

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, AS AMENDED ON 7 DECEMBER 2018

CHAIRMAN OF DIVISION (P): MR. JUSTICE SEAN RYAN,
FORMER PRESIDENT OF THE COURT OF APPEAL

HEARING HELD IN DUBLIN CASTLE
ON WEDNESDAY, 22ND JUNE 2022 - DAY 189

189

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 SEAN RYAN,
FORMER PRESIDENT OF THE COURT OF
APPEAL

REGISTRAR: MR. IAN MURPHY

FOR THE TRIBUNAL: MR. DIARMAID McGUINESS SC
MR. PATRICK MARRINAN SC
MS. SINÉAD McGRATH BL

INSTRUCTED BY: MS. CIARA WALSH
SOLICITOR FOR THE TRIBUNAL

FOR SERGEANT PAUL BARRY: MR. SHANE COSTELLOE SC
MR. DAVID PERRY BL
MS. LYDIA DALY BL

INSTRUCTED BY: MS. DEBORAH CODY
MR. ADRIAN CAREY
MICHAEL KELLEHER SOLICITORS
149 JAMES STREET
DUBLIN 8

FOR THE COMMISSIONER
OF AN GARDA SÍOCHÁNA: MR. SHANE MURPHY SC
MR. MÍCHEÁL P O'HIGGINS SC
MR. JOHN FITZGERALD SC
MR. DONAL McGUINESS BL
MS. SHELLEY HORAN BL
MS. KATE EGAN BL

INSTRUCTED BY: MS. MAIREAD BURKE
MR. CORMAC FORRISTAL
CHIEF STATE SOLICITOR'S OFFICE
OSMOND HOUSE
LITTLE SHIP STREET
DUBLIN 8

FOR MICHAEL COMYNS: MR. MARK HARTY SC
MR. JOHN FERRY BL

INSTRUCTED BY: MR. CARTHAGE CONLON
O'MARA GERAGHTY McCOURT
51 NORTHUMBERLAND ROAD
DUBLIN 4

FOR FINTAN FANNING
& ANTHONY O' SULLIVAN:

MR. PAUL MCGARRY SC
MR. PATRICK O' BRIEN BL

INSTRUCTED BY:

MR. ANDREW FREEMAN
SEAN COSTELLO & COMPANY SOLICITORS
HALIDAY HOUSE
32 ARRAN QUAY
SMITHFIELD
DUBLIN 7

FOR JOHN QUILTER:

MR. PAUL CARROLL SC
MR. BREFFNI GORDON BL

INSTRUCTED BY:

MR. ROBERT PURCELL
ME HANAOE SOLICITORS
SUNLIGHT CHAMBERS
21 PARLIAMENT STREET
DUBLIN 2

FOR JOHN BARRETT:

INSTRUCTED BY:

MS. HELEN CALLANAN SC
MR. DAVID BYRNES BL
MR. FELIX McTIERNAN
NOBLE LAW
FRANKFORT HALL
DUNDRUM ROAD
DUBLIN 14

I N D E X

W I T N E S S	P A G E
MR. JOHN BARRETT	
DIRECTLY-EXAMINED BY MR. MCGUINNESS	5
CROSS-EXAMINED BY MR. COSTELLOE.....	23
QUESTIONED BY MS. CALLANAN.....	36
SERGEANT JEREMIAH QUINN	
CROSS-EXAMINED BY MR. COSTELLOE	39
DR. OGHENOVO OGHUVBU	
DIRECTLY-EXAMINED BY MR. MCGUINNESS	43
CROSS-EXAMINED BY MR. COSTELLOE	113
CROSS-EXAMINED BY MR. FITZGERALD.....	126
MR. PAUL BARRY	
DIRECTLY-EXAMINED BY MR. MCGUINNESS.....	128
CROSS-EXAMINED BY MR. MURPHY	134
CROSS-EXAMINED BY MR. HARTY	143
QUESTIONED BY MR. COSTELLOE.....	156

1 THE HEARING RESUMED, AS FOLLOWS, ON WEDNESDAY, 22ND
2 JUNE 2022:

3
4 CHAIRMAN: Thanks very much. Now, Mr. McGuinness, just
5 before we begin, I have a pleasant task, which is to 11:02
6 welcome a guest here is Judge Faroshi Hashimi, who is
7 more than welcome. She has come to Ireland from
8 Afghanistan, which represents a place where there are
9 great difficulties for judges and, more particularly,
10 for women judges. Judge Hashimi is a judge and is more 11:02
11 than welcome in Ireland and a particularly welcome
12 guest at our tribunal. So thank you for coming. Thank
13 you.

14
15 Now, Mr. McGuinness. 11:03

16 MR. MCGUINNESS: Chairman, good morning. Our first
17 witness this morning is Mr. John Barrett.

18 CHAIRMAN: Yes. Thanks very much. Where is
19 Mr. Barrett? Ah yes, good morning, Mr. Barrett.

20 THE WITNESS: Good morning, Judge. 11:03

21 CHAIRMAN: Nice to see you again, Mr. Barrett.

22 THE WITNESS: Thank you, sir. Good to see you.

23
24 MR. JOHN BARRETT, HAVING BEEN SWORN, WAS
25 DIRECTLY-EXAMINED BY MR. MCGUINNESS, AS FOLLOWS: 11:03

26
27 CHAIRMAN: Thanks very much. Sit down, Mr. Barrett.
28 Now, Mr. McGuinness.

29 1 Q. MR. MCGUINNESS: Mr. Barrett, I think you were

1 appointed to the role of executive director in HR & PD,
2 Human Resources, People Development in An Garda
3 Síochána on the 3rd October 2014?

4 A. Yes.

5 2 Q. And I think you still currently hold that office? 11:04

6 A. I do.

7 3 Q. You held that office in the period that we're concerned
8 with in connection with Sergeant Barry, as he then was,
9 until he left the force on retirement in June 2016?

10 A. Yes. 11:04

11 4 Q. You had that position during the entirety of that
12 period?

13 A. Yes.

14 5 Q. Just to clarify matters so that everyone is absolutely
15 clear, you were appointed to that position as a 11:04
16 civilian coming from -- not from within the ranks of An
17 Garda Síochána, isn't that correct?

18 A. That's correct.

19 6 Q. And you held and hold and never held any rank within An
20 Garda Síochána as a policeman? 11:05

21 A. That's correct.

22 7 Q. In any sense. None of the powers, duties or
23 responsibilities of a member at any rank?

24 A. That's correct.

25 8 Q. There had been, I think, an executive director with the 11:05
26 same title, who was a member before your appointment,
27 isn't that correct?

28 A. No, he was titled assistant commissioner HRM. The role
29 became executive director HR & PD.

1 9 Q. Yes. And certainly any references to that position
2 prior to your taking that up do not refer to you?
3 A. That's correct.
4 10 Q. And any references in the transcript to an earlier --
5 A. Yes. 11:05
6 11 Q. -- action in that regard or any step taken is not a
7 reference to you as such?
8 A. It's not.
9 12 Q. Yes. Now, you identified to our tribunal investigator,
10 Mr. Ryan, who you met recently for interview, that your 11:06
11 earliest knowledge relating to Mr. Barry appeared to
12 stem from a memo that was sent to you by Chief
13 Superintendent Tony McLoughlin in November 2014, which
14 appeared to be a summary of the outcome of a bullying
15 and harassment complaint made by Sergeant Barry, which 11:06
16 had concluded at that stage, isn't that correct?
17 A. That's correct.
18 13 Q. And I think, as appears from the document, we don't
19 need to look at it, but that seems to have been sent to
20 you in connection with informing you of the institution 11:06
21 of proceedings by Mr. Barry and for onward transmission
22 to Mr. Ken Ruane, a legal adviser, isn't that correct?
23 A. That's correct.
24 14 Q. And presumably that would have been a routine
25 communication through to you in connection with that? 11:06
26 A. Matters going before the personal injuries board would
27 have been routinely put through my office.
28 15 Q. Yes. Just at that point in time, did you know anything
29 about Mr. Barry, or Sergeant Barry as he then was, and

1 in particular any complaint that he had made about
2 criminal conduct alleged to have taken place in
3 connection with another investigation?

4 A. That was the first occasion that any of that matter
5 became something I became aware of. 11:07

6 16 Q. Yes.

7 A. It was an appended report by Inspector Downey that set
8 out some of the history.

9 17 Q. Yes. Now, you were asked by the investigator a number
10 of questions and perhaps we will just get you to 11:07
11 confirm your answers to them. I think you had no
12 knowledge or involvement of any kind in Chief
13 Superintendent Kehoe's investigation of the alleged
14 bullying and harassment, isn't that correct?

15 A. I had none, correct. 11:07

16 18 Q. At any stage?

17 A. At any stage.

18 19 Q. And I think the same position obtained in relation to
19 her investigation, which we are calling just the
20 criminal investigation, you had no...? 11:08

21 A. Yes. Item 9 on that list, no, I had no knowledge or
22 engagement with it.

23 20 Q. Yes. And insofar as she was then tasked to and did
24 also complete a disciplinary investigation, you had no
25 knowledge, involvement or participation at all in any 11:08
26 aspect of that?

27 A. Correct. All that was in train before I arrived.

28 21 Q. Yes. Just on the point at issue in terms of a
29 protected disclosure, obviously the Protected

1 Disclosures Act had been passed earlier in 2014, but
2 was anything that Sergeant Barry had complained of
3 identified to you as a protected disclosure?

4 A. I've read, Mr. McGuinness, what Sergeant Barry says in
5 relation to his letter to me and I read that simply in 11:08
6 the context of it being a transfer and dealt with it as
7 such.

8 22 Q. Yes. And we will come to that in due course. Just in
9 terms of the transfer process, I think you've described
10 that in your interview with the investigator and 11:09
11 perhaps we will just look at that briefly, at page
12 5780?

13 A. Okay.

14 23 Q. And I should state for the transcript, Mr. Chairman,
15 that Mr. Barrett's interview with our investigators 11:09
16 commences at page 5761 of our papers, but this is at
17 5780.

18 A. Is this to appear on my screen?

19 24 Q. Yes, if you just bear with us, Mr. Barrett. We are
20 just checking a technical issue. But just to continue 11:09
21 while we're bringing that up. I think the
22 investigator, Mr. Ryan, asked you to provide a brief
23 overview of your role with respect to transfers of
24 Garda members from one district or division to another
25 and appeals relating to such transfers? 11:10

26 A. Mr. McGuinness, I have my statement copy here, if you
27 could direct me to which page.

28 25 Q. If you look at page 20 of your interview, line 287?

29 A. Very good.

1 26 Q. Just while we are bringing it up for everyone else?

2 A. Yes.

3 27 Q. I think you answered him in the following way, you
4 said:

5
6 "Transfers for garda members were dealt with by the
7 transfers office (now called the resources allocation
8 office) then led by Inspector Sinéad Power. Therefore
9 I gave the transfer process autonomy and I put it in
10 the hands of Chief Superintendent McLoughlin (HRM) to 11:10
11 whom the transfers office reported and only matters of
12 controversy or appeal would come to me."

13 A. That's correct.

14 28 Q. Then you go on to say:

15
16 "Chapter 8 of the Garda Code (on transfers) offers no
17 guidance for the parameters within which the executive
18 director of HR & PD, as the hearer of the appeals
19 should decide appeals or what relevant matters should
20 be taken into account when deciding the appeal. If a 11:11
21 divisional officer makes a decision and the person
22 subject to the transfer makes an appeal, the executive
23 director of HR & PD is the first stage of appeal. The
24 Code provided that the A/C HRM would be the person to
25 receive appeals against a transfer. There was no A/C 11:11
26 HRM following my appointment as executive director HR &
27 PD. I stepped into this position (A/C HRM) following a
28 direction from the commissioner in this one specific
29 case."

1
2 I think you confirmed that you had been delegated
3 expressly that function by the commissioner on, I
4 think, 20th May 2015?
5 A. Yes. 11:11
6 29 Q. That's at page 5833 of our papers. We don't need to, I
7 think, look at that. And I think you make the point
8 subsequently, that also required a statutory
9 instrument?
10 A. It may not have been a statutory instrument or required 11:12
11 a change of regulations or the code, there had to be an
12 amendment because of the anomaly created by the change
13 of title.
14 30 Q. Yes. Just to be clear then as to your participation or
15 nonparticipation in anything that had taken place 11:12
16 before that, you had not been either consulted or took
17 any part in any decision-making relating to any
18 proposed transfer of Sergeant Barry or any step in any
19 appeal prior to that point in time?
20 A. That's correct. 11:12
21 31 Q. And insofar as any personnel bulletins issued on behalf
22 of A/C HRM prior to that, that would have been Chief
23 Superintendent McLoughlin's responsibility at that
24 time?
25 A. Yes. 11:12
26 32 Q. Under, I think, Assistant Commissioner Fanning?
27 A. Yes.
28 33 Q. Now, I think you received an appeal in the matter
29 following your designation, isn't that correct?

1 A. Yes. I may have had the appeal in advance and then the
2 matters arose as to how I could be got to stand into
3 the role.

4 34 Q. Yes.

5 A. But I did receive an appeal, yes. 11:13

6 35 Q. Yes. And just to be clear about that, that appeal
7 contained a number of grounds, isn't that correct?

8 A. Yes.

9 36 Q. If we look at page 57 -- I beg your pardon, page 5801,
10 this was Sergeant Barry's appeal, a five-page, a 11:14
11 six-page document I think, going to page 5806. And you
12 received that. Now, insofar as that appeal referred to
13 Superintendent Comyns and the allegation against him,
14 did you have any understanding that was an allegation
15 still continuing at that point in time? 11:14

16 A. I did, I was aware that allegation 9, is it, or as it
17 was set out in Inspector Downey's report, was ongoing
18 at the time.

19 37 Q. Can you describe generally how you decided to and how
20 you did deal with that appeal? 11:14

21 A. I dealt with it, Mr. McGuinness, by reference to the
22 file. I think I am on record as having asked Chief
23 Superintendent McLoughlin for a comprehensive report on
24 the entire matter.

25 38 Q. Yes. 11:15

26 A. I don't recall, frankly, whether I received the report
27 and what form it came in. And I'm at a disadvantage in
28 not being able to have access to my papers and my
29 office, I think you're aware of that.

1 39 Q. Yes.

2 A. But in the normal course I would assume I did receive a

3 report and I would have based my decision based on the

4 documents in the file and in that report.

5 40 Q. Yes. You ultimately made a decision, I think, and 11:15

6 communicated that by a letter on the 29th September

7 2015?

8 A. That's correct.

9 41 Q. That's at page 5884 of our documents. That's addressed

10 to the chief superintendent HRM people development? 11:15

11 A. Yes.

12 42 Q. You say:

13

14 "I reviewed the file in this matter in relation to the

15 transfer of Sergeant Barry from Mitchelstown Garda 11:16

16 Station to Anglesea Street Garda Station. I have taken

17 into consideration all of the facts and advices

18 received from the Chief Medical Officer, in which he

19 stated that a self and supportive workplace environment

20 should preclude obligatory interaction between Sergeant 11:16

21 Paul Barry and Superintendent Michael Comyns."

22 A. Yes.

23 43 Q. "In order for the above to be achieved and for a

24 supportive structure to be in place for Sergeant Barry

25 it is my recommendation that he transfer to Anglesea 11:16

26 Street Garda Station."

27

28 Now, I think you had received in the course of that

29 appeal, prior to your decision, a report from Chief

1 Superintendent Dillane of some length, isn't that
2 correct?

3 A. I did.

4 44 Q. That's annexed to the papers, we've seen that. And
5 there were a number of other reports enclosed with that 11:16
6 also, isn't that correct?

7 A. There were, from various staff members in the division.

8 45 Q. Okay. You were asked about the rationale for your
9 decision by our investigator and perhaps we will just
10 look at your response to that, at 5784. Line 353 11:17
11 records there:

12

13 "I have been asked with regard to my decision in the
14 above extract that Sergeant Barry be transferred to
15 Anglesea Street Garda Station, can I elaborate further, 11:17
16 if possible, with regard to the matters that informed
17 my decision-making."

18

19 And you say:

20 11:17

21 "I will make three points about that particular
22 decision. The first one was, by this date the matter
23 had been ongoing for a number of years. Various
24 accommodations offered, such as a move to Glanmire,
25 close to Sergeant Barry's residence, had been declined 11:17
26 by Sergeant Barry."

27

28 Now, can I ask you, had you considered or did you
29 consider it necessary to see whether he would accept a

1 transfer to somewhere else or did you consider yourself
2 bound just to look at the particular transfer being
3 proposed and appealed?

4 A. The rationale, as set out there in those three points,
5 Mr. McGuinness, also is referred to in a prior answer, 11:18
6 where I deal with supportive input from the chief
7 medical officer, who at the time was Dr. Donal Collins.
8 The view taken was that various efforts had been made
9 to accommodate an alternative to Mitchelstown.

10 Glanmire was one. The original that Fintan Fanning 11:18
11 proposed, was originally Fermoy in 2014, January 2014.
12 Anglesea Street, however, is distinguished by the fact
13 that it's a regional headquarters, based in the
14 regional headquarters are staff of the Employee
15 Assistance Service, Mr. Landy was then one of those 11:18
16 staff. And I felt that Sergeant Barry would be in a
17 position to have a number of different options open to
18 him greater than would exist in a smaller substation
19 such as either Glanmire or Mitchelstown.

20 46 Q. Yes. And I think you make that point as your second 11:19
21 point with the interview with the investigator. You go
22 on to make a final point then:

23
24 "The final point was irrespective of where Michael
25 Comyns was, in Fermoy or Mayfield, where he was 11:19
26 subsequently posted, Anglesea Street was essentially in
27 a different orbit, a different place."

28 A. Yes.

29 47 Q. "To me, those factors dealt with what Mr. Oghuvbu was

1 proposing and didn't offend either gentleman."

2 A. Yes.

3 48 Q. You do refer in your letter of decision to that phrase
4 in Dr. Oghuvbu's letter of advice that had issued in
5 November 2014, about an accommodation which precluded 11:20
6 obligatory interactions between the two?

7 A. Correct.

8 49 Q. So in essence did you see the proposed transfer as
9 complying with that?

10 A. I did. 11:20

11 50 Q. Notwithstanding that Superintendent Comyns had himself
12 moved?

13 A. He had. He had moved to Mayfield, which would be a
14 district within Cork City, but the Anglesea Street
15 station would be itself a district and it would be 11:20
16 separate and different from where Superintendent Comyns
17 was posted.

18 51 Q. Yes. And just to be clear, had you ever met Sergeant
19 Barry?

20 A. No. 11:20

21 52 Q. Had you any other knowledge of him other than you
22 received through the appeal papers and supplied to you
23 by your staff in your own office?

24 A. That was really the extent of it, yes.

25 53 Q. And in terms of Superintendent Comyns, had you any 11:21
26 knowledge of or dealings or interaction with him at
27 that stage?

28 A. I had a number of meetings where he and I would have
29 been in attendance together at large group meetings of

1 supers and chiefs.

2 54 Q. Yes.

3 A. But I don't have any real intimate contact with

4 Superintendent Comyns either.

5 55 Q. Yes. And Chief Superintendent Dillane, at whose 11:21

6 instance the proposed transfer had been authorised, had

7 you any dealings or knowledge of Chief Superintendent

8 Dillane?

9 A. With increasing seniority I would have been meeting

10 people at more senior ranks with more frequency, so at 11:21

11 chief superintendents meetings I would have come across

12 Ger Dillane, there would have been fewer people

13 present. I would have attended occasionally meetings

14 of the chief superintendents in the Cork region or in

15 the Southern Region. So I would have more knowledge of 11:22

16 Chief Superintendent Dillane.

17 56 Q. Yes. The decision that you made was then the subject

18 of an appeal --

19 A. It was.

20 57 Q. -- by Sergeant Barry, as he was entitled to do. Was it 11:22

21 your function then to assist in processing that appeal

22 onwards?

23 A. I asked that the paperwork, the file essentially that I

24 had relied upon and a briefing note would be prepared

25 for the private secretary, the commissioner or the 11:22

26 deputy Commissioner, whoever in effect was delegated by

27 the commissioner to ask for the papers. This was done

28 on my definite by Chief Superintendent McLoughlin.

29 58 Q. Yes. The appeal was rejected by the commissioner and

1 64 Q. Yes. Ultimately Sergeant Barry, as you became aware,
2 appeared before the transfer review body, as is common,
3 and they issued their recommendation in the
4 circumstances that the appeal not proceed and that was
5 accepted by the commissioner? 11:25
6 A. Correct.
7 65 Q. Now, Sergeant Barry has identified to the tribunal,
8 indeed, in the initial appeal to you and in the initial
9 appeal from you, what he said are protected disclosures
10 within the context of the body of those matters. But 11:25
11 as I understand your responses to the investigator, you
12 dealt with the appeal on the basis of the material
13 relating to the appeal?
14 A. I did. I sought, however, Mr. McGuinness, a report on
15 these other matters and I have no recollection of 11:25
16 whether or not I received it.
17 66 Q. Yes.
18 A. It was a report I sought from Chief Superintendent
19 McLoughlin and I was, you know, alive to the fact that
20 there were issues that I wanted to have further 11:25
21 investigated.
22 67 Q. Yes. He had raised a number of other issues and I
23 think your reference to that resulted in a letter that
24 you separately wrote, at page 5808, just to make that
25 clear. If we just go to page 5808. But you presumably 11:26
26 still knew at this stage that the other investigations
27 being conducted by Chief Superintendent Kehoe, the
28 criminal/discipline, were still ongoing?
29 A. I presume it was in September 2016, yes.

1 68 Q. Yes. Now, in terms of any issue concerning the time
2 period in which the appeal was taken and decided upon,
3 either by you and/or subsequently, would you accept
4 that there was any delay in dealing with the matter on
5 your part, in the first instance? 11:27

6 A. The only delay arising and I suppose in reality,
7 because this was the first occasion that we had this
8 issue concerning A/C HRM versus executive director,
9 recently appointed, there was a little bit of time lost
10 between May and perhaps August while those matters were 11:27
11 being ironed out. The correspondence, I think,
12 identifies Superintendent Gerry O'Brien as having
13 flagged these in the office of the chief administrative
14 officer. But there was no inordinate delay, I would
15 suggest. 11:27

16 69 Q. Obviously from the point of view of Sergeant Barry, the
17 transfer is deferred automatically by the putting in of
18 an appeal?

19 A. Yes.

20 70 Q. So he remained in his position, where he was? 11:27

21 A. He did.

22 71 Q. An issue arose about the context in which changes were
23 made to the Pulse system, which apparently showed,
24 notwithstanding the putting in of the appeal and the
25 deferral of it, that he had been shown on Pulse to have 11:28
26 transferred. Had you any knowledge or insight into how
27 that had occurred or might have occurred?

28 A. No, I have no knowledge at all about how that might
29 occur and how it would be unique to a single

1 individual. I have no knowledge of that. I would have
2 no hand, act or part in that administrative process.

3 72 Q. All right. In terms of how the appeal and how the
4 transfer was initiated and dealt with from your
5 knowledge of dealing with it, both before it actually 11:28
6 came to you, when you dealt with it and how you then
7 transferred it on, are you content and happy to say
8 that the provisions of the code relating to transfers
9 was complied with?

10 A. Yes, I am. 11:29

11 73 Q. Did any aspect of it appear to you to be related to the
12 targeting of Sergeant Barry as a result of any of the
13 complaints he had made?

14 A. No. I saw nothing in this, other than, truthfully, an
15 example of the Code working to its fullest, including 11:29
16 the decision by the transfer review body to overturn
17 the commissioner, who had agreed with my view on the
18 first level appeal.

19 74 Q. Yes. I think you were asked directly about this by the
20 investigator, Mr. Ryan. If we perhaps just look at 11:29
21 page 5787, at line 395. The question being asked is:
22

23 "I have been asked was it the view of senior Garda
24 management Sergeant Barry had been intransigent or
25 recalcitrant in his approach to the issue of a 11:30
26 transfer."

27

28 Your answer was:

29

1 "I have read the report of Chief Superintendent Dillane
2 and concluded that a reasonable effort had been made to
3 find an alternative to the original suggestion that he
4 move to Glanmire. When that was declined, given it
5 addressed all of the issues in a like with like
6 comparison, the policing duties would have been
7 similar, he was advantaged by his geography, and it was
8 taking away issue of contact with Superintendent
9 Comyns, I felt that was a reasonable effort by Chief
10 Superintendent Dillane."

11:30

11:30

11
12 So, can the tribunal conclude, you saw nothing untoward
13 or improper either in motive or action?

14 A. No, no. In fact, it was from Chief Superintendent
15 Dillane's report that I read that there had been an
16 effort made to accommodate him closer to his residence
17 in a way that he would be in a station comparable to
18 Mitchelstown. And I felt that was a reasonable effort
19 in the circumstances by Chief Superintendent Dillane.

11:31

20 75 Q. Yes. Did you know of any hostility or otherwise
21 directed towards Sergeant Barry either at local level,
22 management level or HQ level which related to this
23 process?

11:31

24 A. Yeah, I can certainly say there was no knowledge on my
25 part as I addressed this issue of anything other than
26 what was revealed by the papers, right. So, it's not
27 as if this was a matter of watercooler conversation or
28 anything of the like; it was just simply the papers
29 told their story. I certainly didn't engage in any

11:31

1 hostility towards Sergeant Barry and I would say none
2 of my staff, to my knowledge, did likewise. I think we
3 dealt with it purely, administratively and properly per
4 the Code.

5 76 Q. I think you confirmed to our investigator that you had 11:32
6 no role in relation to the civil action that you had
7 learned was being taken by Sergeant Barry, is that
8 correct?

9 A. No.

10 77 Q. No role in it? 11:32

11 A. No role.

12 78 Q. From your point of view. And insofar as the provision
13 of a retirement certificate or a rating of his service
14 is concerned, I think that is an administrative process
15 that you had no role in yourself? 11:32

16 A. I had no role in it at all.

17 79 Q. Thank you, Mr. Barrett?

18 A. Thank you, sir.

19

20 END OF EXAMINATION 11:32

21

22 CHAIRMAN: Now, Mr. Costelloe.

23

24 MR. JOHN BARRETT WAS CROSS-EXAMINED BY MR. COSTELLOE,
25 AS FOLLOWS: 11:32

26

27 80 Q. MR. COSTELLOE: Good morning, Mr. Barrett. My name is
28 Shane Costelloe, I am one of the barristers instructed
29 to represent Mr. Barry at this tribunal. I have very

1 few questions to put to you, sir, I am going to
2 predominantly rely on the letter which I understand you
3 wrote to the transfer review body, which is to be found
4 at page 5822 of the materials, it's already been opened
5 to you this morning. And in that you set out a
6 chronology of dates in respect of the effort to
7 transfer Mr. Barry from Mitchelstown to Anglesea Street
8 Garda Station and the various appeals which were
9 brought on foot of that transfer request. Okay?

11:33

10 A. Yes.

11:33

11 81 Q. Before I do that, I think this has to be the case, but
12 I just want to clarify it before I go any further. If
13 we go to the very end of that particular letter or
14 report, depending on how we wish to refer to it, it's
15 page 5831, that's obviously a typographical error, I'd
16 suggest to you, at the end, that it's dated April 2015,
17 it must in fact have been April 2016. I'm sure you
18 will agree with me that that's correct, yes? Thank
19 you. Okay. So, as I understand it a request is made
20 to transfer Mr. Barry, issued by the chief
21 superintendent north Cork, that's Chief Superintendent
22 Dillane on the 5th February and four days later an
23 appeal is made by my client against that transfer,
24 correct?

11:33

25 A. Yes.

11:34

26 82 Q. Okay. And then we have various appeals brought
27 therefrom. Could I just in general terms see if you
28 agree with this proposition: You were supportive of
29 the effort to transfer Mr. Barry from Mitchelstown to

1 Anglesea Street Garda Station?

2 A. That was the decision that I reached at the first level
3 appeal stage, yes.

4 83 Q. Yes. And did that decision, that conclusion that you
5 reached change at any stage in the process of the 11:34
6 various appeals thereafter made by Mr. Barry?

7 A. No. I had no role in any of the appeals thereafter
8 made by Mr. Barry.

9 84 Q. Insofar as you wrote that report to the transfer review
10 board, do you feel that that expresses an opinion or a 11:35
11 position by you with regard to his appeal or, if I
12 phrase it differently, whether or not you still
13 supported his move from Mitchelstown to Anglesea
14 Street?

15 A. Yes. I supported the move and the reasons I think are 11:35
16 as I described to Mr. McGuinness.

17 85 Q. Yes, absolutely, and I understand those to be your
18 reasons. I will ask you about one of them in a moment?

19 A. Sure.

20 86 Q. But again, I'm trying to be concise but equally as fair 11:35
21 as I can be and I don't want to assume anything until I
22 ask you a few questions. So, insofar as you sent that
23 letter in April 2016, it seems to me that we might be
24 able to agree that by this stage Superintendent Comyns
25 had moved to Mayfield. For the record, he told us, he 11:35
26 told the Chairman, I beg your pardon, he told the
27 Chairman that he moved on the - I have it here - it was
28 March, I think 9th March 2015. Yes, 9th March 2015,
29 and he had known about it a day or two previously.

1 You've no reason to doubt that as being correct?

2 A. No, no.

3 87 Q. Okay. So he moved to Mayfield from his district in
4 Fermoy. By the time, therefore, that you sent that
5 letter to the transfer review board, he had long since 11:36
6 moved from the district, isn't that correct?

7 A. That's correct.

8 88 Q. Would you agree also with me that it was apparent from
9 the papers that you had been furnished throughout the
10 course of your dealing with the issue in relation to 11:36
11 Sergeant Barry that underlying all of it, or the
12 foundation for all of it, appeared to be an issue
13 between him and Superintendent Comyns? Now, I am not
14 asking you to comment on the validity of that, but a
15 perceived problem that he had with Superintendent 11:36
16 Comyns?

17 A. That's a central theme, yes.

18 89 Q. Yes. And insofar as, for example, Chief Superintendent
19 Dillane is writing to you, referring to issues of
20 discipline and the inability of Superintendent Comyns 11:37
21 to run his district because of the way in which
22 Sergeant Barry is conducting himself, all of that is
23 material that's brought to your attention, you're aware
24 of it at the time at which you write this letter in
25 April of 2016, isn't that correct? 11:37

26 A. I am.

27 90 Q. Yes. So what I guess, I think you can probably
28 anticipate where I am going, what I want to know is:
29 At the point at which Sergeant Barry has pursued, it

1 looks like, three different appeal processes in respect
2 of this transfer and you're writing a letter
3 maintaining the position that you, as the director of
4 Human Resources and Personal Development, are saying
5 that he should be transferred in April 2016, given that 11:37
6 the source of the issue between the two men was no
7 longer there, why didn't you just say in your letter to
8 the review board, it's done, it's over, it's not
9 necessary to transfer him, anything like that?

10 A. I think the third point that I addressed with 11:37
11 Mr. McGuinness may help illustrate the essence of the
12 answer.

13 91 Q. Do you mean the third point in what you said to the
14 tribunal investigator?

15 A. Yes. 11:38

16 92 Q. If you want to move --

17 A. I think --

18 93 Q. Sorry, you can go ahead with your answer if you want,
19 but if it does help you, that's to be found at page
20 5827 and into page 5828 -- 11:38

21 A. Yes.

22 94 Q. -- I hope, of your interview with --

23 A. Mr. Ryan.

24 95 Q. Yes. First of all let's see I have got the right
25 pages, because it is entirely possible I didn't in 11:38
26 fact. No, I didn't in fact. 5784, thank you. Would
27 you mind going to 5784 please, Mr. Murphy. Yes, thank
28 you. So we have -- in fact, yes, the very bottom of
29 page 5784 has the part of your interview that refers to

1 your rationale and the third of the three is at the
2 bottom of that page and it continues on into the next
3 page. Do you see that there?

4 A. Yes, I have it.

5 96 Q. Does that assist you? 11:39

6 A. It does, it does, thank you.

7 97 Q. Go ahead.

8 A. The point being, a regional headquarters has a
9 substantial number of roles for sergeants.

10 98 Q. Yes. 11:39

11 A. There would be a substantial number of sergeants
12 relative to district offices or sub-offices. And so,
13 in that regional headquarters there is also employee
14 assistance personnel, Morgan Landy was one who was
15 there at the time, he worked exclusively on assisting 11:39
16 people who had difficulties and issues of all sorts.
17 And the opportunity that was being created in a move to
18 Anglesea Street served to address the prospect of doing
19 all of the things that the CMO had proposed, providing
20 a safe working environment, and the support services 11:39
21 that simply would not be available anywhere else.

22 99 Q. Yes.

23 A. And that was irrespective of where Superintendent
24 Comyns was based at any point in time.

25 100 Q. At the point at which you're writing that letter -- no 11:40
26 criticism is being made of you, Mr. Barrett, okay.
27 Just so we are clear?

28 A. Sure.

29 101 Q. You're not being criticised and if that is in any way

1 being inferred by the way I am asking these questions?

2 A. No, no.

3 102 Q. I want to be clear, you're not being criticised?

4 A. No, I fully accept that.

5 103 Q. All right. So at the point at which you were writing 11:40
6 that letter to the transfer review board in April 2016,
7 have you been in contact with chief superintendent
8 North cork?

9 A. I don't think so. Not specifically but in relation to
10 Sergeant Barry at all. 11:40

11 104 Q. Given that it seems from your evidence this morning you
12 were aware that Superintendent Comyns had moved to
13 Mayfield, would it not perhaps have been advantageous
14 to contact or to initiate contact with Chief
15 Superintendent Dillane in order to see whether or not 11:41
16 he still wanted to proceed with the move, with the
17 transfer?

18 A. No, I didn't do that.

19 105 Q. No. And certainly, as far as you can recollect, you
20 received no contact from Chief Superintendent Dillane, 11:41
21 certainly there's nothing in the papers that I have
22 seen before me to suggest that at this stage, as in
23 after Superintendent Comyns has moved, he contacted you
24 to say actually, we'll drop the transfer, we'll leave
25 Paul Barry in Mitchelstown? 11:41

26 A. Yeah, the only letter that I have from Chief
27 Superintendent Dillane is that lengthy letter which
28 sets out the chronology as he was involved.

