures - incumbent 11:03  
11 get independent person "objective, impartial and  
12 thorough"."  
13  
14 I am just asking you, Mr. Barrett, one gets the  
15 impression here that the Commissioner was really 11:04  
16 pressing to know how to deal with this, is that right?  
17 A. Absolutely.

18 146 Q. Yes.  
19 A. No question about that.

20 147 Q. And then you say, it would appear: 11:04  
21  
22 "Defensive purpose: essential element. Necessary but  
23 not sufficient."  
24  
25 Can you explain that? 11:04  
26 A. I really can't account for all of the elements in that.  
27 There's three elements in that piece from Ken. I think  
28 what I am seeking to convey, and certainly this is  
29 something I would believe, investigation of itself is

1 necessary but not sufficient. I raised that as a  
2 concluding point that I can stand over. The other two  
3 elements I don't know what Ken is recording me as  
4 having said.

5 148 Q. Right. I am going to drop to the very bottom of the 11:05  
6 page.

7  
8 "Commissioner: Where put him?"

9  
10 Do you see that? 11:05

11 A. Yes.

12 149 Q. Was that part of this discussion, that in some way  
13 that -- if you go over the page, you will see Mr. Barry  
14 O'Brien says:

15 11:05  
16 "Who put him with?"

17  
18 TMCL --"

19  
20 A. That is Tony McLoughlin. 11:05

21 150 Q. Saying: "We can't move him.

22  
23 Commissioner: No luxury time.  
24 1. Response Department by tomorrow.  
25 2. Minister, what are we going to do about him? 11:05  
26 Refute all efforts made An Garda Síochána, strenuous  
27 efforts meaningful engagement."

28 A. I think that records the pressure that was on the  
29 meeting to, if you like, deal with the issues and try

1 and fashion a response. I think that probably captures  
2 some of that.

3 151 Q. Yes. If you just drop down, you say:

4

5 "Flavour of the next steps."

11:06

6

7 And the Commissioner intervenes saying:

8

9 "Duties and section 12 duties, engage. Where we can."

10

11:06

11 I think those section 12 duties are the duties under  
12 the Protected Disclosure Act which require employers to  
13 ensure that persons making a protected disclosure are  
14 not in any way penalised, is that right?

15 A. That's correct. That is my understanding of section  
16 12.

11:06

17 152 Q. Yes. And if we go down that page, there are a number  
18 of references to other personnel, including Mr. Dunne,  
19 about 15 lines from the bottom of the page:

20

11:06

21 "CAO: Insolvable problem, normalised against McCabe  
22 interpretation."

23

24 Can you make anything that have?

25 A. Cyril Dunne, like myself, comes from a private sector  
26 background and these issues, I suppose, in an  
27 institutional sense appear more difficult in a public  
28 service environment and that is something that Cyril  
29 could better explain. But he saw it as an intractable

11:06

1 problem.

2 153 Q. But he saw it as an intractable problem?

3 A. He saw it as a very difficult problem to solve.

4 154 Q. Right. And you will see at the very bottom of the  
5 page, there must've been some consideration been given 11:07  
6 to allowing Sergeant McCabe go on leave?

7 A. Yes.

8 155 Q. Concern -- the Commissioner expresses:  
9  
10 "1. Concern about paid leave precedent.  
11 2. Forcing him out.  
12 3. If what McCabe saying "endemic culture & behaviour  
13 issues"."

14  
15 So the Commissioner is constantly referring to the 11:07  
16 dilemmas that the organisation is in, in this matter?

17 A. Yes.

18 156 Q. And if we just go over the page then again, the  
19 Commissioner in the second indent there at the top of  
20 the page: 11:07  
21  
22 "Commissioner: FCPS process dialogue.  
23 Lost track how many people investigating."

24 A. Yes.

25 157 Q. "Appoint --" Is it? "-- not investigator but 11:08  
26 facilitator to document. What cultural issues & how  
27 address this."

28 A. The general, the general point resonates with me for  
29 only one reason: There was a sense of -- embarrassment

1 is probably too strong a word, but there was a sense of  
2 real disappointment that the organisation had sought to  
3 fix FCPS on a number of different occasions. And then  
4 there were the sequence of HQ directives where the apex  
5 of the organisation is saying, now hear this, this is 11:08  
6 what we need to go and do. And it had been  
7 investigated, it had been reviewed, you know, several  
8 real substantial steps had been taken to try and  
9 address this. And then at a certain point, Sergeant  
10 McCabe, through his own innovation, came forth and said 11:08  
11 the abuse continues. And the GPSU investigation, when  
12 published, proved him to be right.

13 158 Q. Right. And the Commissioner appears to have been in  
14 some way acknowledging that, was she?

15 A. Well, I think she was aware at that point that the GPSU 11:09  
16 investigation was drawing to a close and she may have  
17 had line of sight on --

18 159 Q. Yes. Now, I just want to draw your attention to the  
19 next couple of passages where there is mention of --  
20 Mr. Twomey mentioned Gerry McMahon? 11:09

21 A. Yes.

22 160 Q. And then again he refers to an external mediator?

23 A. Yes.

24 161 Q. And then you intervene saying?

25 11:09

26 "Three strands:

27 1. Review specifics. 14-point agenda.

28 2. Issues, CAO.

29 3. Meaningful way engage Maurice to control

1 destructive."

2 A. What I was seeking to do, I think, was simply summarise  
3 the kind of issues that we had kicked around. There  
4 was that process extant, which was Barry O'Brien  
5 looking at the 14 issues that Sergeant McCabe had 11:10  
6 raised. There were a couple of issues that I was  
7 working at the time with Cyril on. Dr. Gerry McMahon  
8 from UL was helping us and he had previously worked  
9 with the GRA, so he was a good bridge in that respect,  
10 on what we call dignity in the workplace or bullying 11:10  
11 and harassment policy. And another issue that we were  
12 looking at was having somebody external come had in and  
13 look at the policy, the actual text of policies in  
14 related areas. And we asked Tony Kerr from UCD to come  
15 and help us with that. And again, that was some issues 11:10  
16 that were being worked. My thoughts were we needed to  
17 put a kind of a framework of real activity and  
18 visibility around some of this and, therefore, make  
19 certain that the kind of emails that were going to the  
20 Taoiseach, the Minister, and the Commissioner, wouldn't 11:11  
21 be necessary, because they'd be wood behind the arrow  
22 and that was very much the spirit of the meeting.

23 162 Q. Right. I will try to conclude with this dialogue that  
24 was going on over the phone. In the middle of this  
25 page, 4864, we see you seemingly saying: 11:11  
26  
27 "McCabe loads engagement not dealing substance issues."  
28  
29 Then the Commissioner says:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

"All issues raised by McCabe: No cultural audit.

1. Appoint a person.

If he believes investigations took too long. X come in & how we resolve issues.

11:11

2. Future role, FCPS.

Maybe something more creative."

Now it would appear that in that the Commissioner has identified and it seems to persist through the balance of the meeting, this idea of appointing some external person, is that right?

11:11

A. That's correct.

163 Q. And then it would appear also that the Commissioner envisaged a future role of some sort:

11:12

"Maybe something more creative for Sergeant McCabe."

Is that right?

11:12

A. That's correct.

164 Q. So I mean, without going on with this examination of this note, it would appear that this was a serious attempt, albeit you were at a remove in a car, by everybody involved in that meeting to come up with solutions respecting Sergeant McCabe's predicament and what arose for the organisation arising from what he said?

11:12

A. That is absolutely correct. I had no doubt at the end

1 of the discussion, in fact at the tend of the day where  
2 there were three separate meetings on this whole issue,  
3 that there was, you know, alignment of intent about  
4 what -- something needed to be accomplished here.

5 165 Q. Yes. If we just go to 4868, second-last page of this 11:12  
6 note, there is a point just above where you go off the  
7 phone at 8:24pm, the Commissioner refers to Chief  
8 Superintendent McLoughlin and Chief Superintendent  
9 O'Brien and the Commissioner is talking about the  
10 individuals that might be engaged as independent 11:13  
11 persons and there is a reference to somebody, "Ultan"?  
12 A. Courtney.

13 166 Q. I see. who is that?  
14 A. He is a former colleague of mine actually at IBEC. He  
15 is the Chairman of Dublin Bus. He is on the discipline 11:13  
16 committee of the Incorporated Law Society.

17 167 Q. I see. Mr. Cassells, Mr. Mulvey, Mr. McLoone or  
18 Mr. Arnold are also mentioned as possibles, isn't that  
19 right?  
20 A. That's correct. 11:13

21 168 Q. So that was the meeting that happened for you on the  
22 phone after your meeting with Sergeant McCabe and I  
23 want to pass now to what developed as a result of that.  
24 That is all on the 25th of February, isn't that right?  
25 A. That's correct. 11:14

26 169 Q. And I think steps were taken, if we look at item 3716,  
27 I think the Tribunal has had made available to it  
28 communications by way of email between you and  
29 Mr. Ruane and other officers of the organisation

1 relating to this issue of the appointment of  
2 Mr. Mulvey, isn't that right?

3 A. I think so.

4 170 Q. I think if we look at 3716, we will see there an email  
5 from Mr. Ruane to Richard Barrett of the 6th March. Do 11:15  
6 you see that?

7 A. I do.

8 171 Q. And I think there is a response from, in fact, a  
9 Mr. Michael Flahive of the Department, who would have  
10 been -- who would have had vision of that email, isn't 11:15  
11 that right?

12 A. That's correct.

13 172 Q. And Mr. Flahive seeks to inject a somewhat broader  
14 perspective to the discussion, isn't that right?

15 A. That's right. 11:16

16 173 Q. And he asks that the terms of reference might include  
17 the assessment of the adequacy of the procedures in  
18 place in An Garda Síochána to deal with the issue of  
19 bullying and harassment and to make recommendations on  
20 how such procedures might be enhanced. 11:16

21 A. Yes, sir.

22 174 Q. Isn't that right?

23 A. That's correct.

24 175 Q. That's Mr. Flahive on the 11th March?

25 A. Yes. 11:16

26 176 Q. And is it the case that, finally, the organisation did  
27 in fact recruit Mr. Mulvey to do this exercise?

28 A. There was a considerable amount of work then invested  
29 in developing terms of reference for Mr. Mulvey's

1 engagement, but that did not proceed once the O'Higgins  
2 Commission commenced.

3 177 Q. I see. And why was that?

4 A. I think the circumstance of the opening days of the  
5 Commission have a lot to do with it. We did, however, 11:17  
6 proceed to engage Tony Kerr and we did have a single  
7 seminar delivered by Dr. Gerry McMahon at Mullingar.  
8 That had taken place in March. The momentum in this  
9 entire project ceases with the commencement of  
10 O'Higgins. 11:17

11 178 Q. Okay. I wonder could we look at an email from you at  
12 3719. This is dated 17th march?

13 A. Yes, this is St. Patrick's day.

14 179 Q. Yes. And it's addressed to Mr. Ruane, but the  
15 circulation includes Mr. O'Daly of the AG's office, is 11:18  
16 it --

17 A. Yes.

18 180 Q. -- Mr. Twomey, Chief Superintendent McLoughlin,  
19 Mr. Dunne, Superintendent Ward, Fiona Broderick, and  
20 you set out the position at item 1 to 4 in that, isn't 11:18  
21 that right?

22 A. That's correct.

23 181 Q. You describe where ye had got with that process?

24 A. Yes. It's kind of an update to all the parties as to  
25 where we are at. 11:18

26 182 Q. Yes. And you refer to the McMahon seminar series and  
27 you refer to the involvement of Mr. Mulvey, and you  
28 refer also to the involvement of the -- the engagement  
29 of Mr. Kerr?

1 A. I do.

2 183 Q. Yes. So all of those steps would appear to have been  
3 taken internally as the outcome of what was a  
4 telephonic meeting for you on the 25th February?

5 A. Yes, this is kind of an update a month on, almost month 11:19  
6 on.

7 184 Q. Yes.

8 A. Three weeks on.

9 185 Q. Yes. Now, in respect of the steps you took yourself,  
10 am I right that you, on the 12th March 2015, spoke to a 11:19  
11 note you had prepared, Learning and Reflection, do you  
12 recall that?

13 A. Yes, I do.

14 186 Q. And was that speech made at Templemore?

15 A. It was. 11:20

16 187 Q. And what was the purpose of this?

17 A. The occasion was a seminar, which was one of the  
18 recommendations of the GPSU report on the whole penalty  
19 points issue. Gathered at that meeting in one of the  
20 lecture theatres were about hundred or so people who 11:20  
21 had responsibility for the management in each of the  
22 divisions of fix charged penalty summonses and notices,  
23 and these were the liaison inspectors and those who we  
24 would have, if you like, in divisional roles that would  
25 manage this process. And the intention was, was to set 11:20  
26 out what GPSU was recommending. The seminar itself  
27 being a recommendation. And I took time to consider  
28 how it is -- I had been invited to open the seminar by  
29 Chief Superintendent Clavin, and I wanted to try and

1 continue that process that we began on 25th February,  
2 making common cause with change, in particular in this  
3 highly visible and oft commented area of penalty  
4 charges.

5 188 Q. Well, in the course of this address, you referred to 11:21  
6 the FCPS as being a relatively -- at one time a  
7 relatively anonymous acronym, and you refer to the  
8 participation of Chief Superintendent Clavin in the  
9 preparation of the report, but then you go on to refer  
10 to the Guerin Report, which was a catalyst for the work 11:21  
11 of the GPSU, isn't that right?

12 A. That's correct.

13 189 Q. And in this speech, you say the following:

14  
15 "The focus of the report produced by the GPSU team 11:22  
16 highlighted the actions and behaviours of a small  
17 number of our colleagues. It demonstrated that  
18 following the publication of no fewer than four HQ  
19 directives on the topic of FCPS, the fourth edition was  
20 48 of 2014, published on 16th June 2014, breaches and 11:22  
21 inappropriate cancellations continued as had been  
22 publicly disclosed."

23  
24 So you were now, in the Garda College, at this seminar,  
25 speaking openly about these breaches that had been 11:22  
26 disclosed, is that correct?

27 A. That's correct.

28 190 Q. Notwithstanding directives given in response to --

29 A. Yes.

1 191 Q. Is that right?

2 A. That's right. There was a series of four directives  
3 and they had continued after that.

4 192 Q. Yes. It went on:

5

11:23

6 "It is important to recognise that despite all the  
7 controversy surrounding our maladministration of the  
8 fixed charge penalty system, despite all the thousands  
9 of column inches of newsprint, despite all the hours  
10 and hours of radio and television commentary and debate 11:23  
11 on the topic and a series of clear HQ directives, a  
12 segment of our own organisation did not learn, a  
13 segment of our own organisation did not amend their  
14 behaviour, they did not show common sense or  
15 appropriate professional standards." 11:23

16

17 And you go on then to refer to Superintendent Clavin  
18 and the team, and its report, and you say they speak  
19 for themselves.

20

11:23

21 "It is thorough, it is evidence-based and it is  
22 comprehensive. It is a credit to all who contributed  
23 to it and that includes the views of Sergeant Maurice  
24 McCabe who contributed to the work in a number of ways  
25 unique -- in a number of very unique and specific ways. 11:23  
26 His particular contribution is important and he has my  
27 gratitude and acknowledgement for the courageous  
28 contribution made.

29

1 One of the strengths of the methodologies of the GPSU  
2 report is that it took the time to specifically learn  
3 and understand how Sergeant McCabe reached his  
4 conclusions around the continuation of cancellations by  
5 members for inappropriate reasons. It confirmed that 11:24  
6 despite the publication of HQ48/14 in June '14, the  
7 fourth in a series, these contraventions had continued  
8 by a small minority of staff."

9  
10 And you say that: 11:24

11  
12 "Despite the attendant glare of the media, despite the  
13 presentations made by both senior ranks of this  
14 organisation before Dáil committees, we can all now see  
15 what happened; on this firm foundation learning and 11:24  
16 behavioural change becomes possible."

17  
18 Now, that seems a pretty stark disclosure or  
19 confrontation by you in your role as Executive Director  
20 Human Resources with your staff and colleagues? 11:25

21 A. It's simply a statement of fact and a call to arms that  
22 we need to think about -- we need to learn and reflect.  
23 The theme I chose was not accidental. There will be --  
24 history will repeat itself. And I think I make the  
25 point at some other paragraph in the report, in the 11:25  
26 speech, that it's only if you learn the lessons of  
27 history that you prevent the blind repeat of same. And  
28 clearly, what I was trying to call out here was, the  
29 people that I had in that room needed to consider the



1 cycle which had got us into that point and that  
2 Sergeant McCabe quite properly pointed to. The GPSU  
3 report was very clear, very fact-based and I wanted to  
4 commend those who were involved in it. Chief  
5 Superintendent Clavin, Sergeant McCabe and everybody  
6 else. 11:26

7 193 Q. Now, that commentary in that speech by you is at 3460,  
8 you directly reference Sergeant McCabe there. Was that  
9 a deliberate action?

10 A. Yes. 11:26

11 194 Q. why?

12 A. Because referencing back to the meeting we had on  
13 the -- the February meeting, on 25 February, it was  
14 very clear that one of the things that Sergeant McCabe  
15 was looking for was recognition, and in this case he 11:26  
16 was unequivocally right. The GPSU report was just one  
17 other which confirmed that. And I saw the  
18 opportunity to make the point to the people who were  
19 responsible for penalty points throughout the country,  
20 to say, you know, this isn't theology, we need to make 11:27  
21 certain that we are fact-based, we have been called out  
22 here, we have four HQ directives that are being  
23 ignored, this is a reality, let's learn and reflect.  
24 And by giving him an opportunity -- giving Sergeant  
25 McCabe ultimately a copy of the script, I was creating 11:27  
26 a bridge, or so I felt, between the work that he had  
27 done and the work that the GPSU had done as a  
28 consequence, and where it is the organisation should go  
29 from there. These things should be transparent and

1 properly managed.

2 195 Q. Right. Now, it appears from your dialogue with  
3 Sergeant McCabe and from what you had gleaned from  
4 other references and disclosures by him, that he had  
5 met with hostility from his superiors, I think that's 11:28  
6 clear?

7 A. That is very much his narrative, yes.

8 196 Q. Yes. And it would appear that he asserts, at least to  
9 some extent, that An Garda Síochána, as an  
10 organisation, operated a culture of fear. Do you agree 11:28  
11 that that is part of what he asserts?

12 A. Yes, I do.

13 197 Q. And do you agree that in his narrative he includes  
14 resistance to real change in the organisation as being  
15 facilitated by fear? 11:28

16 A. To some degree, yes, certainly.

17 198 Q. Well, if we leave Sergeant McCabe out of it for a  
18 moment, Mr. Barrett, you hold a significant role which  
19 you have opted into very -- seemingly very uniquely and  
20 judging by what you said earlier, you have opted into 11:29  
21 this as a challenging role, is that right?

22 A. That's correct.

23 199 Q. And in your time in An Garda Síochána to this point, do  
24 you accept Sergeant Maurice McCabe's belief that there  
25 is a culture of fear in An Garda Síochána and do you 11:29  
26 accept that it's a credible position that he takes?

27 A. I think it's a credible position that he takes. I  
28 think there will be possibly some data to support that  
29 when the details of the cultural audit that is

1 currently underway is concluded. I think an  
2 organisation --

3 200 Q. When will that be concluded?  
4 A. It's in process as we speak. The analysis of the data  
5 is underway. The audit was completed recently. 11:30

6 201 Q. Who is doing that?  
7 A. PwC, PricewaterhouseCoopers.

8 202 Q. And how long has that been going on?  
9 A. I think it ran for about six weeks in the autumn of  
10 last year and spring of this year. 11:30

11 203 Q. And how is that audit being conducted?  
12 A. It's being conducted by an external organisation, I  
13 would say to the highest standards of probity and it's  
14 a series of specific and open text questions, I think  
15 it will be revealing. 11:30

16 204 Q. And how was it done? Was it a round-robin to everybody  
17 in the organisation?  
18 A. No, no. Yes, yes, round-robin to everybody. It's a  
19 census, essentially. Everybody in the organisation who  
20 is employed in the organisation was invited to 11:31  
21 contribute to it and they could do so with anonymity,  
22 and that facility was provided with great notification.  
23 So about 40% of the organisation, or thereabouts,  
24 contributed to its questionnaire.

25 205 Q. Right. Well, can you give the Chairman some positive 11:31  
26 indication as to exactly when that will be available?  
27 A. I can't specifically. And without specificity, I will  
28 offer that to the Chairman subsequently and write to  
29 him, if necessary.

1 206 Q. okay. well, in the course of the questioning earlier  
2 it became quite clear that, in your opinion, the  
3 Commissioner was committed to a process of change,  
4 isn't that right?  
5 A. That's correct. 11:32

6 207 Q. And in terms of the genuineness of the organisation in  
7 its commitment to change, how do you rate that? Do you  
8 have an opinion in respect of its genuineness and  
9 commitment?  
10 A. I think the organisation, and as evidenced by the 11:32  
11 meeting that you have just referred to, in that post  
12 meeting, meeting of the 25th February, was very anxious  
13 to consider matters of organisational change and the  
14 impact that they in turn might have on Sergeant McCabe.  
15 I had absolutely no doubt in the course of that 11:32  
16 discussion that there was a real alignment of  
17 commitment with respect to the issues we were seeking  
18 to resolve. None. No difficulty with that.

19 208 Q. Yes. well, what I just want to test with you,  
20 Mr. Barrett, sometimes it could be that I might 11:33  
21 demonstrate a particular approach, but I might have a  
22 second agenda, do you know what I mean?  
23 A. I do. But I didn't see any of that in February -- in  
24 February 25 as we sat around -- I didn't sit, but as I  
25 contributed to that meeting. None. I genuinely felt 11:33  
26 as that meeting concluded that we were going to move  
27 the issues to resolve the concerns of Sergeant McCabe  
28 to a new plateau.

29 209 Q. well, can I ask you then in respect of your recounting

1 to the Tribunal of the statement by Mr. Dunne on what  
2 you say was the 13th May 2015, that we are going after  
3 McCabe, how do you square all of that?

4 A. The reason, Mr. Rogers, that the statement jarred with  
5 me as I described is because from the meeting of the 11:34  
6 25th, from my first introduction to Sergeant McCabe, I  
7 operated very much in the spirit of the after-meeting  
8 that we have just walked through, Ken Ruane's minute,  
9 that we were genuinely seeking to engage with Sergeant  
10 McCabe on all the various levels that we had teased 11:34  
11 out. I met him subsequently as a sort of a listening  
12 exercise a month later, in March, and it was very much  
13 in the same theme. The first speed bump, if you like,  
14 to any of that, that I was aware of, was that comment  
15 made by Cyril Dunne to me in advance of the 11:34  
16 commencement of O'Higgins. And unfortunately, and the  
17 history is clear in this regard also, for the duration  
18 of O'Higgins none of those initiatives - Mulvey,  
19 McMahon, some of the key things that we were working on  
20 with such care and caution, in the months running up to 11:35  
21 it - continued.

22 210 Q. You say none of them continued?

23 A. None of them continued. The McMahon intervention was  
24 exclusively confined to the Mullingar station, which  
25 was Sergeant McCabe's station. But we had intended at 11:35  
26 an earlier juncture to roll that out across the  
27 country. Kieran Mulvey, it was felt the intervention  
28 would not be effective with the Commission up and  
29 running, so that was put on ice. And in effect, the

1 engagement with the organisation and Sergeant McCabe  
2 was largely mediated through me and pretty much at a  
3 low level until almost a year later.

4 211 Q. Yes. I just want to, for the sake of having some sort  
5 of chronology here, if I may just ask you this: I 11:36  
6 think you mentioned meeting Sergeant McCabe in March, I  
7 think that was a meeting that you had with him at  
8 the Ardboyne Hotel in Navan on the 24th March 2015.

9 A. It was.

10 212 Q. Was that a meeting just between the two of you? 11:36

11 A. No. There was a retired superintendent from memory,  
12 Eamon Corcoran. Eamon -- anyway, there was somebody  
13 joined us for lunch. We had about three hours of  
14 discussion. And given that it was my second meeting  
15 and my first occasion meeting Sergeant McCabe on his 11:36  
16 own, I welcomed the fact it was a triangulated  
17 conversation and it proved to be hugely pleasant and,  
18 you know, social in a way of building an engagement at  
19 a person level between the two of us. And it wasn't  
20 strained by virtue of the fact that it took so long but 11:36  
21 it was a very interesting discussion.

22 213 Q. Is that a meeting to which you brought a book to  
23 Mr. McCabe?

24 A. It is. It is. In the speech that I made in the  
25 college on 12th February, I referenced -- 11:37

26 214 Q. 12th March I think?

27 A. 12th March, my apologies. I referenced To Kill a  
28 Mockingbird and I had asked Maurice had he read it, and  
29 I brought him a copy because he said he hadn't.

1 215 Q. Right. Now, Mr. Dignam referred to some of the text  
2 messaging that had ensued through April.

3 A. Yes.

4 216 Q. Leaving that aside, I think on the 21st April 2015  
5 there was a meeting which concerned Mr. Mulvey -- 11:37

6 A. Yes.

7 217 Q. -- is that right? Did Mr. Ruane and Chief  
8 Superintendent McLoughlin attend that?

9 A. They did, as I understand it, yes.

10 218 Q. And Mr. Mulvey was being engaged, as it were? 11:37

11 A. That is the point, yeah.

12 219 Q. Yes. And I think that on the 24th April, you may have  
13 already referred to this, David O'Hagan, solicitor,  
14 wrote to the Commissioner regarding the work of the  
15 O'Higgins Commission, isn't that right? 11:38

16 A. That's correct.

17 220 Q. And Chief Superintendent Ward of your division was  
18 assigned in preparation for that work, is that right?

19 A. Yes, he was. He was second in that particular role.  
20 Assistant commissioner Kieran Kenny had been assigned 11:38  
21 that role and then suddenly the matters of the  
22 Commission were handed to Seán Ward for what was a  
23 relatively short period of time, before it was taken up  
24 by Mr. Fergus Healy.

25 221 Q. Yes. Now, I think that in May, after the commencement 11:38  
26 of the O'Higgins Commission, Superintendent Alan Murray  
27 met Sergeant McCabe about his working environment in  
28 Mullingar, and reference has already been made to that.  
29 For the transcript it's item 4200, 4201. But I think

1 about the same time, Mr. Barrett, you received an  
2 instruction from the Commissioner to reach out to  
3 Sergeant McCabe --

4 A. Yes.

5 222 Q. -- is that right? 11:39

6 A. That's correct.

7 223 Q. And I think that on the 26th May 2015, there was an  
8 engagement between yourself and Sergeant McCabe, is  
9 that right?

10 A. Perhaps. I don't have the date in front of me. If you 11:39  
11 can --

12 224 Q. Do you recall Sergeant McCabe conveying to you at that  
13 time that he was holding the Commissioner responsible  
14 for his inability to maintain his position as a  
15 sergeant in charge -- 11:40

16 A. Yes.

17 225 Q. -- of traffic in Mullingar?

18 A. Yes, yes.

19 226 Q. And I think it continued to be Sergeant McCabe's  
20 preoccupation that there had been serious injury done 11:40  
21 to him, damage to him by the Garda Review publications?

22 A. That's correct. That was -- that thesis I think still  
23 stands.

24 MR. ROGERS: Chairperson, I think there is nothing  
25 further I need to ask. 11:40

26 CHAIRMAN: Mr. Rogers, did you want to put any part of  
27 the GRA material to Mr. Barrett?

28 MR. ROGERS: Well, candidly --

29 CHAIRMAN: I have it here.



1 MR. ROGERS: Candidly, Chairperson, I don't have that  
2 material.

3 CHAIRMAN: I have it for you if you want it.

4 MR. ROGERS: I haven't seen it. That was part of a  
5 difficulty I had. 11:41

6 CHAIRMAN: I will give it to you now, Mr. Rogers.

7 MR. ROGERS: Yes. [SAME HANDED] I wonder has  
8 Mr. Barrett seen this?

9 A. Some time ago, yes, Chairman, I did, but I haven't seen  
10 it in recent times. [SAME HANDED] 11:41

11 CHAIRMAN: well --

12 MR. ROGERS: Chairman, just at this point, this is too  
13 dense for me to just engage with it right now.

14 CHAIRMAN: well, when you drill into it, Mr. Rogers,  
15 denseness perhaps disappears. It can be summarised 11:41

16 fairly easily. The following might be a reasonable  
17 summary. What the editorial and the particular opinion  
18 piece seems to say is that the Gardaí who were at the  
19 receiving end of the allegations concerning the ten  
20 incidents that were identified in the Guerin Report 11:42

21 have not had their say, while the liberal elite media  
22 continued to pontificate about how wrong they are, and  
23 various Gardaí involved in the incidents are  
24 interviewed by way of an assumed name, including  
25 Bronski, Tango, Mike and Delta, and they give their 11:42

26 point of view, which is that we have never been  
27 listened to and we did very well. So, that's basically  
28 it.

29 MR. ROGERS: Yes.

1 CHAIRMAN: And then Mr. Stone makes an editorial, and  
2 it's very well written, it would have to be said.  
3 There it is.  
4 MR. ROGERS: I think I will leave it. I will desist  
5 from trying to add to what you have done, Chairman. 11:43  
6 Thank you.  
7 CHAIRMAN: Thank you, Mr. Rogers.  
8 MR. DIGNAM: I wonder if I might just intervene with  
9 two matters, one arising from a line of questioning  
10 that Mr. Rogers embarked on last Friday in relation to 11:43  
11 the possibility of this meeting between Mr. Dunne,  
12 Ms. O'Sullivan and Mr. Barrett taking place on the  
13 evening or the night-time of the 13th --  
14 CHAIRMAN: If there is something to be added please do.  
15 MR. DIGNAM: Yes, I think I have specific instructions 11:43  
16 from Mr. Dunne that I should put to Mr. Barrett, in  
17 fairness to Mr. Barrett.  
18  
19 THE WITNESS WAS FURTHER CROSS-EXAMINED BY MR. DIGNAM:  
20 227 Q. MR. DIGNAM: Mr. Barrett, you will recall the 11:43  
21 conversation which took place on Friday afternoon about  
22 the possibility of the meeting between yourself and  
23 Mr. Dunne, Ms. O'Sullivan, possibly taking place in the  
24 evening or night-time of the 13th May. Mr. Dunne has  
25 given specific instructions that in fact he wasn't 11:44  
26 available on the evening of the 13th May, that he  
27 wasn't in Garda Headquarters from approximately 6:00pm  
28 onwards because he is -- and I don't need to get into  
29 the details but, he is honorary secretary of a sports

1 club in County Wicklow and he had an important meeting  
2 in that club that evening, that he has a very clear  
3 recollection of. So do you accept that the meeting  
4 couldn't have taken place on the evening of the 13th  
5 May?

11:44

6 A. I have accepted earlier the position that you pointed  
7 out in relation to timing, and I have nothing further  
8 to add. There is confusion I think in my mind about  
9 the time, but I must say, Mr. Dignam, none whatsoever  
10 about the remark and I want that to be absolutely  
11 abundantly clear.

11:44

12 228 Q. I think you have made that very clear to the Chairman,  
13 Mr. Barrett. Finally in relation to the Garda Review  
14 article, just to clarify, and ask you to confirm that  
15 the Garda Review is a publication of the Garda  
16 Representative Association, isn't that right?

11:45

17 A. That's correct. I think I have made that point. Even  
18 in the original meeting where I met with Sergeant  
19 McCabe both Chief Superintendent Barry O'Brien, as he  
20 then was, and I made the point that we have no  
21 responsibility for this.

11:45

22 229 Q. Yes, yes.

23 A. Historically, culturally, the perception was that there  
24 was often quite a close view as to whether or not the  
25 Review was sharing a perspective. That is not mine.  
26 And I have to make the point that it is an independent  
27 organisation and that is what we said then and that is  
28 what I understand it to be now.

11:45

29 230 Q. Thank you, Mr. Barrett.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

THE WITNESS WAS RE-EXAMINED BY MR. MCGUINNESS:

231 Q. MR. MCGUINNESS: Could I just clarify a couple of matters?

A. Sure. 11:45

232 Q. Firstly, obviously you have mentioned what you said were your expectations that the Tribunal investigators would come out and speak to you, but I think that didn't arise from anything that the Tribunal said or wrote to you or your solicitors, as such, at the time? 11:46

A. The question is, that did I have an expectation that they would?

233 Q. Yes.  
A. Only on the basis that very many others would be, and I would welcome the opportunity even still. 11:46

234 Q. All right. Okay. But I think it's clear that obviously when you saw Mr. Dunne's statement, he referred, as it were, to the issue of the timing of the meeting not being -- or the date of the meeting not being, as it were, set out in your statement, and I think you noted that he referred to Mr. Ruane being in the habit of keeping good notes of meetings? 11:46

A. Yes.

235 Q. And I think you were anxious to see Mr. Ruane's notes generally? 11:46

A. Well, Mr. Ruane's notes specifically of the meeting of the 25th.

236 Q. Yes.

A. Because I was not in a position to keep any kind of

1 note as I drove.

2 237 Q. Yes.

3 A. That's clear.

4 238 Q. Yes. But you weren't trying to place the meeting with  
5 Mr. Dunne, were you, by reference to any of Mr. Ruane's 11:47  
6 notes?

7 A. No, no, Mr. Ruane's note, the one that was of  
8 particular interest to me, the one that in effect  
9 confirms that there wasn't just two meetings on the  
10 25th, that there were three, there was this pre-meeting 11:47  
11 wherein I was able to contrast and compare the  
12 demeanour of Sergeant McCabe with what it is that I was  
13 told to expect.

14 239 Q. Yes.

15 A. The reference that appears in Mr. Ruane's note confirms 11:47  
16 that such a pre-meeting was taking place or took place.

17 240 Q. Yes.

18 A. And that I was -- so that was my specific interest.

19 241 Q. All right.

20 A. In relation to Mr. Ruane's notes generally, I can make 11:47  
21 no comment.

22 242 Q. Yes. But just to be clear, you weren't seeking  
23 Mr. Ruane's notes with a view to trying to fix the date  
24 of your meeting with Mr. Dunne?

25 A. No, no. As I explained to the Chairman, I didn't in 11:47  
26 any way intend to make this difficult. From the time  
27 that I became aware of Mr. Dunne's statement, which in  
28 my case was 19th of December when we received, on a  
29 chip, about three-and-a-half thousand pages of

1 documents --

2 243 Q. Yes.

3 A. -- I then recognised that there was a conflict, there  
4 was a denial, that this was said, and that when it was  
5 said was likely to be an issue, and it's only at that 11:48  
6 point. And I used the word "triangulate", and I do  
7 apologise if it caused confusion.

8 244 Q. Yes.

9 A. I was seeking, and you have seen my chronology because  
10 I have submitted it on Friday morning, I was seeking to 11:48  
11 recreate the order in which I had knowledge and in  
12 which various different things happened. That is the  
13 point at which I was seeking to deal with this. So the  
14 week of the 11th, I was with Cyril Dunne and the  
15 Commissioner on the night of the 12th, that is clear, 11:48  
16 and there is an email to that effect confirming. That  
17 email is dated the 13th May. And, you know, under  
18 cross-examination from Mr. Dignam, I have said that I  
19 think it's the 13th. There was clearly a discussion of  
20 the three of us on the night of the 12th. But it is 11:49  
21 what it is.

22 245 Q. Yes. Well, I mean, you have referred obviously to that  
23 email sent on the 13th at page 4958.

24 A. I submitted it, I think.

25 246 Q. Yes. Perhaps we'd just look at it. Page 4958. 11:49

26 A. Sure.

27 247 Q. Page 4958 of our documents. I beg your pardon, 4985.  
28 My apologies. So this is addressed to the Commissioner  
29 and to Mr. Dunne. You are sending it on the night --

1 on the evening of the 13th, isn't that right?

2 A. That's correct.

3 248 Q. Yes. I mean, it would appear perhaps certainly around  
4 this time, if you are sending somebody an email, you  
5 are not in a meeting with them, obviously? 11:50

6 A. No, no, no. It refers to a meeting the previous  
7 evening.

8 249 Q. Yes. Well, that is what I was coming to. In the  
9 second paragraph there, it says:  
10 11:50

11 "As I said last night."

12 A. Yes.

13 250 Q. Now, the Commissioner has a meeting in her diary for  
14 the morning of the 12th, an executive management board  
15 meeting in the morning. But you are clear in your 11:50  
16 recollection this meeting took place in the evening, is  
17 that right?

18 A. That's correct.

19 251 Q. Okay.

20 A. The meeting I am referring to in this email. 11:51

21 252 Q. Yes. And if neither the Commissioner went back to the  
22 Headquarters on the night of the 13th when she returned  
23 and if Mr. Dunne is correct in saying that he was away  
24 at a sporting meeting, it would appear that neither of  
25 them were there on the night or/evening of the 13th, 11:51  
26 but they were there on the 12th, is that right?

27 A. I said I met with them, so I presume. "As I said last  
28 night", I think it refers to a meeting.

29 253 Q. All right. You see --

1 A. Well, can I just deal with this because --

2 254 Q. -- I am just concerned, because in a couple of your  
3 answers to the Chairman, and others, on Friday  
4 afternoon, you did use the phrase "on or about the  
5 13th" or "in and around the 13th". 11:51

6 A. I have just spent the weekend reflecting on this entire  
7 thing.

8 255 Q. Yes.

9 A. I was upfront in my testimony and you can see it from  
10 the -- I cannot put my hand on any contemporaneous note 11:52  
11 of that meeting that Cyril Dunne said to me "we are  
12 going after him in the Commission". I can't. I didn't  
13 think that would be the issue that it clearly has  
14 become.

15 256 Q. Yes. 11:52

16 A. And it's not in my habit, and I think that is  
17 demonstrated by the materials and I hope it is clear  
18 from the materials I submitted on Friday morning when I  
19 sought to methodically triangulate the chronology of  
20 all of the events of my knowledge from the beginning 11:52  
21 through this.

22 257 Q. All right.

23 A. I want to make a very clear distinction, and I have  
24 said this as I have sat before this Tribunal.

25 258 Q. I understand that. 11:52

26 A. Can I finish, please, Mr. McGuinness?

27 259 Q. Sorry, I thought you had finished.

28 A. No. I want to make this point: My uncertainty as to  
29 when it is that that comment was made in no way



1 reflects any uncertainty as to the comment, and the, I  
2 suppose, degree to which the examination moved from the  
3 chronology that I had understood was of interest to the  
4 Tribunal to this particular point of date and time, has  
5 created a confusion. 11:53

6 260 Q. All right. Well, leaving aside the date issue, you are  
7 obviously in no doubt yourself about the remark and you  
8 have included it in quotation marks in your own  
9 statement.

10 A. Yes. 11:53

11 261 Q. And I just want to raise this issue. You have recorded  
12 your own response to the remark in different words,  
13 different phrases.

14 A. Yes.

15 262 Q. And I am just wondering, is it possible that the 11:53  
16 remark, whatever remark was made by Mr. Dunne, was made  
17 in some different words other than the words that you  
18 have quoted, or are you absolutely 100 percent certain  
19 that the phrase in your statement is the phrase that he  
20 used and no other words? Do you understand the 11:53  
21 question?

22 A. I do, I do. You are seeking to say have I  
23 misinterpreted Mr. Dunne. I believe I haven't.

24 263 Q. All right. I mean, obviously with the Commission about 11:54  
25 to commence, and needless to say I have no instructions  
26 from Mr. Dunne, but is it possible he said, look, they  
27 are going to -- Maurice is going to get a tough time at  
28 the Commission, or, they are exploring his motivation,  
29 or such similar type of phrases?

1 A. I don't at all think so. I have emblazoned this in my  
2 mind for one reason and one reason only, and I think  
3 it's been adequately demonstrated by the activities  
4 that everybody, and I felt everybody, was engaged in,  
5 to seek resolution to these matters. I am not in any 11:54  
6 way trying to pretend I have solutions to conflict and  
7 that in some way I have some specialist skill in this  
8 area, but I have spent a very long period of my career  
9 resolving issues between corporate bodies, individuals,  
10 collectives of individuals, whether in the industrial 11:55  
11 relations arena, mergers and acquisitions, corporate  
12 integration, and fundamental to all of that is that you  
13 build trust and you act upon it. And between the 25th  
14 February 2015 and this particular encounter that I had  
15 with Mr. Dunne, I was engaged with others. 11:55

16 264 Q. Yes.

17 A. It's not unique to me. Engaged with others to try and  
18 build what was going to be a sustainable bond. And  
19 credit to Sergeant McCabe, and I have mentioned this,  
20 he did not continue his correspondence. The megaphone 11:55  
21 diplomacy ceased. We had a situation where we were  
22 beginning to work around that framework that the  
23 Commissioner herself led in that meeting on the evening  
24 of the 25th. That is why this jarred with me to the  
25 degree that it did. I deeply regret not having 11:55  
26 protested in writing, I deeply regret not having set  
27 that out.

28 265 Q. Well, this is just one issue I was going to ask you  
29 about. Obviously you told Sergeant McCabe about the

1 remark in 2017 --

2 A. Correct.

3 266 Q. -- isn't that correct? Now, you don't detail that, I  
4 think, in your own statement. But could I ask you to  
5 look at Sergeant McCabe's account of that at page 2949  
6 of our documents. And if we just scroll down the page  
7 there. It says:

11:56

8

9 "John Barrett, Executive Director of Human Resources  
10 and People in An Garda Síochána, was my point of  
11 contact since early 2014 in relation to welfare and  
12 support."

11:56

13

14 That date is perhaps a mistype, is it?

15 A. It is. Some of this is not dated correctly.

11:56

16 267 Q. Yes.

17

18 "And on 9th March 2017 he advised me he was retiring  
19 from being my point of contact due to the upcoming  
20 Disclosure Tribunal. At that meeting he told me that a  
21 short time before the O'Higgins Commission started, he  
22 met with Cyril Dunne, who was the chief civilian  
23 officer in An Garda Síochána at the time. This  
24 individual, Cyril Dunne, told John Barrett 'we are  
25 going after Maurice at the Commission'. On day 2,  
26 their plan to go after me became apparent."

11:56

11:57

27

28 But, firstly, is he right about the date there, the 9th  
29 March --

1 A. The 9th March --

2 268 Q. -- or is it February meeting?

3 A. No, it's not. It's the 9th of March, and it's in the

4 Ardboyne Hotel in Navan. And I should say on or about

5 the 9th of March. I have details of it. 11:57

6 269 Q. Yes.

7 A. I wrote to Maurice McCabe subsequently. The issue that

8 caused me to step away from being Maurice's point of

9 contact or interlocutor arose on the 7th and the 9th of

10 February. I had met him on the 7th of February. 11:57

11 270 Q. Yes.

12 A. And certain events unfolded on the 9th where I felt I

13 could not proceed in good conscience to deal with

14 Sergeant McCabe.

15 271 Q. Yes, yes. Well, your role ceased, and put it this way: 11:57

16 You don't appear to have any trouble, as it were,

17 standing up to authority if -- or if you thought

18 something was wrong. But was your relationship not

19 such in 2015 that, when you heard Mr. Dunne's remark,

20 your relationship with the Commissioner, was not such 11:58

21 that you could go to her and say, well, what is the

22 import of this remark? What is going to be happening

23 at the Commission?

24 A. Mr. McGuinness, I deeply regret having not done so,

25 deeply regret having not done so. I have no monopoly 11:58

26 on wisdom, but I do try to the best of my ability to

27 interrogate issues as they come before me, and I try

28 and do so with reference to truth, to what is the right

29 thing, what is truth in this regard. So I can sit here

1 and I can tell you, I really do wish that I had made a  
2 protest of what it was was given me in a passing  
3 remark, right, as I left the office of Cyril Dunne.  
4 And I didn't. And its import and its criticality is  
5 down around my ears right now and I see the nature of 11:59  
6 it as this Tribunal unfolded. But let me remind you,  
7 this is 2018. That was 2015.

8 272 Q. Okay. Now --

9 A. And I was five months in the job.

10 273 Q. -- your solicitor wrote, Mr. Barrett, your solicitor 11:59  
11 wrote a helpful letter to us outlining your  
12 interactions with Sergeant McCabe in the period in  
13 2015, and you helpfully drew attention, obviously, to  
14 the fact that you had text messages, although they  
15 weren't directly relevant to the O'Higgins Commission, 11:59  
16 they were evidence of your interaction with Sergeant  
17 McCabe at that time, and obviously they continued then  
18 into April and into May 2015, and you refer also to a  
19 number of subsequent meetings you had with Sergeant  
20 McCabe in the course of your work in May, May 2016, and 11:59  
21 in August 2016. You refer to those in your statement,  
22 helpfully.

23 A. I met Mr. McCabe, Sergeant McCabe, in total 12 times  
24 over 25 months.

25 274 Q. Yes. I don't know -- could I ask you to comment on 12:00  
26 this, if one looks at page 3077 in volume 5. These  
27 reports that you compiled in relation to your meetings  
28 with Sergeant McCabe in 2016, this is the  
29 Commissioner's statement here, and she is saying:

1  
2 "In respect of the two reports from Mr. John Barrett,  
3 Executive Director of Human Resources and People  
4 Development, I can confirm that the Deputy Commissioner  
5 Governance and Strategy received the first written 12:00  
6 report on 21st August 2016 and forwarded it to the  
7 office of the Commissioner on 26th August 2016. The  
8 Acting Commissioner forwarded the report pursuant to  
9 Section 41 of Garda Síochána Act 2005, as amended on  
10 26th of August 2016." 12:01  
11  
12 Now, I think you had finalised your minutes of the  
13 meeting with Sergeant McCabe on the 23rd of August,  
14 isn't that correct?  
15 A. It's correct. 12:01  
16 275 Q. Yes.  
17 A. And let me put context on this, because this was a very  
18 key decision that I made, and I made it for the  
19 following reasons: I met with Sergeant McCabe and his  
20 family, by their invitation, for the first time on the 12:01  
21 31st May that year. It was in the week after the Dáil  
22 debates on the O'Higgins Commission were raging and  
23 getting a substantial amount of media attention, in  
24 many ways developed by the fact that Deputy John  
25 McGuinness had made the statement that he did in the 12:01  
26 House. And I met him, at their invitation, at the  
27 family home. I hadn't been there before.  
28 276 Q. Yes.  
29 A. The purpose of the meeting, and I accepted the

1 invitation at request, the purpose of the meeting was  
2 for Sergeant and Lorraine McCabe to outline to me what  
3 it was had been given to them by Deputy John McGuinness  
4 as the detail of what was shared with him on the 24th  
5 January 2014 in the car park of Bewley's Hotel off the 12:02  
6 Naas Road. It had been stated in the Dáil that this  
7 was a vile allegation. And I got the opportunity to  
8 inquire directly of Sergeant McCabe what was "vile"  
9 code for.

10 277 Q. Yes. 12:02  
11 A. I was shocked by that meeting.

12 278 Q. Mr. Barrett, I must just say one thing to you, that we  
13 are doing a separate module in relation to that, and I  
14 want to avoid the content of what was said to you in  
15 that regard. 12:02  
16 A. Sure. I would be happy to facilitate the Tribunal.  
17 CHAIRMAN: But you don't know anything about it,  
18 Mr. Barrett, do you?

19 A. I know what happened at that meeting on the 31st, sir.  
20 CHAIRMAN: No, but you don't know anything about what 12:02  
21 happened at the car park?

22 A. Oh, only as only reported to me --

23 279 Q. Yes. You got an account of that, and we are not going  
24 into that at that moment. But my purpose of raising  
25 the minutes is: obviously, again, you and your 12:02  
26 solicitor, helpfully, in your letter of the 17th  
27 January drew attention to the fact that there were  
28 minutes?

29 A. Yes.

1 280 Q. And I am drawing your attention here to the fact that  
2 the Commissioner sent on the minutes of the meeting as  
3 a Section 41 report, almost immediately on each  
4 occasion she got them?

5 A. I am aware of that.

12:03

6 281 Q. And in that context and in the context of the remark  
7 made by Mr. Dunne, you obviously knew, as everyone else  
8 did, that the preparation for the O'Higgins Commission  
9 was advancing, the hearings were starting. Do you  
10 regard it as a failure of management, as it were, and I  
11 am not suggesting a personal failure on your part, that  
12 nobody seems to have planned for how the Commission  
13 would or might impact on Sergeant McCabe?

12:03

14 A. In any answer I might give you, it's going to be imbued  
15 with the benefit of hindsight. I had a very small part  
16 in the period of time where a Chief Superintendent on  
17 my staff, Seán Ward, was assisting in gathering  
18 materials, and that was for a very brief interregnum.  
19 I couldn't possibly say. I have heard -- I've read the  
20 transcripts of what transpired here in relation to  
21 delay and concerns by the Chief State's Office and  
22 various others. I was external to the process and I  
23 was quite -- very much at that time engaged in the  
24 kinds of issues that were discussed at the meeting on  
25 the 25th February, which the Commissioner chaired, the  
26 one I dialled into. That was my agenda. And it's --  
27 it's outside the O'Higgins prep and O'Higgins  
28 contemplation. But to the degree that O'Higgins  
29 derailed the energy that was put in between February

12:03

12:04

12:04



1 25, March, April, I regret that that happened --

2 282 Q. Yes.

3 A. -- certainly.

4 283 Q. Well, obviously I am not suggesting you were in any way  
5 engaged in the preparation for the Commission, and you 12:05  
6 obviously weren't privy to the hearings or what  
7 happened and I can't ask you for your view on that.  
8 But in terms of what was occurring at the time from a  
9 preponderance of the evidence, your own and also  
10 departmental evidence and the Commissioner's evidence, 12:05  
11 it would appear that there was intended to be a very  
12 genuine engagement with all of the issues related to  
13 and connected with Sergeant McCabe up to that point,  
14 isn't that correct?

15 A. Certainly from my evidence and from my experience, sir, 12:05  
16 that is absolutely true.

17 284 Q. Yes. And it seems from your own evidence, and I am  
18 only now asking about your own evidence, it seems to  
19 have been entirely genuine. But in these meetings, the  
20 25th February and subsequent discussions, the 12:05  
21 Commission, as an element in that, seemed to have been  
22 entirely overlooked or left out, would that be a fair  
23 comment?

24 A. Absolutely, I was external to the Commission and any of  
25 the prep for it, so that wasn't even a feature of that 12:06  
26 meeting on the 25th. I wouldn't have raised the  
27 Commission with Sergeant McCabe, and in March either.  
28 That was more like a getting-to-know-you meeting. I  
29 must make this point, and maybe it's to some degree a

1 reflection of where the world I have lived in for most  
2 of my life: In dialling down any conflict at an  
3 individual or a collective level, trust is essential,  
4 and so I was seeking to do, and very much, you know,  
5 putting my trust in the dialogue we had on the 25th 12:06  
6 February around the Commissioner's conference room  
7 table, to which I dialled in, I felt there was an  
8 agenda there to which Sergeant McCabe would likely  
9 respond, based upon that initial meeting that we had,  
10 and I had no indication to the contrary, right the way 12:06  
11 up to the commencement of O'Higgins. In fact, if you  
12 look at Sergeant McCabe's correspondence, he ceases to  
13 correspond with the office of the Taoiseach and the  
14 office of the Minister. He took many of the things  
15 that I asked him to do and actioned them. Equally, we 12:07  
16 took on board the kinds of things that he had suggested  
17 to us and we sought to action them. The speech that I  
18 made at Templemore, which I subsequently copied to  
19 Sergeant McCabe and Lorraine McCabe, was an effort to  
20 say, I hear you and I am willing to stand in front of 12:07  
21 all of those involved in SVPS and bear testimony to  
22 that. Bride-building, it's an essential ingredient in  
23 dialling conflict down. And I have been asked  
24 repeatedly as to why then this event in May 2015 stands  
25 out. It was the first occasion when there was anything 12:07  
26 other than collective commitment to the strategy I  
27 thought we had adopted on the 25th February.  
28 MR. MCGUINNESS: Thank you, Mr. Barrett.  
29 CHAIRMAN: I just want to ask you a few questions,

1 Mr. Barrett, if I may.

2

3

MR. JOHN BARRETT WAS QUESTIONED BY THE CHAIRMAN:

4

5 285 Q. CHAIRMAN: When we go back to this time, you are in 12:08  
6 Human Resources, it's 2015, it's early 2015, and you  
7 are in the job quite a short time, I think. You  
8 joined, what, the end of 2014?

9 A. Yes, 3 October '14.

10 286 Q. CHAIRMAN: Yes. So you had got to know the Garda 12:08  
11 Commissioner by then?

12 A. She was -- I met her before I accepted the job. She  
13 hadn't interviewed me, but I went to meet her in her  
14 office before I joined the job.

15 287 Q. CHAIRMAN: And you made what offer? 12:08

16 A. I felt that she was going to try and bring about change  
17 in the organisation.

18 288 Q. CHAIRMAN: Did you feel she was a genuine person?

19 A. At that point I had absolutely no difficulty with the  
20 mission that she set out to me. 12:08

21 289 Q. CHAIRMAN: That is not the question I am asking you,  
22 Mr. Barrett.

23 A. Yes, I did feel she was genuine.

24 290 Q. CHAIRMAN: Did you feel she was a truthful person?

25 A. I did, I did, absolutely. 12:08

26 291 Q. CHAIRMAN: All right. And did you feel, in terms of  
27 the engagement with Maurice McCabe and the whole idea  
28 of whistleblowers perhaps not being right, not always  
29 necessarily being saints, but the necessity to listen

1 to them and try to learn from what they were saying --

2 A. Absolutely.

3 292 Q. CHAIRMAN: -- did you feel she was genuine about that?

4 A. Yes, I believed that.

5 293 Q. CHAIRMAN: And did you feel the efforts that you were 12:09

6 putting in place, including the lengthy efforts that

7 are detailed in the minute where you were driving along

8 in your car, did you feel that they were actually

9 engaged in, not from the point of view of public

10 relations but from the point of view of setting things 12:09

11 to right?

12 A. I absolutely believed that, and at the end of that

13 journey, Judge, I was quite pleased with the day's

14 work, yes.

15 294 Q. CHAIRMAN: You were personally investing heavily in 12:09

16 this as well?

17 A. Yes, my credibility, my time, my energy.

18 295 Q. CHAIRMAN: In the event that this turned into a

19 success, clearly it would be a success that you would

20 have led as Head of Human Resources? 12:10

21 A. It would have been a collective effort. And I am not

22 driven by individual accolades, but I would have taken

23 some considerable personal pride had it been

24 successful.

25 296 Q. CHAIRMAN: So there you are, you are in May, you are in 12:10

26 the job seven months.

27 A. Yes.

28 297 Q. CHAIRMAN: And your boss turns to you, having asked you

29 to remain behind after a meeting with the Commissioner,

1 who is genuinely attempting to move the Gardaí forward  
2 and to engage with those who make protected  
3 disclosures, and your boss tells you: by the way, we  
4 are going to ruin it all before the O'Higgins  
5 Commission?

12:10

6 A. He didn't say that.

7 298 Q. CHAIRMAN: well, I am finding it hard to construe it  
8 any other way. We are going after Maurice McCabe  
9 before the O'Higgins Commission. How do I construe  
10 that, Mr. Barrett?

12:11

11 A. I am alarmed by it, but I don't understand it fully,  
12 Judge, that is the reality. I didn't understand.

13 299 Q. CHAIRMAN: You told me, Mr. Barrett, that you had a  
14 visceral reaction to it. visceral, of course, refers  
15 to your stomach, your intestines.

12:11

16 A. Yes.

17 300 Q. why did you have a visceral reaction to it?

18 A. I have genuinely invested, time, energy, commitment in  
19 trying to move this thing to a point away from  
20 conflict. Maybe it's naivete on my part, but I  
21 thought, simply, Judge O'Higgins was going to review  
22 all of the facts of the matters that were arising on  
23 the terms of reference and make a judgment on those  
24 facts, that it wasn't going to be adversarial in its --  
25 that was my view. And clearly, what I had -- just the  
26 shot fired across my bows was, this is something  
27 different. And I was conscious in hearing it, and it's  
28 easy to be wise after the fact, of Maurice -- of  
29 Sergeant McCabe's doubts about the bona fides of the

12:11

12:11

1 organisation when we first met in February. And I  
2 hadn't won Sergeant McCabe over to suddenly believe  
3 that the organisation was, you know, after changing its  
4 perspective entirely. So this was a work in progress.

5 301 Q. CHAIRMAN: And your visceral reaction, is what I asked 12:12  
6 you about.

7 A. I felt my stomach tighten.

8 302 Q. CHAIRMAN: Why?  
9 A. I have -- it's just a feature of who I am, sir. I  
10 respond to things physically if they either shock or 12:12  
11 surprise.

12 303 Q. CHAIRMAN: Did you feel that the process you had  
13 started was going to be ruined in consequence of what  
14 Mr. Dunne revealed to you?

15 A. I didn't know that, but what I did know was, the 12:12  
16 process I was embarked upon was bearing fruit and I was  
17 protective of it.

18 304 Q. CHAIRMAN: Well, what interpretation did you put on the  
19 remark you say that Mr. Dunne made to you?

20 A. The only thing that I, as I said in the transcript, the 12:13  
21 only thing that I did was, I took a further look at the  
22 terms of reference and left the --

23 305 Q. CHAIRMAN: That is not what I am asking you. I am not  
24 interested in the terms of reference. I know the terms  
25 of reference. Right. You looked at them. What 12:13  
26 interpretation did you put on the remark that Mr. Dunne  
27 made to you?

28 A. That there would be conflict at O'Higgins of some sort.

29 306 Q. CHAIRMAN: And how would that impact on the work that

1           you embarked on?

2           A.    I felt that it would damage it. I felt it could  
3           possibly damage it.

4 307 Q.    CHAIRMAN: Do you mean possibly, or were you more  
5           definite about that, given your visceral reaction? 12:13

6           A.    Possibly. It could possibly damage it.

7 308 Q.    CHAIRMAN: Was it not appropriate, therefore, for you  
8           to ring the Garda Commissioner, a person whose  
9           genuineness you believed in and a person you trusted,  
10          and said, look, there may be a problem in relation to 12:13  
11          the O'Higgins Commission and the way it's being  
12          approached, could we have a word about it?

13          A.    I very much regret not doing that, Judge.

14 309 Q.    CHAIRMAN: I am wondering why you didn't do it? I am  
15          not wondering about your regrets, Mr. Barrett. I am 12:14  
16          wondering why you didn't do it?

17          A.    I think that I was probably swept forward into all of  
18          the other things that were going on and didn't do it  
19          and let the matter unfold. To a degree, I vested trust  
20          in the process. I perhaps shouldn't have. 12:14

21 310 Q.    CHAIRMAN: Maurice McCabe trusted you?

22          A.    He did.

23 311 Q.    And by not doing this, you were prepared to see  
24          somebody else, on your account of things, undermine his  
25          trust in the organisation, of which, by the way, you 12:14  
26          are a part.

27          A.    It weighs heavily on me.

28 312 Q.    CHAIRMAN: Whether it weighs heavily on you now or not,  
29          is neither here nor there. I am asking, why did you

1 not react by ringing the Garda Commissioner and asking  
2 her what was the explanation for this and pointing out  
3 to her, look, there may be issues ahead in the event  
4 that this particular strategy is followed through,  
5 which conflicts with the strategy that we had already 12:15  
6 agreed and settled upon in numerous meetings?

7 A. I don't have a good answer to that, Judge. I don't. I  
8 should have, and I didn't. I was troubled by it. And  
9 then the matters unfolded over the coming weeks. I  
10 sought to continue to build a bridge with Maurice. The 12:15  
11 record shows that it's sustained. Many of the  
12 initiatives that were spoken of, as far back as  
13 February, did not continue.

14 313 Q. CHAIRMAN: It took you two years to tell him about this  
15 remark that you say happened. 12:15

16 A. Yes.

17 314 Q. CHAIRMAN: Why did it take you two years?

18 A. Because the nature of my engagement -- I am  
19 representing the organisation in my dealings with him.  
20 There are very specific issues arising in that 12:15  
21 relationship, as I saw it. I was, as I said  
22 yesterday -- or Friday, in seeking to try and maintain  
23 Chinese walls, I wanted to represent the organisation.

24 315 Q. CHAIRMAN: I really don't understand this phrase about  
25 Chinese walls. I really don't know what you are 12:16  
26 talking about when you say "Chinese walls". It's a  
27 phrase, by the way, that is used in relation to large  
28 firms of solicitors that seem to be representing  
29 opposite sides of Government agencies through the same



1 firm. Now, I don't know what it means, but let's move  
2 on. Yourself and Mr. Dunne, have you stayed in contact  
3 since he left the organisation?

4 A. I shook his hand when I met him here on the 8th.

5 316 Q. CHAIRMAN: That's not what I asked you. 12:16

6 A. We meet periodically.

7 317 Q. CHAIRMAN: Mr. Barrett, that's not what I asked you.

8 A. No, we are not socially engaged.

9 318 Q. CHAIRMAN: Why not?

10 A. I have no good answer for that. I mean, we had a 12:16  
11 professional relationship. There are many people for  
12 whom I have had -- who have been working colleagues  
13 that I am not professionally engaged with, and there  
14 are people I have long, long engagements with.

15 319 Q. CHAIRMAN: That is fair enough. For those perhaps who 12:16  
16 read the newspapers, it may appear that the two of you  
17 have been in conflict in relation to the interpretation  
18 of certain issues over the course of the last year or  
19 so. would that be correct or incorrect?

20 A. The issue is the -- 12:17

21 320 Q. CHAIRMAN: Forget about the issue. Just please answer  
22 the question.

23 A. On one specific case, yes.

24 321 Q. CHAIRMAN: On what?

25 A. The financial irregularities at the Garda College. 12:17

26 322 Q. CHAIRMAN: And you are saying what and he is saying  
27 what?

28 A. Well, this matter was played out in front of the Public  
29 Accounts Committee.

1 323 Q. CHAIRMAN: Just tell me, if you wouldn't mind, please.  
2 A. The issue of how those matters were investigated and  
3 dealt with.  
4 324 Q. CHAIRMAN: And your view on the matter is directly  
5 contrary to his? 12:17  
6 A. Partly contrary to his. Partly. At the very beginning  
7 of that process, which was May of 2015, Cyril and I  
8 were in lockstep as to what needed to be done.  
9 325 Q. CHAIRMAN: It's made headlines, hasn't it?  
10 A. I haven't studied the headlines in the last number of 12:17  
11 days, but I have followed it as it played out in the  
12 PAC.  
13 CHAIRMAN: Thank you very much.  
14 A. Thank you, sir.  
15 MR. MCDOWELL: Judge, I think if it is going to be 12:18  
16 found in relation to this witness that he was motivated  
17 by a grudge against Mr. Dunne, somebody, yourself or  
18 your counsel, should put that --  
19 CHAIRMAN: Now, Mr. McDowell, that is going too far.  
20 MR. MCDOWELL: Sorry, it's not. 12:18  
21 CHAIRMAN: No, it is going too far.  
22 MR. MCDOWELL: Otherwise your questions seem to be  
23 irrelevant, Judge.  
24 CHAIRMAN: What exactly is the point you are making,  
25 Mr. McDowell? 12:18  
26 MR. MCDOWELL: Precisely the point I made; that if it  
27 is going to be inferred, from the matters that you have  
28 just raised with the witness, that he fabricated this  
29 remark on the part of Mr. Dunne as part of settling

1 some grudge, that should be put to him fair and square  
2 by somebody.

3 CHAIRMAN: And you suggest it should be done by me?

4 MR. MCDOWELL: You asked the questions about his  
5 relationship with Mr. Dunne. Your counsel didn't. If 12:19  
6 that is -- if it is relevant, I think you should go the  
7 whole way with him, Judge.