29 106 Q. Yes. And you have quoted in fact, directly quoted from

1 that --

2 A. Yes.

3 107 Q. -- in that letter to the review board?

4 A. Yes.

5 108 Q. I understood that to be the only correspondence you'd 11:41
6 received from the chief superintendent. It seems to be
7 the case then that regardless of the fact that
8 Superintendent Comyns has moved in March of 2015 to
9 Mayfield Garda station, the position of chief
10 superintendent north Cork remains that he wants the 11:42
11 transfer of Paul Barry to continue, he wants him to go
12 from Mitchelstown into Anglesea Street?

13 A. I had no representations to say otherwise and my
14 decision was based upon the supportive working
15 environment as referenced by the CMO. 11:42

16 109 Q. Yes. I understand that you reference the fact that
17 Anglesea Street, being a larger station, a regional
18 office in fact, a regional headquarters, had perhaps
19 greater facilities to assist Mr. Barry, but can I just
20 suggest that his necessity for assistance was now 11:42
21 obviated by virtue of the fact that the issue was no
22 longer relevant or apparent because the person with
23 whom he had an issue was no longer in his district? Do
24 you understand my point?

25 A. I do, indeed, I understand your point. 11:42

26 110 Q. And in the sense that you make the observation that
27 Anglesea Street is in fact its own district, the simple
28 reality is that in the hierarchy of districts Anglesea
29 Street had not just regional but also divisional --

1 A. Yes.

2 111 Q. -- supervision of Mayfield Garda station?

3 A. That's correct.

4 112 Q. Which is where Superintendent Comyns was now moved to.

5 Thereby clearly creating a situation where 11:43

6 Superintendent Comyns would have to be reporting in to

7 Anglesea Street Garda Station?

8 A. Occasionally, yes, into the chief superintendent.

9 113 Q. So, in fact, if the transfer of Sergeant Barry had

10 continued and he had moved from Mitchelstown into 11:43

11 Anglesea Street, he would then be in a somewhat similar

12 position to the position which had now ceased to be the

13 case but which had predominated in the previous number

14 of years, whereby he was in one Garda station and

15 within the same district the man with whom he had an 11:43

16 issue, Superintendent Comyns, was working out of

17 Fermoy. Do you follow me?

18 A. The division and the district are two different things.

19 Mayfield is a district.

20 114 Q. Did I say division? Did I? I beg your pardon? 11:43

21 CHAIRMAN: However, I understand.

22 A. You got it.

23 115 Q. MR. COSTELLOE: I beg your pardon. It's not the first

24 time I have made that mistake, Mr. Barrett.

25 A. It's understandable. 11:43

26 116 Q. Without getting into districts and divisions, a

27 situation exists where Paul Barry is in Mitchelstown and

28 Superintendent Comyns is in Fermoy. Superintendent

29 Comyns moves, the situation no longer persists.

1 Efforts are being made to move Paul Barry into Anglesea
2 Street, a similar situation will now generate or exist
3 again whereby the two of them are in the same reporting
4 structure, in the same district?

5 A. They're in the same hierarchy. 11:44

6 117 Q. CHAIRMAN: It's not the similar situation.

7 A. Yes.

8 118 Q. CHAIRMAN: It's not the same district.

9 A. Correct, Judge.

10 MR. COSTELLOE: Sorry, Chairman. 11:44

11 119 Q. CHAIRMAN: However the point, as I understand it, the
12 point that Mr. Costelloe is wishing to make is that
13 given that Superintendent Comyns had gone to Mayfield,
14 there is a very limited possibility --

15 A. Yes. 11:45

16 120 Q. CHAIRMAN: -- of interaction between Superintendent
17 Comyns and Sergeant Barry. Never say never, but
18 broadly speaking they're not going to meet.

19 A. Yes.

20 121 Q. CHAIRMAN: However, he says, given that Mayfield is in 11:45
21 the division of Anglesea Street, there exists at least
22 the possibility --

23 A. That's correct.

24 122 Q. CHAIRMAN: -- that Superintendent Comyns will show up
25 at some time at a time when Sergeant Barry is present. 11:45
26 That's essentially the point, if I am understanding
27 what Mr. Costelloe is saying, and why -- so he's at an
28 increased possibility, there's an increased possibility
29 of an encounter between the two of them.

1 A. I accept your point, Judge.

2 123 Q. CHAIRMAN: Sorry, it's not point.

3 A. Mr. Costelloe's point is correct.

4 CHAIRMAN: I am endeavouring to clarify --

5 124 Q. MR. COSTELLOE: It's a more eloquent expression of the 11:46
6 point that I have been struggling to make for the last
7 five minutes, Mr. Barrett. That's what I was trying to
8 get to.

9 A. I am accepting your point, Mr. Costelloe. There is the
10 possibility but it's a very role dependent and it's a 11:46
11 very much limited affair. Counterbalanced in my view
12 and in my judgement at the time, Mr. Costelloe, that
13 the supportive structure that exists within a large
14 entity like a regional headquarters, where there are
15 employee assistants, dedicated personnel, where there 11:46
16 are many roles for sergeants, some of which can be
17 completely office bound and insulated, if you like,
18 from what I would call operational policing activities,
19 opportunity could have been created for Sergeant Barry
20 to rebuild his career and to move on and probably even 11:46
21 greater opportunity to seek promotion and development.

22 125 Q. Well, I will leave it at this, Mr. Barrett, but I
23 suppose all of that is in the context, first of all,
24 of, as you've already agreed with me, the fact that
25 Superintendent Comyns has now moved. 11:47

26 A. Yes.

27 126 Q. But secondly, where it's quite apparent in fact it can
28 only be the case that Mr. Barry, my client, has
29 continued to express a desire to stay at

1 Mitchelstown --

2 A. Absolutely.

3 127 Q. -- to remain at Mitchelstown, where he has written to
4 the assistant commissioner as recently as January 2015
5 and it's referenced in your own letter there, to say he 11:47
6 thinks Mitchelstown is the only place for him, where he
7 feels supported and safe?

8 A. And in my response, Mr. Costelloe, I make it clear that
9 I didn't find that tenable, I think the words I used
10 were "in that regard" -- 11:47
11

12 I will just find what it is that I wrote in response to
13 that. "The second point is, Sergeant Barry maintained
14 that the only safe working environment that he felt
15 available to him was Mitchelstown. I can't agree to 11:48
16 that in circumstances where the regional headquarters,
17 Anglesea Street, had many facilities not available in
18 smaller stations, such as the onsite presence of
19 employee assistance personnel and a large pool of
20 available jobs. " 11:48
21

22 So I was cognisant of that point that he was making,
23 the case that Mitchelstown was the only safe working
24 environment. I couldn't agree with that.

25 128 Q. I will leave it at this, but had you any information to 11:48
26 the effect that Mr. Barry wanted a different job?

27 A. No.

28 129 Q. Okay. Was there anything precluding him from availing
29 of the employee assistance at Anglesea Street by virtue

1 of the fact that he was in Mitchelstown? I mean, I am
2 assuming, but tell me if I have this wrong, that
3 whatever employment assistance personnel are operating
4 out of Anglesea Street, work for all of the gardaí?

5 A. They do. 11:48

6 130 Q. You don't have to be stationed at Anglesea Street to
7 avail of them?

8 A. You are quite correct, it was the advantage of
9 proximity that was my consideration.

10 131 Q. Thank you very much, Mr. Barrett, good morning? 11:49

11 A. Good morning to you, sir.

12

13 END OF EXAMINATION

14

15 CHAIRMAN: Mr. Costelloe, are we clear that you're not 11:49
16 levelling any criticism at Mr. Barrett?

17 MR. COSTELLOE: One hundred percent, yes.

18 MR. DONAL MCGUINNESS: No questions, Chairman.

19 CHAIRMAN: Anybody else? Mr. Harty?

20 MR. HARTY: No questions. 11:49

21 CHAIRMAN: Thank you very much.

22 MS. CALLANAN: Sorry, Chairman.

23 CHAIRMAN: who are you for?

24 MS. CALLANAN: I was just going to tell you, Chairman.
25 Helen Callanan, I appear for Mr. Barrett with 11:49
26 Mr. Byrnes, instructed by Mr. McTiernan.

27 CHAIRMAN: Certainly Ms. Callanan, have you any
28 questions you would like to ask?

29 MS. CALLANAN: Yes, if you wouldn't mind, Chairman.

1 CHAIRMAN: Sorry Ms. Callanan, I foolishly assumed that
2 there was nobody here. I'm sorry, it didn't occur to
3 me.
4 MS. CALLANAN: There was nothing foolish about it,
5 given that you couldn't have seen me behind all of the 11:50
6 screens et cetera and Mr. Costelloe had blocked my full
7 vision.
8 CHAIRMAN: Let's agree that we'll proceed,
9 Ms. Callanan.
10
11 MR. JOHN BARRETT WAS QUESTIONED BY MS. CALLANAN, AS
12 FOLLOWS:
13
14 132 Q. MS. CALLANAN: I just want to ask Mr. Barrett a couple
15 of issues in relation to what was raised by 11:50
16 Mr. Costelloe with him in relation to the appeal.
17 Mr. Barrett, do you know whether you knew that, and
18 apologies if I am getting people's roles wrong,
19 Superintendent Comyns had moved to Mayfield, do you
20 know when you knew that? 11:50
21 A. I don't recall when I knew that, but I knew that it
22 was, first of all, rumoured before it happened and then
23 it happened circa March 2015, Mr. Costelloe has
24 reminded me.
25 133 Q. And then in relation to the points that Mr. Costelloe 11:50
26 has just put to you, saying that in fact there was a
27 greater risk because he was now in -- he would have
28 been in a division with Superintendent Comyns.
29 A. Yes.

1 134 Q. Were those arguments put to you by anybody on behalf of
2 Sergeant Barry at the time?

3 A. No, they were not. They were not put to me by anybody
4 at that point in time, no.

5 135 Q. CHAIRMAN: But it's something would you have been aware 11:51
6 of?

7 A. I would have been aware of the geography, Judge, and
8 the setup of the stations in Cork.

9 136 Q. CHAIRMAN: I mean your assessment is set out in your
10 letter? 11:51

11 A. It is, and I'm a Cork man, so this is a bit more
12 familiar to me.

13 CHAIRMAN: Oh well, that qualifies you especially!
14 okay.

15 137 Q. MS. CALLANAN: And then just again, it's more a matter 11:51
16 of housekeeping, Chairman, at the outset Mr. McGuinness
17 pointed out that any references to the role that
18 Mr. Barrett occupied, where that role is referenced
19 prior to his taking up the position, do not refer to
20 Mr. Barrett. And I have said and my solicitor will 11:51
21 write to the tribunal in relation to that point, there
22 were a number of incidents where Mr. Barrett was
23 referenced in the evidence.

24 CHAIRMAN: In our evidence?

25 MS. CALLANAN: Yes, prior to this. Nothing turns on it 11:52
26 and I don't think there's any controversy.

27 CHAIRMAN: Thank you for making that point,
28 Ms. Callanan. We will make sure, at least we will
29 endeavour to make sure that that's recognised and put

1 right. I understand that, thank you very much.

2 MS. CALLANAN: Mr. Byrnes has very helpfully isolated
3 where that occurs and we will put it in a letter and
4 send it in, because I think it is more helpful to do it
5 that way. But I don't have further questions for
6 Mr. Barrett. Thank you, Chairman.

11:52

7
8 END OF EXAMINATION

9
10 CHAIRMAN: Thank you very much. Thanks very much
11 Ms. Callanan. Thank you very much, Mr. Barrett, and
12 thank you for facilitating us and making the
13 arrangements to come and be interviewed and give
14 evidence.

11:52

15 THE WITNESS: And finally, as I said on the last
16 occasion I appeared before you, Chairman, I would like
17 to particularly thank the investigators, I think their
18 approach to this has been particularly helpful. I have
19 enjoyed it for the last occasions, it wasn't made
20 available to me on the first visit but I really do
21 appreciate it.

11:52

22 CHAIRMAN: well, I am sure Mr. Ryan, who is no relation
23 of mine, but I am sure that Mr. Karl Ryan will take
24 this as an unsolicited testimonial of which he is most
25 grateful. Thank you very much, Mr. Barrett.

11:53

11:53

26
27 THE WITNESS THEN WITHDREW

28
29 CHAIRMAN: Now, Mr. McGuinness.

1 MR. MCGUINNESS: I think Mr. Marrinan has the next
2 witness.
3 CHAIRMAN: Yes, Mr. Marrinan.
4 MR. MARRINAN: The next witness that's listed is
5 Sergeant Jerry Quinn. 11:53
6 CHAIRMAN: Yes.
7 MR. MARRINAN: He's here this morning.
8 CHAIRMAN: He was here this morning, I met him this
9 morning. Come on Sergeant Quinn.
10 MR. MARRINAN: I don't intend to examine him as such. 11:53
11 CHAIRMAN: We will get him sworn in first of all,
12 Mr. Marrinan, and then we'll see where we're going.
13 Good morning again, Sergeant Quinn, as I say, we bumped
14 into each other in the yard this morning.
15 11:53
16 SERGEANT JEREMIAH QUINN HAVING BEEN SWORN, WAS
17 CROSS-EXAMINED BY MR. COSTELLOE, AS FOLLOWS:
18
19 CHAIRMAN: Sit down there, Sergeant Quinn. Now,
20 Mr. Marrinan, you're saying you're not intending to -- 11:54
21 MR. MARRINAN: I don't intend to examine him, his
22 statement is at page 1345 of the material and I have
23 indicated that to Mr. Costelloe. Mr. Costelloe does
24 require him, so I will merely tender him.
25 CHAIRMAN: Very good. So now, Mr. Costelloe, any 11:54
26 questions.
27 138 Q. MR. COSTELLOE: Thank you, Chairman. Good morning,
28 sergeant.
29 A. Mr. Costelloe.

1 139 Q. I act for Paul Barry, I have one or two very short
2 questions to put to you and then I'll be done, okay.
3 The first pertains to a matter that strictly speaking
4 the tribunal isn't concerned with at all, but it raises
5 its head in the context, which will become apparent in 11:54
6 a second, of an allegation that my client makes. So,
7 to perhaps explain that a bit better, you had made a
8 complaint about a case completely -- nothing to do
9 with, completely removed from the circumstances of
10 Mr. Barry, nothing at all whatever to do with him, and 11:55
11 that was a complaint that you had made internally about
12 the way in which that particular case had been
13 conducted?
14 A. That's correct.
15 140 Q. Mr. Barry makes a complaint that he was accused by 11:55
16 Chief Superintendent Dillane of inciting you to revive
17 or resurrect that complaint at a date in, I think,
18 2015?
19 A. That would be incorrect. Sergeant Barry never asked me
20 to make a complaint, never advised me nor passed any 11:55
21 comment on it.
22 141 Q. I am trying to be as careful as I can not to go into
23 the context of that other complaint.
24 A. Yes.
25 142 Q. Because it's got nothing to do with anything really for 11:55
26 the purposes of this, as far as I can see, this
27 tribunal. It's obviously a matter for the Chairman,
28 not for me, but that is the approach I am taking. But
29 insofar as you did resurrect or you did continue

1 subsequently with that complaint, Mr. Barry had nothing
2 to do with that decision?

3 A. Correct.

4 143 Q. Okay. In relation to -- bear with me one second
5 please, sergeant. There was an instance in May of 2015 11:56
6 where my client sought to go -- sorry, April 2013 --
7 May of 2013, I am confusing myself. In any event, May
8 of 2013, my client sought to go on annual leave and an
9 issue arose as to whether or not there was cover
10 available for him as a sergeant at Mitchelstown. He 11:56
11 has stated that you offered yourself as being available
12 to provide some cover for him, do you remember anything
13 to do with that?

14 A. I do. I think Sergeant Dunne and myself said we would
15 cover to facilitate Sergeant Barry's family holiday. 11:57
16 And I think there's a report and that matter was
17 forwarded.

18 144 Q. Yes. And insofar as you said you said that, to whom
19 did you say it, to whom did you communicate that?

20 A. I would have spoken with Sergeant Dunne, who was my 11:57
21 direct boss, he was the IC, and I think we sent a
22 report in writing to the district office to that
23 effect.

24 145 Q. Yes. We have had that opened to the Chairman, I don't
25 propose to ask for it to be opened again. But to the 11:57
26 extent that you were in a position to provide cover,
27 it's set out in that report and your willingness to do
28 so is set out in that report?

29 A. Yes. Sergeant Barry would have been a colleague, we

1 would have shared one office and we would try and
2 facilitate each other with changes in duty or hours if
3 something cropped up. And it was kind of just what
4 another colleague would do for someone else.

5 146 Q. In order to avoid any ambiguity -- sorry, just bear 11:58
6 with me one second please, sergeant, if we go to page,
7 I think it's 160. Could you scroll down a small bit
8 please, for me. We will find in that statement the
9 reference -- keep going, please. Continue down,
10 please, Mr. Murphy. Keep going. After that. There. 11:58
11 Just there at the bottom of that page, sergeant, in
12 your statement to the tribunal you say:
13
14 "I recall Sergeant Barry looking for annual leave and I
15 offered to change tours of duty in an attempt to enable 11:58
16 Sergeant Barry to get annual leave."
17
18 This is what you communicated to the IC?
19 A. Yes.

20 147 Q. To Sergeant Dunne? 11:58
21 A. Yes.

22 148 Q. To your knowledge was that then communicated up the
23 chain, if you will?
24 A. I presume so.

25 149 Q. All right. Thank you very much, Sergeant Quinn. 11:58
26
27 END OF EXAMINATION
28
29 CHAIRMAN: Any questions. No questions? No questions?

1 No questions. Ms. Callinan, no questions?
2 MS. CALLANAN: No questions.
3 CHAIRMAN: It was nice to meet you and have a word
4 about golf and congratulations on your prowess.
5 THE WITNESS: Thank you very much, Chairman. 11:59
6 CHAIRMAN: Thank you very much, Sergeant Quinn.
7
8 THE WITNESS THEN WITHDREW
9
10 MR. McGUI NNESS: Chairman, the next witness is 11:59
11 Dr. Oghuvbu.
12 CHAIRMAN: Thank you very much.
13
14 DR. OGHENOVO OGHUVBU, HAVING BEEN SWORN, WAS
15 DIRECTLY-EXAMINED BY MR. McGUI NNESS, AS FOLLOWS: 11:59
16
17 CHAIRMAN: Good morning again, doctor.
18 THE WITNESS: Good morning, Judge.
19 MR. McGUI NNESS: Chairman, just for the benefit of my
20 colleagues, Dr. Oghuvbu's statement is at page 1480 of 12:00
21 our papers.
22 150 Q. Thank you, doctor. Could you just pull the microphone
23 towards you slightly or sit into it. Thank you very
24 much. I think you're a specialist occupational
25 physician? 12:00
26 A. Yes, I am.
27 151 Q. And you've been employed by An Garda Síochána as such
28 since May 2010?
29 A. Yes.

1 152 Q. And I think you've been the chief medical officer since
2 July 2017?

3 A. Yes.

4 153 Q. And just to clarify, you don't hold any Garda rank
5 within the force as such? 12:00

6 A. No, I don't.

7 154 Q. You're not trained or wishing to be a member of An
8 Garda Síochána?

9 A. No training.

10 155 Q. You've set out your qualifications at paragraph 2 of 12:00
11 the statement and you've got a number of specialist
12 training qualifications, and you have a fellowship at
13 the Faculty of Occupational Medicine, and you're a
14 registered specialist on the Medical Council's register
15 of specialists? 12:01

16 A. Yes I am.

17 156 Q. Inter alia, is that right?

18 A. Yes.

19 157 Q. Now, in connection with Sergeant Barry, I think he was
20 referred to you in the normal way by HRM for 12:01
21 assessment, isn't that correct?

22 A. Yes, he was.

23 158 Q. And that occurred in October 2012. Well, in fact the
24 reference came through slightly earlier from Assistant
25 Commissioner Fanning, isn't that correct? 12:01

26 A. The normal practice would be that the division would
27 have sought, requested a review appointment with the
28 CMO's office and it would be routed through the office
29 of the then commissioner.

1 159 Q. Yes. And just to confirm that, that was Chief
2 Superintendent Dillane's request, if we look at page
3 1495 of the documents, which will come up. And if we
4 just scroll down the page there.

5 A. Yes, that's correct. 12:02

6 160 Q. He had exceeded a number of days absence due to illness
7 and was referred then, the system caught it and
8 referred him automatically up, isn't that correct?

9 A. That would be correct.

10 161 Q. And the documents that would be attached to that would 12:02
11 be all the normal documents?

12 A. Yes, they would be.

13 162 Q. And you've referred to them and provided copies, we
14 don't need to look at all of them. In the second there
15 line it's saying he's suffering from work-related 12:02
16 stress?

17 A. Yes.

18 163 Q. And then it says "However, subsequent medical
19 certificates are reporting member is suffering from
20 medical illness." That was referred to the chief 12:02
21 medical officer at the time, who was Dr. Collins, and
22 referred on to you for assessment?

23 A. If I may just make a correction there? Just as a
24 general rule, just the way An Garda Síochána uses
25 offices, because the CMO is the head of the Garda 12:03
26 Occupational Health Service, the referral is made to
27 the CMO.

28 164 Q. Yes.

29 A. But the occupational physicians in the office had the

1 divisions allocated to them. So even though it comes
2 to the CMO normally, he may not even see the document
3 at all, it's the occupational physician who is managing
4 that division that sees the documents. The CMO may
5 never see the document at all. 12:03

6 165 Q. Yes.

7 A. Yes.

8 166 Q. Now, I think you saw him in your role then on the 11th
9 October?

10 A. Yes. 12:03

11 167 Q. In your offices, in your clinic, as it were. And you
12 had received from his doctor, I think that was
13 Dr. Kiely and noted that he had been certified with a
14 reactive depressive episode being attributed to
15 grievances relating to interpersonal difficulties with 12:04
16 his local senior management?

17 A. Yes.

18 168 Q. I think you found him to have features consistent with
19 mixed anxiety, depression and you deemed him
20 temporarily unfit for work, pending clinical management 12:04
21 and evaluation?

22 A. That would be correct.

23 169 Q. Yes. I think, did you discuss with him at that time
24 the possibility of a referral for assessment with an
25 independent medical adviser? 12:04

26 A. I would have done that as to be normal practice,
27 particularly when it has to do with mental health
28 issues, I would say that, look, this may happen, but it
29 is all dependent on additional medical information that

1 may be provided by the doctors and I would consider
2 those and make a decision as to whether I am going to
3 refer them. So I would not refer them at that
4 particular time.

5 170 Q. Yes. I think he signed consents obviously in that 12:04
6 regard to allow you to seek any such additional medical
7 information?

8 A. Yeah, that would be required for me to communicate with
9 his own doctors. Regardless of the fact that there was
10 a letter from his doctors submitted, I would still 12:05
11 require the consent.

12 171 Q. You would still require the consent even though you had
13 a letter from the doctor?

14 A. Yes.

15 172 Q. Of course. I think you issued as a report, as would be 12:05
16 normal, on the next day then, the 12th October, if we
17 look at page 1513. I think this is in the normal form
18 in the sense that it doesn't include your diagnosis or
19 any details from your detailed consultation notes,
20 which have been available to the tribunal? 12:05

21 A. No.

22 173 Q. And you would expect this to have gone then to Sergeant
23 Barry himself, is that correct?

24 A. In the normal process, this would have gone to his
25 divisional management through the A/C's office again, 12:06
26 and it would go down to the district and the normal
27 process would be that they should make it available to
28 him so that he can have a copy of it. But even if he
29 doesn't get it from the district, he can actually

1 request it from HRM themselves and they will provide it
2 to him.

3 174 Q. Yes. So it goes from you to the A/C HRM, to divisional
4 to district to him?

5 A. Yes. 12:06

6 175 Q. And if he didn't get it, he could request it?

7 A. Yeah.

8 176 Q. And he was the subject-matter of a review then which
9 was intended to take place in January of 2013. I think
10 you received a report from his doctor in advance of 12:06
11 that, if we look at page 1511. I am sorry, I beg your
12 pardon, 1517. 1517. Had you been aware that he had
13 also been referred to and seen by a Dr. Dennehy
14 previously?

15 A. That would have been communicated in the report from 12:07
16 his doctor.

17 177 Q. Pardon?

18 A. That would have been communicated in the report from
19 his doctor.

20 178 Q. In the report from his doctor, yes? 12:07

21 A. Yes.

22 179 Q. And did you receive in addition to this report a report
23 from Dr. Dennehy on the 18th December. If we look at
24 that, page 4783? Just to note, in passing there, from
25 that -- 12:07

26 A. Yes.

27 180 Q. -- Dr. Kiely had said that she felt his current mental
28 health illness had been triggered by work-related
29 events and he's suffering from a work related

1 condition. And I think, did you get this report from
2 Dr. Dennehy then?

3 A. I had sight of that report.

4 181 Q. Pardon?

5 A. I had sight of that report by the time I arranged the 12:08
6 next review appointment.

7 182 Q. And if we just scroll down there. Did you note any
8 particular aspect of Dr. Dennehy's report here?

9 A. There was nothing unusual in it that hadn't come up
10 from a clinical point of view in my earlier 12:08
11 consultation with Mr. Barry. There was nothing unusual
12 in it from my perspective that hadn't come up in my
13 consultation with Sergeant Barry in October, so I
14 wasn't really -- it was just bringing me up to speed in
15 terms of the details from a medical point of view of 12:08
16 what his own doctors had picked up.

17 183 Q. Yes. But in advance of this subsequent reassessment,
18 which I think took place on the 25th January, you
19 attended a case conference relating to him. Could you
20 just explain to the tribunal how that would come about 12:09
21 and whether it was a normal circumstance in this case?

22 A. If you go back to my report, the last, penultimate
23 paragraph of my report in October.

24 184 Q. Yes.

25 A. I had referred to issues that had come up in the 12:09
26 consultation. Now, the original referral said that the
27 absence was work-related stress and then medical
28 illness, and then in the context of the issues that
29 came up at the consultation, I felt that, okay, he was

1 telling me of what his own perception of the
2 difficulties with his line management, and usually in
3 those cases I give the opportunity to have a case
4 conference with line management and HR so we will
5 organise those, we will request those, we will convene 12:09
6 those. And the objective of them to is to explore the
7 issues and to alert local management usually to say,
8 look, this is what the member is asserting, can you,
9 you know, initiate the relevant processes to explore
10 those issues, those concerns that have been raised by 12:10
11 the member and see how you can address them.

12 185 Q. Yes.

13 A. Because they are not for me to address as an
14 occupational physician, they are management issues. So
15 that was the purpose of the case conference; to see how 12:10
16 can you, you know, explore those consents and manage
17 them.

18 186 Q. Yes. The way you had put it at paragraph 4 of that
19 earlier report was that "The service was aware of
20 certain reported workplace related issues that arose 12:10
21 prior to his absence. Garda management advice during
22 this time is as acknowledged, as per paragraph 3 of
23 your of the 8/3. In the circumstances the member
24 should be advised of confidential supports available to
25 garda members and avail of same if required." 12:10

26 A. Yes.

27 187 Q. "Further advice will be offered following review of the
28 file in four to six weeks time."

29 A. Yes.

1 188 Q. But the case conference I think took place on the 22nd
2 January?
3 A. Yes.
4 189 Q. There's a note of that, if we just look at page 1515,
5 which is contained in your papers obviously as well. 12:11
6 So this would be the interaction then of HRM divisional
7 input?
8 A. Yes.
9 190 Q. And Garda occupational health and yourself, isn't that
10 correct? 12:11
11 A. Yes.
12 191 Q. And this is the note then which is prepared by the
13 GOHS?
14 A. Yes.
15 192 Q. Isn't that correct? So it says there: 12:11
16
17 "Member was sanctioned due to being late for start of
18 shift. Member has complaint in against superintendent
19 that initiated sanction. Member was offered transfer
20 to Glanmire - refused. Member seeking IOD 12:12
21 classification for absence. Member seeking medical
22 retirement as well. Member has claimed he will
23 institute legal proceedings for any financial loss he
24 suffers as a result of ongoing circumstances."
25 12:12
26 So, was all that information brought by management, as
27 it were?
28 A. It was brought by management.
29 193 Q. Yes. Had you any prior knowledge that this issue of

1 injury on duty, that is IOD there is short for that,
2 injury on duty?

3 A. Well, I wouldn't have until it comes up from
4 management, because essentially the member has to say
5 that he wants to apply for injury on duty in relation 12:12
6 to an absence. So that's something that comes up from
7 a local management member issue, it's not something
8 that comes to me directly. So if that issue is in the
9 background, it will be flagged by management that there
10 is a request for injury on duty. 12:12

11 194 Q. Yes.

12 A. For the absence to be classified as injury on duty, for
13 the medical absence to be classified as injury on duty
14 or due to injury on duty.

15 195 Q. Yes. We will come back to that. The occupational 12:13
16 health action then in the middle column is just noted,
17 to see you on the 25th January, "may need independent
18 medical adviser assessment"?

19 A. Yes.

20 196 Q. That was presumably your indication of that being a 12:13
21 possibility?

22 A. Yes. And that was taking into consideration the
23 reports that I had received subsequent to the
24 consultation in October.

25 197 Q. Yes. 12:13

26 A. So the report from his GP and the report from his own
27 treating specialist, Dr. Dennehy.

28 198 Q. And then management actions, it's recorded there, in
29 the third column:

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

"Nothing can be done in relation to LOD classification until official investigation complete. A/C wrote to member extending investigation until March 2013."

12:13

Do you remember any particular discussion about that or did you take note of that to any great extent?

A. Not really, because at that point in time if there were -- if management was seeking clarification from me in relation to whether the absence, the medical circumstances could be classed as work related, the causation, causality is really what that is about, and the circumstances would be such that if those circumstances were not there, he would not have developed the medical condition that resulted in his absence, I would not be able to offer any opinion on that until they had completed their investigation. So I wouldn't even have paid much attention to that in the course of my discussions.

12:14

12:14

199 Q. You wouldn't have made much attention --

12:14

A. Yes.

200 Q. -- okay, at that time because of that?

A. Yeah.

201 Q. Obviously part of the original documents that you had been provided included a report from Superintendent Comyns saying that he had triggered HQ 139/10 sort of investigation into work related or attempted to do that?

12:14

A. Yes.

1 202 Q. Did you understand that that was the only investigation
2 or that there was a much wider investigation into
3 complaints that he had made, apart from that?
4 A. The issue of injury on duty and the classification
5 would be the only thing that would be really relevant 12:15
6 to me. I wouldn't be -- the other investigations, if
7 there were any, would not be really particularly
8 relevant.
9 203 Q. Yes.
10 A. As you can see, the extent of our discussion at the 12:15
11 case conference was limited to things that had to do
12 with his medical absence and the medical issues around
13 his absence and nothing else. I didn't really go into
14 any of the other things there.
15 204 Q. Yes. So I mean, perhaps this is something that didn't 12:15
16 arise in your mind at the time, but did you consider
17 that there was an active 139/10 investigation going on,
18 apart from everything else that was happening?
19 A. Well, I was told that an investigation was ongoing and
20 that was all I needed to know, because if they were 12:16
21 going to be seeking clarification on injury on duty, it
22 was important that that investigation was conducted and
23 a finding made available to me to assist me in
24 determination as to whether the absence could be
25 classified from a medical point of view as injury on 12:16
26 duty.
27 205 Q. Yes. And I mean, I suppose sort circuiting to the end,
28 you never got the result of any such investigation
29 communicated to you or a request for a further opinion

1 on that basis?

2 A. I can't recall, unless I look at my reports and see
3 what I am reading, but I can't recall specifically
4 whether I got a report back saying that the
5 investigation had been concluded. 12:17

6 206 Q. Yes.

7 A. And this was the finding.

8 207 Q. Yes.

9 A. I can't recall that.

10 208 Q. We will come to that in due course. In any event, you 12:17
11 saw Mr. Barry again on the 25th, you provided your
12 detailed notes of consultation, which I don't intend to
13 open in any detail, but you did record "A mixed
14 reactive anxiety effective state, associated with
15 significant grievances about certain events reported by 12:17
16 member to have occurred in the workplace". And you
17 record "The member's complaint is subject to official
18 investigation, but was not happy with the progress of
19 same"?

20 A. Yes. 12:17

21 209 Q. That's at page 1526. You furnished a report then to
22 Assistant Commissioner Fanning in the usual way, and
23 perhaps we'd look at that, at page 1527. And you offer
24 the advice as follows, under the five paragraphs set
25 out there. At number 5 at the bottom, just to 12:18
26 conclude, you say:

27

28 "As the member is due review by his treating specialist
29 in early February 2013, it may be that a return to work

1 could be recommended at that time. In that context, a
2 return to work in a safe and supportive workplace
3 environment facilitated by local management is
4 recommended. "

12:18

6 From your consultation with him, did you have anything
7 in particular in mind at that point in time?

8 A. No.

9 210 Q. Had you had any discussion or did Sergeant Barry raise
10 any question with you of perhaps being facilitated in
11 any particular way by local management?

12:18

12 A. I can't recall. I think at that point in time I didn't
13 have enough medical information to know that he was
14 going to go back to work or when he was going to go
15 back to work. I knew that he was going to be seeing
16 his treating specialist and it is my expectation that
17 possibly a return to work would be possible. He would
18 still have to see me for me to provide detailed advice
19 to management based on the medical information that was
20 available. But I didn't have it at that time, so I
21 wouldn't have gone into detail, it was just my way of
22 flagging that there was a possibility of a return to
23 work.

12:19

24 211 Q. Yes. Just on another topic, you do comment on how
25 Sergeant Barry described or attributed a degree of
26 upset to you in the way he has phrased it certainly as
27 upset, being upset. If we could look at page 1482 of
28 your statement. If we go down to paragraph 16 at the
29 bottom. Paragraph 15 concludes by reciting that you

12:19

12:19

1 deemed him "...further unfit pending update from an
2 upcoming review by his treating specialist and he
3 should advise to HRPD by way of report." which we've
4 just seen.