8 CHAIRMAN: And all the remarks you have made during the  
9 course of this Tribunal about this being an inquiry,  
10 Mr. McDowell, do they not apply to me as well? Am I 12:19  
11 not entitled to inquire?

12 MR. MCDOWELL: well, I think, Judge --

13 CHAIRMAN: And do you think --

14 MR. MCDOWELL: May I make this point, Judge?

15 CHAIRMAN: And do you think -- well, I need to make a 12:19  
16 point too, Mr. McDowell, because you are very free with  
17 your language.

18 MR. MCDOWELL: I am not free with my language.

19 CHAIRMAN: Do you think, Mr. McDowell, that all the  
20 warnings about the judge entering into the arena are 12:20  
21 lost or do they not apply in these circumstances?

22 MR. MCDOWELL: You are not a judge; you are an  
23 inquisitor here. And if you have -- if it was relevant  
24 to make those points to the witness, I think the --  
25 that the inference that appears to be blatant in them 12:20  
26 should be put to him.

27 CHAIRMAN: Mr. Dignam asked the questions as well,  
28 didn't he?

29 MR. MCDOWELL: And Mr. Dignam has his instructions. I

1 am just saying that somebody should put this to him.  
2 Chairman, can I make this point to you --  
3 CHAIRMAN: Well, Mr. McDowell, it very often happens --  
4 it seriously very often happens that two people meet,  
5 they discuss matters, one comes out saying the 12:20  
6 following happened and the other comes out saying no,  
7 that didn't happen at all. Now, it could happen, as  
8 well, that those people don't exactly get along.  
9 Perhaps it's because of a lack of an emotional  
10 connection that misunderstandings occur, but 12:21  
11 Mr. McGuinness has cleared it up. There is no  
12 misunderstanding here. It's not a question of, for  
13 instance, we are adopting our strategy and it's not  
14 going to be easy for Maurice McCabe. It's a question  
15 of the 'remark', in inverted commas, being absolutely 12:21  
16 correct. Now, I really have to inquire, in  
17 circumstances where a person who allegedly made the  
18 remark says he didn't make it and where the person to  
19 whom that remark was repeated within weeks, it seems,  
20 says, well, that never happened, as to precisely what 12:21  
21 is going on, and I think I am entitled to do that,  
22 Mr. McDowell. And I feel if I didn't do that, I'd be  
23 failing in my duty to make an inquiry.  
24 MR. MCDOWELL: Well, Judge, maybe perhaps I can put the  
25 question to the witness then. 12:21  
26 CHAIRMAN: If you wish to put the question, you are  
27 certainly entitled to do so. But please don't ascribe  
28 to me anything that you don't know is in my mind.  
29 MR. MCDOWELL: Judge, you asked the questions. I

1 queried its relevance other than in this context.

2  
3 MR. JOHN BARRETT WAS FURTHER CROSS-EXAMINED BY

4 MR. MCDOWELL:

5 12:22

6 326 Q. MR. MCDOWELL: Anyway, Mr. Barrett, in case anybody  
7 would draw the inference from your evidence that you  
8 have fabricated this remark by Mr. Dunne and that you  
9 have done so in part to settle some score with him or  
10 because you have a very poor relationship with him or 12:22  
11 you fell out with him, what have you got to say about  
12 that?

13 A. None of those assertions are true. Mr. Dunne hired me  
14 into the organisation. I respect his background, I  
15 respect his integrity. We have a difference of view on 12:22  
16 one significant matter, which related to how we should  
17 proceed in relation to the investigation of financial  
18 irregularities at the Garda College. That is a matter  
19 of public record. I shook his hand here on the 8th  
20 January. I feel no animosity whatsoever from 12:23  
21 Mr. Dunne, and that is a matter of fact.

22 CHAIRMAN: Thank you.

23  
24 THE WITNESS THEN WITHDREW

25 12:23

26 MR. MARRINAN: The next witness, sir, is Superintendent  
27 Noel Cunningham, please.

28 MR. ROGERS: Chairman, we intend to withdraw.

29 CHAIRMAN: You do, do you? You will be back for

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Mr. Dunne, I presume?  
MR. ROGERS: Well, that is another day, I believe, sir.  
CHAIRMAN: Yes. I think it's set for when? Wednesday.  
Wednesday at 2 p.m., Mr. Rogers.  
  
I think you are sworn, and you gave evidence -- perhaps  
in relation to this particular module, I am afraid I am  
bending to use the word "module", maybe you should be  
sworn. Everyone else was.

1 SUPERINTENDENT NOEL CUNNINGHAM, HAVING BEEN SWORN, WAS  
2 DIRECTLY EXAMINED BY MR. MARRINAN:

3 327 Q.

4 MR. MARRINAN: I think, Superintendent Cunningham --  
5 CHAIRMAN: Just before you start, Mr. Marrinan. I know 12:24  
6 there is some respects in which you say "I have legal  
7 professional privilege". Now, you are absolutely  
8 entitled to abide by that, you appreciate that?

9 A. Thank you, Judge.

10 CHAIRMAN: Yes. It's not a question of it's right or 12:24  
11 wrong or good or bad. If you want to waive it, you are  
12 entitled to, but not because of the pressure of being  
13 here. If you have made your decision beforehand, you  
14 have made your decision and that is it. You can change  
15 your mind, of course, but you can't be required under 12:24  
16 pressure to change it.

17 A. Thank you, Judge.

18 328 Q. MR. MARRINAN: I think, Superintendent Cunningham, you  
19 have already given evidence to the Tribunal in July of  
20 last year concerning the investigation into the 12:24  
21 allegation made by Ms. D against Sergeant Maurice  
22 McCabe?

23 A. That's correct, Judge.

24 329 Q. And I am not going to rehearse that evidence, but you  
25 saw that to a conclusion, we know the file went to the 12:25  
26 Director of Public Prosecutions, and no prosecution was  
27 directed, and you subsequently informed Sergeant McCabe  
28 of that, having already informed Ms. D, and you have  
29 already outlined the circumstances in which that arose,

1 all right?

2 A. That's correct, Judge.

3 330 Q. So we are not going to be revisiting that aspect of it.  
4 You provided a statement to the Tribunal dated 14th  
5 January 2018, this year, and it's at page 4291, if we 12:25  
6 could have that up on the screen. And you say that you  
7 are preparing -- you refer to it as a report, but it's  
8 a statement to address issues that were raised on day  
9 40 of the Tribunal's business. If I could just, first  
10 of all, come to a report that was sent by Sergeant 12:26  
11 McCabe to Superintendent Clancy, and this is at page  
12 4136 of the materials, if I could have that up on the  
13 screen, please. You are familiar with this report,  
14 isn't that right?

15 A. I am, Judge. 12:26

16 331 Q. And this was sent on the 25th February of 2018 by  
17 Sergeant Maurice McCabe, isn't that right?

18 A. That's correct, Judge.

19 332 Q. In paragraph 1 there we see that --  
20 CHAIRMAN: I am sorry, Mr. Marrinan, did you say 2018? 12:26  
21 MR. MARRINAN: Sorry, 2008. Did I say 2018? I beg  
22 your pardon.

23 333 Q. The complaint is headed:  
24  
25 "Re complaint from Sergeant Maurice McCabe concerning 12:27  
26 incidents on the 15th and 17th October 2007."  
27  
28 Do you see that?

29 A. That's correct, Judge.



1 334 Q. And at paragraph 1 he refers to the fact that you  
2 commenced your investigation in December 2006 in  
3 relation to an allegation by Mr. D and his wife,  
4 Mrs. D, on behalf of their daughter, Ms. D, isn't that  
5 right?

12:27

6 A. That's correct, Judge.

7 335 Q. And then --

8 CHAIRMAN: I am sorry, could I just repeat, because I  
9 have just been warned in relation to something. We  
10 have tried to redact everything, and, as everyone will  
11 notice, particularly those in the media, the name of  
12 Ms. D, Mr. D, his wife, never appears at any stage. A  
13 rank, unfortunately, from time to time, is popping out,  
14 and it is an order of the Tribunal that the rank not be  
15 reported, and there is a very good reason for that.  
16 There is only, I presume, a couple of dozen sergeants  
17 in the relevant area and it just makes it too easy for  
18 an identification to occur. So I think -- I am sorry  
19 to intervene now, but it's actually half past, so we  
20 will take a break for an hour. Thank you.

12:27

12:28

12:28

21  
22  
23  
24  
25  
26  
27  
28  
29

THE HEARING ADJOURNED FOR LUNCH:

1                   THE HEARING RESUMED, AS FOLLOWS, AFTER LUNCH:

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

336 Q. MR. MARRINAN: Now, just before lunch,  
Superintendent --

CHAIRMAN: Mr. Costello, do you want to hang on for a few minutes? 13:30

MR. COSTELLO: Thank you, Judge.

337 Q. MR. MARRINAN: Just before lunch we were dealing with a report that had been sent by Sergeant Maurice McCabe to Superintendent Clancy and it's at page 4136. If I could have that on the screen, please. It's headed:

"Complaint from Sergeant Maurice McCabe concerning incidents on the 15th and 17th October of 2007." 13:31

Those incidents relate to what, Superintendent? 13:31

A. Well, I wasn't hugely familiar with them at the time, Judge, but I believe they refer to incidents where Ms. D and her mum, Judge, had confrontations with Sergeant McCabe, Judge. I wasn't involved in the investigation or anything to do with them, Judge. 13:31

338 Q. I think that, in paragraph 1, Sergeant McCabe sets out the history and refers to you having conducted an investigation into an allegation made by Mr. D, isn't that right? 13:32

A. That's correct.

339 Q. I think that paragraph 3 then -- paragraph 2 is redacted. Paragraph 3:

1 "The allegation Mr. D and his wife, Mrs. D, made  
2 against me is totally groundless and maliciously made.  
3 I give an account hereunder of the problems I had with  
4 Mr. D since I arrived in Bailieboro on 21st October  
5 2004."

13:32

6  
7 Isn't that right?

8 A. That's right.

9 340 Q. And I think if we turn over the page then to 4137,  
10 Sergeant McCabe itemises all the problems that he had  
11 in relation to Mr. D, isn't that right?

13:32

12 A. That's correct, Judge.

13 341 Q. And only Mr. D, isn't that so?

14 A. Well, I think there was others, Judge, in some of the  
15 complaints, Judge, where he was saying that Mr. D was  
16 allowing others, Judge, to work their weekends -- or  
17 not work their weekends and claim them, that there was  
18 occasions when -- that Mr. D was -- yes, in relation to  
19 some other people at the barbecue again.

13:32

20 342 Q. Yes. No, other people are mentioned. But the  
21 complaints, insofar as they can be --

13:33

22 A. The complaint is ostensibly against Mr. D.

23 343 Q. Mr. D. And then if we could just go over the page at  
24 4138, he concludes:

25  
26 "I am a very dedicated member of An Garda Síochána and  
27 each officer I have worked with can vouch for this. I  
28 am married with five children, and this scurrilous  
29 allegation has ruined my life forever. I am a

13:33

1 completely changed person in that I don't trust anyone  
2 anymore. I urge you, if you can, to ask the DPP to  
3 allow the full DPP directions to be conveyed to me and  
4 the other party, in particular Mrs. D, in this  
5 particular case, due to the fact that all parties work 13:34  
6 in close proximity and I would really appreciate it.  
7 That's all I'm asking."

8  
9 And then he says:

10  
11 "All I seek is fairness and the decision of the outcome 13:34  
12 of the investigation to prevent further attacks on me."  
13

14 And that's signed by Sergeant Maurice McCabe, isn't  
15 that right? 13:34

16 A. That's correct, Judge.

17 344 Q. Now, you were requested by your chief superintendent to  
18 conduct an investigation of those allegations that had  
19 been made by Sergeant McCabe, isn't that right?

20 A. Yes, Judge, I was directed to do so. 13:34

21 345 Q. And with that in mind, you met with Sergeant McCabe on  
22 the 25th August 2008 at Mullingar Garda Station?

23 A. That's correct, Judge.

24 346 Q. And if I could have 4129 on the screen, please. This  
25 is a report that was prepared by you and addressed to 13:35  
26 the Chief Superintendent Monaghan, isn't that right?

27 A. That's correct, Judge.

28 347 Q. And it doesn't appear to have a date, but it's stamped  
29 the 12th September of 2008, is that right?

1 A. Correct.

2 348 Q. Pardon?

3 A. That's correct, Judge.

4 349 Q. Yes. Now, you, along with Sergeant Yvonne Martin, had  
5 met with Sergeant McCabe, is that right? 13:35

6 A. That's correct, Judge.

7 350 Q. And I will come to the notes of that just shortly, but  
8 the meeting concerned his allegations against Mr. D,  
9 isn't that so?

10 A. That's correct, Judge. 13:35

11 351 Q. And in your report we can see in paragraph 3:  
12  
13 "Sergeant McCabe stated that this report --"  
14  
15 And "this report" referred to the report that I just 13:36  
16 opened to you earlier on in relation to allegations  
17 against Mr. D.  
18  
19 " -- was composed by him to highlight matters that  
20 occurred in Bailieboro district while he was sergeant 13:36  
21 in charge at Bailieboro Garda Station. He stated that  
22 the report was a bid by him to have the full DPP  
23 directions conveyed to him and the Ds in relation to  
24 the allegations made against him by Ms. D and the  
25 subsequent investigation." 13:36  
26  
27 Isn't that right?

28 A. That's correct, Judge.

29 352 Q. Now, if we can go on to page 4131, if we go to the

1 second paragraph down:

2  
3 "Sergeant McCabe stated that he did not want this  
4 matter to come back to him. He stated he does not want  
5 this thing to cause him any further ill health and he 13:36  
6 just wanted the matter ended today."  
7

8 Is that right?

9 A. That's correct, Judge.

10 353 Q. "Notes of interview were taken down in writing by 13:37  
11 Superintendent Cunningham and are attached. Sergeant  
12 McCabe declined to sign these notes. These notes are  
13 witnessed by Superintendent Cunningham and Sergeant  
14 Martin."  
15

16 And then, further down:  
17

18 "Sergeant McCabe at all times during the interview  
19 displayed signs of strain and stress. He was advised  
20 of the services of peer support and of the welfare 13:37  
21 service. He was informed by Superintendent Cunningham  
22 that the welfare officer would be notified if he so  
23 wished. Sergeant McCabe stated that he would only  
24 require the services of the welfare officer if we  
25 returned to interview him in relation to this matter." 13:37  
26

27 And then if we just turn over the page, 4132, I think  
28 that you indicated the developments will be reported in  
29 early course. would it be fair to say that it was

1 abundantly clear from your interview with Sergeant  
2 McCabe at that time that he didn't want to progress the  
3 allegations that he had made against Mr. D?  
4 A. Yes, Judge.  
5 354 Q. And he wanted to let matters rest there, is that right? 13:38  
6 A. That's correct, Judge.  
7 355 Q. Now, if we could then just look at the notes that you  
8 took of that meeting, they're at page 4133, if that  
9 could be put on the screen, please. Perhaps, would you  
10 mind just reading your handwritten notes there from 13:38  
11 beginning to end?  
12 A. I may have difficulty, Judge. I know I typed these for  
13 the Tribunal.  
14  
15 "Notes of interview of -- taken --" I think " -- by 13:39  
16 Superintendent Cunningham, Sergeant McCabe, in the  
17 presence of Sergeant Yvonne Martin at Mullingar Garda  
18 Station on 25/8/2008. want to seek advice from  
19 Association and solicitor re making a statement because  
20 states he highlighted these incidents to me in 2006 at 13:39  
21 time of Ms. D investigation and believed they were to  
22 be included in file to DPP. I have informed M. McCabe  
23 that I --" and I can't see it, Judge. It's covered.  
24  
25 "I have informed M. McCabe that I am aware of some of 13:40  
26 the details, but not all, that are included in the  
27 report of the 25th February 2008 to Superintendent  
28 Clancy. Sergeant McCabe states as follows:  
29 In relation to most of the serious matters --" sorry

1 " -- issues raised by me in my report to Superintendent  
2 Clancy on 23rd February 2008 as sergeant in charge in  
3 Bailieboro Garda Station, I dealt with these issues --  
4 Mr. D in relation to a disciplinary context and I  
5 warned him in relation to his behaviour and I stopped 13:40  
6 and the relevant superintendents were informed by me  
7 and I dealt with these issues and I did not, as I did  
8 with other members, which was my role."  
9 CHAIRMAN: Just stop, Superintendent, if you don't  
10 mind. 13:40  
11 A. Sorry, Judge.  
12 CHAIRMAN: Is this you telling Sergeant McCabe or is  
13 this you noting this to yourself?  
14 A. I'm noting this. You see, Sergeant McCabe had said --  
15 I had tried to tie him down, Judge, to the issues that 13:41  
16 I was there to investigate, and Sergeant McCabe wanted  
17 to talk about other issues, other than the things I was  
18 there to do. It was clear, as outlined, Sergeant  
19 McCabe wanted this to go away. He didn't want me  
20 coming back, and I noted that from his demeanour. He 13:41  
21 was very stressed and very upset about all of this.  
22 CHAIRMAN: So are you telling yourself this?  
23 A. And then I'm telling myself this, exactly, Judge.  
24 CHAIRMAN: All right. That is fine. Thank you.  
25 356 Q. MR. MARRINAN: If you wouldn't mind just continue 13:41  
26 reading the conclusion of your note there, please.  
27 A. Apologies.  
28  
29 "I don't want these issues as I did with --" sorry " --



1 as I did with other members, which was my role and  
2 responsibility. I don't want this matter coming back  
3 to me. I don't want the State causing me further ill  
4 health. I just want the matter ended today as I  
5 thought it was in May 2007, when I read the DPP --  
6 directions of the DPP in relation to the investigation  
7 into the allegation made by Ms. D."

13:41

8  
9 And I signed it, Judge. And then Sergeant Martin  
10 signed it, Judge.

13:42

11 357 Q. Okay. It doesn't entirely correspond with the typed  
12 note at page 4162, but the differences are only very,  
13 very marginal, so we needn't go through those.

14 A. Thank you.

15 358 Q. But as far as these matters are concerned, that is  
16 where matters rested, is that right?

13:42

17 A. Well, Judge, when I went back -- you will see at the  
18 end of the report I sent to Chief Superintendent  
19 Clancy -- sorry, Chief Superintendent Rooney, it is  
20 clear that I had a conversation after this meeting and  
21 he directed me to go back and investigate the matter,  
22 and he did so in writing. And, in fact, at one stage,  
23 Judge, and these notes have been sent to the  
24 Commission, he told me even in the absence of a  
25 statement from Sergeant McCabe, that --

13:42

13:42

26 CHAIRMAN: I am sorry for not following, Mr. Murrinan,  
27 but were these notes the notes of the meeting in  
28 Mullingar on the 25th August '08?

29 MR. MARRINAN: Yes.

1 A. They are notes I wrote.

2 CHAIRMAN: These are those notes?

3 A. Yes, Judge.

4 MR. MARRINAN: These are the notes.

5 CHAIRMAN: Thank you. And that's the one that Sergeant 13:43  
6 Martin co-signs as being a note of the meeting, so to  
7 speak?

8 A. And more so a part of the meeting, at the end of the  
9 meeting, more so than the full meeting, Judge.

10 CHAIRMAN: Yes. 13:43

11 A. Because I wasn't writing notes during the full meeting,  
12 I only wrote these at the end, because it was clear to  
13 me Sergeant McCabe didn't want to pursue these matters,  
14 Judge.

15 CHAIRMAN: And we're at all times talking about the Ds, 13:43  
16 the courthouse, the street --

17 A. The allegations against -- well, it wasn't -- no, no --

18 CHAIRMAN: -- and the barbecue.

19 A. It was specifically the allegations in that complaint  
20 letter, Judge. 13:43

21 CHAIRMAN: No, I get you.

22 A. Just those, that's all I was dealing with, Judge. I  
23 wasn't dealing with anything else.

24 CHAIRMAN: All right.

25 359 Q. MR. MARRINAN: Now, there matters rested. And the next 13:43  
26 involvement that you had in relation to this was that  
27 you were aware of the fact that Assistant Commissioner  
28 Derek Byrne and Chief Superintendent Terry McGinn were  
29 examining some aspects of complaints that had been made

1 by Sergeant Maurice McCabe, isn't that right?

2 A. I was, Judge.

3 360 Q. And if we could have page 4166 on the screen. This  
4 is -- I think it is a report by you, it's to Assistant  
5 Commissioner Derek Byrne, and it's dated 3rd December 13:44  
6 2009, isn't that right? Can you see that?

7 A. I can, Judge, yes.

8 361 Q. It says:  
9  
10 "Re: Interview with Superintendent Noel Cunningham." 13:44  
11  
12 I think that that may be a reference to the fact that  
13 Assistant Commissioner Derek Byrne was going to  
14 interview you, is that right?

15 A. It's in relation to allegations made against me. 13:44

16 362 Q. Yes. I'm not going to go through all this, but some  
17 aspects of this may or may not be important. If we  
18 could look down at paragraph 4 on the first page:  
19  
20 "I have been asked about my working relationship with 13:44  
21 Sergeant Maurice McCabe. I have known Sergeant McCabe  
22 for many years, as both a member of garda and sergeant  
23 rank. Our relationship was, I believe, one of mutual  
24 respect and professionally based. I found him to be  
25 satisfactory in his role as sergeant in charge." 13:45

26 A. Yes, Judge.

27 363 Q. Then over the page at 4167:  
28  
29 "My dealings with Sergeant McCabe in his role as

1 sergeant in charge, Bailieboro Garda Station, he did  
2 not express any concerns to me in relation to his  
3 welfare. His concerns always revolved around his  
4 perceived lack of support of Superintendent Michael  
5 Clancy." 13:45

6  
7 And then if we just skip the next paragraph. The  
8 following one is:

9  
10 "As previously stated, my working relationship with 13:45  
11 Sergeant Maurice McCabe was one of mutual respect and  
12 professionally based. Notwithstanding this, Sergeant  
13 McCabe's attitude to me changed in December 2006."

14  
15 And if we could just move on then. At page 4172 of 13:46  
16 this report, the last paragraph, at the end of that  
17 page:

18  
19 "During the time that Sergeant McCabe was non-effective  
20 for duty, I had no difficulty making contact with him 13:46  
21 and did so by phone and letter. I was then directed by  
22 assistant commissioner northern region to carry out an  
23 investigation into allegations made by Sergeant McCabe  
24 in relation to Mr. D. Having commenced the  
25 investigation, Sergeant McCabe informed me that the 13:46  
26 report of his dated 25th February 2008 to  
27 Superintendent Clancy was drafted by him in a bid to  
28 have the full directions of the DPP conveyed to him in  
29 relation to my investigation into the Ms. D case. My

1 correspondence to Chief Superintendent Cavan-Monaghan  
2 division of the 12th September 2008 has reference. I  
3 subsequently received correspondence from Séan Costello  
4 & Company, solicitors, requesting that I make no  
5 further contact with Sergeant McCabe. I reported this 13:47  
6 fact to my authorities."  
7

8 So there's another -- a reference there in that report  
9 to the Mullingar meeting, isn't that right?

10 A. That's correct, Judge. 13:47

11 364 Q. And you're, in both reports, making a clear reference  
12 to the fact that the allegations by Sergeant McCabe had  
13 been made to Superintendent Clancy and not against him,  
14 isn't that so?

15 A. Yes, Judge. 13:47

16 365 Q. So --  
17 CHAIRMAN: And the allegations in all these cases are  
18 to do with Mr. and Mrs. D, the daughter, the incidents,  
19 the barbecue?

20 MR. MARRINAN: Yes. 13:48

21 CHAIRMAN: And it's nothing to do with anything else,  
22 like the incident on the bus or whatever?

23 A. Oh, no.

24 CHAIRMAN: No.

25 MR. MARRINAN: No. 13:48

26 CHAIRMAN: All right.

27 366 Q. MR. MARRINAN: If we could then move to the O'Higgins  
28 Commission and the build-up to it. I think that you  
29 attended a consultation with counsel on the 12th May of

1           2015, is that right?

2           A.    That's correct, Judge.

3 367 Q.    And you've waived your right to privilege in relation  
4           to this meeting with your legal team, isn't that right?

5           A.    That's correct, Judge. 13:48

6 368 Q.    And this is, at page 4292, is a handwritten note from  
7           Annmarie Ryan of that consultation. Do you recall who  
8           was present during that consultation?

9           A.    Chief Superintendent Fergus Healy, Inspector O'Hara,  
10          Ms. Annmarie Ryan, Mr. Colm Smyth, Mr. Garret Byrne and 13:49  
11          Mr. Michael MacNamee.

12 369 Q.    Yes. And I think, in fact, Inspector McNamara was  
13          present as well.

14          A.    Oh, McNamara. I'm sorry, did I give the wrong name?  
15          Sorry, McNamara. 13:49

16 370 Q.    At page 4292 we have a note of that. And does this  
17          accord with your recollection of that meeting?  
18  
19          "(Over 26 years service)."  
20 13:49

21          That relates to you, is that right?

22          A.    Yes.

23 371 Q.    "Up to 2008 Noel never had one single complaint against  
24          him by anyone."  
25 13:49

26          Was that discussed?

27          A.    Yes, it was.

28 372 Q.    Did you inform counsel of that?

29          A.    Yes, I just raised this --

1 373 Q. "Since then, there has been numerous complaints from  
2 public about him. Question over whether McCabe behind  
3 these allegations."  
4

5 And then:

13:50

6  
7 "These allegations that Noel didn't carry out proper  
8 investigation. No adverse finding to date but some  
9 still ongoing."  
10

13:50

11 Is that right?

12 A. That's right, Judge.

13 374 Q. So here, quite clearly, during the course of the  
14 consultation, you're advising your solicitor and  
15 counsel in relation to your own personal history, that  
16 you've 25 years service, and that, up until 2008, that  
17 you'd never had one single complaint that had been made  
18 against you, is that right?

13:50

19 A. That's correct, Judge.

20 375 Q. But then you're identifying 2008 as a time when things  
21 changed and that you had a number of complaints that  
22 were made against you, that we needn't go into, from  
23 members of the public, and you raised a question  
24 whether or not, in fact, Maurice McCabe, Sergeant  
25 McCabe may have been behind these complaints, is that  
26 right?

13:51

27 A. I raised the question of whether he was yes, Judge.

28 376 Q. Pardon?

29 A. Yes, I raised a question as to whether he was behind

1           them.

2 377 Q.    You then go on:

3

4           "Noel met up with McCabe in Mullingar -- "

5           A.    If you just move it up, please. 13:51

6 378 Q.    Sorry?

7           A.    Sorry, I can't see.

8 379 Q.    If we can scroll that down.

9

10          "Noel met up with McCabe in Mullingar with Yvonne 13:51

11          Martin in 2008 about complaint to Mick Clancy."

12

13          Again, I underline the word "to" because we know that

14          that is relevant.

15          A.    Yes Judge. 13:51

16 380 Q.    "McCabe wanted his DPP file."

17

18          Do you recall --

19          A.    I don't think it is "file".

20 381 Q.    -- how that got into it? 13:52

21          A.    Because it was more DPP directions. It's just -- it

22          wasn't my note obviously, but it would be DPP

23          directions I would be talking about, rather than file,

24          Judge.

25 382 Q.    "Noel made a report of this meeting the next day." 13:52

26

27          And in brackets:

28

29          "(He has a copy of this.)"



1 A. Yes.

2 383 Q. Did you bring a copy of that report to the  
3 consultation?

4 A. No. Definitely not.

5 384 Q. Definitely not? 13:52

6 A. No.

7 385 Q. "Send this report to Monaghan. This was his response  
8 for making complaint to Mick Clancy."

9 A. Yeah. I think he --

10 386 Q. "This was his reason --" sorry. 13:52

11 A. If you see, I think the line is joining it.

12 387 Q. I will read that again:  
13  
14 "This was his reason for making complaint to Mick  
15 Clancy." 13:52

16 A. Yes.

17 CHAIRMAN: It says "to", yes.

18 A. "To", Judge.

19 MR. MARRINAN: Yes.

20 388 Q. So this is twice now there is a note of you referring 13:52  
21 complaint "to" Mick Clancy?

22 A. Yes.

23 CHAIRMAN: Where is the first one, Mr. Marrinan? Just,  
24 I may have missed it. I'm sorry about that, if I did.

25 MR. MARRINAN: Just in the same paragraph, sir, at the 13:53  
26 beginning. I will read it again:  
27  
28 "Next met up with McCabe in Mullingar with Yvonne  
29 Martin in 2008 about complaint to Mick Clancy."

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Is that right?

CHAIRMAN: Thank you. I see it.

389 Q. MR. MARRINAN: "McCabe wanted his DPP file. Noel made report of this meeting the next day. He has copy of this. Sent this report to Monaghan. This was his reason for making complaint to Mick Clancy." 13:53

So that is the second reference to it there. And then at the end there, we can see: 13:53

"Get Gardaí to send me report by Noel."

Is that right?

A. Yes. 13:54

390 Q. "Counsel want this."

A. Yes, Judge.

391 Q. So is that your recollection of the meeting, and is it clear in your mind that when you were recounting this to counsel and to solicitor, that you were making it abundantly clear that it was a complaint to Mick Clancy and not about -- 13:54

A. Absolutely, Judge.

392 Q. -- Mick Clancy?

CHAIRMAN: And what we're referring to as not being there, Mr. Marrinan, excuse the interruption, but is that 4129, is that what we're talking? That is the, I suppose, by now famous report of the meeting in Mullingar, on 25th August '08, that is to say the typed 13:54

1 version, is that what we are talking about --

2 MR. MARRINAN: Yes.

3 CHAIRMAN: -- as not being at the meeting?

4 MR. MCGUINNESS: Yes.

5 CHAIRMAN: Yes.

13:54

6 393 Q. MR. MARRINAN: If we can just go to page 73. These are  
7 typed notes that were made of the same meeting by  
8 Inspector McNamara. We see the bottom box there, 12th  
9 May 2015. We see:

10

13:55

11 "Meeting with Colm Smyth, Mr. MacNamee and Mr. Byrne,  
12 Annmarie Ryan."

13

14 And then there is a reference to other issues that  
15 we're not concerned with. And then you will see:

13:55

16

17 "Consultation Superintendent NC."

18

19 That is you, Noel Cunningham. You see there:

20

13:55

21 "McCabe supervising sergeant --" and then "notes" and  
22 you will see there is some reference there to Regina  
23 McArdle that we're not concerned about. And then over  
24 the next page, page 74, at the top:

25

13:55

26 "Letter of demand from Sergeant McCabe for file of  
27 superintendent to DPP in 2008 report."

28

29 Do you see that?

1 A. Yes.

2 394 Q. "He's alleging he got no support. Meeting in  
3 Mullingar. Sergeant Yvonne Martin present. He said  
4 reason making complaint --" again " -- to  
5 Superintendent Clancy was to force his hand to get copy 13:56  
6 of file."  
7  
8 Is that right?

9 A. Yes.

10 395 Q. So there's two independent notes confirming the same 13:56  
11 discussion?

12 A. Yes, Judge.

13 396 Q. Now, arising out of matters that evolved at the  
14 Tribunal on the 15th May, a letter was prepared by your  
15 legal team, who were also representing the Garda 13:57  
16 Commissioner, and this letter was sent -- a copy of  
17 this letter was sent to you, is that right?

18 A. That's correct.

19 397 Q. Now, if we could have -- just see that letter on the  
20 screen. It's page 4075. 13:57

21 A. It was sent to several of us, Judge. There was several  
22 people contributing to this letter, Judge, if I  
23 remember.

24 398 Q. Now, I am not going to go through the whole letter with  
25 you, but did you understand the importance of this 13:57  
26 letter, because it was setting out --

27 A. Yes.

28 399 Q. -- the position in relation to an attack on Sergeant  
29 McCabe, or a challenge, should I say, to Sergeant

1 McCabe's motivation?

2 A. Yes, Judge.

3 400 Q. You understand that?

4 A. I understood, yeah. This came up --

5 401 Q. You understood it at the time? 13:57

6 A. This came up on the Friday, I think. And obviously,

7 Judge, I wasn't party to the course of questioning. I

8 didn't know what the course of questioning being taken

9 by counsel. But when this matter arose, Judge, I was

10 then asked to clarify issues I had in relation to, I 13:58

11 suppose, the background information I had given to

12 counsel in relation to my dealings with Sergeant

13 McCabe, Judge.

14 402 Q. If we could have page 4078 up on the screen, please.

15 Paragraph 19 -- 13:58

16 A. Yes, Judge.

17 403 Q. -- of this letter:

18

19 "Having been appointed to investigate Sergeant McCabe's

20 complaint against Superintendent Clancy, now 13:58

21 Superintendent Noel Cunningham, having attempted on a

22 number of occasions to meet with Sergeant McCabe,

23 eventually met with Sergeant McCabe by appointment on

24 the 25th August 2008 in Mullingar Garda Station to

25 receive details of his formal complaint. 13:59

26 Superintendent Cunningham was accompanied to this

27 meeting by Sergeant Yvonne Martin. Notes were taken at

28 the meeting and countersigned by Sergeant Martin and a

29 detailed report of the meeting was prepared by

1 Superintendent Cunningham and its contents agreed with  
2 Sergeant Martin and forwarded to Chief Superintendent  
3 Rooney. In the course of this meeting, Sergeant McCabe  
4 advised Superintendent Cunningham that the only reason  
5 he made the complaint against Superintendent Clancy was 13:59  
6 to force him to allow Sergeant McCabe to have the full  
7 DPP directions conveyed to him."  
8 A. Yes, Judge.  
9 404 Q. That's clearly wrong, isn't that right?  
10 A. Clearly wrong. 13:59  
11 405 Q. And it's wrong in two portions of the paragraph, where  
12 it twice recounts that these complaints were made  
13 against Superintendent Clancy, isn't that right?  
14 A. That's correct. If you could please go back to  
15 paragraph 18, because I think it may give some clarity 14:00  
16 to it, because it actually contradicts paragraph 19.  
17 Because paragraph 18 is accurate, Judge.  
18  
19 "Pursuant to complaint made by Sergeant McCabe on the  
20 26th February 2008 to Superintendent Clancy, Chief 14:00  
21 Superintendent Rooney appointed Inspector Noel  
22 Cunningham."  
23 406 Q. Yes.  
24 A. Unfortunately, Judge, in reading it, one often reads  
25 the way one knows it should be, and clearly that's 14:00  
26 correct, and then the next paragraph it's wrong.  
27 407 Q. Well, you see, if you go over to page 4079 again,  
28 please, that's your signature below Eileen Creedon,  
29 Chief State solicitor, isn't that right?

1 A. Absolutely.

2 408 Q. Isn't that right?

3 A. Absolutely. And if I can, I think I've tried to  
4 endeavour to explain what happened that morning, Judge,  
5 in that, Ms. Ryan, who was very fastidious in 14:01  
6 everything she did and very good and a great worker,  
7 unfortunately, on that morning, Judge, the only morning  
8 I believe she was late, she was late, and I didn't get  
9 an opportunity to read that in hard copy, and  
10 unfortunately I signed it incorrectly. And I think 14:01  
11 this is clarified by me, when -- in fact, on day 5,  
12 Judge, when the issue was actually cleared up, when  
13 Judge O'Higgins saw the mistake, Judge, I think I said  
14 on that date, and I was cross-examined by Mr. McDowell,  
15 I think my comment was, this is the first time I have 14:01  
16 seen this document. And, in fact, Judge, it was the  
17 first time I had physically gone through it in hard  
18 copy, and I clearly pointed out the mistake on day 5,  
19 Judge, in relation to that word, and I think -- and I'm  
20 working from memory, I think it was stated by Mr. Smyth 14:01  
21 it couldn't be more eloquently put than just that --  
22 than by the superintendent, the "against" should be the  
23 "to". So that was the problem, Judge.  
24 Unfortunately -- and I'm embarrassed by the mistake,  
25 because I would be usually very careful in everything I 14:02  
26 did, and I'm embarrassed if it has in any way caused  
27 any distress to Sergeant McCabe, because it certainly  
28 was never any intention to do that, because it was,  
29 Judge, a mistake, nothing more, nothing less, Judge. A

1 mistake.

2 409 Q. well, how is it that you didn't pick up on the mistake?

3 A. I didn't see it, Judge. I did not see it. I know that

4 the next -- the morning I was going in -- I travel to

5 Dublin every night -- or not every night. I travel to 14:02

6 Dublin on the Sunday night, Judge. This was Sunday

7 night/Monday morning. And I know, if best, I looked at

8 it on my phone, and then clearly didn't see it, and

9 then I didn't get reading the hard copy, Judge. I

10 believe, Judge, if, that morning, I had taken the five 14:03

11 minutes -- there was a rush to get this document away

12 out of my hands, Judge, literally handed to me. Even

13 my signature is atrocious on it, Judge. If I had held

14 on to the document and said no, I'm not going to hand

15 it over, and read it, there isn't a shadow of a doubt 14:03

16 I'd have seen it, Judge. Not a shadow of a doubt.

17 410 Q. well, when was the letter sent to you?

18 A. It was sent to me I think on the Sunday. I know I've

19 privilege, but I'm not trying to hide anything. I'm

20 simply saying, Judge, I did not see it. I should have 14:03

21 seen it. I did not see it. Unfortunately, others

22 should have seen it too because they would have been

23 aware, but I'm not passing any responsibility, other

24 than for myself. I made a mistake, and it's a pity I

25 made a mistake. 14:03

26 411 Q. Had you retrieved a copy of your report that was sent

27 to Superintendent Clancy of the meeting on the 25th

28 August --

29 A. I actually brought that report that morning, Judge,



1 because I was told to. And I brought it in. And to my  
2 knowledge, and I can only refer to -- I always believed  
3 it was, and I see Judge, in volume 2, part 1 of your  
4 documents, Judge, page 781, that I actually did,  
5 because I see that Ms. Ryan gave copies of my report  
6 and my notes to counsel and to the Judge and to  
7 Mr. McDowell that morning, Judge.

14:04

8 412 Q. So as far as you're concerned, whatever about there  
9 being an error in the letter in paragraph 19, it was  
10 clear from your report that it was letter -- a  
11 complaint to Superintendent Clancy and not about  
12 Superintendent Clancy?

14:04

13 A. Absolutely, Judge. And my evidence would always be  
14 based on my notes and my reports, not on anybody else's  
15 documents. On my notes, Judge.

14:05

16 CHAIRMAN: I mean, this is important, Mr. Murrinan,  
17 because there's been two versions of this. I had  
18 always understood, well certainly from the time that  
19 Annmarie Ryan gave evidence, that the letter, 781, that  
20 is to say the report of the meeting in Mullingar on  
21 25th August 2008, was handed in to the O'Higgins  
22 Commission at the same time as this letter was handed  
23 in.

14:05

24 MR. MARRINAN: Yes.

25 CHAIRMAN: In other words, that they contradicted each  
26 other.

14:05

27 MR. MARRINAN: Yes.

28 CHAIRMAN: Now, I didn't know that it was handed around  
29 more widely than that, but maybe that is -- I don't

1 know.

2 A. well, that is on page 781, Judge, of volume 2, part 1,  
3 that is Ms. Ryan's contemporaneous notes, Judge, I  
4 believe, of the day. I got them in the book that the  
5 Tribunal provided to me, Judge. 14:05

6 CHAIRMAN: Is there something there?

7 A. It says Judge --

8 CHAIRMAN: Sorry, Mr. Marrinan, do you want to move  
9 there, if that is convenient?

10 A. Pardon me? 14:05

11 CHAIRMAN: What page is it again?

12 A. Judge, it's page 781, on part 1, volume 2, Judge, of  
13 the books, Judge.

14 413 Q. MR. MARRINAN: This refers to the hearing on the 18th  
15 May? 14:06

16 A. This is the morning the letter went in.

17 414 Q. Of day 3. I was just going to come to these.

18 A. Sorry.

19 415 Q. It says --

20 MR. MURPHY: Chairman -- 14:06

21 MR. MARRINAN: You're referring there to, what line are  
22 you referring to?

23 A. If you go to the bottom of it, it takes up about a  
24 quarter way up the page:

25 14:06

26 "Noel Cunningham -- "

27

28 May I read it, Judge?

29 416 Q. Yes, please.

1 A. It says:  
2  
3 "Noel Cunningham's documents referred to in our letter  
4 of the 18th May 2015, three documents handed to Judge."  
5 14:06  
6 And then below that, it goes:  
7  
8 "Judge/David O'Hagan directed me to give McCabe's legal  
9 team our letter of the 18/5/15 and docs referred to in  
10 same to them. Gave them three copies." 14:07  
11 417 Q. All right. So you're happy that --  
12 MR. MCDOWELL: If you look at the line that has been  
13 crossed out, there may be some significance there.  
14 CHAIRMAN: "Handed copy documents to McDowell."  
15 MR. MCDOWELL: If you look at the next paragraph, 14:07  
16 Judge.  
17 CHAIRMAN: "Judge/David O'Hagan directed --" is it  
18 "us"? "-- me to give McCabe's legal team our letter of  
19 18/5/15 plus docs referred to in -- referred, to ensure  
20 to them, gave them three copies." 14:07  
21  
22 I think, Mr. McDowell -- no, the only dispute,  
23 Mr. Marrinan, was, I think, Mr. McDowell, you had said  
24 you'd a clear recollection of not getting the document  
25 on the day, yes. 14:07  
26 MR. MCDOWELL: I got the letter.  
27 CHAIRMAN: Yes. well, there may be other things with  
28 it. I'm not doubting you for a second or saying you're  
29 not correct or anything, Mr. McDowell.

1 MR. MCDOWELL: I'm just saying that's all we got,  
2 because I think the transcript shows that that is all  
3 we got.  
4 CHAIRMAN: well, unfortunately, in -- even in High  
5 Court cases, sometimes paper comes in like confetti. 14:08  
6 So I don't know. Maybe the witness's evidence might be  
7 of relevance on this.

8 418 Q. MR. MARRINAN: We're concerned with your state of  
9 knowledge, first of all --

10 A. Yes. 14:08

11 419 Q. -- at the time?

12 A. Yes.

13 420 Q. And that is primarily what we're concerned with at the  
14 moment.

15 A. And I handed in the documents that morning, Judge. 14:08

16 421 Q. As far as you were concerned, you had handed over the  
17 report, is that right?

18 A. That's correct, Judge.

19 422 Q. Had you handed over the notes as well?

20 A. Yes. 14:08

21 423 Q. All right. And when it says the three documents, what  
22 is the third document?

23 A. I think the first one was the letter of complaint, the  
24 first letter of Sergeant McCabe's.

25 424 Q. Right. 14:08

26 A. So to put it in order, to explain it, Judge.

27 425 Q. Right. So the three documents that were handed over  
28 were the original letter of complaint that I opened  
29 earlier on today of Sergeant McCabe, your report of the

1 meeting of the 25th August of 2008 in relation to your  
2 investigation of that complaint and then the notes of  
3 that meeting?

4 A. Yes, Judge.

5 426 Q. And as far as you were concerned, all those materials 14:09  
6 were handed over to Annmarie Ryan and you were under  
7 the impression that they were also handed over to  
8 Sergeant McCabe's legal team, is that right?

9 A. Well, they were handed out, they were distributed out  
10 that morning, Judge, that was my knowledge. 14:09

11 CHAIRMAN: All you saw was stuff going around the room,  
12 I presume?

13 A. Absolutely. There was documents flying, Judge, because  
14 there was a lot of fresh stuff coming in all of the  
15 time, Judge. There was constantly documents going out, 14:09  
16 Judge.

17 CHAIRMAN: Okay.

18 427 Q. MR. MARRINAN: Now, if we could just come to -- you  
19 gave evidence yourself on the 18th May, is that right?

20 A. I started my evidence on the 18th, that's correct. 14:09

21 428 Q. Yeah. And do you recall Sergeant McCabe then gave  
22 evidence later on the afternoon?

23 A. I thought, but maybe I could stand corrected, I thought  
24 the evidence stopped with me, Judge. Oh, sorry, the  
25 18th now. 14:10

26 429 Q. This is day 3.

27 A. Oh, this is now day -- I think I did. I'd have to just  
28 go back, Judge. Maybe if you can assist me.

29 430 Q. Well, I'm asking you do you recall Sergeant McCabe

1 giving evidence?

2 A. I recall Sergeant McCabe giving evidence, I do.

3 431 Q. So you were in the room at the time?

4 A. Oh, I was in the room, Judge, yes.

5 432 Q. Well, if we could just have page 979 up on the screen, 14:10  
6 please. If we go halfway down.

7 A. If you stay at the top, Judge, I just see the  
8 reference, Mr. Smyth says:  
9

10 "I want to ask you, Sergeant McCabe, the first one is 14:11  
11 on the 26th February 2008, you sent a letter to  
12 Superintendent Clancy."  
13

14 So that is accurate.

15 433 Q. Yes. "Containing a number of complaints that you had, 14:11  
16 is that correct?"

17 A. Yes.

18 434 Q. The answer is:  
19

20 "Yeah." 14:11

21 "Q. One matter I want to ask you again just arising  
22 finally out of that, I think that Superintendent  
23 Cunningham met you for the purpose of discussing that,  
24 is that correct?"  
25 14:11

26 The answer is:  
27

28 "He met me on the last day that I was sergeant in  
29 charge.

1 Q. Sergeant in charge in Bailieboro?  
2 A. Which was 19th March 2008.  
3 Q. He has the 25th August 2008 you met.  
4 A. Sorry, we met in Mullingar.  
5 Q. He met you in Mullingar on 25th August 2008? 14:11  
6 A. Yes.  
7 Q. This is an issue of credibility I want to put to  
8 you.  
9 A. Okay.  
10 Q. There was a meeting there in Mullingar Garda 14:11  
11 Station and that meeting was the sergeant, is that  
12 correct?  
13 A. That is correct.  
14 Q. I think there were notes taken at that meeting?  
15 A. There was, by each side. 14:12  
16 Q. A detailed report was prepared by Superintendent  
17 Cunningham, there is no dispute about that.  
18 A. There is. I didn't see it. He has given his  
19 version.  
20 Q. All right. It was forwarded, that report, to 14:12  
21 Superintendent Rooney. This is the issue I want to ask  
22 you about.  
23 A. Yeah.  
24 Q. In the course of that meeting, Sergeant, you  
25 advised Superintendent Cunningham that the only reason 14:12  
26 you made a complaint against Superintendent Clancy was  
27 to force him to allow you to have the full authority  
28 directions conveyed to you.  
29 A. That is absolutely false.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Q. Right

A. Absolutely, Judge."

Then Mr. Justice O'Higgins intervened:

"The only reason?

MR. SMYTH: The only reason, and this will be the evidence of Superintendent Cunningham, the only reason that you wrote those list of complaints for Superintendent Clancy, do you understand, that you made the complaints about Superintendent Clancy, was that you wanted to put pressure on Superintendent Clancy to get the full directions from the authority conveyed to you.

A: That is absolutely false. Absolutely."

And then:

"Fair enough."

So if you were present there for that, there seems to be some confusion in Mr. Smyth's mind and the question that he's asking in relation to it.

A. I'd agree.

435 Q. But he has certainly put it to Sergeant McCabe that the only reason that he made a complaint against Superintendent Clancy was to force the DPP's directions to be made known, isn't that right?

A. That's as it reads, absolutely, Judge.



1 436 Q. well, did you seek to correct that?  
2 A. I can't even - and I'm going back over this - I can't  
3 even recall if I heard it as clearly as that. And this  
4 was in the middle, Judge, of -- he was dealing with the  
5 McCarthy issue regarding the probationer and all the 14:14  
6 dealings, and I had a lot of dealings with him and  
7 supplied notes about that, Judge. And then this  
8 interlude happened. I think in fairness, sir, you have  
9 described it very accurately. It was confused.  
10 Because it was, one minute it was right, the next 14:14  
11 minute it was wrong, the next minute it was right  
12 again. So it was at best, Judge, confused. And then  
13 it went away from it and moved back on to dealing with,  
14 as you see the next question, at line 26, Probationer  
15 McCarthy. Now, I can't say, Judge, I was hanging on 14:15  
16 every word, and I can't say, Judge, that I was as clear  
17 as I am now reading that transcript, on that day, as I  
18 am today, Judge.

19 437 Q. well, do you recall that exchange between Mr. Smyth and  
20 Sergeant McCabe and thinking, well, that's a little bit 14:15  
21 confused and it's actually not correct?  
22 A. I don't recall being that clear in my mind, Judge, on  
23 that day. I don't recall being that clear in my mind,  
24 Judge.

25 438 Q. But in any event, you didn't alert anybody to the 14:15  
26 error. Had you been aware of it you --  
27 A. I'm sorry for interrupting. If I had heard it -- if I  
28 had been clear in my mind, I'd have said that is wrong,  
29 because it was clearly wrong and -- you know what I

1 mean.

2 439 Q. Because if we could move on to page 1439. These are  
3 the written submissions that were sent on in on your  
4 behalf --

5 A. That's correct. 14:15

6 440 Q. -- and also on behalf of --

7 A. And others, yes.

8 441 Q. -- the Garda Commissioner.

9 A. And others, yes.

10 442 Q. And these were sent to you dated the 11th June? 14:16

11 A. Yes.

12 443 Q. And they were sent to you for your approval, isn't that  
13 right?

14 A. That's correct.

15 444 Q. And do you recall receiving them? 14:16

16 A. I do.

17 445 Q. And do you recall receiving an instruction from  
18 Annmarie Ryan --

19 A. I do.

20 446 Q. -- solicitor, saying that they should be examined 14:16  
21 closely?

22 A. Yes.

23 447 Q. To make sure that they were accurate, is that right?

24 A. That's correct.

25 448 Q. If we could turn to page 1452 on the screen, and in 14:16  
26 particular paragraph 69. Well, I will start at 68, in  
27 fairness:

28

29 "Sergeant McCabe's next actions are not absolutely

1 clear, that the witnesses' memories of their  
2 conversations with him differ slightly. But it appears  
3 that he wanted something additional from the DPP so as  
4 to establish his innocence to the complaining party.  
5 It is possible that these differences are because 14:17  
6 Sergeant McCabe himself changed his approach slightly  
7 over time and with different colleagues. It appears  
8 that he requested from Chief Superintendent Rooney that  
9 he contact the DPP to seek a declaration of his  
10 innocence. It is understood that should he give 14:17  
11 evidence on this point, Superintendent Michael Clancy  
12 will say that Sergeant McCabe also contacted him  
13 seeking the DPP's file in order to show it to the  
14 complaining party. Whatever the exact nature of the  
15 request, they each refused. Chief Superintendent 14:17  
16 Rooney's evidence is that Sergeant McCabe was very  
17 angry at the refusal."

18  
19 Paragraph 69:

20  
21 "Sergeant McCabe then made a series of complaints 14:18  
22 against other officers in Bailieboro station, including  
23 Superintendent Clancy, against whom he alleged a lack  
24 of support. Chief Superintendent Rooney appointed  
25 Superintendent Cunningham to investigate these 14:18  
26 complaints. Superintendent Cunningham attempted to  
27 meet Sergeant McCabe to discuss the complaints and  
28 finally did so on the 25th August 2008. On this  
29 occasion, Superintendent Cunningham was accompanied by

1 Sergeant Yvonne Martin."  
2  
3 well, that is clearly incorrect --  
4 A. Clearly incorrect.  
5 449 Q. -- isn't that right? And very obviously so? 14:18  
6 A. Absolutely.  
7 450 Q. So why wasn't this corrected?  
8 A. well, Judge, what I can say is, and I know I have  
9 claimed privilege, what I can say is I did send the  
10 document in relation to the report of 2008 back to 14:18  
11 where this document came from, to clarify or to put in  
12 context that matter, Judge. I can only say -- that's  
13 as much as I can say, Judge. I sent that, my report of  
14 2008, back in, Judge, again.  
15 CHAIRMAN: So you sent 4129 back? 14:19  
16 A. Back in to -- in response to this, Judge.  
17 CHAIRMAN: To Ms. Ryan, or whoever?  
18 A. I think it was -- it was Ms. Ryan, yes.  
19 CHAIRMAN: Was this a kind of an email circle that's  
20 going? 14:19  
21 A. It was, yes.  
22 MR. MARRINAN: Sorry, we haven't heard about this  
23 before, have we?  
24 A. well, I appreciate this -- I claimed privilege in  
25 relation to matters, Judge, but I believe it was or may 14:19  
26 well have been raised by another witness, Judge. But I  
27 certainly know that I did that, Judge.  
28 451 Q. well, you see, we haven't heard factually that you sent  
29 any response at all to Anmarie Ryan in relation to

1 these written submissions.

2 A. I think that was because I claimed privilege, Judge.

3 452 Q. Are you saying that you corrected in the first  
4 instance, and I will come later to other paragraphs,  
5 are you saying that you corrected 69?

14:20

6 A. I'm saying I sent -- yes, in relation to those matters.  
7 I know I responded twice in relation to this: one in  
8 relation to an earlier part of it, about a probationer  
9 garda; and another part then I sent in again my report,  
10 Judge, of 2008.

14:20

11 453 Q. Well, you see, Sergeant McCabe has been cross-examined  
12 on the 18th by Mr. Smyth in your presence, where he  
13 puts a totally wrong proposition to Sergeant McCabe and  
14 you don't correct it, and here we are with paragraph  
15 69, where a totally wrong impression is being given  
16 that Sergeant McCabe has made complaints against other  
17 colleagues and Superintendent Clancy and that this was  
18 the matter that you were investigating in August of  
19 2008, which is completely wrong?

14:20

20 A. Sergeant McCabe had made complaints, but I didn't  
21 investigate them. I think there was -- if one reads  
22 the report, Judge, there seems to be three documents  
23 being referred to, Judge. There is a January document  
24 of Sergeant McCabe, which I had no dealings with  
25 whatsoever, that he gave to Superintendent Clancy,  
26 Judge.

14:21

14:21

27 CHAIRMAN: You're referring there to the letter of the  
28 28th January --

29 A. Yes.

1 CHAIRMAN: -- '08.  
2 A. I knew nothing of that until the Commission.  
3 CHAIRMAN: Which deals with supervision --  
4 A. That's right, Judge.  
5 CHAIRMAN: -- non-completion of work and Pulse. 14:21  
6 A. I had no dealings with that whatsoever, Judge. That  
7 was between himself and Superintendent Clancy. Then  
8 there was the February letter, which is the one that I  
9 investigated, Judge, in relation to Mr. D. And I  
10 believe then there was other documents, and if one 14:21  
11 reads the report, which is in relation to his complains  
12 against other members, dealt with by the Byrne/McGinn  
13 investigation, Judge. So there seems to be, as it  
14 were, a mix-up of all of these documents, Judge, in  
15 that sentence. 14:22  
16 454 Q. MR. MARRINAN: If we go on to paragraph 70 of 1452:  
17  
18 "It is understood that Superintendent Cunningham and  
19 Sergeant Martin will give evidence that Sergeant McCabe  
20 said at that meeting --" 14:22  
21  
22 The one referred to in paragraph 69.  
23  
24 " -- that the complaint which he had made alleging lack  
25 of support as referred to in the preceding 14:22  
26 paragraph --"  
27  
28 And therefore against Superintendent Clancy.  
29

1 " -- was a bid by him to have the full DPP directions  
2 conveyed to him and to the complaining party. This is  
3 recorded in a report of the meeting prepared jointly by  
4 Sergeant Martin and Superintendent Cunningham."  
5

14:22

6 That latter line is correct, but the preceding lines  
7 are totally incorrect, isn't that right?

8 A. Well, again, it's mixing up the two reports, Judge;  
9 it's mixing up my letter and other letters, Judge,  
10 other reports.

14:22

11 455 Q. Paragraph 71:

12  
13 "It is submitted that these interactions are critical  
14 to the understanding of the behaviour of Sergeant  
15 McCabe and of the responses of the various officers to  
16 his complaints. Prior to this, the complaints he had  
17 made were few in number and adequately dealt with.  
18 Thereafter, they multiplied and showed a tendency to  
19 exaggeration, such as in relation to this incident,  
20 which was recognised by, among others, Assistant  
21 Commissioner Byrne and Chief Superintendent McGinn."  
22

14:23

23 A. I wouldn't have contributed to that paragraph, because  
24 I wouldn't.

25 456 Q. Paragraph 72:

26 "These issues will be relevant to subsequent modules  
27 where they can be considered again. However, in  
28 relation to this specific module, it is submitted that  
29 Sergeant McCabe's disaffection motivated him to contact

14:23

1 Ms. Browne to encourage a complaint to GSOC and to  
2 include it in his 'Brief Proven Facts Pertaining to My  
3 Complaint' document."

4 A. I wouldn't have contributed to that either, so --

5 457 Q. You see, Superintendent, isn't it abundantly clear that 14:24  
6 the matter that you were investigating at the request  
7 of Superintendent Clancy in August 2008 was Sergeant  
8 McCabe's complaint in relation to Mr. D?

9 A. That's correct. That has always been my evidence,  
10 Judge. 14:24

11 458 Q. And yet it is being portrayed here that the complaint  
12 related to Superintendent Clancy, which is false, isn't  
13 that right?

14 A. Well, that particular complaint that I dealt with  
15 certainly did not have anything to do with 14:25  
16 Superintendent Clancy, other than it was sent to him.  
17 But if you even look at that paragraph 71, it is clear  
18 that the drafter is referring to other documents in  
19 relation to Byrne/McGinn investigation, which I  
20 wouldn't have been familiar with, Judge. They were 14:25  
21 complaints, serious complaints. And the person most  
22 complained about in those documents, or in relation to  
23 Byrne/McGinn, was, in fact, Judge, Superintendent  
24 Clancy. He was the person most complained about. And  
25 then myself and others Judge. 14:25

26 459 Q. Well, regardless, you having read the submissions, and  
27 this is your evidence, noted that this was giving a  
28 false impression and, as a result of that, you say that  
29 you sent in your original report --



1 A. Yes.

2 460 Q. -- to Annmarie Ryan, is that right?

3 A. I think it was to Chief Healy. I think he was

4 corresponding with us, I'm nearly sure. I just sent

5 back in that report, again because it is very clear in 14:26

6 relation to what was happening or what I was doing,

7 Judge.

8 461 Q. If we could have page 3162 up on the screen. This may

9 be of assistance to you. This is a document over which

10 previously there had been a claim of privilege, all 14:26

11 right? It's a schedule, yes. Page 3162.

12 CHAIRMAN: It's a file really, isn't it?

13 MR. MARRINAN: Pardon?

14 CHAIRMAN: It's really a file?

15 MR. MARRINAN: Yes. Page 3162, please. Scroll down 14:27

16 the screen to paragraph 15, I think this is correct.

17 MR. McDOWELL: what volume is this?

18 CHAIRMAN: 3162 is --

19 MS. LEADER: 5.

20 MR. MARRINAN: volume 5. 14:27

21 CHAIRMAN: It's the end of 5.

22 MR. MARRINAN: Paragraph 15:

23

24 "Copy of an email from Superintendent Noel Cunningham

25 to Chief Superintendent Fergus Healy dated 9th June. 14:27

26 Forwarded by Chief Superintendent Fergus Healy to

27 Annmarie Ryan, solicitor, who will forward it to Garret

28 Byrne, Colm Smyth and Michael MacNamee."

29

1           It's dated 9th June 2015. And the important part of it  
2           is "with attachments". Do you see that?

3           A.    Yeah.

4 462    Q.    Are they the attachments that you are referring to that  
5           you sent, and is that a report? 14:28

6           A.    Yes.

7 463    Q.    And is that in consequence of having read the  
8           submissions?

9           A.    Yes. And there was another part in relation to the  
10          probationer guard as well. Sorry, just putting some 14:28  
11          notes that I had in relation to my dealings with him,  
12          Judge.

13 464    Q.    Did you subsequently read the submissions to check and  
14          make sure that they had, in fact, been corrected?

15          A.    I don't know if I did. I mustn't have, Judge. 14:28

16 465    Q.    And then on the 24th June you came to give evidence, do  
17          you recall that?

18          A.    That's correct, Judge. That was day 5, I think, is  
19          classed of the --

20 466    Q.    And if we could have page 1493 up on the screen, 14:28  
21          please. This is after this matter had arisen.  
22          Mr. Justice Kevin O'Higgins had corrected the situation  
23          and the misleading paragraph 19, and it had been  
24          corrected earlier on in the morning, do you recall  
25          that? 14:29

26          A.    It was, Judge. When the document was put before me,  
27          and that's when I refer to what I said to Mr. McDowell,  
28          I had identified the word -- paragraph 18 was correct,  
29          paragraph 19 was wrong.

1 CHAIRMAN: Well, we're on the 24th June now, 2015,  
2 isn't that right, Mr. Marrinan?

3 MR. MARRINAN: Yes.

4 CHAIRMAN: So it is day number 5.

5 MR. MARRINAN: Yes, the 24th, day number 5. 14:29

6 467 Q. This is you. We'll start at the top of the page:

7

8 "What I am saying is, Judge, and I gave it in my  
9 evidence-in-chief the last day and I sent it in my  
10 report to Chief Superintendent Clancy." 14:30

11 A. That should be Rooney.

12 468 Q. "That I believe from this meeting with Sergeant McCabe,  
13 I believed it in 2008 and I believe it today, Judge,  
14 having been given a transcript of a tape that I didn't  
15 know was being made, that the only reason that Sergeant 14:30  
16 McCabe was making these allegations was --"

17

18 And then Mr. Justice O'Higgins asks:

19

20 "What allegations?" 14:30

21

22 Your answer:

23

24 "The allegations in this report of the 28th February." 14:30

25

26 And then Mr. Justice O'Higgins said:

27

28 "Not against Clancy."

29

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

Your answer:

"No. Against Mr. D, was to in some way, the result of it would be that the DPP's directions which I had received and had given him would be available to himself and to the D family."

14:30

So that matter is clarified at that juncture, isn't that right?

A. That's correct, Judge.

14:31

469 Q. If we go on to page 1497 to get the flavour of the case that you were making at that time, down to line 21. This is you referring to a change in him, following the refusal by you to give him the directions:

"Well, Judge, I had known Sergeant McCabe for years, 15, maybe 20 years. I'll say even to this day that I haven't had a cross word with Maurice McCabe. In fact, the opposite. I would respectfully suggest that I have supported him in everything he did. I have ample incidents that I can write with that, Judge. I was now meeting him, a man I had known for years. He was taping me. He was, if you see, even questions put to me 'no, let's talk off the record'. Maurice McCabe knows me well, I don't do 'off the record', you know what I mean. I would deal with things in the way I am supposed to deal with it as a policeman, the professional way. I'm supposed to deal with things. I don't go off the record and I don't do agendas. I

14:31

14:31

14:32

1 don't do any of that, Judge. I do my job as best I  
2 can. This is what I do. I felt that Maurice McCabe's  
3 attitude to me changed completely after I was directed  
4 to carry out an investigation and I was directed to do  
5 it, Judge, in 2006. It wasn't my choice to do that." 14:32

6  
7 You're asked a question:

8  
9 "Q. What way did his behaviour change towards you?

10 A. His attitude to me changed, Judge. He said it 14:33  
11 himself, even in conversations, that he didn't trust  
12 anybody any more. It had impacted on his life. It  
13 affected him. But he had no reason not to trust me,  
14 Judge. I had never in any of the time with Maurice  
15 McCabe tried to treat him other than with complete and 14:33  
16 total professionalism and support, yet here was a man,  
17 as I said, taping me without my knowledge, trying to  
18 steer me and it is clear, Judge."

19  
20 That really summarised your attitude at that time to 14:33  
21 Sergeant McCabe, isn't that right?