5
6 You then comment:

7
8 "Sergeant Barry gives his account of the consultation
9 for a review with me on the 25th January in a
10 referenced e-mail to assistant commissioner HRM dated 12:20
11 4th February 2013, paragraph 1, exhibit T8: E-mail
12 dated 7th February 2013 from Sergeant Barry to Chief
13 Superintendent Grogan. He describes me as 'upset
14 because both Dr. Kiely and Dr. Dennehy expressed the
15 opinion that my medical condition was work related.' 12:20

16
17 While I cannot recollect the specific details of the
18 consultation other than what is recorded in my
19 consultation notes, I would have reservations about the
20 member's assertion that the opinion of his doctors 12:21
21 about the basis of his absence caused you to be upset."

22
23 You say your notes don't record any communication in
24 that regard. On the next page you go to set out the
25 basis of your ability, or otherwise, to advise on 12:21
26 work-related stress on paragraphs 17 and 18.

27 A. Yes.

28 212 Q. Is that how you understood what he was attributing his
29 interpretation of you being upset about, that you

1 weren't dealing with that issue perhaps as he saw it.
2 You're setting out here how and in what circumstances
3 you can deal with it, is that right?

4 A. Well, I think I was just trying to put a clarification
5 on my approach. When the issue of work related 12:21
6 attributions or assertions had been made, I take on
7 board the assertion that had been made by the
8 individual but that doesn't translated into a
9 definitive position because I did not have sufficient
10 information as to what may or may not be going on. 12:22
11 That is why I tend to use language that says the member
12 asserts, or the individual is asserting, rather than
13 this is. What I think might have happened and, like I
14 said, I can't say beyond what I have written in my
15 notes, was that his doctors were taking a definitive 12:22
16 stance in their communication.

17 213 Q. Yes.

18 A. He took that view that that was the definitive position
19 and I was saying that I couldn't take that position
20 until the investigation by management had been 12:22
21 completed, so that I got a fuller picture of what
22 exactly what was happening before I made a definitive
23 decision.

24 214 Q. Yes.

25 A. So it was just really a fine point between myself and 12:22
26 himself. But it was just the characterisation that I
27 was upset. That I wouldn't be upset by it, I would
28 make my points clear, that I don't agree with that
29 position, but that's really about it.

1 215 Q. I mean, the doctors, his other doctors appear to have
2 laid perhaps some stress on their view that this was
3 all work related --

4 A. Yes.

5 216 Q. -- and therefore could be of assistance in what is a 12:23
6 different issue, a certification of injury on duty?

7 A. Yes.

8 217 Q. It appears that Sergeant Barry had forwarded an e-mail
9 to the commissioner, which you've included in your
10 papers at 1528, if we could just look at that. This is 12:23
11 where he refers to the issue of being upset and this is
12 an earlier e-mail than the one you reference in
13 paragraph 16. But he says there, after that sentence,
14 in the fourth line:

15 12:24

16 "He did not believe that they could do so without first
17 conducting an investigation. Dr. Oghuvbu stated he
18 could not give an opinion on my illness until HRM
19 concluded their investigation. Both Dr. Kiely and
20 Dr. Dennehy as private sector workers are entitled to 12:24
21 express their opinions and Dr. Oghuvbu cannot express
22 an opinion until HRM give it to him. Dr. Oghuvbu did
23 mention a safe working environment and it is to this
24 that I want to ask the following questions.

25 1. Does HRM find it acceptable that I should have to 12:24
26 work with a person against whom I have made an
27 allegation of bullying and criminal behaviour?

28 2. What accepts have HRM taken to provide me with a
29 safe working environment?

1 e-mail until when documents were provided to me and
2 because of -- in relation to the tribunal. I wouldn't
3 have had cause to see that again.

4 220 Q. Yes. In any event, you decided to seek the view of
5 Dr. Tobin? 12:26

6 A. Yes.

7 221 Q. Who is a specialist, he's a consultant psychiatrist?
8 A. Yes.

9 222 Q. Who is often employed to give an independent view on
10 matters relating to mental illness, isn't that correct? 12:26

11 A. Yes, that would be correct.

12 223 Q. And there's nothing unusual in that?
13 A. No, there's not.

14 224 Q. And you had Sergeant Barry's consent for that
15 obviously? 12:26

16 A. I would have. Because I had mentioned it before and I
17 did meet with him prior to the consultation, to say
18 that this is what was going to be happening.

19 225 Q. Yes.

20 A. And this was the nature, yes. 12:26

21 226 Q. But anyway, this was the letter seeking Dr. Tobin's
22 views and you set out the five issues that you wanted
23 him to address there. If we go down to paragraph, you
24 see the -- sorry, we should go to page 1532. The
25 letter to Dr. Tobin, I beg your pardon. You recite the 12:27

26 history, give a summary in the first couple of
27 paragraphs there and then you are looking for his view
28 on a number of different issues there. Obviously you
29 didn't get a reply to it at that point in time because

1 obviously Dr. Tobin hadn't seen him?

2 A. No.

3 227 Q. You arranged the appointment for Sergeant Barry on the
4 same day --

5 A. Yes. 12:28

6 228 Q. -- as meeting with Dr. Tobin, you met with Sergeant
7 Barry beforehand --

8 A. Yes, I did.

9 229 Q. -- and consulted with him and then he consulted with
10 Dr. Tobin, isn't that correct? 12:28

11 A. Yes, he did, correct.

12 230 Q. I think he issued a report to you then on the 11th, I
13 think it's wrongly dated but if we go to page 1534, the
14 report is there. It recites the date of the interview
15 of the 11/3, isn't that correct? 12:28

16 A. That's correct, yeah.

17 231 Q. And you received it then shortly after that, is that
18 correct?

19 A. Yes, I did.

20 232 Q. If we just go down then, he recites the previous 12:28
21 treatments and reviews. There's an assessment of his
22 mood, et cetera there. And then on the next page
23 there's background set out. But his conclusion then is
24 at the bottom of that page. He says:

25 12:29

26 "It appears that Sergeant Barry has developed a mixed
27 anxiety - depressive reaction secondary to the events
28 that occurred at work. The events are to be the
29 subject of formal investigation. In the meantime and

1 he without prejudice to the findings of the inquiry, I
2 would recommend that Sergeant Barry returns to work
3 when a mutually agreed safe supportive working
4 environment is available for him."

12:29

6 You received that and did you give any consideration
7 yourself at that stage to what those mutually agreed,
8 safe, supportive working environment might involve?

9 A. I think I would have issued a report following the
10 receipt of Dr. Tobin's report and I think that would
11 have to a certain degree captured, I hope fully
12 captured my thoughts on how he could be supported in
13 the workplace. I am not sure what that report is --
14 the date for that report now.

12:29

15 233 Q. Well, can I ask you a couple of other questions?

12:30

16 A. Okay.

17 234 Q. Would you have sent or did you send this on to his
18 doctor, Dr. Kiely?

19 A. If I recall, I think I sent her a copy of the -- I'm
20 not sure if I sent her a copy of the report actually.
21 I can't recall correctly. I can't recall whether I
22 did. Sometimes I do, sometimes I don't, I'm not sure I
23 did in this particular circumstance.

12:30

24 235 Q. Yes. In your statement you refer to Dr. Tobin's
25 conclusion at paragraph 25, on page 1484, if we look at
26 page 1484. And then you say at paragraph 26:

12:30

27
28 "I subsequently received a medical certificate of
29 Sergeant Barry's medical practitioner dated 28th March

1 2013, stating Sergeant Barry was medically fit to
2 return to work under certain circumstances. "
3
4 Firstly can I ask you, do you know when you would have
5 received that? 12:31
6 A. I wouldn't be able to say correctly at this point in
7 time. I would have to check the date stamp on the
8 document.
9 236 Q. Yes.
10 A. Yes. 12:31
11 237 Q. The copy that you've provided to the tribunal is at
12 page 1537?
13 A. Yes.
14 238 Q. I don't see a date stamp on it myself but, I don't
15 know... Obviously the evidence is that this was 12:32
16 produced and sent to -- came to the chief
17 superintendent on the 4th April of 2013. So he
18 couldn't have got it before then, I think. But do you
19 recall getting it before you had a conversation with
20 Dr. Kiely a couple of days later? 12:32
21 A. I think I had -- I think -- the conversation with
22 Dr. Kiely would have followed the receipt of this.
23 239 Q. Followed the receipt of that?
24 A. Yes.
25 240 Q. Okay. Perhaps we will just look at her -- she has a 12:32
26 note of -- a short note of a conversation with you, at
27 4773. If we just scroll down the page. You see
28 there's an entry for 05/04/2013?
29 A. Yes.

1 241 Q. "Received phone call from Dr. Oghuvbu, chief medical
2 officer, earlier today."
3

4 Now, just before I go into the next portion of it, the
5 certificate that you had you think you had it when 12:33
6 speaking to her?

7 A. I would have had it when I was speaking to her, yes.

8 242 Q. Did you regard that, as it were, coming within what
9 Dr. Tobin had recommended, a mutually agreed safe,
10 supportive work environment? 12:33

11 A. In my view she was stating -- I mean, as a primary care
12 physician she's his advocate, so she was advocating a
13 position for him.

14 243 Q. Yes.

15 A. It wasn't entirely disagreeable with the position that 12:33
16 Dr. Tobin was -- that a supportive workplace
17 environment was required. I had already said that in
18 my report in October.

19 244 Q. Yes.

20 A. So the whole thing would then come down to exactly what 12:34
21 that supportive workplace environment would be.

22 245 Q. Yes.

23 A. And it would be taking into consideration all the
24 factors and information that was available to us.

25 246 Q. But presumably you must have seen what Dr. Tobin was 12:34
26 recommending, a mutually agreed one, as involving Garda
27 management before it would be put into place?

28 A. Yes, it would be.

29 247 Q. Yes. And I suppose from the face of Dr. Kiely's

1 certificate, and there's no criticism of her or the way
2 it's worded, but you couldn't necessarily infer from
3 that, that that had been agreed with the management?

4 A. No, I think I didn't read it in that way. I just took
5 it that she was expressing her opinion as to how she 12:34
6 felt her patient should be supported.

7 248 Q. Yes.

8 A. My role as occupational physician would be to take all
9 the information and, you know, advise management on
10 how, you know, supportive -- how supportive workplace 12:35
11 accommodations should be in place. But they would
12 require engagement, that's why the word mutual is
13 important, it would require engagement between the
14 member and his management. So it wasn't going to be
15 anything by dictate, whether it was from his doctor or 12:35
16 myself. I wasn't going to dictate; I was going to give
17 parameters within which they could have discussions and
18 arrive at something that was mutually acceptable both
19 from protecting his wellbeing and also from an
20 operational -- maintaining operational integrity, which 12:35
21 is what I always would do.

22 249 Q. Yes. Just looking at the note, obviously it is just a
23 note, but it says:

24

25 "Discussion re patient. Have patient's permission. 12:35
26 Plan to discuss Paul at case conference on Monday.
27 Dr. Oghuvbu states his interest in patient's medical
28 welfare not being involved in any management issues.
29 He has report from Dr. Tobin. He feels management

1 should be able to come to a mutually agreeable
2 situation for a return to work for Paul while the
3 investigation is taking place. He is aware that there
4 are issues relating to work and the work environment."

12:36

6 So it seems -- do you disagree with any of that, for a
7 start?

8 A. No, I don't.

9 250 Q. Okay. Just trying to flesh it out, it would appear
10 that you were obviously alerting her to Dr. Tobin's
11 view, there's a reference to a mutually agreeable
12 situation. She gave evidence yesterday, Dr. Kiely did,
13 that she saw you as essentially taking on board what
14 she had put in her certificate and that you were in
15 essence agreeing with it and not disagreeing with it.
16 Is that a fair and accurate portrayal?

12:36

12:36

17 A. No.

18 251 Q. Or do you want to comment further on that?

19 A. My comments on it would be that what she was saying, I
20 understood where she was coming from but I wasn't
21 endorsing the recommendation she was making. She was,
22 as his primary care physician, you know, trying to look
23 out for him in the best way she could, but I would look
24 at things a bit differently because of my training, in
25 terms of, you know, balancing the tensions that usually
26 exist between maintaining the member's wellbeing and
27 protecting the professional integrity of the
28 organisation. And that would be the way I would
29 approach the advice that I give. So I wouldn't be -- I

12:37

12:37

1 wouldn't say that advice was unusual, I get a lot of
2 that in terms of from individual's doctors.

3 252 Q. Yes.

4 A. But I have to take that as well as other information
5 into consideration in terms of forwarding the advice to 12:37
6 management.

7 253 Q. Yes. And again, that's your position and it's no
8 criticism of her to say --

9 A. No.

10 254 Q. -- look, she didn't have the same responsibilities or 12:38
11 perspective in that way?

12 A. No.

13 255 Q. I mean, you don't think that you said anything to her,
14 or do you, that constituted an endorsement of a report?

15 A. No, I can't recall the specifics of the discussion, but 12:38
16 I wouldn't have said oh yes, I am going to say this to
17 Garda management. That the idea of supportive
18 arrangements is what I was agreeing with, and that is
19 how I was seeing it.

20 256 Q. Yes. 12:38

21 A. And that's the way I was going to approach it. So it
22 was really wasn't about that, I'm going to do or follow
23 what you have prescribed.

24 257 Q. Certainly from the point of view of looking at the
25 principle or the objective to be achieved, you were all 12:38
26 ad idem, Dr. Tobin, yourself and Dr. Kiely, in
27 assessing that supportive, safe arrangements had to be
28 come to?

29 A. Yes.

1 258 Q. Is that a fair way of describing it?

2 A. That would be a fair way of describing it, yes.

3 259 Q. In any event, you had told her you'd hold a case

4 conference or there was one being organised, then you'd

5 held it, again in HQ, on the 8th. Perhaps we will look 12:39

6 at the note from that. Page 1539. Obviously everyone

7 there had the certificate, I take it?

8 A. Yes.

9 260 Q. And from management side it said:

10

11 "Medical certificate from GP - member should not work

12 with superintendent. Recommendations of GP not

13 considered reasonable or practicable by local

14 management."

15

16 Just pausing there. Were you asked to comment on that

17 or did you?

18 A. No, this is not a -- this is -- because at the

19 beginning of the case conference we set out what are

20 the issues we wanted to discuss. 12:39

21 261 Q. Yes.

22 A. So this was just basically management's view of the

23 certificate that they had received.

24 262 Q. Yes.

25 A. Yes. 12:40

26 263 Q. That's really my question, perhaps badly phrased, did

27 you offer your own view of the certificate?

28 A. I don't know. I can't recollect what I say

29 specifically or not about that certificate at that

1 point in time.

2 264 Q. Yes. Okay. It goes on:

3

4 "No medical issue to preclude him from work once

5 'mutually agreed safe working environment' provided." 12:40

6

7 That's a quotation from Dr. Tobin?

8 A. Yes.

9 265 Q. So either management have that or you must have made

10 that clear -- 12:40

11 A. Yes.

12 266 Q. -- as you say you did.

13

14 "As recommended by independent specialist. Member has

15 declined offer work location by divisional chief that 12:40

16 would preclude him from working with the

17 superintendent."

18

19 So, it would appear that management was bringing to the

20 table here, as it were, the fact that they had a work 12:40

21 location that would preclude him from working?

22 A. That would be correct, and it was obvious at the case

23 conference that they were having difficulties because

24 he had declined on the offers. So they were kind of

25 like, how do you we progress it from here? 12:41

26 267 Q. Yes.

27 A. Yeah.

28 268 Q. Can you recall any particular location being mentioned?

29 Because you had earlier, I think, learned that he had

1 declined a transfer, had you?

2 A. Yeah, I couldn't recall. I couldn't recall what area,
3 what location he had declined.

4 269 Q. Under management actions, just if we scroll back up, it
5 says: 12:41
6

7 "Meet with member to put in place suitable
8 arrangements. Inform that GP's recommendations cannot
9 be met on the basis of reasonability and
10 practicability. 12:41
11

12 All communications with member should be in writing.
13

14 In member rejects offers made, follow organisational
15 management procedures to manage the situation." 12:41
16

17 Can you offer any insight into what that meant?

18 A. Well again, because this is really within the
19 management domain, their responsibility was to act on
20 the advices that we had given them. So the advice here 12:42
21 was a safe, supportive environment, they had already
22 communicated to us that they had offered the location
23 to him, which he declined. So they were to go back to
24 him and it would appear, if my recollection is correct,
25 that he -- the recommendations of his GP, he was 12:42
26 insisting that those recommendations be implemented as
27 they were set out by his GP. Management were trying to
28 facilitate, that was my view, by offering a location
29 that would preclude that interaction as described by

1 his GP. So essentially what I was saying was, what we
2 agreed was that, go back with other options, discuss
3 them with him and if there was a rejection of these
4 other options, then whatever management processes,
5 which I wasn't familiar with, they needed to trigger 12:42
6 those to manage the situation. Again, it is not a
7 specific saying do X because I am not in a position to
8 do that.

9 270 Q. Yes.

10 A. But to say that they need to progress that. 12:43

11 271 Q. Yes.

12 A. Because they need to facilitate the member back to
13 work.

14 272 Q. Yes. It then goes on:

15 12:43

16 "Check transfer rules - can member be transferred
17 without applying for same? HRM awaiting a report from
18 OHP - action complete."

19

20 Under the occupational health action, it says: 12:43

21

22 "Make appointment for member if new medical issues
23 emerge."

24 A. Yeah.

25 273 Q. You hadn't yourself, as it were, certified him as fit 12:43
26 to return to work?

27 A. I have to check what this -- by the time we're having
28 this case conference, I need to check if I had done a
29 report, a further report from the --

1 274 Q. Well no, your last one, he was still out of work, as it
2 were, at the time you saw him with Dr. Tobin, earlier
3 in March?

4 A. In March, yes.

5 275 Q. On the 11th March? 12:43

6 A. Yes.

7 276 Q. And you hadn't reassessed him in the interim?

8 A. No, I hadn't.

9 277 Q. As far as I understand it?

10 A. No. 12:44

11 278 Q. Can I just ask you this: In circumstances where you
12 had last, as it were, certified him unfit, and this is
13 a systems question first: Is it a requirement that you
14 would have to and only you would have to certify him as
15 fit to return to work or could his own GP do that and 12:44
16 would that be acceptable?

17 A. His GP can certify him fit to return to work.

18 279 Q. Yes.

19 A. Generally if a member is certified fit to return to
20 work by their doctors and they are not adding any 12:44
21 conditions to it, management usually don't have any
22 difficulty taking them back, whether they have seen the
23 CMO as a follow up appointment or not.

24 280 Q. Yes.

25 A. In this case, the reason why we had the case 12:44
26 conferences was because of the issues that were raised
27 by the return to work certificate that had been
28 received.

29 281 Q. Yes.

1 A. So it was like saying -- it was a bid to try and
2 address and put in place measures, because based on the
3 report I had already received from Dr. Tobin, there was
4 no medical reason that we could say that he couldn't
5 come back to work. 12:45

6 282 Q. Yes.

7 A. We had already -- I already had that based on the
8 assessment of Dr. Tobin.

9 283 Q. Yes.

10 A. And his own GP appeared to have already issued a 12:45
11 certificate saying that he was fit to return to work,
12 only that she had attached conditions to it.

13 284 Q. Yes.

14 A. So, at that point in time, I think there wasn't
15 anything that I was going to be advising in terms of a 12:45
16 return to work other than that I found him fit to be at
17 work. And that was reflected in my subsequent report,
18 I think, on the 9th April or thereabouts.

19 285 Q. Yes. I was just going to come to that, but just
20 sticking with the position at this point in time. Did 12:45
21 you see the conditions as being non-medical conditions
22 or did you see them as an inextricable and indivisible
23 part of the medical certification by Dr. Kiely?

24 A. Sorry, I am not clear about that?

25 286 Q. I mean, just looking at Dr. Kiely's certificate with 12:46
26 the so-called conditions attached?

27 A. Yes.

28 287 Q. Did you see them, those conditions as a non-medical
29 issue or did you see them inextricably bound up as part

1 of the medical certification by the doctor?

2 A. Okay, I will answer it in this way: There are two
3 things, one is that the individual, they have a medical
4 condition, it's being treated, they've responded to the
5 treatment, are they fit to come back to work without 12:46
6 any, you know, consideration of any other factors? So
7 is there any medical consideration that precludes them
8 from coming back to work? In the circumstances, based
9 on all the information that I had at that point in
10 time, the answer was no. Are there issues that may 12:46
11 impact on his wellbeing should he return to work and
12 those issues are present, whether they are physical or
13 psychological? Yes, there were, we had been dealing
14 with this since October. So in other words, whatever
15 advice we are going to be given now will not be about 12:47
16 the return to work, will be about making sure that the
17 environment at work prevented a deterioration or
18 decompensation in his wellbeing. So that is where
19 those issues would come from in terms of work location,
20 supportive workplace arrangements, so that it was 12:47
21 reduced hours or restricted duties, that's where that
22 comes in, because what you are trying to do is to
23 protect wellbeing and support effectiveness.

24 288 Q. Yes.

25 A. But they are two separate issues and I always keep them 12:47
26 separate, because when a condition is treated, the
27 individual becomes fit to return to work. The
28 situation in which they return to work is another issue
29 that you have to address and that's what my advices

1 take into consideration, all the factors at play.

2 289 Q. So it's sort of a regime of working conditions which
3 support the continued fitness --

4 A. Yes, of the individual.

5 290 Q. -- of the employee? 12:48

6 A. Yes.

7 291 Q. And are necessary for that?

8 A. Are necessary, as may be the case, and I would have to
9 kind of look at them and say, okay, are they valid or
10 not and what they are, yes. 12:48

11 292 Q. Yes. Your report then of the 9th April, at 1451,
12 perhaps we will just look at that. You say there in
13 the first substantial paragraph, in the final sentence
14 of it:

15 12:48

16 "In addition, following certain developments since
17 29/3/2013, I have also had sight of a medical
18 certificate for return to work issued by the member's
19 doctor dated 28/3/2013."

20 12:49

21 And then in brackets:

22

23 "04/04/2013. Case conferencing involving HRM Sickness
24 Absence Section, senior local management and this
25 service was undertaken on 8/4 to appropriately progress 12:49
26 the member's return to work in the context of the
27 recommendations of both the IMA and the member's
28 doctor.

29

1 Based on the information currently available to me, I
2 offer opinion and/or recommendations as follows in
3 relation to medical fitness for policing duties:
4

5 1. There are no compelling medical impairments to 12:49
6 debar the member returning to work and policing duties.

7 2. Circumstances which are currently subject of Garda
8 management processes are regarded as plausible
9 stressors for the member at this time and this would
10 impact on the member's sustained wellbeing and 12:49
11 effectiveness. On this basis, facilitation with
12 certain workplace accommodation has been recommended."
13

14 Now, that wasn't, if I am reading it correctly,
15 intended by you to be an explicit endorsement of 12:49
16 Dr. Kiely's certificate?

17 A. Well, at that point in time, what was becoming obvious
18 was that there was a fixed view by the member that
19 working with the superintendent presented a challenge
20 for him and would impact negatively on his wellbeing. 12:50
21 And I will use the analogy of when you identify a
22 hazard, even if it's a perception, so I perceive you as
23 a hazard and I am saying that even though you don't
24 feel you are a hazard but I perceive you as a hazard.

25 293 Q. Yes. 12:50

26 A. And I feel then that under health and safety
27 considerations and the hierarchy of controls that with
28 go with that, you remove the person from the hazard or
29 remove the hazard away from the person. So in that

1 context, my understanding was that, you know, the
2 person who was having difficulty had said, well, I
3 can't work with this person, was Sergeant Barry, and so
4 in that context the whole thing was to find an
5 alternative means where he wouldn't have to work with 12:51
6 Superintendent Comyns, and that would be for local
7 management to determine because I wouldn't be very
8 familiar in terms of the operational structures.

9 294 Q. Yes.

10 A. So that had kind of been understood at this point in 12:51
11 time and the whole thing was going to be about trying
12 to see how they could facilitate that in a reasonable
13 and practical way.

14 295 Q. Paragraph 3 perhaps helps us understand that, because
15 you say: 12:51
16
17 "In the context of providing an agreeable safe and
18 supportive workplace as has been recommended to foster
19 the member's wellbeing and effectiveness (without
20 prejudice to the outcome of the aforesaid processes), 12:51
21 the member should be facilitated with appropriately
22 reasonable and practical temporary workplace
23 accommodations in relation to his place of work."
24

25 May I focus on that phrase "as has been recommended" in 12:51
26 the first line. Were you intending to refer to the
27 recommendations of offering him a safe location other
28 than Mitchelstown or as has been recommended by
29 Dr. Kiely?

1 A. No, I wouldn't have been in into a particular location.

2 296 Q. Yes.

3 A. It was about a place that was mutually agreed as safe.

4 297 Q. Yes.

5 A. Or a system of work that was reasonably agreed as safe. 12:52

6 So it could be a system of work or it could be a place.

7 I wasn't particular about whether it was a place or

8 system of working.

9 298 Q. Yes. But you weren't opting for one or the other of

10 recommendations that had been made either by management 12:52

11 or Dr. Kiely?

12 A. No. Because that would have to form the subject of an

13 engagement between the member and his management and

14 that's why we kept coming back to that phrase "mutually

15 acceptable". That means they are mutually agreeable. 12:52

16 There had to be an engagement, there had to be a

17 discussion.

18 299 Q. All right?

19 A. Yeah.

20 300 Q. Number 4 then: 12:52

21

22 "The member is recommended medically fit for normal

23 policing duties, facilitated with temporary workplace

24 accommodations per point 3 above.

25 12:52

26 5. Should there be any clinical consideration

27 presently undisclosed to the service or new clinical

28 developments following these advices, this service

29 should be notified on a priority basis."

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

I think you didn't see him again after that, is that right?

A. No, I didn't.

301 Q. Now, I think Chief Superintendent Dillane raised a query with you subsequent to this. If we could look at his e-mail to you of the 15th -- of the 9th April. Perhaps I have got the date wrong. If we look at page 393, 394 of our documents, sent on the 12th April. And this is sort of a recitation of his meeting with him later that night. Firstly, have you any view as to whether it was appropriate to tell him of the outcome of the conference straightaway or as soon as possible? 12:53

A. No, I don't have any particular view. I think Sergeant Barry knew there was a case conference happening, so if the chief superintendent, you know, decided to communicate that, okay, look we had a case conference and this is -- I wouldn't have any particular views on that. 12:54

302 Q. Yes. And if we just scroll down there, this obviously expresses his views about the issues and the documents, but at the end of that, it's quite long, it goes on to page 394. Sorry, we should just maybe look at the last line on page 393. He says: 12:54

"I then requested Sergeant Barry to reflect on the situation but he replied that he was not going anywhere. He continued to refer to Dr. Kiely's certificate which that she claimed does not allow him 12:54

1 to work in Fermoy Garda Station or have any contact
2 with Superintendent Comyns.

3
4 I am now requesting clarification of this situation as
5 a matter of urgency."

12:55

6
7 I think that came to you and you reply to that, if we
8 go to the next page, 395. You reply the following
9 Monday morning -- I'm sorry, that is a very poor copy.
10 I made this mistake before, I'm afraid to say.

12:55

11
12 Perhaps, Chairman, we might leave at that and we will
13 come back to that after lunch. I will be some time
14 more with the doctor.

15 CHAIRMAN: Yes, that seems like a very sensible
16 suggestion, Mr. McGuinness. That is very sensible
17 suggestion. Thank you.

12:55

18 THE WITNESS: Thank you, Chairman.

19 CHAIRMAN: If that's all right with you, that's not too
20 inconvenient?

12:55

21 THE WITNESS: No, no, thank you.

22 CHAIRMAN: Thank you very much. So two o'clock.

23
24 THE HEARING THEN ADJOURNED FOR LUNCH AND RESUMED,
25 AS FOLLOWS:

12:56

26
27 CHAIRMAN: Thanks very much, whenever you are ready,
28 doctor.

29 303 Q. MR. MCGUINNESS: Doctor, before lunch I had asked you

1 about the case conference on the 9th April and then the
2 letter you wrote to Assistant Commissioner Fanning, and
3 then I was just about to ask you about your reply to
4 Chief Superintendent Dillane. But before I do that,
5 you had also in the interim sent a letter to Dr. Kiely 14:01
6 about the outcome of the case conference?

7 A. Yeah.

8 304 Q. Could I ask you to look 5673. That's your letter of
9 the 11th April 2013, and it's slightly differently
10 worded that the letter to Assistant Commissioner 14:01
11 Fanning. We will just have a look at that. We'll get
12 the system up and running there. Just bear with us,
13 please, thank you.

14 CHAIRMAN: Thank you very much.

15 305 Q. MR. MCGUINNESS: This is sent to Dr. Kiely on the 11th. 14:02
16 It says:

17

18 "Further to our communication on the 5/4/2013, I have
19 now provided recommendations to Garda management in
20 relation to the above Garda member's medical fitness 14:02
21 for policing duties. I have taken into consideration
22 the report of the independent medical adviser in this
23 case, Dr. John Tobin, consultant psychiatrist and
24 medical certificate issued by you dated 28/3/2015."
25 14:02

26 Then you set out the five matters that we've seen in
27 your letter to Assistant Commissioner Fanning. Again,
28 without being prescriptive or necessarily either
29 agreeing or disagreeing with Dr. Kiely's certificate?

1 A. Yes.

2 306 Q. But I was asking you then about Chief Superintendent
3 Dillane's e-mail to you of the 12th April. If we go to
4 the bottom of page 1553. We've seen how this letter
5 ended after a long récitatif about his meeting and the 14:03
6 difficulties he perceived he had in relation to the
7 position. He was requesting clarification of this
8 matter as a matter of urgency. I think you wrote this
9 reply. You said you're "...not in a position to offer
10 further medical advice in this case, as the medical 14:03
11 issues have been adequately addressed in previous
12 correspondence. Based on the information currently
13 available to me there are no compelling medical issues
14 that preclude the member attending at work and
15 undertaking assigned policing duties in a safe and 14:04
16 supportive workplace environment.

17

18 In relation to the temporary workplace accommodations
19 that were recommended in respect of the location of the
20 member's place of work, the basis of accommodations to 14:04
21 be agreed and facilitated is reasonable and
22 practicable."

23

24 Could I just ask you, could you just perhaps explain
25 what you intended by that short paragraph there? 14:04

26 A. Okay. I think, it may be important to put it in some
27 context here. Because really, by this time what was
28 becoming obvious to everyone and we had all the case
29 conferences and everything that we had looked at, all

1 the information available, was that there was clearly
2 an established difficulty between the member and his
3 superintendent who has oversight of the district, and
4 the question was, with all the processes that were
5 going on, in order to protect his wellbeing in the 14:05
6 workplace and his effectiveness as well as maintain
7 professional integrity, what would be the best thing?
8 And so, the thing was, in terms of a supportive
9 workplace accommodations, it was either a change in the
10 system of work or a change in the location. Now, 14:05
11 Dr. Kiely had said change the location. I don't know
12 whether she said change the location, but he should not
13 work in Fermoy. She was very specific he should not
14 work in Fermoy.

15 307 Q. Yes. 14:05

16 A. So when I was writing this letter, it was on the basis
17 that I had already deemed him fit to be at work and the
18 issues seemed to be a disagreement as to how or what
19 supportive arrangements were going to be mutually
20 acceptable to his management and himself. 14:05

21 308 Q. Yes. You do go on to say in the third paragraph:

22
23 "As the member appears to be refusing to agree with or
24 cooperate with Garda management efforts to progress his
25 return to work in what appears to be fraught 14:05
26 circumstances, I believe that this is issue best
27 addressed by Garda management utilising relevant garda
28 code, garda directives or employment contractual
29 processes. "

1
2 That seems to be leaving open a scope of possible ways
3 to progress the matter. Had you anything more specific
4 in mind under either of those?

5 A. I couldn't tell a more specific thing to do, because if 14:06
6 I said, oh well, move him to X place and that was
7 committed to writing and then there was a difficulty
8 with that or they could agree with that.

9 309 Q. Yes.

10 A. I didn't feel it was a discussion that I should involve 14:06
11 myself in. I felt they had the framework in terms of
12 supportive mutually agreeable, work that out together
13 and find something that would work. And I wasn't
14 really -- there wasn't any medical question for me to
15 answer. 14:06

16 310 Q. Yes.

17 A. The medical question there would be that if you put him
18 in a situation that there was a continuous exposure to
19 perceived or real hazard, then that would be impacting
20 on his health. So it was really about saying, look at 14:07
21 the framework and decide on what is going to work best,
22 I can't tell you, prescribe anything. And I wasn't
23 going to do that and I don't actually do that.

24 311 Q. Yes. Obviously from the point of view of Chief
25 Superintendent Dillane, he was seeking your assistance 14:07
26 insofar as he thought he might be able to get it. But
27 he was also seeking it from HRM. He forwarded you an
28 e-mail slightly later in the month of May that he had
29 sent to HRM. If we could look at the bottom of page

1 1559. I am not going to open the content of his e-mail
2 to HRM, it contains a lot of the material that was sent
3 to you, but a slight bit more detail about management
4 issues. But he says here at the bottom of 1559, if we
5 scroll down, please. He says:

14:07

6
7 "With reference to the above, please see minute below
8 which I sent to HRM on 1st May 2013 for directions and
9 I am still awaiting reply. As the situation is now
10 dragging on and the interest of the running of this
11 organisation, I wish to seek your directions on the
12 following matter. If I direct Sergeant Barry to attend
13 at Fermoy Garda Station and to deal with Superintendent
14 Comyns, will it adversely affect his health? Forwarded
15 for your professional advice, please."

14:08

14:08

16
17 I think that was sent off at 14:19 in the afternoon of
18 the 24th. And you reply very quickly, almost within
19 the hour, if we go to the top there of the page. The
20 first substantive paragraph says:

14:08

21
22 "The member reported and presented to his GP with loss
23 of wellbeing which he associates with certain issues in
24 his workplace, including his workplace interpersonal
25 relationship with his district officer, Superintendent
26 Comyns. Medical recommendations (including from
27 independent specialist medical assessment at the
28 request of this service) have been provided in the
29 context of what is quite a fraught situation. There

14:08

1 are no further advices that I can offer from a medical
2 perspective in this case.

3
4 As I previously advised, the management of the member's
5 return to the workplace and the arrangements to
6 facilitate these are the responsibility of Garda
7 management in the context of workplace accommodations
8 that are reasonable and practicable.

14:09

9
10 In the light of what appears to be an impasse at this
11 time, further relevant processes available to Garda
12 management should be deployed to resolve the matter in
13 a timely and constructive manner that both preserves
14 the member's wellbeing and Garda operational integrity.

14:09

15
16 I have copied the above addresses in the context of
17 previous communications in this matter issued by this
18 service. "

14:09

19
20 So again you are reasserting the line you've explained
21 to the tribunal there?

14:09

22 A. Yes.

23 312 Q. Chief Superintendent Dillane, he came back to you later
24 that afternoon with the a further direct query that he
25 had first asked you to address. If we look at the
26 bottom of page 1566. 1556, I beg your pardon,
27 Mr. Murphy, apologies. 1556. So if we scroll down to
28 the bottom of the page, at 17:05 it says:

14:09

1 "Thank you for your quick response. However, I still
2 seek your professional medical opinion."

3
4 If we just go back up there.

5
6 "Please clarify, if I direct Sergeant Barry to attend
7 Fermoy Garda Station to deal with Superintendent Comyns
8 will it seriously affect his health?"

9
10 And then you replied slightly later, 17:41, if we go to 14:10
11 the top there, it says:

12
13 "My opinion is as indicated in the last sentence at
14 paragraph 2 of my e-mail response to your original
15 enquiry. I have no further opinion from a medical 14:10
16 perspective in this matter."

17
18 And that's the third time you have said that to him?

19 A. Yes.

20 313 Q. It says:

21
22 "In the presence of an identifiable for established
23 stressor (hazard) in the workplace, appropriate
24 hierarchy of control measures would be to either
25 eliminate stressor, remove worker from further exposure 14:11
26 to stressor or modify the worker's exposure to stressor
27 where there are other measure reasonably practicable."

28
29 So that would seem to be a guideline for how they have

1 to deal with it one way or another? I mean eliminating
2 -- let's assume that certainly from Sergeant Barry's
3 point of view Superintendent Comyns was the stressor,
4 so eliminating the stressor would be dealing with
5 Superintendent Comyns in some way to get him out of the 14:11
6 district?

7 A. No, what I said there was that at the end of the day
8 whatever measure was implemented had to be reasonably
9 practicable.

10 314 Q. Yes. 14:11

11 A. There had been lots of discussion back and forth in
12 terms of how to manage this, especially because there
13 seemed to be a difficult agreeing on what was feasible.
14 This is just a general principle in terms of how the
15 hierarchy of control works, is that you remove the 14:12
16 stressor or you remove worker's exposure to the
17 stressor.

18 315 Q. Yes.

19 A. In this circumstance, the member perceived his
20 relationship with Superintendent Comyns as particularly 14:12
21 fraught, to the extent that he felt it impacted -- he
22 believed it impacted on his health. We were saying
23 that in the context of a supportive arrangement, find
24 something that removes the need for that interaction.
25 And that was all we were saying. It wasn't a question 14:12
26 of move Superintendent Comyns. I couldn't direct them
27 to remove the superintendent or anything.

28 316 Q. No.

29 A. It was really about saying, we seem to have a problem

1 here, can we find a solution that removes the
2 requirement for both of them to have or for him to
3 continuously interact with the superintendent. Because
4 by that time I had come to understand that as a
5 sergeant in the district there was always going to be 14:12
6 obligatory interactions between himself and the
7 superintendent. And I think it would be obvious that,
8 you know, they had to kind of look for a way to modify
9 that interaction between the two of them, whatever that
10 way worked out. So this was just giving them a 14:13
11 framework to say, look, this is what the problem is.

12 317 Q. Yes.

13 A. Use this framework to try and sort out the problem.

14 318 Q. Yes.

15 A. That's all I was really saying to them. 14:13

16 319 Q. Obviously you're identifying in principle how it should
17 be dealt with, if possible?

18 A. Yeah, because the hierarchy of controls kind of worked
19 that way.

20 320 Q. The second option there "remove worker from further 14:13
21 exposure to stressor", I know you're not saying that
22 you could or you would, as it were, either decide to or
23 recommend a transfer, but a transfer would have
24 achieved that objective number two, remove the worker
25 from further exposure? 14:13

26 A. It was reasonable to expect that a transfer would have
27 achieved that objective.

28 321 Q. And the third one is again obviously still a matter for
29 management, as to whether that could be done?

1 A. Yeah. And I'll give an example: when you talk about
2 that, you talk about administrative arrangements, it
3 may be that, okay, you locate him a role that does not
4 require him to report directly to Superintendent
5 Comyns. So there are different ways around that. In 14:14
6 some places they would use a roster arrangement, where
7 the two people kind of work at the same time, so they
8 don't have any necessity -- there's no necessity for
9 them to directly interact or communicate with each
10 other. 14:14

11 322 Q. Yes.

12 A. It all depends on, you know, what is reasonable and
13 practicable from an operational point of view. And
14 that would rest, in my opinion, fairly with management.
15 why I kept saying that from a medical perspective I had 14:14
16 no further opinion here, there was no clinical
17 consideration that said to me that Sergeant Barry was
18 unfit for work. What we were having an issue here with
19 was about how best to facilitate him in the workplace,
20 and that was really going to be based on management 14:15
21 taking into consideration all the operational matters
22 they have to consider when making those decisions?

23 323 Q. Yes. Matters don't seem to have been progressed
24 further in relation to a transfer to Fermoy until you
25 were then asked directly by Assistant Commissioner 14:15
26 Fanning to -- he enquired whether there were any
27 medical reasons. And perhaps we will look at his query
28 to you, 1566. It's a letter of Assistant Commissioner
29 Fanning from 1st th March 2014, in which he is now, as

1 it were -- I think you're probably being formally
2 informed of this.

3
4 "Chief superintendent cork north has sought to transfer
5 Sergeant Barry from Mitchelstown garda station to 14:16
6 Fermoy garda station for operational reasons. Sergeant
7 Barry has appealed his transfer to this office.

8
9 I am to enquire are there any medical reasons that I
10 need to consider regarding this transfer and the appeal 14:16
11 the same by Sergeant Barry. If so, should medical
12 confidentiality be waived?"

13
14 I think you reply to that by letter of the 1st April,
15 if we look at 1563. And it's a three-point reply. If 14:16
16 we just look at the letter there.

17
18 "As per mine of 9/4 --"

19
20 which is the previous letter to Assistant Commissioner 14:16
21 Fanning, the previous year.

22
23 " -- following the member's last review at this service
24 on the 11/3, there are no compelling clinical
25 considerations to debar the member undertaking normal 14:16
26 policing duties in the safe and supportive working
27 environment.

28
29 2. The temporary accommodations advised in point 3 of

mine of 9/4/13 were specifically in the context of
subsisting local workplace situation at the time.

3. On the basis that appropriate risk assessment has
determined that the new or proposed station is a safe
and supportive workplace environment, there are no
clinical considerations to debar the member working
there based on the information currently available me."

14:17

And you sent that back to Assistant Commissioner
Fanning. It turned out then that Chief Superintendent
Dillane was in Dublin and went in to the CMO's office
on the 3rd April. That's Dr. Collins himself, as I
understand it. I'm not sure whether you were there,
whether you were in or joined any conversation between
the two of them?

14:17

A. I think I might have been called by Dr. Collins.

324 Q. Pardon?

A. I think I might have been called in by Dr. Collins.

325 Q. Yes. What's your recollection of that meeting?

14:17

A. I can't recall the meeting until I saw documentation on
it.

326 Q. Yes. I mean, I know you do refer in your statement to
him making reference to it, in a later e-mail of 2015,
but he's quoting you essentially as saying that, it is
a health and safety issue for Sergeant Barry if he were
to be sort of sent to Fermoy?

14:18

(phone ringing)

A. Sorry about this.

1 327 Q. Not at all.

2 A. Sorry, Chairman.

3 CHAIRMAN: No problem. Don't worry.

4 328 Q. MR. McGUINNESS: Do you recall saying something along 14:18

5 those lines, that you did consider a move to Fermoy

6 could impact on or raise health and safety issues for

7 Sergeant Barry?

8 A. Again, I think I would approach this from the point of

9 view that we had identified -- the member was

10 presenting a hazard, what he considered a hazard to us, 14:18

11 and whether that hazard was actually a hazard or not

12 was not really the issue, the fact he was presenting

13 something to us that this was a hazard for him. And

14 so, the decision in terms of facilitating him in the

15 context of a supportive workplace would be to take that 14:19

16 into consideration and provide arrangements that would

17 work around that.

18 329 Q. Yes.

19 A. And that was what I had consistently said in the

20 context of, you know, the supportive work arrangements. 14:19

21 It was the fact that he was reporting something as a

22 hazard. Whether anybody else viewed it as a hazard or

23 not was not really the issue. If it was present as a

24 hazard to him, then we had to take that on board, that

25 was his concern, we had to kind of say, okay, how can 14:19

26 we address his concern? That is what supportive means.

27 Mutual in this case would be that we would sit down

28 with him and say okay look, how can we address this

29 concern on the basis that whatever was going to be

1 arrived at was going to have to be something that was
2 reasonable and practicable.

3 330 Q. Yes.

4 A. And I wasn't in a position to be saying do X or do
5 that, it was to give a framework to enable that 14:20
6 discussion to take place.

7 331 Q. Yes. I mean, he perhaps was looking for something more
8 specific, but it certainly wasn't within your purview
9 or scope of expertise to manage the force in that way?

10 A. No, I wouldn't. And even if I had my views about, oh, 14:20
11 do something that we are not -- professionally I
12 wouldn't really kind of do that, because it's not
13 really appropriate.

14 332 Q. Yes. I'm not sure whether you were made aware of it,
15 but Chief Superintendent Dillane at that stage sought 14:20
16 to withdraw the application to transfer him to Fermoy,
17 which appeared not to be accepted by HRM at the time.
18 But Chief Superintendent Dillane subsequently wrote to
19 you later in the year by e-mail, in fact, if I am
20 correct, he wrote on the 5th January 2015. If we look 14:20
21 at page 1568, at the bottom of that. He says there:
22

23 "I wish to make enquiry as to the present status of the
24 attached medical certificate which is still live on
25 Sergeant Barry's file. During the last meeting I had 14:21
26 with you on that matter, which was in Dr. Collins'
27 office, you advised me that after consulting with
28 Sergeant Barry's GP, you were of the belief that if he
29 were to have contact with Superintendent Comyns at

1 Fermoy Garda Station that it may have a detrimental
2 effect on his health. As the certificate was issued on
3 the 28th March 2013, I wish to enquire as to the
4 current status of the medical certificate as Sergeant
5 Barry is continuing not to engage with Superintendent 14:21
6 Comyns in Fermoy Garda Station. Forwarded for your
7 attention, please."

8
9 I think you got that and you replied later in the
10 afternoon, if we just go up the page slightly. And you 14:21
11 say:

12
13 "Chief Superintendent Dillane, I issued a report by
14 return 18th November 2014 to Chief Superintendent
15 Anthony McLoughlin in relation to this matter. He 14:22
16 would be in a better position to update you on the
17 current status of things."

18
19 Can you just help me with this enquiry. Can you
20 recollect what had prompted you to issue that report to 14:22
21 Chief Superintendent McLoughlin at that time, if you
22 can recall?

23 A. I think the chief superintendent had written to me
24 seeking clarification on something again. By this time
25 I hadn't seen Sergeant Barry since April or March 2013. 14:22

26 333 Q. Yes.

27 A. This was in 2014, and this issue seemed to have been
28 going on, all these issues I wasn't even party to any
29 of these issues, neither did I know they were going on

1 until I was getting these letters. So I think I had
2 written to him a letter dated 18th November 2014. And
3 again, from my view, there was no medical -- you know,
4 no additional medical advice that I felt was needed in
5 the situation, that it was really about management 14:23
6 sorting out the supportive workplace arrangement. So I
7 think I just referred to that, because I was a bit
8 taken aback that in 2015 I was getting this query on
9 the certificate that was issued in 2013. And that's
10 why I said, look, I think I provided a response to an 14:23
11 enquiry from the chief superintendent HRM at that time.
12 334 Q. Yes.
13 A. And I asked him to go and follow that up with the chief
14 superintendent.
15 335 Q. Yes. I will come back to that in a moment, but you do 14:23
16 refer in that to the previous case conference, which
17 you had held on the 17th April 2014. Perhaps we should
18 look at that first. That's at page 1574. This was
19 after your earlier reply on the 1st April to Assistant
20 Commissioner Fanning. There was then a case conference 14:24
21 called on the matter on the 17th. Perhaps we will just
22 look at that. On the management side, in the left-hand
23 column it says:
24
25 "Bullying and harassment claims against superintendent - 14:24
26 investigated - none upheld. Member submitted GP
27 certificate saying he cannot work with superintendent.
28 Member to be transferred - appeal against transfer
29 currently being reviewed by A/C HRM. Member has

1 declined transfer office. Superintendent reports that
2 member is undermining him. Member will not engage with
3 superintendent at all - will not attend meetings -
4 report to him - organisational risk. Member having
5 detrimental effect on station and colleagues."

14:25

6
7 Do you recall that being reported to you at the time?

8 A. This was part of the case conference, it wouldn't have
9 been part of a specific report to me. This is at a
10 case conference, again they outline the current status
11 of things or the issues. And that's what this was. It
12 wasn't like it was a big report to me or anything.
13 This is just to kind of give the framework for the
14 discussion at the case conference.

14:25

15 336 Q. It says:

14:25

16
17 "Chief superintendent to meet with member to discuss
18 again transfers (option of Middleton, Mallow and
19 Glanmire).

20
21 Discuss hazard and risk management issues.

14:25

22
23 Three issues:

- 24 1. No bullying and harassment claims upheld.
25 2. Superintendent willing to work with member.
26 3. Member reporting difficulty working with
27 superintendent through doctor.

14:25

28
29 Options:

1 1. Superintendent cannot be moved. No basis to
2 transfer. No complaints against upheld.
3 2. Can offer mediation to resolve member's perceived
4 difficulties with superintendent. LRC will provide
5 service for free, both members must agree. 14:25
6 3. Move member away from superintendent - health and
7 safety issues three points above.
8
9 Member can say yes or no - if member decides to remain
10 in current role, must comply with organisational 14:26
11 procedures and deal with superintendent as any sergeant
12 is obliged to deal with their superintendent."
13
14 Then under your heading:
15
16 "CMO: Fit for work."
17
18 That is obviously subject to the caveats, the
19 qualifications we have been discussing, obviously?
20 A. Yes. 14:26
21 337 Q. But I am wondering then, in relation to the response to
22 Assistant Commissioner Fanning in October, what was
23 the -- can you remember any particular trigger for
24 that?
25 A. The one to Assistant Commissioner Fanning or to Chief 14:26
26 Superintendent McLoughlin.
27 338 Q. Pardon?
28 A. The one to Chief Superintendent McLoughlin.
29 339 Q. Yes. I should say, it's at 1564, if we have a look at

1 that. You think he was just enquiring as to your view
2 on the current status?

3 A. There might have been -- there should be an e-mail he
4 had sent to me that made me write that response.

5 340 Q. Yes. 14:27

6 A. I think I refer to an e-mail of the 15th November. So
7 he had obviously sent an e-mail to me.

8 341 Q. Yes. In any event, you point out you hadn't had cause
9 to review the member's medical fitness since 11/3/13.
10 Your advices of the 9/3/13 refer in that regard. 14:27

11

12 "2. As there has been no new clinical circumstances
13 reported to the service, my previous advice on the
14 member's medical fitness of mine of 9/4/2013 stand.

15 3. Without prejudice to the outcome of any 14:27
16 investigations into the reported workplace
17 interpersonal relationship issues, based on the
18 information available to me it would be appropriate to
19 facilitate the member with a safe and supportive
20 workplace environment that precludes obligatory 14:27
21 interactions between the parties concerned insofar as
22 reasonably practicable.

23 4. There are no clinical considerations known to this
24 service at this time to preclude the member from
25 attending regularly and undertaking normal policing 14:27
26 duties in an appropriate workplace environment in
27 keeping with point 3 above."

28

29 And you say:

1
2 "I hope this clarifies the position of the service."
3

4 Did you see that or did you intend that to be seen as a
5 modification of your view in any respect? 14:28

6 A. No. I wasn't saying anything different to anything I
7 had said before.

8 342 Q. Yes.

9 A. Sorry, I don't know if you can hear me. I wasn't
10 saying anything different to anything I had said 14:28
11 before. One was that he was medically fit for work, in
12 my opinion; there is no new information suggesting that
13 there was new clinical developments, there is no new
14 information suggest new clinical developments to change
15 that opinion. The issue remained that it appeared 14:28
16 that -- I mean, by the time this e-mail was coming in
17 November, a lot of the -- some of the issues that had
18 presented in terms of some of the investigations had
19 been concluded and my understanding of whatever the
20 outcomes were. But the fact that if the member was 14:29
21 still having difficulty in terms of his perceived
22 perception of his relationship with his superintendent,
23 then the same supportive workplace arrangements were
24 still going to be the recommendation.

25 343 Q. Yes. 14:29

26 A. And there wasn't anything to suggest that there had
27 been any conclusion on that. So it was basically going
28 back to them to say that from my medical perspective
29 there was nothing changed in my opinion about his

1 fitness for work.

2 344 Q. Yes.

3 A. But that supportive workplace arrangements should still

4 be taken into consideration.

5 345 Q. So from your point of view, you intended to achieve the 14:29

6 objective as before?

7 A. As before, yes.

8 346 Q. You have seen obviously Sergeant Barry's criticism of

9 this view, which is sort of twofold. One is that it is

10 an amendment of your medical advice and it seems, on 14:29

11 his case, to have been done to facilitate and advance

12 the transfer of him out of Mitchelstown to elsewhere.

13 You've responded to that in your statement and

14 obviously everyone has it, but would you like to either

15 summarise what you said or add anything further. It's 14:30

16 dealt with extensively --

17 A. I am just trying to find which paragraph in my

18 statement that refers to.

19 347 Q. Yes.

20 A. Okay, I think paragraph 46 of my statement. 14:30

21 348 Q. Paragraph 46 onwards.

22 A. Yes.

23 349 Q. It's dealt with there.

24 A. Okay, in paragraph 46 of my statement, I am not sure

25 what page it is on the tribunal's documents. 14:30

26 350 Q. Yes.

27 A. But he suggests, he alleges that I had cause to review

28 my medical fitness, and I give my explanation. I say:

29

1 "At a formal review of Sergeant Barry on the 25th
2 January 2013, I had been of the view that Sergeant
3 Barry was unable at that time to return to work due to
4 medical fitness."

14:31

6 That was January 2013.

8 "Following a further consultation with Sergeant Barry
9 on the 11th March and the receipt of the report of the
10 IMA, independent medical adviser, I had formed the
11 opinion --"

14:31

13 This is in April now, three months later or
14 thereabouts.

14:31

16 " -- that he was medically fit to return to work."

17 351 Q. Yes.

18 A. "My opinion and advices of 9th April 2013 were purely
19 based upon my medical assessment findings and the
20 additional information then available to me, including
21 the report of the independent medical assessment by
22 Dr. Tobin."

14:31

23 352 Q. That's paragraph 47 of your statement?

24 A. Yes.

25 353 Q. Perhaps we will just put the page on screen?

14:31

26 A. Yeah.

27 354 Q. If we go to page 1489.

28 A. Okay. And then in paragraph 48 I say:

1 "I confirm I did not review Sergeant Barry after 11th
2 March 2013. A case conference was held on the 8th
3 April 2013 and I made recommendations to HRPD in May,
4 report dated 9th April 2013. My e-mails to Chief
5 Superintendent Dillane were merely to clarify the 14:32
6 advice/recommendations I had already made. I did not
7 have any further information which was referred to
8 occupational health after 9th April 2013 to cause me to
9 change the opinion I had previously provided on 9th
10 April 2013. 14:32

11
12 My subsequent letters to A/C Fintan Fanning on the 1st
13 April 2014 and to Chief Superintendent Anthony
14 McLoughlin on the 18th November 2014, clearly stated
15 that based on the information available to me the 14:33
16 member remained fit to return to work and recommended
17 that he should be accommodated with safe and supportive
18 workplace environment."

19
20 So in my letter of -- I have moved on to paragraph 50 14:33
21 now. My letter of the 21st March 2014, I was asked in
22 a letter on the 21st March 2014 I was asked by A/C
23 Fanning about the transfer of Sergeant Barry to a new
24 station.

25 14:33
26 And again I refer to my letter in paragraph 51, I think
27 in particular the last part of that letter where I
28 said:
29

1 "On the basis that appropriate risk assessment has
2 determined that a new or proposed station is a safe and
3 supportive workplace environment, there are no clinical
4 considerations to debar the member working there based
5 upon the information currently available to me."

14:33

6
7 So, I think in my view I have been consistent to say
8 that he was fit for work, he should be facilitated with
9 a supportive workplace environment. And if it was made
10 -- if a determination was made that the considerations 14:34
11 for a supportive workplace environment in this
12 instance, that Fermoy ticked that box, it wasn't an
13 issue for me whether he worked in Fermoy, in
14 Mitchelstown, in Glanmire. The most important thing
15 was that wherever he was put to work in, if the 14:34
16 decision was that a relocation was a solution to the
17 problem, then as long as it met those criteria then it
18 was fine. I couldn't say, oh this one was better than
19 the other

20 355 Q. Yes.

14:34

21 A. Yeah.

22 356 Q. You summarise your position at paragraph 56 then, at
23 the bottom of page 1490, if that's fair to say that?

24 A. Yes. And I think I said there that:

25
26 "I strongly refute any assertion that I changed
27 Sergeant Barry's original certificate for a non-medical
28 reason. I did not alter or change any document to
29 facilitate his transfer to another district. I

14:34

1 entirely refute any assertion that my advices might
2 have been in some way provided as a means to enable
3 management achieve a determined end, to facilitate his
4 transfer."

5
6 Again I think it is important to say that I was dealing
7 with the perception of the member and not actually
8 the -- I mean, this was his perception of documentation
9 that I wasn't even aware of at that point in time.

10 357 Q. Yes.

11 A. But I was very clear that, in January I said he was
12 unfit, January 2013, and in April 2013 I said that he
13 was fit to go back to work and that he was fit to go
14 back to work in a supportive workplace environment.

15 And I have held that position consistently through
16 every communication that had been sent to me.

17 358 Q. Yes. You address the points again as they're made in
18 another portion of Sergeant Barry's letter. If we look
19 at page 1491, the middle of the page there. But it's
20 essentially the same issue as I see it, but you may
21 disagree or not.

22 A. Which one are you referring to?

23 359 Q. Well, paragraph 58, for example?

24 A. Okay. And again he makes an assertion, an allegation
25 there, and I just think in that paragraph 59, he says
26 that -- he's saying that I was trying to facilitate HRM
27 and Chief Superintendent Dillane, and I say that:

28
29 "I deny that I sought to accommodate Chief

1 Superintendent Dillane. I did not seek to prescribe to
2 An Garda Síochána management what management specific
3 decision should be implemented to provide a safe and
4 supportive workplace environment to Sergeant Barry.
5 Neither did I advocate a particular solution as to how 14:36
6 he was provided with a safe, supportive workplace
7 environment."

8
9 360 Q. Yes. At the conclusion of your statement, paragraph
10 64, you say that: 14:37

11
12 "I consistently stated that Sergeant Barry should be
13 provided with a safe and supportive workplace
14 environment. Any view which I expressed to Garda
15 management about the fitness of the member to return to 14:37
16 work at any particular time was as an independently
17 formed medical opinion based upon the evidence known to
18 me at that time."

19 A. Yes.

20 361 Q. There's only just one other issue then that I would 14:37
21 like to ask you about. Shortly before Sergeant Barry
22 retired --

23 A. Yes.

24 362 Q. -- he wrote directly to you on the 10th April 2016.
25 It's a letter at 1692. Now, subject to correction, we 14:37
26 have seen in the first case conference there was a
27 reference to injury on duty?

28 A. Yes.

29 363 Q. In 2013?

1 A. Yes.

2 364 Q. And it was the subject of discussion between yourself
3 and Sergeant Barry at the consultation of the 25th
4 January 2013. This appears to be the next reference by
5 him directly to you about that, is that correct? 14:38

6 A. Yes.

7 365 Q. So he says:

8

9 "Wi th reference to the above, I wish to report that
10 having tendered my notice to retire on 19/06/2016, I 14:38
11 have contacted Garda pay section to find that you have
12 still not classifi ed my illness in relation to the
13 above complaint. You stated to me that you could not
14 do until this matter was investigated by Chief
15 Superintendent Catherine Kehoe. This investigation was 14:38
16 completed and a file was submitted to the Director of
17 Public Prosecutions on the 28th August 2015 by Chief
18 Superintendent Kehoe. On the 24th November 2015, Chief
19 Superintendent Catherine Kehoe wrote to me in relation
20 to the DPP's directions and informed me of my 14:38
21 entitlements in accordance with the Victims Charter as
22 she deemed me to be a victim of the actions of
23 Superintendent Comyns. These actions were the cause of
24 my illness and were work related. I assume you are
25 aware of this and yet you have not reclassifi ed my 14:39
26 illness.

27

28 I request that my sick leave from August 2012 until
29 March 2013 be now classifi ed as work related and that

1 my pay and allowances for this period be restored as it
2 is affecting my gratuity and pension. Please treat as
3 urgent and should you have any queries re same you can
4 contact me at [blank]. I attach correspondence from
5 Chief Superintendent Catherine Kehoe dated 8th January 14:39
6 2016, confirming I was the victim of this criminal
7 allegation. "
8

9 Can I ask you a couple of questions about that? Had
10 anyone at all approached you to reclassify his illness 14:39
11 or issue any sort of report which could be used in an
12 11.37 certification?

13 A. When I wrote, I think in November 2015, I think the
14 last communication I would have done was 2015 in
15 relation to Sergeant Barry, I had not received any 14:40
16 further communication about any of the issues that were
17 present and there was no request seeking clarification,
18 or any request seeking clarification on injury on duty
19 or advices on injury on duty. All this, I think it's
20 instructive to see that the first thing, I think it's 14:40
21 the last paragraph, the last sentence of the second
22 paragraph, it is instructive to look, it says "I
23 assume", he assumes I was aware. And that's the reason
24 he wrote to me. I wasn't aware of anything and I
25 didn't know anything about all the issues that he 14:40
26 writes in his letter.

27 366 Q. Okay. You did reply to him obviously?

28 A. Yeah.

29 367 Q. If we look at the reply, page 1690. If we go back two

1 pages. You say:

2
3 "Having considered the information provided in both
4 documents, I offer a response as follows:

5 1. Neither I nor the service were aware of or notified 14:41
6 that the investigation under the reference policy or
7 for any other cause had been initiated. The same would
8 apply to findings and/or conclusions from the
9 investigation.

10 2. This service has no role in the convening of such 14:41
11 investigations, such matters coming under the remit of
12 Garda management/HRM and people development.

13 3. There has been no correspondence between HRPD and
14 this since November 2014, when advice on fitness to
15 work and clarifications thereof were sought by HRPD in 14:41
16 providing a response to this service.

17 4. I am not in a position to know whether the issue of
18 reclassification you have raised has either been
19 brought to the attention of HRPD by your local
20 management or if it is still deemed outstanding by your 14:41
21 local management/HRPD. This is without prejudice to
22 the findings and/or conclusions you reference in your
23 response.

24 5. The issue of reclassification of absence would be a
25 matter for HRPD in conjunction with local management 14:42
26 following consideration of all relevant information."

27
28 You then go on to say:
29

1 "6. I would advise you appropriately progress your
2 concerns with and seek clarifications from your local
3 management HRPD on this matter.

4
5 For reference purposes I have provided a copy of your 14:42
6 minute, excluding the correspondence to HRPD, to
7 facilitate appropriate further action in respect of
8 your concerns.

9
10 I trust the above sets the record straight insofar as 14:42
11 it pertains to the involvement of this service and
12 allows you suitably progress your concerns."

13
14 I think you also wrote to Ms. Monica Carr in that
15 regard, isn't that right? 14:42

16 A. Yes, I did.

17 368 Q. If we look at page 1689. If we just scroll down there.
18 That's a letter I think sent on the same date. You
19 refer to the correspondence and in the third paragraph
20 you say: 14:43

21
22 "It would appear that the member was expecting a
23 reclassification of the period absence referenced in
24 his minute on the basis of the conclusion of the
25 investigation and the correspondence between himself 14:43
26 and Chief Superintendent Kehoe. The issue of
27 reclassification of absence would be a matter for HRPD
28 in conjunction with local management following
29 consideration of all relevant information.

1
2 If it is that the reclassification is an outstanding
3 matter on the basis of the findings and/or conclusions
4 from the investigation, this should be appropriately
5 addressed in a timely fashion and communicated to the 14:43
6 member. If clarifications from this service are deemed
7 as necessary, these should be sought formally in
8 accordance with the usual practise.
9

10 I thank you for your expediting necessary action in the 14:43
11 matter."
12

13 Now, can I ask you this: Presumably you didn't intend
14 to exclude the inclusion of your service should be it
15 necessary to come to a determination that it might be 14:44
16 an injury on duty?

17 A. It's normal practice that the determination as to
18 whether causality is going to be ascribed to an absence
19 lies usually with the chief superintendent, local
20 management and HR. If they need clarification from the 14:44
21 office of the CMO, they write formally to the office of
22 the CMO seeking that opinion.

23 369 Q. Yes.

24 A. And so, basically I was leaving it open to them to make
25 the decision if they wanted to seek that clarification. 14:44
26 Because they hadn't sought the clarification, so I
27 wasn't going to be offering any advice in that regard.

28 370 Q. Yes.

29 A. Because it may not be an issue for them, they may

1 already have made a decision. It's just that I wasn't
2 aware of any decision they might have made or not made
3 about it.

4 371 Q. Yes. You weren't otherwise formally made aware of the
5 outcome of any of the investigations, were you? 14:44

6 A. I wasn't and that would not be unusual.

7 372 Q. Pardon?

8 A. I wasn't and that would not be unusual.

9 373 Q. And I think you had no further involvement with the
10 matter, is that right? 14:45

11 A. I think after that, I don't think there was any further
12 communication to me.

13 374 Q. Okay. Thank you, Dr. Oghuvbu.

14

15 END OF EXAMINATION 14:45

16

17 CHAIRMAN: Thanks. Now, Mr. Costelloe.

18

19 DR. OGHENOVO OGHUVBU WAS CROSS-EXAMINED BY MR.
20 COSTELLOE, AS FOLLOWS: 14:45

21

22 375 Q. MR. COSTELLOE: Good afternoon, doctor.

23 A. Good afternoon.

24 376 Q. My name is Shane Costelloe, I am instructed as one of
25 the barrister to represent Mr. Barry. You will be 14:45
26 happy to know that after that in-depth examination by
27 Mr. McGuinness, I just have one or two questions to put
28 to you. I want to go back to one thing in particular
29 and ask you a couple of days about it, okay?

1 A. Okay.

2 377 Q. In order to hopefully usefully set the scene and to
3 give any assistance that I can to you before I ask
4 questions, I'm going to ask Mr. Murphy to put page 1539
5 up on the screen in front of you. This has already
6 been opened to you. We understand these to be the
7 notes of a case conference that was held on Monday, 8th
8 April 2013, at which you attended along with Garda
9 management. Correct?

10 A. That's correct.

11 378 Q. I think you have already stated to Mr. McGuinness that
12 you recognise this document, you understand the context
13 of it as reflecting what went on at that case
14 conference, is that right?

15 A. That's correct.

16 379 Q. Okay. Now, at this stage you have gotten the report
17 back from Dr. Tobin and you have gotten the medical
18 certificate from Dr. Kiely. Mr. McGuinness asked you
19 this morning in relation to the first column, the
20 comment there about "The recommendations of GP not
21 considered reasonable and practicable by local
22 management". You explained that that was an assertion
23 made by Garda management, not by you, that this was
24 stated by Garda management at the case conference
25 meeting, isn't that correct?

26 A. Yes.

27 380 Q. And you will remember that Mr. McGuinness asked you
28 whether or not you were asked or offered any view in
29 respect of that particular assertion and your response

1 as I understand it was that you don't remember if you
2 did or didn't?

3 A. I can't recall.

4 381 Q. Certainly there doesn't seem to be anything in the note
5 there to suggest that you did, would you agree with me? 14:47

6 A. I can't recall. The only account I have is what's on
7 that.

8 382 Q. Okay. Do you remember the case conference?

9 A. Yes, I had a case conference, yes.

10 383 Q. Do you remember whether or not there was any discussion 14:47
11 around that particular assertion by Garda management
12 that the recommendations of Dr. Kiely were not
13 considered reasonable and practicable? So, if you
14 understand my question, I'm not asking you now if you
15 were asked to provide an opinion, I am asking you if 14:47
16 there was any discussion at the case conference around
17 that?

18 A. I wouldn't recall that. I wouldn't recall that.

19 384 Q. I beg your pardon?

20 A. I wouldn't recall that. I can't recall that. 14:47

21 385 Q. You don't recall?

22 A. Yeah.

23 386 Q. Do you remember whether or not any Garda management
24 offered a view as to why they were of the view that
25 Dr. Kiely's letter or recommendation was not reasonable 14:47
26 and not practicable?

27 A. They may have and I wouldn't be -- it wouldn't be
28 unreasonable to think that they would have said why
29 that recommendation would have been deemed

1 reasonably -- or not reasonable and practicable for
2 them to implement, but I wouldn't recall the specifics
3 of that.

4 387 Q. Fair enough. The conclusion of Dr. Tobin, which is
5 very succinctly, if I you will excuse the tautology, 14:48
6 reflected there in that that column "mutually agreed
7 safe working environment was to be put in place",
8 correct?

9 A. Yes.

10 388 Q. Now, it is apparent, and I am suggesting to you that it 14:48
11 is apparent that Garda management were of the view, as
12 expressed at this case conference, that the only way in
13 which to proceed was by transferring Mr. Barry from
14 Mitchelstown to a station outside the district where
15 Superintendent Comyns worked? 14:48

16 A. It's possible they held that view.

17 389 Q. Well, I mean, if you look at the second column right
18 there, they say that "all communication with member
19 should be in writing - if member rejects offers made",
20 that's clearly a reference to the other column, the 14:49
21 first column, where they talk about offers of a work
22 location by divisional chief that would preclude him
23 from working with the superintendent in question, isn't
24 it?