22 A. Well, Judge, as I stated, I had what I believed a very  
23 professional relationship with Sergeant McCabe. I  
24 would even go so far as to say we were friendly, Judge.  
25 I remember going back as far as 2004, Judge, I bought 14:34  
26 my first people-carrier and he had one and I sought his  
27 advice and he advised me not to buy the one he had,  
28 Judge, and I bought a different one. That was the kind  
29 of conversations, because I knew he knew his cars. We

1 walked to town numerous occasions, Judge, in Clones  
2 during football matches, and we talked about absolutely  
3 everything. I had a very open relationship with  
4 Sergeant McCabe, and then, Judge, this started. And as  
5 I said, the whole thing seemed to change, and even to 14:34  
6 this day Judge, even to this day, I can't understand  
7 why Sergeant McCabe made the complaints he made against  
8 me, complaints that he subsequently withdrew, all the  
9 complaints which were found to be unfounded. Sergeant  
10 McCabe knew me and knew that, whatever about anything, 14:34  
11 Judge, I did my best to do my job and do it  
12 professionally. I didn't do agendas. I didn't do any  
13 of that type of thing, Judge. I just did my job. And  
14 I met people as I met them on the day, and that was  
15 just the way I dealt with people, Judge, and that's the 14:35  
16 way I dealt with Sergeant McCabe, no different than I  
17 dealt with anybody, Judge.

18 470 Q. Well, Superintendent Cunningham, you made that clear,  
19 and we're not really investigating --

20 A. Oh, my apologies. 14:35

21 471 Q. -- that. We're looking into the O'Higgins Commission.  
22 Page 1501, please, on the screen. This is Mr. Gillane  
23 summarising the state of the evidence at that time:

24  
25 "In other words, if it was put to Sergeant McCabe, and 14:35  
26 I'm sorry if it is a clumsy question but I just want to  
27 be as accurate as I can, if it was put to Sergeant  
28 McCabe that he had said to you that the only reason he  
29 made a complaint against Superintendent Clancy was to

1 force the release of the DPP's directions, Sergeant  
2 McCabe said that was absolutely false."  
3 A. Mm-hmm.  
4 472 Q. "It just seems from your evidence this morning that we  
5 were all in agreement that he is correct about that, am I right?" 14:36  
6  
7  
8 And you accepted that he was right.  
9 A. Absolutely.  
10 473 Q. Isn't that right? 14:36  
11 A. Absolutely.  
12 474 Q. And I suppose the position that led the Commission of  
13 Investigation to deal with this, was that, in the first  
14 instance, a letter had been sent with, we know, the  
15 offending paragraph 19 that has your signature on it, 14:36  
16 and that had been misleading in relation to this  
17 matter. I think you'd accept that, isn't that right?  
18 A. Yes.  
19 475 Q. It had Sergeant McCabe's evidence on the third day when  
20 he was cross-examined by Mr. Smyth, and this was on the 14:36  
21 18th May, when, again, the contents of the letter are  
22 put to Sergeant McCabe, again giving a misleading  
23 impression, isn't that right?  
24 A. Well, it was rather confusing, as you said, in relation  
25 to how it was put. But I accept what you are saying, 14:37  
26 the question was put.  
27 476 Q. And then we had the submissions that had been sent in  
28 by counsel on behalf of yourself and the Garda  
29 Commissioner, again with paragraphs that were

1 misleading in relation to this matter, isn't that so?

2 A. Yes, Judge. And the first --

3 477 Q. And in the intervening period of time, the Commission  
4 had the benefit of a transcript of a tape that had been  
5 provided by Sergeant McCabe, isn't that so? 14:37

6 A. Yes.

7 478 Q. And also had the benefit of, I think Mr. Justice  
8 O'Higgins was in a position where he had listened to  
9 the tape and it was clear from the transcript that he  
10 had, in fact, listened to the tape? 14:37

11 A. That's correct.

12 479 Q. And in case of you, you had, when the letter had  
13 originally gone in, as far as you were concerned the  
14 Commission had the benefit of your report, of the  
15 original complaint that had been made by Sergeant 14:38  
16 McCabe and also the notes, is that right?

17 A. Yes. And I think this was referred to by Mr. O'Higgins  
18 in the opening of that day 5, that he essentially said  
19 my notes and the tape corresponded and my report -- my  
20 report, my notes and the tape corresponded but the 14:38  
21 letter was incorrect. But as I said, Judge, my  
22 evidence would always be based on my notes, on my  
23 report, on nobody else's documents, but on my own  
24 documents.

25 480 Q. And again on the 11th June we note that you sent the 14:38  
26 attachments, and you say those attachments that were  
27 sent to Annmarie Ryan for the benefit of the legal team  
28 were again a copy of the report?

29 A. Yes.



1 481 Q. Of the two reports?  
2 A. And all of the documents leading up to the report, I  
3 believe; in other words, my appointment to investigate,  
4 and then the difficulties experienced with the  
5 investigation. I think the whole thing was sent as a 14:39  
6 package, as it were.

7 482 Q. And I think, at the end of the day, there is little, if  
8 no, difference between the thrust of your notes and the  
9 report and the transcript of the meeting that was  
10 provided by Sergeant McCabe, isn't that right? 14:39  
11 A. No, difference, Judge, no.

12 MR. MARRINAN: Thank you. Would you answer any  
13 questions, please.

14 CHAIRMAN: Before we go on, I think I need to go back  
15 to something in relation to this morning. I'm aware 14:39  
16 that obviously the media are here on behalf of the  
17 public and the public are here as well. Now, one of  
18 the things that was put on the screen had a reference  
19 to shouting, so, over lunch, I had an electronic search  
20 conducted on the transcript of the O'Higgins Commission 14:39  
21 as to whether the word "shout" or "shouting" appears in  
22 any place and, if so, where is it and in what context.  
23 We have come up with two references only. Apart from  
24 Mr. Gillane asking people to speak up in the context  
25 of, would you please shout it out, or that kind of 14:40  
26 thing, and there's two references. On day 6, Sergeant  
27 Maurice McCabe being cross-examined by Mr. Smyth, and  
28 Mr. Smyth says:  
29

1 "Sergeant, just a few questions. I will try to keep my  
2 voice up. I hope you don't think I'm shouting at you."

3  
4 To which the answer from Sergeant McCabe is:

5  
6 "No. No problem."  
7

8 And then there's a reference on day 10, and again it's  
9 in the context apparently of acoustic problems:

10  
11 "At the time that you were compiling your thoughts  
12 about this and the memo at tab 15, were you aware that  
13 Sergeant McCormack -- I'm sorry if I am keeping my  
14 voice up, I'm not shouting at you -- were you aware  
15 that Sergeant McCormack had, in fact, conducted house  
16 to house Inquiries?"  
17

18 And the answer was:

19  
20 "Yes."  
21

22 So those are the only two. Just for fear what appeared  
23 on the screen, which wasn't actually read out, might be  
24 taken out of context. I don't think the context would  
25 support the relevant matter, and obviously what people  
26 feel is different, perhaps, to what people actually  
27 observe are they in a position to be completely  
28 objective and detached about things. So I just thought  
29 I should make that correction for fear there may be

1 another error occurring. Sorry, Mr. McDowell. Yes.

2  
3 SUPERINTENDENT NOEL CUNNINGHAM WAS CROSS-EXAMINED BY  
4 MR. MCDOWELL:

5  
6 MR. MCDOWELL: Good afternoon, Superintendent  
7 Cunningham.

8 A. Yes, Mr. McDowell.

9 483 Q. I will keep my voice up, but I won't shout at you. Can  
10 you assist me with one matter. You were there on day 2 14:41  
11 of the inquiry, of the Commission of Investigation,  
12 Friday 15th May, isn't that right?

13 A. That's correct, Judge.

14 484 Q. And you heard, as a result of objection which is  
15 initially taken by Mr. Gillane and then by me to the 14:41  
16 questions that were being put to Chief Superintendent  
17 Rooney, the Chairman of the Commission directed that if  
18 any line was going to be pursued, and we'll just leave  
19 it neutral at the moment, questioning Sergeant McCabe's  
20 motives or credibility or integrity, that that would 14:42  
21 have to be reduced to writing before it could be  
22 proceeded with. Do you remember that?

23 A. That's what occurred. When Chief Superintendent Rooney  
24 was giving evidence this matter arose, Judge.

25 485 Q. And as I understand it, just I want to get the 14:42  
26 chronology correctly, almost as soon as that day's  
27 proceedings finished, yourself and -- counsel for the  
28 Commissioner and yourself and Superintendent Rooney  
29 went into conclave with Chief Superintendent Healy, is

1           that right?

2           A.    No, we didn't go into conclave at all, Judge. My  
3           memory of that meeting, because I saw that and I  
4           couldn't ever remember sitting down personally with the  
5           counsel that was referred to, I think we all returned 14:43  
6           to the room, and that was the whole team, Judge. The  
7           people who were giving evidence, counsel, junior -- two  
8           junior counsel and Ms. Ryan. I certainly never sat  
9           down and had a one-to-one discussion with anybody,  
10          Judge, in relation to this matter. 14:43

11 486 Q.    I didn't suggest it was one-to-one. I suggested that  
12           you and Superintendent Rooney and counsel went into  
13           conclave? That was my understanding.

14          A.    I don't know if "conclave" has a suggestion that it was  
15           a sitting down and it was discussing a specific issue. 14:43  
16           I don't think it was just that, that specific, Judge.  
17           We were certainly told that a letter was going to have  
18           to be --

19          MR. MURPHY: Sorry, Chairman, can I just interrupt at  
20           this point. The witness has indicated he is asserting 14:44  
21           privilege and I have a concern that this line of  
22           questioning is going into that area.

23          CHAIRMAN: Yes, well once we're aware that there is a  
24           privilege and you're entitled to claim it, it's  
25           entirely up to you as to say, look, this is the answer 14:44  
26           to that, but I can't jump in and say you have a  
27           privilege, because I'm not on your side, I'm not  
28           against you.

29          A.    I appreciate that.

1 CHAIRMAN: But you have to do it yourself.

2 A. Essentially, Judge --

3 CHAIRMAN: And again, as I said, look, if you want to  
4 say forget about privilege, it is your actual privilege  
5 to do that. If you want to have privilege, the law 14:44  
6 gives it to you, I don't give it to you, and you're  
7 perfectly entitled to have it, and it's only in  
8 circumstances where you voluntarily waive it with full  
9 knowledge and full consent and not under any pressure  
10 that I would accept there is any waiver occurring at 14:44  
11 all. So that is the story on that.

12 A. I appreciate that.

13 CHAIRMAN: So, Mr. McDowell, just with that caveat in  
14 mind.

15 MR. McDOWELL: I fully respect the law in relation to 14:44  
16 privilege. I'm not trying to --

17 CHAIRMAN: No, I appreciate you're not. You're probing  
18 matters, yes.

19 MR. McDOWELL: And if the witness at any stage wants to  
20 claim privilege, I'll immediately consider that claim. 14:45

21 487 Q. But in any event, you see on day 49 of this Tribunal,  
22 Mr. MacNamee said:  
23  
24 "Ms. Ryan did not sit in with me while I was taking  
25 these instructions. I took out my notebook and I wrote 14:45  
26 down longhand the instructions that were being given to  
27 me, Chief Superintendent Rooney and Superintendent  
28 Cunningham."  
29

1 And I just want to know, now that -- you probably read  
2 Mr. MacNamee's evidence; I presume you're following all  
3 these events. Is that correct or incorrect?

4 A. I have no memory of that conversation, Judge, taking  
5 place like that. Absolutely not.

14:45

6 488 Q. And when Mr. Smyth said:

7

8 "As far as I'm concerned -- "

9

10 This is on day 49 as well:

14:46

11

12 " -- we did what we did. It's plain to see that we did  
13 it on instructions."

14

15 He later said:

14:46

16

17 "Mr. McDowell, I can speak for myself in respect of  
18 this. I was left in no doubt about this. My clear  
19 perception was that this was 'against' rather than 'to'  
20 at this time."

14:46

21

22 You've read that?

23 A. And I cannot for the life of me understand that. I had  
24 read Mr. Smyth's statement where he said it was a  
25 misunderstanding that had occurred.

14:46

26 489 Q. Yes.

27 A. And then it seemed to change. But I couldn't for the  
28 life of me understand how anybody, or how I could, for  
29 one scintilla of a second, say that it was a complaint

1 against Superintendent Clancy. Because clearly if it  
2 was, I wouldn't have been able to investigate it. And  
3 I think it came out at the last time I sat here, I  
4 think the expression used by counsel when he put it to  
5 me was, you didn't put your hand up to do this 14:47  
6 investigation. And I certainly did not, Judge. But  
7 when I went to do it, Judge, and I sat down with  
8 Sergeant McCabe in Mullingar, if he had said he'd made  
9 this complaint against Superintendent Clancy, I'd have  
10 said thanks very much, shook his hand and out the door. 14:47  
11 And I would have reported it, Judge, to my divisional  
12 officer, saying I cannot do this, Judge, because this  
13 is -- or chief, because this is a rank at that stage  
14 equivalent to me. It has to be a rank above the rank  
15 that is being investigated against, Judge. In 2015, I 14:47  
16 had been doing internal investigations, Judge, since  
17 1996, an average of about seven to ten a year. None of  
18 them, Judge, were ever challenged, none of them ever  
19 collapsed, Judge, because I was very particular in how  
20 I did my work, Judge. 14:47

21 CHAIRMAN: These are all Garda discipline?

22 A. Internal Garda discipline.

23 CHAIRMAN: Where you need inspectors?

24 A. The only one that was ever questioned, Judge, was,  
25 Ms. D challenged my investigation in relation to -- she 14:48  
26 reported me to GSOC, and that allegation didn't stand  
27 either, Judge. That allegation -- it was held that I  
28 had carried out a proper and thorough investigation,  
29 Judge. All of my other investigations have stood. If,

1 for one second, that I believed that this investigation  
2 was against Superintendent Clancy, I couldn't have done  
3 it, simply couldn't have done it, Mr. McDowell.

4 490 Q. MR. McDOWELL: well, I don't think it in any way  
5 invades your privilege then to say that so far as 14:48  
6 you're concerned, what's in the -- the incorrect matter  
7 that's in the letter of the 18th May, was counsel's  
8 error and not yours?

9 A. well, I'm not saying -- what I'm saying is, I didn't  
10 correct it. There was an obligation on me to see it, 14:48  
11 and unfortunately I didn't see it.

12 491 Q. I accept -- I'm not challenging you on that for a  
13 moment. I'm just asking you, the fundamental error  
14 that you didn't see, you're saying was counsel's fault,  
15 is that right? 14:49

16 A. With respect, Judge, it's not for me to apportion  
17 blame. I'm taking responsibility for what I did wrong.  
18 I didn't see it, unfortunately, and it is to my  
19 embarrassment that I didn't see it. I should have seen  
20 it, and I didn't. 14:49

21 492 Q. Can we agree with this proposition: that you did  
22 nothing to give rise to the error in the letter of the  
23 19th?

24 A. well, I believe that I was very clear in everything and  
25 every time I mentioned this investigation, and I think 14:49  
26 the notes present it and my reports support that  
27 assertion, Judge. I very clear on my thought process.

28 493 Q. well, now, would you agree with me that it is your  
29 position that you did nothing to give rise to the error



1           that was contained in that letter?

2           A.    I did, because I didn't see it.

3 494 Q.    Sorry, no, no, no --

4           A.    I contributed to it because I didn't see --

5 495 Q.    First of all, the letter had to be in that form -- 14:49

6           A.    Yes.

7 496 Q.    -- before you saw it at all?

8           A.    Yes.

9 497 Q.    And in the text that was submitted to you, there was an  
10 error, isn't that right, which you didn't notice? 14:49

11          A.    That's correct.

12 498 Q.    But you did nothing to give rise to the insertion of  
13 that error, is what you are saying?

14          A.    Well, I'm saying at all times my instructions and my  
15 documents were very clear, were very clear. 14:50

16 499 Q.    I understand that, but I think it's fairly simple  
17 question.

18          A.    Maybe I'm not answering it properly.

19 500 Q.    Are you saying that you did and said nothing which  
20 could have given rise to that error? 14:50

21          A.    That's my belief, yes, absolutely.

22 501 Q.    Now, you've given an account of the circulation of  
23 drafts, and I understand you're claiming privilege in  
24 respect of that, is that right?

25          A.    That's correct. 14:50

26 502 Q.    But on the Monday morning you say you had only a  
27 fleeting opportunity to see the document and to put  
28 your name underneath it?

29          A.    That's correct.

1 503 Q. In writing. And what did you think you were doing when  
2 you were writing your name on that occasion?

3 A. I didn't think -- I knew I was signing a document that  
4 put certain responsibility on me for that document.

5 504 Q. Yes. 14:51

6 A. I'm not stepping back from that.

7 505 Q. Yes.

8 A. I'm just saying unfortunately, the unfortunate issue  
9 was, Judge, that I should have been more firm and said,  
10 look, I need to read this. Unfortunately I wasn't. 14:51

11 506 Q. Could I ask you to go to the Module 1 submissions,  
12 1439.

13 CHAIRMAN: These are the submissions of the 11th June  
14 '15, I take it?

15 MR. McDOWELL: Yes. These claim to be -- on page 1439, 14:52  
16 they're described as "written submissions on behalf of  
17 the Commissioner of An Garda Síochána and others".  
18 Paragraph 1 says:

19  
20 "These written submissions are made on behalf of the 14:52  
21 Commissioner of An Garda Síochána, Superintendent Noel  
22 Cunningham, Superintendent Karl Heller, former  
23 Assistant Commissioner Catherine Clancy, former Chief  
24 Superintendent Colm Rooney and former Superintendent  
25 Maura Lernihan." 14:53

26  
27 Now, Ms. Ryan said that she circulated these to you.  
28 Did you read them?

29 A. I think you've opened your question, Judge, with, I'm

1 claiming privilege in relation to these things.

2 507 Q. Okay. I won't push you any further on that.

3 A. Thank you.

4 508 Q. Did you ever see them, as a matter of interest?

5 A. I think it's the same question asked differently,  
6 Judge.

14:53

7 509 Q. You're going to claim privilege on the issue as to  
8 whether you ever saw the submission which was made in  
9 your name?

10 CHAIRMAN: Well, it seems a reasonable question,  
11 Mr. McDowell. I just want to see where we're at at  
12 this, because the document circulating it, the email  
13 circulating it starts out with a kind of a warning, a  
14 bit like don't eat sushi fish in Japan unless it's been  
15 prepared by the proper chef. Sorry, that is perhaps a  
16 crazy way of getting to the exact point, is: what is  
17 in this is important. You need to check every word,  
18 and please come back if there's anything that is  
19 incorrect; in other words, it's a serious business.

14:54

20 A. And I think I answered you, Judge, I answered counsel  
21 in relation to that, that I sent in certain documents,  
22 Judge, in relation to the matter. I think I have  
23 already said that, Judge.

14:54

24 CHAIRMAN: Okay.

25 A. I sent in the report and indeed I sent in all of the  
26 supporting documents. I've already answered that,  
27 Judge.

14:54

28 CHAIRMAN: So it's 3162 is the answer to that. It's  
29 your 9th -- the 9th June schedule which refers to

1 your -- sorry, it's the schedule which refers to your  
2 9th June email with attachments, unspecified number.

3 A. Yes.

4 CHAIRMAN: That's your answer to that.

5 A. That's correct, Judge.

14:55

6 CHAIRMAN: Mr. McDowell, is that fair enough?

7 MR. MCDOWELL: I think that's as far as we're going to  
8 get to, obviously, so I'm not going to prise any  
9 further on that issue.

10 510 Q. But could I ask you now to go to page 1452? Have you  
11 got that? At page 1452, having recited various  
12 matters, it says:

14:55

13

14 "At this stage, unbeknownst to then-Superintendent  
15 Cunningham, Sergeant McCabe had been aware of the  
16 directions for almost three weeks. As Sergeant McCabe  
17 was unaware that Inspector Cunningham had not received  
18 the directions during this period, he appears to have  
19 inferred or surmised that, for whatever reason, this  
20 delay was calculated to prolong the distress of the

14:56

21 investigation. Inspector Cunningham, since promoted to  
22 superintendent, will absolutely deny he was guilty of  
23 any deliberate delay and he will say that the delay was  
24 as a result of the procedure he had put in place which  
25 was calculated in the utmost of good faith to spare  
26 Sergeant McCabe any additional stress if the directions  
27 were to have been accessed by any member but Inspector  
28 Cunningham."

14:56

14:56

29

1 That, I take it, must have come from you?

2 A. Yes.

3 511 Q. And then paragraph 67:

4

5 "Inspector Cunningham informed the complaining party 14:57  
6 first and then sought to meet Sergeant McCabe to inform  
7 him. Sergeant McCabe initially refused to meet him but  
8 the meeting took place on 8th May 2007 and Sergeant  
9 McCabe was accompanied by Sergeant McArdle."

10

11 Can we just stop there. She was there in her AGSI  
12 role, is that right?

13 A. Well, she was there -- when I went in initially, Judge,  
14 I had facilitated Sergeant McCabe with this meeting at 14:57  
15 8:00pm in the evening after my day's work. I travelled  
16 to Bailieboro to meet him in a location he asked me to  
17 do so. And on entering the small room in the hotel  
18 where he had arranged, I noted sergeant --

19 CHAIRMAN: No. I take it -- I take --

20 A. You know that. 14:57

21 MR. McDOWELL: Sorry, it doesn't really matter  
22 what stage it's at --

23 CHAIRMAN: Let's just hang on. I mean, both of you can  
24 take it as a fact that I remember absolutely  
25 everything. 14:57

26 MR. McDOWELL: I shouldn't have asked the question.

27 CHAIRMAN: No, no, don't worry about the question.

28 It's fine. But I remember absolutely everything about  
29 this. And Superintendent Cunningham was saying, look,

1 there was a number of things: firstly, I was in  
2 another station; secondly, I got back; thirdly, I had  
3 to go to victim first; fourthly, I was constrained to  
4 say insufficient evidence, but I didn't know the State  
5 solicitor had read the thing out over the --

14:58

6 MR. MCDOWELL: Yes.

7 CHAIRMAN: But it's there, Mr. McDowell, I appreciate  
8 it. But if there was something extra that you wanted  
9 to ask or if it's in a particular context, please do.

10 512 Q. MR. MCDOWELL: I just want to ask him about paragraph  
11 67.

14:58

12 CHAIRMAN: Yes.

13 513 Q. MR. MCDOWELL: "Inspector Cunningham informed the  
14 complaining party obviously and then sought to meet  
15 Sergeant McCabe to inform him. Sergeant McCabe  
16 initially refused to meet him but the meeting took  
17 place on the 8th May 2007 and Sergeant McCabe was  
18 accompanied by Sergeant McArdle. Superintendent  
19 Cunningham informed Sergeant McCabe that the DPP's  
20 direction recorded the phrase 'nothing of a criminal  
21 nature in the complaint'."

14:58

14:58

22  
23 Now, did you tell him that?

24 A. Well, my knowledge of it was that I -- my memory of it  
25 was, Judge, that I told him that there was insufficient  
26 evidence. But I can only say that I didn't take notes,  
27 but Sergeant McCabe and Sergeant McArdle did take  
28 notes. Now, I've never seen those notes, they've never  
29 been discovered, Judge to say -- because why it is

14:58

1 important is that, in sworn evidence, that's exactly  
2 what Sergeant McCabe said to the Tribunal. That's the  
3 language he used. But he obviously has a note of that  
4 meeting. I don't. I don't have a note.

5 514 Q. I'm just asking you -- 14:59

6 A. If I may be clear; on the day that I met them, Judge,  
7 the two of them, Sergeant McArdle had a large list of  
8 notes -- of questions, sorry, and asked me would I  
9 answer them. And I said I would if I could and I  
10 wouldn't answer what I couldn't answer. 14:59

11 515 Q. I see.

12 A. But I've never seen them, Judge, since, so I don't know  
13 what the questions were or what the answers were. But  
14 all I can say is, I believed that I told him what I  
15 told him. I could well have told him that, Judge, 14:59  
16 because Sergeant McCabe recorded that in his sworn  
17 evidence at the Tribunal that that is what I told him.  
18 He had a note of it, Judge. I didn't.

19 516 Q. I just want to be clear --

20 A. But I was acting in accordance with the instruction, 15:00  
21 Judge, from the DPP at the time, and I have them there  
22 Judge.

23 517 Q. You see, here is your counsel telling the Commission of  
24 Investigation that you informed him that the DPP's  
25 direction recorded the phrase "nothing of a criminal 15:00  
26 nature in the complaint", which is a fairly accurate  
27 description --

28 A. Yes.

29 518 Q. -- even if in shorthand --

1 A. Yes.

2 519 Q. -- of what we now know to have been the DPP's  
3 directions, isn't that right?

4 A. Yes, Judge.

5 520 Q. And I'm just wondering, did you give him that account 15:00  
6 on the day?

7 A. I can't recall. I honestly cannot recall, Judge.

8 521 Q. Did you ever say that to the D family, nothing of a  
9 criminal nature in the complaint?

10 A. Judge, I don't -- I sat with the D family for some time 15:00  
11 that morning, it was a very distressing, distressful  
12 morning. I would have been -- complied completely with  
13 what the DPP's directions said. And just on that note,  
14 Judge, and to be clear as day, I was at all times in my  
15 actions trying to protect both Maurice McCabe and 15:01  
16 Ms. D. In normal circumstances, those directions would  
17 simply go to the station, they would be recorded as  
18 such. I asked for it to be done differently, to be  
19 sent to me personally so they didn't go out for general  
20 circulation. In normal circumstances when directions 15:01  
21 like that are received, they're sent down to the  
22 sergeant in charge, sent to a guard, to deliver them.  
23 I didn't do that. I delivered the directions  
24 personally to both parties, again to protect all of the  
25 parties. I was at all times acting in the best faith 15:01  
26 to try to protect these people who, as Sergeant McCabe  
27 described, as working in very close circumstances and  
28 anything which would antagonise that would create a  
29 problem. And I was, Judge, in the best faith, trying



1 to protect all parties in this regard, and doing jobs,  
2 in fact, that weren't my job to do, that I could have  
3 easily, Judge, delegated out to somebody else to do,  
4 but I didn't.

5 522 Q. Now, paragraph 68 says:

15:02

6  
7 "Sergeant McCabe's next actions are not absolutely  
8 clear as the witnesses' memories of their conversations  
9 with him differs slightly but it appears that he wanted  
10 something additional from the DPP so as to establish  
11 his innocence to the complaining party. It is possible  
12 that these differences are because Sergeant McCabe  
13 himself changed his approach slightly over time and  
14 with different colleagues. It appears that he  
15 requested from Chief Superintendent Rooney that he  
16 contact the DPP to seek a declaration of his innocence.  
17 It's understood that should he give evidence at this  
18 point Superintendent Clancy will say that Sergeant  
19 McCabe also contacted him seeking the DPP's file in  
20 order to show it to the complaining party."

15:02

15:02

15:02

21  
22 Now, we stop there on the reference to the DPP's file.  
23 Both notes that we've spoken about in relation to your  
24 evidence make reference to the DPP's file.

25 A. Mm-hmm.

15:03

26 523 Q. You know that?

27 A. I saw that.

28 524 Q. And I take it that must have come from you?

29 A. Well, I certainly would never have said the file,

1 because he never looked for the file, certainly from  
2 me. Now, I don't know what he looked for from other  
3 people, because they're not referring to me. Those two  
4 paragraphs are referring to two other people. But he  
5 never sought the file from me. He sought the DPP's 15:03  
6 directions. Well, he sought them, he wasn't actually  
7 seeking them from me, but that was the purpose of the  
8 letter, is what he said. He was seeking from  
9 Superintendent Clancy that the DPP's directions be  
10 released to both parties. 15:03

11 525 Q. I see.

12 A. Not the file, Judge.

13 526 Q. Yes. Now, I don't want to waste our time in  
14 cross-examination here, but you do accept that both  
15 people who took a note of your consultation which 15:03  
16 you've waived privilege on, both refer to the file,  
17 seeking the file?

18 A. I saw that. But I don't know how that would have  
19 arisen, because he never looked -- I wouldn't have got  
20 the file in any event, Judge, but he never -- to -- 15:04  
21 from me, and certainly in relation to his letter of  
22 complaint to Superintendent Clancy about Mr. D, it was  
23 not seeking the file, Judge. So I could never have  
24 given that instruction to file, because the file, he  
25 simply wouldn't have got. And Sergeant McCabe would 15:04  
26 know he wouldn't get the file, Judge. It was the DPP's  
27 directions specifically he was looking for.

28 527 Q. But you've waived privilege in respect of two separate  
29 manuscript notes from two separate people which show

1           you as saying that he was seeking the file?

2           A.    well, shows that they recorded, that that's how they  
3           recorded it.

4 528 Q.    Yes.  And you can't explain that?

5           A.    No.  Because I would never have said the file.  He           15:04  
6           certainly was never, to my knowledge, ever looking for  
7           the file.

8 529 Q.    I see.

9           A.    Ever.

10          CHAIRMAN:  And then the cross-examination refers to           15:04  
11          "the full authority directions", whatever that means.  
12          It's a new phrase on me.

13          A.    It's the way people use terms and terminology, Judge.

14          CHAIRMAN:  Anyway, it's where it is.

15 530 Q.    MR. McDOWELL:  It appears that he requested from Chief           15:05  
16          Superintendent Rooney that he contact the DPP to seek a  
17          declaration of his innocence, and you're not  
18          responsible for that.

19

20          "It is understood that should he give evidence at this           15:05  
21          point, Superintendent Clancy will say that Sergeant  
22          McCabe also contacted him seeking the DPP's file in  
23          order to show it to the complaining party.  Whatever  
24          the exact nature of the request, they each refused.  
25          Chief Superintendent Rooney's evidence was that           15:05  
26          Sergeant McCabe was very angry at the refusal."

27

28          And the next paragraph --

29          A.    And I think with respect, sir, that might give some

1 clarity to the drafting, because I don't think  
2 Superintendent Clancy in his report ever suggested it  
3 was looking for the file. It was for the DPP's  
4 directions, that's what I followed up in 2008. So I  
5 think it may be a wording issue. 15:06

6 CHAIRMAN: Well, I mean, sorry, Mr. McDowell, if I can  
7 just maybe intervene, it may be helpful, I hope it is.  
8 I mean, I've never heard even of a public discussion as  
9 to whether, you know, people who are the victims of  
10 crime should get the full investigation file. I've 15:06  
11 never heard, even more extreme, the whole notion that a  
12 victim of a crime, let's suppose there is a victim of a  
13 crime, is going to get the DPP's file with kind of  
14 notes to --

15 MR. MCDOWELL: I agree. 15:06

16 CHAIRMAN: -- DPP assistance, etcetera.

17 MR. MCDOWELL: I fully agree.

18 531 Q. I think, Superintendent Cunningham, it would have been  
19 quite extraordinary for someone to seek the file  
20 itself, wouldn't it? 15:06

21 A. Absolutely.

22 532 Q. Bizarre, almost. It's just not done?

23 A. No.

24 533 Q. Perpetrators can't look for the file against them,  
25 isn't that right? 15:06

26 A. Essentially they can't even look for the DPP's  
27 directions, Mr. McDowell.

28 534 Q. And innocent people who are -- against whom no  
29 prosecution is brought, can't go hunting for the file

1           either?

2           A.    Absolutely.  Or the DPP's directions.  They can only be  
3           told what they can be told in accordance with the  
4           guidelines for prosecution, dating, at that stage,  
5           2006, and that's what I acted in accordance with,           15:07  
6           Mr. McDowell.

7           CHAIRMAN:  But if they sue, they can get discovery, I  
8           think.  There's a case on that.  I know because I was  
9           on the losing side of it.

10          MR. MCDOWELL:  Well, I think sometimes there is a --           15:07  
11          anyway, listen, I don't want to get diverted into --

12   535   Q.    But I am suggesting to you it would have been a most  
13          remarkable --

14          CHAIRMAN:  It's Kelly v. DPP, 1980.

15          MR. MCDOWELL:  It would be a most remarkable request to           15:07  
16          see the file, would you agree with that?

17          A.    Pardon?

18   536   Q.    It would have been a most remarkable request for  
19          Sergeant McCabe to say 'I want to see the file'?

20          A.    Absolutely.   15:07

21   537   Q.    And highly unlikely, I suggest?

22          A.    Oh --

23   538   Q.    "Sergeant McCabe then made a series of complaints  
24          against other officers in Bailieboro, including  
25          Superintendent Clancy, against whom he alleged a lack           15:07  
26          of support.  Chief Superintendent Rooney appointed  
27          Superintendent Cunningham to investigate these  
28          complaints."  
29

1 And you have made it very clear that that immediately  
2 raises the red flag: how would a superintendent be  
3 investigating a complaint against a fellow ranking  
4 superintendent, isn't that right?

5 A. In fact, I was inspector when I was appointed initially 15:08  
6 to investigate it. I was appointed subsequently by the  
7 time we got it done. So it couldn't have happened.  
8 You're right, Mr. McDowell.

9 539 Q. So you're saying that that first sentence in paragraph  
10 69 simply makes no sense at all? 15:08

11 A. Well, I think it probably does in relation to once you  
12 stop at --

13 540 Q. It has a meaning, but to a garda it would be an obvious  
14 nonsense, is that right?

15 A. It wouldn't -- it doesn't -- well, it does make sense, 15:08  
16 provided it's not me that's appointed to investigate  
17 it. He could have made the complaints against anybody,  
18 but I couldn't have investigated it.

19 541 Q. And then it says:  
20  
21 "Superintendent Rooney appointed Superintendent  
22 Cunningham to investigate these complaints.  
23 Superintendent Cunningham attempted to meet Sergeant  
24 McCabe to discuss the complaints and finally did so on  
25 the 25th August 2008. On this occasion Superintendent 15:09  
26 Cunningham was accompanied by Sergeant Yvonne Martin."  
27  
28 And then it says at paragraph 70:  
29

1 "It's understood that Superintendent Cunningham and  
2 Sergeant Martin will give evidence that Sergeant McCabe  
3 said at the meeting that the complaint which he had  
4 made alleging lack of support as referred to in the  
5 preceding paragraph was a bid by him to have the full 15:09  
6 DPP's directions conveyed to him and the complaining  
7 party. This is recorded in a report of the meeting  
8 prepared jointly by Sergeant Martin and  
9 Superintendent Cunningham."

10  
11 Now, two things: we know now that Sergeant Yvonne  
12 Martin was never contacted at all and had nothing to do  
13 whatsoever with this paragraph, isn't that right?

14 A. Oh, yeah, absolutely.

15 542 Q. The Tribunal knows that? 15:10

16 A. She wasn't there, no.

17 543 Q. You can assume --

18 A. She wasn't there.

19 544 Q. -- this is total news to her, that this was happening,  
20 and secondly -- or that she will be giving evidence 15:10  
21 along those lines. Do you suggest that somebody else  
22 may have given them that information or is that your  
23 information?

24 A. Well, if you take out what's actually in the brackets,  
25 the accurate -- the paragraph is correct. 15:10

26 545 Q. Yes. So if you --

27 A. If you take out just what's in the brackets, the  
28 paragraph reads correctly.

29 546 Q. Yes. And you're not to blame for what is in the

1 brackets, is that right?

2 A. The brackets, I would respectfully suggest, is putting  
3 together three documents.

4 547 Q. I see.

5 A. Two of which I had nothing got to do with. 15:10

6 548 Q. And then at paragraph 71:  
7  
8 "It's submitted that these interactions are critical to  
9 the understanding of the behaviour of Sergeant McCabe  
10 and of the responses of the various officers to his 15:11  
11 complaints."  
12

13 If we stop there. Was that what you believed?

14 A. No, that wasn't my -- that paragraph is nothing got to  
15 do with me. 15:11

16 549 Q. Yes.  
17

18 "Prior to this, the complaints he had made were few in  
19 number and adequately dealt with. Thereafter, they  
20 multiplied and showed a tendency to exaggeration, such 15:11  
21 as in relation to this incident which is recognised by,  
22 among others, Assistant Commissioner Byrne and Chief  
23 Superintendent McGinn."  
24

25 Now, just two things there. The allegation of 15:11  
26 exaggeration was that he had described it as a sexual  
27 assault on the bus.

28 A. Oh, this is going back in --

29 550 Q. Yeah. We're talking about Lorraine Browne.



1 A. Yes, I think that wasn't agreed with, and I think it  
2 was discussed here last week in relation to what  
3 occurred.

4 551 Q. Yes.

5 A. It was very unpleasant behaviour. But on the levels of 15:12  
6 sexual assault, I think I have written on a file very  
7 recently and it was actually very same type of incident  
8 happened in the shopping centre and unfortunately the  
9 DPP said it didn't reach the threshold for prosecution  
10 and it was almost a similar incident, Judge. 15:12

11 CHAIRMAN: well, there was a groping, someone grabbed  
12 somebody's backside.

13 A. Yes, that is what I am talking about.

14 CHAIRMAN: Young men talking volubly about her private  
15 parts. To say the least, it was unpleasant. It wasn't 15:12  
16 the kind of bus journey you or I would have liked to  
17 have been on.

18 A. Certainly not. It was drunken behaviour, Judge.

19 552 Q. MR. McDOWELL: what I wanted to elicit from you,  
20 Superintendent Cunningham, was it on your instruction 15:12  
21 that the allegation that exaggeration was made?

22 A. No, no. Absolutely not.

23 553 Q. You didn't believe that he was exaggerating?

24 A. I didn't comment on it, Mr. McDowell, irrespective of  
25 what I thought. 15:12

26 554 Q. And then we come to 72:  
27  
28 "These issues will be relevant to subsequent modules  
29 where they can be considered again. However, in

1 relation to this specific module, it is submitted that  
2 Sergeant McCabe's disaffection motivated him to contact  
3 Ms. Browne to encourage a complaint to GSOC and to  
4 include it in his 'Brief Proven Facts Pertaining to My  
5 Complaint' document." 15:13

6  
7 well, now, first of all, in relation to those remarks,  
8 did you instruct anybody to say that Sergeant McCabe  
9 had become disaffected?

10 A. No, no. 15:13

11 555 Q. Because for once I decided to look at the dictionary,  
12 and the meaning of 'disaffection'. It means a  
13 disinclination to respect authority or to obey orders.

14 A. I certainly had no difficulty that way with Sergeant  
15 McCabe. I had nothing got to do with paragraph 72. 15:13

16 556 Q. But these submissions are being made by somebody.

17 A. Oh, if you went to the start of it --

18 557 Q. -- accusing Sergeant McCabe of disaffection at this  
19 stage, and these submissions are written submissions  
20 which were sent to you, and are you saying that these 15:14  
21 were somebody else's theories?

22 A. There was other parties contributing to it, and I'm  
23 sure they would have the evidence to support their  
24 assertions. I wasn't dealing with that, Judge.

25 558 Q. I see. So the accusation there of disaffection, which 15:14  
26 is a serious accusation to make against a garda, isn't  
27 it, if I was to say to you that you were a disaffected  
28 member of An Garda Síochána, not a loyal member, you  
29 would take offence at it, wouldn't you?

1 A. Well, certainly having gone through what I've gone  
2 through for the last ten years, I think I'm doing well,  
3 still as loyal and as robust as I am today, Judge, and  
4 I am certainly anything but disaffected. I'm very  
5 committed. It's not a good thing to say about anybody. 15:14  
6 It was not my assertion. It was not my paragraph. It  
7 was not my contention.

8 559 Q. I have got to suggest to you that you would take  
9 offence if I were to accuse you of disaffection, and  
10 I've got to suggest to you that to Sergeant McCabe it 15:14  
11 was a very offensive remark.

12 A. I'm sure it was.

13 560 Q. And having accused him of disaffection, they said that  
14 it was that that motivated to tell Ms. Browne to  
15 contact GSOC? 15:15

16 A. Again, not my contention.

17 561 Q. Yes. Well, we've heard here from Mr. Smyth that there  
18 was nothing wrong in him doing so according to  
19 Mr. Smyth in his sworn evidence before this Tribunal.  
20 In any event, the suggestion in the written submission, 15:15  
21 which unfortunately was put in in your name among  
22 others, is that Sergeant McCabe was disaffected because  
23 of the previous matters that were referred to, all of  
24 which appear to be erroneous, and that this caused him  
25 to behave wrongly in respect of the Lorraine Browne 15:15  
26 matter.

27 A. I made no contributions to that paragraph, Judge. None  
28 whatsoever.

29 562 Q. Now, can I ask you then to look at the overall

1 submissions that were made, at 2897, in volume 5.

2 CHAIRMAN: This is at the entire end of O'Higgins?

3 MR. MCDOWELL: This is at the end -- these are the  
4 overall submissions, in early 2016.

5 563 Q. Can I ask you to go to page 2902, paragraph 47. I  
6 don't know, have you got that ahead of you there?

7 CHAIRMAN: Just remind me of the date, if you wouldn't  
8 mind, please.

9 MR. MCDOWELL: This is 1st February 2016.

10 CHAIRMAN: Yes.

11 MR. MCDOWELL: Again, according to paragraph 1 on page  
12 2881, these were -- sorry, paragraph 1 on page 2897,  
13 these submissions were made on your behalf and on  
14 behalf of the Commissioner. They say:

15  
16 "These written submissions are made on behalf of the  
17 Commissioner of An Garda Síochána, the members of the  
18 force in general and, in particular, Chief  
19 Superintendent Michael Clancy and Superintendent Noel  
20 Cunningham."

21  
22 And at paragraph 47 they read:

23  
24 "The Commission has heard from a number of witnesses in  
25 relation to the effect of them of the allegations made  
26 by Sergeant McCabe."

27  
28 And this is allegations of corruption and malpractice.

29

1 "This includes emotional and reputational effect and in  
2 some cases being forced to resign from their  
3 positions."  
4  
5 was that done on your say-so, that suggestion? I'm 15:18  
6 only asking you to speak for yourself. I'm just asking  
7 you, did you authorise your counsel to make those  
8 submissions, that people had been forced to resign  
9 because of their positions because of Sergeant McCabe?  
10 A. I certainly didn't know of anybody who resigned. 15:19  
11 564 Q. I see.  
12 CHAIRMAN: well, the last time that question was asked,  
13 obviously the obvious resignee at that point was  
14 Commissioner Callinan.  
15 A. well, I don't know why he resigned, Judge. 15:19  
16 565 Q. MR. MCDOWELL: The next paragraph reads:  
17  
18 "Also affected were the victims of crime with whom  
19 Sergeant McCabe dealt with directly who were  
20 erroneously led to believe that they were being 15:19  
21 disserved by An Garda Síochána. This, in turn, led to  
22 those victims being put through further unnecessary  
23 suffering."  
24  
25 was that done on your account? 15:19  
26 A. I think, didn't Mr. O'Higgins find that Sergeant McCabe  
27 acted with full propriety in relation to --  
28 566 Q. This is before he makes his findings. This is a  
29 submission in your name.

1 A. Well, I -- no.

2 567 Q. And you're one of the particular Gardaí particularised  
3 for this. That is not your view of the matter?

4 A. No.

5 CHAIRMAN: Well, just if I might just intervene there. 15:20  
6 There was a reference you made in the transcript to  
7 having a people-carrier, and you've said that just  
8 today, and you were going home, effectively you were  
9 the taxi from time to time for young people coming home  
10 from discos or parties, or whatever. 15:20

11 A. Yes.

12 CHAIRMAN: And that you had considerable disrespect  
13 when young lads had a few drinks. There was also a  
14 reference to, and I don't want to bring up the name, if  
15 you don't mind, a meeting concerning a dangerous 15:20  
16 driving causing death, a really tragic case.

17 A. That was tragic.

18 CHAIRMAN: And for whatever reason, you felt that --

19 A. Absolutely.

20 CHAIRMAN: -- that being raised was due to Sergeant 15:20  
21 McCabe. I think it is fair to say that, on the basis  
22 of the transcript, those matters were mentioned.

23 A. And on the basis of what I learned, Judge,  
24 subsequently, because I didn't know who made the  
25 complaint. 15:20

26 CHAIRMAN: I'm not going into that.

27 A. I appreciate that.

28 CHAIRMAN: That's certainly what you believed at the  
29 time.

1 A. Absolutely.

2 CHAIRMAN: Whether you were right or wrong, I can't  
3 decide one way or the other.

4 A. Absolutely.

5 MR. MCDOWELL: You see, the point about that, Judge, is 15:21  
6 this: if the Tribunal would now look at page 2786.

7 CHAIRMAN: Yes. Is that the bit I've just referred to,  
8 Mr. McDowell?

9 MR. MCDOWELL: Well, it's the bit that comes after the  
10 bit that you've just referred to. 15:21

11 CHAIRMAN: No. I get it. This is, I've been -- "we've  
12 been sold a pup"?

13 MR. MCDOWELL: It's where Mr. Justice O'Higgins says:  
14

15 "Just before going on to the next witness, I think that 15:21  
16 some response is necessary in relation to what  
17 Mr. McDowell has said."

18 CHAIRMAN: Yes.

19 MR. MCDOWELL: "There were matters adduced in evidence  
20 this morning, given in evidence by Superintendent 15:21  
21 Cunningham which are of no relevance whatsoever to this  
22 inquiry. They were matters, one of which has been  
23 already referred to in an earlier module, being subject  
24 to comment by the Commission, and the other two  
25 referred to incidents in which people were named in the 15:21  
26 context of investigations that are of no concern with  
27 this inquiry. The matters mentioned in relation to  
28 Sergeant McCabe which was already referred to in  
29 another module is of no concern to this inquiry and I

1 will not be dealing with it in the report and it was  
2 not helpful to the Commission in its work that those  
3 matters were mentioned."

4  
5 I just want to --

15:22

6 CHAIRMAN: No, I do understand that, Mr. McDowell.  
7 Mr. McDowell, I do see your point.

8 MR. MCDOWELL: Yes.

9 CHAIRMAN: But I think the point here is that if they  
10 weren't relevant then, they are certainly not relevant  
11 now. What may be relevant is that Superintendent  
12 Cunningham had a particular view in relation to a  
13 particular meeting, and, please, let's not bring up  
14 that meeting. I dread what may happen if we do.

15:22

15 MR. MCDOWELL: Judge, I think if you just let me  
16 develop the point slightly.

15:22

17 CHAIRMAN: Yes. Well, could we just leave names out of  
18 it, if you wouldn't mind, Mr. McDowell.

19 MR. MCDOWELL: I don't want to get any names into  
20 anything, Judge. Sorry, Judge, I just want to make  
21 this point, if you would let me, Judge, I want to make  
22 this point: that having received a ruling from the  
23 Commission that this was irrelevant, they subsequently  
24 put in a submission relying on all this material as an  
25 overview. That is the point I'm making.

15:22

15:23

26 CHAIRMAN: I see your point. Yes.

27 MR. MCDOWELL: And this goes straight to the terms of  
28 reference of this Tribunal, that matters which should  
29 not have been relied upon were relied upon, in this



1 way. And, I mean, the witness is saying, and I fully  
2 accept it if he says it, that he had nothing to do with  
3 preparing those three paragraphs in the submission, but  
4 counsel on behalf of somebody made submissions on  
5 matters that the Commission had already ruled were 15:23  
6 irrelevant and asked the Commission to draw adverse  
7 inferences about Sergeant McCabe on that basis.

8 CHAIRMAN: I see your point. And I also recall you  
9 saying in the transcript that, look, if we were to give  
10 evidence on this, we would have a very different view. 15:23

11 MR. McDOWELL: I said if we were to give evidence on  
12 this matter of credibility, we would be back in a few  
13 weeks' time, I said.

14 CHAIRMAN: Well, you did. But you said also, look, we  
15 would take a very different view to the view that seems 15:23  
16 to have been taken.

17 MR. McDOWELL: Exactly.

18 CHAIRMAN: Yes. I mean on evidence, obviously. All  
19 right. So those matters were mentioned, and the  
20 question is: Having been mentioned and having been -- 15:24  
21 okay, Mr. Justice O'Higgins did listen to you in  
22 relation to the two points we've mentioned, the  
23 people-carrier, what people were saying to you, and  
24 then the other issue in relation to the very, very --

25 A. Yes. 15:24

26 CHAIRMAN: -- awful case and what you thought you  
27 learned from somebody else, and let's not go there.  
28 That seems to have informed the submission and that's  
29 what Mr. McDowell is asking you about.

1 A. Well, I thought the submissions were actually referring  
2 to the cases being dealt with before the Commission,  
3 not other cases. That was my understanding of reading  
4 that paragraph, but then -- that's my understanding of  
5 it, not referring to this stuff at all. And this 15:24  
6 stuff -- pardon me -- this was in context of how it  
7 was -- pardon me, I'm sorry -- affecting me, Judge.  
8 Nobody else. Sorry, I lost my breath.

9 568 Q. MR. McDOWELL: You see, also I think you were -- before  
10 the Commission when Mr. Justice O'Higgins went on, it's 15:25  
11 not in the core documents of this Commission, of the --  
12 it's not in the core documents which have been  
13 circulated, but the Commission itself ruled that,  
14 because of the content of what had been said by you on  
15 that day, that the transcript would not be circulated? 15:25

16 A. Well, I think in context, what I had said was, that I  
17 had never referred to the fact that I had carried out  
18 an investigation. That was the context of it. It was  
19 in a negative, Judge.

20 CHAIRMAN: Yes. 15:26

21 A. What I had said --

22 CHAIRMAN: I appreciate that. But the more we go into  
23 this, I think the worse things get, Mr. McDowell.

24 MR. McDOWELL: I'm trying to get it very clear that the  
25 submission that was put in, in February 2016, relied on 15:26  
26 material which the O'Higgins Commission had ruled  
27 inadmissible and irrelevant.

28 A. Well, that wasn't my interpretation of it.

29 CHAIRMAN: Indeed, that could be true, but then the

1 reference on day 3 to the real or perceived grievance  
2 that comes up in the question of Mr. Smyth, I mean,  
3 that could be the same.

4 MR. MCDOWELL: well, I was going to come back to that  
5 now, Judge.

15:26

6 569 Q. If there had been a clear understanding and no failure  
7 of communication and absolute clarity that when you  
8 went in August of 2008 to Mullingar to speak to  
9 Sergeant McCabe, you are not there to investigate any  
10 of the complaints which the O'Higgins Commission of  
11 investigation was inquiring into, which you weren't,  
12 isn't that right?

15:26

13 A. That's correct.

14 570 Q. Can you tell me, if that had been clearly understood --  
15 well, firstly, that letter could never have been  
16 written, isn't that right?

15:27

17 A. Which letter?

18 571 Q. The letter of May 18th, 2015, couldn't have been  
19 written?

20 A. If what?

15:27

21 572 Q. If they had understood and clearly understood and  
22 appreciated that you were there to investigate --

23 A. Yeah.

24 573 Q. -- an entirely different matter, which was your  
25 problems with Mr. D?

15:27

26 A. I don't grasp it, I'm sorry.

27 CHAIRMAN: You didn't have any problems with Mr. D.  
28 That's Sergeant McCabe's --

29 MR. MCDOWELL: Sorry, Sergeant McCabe's problems with

1 Mr. D. Sorry, let's go back over this. In August of  
2 2008 you finally met Sergeant McCabe in Mullingar,  
3 isn't that right?

4 A. That's correct, Judge.

5 574 Q. You met him there on the instruction of Chief 15:28  
6 Superintendent Rooney?

7 A. That's correct.

8 575 Q. He had left Bailieboro in March of 2007 -- 2008,  
9 rather, the previous year, is that right?

10 A. I think it was later. I took over in March 2008. I 15:28  
11 think it was a little bit later that he actually left.  
12 He went sick, and then I think it was very soon after  
13 that he went to Mullingar.

14 576 Q. Well, roughly around March 2008, are my instructions.  
15 A. Months, mm-hmm. 15:28

16 577 Q. You were sent to investigate what?  
17 A. The complaints against Mr. D.

18 578 Q. Yes.  
19 A. The allegations he had set out in his letter in  
20 February. 15:28

21 579 Q. Yes. And I've got to suggest to you that nothing you  
22 discussed with him that day and nothing he said to you  
23 that day could ever have been relevant to the question  
24 of his motivation or credibility?

25 A. I didn't say it was. I never -- 15:28

26 580 Q. No, I'm not asking --  
27 A. I never said it was.

28 581 Q. I'm not asking you to say that you did say it was. I'm  
29 asking you to agree with me, that if everybody had

1 understood with crystal clarity what you were doing --

2 A. Yes.

3 582 Q. -- in August 2008 --

4 A. Yes.

5 583 Q. -- it spoke nothing as to his credibility or his 15:29  
6 motivation?

7 A. No, no.

8 584 Q. would you agree with me?

9 A. Absolutely, yes.

10 585 Q. And therefore, I'm suggesting to you that the whole 15:29  
11 exercise that was carried out that weekend was not  
12 merely on a clerical error, it was on a massive  
13 intellectual and factual mistake?

14 A. Well --

15 586 Q. That, somehow, what you said or did with Sergeant 15:29  
16 McCabe on the 28th -- sorry, in August 2008, was  
17 somehow relevant to his motivation and his credibility?

18 A. Well, Judge, all I can say is, I gave the details of a  
19 lot of things in relation to my dealings with Sergeant  
20 McCabe -- 15:30

21 587 Q. Yes.

22 A. -- I didn't know how, indeed if any of it was going to  
23 be used, and then subsequently it was.

24 588 Q. Yes.

25 A. And then I ended up contributing to the document. Its 15:30  
26 significance or otherwise, Judge, was in relation to --  
27 that I had to put in the details or ensure the details  
28 in relation to my dealings with Sergeant McCabe were  
29 correct. But in relation to, and I think it's been

1 clear in this module, that meetings took place and a  
2 decision was made as to challenging his motivation, I  
3 wasn't party to those meetings, I wasn't present.

4 589 Q. Yes.

5 A. I didn't even know they happened, Judge. 15:30

6 590 Q. Well, that is very useful, because I didn't want to pry  
7 into your privilege --

8 A. Well, I have no difficulty, because I wasn't -- and I  
9 didn't, and I wasn't consulted, Judge. And I think  
10 it's clear, it's not going in on my privilege because I 15:30  
11 think it came up in the transcripts who attended those  
12 meetings, and my name didn't come up, because I wasn't  
13 there? So it's not going on -- near my privilege.

14 591 Q. What I'm really trying to get you to, and I think you  
15 agree with me on this so I don't think there is much 15:31  
16 difference between us on this, that nothing that took  
17 place in Mullingar that day, that you arrived in with  
18 Yvonne Martin on the instruction of Chief  
19 Superintendent Rooney, had anything to do with Sergeant  
20 McCabe's motivation or credibility? 15:31

21 A. It was only to do with -- no. It was only to do with  
22 the allegations he'd made against Mr. D. That is what  
23 I was there to deal with. That and that alone.

24 592 Q. And therefore, what I am suggesting to you, not merely  
25 could that letter not have been written with the word 15:31  
26 "to" or "against" properly put in, but that the letter  
27 itself was based on a huge error of understanding?

28 A. Well, I can't say how anybody else understood it or  
29 misunderstood it. I can only say my understanding of

1           it. My understanding of it is very clear. Well, I  
2           hope it is very clear.

3 593 Q.    Let's take it piece-by-piece, Superintendent  
4           Cunningham. Firstly, we know that Superintendent  
5           Clancy had been asked by Sergeant McCabe orally to have 15:32  
6           the DPP's direction conveyed to the D family in order  
7           to alleviate the tension in the station?

8           A.    Yes.

9 594 Q.    We know that Superintendent Clancy said, and he may  
10          have said: I don't think I can do it for you, but put 15:32  
11          it in writing to me why it is you say that I should do  
12          this. Isn't that right?

13          A.    And I learned that at the O'Higgins Commission, Judge,  
14          because when I got that document, I didn't know the  
15          genesis of it. I didn't know and there's nothing -- I 15:32  
16          have provided all of the documentation to the  
17          Commission, Judge. It is simply sent to me as a  
18          standalone document --

19 595 Q.    Yes.

20          A.    -- investigate these allegations, period. It was never 15:32  
21          explained to me. I know it came out in O'Higgins,  
22          Judge, that it was, I think the expression was used, a  
23          business case.

24 596 Q.    Yes.

25          A.    And I think that terrible word arrived from yourself in 15:33  
26          relation to blackmail.

27 597 Q.    Yes.

28          A.    And I think it was the first time I said I'd ever heard  
29          that word being used, and I think Mr. O'Higgins

1 interjected and used a more benign term, to lever  
2 Superintendent Clancy.

3 598 Q. Well, now, can we do two things. Can we clarify that  
4 when you set out on that journey to Mullingar, you did  
5 not know or appreciate that Superintendent Clancy had 15:33  
6 requested --

7 A. No.

8 599 Q. -- Sergeant McCabe to write him that letter?

9 A. No.

10 600 Q. Is that right? 15:33

11 A. No, I didn't.

12 601 Q. So it looked to you like just a blast of complaints  
13 against Mr. D?

14 A. Well, it was setting out what he wanted. At the end of  
15 it, he clearly said the DPP's -- but there was, 15:33  
16 unfortunately, as you'd expressed it, a blast of  
17 complaints.

18 602 Q. Yes. And it looked as if -- it looked on the face of  
19 it as if he was making a demand and making complaints  
20 against Mr. D in the same breath, so to speak, for the 15:34  
21 first time?

22 A. Yeah, I'm not sure if "demand" is the right word. But  
23 he certainly --

24 603 Q. A request?

25 A. Yeah. And he was very pleasant in his language in that 15:34  
26 request, you know what I mean? Asking as nicely as  
27 possible.

28 604 Q. Yes.

29 A. But in the middle of it, unfortunately, was this list



1 of allegations.

2 605 Q. Bullet-points.

3 A. Serious allegations. Well, they are serious

4 allegations. From a policing perspective it was

5 serious allegations. 15:34

6 606 Q. Well, for instance, I mean, I don't know whether you

7 knew it at the time, but the bullet-point dealing with

8 Mr. D's behaviour at the suicide scene --

9 A. Had been dealt with.

10 607 Q. -- had been dealt with before? 15:34

11 A. Yes.

12 608 Q. And had been fully documented by Sergeant McCabe in a

13 report, hadn't he?

14 A. And I think I made that clear to Sergeant McCabe at the

15 meeting in Mullingar. 15:34

16 609 Q. Yes.

17 A. That I knew about that one.

18 CHAIRMAN: And then it actually was in the file

19 prepared by superintendent Cunningham to the DPP as an

20 issue in the background that could be important. 15:34

21 MR. McDOWELL: Exactly.

22 610 Q. So that you knew that long before?

23 A. That one.

24 611 Q. And that was a fairly serious matter?

25 A. Oh, yes, absolutely. 15:35

26 612 Q. Because it involved a suggestion that he had behaved

27 wholly inappropriately?

28 A. Absolutely.

29 613 Q. And that he used an unmarked Garda car while drunk?

1 A. Absolutely.

2 614 Q. And that he fled the scene, and all the rest of it?

3 A. Well, whatever about fleeing the scene, it's an emotive  
4 term.

5 615 Q. Sorry, he was dismissive -- dismissive was the -- 15:35

6 A. He certainly wasn't acting appropriately and I think he  
7 was dealt with appropriately.

8 CHAIRMAN: I think it was the 11th January '06, I think  
9 he was asked to leave by Sergeant McCabe, who came on  
10 the scene, and said, look, this is not correct. 15:35

11 MR. McDOWELL: Absolutely.

12 616 Q. But the point I'm making is that, and this is the point  
13 I really want to get to, Superintendent: this was old  
14 hat within An Garda Síochána in that disciplinary  
15 action had been taken on foot of it, isn't that right? 15:35

16 A. On that one, yes, on that one.

17 617 Q. On that one. And now you have Sergeant McCabe in  
18 August, in Mullingar, and you arrive thinking that --  
19 not knowing that this was a solicited letter and not  
20 informed of that, and told to investigate it as if he's 15:36  
21 making these charges, as if he had made these charges a  
22 year earlier, unfinished business kind of thing, isn't  
23 that right?

24 A. Well, he had made the allegations on the paper, and it  
25 was sent to me to investigate. I had no -- 15:36

26 618 Q. It was a whole year earlier, isn't that right?

27 A. Well, there was quite a fall in time, because Sergeant  
28 McCabe was off sick.

29 619 Q. Yes.

1 A. And I know the correspondence shows I had difficulties  
2 actually getting a meeting with him, and eventually we  
3 did, on that date.

4 620 Q. Even if you take a few months off it, it seems to have  
5 been over a year old this letter, and you're sent to 15:36  
6 investigate the charges?

7 A. Yes.

8 621 Q. And I've got to suggest to you that Sergeant McCabe was  
9 very distressed --

10 A. Yes. 15:37

11 622 Q. -- that this was now being reopened again, he having  
12 left Bailieboro, isn't that right?

13 A. Yes.

14 623 Q. And what's more, that his solicitor, Mr. Costello,  
15 wrote to you, isn't that right? 15:37

16 A. Mm-hmm.

17 624 Q. Asking you to desist from this, that it was only adding  
18 to his stress and difficulties?

19 A. And I reported that along the line and I was directed  
20 to go back and do it. 15:37

21 625 Q. Yes, exactly.

22 A. That was my -- it's a disciplined organisation, Judge.  
23 I didn't make this call.

24 626 Q. Yes.

25 A. I wrote as I found it and I wrote as Mr. Costello wrote 15:37  
26 to me, and each time - it's on the document submitted,  
27 Judge, here - I was directed to go back and do it.

28 627 Q. And then that Mr. Costello then wrote to the assistant  
29 commissioner for human resources in An Garda Síochána?

1 A. I didn't know that.

2 628 Q. You didn't know about that?

3 A. No.

4 629 Q. You probably will remember the next bit; and that  
5 eventually there was a change in that position and 15:38  
6 Nóirín O'Sullivan became the assistant commissioner for  
7 human resources, and that she eventually directed that  
8 your investigation should be stood down and that the  
9 matter should be subsumed into Byrne and McGinn?

10 A. That's right. 15:38

11 630 Q. Isn't that right?

12 A. Thank God, yes. That is what happened.

13 631 Q. So that what I am suggesting to you now, looking back,  
14 and hindsight is 20/20 vision, we know that, this was  
15 no basis on which to impugn Sergeant McCabe's 15:38  
16 credibility or integrity, the contents of that letter?

17 A. No. I don't see how it would.

18 632 Q. Isn't that right?

19 A. I don't see how it would.

20 633 Q. It couldn't have been? 15:38

21 A. It was an allegation against a colleague.

22 634 Q. Yes.

23 A. It wasn't impugning -- now, I don't know, I don't think  
24 he actually did follow it up. Sergeant McCabe will  
25 know better than that. I don't know if the allegations 15:39  
26 were actually ever pursued by McGinn/Byrne, I don't  
27 know that, because they took over the investigation and  
28 maybe that could be clarified. But, you know, what I  
29 mean, he made these serious allegations. I'm not sure

1 if they were ever pursued. I don't know because I  
2 didn't do them. They were subsumed into the  
3 McGinn/Byrne, as you said, Judge.

4 635 Q. what I am really suggesting to you is that what  
5 happened over the weekend of the 15th to 18th May 2015 15:39  
6 seems, on the basis of what you're telling us here now,  
7 to have been based on a massive misunderstanding of  
8 what you were doing in Mullingar that day, why you were  
9 there, why Sergeant McCabe had ever written the letter,  
10 and that none of it spoke to his credibility, integrity 15:39  
11 or motivation?

12 A. Well, somebody clearly misunderstood that the complaint  
13 was against Superintendent Clancy, when it never was.

14 636 Q. And, you see, what worries me about this, and I do have  
15 to put this to you, and I hope you don't take offence, 15:40  
16 is that, I presume that at some stage you became aware  
17 of what was in the letter of the 18th May. You heard  
18 Mr. Smyth on day 3 put its contents to Sergeant McCabe?

19 A. Well, I wasn't clear that that was its contents, Judge.  
20 Mr. Smyth was running his examination in accordance 15:40  
21 with what he was doing. I couldn't have an idea what  
22 Mr. Smyth was doing. I wasn't instructing him per se  
23 in relation to what course he was taking.

24 637 Q. Did your ears not prick up when Sergeant McCabe said  
25 that the drift of this letter was absolutely false? 15:40

26 A. I don't think the letter was referred to at all. I  
27 don't think the letter was referred to until the  
28 morning of day 5 when the letter was handed to me.

29 638 Q. The substance of the letter was?

1 A. Well, that may well have been. But I didn't -- you  
2 know, I didn't know the mistake was there. So it  
3 wouldn't have meant anything to me, if you understand.  
4 If I knew the mistake was there on that day, I would  
5 have clarified it and cleared it. We wouldn't be 15:41  
6 dealing with this now. If I had seen it on the morning  
7 of the 18th, I'd have said that's wrong, that's wrong,  
8 because it was clearly wrong. And not only that, it  
9 contradicted itself because paragraph 18 was right,  
10 paragraph 18 was correct - complaint to Superintendent 15:41  
11 Clancy. And then, in fairness, if one reads them, they  
12 should be joined, they're one and the same paragraph.

13 639 Q. Yes.

14 A. Because it says "having been appointed", I think is how  
15 paragraph 19 starts. So there's clearly referring to 15:41  
16 the first one, which was right. So the assumption  
17 would be that the second paragraph was right if the  
18 first paragraph was right, but unfortunately it wasn't.  
19 That assumption would be wrong, was clearly wrong.

20 640 Q. I follow you on all of that and I'm not differing with 15:41  
21 you in respect of the points you're now making, but  
22 what I am really -- what I am saying to you is, that  
23 Mr. Smyth put it to Sergeant McCabe that he had  
24 admitted that, owing to a grievance he had, that he was  
25 only making the complaints against Superintendent 15:42  
26 Clancy arising out of a grievance he had against An  
27 Garda Síochána?

28 A. I don't think that's shown in that piece that we saw in  
29 relation to it. And as I said, it was very confused,

1 as outlined by counsel for the Commission, when you  
2 read it, because one bit of it was right, the next bit  
3 of it was right, the next bit was wrong, and the next  
4 bit was right again, so it was very confused.

5 641 Q. You --

15:42

6 A. Sorry, if I may finish. I don't think the word  
7 "grievance" appears in those two pages at all.

8 642 Q. You were there when Sergeant McCabe rejected  
9 Mr. Smyth's questions or suggestions as absolutely  
10 false?

15:42

11 A. I was present. As I say, I can't say I was hanging on  
12 every word, but I certainly was present.

13 643 Q. Well, surely those words would mean something. If  
14 counsel for you put something to Sergeant McCabe and  
15 he's told on two occasions that the suggestion is  
16 absolutely false, surely you wondered what's happening  
17 up there now?

15:43

18 A. I can't say I recall it. My mind wandered,  
19 Mr. McDowell, I can't honestly say that I was sitting  
20 listening to every -- hanging on every word that was  
21 going on, Judge.

15:43

22 644 Q. Well, can we then go to the submission of the 11th? I  
23 know you're claiming privilege as to your involvement  
24 in that document, but you don't stand over its  
25 contents, is that right?

15:43

26 A. It's mixed up. And that's why I gave the answer I did  
27 to counsel.

28 645 Q. And I just want to be clear about this, you never  
29 instructed counsel to query Sergeant McCabe's

1 motivation or credibility?  
2 A. No, no, not at all. Absolutely not.  
3 MR. MCDOWELL: Thank you very much.  
4 A. Thanks, Judge.  
5 CHAIRMAN: Is there anything arising out of that? 15:44  
6 MR. SREENAN: A few questions then, Chairman.  
7  
8 SUPERINTENDENT NOEL CUNNINGHAM WAS CROSS-EXAMINED BY  
9 MR. SREENAN:  
10 15:44  
11 646 Q. MR. SREENAN: Do I understand it, Superintendent  
12 Cunningham, that Sergeant McCabe, and just casting your  
13 mind back now to May of 2015, Sergeant McCabe had made  
14 a number of allegations not just against Mr. D and  
15 other members of the force, but also against 15:44  
16 Superintendent Clancy, is that right?  
17 A. Well, not in this document, but I think --  
18 647 Q. No, not in this document, but generally?  
19 A. I think at that time there was -- around that time, and  
20 I couldn't tell you exactly, the Byrne/McGinn 15:44  
21 investigation started, and I think at that stage  
22 Sergeant McCabe was making allegations against lots of  
23 people, Judge, yes.  
24 648 Q. And were you aware by May of 2015 that, in particular,  
25 Sergeant McCabe had made allegations against 15:44  
26 Superintendent Clancy in January of 2008?  
27 A. I didn't know the date, but I was aware that he had  
28 made allegations against them, that were investigated  
29 by Byrne and McGinn. I didn't know when.



1 649 Q. And at the meeting that you were at, do you recollect  
2 any mention being made of allegations having been made  
3 against Superintendent Clancy by Sergeant McCabe?  
4 A. I'm sorry?

5 650 Q. At the meeting that you were at on 12th May 2015? 15:45  
6 A. 12th May?

7 651 Q. Yes.  
8 A. No, I didn't deal with anything to do with  
9 Superintendent Clancy, Judge.

10 652 Q. Okay. Do you remember anybody else mentioning it? 15:45  
11 A. Oh, God --

12 653 Q. And in relation to the letter of the 18th May, that you  
13 fairly accepted that there was an error --  
14 A. Yes.

15 654 Q. -- and that you didn't see it -- 15:45  
16 A. Yes.

17 655 Q. -- but I take it that you accept that, in relation to  
18 that letter, which was an important letter, counsel,  
19 who may not have been as familiar with factual history  
20 and the organisation of the Gardaí at that point in 15:45  
21 time as you would be, were relying on you and others to  
22 check the veracity of that letter and what is said in  
23 it?  
24 A. Yes.

25 656 Q. And in relation to submissions generally, and again I 15:46  
26 appreciate you're relying on your privilege, as you are  
27 perfectly entitled to, and I don't want to trespass on  
28 that in any way, but again in relation to the checking  
29 of what was in that counsel would be relying on you and

1 others who were looking at it to identify factual  
2 errors?

3 A. Yes, me and others, yes.

4 657 Q. You were talking about the letter of the 18th May being  
5 handed into the O'Higgins Commission on day 3, and the 15:46  
6 fact that the letter and the attachments were not just  
7 handed in to the Commission but also given to  
8 Mr. McDowell, and at one stage you said also, I think,  
9 if I heard you correctly, that they were handed to the  
10 Commissioner's counsel, the attachments, but I must 15:46  
11 suggest to you, you are in error in that respect  
12 because the attachments weren't handed to the  
13 Commissioner's counsel as I understand it on that day?

14 A. Well, my understanding was that they were, but if I've  
15 to be corrected -- they were given for that purpose. 15:47  
16 They were brought for that purpose. Because they  
17 wouldn't have been -- ever been there before that date.

18 CHAIRMAN: Yes, I think that was the evidence of  
19 Annmarie Ryan now, but I'm going to check that,  
20 Mr. Sreenan, obviously before my make my mind up but I 15:47  
21 think it was handed in.

22 MR. MCDOWELL: Judge, I omitted to put one point to  
23 this witness.

24 CHAIRMAN: Do you mind stopping for a second?

25 MR. SREENAN: well, I'm almost finished, Chairman. 15:47

26 CHAIRMAN: If we let Mr. Sreenan finish.

27 MR. SREENAN: And if Mr. McDowell comes back so that  
28 we're not going over and back.

29 CHAIRMAN: Yes.

1 658 Q. MR. SREENAN: In relation to the transcript that you  
2 were referred to of day 3 and the cross-examination of  
3 Sergeant McCabe, if you could look at page 979 again.  
4 If we could get 979 up on the screen. This is the  
5 question being put in relation to that 25th August 2008 15:48  
6 meeting in Mullingar. And over on page 199 of that  
7 transcript, page 980 of the Tribunal's record, question  
8 733, where it's put incorrectly to Sergeant McCabe  
9 that:

10  
11 "The sergeant had advised you, Superintendent 15:48  
12 Cunningham, that the only reason he made the complaint  
13 against Superintendent Clancy was to force him to allow  
14 you to have the full authority directions conveyed to  
15 you." 15:48

16  
17 Do I understand your evidence to be that Sergeant  
18 McCabe did accept at that meeting that the reason he  
19 made the complaint not against Superintendent Clancy  
20 but against Mr. D was to have the full DPP directions 15:48  
21 conveyed?

22 A. Yes. Yes. It was -- well, it was in the letter, it  
23 was in the minute that was sent to Superintendent  
24 Clancy.

25 659 Q. Yes. And it was in your record of the meeting as well 15:49  
26 I think?

27 A. And it was certainly reported of me, it was certainly  
28 reported, but I would have been reflecting on the  
29 letter, on the letter of complaint plus my interview

1 notes.

2 660 Q. Yes. And in that respect I think you've indicated that  
3 the allegations that were made against Mr. D were  
4 serious allegations from a policing perspective?

5 A. Absolutely. 15:49

6 MR. SREENAN: Thank you Chairman.

7 CHAIRMAN: Mr. McDowell, do you want to come back?

8 MR. MCDOWELL: I think I should clarify one thing, I  
9 didn't want to prolong things and I shortened things  
10 too much. Could the Tribunal go to page 1130, and the 15:49  
11 witness be shown that?

12 CHAIRMAN: Which day is this we're on now?

13 MR. MCDOWELL: It's the transcript of day 4, Judge.

14 CHAIRMAN: Right.

15 MR. MCDOWELL: Mr. Smyth is talking about, at question 15:50  
16 116, he's examining the witness in relation to what  
17 happened at Mullingar.

18 CHAIRMAN: Yes.

19 MR. MCDOWELL: And you'll see at the bottom of the  
20 page, this is this witness, he says: 15:50

21

22 "I left the meeting and that was fine. There was then  
23 the issues raised, which Chief Superintendent Rooney  
24 has referred to, issues raised by Sergeant McCabe in  
25 relation to this report of 25th February 2008. So this  
26 report had happened on 25th February where Sergeant  
27 McCabe had sent the report to Superintendent Clancy. I  
28 was then directed, and I couldn't be sure of the date,  
29 but I am sure the documentation will show it, I was

1 directed by Chief Superintendent Rooney to investigate  
2 those issues. I endeavoured on several occasions to  
3 meet sergeant Maurice McCabe in relation to that  
4 investigation. On 25th August 2008 in the company of  
5 Sergeant --"

6  
7 And I think that is Yvonne Martin.

8  
9 "-- I met with Sergeant Maurice McCabe at Mullingar  
10 Garda Station." 15:51

11  
12 And then I said:

13  
14 "Judge, at this stage I understand from a letter that  
15 was sent to us that a written record of this meeting 15:51  
16 was prepared by this witness."

17  
18 And Mr. Smyth says:

19  
20 "Judge, if I can be allowed to deal with it." 15:51

21  
22 And Mr. Justice O'Higgins said:

23  
24 "We will hear the application and then the response." 15:51

25  
26 And I said:

27  
28 "I need to see the written record. It hasn't been  
29 given to me and I do not want to be in a position of

1 being handed it at a late stage. I need to it.  
2 MR. SMYTH: well, Judge, the documents were handed to  
3 the Commission."

4  
5 CHAIRMAN: which could only have been on the Monday, 15:51  
6 yes.

7 MR. MCDOWELL: And then Mr. McDowell says:

8  
9 "I haven't got them.

10 MR. SMYTH: The notes and when the matter was ruled 15:51  
11 inadmissible I had assumed that --

12 MR. MCDOWELL: Sergeant McCabe has never seen these  
13 documents."

14  
15 I said. 15:52

16  
17 "Very good --"

18  
19 Said Mr. Justice O'Higgins.

20  
21 "-- you will be given an opportunity to see the 15:52  
22 document. Could the document be --"

23  
24 And Mr. Smyth said:

25  
26 "Certainly. Could Mr. McDowell specify the document?" 15:52

27  
28 And I said:

29

1 "I understand from the letter which was handed to us  
2 the other day, on 18th May, from paragraph 19 of the  
3 notes were taken at the meeting and countersigned by  
4 Sergeant blank and a detailed report of the meeting was  
5 prepared by Superintendent Cunningham." 15:52

6  
7 So Mr. Smyth then says:

8  
9 "So the notes on the report are available and will be  
10 handed. I just want to clarify what notes we are 15:52  
11 talking about. Superintendent, you have the notes  
12 which were countersigned and you have your report, is  
13 that right?

14 A. Yes.

15 Q. Well, I think copies of those can be made available 15:52  
16 to the Commission and can be given to Mr. McDowell."

17  
18 CHAIRMAN: Yes.

19 MR. McDOWELL: And Mr. Justice O'Higgins says:

20  
21 "Have you got them, Mr. McDowell?" 15:52

22  
23 I said:

24  
25 "No, I haven't." 15:52

26  
27 And Mr. Smyth said:

28  
29 "They will be given now, Judge."

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

So, that explains that.

CHAIRMAN: Yes. And, Mr. McDowell, you know, it wouldn't be the first time something like that had happened, unfortunately.

15:52

MR. MCDOWELL: No, no, no, I'm, not saying there's anything mysterious. It's just, this witness seemed to be under the impression that everybody had everything from day 1 and they didn't.

CHAIRMAN: I'm remembering the evidence of Annmarie Ryan --

15:53

MR. MCDOWELL: I am not saying there is anything sinister about it, Judge.

CHAIRMAN: -- of traffic, arriving late, for all I know there could have been any number of issues.

15:53

MR. MCDOWELL: It's just that Annmarie Ryan's note, even with the deletion and the subsequent paragraph, seems to suggest that they were given to us. They weren't at the time, Judge.

CHAIRMAN: I take your word for that, but Mr. McDowell for all I know, as I say, it's like lots and how many times have I --

15:53

MR. MCDOWELL: I'm not making anything of it.

CHAIRMAN: No, no. How many times have I sat on the bench and stuff gets handed in. I always say to people don't hand me anything original because it's going to get lost if you do. It happens. But you did get it on day 4.

15:53

MR. MCDOWELL: We got it --



1 CHAIRMAN: well, you should have anyway. There's  
2 nothing in the transcript to say you actually got it.  
3 MR. MCDOWELL: We got it some time thereafter, I don't  
4 know when.  
5 CHAIRMAN: I don't know when you got it either. But 15:53  
6 anyway, the Commission got it. And I suppose, look, if  
7 the Commission read it - and it's very hard, something  
8 is handed in to you, I don't necessarily read  
9 everything of what is handed in to me - they would have  
10 noticed the contradiction, but you have got to focus on 15:54  
11 the thing to notice it.  
12 MR. MCDOWELL: I'm not making much point on it.  
13 CHAIRMAN: No.  
14 MR. MCDOWELL: I'm merely saying that the suggestion  
15 that we had it and that we were failing to see this 15:54  
16 obvious error was not correct.  
17 CHAIRMAN: well, I can understand that. Was there any  
18 questions from the Garda then?  
19 MR. MURPHY: Yes, Chairman, just a few if I might.  
20 15:54  
21 THE WITNESS WAS THEN EXAMINED BY MR. MURPHY:  
22 661 Q. MR. MURPHY: First of all, I think in relation to  
23 Mr. McDowell's questions, he asked you or suggested to  
24 you, as I understand it, there was approximately a year  
25 between the letter at page 4142 and your meeting in 15:54  
26 Mullingar. I think the letter at 4142 is dated  
27 February of 2008, is that right?  
28 A. And I met in August 2008, that's correct.  
29 MR. MCDOWELL: That is my fault.

1 MR. MURPHY: Yes.

2 CHAIRMAN: Pardon?

3 MR. McDOWELL: That's my fault.

4 CHAIRMAN: It's what?

5 MR. MURPHY: It's a period of six months, not 12 15:54  
6 months.

7 CHAIRMAN: You better go back. I'm sorry.

8 MR. MURPHY: Could I have page 4142 please, Chairman,  
9 on the screen?

10 CHAIRMAN: Yes. 15:55

11 MR. MURPHY: And could I have the document focus in on  
12 the date on the top right-hand side.

13 MR. McDOWELL: I accept that, Judge. I got the year  
14 wrong.

15 CHAIRMAN: 25th February '08. 15:55

16 MR. MURPHY: Yes. I think there's no dispute between  
17 us. Just to clarify, Mr. McDowell in error said there  
18 was a 12-month gap between this letter and the meeting  
19 in Mullingar, in fact it's six months. That's accepted  
20 now. 15:55

21 CHAIRMAN: Yes. More importantly it's 4142, instead of  
22 4136, so --

23 MR. MURPHY: Yes. Thank you.

24 CHAIRMAN: Is that it?

25 MR. MURPHY: That's it. Effectively it's not a 15:55  
26 12-month period, Chairman, it's just a period of six  
27 months.

28 662 Q. I think the position, superintendent, is that you've  
29 also been asked by Mr. McDowell about the DPP's

1 directions and I wonder if the parties could have up on  
2 the screen a document that has just been circulated  
3 today, Chairman, and therefore I don't have its page  
4 reference. This is the DPP's directive from 2006,  
5 Guidelines for Prosecutors?

15:56

6 CHAIRMAN: Yes.

7 663 Q. MR. MURPHY: In particular could I ask if 5040 could be  
8 put up on the screen? I think, superintendent, this is  
9 a document with which you were well familiar in 2008  
10 and 2006 and 2007, and this is section 12 entitled:

15:56

11  
12 "The rights of victims and victims' relatives."

13 A. Yes.

14 664 Q. Can I ask you to confirm to the Chairman were those the  
15 rules and guidelines under which you operated at that  
16 time?

15:56

17 A. Yes.

18 665 Q. And can I ask you to go please to paragraph 12.6, do  
19 you see that?

20 A. It's not up yet. Yes.

15:56

21 666 Q. And I think 12.6 says:

22  
23 "When the Director of Public Prosecutions decides not  
24 to prosecute in a particular case, the reasons for the  
25 decision are given to the local state solicitor and the  
26 investigating garda. It is the Director's policy not  
27 to disclose this information publicly. The policy may  
28 be justified on a number of grounds. If reasons are  
29 given in each case they must be given in all. In many

15:56

1 cases the giving of reasons publicly will be tantamount  
2 to stigmatise a person as a criminal without there  
3 having been a trial. The policy was upheld by the  
4 Supreme Court in H v. DPP [1994] as follows --"

15:57

5  
6 This is the Supreme Court talking:

7  
8 "The stance taken by the Director of Public  
9 Prosecutions is that he should not in general give  
10 reasons in any individual case as to why he has not  
11 brought a prosecution, because if he does so in one  
12 case he must be expected to do so in all cases. I will  
13 uphold this position as being a correct one."

15:57

14  
15 End of quotation. So in terms of your understanding as  
16 to the limits imposed upon you by the DPP, does that  
17 paragraph express those limits clearly and do they  
18 reflect your understanding on the day when you spoke to  
19 Sergeant McCabe?

15:57

20 A. They do, Judge.

15:57

21 667 Q. Now I think also in the course of this process, again  
22 questions have been asked in relation to complaints,  
23 and I wonder if you could be shown document 1940  
24 please?

25 CHAIRMAN: What day are we now?

15:58

26 MR. MURPHY: This is an extract from day 10, on 1st  
27 July 2015.

28 668 Q. Now just by way of example, I think you've mentioned to  
29 the Chairman that you were the subject of a number of

1 complaints in the Commission by Sergeant McCabe. And  
2 just taking this one in particular, Chairman, you will  
3 see that this I think relates back to module 1, part 4,  
4 which was an incident in Cootehill in County Cavan.

5 And do you see the top of page --

15:58

6 CHAIRMAN: Is this the girl who was walking home and  
7 was pulled up an estate driveway that was being built?

8 MR. MURPHY: Yes, Chair.

9 669 Q. I think you can confirm that, superintendent, can you?

10 A. That's correct.

15:58

11 670 Q. Yes. And I think insofar as this is concerned, can I  
12 ask you to look please at page 1940, I think by this  
13 stage there had been progression in the matter in that  
14 the previous day I think Sergeant McCabe had been  
15 questioned and had indicated that he was withdrawing  
16 this particular allegation against you?

15:59

17 A. That's correct.

18 671 Q. I think the allegation is at line 3, question 145:

19

20 "You refer to Superintendent Noel Cunningham, that he  
21 saw no problem and had no issues with this gross  
22 dereliction of duty."

15:59

23

24 Do you see that?

25 A. Yes.

15:59

26 672 Q. In the next paragraph, line 416:

27

28 "I know you have recounted in a sense in that that you  
29 say now you have apologised to him yesterday for making

1           that statement?"

2

3           Do you see that?

4           A.    I do.

5   673   Q.    And then further down, it's put at line 19:

15:59

6

7           "Superintendent Cunningham, he will say that all the  
8           way up to Guerin and the inquiries that were conducted,  
9           there remained for him a considerable amount of stress  
10          and it was only yesterday that he had an apology and  
11          withdrawal of the allegation."

15:59

12

13          Is that correct?

14          A.    That's correct.

15   674   Q.    And then can I ask you to move forward, please, to page  
16          1945, which we've heard of previously, and here I think  
17          Sergeant McCabe at line 2 is asked why he made the  
18          allegation, and he said:

15:59

19

20          "I made the allegation on the basis of what I knew in  
21          this case and I only made an allegation, I didn't  
22          actually say he did it, I made an allegation."

16:00

23

24          Was that the first time you understood that that was  
25          the basis upon which Mr. McCabe had made this  
26          particular allegation against you?

16:00

27          A.    It was, Judge.

28   675   Q.    I think we know from other extracts from the O'Higgins  
29          Commission Report, which was accepted, that the Court

1 found that any allegations of corruption against you  
2 had no foundation and that they had been deeply  
3 hurtful, isn't that correct?

4 A. That's correct, Judge.

5 676 Q. Can I ask you, how did this affect you in terms of the 16:00  
6 stress that is referred to in this part of the  
7 transcript?

8 A. Well, in that particular case, I think I was -- the  
9 allegation was that I lied and that I covered up,  
10 Judge. And I suppose other than corruption to a police 16:01  
11 officer, an allegation that you're a liar, that you  
12 were covering up, is as hurtful and as damaging as you  
13 can get, Judge. I said to this day I can't understand  
14 how Sergeant McCabe would make such allegations because  
15 I kind of stand on ceremony in relation to how well I 16:01  
16 try to do my job, how professional I try to be, but  
17 here I was in a position, Judge, and have been for some  
18 time, that professional people who know me, I'm 37  
19 years in Monaghan, so I'm well known, Judge, and  
20 coupled with this stuff and what the media carry, 16:01  
21 Judge, it's been very difficult. Leave it at that.

22 677 Q. I think can I ask you to move on, please, to deal with  
23 one last point, which is the question of the documents  
24 being handed in on the 18th June. -- sorry, May, I beg  
25 your pardon. I think in relation to date, was it your 16:02  
26 understanding that your document had been forwarded to  
27 the legal team on your side and had been circulated to  
28 the Commission?

29 A. I'm sorry, I missed that part.

1 678 Q. On the 18th May was it your understanding from what was  
2 taking place that the documents, the three documents  
3 that were additional?  
4 A. It was my understanding they were handed in that  
5 morning, because they wouldn't have been available 16:02  
6 before that, Judge, because they weren't part of the  
7 terms of reference, Judge. So I had to bring them  
8 specifically that day and I did and handed them over,  
9 Judge. And I believe that they were circulated that  
10 day, Judge. 16:02  
11 679 Q. And I think Mr. McDowell has referred to the next day,  
12 and again whatever doubt there may have been in your  
13 mind you would have been absolutely certain at the end  
14 of the transcript reference, to which Mr. McDowell  
15 referred earlier, that in fact Mr. McCabe's legal team 16:02  
16 did have those documents?  
17 A. I was convinced, Judge, that everybody had them because  
18 it was --  
19 680 Q. I think in day 4, the passage just after the transcript  
20 referred to by Mr. McDowell, in fact that the Chairman 16:03  
21 rose for ten minutes to allow Mr. McDowell look at the  
22 documents.  
23 A. Yes.  
24 681 Q. Thank you.  
25 CHAIRMAN: There was a break after that exchange? 16:03  
26 MR. MURPHY: Yes. It features, Chairman, in the  
27 transcript in the next sequence.  
28 CHAIRMAN: Yes.  
29 MR. MARRINAN: Sorry, sir, there's just one matter.



1

2

THE WITNESS WAS THEN RE-EXAMINED BY MR. MARRINAN:

3

682 Q. MR. MARRINAN: Superintendent, as I understand your evidence, when you arrived at the O'Higgins Commission you had a consultation with your legal team on the 12th 16:03

4

5

6

7

8

9

10

with Sergeant McCabe, isn't that right? 16:04

11

A. That's right, Judge.

12

683 Q. And you also attached the report, the notes of that meeting, which have been signed by yourself and by Sergeant Yvonne Martin, isn't that right?

13

14

15

A. That's correct, Judge. 16:04

16

684 Q. Those notes actually reflect what took place at the meeting, isn't that right?

17

18

A. That's correct, Judge.

19

685 Q. And that was confirmed by the tape that was produced by Sergeant McCabe, isn't that right? 16:04

20

21

A. That's correct, Judge.

22

686 Q. Now both yourself and Sergeant Martin, I think as far as Sergeant Martin is concerned she never even gave evidence at the O'Higgins Commission, isn't that right?

23

24

25

A. That's correct, Judge. 16:04

26

687 Q. She never made a statement in relation to the O'Higgins Commission?

27

28

A. I don't know, I don't know that.

29

688 Q. To the Commission. And all she did was to acknowledge

1 and sign notes that we know to be correct --

2 A. Yes, Judge.

3 689 Q. -- isn't that right? Now because of leaked material  
4 from the Commission, it was suggested that both you and  
5 she were about to perjure yourselves and give false 16:05  
6 evidence to the Commission, do you remember that?

7 A. I do, Judge

8 690 Q. That is obviously completely false, is that right?

9 A. Completely and absolutely false. No truth to it  
10 whatsoever. 16:05

11 691 Q. And it's noted that no party today has suggested to you  
12 that at any stage were you to give or intended to give  
13 false evidence to Mr. Justice O'Higgins, isn't that so?

14 A. That's correct, Judge.

15 692 Q. Thank you very much. 16:05

16 MR. SREENAN: Chairman, I think there may have been an  
17 inadvertent error in Mr. Marrinan's question and  
18 premise to it: He referred to the witness turning up  
19 and handing over documents to his legal team on the  
20 12th May 2008, I think that should presumably be 18th 16:06  
21 May 2008.

22 CHAIRMAN: well, it's the Monday. Isn't that the  
23 Monday? Did I say, is that the Monday? It was in my  
24 head to say was that the Monday, I am not sure I said  
25 it. well, we're all agreed it's the Monday, aren't we? 16:06

26 MR. SREENAN: It should be the 18th May, not the 12th.

27 CHAIRMAN: Yes. well, that is a Monday. And the  
28 Friday is --

29 MR. SREENAN: Yes, that is the Monday.

1 CHAIRMAN: And the Friday is the 15th.

2 MR. MARRINAN: Sorry, sir, I thought I had indicated

3 that Superintendent Cunningham turned up on the --

4 A. No, it was on the morning of the 18th that I handed

5 over the documents. 16:06

6 693 Q. That you handed over the documents?

7 A. Yes. That was the morning of the 18th, in relation to

8 the letter.

9 694 Q. The 12th May was the --

10 A. The 12th May was my first and only -- my first 16:06

11 consultation with counsel when I referred to the fact

12 that the complaints were against or were to

13 Superintendent Clancy.

14 695 Q. And you did so twice and they're recorded in the

15 notes -- 16:07

16 A. Yes.

17 696 Q. -- of Inspector MacNamara --

18 A. Yes.

19 697 Q. -- and also Annmarie Ryan, isn't that right?

20 A. That's correct. That's correct. 16:07

21 698 Q. You didn't on that occasion have available to you --

22 A. No.

23 699 Q. -- your report --

24 A. No.

25 700 Q. -- of the 12th September 2008? 16:07

26 A. No, no.

27 701 Q. But you subsequently on the 18th May handed those over?

28 A. That's correct, Judge.

29 MR. MARRINAN: Thank you very much.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

THE WITNESS WAS THEN QUESTIONED BY THE CHAIRMAN:

702 Q. CHAIRMAN: I wanted to ask a couple of things to make sure I have got this right. If we could maybe, could we have, what is it, 5019 please just on the screen just to try and get these in chronological sequence. Now this is a letter from Sergeant Maurice McCabe to Superintendent Clancy, who was then the superintendent in Bailieboro, isn't that right? 16:07

A. This is the January letter, yes. Judge, I wasn't aware of this letter until O'Higgins Commission, Judge. 16:07

703 Q. CHAIRMAN: No, and I appreciate that. And there was no intervening inspector as such, so it would have been, he was going to his superior in relation to this?

A. Yes. 16:08

704 Q. CHAIRMAN: So this is issues that he was having and these translated ultimately into Byrne/McGinn, into Guerin, into O'Higgins Commission, isn't that? It says:

16:08

"I list a number of issues that need to be addressed at Bailieboro Garda Station:

- members not turning up for duty on time.
- not turning up at all.
- not signing on or off. 16:08
- not doing foot patrol.
- investigation files not being done.
- files very poor.
- incidents not being investigated.

1 - members constantly hanging around the station.  
2 - public officers --"

3

4 That is people, I presume, who work --

5 A. Member in Charge of the station.

16:08

6 705 Q. CHAIRMAN: -- at the back of the hatch, yeah.

7

8 "-- reading a newspaper and watching television while  
9 on duty.

10 - calls not attended to.

16:08

11 - garda members making out detail duty."

12

13 which is, who is to do what, I presume. The same as  
14 the army.

15

16:08

16 "- members not performing the duty they are detailed  
17 for.

18 - summonses not being followed up.

19 - warrants not being executed.

20 - no briefings.

16:09

21 - no supervision on a 24-hour basis.

22 - crime unit not performing public order duty at  
23 weekends.

24 - no guidance for junior members.

25 - members' non-performance.

16:09

26 - cliques forming.

27 - coffee/tea breaks constantly.

28 - very unprofessional approach to incidents by  
29 probationer Gardaí.

1 - incidents reported to Gardaí not created on the Pulse  
2 system."

3  
4 So, those are the things. And he says:

5  
6 "They are quite serious and I have tried and attempted  
7 to address them but I'm failing through no fault of my  
8 own. If the above is an acceptable standard in  
9 Bailieboro I'm receiving no help. Can't put up with it  
10 any longer. Under Health and Safety I request an  
11 hour-long meeting at your convenience to discuss the  
12 matters. It's unfair on probationer garda that these  
13 low standards are being accepted and not dealt with and  
14 that they are being trained into the system of low  
15 standards. For your information and attention."  
16

17 That is the start of anything to do with what we are  
18 talking about.

19 A. Yes. I think so.

20 706 Q. CHAIRMAN: And possibly you would have had some  
21 sympathy with that, obviously you weren't the  
22 superintendent there?

23 A. No.

24 707 Q. CHAIRMAN: But it's perfectly proper for a sergeant, I  
25 take it, to write that kind of a letter?  
26

27 A. Absolutely. And on the 24th of May I had a  
28 conversation with Sergeant McCabe. I was now in  
29 Bailieboro, and superintendent, and Sergeant McCabe was  
off sick, and I know this document is given in also. I

1 had a conversation with Sergeant McCabe and I was  
2 ringing from a welfare perspective and he wanted to  
3 talk about issues that happened with Superintendent  
4 Clancy. Because as you know, Judge, I actually asked  
5 Sergeant McCabe to stay on as sergeant in charge on my 16:10  
6 arrival on the 18th, and in fairness Sergeant McCabe  
7 did say over the phone to me I think you and me would  
8 have run a tight ship and I recorded it and I think we  
9 probably would have. I'm not casting aspersions on  
10 anybody else. I'm simply saying that that is why I 16:10  
11 wanted him to stay on.

12 708 Q. CHAIRMAN: What you seem to be saying is that, look, I  
13 would have taken this letter very seriously --

14 A. Absolutely.

15 709 Q. CHAIRMAN: -- and you wouldn't approve of any of this 16:11  
16 carry on --

17 A. Absolutely not.

18 710 Q. CHAIRMAN: -- where people apparently turn up for a job  
19 to be there as opposed to work?

20 A. You're well paid to do a good job, end of story. 16:11

21 711 Q. CHAIRMAN: All right.

22 A. Provide a service, Judge.

23 712 Q. CHAIRMAN: So the next thing in chronological sequence  
24 then is that it seems there was a meeting with  
25 Superintendent Clancy and Maurice McCabe was asked to 16:11  
26 make a business case in relation to the DPP letter?

27 A. Yes.

28 713 Q. CHAIRMAN: And then there follows from that the 25th  
29 February '08, which is 4142, just to make sure that I

1           have got this right.

2           MR. McDOWELL: I think you're right.

3           CHAIRMAN: I think so. But what if I get it wrong?

4           Better to check now. This is the letter about --

5           A. Yes. 16:11

6 714 Q.    CHAIRMAN: -- what happened on the 15th and 17th

7           October '17, the barbecue and various other events,

8           some of which have been blacked out for very good

9           reason.

10          A. Yes. 16:11

11 715 Q.    CHAIRMAN: All of which, if you look at them are very

12          serious --

13          A. Very serious.

14 716 Q.    CHAIRMAN: -- from a policing point of view. Now, I'm

15          not saying anybody is right or anybody is wrong but 16:12

16          that was the next thing. You were appointed to

17          investigate it. So yet again, effectively the poisoned

18          chalice was handed to you, it seems?

19          A. That's correct.

20 717 Q.    CHAIRMAN: And you'd already had the poisoned chalice 16:12

21          of the D investigation, even though you knew both

22          parties and GSOC had said later on that it is not

23          appropriate in future for somebody who knows both

24          parties to be investigate. Anyway, that is what

25          happened? 16:12

26          A. That's correct.

27 718 Q.    CHAIRMAN: So then, there was the meeting in Mullingar,

28          you try to arrange -- and it's 4129, the notes are on

29          4133. And that is effectively about the D family?



1 A. Yes.

2 719 Q. CHAIRMAN: And there is a note to the effect that the  
3 report to Superintendent Clancy was made in the context  
4 of a plea being made that the DPP's directions be sent  
5 to the D family and to him? 16:12

6 A. That's correct, Judge.

7 720 Q. CHAIRMAN: And you didn't know about that either?

8 A. No.

9 721 Q. CHAIRMAN: Or about the business case --

10 A. No. 16:12

11 722 Q. CHAIRMAN: -- or anything like that? So you then  
12 investigate that. It is subsumed into Byrne/McGinn.  
13 And then you report to Byrne and McGinn when Assistant  
14 Commissioner Nóirín O'Sullivan takes over and that's at  
15 4166, if we could have that please. That is your, I 16:13  
16 think, report --

17 A. Yes.

18 723 Q. CHAIRMAN: -- on the whole?

19 A. That was in relation to allegations being made against  
20 me by Sergeant McCabe and in answering some of them I 16:13  
21 think it goes on and deals with some of the cases that  
22 he alleged, Judge.

23 724 Q. CHAIRMAN: Yes. His feeling at the time, which  
24 possibly, I don't know, you accept, was made in good  
25 faith, although wrong, and I appreciate the hurt that 16:13  
26 these things might cause, was to the effect that you  
27 were in dereliction of duty and not --

28 A. Yes.

29 725 Q. CHAIRMAN: -- I suppose coming down on the people who

1 weren't doing their job in relation to the things that  
2 should have been done on the ground?

3 A. Yes, Judge. The allegation was against me but I had  
4 actually shown in all of the files that were examined  
5 that I had actually done my job and done it well. That 16:14  
6 I had actually been very critical of, not only of  
7 guards but also of supervising sergeants in that  
8 regard.

9 726 Q. CHAIRMAN: Yes. And you can't help me beyond the fact  
10 then -- which is the very last thing I wanted to ask 16:14  
11 you about. This is your report of the 3rd December  
12 2009, beyond saying look, I gave the letter - I keep  
13 calling it a letter, but in fact it's a report - to  
14 Superintendent Clancy about the D family and everything  
15 to do with all of that and the business case for the 16:14  
16 releasing the DPP's letter, that report of the 25th  
17 August '08, you gave that, you believe, on the Monday,  
18 which was the --

19 A. The morning.

20 727 Q. CHAIRMAN: -- 18th May 2015. 16:14

21 A. That's correct.

22 728 Q. CHAIRMAN: And whether Mr. McDowell got it that day,  
23 you're not making that case but you feel it was handed  
24 around?

25 A. I'm only referring to Ms. Ryan's notes, Judge. I don't 16:15  
26 know.

27 729 Q. CHAIRMAN: It was handed to the Commission and  
28 vis-à-vis whether it was the 25th August -- sorry, it  
29 was that day or day 4 --

1 A. Or the following day.

2 730 Q. CHAIRMAN: -- or later entirely when there was a break,  
3 it was drawn to Mr. McDowell's attention?

4 A. Mr. McDowell said it was the following day, Judge, the  
5 19th, that he got it. 16:15

6 731 Q. CHAIRMAN: Yes. All right. And vis-à-vis the actual  
7 questions put, what you're saying is you were half  
8 listening or something to that effect?

9 A. It appeared, Judge, even reading it back, it appeared  
10 in the middle of dealing completely with probationer 16:15  
11 garda. It lasted a page and a half. The transcribers  
12 will say how long that lasts in actual time. And then  
13 it was back into dealing with the probationer again.  
14 So I can't say I gave it great attention, Judge.

15 732 Q. CHAIRMAN: There was just one thing I wanted to ask you 16:15  
16 about that, and that is: Chief Superintendent Rooney  
17 gave evidence to the effect that he was required to be  
18 out of the room for some of it, were you required to be  
19 out of the room for any of it?

20 A. No. 16:16

21 733 Q. CHAIRMAN: Were you there for the whole thing?

22 A. I think I was missing for the day that Mr. Shatter gave  
23 evidence, I think that's the only day that I was  
24 missing. But I obviously read the transcript and I see  
25 how he did as I did, outlined to the Commission the 16:16  
26 effect it was having on him.

27 CHAIRMAN: All right. Well there it is. Thank you.  
28 Thank you very much.

29 A. Thank you.

1 MR. MCDOWELL: Just arising out of that --  
2 CHAIRMAN: You're going to have to stay.  
3 MR. MCDOWELL: No, it's not a question for the witness.  
4 If the Tribunal will look at page 1133.  
5 CHAIRMAN: Yes. Can we just have it on the screen and 16:16  
6 I will have a look at it there. Yes. Which is day?  
7 MR. MCDOWELL: Which is day 4.  
8 CHAIRMAN: Yes. There's no need to read it out again.  
9 MR. MCDOWELL: No, no, sorry, if you just look at the  
10 first paragraph. 16:16  
11 CHAIRMAN: Yes.  
12 MR. MCDOWELL: Mr. Gillane applies to stand down  
13 Superintendent Cunningham --  
14 CHAIRMAN: All right. I know.  
15 MR. MCDOWELL: -- in the light of the documents which 16:17  
16 had just then been circulated.  
17 CHAIRMAN: Yes. This is day 4 you're talking about.  
18 A. That's on day 4.  
19 MR. MCDOWELL: Yes. Because he says:  
20 16:17  
21 "Judge, in relation to the current position and the  
22 circulation of some documents there, it might be  
23 appropriate to stand this witness down just for present  
24 purposes --"  
25 16:17  
26 CHAIRMAN: Yes.  
27 MR. MCDOWELL: "-- and we will have... recalled  
28 hopefully later today. The documents circulated just  
29 put us on inquiry in relation to some other matters."

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

And he didn't come back later that day. I think that's the situation.

A. Unfortunately because it would have probably been cleared up that day. Because clearly Mr. Gillane saw the conflict.

16:17

MR. MCDOWELL: He wasn't called back until 24th June, Judge.

CHAIRMAN: All right.

MR. MCDOWELL: And in the meantime, on the 11th June the second set of -- or the first set of submissions were put in, Judge.

16:17

CHAIRMAN: Yes. And the 24th June is actually day 5.

MR. MCDOWELL: Yes. But I am saying that after this documentation was circulated, the submissions which didn't appear to take account of them were entered.

16:17

CHAIRMAN: I appreciate what you are saying. All right. Thank you, superintendent. Mr. McGuinness, would you mind giving me a heads-up on the schedule please.

16:18

A. Thank you Judge.

THE WITNESS THEN WITHDREW

MR. MCGUINNESS: Yes, Chairman. There's no sitting tomorrow.

16:18

CHAIRMAN: Yes.

MR. MCGUINNESS: It's intended to sit on Wednesday at 2:00pm, when the witnesses scheduled are Ms. Marion

1 Mannion and Mr. Cyril Dunne. And we're envisaging  
2 probably sitting on the Thursday morning, and we just  
3 have to try and confirm some witnesses yet, but we  
4 probably should notice --

5 CHAIRMAN: As I understand it, witnesses weren't  
6 available, were they, until the Wednesday? 16:18

7 MR. MCGUINNESS: Yes, that's correct.

8 CHAIRMAN: Which is only the day after tomorrow.

9 MR. MCGUINNESS: Yes.

10 CHAIRMAN: And if it's Thursday morning, yes, all 16:18  
11 right, we will see and publish anything on the website.  
12 But that is the way it looks. And then that is the end  
13 of this matter?

14 MR. MCGUINNESS: Certainly until Sergeant McCabe's  
15 evidence is taken, yes. 16:18

16 CHAIRMAN: Yes.

17 MR. MCGUINNESS: Thank you.

18 CHAIRMAN: Thank you.

19

20 THE HEARING THEN ADJOURNED UNTIL WEDNESDAY, 7TH 16:19  
21 FEBRUARY 2018 AT 2:00PM

22

23

24

25

26

27

28

29

**'04** [1] - 26:27  
**'06** [1] - 186:8  
**'08** [7] - 26:27, 105:28, 114:29, 134:1, 202:15, 215:29, 218:17  
**'14** [6] - 12:27, 21:4, 21:21, 25:2, 56:6, 83:9  
**'15** [1] - 154:14  
**'17** [1] - 216:7  
**'against'** [1] - 150:19  
**'Brief** [2] - 136:2, 170:4  
**'no** [1] - 140:24  
**'nothing** [1] - 158:20  
**'off** [1] - 140:25  
**'Prime** [1] - 19:6  
**'remark'** [1] - 92:15  
**'to'** [1] - 150:19  
**'we** [1] - 75:24

---

**1**

**1** [17] - 44:24, 46:10, 47:27, 49:3, 52:20, 96:19, 97:1, 98:22, 121:3, 122:2, 122:12, 154:11, 154:18, 172:11, 172:12, 200:9, 205:3  
**10** [2] - 146:8, 204:26  
**100** [1] - 73:18  
**1130** [1] - 196:10  
**1133** [1] - 220:4  
**116** [1] - 196:16  
**11th** [9] - 9:7, 51:24, 70:14, 130:10, 144:25, 154:13, 186:8, 191:22, 221:10  
**12** [6] - 45:9, 45:11, 45:16, 77:23, 202:5, 203:10  
**12-month** [2] - 202:18, 202:26  
**12.6** [2] - 203:18, 203:21  
**12th** [22] - 38:22, 53:10, 62:25, 62:26, 62:27, 70:15, 70:20, 71:14, 71:26, 100:29, 109:2, 109:29, 115:8, 193:5, 193:6, 209:5, 209:8, 210:20, 210:26, 211:9, 211:10, 211:25  
**13th** [12] - 61:2, 66:13, 66:24, 66:26, 67:4, 70:17, 70:19, 70:23, 71:1, 71:22, 71:25, 72:5  
**13th"** [1] - 72:5  
**14** [3] - 2:25, 40:2, 48:5  
**14-point** [1] - 47:27  
**1439** [3] - 130:2, 154:12, 154:15  
**145** [1] - 205:18  
**1452** [4] - 130:25, 134:16, 156:10, 156:11  
**147** [1] - 4:12  
**1493** [1] - 138:20  
**1497** [1] - 140:11  
**14th** [1] - 96:4  
**15** [5] - 45:19, 137:16, 137:22, 140:17, 146:12  
**1501** [1] - 142:22  
**15th** [7] - 96:26, 98:14, 116:14, 147:12, 189:5, 211:1, 216:6  
**16** [1] - 1:6  
**16th** [1] - 54:20  
**17** [1] - 1:10  
**17th** [5] - 52:12, 79:26, 96:26, 98:14, 216:6  
**18** [5] - 118:15, 118:17, 138:28, 190:9, 190:10  
**18/5/15** [2] - 123:9, 123:19  
**18th** [24] - 122:14, 123:4, 125:19, 125:20, 125:25, 133:12, 143:21, 152:7, 179:18, 189:5, 189:17, 190:7, 193:12, 194:4, 199:2, 207:24, 208:1, 210:20, 210:26, 211:4, 211:7, 211:27, 215:6, 218:20  
**19** [9] - 117:15, 118:16, 121:9, 138:23, 138:29, 143:15, 190:15, 199:2, 206:5  
**192** [1] - 4:13  
**1921** [1] - 1:10  
**1940** [2] - 204:23, 205:12  
**1945** [1] - 206:16  
**1980** [1] - 165:14

**199** [1] - 195:6  
**1994** [1] - 204:4  
**1996** [1] - 151:17  
**19th** [5] - 39:21, 69:28, 127:2, 152:23, 219:5  
**1st** [2] - 172:9, 204:26

---

## 2

---

**2** [13] - 3:6, 44:25, 46:11, 47:28, 49:7, 75:25, 94:4, 98:27, 121:3, 122:2, 122:12, 147:10, 206:17  
**20** [1] - 140:17  
**20/20** [1] - 188:14  
**2004** [2] - 99:5, 141:25  
**2005** [1] - 78:9  
**2006** [7] - 97:2, 103:20, 108:13, 141:5, 165:5, 203:4, 203:10  
**2007** [7] - 96:26, 98:14, 105:5, 157:8, 158:17, 180:8, 203:10  
**2008** [50] - 19:19, 96:21, 100:22, 100:29, 103:27, 104:2, 108:26, 109:2, 110:23, 111:16, 111:20, 112:11, 113:29, 115:27, 117:24, 118:20, 121:21, 125:1, 126:11, 127:2, 127:3, 127:5, 131:28, 132:10, 132:14, 133:10, 133:19, 136:7, 139:13, 164:4, 166:25, 179:8, 180:2, 180:8, 180:10, 180:14, 181:3, 181:16, 192:26, 195:5, 196:25, 197:4, 201:27, 201:28, 203:9, 209:6, 209:9, 210:20, 210:21, 211:25  
**2009** [2] - 107:6, 218:12  
**201** [1] - 4:14  
**2014** [7] - 1:4, 19:19, 54:20, 75:11, 79:5, 83:8  
**2015** [30] - 5:10, 23:9, 53:10, 61:2,

62:8, 63:4, 64:7, 74:14, 76:19, 77:7, 77:13, 77:18, 82:24, 83:6, 90:7, 110:1, 115:9, 123:4, 138:1, 139:1, 151:15, 179:18, 189:5, 192:13, 192:24, 193:5, 204:27, 209:6, 218:20  
**2016** [9] - 77:20, 77:21, 77:28, 78:6, 78:7, 78:10, 172:4, 172:9, 178:25  
**2017** [4] - 1:6, 1:10, 75:1, 75:18  
**2018** [8] - 1:18, 5:2, 77:7, 96:5, 96:16, 96:20, 96:21, 222:21  
**209** [1] - 4:15  
**21** [1] - 140:12  
**212** [1] - 4:16  
**21st** [3] - 63:4, 78:6, 99:4  
**22nd** [1] - 39:21  
**23rd** [2] - 78:13, 104:2  
**24-hour** [1] - 213:21  
**24th** [9] - 62:8, 63:12, 79:4, 138:16, 139:1, 139:5, 214:26, 221:7, 221:13  
**25** [5] - 57:13, 60:24, 77:24, 81:1, 111:16  
**25/8/2008** [1] - 103:18  
**25th** [37] - 5:9, 50:24, 53:4, 54:1, 60:12, 61:6, 68:27, 69:10, 74:13, 74:24, 80:25, 81:20, 81:26, 82:5, 82:27, 96:16, 100:22, 103:27, 105:28, 108:26, 114:29, 117:24, 120:27, 121:21, 125:1, 127:3, 127:5, 131:28, 166:25, 195:5, 196:25, 196:26, 197:4, 202:15, 215:28, 218:16, 218:28  
**26** [2] - 110:19, 129:14  
**26th** [5] - 64:7, 78:7, 78:10, 118:20, 126:11  
**2786** [1] - 175:6  
**2881** [1] - 172:12  
**2897** [2] - 172:1, 172:12

**28th** [3] - 133:28, 139:24, 181:16  
**29** [1] - 3:5  
**2902** [1] - 172:5  
**2949** [1] - 75:5  
**2:00pm** [1] - 221:29  
**2:00PM** [1] - 222:21

---

## 3

---

**3** [13] - 46:12, 47:29, 83:9, 98:27, 98:28, 101:11, 122:17, 125:26, 179:1, 189:18, 194:5, 195:2, 205:18  
**3021** [2] - 5:12, 5:13  
**3023** [1] - 21:27  
**3077** [1] - 77:26  
**3162** [5] - 137:8, 137:11, 137:15, 137:18, 155:28  
**31st** [2] - 78:21, 79:19  
**32** [1] - 2:12  
**3460** [1] - 57:7  
**37** [1] - 207:18  
**3716** [2] - 50:26, 51:4  
**3719** [1] - 52:12  
**3rd** [2] - 107:5, 218:11

---

## 4

---

**4** [10] - 52:20, 107:18, 196:13, 200:28, 205:3, 208:19, 218:29, 220:7, 220:17, 220:18  
**40** [1] - 96:9  
**40%** [1] - 59:23  
**4060** [1] - 34:17  
**4075** [1] - 116:20  
**4078** [1] - 117:14  
**4079** [1] - 118:27  
**41** [2] - 78:9, 80:3  
**4129** [4] - 100:24, 114:27, 132:15, 216:28  
**4131** [1] - 101:29  
**4132** [1] - 102:27  
**4133** [2] - 103:8, 216:29  
**4136** [3] - 96:12, 98:10, 202:22  
**4137** [1] - 99:9  
**4138** [1] - 99:24  
**4142** [5] - 201:25,

201:26, 202:8,  
202:21, 215:29  
**416** [1] - 205:26  
**4162** [1] - 105:12  
**4166** [2] - 107:3,  
217:15  
**4167** [1] - 107:27  
**4172** [1] - 108:15  
**4200** [1] - 63:29  
**4201** [1] - 63:29  
**4291** [1] - 96:5  
**4292** [2] - 110:6,  
110:16  
**45** [1] - 36:19  
**47** [2] - 172:5, 172:22  
**48** [1] - 54:20  
**4860** [4] - 34:13,  
34:17, 36:25  
**4862** [1] - 41:10  
**4864** [1] - 48:25  
**4868** [3] - 34:27,  
34:28, 50:5  
**49** [2] - 149:21,  
150:10  
**4958** [3] - 70:23,  
70:25, 70:27  
**4985** [1] - 70:27

## 5

**5** [14] - 4:4, 77:26,  
119:11, 119:18,  
137:19, 137:20,  
137:21, 138:18,  
139:4, 139:5, 144:18,  
172:1, 189:28, 221:13  
**5019** [1] - 212:5  
**5040** [1] - 203:7  
**55** [1] - 1:18  
**5TH** [2] - 1:18, 5:1

## 6

**6** [1] - 145:26  
**66** [1] - 4:5  
**67** [2] - 157:3, 158:11  
**68** [3] - 4:6, 130:26,  
161:5  
**69** [6] - 130:26,  
131:19, 133:5,  
133:15, 134:22,  
166:10  
**6:00pm** [1] - 66:27  
**6th** [1] - 51:5

## 7

**7** [1] - 2:13

**70** [2] - 134:16,  
166:28  
**71** [3] - 135:11,  
136:17, 168:6  
**72** [3] - 135:24,  
169:26, 170:15  
**73** [1] - 115:6  
**733** [1] - 195:8  
**74** [1] - 115:24  
**781** [4] - 121:4,  
121:19, 122:2, 122:12  
**7th** [2] - 76:9, 76:10  
**7TH** [1] - 222:20

## 8

**8** [2] - 2:20, 3:14  
**83** [1] - 4:7  
**8:00pm** [1] - 157:15  
**8:24pm** [2] - 35:1,  
50:7  
**8th** [4] - 89:4, 93:19,  
157:8, 158:17

## 9

**93** [1] - 4:8  
**95** [1] - 4:11  
**979** [3] - 126:5,  
195:3, 195:4  
**980** [1] - 195:7  
**9th** [12] - 75:18,  
75:28, 76:1, 76:3,  
76:5, 76:9, 76:12,  
137:25, 138:1,  
155:29, 156:2

## A

**abide** [1] - 95:8  
**ability** [4] - 21:10,  
30:13, 43:6, 76:26  
**able** [8] - 10:2, 17:13,  
18:16, 20:14, 26:15,  
37:18, 69:11, 151:2  
**above-named** [1] -  
1:27  
**absence** [2] - 7:15,  
105:24  
**absolute** [1] - 179:7  
**absolutely** [59] -  
10:11, 43:17, 49:29,  
60:15, 67:10, 73:18,  
81:16, 81:24, 83:19,  
83:25, 84:2, 84:12,  
92:15, 95:7, 114:23,  
119:1, 119:3, 121:13,  
125:13, 127:29,

128:2, 128:15,  
128:29, 130:29,  
132:6, 142:2, 143:2,  
143:9, 143:11, 150:5,  
153:21, 156:22,  
157:24, 157:28,  
161:7, 164:21, 165:2,  
165:20, 167:14,  
169:22, 174:19,  
175:1, 175:4, 181:9,  
185:25, 185:28,  
186:1, 186:11,  
189:25, 191:9,  
191:16, 192:2, 196:5,  
208:13, 210:9,  
214:26, 215:14,  
215:17  
**abundantly** [4] -  
67:11, 103:1, 114:21,  
136:5  
**abuse** [1] - 47:11  
**accentuation** [1] -  
16:25  
**accept** [13] - 58:24,  
58:26, 67:3, 143:17,  
143:25, 149:10,  
152:12, 162:14,  
177:2, 193:17,  
195:18, 202:13,  
217:24  
**acceptable** [1] -  
214:8  
**accepted** [10] - 18:6,  
23:19, 67:6, 78:29,  
83:12, 143:8, 193:13,  
202:19, 206:29,  
214:13  
**accessed** [1] -  
156:27  
**accidental** [1] -  
56:23  
**accolades** [1] -  
84:22  
**accompanied** [5] -  
117:26, 131:29,  
157:9, 158:18, 166:26  
**accomplished** [2] -  
22:8, 50:4  
**accord** [1] - 110:17  
**accordance** [4] -  
159:20, 165:3, 165:5,  
189:20  
**according** [3] - 17:1,  
171:18, 172:11  
**account** [10] - 36:1,  
43:26, 75:5, 79:23,  
87:24, 99:3, 153:22,  
160:5, 173:25, 221:16  
**Accounts** [1] - 89:29  
**accurate** [6] -

118:17, 126:14,  
130:23, 142:27,  
159:26, 167:25  
**accurately** [1] -  
129:9  
**accusation** [2] -  
170:25, 170:26  
**accuse** [1] - 171:9  
**accused** [1] - 171:13  
**accusing** [1] -  
170:18  
**acknowledge** [1] -  
209:29  
**acknowledged** [1] -  
14:24  
**acknowledgement**  
[1] - 55:27  
**acknowledges** [1] -  
17:19  
**acknowledging** [1] -  
47:14  
**acoustic** [1] - 146:9  
**acquisitions** [1] -  
74:11  
**acronym** [1] - 54:7  
**Act** [1] - 78:9  
**act** [2] - 45:12, 74:13  
**ACT** [2] - 1:4, 1:9  
**acted** [3] - 8:21,  
165:5, 173:27  
**acting** [4] - 33:18,  
159:20, 160:25, 186:6  
**Acting** [1] - 78:8  
**action** [5] - 1:28,  
30:17, 57:9, 82:17,  
186:15  
**actioned** [1] - 82:15  
**actions** [11] - 7:24,  
9:22, 11:17, 14:19,  
16:6, 16:8, 19:22,  
54:16, 130:29,  
160:15, 161:7  
**activities** [1] - 74:3  
**activity** [1] - 48:17  
**actor** [1] - 37:28  
**actual** [5] - 18:17,  
48:13, 149:4, 219:6,  
219:12  
**add** [2] - 66:5, 67:8  
**added** [3] - 6:20,  
29:13, 66:14  
**adding** [1] - 187:17  
**additional** [4] -  
131:3, 156:26,  
161:10, 208:3  
**address** [6] - 9:15,  
46:27, 47:9, 54:5,  
96:8, 214:7  
**addressed** [6] -  
27:25, 40:19, 52:14,

70:28, 100:25, 212:21  
**addressing** [2] -  
10:12, 30:17  
**adduced** [1] - 175:19  
**adequacy** [1] - 51:17  
**adequately** [3] -  
74:3, 135:17, 168:19  
**ADJOURNED** [2] -  
97:22, 222:20  
**admitted** [1] - 190:24  
**adopted** [1] - 82:27  
**adopting** [1] - 92:13  
**advance** [1] - 61:15  
**advancing** [1] - 80:9  
**adversarial** [1] -  
85:24  
**adverse** [3] - 17:1,  
111:8, 177:6  
**advice** [2] - 103:18,  
141:27  
**advised** [6] - 75:18,  
102:19, 118:4,  
127:25, 141:27,  
195:11  
**advising** [1] - 111:14  
**affect** [1] - 207:5  
**affected** [3] - 24:8,  
141:13, 173:18  
**affecting** [1] - 178:7  
**afraid** [1] - 94:7  
**AFTER** [1] - 98:1  
**after-meeting** [1] -  
61:7  
**afternoon** [4] -  
66:21, 72:4, 125:22,  
147:6  
**AG's** [1] - 52:15  
**agencies** [1] - 88:29  
**agenda** [7] - 10:7,  
22:1, 23:6, 47:27,  
60:22, 80:26, 82:8  
**agendas** [2] -  
140:29, 142:12  
**ago** [1] - 65:9  
**agree** [14] - 20:4,  
20:5, 20:6, 58:10,  
58:13, 128:24,  
152:21, 152:28,  
164:15, 164:17,  
165:16, 180:29,  
181:8, 182:15  
**agreed** [5] - 40:4,  
88:6, 118:1, 169:1,  
210:25  
**agreement** [1] -  
143:5  
**AGSI** [1] - 157:11  
**ahead** [2] - 88:3,  
172:6  
**Alan** [2] - 18:21,



63:26  
**alarmed** [1] - 85:11  
**alarming** [1] - 27:27  
**albeit** [1] - 49:24  
**alert** [1] - 129:25  
**alignment** [2] - 50:3, 60:16  
**allegation** [23] - 79:7, 95:21, 97:3, 98:24, 99:1, 99:29, 105:7, 151:26, 151:27, 168:25, 169:21, 188:21, 205:16, 205:18, 206:11, 206:18, 206:20, 206:21, 206:22, 206:26, 207:9, 207:11, 218:3  
**allegations** [39] - 65:19, 100:18, 101:8, 101:16, 101:24, 103:3, 106:17, 106:19, 107:15, 108:23, 109:12, 109:17, 111:3, 111:7, 139:16, 139:20, 139:24, 172:25, 172:28, 180:19, 182:22, 183:20, 185:1, 185:3, 185:4, 185:5, 186:24, 188:25, 188:29, 192:14, 192:22, 192:25, 192:28, 193:2, 196:3, 196:4, 207:1, 207:14, 217:19  
**alleged** [3] - 131:23, 165:25, 217:22  
**allegedly** [1] - 92:17  
**alleging** [3] - 116:2, 134:24, 167:4  
**alleviate** [1] - 183:7  
**allow** [6] - 31:9, 100:3, 118:6, 127:27, 195:13, 208:21  
**allowed** [1] - 197:20  
**allowing** [2] - 46:6, 99:16  
**almost** [9] - 35:5, 53:5, 62:3, 80:3, 147:26, 156:16, 164:22, 169:10, 194:25  
**alone** [1] - 182:23  
**amend** [1] - 55:13  
**amended** [1] - 78:9  
**amount** [5] - 17:7, 19:23, 51:28, 78:23, 206:9  
**ample** [1] - 140:20  
**analyse** [1] - 12:24  
**analysis** [1] - 59:4  
**AND** [3] - 1:4, 1:5, 1:9  
**ANGLESEA** [1] - 3:5  
**Anglo** [1] - 20:27  
**angry** [2] - 131:17, 163:26  
**animated** [2] - 11:8, 21:18  
**animosity** [1] - 93:20  
**Annmarie** [14] - 110:7, 110:10, 115:12, 121:19, 125:6, 130:18, 132:29, 137:2, 137:27, 144:27, 194:19, 200:10, 200:16, 211:19  
**anonymity** [1] - 59:21  
**anonymous** [1] - 54:7  
**answer** [19] - 43:1, 80:14, 88:7, 89:10, 89:21, 126:18, 126:26, 139:22, 140:1, 145:12, 146:4, 146:18, 148:25, 155:28, 156:4, 159:9, 159:10, 191:26  
**answered** [3] - 155:20, 155:26  
**answering** [4] - 32:8, 41:27, 153:18, 217:20  
**answers** [2] - 72:3, 159:13  
**antagonise** [1] - 160:28  
**anxious** [2] - 60:12, 68:24  
**anyway** [7] - 62:12, 93:6, 163:14, 165:11, 201:1, 201:6, 216:24  
**apart** [2] - 41:15, 145:23  
**apex** [1] - 47:4  
**apologies** [4] - 62:27, 70:28, 104:27, 142:20  
**apologise** [1] - 70:7  
**apologised** [1] - 205:29  
**apology** [1] - 206:10  
**apparent** [2] - 21:15, 75:26  
**appear** [23] - 5:24, 8:1, 12:6, 13:18, 16:28, 29:16, 35:23, 41:17, 43:20, 45:27, 49:10, 49:15, 49:23, 53:2, 58:8, 71:3, 71:24, 76:16, 81:11, 89:16, 100:28, 171:24, 221:16  
**appearance** [1] - 19:20  
**APPEARANCES** [1] - 2:1  
**appeared** [4] - 9:23, 146:22, 219:9  
**application** [1] - 197:24  
**applies** [1] - 220:12  
**apply** [2] - 91:10, 91:21  
**appoint** [2] - 46:25, 49:3  
**appointed** [11] - 22:26, 117:19, 118:21, 131:24, 165:26, 166:5, 166:6, 166:16, 166:21, 190:14, 216:16  
**appointing** [1] - 49:12  
**appointment** [3] - 51:1, 117:23, 145:3  
**apportion** [1] - 152:16  
**appreciate** [14] - 95:8, 100:6, 132:24, 148:29, 149:12, 149:17, 158:7, 174:27, 178:22, 184:5, 193:26, 212:12, 217:25, 221:17  
**appreciated** [1] - 179:22  
**approach** [6] - 8:20, 32:7, 60:21, 131:6, 161:13, 213:28  
**approached** [1] - 87:12  
**appropriate** [4] - 55:15, 87:7, 216:23, 220:23  
**appropriately** [2] - 186:6, 186:7  
**approval** [1] - 130:12  
**approve** [1] - 215:15  
**April** [7] - 10:23, 10:25, 63:2, 63:4, 63:12, 77:18, 81:1  
**Ardboyne** [2] - 62:8, 76:4  
**area** [7] - 10:12, 32:29, 33:1, 54:3, 74:8, 97:17, 148:22  
**areas** [2] - 8:6, 48:14  
**arena** [2] - 74:11, 91:20  
**arise** [1] - 68:9  
**arisen** [3] - 27:19, 138:21, 162:19  
**arising** [10] - 16:14, 49:27, 66:9, 85:22, 88:20, 116:13, 126:21, 190:26, 192:5, 220:1  
**armed** [2] - 36:28, 37:3  
**arms** [1] - 56:21  
**army** [1] - 213:14  
**Arnold** [1] - 50:18  
**arose** [5] - 49:27, 76:9, 95:29, 117:9, 147:24  
**ARRAN** [1] - 2:12  
**arrange** [1] - 216:28  
**arranged** [1] - 157:18  
**arrangements** [3] - 6:29, 7:27, 16:19  
**arrival** [2] - 21:20, 215:6  
**arrive** [1] - 186:18  
**arrived** [4] - 99:4, 182:17, 183:25, 209:4  
**arriving** [1] - 200:14  
**arrow** [1] - 48:21  
**article** [3] - 20:26, 20:28, 67:14  
**articles** [3] - 20:21, 20:23, 21:20  
**articulate** [1] - 30:13  
**articulation** [1] - 36:14  
**AS** [2] - 5:1, 98:1  
**ascribe** [1] - 92:27  
**aside** [3] - 17:11, 63:4, 73:6  
**aspect** [1] - 96:3  
**aspects** [2] - 106:29, 107:17  
**aspersions** [1] - 215:9  
**assault** [2] - 168:27, 169:6  
**asserting** [1] - 148:20  
**assertion** [2] - 152:27, 171:6  
**assertions** [2] - 93:13, 170:24  
**asserts** [2] - 58:8, 58:11  
**assessment** [1] - 51:17  
**assigned** [3] - 6:4, 63:18, 63:20  
**assist** [3] - 5:27, 125:28, 147:10  
**assistance** [4] - 34:13, 39:13, 137:9, 164:16  
**Assistant** [6] - 106:27, 107:4, 107:13, 135:20, 154:23, 168:22  
**assistant** [5] - 63:20, 108:22, 187:28, 188:6, 217:13  
**assisting** [1] - 80:17  
**associated** [1] - 5:22  
**Association** [4] - 21:7, 27:2, 67:16, 103:19  
**assume** [2] - 41:19, 167:17  
**assumed** [2] - 65:24, 198:11  
**assumption** [2] - 190:16, 190:19  
**assurance** [1] - 12:16  
**assure** [1] - 12:7  
**assured** [5] - 12:9, 18:6, 25:15, 31:8, 32:12  
**AT** [1] - 222:21  
**atrocious** [1] - 120:13  
**attached** [2] - 102:11, 209:12  
**attachments** [7] - 138:4, 144:26, 156:2, 194:6, 194:10, 194:12  
**attachments"** [1] - 138:2  
**attack** [1] - 116:28  
**attacks** [1] - 100:12  
**attempt** [1] - 49:24  
**attempted** [4] - 117:21, 131:26, 166:23, 214:6  
**attempting** [1] - 85:1  
**attend** [2] - 36:20, 63:8  
**attendance** [1] - 8:12  
**attendant** [1] - 56:12  
**attended** [3] - 109:29, 182:11, 213:10  
**attention** [13] - 8:22, 13:11, 13:15, 27:20, 29:17, 47:18, 77:13, 78:23, 79:27, 80:1, 214:15, 219:3, 219:14