25 A. Can you scroll to the bottom of it, just so I can see. 14:49

26 390 Q. Yes, Mr. Murphy, would you mind coming down a little
27 bit. You should be able to get more or less all of it
28 on the screen there. Yes. Does that help, doctor?

29 A. Yes.

1 391 Q. okay. So in the second column there's reference there
2 to "if member rejects offers made follow organisational
3 management procedures to manage situation", that can
4 only be a reference to the offer to move him out of the
5 district in which he was then working, isn't that 14:49
6 correct?

7 A. It could be a response to a whole lot of arrangements
8 that they could propose. What they have said at that
9 meeting, which is in the obvious in the minutes there,
10 is that they had already made an offer to him which had 14:50
11 been declined. The advice then was to put forward
12 further arrangements and that sentence there, "if
13 member rejects offers made", is in the context of any
14 other arrangements that they propose to him. And that
15 was all that -- as far as I know, that was all that was 14:50
16 about. So it wasn't about the specific previous
17 location that had been declined, it was about the
18 arrangements that they were going to put in, discuss
19 with him. Because the idea was to engage with him to
20 find what was mutually a supportive workplace 14:50
21 environment.

22 392 Q. Okay. You have been, if I may say and suggest to you,
23 very careful in distinguishing between your role as a
24 medical professional and the role of management in
25 finding a way around the problem. And I understand 14:50
26 that, I understand your evidence all morning and this
27 afternoon. But what I am really you here is: At this
28 case conference was anything other than a transfer out
29 of Mitchelstown discussed, to your recollection, as a

1 viable alternative to what had been put forward by
2 Dr. Kiely?

3 A. I cannot recall the specifics of the discussion in
4 terms of proposals. It was for management to come up
5 with different proposals and discuss them with 14:51
6 Mr. Barry, as we had said, so that they could arrive at
7 a mutually agreed safe, supportive arrangements to
8 facilitate his return to work. Whatever those
9 arrangements were, whatever proposals they were going
10 to consider, that was entirely left to them, it wasn't 14:51
11 for me to kind of speculate on what they were going to
12 discuss.

13 393 Q. Wouldn't it suggest to you, doctor, given that you were
14 at this conference, given that there has been reference
15 to a transfer, but according to these notes, no 14:51
16 reference to anything else, surely you'd remember if
17 somebody suggested something other than a transfer and
18 other than what Dr. Kiely was proposing, or
19 recommending, I should say, recommending not proposing?

20 A. Again, I said I can't recall the specifics of the 14:52
21 discussion. But the main thing I want to say is that,
22 "meet with member to put in place suitable
23 arrangements", that was what was agreed, that other
24 considerations, other than the transfer that had been
25 declined, should be discussed with the member. Whether 14:52
26 it was transfer, whether it was change in work systems
27 that would facilitate the member and allow the member
28 to, you know, feel that he was supported and working in
29 a safe environment, there could be a whole menu of

1 option that could have been put to the member. I can't
2 say specifically ones which were discussed or not. And
3 because they're not recorded there in terms of detail,
4 it may not -- it may have been discussed, it may not
5 have been discussed. I'm not in a position to say that 14:52
6 because I can't recall that. I am just simply guided
7 by what was recorded, that what we said was that they
8 should meet with the member to put in place, you know,
9 arrangements. So that means that there was - what do I
10 call it now? - a latitude of things that could be 14:53
11 discussed with the member in terms of arriving at the
12 goal, which was a mutually agreed safe working
13 environment. That's the goal. At the end of the day,
14 that's the goal. So, there could be a whole load of
15 things that could have been discussed in that context 14:53
16 and I don't know, and I was never party to the
17 discussions between the member and management.

18 394 Q. I am not asking you about that, doctor?
19 A. Yeah.

20 395 Q. I am just simply asking you about the content of the 14:53
21 case conference?
22 A. Okay.

23 396 Q. What I am suggesting to you, doctor, is that given
24 everything that had been gone to date, given your role,
25 given what was being discussed at the case conference, 14:53
26 given the fact that Dr. Tobin had provided his report
27 and given the fact that Dr. Kiely's medical certificate
28 was being discussed at this meeting, you would remember
29 if something other than an alternative to a transfer

1 had been mooted, had been proposed by Garda management
2 at that meeting?

3 A. I wouldn't, I don't recall and I cannot recall
4 something from nine years ago.

5 397 Q. Fair enough. In respect of that case conference, do 14:54
6 you recall whether or not there was any discussion
7 about the fact that a solicitor for Mr. Barry had
8 previously written to Garda management suggesting a
9 work around? Do you know what I mean by that, a
10 compromise, which might alleviate the situation? 14:54

11 A. I do not recall.

12 398 Q. Was there any discussion to your recollection about the
13 fact that it had been proposed that an inspector would
14 be inserted in between Superintendent Comyns and
15 Sergeant Barry, whereby the inspector would take over 14:54
16 the functions that Superintendent Comyns might have
17 had, would supervise, would manage Sergeant Barry,
18 thereby getting rid of the need of Sergeant Barry
19 having to report directly to Superintendent Comyns?

20 A. I wouldn't recall all those details. 14:54

21 399 Q. Again, that's quite a specific proposal, you'd agree
22 with me, I'm sure, wouldn't you?

23 A. It's a consideration, but I wouldn't recall the details
24 of that.

25 400 Q. Yes. Again, I'm not really asking you if you get the 14:55
26 details of it, I'm asking you if you remember if the
27 general gist of that was discussed at the meeting?

28 A. I cannot recollect. If it's not documented, I can't
29 recall whether that specific discussion took place or

1 not.

2 401 Q. okay.

3 A. I just want to make this point: That at the end of the

4 day my view was that management and the member engaged

5 to arrive at a mutually agreeable arrangement. 14:55

6 whatever proposals that management would consider as

7 reasonable and practicable were up to them to propose.

8 I had already made my decision, that he was fit for

9 work in a supportive workplace environment, and it was

10 up to them to kind of sit down with him and explore all 14:55

11 the different options that were available to them. As

12 to the details of them, I didn't expect them to tell me

13 every detail of what they were proposing. They were to

14 look at the framework and say, okay, look, Garda Barry,

15 this is what we were proposing, a transfer, a change in 14:56

16 work system, what you are describing as inserting

17 somebody as a filter, all that was going to be between

18 management and Sergeant Barry and I wouldn't really

19 have to be involved in that.

20 402 Q. I completely understand that answer, doctor. I 14:56

21 completely understand what you are saying. Obviously

22 it's a matter for the Chairman what he takes from that

23 evidence. But in the context of Garda management at

24 the case conference going so far as to say that they

25 thought Dr. Kiely's medical certificate was not 14:56

26 reasonable and not practicable, what I am asking was,

27 did they discuss anything that they thought was

28 reasonable and was practicable other than transferring

29 him. And I understand your answer to be, you don't

1 remember?

2 A. I don't recall and I wouldn't expect them to go into
3 that much detail.

4 403 Q. Yes. Or any detail, it seems?

5 A. I wouldn't expect them to go into that much detail 14:57
6 because it was purely -- it was clearly in their remit
7 to kind of decide what was operationally feasible. In
8 fact, that day they actually -- when that certificate
9 was submitted, they were so uncomfortable with it that
10 they felt that would I talk with Dr. Kiely, was just a 14:57
11 reflection of the fact that it was an unusual type of
12 certificate for them to receive. But other than that,
13 there wasn't any obligation for them to discuss in
14 detail with me what proposals they were going to
15 discuss with him. 14:57

16 404 Q. And then finally, I understand from what you said here
17 this afternoon, since we came back after the luncheon
18 break, that your view was that an agreeable solution, a
19 mutually agreeable solution which would allow for him
20 to be allocated a role that did not require him, by 14:57
21 which I understand you are referring to my client, did
22 not require him to report directly to Superintendent
23 Comyns. That's as I understand your evidence this
24 afternoon?

25 A. I wouldn't -- 14:58

26 CHAIRMAN: well, you're probably the only one in the
27 room who thinks that's his evidence.

28 MR. COSTELLOE: well, I mean, it's on the transcript
29 Chairman, it'll be a matter for submission.

1 CHAIRMAN: Sorry, Mr. Costelloe. You're entitled to
2 put that. I've heard his evidence. The doctor's
3 evidence is on the transcript. But I have to say, that
4 comes as a surprise to me, to say that that's his
5 evidence, or that that's in any way an accurate summary 14:58
6 of his evidence. Because I am not understanding that.
7 I'm not arguing with you, but if you want to suggest
8 that to him, that that is an accurate summary of his
9 evidence, Dr. Oghuvbu can agree with it. But what I am
10 objecting to and what I don't agree with you about is 14:58
11 for to you state as a fact that that is his evidence.
12 I have no problem with you saying, is it your evidence
13 that, but not to preface a question on the factual
14 assumption that that is his evidence, because that's
15 not a factual assumption that certainly strikes me as 14:59
16 being correct. Am I making myself clear on that?
17 MR. COSTELLOE: I understand you entirely, Chairman.
18 I'd respectfully disagree but it's a matter that I will
19 make a submission on the evidence, Chairman.
20 CHAIRMAN: That's all right. 14:59
21 MR. COSTELLOE: I don't propose to --
22 CHAIRMAN: Sorry, Mr. Costelloe, wait now, we're at
23 cross purposes here. My problem with your question is
24 that it is based on a fact and it's based, in my
25 opinion, on an incorrect fact. That may or may not be 14:59
26 right. But I am very happy for you to say, is your
27 evidence A, B and C. I have no problem with that. My
28 problem is, your assumption that his evidence is that,
29 your assertion in the form of a question, as the

1 background to a question, that's my only problem. So,
2 I am perfectly happy for you to ask the question, is
3 your evidence, can your evidence be summarised as, just
4 what you said. Do you understand? I mean, it's not a
5 huge quarrel here. It's a disagreement. I don't agree 15:00
6 with your formulation of it. Now, if you want to say
7 well, fair enough, I'll forget it, well and good, but I
8 am perfectly happy for you to ask the question, ask it
9 in the form of a question.

10 MR. COSTELLOE: Yes, Chairman. I'm not saying for a 15:00
11 moment that I'm forgetting it, I'm just saying that I
12 didn't think there was anything to be gained by
13 challenging what seems to be your recollection of the
14 evidence. But I totally understand your position,
15 Chairman. Doctor, with the Chairman's leave I am going 15:00
16 to rephrase the question so hopefully get around any
17 mistake that I have made or any inaccuracy.

18 CHAIRMAN: Or that I may have made. Thanks very much.

19 405 Q. MR. COSTELLOE: Yes, Chairman. So, I was listening to
20 your evidence as best I could, I was trying to make 15:01
21 notes as best I could and it's quite likely that I have
22 made an error. So what I am going to do is, I am going
23 to go back and put a proposition to you and ask you if
24 I have got that right or got it wrong okay. Is that
25 all right? 15:01

26 A. Okay.

27 406 Q. So, first of all, you were happy to work with the
28 recommendation of Dr. Tobin, that a mutually agreeable
29 solution would be found?

1 A. Yes.

2 407 Q. Now, I understood from your evidence that as far as you
3 were concerned that would encompass a situation where
4 Mr. Barry would not be allocated a role that would
5 require him to report directly to Superintendent 15:01
6 Comyns?

7 A. I will make a correction on that: I wouldn't have said
8 a role that will not allow him report, I said that will
9 not involve obligatory interactions, that's the word
10 that I would have used. 15:01

11 408 Q. Okay. Well, I stand corrected, I have a specific note
12 to say you used the word allocated, I misheard, I beg
13 your pardon?

14 A. I'm not changing the allocated, I am saying that what
15 you said was a role that will not have allowed him to 15:02
16 be -- I think you said directly, I am rephrasing you
17 here, and I'm saying what I would have said was
18 obligatory interactions.

19 409 Q. Thank you very much, doctor.

20 15:02

21 END OF EXAMINATION

22

23 CHAIRMAN: I'm thinking, Mr. Costelloe, that you were
24 right. I'm thinking that you were correct on that.

25 MR. COSTELLOE: It happens every so often. 15:02

26 CHAIRMAN: I think my recollection of that, I have just
27 been trying to check back and I think subject to a word
28 or two here or there, I think you were correct.

29 MR. COSTELLOE: Thank you.

1 CHAIRMAN: Just to make that clear, Mr. Costelloe. And
2 thank you for clarifying the matter by a question in
3 the form you did.
4 MR. COSTELLOE: I am very grateful.
5 CHAIRMAN: I think that your assumption, the way you 15:02
6 phrased it and the assumption that you did, as I say,
7 subject to a change of one or two non-essential words,
8 I think what you said was correct. So forgive me for
9 my interruption.
10 MR. COSTELLOE: May it please you, Chairman. 15:03
11 CHAIRMAN: Okay. Now, who are we going to? Yes,
12 Mr. Fitzgerald.
13
14 DR. OGHENOVO OGHUVBU WAS CROSS-EXAMINED BY
15 MR. FITZGERALD, AS FOLLOWS:
16
17 410 Q. MR. FITZGERALD: John Fitzgerald on behalf of the Garda
18 Commissioner. On that, I should say my note is in
19 agreement with Mr. Costelloe's as to what the witness
20 said in the first instance. As I understood it, to put 15:03
21 that remark in context, in terms of there had been a
22 suggestion that the only alternative or the only
23 solution being considered was a transfer, I understood
24 that it was in that context that you said if Mr. Barry
25 could be allocated a role that didn't involve 15:03
26 obligatory interactions or reporting directly to
27 Superintendent Comyns, that would have been feasible or
28 acceptable to you?
29 A. I would have used obligatory interactions reporting, I

1 wouldn't really have used -- I would have said
2 appropriate interactions. I think that is the word I
3 would use and I think it is in the worlds I used in
4 documents that I -- in my correspondence with
5 management. 15:04

6 411 Q. I suppose the point I am getting at is whether the
7 phrase used is obligatory interactions or reporting
8 directly, really the importance of it is, that it's not
9 the case that the only alternative or the only solution
10 being considered was a transfer, is that correct? 15:04

11 A. That would be correct, yes.

12 412 Q. Thank you. I have no further questions.

13

14 END OF EXAMINATION

15 15:04

16 CHAIRMAN: Thanks very much. So who else?

17 MR. HARTY: No questions.

18 CHAIRMAN: Thank you very much. Very good.

19 Mr. McGuinness?

20 MR. McGUI NNESS: No further questions. 15:04

21 CHAIRMAN: Thank you very much. Thank you very much,
22 Dr. Oghuvbu. Thank you for coming and assisting us
23 with your evidence.

24 THE WITNESS: Thank you, Chairman.

25 CHAIRMAN: Thanks very much. 15:04

26

27 THE WITNESS WITHDREW

28

29 MR. McGUI NNESS: Chairman, I am proposing to recall

1 Mr. Barry briefly.

2 CHAIRMAN: Just before we do. Mr. Costelloe, I'm sorry

3 for getting that wrong. I can usually rely on my

4 memory and I am sorry for getting that wrong.

5 MR. COSTELLOE: Absolutely not a problem but thank you 15:05

6 for saying so, Chairman. May it please you.

7 CHAIRMAN: Now, Mr. Barry, thanks very much.

8

9 MR. PAUL BARRY, PREVIOUSLY SWORN, WAS DIRECTLY-EXAMINED

10 BY MR. MCGUINNESS AS FOLLOWS: 15:05

11

12 413 Q. MR. MCGUINNESS: Mr. Barry, good afternoon?

13 A. Good afternoon, Mr. McGuinness.

14 414 Q. Just sequentially a couple of matters, I hope to be

15 done within five minutes even. Just on the return to 15:05

16 work at the end of March of 2013, it was put to

17 Inspector O'Sullivan that he would have known that you

18 were back at work. I would just ask you to comment on

19 that. How would Inspector O'Sullivan have known that

20 you were coming back to work on the night of the 29th? 15:05

21 A. I don't expect that he knew I was coming -- he didn't

22 know I was coming back on the 29th, nobody did. It's

23 just the fact that I worked the 29th, I expect someone

24 would have told him that I worked.

25 415 Q. Yes. But he was there on the 29th? 15:06

26 A. Yes, that's correct. But I don't know why he was there

27 when he was there. Like, I started at half eight, my

28 shift would be 9pm, and that was the time that he

29 turned up. So I presume someone informed him between

1 half eight and nine.

2 416 Q. It's a presumption on your behalf, is it?

3 A. On my behalf, yes, because I couldn't explain him

4 turning up otherwise.

5 417 Q. Okay, and you have heard his evidence on the matter. 15:06

6 Just one other matter on that, you heard Dr. Kiely's

7 evidence yesterday. She said she didn't cross out the

8 date on the original certificate that was given to you.

9 Is it possible that you could have crossed it out then?

10 A. No, I didn't cross it out. 15:07

11 418 Q. Thirdly then, the tribunal asked your solicitors for a

12 copy of your PIAB application and we received it very

13 promptly indeed and thank you very much for them. But

14 could I just ask you a question about that, because we

15 got it just soon after you had given your evidence 15:07

16 originally. If we could look at page 5757. This is a

17 form which appears to have been signed by you, you may

18 or may not recall that, having signed it?

19 A. No, but when I see it I'll accept it, yeah.

20 419 Q. If we scroll down. That's the first page. And if we 15:07

21 go down to the next page, it's a three-page document, I

22 think. Mr. Murphy, thank you. There's a description

23 then of what is alleged to have occurred. And then on

24 the next page, if you go down to the bottom there.

25 Perhaps there's a fourth page, I'm sorry. Next page. 15:08

26 Thank you. That appears to have been signed by you on

27 the 23rd or it certainly has that date on it?

28 A. That's correct, July '14.

29 420 Q. That's your signature obviously. Now, we know from

1 Dr. Kiely's notes that in fact Dr. Dennehy's report,
2 which is dated 31st July, and we looked at that
3 earlier, but on the previous page back up, if we scroll
4 back a whole page, you seem to have made a comment in
5 relation to the report. You probably have had a chance 15:09
6 to review this in the last few days. You had
7 originally phoned your doctor, Dr. Kiely to see if they
8 could provide an emergency medical report and then
9 Dr. Dennehy was able to provide one while he was on his
10 holidays, according to the note. 15:09

11 A. That's correct.

12 421 Q. If we just go back up another inch. Stop. Stop. Back
13 down, please. Sorry, Mr. Murphy. In bold it says:
14
15 "You are inquired to submit a medical report from your 15:09
16 treating doctor with your application. Are you
17 satisfied that the medical report you are attaching
18 adequately describes your injury."
19
20 You've ticked the box no, is that right? Did you tick 15:09
21 that box?

22 A. I did, yes.

23 422 Q. Then it is typed in "Dr. Dennehy incorrectly records
24 that I am hoping for a transfer. However, in fact I am
25 seeking to resist a transfer but I am hoping that 15:09
26 Superintendent Comyns avails of a transfer or a change
27 which will remove the necessity to work directly with
28 him."
29 A. That's correct.

1 423 Q. Does that reflect your state of mind in July 2014?

2 A. Yes, when I saw Dr. Dennehy's notes, it appeared to me

3 that he was saying that I was hopeful to get

4 transferred, and that was not my conversation that I

5 had with him. I had told him that I had appealed the 15:10

6 transfer to Fermoy at that time.

7 424 Q. Yes.

8 A. It was under appeal at this stage.

9 425 Q. Yes.

10 A. And that I was hopeful of transfer Mallow. But it 15:10

11 wasn't that I was hopeful to be transferred -- if the

12 transfer to Fermoy was unsuccessful, then I expected

13 Mallow to be the next one and that would be at public

14 expense, I expected it. So that's what I was referring

15 to. 15:10

16 426 Q. You see, you just included in your answer there, saying

17 inter alia, that you were hopeful of a transfer to

18 Mallow?

19 A. Yes, but he didn't refer to any station. He just left

20 it blank that I was hopeful of a transfer. Whereas I 15:11

21 had actually appealed the transfer to Fermoy at the

22 time, it was still under appeal.

23 427 Q. I understand that?

24 A. So I wasn't hopeful.

25 428 Q. He recorded that earlier in his report, isn't that 15:11

26 correct?

27 A. That's correct.

28 429 Q. That it was under appeal?

29 A. Yeah.

1 430 Q. Were you hopeful of a transfer to Mallow, or is this --
2 should we read this as saying you were hoping for a
3 transfer to Mallow?
4 A. No, what I was saying was, if the transfer to Fermoy
5 wasn't successful I'm happy to stay in Mitchelstown, 15:11
6 but if there was another attempt to transfer me, then
7 hopefully it would be Mallow because that would be
8 acceptable.
9 431 Q. And my question from your answer two questions ago is,
10 are you telling the tribunal that you did tell 15:11
11 Dr. Dennehy that you were hopeful of a transfer to
12 Mallow?
13 A. I would explain to him at the time that I would appeal
14 the transfer to Fermoy and that if they back with a
15 transfer to Mallow, then that would be acceptable to 15:12
16 me, and I believe that's what he was saying, without
17 referring to the station. But somebody who didn't know
18 the conversation could think that I was hopeful of a
19 transfer full stop, which I wasn't. I didn't want to
20 be transferred. 15:12
21 432 Q. So he's only incorrect insofar as he has not recorded
22 in his report that you were hopeful of a transfer to
23 Mallow, is that right?
24 A. And that if the transfer to Fermoy wasn't successful,
25 if there was no more transfer, I would have been happy. 15:12
26 In the event that I'd have to be transferred, then
27 Mallow would have been acceptable.
28 433 Q. Now, one other document that's come to our attention,
29 and perhaps should have got it earlier, but

1 Superintendent Comyns refers to it in his statement,
2 but it was your letter of the 22nd January 2015. I
3 think you were able to provide us with a copy of that
4 when requested, isn't that correct?

5 A. That's correct. 15:13

6 434 Q. Could we look at that, at page 5898. This is an
7 unsigned copy, presumably the original was signed by
8 you and sent to the chief superintendent?

9 A. Through the sergeant in charge.

10 435 Q. Yes. He does refer to it obviously in his subsequent 15:13
11 letter to HRM. You say there in the middle:

12

13 "I have been stationed in Mitchelstown garda station
14 for the past 15 years and I consider it to be the only
15 safe and supportive working environment for me to work 15:13
16 in and accordingly I do not wish to apply for a
17 transfer. Chief Superintendent Dillane seems to have
18 forgotten that it was Superintendent Comyns who refused
19 mediation by Labour relations Commission as recommended
20 by HRM to resolve interpersonal relationships. 15:14
21

22 Forwarded for your information, please."

23

24 It was sent on by Sergeant Dunne through the
25 superintendent for Chief Superintendent Dillane, if we 15:14
26 look at the bottom of that. But I am just wondering,
27 does that not perhaps reflect your position throughout,
28 that you weren't going to leave Mitchelstown, as it
29 were, no matter what?

1 A. No, I did not want to be transferred, full stop. But
2 if there was to be a transfer, I'd be happy to go at
3 public expense, but not to any station where I had my
4 relations or where Superintendent Comyns or anyone
5 involved in the sexual abuse case were stationed.

15:14

6 436 Q. Okay. Thank you very much, Mr. Barry.

7 A. Thank you, Mr. McGuinness.

8

9 END OF EXAMINATION

10

15:14

11 CHAIRMAN: Thank you. Just stay there for a moment,
12 Mr. Barry. Now does anybody want to ask anything
13 arising out of that? I suppose, Mr. Murphy, you should
14 go first and we'll come around again to Mr. Costelloe
15 then, isn't that the best way to do it?

15:15

16 MR. MURPHY: Yes, Chairman, thank you.

17 MR. HARTY: Chairman, I have one or two questions as
18 well.

19 CHAIRMAN: Thank you very much. Thanks, Mr. Harty.

20

15:15

21 MR. PAUL BARRY WAS CROSS-EXAMINED BY MR. MURPHY, AS
22 FOLLOWS:

23

24 437 Q. MR. MURPHY: Mr. Barry, I wonder if you could be shown
25 document 5760, please. And I wonder please, registrar,
26 could scroll down to the end of that page. Thank you.
27 So, Mr. Barry, I think looking at this document, this
28 was an important document, you agree?

15:15

29 A. Yes.

1 438 Q. It was important, I think you would agree, in relation
2 to your claim for damages which you were seeking to
3 institute by communicating through PIAB?
4 A. That's correct.
5 439 Q. And I think that you would have been aware of the fact, 15:15
6 were you not, that filling out this form was something
7 that was very important from PIAB's point of view?
8 A. That's correct.
9 440 Q. And in fact, the importance, I think you'll agree with
10 me, can be seen where your signature is contained at 15:15
11 the end of the page, and just above that, do you see
12 the words which are contained in the form which you've
13 signed and those words say:
14
15 "I hereby declare that the above information is to the 15:16
16 best of my knowledge true and accurate in every
17 respect."
18
19 Do you see those words?
20 A. That's correct. 15:16
21 441 Q. Did you understand therefore at that time that you were
22 signing was a representation to PIAB and thereafter to
23 the insurers, who are referred to in the next
24 paragraph, and thereafter to the High Court, that what
25 you were saying in your document was true and accurate 15:16
26 in every respect?
27 A. That's correct.
28 442 Q. So turning back then to page 5759, please. Can I draw
29 your attention to the question in the middle of the

1 page, which reads:

2
3 "You are required to submit a medical report from your
4 treating doctor with your application. Are you
5 satisfied that the medical report you are attaching 15:17
6 adequately describes your injury?"

7
8 And you have ticked the box marked no. Is that
9 correct?

10 A. That's correct. 15:17

11 443 Q. And then it goes on to say:

12
13 "If no, please provide further information in the box
14 below."

15 15:17
16 Is that correct?

17 A. That's correct.

18 444 Q. And then the phrase that you use is, and these are your
19 words I think, Mr. Barry:

20 15:17
21 "Dr. Dennehy incorrectly records that I am hoping for a
22 transfer. However, in fact I am seeking to resist a
23 transfer but I am hoping that Superintendent Comyns
24 avails of a transfer or change which will remove the
25 necessity to work directly with him." 15:17

26
27 So, I have to suggest to you that that there are in
28 fact two important messages that you wanted PIAB to
29 aware of. First, that in your view Dr. Dennehy was

1 incorrect because in fact you were seeking to resist a
2 transfer, wasn't that the first message?

3 A. Yes, the transfer was under appeal at the time.

4 445 Q. And secondly, that you wanted PIAB to understand that
5 you were hoping to Superintendent Comyns would avail of 15:18
6 a transfer or a change which would remove the necessity
7 to work directly with him, namely that Superintendent
8 Comyns would go from the area in Mitchelstown where you
9 were working?

10 A. No, I didn't say that he would go, I am saying that I 15:18
11 was hoping that he would avail of a transfer.

12 446 Q. Well, you see, I have to suggest to you that if you go
13 back, for example, to document 5126, please, can I just
14 draw your attention to the second paragraph, the one
15 that begins "he has previous history of PTSD", if I ask 15:18
16 you, Mr. Barry, to look to the middle of that
17 paragraph. Do you see the phrase, "He", that's you "is
18 hoping to obtain a transfer and hopefully working with
19 different personnel will enable matters to improve and
20 his stress levels to recede, which should allow further 15:19
21 improvement in his depressive symptoms", do you see
22 that?

23 A. That's correct.

24 447 Q. So, would you agree with me that Dr. Dennehy was
25 expressing his view about the transfer as something 15:19
26 which, if it effective, would improve your position and
27 allow your stress levels to recede and would allow you
28 further improvement in your depressive symptoms?

29 A. That was in the event that I would be transferred to

1 Mallow, yes.

2 448 Q. So can we simplify it by saying that you agree with me
3 that Dr. Dennehy indicated that he thought that a
4 transfer would be good for you?

5 A. Not any transfer, because it wasn't just any transfer 15:19
6 would have been good to me.

7 449 Q. In terms of how he expresses himself, it says "a
8 transfer which hopefully working with different
9 personnel will enable matters to improve." So I have
10 to suggest to you that he is clearly referring to a 15:19
11 transfer in general, isn't that right?

12 A. But I had indicated to him that Mallow would have been
13 the only one I would accept.

14 450 Q. Can you explain to the Chairman then why you made no
15 reference to Mallow in your correction of Dr. Dennehy 15:20
16 in this very important document which you are putting
17 before them, and where you are saying that ultimately
18 your doctor was wrong?

19 A. I'm not saying he's wrong, I am saying that he could be
20 interpreted as thinking that I was hoping for a 15:20
21 transfer, which I wasn't. I had appealed that transfer
22 at that time.

23 451 Q. Mr. Barry, just again to be fair to you in these
24 circumstances, I have to suggest to you that you were
25 suggesting that Dr. Dennehy was wrong. Can I just draw 15:20
26 your attention back to 5759, please. And again, if you
27 could go to the box that we referred to a few minutes
28 ago, which begins "if no please provide further
29 information in the box below". Thank you. Sorry, if

1 we scroll down a little, please. Sorry the other way,
2 I beg your pardon. So, Mr. Barry, what you recorded,
3 your words:
4
5 "Dr. Dennehy incorrectly records. . . ." 15:21
6
7 I have to suggest to you that's saying that Dr. Dennehy
8 was I don't think
9 A. That I was hoping for a transfer.
10 452 Q. That's you were saying to PIAB that Dr. Dennehy was 15:21
11 wrong?
12 A. To say that I was hoping for a transfer.
13 453 Q. And not only was he wrong, that he hadn't recorded the
14 fact that you were hoping that Superintendent Comyns
15 would avail of a transfer or change which would remove 15:21
16 the necessity to work directly with him?
17 CHAIRMAN: Sorry, I am not sure that's correct,
18 Mr. Murphy. What he says is, he says Dr. Dennehy was
19 wrong, he says Dr. Dennehy incorrectly - I'm
20 understanding that as being - "Dr. Dennehy incorrectly 15:21
21 records that I am hoping for a transfer. However in
22 fact I am seeking to resist a transfer and I am hoping
23 that Superintendent Comyns. . ."
24
25 He's not saying that Dr. Dennehy got it wrong in not 15:22
26 referring to Superintendent Comyns's -- that's what
27 I -- but it's a matter of interpretation of the words,
28 if you like. But I think that seems to me to be a
29 fairer way of reading it. I think he does say he was

1 wrong. How was he wrong? He said he was hoping for a
2 transfer. Whereas the situation is different.

3 MR. MURPHY: Yes, Chairman.

4 454 Q. CHAIRMAN: I mean, am I understanding that correctly.
5 A. That's correct, Chairman. 15:22

6 CHAIRMAN: We can read it and interpret it, if you
7 like. But that's what it looks like.

8 455 Q. MR. MURPHY: Now, when you came to give your evidence
9 here in this tribunal, I think you took an oath.

10 A. That's correct. 15:22

11 456 Q. And the oath you took was to tell the truth, the whole
12 truth and nothing but the truth?

13 A. Yes.

14 457 Q. And I wonder if you could be shown a transcript at Day
15 178, at page 76. So, can I just ask you to look down 15:22
16 the page please, at question 280. And there I think I
17 asked you in the following terms:

18

19 "I have to suggest to you that really what you didn't
20 want to happen was, you didn't want a transfer under 15:23
21 any circumstances?"

22

23 And you replied:

24

25 "No. If you read that closely, you will see that I did 15:23
26 not want any person no matter what their rank or
27 authority to commit criminal behaviour as I saw it."

28

29 Then at line 27 you said:

1
2 "I was not going to reply for a transfer, I keep
3 repeating it until the cows come home, I wasn't going
4 to apply for a transfer."

15:24

5
6 And over the page, please, to page 77. At question 284
7 it was put to you that you were re-positioning yourself
8 and the question is:

9
10 "Very clearly at the time in everything you said, in
11 everything that you wrote, in everything that your
12 solicitors wrote, your answer was, no, I'm going
13 nowhere?"

14
15 And you rely:

16
17 "I was open, and I gave you the reasons why Malloy
18 would have suited me."

19
20 Do you see that?

15:24

21 A. Yes.

22 458 Q. I have to suggest to you that the evidence you gave in
23 these two pages and in relation to this issue in the at
24 tribunal, clashes with what you said in your form to
25 PIAB?

15:24

26 A. Mr. Murphy, in relation to what I said about PIAB, are
27 you referring to Superintendent Comyns's transfer?

28 459 Q. I am referring to both parts?

29 A. Both parts. Well the first part I have explained. In

1 relation to the transfer of Superintendent Comyns, when
2 I came to Mitchelstown in 2000, between 2000 and 2010
3 there were three superintendents who moved on from
4 transfers. That's an average of three and a half
5 years, you could say. Superintendent Comyns was 15:25
6 already there for four and a half years at this stage
7 or four years, whatever. So it was natural to expect
8 that he would be moving on as well. Every
9 superintendent who comes to Fermoy since I was there
10 and since has moved on, and that was what I was 15:25
11 referring to. I was hoping that he would be
12 transferred to the city in the coming months or year.

13 460 Q. Mr. Barry, you may recall that it was put to you that
14 you had indicated that as far as you were concerned you
15 were going nowhere and that you hoped the 15:25
16 superintendent would travel?

17 A. Sorry, I never indicated I was going nowhere. Chief
18 Superintendent Dillane stated that.

19 461 Q. CHAIRMAN: Yes.

20 A. I did not agree with that comment. 15:25

21 462 Q. MR. MURPHY: And in terms of the issue, I have to
22 suggest to you that it's clear that in terms of the
23 PIAB document, it indicates what you were denying here,
24 it indicates that you were resisting a transfer and you
25 were not hoping for a transfer anywhere. 15:26

26 A. No, I wasn't hoping for a transfer, but what I was
27 referring to was that I was resisting the transfer to
28 Fermoy, that was under appeal, and if there was never a
29 transfer attempt again I would be happy for it. But in

1 the event that I would be transferred, Mallow was the
2 only place I would be happy to go to.

3 463 Q. Mr. Barry, I have to suggest to you there is a clash
4 between your testimony here and this box to PIAB, I
5 have to put it to you that one of them has to be 15:26
6 correct and the other is correct?