**attitude** [6] - 20:3, 38:15, 108:13, 141:3, 141:10, 141:20  
**attitudes** [2] - 10:13, 14:16  
**attraction** [2] - 13:24, 14:2  
**attractive** [2] - 25:21, 26:4  
**attributed** [1] - 38:5  
**attributing** [1] - 15:10  
**audio** [1] - 20:16  
**audiotape** [1] - 20:16  
**audit** [4] - 49:2, 58:29, 59:5, 59:11  
**August**[28] - 77:21, 78:6, 78:7, 78:10, 78:13, 100:22, 105:28, 114:29, 117:24, 120:28, 121:21, 125:1, 127:3, 127:5, 131:28, 133:18, 136:7, 166:25, 179:8, 180:1, 181:3, 181:16, 186:18, 195:5, 197:4, 201:28, 218:17, 218:28  
**author** [1] - 21:9  
**authorise** [1] - 173:7  
**authorities** [1] - 109:6  
**authority** [8] - 7:26, 29:19, 76:17, 127:27, 128:13, 163:11, 170:13, 195:14  
**autumn** [1] - 59:9  
**available** [11] - 21:24, 26:5, 50:27, 59:26, 66:26, 140:5, 199:9, 199:15, 208:5, 211:21, 222:6  
**average** [1] - 151:17  
**avoid** [1] - 79:14  
**aware** [21] - 8:19, 18:2, 27:18, 39:26, 47:15, 61:14, 69:27, 80:5, 103:25, 106:27, 120:23, 129:26, 145:15, 146:12, 146:14, 148:23, 156:15, 189:16, 192:24, 192:27, 212:10  
**awful** [2] - 29:23, 177:26

## B

**backdrop** [1] - 22:9  
**background** [4] - 45:26, 93:14, 117:11, 185:20  
**backside** [1] - 169:12  
**bad** [1] - 95:11  
**Baillieboro** [17] - 24:28, 27:19, 99:4, 101:20, 101:21, 104:3, 108:1, 127:1, 131:22, 157:16, 165:24, 180:8, 187:12, 212:9, 212:22, 214:9, 214:28  
**balance** [2] - 36:23, 49:11  
**BALDWIN** [1] - 3:5  
**barbecue** [4] - 99:19, 106:18, 109:19, 216:7  
**BARRETT** [5] - 2:22, 4:3, 5:4, 83:3, 93:3  
**Barrett** [33] - 5:8, 13:19, 19:27, 27:26, 29:23, 34:15, 43:14, 51:5, 58:18, 60:20, 64:1, 64:27, 65:8, 66:12, 66:16, 66:17, 66:20, 67:13, 67:29, 75:9, 75:24, 77:10, 78:2, 79:12, 79:18, 82:28, 83:1, 83:22, 85:10, 85:13, 87:15, 89:7, 93:6  
**barrister** [1] - 19:5  
**Barry** [12] - 21:23, 22:14, 22:24, 22:27, 32:16, 33:24, 34:2, 35:9, 40:3, 44:13, 48:4, 67:19  
**based** [10] - 55:21, 57:3, 57:21, 82:9, 107:24, 108:12, 121:14, 144:22, 182:27, 189:7  
**basics** [1] - 28:13  
**basis** [9] - 68:14, 174:21, 174:23, 177:7, 188:15, 189:6, 206:20, 206:25, 213:21  
**BE** [1] - 5:4  
**bear** [2] - 42:10, 82:21  
**bearing** [1] - 86:16  
**bears** [1] - 9:19  
**became** [7] - 11:8,

19:15, 60:2, 69:27, 75:26, 188:6, 189:16  
**become** [4] - 27:21, 28:2, 72:14, 170:9  
**becomes** [1] - 56:16  
**BEEN** [1] - 95:1  
**beforehand** [1] - 95:13  
**beg** [3] - 70:27, 96:21, 207:24  
**began** [1] - 54:1  
**beginning** [6] - 18:4, 72:20, 74:22, 90:6, 103:11, 113:26  
**begins** [2] - 10:28, 24:2  
**behalf** [11] - 97:4, 130:4, 130:6, 143:28, 145:16, 154:16, 154:20, 172:13, 172:14, 172:16, 177:4  
**behave** [1] - 171:25  
**behaved** [1] - 185:26  
**behaves** [1] - 13:28  
**behaviour** [9] - 46:12, 55:14, 104:5, 135:14, 141:9, 168:9, 169:5, 169:18, 185:8  
**behavioural** [1] - 56:16  
**behaviours** [2] - 10:15, 54:16  
**behind** [5] - 48:21, 84:29, 111:2, 111:25, 111:29  
**belief** [5] - 8:2, 10:29, 27:10, 58:24, 153:21  
**beliefs** [2] - 10:14, 14:16  
**believes** [4] - 8:27, 10:9, 30:2, 49:4  
**below** [2] - 118:28, 123:6  
**bench** [1] - 200:25  
**bending** [1] - 94:8  
**benefit** [5] - 80:15, 144:4, 144:7, 144:14, 144:27  
**benign** [1] - 184:1  
**best** [10] - 21:29, 22:7, 22:9, 76:26, 120:7, 129:12, 141:1, 142:11, 160:25, 160:29  
**better** [6] - 9:14, 11:12, 45:29, 188:25, 202:7, 216:4  
**between** [21] - 9:13, 13:8, 13:10, 26:27,

50:28, 57:26, 62:10, 62:19, 64:8, 66:11, 66:22, 74:9, 74:13, 80:29, 129:19, 134:7, 145:8, 182:16, 201:25, 202:16, 202:18  
**Bewley's** [1] - 79:5  
**beyond** [2] - 218:9, 218:12  
**bid** [4] - 101:22, 108:27, 135:1, 167:5  
**biofeedback** [1] - 36:11  
**bit** [12] - 36:10, 129:20, 155:14, 175:7, 175:9, 175:10, 180:11, 188:4, 191:2, 191:3, 191:4  
**bizarre** [1] - 164:22  
**BL** [9] - 2:7, 2:10, 2:16, 2:17, 3:1, 3:2, 3:2, 3:3, 3:11  
**blacked** [1] - 216:8  
**blackmail** [1] - 183:26  
**blame** [2] - 152:17, 167:29  
**blank** [2] - 23:26, 199:4  
**blanked** [1] - 15:24  
**blast** [2] - 184:12, 184:16  
**blatant** [1] - 91:25  
**blind** [1] - 56:27  
**board** [2] - 71:14, 82:16  
**bodies** [1] - 74:9  
**bogged** [1] - 34:26  
**bona** [1] - 85:29  
**bond** [3] - 20:10, 20:19, 74:18  
**book** [2] - 62:22, 122:4  
**books** [1] - 122:13  
**boss** [2] - 84:28, 85:3  
**bottom** [8] - 37:15, 40:8, 44:5, 45:19, 46:4, 115:8, 122:23, 196:19  
**bought** [2] - 141:25, 141:28  
**bows** [1] - 85:26  
**box** [1] - 115:8  
**brackets** [5] - 112:27, 167:24, 167:27, 168:1, 168:2  
**breaches** [2] - 54:20, 54:25

**break** [3] - 97:20, 208:25, 219:2  
**breakdown** [1] - 20:9  
**breaks** [1] - 213:27  
**breath** [2] - 178:8, 184:20  
**BREFFNI** [1] - 2:10  
**bride** [1] - 82:22  
**bride-building** [1] - 82:22  
**bridge** [5] - 20:19, 26:12, 48:9, 57:26, 88:10  
**brief** [2] - 36:8, 80:18  
**briefings** [1] - 213:20  
**briefly** [1] - 36:5  
**bring** [9] - 8:21, 14:17, 15:15, 32:13, 83:16, 113:2, 174:14, 176:13, 208:7  
**bringing** [3] - 8:29, 12:12, 13:20  
**broader** [1] - 51:13  
**Broderick** [1] - 52:19  
**Bronski** [1] - 65:25  
**brought** [9] - 7:17, 27:20, 62:22, 62:29, 120:29, 121:1, 164:29, 194:16, 204:11  
**Browne** [5] - 136:1, 168:29, 170:3, 171:14, 171:25  
**build** [5] - 22:29, 74:13, 74:18, 88:10, 109:28  
**build-up** [1] - 109:28  
**BUILDING** [1] - 2:24  
**building** [6] - 26:6, 26:12, 32:28, 34:3, 62:18, 82:22  
**built** [1] - 205:7  
**bullet** [2] - 185:2, 185:7  
**bullet-point** [1] - 185:7  
**bullet-points** [1] - 185:2  
**bullying** [4] - 25:5, 27:5, 48:10, 51:19  
**bump** [1] - 61:13  
**Bus** [1] - 50:15  
**bus** [3] - 109:22, 168:27, 169:16  
**business** [9] - 13:7, 24:24, 96:9, 155:19, 183:23, 186:22, 215:26, 217:9, 218:15  
**buy** [1] - 141:27  
**BY** [30] - 1:5, 1:8,

2:11, 2:18, 2:23, 3:4,  
3:12, 4:4, 4:5, 4:6,  
4:7, 4:8, 4:11, 4:12,  
4:13, 4:14, 4:15, 4:16,  
5:4, 66:19, 68:2, 83:3,  
93:3, 95:2, 147:3,  
192:8, 201:21, 209:2,  
212:2  
**BYRNE** <sup>[1]</sup> - 3:2  
**Byrne** <sup>[11]</sup> - 106:28,  
107:5, 107:13,  
110:10, 115:11,  
135:21, 137:28,  
168:22, 188:9,  
192:29, 217:13  
**Byrne/McGinn** <sup>[6]</sup> -  
134:12, 136:19,  
136:23, 192:20,  
212:17, 217:12

## C

**calculated** <sup>[2]</sup> -  
156:20, 156:25  
**Callinan** <sup>[4]</sup> - 16:5,  
16:26, 17:25, 173:14  
**cancellation** <sup>[3]</sup> -  
6:7, 6:13, 6:14  
**cancellations** <sup>[2]</sup> -  
54:21, 56:4  
**candidly** <sup>[2]</sup> - 64:28,  
65:1  
**cannot** <sup>[5]</sup> - 16:1,  
72:10, 150:23,  
151:12, 160:7  
**CAO** <sup>[2]</sup> - 45:21,  
47:28  
**capital** <sup>[1]</sup> - 23:13  
**captures** <sup>[1]</sup> - 45:1  
**car** <sup>[8]</sup> - 15:28,  
23:25, 33:16, 49:24,  
79:5, 79:21, 84:8,  
185:29  
**care** <sup>[1]</sup> - 61:20  
**career** <sup>[1]</sup> - 74:8  
**careful** <sup>[1]</sup> - 119:25  
**carefully** <sup>[2]</sup> - 19:24,  
37:26  
**CARIS** <sup>[1]</sup> - 36:11  
**carried** <sup>[3]</sup> - 151:28,  
178:17, 181:11  
**carrier** <sup>[3]</sup> - 141:26,  
174:7, 177:23  
**carry** <sup>[5]</sup> - 108:22,  
111:7, 141:4, 207:20,  
215:16  
**cars** <sup>[1]</sup> - 141:29  
**case** <sup>[23]</sup> - 27:16,  
51:26, 57:15, 69:28,

89:23, 93:6, 100:5,  
108:29, 140:11,  
165:8, 174:16,  
177:26, 183:23,  
203:24, 203:29,  
204:10, 204:12,  
206:21, 207:8,  
215:26, 217:9,  
218:15, 218:23  
**cases** <sup>[8]</sup> - 109:17,  
124:5, 173:2, 178:2,  
178:3, 204:1, 204:12,  
217:21  
**Cassells** <sup>[1]</sup> - 50:17  
**casting** <sup>[2]</sup> - 192:12,  
215:9  
**CASTLE** <sup>[1]</sup> - 1:17  
**castlepollard** <sup>[1]</sup> -  
24:2  
**catalyst** <sup>[1]</sup> - 54:10  
**CATHERINE** <sup>[1]</sup> - 3:3  
**Catherine** <sup>[1]</sup> -  
154:23  
**caused** <sup>[6]</sup> - 17:26,  
24:27, 70:7, 76:8,  
119:26, 171:24  
**causing** <sup>[2]</sup> - 105:3,  
174:16  
**caution** <sup>[1]</sup> - 61:20  
**Cavan** <sup>[2]</sup> - 109:1,  
205:4  
**Cavan-Monaghan**  
<sup>[1]</sup> - 109:1  
**caveat** <sup>[1]</sup> - 149:13  
**ceased** <sup>[2]</sup> - 74:21,  
76:15  
**ceases** <sup>[2]</sup> - 52:9,  
82:12  
**celebrated** <sup>[1]</sup> -  
17:23  
**celt** <sup>[1]</sup> - 20:27  
**census** <sup>[1]</sup> - 59:19  
**centrally** <sup>[1]</sup> - 22:27  
**centre** <sup>[1]</sup> - 169:8  
**ceremony** <sup>[1]</sup> -  
207:15  
**CERTAIN** <sup>[1]</sup> - 1:4  
**certain** <sup>[17]</sup> - 6:6,  
8:11, 9:22, 12:2,  
19:23, 22:22, 23:13,  
39:1, 47:9, 48:19,  
57:21, 73:18, 76:12,  
89:18, 154:4, 155:21,  
208:13  
**certainly** <sup>[34]</sup> - 9:15,  
32:5, 43:28, 58:16,  
71:3, 81:3, 81:15,  
92:27, 119:27,  
121:18, 128:25,  
132:27, 136:15,

148:8, 148:17, 151:6,  
161:29, 162:1,  
162:21, 163:6,  
169:18, 170:14,  
171:1, 171:4, 173:10,  
174:28, 176:10,  
184:23, 186:6,  
191:12, 195:27,  
198:26, 222:14  
**certainty** <sup>[1]</sup> - 19:26  
**certify** <sup>[1]</sup> - 1:25  
**chair** <sup>[1]</sup> - 205:8  
**chaired** <sup>[1]</sup> - 80:25  
**Chairman** <sup>[30]</sup> -  
31:13, 37:12, 50:15,  
59:25, 59:28, 65:9,  
65:12, 66:5, 67:12,  
69:25, 72:3, 92:2,  
93:28, 122:20,  
147:17, 148:19,  
192:6, 194:25, 196:6,  
201:19, 202:8,  
202:26, 203:3,  
203:14, 204:29,  
205:2, 208:20,  
208:26, 210:16,  
221:25  
**CHAIRMAN** <sup>[262]</sup> -  
4:7, 4:16, 64:26,  
64:29, 65:3, 65:6,  
65:11, 65:14, 66:1,  
66:7, 66:14, 79:17,  
79:20, 82:29, 83:3,  
83:5, 83:10, 83:15,  
83:18, 83:21, 83:24,  
83:26, 84:3, 84:5,  
84:15, 84:18, 84:25,  
84:28, 85:7, 85:13,  
86:5, 86:8, 86:12,  
86:18, 86:23, 86:29,  
87:4, 87:7, 87:14,  
87:21, 87:28, 88:14,  
88:17, 88:24, 89:5,  
89:7, 89:9, 89:15,  
89:21, 89:24, 89:26,  
90:1, 90:4, 90:9,  
90:13, 90:19, 90:21,  
90:24, 91:3, 91:8,  
91:13, 91:15, 91:19,  
91:27, 92:3, 92:26,  
93:22, 93:29, 94:3,  
95:5, 95:10, 96:20,  
97:8, 98:5, 104:9,  
104:12, 104:22,  
104:24, 105:26,  
106:2, 106:5, 106:10,  
106:15, 106:18,  
106:21, 106:24,  
109:17, 109:21,  
109:24, 109:26,

113:17, 113:23,  
114:3, 114:25, 115:3,  
115:5, 121:16,  
121:25, 121:28,  
122:6, 122:8, 122:11,  
123:14, 123:17,  
123:27, 124:4,  
125:11, 125:17,  
132:15, 132:17,  
132:19, 133:27,  
134:1, 134:3, 134:5,  
137:12, 137:14,  
137:18, 137:21,  
139:1, 139:4, 145:14,  
148:23, 149:1, 149:3,  
149:13, 149:17,  
151:21, 151:23,  
154:13, 155:10,  
155:24, 155:28,  
156:4, 156:6, 157:19,  
157:23, 157:27,  
158:7, 158:12,  
163:10, 163:14,  
164:6, 164:16, 165:7,  
165:14, 169:11,  
169:14, 172:2, 172:7,  
172:10, 173:12,  
174:5, 174:12,  
174:18, 174:20,  
174:26, 174:28,  
175:2, 175:7, 175:11,  
175:18, 176:6, 176:9,  
176:17, 176:26,  
177:8, 177:14,  
177:18, 177:26,  
178:20, 178:22,  
178:29, 179:27,  
185:18, 186:8, 192:5,  
194:18, 194:24,  
194:26, 194:29,  
196:7, 196:12,  
196:14, 196:18,  
198:5, 199:18, 200:3,  
200:10, 200:14,  
200:20, 200:24,  
201:1, 201:5, 201:13,  
201:17, 202:2, 202:4,  
202:7, 202:10,  
202:15, 202:21,  
202:24, 203:6,  
204:25, 205:6,  
208:25, 208:28,  
210:22, 210:27,  
211:1, 212:2, 212:3,  
212:12, 212:16,  
213:6, 214:20,  
214:24, 215:12,  
215:15, 215:18,  
215:21, 215:23,  
215:28, 216:3, 216:6,  
216:11, 216:14,

216:20, 216:27,  
217:2, 217:7, 217:9,  
217:11, 217:18,  
217:23, 217:29,  
218:9, 218:20,  
218:22, 218:27,  
219:2, 219:6, 219:15,  
219:21, 219:27,  
220:2, 220:5, 220:8,  
220:11, 220:14,  
220:17, 220:26,  
221:9, 221:13,  
221:17, 221:27,  
222:5, 222:8, 222:10,  
222:16, 222:18  
**Chairperson** <sup>[4]</sup> -  
12:20, 34:12, 64:24,  
65:1  
**chalice** <sup>[2]</sup> - 216:18,  
216:20  
**challenge** <sup>[2]</sup> -  
37:22, 116:29  
**challenged** <sup>[2]</sup> -  
151:18, 151:25  
**challenging** <sup>[3]</sup> -  
58:21, 152:12, 182:2  
**change** <sup>[50]</sup> - 7:25,  
8:29, 10:12, 12:10,  
12:12, 12:17, 12:22,  
12:29, 13:10, 13:14,  
13:17, 13:20, 13:27,  
13:29, 14:5, 14:13,  
14:28, 14:29, 15:10,  
15:16, 22:1, 22:4,  
22:7, 22:22, 25:25,  
26:24, 26:28, 29:3,  
32:13, 32:19, 39:9,  
39:14, 42:6, 43:7,  
54:2, 56:16, 58:14,  
60:3, 60:7, 60:13,  
83:16, 95:14, 95:16,  
140:13, 141:9, 142:5,  
150:27, 188:5  
**change"** <sup>[1]</sup> - 14:9  
**changed** <sup>[10]</sup> - 7:5,  
14:27, 19:20, 100:1,  
108:13, 111:21,  
131:6, 141:3, 141:10,  
161:13  
**changing** <sup>[1]</sup> - 86:3  
**character** <sup>[1]</sup> - 12:24  
**Charge** <sup>[1]</sup> - 213:5  
**charge** <sup>[12]</sup> - 6:1,  
29:11, 55:8, 64:15,  
101:21, 104:2,  
107:25, 108:1,  
126:29, 127:1,  
160:22, 215:5  
**charged** <sup>[3]</sup> - 6:1,  
22:21, 53:22

**charges** [4] - 54:4, 186:21, 187:6  
**CHARLES** [1] - 3:12  
**CHARLETON** [2] - 1:12, 2:2  
**check** [5] - 138:13, 155:17, 193:22, 194:19, 216:4  
**checking** [1] - 193:28  
**chef** [1] - 155:15  
**CHIEF** [2] - 2:18, 3:12  
**chief** [6] - 5:22, 22:26, 75:22, 100:17, 139:9, 151:13  
**Chief** [54] - 5:23, 17:28, 21:5, 21:23, 22:14, 25:4, 30:19, 34:1, 34:2, 50:7, 50:8, 52:18, 53:29, 54:8, 57:4, 63:7, 63:17, 67:19, 80:16, 80:21, 100:26, 105:18, 105:19, 106:28, 109:1, 110:9, 118:2, 118:20, 118:29, 131:8, 131:15, 131:24, 135:21, 137:3, 137:25, 137:26, 139:10, 147:16, 147:23, 147:29, 149:27, 154:23, 161:15, 163:15, 163:25, 165:26, 168:22, 172:18, 180:5, 182:18, 196:23, 197:1, 209:8, 219:16  
**children** [1] - 99:28  
**Chinese** [3] - 88:23, 88:25, 88:26  
**chip** [1] - 69:29  
**choice** [1] - 141:5  
**chose** [1] - 56:23  
**CHRISTOPHER** [1] - 3:10  
**chronological** [2] - 212:6, 215:23  
**chronology** [5] - 62:5, 70:9, 72:19, 73:3, 147:26  
**circle** [1] - 132:19  
**circulated** [10] - 34:21, 154:27, 178:13, 178:15, 203:2, 207:27, 208:9, 220:16, 220:28, 221:15  
**circulating** [2] - 155:12, 155:13  
**circulation** [4] - 52:15, 153:22, 160:20, 220:22  
**circumspect** [1] - 19:17  
**circumstance** [1] - 52:4  
**circumstances** [11] - 6:19, 18:8, 26:17, 31:18, 91:21, 92:17, 95:29, 149:8, 160:16, 160:20, 160:27  
**civilian** [1] - 75:22  
**claim** [7] - 99:17, 137:10, 148:24, 149:20, 154:15, 155:7  
**claimed** [3] - 132:9, 132:24, 133:2  
**claiming** [3] - 153:23, 155:1, 191:23  
**Clancy** [75] - 96:11, 98:10, 103:28, 104:2, 105:19, 108:5, 108:27, 109:13, 112:11, 113:8, 113:15, 113:21, 113:29, 114:7, 114:21, 114:24, 116:5, 117:20, 118:5, 118:13, 118:20, 120:27, 121:11, 121:12, 126:12, 127:26, 128:10, 128:11, 128:12, 128:27, 131:11, 131:23, 133:17, 133:25, 134:7, 134:28, 136:7, 136:12, 136:16, 136:24, 139:10, 139:28, 142:29, 151:1, 151:9, 152:2, 154:23, 161:18, 162:9, 162:22, 163:21, 164:2, 165:25, 172:19, 183:5, 183:9, 184:2, 184:5, 189:13, 190:11, 190:26, 192:16, 192:26, 193:3, 193:9, 195:13, 195:19, 195:24, 196:27, 211:13, 212:8, 215:4, 215:25, 217:3, 218:14  
**clarified** [4] - 119:11, 140:8, 188:28, 190:5  
**clarify** [8] - 67:14, 68:3, 117:10, 132:11, 184:3, 196:8, 199:10, 202:17  
**clarity** [5] - 7:1, 118:15, 164:1, 179:7, 181:1  
**CLARKE** [1] - 3:4  
**classed** [1] - 138:19  
**Clavin** [5] - 5:23, 53:29, 54:8, 55:17, 57:5  
**clear** [65] - 8:5, 11:29, 13:16, 16:17, 29:6, 30:18, 30:26, 35:8, 37:21, 42:12, 55:11, 57:3, 57:14, 58:6, 60:2, 61:17, 67:2, 67:11, 67:12, 68:16, 69:3, 69:22, 70:15, 71:15, 72:17, 72:23, 103:1, 104:18, 105:20, 106:12, 109:11, 114:19, 114:21, 121:10, 123:24, 129:16, 129:22, 129:23, 129:28, 131:1, 136:5, 136:17, 137:5, 141:18, 142:18, 144:9, 150:18, 152:24, 152:27, 153:15, 159:6, 159:19, 160:14, 161:8, 166:1, 178:24, 179:6, 182:1, 182:10, 183:1, 183:2, 185:14, 189:19, 191:28  
**cleared** [4] - 92:11, 119:12, 190:5, 221:5  
**clearly** [31] - 8:19, 13:14, 16:2, 19:25, 32:7, 56:28, 70:19, 72:13, 84:19, 85:25, 111:13, 118:9, 118:10, 118:25, 119:18, 120:8, 129:3, 129:29, 132:3, 132:4, 151:1, 179:14, 179:21, 184:15, 189:12, 190:8, 190:15, 190:19, 204:17, 209:9, 221:5  
**clerical** [1] - 181:12  
**cliques** [1] - 213:26  
**Clones** [1] - 142:1  
**close** [8] - 6:27, 7:2, 23:25, 39:23, 47:16, 67:24, 100:6, 160:27  
**closed** [1] - 17:3  
**closely** [1] - 130:21  
**club** [2] - 67:1, 67:2  
**clumsy** [1] - 142:26  
**co** [2] - 20:2, 106:6  
**co-employee** [1] - 20:2  
**co-signs** [1] - 106:6  
**code** [1] - 79:9  
**coffee/tea** [1] - 213:27  
**cohort** [1] - 42:5  
**collapsed** [1] - 151:19  
**colleague** [3] - 20:1, 50:14, 188:21  
**colleagues** [7] - 19:29, 54:17, 56:20, 89:12, 131:7, 133:17, 161:14  
**collective** [5] - 14:7, 15:13, 82:3, 82:26, 84:21  
**collectives** [1] - 74:10  
**College** [3] - 54:24, 89:25, 93:18  
**college** [1] - 62:25  
**Colm** [4] - 110:10, 115:11, 137:28, 154:24  
**COLM** [1] - 3:1  
**colon** [1] - 39:20  
**column** [1] - 55:9  
**coming** [8] - 34:14, 71:8, 88:9, 104:20, 105:2, 125:14, 174:9, 217:29  
**commas** [1] - 92:15  
**commence** [1] - 73:25  
**commenced** [3] - 52:2, 97:2, 108:24  
**commencement** [4] - 52:9, 61:16, 63:25, 82:11  
**commend** [1] - 57:4  
**comment** [13] - 8:7, 16:16, 28:8, 40:16, 61:14, 69:21, 72:29, 73:1, 77:25, 81:23, 119:15, 169:24, 175:24  
**commentary** [3] - 21:5, 55:10, 57:7  
**commented** [1] - 54:3  
**comments** [3] - 16:25, 16:29, 30:7  
**Commission** [67] - 52:2, 52:5, 61:28, 63:15, 63:22, 63:26, 73:24, 73:28, 75:21, 76:23, 77:15, 78:22, 80:8, 80:12, 81:5, 81:21, 81:24, 81:27, 85:5, 85:9, 87:11, 105:24, 109:28, 121:22, 134:2, 142:21, 143:12, 144:3, 144:14, 145:20, 147:11, 147:17, 159:23, 172:24, 175:24, 176:2, 176:23, 177:5, 177:6, 178:2, 178:10, 178:11, 178:13, 178:26, 179:10, 183:13, 183:17, 191:1, 194:5, 194:7, 198:3, 199:16, 201:6, 201:7, 205:1, 206:29, 207:28, 209:4, 209:24, 209:27, 209:29, 210:4, 210:6, 212:11, 212:18, 218:27, 219:25  
**Commission"** [1] - 72:12  
**Commission'** [1] - 75:25  
**commissioner** [5] - 63:20, 108:22, 187:29, 188:6, 217:14  
**COMMISSIONER** [1] - 2:15  
**Commissioner** [92] - 8:9, 8:11, 8:19, 10:12, 11:17, 12:9, 12:16, 12:21, 13:13, 16:5, 16:10, 16:14, 16:21, 16:25, 17:11, 18:14, 19:21, 21:8, 22:5, 22:16, 30:29, 32:4, 33:18, 33:25, 33:26, 34:4, 35:15, 35:19, 35:23, 38:13, 38:21, 38:25, 39:19, 39:26, 40:1, 40:11, 41:8, 41:13, 41:23, 42:12, 42:18, 42:28, 43:5, 43:15, 44:8, 44:23, 45:7, 46:8, 46:15, 46:19, 46:22, 47:13, 48:20, 48:29, 49:10, 49:15, 50:7, 50:9, 60:3, 63:14, 64:2, 64:13, 70:15, 70:28, 71:13, 71:21, 74:23, 76:20, 78:4, 78:7, 78:8, 80:2, 80:25, 83:11, 84:29, 87:8, 88:1, 106:27, 107:5,

107:13, 116:16,  
130:8, 135:21,  
143:29, 147:28,  
154:17, 154:21,  
154:23, 168:22,  
172:14, 172:17,  
173:14  
**Commissioner's** [7]  
- 33:17, 34:10, 77:29,  
81:10, 82:6, 194:10,  
194:13  
**commissioners** [1] -  
33:18  
**commit** [1] - 31:17  
**commitment** [1] -  
8:26, 10:6, 12:12,  
12:21, 12:28, 23:9,  
60:7, 60:9, 60:17,  
82:26, 85:18  
**committed** [7] -  
10:11, 12:10, 12:17,  
15:5, 30:17, 60:3,  
171:5  
**Committee** [1] -  
89:29  
**committee** [1] -  
50:16  
**committees** [1] -  
56:14  
**common** [2] - 54:2,  
55:14  
**communication** [1] -  
179:7  
**communications** [2]  
- 31:29, 50:28  
**company** [1] - 197:4  
**COMPANY** [1] - 2:11  
**Company** [1] - 109:4  
**compare** [2] - 9:28,  
69:11  
**compiled** [1] - 77:27  
**compiling** [1] -  
146:11  
**complained** [3] -  
11:19, 136:22, 136:24  
**complaining** [10] -  
9:7, 131:4, 131:14,  
135:2, 157:5, 158:14,  
161:11, 161:20,  
163:23, 167:6  
**complains** [1] -  
134:11  
**complaint** [46] -  
96:23, 96:25, 98:13,  
99:22, 106:19,  
110:23, 111:17,  
112:11, 113:8,  
113:14, 113:21,  
113:29, 114:7,  
114:21, 116:4,  
117:20, 117:25,  
118:5, 118:19,  
121:11, 124:23,  
124:28, 125:2,  
127:26, 128:26,  
134:24, 136:1, 136:8,  
136:11, 136:14,  
142:29, 144:15,  
150:29, 151:9,  
159:26, 160:9,  
162:22, 166:3, 167:3,  
170:3, 174:25,  
189:12, 190:10,  
195:12, 195:19,  
195:29  
**Complaint'** [2] -  
136:3, 170:5  
**complaint'** [1] -  
158:21  
**complaints** [38] -  
99:15, 99:21, 106:29,  
111:1, 111:21,  
111:25, 118:12,  
126:15, 128:9,  
128:11, 131:21,  
131:26, 131:27,  
133:16, 133:20,  
135:16, 136:21,  
142:7, 142:8, 142:9,  
165:23, 165:28,  
166:17, 166:22,  
166:24, 168:11,  
168:18, 179:10,  
180:17, 184:12,  
184:17, 184:19,  
190:25, 204:22,  
205:1, 211:12  
**complete** [1] -  
141:15  
**completed** [1] - 59:5  
**completely** [8] -  
100:1, 133:19, 141:3,  
146:27, 160:12,  
210:8, 210:9, 219:10  
**completion** [1] -  
134:5  
**compliance** [1] -  
7:16  
**complied** [1] -  
160:12  
**comply** [1] - 7:11  
**composed** [1] -  
101:19  
**comprehensive** [1] -  
55:22  
**concern** [6] - 18:4,  
41:18, 46:10, 148:21,  
175:26, 175:29  
**Concern** [1] - 46:8  
**concerned** [20] -  
15:9, 24:9, 25:4, 41:8,  
63:5, 72:2, 101:8,  
105:15, 115:15,  
115:23, 121:8, 124:8,  
124:13, 124:16,  
125:5, 144:13, 150:8,  
152:6, 205:11, 209:23  
**concerning** [5] -  
65:19, 95:20, 96:25,  
98:13, 174:15  
**concerns** [6] - 9:20,  
16:18, 60:27, 80:21,  
108:2, 108:3  
**conclave** [4] -  
147:29, 148:2,  
148:13, 148:14  
**conclude** [1] - 48:23  
**concluded** [4] -  
12:20, 59:1, 59:3,  
60:26  
**concludes** [1] -  
99:24  
**concluding** [1] - 44:2  
**conclusion** [2] -  
95:25, 104:26  
**conclusions** [1] -  
56:4  
**conditions** [3] - 9:21,  
16:22, 24:8  
**condone** [1] - 21:12  
**conduct** [1] - 100:18  
**conducted** [8] - 13:1,  
36:15, 59:11, 59:12,  
98:23, 145:20,  
146:15, 206:8  
**conference** [2] -  
33:17, 82:6  
**confetti** [1] - 124:5  
**confidence** [2] - 7:1,  
36:21  
**Confidential** [1] -  
17:25  
**confined** [1] - 61:24  
**confirm** [6] - 29:12,  
67:14, 78:4, 203:14,  
205:9, 222:3  
**confirmed** [4] -  
25:29, 56:5, 57:17,  
209:19  
**confirming** [2] -  
70:16, 116:10  
**confirms** [2] - 69:9,  
69:15  
**conflict** [1] - 13:7,  
13:14, 31:18, 70:3,  
74:6, 82:2, 82:23,  
85:20, 86:28, 89:17,  
221:6  
**conflicts** [1] - 88:5  
**confrontation** [1] -  
56:19  
**confrontations** [1] -  
98:19  
**confused** [5] - 129:9,  
129:12, 129:21,  
190:29, 191:4  
**confusing** [1] -  
143:24  
**confusion** [4] - 67:8,  
70:7, 73:5, 128:22  
**connected** [1] -  
81:13  
**connection** [1] -  
92:10  
**CONOR** [1] - 2:16  
**conscience** [1] -  
76:13  
**conscious** [1] -  
85:27  
**consciousness** [1] -  
24:29  
**consent** [2] - 40:6,  
149:9  
**consequence** [3] -  
57:28, 86:13, 138:7  
**consider** [5] - 42:10,  
53:27, 56:29, 60:13,  
149:20  
**considerable** [5] -  
17:7, 51:28, 84:23,  
174:12, 206:9  
**consideration** [2] -  
22:6, 46:5  
**considered** [3] -  
38:23, 135:27, 169:29  
**consistent** [1] -  
39:16  
**constantly** [4] -  
46:15, 125:15, 213:1,  
213:27  
**constrained** [1] -  
158:3  
**construct** [1] - 15:16  
**construe** [2] - 85:7,  
85:9  
**consultation** [1] -  
19:5, 109:29, 110:7,  
110:8, 111:14, 113:3,  
115:17, 162:15,  
209:5, 209:6, 211:11  
**consulted** [1] - 182:9  
**contact** [12] - 75:11,  
75:19, 76:9, 89:2,  
108:20, 109:5, 131:9,  
135:29, 161:16,  
163:16, 170:2, 171:15  
**contacted** [6] -  
18:27, 25:15, 131:12,  
161:19, 163:22,  
167:12  
**contained** [1] - 153:1  
**containing** [1] -  
126:15  
**contemplation** [1] -  
80:28  
**contemporaneous**  
[2] - 72:10, 122:3  
**content** [2] - 79:14,  
178:14  
**contention** [2] -  
171:7, 171:16  
**contents** [6] - 118:1,  
143:21, 188:16,  
189:18, 189:19,  
191:25  
**context** [19] - 19:24,  
24:22, 78:17, 80:6,  
93:1, 104:4, 132:12,  
145:22, 145:24,  
146:9, 146:24, 158:9,  
175:26, 178:6,  
178:16, 178:18, 217:3  
**continuation** [1] -  
56:4  
**continue** [5] - 54:1,  
74:20, 88:10, 88:13,  
104:25  
**continued** [13] - 6:8,  
7:16, 9:18, 9:19,  
54:21, 55:3, 56:7,  
61:21, 61:22, 61:23,  
64:19, 65:22, 77:17  
**CONTINUED** [1] -  
5:4  
**continues** [4] - 6:13,  
6:14, 21:22, 47:11  
**continuing** [1] - 23:8  
**contract** [1] - 31:17  
**contradicted** [2] -  
121:25, 190:9  
**contradiction** [1] -  
201:10  
**contradicts** [1] -  
118:16  
**contrary** [3] - 82:10,  
90:5, 90:6  
**contrast** [2] - 9:28,  
69:11  
**contraventions** [1] -  
56:7  
**contribute** [6] - 8:28,  
10:10, 22:1, 22:9,  
26:15, 59:21  
**contributed** [8] -  
14:27, 55:22, 55:24,  
59:24, 60:25, 135:22,  
136:4, 153:4  
**contributing** [3] -  
116:22, 170:22,  
181:25

**contribution** [8] - 10:3, 10:4, 11:1, 18:24, 26:6, 28:24, 55:26, 55:28  
**contributions** [1] - 171:27  
**control** [1] - 47:29  
**controversy** [3] - 17:27, 29:25, 55:7  
**convened** [1] - 33:15  
**convenience** [1] - 214:11  
**convenient** [1] - 122:9  
**conversation** [7] - 12:29, 62:17, 66:21, 105:20, 150:4, 214:27, 215:1  
**conversations** [6] - 13:3, 30:27, 131:2, 141:11, 141:29, 161:8  
**convey** [4] - 8:4, 35:28, 41:3, 43:28  
**conveyed** [11] - 100:3, 101:23, 108:28, 118:7, 127:28, 128:13, 135:2, 167:6, 183:6, 195:14, 195:21  
**conveying** [1] - 64:12  
**conviction** [1] - 7:13  
**convictions** [1] - 7:7  
**convinced** [1] - 208:17  
**convincing** [1] - 41:1  
**cooperated** [2] - 18:19, 18:22  
**cooperation** [2] - 18:17, 19:13  
**coordinated** [2] - 15:5, 21:16  
**Cootehill** [1] - 205:4  
**copied** [1] - 82:18  
**copies** [4] - 121:5, 123:10, 123:20, 199:15  
**copy** [14] - 57:25, 62:29, 112:29, 113:2, 114:5, 116:5, 116:16, 119:9, 119:18, 120:9, 120:26, 123:14, 137:24, 144:28  
**Corcoran** [1] - 62:12  
**core** [3] - 27:11, 178:11, 178:12  
**corporate** [5] - 42:21, 42:28, 43:10, 74:9, 74:11  
**correct** [137] - 5:18, 7:4, 15:27, 17:15, 18:20, 19:23, 21:18, 21:26, 23:2, 23:4, 25:7, 25:13, 27:12, 27:14, 29:21, 33:11, 33:13, 33:27, 35:2, 35:13, 35:25, 38:1, 38:3, 39:2, 39:28, 41:26, 42:9, 45:15, 49:14, 49:21, 49:29, 50:20, 50:25, 51:12, 51:23, 52:22, 54:12, 54:26, 54:27, 58:22, 60:5, 63:16, 64:6, 64:22, 67:17, 71:2, 71:18, 71:23, 75:2, 75:3, 78:14, 78:15, 81:14, 89:19, 92:16, 95:23, 96:2, 96:18, 96:29, 97:6, 98:26, 99:12, 100:16, 100:23, 100:27, 101:1, 101:3, 101:6, 101:10, 101:28, 102:9, 103:6, 109:10, 110:2, 110:5, 111:19, 116:18, 118:14, 118:26, 123:29, 124:18, 125:20, 126:16, 126:24, 127:12, 127:13, 129:1, 129:21, 130:5, 130:14, 130:24, 133:14, 135:6, 136:9, 137:16, 138:18, 138:28, 140:10, 143:5, 144:11, 147:13, 150:3, 152:10, 153:11, 153:25, 153:29, 156:5, 167:25, 179:13, 180:4, 180:7, 181:29, 186:10, 190:10, 201:16, 201:28, 204:13, 205:10, 205:17, 206:13, 206:14, 207:3, 207:4, 209:15, 209:18, 209:21, 209:25, 210:1, 210:14, 211:20, 211:28, 216:19, 216:26, 217:6, 218:21, 222:7  
**corrected** [8] - 125:23, 132:7, 133:3, 133:5, 138:14, 138:22, 138:24, 194:15  
**correction** [1] - 146:29  
**correctly** [4] - 75:15, 147:26, 167:28, 194:9  
**correspond** [2] - 82:13, 105:11  
**corresponded** [2] - 144:19, 144:20  
**correspondence** [18] - 9:19, 13:12, 16:20, 21:19, 30:28, 31:4, 31:9, 31:15, 31:22, 31:27, 32:5, 40:29, 41:9, 74:20, 82:12, 109:1, 109:3, 187:1  
**corresponding** [1] - 137:4  
**corridor** [1] - 15:28  
**corruption** [3] - 172:28, 207:1, 207:10  
**cost** [1] - 7:25  
**Costello** [5] - 98:5, 109:3, 187:14, 187:25, 187:28  
**COSTELLO** [2] - 2:11, 98:7  
**counsel** [30] - 90:18, 91:5, 109:29, 110:28, 111:15, 114:16, 114:20, 117:9, 117:12, 121:6, 143:28, 147:27, 148:5, 148:7, 148:8, 148:12, 151:4, 155:20, 159:23, 173:7, 177:4, 191:1, 191:14, 191:27, 191:29, 193:18, 193:29, 194:10, 194:13, 211:11  
**counsel's** [2] - 152:7, 152:14  
**count** [1] - 30:21  
**countersigned** [3] - 117:28, 199:3, 199:12  
**country** [4] - 29:12, 33:4, 57:19, 61:27  
**country\*** [1] - 25:16  
**County** [2] - 67:1, 205:4  
**couple** [8] - 35:4, 35:5, 47:19, 48:6, 68:3, 72:2, 97:16, 212:3  
**coupled** [1] - 207:20  
**courage** [2] - 7:7, 14:23  
**courageous** [1] - 55:27  
**course** [17] - 29:4, 54:5, 60:1, 60:15, 77:20, 85:14, 89:18, 91:9, 95:15, 102:29, 111:13, 117:7, 117:8, 118:3, 127:24, 189:23, 204:21  
**courses** [1] - 36:11  
**Court** [3] - 124:5, 204:4, 204:6  
**court** [1] - 206:29  
**COURT** [2] - 1:13, 2:3  
**courthouse** [1] - 106:16  
**Courtney** [1] - 50:12  
**covered** [2] - 103:23, 207:9  
**covering** [1] - 207:12  
**crazy** [1] - 155:16  
**create** [2] - 26:13, 160:28  
**created** [3] - 15:1, 73:5, 214:1  
**creating** [3] - 14:13, 31:16, 57:25  
**creative** [2] - 49:8, 49:18  
**credibility** [11] - 84:17, 127:7, 147:20, 177:12, 180:24, 181:5, 181:17, 182:20, 188:16, 189:10, 192:1  
**credible** [6] - 30:11, 36:6, 36:15, 37:7, 58:26, 58:27  
**credit** [2] - 55:22, 74:19  
**Creedon** [1] - 118:28  
**crime** [5] - 164:10, 164:12, 164:13, 173:18, 213:22  
**criminal** [4] - 158:20, 159:25, 160:9, 204:2  
**critical** [4] - 30:5, 135:13, 168:8, 218:6  
**criticality** [1] - 77:4  
**CROSS** [8] - 4:5, 4:8, 4:12, 4:13, 66:19, 93:3, 93:3, 147:3, 192:8  
**cross** [9] - 70:18, 119:14, 133:11, 140:18, 143:20, 145:27, 162:14, 163:10, 195:2  
**cross-examination** [4] - 70:18, 162:14, 163:10, 195:2  
**cross-examined** [4] - 119:14, 133:11, 143:20, 145:27  
**CROSS-EXAMINED** [8] - 4:5, 4:8, 4:12, 4:13, 66:19, 93:3, 147:3, 192:8  
**crossed** [1] - 123:13  
**crucial** [1] - 29:29  
**crystal** [1] - 181:1  
**Cualáin** [2] - 33:19, 33:26  
**cultural** [9] - 10:12, 13:28, 14:5, 14:17, 42:4, 43:9, 46:26, 49:2, 58:29  
**culturally** [2] - 32:14, 67:23  
**culture** [7] - 10:5, 10:18, 11:2, 43:7, 46:12, 58:10, 58:25  
**cultures** [1] - 17:3  
**Cunningham** [57] - 93:27, 95:4, 95:18, 102:11, 102:13, 102:21, 103:16, 107:10, 115:19, 117:21, 117:26, 118:1, 118:4, 118:22, 122:26, 126:23, 127:17, 127:25, 128:8, 131:25, 131:26, 131:29, 134:18, 135:4, 137:24, 142:18, 147:7, 149:28, 154:22, 156:15, 156:17, 156:21, 156:28, 157:5, 157:29, 158:13, 158:19, 164:18, 165:27, 166:22, 166:23, 166:26, 167:1, 167:9, 169:20, 172:20, 175:21, 176:12, 183:4, 185:19, 192:12, 195:12, 199:5, 205:20, 206:7, 211:3, 220:13  
**CUNNINGHAM** [4] - 4:10, 95:1, 147:3, 192:8  
**Cunningham's** [1] - 123:3  
**Curran** [1] - 17:28  
**current** [1] - 220:21  
**cycle** [1] - 57:1  
**Cyril** [12] - 33:19, 45:25, 45:28, 48:7, 61:15, 70:14, 72:11, 75:22, 75:24, 77:3, 90:7, 222:1

## D

- D's** [1] - 185:8
- damage** [6] - 20:11, 21:16, 64:21, 87:2, 87:3, 87:6
- damaging** [3] - 20:29, 21:10, 207:12
- dangerous** [1] - 174:15
- data** [2] - 58:28, 59:4
- date** [17] - 64:10, 68:19, 69:23, 73:4, 73:6, 75:14, 75:28, 100:28, 111:8, 119:14, 172:7, 187:3, 192:27, 194:17, 196:28, 202:12, 207:25
- dated** [11] - 52:12, 70:17, 75:15, 96:4, 107:5, 108:26, 130:10, 137:25, 138:1, 201:26, 209:8
- dates** [1] - 9:7
- dating** [1] - 165:4
- daughter** [2] - 97:4, 109:18
- David** [1] - 63:13
- DAY** [1] - 1:18
- day's** [3] - 84:13, 147:26, 157:15
- days** [2] - 52:4, 90:11
- deal** [18] - 13:19, 17:10, 31:14, 38:24, 43:16, 44:29, 51:18, 70:13, 72:1, 76:13, 140:26, 140:27, 140:28, 143:13, 182:23, 193:8, 197:20, 207:22
- dealing** [14] - 9:17, 14:6, 48:27, 98:8, 106:22, 106:23, 129:4, 129:13, 170:24, 176:1, 185:7, 190:6, 219:10, 219:13
- dealings** [11] - 88:19, 107:29, 117:12, 129:6, 133:24, 134:6, 138:11, 181:19, 181:28, 209:9
- deals** [2] - 134:3, 217:21
- dealt** [17] - 9:25, 90:3, 104:3, 104:7, 134:12, 135:17, 136:14, 142:15, 142:16, 142:17, 168:19, 173:19, 178:2, 185:9, 185:10, 186:7, 214:13
- death** [1] - 174:16
- debate** [1] - 55:10
- debates** [1] - 78:22
- December** [6] - 21:4, 69:28, 97:2, 107:5, 108:13, 218:11
- decide** [1] - 175:3
- decided** [2] - 19:6, 170:11
- decides** [1] - 203:23
- decision** [7] - 16:2, 78:18, 95:13, 95:14, 100:11, 182:2, 203:25
- decisions** [1] - 12:3
- declaration** [3] - 131:9, 161:16, 163:17
- declined** [1] - 102:12
- dedicated** [2] - 15:5, 99:26
- deducing** [1] - 40:13
- deeply** [5] - 74:25, 74:26, 76:24, 76:25, 207:2
- defensive** [1] - 43:22
- definite** [1] - 87:5
- definitely** [3] - 25:1, 113:4, 113:5
- degree** [8] - 16:23, 30:6, 58:16, 73:2, 74:25, 80:28, 81:29, 87:19
- delay** [4] - 80:21, 156:20, 156:23
- delegated** [1] - 161:3
- deletion** [1] - 200:17
- deliberate** [2] - 57:9, 156:23
- deliberately** [1] - 35:16
- deliver** [3] - 21:10, 36:12, 160:22
- delivered** [6] - 19:25, 30:22, 36:24, 41:6, 52:7, 160:23
- delivering** [1] - 29:29
- delivery** [1] - 30:5
- Delta** [1] - 65:25
- demand** [3] - 115:26, 184:19, 184:22
- demeanour** [2] - 69:12, 104:20
- demonstrate** [1] - 60:21
- demonstrated** [3] - 54:17, 72:17, 74:3
- denial** [2] - 19:13, 70:4
- denials** [1] - 19:17
- denigrate** [1] - 19:22
- dense** [1] - 65:13
- denseness** [1] - 65:15
- deny** [1] - 156:22
- Department** [2] - 44:24, 51:9
- departmental** [1] - 81:10
- deputy** [3] - 33:18, 33:25, 38:20
- Deputy** [4] - 34:4, 78:4, 78:24, 79:3
- derailed** [1] - 80:29
- Derek** [3] - 106:28, 107:5, 107:13
- dereliction** [2] - 205:22, 217:27
- describe** [2] - 42:25, 52:23
- described** [7] - 16:23, 36:17, 61:5, 129:9, 154:16, 160:27, 168:26
- describing** [1] - 16:6
- description** [2] - 24:9, 159:27
- deserves** [1] - 37:26
- desist** [2] - 66:4, 187:17
- despite** [7] - 6:8, 55:6, 55:8, 55:9, 56:6, 56:12
- destination** [1] - 35:6
- destroyed** [1] - 18:15
- destructive** [1] - 48:1
- detached** [1] - 146:28
- detail** [3] - 75:3, 79:4, 213:11
- detailed** [7] - 17:12, 21:4, 84:7, 117:29, 127:16, 199:4, 213:16
- details** [8] - 58:29, 66:29, 76:5, 103:26, 117:25, 181:18, 181:27
- determination** [1] - 32:13
- develop** [1] - 176:16
- developed** [3] - 8:2, 50:23, 78:24
- developing** [2] - 31:17, 51:29
- Development** [1] - 78:4
- developments** [1] - 102:28
- dialled** [5] - 16:17, 33:10, 33:16, 80:26, 82:7
- dialling** [5] - 13:7, 13:9, 31:26, 82:2, 82:23
- dialogue** [10] - 13:9, 20:8, 23:16, 31:3, 31:10, 31:22, 46:22, 48:23, 58:2, 82:5
- DIARMAID** [1] - 2:6
- diary** [1] - 71:13
- dictionary** [1] - 170:11
- differ** [1] - 131:2
- difference** [4] - 93:15, 145:8, 145:11, 182:16
- differences** [3] - 105:12, 131:5, 161:12
- different** [18] - 12:23, 15:14, 22:26, 25:1, 47:3, 70:12, 73:12, 73:13, 73:17, 85:27, 131:7, 141:28, 142:16, 146:26, 161:14, 177:10, 177:15, 179:24
- differently** [2] - 155:5, 160:18
- differing** [1] - 190:20
- differs** [1] - 161:9
- difficult** [6] - 14:6, 42:5, 45:27, 46:3, 69:26, 207:21
- difficulties** [4] - 19:19, 145:4, 187:1, 187:18
- difficulty** [9] - 20:1, 29:18, 60:18, 65:5, 83:19, 103:12, 108:20, 170:14, 182:8
- DIGNAM** [6] - 2:16, 4:5, 66:8, 66:15, 66:19, 66:20
- Dignam** [5] - 63:1, 67:9, 70:18, 91:27, 91:29
- dignity** [1] - 48:10
- dilemmas** [1] - 46:16
- diplomacy** [1] - 74:21
- direct** [3] - 11:25, 16:29, 28:20
- directed** [14] - 95:27, 100:20, 105:21, 108:21, 123:8, 123:17, 141:3, 141:4, 147:17, 187:19, 187:27, 188:7, 196:28, 197:1
- direction** [3] - 158:20, 159:25, 183:6
- directions** [34] - 100:3, 101:23, 105:6, 108:28, 112:21, 112:23, 118:7, 127:28, 128:13, 128:27, 135:1, 140:4, 140:14, 143:1, 156:16, 156:18, 156:26, 160:3, 160:13, 160:16, 160:20, 160:23, 162:6, 162:9, 162:27, 163:11, 164:4, 164:27, 165:2, 167:6, 195:14, 195:20, 203:1, 217:4
- directive** [1] - 203:4
- directives** [11] - 6:9, 6:12, 7:12, 7:15, 47:4, 54:19, 54:28, 55:2, 55:11, 57:22
- DIRECTLY** [2] - 4:11, 95:2
- directly** [6] - 40:22, 57:8, 77:15, 79:8, 90:4, 173:19
- Director** [5] - 75:9, 78:3, 95:26, 203:23, 204:8
- director** [1] - 56:19
- director's** [1] - 203:26
- disaffected** [4] - 170:9, 170:27, 171:4, 171:22
- disaffection** [6] - 135:29, 170:2, 170:18, 170:25, 171:9, 171:13
- disaffection'** [1] - 170:12
- disappears** [1] - 65:15
- disappointment** [1] - 47:2
- disciplinary** [2] - 104:4, 186:14
- discipline** [6] - 27:7, 27:22, 29:19, 50:15, 151:21, 151:22
- disciplined** [1] - 187:22
- disclose** [1] - 203:27
- disclosed** [2] - 54:22, 54:26
- disclosure** [3] - 45:12, 45:13, 56:18
- Disclosure** [1] -

75:20  
**disclosures** [4] - 6:7,  
 43:10, 58:4, 85:3  
**DISCLOSURES** [2] -  
 1:3, 1:4  
**discomfort** [2] -  
 25:1, 31:7  
**discontinue** [1] -  
 31:9  
**discos** [1] - 174:10  
**discourse** [1] - 13:29  
**discovered** [1] -  
 158:29  
**discovery** [2] - 21:2,  
 165:7  
**discuss** [4] - 92:5,  
 131:27, 166:24,  
 214:11  
**discussed** [7] - 8:10,  
 10:22, 39:16, 80:24,  
 110:26, 169:2, 180:22  
**discussing** [5] -  
 5:25, 8:10, 33:23,  
 126:23, 148:15  
**discussion** [23] -  
 10:24, 17:24, 19:10,  
 23:15, 26:3, 28:20,  
 30:10, 35:8, 35:9,  
 35:11, 35:16, 35:19,  
 35:24, 44:12, 50:1,  
 51:14, 60:16, 62:14,  
 62:21, 70:19, 116:11,  
 148:9, 164:8  
**discussions** [2] -  
 38:20, 81:20  
**disgusting** [1] - 16:7  
**disinclination** [1] -  
 170:13  
**dismissive** [2] -  
 186:5  
**displayed** [1] -  
 102:19  
**disprove** [1] - 17:13  
**dispute** [3] - 123:22,  
 127:17, 202:16  
**disregard** [1] - 11:22  
**disrespect** [1] -  
 174:12  
**disrespectful** [1] -  
 37:2  
**dissatisfaction** [1] -  
 8:14  
**disserved** [1] -  
 173:21  
**distance** [1] - 33:2  
**distinction** [2] - 9:12,  
 72:23  
**distress** [2] - 119:27,  
 156:20  
**distressed** [1] -

187:9  
**distressful** [1] -  
 160:11  
**distressing** [1] -  
 160:11  
**distributed** [1] -  
 125:9  
**district** [2] - 25:16,  
 101:20  
**diverted** [1] - 165:11  
**division** [2] - 63:17,  
 109:2  
**divisional** [2] -  
 53:24, 151:11  
**divisions** [1] - 53:22  
**docs** [2] - 123:9,  
 123:19  
**document** [34] -  
 25:26, 46:26, 119:16,  
 120:11, 120:14,  
 123:24, 124:22,  
 132:10, 132:11,  
 133:23, 136:3, 137:9,  
 138:26, 153:27,  
 154:3, 154:4, 155:12,  
 170:5, 181:25,  
 183:14, 183:18,  
 187:26, 191:24,  
 192:17, 192:18,  
 198:22, 198:26,  
 202:11, 203:2, 203:9,  
 204:23, 207:26,  
 214:29  
**documentary** [1] -  
 20:16  
**documentation** [3] -  
 183:16, 196:29,  
 221:15  
**documented** [1] -  
 185:12  
**documents** [40] -  
 70:1, 70:27, 75:6,  
 121:4, 121:15, 123:3,  
 123:4, 123:14,  
 124:15, 124:21,  
 124:27, 125:13,  
 125:15, 133:22,  
 134:10, 134:14,  
 136:18, 136:22,  
 144:23, 144:24,  
 145:2, 153:15,  
 155:21, 155:26,  
 168:3, 178:11,  
 178:12, 198:2,  
 198:13, 207:23,  
 208:2, 208:16,  
 208:22, 210:19,  
 211:5, 211:6, 220:15,  
 220:22, 220:28  
**domain** [1] - 22:3

**DONAL** [1] - 2:16  
**Donal** [1] - 33:19  
**DONALD** [1] - 2:18  
**done** [26] - 6:18,  
 12:25, 18:3, 29:6,  
 29:10, 57:27, 59:16,  
 64:20, 66:5, 76:24,  
 76:25, 90:8, 91:3,  
 93:9, 152:2, 152:3,  
 160:18, 164:22,  
 166:7, 173:5, 173:25,  
 212:27, 218:2, 218:5  
**DONNELLY** [1] - 3:3  
**door** [1] - 151:10  
**dots** [1] - 16:26  
**doubt** [10] - 14:21,  
 21:14, 32:12, 49:29,  
 60:15, 73:7, 120:15,  
 120:16, 150:18,  
 208:12  
**doubting** [1] -  
 123:28  
**doubts** [1] - 85:29  
**down** [40] - 10:9,  
 13:7, 13:9, 22:11,  
 25:27, 31:26, 33:4,  
 34:26, 39:7, 39:29,  
 40:8, 41:12, 41:13,  
 41:20, 45:3, 45:17,  
 75:6, 77:5, 82:2,  
 82:23, 102:1, 102:10,  
 102:16, 104:15,  
 107:18, 112:8, 126:6,  
 137:15, 140:12,  
 148:4, 148:9, 148:15,  
 149:26, 151:7,  
 160:21, 188:8, 206:5,  
 217:29, 220:12,  
 220:23  
**dozen** [1] - 97:16  
**DPP** [28] - 100:2,  
 100:3, 101:22,  
 103:22, 105:5, 105:6,  
 108:28, 112:16,  
 112:21, 112:22,  
 114:4, 115:27, 118:7,  
 131:3, 131:9, 135:1,  
 159:21, 161:10,  
 161:16, 163:16,  
 164:16, 165:14,  
 169:9, 185:19,  
 195:20, 204:4,  
 204:16, 215:26  
**DPP's** [26] - 128:27,  
 131:13, 140:4, 143:1,  
 158:19, 159:24,  
 160:2, 160:13,  
 161:19, 161:22,  
 161:24, 162:5, 162:9,  
 162:26, 163:22,

164:3, 164:13,  
 164:26, 165:2, 167:6,  
 183:6, 184:15,  
 202:29, 203:4, 217:4,  
 218:16  
**Dr** [2] - 48:7, 52:7  
**drafted** [1] - 108:27  
**drafter** [1] - 136:18  
**drafting** [1] - 164:1  
**drafts** [1] - 153:23  
**draw** [3] - 47:18,  
 93:7, 177:6  
**drawing** [3] - 29:17,  
 47:16, 80:1  
**drawn** [2] - 9:12,  
 219:3  
**dread** [1] - 176:14  
**drew** [2] - 77:13,  
 79:27  
**drift** [1] - 189:25  
**drill** [1] - 65:14  
**drinks** [1] - 174:13  
**drive** [2] - 23:22,  
 33:3  
**driven** [1] - 84:22  
**driveway** [1] - 205:7  
**driving** [2] - 84:7,  
 174:16  
**drop** [4] - 39:29,  
 41:12, 44:5, 45:3  
**drove** [1] - 69:1  
**drunk** [1] - 185:29  
**drunken** [1] - 169:18  
**Ds** [2] - 101:23,  
 106:15  
**DUBLIN** [6] - 1:17,  
 2:13, 2:20, 2:25, 3:6,  
 3:14  
**Dublin** [3] - 50:15,  
 120:5, 120:6  
**duds** [1] - 26:26  
**due** [3] - 75:19,  
 100:5, 174:20  
**DUNDRUM** [1] - 2:25  
**Dunne** [37] - 33:19,  
 34:6, 45:18, 45:25,  
 52:19, 61:1, 61:15,  
 66:11, 66:16, 66:23,  
 66:24, 69:5, 69:24,  
 70:14, 70:29, 71:23,  
 72:11, 73:16, 73:23,  
 73:26, 74:15, 75:22,  
 75:24, 77:3, 80:7,  
 86:14, 86:19, 86:26,  
 89:2, 90:17, 90:29,  
 91:5, 93:8, 93:13,  
 93:21, 94:1, 222:1  
**Dunne's** [3] - 68:17,  
 69:27, 76:19  
**duration** [1] - 61:17

**during** [9] - 26:3,  
 91:8, 102:18, 106:11,  
 108:19, 110:8,  
 111:13, 142:2, 156:18  
**Duties** [1] - 45:9  
**duties** [3] - 45:9,  
 45:11  
**duty** [10] - 21:11,  
 92:23, 108:20,  
 205:22, 212:23,  
 213:9, 213:11,  
 213:16, 213:22,  
 217:27  
**DÁIL** [1] - 1:5  
**Dáil** [3] - 56:14,  
 78:21, 79:6

---

## E

---

**Eamon** [2] - 62:12  
**early** [4] - 75:11,  
 83:6, 102:29, 172:4  
**ears** [2] - 77:5,  
 189:24  
**ease** [1] - 144:12  
**easily** [2] - 65:16,  
 161:3  
**easy** [3] - 85:28,  
 92:14, 97:17  
**eat** [1] - 155:14  
**edition** [1] - 54:19  
**editorial** [2] - 65:17,  
 66:1  
**effect** [15] - 13:4,  
 16:13, 17:9, 20:12,  
 24:13, 61:29, 69:8,  
 70:16, 172:25, 173:1,  
 217:2, 217:26, 219:8,  
 219:17, 219:26  
**effective** [2] - 61:28,  
 108:19  
**effectively** [4] -  
 174:8, 202:25,  
 216:17, 216:29  
**effort** [4] - 6:26,  
 21:16, 82:19, 84:21  
**efforts** [4] - 44:26,  
 44:27, 84:5, 84:6  
**Eileen** [1] - 118:28  
**either** [8] - 37:28,  
 81:27, 86:10, 136:4,  
 151:27, 165:1, 201:5,  
 217:7  
**elaborate** [1] - 25:23  
**electronic** [1] -  
 145:19  
**element** [3] - 23:7,  
 43:22, 81:21  
**elements** [3] - 43:26,



43:27, 44:3  
**elicit** [1] - 169:19  
**elite** [1] - 65:21  
**ELIZABETH** [1] - 2:7  
**ELLEN** [1] - 3:2  
**eloquently** [1] - 119:21  
**elsewhere** [1] - 33:3  
**email** [16] - 39:21, 41:15, 50:28, 51:4, 51:10, 52:11, 70:16, 70:17, 70:23, 71:4, 71:20, 132:19, 137:24, 155:12, 156:2  
**emails** [3] - 31:29, 39:23, 48:19  
**embarked** [1] - 31:1  
**embarked** [3] - 66:10, 86:16, 87:1  
**embarrassed** [2] - 119:24, 119:26  
**embarrassment** [2] - 46:29, 152:19  
**emblazoned** [1] - 74:1  
**emerge** [1] - 10:28  
**emerged** [2] - 11:3, 35:9  
**emergence** [1] - 9:5  
**emotional** [2] - 92:9, 173:1  
**emotive** [1] - 186:3  
**employed** [2] - 23:12, 59:20  
**employee** [3] - 14:7, 20:1, 20:2  
**employers** [1] - 45:12  
**encounter** [1] - 74:14  
**encountered** [1] - 30:3  
**encourage** [2] - 136:1, 170:3  
**encouraging** [1] - 20:29  
**end** [21] - 34:27, 40:21, 49:29, 65:19, 83:8, 84:12, 103:11, 105:18, 106:8, 106:12, 108:16, 114:10, 137:21, 145:7, 172:2, 172:3, 184:14, 204:15, 208:13, 215:20, 222:12  
**endeavour** [1] - 119:4  
**endeavoured** [1] - 197:2  
**ended** [4] - 32:21, 102:6, 105:4, 181:25  
**endemic** [1] - 46:12  
**energy** [3] - 80:29, 84:17, 85:18  
**engage** [6] - 45:9, 47:29, 52:6, 61:9, 65:13, 85:2  
**engaged** [12] - 11:19, 30:19, 50:10, 63:10, 74:4, 74:15, 74:17, 80:23, 81:5, 84:9, 89:8, 89:13  
**engagement** [21] - 7:18, 8:26, 13:6, 15:14, 17:20, 24:12, 26:13, 31:2, 37:22, 40:7, 40:23, 44:27, 48:27, 52:1, 52:28, 62:1, 62:18, 64:8, 81:12, 83:27, 88:18  
**engagements** [1] - 89:14  
**engaging** [1] - 20:2  
**enhanced** [1] - 51:20  
**enjoy** [1] - 6:29  
**ensued** [1] - 63:2  
**ensure** [4] - 7:2, 45:13, 123:19, 181:27  
**entail** [1] - 25:22  
**entered** [1] - 221:16  
**entering** [3] - 35:26, 91:20, 157:17  
**entire** [6] - 29:24, 29:25, 29:28, 52:9, 72:6, 172:2  
**entirely** [8] - 17:6, 81:19, 81:22, 86:4, 105:11, 148:25, 179:24, 219:2  
**entitled** [9] - 91:11, 92:21, 92:27, 95:8, 95:12, 148:24, 149:7, 193:27, 203:10  
**environment** [4] - 12:1, 28:24, 45:28, 63:27  
**envisaged** [1] - 49:16  
**envisaging** [1] - 222:1  
**EQUALITY** [1] - 1:9  
**equally** [3] - 10:4, 20:8, 82:15  
**equivalent** [1] - 151:14  
**erroneous** [1] - 171:24  
**erroneously** [1] - 173:20  
**error** [17] - 121:9, 129:26, 147:1, 152:8, 152:13, 152:22, 152:29, 153:10, 153:13, 153:20, 181:12, 182:27, 193:13, 194:11, 201:16, 202:17, 210:17  
**errors** [1] - 194:2  
**especially** [1] - 32:14  
**essence** [1] - 11:20  
**essential** [5] - 20:10, 26:24, 43:22, 82:3, 82:22  
**essentially** [8] - 6:1, 6:10, 31:25, 33:22, 59:19, 144:18, 149:2, 164:26  
**establish** [2] - 131:4, 161:10  
**ESTABLISHED** [1] - 1:8  
**established** [1] - 29:7  
**establishment** [1] - 7:26  
**estate** [1] - 205:7  
**etcetera** [2] - 32:4, 164:16  
**evening** [10] - 66:13, 66:24, 66:26, 67:2, 67:4, 71:1, 71:7, 71:16, 74:23, 157:15  
**event** [8] - 17:12, 82:24, 84:18, 88:3, 129:25, 149:21, 162:20, 171:20  
**events** [8] - 16:14, 17:10, 17:18, 24:17, 72:20, 76:12, 150:3, 216:7  
**eventually** [4] - 117:23, 187:2, 188:5, 188:7  
**EVIDENCE** [1] - 1:9  
**evidence** [64] - 20:16, 55:21, 77:16, 81:9, 81:10, 81:15, 81:17, 81:18, 93:7, 94:6, 95:19, 95:24, 121:13, 121:19, 124:6, 125:19, 125:20, 125:22, 125:24, 126:1, 126:2, 128:8, 131:11, 131:16, 134:19, 136:9, 136:27, 138:16, 139:9, 142:23, 143:4, 143:19, 144:22, 147:24, 148:7, 150:2, 158:4, 158:26, 159:1, 159:17, 161:17, 161:24, 163:20, 163:25, 167:2, 167:20, 170:23, 171:19, 175:19, 175:20, 177:10, 177:11, 177:18, 194:18, 195:17, 200:10, 209:4, 209:24, 210:6, 210:13, 219:17, 219:23, 222:15  
**evidence-based** [1] - 55:21  
**evidence-in-chief** [1] - 139:9  
**evidenced** [3] - 10:14, 13:11, 60:10  
**evolved** [1] - 116:13  
**exact** [3] - 131:14, 155:16, 163:24  
**exactly** [11] - 8:4, 11:11, 59:26, 90:24, 92:8, 104:23, 159:1, 177:17, 185:21, 187:21, 192:20  
**exaggerating** [1] - 169:23  
**exaggeration** [4] - 135:19, 168:20, 168:26, 169:21  
**examination** [7] - 49:22, 70:18, 73:2, 162:14, 163:10, 189:20, 195:2  
**examine** [1] - 6:26  
**EXAMINED** [18] - 4:4, 4:5, 4:6, 4:8, 4:11, 4:12, 4:13, 4:14, 4:15, 5:4, 66:19, 68:2, 93:3, 95:2, 147:3, 192:8, 201:21, 209:2  
**examined** [6] - 119:14, 130:20, 133:11, 143:20, 145:27, 218:4  
**examining** [2] - 106:29, 196:16  
**example** [3] - 11:21, 13:17, 204:28  
**examples** [1] - 17:7  
**exchange** [2] - 129:19, 208:25  
**exclusively** [1] - 61:24  
**excuse** [1] - 114:26  
**executed** [1] - 213:19  
**executive** [2] - 56:19, 71:14  
**Executive** [2] - 75:9, 78:3  
**exercise** [3] - 51:27, 61:12, 181:11  
**exist** [1] - 22:19  
**existed** [2] - 6:28, 13:8  
**expect** [2] - 20:6, 69:13  
**expectation** [1] - 68:11  
**expectations** [1] - 68:7  
**expected** [2] - 32:23, 204:12  
**experience** [4] - 14:4, 14:28, 30:8, 81:15  
**experienced** [2] - 16:13, 145:4  
**explain** [6] - 13:23, 43:25, 45:29, 119:4, 124:26, 163:4  
**explained** [2] - 69:25, 183:21  
**explaining** [1] - 35:27  
**explains** [1] - 200:2  
**explanation** [2] - 9:2, 88:2  
**exploited** [1] - 6:28  
**exploring** [3] - 26:19, 26:21, 73:28  
**exposure** [1] - 14:5  
**express** [2] - 108:2, 204:17  
**expressed** [4] - 8:14, 20:23, 31:10, 184:16  
**expresses** [1] - 46:8  
**expressing** [1] - 23:17  
**expression** [4] - 7:19, 11:13, 151:4, 183:22  
**extant** [1] - 48:4  
**extensive** [1] - 34:24  
**extent** [3] - 24:7, 58:9  
**external** [8] - 38:15, 38:22, 47:22, 48:12, 49:12, 59:12, 80:22, 81:24  
**extra** [1] - 158:8  
**extract** [1] - 204:26  
**extracts** [1] - 206:28  
**extraordinary** [1] - 164:19

**extreme** [1] - 164:11  
**extremely** [3] -  
18:16, 20:29, 35:11

## F

**fabricated** [2] -  
90:28, 93:8  
**face** [1] - 184:18  
**facilitate** [1] - 79:16  
**facilitated** [3] - 29:2,  
58:15, 157:14  
**facilitator** [2] - 38:23,  
46:26  
**facility** [1] - 59:22  
**fact** [48] - 7:9, 7:23,  
16:1, 17:19, 25:9,  
50:1, 51:8, 51:27,  
56:21, 57:3, 57:21,  
62:16, 62:20, 66:25,  
77:14, 78:24, 79:27,  
80:1, 82:11, 85:28,  
93:21, 97:1, 100:5,  
105:22, 106:27,  
107:12, 109:6,  
109:12, 110:12,  
111:24, 119:11,  
119:16, 136:23,  
138:14, 140:18,  
144:10, 146:15,  
157:24, 161:2, 166:5,  
178:17, 194:6,  
202:19, 208:15,  
208:20, 211:11,  
218:9, 218:13  
**fact-based** [2] - 57:3,  
57:21  
**factor** [1] - 10:28  
**facts** [2] - 85:22,  
85:24  
**Facts** [2] - 136:2,  
170:4  
**factual** [3] - 181:13,  
193:19, 194:1  
**factually** [1] - 132:28  
**Fail** [1] - 19:3  
**failing** [3] - 92:23,  
201:15, 214:7  
**failure** [4] - 7:11,  
80:10, 80:11, 179:6  
**fair** [7] - 81:22,  
89:15, 91:1, 102:29,  
128:19, 156:6, 174:21  
**fairly** [7] - 8:2, 24:13,  
65:16, 153:16,  
159:26, 185:24,  
193:13  
**fairness** [6] - 66:17,  
100:11, 129:8,

130:27, 190:11, 215:6  
**faith** [9] - 40:11,  
40:14, 42:22, 42:29,  
43:6, 156:25, 160:25,  
160:29, 217:25  
**faithfully** [1] - 28:9  
**fall** [1] - 186:27  
**false** [12] - 127:29,  
128:15, 136:12,  
136:28, 143:2,  
189:25, 191:10,  
191:16, 210:5, 210:8,  
210:9, 210:13  
**familiar** [5] - 96:13,  
98:17, 136:20,  
193:19, 203:9  
**family** [11] - 7:25,  
25:12, 78:20, 78:27,  
140:6, 160:8, 160:10,  
183:6, 216:29, 217:5,  
218:14  
**famous** [1] - 114:28  
**far** [14] - 88:12,  
90:19, 90:21, 105:15,  
121:8, 124:16, 125:5,  
141:24, 141:25,  
144:13, 150:8, 152:5,  
156:7, 209:22  
**fashion** [1] - 45:1  
**fastidious** [1] - 119:5  
**fault** [4] - 152:14,  
201:29, 202:3, 214:7  
**favoured** [1] - 31:6  
**FPCN** [1] - 6:2  
**FCPS** [11] - 5:28, 6:2,  
7:27, 9:14, 9:28, 10:3,  
46:22, 47:3, 49:7,  
54:6, 54:19  
**fear** [5] - 58:10,  
58:15, 58:25, 146:22,  
146:29  
**feature** [2] - 81:25,  
86:9  
**features** [1] - 208:26  
**February** [39] - 5:10,  
9:8, 31:28, 50:24,  
53:4, 54:1, 57:13,  
60:12, 60:23, 60:24,  
62:25, 74:14, 76:2,  
76:10, 80:25, 80:29,  
81:20, 82:6, 82:27,  
86:1, 88:13, 96:16,  
103:27, 104:2,  
108:26, 118:20,  
126:11, 134:8,  
139:24, 172:9,  
178:25, 180:20,  
196:25, 196:26,  
201:27, 202:15,  
215:29

**FEBRUARY** [5] - 1:6,  
1:10, 1:18, 5:2,  
222:21  
**feeding** [1] - 39:12  
**FELIX** [1] - 2:23  
**fell** [1] - 93:11  
**fellow** [1] - 166:3  
**felt** [23] - 6:25, 8:5,  
9:10, 9:25, 12:1,  
13:26, 16:8, 18:16,  
20:25, 29:4, 35:18,  
57:26, 60:25, 61:27,  
74:4, 76:12, 82:7,  
83:16, 86:7, 87:2,  
141:2, 174:18  
**Fergus** [4] - 63:24,  
110:9, 137:25, 137:26  
**few** [11] - 35:14,  
82:29, 98:6, 135:17,  
146:1, 168:18,  
174:13, 177:12,  
187:4, 192:6, 201:19  
**fewer** [1] - 54:18  
**Fianna** [1] - 19:3  
**fides** [1] - 85:29  
**fidget** [1] - 36:18  
**file** [38] - 34:16,  
95:25, 103:22,  
112:16, 112:23,  
114:4, 115:26, 116:6,  
131:13, 137:12,  
137:14, 161:19,  
161:22, 161:24,  
161:29, 162:1, 162:5,  
162:12, 162:16,  
162:17, 162:20,  
162:23, 162:24,  
162:26, 163:1, 163:5,  
163:7, 163:22, 164:3,  
164:10, 164:13,  
164:19, 164:24,  
164:29, 165:16,  
169:6, 185:18  
**file** [1] - 112:19  
**file'** [1] - 165:19  
**files** [3] - 212:27,  
212:28, 218:4  
**final** [1] - 32:11  
**finalised** [1] - 78:12  
**finally** [6] - 51:26,  
67:13, 126:22,  
131:28, 166:24, 180:2  
**financial** [2] - 89:25,  
93:17  
**findings** [1] - 173:28  
**fine** [4] - 24:1,  
104:24, 157:28,  
196:22  
**finish** [3] - 72:26,  
191:6, 194:26

**finished** [3] - 72:27,  
147:27, 194:25  
**Fiona** [1] - 52:19  
**fired** [1] - 85:26  
**firm** [3] - 56:15, 89:1,  
154:9  
**firms** [1] - 88:28  
**first** [53] - 5:10, 8:22,  
10:17, 10:27, 12:13,  
12:15, 21:28, 24:28,  
25:18, 26:19, 27:9,  
30:9, 34:23, 35:26,  
35:29, 37:7, 61:6,  
61:13, 62:15, 78:5,  
78:20, 82:25, 86:1,  
96:9, 107:18, 113:23,  
119:15, 119:17,  
124:9, 124:23,  
124:24, 126:10,  
133:3, 141:26,  
143:13, 144:2, 153:5,  
157:6, 158:3, 166:9,  
170:7, 183:28,  
184:21, 190:16,  
190:18, 200:4,  
201:22, 206:24,  
211:10, 220:10,  
221:11  
**firstly** [6] - 12:15,  
68:6, 75:28, 158:1,  
179:15, 183:4  
**fish** [1] - 155:14  
**Fitzgerald** [1] - 42:16  
**FITZGERALD** [2] -  
2:17, 3:8  
**five** [8] - 24:11,  
24:20, 24:26, 39:29,  
41:20, 77:9, 99:28,  
120:10  
**fix** [3] - 47:3, 53:22,  
69:23  
**fixed** [4] - 5:29, 6:1,  
22:29, 55:8  
**fixed-build** [1] -  
22:29  
**flag** [1] - 166:2  
**Flahive** [3] - 51:9,  
51:13, 51:24  
**FLAHIVE** [1] - 3:8  
**flavour** [2] - 45:5,  
140:11  
**fled** [1] - 186:2  
**fleeing** [1] - 186:3  
**fleeting** [1] - 153:27  
**flying** [1] - 125:13  
**focus** [6] - 25:5,  
35:24, 42:17, 54:15,  
201:10, 202:11  
**focused** [1] - 42:15  
**follow** [5] - 10:27,

20:28, 26:11, 188:24,  
190:20  
**follow-on** [2] - 10:27,  
26:11  
**follow-up** [1] - 20:28  
**followed** [5] - 36:16,  
88:4, 90:11, 164:4,  
213:18  
**FOLLOWING** [1] -  
1:5  
**following** [15] - 1:26,  
21:22, 25:1, 26:21,  
54:13, 54:18, 65:16,  
78:19, 92:6, 105:26,  
108:8, 140:13, 150:2,  
219:1, 219:4  
**FOLLOWS** [2] - 5:1,  
98:1  
**follows** [3] - 103:28,  
204:4, 215:28  
**foot** [2] - 186:15,  
212:26  
**football** [1] - 142:2  
**FOR** [8] - 1:8, 2:6,  
2:9, 2:15, 2:22, 3:1,  
3:8, 97:22  
**force** [10] - 29:9,  
29:20, 116:5, 118:6,  
127:27, 128:27,  
143:1, 172:18,  
192:15, 195:13  
**forced** [2] - 173:2,  
173:8  
**forcing** [1] - 46:11  
**forever** [1] - 99:29  
**forget** [2] - 89:21,  
149:4  
**form** [2] - 34:23,  
153:5  
**formal** [1] - 117:25  
**former** [7] - 16:14,  
17:11, 19:20, 50:14,  
154:22, 154:23,  
154:24  
**forming** [1] - 213:26  
**forth** [1] - 47:10  
**fortitude** [1] - 15:20  
**fortunate** [1] - 18:16  
**forward** [8] - 6:13,  
10:10, 26:14, 35:19,  
85:1, 87:17, 137:27,  
206:15  
**forwarded** [6] - 78:6,  
78:8, 118:2, 127:20,  
137:26, 207:26  
**foundation** [2] -  
56:15, 207:2  
**four** [7] - 7:15, 24:26,  
37:15, 41:20, 54:18,  
55:2, 57:22

**fours** [1] - 32:22  
**fourth** [3] - 6:11, 54:19, 56:7  
**fourthly** [1] - 158:3  
**framework** [2] - 48:17, 74:22  
**Frances** [1] - 42:16  
**FRANCES** [1] - 3:8  
**Frank** [2] - 34:8, 34:9  
**FRANKFORT** [1] - 2:24  
**frankly** [4] - 18:3, 20:17, 30:14, 43:2  
**free** [3] - 31:3, 91:16, 91:18  
**fresh** [1] - 125:14  
**Friday** [11] - 8:10, 66:10, 66:21, 70:10, 72:3, 72:18, 88:22, 117:6, 147:12, 210:28, 211:1  
**friendly** [1] - 141:24  
**front** [6] - 19:12, 34:14, 37:7, 64:10, 82:20, 89:28  
**frontline** [1] - 30:4  
**fruit** [1] - 86:16  
**frustrated** [2] - 8:27, 16:2  
**full** [17] - 100:3, 101:22, 106:9, 106:11, 108:28, 118:6, 127:27, 128:13, 135:1, 149:8, 149:9, 163:11, 164:10, 167:5, 173:27, 195:14, 195:20  
**fully** [6] - 30:19, 85:11, 149:15, 164:17, 177:1, 185:12  
**fundamental** [11] - 12:12, 13:20, 14:8, 14:13, 15:15, 20:9, 22:7, 28:18, 35:29, 74:12, 152:13  
**fundamentally** [1] - 13:27  
**FURTHER** [3] - 4:8, 66:19, 93:3  
**future** [4] - 19:18, 49:7, 49:16, 216:23

## G

**games** [1] - 31:3  
**gap** [1] - 202:18  
**garda** [8] - 107:22, 133:9, 166:13,

170:26, 203:26, 213:11, 214:12, 219:11  
**Garda** [68] - 5:16, 6:8, 6:26, 7:26, 9:16, 9:24, 10:5, 11:2, 17:3, 20:24, 20:26, 21:6, 21:15, 23:7, 23:12, 27:2, 28:25, 32:27, 40:11, 43:9, 44:26, 51:18, 54:24, 58:9, 58:23, 58:25, 64:21, 66:27, 67:13, 67:15, 75:10, 75:23, 78:9, 83:10, 87:8, 88:1, 89:25, 93:18, 99:26, 100:22, 101:21, 103:17, 104:3, 108:1, 116:15, 117:24, 127:10, 130:8, 143:28, 151:21, 151:22, 154:17, 154:21, 170:28, 172:17, 173:21, 185:29, 186:14, 187:29, 190:27, 197:10, 201:18, 212:22  
**Gardaí** [8] - 65:18, 65:23, 85:1, 114:12, 174:2, 193:20, 213:29, 214:1  
**Garret** [2] - 110:10, 137:27  
**GARRET** [1] - 3:2  
**gather** [1] - 25:8  
**gathered** [1] - 53:19  
**gathering** [1] - 80:17  
**general** [10] - 14:12, 16:18, 20:25, 26:10, 30:6, 46:28, 160:19, 172:18, 204:9  
**generally** [7] - 15:13, 17:3, 19:27, 68:25, 69:20, 192:18, 193:25  
**genesis** [1] - 183:15  
**genuine** [6] - 6:26, 81:12, 81:19, 83:18, 83:23, 84:3  
**genuinely** [5] - 26:15, 60:25, 61:9, 85:1, 85:18  
**genuineness** [3] - 60:6, 60:8, 87:9  
**GERALDINE** [1] - 3:4  
**GERARD** [1] - 3:11  
**Gerry** [3] - 47:20, 48:7, 52:7  
**getting-to-know-**

**you** [1] - 81:28  
**Gillane** [5] - 142:22, 145:24, 147:15, 220:12, 221:5  
**girl** [1] - 205:6  
**given** [33] - 8:24, 13:4, 22:6, 46:5, 54:28, 62:14, 66:25, 77:2, 79:3, 87:5, 95:19, 117:11, 127:18, 133:15, 139:14, 140:5, 149:26, 153:20, 153:22, 162:24, 167:22, 175:20, 194:7, 194:15, 197:29, 198:21, 199:16, 199:29, 200:18, 203:25, 203:29, 214:29  
**glare** [2] - 13:15, 56:12  
**gleaned** [1] - 58:3  
**GLEESON** [2] - 3:2, 3:5  
**glorified** [1] - 28:2  
**God** [2] - 188:12, 193:11  
**goodbye** [1] - 33:1  
**GORDON** [1] - 2:10  
**Governance** [1] - 78:5  
**Government** [2] - 23:9, 88:29  
**GPSU** [20] - 5:13, 5:23, 5:27, 7:18, 9:4, 10:3, 26:7, 26:11, 29:1, 39:5, 47:11, 47:15, 53:18, 53:26, 54:11, 54:15, 56:1, 57:2, 57:16, 57:27  
**GRA** [6] - 9:24, 20:25, 41:15, 41:18, 48:9, 64:27  
**GRA's** [1] - 21:17  
**grabbed** [1] - 169:11  
**grasp** [1] - 179:26  
**gratitude** [1] - 55:27  
**great** [3] - 59:22, 119:6, 219:14  
**greater** [1] - 6:29  
**grievance** [4] - 179:1, 190:24, 190:26, 191:7  
**groping** [1] - 169:11  
**gross** [1] - 205:21  
**ground** [4] - 26:28, 27:29, 28:1, 218:2  
**groundless** [1] - 99:2

**grounds** [1] - 203:28  
**grudge** [2] - 90:17, 91:1  
**GSOC** [5] - 136:1, 151:26, 170:3, 171:15, 216:22  
**guard** [2] - 138:10, 160:22  
**guards** [3] - 28:2, 28:15, 218:7  
**Guerin** [4] - 54:10, 65:20, 206:8, 212:18  
**guidance** [1] - 213:24  
**guidelines** [3] - 165:4, 203:5, 203:15  
**guilty** [1] - 156:22  
**guy** [1] - 37:7  
**GWEN** [1] - 1:30  
**Gwen** [1] - 1:25

## H

**habit** [2] - 68:22, 72:16  
**half** [4] - 69:29, 97:19, 219:7, 219:11  
**halfway** [1] - 126:6  
**HALIDAY** [1] - 2:12  
**hand** [9] - 72:10, 89:4, 93:19, 116:5, 120:14, 151:5, 151:10, 200:26, 202:12  
**handed** [36] - 63:22, 120:12, 121:21, 121:22, 121:28, 123:4, 123:14, 124:15, 124:16, 124:19, 124:27, 125:6, 125:7, 125:9, 189:28, 194:5, 194:7, 194:9, 194:12, 194:21, 198:1, 198:2, 199:1, 199:10, 200:25, 201:8, 201:9, 207:24, 208:4, 208:8, 211:4, 211:6, 211:27, 216:18, 218:23, 218:27  
**HANDED** [2] - 65:7, 65:10  
**handing** [1] - 210:19  
**handle** [1] - 15:24  
**hands** [1] - 120:12  
**handwritten** [2] - 103:10, 110:6  
**hang** [2] - 98:5, 157:23  
**hanging** [4] - 129:15, 191:11, 191:20, 213:1  
**happy** [4] - 38:26, 41:3, 79:16, 123:11  
**harassment** [3] - 16:23, 48:11, 51:19  
**hard** [7] - 9:2, 9:3, 85:7, 119:9, 119:17, 120:9, 201:7  
**hat** [1] - 186:14  
**hatch** [1] - 213:6  
**have..** [1] - 220:27  
**HAVING** [1] - 95:1  
**Head** [1] - 84:20  
**head** [1] - 210:24  
**headed** [2] - 96:23, 98:11  
**heading** [1] - 19:12  
**headlines** [2] - 90:9, 90:10  
**headquartered** [1] - 6:9  
**Headquarters** [3] - 32:27, 66:27, 71:22  
**heads** [1] - 221:19  
**heads-up** [1] - 221:19  
**health** [3] - 102:5, 105:4, 214:10  
**Healy** [6] - 63:24, 110:9, 137:3, 137:25, 137:26, 147:29  
**hear** [4] - 29:22, 47:5, 82:20, 197:24  
**heard** [17] - 16:12, 29:23, 76:19, 80:19, 129:3, 129:27, 132:22, 132:28, 147:14, 164:8, 164:11, 171:17, 172:24, 183:28, 189:17, 194:9, 206:16  
**hearing** [2] - 85:27, 122:14  
**HEARING** [4] - 5:1, 97:22, 98:1, 222:20  
**hearings** [2] - 80:9, 81:6  
**hears** [2] - 8:26, 29:26  
**heavily** [3] - 84:15, 87:27, 87:28  
**HELD** [1] - 1:17  
**held** [2] - 120:13, 151:27  
**Heller** [1] - 154:22  
**help** [4] - 38:17, 48:15, 214:9, 218:9  
**helpful** [4] - 26:18, 77:11, 164:7, 176:2

**helpfully** [3] - 77:13, 77:22, 79:26  
**helping** [3] - 39:5, 40:23, 48:8  
**helps** [1] - 39:9  
**hereunder** [1] - 99:3  
**herself** [1] - 74:23  
**hide** [1] - 120:19  
**High** [1] - 124:4  
**highest** [1] - 59:13  
**highlight** [1] - 101:19  
**highlighted** [3] - 19:18, 54:16, 103:20  
**highly** [2] - 54:3, 165:21  
**himself** [10] - 15:11, 28:11, 30:8, 36:15, 36:21, 131:6, 134:7, 140:6, 141:11, 161:13  
**hindsight** [2] - 80:15, 188:14  
**hired** [1] - 93:13  
**historically** [1] - 67:23  
**history** [8] - 7:14, 27:22, 56:24, 56:27, 61:17, 98:23, 111:15, 193:19  
**hmm** [5] - 23:24, 143:3, 161:25, 180:15, 187:16  
**hold** [1] - 58:18  
**holding** [1] - 64:13  
**home** [5] - 25:12, 78:27, 174:8, 174:9, 205:6  
**honest** [1] - 31:3  
**honestly** [3] - 31:24, 160:7, 191:19  
**honorary** [1] - 66:29  
**hope** [5] - 72:17, 146:2, 164:7, 183:2, 189:15  
**hopefully** [1] - 220:28  
**horror** [1] - 20:23  
**hostile** [2] - 12:1, 23:27  
**hostility** [1] - 58:5  
**Hotel** [3] - 62:8, 76:4, 79:5  
**hotel** [1] - 157:17  
**hour** [2] - 97:20, 214:11  
**hour-long** [1] - 214:11  
**hours** [9] - 24:4, 24:25, 32:22, 35:4, 35:5, 36:2, 55:9, 55:10, 62:13

**house** [2] - 146:15, 146:16  
**House** [2] - 18:21, 78:26  
**HOUSE** [3] - 2:12, 2:19, 3:13  
**HQ** [7] - 6:9, 6:12, 7:14, 47:4, 54:18, 55:11, 57:22  
**HQ48/14** [1] - 56:6  
**huge** [2] - 29:7, 182:27  
**hugely** [4] - 20:29, 29:29, 62:17, 98:17  
**human** [3] - 24:10, 187:29, 188:7  
**Human** [5] - 56:20, 75:9, 78:3, 83:6, 84:20  
**hundred** [1] - 53:20  
**hung** [1] - 35:6  
**hunting** [1] - 164:29  
**hurt** [1] - 217:25  
**hurtful** [2] - 207:3, 207:12

---

**IBEC** [1] - 50:14  
**ice** [1] - 61:29  
**idea** [3] - 49:12, 83:27, 189:21  
**ideas** [1] - 26:19  
**identification** [1] - 97:18  
**identified** [3] - 49:11, 65:20, 138:28  
**identify** [1] - 194:1  
**identifying** [1] - 111:20  
**ignored** [3] - 11:20, 15:27, 57:23  
**ill** [2] - 102:5, 105:3  
**imbued** [1] - 80:14  
**immediately** [4] - 42:18, 80:3, 149:20, 166:1  
**impact** [4] - 17:1, 60:14, 80:13, 86:29  
**impacted** [1] - 141:12  
**impartial** [1] - 43:11  
**import** [2] - 76:22, 77:4  
**importance** [1] - 116:25  
**important** [14] - 9:12, 31:14, 31:19, 37:29, 55:6, 55:26, 67:1,

107:17, 121:16, 138:1, 155:17, 159:1, 185:20, 193:18  
**importantly** [1] - 202:21  
**imposed** [1] - 204:16  
**impressed** [2] - 30:14, 36:21  
**impression** [7] - 40:13, 43:15, 125:7, 133:15, 136:28, 143:23, 200:8  
**improve** [1] - 28:24  
**impugn** [1] - 188:15  
**impugning** [1] - 188:23  
**IN** [1] - 1:17  
**inability** [1] - 64:14  
**inadmissible** [2] - 178:27, 198:11  
**inadvertent** [1] - 210:17  
**inappropriate** [3] - 6:14, 54:21, 56:5  
**inappropriately** [1] - 185:27  
**inches** [1] - 55:9  
**incident** [6] - 109:22, 135:19, 168:21, 169:7, 169:10, 205:4  
**incidents** [16] - 9:6, 40:2, 40:3, 65:20, 65:23, 96:26, 98:14, 98:16, 98:18, 103:20, 109:18, 140:21, 175:25, 212:29, 213:28, 214:1  
**include** [3] - 51:16, 136:2, 170:4  
**included** [3] - 73:8, 103:22, 103:26  
**includes** [4] - 52:15, 55:23, 58:13, 173:1  
**including** [7] - 23:11, 25:12, 45:18, 65:24, 84:6, 131:22, 165:24  
**inclusive** [2] - 6:18, 6:20  
**Incorporated** [1] - 50:16  
**incorrect** [9] - 19:8, 89:19, 132:3, 132:4, 135:7, 144:21, 150:3, 152:6, 155:19  
**incorrectly** [2] - 119:10, 195:8  
**increase** [1] - 23:11  
**incumbent** [1] - 43:10  
**indeed** [3] - 155:25,

178:29, 181:22  
**indent** [2] - 39:20, 46:19  
**indented** [1] - 35:22  
**independent** [4] - 43:11, 50:10, 67:26, 116:10  
**INDEX** [1] - 4:1  
**indicated** [6] - 37:12, 102:28, 148:20, 196:2, 205:15, 211:2  
**indication** [3] - 24:6, 59:26, 82:10  
**individual** [6] - 15:12, 15:17, 75:24, 82:3, 84:22, 204:10  
**individuals** [3] - 50:10, 74:9, 74:10  
**industrial** [1] - 74:10  
**inference** [2] - 91:25, 93:7  
**inferences** [1] - 177:7  
**inferred** [2] - 90:27, 156:19  
**influence** [1] - 8:3  
**influential** [1] - 8:6  
**inform** [3] - 110:28, 157:6, 158:15  
**information** [5] - 117:11, 167:22, 167:23, 203:27, 214:15  
**informed** [13] - 95:27, 95:28, 102:21, 103:22, 103:25, 104:6, 108:25, 157:5, 158:13, 158:19, 159:24, 177:28, 186:20  
**ingredient** [1] - 82:22  
**initial** [1] - 82:9  
**initiation** [2] - 16:24, 31:25  
**initiative** [1] - 13:11  
**initiatives** [2] - 61:18, 88:12  
**inject** [1] - 51:13  
**injury** [1] - 64:20  
**innocence** [5] - 131:4, 131:10, 161:11, 161:16, 163:17  
**innocent** [1] - 164:28  
**innovation** [1] - 47:10  
**inquire** [4] - 28:29, 79:8, 91:11, 92:16  
**Inquiries** [1] - 146:16

**inquiries** [2] - 17:23, 206:8  
**inquiring** [2] - 11:5, 179:11  
**INQUIRY** [2] - 1:3, 1:9  
**inquiry** [12] - 17:20, 17:22, 18:13, 18:17, 18:22, 91:9, 92:23, 147:11, 175:22, 175:27, 175:29, 220:29  
**inquisitor** [1] - 91:23  
**insertion** [1] - 153:12  
**insist** [1] - 21:6  
**insobar** [2] - 99:21, 205:11  
**insolvable** [1] - 45:21  
**inspector** [5] - 156:21, 158:13, 166:5, 211:17, 212:13  
**Inspector** [7] - 110:9, 110:12, 115:8, 118:21, 156:17, 156:27, 157:5  
**inspectors** [2] - 53:23, 151:23  
**instance** [6] - 8:22, 12:13, 92:13, 133:4, 143:14, 185:6  
**instead** [1] - 202:21  
**institutional** [2] - 15:12, 45:27  
**instruct** [2] - 6:10, 170:8  
**INSTRUCTED** [5] - 2:11, 2:18, 2:23, 3:4, 3:12  
**instructed** [1] - 191:29  
**instructing** [1] - 189:22  
**instruction** [8] - 28:28, 64:2, 130:17, 159:20, 162:24, 169:20, 180:5, 182:18  
**instructions** [9] - 66:15, 66:25, 73:25, 91:29, 149:25, 149:26, 150:13, 153:14, 180:14  
**INSTRUMENT** [1] - 1:8  
**insufficient** [2] - 158:4, 158:25  
**integration** [1] - 74:12  
**integrity** [4] - 93:15, 147:20, 188:16,

189:10  
**intellectual** [1] -  
181:13  
**intend** [2] - 69:26,  
93:28  
**intended** [5] - 7:3,  
61:25, 81:11, 210:12,  
221:28  
**intent** [1] - 50:3  
**intention** [2] - 53:25,  
119:28  
**interaction** [1] -  
77:16  
**interactions** [3] -  
77:12, 135:13, 168:8  
**interchangeably** [1]  
- 6:3  
**interest** [5] - 11:9,  
69:8, 69:18, 73:3,  
155:4  
**interested** [1] - 86:24  
**interesting** [1] -  
62:21  
**interjected** [1] -  
184:1  
**interlocutor** [1] -  
76:9  
**interlude** [1] - 129:8  
**internal** [2] - 151:16,  
151:22  
**internally** [2] - 22:6,  
53:3  
**interpretation** [5] -  
45:22, 86:18, 86:26,  
89:17, 178:28  
**interregnum** [1] -  
80:18  
**interrogate** [1] -  
76:27  
**interrupt** [2] - 24:14,  
148:19  
**interrupting** [1] -  
129:27  
**interruption** [1] -  
114:26  
**intervene** [5] - 47:24,  
66:8, 97:19, 164:7,  
174:5  
**intervened** [3] - 7:10,  
26:18, 128:4  
**intervenes** [2] -  
42:18, 45:7  
**intervening** [2] -  
144:3, 212:13  
**intervention** [4] -  
36:26, 38:12, 61:23,  
61:27  
**interventions** [1] -  
35:22  
**interview** [10] - 14:3,  
24:7, 102:10, 102:18,  
102:25, 103:1,  
103:15, 107:10,  
107:14, 195:29  
**interviewed** [2] -  
65:24, 83:13  
**intestines** [1] - 85:15  
**INTO** [1] - 1:3  
**intractable** [2] -  
45:29, 46:2  
**introduction** [2] -  
34:19, 61:6  
**introspection** [2] -  
30:13, 36:14  
**invades** [1] - 152:5  
**inverted** [1] - 92:15  
**invest** [1] - 23:10  
**invested** [3] - 8:23,  
51:28, 85:18  
**investigate** [23] -  
43:6, 104:16, 105:21,  
117:19, 131:25,  
133:21, 145:3, 151:2,  
165:27, 166:6,  
166:16, 166:22,  
179:9, 179:22,  
180:16, 183:20,  
186:20, 186:25,  
187:6, 197:1, 216:17,  
216:24, 217:12  
**investigated** [7] -  
47:7, 90:2, 134:9,  
151:15, 166:18,  
192:28, 212:29  
**investigating** [6] -  
46:23, 133:18, 136:6,  
142:19, 166:3, 203:26  
**investigation** [42] -  
6:16, 9:28, 39:5, 40:3,  
40:5, 43:29, 47:11,  
47:16, 93:17, 95:20,  
97:2, 98:21, 98:24,  
100:12, 100:18,  
101:25, 103:21,  
105:6, 108:23,  
108:25, 108:29,  
111:8, 125:2, 134:13,  
136:19, 141:4, 145:5,  
151:6, 151:25,  
151:28, 152:1,  
152:25, 156:21,  
164:10, 178:18,  
179:11, 188:8,  
188:27, 192:21,  
197:4, 212:27, 216:21  
**Investigation** [3] -  
143:13, 147:11,  
159:24  
**investigations** [6] -  
42:22, 42:29, 49:4,  
151:16, 151:29,  
175:26  
**investigator** [1] -  
46:25  
**investigators** [1] -  
68:7  
**investing** [1] - 84:15  
**invitation** [3] - 78:20,  
78:26, 79:1  
**invited** [3] - 25:22,  
53:28, 59:20  
**involved** [16] - 5:19,  
9:14, 9:16, 22:24,  
22:27, 25:25, 30:21,  
32:17, 33:17, 36:9,  
49:25, 57:4, 65:23,  
82:21, 98:20, 185:26  
**involvement** [4] -  
52:27, 52:28, 106:26,  
191:23  
**involvements** [1] -  
9:4  
**Irish** [3] - 19:11,  
19:12, 19:15  
**irregularities** [2] -  
89:25, 93:18  
**irrelevant** [4] - 90:23,  
176:23, 177:6, 178:27  
**irrespective** [1] -  
169:24  
**issue** [31] - 9:18,  
10:18, 15:19, 24:1,  
40:29, 48:11, 50:2,  
51:1, 51:18, 53:19,  
68:18, 70:5, 72:13,  
73:6, 73:11, 74:28,  
76:7, 89:20, 89:21,  
90:2, 119:12, 127:7,  
127:21, 129:5,  
148:15, 154:8, 155:7,  
156:9, 164:5, 177:24,  
185:20  
**issued** [1] - 6:12  
**issues** [54] - 14:26,  
23:23, 27:19, 27:29,  
30:3, 30:13, 30:18,  
32:8, 36:14, 38:24,  
42:9, 42:21, 42:29,  
43:5, 43:6, 44:29,  
45:26, 46:26, 47:28,  
48:3, 48:5, 48:6,  
48:15, 48:27, 49:2,  
49:5, 60:17, 60:27,  
74:9, 76:27, 80:24,  
81:12, 88:3, 88:20,  
89:18, 96:8, 104:1,  
104:3, 104:7, 104:15,  
104:17, 104:29,  
115:14, 117:10,  
135:26, 169:28,  
196:23, 196:24,  
197:2, 200:15,  
205:21, 212:16,  
212:21, 215:3  
**issues** [1] - 46:13  
**item** [3] - 50:26,  
52:20, 63:29  
**itemises** [1] - 99:10  
**itself** [8] - 13:1,  
43:29, 53:26, 56:24,  
164:20, 178:13,  
182:27, 190:9

---

**J**

---

**January** [14] - 19:19,  
25:2, 31:27, 38:22,  
39:21, 79:5, 79:27,  
93:20, 96:5, 133:23,  
133:28, 186:8,  
192:26, 212:10  
**Japan** [1] - 155:14  
**jarred** [2] - 61:4,  
74:24  
**JB** [2] - 35:1, 36:26  
**job** [17] - 7:20, 7:21,  
11:12, 77:9, 83:7,  
83:12, 83:14, 84:26,  
141:1, 142:11,  
142:13, 161:2,  
207:16, 215:18,  
215:20, 218:1, 218:5  
**jobs** [1] - 161:1  
**John** [7] - 33:18,  
38:21, 75:9, 75:24,  
78:2, 78:24, 79:3  
**JOHN** [7] - 2:17,  
2:22, 4:3, 5:4, 83:3,  
93:3  
**join** [2] - 6:16, 14:2  
**joined** [8] - 12:13,  
12:26, 12:27, 16:26,  
62:13, 83:8, 83:14,  
190:12  
**joining** [4] - 13:21,  
13:25, 14:3, 113:11  
**jointly** [2] - 135:3,  
167:8  
**journey** [3] - 84:13,  
169:16, 184:4  
**JUDGE** [2] - 1:12,  
2:3  
**judge** [2] - 91:20,  
91:22  
**Judge** [317] - 84:13,  
85:12, 85:21, 87:13,  
88:7, 90:15, 90:23,  
91:7, 91:12, 91:14,  
92:24, 92:29, 95:9,  
95:17, 95:23, 96:2,  
96:15, 96:18, 96:29,  
97:6, 98:7, 98:18,  
98:19, 98:20, 98:21,  
99:12, 99:14, 99:15,  
99:16, 100:16,  
100:20, 100:23,  
100:27, 101:3, 101:6,  
101:10, 101:28,  
102:9, 103:4, 103:6,  
103:12, 103:23,  
104:11, 104:15,  
104:23, 105:9,  
105:10, 105:17,  
105:23, 106:3, 106:9,  
106:14, 106:20,  
106:22, 107:2, 107:7,  
107:26, 109:10,  
109:15, 110:2, 110:5,  
111:12, 111:19,  
111:27, 112:15,  
112:24, 113:18,  
114:17, 114:23,  
116:12, 116:21,  
116:22, 117:2, 117:7,  
117:9, 117:13,  
117:16, 118:8,  
118:17, 118:24,  
119:4, 119:7, 119:12,  
119:13, 119:16,  
119:19, 119:23,  
119:29, 120:3, 120:6,  
120:9, 120:10,  
120:12, 120:13,  
120:16, 120:20,  
120:29, 121:3, 121:4,  
121:6, 121:7, 121:13,  
121:15, 122:2, 122:3,  
122:5, 122:7, 122:12,  
122:13, 122:28,  
123:4, 123:16,  
124:15, 124:18,  
124:26, 125:4,  
125:10, 125:13,  
125:15, 125:16,  
125:24, 125:28,  
126:4, 126:7, 128:2,  
128:29, 129:4, 129:7,  
129:12, 129:15,  
129:16, 129:18,  
129:22, 129:24,  
132:8, 132:12,  
132:13, 132:14,  
132:16, 132:25,  
132:26, 132:27,  
133:2, 133:10,  
133:22, 133:23,  
133:26, 134:4, 134:6,  
134:9, 134:13,  
134:14, 135:8, 135:9,  
136:10, 136:20,

136:23, 136:25,  
137:7, 138:12,  
138:15, 138:18,  
138:26, 139:8,  
139:13, 140:10,  
140:16, 140:21,  
141:1, 141:5, 141:10,  
141:14, 141:18,  
141:22, 141:24,  
141:25, 141:28,  
142:1, 142:4, 142:6,  
142:11, 142:13,  
142:15, 142:17,  
144:2, 144:21,  
145:11, 147:13,  
147:24, 148:2, 148:6,  
148:10, 148:16,  
149:2, 150:4, 151:6,  
151:7, 151:11,  
151:12, 151:15,  
151:16, 151:18,  
151:19, 151:20,  
151:24, 151:27,  
151:29, 152:16,  
152:27, 154:9,  
154:29, 155:6,  
155:20, 155:22,  
155:23, 155:27,  
156:5, 157:13,  
158:25, 158:29,  
159:6, 159:12,  
159:15, 159:18,  
159:21, 159:22,  
160:4, 160:7, 160:10,  
160:14, 160:29,  
161:3, 162:12,  
162:20, 162:23,  
162:26, 163:13,  
169:10, 169:18,  
170:24, 171:3,  
171:27, 173:15,  
174:23, 175:5,  
176:15, 176:20,  
176:21, 178:7,  
178:19, 179:5, 180:4,  
181:18, 181:26,  
182:5, 182:9, 183:13,  
183:17, 183:22,  
187:22, 187:27,  
189:3, 189:19,  
191:21, 192:4,  
192:23, 193:9,  
194:22, 196:13,  
197:14, 197:20,  
198:2, 199:29,  
200:13, 200:19,  
202:13, 204:20,  
206:27, 207:4,  
207:10, 207:13,  
207:17, 207:19,  
207:21, 208:6, 208:7,

208:9, 208:10,  
208:17, 209:11,  
209:15, 209:18,  
209:21, 209:25,  
210:2, 210:7, 210:14,  
211:28, 212:10,  
212:11, 215:4,  
215:22, 217:6,  
217:22, 218:3,  
218:25, 219:4, 219:9,  
219:14, 220:21,  
221:8, 221:12, 221:21  
**Judge/David** [1] -  
123:8  
**judge/David** [1] -  
123:17  
**judging** [1] - 58:20  
**judgment** [1] - 85:23  
**July** [3] - 23:9, 95:19,  
204:27  
**jump** [1] - 148:26  
**junction** [2] - 61:26,  
140:8  
**June** [15] - 54:20,  
56:6, 130:10, 137:25,  
138:1, 138:16, 139:1,  
144:25, 154:13,  
155:29, 156:2,  
207:24, 221:7,  
221:10, 221:13  
**junior** [3] - 148:7,  
148:8, 213:24  
**justice** [1] - 138:22  
**Justice** [11] - 128:4,  
139:18, 139:26,  
144:7, 175:13,  
177:21, 178:10,  
197:22, 198:19,  
199:19, 210:13  
**JUSTICE** [3] - 1:8,  
1:12, 2:2  
**justified** [1] - 203:28  
**justifying** [1] - 20:12

## K

**Karl** [1] - 154:22  
**KATHLEEN** [1] - 2:7  
**KATHY** [1] - 2:18  
**KAVANAGH** [1] - 2:4  
**keep** [4] - 68:29,  
146:1, 147:9, 218:12  
**keeping** [2] - 68:22,  
146:13  
**Kelly** [1] - 165:14  
**KEN** [1] - 3:9  
**Ken** [6] - 33:19,  
33:28, 34:12, 43:27,  
44:3, 61:8

**Ken's** [1] - 37:10  
**Kenny** [1] - 63:20  
**Kerr** [3] - 48:14,  
52:6, 52:29  
**Kevin** [1] - 138:22  
**key** [6] - 13:10,  
28:21, 29:28, 36:23,  
61:19, 78:18  
**kicked** [1] - 48:3  
**Kieran** [2] - 61:27,  
63:20  
**kill** [1] - 62:27  
**kind** [18] - 12:23,  
26:26, 31:16, 48:3,  
48:17, 48:19, 52:24,  
53:5, 68:29, 132:19,  
141:28, 145:25,  
155:13, 164:13,  
169:16, 186:22,  
207:15, 214:25  
**kinds** [3] - 32:5,  
80:24, 82:16  
**knocked** [2] - 29:5  
**knocked"** [1] - 29:5  
**knowing** [1] - 186:19  
**knowledge** [11] -  
42:21, 42:28, 70:11,  
72:20, 121:2, 124:9,  
125:10, 141:17,  
149:9, 158:24, 163:6  
**known** [5] - 107:21,  
128:28, 140:16,  
140:22, 207:19  
**knows** [5] - 39:1,  
118:25, 140:25,  
167:15, 216:23

## L

**lack** [7] - 27:22, 92:9,  
108:4, 131:23,  
134:24, 165:25, 167:4  
**lads** [1] - 174:13  
**language** [7] - 11:15,  
11:24, 32:15, 91:17,  
91:18, 159:3, 184:25  
**large** [6] - 13:26,  
13:29, 14:28, 15:11,  
88:27, 159:7  
**largely** [1] - 62:2  
**last** [20] - 34:21,  
37:23, 40:27, 50:5,  
59:10, 66:10, 71:11,  
71:27, 89:18, 90:10,  
95:20, 108:16,  
126:28, 139:9, 151:3,  
169:2, 171:2, 173:12,  
207:23, 218:10  
**lasted** [1] - 219:11  
**lasts** [1] - 219:12  
**late** [5] - 32:3, 119:8,  
198:1, 200:14  
**latter** [1] - 135:6  
**launched** [1] - 22:16  
**Law** [1] - 50:16  
**law** [2] - 149:5,  
149:15  
**leader** [2] - 17:8,  
19:3  
**LEADER** [2] - 2:7,  
137:19  
**leadership** [2] -  
16:29, 21:8  
**leading** [1] - 145:2  
**leaked** [1] - 210:3  
**learn** [7] - 36:10,  
55:12, 56:2, 56:22,  
56:26, 57:23, 84:1  
**learned** [3] - 174:23,  
177:27, 183:13  
**learning** [2] - 53:11,  
56:15  
**least** [3] - 40:4, 58:8,  
169:15  
**leave** [9] - 36:19,  
46:6, 46:10, 58:17,  
66:4, 147:18, 176:17,  
186:9, 207:21  
**leaving** [3] - 17:10,  
63:4, 73:6  
**lecture** [1] - 53:20  
**led** [7] - 35:16, 35:19,  
74:23, 84:20, 143:12,  
173:20, 173:21  
**left** [12] - 21:14,  
32:29, 33:1, 77:3,  
81:22, 86:22, 89:3,  
150:18, 180:8,  
180:11, 187:12,  
196:22  
**legal** [11] - 95:6,  
110:4, 116:15, 123:8,  
123:18, 125:8,  
144:27, 207:27,  
208:15, 209:5, 210:19  
**lengthy** [2] - 10:24,  
84:6  
**Lernihan** [1] - 154:25  
**less** [1] - 119:29  
**lessons** [1] - 56:26  
**letter** [84] - 42:12,  
77:11, 79:26, 106:20,  
108:21, 115:26,  
116:14, 116:16,  
116:17, 116:19,  
116:22, 116:24,  
116:26, 117:17,  
120:17, 121:9,  
121:10, 121:19,

121:22, 122:16,  
123:3, 123:9, 123:18,  
123:26, 124:23,  
124:24, 124:28,  
126:11, 133:27,  
134:8, 135:9, 143:14,  
143:21, 144:12,  
144:21, 148:17,  
152:7, 152:22, 153:1,  
153:5, 162:8, 162:21,  
179:15, 179:17,  
179:18, 180:19,  
182:25, 182:26,  
184:8, 186:19, 187:5,  
188:16, 189:9,  
189:17, 189:25,  
189:26, 189:27,  
189:28, 189:29,  
193:12, 193:18,  
193:22, 194:4, 194:6,  
195:22, 195:29,  
197:14, 199:1,  
201:25, 201:26,  
202:18, 211:8, 212:7,  
212:10, 212:11,  
214:25, 215:13,  
215:26, 216:4,  
218:12, 218:13,  
218:16  
**letters** [1] - 135:9  
**level** [4] - 19:29,  
62:3, 62:19, 82:3  
**levels** [3] - 32:13,  
61:10, 169:5  
**lever** [1] - 184:1  
**liaison** [1] - 53:23  
**liar** [1] - 207:11  
**liberal** [1] - 65:21  
**liberties** [1] - 20:13  
**lied** [1] - 207:9  
**life** [6] - 42:5, 82:2,  
99:29, 141:12,  
150:23, 150:28  
**light** [1] - 220:15  
**likely** [2] - 70:5, 82:8  
**limits** [2] - 204:16,  
204:17  
**line** [18] - 37:23,  
38:5, 42:25, 47:17,  
66:9, 113:11, 122:21,  
123:12, 129:14,  
135:6, 140:12,  
147:18, 148:21,  
187:19, 205:18,  
205:26, 206:5, 206:17  
**linear** [1] - 26:21  
**lines** [10] - 37:15,  
39:7, 39:29, 40:9,  
40:27, 41:13, 41:20,  
45:19, 135:6, 167:21

**list** [4] - 128:9, 159:7, 184:29, 212:21  
**listen** [5] - 26:16, 37:26, 83:29, 165:11, 177:21  
**listened** [3] - 65:27, 144:8, 144:10  
**listening** [3] - 61:11, 191:20, 219:8  
**literally** [1] - 120:12  
**literature** [1] - 17:7  
**LITTLE** [2] - 2:19, 3:14  
**lived** [1] - 82:1  
**lives** [1] - 42:25  
**loads** [1] - 48:27  
**local** [3] - 40:11, 40:24, 203:25  
**location** [1] - 157:16  
**lockstep** [1] - 90:8  
**longhand** [1] - 149:26  
**look** [44] - 10:8, 31:21, 34:14, 34:26, 36:25, 37:14, 48:13, 50:26, 51:4, 52:11, 70:25, 73:26, 75:5, 82:12, 86:21, 87:10, 88:3, 103:7, 107:18, 123:12, 123:15, 136:17, 148:25, 149:3, 154:10, 157:29, 164:24, 164:26, 170:11, 171:29, 175:6, 177:9, 177:14, 186:10, 195:3, 201:6, 205:12, 208:21, 215:12, 216:11, 218:12, 220:4, 220:6, 220:9  
**looked** [9] - 5:12, 86:25, 120:7, 162:1, 162:2, 162:19, 184:12, 184:18  
**looking** [13] - 5:8, 14:18, 39:1, 40:19, 48:5, 48:12, 57:15, 142:21, 162:27, 163:6, 164:3, 188:13, 194:1  
**looks** [7] - 11:8, 24:20, 35:3, 35:7, 35:15, 77:26, 222:12  
**loopholes** [1] - 6:27  
**Lorraine** [4] - 79:2, 82:19, 168:29, 171:25  
**losing** [1] - 165:9  
**lost** [5] - 43:5, 46:23, 91:21, 178:8, 200:27  
**love** [2] - 25:24, 29:2

**low** [3] - 62:3, 214:13, 214:14  
**loyal** [4] - 29:9, 170:28, 171:3  
**lunch** [4] - 62:13, 98:3, 98:8, 145:19  
**LUNCH** [2] - 97:22, 98:1  
**luxury** [1] - 44:23

## M

**MacNamara** [1] - 211:17  
**MacNamee** [5] - 3:1, 110:11, 115:11, 137:28, 149:22  
**MacNamee's** [1] - 150:2  
**macro** [1] - 30:20  
**MADE** [2] - 1:3, 1:8  
**maintain** [2] - 64:14, 88:22  
**major** [1] - 32:11  
**majority** [2] - 16:3, 23:29  
**maladministration** [1] - 55:7  
**maliciously** [1] - 99:2  
**MALONE** [1] - 1:30  
**Malone** [1] - 1:25  
**malpractice** [1] - 172:28  
**man** [6] - 16:27, 17:1, 24:8, 36:17, 140:22, 141:16  
**man's** [1] - 31:20  
**manage** [1] - 53:25  
**managed** [1] - 58:1  
**management** [8] - 8:22, 14:19, 19:28, 22:22, 40:11, 53:21, 71:14, 80:10  
**managing** [1] - 14:28  
**Mannion** [1] - 222:1  
**manuscript** [1] - 162:29  
**March** [20] - 51:5, 51:24, 52:8, 53:10, 61:12, 62:6, 62:8, 62:26, 62:27, 75:18, 75:29, 76:1, 76:3, 76:5, 81:1, 81:27, 127:2, 180:8, 180:10, 180:14  
**march** [1] - 52:12  
**marginal** [1] - 105:13  
**marion** [1] - 221:29

**Mark** [1] - 17:28  
**marks** [1] - 73:8  
**married** [1] - 99:28  
**MARRINAN** [42] - 2:6, 4:11, 4:15, 93:26, 95:2, 95:4, 95:18, 96:21, 98:3, 98:8, 104:25, 105:29, 106:4, 106:25, 109:20, 109:25, 109:27, 113:19, 113:25, 114:4, 115:2, 115:6, 121:24, 121:27, 122:14, 122:21, 124:8, 125:18, 132:22, 134:16, 137:13, 137:15, 137:20, 137:22, 139:3, 139:5, 145:12, 208:29, 209:2, 209:3, 211:2, 211:29  
**marrinan** [1] - 139:2  
**Marrinan** [8] - 95:5, 96:20, 105:26, 113:23, 114:26, 121:16, 122:8, 123:23  
**Marrinan's** [1] - 210:17  
**MARTIN** [1] - 3:10  
**Martin** [25] - 18:29, 19:2, 101:4, 102:14, 103:17, 105:9, 106:6, 112:11, 113:29, 116:3, 117:27, 117:28, 118:2, 132:1, 134:19, 135:4, 166:26, 167:2, 167:8, 167:12, 182:18, 197:7, 209:14, 209:22, 209:23  
**massive** [2] - 181:12, 189:7  
**massively** [1] - 26:28  
**matches** [1] - 142:2  
**material** [6] - 21:24, 64:27, 65:2, 176:24, 178:26, 210:3  
**materials** [7] - 21:15, 27:18, 72:17, 72:18, 80:18, 96:12, 125:5  
**matter** [42] - 19:4, 29:24, 46:16, 87:19, 89:28, 90:4, 93:16, 93:18, 93:21, 102:4, 102:6, 102:25, 105:2, 105:4, 105:21, 117:9, 126:21, 132:12, 133:18, 136:6,

138:21, 140:8, 143:17, 144:1, 146:25, 147:10, 147:24, 148:10, 152:6, 155:4, 155:22, 157:21, 171:26, 174:3, 177:12, 179:24, 185:24, 188:9, 198:10, 205:13, 208:29, 222:13  
**matters** [38] - 8:21, 9:10, 11:20, 17:5, 25:9, 60:13, 63:21, 66:9, 68:4, 74:5, 85:22, 88:9, 90:2, 90:27, 92:5, 101:19, 103:5, 103:29, 105:15, 105:16, 106:13, 106:25, 116:13, 132:25, 133:6, 149:18, 156:12, 171:23, 174:22, 175:19, 175:22, 175:27, 176:3, 176:28, 177:5, 177:19, 214:12, 220:29  
**MATTERS** [1] - 1:5  
**Maura** [1] - 154:25  
**Maurice** [36] - 25:16, 25:28, 35:10, 47:29, 55:23, 58:24, 62:28, 73:27, 75:25, 76:7, 83:27, 85:8, 85:28, 87:21, 88:10, 92:14, 95:21, 96:17, 96:25, 98:9, 98:13, 100:14, 107:1, 107:21, 108:11, 111:24, 140:18, 140:24, 141:2, 141:14, 145:27, 160:15, 197:3, 197:9, 212:7, 215:25  
**Maurice** [1] - 16:9  
**Maurice's** [1] - 76:8  
**McArdle** [5] - 115:23, 157:9, 158:18, 158:27, 159:7  
**McC** [1] - 43:5  
**McCabe** [296] - 2:9, 5:9, 5:25, 5:27, 6:4, 6:12, 8:1, 8:27, 11:4, 11:25, 13:6, 13:8, 14:24, 15:19, 16:6, 16:13, 17:18, 18:3, 18:5, 18:22, 18:23, 19:16, 19:22, 19:26, 20:11, 23:3, 23:17,