7 A. No, they're both correct.

8 464 Q. I see. I have to suggest to you that that cannot be
9 the case?

10 A. Well, I say it is, to me. 15:26

11 465 Q. Chairman.

12

13 END OF EXAMINATION

14

15 CHAIRMAN: Oh thanks very much. Now, Mr. Heslin -- I'm 15:26
16 sorry, Mr. Harty, forgive me. Mr. Harty, yes, you want
17 to ask some questions. You're for Superintendent
18 Comyns, isn't that right?

19 MR. HARTY: Superintendent Comyns. Thank you.

20 15:27

21 MR. PAUL BARRY WAS CROSS-EXAMINED BY MR. HARTY, AS
22 FOLLOWS:

23

24 466 Q. MR. HARTY: Mr. Barry, if we stick with this document
25 that is open in front of you, you considered carefully 15:27
26 what you wrote into that document, isn't that correct?

27 A. That's correct.

28 467 Q. And I take it, it's typed out, was that typed out by
29 your solicitor or by you?

1 A. I don't remember. I don't believe it was me, no.

2 468 Q. And "Dr. Dennehy incorrectly records that I am hoping
3 for a transfer", that's the bit that you say was
4 incorrect?

5 A. The interpretation that someone could take from it, is 15:27
6 what I believe is incorrect.

7 469 Q. No, but see, the sentence that you say is incorrect is
8 "Dr. Dennehy incorrectly records that I am hoping for a
9 transfer", there is then a "however", so that's is an
10 entirely separate clause with a different meaning and 15:28
11 import?

12 A. Yes, it's what he stated, I believed he was incorrect.

13 470 Q. And so, it would be fair to say that at the time of
14 filling out this form you were not hoping for a
15 transfer? 15:28

16 A. No, my transfer was under appeal.

17 471 Q. I am not saying the transfer, I am talking about a
18 transfer. At the time of filling out this form you
19 were not hoping for a transfer?

20 A. No, I didn't want any transfer. 15:28

21 472 Q. And that's the issue, Mr. Barry. You didn't want any
22 transfer. You then go on to say "However, in fact I am
23 seeking to resist a transfer but am hoping that
24 Superintendent Comyns avails of a transfer or a change
25 which will remove the necessity to work directly with 15:28
26 him". You appreciate that where you were and your
27 remaining in Mitchelstown station meant that you did
28 have to work directly with my client?

29 A. By correspondence, yes.

1 473 Q. You would have to work directly with him, isn't that
2 correct?

3 A. I was not working directly with him.

4 474 Q. No. But to remedy that situation, you believed that
5 should be dealt with by way of transfer of 15:29
6 Superintendent Comyns?

7 A. No, I said I was hoping. I was hoping that he would
8 go.

9 475 Q. But you would not move?

10 A. Pardon? 15:29

11 476 Q. But you did not want to go?

12 A. I didn't want to go, no.

13 477 Q. No. And when it came to that, you formed the view that
14 you could stay put in Mitchelstown and not have to
15 follow direction from your superintendent to attend PAF 15:29
16 meetings or other meetings, isn't that correct?

17 A. Are you referring to Superintendent Comyns?

18 478 Q. Yes?

19 A. Yes.

20 479 Q. Now, when you went to Dr. Dennehy and he discussed your 15:29
21 condition, he would also have discussed the stressors,
22 wouldn't he?

23 A. Probably would, yes.

24 480 Q. And if we come to his report at page 5126, please,
25 Mr. Murphy, and if we go to that last paragraph we had, 15:30
26 "he has a previous history". It is clear, is it not,
27 from that last paragraph that Dr. Dennehy believed that
28 in terms of your wellbeing you should be removed from a
29 situation where there was potentially cause for you to

1 have interaction with Superintendent Comyns, isn't that
2 correct?

3 A. Sorry, could you repeat your question?

4 481 Q. Did you discuss with Dr. Dennehy what it was that
5 caused you to have your symptoms of depression or 15:31
6 anxiety exacerbated?

7 A. Yes, I did, from the outset.

8 482 Q. What did you say they were?

9 A. Having contact with Superintendent Comyns because of
10 what he had done. 15:31

11 483 Q. Well, we will come to because of what he had done
12 because that's also present in this PIAB report and we
13 will come to that, Mr. Barry. But before we come to
14 that, did Dr. Dennehy suggest to you that it would be
15 in your interests to work in a different district? 15:31

16 A. Not that I recall.

17 484 Q. Is Dr. Dennehy a sensible man?

18 A. Obviously.

19 485 Q. And he had formed the view that the reason why your
20 symptoms -- you were suffering from this depression and 15:31
21 stress, was because of your potential for contact with
22 my client, isn't that correct?

23 A. That Dr. Dennehy is saying this?

24 486 Q. Yes.

25 A. Yes. 15:32

26 487 Q. And are you saying to this tribunal that Dr. Dennehy
27 never discussed with you that removing yourself from
28 that situation might improve matters further?

29 A. Dr. Dennehy knew I was not having physical interaction

1 with Superintendent Comyns, I was not meeting him. He
2 was aware of my doctor's certificate and that I was
3 abiding by it.

4 488 Q. Because that's actually not what he says in his report
5 again? 15:32

6 A. I know that.

7 489 Q. Because he deals with the hoping to obtain a transfer
8 and then he goes on and says, "Hopefully working with
9 different personnel will enable matters to improve and
10 his stress levels to recede, which should allow for 15:32
11 further improvement in his depressive symptoms". Did
12 Dr. Dennehy say that to you?

13 A. No.

14 490 Q. No. Are you seriously saying that Dr. Dennehy, having
15 formed this view, did not discuss it with you? 15:33

16 A. Dr. Dennehy did not discuss a transfer to --

17 491 Q. I'm not talking about transfer, I am talking about that
18 particular question - "Hopefully working with different
19 personnel will enable matters to improve"?

20 A. That could not happen without a transfer. 15:33

21 492 Q. whose transfer?

22 A. Mine.

23 493 Q. Just yours?

24 A. well, how could I work with different personnel unless
25 I did transfer? 15:33

26 494 Q. Because, you see, in the PIAB form you say things will
27 improve if Superintendent Comyns transfers?

28 A. No, I didn't say that. I said I am hopeful --

29 495 Q. we'll come back to the PIAB form in a second?

1 A. Right.

2 496 Q. But in relation to Dr. Dennehy, Mr. Barry, are you
3 saying to us that there was no discussion about how it
4 would be in your interests to transfer out of the
5 district? 15:34

6 A. There was a discussion with Dr. Dennehy in relation to
7 my appeal or my transfer to Fermoy, which I did not
8 want to go ahead and that's why I appealed it. He was
9 also familiar with my doctor's cert where I wasn't
10 having contact with the superintendent. And I 15:34
11 expressed to Dr. Dennehy that I did not want to leave
12 Mitchelstown but in the event that the transfer to
13 Fermoy failed, then I expected I may have to go to
14 Mallow and that that would be acceptable to me.

15 497 Q. I don't understand how Mallow came into that 15:34
16 conversation at all. There hadn't been any move to
17 transfer you to Mallow. The move to transfer you to
18 Fermoy was to get you closer to Superintendent Comyns?

19 A. Mallow was mentioned by Chief Superintendent Dillane
20 and it was mentioned by me to him as well. 15:34

21 498 Q. And you mentioned that to Dr. Dennehy, did you?

22 A. I did.

23 499 Q. He just didn't record that?

24 A. Well, that's a matter for Dr. Dennehy.

25 500 Q. And what he did record was something he never told you, 15:35
26 which was that your stress levels will recede and you'd
27 have further improvement in your depressive symptoms if
28 you reduced the possibility of interaction with
29 Superintendent Comyns?

1 A. well, the doctor refers to medical matters more so than
2 transfers or whatever, that's what he's concentrated
3 on.

4 501 Q. Can we come now to Dr. Kiely's notes at page 4771,
5 please, Mr. Murphy. This is dated 10th August 2012: 15:35
6
7 "Has new superintendent in station in Mitchelstown. He
8 wants one of the sergeants to move to Fermoy and Paul
9 feels he often picks on little things to try to
10 encourage the move." 15:36
11
12 was that what caused your depressive symptoms?

13 A. No. As I've explained to you already, what caused my
14 symptoms was what Superintendent Comyns had done.

15 502 Q. Oh yeah. You accept that it's the first thing recorded 15:36
16 in your notes?

17 A. That's not my notes.

18 503 Q. In the notes?

19 A. The notes, yes.

20 504 Q. Can we then come to the PIAB form again, please, which 15:36
21 I think is 5757. Thank you, Mr. Murphy. And if go to
22 page 5758 and we go to the accident details, which is
23 the next just slightly further down. Thank you. You
24 set out there what was done to you. It states:
25
26 "A series of incidents and circumstances of bullying,
27 harassment and victimisation, the accumulation of same
28 resulted in psychological injury diagnosed on the 7th
29 August 2012 in the course of employment in An Garda 15:37

1 Sí ochána.

2
3 I suffered detriment through unfair treatment by
4 Superintendent Comyns. I have suffered detriment via
5 Superintendent Comyns's application to me of 15:37
6 unnecessary administrative burdens which were not
7 universally applied in the force or by Superintendent
8 Comyns to other members, and further, Superintendent
9 Comyns' imposition of discipline and reprimand via
10 ostensibly objective criteria." 15:37

11
12 That is remarkably similar, is it not, to the
13 impression one gets from the opening section of
14 Dr. Kiely's notes, which was that "Superintendent
15 Comyns was picking on little things to encourage a move 15:38
16 to Fermoy". It's much the same thing, isn't it?
17 Picking on little things, unfair treatment. "I have
18 suffered detriment via Superintendent Comyns
19 application to me of unnecessary administrative burdens
20 which were not universally applied in the force", 15:38
21 that's very similar to the suggestion that
22 Superintendent Comyns had decided to pick on little
23 things in order, you say to Dr. Kiely, to encourage you
24 to move to Fermoy. And in this your complaint is
25 "unnecessary administrative burdens which were not 15:38
26 universally applied and imposition of discipline
27 reprimand via ostensibly objective criteria", they're
28 your words, are they?

29 A. Yes.

1 505 Q. "Repetitive inappropriate conduct towards me by
2 Superintendent Comyns was to such an extent that my
3 position in An Garda Síochána was undermined and I lost
4 all sense of dignity at work."

15:39

5
6 Isn't that correct?

7 A. That's correct.

8 506 Q. They're all about Superintendent Comyns engaging in
9 management decisions?

10 MR. McGUINESS: Chairman, I am loathe to intervene and 15:39
11 I don't want to do so unnecessarily, but I had intended
12 to recall Mr. Barry to deal with the issues that I had
13 dealt with and I hadn't intended that it would open up
14 other areas, which seem to have strayed perhaps outside
15 the area for which he was recalled. It may be that 15:39
16 Mr. Harty is going to link them back to some or all of
17 the issues that I recalled him on. It's a matter for
18 you, Chairman.

19 MR. HARTY: well, Chairman, my understanding is that
20 because this PIAB form was disclosed after Mr. Barry 15:40
21 had given his evidence and after I had an opportunity
22 to cross-examine him, this is very central to my
23 client's reputation, contained in this PIAB form,
24 expressed in this way. I am nearly done on all the
25 issues, but the reality is, is that there is a 15:40
26 coherence with all of the indications from Mr. Barry
27 prior to the formation of these terms of reference in
28 the tribunal, which is that it has nothing to do with
29 anything other than the management and the desire not

1 to be transferred. And that is directly relevant, I
2 say, to this expression in the PIAB form.

3 CHAIRMAN: In fairness, Mr. Harty, let me see,
4 Mr. Costelloe, have you something to say about this?

5 MR. COSTELLOE: I have to say, Chairman, that I took 15:41
6 the view that I wouldn't object because I thought
7 ultimately we would be better just to let Mr. Harty
8 finish. I had the same concern that Mr. McGuinness has
9 expressed to you, Chairman. But my own view is that we
10 are entering into matters that don't arise under 15:41
11 re-examination and if anything they're collateral and
12 if we are strictly applying Rules of Evidence, I don't
13 see how my friend is entitled to put these questions to
14 the witness. But, as I said, I was going to hold my
15 powder for the time being because I just thought it 15:41
16 might be more efficient and all round better not to
17 object.

18 CHAIRMAN: Thank you. Well, I understand at this
19 moment that -- I'm not going to, Mr. Murphy, because
20 you don't regard you as legitimate contradictor in 15:41
21 regard to this area. Certainly I would be opposed to
22 and would out rule a sort of replay of
23 cross-examination. It seems to me in this case that
24 Mr. Harty has confined himself to matters arising out
25 of the PIAB form and since the PIAB form has been 15:42
26 produced after the evidence, I don't think it is
27 reasonable to seek to confine cross-examination to a
28 zone that has been selected by counsel for the tribunal
29 or any other counsel. I think that Mr. Harty is

1 entitled to say, look, I now have seen this for the
2 first time, I mean in the sense of after
3 cross-examination, and I didn't have the opportunity to
4 cross-examine on this, and it seems to me that that
5 zone of exploration is legitimate. I am not 15:42
6 particularly -- I don't want to be misunderstood on
7 this, I am not dealing with this on the basis of the
8 importance of the issue or, indeed, the lack of
9 importance of the issue. I am dealing with it, so
10 Mr. Harty mentioned how important it was to his client, 15:43
11 and I don't want to dismiss that as a legitimate
12 concern but I want to say that it's not relevant to my
13 decision. My decision is based on the fact that this
14 is contained in the form, Mr. Harty is exploring what's
15 in the form, admittedly by reference to some other 15:43
16 documents, but that's inevitable and I can't see it's
17 improper.

18
19 So as a matter of admissibility and legitimacy of
20 examination, I can't see any reasonable objection. I 15:43
21 understand also Mr. Harty says, look, I am nearing the
22 end of it, and while I said I wasn't taking other
23 issues into account, I am conscious of the fact that
24 it's not a particularly -- it's not an extended
25 cross-examination, we're not embarking on a whole new 15:43
26 direction, a whole new seam of enquiry. So, Mr. Harty,
27 proceed.

28 507 Q. MR. HARTY: Thank you, Chairman. There is then just
29 one final issue that I should highlight. That in

1 relation to complaint regarding my client, there is set
2 out in that form all of the actions of which you have
3 complain predate any potential protected disclosure,
4 isn't that correct?
5 MR. COSTELLOE: I wonder, Chairman, if that is a 15:44
6 question that can fairly be answered by the witness.
7 Surely that's a matter for legal submission and
8 ultimately you have already ruled that you're going to
9 hear submission on that point.
10 CHAIRMAN: I certainly will hear. 15:44
11 MR. HARTY: I will ask the question differently.
12 CHAIRMAN: Okay.
13 508 Q. MR. HARTY: Before you made any complaint.
14 A. Before I made an official complaint?
15 509 Q. Yes. 15:44
16 CHAIRMAN: Before you made your point 9 complaint or
17 the other ones.
18 MR. HARTY: Or whichever.
19 510 Q. CHAIRMAN: Before you made your number 9, Mr. Barry,
20 that's really the thing, there's nothing about number 9 15:45
21 in this.
22 A. No.
23 MR. HARTY: Thank you, Mr. Barry.
24 CHAIRMAN: What do you say, Mr. Barry.
25 A. Sorry, in relation to the PIAB? 15:45
26 511 Q. CHAIRMAN: Yes.
27 A. But there is -- that is -- the repetitive conduct and
28 the extent that my position was undermined, that I had
29 lost sense of dignity at work.

1 512 Q. CHAIRMAN: Say that solely, say that again.
2 A. I am saying that number 9 is involved in that.
3 513 Q. CHAIRMAN: I don't want to give awe hard time, but can
4 you tell me how I would know that there was something
5 else in it? 15:45
6 A. Because of the inappropriate conduct towards me and the
7 directions that I was given.
8 514 Q. CHAIRMAN: Okay, you say that this contains it, I
9 thought you were going to explain why it wasn't in it,
10 but you say it is in it? 15:45
11 A. Yes, because I believe that the discipline that I refer
12 to was because of the criminal allegation, number 9.
13 CHAIRMAN: Okay.
14 MR. HARTY: Thank you, Chairman, I have no further
15 questions. 15:46
16
17 END OF EXAMINATION
18
19 CHAIRMAN: Now, Mr. Costelloe, do you want to -- I'm
20 sorry, anybody else? I'm sorry, Mr. Carroll, it's not 15:46
21 as if I ignore you or Mr. McGarry, but I am not
22 anticipating that would you have any relevant
23 questions.
24 MR. CARROLL: No questions.
25 MR. MCGARRY: That's correct, Chairman, I don't have 15:46
26 any questions either.
27 CHAIRMAN: Thank you very much. So, Mr. Costelloe,
28 over to you.
29 MR. COSTELLOE: Thank you, Chairman, and everyone in

1 the room, no less yourself, Chairman, will be happy to
2 know that I am going to be very, very brief.

3 CHAIRMAN: Mr. Costelloe, take as long as you like.

4 MR. COSTELLOE: I only have one thing.

5 CHAIRMAN: Mr. Costelloe, I wouldn't want anybody, 15:46
6 especially Mr. Barry, but sorry, not just Mr. Barry,
7 anybody to know, we take as long as we take and so be
8 at ease on that one.

9 MR. COSTELLOE: Thank you.

10

11 MR. PAUL BARRY WAS QUESTIONED BY MR. COSTELLOE, AS
12 FOLLOWS:

13

14 515 Q. MR. COSTELLOE: All I really want to do, Mr. Barry, is
15 bring you back to the transcript of the evidence, 15:46
16 portions of which were put to you by Mr. Murphy. So
17 the other Mr. Murphy, if you wouldn't mind, please, day
18 4, that's Day 178, the fourth day of the hearing.
19 Portions of the transcript have already been put to you
20 a moment ago by Mr. Murphy on behalf of An Garda 15:47
21 Síochána, isn't that right?

22 A. That's correct.

23 516 Q. Okay. I really just want to bring you to one question
24 in particular, it's at the bottom of page 75, it's
25 question number 278. Now, you have been giving your 15:47
26 evidence at this point about what you're saying about
27 transfers and that will be apparent for the Chairman
28 when the submissions are made in respect of the
29 evidence. But here, question 278:

1
2 "You told us a few moments ago that actually this was a
3 situation where you were willing to transfer to
4 Mallow. "

5
6 And then if you go on to the next page.

7
8 " -- if public funds could be diverted to support those
9 expenses. Would you agree with me that what you said a
10 few minutes ago is completely different to this?

11
12 And then your answer back on the fourth day was:

13
14 "No, that is totally incorrect. I said Mallow was my
15 second option. If I was not to be accommodated in
16 Mitchelstown, then Mallow would have been the most
17 acceptable station for me to do to."

18
19 Do you see that answer there?

20 A. Yes.

21 517 Q. Do you in any way wish to amend or correct or change in
22 any shape or form that particular answer that you gave
23 there?

24 A. No, I do not.

25 518 Q. In your opinion is that answer in any way inconsistent
26 or in any way incongruent with the answer you have
27 given in response to what you say was Dr. Dennehy's
28 error and your effort to correct that on the face of
29 the PIAB report?

1 A. No.

2 MR. MURPHY: Sorry, Chairman, could I just object to a

3 question that invites the witness to give an opinion

4 about his own answer.

5 CHAIRMAN: Mr. Murphy, don't go there. 15:48

6 MR. MURPHY: Chairman.

7 CHAIRMAN: I do understand, I was at this for a long

8 time. I do understand examination, cross-examination.

9 Mr. Costelloe, I can assure him that the evidence won't

10 be overlooked, I can assure him of that. But I can 15:49

11 understand his position and I will refrain from saying

12 that his question might be a little difficult to --

13 entirely. But I understand his point, he is

14 endeavouring to re-establish, so to speak, and clarify

15 and confirm Mr. Barry's position, which I am 15:49

16 considering he has done.

17 MR. COSTELLOE: Thank you very much, Chairman, I have

18 nothing further.

19

20 END OF EXAMINATION 15:49

21

22 CHAIRMAN: Thanks very much. Thanks, Mr. Barry.

23 Thanks for coming back to us. Thanks for sitting

24 through the whole thing. I know you were here for the

25 whole thing. It's quite an ordeal. We appreciate that 15:49

26 and thanks very much for your cooperation.

27 THE WITNESS: Thank you, Mr. Chairman.

28 CHAIRMAN: So you're now finished with that. We will

29 be dealing with a few issues about submissions and

1 legal argument and things of that kind, but it won't
2 involve -- you're welcome to be there, but you don't
3 have to be there, if you know what I mean.

4 THE WITNESS: Okay.

5 CHAIRMAN: And then it's over to us in the tribunal to 15:50
6 make the best of the whole thing and see what we can do
7 to try to get to the bottom of the whole thing, you
8 know. Do you understand.

9 THE WITNESS: Thank you.

10 CHAIRMAN: Thanks very much. So you can step down and 15:50
11 go back to your seat, Mr. Barry, and you're finished
12 with the evidence.

13
14 THE WITNESS THEN WITHDREW

15
16 CHAIRMAN: Now, Mr. McGuinness, is that the evidence? 15:50

17 MR. MCGUINNESS: Yes, Chairman, that completes the list
18 of witnesses that the tribunal has scheduled to hear in
19 the matter.

20 CHAIRMAN: well, thank you very much. Just before we 15:50
21 go, don't we have a few little administrative details,
22 Mr. McGuinness? Are we suggesting that --

23 MR. COSTELLOE: Chairman, I beg your pardon, before you
24 proceed to deal with those, which obviously we all need
25 to hear of, there was a witness who had been listed in 15:50
26 the schedule of witnesses and a number of weeks ago
27 now, the tribunal legal team wrote to us informing us
28 that they didn't propose to call her. Our response
29 then, which was reiterated in a further piece of

1 correspondence yesterday was that we didn't really mind
2 if she wasn't called, we weren't objecting to that, but
3 we were desirous of her statement being considered as
4 part of the record however that should come about.

5 CHAIRMAN: Yes.

15:51

6 MR. COSTELLOE: Now, I really don't mind how it comes
7 about except to say that I plan --

8 CHAIRMAN: What is the witness's name.

9 MR. COSTELLOE: Patricia Gould, she is to be found at
10 page 1390, it's a short statement.

15:51

11 CHAIRMAN: What does she say, Mr. Costelloe.

12 MR. COSTELLOE: Essentially she deals with her
13 interactions with the witness Inspector O'Sullivan and
14 what may or may not have happened on an occasion when
15 he received correspondence in his pigeonhole at work
16 and what she then noted as being his reaction to that.
17 You will remember, Chairman, that I put certain parts
18 of her statement to that witness and it certainly would
19 be my intention to rely on --

15:51

20 CHAIRMAN: Let me see what -- Mr. McGuinness, do we
21 have any --

15:51

22 MR. MCGUINNESS: Chairman, just in terms of generality,
23 our procedures adopted when P was commenced envisaged
24 the possibility of the adoption into evidence of
25 witness statements who have not been called in
26 circumstances.

15:52

27 CHAIRMAN: Yes.

28 MR. MCGUINNESS: We did propose to all of the parties a
29 list of witnesses whom we proposed to dispense with and

1 made it clear that those statements would be taken into
2 account as evidence.

3 CHAIRMAN: To the extent that they were relevant.

4 MR. McGUINESS: To the extent that they're relevant,
5 indeed. And no objection has been taken as I
6 understand it to any of those.

15:52

7 CHAIRMAN: Yes.

8 MR. McGUINESS: Including Ms. Gould's. So it's not
9 the intention of the tribunal to read them, it or them
10 in any laborious manner, but to signify that they will
11 be considered as having been received as evidence.

15:52

12 CHAIRMAN: Okay, well that seems reasonable to me.

13 MR. COSTELLOE: Yes.

14 CHAIRMAN: I should say, with quite qualification, that
15 if it were a question of, let's say, undermining the
16 whole of a witness's evidence by a statement in a
17 written document, I would hesitate to write in a report
18 that because X had said something in a statement, that
19 it therefore undermined somebody else, in a serious --
20 if there was a major issue of contention. I don't
21 think it would be fair. I don't think that arises. It
22 hasn't arisen previously, and I think we have made
23 clear what the position is and parties understand. So
24 I don't see that as a difficulty, Mr. Costelloe.

15:52

15:53

25 MR. COSTELLOE: In fact, Chairman, if it's of any
26 assistance to you, I believe, I hope I did a good
27 enough job of doing it, that I put those parts of the
28 statement which I thought might have been of relevance
29 to the witness and he was given an opportunity to

15:53

1 comment upon them in any event.

2 CHAIRMAN: Thank you very much.

3 MR. COSTELLOE: So I have no problem with that

4 approach. Thank you, Chairman.

5 CHAIRMAN: So, I am not anticipating that anybody has 15:53

6 any problem with that. If they had a problem with

7 that, they could include it or wanted to make any

8 relevant comment on that, they could include it in

9 submissions, otherwise they can take it that the

10 position is as generally as Mr. McGuinness has said 15:53

11 and, as I said, subject perhaps to a gloss that I have

12 just put on it.

13

14 Now, parties are entitled to make written submissions

15 and the tribunal will welcome the assistance of the 15:54

16 parties in making submissions. We were thinking, the

17 position is this: The tribunal proposes that written

18 submissions should be with the tribunal on or before

19 close of business on Friday, 15th July. That gives a

20 tiny bit more than three weeks, but that request we 15:54

21 regard as quite reasonable and we give a little more to

22 make that. And we will propose then to have an oral

23 hearing, where parties have an opportunity to comment

24 on the submissions of the other parties, which they

25 won't have seen up to that, and that will be done on 15:54

26 the following Friday, which is Friday, 22nd July. I

27 hope that's convenient. If parties have a huge

28 difficulty with that, come back to us. But I would be

29 very slow to change it because we have to make

1 arrangements here for the availability of the premises
2 and it may be -- Ian, is it here or upstairs?

3 MR. IAN MURPHY: Probably here

4 CHAIRMAN: Probably here. But we have difficulties,
5 obviously we have to depend on the Office of Public
6 works to facilitate us, which they have been extremely
7 helpful with.

15:55

8
9 So, okay those are the arrangements. We will then go
10 to work and seek to produce the report as quickly as
11 possible but obviously it's going to take us a bit of
12 time to do that.

15:55

13
14 Now, I would like on behalf of the tribunal to thank
15 all the participants and all the legal representatives
16 who have conducted this inquiry with remarkable
17 efficiency and pleasantly and with great respect for
18 each other and for the witnesses, which I should say,
19 and I will also mention my own team, for whom this
20 simply could not have happened, could not have happened
21 as efficiently or as quickly as it did without them, I
22 am eternally in their debt. Well, I don't know about
23 eternally, but I am very much, deeply, deeply in their
24 debt, I rely on them hugely and I am so thankful for
25 them. We also have all the support staff and the
26 stenographer and we also have Mr. Murphy, who will have
27 been seen coming in and out with me and Mr. Murphy
28 should be entitled to take a bow, and we have the
29 missing Mr. Kavanagh, who unfortunately has succumbed

15:55

15:56

15:56

1 to a dose of COVID. Anybody I have forgotten, I'm
2 sorry I have forgotten you and please also accept our
3 gratitude.

4
5 So, thanks very much, everybody, and happy vacations
6 eventually when they come around, but we will see you
7 again at submissions time. Thank you very much indeed.

15:57

8
9 THE HEARING THEN ADJOURNED UNTIL FRIDAY, 22ND JULY 2022

			3	5808 [2] - 19:24, 19:25
'14 [1] - 129:28 'mutually [1] - 70:5 'upset [1] - 57:13	1528 [1] - 59:10 1530 [1] - 60:18 1532 [1] - 61:24 1534 [1] - 62:13 1537 [1] - 64:12 1539 [2] - 69:6, 114:4 1553 [1] - 83:4 1556 [2] - 87:26, 87:27	82:9, 86:8, 96:3, 96:25, 97:9, 103:2, 103:6, 103:18, 104:2, 104:3, 104:4, 104:8, 104:10, 106:12, 107:29, 108:4, 108:29, 114:8, 128:16 2014 [18] - 1:2, 6:3, 7:13, 9:1, 15:11, 16:5, 91:29, 96:14, 96:27, 97:2, 97:17, 104:13, 104:14, 104:21, 104:22, 110:14, 131:1 2015 [18] - 11:4, 13:7, 24:16, 25:28, 30:8, 34:4, 36:23, 40:18, 41:5, 93:24, 95:20, 97:8, 108:17, 108:18, 109:13, 109:14, 133:2 2016 [9] - 6:9, 19:29, 24:17, 25:23, 26:25, 27:5, 29:6, 107:24, 109:6 2017 [3] - 1:4, 1:8, 44:2 2018 [1] - 1:8 2022 [3] - 1:17, 5:2, 164:9 20th [1] - 11:4 21 [1] - 3:14 21st [2] - 104:21, 104:22 22nd [3] - 51:1, 133:2, 162:26 22ND [3] - 1:17, 5:1, 164:9 23 [1] - 4:6 23rd [1] - 129:27 24th [2] - 86:18, 108:18 25 [1] - 63:25 25th [6] - 49:18, 52:17, 55:11, 57:9, 103:1, 108:3 26 [1] - 63:26 27 [1] - 140:29 278 [2] - 156:25, 156:29 28/3/2015 [1] - 82:24 28/3/203 [1] - 76:19 280 [1] - 140:16 284 [1] - 141:6 287 [1] - 9:28 28th [3] - 63:29, 96:3, 108:17 29/3/2013 [1] - 76:17 29th [6] - 13:6, 60:2, 128:20, 128:22, 128:23, 128:25	3 [10] - 50:22, 78:14, 79:24, 92:29, 93:4, 98:26, 99:6, 100:15, 100:27, 110:13 31st [1] - 130:2 32 [1] - 3:8 353 [1] - 14:10 36 [1] - 4:8 39 [1] - 4:12 393 [2] - 80:9, 80:24 394 [2] - 80:9, 80:23 395 [2] - 21:21, 81:8 3rd [2] - 6:3, 93:13	5822 [2] - 18:16, 24:4 5827 [3] - 18:20, 18:25, 27:20 5828 [1] - 27:20 5831 [2] - 18:26, 24:15 5833 [1] - 11:6 5884 [1] - 13:9 5898 [1] - 133:6 59 [1] - 106:25 5th [2] - 24:22, 95:20
0				6
04/04/2013 [1] - 76:23 05/04/2013 [1] - 64:28	1559 [2] - 86:1, 86:4 156 [1] - 4:26 1563 [1] - 92:15 1564 [1] - 99:29 1566 [2] - 87:26, 91:28 1568 [1] - 95:21 1574 [1] - 97:18 15th [3] - 80:7, 100:6, 162:19 16 [3] - 1:4, 56:28, 59:13 160 [1] - 42:7 1689 [1] - 111:17 1690 [1] - 109:29 1692 [1] - 107:25 17 [2] - 1:8, 57:26 178 [2] - 140:15, 156:18 17:05 [1] - 87:28 17:41 [1] - 88:10 17th [2] - 97:17, 97:21 18 [1] - 57:26 189 [1] - 1:17 18th [4] - 48:23, 96:14, 97:2, 104:14 19/06/2016 [1] - 108:10 1921 [1] - 1:8 1st [6] - 60:19, 86:8, 91:29, 92:14, 97:19, 104:12			6 [1] - 111:1 64 [1] - 107:10
1			4	7
1 [6] - 57:11, 59:25, 77:5, 98:24, 99:1, 110:5 10th [2] - 107:24, 149:5 11.37 [1] - 109:12 11/3 [2] - 62:15, 92:24 11/3/13 [1] - 100:9 113 [1] - 4:17 11th [7] - 46:8, 62:12, 73:5, 82:9, 82:15, 103:9, 104:1 126 [1] - 4:18 128 [1] - 4:22 12th [3] - 47:16, 80:9, 83:3 134 [1] - 4:24 1345 [1] - 39:22 139/10 [2] - 53:26, 54:17 1390 [1] - 160:10 14 [1] - 3:18 143 [1] - 4:25 1451 [1] - 76:11 1480 [1] - 43:20 1482 [1] - 56:27 1484 [2] - 63:25, 63:26 1489 [1] - 103:27 149 [1] - 2:14 1490 [1] - 105:23 1491 [1] - 106:19 1495 [1] - 45:3 14:19 [1] - 86:17 15 [2] - 56:29, 133:14 1511 [1] - 48:11 1513 [1] - 47:17 1515 [1] - 51:4 1517 [2] - 48:12 1526 [1] - 55:21 1527 [1] - 55:23			4 [6] - 2:27, 50:18, 79:20, 100:23, 110:17, 156:18 43 [1] - 4:16 46 [3] - 102:20, 102:21, 102:24 47 [1] - 103:23 4771 [1] - 149:4 4773 [1] - 64:27 4783 [1] - 48:24 48 [1] - 103:28 4th [2] - 57:11, 64:17	7 [2] - 1:8, 3:9 75 [1] - 156:24 76 [1] - 140:15 77 [1] - 141:6 7th [2] - 57:12, 149:28
	2		5	8
	2 [10] - 3:14, 44:10, 59:28, 77:7, 88:14, 92:29, 98:25, 99:3, 100:12, 110:10 20 [1] - 9:28 2000 [2] - 142:2 2010 [2] - 43:28, 142:2 2012 [4] - 44:23, 108:28, 149:5, 149:29 2013 [31] - 41:6, 41:7, 41:8, 48:9, 53:4, 55:29, 57:11, 57:12, 60:3, 64:1, 64:17,		5 [4] - 4:5, 55:25, 79:26, 110:24 5/4/2013 [1] - 82:18 50 [1] - 104:20 51 [2] - 2:26, 104:26 5126 [2] - 137:13, 145:24 56 [1] - 105:22 5673 [1] - 82:8 57 [1] - 12:9 5757 [2] - 129:16, 149:21 5758 [1] - 149:22 5759 [2] - 135:28, 138:26 5760 [1] - 134:25 5761 [1] - 9:16 5780 [2] - 9:12, 9:17 5784 [4] - 14:10, 27:26, 27:27, 27:29 5787 [1] - 21:21 58 [1] - 106:23 5801 [1] - 12:9 5806 [1] - 12:11	8 [3] - 2:14, 2:22, 10:16 8/3 [1] - 50:23 8/4 [1] - 76:25 8th [4] - 69:5, 104:2, 109:5, 114:7
				9
				9 [7] - 8:21, 12:16, 154:16, 154:19, 154:20, 155:2, 155:12 9/3/13 [1] - 100:10 9/4 [1] - 92:18 9/4/13 [1] - 93:1 9/4/2013 [1] - 100:14 9pm [1] - 128:28 9th [10] - 25:28, 74:18, 76:11, 80:7, 82:1, 103:18, 104:4, 104:8, 104:9
				A
				A/C [10] - 10:24, 10:25, 10:27, 11:22,

<p>20:8, 48:3, 53:3, 97:29, 104:12, 104:22</p> <p>A/C's [1] - 47:25</p> <p>aback [1] - 97:8</p> <p>abiding [1] - 147:3</p> <p>ability [1] - 57:25</p> <p>able [9] - 12:28, 25:24, 53:16, 64:6, 67:1, 85:26, 116:27, 130:9, 133:3</p> <p>above-named [1] - 1:25</p> <p>absence [17] - 45:6, 49:27, 50:21, 51:21, 52:6, 52:12, 52:13, 53:10, 53:16, 54:12, 54:13, 54:24, 57:21, 110:24, 111:23, 111:27, 112:18</p> <p>Absence [1] - 76:24</p> <p>absolutely [4] - 6:14, 25:17, 34:2, 128:5</p> <p>abuse [1] - 134:5</p> <p>accept [8] - 14:29, 20:3, 29:4, 33:1, 129:19, 138:13, 149:15, 164:2</p> <p>acceptable [10] - 59:25, 66:18, 73:16, 84:20, 126:28, 132:8, 132:15, 132:27, 148:14, 157:17</p> <p>acceptable [1] - 79:15</p> <p>accepted [2] - 19:5, 95:17</p> <p>accepting [1] - 33:9</p> <p>accepts [1] - 59:28</p> <p>access [1] - 12:28</p> <p>accident [1] - 149:22</p> <p>accommodate [3] - 15:9, 22:16, 106:29</p> <p>accommodated [2] - 104:17, 157:15</p> <p>accommodation [2] - 16:5, 77:12</p> <p>accommodations [9] - 14:24, 66:11, 78:23, 79:24, 83:18, 83:20, 84:9, 87:7, 92:29</p> <p>accordance [2] - 108:21, 112:8</p> <p>according [2] - 118:15, 130:10</p> <p>accordingly [1] - 133:16</p> <p>account [5] - 10:20, 57:8, 115:6, 153:23, 161:2</p>	<p>accumulation [1] - 149:27</p> <p>accurate [5] - 67:16, 123:5, 123:8, 135:16, 135:25</p> <p>accused [1] - 40:15</p> <p>achieve [2] - 102:5, 106:3</p> <p>achieved [4] - 13:23, 68:25, 90:24, 90:27</p> <p>acknowledged [1] - 50:22</p> <p>act [3] - 21:2, 40:1, 71:19</p> <p>ACT [2] - 1:2, 1:7</p> <p>Act [1] - 9:1</p> <p>action [9] - 1:26, 7:6, 22:13, 23:6, 52:16, 72:18, 72:20, 111:7, 112:10</p> <p>actions [6] - 52:28, 60:10, 71:4, 108:22, 108:23, 154:2</p> <p>active [1] - 54:17</p> <p>activities [1] - 33:18</p> <p>ad [1] - 68:26</p> <p>add [1] - 102:15</p> <p>adding [1] - 73:20</p> <p>addition [2] - 48:22, 76:16</p> <p>additional [4] - 46:29, 47:6, 97:4, 103:20</p> <p>address [10] - 28:18, 50:11, 50:13, 61:23, 74:2, 75:29, 87:25, 94:26, 94:28, 106:17</p> <p>addressed [7] - 13:9, 22:5, 22:25, 27:10, 83:11, 84:27, 112:5</p> <p>addresses [1] - 87:16</p> <p>adequately [3] - 83:11, 130:18, 136:6</p> <p>ADJOURNED [2] - 81:24, 164:9</p> <p>administrative [8] - 20:13, 21:2, 23:14, 91:2, 150:6, 150:19, 150:25, 159:21</p> <p>administratively [1] - 23:3</p> <p>admissibility [1] - 153:19</p> <p>admittedly [1] - 153:15</p> <p>adopted [1] - 160:23</p> <p>adoption [1] - 160:24</p> <p>ADRIAN [1] - 2:13</p> <p>advance [4] - 12:1,</p>	<p>48:10, 49:17, 102:11</p> <p>advantage [1] - 35:8</p> <p>advantaged [1] - 22:7</p> <p>advantageous [1] - 29:13</p> <p>adversely [1] - 86:14</p> <p>advice [18] - 16:4, 50:21, 50:27, 55:24, 56:18, 67:29, 68:1, 68:5, 71:20, 75:15, 83:10, 86:15, 97:4, 100:13, 102:10, 110:14, 112:27, 117:11</p> <p>advice/ recommendations [1] - 104:6</p> <p>advices [9] - 13:17, 71:20, 75:29, 79:28, 87:1, 100:10, 103:18, 106:1, 109:19</p> <p>advise [4] - 57:3, 57:25, 66:9, 111:1</p> <p>advised [5] - 40:20, 50:24, 87:4, 92:29, 95:27</p> <p>adviser [5] - 7:22, 46:25, 52:18, 82:22, 103:10</p> <p>advising [1] - 74:15</p> <p>advocate [2] - 65:12, 107:5</p> <p>advocating [1] - 65:12</p> <p>affair [1] - 33:11</p> <p>affect [2] - 86:14, 88:8</p> <p>affecting [1] - 109:2</p> <p>Afghanistan [1] - 5:8</p> <p>aforesaid [1] - 78:20</p> <p>afraid [1] - 81:10</p> <p>afternoon [10] - 86:17, 87:24, 96:10, 113:22, 113:23, 117:27, 122:17, 122:24, 128:12, 128:13</p> <p>ago [7] - 120:4, 132:9, 138:28, 156:20, 157:2, 157:10, 159:26</p> <p>agree [23] - 24:18, 24:28, 25:24, 26:8, 34:15, 34:24, 36:8, 58:28, 84:23, 85:8, 99:5, 115:5, 120:21, 123:9, 123:10, 124:5, 134:28, 135:1, 135:9, 137:24, 138:2,</p>	<p>142:20, 157:9</p> <p>agreeable [9] - 67:1, 67:11, 78:17, 79:15, 85:12, 121:5, 122:18, 122:19, 124:28</p> <p>agreed [16] - 21:17, 33:24, 63:3, 63:7, 65:9, 65:26, 66:3, 70:5, 72:2, 79:3, 79:5, 83:21, 116:6, 118:7, 118:23, 119:12</p> <p>agreeing [4] - 67:15, 68:18, 82:29, 89:13</p> <p>agreement [2] - 18:5, 126:19</p> <p>ahead [3] - 27:18, 28:7, 148:8</p> <p>alert [1] - 50:7</p> <p>alerting [1] - 67:10</p> <p>alia [2] - 44:17, 131:17</p> <p>alive [1] - 19:19</p> <p>allegation [8] - 12:13, 12:14, 12:16, 40:6, 59:27, 106:24, 109:7, 155:12</p> <p>alleged [3] - 8:2, 8:13, 129:23</p> <p>alleges [1] - 102:27</p> <p>alleviate [1] - 120:10</p> <p>allocated [6] - 46:1, 122:20, 125:4, 125:12, 125:14, 126:25</p> <p>allocation [1] - 10:7</p> <p>allow [9] - 47:6, 80:29, 118:27, 122:19, 125:8, 137:20, 137:27, 147:10</p> <p>allowances [1] - 109:1</p> <p>allowed [1] - 125:15</p> <p>allows [1] - 111:12</p> <p>almost [1] - 86:18</p> <p>alter [1] - 105:28</p> <p>alternative [7] - 15:9, 22:3, 78:5, 118:1, 119:29, 126:22, 127:9</p> <p>ambiguity [1] - 42:5</p> <p>amend [1] - 157:21</p> <p>AMENDED [1] - 1:8</p> <p>amendment [2] - 11:12, 102:10</p> <p>AN [1] - 2:16</p> <p>analogy [1] - 77:21</p> <p>AND [4] - 1:2, 1:3, 1:7, 81:24</p> <p>ANDREW [1] - 3:7</p> <p>Anglesea [22] -</p>	<p>13:16, 13:25, 14:15, 15:12, 15:26, 16:14, 24:7, 25:1, 25:13, 28:18, 30:12, 30:17, 30:27, 30:28, 31:7, 31:11, 32:1, 32:21, 34:17, 34:29, 35:4, 35:6</p> <p>annexed [1] - 14:4</p> <p>annual [3] - 41:8, 42:14, 42:16</p> <p>anomaly [1] - 11:12</p> <p>answer [19] - 15:5, 21:28, 27:12, 27:18, 60:9, 75:2, 75:10, 85:15, 121:20, 121:29, 131:16, 132:9, 141:12, 157:12, 157:19, 157:22, 157:25, 157:26, 158:4</p> <p>answered [2] - 10:3, 154:6</p> <p>answers [1] - 8:11</p> <p>Anthony [2] - 96:15, 104:13</p> <p>ANTHONY [1] - 3:5</p> <p>anticipate [1] - 26:28</p> <p>anticipating [2] - 155:22, 162:5</p> <p>anxiety [4] - 46:19, 55:14, 62:27, 146:6</p> <p>anyway [1] - 61:21</p> <p>apart [2] - 54:3, 54:18</p> <p>apologies [2] - 36:18, 87:27</p> <p>apparent [8] - 26:8, 30:22, 33:27, 40:5, 60:20, 116:10, 116:11, 156:27</p> <p>APPEAL [2] - 1:12, 2:3</p> <p>appeal [44] - 10:12, 10:20, 10:22, 10:23, 11:19, 11:28, 12:1, 12:5, 12:6, 12:10, 12:12, 12:20, 13:29, 16:22, 17:18, 17:21, 17:29, 18:1, 18:3, 19:4, 19:8, 19:9, 19:12, 19:13, 20:2, 20:18, 20:24, 21:3, 21:18, 24:23, 25:3, 25:11, 27:1, 36:16, 92:10, 97:28, 131:8, 131:22, 131:28, 132:13, 137:3, 142:28, 144:16, 148:7</p> <p>appealed [6] - 15:3,</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>92:7, 131:5, 131:21, 138:21, 148:8</p> <p>appeals [8] - 9:25, 10:18, 10:19, 10:25, 24:8, 24:26, 25:6, 25:7</p> <p>appear [8] - 9:18, 21:11, 35:25, 59:1, 67:9, 70:19, 71:24, 111:22</p> <p>APPEARANCES [1] - 2:1</p> <p>appeared [9] - 7:11, 7:14, 19:2, 26:12, 38:16, 74:10, 95:17, 101:15, 131:2</p> <p>appended [1] - 8:7</p> <p>application [6] - 95:16, 129:12, 130:16, 136:4, 150:5, 150:19</p> <p>applied [3] - 150:7, 150:20, 150:26</p> <p>apply [4] - 52:5, 110:8, 133:16, 141:4</p> <p>applying [2] - 72:17, 152:12</p> <p>appointed [3] - 6:1, 6:15, 20:9</p> <p>appointment [8] - 6:26, 10:26, 44:27, 49:6, 60:27, 62:3, 72:22, 73:23</p> <p>appreciate [3] - 38:21, 144:26, 158:25</p> <p>approach [8] - 21:25, 38:18, 40:28, 58:5, 67:29, 68:21, 94:8, 162:4</p> <p>approached [1] - 109:10</p> <p>appropriate [9] - 80:12, 88:23, 93:4, 95:13, 100:18, 100:26, 105:1, 111:7, 127:2</p> <p>appropriately [4] - 76:25, 78:21, 111:1, 112:4</p> <p>April [30] - 24:16, 24:17, 25:23, 26:25, 27:5, 29:6, 41:6, 64:17, 74:18, 76:11, 80:7, 80:9, 82:1, 82:9, 83:3, 92:14, 93:13, 96:25, 97:17, 97:19, 103:13, 103:18, 104:3, 104:4, 104:8, 104:10, 104:13, 106:12, 107:24, 114:8</p>	<p>area [4] - 71:2, 137:8, 151:15, 152:21</p> <p>areas [1] - 151:14</p> <p>arguing [1] - 123:7</p> <p>argument [1] - 159:1</p> <p>arguments [1] - 37:1</p> <p>arise [2] - 54:16, 152:10</p> <p>arisen [1] - 161:22</p> <p>arises [1] - 161:21</p> <p>arising [3] - 20:6, 134:13, 152:24</p> <p>arose [4] - 12:2, 20:22, 41:9, 50:20</p> <p>ARRAN [1] - 3:8</p> <p>arranged [2] - 49:5, 62:3</p> <p>arrangement [4] - 89:23, 91:6, 97:6, 121:5</p> <p>arrangements [22] - 38:13, 68:18, 68:27, 71:8, 75:20, 84:19, 87:5, 91:2, 94:16, 94:20, 101:23, 102:3, 117:7, 117:12, 117:14, 117:18, 118:7, 118:9, 118:23, 119:9, 163:1, 163:9</p> <p>arrive [3] - 66:18, 118:6, 121:5</p> <p>arrived [2] - 8:27, 95:1</p> <p>arriving [1] - 119:11</p> <p>AS [14] - 1:8, 5:1, 5:25, 23:25, 36:11, 39:17, 43:15, 81:25, 113:20, 126:15, 128:10, 134:21, 143:21, 156:11</p> <p>ascribed [1] - 112:18</p> <p>aspect [3] - 8:26, 21:11, 49:8</p> <p>asserting [2] - 50:8, 58:12</p> <p>assertion [9] - 57:20, 58:7, 105:26, 106:1, 106:24, 114:22, 114:29, 115:11, 123:29</p> <p>assertions [1] - 58:6</p> <p>asserts [1] - 58:12</p> <p>assessing [1] - 68:27</p> <p>assessment [12] - 37:9, 44:21, 45:22, 46:24, 52:18, 62:21, 74:8, 86:27, 93:4, 103:19, 103:21, 105:1</p> <p>assigned [1] - 83:15</p>	<p>assist [4] - 17:21, 28:5, 30:19, 54:23</p> <p>assistance [10] - 28:14, 30:20, 34:19, 34:29, 35:3, 59:5, 85:25, 114:3, 161:26, 162:15</p> <p>Assistance [1] - 15:15</p> <p>Assistant [16] - 11:26, 44:24, 55:22, 60:7, 60:16, 60:18, 82:2, 82:10, 82:27, 91:25, 91:28, 92:20, 93:10, 97:19, 99:22, 99:25</p> <p>assistant [3] - 6:28, 34:4, 57:10</p> <p>assistants [1] - 33:15</p> <p>assisting [2] - 28:15, 127:22</p> <p>associated [1] - 55:14</p> <p>associates [1] - 86:23</p> <p>assume [6] - 13:2, 25:21, 89:2, 108:24, 109:23, 158:9</p> <p>assumed [1] - 36:1</p> <p>assumes [1] - 109:23</p> <p>assuming [1] - 35:2</p> <p>assumption [6] - 18:11, 123:14, 123:15, 123:28, 126:5, 126:6</p> <p>assure [1] - 158:10</p> <p>attach [1] - 109:4</p> <p>attached [4] - 45:10, 74:12, 74:26, 95:24</p> <p>attaching [2] - 130:17, 136:5</p> <p>attempt [3] - 42:15, 132:6, 142:29</p> <p>attempted [1] - 53:27</p> <p>attend [4] - 86:12, 88:6, 98:3, 145:15</p> <p>attendance [1] - 16:29</p> <p>attended [3] - 17:13, 49:19, 114:8</p> <p>attending [2] - 83:14, 100:25</p> <p>attention [9] - 26:23, 53:18, 53:20, 96:7, 110:19, 132:28, 135:29, 137:14, 138:26</p> <p>attributed [2] -</p>	<p>46:14, 56:25</p> <p>attributing [1] - 57:28</p> <p>attributions [1] - 58:6</p> <p>August [5] - 20:10, 108:17, 108:28, 149:5, 149:29</p> <p>authorised [1] - 17:6</p> <p>authority [1] - 140:27</p> <p>automatically [2] - 20:17, 45:8</p> <p>autonomy [1] - 10:9</p> <p>avail [5] - 35:7, 50:25, 137:5, 137:11, 139:15</p> <p>availability [1] - 163:1</p> <p>available [25] - 28:21, 34:15, 34:17, 34:20, 38:20, 41:10, 41:11, 47:20, 47:27, 50:24, 54:23, 56:20, 60:22, 63:4, 65:24, 77:1, 83:13, 84:1, 87:11, 93:8, 100:18, 103:20, 104:15, 105:5, 121:11</p> <p>availing [1] - 34:28</p> <p>avails [3] - 130:26, 136:24, 144:24</p> <p>average [1] - 142:4</p> <p>avoid [1] - 42:5</p> <p>awaiting [2] - 72:17, 86:9</p> <p>aware [22] - 8:5, 12:16, 12:29, 19:1, 26:23, 29:12, 37:5, 37:7, 48:12, 50:19, 67:3, 95:14, 106:9, 108:25, 109:23, 109:24, 110:5, 113:2, 113:4, 135:5, 136:29, 147:2</p> <p>awe [1] - 155:3</p>	<p>37:18, 37:20, 37:22, 38:6, 38:11, 38:25</p> <p>BARRETT [5] - 3:15, 4:3, 5:24, 23:24, 36:11</p> <p>Barrett's [1] - 9:15</p> <p>barrister [1] - 113:25</p> <p>barristers [1] - 23:28</p> <p>Barry [131] - 6:8, 7:11, 7:15, 7:21, 7:29, 9:2, 9:4, 11:18, 13:15, 13:21, 13:24, 14:14, 14:26, 15:16, 16:19, 17:20, 18:1, 19:1, 19:7, 20:16, 21:12, 21:24, 22:21, 23:1, 23:7, 23:29, 24:7, 24:20, 24:29, 25:6, 25:8, 26:11, 26:22, 26:29, 29:10, 29:25, 30:11, 30:19, 31:9, 31:27, 32:1, 32:17, 32:25, 33:19, 33:28, 34:13, 34:26, 37:2, 40:1, 40:10, 40:15, 40:19, 41:1, 41:29, 42:14, 42:16, 44:19, 47:23, 49:11, 49:13, 55:11, 56:9, 56:25, 57:8, 57:12, 59:8, 62:3, 62:7, 62:26, 63:2, 64:1, 78:3, 80:15, 80:26, 86:12, 88:6, 91:17, 92:5, 92:7, 92:11, 93:26, 94:7, 96:5, 96:25, 103:1, 103:3, 103:8, 104:1, 104:23, 107:4, 107:12, 107:21, 108:3, 109:15, 116:13, 118:6, 120:7, 120:15, 120:17, 120:18, 121:14, 121:18, 125:4, 126:24, 128:1, 128:7, 128:12, 134:6, 134:12, 134:24, 134:27, 136:19, 138:23, 139:2, 142:13, 143:3, 144:21, 146:13, 148:2, 151:12, 151:20, 151:26, 154:19, 154:23, 154:24, 156:6, 156:14, 158:22, 159:11</p> <p>barry [3] - 113:25, 137:16, 143:24</p> <p>BARRY [6] - 2:10,</p>
B				
<p>background [3] - 52:9, 62:23, 124:1</p> <p>badly [1] - 69:26</p> <p>balancing [1] - 67:25</p> <p>Barrett [24] - 5:17, 5:19, 5:21, 5:27, 5:29, 9:19, 23:17, 23:27, 28:26, 31:24, 33:7, 33:22, 35:10, 35:16, 35:25, 36:14, 36:17,</p>				

<p>4:20, 128:9, 134:21, 143:21, 156:11</p> <p>Barry's [12] - 12:10, 14:25, 41:15, 61:14, 63:29, 89:2, 95:25, 95:28, 102:8, 105:27, 106:18, 158:15</p> <p>based [21] - 13:3, 15:13, 28:24, 30:14, 56:19, 74:2, 74:7, 75:8, 77:1, 83:12, 91:20, 93:8, 100:17, 103:19, 104:15, 105:4, 107:17, 123:24, 153:13</p> <p>basis [16] - 19:12, 55:1, 57:21, 57:25, 71:9, 77:11, 79:29, 83:20, 84:16, 93:4, 94:29, 99:1, 105:1, 111:24, 112:3, 153:7</p> <p>bear [4] - 9:19, 41:4, 42:5, 82:12</p> <p>became [4] - 6:29, 8:5, 19:1</p> <p>become [1] - 40:5</p> <p>becomes [1] - 75:27</p> <p>becoming [2] - 77:17, 83:28</p> <p>BEEN [3] - 5:24, 39:16, 43:14</p> <p>beforehand [1] - 62:7</p> <p>beg [11] - 12:9, 25:26, 31:20, 31:23, 48:11, 61:25, 87:26, 115:19, 125:12, 139:2, 159:23</p> <p>begin [1] - 5:5</p> <p>beginning [1] - 69:19</p> <p>begins [2] - 137:15, 138:28</p> <p>behalf [7] - 11:21, 37:1, 126:17, 129:2, 129:3, 156:20, 163:14</p> <p>behaviour [2] - 59:27, 140:27</p> <p>behind [1] - 36:5</p> <p>belief [1] - 95:28</p> <p>below [2] - 86:7, 136:14</p> <p>below" [1] - 138:29</p> <p>benefit [1] - 43:19</p> <p>best [10] - 67:23, 84:7, 84:26, 85:21, 91:19, 124:20, 124:21, 134:15, 135:16, 159:6</p> <p>better [5] - 40:7, 96:16, 105:18, 152:7,</p>	<p>152:16</p> <p>between [26] - 13:20, 16:6, 20:10, 26:13, 27:6, 32:16, 32:29, 58:25, 66:13, 67:26, 79:13, 84:2, 90:6, 90:9, 93:15, 100:21, 108:2, 110:13, 111:25, 117:23, 119:17, 120:14, 121:17, 128:29, 142:2, 143:4</p> <p>beyond [1] - 58:14</p> <p>bid [1] - 74:1</p> <p>big [1] - 98:12</p> <p>bit [11] - 20:9, 37:11, 40:7, 42:7, 67:24, 86:3, 97:7, 116:27, 144:3, 162:20, 163:11</p> <p>BL [10] - 2:7, 2:11, 2:11, 2:18, 2:18, 2:19, 2:24, 3:6, 3:11, 3:16</p> <p>blank [1] - 131:20</p> <p>blank [1] - 109:4</p> <p>blocked [1] - 36:6</p> <p>board [9] - 7:26, 25:10, 26:5, 27:8, 29:6, 30:3, 58:7, 67:13, 94:24</p> <p>bodies [1] - 18:6</p> <p>body [5] - 18:3, 19:2, 19:10, 21:16, 24:3</p> <p>bold [1] - 130:13</p> <p>boss [1] - 41:21</p> <p>bottom [18] - 27:28, 28:2, 42:11, 55:25, 56:29, 62:24, 83:4, 85:29, 86:4, 87:26, 87:28, 95:21, 105:23, 116:25, 129:24, 133:26, 156:24, 159:7</p> <p>bound [3] - 15:2, 33:17, 74:29</p> <p>bow [1] - 163:28</p> <p>box [8] - 105:12, 130:20, 130:21, 136:8, 136:13, 138:27, 138:29, 143:4</p> <p>brackets [1] - 76:21</p> <p>break [1] - 122:18</p> <p>BREFFNI [1] - 3:11</p> <p>brief [2] - 9:22, 156:2</p> <p>briefing [3] - 17:24, 18:8, 18:14</p> <p>briefly [2] - 9:11, 128:1</p> <p>bring [2] - 156:15, 156:23</p> <p>bringing [4] - 9:21, 10:1, 49:14, 70:19</p>	<p>broadly [1] - 32:18</p> <p>brought [6] - 24:9, 24:26, 26:23, 51:26, 51:28, 110:19</p> <p>bulletins [1] - 11:21</p> <p>bullying [6] - 7:14, 8:14, 59:27, 97:25, 98:24, 149:26</p> <p>bumped [1] - 39:13</p> <p>burdens [3] - 150:6, 150:19, 150:25</p> <p>BURKE [1] - 2:20</p> <p>business [1] - 162:19</p> <p>BY [32] - 1:3, 1:6, 2:8, 2:12, 2:20, 2:25, 3:7, 3:12, 3:16, 4:5, 4:6, 4:8, 4:12, 4:16, 4:17, 4:18, 4:22, 4:24, 4:25, 4:26, 5:25, 23:24, 36:11, 39:17, 43:15, 113:19, 126:14, 128:10, 134:21, 143:21, 156:11</p> <p>Byrnes [2] - 35:26, 38:2</p> <p>BYRNES [1] - 3:16</p>	<p>CARTHAGE [1] - 2:25</p> <p>case [56] - 10:29, 24:11, 30:7, 31:13, 33:28, 34:23, 40:8, 40:12, 49:19, 49:21, 50:3, 50:15, 51:1, 54:11, 66:26, 69:3, 69:19, 70:22, 72:28, 73:25, 76:8, 76:23, 80:15, 80:17, 82:1, 82:6, 82:23, 83:10, 83:28, 87:2, 94:27, 97:16, 97:20, 98:8, 98:10, 98:14, 102:11, 104:2, 107:26, 114:7, 114:13, 114:24, 115:8, 115:9, 115:16, 116:12, 117:28, 119:21, 119:25, 120:5, 121:24, 127:9, 134:5, 143:9, 152:23</p> <p>cases [1] - 50:3</p> <p>CASTLE [1] - 1:16</p> <p>Catherine [3] - 108:15, 108:19, 109:5</p> <p>caught [1] - 45:7</p> <p>causality [2] - 53:12, 112:18</p> <p>causation [1] - 53:12</p> <p>caused [4] - 57:21, 146:5, 149:12, 149:13</p> <p>caveats [1] - 99:18</p> <p>ceased [1] - 31:12</p> <p>central [2] - 26:17, 151:22</p> <p>cert [1] - 148:9</p> <p>certain [8] - 50:20, 55:15, 63:11, 64:2, 76:16, 77:12, 86:23, 160:17</p> <p>CERTAIN [1] - 1:2</p> <p>certainly [16] - 7:1, 22:24, 22:29, 29:19, 29:21, 35:27, 56:26, 68:24, 89:2, 95:8, 115:4, 123:15, 129:27, 152:21, 154:10, 160:18</p> <p>certificate [31] - 23:13, 63:28, 65:5, 66:1, 67:14, 69:7, 69:11, 69:23, 69:27, 69:29, 73:27, 74:11, 74:25, 76:18, 77:16, 80:29, 82:24, 82:29, 95:24, 96:2, 96:4, 97:9, 97:27, 105:27, 114:18, 119:27, 121:25, 122:8,</p>	<p>122:12, 129:8, 147:2</p> <p>certificates [1] - 45:19</p> <p>certification [4] - 59:6, 74:23, 75:1, 109:12</p> <p>certified [4] - 46:13, 72:25, 73:12, 73:19</p> <p>certify [3] - 1:23, 73:14, 73:17</p> <p>cetera [2] - 36:6, 62:22</p> <p>chain [1] - 42:23</p> <p>CHAIRMAN [107] - 1:11, 5:4, 5:18, 5:21, 5:27, 23:22, 31:21, 32:6, 32:8, 32:11, 32:16, 32:20, 32:24, 33:2, 33:4, 35:15, 35:19, 35:21, 35:23, 35:27, 36:1, 36:8, 37:5, 37:9, 37:13, 37:24, 37:27, 38:10, 38:22, 38:29, 39:3, 39:6, 39:8, 39:11, 39:19, 39:25, 42:29, 43:3, 43:6, 43:12, 43:17, 81:15, 81:19, 81:22, 81:27, 82:14, 94:3, 113:17, 122:26, 123:1, 123:20, 123:22, 124:18, 125:23, 125:26, 126:1, 126:5, 126:11, 127:16, 127:18, 127:21, 127:25, 128:2, 128:7, 134:11, 134:19, 139:17, 140:4, 140:6, 142:19, 143:15, 152:3, 152:18, 154:10, 154:12, 154:16, 154:19, 154:24, 154:26, 155:1, 155:3, 155:8, 155:13, 155:19, 155:27, 156:3, 156:5, 158:5, 158:7, 158:22, 158:28, 159:5, 159:10, 159:16, 159:20, 160:5, 160:8, 160:11, 160:20, 160:27, 161:3, 161:7, 161:12, 161:14, 162:2, 162:5, 163:4</p> <p>Chairman [60] - 5:16, 9:14, 25:26, 25:27, 32:10, 35:18, 35:22, 35:24, 35:29, 37:16, 38:6, 38:16, 39:27,</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