25:9, 25:12, 25:14, 26:14, 27:10, 27:20, 27:24, 28:5, 30:1, 30:11, 31:6, 31:15, 33:24, 35:10, 36:3, 36:6, 36:28, 38:25, 39:9, 39:13, 39:17, 40:6, 40:14, 40:22, 45:21, 46:6, 46:12, 47:10, 48:5, 48:27, 49:2, 49:18, 50:22, 55:24, 56:3, 57:2, 57:5, 57:8, 57:14, 57:25, 58:3, 58:17, 60:14, 60:27, 61:3, 61:6, 61:10, 62:1, 62:6, 62:15, 62:23, 63:27, 64:3, 64:8, 64:12, 67:19, 69:12, 74:19, 74:29, 76:7, 76:14, 77:12, 77:17, 77:20, 77:23, 77:28, 78:13, 78:19, 79:2, 79:8, 80:13, 81:13, 81:27, 82:8, 82:19, 83:27, 85:8, 86:2, 87:21, 92:14, 95:22, 95:27, 96:11, 96:17, 96:25, 98:9, 98:13, 98:20, 98:22, 99:10, 100:14, 100:19, 100:21, 101:5, 101:13, 102:3, 102:12, 102:18, 102:23, 103:2, 103:16, 103:22, 103:25, 103:28, 104:12, 104:14, 104:16, 104:19, 105:25, 106:13, 107:1, 107:21, 107:29, 108:11, 108:19, 108:23, 108:25, 109:5, 109:12, 111:2, 111:24, 111:25, 112:4, 112:10, 112:16, 113:28, 114:4, 115:21, 115:26, 116:29, 117:13, 117:22, 117:23, 118:3, 118:6, 118:19, 119:27, 124:29, 125:21, 125:29, 126:2, 126:10, 128:25, 129:20, 131:6, 131:12, 131:16, 131:21, 131:27, 133:11, 133:13, 133:16, 133:20,

133:24, 134:19,  
135:15, 139:12,  
139:16, 140:16,  
140:18, 140:24,  
141:15, 141:21,  
141:23, 142:4, 142:7,  
142:10, 142:16,  
142:25, 142:28,  
143:2, 143:22, 144:5,  
144:16, 145:10,  
145:27, 146:4, 151:8,  
156:15, 156:16,  
156:26, 157:6, 157:7,  
157:9, 157:14,  
158:15, 158:17,  
158:19, 158:27,  
159:2, 159:16,  
160:15, 160:26,  
161:12, 161:19,  
162:25, 163:22,  
163:26, 165:19,  
165:23, 166:24,  
167:2, 168:9, 170:8,  
170:15, 170:18,  
171:10, 171:22,  
172:26, 173:9,  
173:19, 173:26,  
174:21, 175:28,  
177:7, 179:9, 180:2,  
181:16, 181:20,  
181:28, 183:5, 184:8,  
185:12, 185:14,  
186:9, 186:17,  
186:28, 187:8,  
188:24, 189:9,  
189:18, 189:24,  
190:23, 191:8,  
191:14, 192:12,  
192:13, 192:22,  
192:25, 193:3, 195:3,  
195:8, 195:18,  
196:24, 196:27,  
197:3, 197:9, 198:12,  
204:19, 205:1,  
205:14, 206:17,  
206:25, 207:14,  
209:10, 209:20,  
212:7, 214:27,  
214:28, 215:1, 215:5,  
215:6, 215:25, 217:20

**McCabe's** [35] -  
28:10, 36:13, 39:27,  
40:6, 41:4, 41:18,  
49:26, 58:24, 61:25,  
64:19, 75:5, 82:12,  
85:29, 108:13, 117:1,  
117:19, 123:8,  
123:18, 124:24,  
125:8, 130:29,  
135:29, 136:8, 141:2,  
143:19, 147:19,  
161:7, 170:2, 179:28,  
179:29, 182:20,  
188:15, 191:29,  
208:15, 222:14

**McCabe..** [1] - 43:9

**MCCANN** [1] - 3:10

**McCarthy** [2] -  
129:5, 129:15

**McCormack** [2] -  
146:13, 146:15

**McDowell** [143] - 2:9,  
19:5, 90:15, 90:19,  
90:20, 90:22, 90:25,  
90:26, 91:4, 91:10,  
91:12, 91:14, 91:16,  
91:18, 91:19, 91:22,  
91:29, 92:3, 92:22,  
92:24, 92:29, 93:4,  
93:6, 119:14, 121:7,  
123:12, 123:14,  
123:15, 123:22,  
123:23, 123:26,  
123:29, 124:1,  
137:17, 138:27,  
147:1, 147:4, 147:6,  
147:8, 149:13,  
149:15, 149:19,  
150:17, 152:3, 152:4,  
154:15, 155:11,  
156:6, 156:7, 157:21,  
157:26, 158:6, 158:7,  
158:10, 158:13,  
163:15, 164:6,  
164:15, 164:17,  
164:27, 165:6,  
165:10, 165:15,  
166:8, 169:19,  
169:24, 172:3, 172:9,  
172:11, 173:16,  
175:5, 175:8, 175:9,  
175:13, 175:17,  
175:19, 176:6, 176:7,  
176:8, 176:15,  
176:18, 176:19,  
176:27, 177:11,  
177:17, 177:29,  
178:9, 178:23,  
178:24, 179:4,  
179:29, 185:21,  
186:11, 191:19,  
192:3, 194:8, 194:22,  
194:27, 196:7, 196:8,  
196:13, 196:15,  
196:19, 198:7,  
198:12, 198:26,  
199:16, 199:19,  
199:21, 200:3, 200:6,  
200:12, 200:16,  
200:20, 200:23,  
200:29, 201:3,

201:12, 201:14,  
201:29, 202:3,  
202:13, 202:17,  
202:29, 208:11,  
208:14, 208:20,  
208:21, 216:2,  
218:22, 219:4, 220:1,  
220:3, 220:7, 220:9,  
220:12, 220:15,  
220:19, 220:27,  
221:7, 221:10, 221:14

**MCDOWELL** [2] -  
4:8, 4:12

**McDowell's** [2] -  
201:23, 219:3

**McGARRY** [1] - 2:10

**McGinn** [6] - 106:28,  
135:21, 168:23,  
188:9, 192:29, 217:13

**McGinn/Byrne** [2] -  
188:26, 189:3

**MCGRATH** [1] - 3:5

**MCGUINNESS** [2] -  
2:6, 4:6

**McGuinness** [18] -  
2:16, 9:20, 68:2, 68:3,  
72:26, 76:24, 78:25,  
79:3, 82:28, 92:11,  
115:4, 221:18,  
221:25, 221:28,  
222:7, 222:9, 222:14,  
222:17

**McLoone** [1] - 50:17

**McLoughlin** [6] -  
33:20, 34:1, 44:20,  
50:8, 52:18, 63:8

**McMahon** [6] -  
47:20, 48:7, 52:7,  
52:26, 61:19, 61:23

**McNamara** [4] -  
110:12, 110:14,  
110:15, 115:8

**McTIERNAN** [1] -  
2:23

**mean** [23] - 24:10,  
27:26, 31:16, 49:22,  
60:22, 70:22, 71:3,  
73:24, 87:4, 89:10,  
121:16, 130:1,  
140:26, 157:23,  
164:6, 164:8, 177:1,  
177:18, 179:2,  
184:26, 185:6,  
188:29, 191:13

**meaning** [3] - 32:15,  
166:13, 170:12

**meaningful** [2] -  
44:27, 47:29

**means** [3] - 89:1,  
163:11, 170:12

**meant** [1] - 190:3

**meantime** [1] -  
221:10

**measurable** [1] -  
14:18

**measured** [1] - 10:13

**media** [7] - 31:3,  
56:12, 65:21, 78:23,  
97:11, 145:16, 207:20

**mediated** [1] - 62:2

**mediator** [2] - 38:23,  
47:22

**MEEHAN** [1] - 3:11

**meet** [13] - 15:28,  
83:13, 89:6, 92:4,  
117:22, 131:27,  
157:6, 157:7, 157:16,  
158:14, 158:16,  
166:23, 197:3

**meeting** [160] - 5:9,  
7:13, 8:9, 8:15, 10:22,  
10:25, 10:27, 18:5,  
26:3, 26:19, 28:5,  
28:29, 30:9, 32:21,  
32:26, 33:6, 33:7,  
33:14, 33:16, 33:24,  
34:3, 35:27, 36:3,  
36:15, 36:18, 36:19,  
38:18, 38:21, 39:12,  
39:17, 40:22, 40:26,  
41:3, 42:10, 42:13,  
44:29, 48:22, 49:12,  
49:25, 50:21, 50:22,  
53:4, 53:19, 57:12,  
57:13, 60:11, 60:12,  
60:25, 60:26, 61:5,  
61:7, 62:6, 62:7,  
62:10, 62:14, 62:15,  
62:22, 63:5, 66:11,  
66:22, 67:1, 67:3,  
67:18, 68:19, 68:26,  
69:4, 69:10, 69:16,  
69:24, 71:5, 71:6,  
71:13, 71:15, 71:16,  
71:20, 71:24, 71:28,  
72:11, 74:23, 75:20,  
76:2, 78:13, 78:29,  
79:1, 79:11, 79:19,  
80:2, 80:24, 81:26,  
81:28, 82:9, 84:29,  
101:8, 103:8, 105:20,  
105:27, 106:6, 106:8,  
106:9, 106:11, 109:9,  
110:4, 110:17,  
112:25, 114:5,  
114:18, 114:28,  
115:3, 115:7, 115:11,  
116:2, 117:27,  
117:28, 117:29,  
118:3, 120:27,

121:20, 125:1, 125:3,  
127:10, 127:11,  
127:14, 127:24,  
134:20, 135:3,  
139:12, 140:22,  
145:9, 148:3, 157:8,  
157:14, 158:16,  
159:4, 167:3, 167:7,  
174:15, 176:13,  
176:14, 185:15,  
187:2, 193:1, 193:5,  
195:6, 195:18,  
195:25, 196:22,  
197:15, 199:3, 199:4,  
201:25, 202:18,  
209:13, 209:17,  
214:11, 215:24,  
216:27

**meetings** [13] - 8:11,  
18:9, 25:11, 50:2,  
68:22, 69:9, 77:19,  
77:27, 81:19, 88:6,  
182:1, 182:3, 182:12

**megaphone** [3] -  
31:3, 40:23, 74:20

**Member** [1] - 213:5

**member** [6] - 21:2,  
99:26, 107:22,  
156:27, 170:28

**MEMBER** [2] - 1:12,  
2:2

**members** [14] - 9:22,  
25:15, 56:5, 104:8,  
105:1, 111:23,  
134:12, 172:17,  
192:15, 212:23,  
213:1, 213:11,  
213:16, 213:24

**members'** [1] -  
213:25

**memo** [1] - 146:12

**memories** [2] -  
131:1, 161:8

**memory** [5] - 62:11,  
119:20, 148:3, 150:4,  
158:24

**men** [1] - 169:14

**mention** [3] - 13:20,  
47:19, 193:2

**mentioned** [16] -  
5:14, 25:26, 47:20,  
50:18, 62:6, 68:6,  
74:19, 99:20, 152:25,  
174:22, 175:27,  
176:3, 177:19,  
177:20, 177:22,  
204:28

**mentioning** [1] -  
193:10

**merely** [3] - 181:12,



182:24, 201:14  
**mergers** [1] - 74:11  
**message** [6] - 20:17, 30:22, 30:24, 30:25, 36:12, 37:21  
**messages** [2] - 36:24, 77:14  
**messaging** [1] - 63:2  
**met** [31] - 58:5, 61:11, 63:27, 67:18, 71:27, 75:22, 76:10, 77:23, 78:19, 78:26, 83:12, 86:1, 89:4, 100:21, 101:5, 112:4, 112:10, 113:28, 117:23, 126:23, 126:28, 127:3, 127:4, 127:5, 142:14, 159:6, 180:2, 180:5, 197:9, 201:28  
**methodically** [1] - 72:19  
**methodologies** [1] - 56:1  
**methodology** [1] - 22:29  
**Michael** [7] - 19:5, 51:9, 108:4, 110:11, 131:11, 137:28, 172:19  
**MICHAEL** [3] - 2:9, 3:1, 3:8  
**Micheál** [2] - 18:29, 19:2  
**Mick** [8] - 112:11, 113:8, 113:14, 113:21, 113:29, 114:7, 114:21, 114:24  
**micro** [1] - 30:20  
**middle** [4] - 48:24, 129:4, 184:29, 219:10  
**midnight** [1] - 39:24  
**might** [23] - 15:27, 25:22, 26:4, 27:11, 27:16, 39:13, 50:10, 51:16, 51:20, 60:14, 60:20, 60:21, 65:16, 66:8, 80:13, 80:14, 124:6, 146:23, 163:29, 174:5, 201:19, 217:26, 220:22  
**mike** [1] - 65:25  
**million** [1] - 23:10  
**mind** [25] - 42:10, 67:8, 74:2, 90:1, 92:28, 95:15, 100:21, 103:10, 104:10, 104:25, 114:19, 128:22, 129:22, 129:23, 129:28, 149:14, 172:8, 174:15, 176:18, 191:18, 192:13, 194:20, 194:24, 208:13, 221:19  
**mindset** [1] - 28:11  
**mine** [2] - 50:14, 67:25  
**MINISTER** [1] - 1:8  
**Minister** [11] - 16:21, 18:21, 19:8, 19:14, 30:29, 40:19, 41:9, 42:11, 44:25, 48:20, 82:14  
**minority** [2] - 24:1, 56:8  
**minute** [16] - 5:8, 5:11, 5:24, 34:19, 34:20, 34:21, 34:24, 35:7, 39:15, 42:14, 61:8, 84:7, 129:10, 129:11, 195:23  
**minutes** [8] - 36:19, 78:12, 79:25, 79:28, 80:2, 98:6, 120:11, 208:21  
**minutiae** [1] - 39:26  
**misinterpreted** [1] - 73:23  
**misleading** [4] - 138:23, 143:16, 143:22, 144:1  
**mised** [1] - 26:5  
**missed** [2] - 113:24, 207:29  
**missing** [2] - 219:22, 219:24  
**mission** [2] - 14:21, 83:20  
**mistake** [11] - 119:13, 119:18, 119:24, 119:29, 120:1, 120:2, 120:24, 120:25, 181:13, 190:2, 190:4  
**mistype** [1] - 75:14  
**misunderstanding** [3] - 92:12, 150:25, 189:7  
**misunderstandings** [1] - 92:10  
**misunderstood** [2] - 182:29, 189:12  
**mix** [1] - 134:14  
**mix-up** [1] - 134:14  
**mixed** [1] - 191:26  
**mixing** [2] - 135:8, 135:9  
**mockingbird** [1] - 62:28  
**Module** [1] - 154:11  
**module** [9] - 79:13, 94:7, 94:8, 135:28, 170:1, 175:23, 175:29, 182:1, 205:3  
**modules** [2] - 135:26, 169:28  
**modus** [1] - 30:10  
**moment** [5] - 58:18, 79:24, 124:14, 147:19, 152:13  
**momentum** [3] - 14:27, 15:10, 52:8  
**Monaghan** [6] - 100:26, 109:1, 113:7, 114:6, 207:19, 209:8  
**MONDAY** [2] - 1:18, 5:1  
**Monday** [10] - 153:26, 198:5, 210:22, 210:23, 210:24, 210:25, 210:27, 210:29, 218:17  
**monopoly** [1] - 76:25  
**month** [3] - 53:5, 61:12  
**months** [10] - 61:20, 77:9, 77:24, 84:26, 180:15, 187:4, 202:5, 202:6, 202:19, 202:27  
**mores** [2] - 13:28, 14:17  
**morning** [33] - 5:6, 5:7, 42:11, 70:10, 71:14, 71:15, 72:18, 119:4, 119:7, 120:4, 120:7, 120:10, 120:29, 121:7, 122:16, 124:15, 125:10, 138:24, 143:4, 145:15, 153:26, 160:11, 160:12, 175:20, 189:28, 190:6, 208:5, 211:4, 211:7, 218:19, 222:2, 222:10  
**Morris** [1] - 42:4  
**most** [9] - 8:14, 32:14, 82:1, 103:29, 136:21, 136:24, 165:12, 165:15, 165:18  
**motions** [1] - 38:7  
**motivated** [4] - 90:16, 135:29, 170:2, 171:14  
**motivation** [12] - 8:20, 11:3, 11:5, 73:28, 117:1, 180:24, 181:6, 181:17, 182:2, 182:20, 189:11, 192:1  
**motivations** [1] - 13:19  
**motives** [1] - 147:20  
**move** [14] - 24:28, 39:9, 44:21, 60:26, 85:1, 85:19, 89:1, 108:15, 109:27, 112:5, 122:8, 130:2, 206:15, 207:22  
**moved** [3] - 26:14, 73:2, 129:13  
**MR** [226] - 1:12, 2:2, 2:4, 2:6, 2:6, 2:9, 2:10, 2:10, 2:15, 2:15, 2:16, 2:16, 2:17, 2:22, 2:23, 3:1, 3:1, 3:2, 3:4, 3:8, 3:9, 3:9, 3:10, 3:10, 3:11, 3:12, 4:3, 4:4, 4:5, 4:6, 4:8, 4:11, 4:12, 4:13, 4:14, 4:15, 5:4, 5:5, 5:6, 64:24, 64:28, 65:1, 65:4, 65:7, 65:12, 65:29, 66:4, 66:8, 66:15, 66:19, 66:20, 68:2, 68:3, 82:28, 83:3, 90:15, 90:20, 90:22, 90:26, 91:4, 91:12, 91:14, 91:18, 91:22, 91:29, 92:24, 92:29, 93:3, 93:4, 93:6, 93:26, 93:28, 94:2, 95:2, 95:4, 95:18, 96:21, 98:3, 98:7, 98:8, 104:25, 105:29, 106:4, 106:25, 109:20, 109:25, 109:27, 113:19, 113:25, 114:4, 115:2, 115:4, 115:6, 121:24, 121:27, 122:14, 122:20, 122:21, 123:12, 123:15, 123:26, 124:1, 124:8, 125:18, 128:7, 132:22, 134:16, 137:13, 137:15, 137:17, 137:20, 137:22, 139:3, 139:5, 145:12, 147:4, 147:6, 148:19, 149:15, 149:19, 152:4, 154:15, 156:7, 157:21, 157:26, 158:6, 158:10, 158:13, 163:15, 164:15, 164:17, 165:10, 165:15, 169:19, 172:3, 172:9, 172:11, 173:16, 175:5, 175:9, 175:13, 175:19, 176:8, 176:15, 176:19, 176:27, 177:11, 177:17, 178:9, 178:24, 179:4, 179:29, 185:21, 186:11, 192:3, 192:6, 192:9, 192:11, 194:22, 194:25, 194:27, 195:1, 196:6, 196:8, 196:13, 196:15, 196:19, 198:2, 198:7, 198:10, 198:12, 199:19, 200:6, 200:12, 200:16, 200:23, 200:29, 201:3, 201:12, 201:14, 201:19, 201:21, 201:22, 201:29, 202:1, 202:3, 202:5, 202:8, 202:11, 202:13, 202:16, 202:23, 202:25, 203:7, 204:26, 205:8, 208:26, 208:29, 209:2, 209:3, 210:16, 210:26, 210:29, 211:2, 211:29, 216:2, 220:1, 220:3, 220:7, 220:9, 220:12, 220:15, 220:19, 220:27, 221:7, 221:10, 221:14, 221:25, 221:28, 222:7, 222:9, 222:14, 222:17  
**MS** [8] - 2:7, 2:7, 2:18, 3:2, 3:3, 3:4, 3:8, 137:19  
**MULLAN** [1] - 2:7  
**Mullingar** [50] - 9:6, 9:21, 9:29, 12:2, 16:3, 16:7, 16:18, 16:19, 16:22, 18:1, 19:18, 21:4, 23:21, 23:23, 24:16, 24:28, 26:17, 52:7, 61:24, 63:28, 64:17, 100:22, 103:17, 105:28, 109:9, 112:4, 112:10, 113:28, 114:29, 116:3, 117:24, 121:20, 127:4, 127:5, 127:10, 151:8, 179:8, 180:2, 180:13,

182:17, 184:4,  
185:15, 186:18,  
189:8, 195:6, 196:17,  
197:9, 201:26,  
202:19, 216:27  
**multiplied** [2] -  
135:18, 168:20  
**Mulvey** [8] - 50:17,  
51:2, 51:27, 52:27,  
61:18, 61:27, 63:5,  
63:10  
**Mulvey's** [1] - 51:29  
**mum** [1] - 98:19  
**MURPHY** [18] - 2:15,  
4:14, 122:20, 148:19,  
201:19, 201:21,  
201:22, 202:1, 202:5,  
202:8, 202:11,  
202:16, 202:23,  
202:25, 203:7,  
204:26, 205:8, 208:26  
**Murray** [1] - 63:26  
**must** [8] - 67:9,  
79:12, 81:29, 157:1,  
161:28, 194:10,  
203:29, 204:12  
**must've** [1] - 46:5  
**mustn't** [1] - 138:15  
**mutual** [2] - 107:23,  
108:11  
**mysterious** [1] -  
200:7  
**MÍCHEÁL** [1] - 2:15

## N

**Naas** [1] - 79:6  
**naivete** [1] - 85:20  
**name** [10] - 65:24,  
97:11, 110:14,  
153:28, 154:2, 155:9,  
171:21, 173:29,  
174:14, 182:12  
**named** [2] - 1:27,  
175:25  
**names** [2] - 176:17,  
176:19  
**narrative** [3] - 22:3,  
58:7, 58:13  
**nature** [7] - 77:5,  
88:18, 131:14,  
158:21, 159:26,  
160:9, 163:24  
**Navan** [2] - 62:8,  
76:4  
**NC** [1] - 115:17  
**near** [1] - 182:13  
**nearly** [3] - 32:22,  
35:5, 137:4

**necessarily** [2] -  
83:29, 201:8  
**necessary** [8] -  
30:12, 31:25, 32:19,  
43:22, 44:1, 48:21,  
59:29, 175:16  
**necessity** [1] - 83:29  
**need** [21] - 13:29,  
15:19, 25:28, 26:28,  
28:13, 28:14, 47:6,  
56:22, 57:20, 64:25,  
66:28, 91:15, 145:14,  
151:23, 154:10,  
155:17, 197:28,  
198:1, 212:21, 220:8  
**needed** [7] - 13:26,  
13:27, 42:10, 48:16,  
50:4, 56:29, 90:8  
**needless** [1] - 73:25  
**needn't** [3] - 34:27,  
105:13, 111:22  
**needs** [1] - 27:25  
**negative** [2] - 21:5,  
178:19  
**negotiation** [2] -  
14:6, 36:9  
**nervous** [2] - 24:3,  
24:24  
**neurolinguistic** [1] -  
36:10  
**neutral** [1] - 147:19  
**never** [36] - 15:12,  
15:16, 23:19, 29:13,  
65:26, 92:20, 97:12,  
110:23, 111:17,  
119:28, 141:14,  
148:8, 158:28,  
159:12, 161:29,  
162:1, 162:5, 162:19,  
162:20, 162:23,  
163:5, 163:6, 164:8,  
164:11, 167:12,  
178:17, 179:15,  
180:25, 180:27,  
183:20, 189:13,  
191:28, 198:12,  
209:23, 209:26  
**new** [6] - 6:29, 7:26,  
16:20, 32:18, 60:28,  
163:12  
**news** [3] - 16:16,  
19:23, 167:19  
**newspaper** [2] -  
20:27, 213:8  
**newspapers** [1] -  
89:16  
**newsprint** [1] - 55:9  
**next** [35] - 9:26,  
25:18, 27:27, 41:7,  
41:23, 42:26, 45:5,

47:19, 93:26, 106:25,  
108:7, 112:25,  
113:28, 114:5,  
115:24, 118:26,  
120:4, 123:15,  
129:10, 129:11,  
129:14, 130:29,  
161:7, 163:28,  
173:16, 175:15,  
188:4, 191:2, 191:3,  
205:26, 208:11,  
208:27, 215:23,  
216:16  
**nicely** [1] - 184:26  
**night** [15] - 24:4,  
24:25, 32:3, 66:13,  
66:24, 70:15, 70:20,  
70:29, 71:11, 71:22,  
71:25, 71:28, 120:5,  
120:6  
**night-time** [2] -  
66:13, 66:24  
**night/Monday** [1] -  
120:7  
**NOBLE** [1] - 2:24  
**nobody** [3] - 80:12,  
144:23, 178:8  
**Noel** [18] - 93:27,  
107:10, 110:23,  
111:7, 112:4, 112:10,  
112:25, 114:4,  
114:12, 115:19,  
117:21, 118:21,  
122:26, 123:3,  
137:24, 154:21,  
172:19, 205:20  
**NOEL** [5] - 3:9, 4:10,  
95:1, 147:3, 192:8  
**non** [3] - 108:19,  
134:5, 213:25  
**non-completion** [1] -  
134:5  
**non-effective** [1] -  
108:19  
**non-performance**  
[1] - 213:25  
**none** [12] - 14:22,  
60:18, 60:25, 61:18,  
61:22, 61:23, 67:9,  
93:13, 151:17,  
151:18, 171:27,  
189:10  
**nonsense** [1] -  
166:14  
**normal** [3] - 34:10,  
160:16, 160:20  
**normalised** [1] -  
45:21  
**northern** [1] - 108:22  
**note** [25] - 10:18,

30:10, 36:23, 49:23,  
50:6, 53:11, 69:1,  
69:7, 69:15, 72:10,  
104:26, 105:12,  
106:6, 110:6, 110:16,  
112:22, 113:20,  
144:25, 159:3, 159:4,  
159:18, 160:13,  
162:15, 200:16, 217:2  
**notebook** [1] -  
149:25  
**noted** [8] - 8:7,  
16:27, 19:24, 68:21,  
104:20, 136:27,  
157:18, 210:11  
**notes** [61] - 1:27,  
34:12, 37:10, 68:22,  
68:24, 68:26, 69:6,  
69:20, 69:23, 101:7,  
102:10, 102:12,  
103:7, 103:10,  
103:15, 105:23,  
105:27, 106:1, 106:2,  
106:4, 106:11, 115:7,  
115:21, 116:10,  
117:27, 121:6,  
121:14, 121:15,  
122:3, 124:19, 125:2,  
127:14, 129:7,  
138:11, 144:16,  
144:19, 144:20,  
144:22, 145:8,  
152:26, 158:26,  
158:28, 159:8,  
161:23, 162:29,  
164:14, 196:1,  
198:10, 199:3, 199:9,  
199:10, 199:11,  
209:12, 209:16,  
210:1, 211:15,  
216:28, 218:25  
**nothing** [27] - 7:5,  
8:25, 37:2, 64:24,  
67:7, 109:21, 119:29,  
134:2, 152:22,  
152:29, 153:12,  
153:19, 159:25,  
160:8, 167:12, 168:5,  
168:14, 170:15,  
171:18, 177:2,  
180:21, 180:22,  
181:5, 182:16,  
183:15, 201:2  
**notice** [5] - 7:12,  
97:11, 153:10,  
201:11, 222:4  
**noticed** [1] - 201:10  
**notices** [2] - 6:2,  
53:22  
**notification** [1] -

59:22  
**notified** [1] - 102:22  
**noting** [2] - 104:13,  
104:14  
**notion** [1] - 164:11  
**notwithstanding** [2]  
- 54:28, 108:12  
**November** [1] -  
20:28  
**number** [31] - 6:8,  
7:15, 15:14, 16:7,  
17:23, 23:12, 34:25,  
36:8, 43:5, 45:17,  
47:3, 54:17, 55:24,  
55:25, 77:19, 90:10,  
111:21, 117:22,  
126:15, 135:17,  
139:4, 139:5, 156:2,  
158:1, 168:19,  
172:24, 192:14,  
200:15, 203:28,  
204:29, 212:21  
**numerous** [4] -  
35:22, 88:6, 111:1,  
142:1  
**Nóirín** [2] - 188:6,  
217:14

## O

**O'BRIEN** [1] - 3:4  
**O'Brien** [14] - 21:6,  
21:23, 22:14, 22:24,  
25:4, 30:19, 34:2,  
35:10, 37:24, 40:4,  
44:14, 48:4, 50:9,  
67:19  
**O'Daly** [1] - 52:15  
**O'Hagan** [3] - 63:13,  
123:8, 123:17  
**O'Hara** [1] - 110:9  
**O'HIGGINS** [1] - 2:15  
**O'Higgins** [51] -  
52:1, 52:10, 61:16,  
61:18, 63:15, 63:26,  
75:21, 77:15, 78:22,  
80:8, 80:27, 80:28,  
82:11, 85:4, 85:9,  
85:21, 86:28, 87:11,  
109:27, 119:13,  
121:21, 128:4,  
138:22, 139:18,  
139:26, 142:21,  
144:8, 144:17,  
145:20, 172:2,  
173:26, 175:13,  
177:21, 178:10,  
178:26, 179:10,  
183:13, 183:21,  
183:29, 194:5,

197:22, 198:19,  
199:19, 206:28,  
209:4, 209:24,  
209:26, 210:13,  
212:11, 212:18  
**O'LEARY** [1] - 3:9  
**O'Sullivan** [4] -  
66:12, 66:23, 188:6,  
217:14  
**obey** [1] - 170:13  
**objection** [1] -  
147:14  
**objective** [2] - 43:11,  
146:28  
**obligation** [2] - 33:3,  
152:10  
**observation** [1] -  
28:18  
**observe** [1] - 146:27  
**obvious** [3] - 166:13,  
173:13, 201:16  
**obviously** [29] -  
35:21, 41:8, 68:6,  
68:17, 70:22, 71:5,  
73:7, 73:24, 74:29,  
77:13, 77:17, 79:25,  
80:7, 81:4, 81:6,  
112:22, 117:6, 132:5,  
145:16, 146:25,  
156:8, 158:14, 159:3,  
173:13, 177:18,  
194:20, 210:8,  
214:21, 219:24  
**occasion** [10] -  
13:24, 19:26, 53:17,  
62:15, 80:4, 82:25,  
131:29, 154:2,  
166:25, 211:21  
**occasions** [7] -  
20:12, 47:3, 99:18,  
117:22, 142:1,  
191:15, 197:2  
**occur** [2] - 92:10,  
97:18  
**occurred** [4] -  
101:20, 147:23,  
150:25, 169:3  
**occurring** [3] - 81:8,  
147:1, 149:10  
**October** [6] - 12:27,  
83:9, 96:26, 98:14,  
99:4, 216:7  
**OF** [4] - 1:3, 1:9,  
1:12, 2:3  
**offence** [3] - 170:29,  
171:9, 189:15  
**offending** [1] -  
143:15  
**offensive** [1] -  
171:11  
**offer** [2] - 59:28,  
83:15  
**Office** [2] - 22:25,  
80:21  
**office** [12] - 21:3,  
22:15, 22:18, 22:21,  
23:6, 32:17, 52:15,  
77:3, 78:7, 82:13,  
82:14, 83:14  
**OFFICE** [2] - 2:18,  
3:13  
**officeholders** [1] -  
32:3  
**officer** [7] - 5:19,  
75:23, 99:27, 102:22,  
102:24, 151:12,  
207:11  
**officers** [7] - 29:18,  
50:29, 131:22,  
135:15, 165:24,  
168:10, 213:2  
**oft** [1] - 54:3  
**often** [4] - 67:24,  
92:3, 92:4, 118:24  
**old** [2] - 186:13,  
187:5  
**Oliver** [1] - 17:24  
**omitted** [1] - 194:22  
**ON** [4] - 1:6, 1:10,  
1:18, 5:1  
**once** [5] - 16:9, 52:1,  
148:23, 166:11,  
170:11  
**one** [90] - 8:11, 9:21,  
13:17, 15:12, 17:23,  
17:29, 18:10, 25:12,  
29:24, 29:26, 32:29,  
35:7, 35:18, 36:27,  
37:18, 38:19, 39:23,  
43:14, 46:29, 53:17,  
53:19, 54:6, 56:1,  
57:14, 57:16, 66:9,  
69:7, 69:8, 74:2,  
74:28, 77:26, 79:12,  
80:26, 89:23, 92:5,  
93:16, 105:22, 106:5,  
107:23, 108:8,  
108:11, 110:23,  
111:17, 113:23,  
118:24, 118:25,  
124:23, 126:10,  
126:21, 129:10,  
133:7, 133:21, 134:8,  
134:10, 134:22,  
141:26, 141:27,  
141:28, 145:17,  
147:10, 148:9,  
148:11, 150:29,  
151:24, 152:1, 174:2,  
175:3, 175:22,  
185:17, 185:23,  
186:16, 186:17,  
190:11, 190:12,  
190:16, 191:2, 194:8,  
194:22, 196:8,  
204:11, 204:13,  
205:2, 207:23,  
208:29, 219:15  
**one-to-one** [2] -  
148:9, 148:11  
**ongoing** [4] - 7:24,  
16:22, 23:23, 111:9  
**onwards** [1] - 66:28  
**open** [6] - 16:10,  
31:2, 31:23, 53:28,  
59:14, 142:3  
**opened** [3] - 101:16,  
124:28, 154:29  
**opening** [2] - 52:4,  
144:18  
**openly** [2] - 31:24,  
54:25  
**operandi** [1] - 30:10  
**operate** [1] - 22:29  
**operated** [3] - 58:10,  
61:7, 203:15  
**operates** [1] - 7:2  
**operational** [1] -  
21:1  
**opinion** [4] - 12:21,  
60:2, 60:8, 65:17  
**opinions** [1] - 21:9  
**opportunity** [7] -  
57:18, 57:24, 68:15,  
79:7, 119:9, 153:27,  
198:21  
**opposed** [1] - 215:19  
**opposite** [2] - 88:29,  
140:19  
**opted** [2] - 58:19,  
58:20  
**or/evening** [1] -  
71:25  
**orally** [1] - 183:5  
**order** [10] - 23:10,  
25:1, 70:11, 97:14,  
124:26, 131:13,  
161:20, 163:23,  
183:6, 213:22  
**ordered** [1] - 18:13  
**orders** [1] - 170:13  
**organisation** [60] -  
6:10, 7:11, 10:14,  
12:10, 12:18, 12:26,  
12:27, 13:1, 13:8,  
13:25, 13:26, 14:2,  
14:4, 14:14, 14:18,  
15:12, 21:8, 22:4,  
22:8, 22:23, 26:16,  
27:21, 29:27, 29:28,  
30:4, 30:5, 32:14,  
33:22, 46:16, 47:2,  
47:5, 49:27, 50:29,  
51:26, 55:12, 55:13,  
56:14, 57:28, 58:10,  
58:14, 59:2, 59:12,  
59:17, 59:19, 59:20,  
59:23, 60:6, 60:10,  
62:1, 67:27, 83:17,  
86:1, 86:3, 87:25,  
88:19, 88:23, 89:3,  
93:14, 187:22, 193:20  
**organisation** [1] -  
29:10  
**organisational** [1] -  
60:13  
**organisations** [2] -  
14:28, 15:15  
**original** [5] - 67:18,  
124:28, 136:29,  
144:15, 200:26  
**originally** [2] - 7:3,  
144:13  
**Oscar** [1] - 37:26  
**OSMOND** [2] - 2:19,  
3:13  
**ostensibly** [1] -  
99:22  
**OTHER** [1] - 1:4  
**others** [1] - 154:17  
**otherwise** [2] -  
90:22, 181:26  
**outcome** [2] - 53:3,  
100:11  
**outline** [2] - 22:28,  
79:2  
**outlined** [5] - 22:14,  
95:29, 104:18, 191:1,  
219:25  
**outlining** [2] - 26:23,  
77:11  
**outside** [1] - 80:27  
**outward** [1] - 14:18  
**outward-looking** [1] -  
14:18  
**overall** [3] - 6:19,  
171:29, 172:4  
**overlook** [1] - 16:1  
**overlooked** [1] -  
81:22  
**oversight** [2] - 7:2,  
7:27  
**overtly** [1] - 23:27  
**overview** [1] -  
176:25  
**owing** [1] - 190:24  
**own** [17] - 8:2, 13:19,  
15:19, 32:8, 47:10,  
55:12, 55:13, 62:16,  
73:8, 73:12, 75:4,  
81:9, 81:17, 81:18,  
111:15, 144:23, 214:8  
**ownership** [1] -  
27:29

---

**P**

---

**p.m** [1] - 94:4  
**PAC** [5] - 16:5,  
17:11, 19:21, 24:17,  
90:12  
**package** [1] - 145:6  
**PAGE** [1] - 4:2  
**page** [79] - 5:12,  
19:12, 21:27, 22:11,  
38:4, 40:8, 41:7, 44:6,  
44:13, 45:17, 45:19,  
46:5, 46:18, 46:20,  
48:25, 50:5, 70:23,  
70:25, 70:27, 75:5,  
75:6, 77:26, 96:5,  
96:11, 98:10, 99:9,  
99:23, 101:29,  
102:27, 103:8,  
105:12, 107:3,  
107:18, 107:27,  
108:15, 108:17,  
110:6, 110:16, 115:6,  
115:24, 116:20,  
117:14, 118:27,  
121:4, 122:2, 122:11,  
122:12, 122:24,  
126:5, 130:2, 130:25,  
137:8, 137:11,  
137:15, 138:20,  
139:6, 140:11,  
142:22, 154:15,  
156:10, 156:11,  
172:5, 172:11,  
172:12, 175:6, 195:3,  
195:6, 195:7, 196:10,  
196:20, 201:25,  
202:8, 203:3, 205:5,  
205:12, 206:15,  
219:11, 220:4  
**pages** [4] - 5:11,  
34:25, 69:29, 191:7  
**paid** [3] - 29:7,  
46:10, 215:20  
**paper** [3] - 21:3,  
124:5, 186:24  
**paragraph** [77] -  
5:13, 9:26, 21:28,  
25:19, 32:11, 56:25,  
71:9, 96:19, 97:1,  
98:22, 98:27, 98:28,  
101:11, 102:1,  
107:18, 108:7,  
108:16, 113:25,  
117:15, 118:11,

118:15, 118:16,  
118:17, 118:26,  
121:9, 123:15,  
130:26, 131:19,  
133:14, 134:16,  
134:22, 134:26,  
135:11, 135:22,  
135:24, 136:17,  
137:16, 137:22,  
138:23, 138:28,  
138:29, 143:15,  
154:18, 157:3,  
158:10, 161:5,  
163:28, 166:9,  
166:28, 167:5,  
167:13, 167:25,  
167:28, 168:6,  
168:14, 170:15,  
171:6, 171:27, 172:5,  
172:11, 172:12,  
172:22, 173:16,  
178:4, 190:9, 190:10,  
190:12, 190:15,  
190:17, 190:18,  
199:2, 200:17,  
203:18, 204:17,  
205:26, 220:10

**paragraphs** [4] -  
133:4, 143:29, 162:4,  
177:3

**pardon** [11] - 70:27,  
96:22, 101:2, 111:28,  
122:10, 137:13,  
165:17, 178:6, 178:7,  
202:2, 207:25

**park** [3] - 15:28,  
79:5, 79:21

**parking** [1] - 23:25

**part** [31] - 12:15,  
13:24, 14:1, 14:3,  
27:21, 32:19, 38:18,  
42:6, 44:12, 58:11,  
64:26, 65:4, 80:11,  
80:15, 85:20, 87:26,  
90:29, 93:9, 106:8,  
121:3, 122:2, 122:12,  
133:8, 133:9, 138:1,  
138:9, 205:3, 207:6,  
207:29, 208:6

**participation** [1] -  
54:8

**particular** [31] - 5:19,  
18:22, 21:24, 29:17,  
54:2, 55:26, 60:21,  
63:19, 65:17, 69:8,  
73:4, 74:14, 88:4,  
94:7, 100:4, 100:5,  
130:26, 136:14,  
151:19, 158:9,  
172:18, 174:2,

176:12, 176:13,  
192:24, 203:7,  
203:24, 205:2,  
205:16, 206:26, 207:8

**particularised** [2] -  
40:2, 174:2

**particularising** [1] -  
40:1

**particularly** [2] -  
42:12, 97:11

**parties** [11] - 52:24,  
100:5, 160:24,  
160:25, 161:1,  
162:10, 170:22,  
174:10, 203:1,  
216:22, 216:24

**partly** [2] - 90:6

**parts** [2] - 32:16,  
169:15

**party** [17] - 9:23,  
16:3, 16:7, 23:29,  
100:4, 117:7, 131:4,  
131:14, 135:2, 157:5,  
158:14, 161:11,  
161:20, 163:23,  
167:7, 182:3, 210:11

**pass** [1] - 50:23

**passage** [7] - 5:24,  
8:8, 10:28, 21:22,  
26:2, 27:26, 208:19

**passages** [2] -  
29:16, 47:19

**PASSED** [1] - 1:5

**passed** [1] - 7:12

**passing** [2] - 77:2,  
120:23

**past** [2] - 15:29,  
97:19

**pat** [1] - 5:23

**path** [1] - 26:21

**PATRICK** [2] - 2:6,  
3:10

**Patrick's** [1] - 52:13

**patrol** [1] - 212:26

**PAUL** [2] - 2:10, 3:2

**peer** [1] - 102:20

**penalised** [1] - 45:14

**penalty** [9] - 6:1, 6:2,  
6:7, 9:17, 53:18,  
53:22, 54:3, 55:8,  
57:19

**People** [2] - 75:10,  
78:3

**people** [45] - 15:6,  
15:28, 16:2, 19:28,  
20:6, 23:25, 46:23,  
53:20, 56:29, 57:18,  
89:11, 89:14, 92:4,  
92:8, 99:19, 99:20,  
116:22, 141:26,

142:14, 142:15,  
145:24, 146:25,  
146:26, 148:7,  
160:26, 162:3, 162:4,  
162:15, 162:29,  
163:13, 164:9,  
164:28, 173:8, 174:7,  
174:9, 175:25,  
177:23, 192:23,  
200:25, 207:18,  
213:4, 215:18, 217:29

**people-carrier** [3] -  
141:26, 174:7, 177:23

**per** [2] - 24:4, 189:22

**perceived** [3] -  
11:29, 108:4, 179:1

**percent** [1] - 73:18

**perception** [2] -  
67:23, 150:19

**perfectly** [3] - 149:7,  
193:27, 214:24

**performance** [2] -  
10:15, 213:25

**performing** [2] -  
213:16, 213:22

**perform's** [1] - 13:28

**perhaps** [18] - 9:14,  
26:17, 26:18, 29:27,  
64:10, 65:15, 70:25,  
71:3, 75:14, 83:28,  
87:20, 89:15, 92:9,  
92:24, 94:6, 103:9,  
146:26, 155:15

**period** [12] - 12:26,  
24:19, 63:23, 74:8,  
77:12, 80:16, 144:3,  
156:18, 183:20,  
202:5, 202:26

**periodically** [1] -  
89:6

**perjure** [1] - 210:5

**perpetrators** [1] -  
164:24

**persist** [1] - 49:11

**persistence** [1] -  
29:8

**person** [17] - 38:15,  
38:22, 40:5, 43:11,  
49:3, 49:13, 62:19,  
83:18, 83:24, 87:8,  
87:9, 92:17, 92:18,  
100:1, 136:21,  
136:24, 204:2

**personal** [6] - 12:11,  
15:20, 16:29, 80:11,  
84:23, 111:15

**personally** [8] - 7:25,  
12:9, 12:17, 15:11,  
84:15, 148:4, 160:19,  
160:24

**personnel** [3] - 12:4,  
23:12, 45:18

**persons** [2] - 45:13,  
50:11

**perspective** [9] -  
31:20, 31:23, 43:10,  
51:14, 67:25, 86:4,  
185:4, 196:4, 215:2

**persuaded** [1] - 13:1

**persuasive** [1] - 41:1

**Pertaining** [2] -  
136:2, 170:4

**PETER** [3] - 1:12,  
2:2, 2:4

**petty** [1] - 23:23

**phenomenon** [1] -  
24:21

**phone** [10] - 35:1,  
35:3, 35:6, 36:26,  
48:24, 50:7, 50:22,  
108:21, 120:8, 215:7

**phrase** [8] - 72:4,  
73:19, 88:24, 88:27,  
158:20, 159:25,  
163:12

**phrases** [2] - 73:13,  
73:29

**physically** [2] -  
86:10, 119:17

**pick** [1] - 120:2

**picked** [1] - 20:27

**piece** [6] - 39:9,  
43:27, 65:18, 183:3,  
190:28

**piece-by-piece** [1] -  
183:3

**pity** [1] - 120:24

**place** [24] - 7:28,  
24:28, 33:16, 42:11,  
51:18, 52:8, 66:12,  
66:21, 66:23, 67:4,  
69:4, 69:16, 71:16,  
84:6, 145:22, 150:5,  
156:24, 157:8,  
158:17, 182:1,  
182:17, 208:2, 209:16

**placed** [1] - 9:14

**places** [1] - 14:29

**plain** [1] - 150:12

**plan** [1] - 75:26

**planned** [1] - 80:12

**plateau** [1] - 60:28

**played** [3] - 13:9,  
89:28, 90:11

**plea** [1] - 217:4

**pleasant** [2] - 62:17,  
184:25

**pleased** [1] - 84:13

**plus** [2] - 123:19,  
195:29

**point** [68] - 7:10,  
7:16, 11:7, 13:14,  
20:15, 22:27, 23:16,  
31:21, 31:25, 32:17,  
41:27, 44:2, 46:28,  
47:9, 47:15, 50:6,  
56:25, 57:1, 57:18,  
58:23, 63:11, 65:12,  
65:26, 67:17, 67:20,  
67:26, 70:6, 70:13,  
72:28, 73:4, 75:10,  
75:19, 76:8, 81:13,  
81:29, 83:19, 84:9,  
84:10, 85:19, 90:24,  
90:26, 91:14, 91:16,  
92:2, 131:11, 148:20,  
155:16, 161:18,  
163:21, 173:13,  
175:5, 176:7, 176:9,  
176:16, 176:21,  
176:22, 176:25,  
176:26, 177:8, 185:7,  
186:12, 193:20,  
194:22, 201:12,  
207:23, 216:14

**pointed** [5] - 10:2,  
29:3, 57:2, 67:6,  
119:18

**pointing** [1] - 88:2

**points** [10] - 6:8, 7:5,  
8:5, 9:18, 53:19,  
57:19, 91:24, 177:22,  
185:2, 190:21

**poisoned** [2] -  
216:17, 216:20

**police** [1] - 207:10

**policeman** [1] -  
140:27

**policies** [1] - 48:13

**policing** [3] - 185:4,  
196:4, 216:14

**policy** [5] - 48:11,  
48:13, 203:26,  
203:27, 204:3

**political** [1] - 31:9

**pontificate** [1] -  
65:22

**poor** [2] - 93:10,  
212:28

**popping** [1] - 97:13

**popularity** [1] -  
28:14

**portions** [1] - 118:11

**portrayed** [1] -  
136:11

**position** [24] - 21:1,  
21:14, 23:21, 26:16,  
29:18, 30:15, 41:4,  
52:20, 58:26, 58:27,  
64:14, 67:6, 68:29,

116:28, 143:12,  
144:8, 146:27,  
152:29, 188:5,  
197:29, 202:28,  
204:13, 207:17,  
220:21  
**positions** [3] - 19:29,  
173:3, 173:9  
**positive** [1] - 59:25  
**possibility** [2] -  
66:11, 66:22  
**possible** [6] - 56:16,  
73:15, 73:26, 131:5,  
161:11, 184:27  
**possibles** [1] - 50:18  
**possibly** [10] - 38:26,  
58:28, 66:23, 80:19,  
87:3, 87:4, 87:6,  
214:20, 217:24  
**post** [1] - 60:11  
**POWER** [1] - 3:10  
**practice** [1] - 18:2  
**pre** [3] - 36:18,  
69:10, 69:16  
**pre-meeting** [3] -  
36:18, 69:10, 69:16  
**precedent** [1] - 46:10  
**preceding** [3] -  
134:25, 135:6, 167:5  
**precisely** [2] - 90:26,  
92:20  
**predates** [1] - 21:19  
**predicament** [1] -  
49:26  
**preference** [1] - 31:1  
**premise** [1] - 210:18  
**preoccupation** [1] -  
64:20  
**prep** [2] - 80:27,  
81:25  
**preparation** [4] -  
54:9, 63:18, 80:8,  
81:5  
**prepared** [14] - 5:8,  
7:6, 53:11, 87:23,  
100:25, 116:14,  
117:29, 127:16,  
135:3, 155:15, 167:8,  
185:19, 197:16, 199:5  
**preparing** [2] - 96:7,  
177:3  
**preponderance** [1] -  
81:9  
**presence** [2] -  
103:17, 133:12  
**present** [12] - 31:23,  
33:21, 110:8, 110:13,  
116:3, 128:21,  
152:26, 182:3,  
191:11, 191:12,  
220:23  
**presentation** [1] -  
36:13  
**presentations** [1] -  
56:13  
**presenting** [1] -  
30:12  
**presents** [1] - 28:11  
**pressed** [1] - 9:27  
**pressing** [3] - 21:29,  
41:25, 43:16  
**pressure** [5] - 44:28,  
95:12, 95:16, 128:12,  
149:9  
**presumably** [1] -  
210:20  
**presume** [8] - 71:27,  
94:1, 97:16, 125:12,  
150:2, 189:16, 213:4,  
213:13  
**pretend** [1] - 74:6  
**pretty** [3] - 24:19,  
56:18, 62:2  
**prevent** [2] - 56:27,  
100:12  
**previous** [7] - 9:25,  
29:4, 36:2, 71:6,  
171:23, 180:9, 205:14  
**previously** [6] -  
30:18, 38:20, 48:8,  
108:10, 137:10,  
206:16  
**price** [1] - 29:7  
**PricewaterhouseC**  
**oopers** [1] - 59:7  
**prick** [1] - 189:24  
**pride** [2] - 7:23,  
84:23  
**primarily** [1] - 124:13  
**prise** [1] - 156:8  
**private** [4] - 14:29,  
34:10, 45:25, 169:14  
**privilege** [25] - 110:3,  
120:19, 132:9,  
132:24, 133:2,  
137:10, 148:21,  
148:24, 148:27,  
149:4, 149:5, 149:16,  
149:20, 152:5,  
153:23, 155:1, 155:7,  
162:16, 162:28,  
182:7, 182:10,  
182:13, 191:23,  
193:26  
**privilege"** [1] - 95:7  
**privy** [1] - 81:6  
**probationer** [7] -  
129:5, 133:8, 138:10,  
213:29, 214:12,  
219:10, 219:13  
**Probationer** [1] -  
129:14  
**probing** [1] - 149:17  
**probity** [1] - 59:13  
**problem** [12] - 9:11,  
27:3, 27:11, 45:21,  
46:1, 46:2, 46:3,  
87:10, 119:23, 146:6,  
160:29, 205:21  
**problems** [6] - 99:3,  
99:10, 146:9, 179:25,  
179:27, 179:29  
**procedure** [1] -  
156:24  
**procedures** [2] -  
51:17, 51:20  
**proceed** [6] - 31:7,  
31:10, 52:1, 52:6,  
76:13, 93:17  
**proceeded** [2] -  
23:15, 147:22  
**proceedings** [1] -  
147:27  
**process** [24] - 5:28,  
6:17, 6:21, 6:27, 7:1,  
8:23, 14:3, 25:8, 31:2,  
40:23, 46:22, 48:4,  
52:23, 53:25, 54:1,  
59:4, 60:3, 80:22,  
86:12, 86:16, 87:20,  
90:7, 152:27, 204:21  
**processes** [2] - 29:7,  
30:20  
**produced** [2] -  
54:15, 209:19  
**product** [1] - 30:6  
**professional** [8] -  
19:28, 55:15, 89:11,  
95:7, 140:28, 141:23,  
207:16, 207:18  
**Professional** [2] -  
5:16, 9:17  
**professionalism** [1]  
- 141:16  
**professionally** [7] -  
12:10, 12:17, 16:4,  
89:13, 107:24,  
108:12, 142:12  
**profound** [2] - 17:9,  
24:13  
**programme** [7] -  
5:20, 22:16, 22:21,  
25:25, 39:10, 39:14,  
42:6  
**programmes** [2] -  
22:22, 23:13  
**programming** [1] -  
36:11  
**progress** [3] - 20:18,  
86:4, 103:2  
**progression** [1] -  
205:13  
**project** [2] - 6:25,  
52:9  
**prolong** [2] - 156:20,  
196:9  
**prolonged** [1] -  
24:19  
**promoted** [1] -  
156:21  
**promotion** [1] -  
11:21  
**proper** [4] - 111:7,  
151:28, 155:15,  
214:24  
**properly** [5] - 16:4,  
57:2, 58:1, 153:18,  
182:26  
**proposing** [2] - 26:9  
**proposition** [2] -  
133:13, 152:21  
**propriety** [1] -  
173:27  
**prosecute** [1] -  
203:24  
**prosecution** [5] -  
95:26, 164:29, 165:4,  
169:9, 204:11  
**Prosecutions** [3] -  
95:26, 203:23, 204:9  
**prosecutors** [1] -  
203:5  
**protect** [4] - 160:15,  
160:24, 160:26, 161:1  
**protected** [4] -  
43:10, 45:12, 45:13,  
85:2  
**PROTECTED** [2] -  
1:3, 1:4  
**protective** [1] - 86:17  
**protest** [1] - 77:2  
**protested** [1] - 74:26  
**prove** [1] - 19:7  
**proved** [2] - 47:12,  
62:17  
**Proven** [2] - 136:2,  
170:4  
**provide** [1] - 215:22  
**provided** [7] - 59:22,  
96:4, 122:5, 144:5,  
145:10, 166:16,  
183:16  
**proximity** [1] - 100:6  
**pry** [1] - 182:6  
**psychological** [1] -  
31:17  
**public** [21] - 6:7,  
6:29, 13:11, 13:15,  
13:29, 17:26, 19:15,  
22:3, 28:16, 29:24,  
30:1, 45:27, 84:9,  
93:19, 111:2, 111:23,  
145:17, 164:8, 213:2,  
213:22  
**Public** [4] - 89:28,  
95:26, 203:23, 204:8  
**publication** [6] -  
9:23, 21:3, 41:18,  
54:18, 56:6, 67:15  
**publications** [2] -  
21:17, 64:21  
**publicly** [6] - 18:19,  
19:14, 22:5, 54:22,  
203:27, 204:1  
**publish** [1] - 222:11  
**published** [3] -  
21:20, 47:12, 54:20  
**pulled** [1] - 205:7  
**Pulse** [2] - 134:5,  
214:1  
**pup** [1] - 175:12  
**purely** [1] - 26:6  
**purpose** [12] - 22:15,  
28:12, 35:17, 43:22,  
53:16, 78:29, 79:1,  
79:24, 126:23, 162:7,  
194:15, 194:16  
**purposes** [1] -  
220:24  
**pursuant** [2] - 78:8,  
118:19  
**pursue** [1] - 106:13  
**pursued** [3] - 147:18,  
188:26, 189:1  
**push** [1] - 155:2  
**put** [62] - 5:11, 25:24,  
27:5, 44:8, 44:16,  
48:17, 61:29, 64:26,  
66:16, 72:10, 76:15,  
78:17, 80:29, 86:18,  
86:26, 90:18, 91:1,  
91:26, 92:1, 92:24,  
92:26, 103:9, 119:21,  
124:26, 127:7,  
128:12, 128:25,  
132:11, 138:26,  
140:23, 142:25,  
142:27, 143:22,  
143:25, 143:26,  
145:18, 147:16,  
151:4, 151:5, 153:27,  
154:4, 156:24,  
171:21, 173:22,  
176:24, 178:25,  
181:27, 182:26,  
183:10, 189:15,  
189:18, 190:23,  
191:14, 194:22,  
195:5, 195:8, 203:8,  
206:5, 214:9, 219:7,

220:29, 221:12  
**puts** [1] - 133:13  
**putting** [4] - 82:5,  
84:6, 138:10, 168:2  
**PwC** [1] - 59:7

---

## Q

---

**quality** [2] - 30:1,  
30:5  
**quarter** [3] - 32:22,  
36:2, 122:24  
**QUATTROCIOCCI**  
[1] - 3:10  
**QUAY** [1] - 2:12  
**queried** [1] - 93:1  
**query** [1] - 191:29  
**questioned** [2] -  
151:24, 205:15  
**QUESTIONED** [4] -  
4:7, 4:16, 83:3, 212:2  
**questioning** [6] -  
60:1, 66:9, 117:7,  
117:8, 147:19, 148:22  
**questionnaire** [1] -  
59:24  
**questions** [18] -  
59:14, 82:29, 90:22,  
91:4, 91:27, 92:29,  
140:23, 145:13,  
146:1, 147:16, 159:8,  
159:13, 191:9, 192:6,  
201:18, 201:23,  
204:22, 219:7  
**quite** [18] - 6:18,  
16:17, 17:6, 20:17,  
24:9, 27:27, 35:7,  
42:17, 57:2, 60:2,  
67:24, 80:23, 83:7,  
84:13, 111:13,  
164:19, 186:27, 214:6  
**quotation** [3] -  
11:25, 73:8, 204:15  
**quoted** [2] - 39:7,  
73:18  
**quoting** [2] - 6:23,  
37:15

---

## R

---

**radio** [1] - 55:10  
**raging** [1] - 78:22  
**raise** [3] - 9:18, 9:19,  
73:11  
**raised** [21] - 11:20,  
15:22, 25:9, 30:18,  
38:20, 42:9, 44:1,  
48:6, 49:2, 81:26,  
90:28, 96:8, 104:1,

110:29, 111:23,  
111:27, 111:29,  
132:26, 174:20,  
196:23, 196:24  
**raises** [2] - 38:25,  
166:2  
**raising** [3] - 14:26,  
38:10, 79:24  
**ran** [2] - 5:20, 59:9  
**ranging** [1] - 35:8  
**rank** [9] - 17:4,  
29:18, 29:28, 97:13,  
97:14, 107:23,  
151:13, 151:14  
**ranking** [1] - 166:3  
**ranks** [1] - 56:13  
**rate** [1] - 60:7  
**rather** [4] - 112:23,  
143:24, 150:19, 180:9  
**Re** [1] - 96:25  
**RE** [4] - 4:6, 4:15,  
68:2, 209:2  
**re** [2] - 103:19,  
107:10  
**RE-EXAMINED** [4] -  
4:6, 4:15, 68:2, 209:2  
**reach** [2] - 64:2,  
169:9  
**reached** [1] - 56:3  
**react** [1] - 88:1  
**reaction** [4] - 85:14,  
85:17, 86:5, 87:5  
**read** [32] - 10:29,  
16:20, 24:22, 27:18,  
34:20, 40:15, 62:28,  
80:19, 89:16, 105:5,  
113:12, 113:26,  
119:9, 120:15,  
122:28, 136:26,  
138:7, 138:13,  
146:23, 150:1,  
150:22, 150:24,  
154:10, 154:28,  
158:5, 172:22, 191:2,  
201:7, 201:8, 219:24,  
220:8  
**reading** [9] - 30:8,  
103:10, 104:26,  
118:24, 120:9,  
129:17, 178:3, 213:8,  
219:9

**reads** [7] - 118:24,  
128:29, 133:21,  
134:11, 167:28,  
173:16, 190:11  
**real** [17] - 8:23, 8:26,  
8:28, 18:14, 19:25,  
20:1, 23:14, 27:3,  
27:29, 31:2, 31:7,  
47:2, 47:8, 48:17,

58:14, 60:16, 179:1  
**reality** [5] - 14:12,  
15:11, 40:21, 57:23,  
85:12  
**really** [25] - 10:6,  
10:17, 11:19, 15:15,  
31:18, 31:19, 32:10,  
37:29, 43:15, 43:26,  
77:1, 88:24, 88:25,  
92:16, 100:6, 137:12,  
137:14, 141:20,  
142:19, 157:21,  
174:16, 182:14,  
186:13, 189:4, 190:22  
**reason** [24] - 32:12,  
46:29, 61:4, 74:2,  
97:15, 113:10,  
113:14, 114:7, 116:4,  
118:4, 127:25, 128:6,  
128:7, 128:8, 128:26,  
139:15, 141:13,  
142:28, 156:19,  
174:18, 195:12,  
195:18, 216:9  
**reasonable** [3] -  
7:21, 65:16, 155:10  
**reasons** [7] - 26:23,  
56:5, 78:19, 203:24,  
203:28, 204:1, 204:10  
**rebuilt** [1] - 20:19  
**recalled** [1] - 220:27  
**receive** [1] - 117:25  
**received** [8] - 64:1,  
69:28, 78:5, 109:3,  
140:5, 156:17,  
160:21, 176:22  
**receiving** [5] - 11:9,  
65:19, 130:15,  
130:17, 214:9  
**recent** [6] - 8:14, 9:6,  
11:21, 24:21, 25:5,  
65:10  
**recently** [2] - 59:5,  
169:7  
**Recipient** [1] - 17:25  
**recited** [1] - 156:11  
**recognise** [1] - 55:6  
**recognised** [3] -  
70:3, 135:20, 168:21  
**recognition** [1] -  
57:15  
**recollect** [1] - 193:1  
**recollection** [6] -  
40:15, 67:3, 71:16,  
110:17, 114:18,  
123:24  
**recommendation** [1]  
- 53:27  
**recommendations**  
[2] - 51:19, 53:18

**recommending** [1] -  
53:26  
**record** [14] - 8:17,  
17:16, 18:9, 28:9,  
37:11, 37:14, 38:4,  
88:11, 93:19, 140:29,  
195:7, 195:25,  
197:15, 197:28  
**record'** [2] - 140:24,  
140:25  
**recorded** [15] - 6:22,  
9:4, 18:6, 20:7, 73:11,  
135:3, 158:20,  
159:16, 159:25,  
160:17, 163:2, 163:3,  
167:7, 211:14, 215:8  
**recording** [11] -  
17:14, 17:20, 17:24,  
18:15, 18:17, 18:23,  
19:6, 19:15, 20:2,  
37:20, 44:3  
**recordings** [3] -  
17:27, 20:3, 20:15  
**records** [1] - 44:28  
**recounted** [2] -  
19:10, 205:28  
**recounting** [2] -  
60:29, 114:19  
**recounts** [1] - 118:12  
**recreate** [1] - 70:11  
**recruit** [1] - 51:27  
**recruited** [1] - 26:27  
**red** [1] - 166:2  
**redact** [1] - 97:10  
**redacted** [1] - 98:28  
**reduced** [1] - 147:21  
**refer** [15] - 18:16,  
52:26, 52:27, 52:28,  
54:7, 54:9, 55:17,  
77:18, 77:21, 96:7,  
98:18, 121:2, 138:27,  
162:16, 205:20  
**reference** [41] - 12:5,  
17:13, 17:29, 18:10,  
22:11, 39:20, 40:24,  
41:13, 41:17, 42:26,  
50:11, 51:16, 51:29,  
57:8, 63:28, 69:5,  
69:15, 76:28, 85:23,  
86:22, 86:24, 86:25,  
107:12, 109:2, 109:8,  
109:11, 114:9,  
115:14, 115:22,  
126:8, 145:18, 146:8,  
161:22, 161:24,  
174:6, 174:14,  
176:28, 179:1, 203:4,  
208:7, 208:14  
**referenced** [5] -  
21:2, 25:11, 25:26,

62:25, 62:27  
**references** [4] -  
45:18, 58:4, 145:23,  
145:26  
**referencing** [1] -  
57:12  
**referred** [37] - 23:22,  
54:5, 60:11, 63:1,  
63:13, 68:18, 68:21,  
70:22, 101:15, 123:3,  
123:9, 123:19,  
133:23, 134:22,  
134:25, 144:17,  
148:5, 167:4, 171:23,  
175:7, 175:10,  
175:23, 175:25,  
175:28, 178:17,  
189:26, 189:27,  
195:2, 196:24, 207:6,  
208:11, 208:15,  
208:20, 209:7,  
210:18, 211:11  
**referring** [19] -  
17:18, 23:21, 40:1,  
46:15, 71:20, 113:20,  
114:25, 122:21,  
122:22, 133:27,  
136:18, 138:4,  
140:13, 162:3, 162:4,  
178:1, 178:5, 190:15,  
218:25  
**refers** [12] - 8:8,  
47:22, 50:7, 71:6,  
71:28, 85:14, 97:1,  
98:23, 122:14,  
155:29, 156:1, 163:10  
**reflect** [6] - 31:27,  
36:22, 56:22, 57:23,  
204:18, 209:16  
**reflected** [1] - 14:19  
**reflecting** [2] - 72:6,  
195:28  
**reflection** [2] - 53:11,  
82:1  
**reflective** [1] - 38:18  
**reflects** [1] - 73:1  
**reform** [3] - 10:5,  
11:1, 22:15  
**refusal** [3] - 131:17,  
140:14, 163:26  
**refused** [4] - 131:15,  
157:7, 158:16, 163:24  
**refute** [2] - 18:18,  
44:26  
**regard** [7] - 18:7,  
61:17, 76:29, 79:15,  
80:10, 161:1, 218:8  
**regarding** [5] -  
16:21, 19:4, 31:15,  
63:14, 129:5

**regardless** [1] - 136:26  
**regards** [1] - 29:27  
**Regina** [1] - 115:22  
**region** [1] - 108:22  
**REGISTRAR** [1] - 2:4  
**regret** [6] - 74:25, 74:26, 76:24, 76:25, 81:1, 87:13  
**regrets** [1] - 87:15  
**rehearse** [1] - 95:24  
**rejected** [1] - 191:8  
**relate** [2] - 27:22, 98:16  
**related** [4] - 48:14, 81:12, 93:16, 136:12  
**relates** [6] - 17:12, 18:7, 18:20, 24:1, 110:21, 205:3  
**relating** [1] - 51:1  
**relation** [112] - 13:5, 18:1, 21:15, 21:22, 27:18, 35:16, 66:10, 67:7, 67:13, 69:20, 75:11, 77:27, 79:13, 80:20, 87:10, 88:27, 89:17, 90:16, 93:17, 94:7, 97:3, 97:9, 99:11, 99:18, 101:16, 101:23, 102:25, 103:29, 104:4, 104:5, 105:6, 106:26, 107:15, 108:2, 108:24, 108:29, 110:3, 111:15, 116:28, 117:10, 117:12, 119:19, 125:1, 128:23, 132:10, 132:25, 132:29, 133:6, 133:7, 133:8, 134:9, 134:11, 135:19, 135:28, 136:8, 136:19, 136:22, 137:6, 138:9, 138:11, 143:16, 143:24, 144:1, 145:15, 148:10, 149:15, 151:25, 155:1, 155:21, 155:22, 161:23, 162:21, 166:11, 168:21, 169:2, 170:1, 170:7, 172:25, 173:27, 175:16, 175:27, 176:12, 177:22, 177:24, 181:19, 181:26, 181:28, 181:29, 183:26, 189:23, 190:29, 193:12, 193:17, 193:25, 193:28, 195:1, 195:5, 196:16, 196:25, 197:3, 201:22, 204:22, 207:15, 207:25, 209:26, 211:7, 212:14, 215:26, 217:19, 218:1, 220:21, 220:29  
**relations** [2] - 74:11, 84:10  
**relationship** [11] - 76:18, 76:20, 88:21, 89:11, 91:5, 93:10, 107:20, 107:23, 108:10, 141:23, 142:3  
**relatively** [3] - 54:6, 54:7, 63:23  
**relatives** [1] - 203:12  
**release** [3] - 17:26, 19:6, 143:1  
**released** [1] - 162:10  
**releasing** [1] - 218:16  
**relevance** [4] - 5:26, 93:1, 124:7, 175:21  
**relevant** [14] - 77:15, 91:6, 91:23, 97:17, 104:6, 112:14, 135:26, 146:25, 169:28, 176:10, 176:11, 180:23, 181:17  
**relied** [3] - 176:29, 178:25  
**relying** [5] - 29:24, 176:24, 193:21, 193:26, 193:29  
**remain** [1] - 84:29  
**remained** [1] - 206:9  
**remark** [20] - 16:9, 17:11, 67:10, 73:7, 73:12, 73:16, 75:1, 76:19, 76:22, 77:3, 80:6, 86:19, 86:26, 88:15, 90:29, 92:18, 92:19, 93:8, 171:11  
**remarkable** [3] - 165:13, 165:15, 165:18  
**remarked** [1] - 36:27  
**remarks** [7] - 16:5, 24:23, 25:2, 35:14, 91:8, 170:7  
**remember** [11] - 28:14, 43:1, 116:23, 141:25, 147:22, 148:4, 157:24, 157:28, 188:4, 193:10, 210:6  
**remembering** [1] - 200:10  
**remind** [2] - 77:6, 172:7  
**remove** [2] - 42:4, 49:24  
**reopened** [1] - 187:11  
**repair** [1] - 20:10  
**repeat** [3] - 56:24, 56:27, 97:8  
**repeated** [1] - 92:19  
**repeatedly** [1] - 82:24  
**report** [85] - 53:18, 54:9, 54:15, 55:18, 56:2, 56:25, 57:3, 57:16, 78:6, 78:8, 80:3, 96:7, 96:10, 96:13, 98:9, 100:25, 101:11, 101:13, 101:15, 101:22, 103:27, 104:1, 105:18, 107:4, 108:16, 108:26, 109:8, 112:25, 113:2, 113:7, 114:5, 114:6, 114:12, 114:28, 115:27, 117:29, 120:26, 120:29, 121:5, 121:10, 121:20, 124:17, 124:29, 127:16, 127:20, 132:10, 132:13, 133:9, 133:22, 134:11, 135:3, 136:29, 137:5, 138:5, 139:10, 139:24, 144:14, 144:19, 144:20, 144:23, 144:28, 145:2, 145:9, 155:25, 164:2, 167:7, 176:1, 185:13, 196:25, 196:26, 196:27, 199:4, 199:9, 199:12, 206:29, 209:7, 209:12, 211:23, 217:3, 217:13, 217:16, 218:11, 218:13, 218:16  
**Report** [2] - 54:10, 65:20  
**reportage** [1] - 29:25  
**reported** [11] - 24:3, 79:22, 97:15, 102:28, 109:5, 151:11, 151:26, 187:19, 195:27, 195:28, 214:1  
**reports** [8] - 77:27, 78:2, 109:11, 121:14, 135:8, 135:10, 145:1, 152:26  
**represent** [1] - 88:23  
**Representative** [3] - 21:7, 27:2, 67:16  
**representing** [3] - 88:19, 88:28, 116:15  
**reputational** [1] - 173:1  
**request** [10] - 25:23, 79:1, 131:15, 136:6, 163:24, 165:15, 165:18, 184:24, 184:26, 214:10  
**requested** [5] - 100:17, 131:8, 161:15, 163:15, 184:6  
**requesting** [1] - 109:4  
**require** [2] - 45:12, 102:24  
**required** [3] - 95:15, 219:17, 219:18  
**residual** [1] - 24:27  
**resign** [2] - 173:2, 173:8  
**resigned** [2] - 173:10, 173:15  
**resignee** [1] - 173:13  
**resistance** [1] - 58:14  
**resolution** [5] - 40:24, 41:29, 42:13, 42:15, 74:5  
**resolution-focused** [1] - 42:15  
**RESOLUTIONS** [1] - 1:5  
**resolve** [4] - 43:6, 49:5, 60:18, 60:27  
**resolving** [1] - 74:9  
**resonates** [1] - 46:28  
**Resources** [5] - 56:20, 75:9, 78:3, 83:6, 84:20  
**resources** [2] - 187:29, 188:7  
**respect** [22] - 26:8, 48:9, 53:9, 60:8, 60:17, 60:29, 78:2, 93:14, 93:15, 107:24, 108:11, 149:15, 150:17, 152:16, 153:24, 162:28, 163:29, 170:13, 171:25, 190:21, 194:11, 196:2  
**respectfully** [2] - 140:19, 168:2  
**respecting** [1] - 49:26  
**respects** [2] - 35:11, 95:6  
**respond** [3] - 42:15, 82:9, 86:10  
**responded** [2] - 31:8, 133:7  
**response** [11] - 30:21, 44:24, 45:1, 51:8, 54:28, 73:12, 113:7, 132:16, 132:29, 175:16, 197:24  
**responses** [2] - 135:15, 168:10  
**responsibility** [6] - 53:21, 67:21, 105:2, 120:23, 152:17, 154:4  
**responsible** [3] - 57:19, 64:13, 163:18  
**rest** [2] - 103:5, 186:2  
**rested** [2] - 105:16, 106:25  
**result** [5] - 50:23, 136:28, 140:3, 147:14, 156:24  
**RESUMED** [2] - 5:1, 98:1  
**resumé** [1] - 20:20  
**retired** [1] - 62:11  
**retiring** [1] - 75:18  
**retrieved** [1] - 120:26  
**return** [1] - 15:19  
**returned** [4] - 25:21, 71:22, 102:25, 148:5  
**revealed** [1] - 86:14  
**revealing** [1] - 59:15  
**revert** [1] - 20:20  
**reverted** [1] - 26:23  
**review** [13] - 5:28, 9:24, 10:3, 20:21, 20:24, 20:26, 21:15, 47:27, 64:21, 67:13, 67:15, 67:25, 85:21  
**reviewed** [1] - 47:7  
**revisiting** [1] - 96:3  
**revolved** [1] - 108:3  
**Richard** [1] - 51:5  
**right-hand** [1] - 202:12  
**rights** [1] - 203:12  
**ring** [1] - 87:8  
**ringing** [2] - 88:1, 215:2  
**rise** [4] - 152:22, 152:29, 153:12, 153:20  
**risk** [1] - 18:15

**Road** [1] - 79:6  
**ROAD** [1] - 2:25  
**robin** [2] - 59:16, 59:18  
**robust** [1] - 171:3  
**Rogers** [9] - 36:8, 37:10, 61:4, 64:26, 65:6, 65:14, 66:7, 66:10, 94:4  
**ROGERS** [14] - 2:22, 4:4, 5:5, 5:6, 64:24, 64:28, 65:1, 65:4, 65:7, 65:12, 65:29, 66:4, 93:28, 94:2  
**role** [23] - 9:28, 9:29, 10:8, 16:29, 25:21, 26:4, 26:9, 26:10, 29:3, 35:26, 49:7, 49:16, 56:19, 58:18, 58:21, 63:19, 63:21, 76:15, 104:8, 105:1, 107:25, 107:29, 157:12  
**roles** [2] - 20:6, 53:24  
**roll** [1] - 61:26  
**RONAN** [1] - 3:4  
**room** [10] - 33:17, 56:29, 82:6, 125:11, 126:3, 126:4, 148:6, 157:17, 219:18, 219:19  
**Rooney** [22] - 105:19, 118:3, 118:21, 127:21, 131:8, 131:24, 139:11, 147:17, 147:23, 147:28, 148:12, 149:27, 154:24, 161:15, 163:16, 165:26, 166:21, 180:6, 182:19, 196:23, 197:1, 219:16  
**Rooney's** [2] - 131:16, 163:25  
**rose** [1] - 208:21  
**roughly** [1] - 180:14  
**round** [2] - 59:16, 59:18  
**round-robin** [2] - 59:16, 59:18  
**RTÉ** [1] - 19:7  
**Ruane** [8] - 33:19, 33:28, 34:12, 50:29, 51:5, 52:14, 63:7, 68:21  
**Ruane's** [8] - 61:8, 68:24, 68:26, 69:5, 69:7, 69:15, 69:20,

69:23  
**ruefully** [1] - 29:13  
**ruin** [1] - 85:4  
**ruined** [2] - 86:13, 99:29  
**ruled** [4] - 177:5, 178:13, 178:26, 198:10  
**rules** [1] - 203:15  
**ruling** [1] - 176:22  
**run** [1] - 215:8  
**running** [3] - 61:20, 61:29, 189:20  
**rush** [1] - 120:11  
**Ryan** [20] - 110:7, 110:10, 115:12, 119:5, 121:5, 121:19, 125:6, 130:18, 132:17, 132:18, 132:29, 137:2, 137:27, 144:27, 148:8, 149:24, 154:27, 194:19, 200:11, 211:19  
**Ryan's** [3] - 122:3, 200:16, 218:25

## S

**safety** [1] - 214:10  
**saint** [1] - 7:19  
**saints** [1] - 83:29  
**sake** [1] - 62:4  
**saluted** [1] - 32:29  
**SAME** [2] - 65:7, 65:10  
**sat** [7] - 60:24, 72:24, 148:8, 151:3, 151:7, 160:10, 200:24  
**satisfaction** [3] - 9:13, 9:16, 31:10  
**satisfactory** [1] - 107:25  
**saw** [22] - 13:5, 13:6, 21:16, 27:23, 34:21, 45:29, 46:2, 46:3, 57:17, 68:17, 88:21, 95:25, 119:13, 125:11, 148:3, 153:7, 155:8, 161:27, 162:18, 190:28, 205:21, 221:5  
**say-so** [1] - 173:5  
**SC** [11] - 2:6, 2:6, 2:9, 2:10, 2:15, 2:15, 2:16, 2:22, 3:1, 3:2, 3:10  
**scale** [1] - 14:28  
**scene** [4] - 185:8,

186:2, 186:3, 186:10  
**schedule** [4] - 137:11, 155:29, 156:1, 221:19  
**scheduled** [1] - 221:29  
**scheme** [1] - 17:18  
**scintilla** [1] - 150:29  
**score** [1] - 93:9  
**screen** [23] - 34:16, 96:6, 96:13, 98:11, 100:24, 103:9, 107:3, 116:20, 117:14, 126:5, 130:25, 137:8, 137:16, 138:20, 142:22, 145:18, 146:23, 195:4, 202:9, 203:2, 203:8, 212:5, 220:5  
**script** [1] - 57:25  
**scroll** [3] - 75:6, 112:8, 137:15  
**scurrilous** [1] - 99:28  
**se** [1] - 189:22  
**SEAN** [1] - 2:11  
**SEANAD** [1] - 1:6  
**search** [1] - 145:19  
**searching** [1] - 38:19  
**season** [1] - 16:10  
**second** [15] - 38:5, 46:19, 50:5, 60:22, 62:14, 63:19, 71:9, 102:1, 114:9, 123:28, 150:29, 152:1, 190:17, 194:24, 221:11  
**second-last** [1] - 50:5  
**seconded** [1] - 5:27  
**secondly** [2] - 158:2, 167:20  
**secretary** [3] - 20:25, 34:11, 66:29  
**Section** [2] - 78:9, 80:3  
**section** [4] - 45:9, 45:11, 45:15, 203:10  
**sector** [2] - 14:29, 45:25  
**securing** [1] - 29:19  
**see** [115] - 6:22, 11:8, 13:3, 16:28, 21:28, 22:12, 24:24, 25:4, 25:18, 26:20, 30:11, 31:2, 34:4, 34:15, 36:25, 37:5, 37:9, 38:12, 39:19, 39:29, 41:12, 41:21, 41:29, 42:24, 44:10, 44:13,

46:4, 48:25, 50:13, 50:17, 51:4, 51:6, 52:3, 56:14, 60:23, 68:24, 71:29, 72:9, 77:5, 87:23, 96:19, 96:28, 101:11, 103:23, 104:14, 105:17, 107:6, 112:7, 113:11, 114:3, 114:10, 115:8, 115:9, 115:15, 115:19, 115:22, 115:29, 116:19, 118:27, 120:3, 120:8, 120:20, 120:21, 121:3, 121:5, 126:7, 127:18, 129:14, 132:28, 133:11, 136:5, 138:2, 140:23, 149:21, 150:12, 152:10, 152:11, 152:14, 152:18, 152:19, 153:2, 153:4, 153:27, 155:4, 155:11, 159:11, 159:23, 162:11, 163:8, 165:16, 165:19, 168:4, 170:25, 173:11, 175:5, 176:7, 176:26, 177:8, 178:9, 188:17, 188:19, 189:14, 193:15, 196:19, 197:28, 198:21, 201:15, 203:19, 205:3, 205:5, 205:24, 206:3, 219:24, 222:11  
**seek** [11] - 28:20, 35:28, 36:19, 74:5, 100:11, 103:18, 129:1, 131:9, 161:16, 163:16, 164:19  
**seeking** [23] - 8:21, 31:14, 35:23, 35:24, 43:28, 48:2, 60:17, 61:9, 69:22, 70:9, 70:10, 70:13, 73:22, 82:4, 88:22, 131:13, 161:19, 162:7, 162:8, 162:17, 162:23, 163:1, 163:22  
**seeks** [2] - 36:12, 51:13  
**seem** [14] - 6:22, 9:27, 36:27, 37:5, 37:11, 37:14, 37:15, 38:4, 38:28, 39:12, 40:26, 88:28, 90:22, 215:12  
**seemingly** [2] -

48:25, 58:19  
**segment** [2] - 55:12, 55:13  
**segue** [1] - 36:8  
**selected** [1] - 40:4  
**seminar** [6] - 52:7, 52:26, 53:17, 53:26, 53:28, 54:24  
**send** [5] - 10:20, 25:28, 113:7, 114:12, 132:9  
**sending** [2] - 70:29, 71:4  
**senior** [5] - 14:19, 17:28, 20:6, 33:22, 56:13  
**sensation** [1] - 16:12  
**sense** [10] - 11:29, 16:16, 36:16, 45:27, 46:29, 47:1, 55:14, 166:10, 166:15, 205:28  
**sensitive** [1] - 17:5  
**Sent** [1] - 114:6  
**sent** [48] - 16:21, 70:23, 80:2, 96:10, 96:16, 98:9, 105:18, 105:23, 116:16, 116:17, 116:21, 120:17, 120:18, 120:26, 126:11, 130:3, 130:10, 130:12, 132:13, 132:15, 132:28, 133:6, 133:9, 136:16, 136:29, 137:4, 138:5, 139:9, 143:14, 143:27, 144:25, 144:27, 145:5, 155:21, 155:25, 160:19, 160:21, 160:22, 170:20, 180:16, 183:17, 186:25, 187:5, 195:23, 196:27, 197:15, 217:4  
**sentence** [8] - 12:16, 13:18, 21:28, 25:18, 26:29, 27:27, 134:15, 166:9  
**separate** [4] - 50:2, 79:13, 162:28, 162:29  
**September** [7] - 9:24, 20:26, 21:20, 100:29, 109:2, 209:8, 211:25  
**sequence** [4] - 47:4, 208:27, 212:6, 215:23  
**Sergeant** [318] - 5:9, 5:25, 5:27, 6:4, 6:12,



8:1, 8:27, 11:4, 11:25, 13:5, 13:8, 14:24, 15:18, 16:6, 16:13, 17:18, 18:3, 18:5, 18:21, 18:23, 19:16, 19:22, 19:26, 20:11, 23:3, 23:16, 25:9, 25:14, 26:13, 27:10, 27:20, 27:23, 27:24, 28:5, 28:10, 30:1, 30:11, 31:6, 31:14, 33:24, 35:10, 36:3, 36:6, 36:13, 36:28, 39:13, 40:5, 40:6, 40:22, 41:4, 41:17, 46:6, 47:9, 48:5, 49:18, 49:26, 50:22, 55:23, 56:3, 57:2, 57:5, 57:8, 57:14, 57:24, 58:3, 58:17, 58:24, 60:14, 60:27, 61:6, 61:9, 61:25, 62:1, 62:6, 62:15, 63:27, 64:3, 64:8, 64:12, 64:19, 67:18, 69:12, 74:19, 74:29, 75:5, 76:14, 77:12, 77:16, 77:19, 77:23, 77:28, 78:13, 78:19, 79:2, 79:8, 80:13, 81:13, 81:27, 82:8, 82:12, 82:19, 85:29, 86:2, 95:21, 95:27, 96:10, 96:17, 96:25, 98:9, 98:13, 98:20, 98:22, 99:10, 100:14, 100:19, 100:21, 101:4, 101:5, 101:13, 102:3, 102:11, 102:13, 102:18, 102:23, 103:1, 103:16, 103:17, 103:28, 104:12, 104:14, 104:16, 104:18, 105:9, 105:25, 106:5, 106:13, 107:1, 107:21, 107:29, 108:11, 108:12, 108:19, 108:23, 108:25, 109:5, 109:12, 111:24, 115:26, 116:3, 116:28, 116:29, 117:12, 117:19, 117:22, 117:23, 117:27, 117:28, 118:2, 118:3, 118:6, 118:19, 119:27, 124:24, 124:29, 125:8, 125:21, 125:29, 126:2, 126:10, 127:24, 128:25, 129:20, 130:29, 131:6, 131:12, 131:16, 131:21, 131:27, 132:1, 133:11, 133:13, 133:16, 133:20, 133:24, 134:19, 135:4, 135:14, 135:29, 136:7, 139:12, 139:15, 140:16, 141:21, 141:23, 142:4, 142:7, 142:9, 142:16, 142:25, 142:27, 143:1, 143:19, 143:22, 144:5, 144:15, 145:10, 145:26, 146:4, 146:13, 146:15, 147:19, 151:8, 156:15, 156:16, 156:26, 157:6, 157:7, 157:8, 157:9, 157:14, 158:15, 158:17, 158:18, 158:19, 158:27, 159:2, 159:7, 159:16, 160:26, 161:7, 161:12, 161:18, 162:25, 163:21, 163:26, 165:19, 165:23, 166:23, 166:26, 167:2, 167:8, 167:11, 168:9, 170:2, 170:8, 170:14, 170:18, 171:10, 171:22, 172:26, 173:9, 173:19, 173:26, 174:20, 175:28, 177:7, 179:9, 179:28, 179:29, 180:2, 181:15, 181:19, 181:28, 182:19, 183:5, 184:8, 185:12, 185:14, 186:9, 186:17, 186:27, 187:8, 188:15, 188:24, 189:9, 189:18, 189:24, 190:23, 191:8, 191:14, 191:29, 192:12, 192:13, 192:22, 192:25, 193:3, 195:3, 195:8, 195:17, 196:24, 196:26, 197:5, 197:9, 198:12, 199:4, 204:19, 205:1, 205:14, 206:17, 207:14, 209:10, 209:14, 209:20, 209:22, 209:23, 212:7, 214:27, 214:28, 215:1, 215:5, 215:6, 217:20, 222:14

**sergeant** [23] - 9:29, 19:11, 26:20, 27:5, 29:17, 30:2, 64:15, 101:20, 104:2, 107:22, 107:25, 108:1, 115:21, 126:28, 127:1, 127:11, 146:1, 157:18, 160:22, 195:11, 197:3, 214:24, 215:5

**sergeants** [6] - 28:1, 29:11, 29:27, 29:29, 97:16, 218:7

**sergeants-in-charge** [1] - 29:11

**series** [9] - 6:11, 7:14, 52:26, 55:2, 55:11, 56:7, 59:14, 131:21, 165:23

**serious** [15] - 49:23, 64:20, 103:29, 136:21, 155:19, 170:26, 185:3, 185:5, 185:24, 188:29, 196:4, 214:6, 216:12, 216:13

**seriously** [2] - 92:4, 215:13

**service** [7] - 29:29, 30:1, 30:6, 45:28, 102:21, 111:16, 215:22

**service)** [1] - 110:19

**SERVICES** [1] - 1:30

**Services** [1] - 1:25

**services** [2] - 102:20, 102:24

**set** [16] - 6:6, 19:12, 22:29, 25:27, 29:13, 52:20, 53:25, 68:20, 74:26, 83:20, 94:3, 180:19, 184:4, 209:9, 221:11

**sets** [1] - 98:22

**setting** [3] - 84:10, 116:26, 184:14

**settle** [1] - 93:9

**settled** [1] - 88:6

**settling** [1] - 90:29

**seven** [2] - 84:26, 151:17

**several** [4] - 47:7, 116:21, 197:2

**sexual** [2] - 168:26, 169:6

**Seán** [2] - 63:22, 80:17

**SGT** [1] - 2:9

**shadow** [2] - 120:15, 120:16

**SHANE** [1] - 2:15

**Shangan** [2] - 32:28, 34:3

**shape** [1] - 22:14

**shared** [1] - 79:4

**sharing** [1] - 67:25

**Shatter** [2] - 18:21, 219:22

**ship** [1] - 215:8

**SHIP** [2] - 2:19, 3:14

**shock** [1] - 86:10

**shocked** [1] - 79:11

**shook** [3] - 89:4, 93:19, 151:10

**shopping** [1] - 169:8

**short** [3] - 63:23, 75:21, 83:7

**shortened** [1] - 196:9

**shorthand** [1] - 159:29

**shortly** [2] - 22:23, 101:7

**shot** [1] - 85:26

**shout** [3] - 145:21, 145:25, 147:9

**shouting** [4] - 145:19, 145:21, 146:2, 146:14

**show** [6] - 55:14, 131:13, 161:20, 162:29, 163:23, 196:29

**showed** [3] - 14:26, 135:18, 168:20

**shown** [4] - 190:28, 196:11, 204:23, 218:4

**shows** [4] - 88:11, 124:2, 163:2, 187:1

**shunned** [1] - 15:26

**sick** [3] - 180:12, 186:28, 214:29

**side** [6] - 7:14, 127:15, 148:27, 165:9, 202:12, 207:27

**sides** [1] - 88:29

**sign** [1] - 47:17

**sign** [2] - 102:12, 210:1

**signature** [3] - 118:28, 120:13, 143:15

**signed** [5] - 100:14, 105:9, 105:10, 119:10, 209:13

**significance** [3] - 37:1, 123:13, 181:26

**significant** [7] - 7:24, 8:2, 11:3, 13:25, 23:7, 58:18, 93:16

**signing** [2] - 154:3, 212:25

**signs** [2] - 102:19, 106:6

**silence** [1] - 42:4

**similar** [3] - 29:3, 73:29, 169:10

**simple** [1] - 153:16

**simply** [14] - 8:7, 16:27, 26:12, 26:21, 48:2, 56:21, 85:21, 120:20, 152:3, 160:17, 162:25, 166:10, 183:17, 215:10

**single** [5] - 15:16, 37:21, 52:6, 110:23, 111:17

**sinister** [1] - 200:13

**sit** [4] - 60:24, 76:29, 149:24, 221:28

**sitting** [5] - 148:4, 148:15, 191:19, 221:25, 222:2

**situation** [8] - 26:13, 30:27, 31:16, 32:7, 39:27, 74:21, 138:22, 221:3

**situations** [1] - 14:7

**six** [9] - 24:11, 24:20, 29:4, 39:29, 40:9, 59:9, 202:5, 202:19, 202:26

**skill** [1] - 74:7

**skills** [1] - 42:5

**skip** [1] - 108:7

**sleep** [1] - 29:2

**sleeping** [1] - 24:24

**sleeps** [1] - 24:3

**slightly** [6] - 17:12, 131:2, 131:6, 161:9, 161:13, 176:16

**small** [5] - 42:5, 54:16, 56:8, 80:15, 157:17

**SMYTH** [4] - 3:1, 128:7, 198:2, 198:10

**Smyth** [23] - 110:10, 115:11, 119:20, 126:8, 129:19, 133:12, 137:28, 143:20, 145:27,

145:28, 150:6,  
171:17, 171:19,  
179:2, 189:18,  
189:20, 189:22,  
190:23, 196:15,  
197:18, 198:24,  
199:7, 199:27  
**Smyth's** [3] - 128:22,  
150:24, 191:9  
**so-and-so** [3] -  
11:21, 19:15, 20:24  
**social** [1] - 62:18  
**socially** [1] - 89:8  
**Society** [1] - 50:16  
**sold** [1] - 175:12  
**SOLE** [2] - 1:12, 2:2  
**solicited** [1] - 186:19  
**SOLICITOR** [1] - 2:7  
**Solicitor** [1] - 118:29  
**solicitor** [15] - 8:12,  
36:20, 37:4, 63:13,  
77:10, 79:26, 103:19,  
111:14, 114:20,  
130:20, 137:27,  
158:5, 187:14, 203:25  
**solicitor**" [1] - 36:28  
**SOLICITOR'S** [2] -  
2:18, 3:12  
**SOLICITORS** [1] -  
2:24  
**solicitors** [2] - 68:10,  
88:28  
**Solicitors** [1] - 109:4  
**solution** [2] - 38:19,  
43:9  
**solutions** [2] - 49:26,  
74:6  
**solve** [2] - 37:18,  
46:3  
**someone** [2] -  
164:19, 169:11  
**sometime** [1] - 23:16  
**sometimes** [4] - 6:2,  
60:20, 124:5, 165:10  
**somewhat** [1] -  
51:13  
**somewhere** [1] -  
23:10  
**soon** [2] - 147:26,  
180:12  
**sorry** [54] - 24:15,  
34:17, 72:27, 90:20,  
96:20, 96:21, 97:8,  
97:18, 103:29,  
104:11, 104:29,  
105:19, 105:26,  
110:14, 110:15,  
112:6, 112:7, 113:10,  
113:24, 122:8,  
122:18, 125:24,  
127:4, 129:27,  
132:22, 138:10,  
142:26, 146:13,  
147:1, 148:19, 153:3,  
155:15, 156:1,  
157:21, 159:8, 164:6,  
172:12, 176:20,  
178:7, 178:8, 179:26,  
179:29, 180:1,  
181:16, 186:5, 191:6,  
193:4, 202:7, 207:24,  
207:29, 208:29,  
211:2, 218:28, 220:9  
**sort** [6] - 24:27,  
26:10, 49:16, 61:11,  
62:4, 86:28  
**sorts** [1] - 36:9  
**sought** [12] - 19:21,  
21:1, 47:2, 72:19,  
82:17, 88:10, 141:26,  
157:6, 158:14, 162:5,  
162:6  
**spare** [1] - 156:25  
**speaker** [1] - 36:26  
**speaking** [4] - 19:28,  
22:5, 37:7, 54:25  
**specialist** [1] - 74:7  
**specific** [18] - 16:16,  
16:24, 30:7, 32:8,  
35:12, 42:21, 42:28,  
55:25, 59:14, 66:15,  
66:25, 69:18, 88:20,  
89:23, 135:28,  
148:15, 148:16, 170:1  
**specifically** [10] -  
11:18, 13:5, 25:22,  
28:23, 56:2, 59:27,  
68:26, 106:19,  
162:27, 208:8  
**specificity** [1] -  
59:27  
**specifics** [1] - 47:27  
**specify** [1] - 198:26  
**speech** [6] - 53:14,  
54:13, 56:26, 57:7,  
62:24, 82:17  
**speed** [1] - 61:13  
**spent** [3] - 36:8,  
72:6, 74:8  
**spirit** [2] - 48:22,  
61:7  
**spoken** [3] - 32:15,  
88:12, 161:23  
**sporting** [1] - 71:24  
**sports** [1] - 66:29  
**spring** [1] - 59:10  
**square** [2] - 61:3,  
91:1  
**Sreenan** [2] - 194:20,  
194:26  
**SREENAN** [12] - 3:2,  
4:13, 192:6, 192:9,  
192:11, 194:25,  
194:27, 195:1, 196:6,  
210:16, 210:26,  
210:29  
**St** [1] - 52:13  
**staccato** [1] - 39:15  
**staff** [5] - 17:28,  
33:22, 56:8, 56:20,  
80:17  
**stage** [17] - 24:6,  
34:13, 97:12, 105:22,  
149:19, 151:13,  
156:14, 157:22,  
165:4, 170:19,  
189:16, 192:21,  
194:8, 197:14, 198:1,  
205:13, 210:12  
**stamped** [1] - 100:28  
**stance** [2] - 7:17,  
204:8  
**stand** [10] - 7:6, 16:2,  
44:2, 82:20, 125:23,  
151:26, 191:24,  
207:15, 220:12,  
220:23  
**standalone** [1] -  
183:18  
**standard** [1] - 214:8  
**Standards** [2] - 5:16,  
9:17  
**standards** [5] - 7:21,  
55:15, 59:13, 214:13,  
214:15  
**standing** [2] - 11:13,  
76:17  
**stands** [2] - 64:23,  
82:24  
**stark** [1] - 56:18  
**start** [5] - 95:5,  
130:26, 139:6,  
170:17, 214:17  
**started** [5] - 75:21,  
86:13, 125:20, 142:4,  
192:21  
**starting** [1] - 80:9  
**starts** [2] - 155:13,  
190:15  
**STATE** [2] - 2:18,  
3:12  
**state** [3] - 124:8,  
142:23, 203:25  
**State** [3] - 105:3,  
118:29, 158:4  
**State's** [1] - 80:21  
**statement** [23] -  
13:16, 18:20, 19:7,  
27:10, 56:21, 61:1,  
61:4, 68:17, 68:20,  
69:27, 73:9, 73:19,  
75:4, 77:21, 77:29,  
78:25, 96:4, 96:8,  
103:19, 105:25,  
150:24, 206:1, 209:26  
**states** [2] - 103:20,  
103:28  
**station** [16] - 9:22,  
12:2, 12:4, 16:3, 16:7,  
23:29, 28:15, 42:5,  
61:24, 61:25, 131:22,  
158:2, 160:17, 183:7,  
213:1, 213:5  
**Station** [9] - 100:22,  
101:21, 103:18,  
104:3, 108:1, 117:24,  
127:11, 197:10,  
212:22  
**stay** [4] - 126:7,  
215:5, 215:11, 220:2  
**stayed** [1] - 89:2  
**steer** [1] - 141:18  
**stenographic** [1] -  
1:27  
**STENOGRAPHY** [1]  
- 1:30  
**stenography** [1] -  
1:25  
**step** [1] - 76:8  
**stepped** [1] - 22:25  
**stepping** [1] - 154:6  
**steps** [10] - 6:27,  
18:9, 41:23, 42:13,  
42:26, 45:5, 47:8,  
50:26, 53:2, 53:9  
**stigmatise** [1] -  
204:2  
**still** [6] - 22:18,  
32:17, 64:22, 68:15,  
111:9, 171:3  
**stomach** [2] - 85:15,  
86:7  
**stone** [1] - 66:1  
**stood** [5] - 11:12,  
25:14, 30:2, 151:29,  
188:8  
**stop** [5] - 104:9,  
157:11, 161:22,  
166:12, 168:13  
**stopped** [2] - 104:5,  
125:24  
**stopping** [1] - 194:24  
**story** [3] - 19:14,  
149:11, 215:20  
**straight** [1] - 176:27  
**strain** [1] - 102:19  
**strained** [1] - 62:20  
**strands** [1] - 47:26  
**strategic** [1] - 22:20  
**Strategic** [1] - 22:24  
**strategy** [4] - 82:26,  
88:4, 88:5, 92:13  
**Strategy** [1] - 78:5  
**STREET** [3] - 2:19,  
3:5, 3:14  
**street** [1] - 106:16  
**strengths** [1] - 56:1  
**strenuous** [1] -  
44:26  
**stress** [5] - 102:19,  
156:26, 187:18,  
206:9, 207:6  
**stressed** [1] - 104:21  
**strong** [1] - 47:1  
**structural** [1] - 23:7  
**structure** [2] - 17:4,  
22:28  
**studied** [1] - 90:10  
**stuff** [6] - 125:11,  
125:14, 178:5, 178:6,  
200:25, 207:20  
**subeditor** [1] - 19:11  
**subject** [3] - 17:8,  
175:23, 204:29  
**submission** [8] -  
155:8, 171:20,  
173:29, 176:24,  
177:3, 177:28,  
178:25, 191:22  
**submissions** [23] -  
130:3, 133:1, 136:26,  
138:8, 138:13,  
143:27, 154:11,  
154:13, 154:16,  
154:20, 170:16,  
170:19, 172:1, 172:4,  
172:13, 172:16,  
173:8, 177:4, 178:1,  
193:25, 221:11,  
221:15  
**submitted** [9] -  
70:10, 70:24, 72:18,  
135:13, 135:28,  
153:9, 168:8, 170:1,  
187:26  
**subordinates** [1] -  
20:7  
**subsequent** [7] -  
19:4, 77:19, 81:20,  
101:25, 135:26,  
169:28, 200:17  
**subsequently** [18] -  
10:22, 10:25, 20:27,  
27:21, 36:23, 59:28,  
61:11, 76:7, 82:18,  
95:27, 109:3, 138:13,  
142:8, 166:6, 174:24,  
176:23, 181:23,  
211:27  
**substance** [2] -

48:27, 189:29  
**substantial** [5] -  
10:3, 10:7, 11:1, 47:8,  
78:23  
**subsumed** [3] -  
188:9, 189:2, 217:12  
**success** [3] - 32:9,  
84:19  
**successful** [1] -  
84:24  
**suddenly** [2] - 63:21,  
86:2  
**sue** [1] - 165:7  
**suffering** [1] -  
173:23  
**sufficient** [3] - 18:8,  
43:23, 44:1  
**suggest** [13] - 26:2,  
91:3, 140:19, 148:11,  
165:21, 167:21,  
168:2, 171:8, 171:10,  
180:21, 187:8,  
194:11, 200:18  
**suggested** [7] -  
19:13, 82:16, 148:11,  
164:2, 201:23, 210:4,  
210:11  
**suggesting** [7] -  
80:11, 81:4, 165:12,  
181:10, 182:24,  
188:13, 189:4  
**suggestion** [7] -  
18:18, 148:14,  
171:20, 173:5,  
185:26, 191:15,  
201:14  
**suggestions** [1] -  
191:9  
**suicide** [1] - 185:8  
**summarise** [2] -  
30:15, 48:2  
**summarised** [2] -  
65:15, 141:20  
**summarising** [1] -  
142:23  
**summary** [2] - 36:1,  
65:17  
**summons** [2] -  
53:22, 213:18  
**Sunday** [3] - 120:6,  
120:18  
**SUPERINTENDENT**  
[4] - 4:10, 95:1, 147:3,  
192:8  
**superintendent** [21]  
- 5:22, 22:26, 62:11,  
63:26, 100:17,  
115:27, 119:22,  
156:22, 166:2, 166:4,  
166:21, 185:19,  
199:11, 202:28,  
203:8, 205:9, 209:3,  
212:8, 214:22,  
214:28, 221:18  
**Superintendent** [175]  
- 5:23, 17:28, 21:6,  
21:23, 22:14, 25:4,  
30:19, 34:1, 34:2,  
37:24, 50:8, 52:18,  
52:19, 53:29, 54:8,  
55:17, 57:5, 63:8,  
63:17, 67:19, 80:16,  
93:26, 95:4, 95:18,  
96:11, 98:4, 98:10,  
98:16, 100:26,  
102:11, 102:13,  
102:21, 103:16,  
103:27, 104:1, 104:9,  
105:18, 105:19,  
106:28, 107:10,  
108:4, 108:27, 109:1,  
109:13, 110:9,  
115:17, 116:5,  
117:20, 117:21,  
117:26, 118:1, 118:2,  
118:4, 118:5, 118:13,  
118:20, 118:21,  
120:27, 121:11,  
121:12, 126:12,  
126:22, 127:16,  
127:21, 127:25,  
127:26, 128:8,  
128:10, 128:11,  
128:12, 128:27,  
131:8, 131:11,  
131:15, 131:23,  
131:24, 131:25,  
131:26, 131:29,  
133:17, 133:25,  
134:7, 134:18,  
134:28, 135:4,  
135:21, 136:5, 136:7,  
136:12, 136:16,  
136:23, 137:24,  
137:25, 137:26,  
139:10, 142:18,  
142:29, 147:6,  
147:16, 147:23,  
147:28, 147:29,  
148:12, 149:27,  
151:1, 151:9, 152:2,  
154:21, 154:22,  
154:24, 156:14,  
157:29, 158:18,  
161:15, 161:18,  
162:9, 162:22,  
163:16, 163:21,  
163:25, 164:2,  
164:18, 165:25,  
165:26, 165:27,  
166:21, 166:23,  
166:25, 167:1, 167:9,  
168:23, 169:20,  
172:19, 175:20,  
176:11, 180:6,  
182:19, 183:3, 183:4,  
183:9, 184:2, 184:5,  
186:13, 189:13,  
190:10, 190:25,  
192:11, 192:16,  
192:26, 193:3, 193:9,  
195:11, 195:13,  
195:19, 195:23,  
196:23, 196:27,  
197:1, 199:5, 205:20,  
206:7, 209:8, 211:3,  
211:13, 212:8, 215:3,  
215:25, 217:3,  
218:14, 219:16,  
220:13  
**superintendents** [2]  
- 28:1, 104:6  
**superior** [1] - 212:14  
**superiors** [1] - 58:5  
**supervising** [2] -  
115:21, 218:7  
**supervision** [2] -  
134:3, 213:21  
**supervisors** [3] -  
28:3, 28:14, 30:4  
**supplied** [1] - 129:7  
**support** [16] - 8:23,  
8:25, 16:8, 58:28,  
75:12, 102:20, 108:4,  
116:2, 131:24,  
134:25, 141:16,  
146:25, 152:26,  
165:26, 167:4, 170:23  
**supported** [2] - 9:11,  
140:20  
**supporting** [2] -  
23:13, 155:26  
**supports** [1] - 23:11  
**suppose** [11] -  
12:23, 15:26, 45:26,  
73:2, 114:28, 117:11,  
143:12, 164:12,  
201:6, 207:10, 217:29  
**supposed** [2] -  
140:27, 140:28  
**Supreme** [2] - 204:4,  
204:6  
**SUPREME** [2] - 1:13,  
2:3  
**surely** [2] - 191:13,  
191:16  
**surmised** [1] -  
156:19  
**surprise** [2] - 16:24,  
86:11  
**surprised** [1] - 30:7  
**surrounding** [1] -  
55:7  
**survey** [1] - 29:11  
**sushi** [1] - 155:14  
**sustainable** [1] -  
74:18  
**sustained** [1] - 88:11  
**SVPS** [1] - 82:21  
**swept** [1] - 87:17  
**sworn** [5] - 94:6,  
94:9, 159:1, 159:16,  
171:19  
**SWORN** [1] - 95:1  
**sympathy** [1] -  
214:21  
**system** [5] - 6:1, 7:2,  
55:8, 214:2, 214:14  
**Séan** [1] - 109:3  
**Sióchána** [29] - 5:16,  
6:9, 6:26, 10:5, 11:2,  
17:3, 17:6, 19:17,  
23:7, 23:12, 28:25,  
43:9, 44:26, 51:18,  
58:9, 58:23, 58:25,  
75:10, 75:23, 78:9,  
99:26, 154:17,  
154:21, 170:28,  
172:17, 173:21,  
186:14, 187:29,  
190:27

---

**T**

---

**tab** [1] - 146:12  
**table** [2] - 33:23,  
82:7  
**tango** [1] - 65:25  
**tantamount** [1] -  
204:1  
**Taoiseach** [5] -  
13:13, 30:29, 40:20,  
48:20, 82:13  
**tape** [8] - 18:23,  
139:14, 144:4, 144:9,  
144:10, 144:19,  
144:20, 209:19  
**tape-recording** [1] -  
18:23  
**tapes** [1] - 20:16  
**taping** [2] - 140:23,  
141:17  
**taxi** [1] - 174:9  
**team** [13] - 54:15,  
55:18, 110:4, 116:15,  
123:9, 123:18, 125:8,  
144:27, 148:6,  
207:27, 208:15,  
209:5, 210:19  
**teams** [1] - 15:6  
**teased** [1] - 61:10  
**telephonic** [1] - 53:4  
**television** [3] - 19:7,  
55:10, 213:8  
**temperature** [2] -  
16:18, 31:26  
**Templemore** [2] -  
53:14, 82:18  
**ten** [5] - 41:13,  
65:19, 151:17, 171:2,  
208:21  
**tend** [1] - 50:1  
**tendency** [2] -  
135:18, 168:20  
**tennis** [2] - 31:4,  
31:15  
**tension** [1] - 183:7  
**term** [2] - 184:1,  
186:4  
**terminology** [1] -  
163:13  
**terms** [17] - 10:13,  
35:18, 43:9, 51:16,  
51:29, 60:6, 81:8,  
83:26, 85:23, 86:22,  
86:24, 163:13,  
176:27, 204:15,  
207:5, 208:7  
**terrible** [1] - 183:25  
**Terry** [1] - 106:28  
**test** [2] - 28:15,  
60:19  
**testimony** [3] -  
12:11, 72:9, 82:21  
**text** [5] - 48:13,  
59:14, 63:1, 77:14,  
153:9  
**THE** [22] - 1:4, 1:8,  
1:9, 1:12, 2:3, 2:6,  
2:15, 4:7, 4:16, 5:1,  
66:19, 68:2, 83:3,  
93:24, 97:22, 98:1,  
201:21, 209:2, 212:2,  
221:23, 222:20  
**theatres** [1] - 53:20  
**theme** [3] - 27:23,  
56:23, 61:13  
**themed** [1] - 15:14  
**themselves** [1] -  
55:19  
**THEN** [6] - 93:24,  
201:21, 209:2, 212:2,  
221:23, 222:20  
**then-Minister** [1] -  
18:21  
**then-**  
**Superintendent** [1] -  
156:14  
**theology** [1] - 57:20  
**theories** [1] - 170:21

**thereabouts** [1] - 59:23  
**thereafter** [4] - 22:23, 135:18, 168:19, 201:3  
**therefore** [6] - 48:18, 87:7, 134:28, 181:10, 182:24, 203:3  
**thesis** [1] - 64:22  
**they've** [1] - 158:28  
**thinking** [2] - 129:20, 186:18  
**thinks** [1] - 10:4  
**third** [2] - 124:22, 143:19  
**thirdly** [1] - 158:2  
**this"** [1] - 29:14  
**thorough** [2] - 55:21, 151:28  
**thorough"** [1] - 43:12  
**thoughts** [7] - 10:9, 10:10, 10:20, 11:9, 25:27, 48:16, 146:11  
**thousand** [1] - 69:29  
**thousands** [1] - 55:8  
**three** [21] - 32:21, 32:22, 36:2, 43:27, 47:26, 50:2, 53:8, 62:13, 69:10, 69:29, 70:20, 123:4, 123:10, 123:20, 124:21, 124:27, 133:22, 156:16, 168:3, 177:3, 208:2  
**three-and-a-half** [1] - 69:29  
**threshold** [1] - 169:9  
**throughout** [2] - 29:12, 57:19  
**throw** [1] - 11:18  
**throwing** [1] - 11:24  
**thrust** [1] - 145:8  
**Thursday** [2] - 222:2, 222:10  
**tie** [2] - 27:5, 104:15  
**tight** [1] - 215:8  
**tighten** [1] - 86:7  
**Time'** [1] - 19:6  
**timing** [2] - 67:7, 68:18  
**TMcL** [1] - 44:18  
**TO** [1] - 5:4  
**to"** [1] - 119:23  
**today** [10] - 102:6, 105:4, 124:29, 129:18, 139:13, 171:3, 174:8, 203:3, 210:11, 220:28  
**together** [2] - 31:1,

168:3  
**tolerate** [1] - 23:26  
**tomorrow** [3] - 44:24, 221:26, 222:8  
**Tony** [4] - 33:20, 44:20, 48:14, 52:6  
**took** [25] - 7:17, 20:8, 33:16, 49:4, 53:9, 53:27, 56:2, 62:20, 66:21, 69:16, 71:16, 82:14, 82:16, 86:21, 88:14, 103:8, 149:25, 157:8, 158:16, 162:15, 180:10, 182:1, 182:16, 188:27, 209:16  
**tools** [1] - 12:24  
**top** [8] - 5:13, 41:7, 46:19, 115:24, 126:7, 139:6, 202:12, 205:5  
**topic** [2] - 54:19, 55:11  
**total** [3] - 77:23, 141:16, 167:19  
**totally** [5] - 29:9, 99:2, 133:13, 133:15, 135:7  
**tough** [1] - 73:27  
**towards** [1] - 141:9  
**town** [1] - 142:1  
**track** [1] - 46:23  
**traffic** [4] - 9:29, 21:3, 64:17, 200:14  
**tragic** [2] - 174:16, 174:17  
**trained** [1] - 214:14  
**transcribers** [1] - 219:11  
**transcript** [23] - 1:26, 63:29, 86:20, 124:2, 129:17, 139:14, 144:4, 144:9, 145:9, 145:20, 174:6, 174:22, 177:9, 178:15, 195:1, 195:7, 196:13, 201:2, 207:7, 208:14, 208:19, 208:27, 219:24  
**transcripts** [2] - 80:20, 182:11  
**Transformation** [1] - 22:25  
**transformation** [7] - 22:1, 22:15, 22:18, 22:21, 23:5, 23:6, 32:17  
**translated** [1] - 212:17  
**transparent** [2] - 14:18, 57:29

**transpired** [3] - 33:23, 36:1, 80:20  
**travel** [2] - 120:4, 120:5  
**travelled** [2] - 33:1, 157:15  
**travelling** [1] - 33:12  
**treat** [2] - 16:3, 141:15  
**trespass** [1] - 193:27  
**trial** [1] - 204:3  
**triangulate** [2] - 70:6, 72:19  
**triangulated** [1] - 62:16  
**Tribunal** [25] - 50:27, 61:1, 68:7, 68:9, 72:24, 73:4, 75:20, 77:6, 79:16, 91:9, 95:19, 96:4, 97:14, 103:13, 116:14, 122:5, 149:21, 159:2, 159:17, 167:15, 171:19, 175:6, 176:28, 196:10, 220:4  
**TRIBUNAL** [2] - 1:3, 2:6  
**Tribunal's** [2] - 96:9, 195:7  
**TRIBUNALS** [1] - 1:9  
**tried** [6] - 36:22, 97:10, 104:15, 119:3, 141:15, 214:6  
**triggered** [1] - 15:18  
**trouble** [1] - 76:16  
**troubled** [2] - 32:6, 88:8  
**true** [7] - 15:7, 27:27, 28:7, 28:19, 81:16, 93:13, 178:29  
**trust** [14] - 18:8, 20:10, 20:13, 20:19, 31:21, 32:9, 74:13, 82:3, 82:5, 87:19, 87:25, 100:1, 141:11, 141:13  
**trusted** [2] - 87:9, 87:21  
**truth** [5] - 20:14, 20:15, 76:28, 76:29, 210:9  
**truthful** [1] - 83:24  
**try** [18] - 38:23, 44:29, 47:8, 48:23, 53:29, 74:17, 76:26, 76:27, 83:16, 84:1, 88:22, 146:1, 160:26, 207:16, 212:6, 216:28, 222:3  
**trying** [16] - 14:17,

26:12, 28:9, 56:28, 66:5, 69:4, 69:23, 74:6, 85:19, 120:19, 141:17, 149:16, 160:15, 160:29, 178:24, 182:14  
**turn** [6] - 60:14, 99:9, 102:27, 130:25, 173:21, 215:18  
**turned** [3] - 41:5, 84:18, 211:3  
**turning** [3] - 210:18, 212:23, 212:24  
**turns** [1] - 84:28  
**twice** [4] - 113:20, 118:12, 133:7, 211:14  
**two** [41] - 5:11, 9:20, 13:10, 24:3, 24:25, 32:21, 36:2, 39:7, 40:27, 44:2, 62:10, 62:19, 66:9, 69:9, 78:2, 88:14, 88:17, 89:16, 92:4, 116:10, 118:11, 121:17, 135:8, 145:1, 145:23, 145:26, 146:22, 148:7, 159:7, 162:3, 162:4, 162:28, 162:29, 167:11, 168:5, 168:25, 175:24, 177:22, 184:3, 191:7, 191:15  
**Twomey** [5] - 33:19, 34:4, 38:21, 47:20, 52:18  
**type** [3] - 73:29, 142:13, 169:7  
**typed** [6] - 21:2, 34:23, 103:12, 105:11, 114:29, 115:7  
**Tánaiste** [1] - 13:13

## U

**UCD** [1] - 48:14  
**UL** [1] - 48:8  
**Ultan** [1] - 50:11  
**ultimate** [1] - 17:26  
**ultimately** [3] - 17:29, 57:25, 212:17  
**unaware** [2] - 11:6, 156:17  
**unbeknownst** [1] - 156:14  
**uncertainty** [2] - 72:28, 73:1  
**uncomfortable** [2] - 23:27, 30:27  
**under** [9] - 40:3,

45:11, 70:17, 95:15, 125:6, 149:9, 200:8, 203:15, 214:10  
**UNDER** [2] - 1:3, 1:9  
**underline** [1] - 112:13  
**undermine** [2] - 21:1, 87:24  
**underneath** [2] - 42:26, 153:28  
**understood** [17] - 16:12, 30:22, 73:3, 117:4, 117:5, 121:18, 131:10, 134:18, 161:17, 163:20, 167:1, 179:14, 179:21, 181:1, 182:28, 206:24  
**undertake** [2] - 40:5, 42:17  
**undertaken** [1] - 6:21  
**underway** [2] - 59:1, 59:5  
**unequivocally** [2] - 18:18, 57:16  
**unfair** [1] - 214:12  
**unfinished** [1] - 186:22  
**unfold** [1] - 87:19  
**unfolded** [3] - 76:12, 77:6, 88:9  
**unfortunate** [1] - 154:8  
**unfortunately** [19] - 61:16, 97:13, 118:24, 119:7, 119:10, 119:24, 120:21, 124:4, 152:11, 152:18, 154:8, 154:10, 169:8, 171:21, 184:16, 184:29, 190:18, 200:5, 221:4  
**unfounded** [1] - 142:9  
**unhappy** [1] - 32:6  
**unique** [6] - 17:2, 17:6, 27:24, 55:25, 74:17  
**uniquely** [1] - 58:19  
**Unit** [2] - 5:17, 9:17  
**unit** [5] - 5:20, 5:26, 6:4, 6:16, 213:22  
**units** [1] - 28:1  
**universal** [1] - 20:8  
**unless** [1] - 155:14  
**unlikely** [1] - 165:21  
**unmarked** [1] - 185:29

**unnecessary** [1] - 173:22  
**unofficial** [1] - 6:14  
**unpleasant** [3] - 42:4, 169:5, 169:15  
**unprofessional** [1] - 213:28  
**unspecified** [1] - 156:2  
**UNTIL** [1] - 222:20  
**up** [85] - 5:11, 7:16, 10:18, 11:6, 11:12, 11:13, 16:2, 16:18, 19:12, 20:27, 20:28, 24:17, 25:14, 30:2, 31:23, 34:14, 35:6, 40:9, 49:25, 61:20, 61:28, 63:23, 76:17, 81:13, 82:11, 92:11, 96:6, 96:12, 109:28, 110:23, 111:16, 112:4, 112:5, 112:10, 113:28, 117:4, 117:6, 117:14, 119:12, 120:2, 122:23, 122:24, 126:5, 134:14, 135:8, 135:9, 137:8, 138:20, 145:2, 145:23, 145:24, 146:2, 146:14, 147:9, 148:25, 151:5, 164:4, 174:14, 176:13, 179:2, 181:25, 182:11, 182:12, 188:24, 189:24, 191:17, 191:26, 194:20, 195:4, 203:1, 203:8, 203:20, 205:7, 206:8, 207:9, 207:12, 210:18, 211:3, 212:23, 212:24, 213:18, 214:9, 215:18, 221:5, 221:19  
**upcoming** [1] - 75:19  
**update** [2] - 52:24, 53:5  
**upfront** [1] - 72:9  
**upheld** [1] - 204:3  
**uphold** [1] - 204:13  
**upset** [1] - 104:21  
**urge** [1] - 100:2  
**useful** [2] - 26:7, 182:6  
**uses** [1] - 11:15  
**utmost** [1] - 156:25

## V

**value** [2] - 6:21, 8:28

**valued** [1] - 39:5  
**values** [2] - 10:13, 14:16  
**variety** [2] - 23:11, 30:3  
**various** [9] - 25:11, 61:10, 65:23, 70:12, 80:22, 135:15, 156:11, 168:10, 216:7  
**veracity** [1] - 193:22  
**verbatim** [1] - 1:26  
**version** [2] - 115:1, 127:19  
**versions** [1] - 121:17  
**vest** [1] - 31:21  
**vested** [1] - 87:19  
**victim** [3] - 158:3, 164:12  
**victims** [4] - 164:9, 173:18, 173:22, 203:12  
**victims'** [1] - 203:12  
**view** [23] - 6:15, 6:28, 7:5, 7:17, 8:24, 17:8, 31:26, 32:6, 65:26, 67:24, 69:23, 81:7, 84:9, 84:10, 85:25, 90:4, 93:15, 174:3, 176:12, 177:10, 177:15, 216:14  
**views** [1] - 55:23  
**vile** [2] - 79:7, 79:8  
**virtue** [2] - 20:14, 62:20  
**vis-à-vis** [2] - 218:28, 219:6  
**visceral** [5] - 85:14, 85:17, 86:5, 87:5  
**visibility** [1] - 48:18  
**visible** [1] - 54:3  
**vision** [2] - 51:10, 188:14  
**voice** [3] - 146:2, 146:14, 147:9  
**voiced** [1] - 11:9  
**volubly** [1] - 169:14  
**volume** [5] - 121:3, 122:2, 122:12, 137:17, 137:20  
**Volume** [2] - 77:26, 172:1  
**voluntarily** [1] - 149:8  
**vouch** [1] - 99:27

## W

**waive** [2] - 95:11,

149:8  
**waived** [3] - 110:3, 162:16, 162:28  
**waiver** [1] - 149:10  
**walk** [2] - 15:27, 15:29  
**walked** [2] - 61:8, 142:1  
**walking** [1] - 205:6  
**WALLACE** [1] - 3:12  
**walls** [2] - 88:23, 88:25  
**walls"** [1] - 88:26  
**Walsh** [2] - 34:8, 34:9  
**wandered** [1] - 191:18  
**wants** [4] - 7:20, 7:21, 37:18, 149:19  
**Ward** [4] - 52:19, 63:17, 63:22, 80:17  
**warned** [2] - 97:9, 104:5  
**warning** [1] - 155:13  
**warnings** [1] - 91:20  
**warrants** [1] - 213:19  
**WAS** [10] - 66:19, 68:2, 83:3, 93:3, 95:1, 147:3, 192:8, 201:21, 209:2, 212:2  
**waste** [1] - 162:13  
**watching** [1] - 213:8  
**WATERS** [1] - 3:9  
**ways** [4] - 31:18, 55:24, 55:25, 78:24  
**website** [1] - 222:11  
**Wednesday** [4] - 94:3, 94:4, 221:28, 222:6  
**WEDNESDAY** [1] - 222:20  
**week** [4] - 34:21, 70:14, 78:21, 169:2  
**weekend** [3] - 72:6, 181:11, 189:5  
**weekends** [3] - 99:16, 99:17, 213:23  
**weeks** [5] - 53:8, 59:9, 88:9, 92:19, 156:16  
**weeks'** [1] - 177:13  
**weighs** [2] - 87:27, 87:28  
**welcome** [1] - 68:15  
**welcomed** [2] - 12:4, 62:16  
**welfare** [6] - 75:11, 102:20, 102:22, 102:24, 108:3, 215:2  
**whatsoever** [8] -

67:9, 93:20, 133:25, 134:6, 167:13, 171:28, 175:21, 210:10  
**wherein** [2] - 25:27, 69:11  
**whistleblowers** [1] - 83:28  
**whole** [13] - 50:2, 53:18, 83:27, 91:7, 116:24, 142:5, 145:5, 148:6, 164:11, 181:10, 186:26, 217:18, 219:21  
**wholeheartedly** [1] - 20:4  
**wholly** [1] - 185:27  
**Wicklow** [1] - 67:1  
**wide** [1] - 35:8  
**wide-ranging** [1] - 35:8  
**widely** [1] - 121:29  
**wife** [3] - 97:3, 97:12, 99:1  
**willing** [1] - 82:20  
**wisdom** [1] - 76:26  
**wise** [1] - 85:28  
**wish** [2] - 77:1, 92:26  
**wished** [1] - 102:23  
**withdraw** [1] - 93:28  
**withdrawal** [1] - 206:11  
**withdrawing** [1] - 205:15  
**withdrew** [1] - 142:8  
**WITHDREW** [2] - 93:24, 221:23  
**WITNESS** [8] - 4:2, 66:19, 68:2, 93:24, 201:21, 209:2, 212:2, 221:23  
**witness** [19] - 90:16, 90:28, 91:24, 92:25, 93:26, 132:26, 148:20, 149:19, 175:15, 177:1, 194:23, 196:11, 196:16, 196:20, 197:16, 200:7, 210:18, 220:3, 220:23  
**witness's** [1] - 124:6  
**witnessed** [1] - 102:13  
**witnesses** [4] - 172:24, 221:29, 222:3, 222:5  
**witnesses'** [2] - 131:1, 161:8  
**wolves** [3] - 11:18, 11:24, 11:28

**won** [1] - 86:2  
**wonder** [6] - 5:11, 52:11, 65:7, 66:8, 203:1, 204:23  
**wondered** [1] - 191:16  
**wondering** [5] - 73:15, 87:14, 87:15, 87:16, 160:5  
**wood** [1] - 48:21  
**word** [22] - 14:8, 14:11, 18:7, 47:1, 70:6, 87:12, 94:8, 112:13, 119:19, 129:16, 138:28, 140:18, 145:21, 155:17, 182:25, 183:25, 183:29, 184:22, 191:6, 191:12, 191:20, 200:20  
**wording** [1] - 164:5  
**words** [13] - 8:25, 26:26, 37:5, 37:9, 73:12, 73:17, 73:20, 121:25, 142:25, 145:3, 155:19, 191:13  
**worker** [1] - 119:6  
**workplace** [1] - 48:10  
**works** [1] - 31:17  
**world** [1] - 82:1  
**worries** [1] - 189:14  
**worry** [1] - 157:27  
**worse** [1] - 178:23  
**write** [4] - 59:28, 140:21, 184:8, 214:25  
**writes** [1] - 42:11  
**writing** [8] - 74:26, 102:10, 105:22, 106:11, 147:21, 154:1, 154:2, 183:11  
**written** [19] - 10:8, 10:24, 20:24, 32:3, 66:2, 78:5, 130:3, 133:1, 154:20, 169:6, 170:19, 171:20, 172:16, 179:16, 179:19, 182:25, 189:9, 197:15, 197:28  
**Written** [1] - 154:16  
**wrongly** [1] - 171:25  
**wrote** [14] - 63:14, 68:10, 76:7, 77:10, 77:11, 106:1, 106:12, 128:9, 149:25, 187:15, 187:25, 187:28

---

## Y

---

**yard** <sup>[1]</sup> - 23:22

**ye** <sup>[2]</sup> - 38:10, 52:23

**year** <sup>[16]</sup> - 9:25,  
31:28, 59:10, 62:3,  
78:21, 89:18, 95:20,  
96:5, 151:17, 180:9,  
186:22, 186:26,  
187:5, 201:24, 202:13

**years** <sup>[17]</sup> - 20:11,  
24:11, 24:20, 24:26,  
29:4, 36:8, 43:5,  
88:14, 88:17, 107:22,  
110:19, 111:16,  
140:16, 140:17,  
140:22, 171:2, 207:19

**yesterday** <sup>[3]</sup> -  
88:22, 205:29, 206:10

**yield** <sup>[1]</sup> - 32:9

**young** <sup>[3]</sup> - 169:14,  
174:9, 174:13

**yourself** <sup>[17]</sup> - 53:9,  
64:8, 66:22, 73:7,  
89:2, 90:17, 104:13,  
104:22, 125:19,  
143:28, 147:27,  
147:28, 149:1, 173:6,  
183:25, 209:13,  
209:22

**yourselves** <sup>[1]</sup> -  
210:5

**Yvonne** <sup>[12]</sup> - 101:4,  
103:17, 112:10,  
113:28, 116:3,  
117:27, 132:1,  
166:26, 167:11,  
182:18, 197:7, 209:14

---

## €

---

**€250** <sup>[1]</sup> - 23:10

---

## É

---

**ÉIREANN** <sup>[2]</sup> - 1:5,  
1:6

---

## Ó

---

**Ó** <sup>[1]</sup> - 33:26

**ó** <sup>[1]</sup> - 33:19