40:27, 41:24, 43:5, 43:10, 43:19, 81:12, 81:18, 94:2, 121:22, 122:29, 123:17, 123:19, 124:10, 124:15, 124:19, 126:10, 127:24, 127:29, 128:6, 134:16, 134:17, 138:14, 140:3, 140:5, 143:11, 151:10, 151:18, 151:19, 152:5, 152:9, 153:28, 154:5, 155:14, 155:25, 155:29, 156:1, 156:27, 158:2, 158:6, 158:17, 158:27, 159:17, 159:23, 160:17, 160:22, 161:25, 162:4 Chairman's [1] - 124:15 challenge [1] - 77:19 challenging [1] - 124:13 CHAMBERS [1] - 3:13 chance [1] - 130:5 change [21] - 11:11, 11:12, 25:5, 42:15, 84:9, 84:10, 84:11, 84:12, 101:14, 104:9, 105:28, 118:26, 121:15, 126:7, 130:26, 136:24, 137:6, 139:15, 144:24, 157:21, 162:29 changed [2] - 101:29, 105:26 changes [2] - 20:22, 42:2 changing [1] - 125:14 chapter [1] - 10:16 characterisation [1] - 58:26 charge [1] - 133:9 Charter [1] - 108:21 check [5] - 64:7, 72:16, 72:27, 72:28, 125:27 checking [1] - 9:20 CHIEF [1] - 2:21 chief [24] - 13:10, 15:6, 17:11, 17:14, 20:13, 24:20, 29:7, 30:6, 30:9, 31:8, 44:1, 45:20, 64:16, 65:1, 70:15, 80:16, 92:4,	96:23, 97:11, 97:13, 98:17, 112:19, 116:22, 133:8 Chief [54] - 7:12, 8:12, 10:10, 11:22, 12:22, 13:18, 13:29, 17:5, 17:7, 17:16, 17:28, 18:13, 19:18, 19:27, 22:1, 22:9, 22:14, 22:19, 24:21, 26:18, 29:14, 29:20, 29:26, 40:16, 45:1, 57:12, 60:2, 60:6, 80:5, 82:4, 83:2, 85:24, 87:23, 93:11, 95:15, 95:18, 96:13, 96:14, 96:21, 99:25, 99:28, 104:4, 104:13, 106:27, 106:29, 108:14, 108:17, 108:18, 109:5, 111:26, 133:17, 133:25, 142:17, 148:19 chiefs [1] - 17:1 chronology [2] - 24:6, 29:28 CIARA [1] - 2:8 circa [1] - 36:23 circuiting [1] - 54:27 circumstance [3] - 49:21, 63:23, 89:19 circumstances [20] - 19:4, 22:19, 34:16, 40:9, 50:23, 51:24, 53:11, 53:13, 53:14, 58:2, 64:2, 73:11, 75:8, 77:7, 84:26, 100:12, 138:24, 140:21, 149:26, 160:26 city [2] - 16:14, 142:12 civil [1] - 23:6 civilian [1] - 6:16 claim [1] - 135:2 claimed [2] - 51:22, 80:29 claims [2] - 97:25, 98:24 clarification [11] - 53:9, 54:21, 58:4, 81:4, 83:7, 96:24, 109:17, 109:18, 112:20, 112:25, 112:26 clarifications [3] - 110:15, 111:2, 112:6 clarifies [1] - 101:2 clarify [7] - 6:14,	24:12, 33:4, 44:4, 88:6, 104:5, 158:14 clarifying [1] - 126:2 clash [1] - 143:3 clashes [1] - 141:24 classed [1] - 53:11 classification [3] - 51:21, 53:2, 54:4 classified [5] - 52:12, 52:13, 54:25, 108:12, 108:29 clause [1] - 144:10 clear [19] - 6:15, 11:14, 12:6, 16:18, 19:25, 28:27, 29:3, 34:8, 35:15, 58:28, 70:10, 74:24, 106:11, 123:16, 126:1, 142:22, 145:26, 161:1, 161:23 clearly [7] - 31:5, 84:1, 104:14, 116:20, 122:6, 138:10, 141:10 client [10] - 24:23, 33:28, 40:6, 41:6, 41:8, 122:21, 144:28, 146:22, 153:10, 154:1 client's [1] - 151:23 clinic [1] - 46:11 clinical [13] - 46:20, 49:10, 60:21, 79:26, 79:27, 91:16, 92:24, 93:7, 100:12, 100:23, 101:13, 101:14, 105:3 close [2] - 14:25, 162:19 closely [1] - 140:25 closer [2] - 22:16, 148:18 CMO [10] - 28:19, 30:15, 45:25, 45:27, 46:2, 46:4, 73:23, 99:16, 112:21, 112:22 CMO's [2] - 44:28, 93:12 Code [4] - 10:16, 10:24, 21:15, 23:4 code [3] - 11:11, 21:8, 84:28 CODY [1] - 2:12 cognisant [1] - 34:22 coherence [1] - 151:26 collateral [1] - 152:11 colleague [2] - 41:29, 42:4 colleagues [2] - 43:20, 98:5 Collins [5] - 15:7,	45:21, 93:13, 93:17, 93:19 Collins' [1] - 95:26 column [9] - 52:16, 52:29, 97:23, 114:19, 116:6, 116:17, 116:20, 116:21, 117:1 coming [16] - 5:12, 6:16, 65:8, 67:20, 75:8, 79:14, 101:16, 110:11, 116:26, 127:22, 128:20, 128:21, 128:22, 142:12, 158:23, 163:27 commenced [1] - 160:23 commences [1] - 9:16 comment [13] - 26:14, 40:21, 56:24, 57:6, 67:18, 69:16, 114:20, 128:18, 130:4, 142:20, 162:1, 162:8, 162:23 comments [1] - 67:19 Commission [1] - 133:19 commissioner [14] - 6:28, 10:28, 11:3, 17:25, 17:26, 17:27, 17:29, 18:24, 19:5, 21:17, 34:4, 44:29, 57:10, 59:9 COMMISSIONER [1] - 2:16 Commissioner [17] - 11:26, 44:25, 55:22, 60:8, 60:17, 60:19, 82:2, 82:10, 82:27, 91:25, 91:28, 92:20, 93:10, 97:20, 99:22, 99:25, 126:18 commissioner's [1] - 18:12 commit [1] - 140:27 committed [1] - 85:7 common [1] - 19:2 communicate [4] - 41:19, 47:8, 80:17, 91:9 communicated [8] - 13:6, 42:18, 42:22, 48:15, 48:18, 54:29, 71:22, 112:5 communicating [1] - 135:3 communication [9] - 7:25, 57:23, 58:16,	82:18, 106:16, 109:14, 109:16, 113:12, 116:18 communications [2] - 71:12, 87:17 COMPANY [1] - 3:7 comparable [1] - 22:17 comparison [1] - 22:6 compelling [3] - 77:5, 83:13, 92:24 complain [1] - 154:3 complained [1] - 9:2 complaint [18] - 7:15, 8:1, 40:8, 40:11, 40:15, 40:17, 40:20, 40:23, 41:1, 51:18, 55:17, 60:5, 108:13, 150:24, 154:1, 154:13, 154:14, 154:16 complaints [3] - 21:13, 54:3, 99:2 complete [3] - 8:24, 53:3, 72:18 completed [3] - 53:17, 58:21, 108:16 completely [6] - 33:17, 40:8, 40:9, 121:20, 121:21, 157:10 completes [1] - 159:17 complied [1] - 21:9 comply [1] - 99:10 complying [1] - 16:9 comprehensive [1] - 12:23 compromise [1] - 120:10 COMYNS [1] - 2:24 Comyns [77] - 12:13, 13:21, 15:25, 16:11, 16:16, 16:25, 17:4, 22:9, 25:24, 26:13, 26:16, 26:20, 28:24, 29:12, 29:23, 30:8, 31:4, 31:6, 31:16, 31:28, 31:29, 32:13, 32:17, 32:24, 33:25, 36:19, 36:28, 53:26, 78:6, 81:2, 86:14, 86:26, 88:7, 89:3, 89:5, 89:20, 89:26, 91:5, 95:29, 96:6, 108:23, 116:15, 120:14, 120:16, 120:19, 122:23, 125:6, 126:27,
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>130:26, 133:1, 133:18, 134:4, 136:23, 137:5, 137:8, 139:14, 142:1, 142:5, 143:18, 143:19, 144:24, 145:6, 145:17, 146:1, 146:9, 147:1, 147:27, 148:18, 148:29, 149:14, 150:4, 150:8, 150:15, 150:18, 150:22, 151:2, 151:8 Comyns' [1] - 150:9 Comyns's [3] - 139:26, 141:27, 150:5 Comyns.. [1] - 139:23 concentrated [1] - 149:2 concern [5] - 94:25, 94:26, 94:29, 152:8, 153:12 concerned [6] - 6:7, 23:14, 40:4, 100:21, 125:3, 142:14 concerning [2] - 20:1, 20:8 concerns [6] - 50:10, 60:3, 60:7, 111:2, 111:8, 111:12 concise [1] - 25:20 conclude [2] - 22:12, 55:26 concluded [5] - 7:16, 22:2, 55:5, 59:19, 101:19 concludes [1] - 56:29 conclusion [7] - 25:4, 62:23, 63:25, 101:27, 107:9, 111:24, 116:4 conclusions [3] - 110:8, 110:22, 112:3 condition [6] - 49:1, 53:15, 57:15, 75:4, 75:26, 145:21 conditions [7] - 73:21, 74:12, 74:21, 74:26, 74:28, 76:2 conduct [4] - 8:2, 151:1, 154:27, 155:6 conducted [4] - 19:27, 40:13, 54:22, 163:16 conducting [2] - 26:22, 59:17 conference [35] - 49:19, 50:4, 50:15, 51:1, 54:11, 66:26,</p>	<p>69:4, 69:19, 70:23, 72:28, 80:13, 80:15, 80:17, 82:1, 82:6, 97:16, 97:20, 98:8, 98:10, 98:14, 104:2, 107:26, 114:7, 114:14, 114:24, 115:8, 115:9, 115:16, 116:12, 117:28, 118:14, 119:21, 119:25, 120:5, 121:24 conferences [2] - 73:26, 83:29 conferencing [1] - 76:23 confidential [1] - 50:24 confidentiality [1] - 92:12 confine [1] - 152:27 confined [1] - 152:24 confirm [4] - 8:11, 45:1, 104:1, 158:15 confirmed [2] - 11:2, 23:5 confirming [1] - 109:6 confusing [1] - 41:7 congratulations [1] - 43:4 conjunction [2] - 110:25, 111:28 CONLON [1] - 2:25 connection [5] - 6:8, 7:20, 7:25, 8:3, 44:19 conscious [1] - 153:23 consent [3] - 47:11, 47:12, 61:14 consents [2] - 47:5, 50:16 consider [10] - 14:29, 15:1, 47:1, 54:16, 91:22, 92:10, 94:5, 118:10, 121:6, 133:14 consideration [18] - 13:17, 35:9, 52:22, 63:6, 65:23, 68:5, 75:6, 75:7, 76:1, 79:26, 82:21, 91:17, 91:21, 94:16, 102:4, 110:26, 111:29, 120:23 considerations [7] - 77:27, 92:25, 93:7, 100:23, 105:4, 105:10, 118:24 considered [12] - 14:28, 18:3, 69:13,</p>	<p>94:10, 110:3, 114:21, 115:13, 126:23, 127:10, 143:25, 160:3, 161:11 considering [1] - 158:16 consistent [2] - 46:18, 105:7 consistently [3] - 94:19, 106:15, 107:12 constituted [1] - 68:14 constructive [1] - 87:13 consultant [2] - 61:7, 82:23 consultation [14] - 47:19, 49:11, 49:13, 49:26, 49:29, 52:24, 55:12, 56:6, 57:8, 57:18, 57:19, 61:17, 103:8, 108:3 consulted [3] - 11:16, 62:9 consulting [1] - 95:27 contact [12] - 17:3, 22:8, 29:7, 29:14, 29:20, 81:1, 95:29, 109:4, 146:9, 146:21, 148:10 contacted [2] - 29:23, 108:11 contained [6] - 12:7, 51:5, 135:10, 135:12, 151:23, 153:14 contains [2] - 86:2, 155:8 content [3] - 21:7, 86:1, 119:20 contention [1] - 161:20 context [27] - 9:6, 18:2, 19:10, 20:22, 33:23, 40:5, 40:23, 49:28, 56:1, 76:26, 78:1, 78:4, 78:17, 83:27, 86:29, 87:7, 87:16, 89:23, 93:1, 94:15, 94:20, 114:12, 117:13, 119:15, 121:23, 126:21, 126:24 continue [4] - 9:20, 30:11, 40:29, 42:9 continued [4] - 31:10, 33:29, 76:3, 80:28 continues [1] - 28:2 continuing [2] -</p>	<p>12:15, 96:5 continuous [1] - 85:18 continuously [1] - 90:3 contractual [1] - 84:28 contradictor [1] - 152:20 contributing [1] - 60:10 control [2] - 88:24, 89:15 controls [2] - 77:27, 90:18 controversy [2] - 10:12, 37:26 convene [1] - 50:5 convenient [1] - 162:27 convening [1] - 110:10 conversation [8] - 22:27, 64:19, 64:21, 64:26, 93:15, 131:4, 132:18, 148:16 cooperate [1] - 84:24 cooperation [1] - 158:26 copied [1] - 87:16 copies [1] - 45:13 copy [10] - 9:26, 47:28, 63:19, 63:20, 64:11, 81:9, 111:5, 129:12, 133:3, 133:7 Cork [6] - 16:14, 17:14, 24:21, 30:10, 37:8, 37:11 cork [2] - 29:8, 92:4 CORMAC [1] - 2:20 correct [112] - 6:17, 6:18, 6:21, 6:24, 6:27, 7:3, 7:16, 7:17, 7:22, 7:23, 8:14, 8:15, 8:27, 10:13, 11:20, 11:29, 12:7, 13:8, 14:2, 14:6, 16:7, 18:4, 18:6, 18:18, 18:19, 18:22, 18:25, 18:29, 19:6, 23:8, 24:18, 24:24, 26:1, 26:6, 26:7, 26:25, 31:3, 32:9, 32:23, 33:3, 35:8, 40:14, 41:3, 44:21, 44:25, 45:5, 45:8, 45:9, 46:22, 47:23, 51:10, 51:15, 60:26, 61:10, 61:11, 62:10, 62:11, 62:15, 62:16, 62:18, 70:22, 71:24,</p>	<p>95:20, 108:5, 114:9, 114:10, 114:15, 114:25, 116:8, 117:6, 123:16, 125:24, 125:28, 126:8, 127:10, 127:11, 128:26, 129:28, 130:11, 130:29, 131:26, 131:27, 133:4, 133:5, 135:4, 135:8, 135:20, 135:27, 136:9, 136:10, 136:16, 136:17, 137:23, 139:17, 140:5, 140:10, 143:6, 143:7, 143:26, 143:27, 145:2, 145:16, 146:2, 146:22, 151:6, 151:7, 154:4, 155:25, 156:22, 157:21, 157:28 corrected [1] - 125:11 correction [4] - 45:23, 107:25, 125:7, 138:15 correctly [4] - 63:21, 64:6, 77:14, 140:4 correspondence [12] - 20:11, 30:5, 83:12, 109:4, 110:13, 111:6, 111:19, 111:25, 127:4, 144:29, 160:1, 160:15 COSTELLO [1] - 3:7 COSTELLOE [38] - 2:10, 4:12, 4:17, 23:24, 23:27, 31:23, 32:10, 33:5, 35:17, 39:17, 39:27, 113:20, 113:22, 122:28, 123:17, 123:21, 124:10, 124:19, 125:25, 125:29, 126:4, 126:10, 128:5, 152:5, 154:5, 155:29, 156:4, 156:9, 156:11, 156:14, 158:17, 159:23, 160:6, 160:9, 160:12, 161:13, 161:25, 162:3 Costelloe [28] - 23:22, 23:28, 32:12, 32:27, 33:9, 33:12, 34:8, 35:15, 36:6, 36:16, 36:23, 36:25, 39:23, 39:25, 39:29, 113:17, 113:24, 123:1, 123:22,</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>125:23, 126:1, 128:2, 134:14, 152:4, 155:19, 155:27, 158:9 costelloe [4] - 156:3, 156:5, 160:11, 161:24 Costelloe's [2] - 33:3, 126:19 COSTELLOE..... [1] - 4:6 COSTELLOE..... [1] - 4:26 Council's [1] - 44:14 counsel [2] - 152:28, 152:29 counterbalanced [1] - 33:11 couple [7] - 36:14, 61:26, 63:15, 64:20, 109:9, 113:29, 128:14 course [8] - 9:8, 13:2, 13:28, 26:10, 47:15, 53:19, 55:10, 149:29 Court [1] - 135:24 COURT [2] - 1:12, 2:3 cover [4] - 41:9, 41:12, 41:15, 41:26 COVID [1] - 164:1 cows [1] - 141:3 created [3] - 11:12, 28:17, 33:19 creating [1] - 31:5 criminal [6] - 8:2, 8:20, 59:27, 109:6, 140:27, 155:12 criminal/discipline [1] - 19:28 criteria [3] - 105:17, 150:10, 150:27 criticised [2] - 28:29, 29:3 criticism [5] - 28:26, 35:16, 66:1, 68:8, 102:8 cropped [1] - 42:3 cross [10] - 123:23, 129:7, 129:10, 151:22, 152:23, 152:27, 153:3, 153:4, 153:25, 158:8 CROSS [12] - 4:6, 4:12, 4:17, 4:18, 4:24, 4:25, 23:24, 39:17, 113:19, 126:14, 134:21, 143:21 cross-examination [5] - 152:23, 152:27, 153:3, 153:25, 158:8 cross-examine [2] -</p>	<p>151:22, 153:4 CROSS-EXAMINED [12] - 4:6, 4:12, 4:17, 4:18, 4:24, 4:25, 23:24, 39:17, 113:19, 126:14, 134:21, 143:21 crossed [1] - 129:9 current [6] - 48:27, 96:4, 96:17, 98:10, 99:10, 100:2</p> <p>D</p> <p>DALY [1] - 2:11 damages [1] - 135:2 date [11] - 14:22, 40:17, 62:14, 63:14, 64:7, 64:14, 80:8, 111:18, 119:24, 129:8, 129:27 dated [12] - 24:16, 57:10, 57:12, 62:13, 63:29, 76:19, 82:24, 97:2, 104:4, 109:5, 130:2, 149:5 dates [1] - 24:6 DAVID [2] - 2:11, 3:16 DAY [1] - 1:17 days [5] - 24:22, 45:6, 64:20, 113:29, 130:6 deal [10] - 12:20, 15:6, 58:3, 86:13, 88:7, 89:1, 99:11, 99:12, 151:12, 159:24 dealing [10] - 20:4, 21:5, 26:10, 58:1, 75:13, 89:4, 106:6, 153:7, 153:9, 158:29 dealings [2] - 16:26, 17:7 deals [2] - 147:7, 160:12 dealt [13] - 9:6, 10:6, 12:21, 15:29, 19:12, 21:4, 21:6, 23:3, 90:17, 102:16, 102:23, 145:5, 151:13 debar [4] - 77:6, 92:25, 93:7, 105:4 DEBORAH [1] - 2:12 debt [2] - 163:22, 163:24 December [1] - 48:23 DECEMBER [1] - 1:8 decide [4] - 10:19,</p>	<p>85:21, 90:22, 122:7 decided [5] - 12:19, 20:2, 61:4, 80:16, 150:22 decides [1] - 99:9 deciding [1] - 10:20 decision [28] - 10:21, 11:17, 13:3, 13:5, 13:29, 14:9, 14:13, 14:17, 14:22, 16:3, 17:17, 18:21, 21:16, 25:2, 25:4, 30:14, 41:2, 47:2, 58:23, 94:14, 105:16, 107:3, 112:25, 113:1, 113:2, 121:8, 153:13 decision-making [2] - 11:17, 14:17 decisions [2] - 91:22, 151:9 declare [1] - 135:15 declined [11] - 14:25, 22:4, 70:15, 70:24, 71:1, 71:3, 71:23, 98:1, 117:11, 117:17, 118:25 decompensation [1] - 75:18 dedicated [1] - 33:15 deemed [7] - 46:19, 57:1, 84:17, 108:22, 110:20, 112:6, 115:29 deeply [2] - 163:23 deferral [1] - 20:25 deferred [1] - 20:17 definite [1] - 17:28 definitive [4] - 58:9, 58:15, 58:18, 58:22 degree [2] - 56:25, 63:11 delay [3] - 20:4, 20:6, 20:14 delegated [3] - 11:2, 17:26, 18:13 Dennehy [40] - 48:13, 48:23, 49:2, 52:27, 57:14, 59:20, 130:9, 130:23, 132:11, 136:21, 136:29, 137:24, 138:3, 138:15, 138:25, 139:5, 139:7, 139:10, 139:18, 139:19, 139:20, 139:25, 144:2, 144:8, 145:20, 145:27, 146:4, 146:14, 146:17, 146:23, 146:26, 146:29, 147:12, 147:14,</p>	<p>147:16, 148:2, 148:6, 148:11, 148:21, 148:24 Dennehy's [5] - 49:8, 60:25, 130:1, 131:2, 157:27 deny [1] - 106:29 denying [1] - 142:23 dependent [2] - 33:10, 46:29 deployed [1] - 87:12 depression [3] - 46:19, 146:5, 146:20 depressive [7] - 46:14, 62:27, 137:21, 137:28, 147:11, 148:27, 149:12 depth [1] - 113:26 deputy [1] - 17:26 describe [1] - 12:19 described [4] - 9:9, 25:16, 56:25, 71:29 describes [3] - 57:13, 130:18, 136:6 describing [3] - 69:1, 69:2, 121:16 description [1] - 129:22 designation [1] - 11:29 desire [2] - 33:29, 151:29 desirous [1] - 160:3 detail [9] - 55:13, 56:21, 86:3, 119:3, 121:13, 122:3, 122:4, 122:5, 122:14 detailed [3] - 47:19, 55:12, 56:18 details [10] - 18:23, 47:19, 49:15, 57:17, 120:20, 120:23, 120:26, 121:12, 149:22, 159:21 deterioration [1] - 75:17 determination [4] - 54:24, 105:10, 112:15, 112:17 determine [1] - 78:7 determined [3] - 93:5, 105:2, 106:3 detrimint [3] - 150:3, 150:4, 150:18 detrimental [2] - 96:1, 98:5 developed [2] - 53:15, 62:26 development [3] - 13:10, 33:21, 110:12</p>	<p>Development [2] - 6:2, 27:4 developments [4] - 76:16, 79:28, 101:13, 101:14 diagnosed [1] - 149:28 diagnosis [1] - 47:18 DIARMAID [1] - 2:6 dictate [2] - 66:15, 66:16 different [23] - 15:17, 15:27, 16:16, 27:1, 31:18, 34:26, 59:6, 61:28, 91:5, 101:6, 101:10, 118:5, 121:11, 137:19, 138:8, 140:2, 144:10, 146:15, 147:9, 147:18, 147:24, 157:10 differently [4] - 25:12, 67:24, 82:9, 154:11 difficult [2] - 89:13, 158:12 difficulties [8] - 5:9, 28:16, 46:15, 50:2, 70:23, 83:6, 99:4, 163:4 difficulty [8] - 73:22, 78:2, 84:2, 85:7, 98:26, 101:21, 161:24, 162:28 dignity [2] - 151:4, 154:29 Dillane [29] - 14:1, 17:5, 17:8, 17:12, 17:16, 22:1, 22:10, 22:19, 24:22, 26:19, 29:15, 29:20, 29:27, 40:16, 80:5, 82:4, 85:25, 87:23, 93:12, 95:15, 95:18, 96:13, 104:5, 106:27, 107:1, 133:17, 133:25, 142:18, 148:19 Dillane's [3] - 22:15, 45:2, 83:3 direct [6] - 9:27, 41:21, 86:12, 87:24, 88:6, 89:26 directed [1] - 22:21 direction [4] - 10:28, 18:12, 145:15, 153:26 directions [4] - 86:8, 86:11, 108:20, 155:7 directives [1] - 84:28 DIRECTLY [6] - 4:5, 4:16, 4:22, 5:25,</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

43:15, 128:9 directly [23] - 21:19, 29:29, 52:8, 91:4, 91:9, 91:25, 107:24, 108:5, 120:19, 122:22, 125:5, 125:16, 126:26, 127:8, 130:27, 136:25, 137:7, 139:16, 144:25, 144:28, 145:1, 145:3, 152:1 DIRECTLY-EXAMINED [6] - 4:5, 4:16, 4:22, 5:25, 43:15, 128:9 Director [1] - 108:16 director [8] - 6:1, 6:25, 6:29, 10:18, 10:23, 10:26, 20:8, 27:3 disadvantage [1] - 12:27 disagree [3] - 67:6, 106:21, 123:18 disagreeable [1] - 65:15 disagreeing [2] - 67:15, 82:29 disagreement [2] - 84:18, 124:5 disciplinary [1] - 8:24 discipline [4] - 26:20, 150:9, 150:26, 155:11 disclosed [1] - 151:20 disclosure [3] - 8:29, 9:3, 154:3 disclosures [1] - 19:9 DISCLOSURES [2] - 1:1, 1:2 Disclosures [1] - 9:1 discuss [15] - 46:23, 66:26, 69:20, 72:2, 98:17, 98:21, 117:18, 118:5, 118:12, 121:27, 122:13, 122:15, 146:4, 147:15, 147:16 discussed [13] - 117:29, 118:25, 119:2, 119:4, 119:5, 119:11, 119:15, 119:25, 119:28, 120:27, 145:20, 145:21, 146:27 discussing [1] -	99:19 discussion [20] - 53:6, 54:10, 56:9, 66:25, 68:15, 79:17, 85:10, 89:11, 95:6, 98:14, 108:2, 115:10, 115:16, 118:3, 118:21, 120:6, 120:12, 120:29, 148:3, 148:6 discussions [3] - 53:19, 66:17, 119:17 dismiss [1] - 153:11 dispense [1] - 160:29 distinguished [1] - 15:12 distinguishing [1] - 117:23 district [27] - 9:24, 16:14, 16:15, 26:3, 26:6, 26:21, 28:12, 30:23, 30:27, 31:15, 31:18, 31:19, 32:4, 32:8, 41:22, 47:26, 47:29, 48:4, 84:3, 86:25, 89:6, 90:5, 105:29, 116:14, 117:5, 146:15, 148:5 districts [2] - 30:28, 31:26 diverted [1] - 157:8 division [8] - 9:24, 14:7, 31:18, 31:20, 32:21, 36:28, 44:26, 46:4 DIVISION [1] - 1:11 divisional [7] - 10:21, 30:29, 47:25, 48:3, 51:6, 70:15, 116:22 divisions [2] - 31:26, 46:1 doctor [30] - 43:17, 43:22, 46:12, 47:13, 48:10, 48:16, 48:19, 48:20, 63:18, 66:15, 75:1, 76:19, 76:28, 81:14, 81:28, 81:29, 98:27, 113:22, 116:28, 118:13, 119:18, 119:23, 121:20, 124:15, 125:19, 130:7, 130:16, 136:4, 138:18, 149:1 doctor's [3] - 123:2, 147:2, 148:9 doctors [10] - 47:1, 47:9, 47:10, 49:16,	57:20, 58:15, 59:1, 68:2, 73:20 document [21] - 7:18, 12:11, 18:8, 18:15, 46:2, 46:5, 64:8, 105:28, 114:12, 129:21, 132:28, 134:25, 134:27, 134:28, 135:25, 137:13, 138:16, 142:23, 143:24, 143:26, 161:17 documentation [2] - 93:21, 106:8 documented [1] - 120:28 documents [14] - 13:4, 13:9, 45:3, 45:10, 45:11, 46:4, 53:24, 61:1, 80:9, 80:21, 102:25, 110:4, 127:4, 153:16 domain [1] - 71:19 Donal [1] - 15:7 DONAL [2] - 2:18, 35:18 done [17] - 17:27, 27:8, 40:2, 46:26, 53:2, 72:28, 90:29, 102:11, 109:14, 128:15, 146:10, 146:11, 149:14, 149:24, 151:24, 158:16, 162:25 dose [1] - 164:1 doubt [1] - 26:1 down [28] - 5:27, 39:19, 42:7, 42:9, 45:4, 47:26, 49:7, 56:28, 61:23, 62:20, 64:27, 65:20, 80:20, 86:5, 87:27, 94:27, 111:17, 116:26, 121:10, 129:20, 129:21, 129:24, 130:13, 134:26, 139:1, 140:15, 149:23, 159:10 Downey [1] - 8:7 Downey's [1] - 12:17 DPP's [1] - 108:20 DR [4] - 4:14, 43:14, 113:19, 126:14 Dr [120] - 15:7, 16:4, 43:11, 43:20, 45:21, 46:13, 48:13, 48:23, 48:27, 49:2, 49:8, 52:27, 57:14, 59:17, 59:19, 59:20, 59:21, 59:22, 60:25, 61:5,	61:21, 61:25, 62:1, 62:6, 62:10, 63:10, 63:18, 63:24, 64:20, 64:22, 65:1, 65:9, 65:16, 65:25, 65:29, 66:27, 66:29, 67:10, 67:12, 68:26, 70:7, 73:2, 74:3, 74:8, 74:23, 74:25, 77:16, 78:29, 79:11, 80:28, 82:5, 82:15, 82:23, 82:29, 84:11, 93:13, 93:17, 93:19, 95:26, 103:22, 113:13, 114:17, 114:18, 115:12, 115:25, 116:4, 118:2, 118:18, 119:26, 119:27, 121:25, 122:10, 123:9, 124:28, 127:22, 129:6, 130:1, 130:7, 130:9, 130:23, 131:2, 132:11, 136:21, 136:29, 137:24, 138:3, 138:15, 138:25, 139:5, 139:7, 139:10, 139:18, 139:19, 139:20, 139:25, 144:2, 144:8, 145:20, 145:27, 146:4, 146:14, 146:17, 146:23, 146:26, 146:29, 147:12, 147:14, 147:16, 148:2, 148:6, 148:11, 148:21, 148:24, 149:4, 150:14, 150:23, 157:27 draft [1] - 18:27 dragging [1] - 86:10 draw [3] - 135:28, 137:14, 138:25 drop [1] - 29:24 Dublin [1] - 93:12 DUBLIN [7] - 1:16, 2:14, 2:22, 2:27, 3:9, 3:14, 3:18 due [7] - 9:8, 45:6, 51:17, 52:14, 55:10, 55:28, 103:3 DUNDRUM [1] - 3:18 Dunne [4] - 41:14, 41:20, 42:20, 133:24 during [3] - 6:11, 50:21, 95:25 duties [10] - 6:22, 22:6, 75:21, 77:3, 77:6, 79:23, 82:21, 83:15, 92:26, 100:26	duty [17] - 42:2, 42:15, 52:1, 52:2, 52:5, 52:10, 52:12, 52:13, 52:14, 54:4, 54:21, 54:26, 59:6, 107:27, 109:18, 109:19, 112:16 DÁIL [1] - 1:3 E e-mail [17] - 57:10, 57:11, 59:8, 59:12, 60:25, 61:1, 80:7, 83:3, 85:28, 86:1, 88:14, 93:24, 95:19, 100:3, 100:6, 100:7, 101:16 e-mails [1] - 104:4 earliest [1] - 7:11 early [2] - 18:27, 55:29 ease [1] - 156:8 effect [5] - 17:26, 34:26, 41:23, 96:2, 98:5 effective [2] - 55:14, 137:26 effectiveness [4] - 75:23, 77:11, 78:19, 84:6 efficiency [1] - 163:17 efficient [1] - 152:16 efficiently [1] - 163:21 effort [7] - 22:2, 22:9, 22:16, 22:18, 24:6, 24:29, 157:28 efforts [3] - 15:8, 32:1, 84:24 EGAN [1] - 2:19 eight [2] - 128:27, 129:1 either [17] - 11:16, 15:19, 16:1, 17:4, 20:3, 22:13, 22:21, 70:9, 79:10, 82:28, 84:9, 85:4, 88:24, 90:22, 102:14, 110:18, 155:26 elaborate [1] - 14:15 eliminate [1] - 88:25 eliminating [2] - 89:1, 89:4 eloquent [1] - 33:5 elsewhere [1] - 102:12 embarking [1] -
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

153:25 emerge ^[1] - 72:23 emergency ^[1] - 130:8 employed ^[2] - 43:27, 61:9 Employee ^[1] - 15:14 employee ^[5] - 28:13, 33:15, 34:19, 34:29, 76:5 employment ^[3] - 35:3, 84:28, 149:29 enable ^[7] - 42:15, 95:5, 106:2, 137:19, 138:9, 147:9, 147:19 enclosed ^[1] - 14:5 encompass ^[1] - 125:3 encounter ^[1] - 32:29 encourage ^[3] - 149:10, 150:15, 150:23 end ^[12] - 24:13, 24:16, 54:27, 80:22, 89:7, 106:3, 119:13, 121:3, 128:16, 134:26, 135:11, 153:22 END ^[11] - 23:20, 35:13, 38:8, 42:27, 113:15, 125:21, 127:14, 134:9, 143:13, 155:17, 158:20 endeavour ^[1] - 37:29 endeavouring ^[2] - 33:4, 158:14 ended ^[1] - 83:5 endorsement ^[2] - 68:14, 77:15 endorsing ^[1] - 67:21 engage ^[4] - 22:29, 96:5, 98:2, 117:19 engaged ^[1] - 121:4 engagement ^[5] - 8:22, 66:12, 66:13, 79:13, 79:16 engaging ^[1] - 151:8 enjoyed ^[1] - 38:19 enquire ^[2] - 92:9, 96:3 enquired ^[1] - 91:26 enquiring ^[1] - 100:1 enquiry ^[5] - 88:15, 95:23, 96:19, 97:11, 153:26 entering ^[1] - 152:10	entire ^[1] - 12:24 entirely ^[7] - 27:25, 65:15, 106:1, 118:10, 123:17, 144:10, 158:13 entirety ^[1] - 6:11 entitled ^[8] - 17:20, 18:2, 59:20, 123:1, 152:13, 153:1, 162:14, 163:28 entitlements ^[1] - 108:21 entity ^[1] - 33:14 entry ^[1] - 64:28 environment ^[35] - 13:19, 28:20, 30:15, 34:14, 34:24, 56:3, 59:23, 59:29, 63:4, 63:8, 65:10, 65:17, 65:21, 67:4, 71:21, 75:17, 83:16, 92:27, 93:6, 100:20, 100:26, 104:18, 105:3, 105:9, 105:11, 106:14, 107:4, 107:7, 107:14, 116:7, 117:21, 118:29, 119:13, 121:9, 133:15 environment' ^[1] - 70:5 envisaged ^[1] - 160:23 episode ^[1] - 46:14 EQUALITY ^[1] - 1:7 equally ^[1] - 25:20 error ^[3] - 24:15, 124:22, 157:28 especially ^[3] - 37:13, 89:12, 156:6 essence ^[3] - 16:8, 27:11, 67:15 essential ^[1] - 126:7 essentially ^[9] - 15:26, 17:23, 32:26, 52:4, 67:13, 72:1, 93:25, 106:20, 160:12 establish ^[1] - 158:14 established ^[3] - 18:5, 84:2, 88:22 ESTABLISHED ^[1] - 1:6 et ^[2] - 36:6, 62:22 eternally ^[2] - 163:22, 163:23 evaluation ^[1] - 46:21 event ^[11] - 18:26, 41:7, 55:10, 61:4, 69:3, 100:8, 132:26,	137:29, 143:1, 148:12, 162:1 events ^[4] - 48:29, 55:15, 62:27, 62:28 eventually ^[1] - 164:6 evidence ^[45] - 29:11, 37:23, 37:24, 38:14, 64:15, 67:12, 107:17, 117:26, 121:23, 122:23, 122:27, 123:2, 123:3, 123:5, 123:6, 123:9, 123:11, 123:12, 123:14, 123:19, 123:27, 123:28, 124:3, 124:14, 124:20, 125:2, 127:23, 129:5, 129:7, 129:15, 140:8, 141:22, 151:21, 152:26, 156:15, 156:26, 156:29, 158:9, 159:12, 159:16, 160:24, 161:2, 161:11, 161:16 Evidence ^[1] - 152:12 EVIDENCE ^[1] - 1:7 exacerbated ^[1] - 146:6 exactly ^[2] - 58:22, 65:20 EXAMINATION ^[11] - 23:20, 35:13, 38:8, 42:27, 113:15, 125:21, 127:14, 134:9, 143:13, 155:17, 158:20 examination ^[9] - 113:26, 152:11, 152:23, 152:27, 153:3, 153:20, 153:25, 158:8 examine ^[4] - 39:10, 39:21, 151:22, 153:4 EXAMINED ^[18] - 4:5, 4:6, 4:12, 4:16, 4:17, 4:18, 4:22, 4:24, 4:25, 5:25, 23:24, 39:17, 43:15, 113:19, 126:14, 128:9, 134:21, 143:21 example ^[5] - 21:15, 26:18, 91:1, 106:23, 137:13 exceeded ^[1] - 45:6 except ^[1] - 160:7 exclude ^[1] - 112:14 excluding ^[1] - 111:6	exclusively ^[1] - 28:15 excuse ^[1] - 116:5 executive ^[7] - 6:1, 6:25, 6:29, 10:17, 10:22, 10:26, 20:8 exhibit ^[1] - 57:11 exist ^[3] - 15:18, 32:2, 67:26 exists ^[3] - 31:27, 32:21, 33:13 expect ^[8] - 47:22, 90:26, 121:12, 122:2, 122:5, 128:21, 128:23, 142:7 expectation ^[1] - 56:16 expected ^[4] - 60:21, 131:12, 131:14, 148:13 expecting ^[1] - 111:22 expediting ^[1] - 112:10 expense ^[2] - 131:14, 134:3 expenses ^[1] - 157:9 expertise ^[1] - 95:9 explain ^[7] - 40:7, 49:20, 83:24, 129:3, 132:13, 138:14, 155:9 explained ^[4] - 87:20, 114:22, 141:29, 149:13 explanation ^[1] - 102:28 explicit ^[1] - 77:15 exploration ^[1] - 153:5 explore ^[4] - 50:6, 50:9, 50:16, 121:10 exploring ^[1] - 153:14 exposure ^[6] - 85:18, 88:25, 88:26, 89:16, 90:21, 90:25 express ^[3] - 33:29, 59:21 expressed ^[7] - 57:14, 60:4, 107:14, 116:12, 148:11, 151:24, 152:9 expresses ^[3] - 25:10, 80:21, 138:7 expressing ^[2] - 66:5, 137:25 expression ^[2] - 33:5, 152:2 expressly ^[1] - 11:3 extended ^[1] -	153:24 extending ^[1] - 53:4 extends ^[1] - 18:16 extensively ^[1] - 102:16 extent ^[9] - 16:24, 41:26, 53:7, 54:10, 89:21, 151:2, 154:28, 161:3, 161:4 extract ^[1] - 14:14 extremely ^[1] - 163:6
F				
face ^[2] - 65:29, 157:28 facilitate ^[16] - 41:15, 42:2, 71:28, 72:12, 78:12, 87:6, 91:19, 100:19, 102:11, 105:29, 106:3, 106:26, 111:7, 118:8, 118:27, 163:6 facilitated ^[6] - 56:3, 56:10, 78:21, 79:23, 83:21, 105:8 facilitating ^[2] - 38:12, 94:14 facilitation ^[1] - 77:11 facilities ^[2] - 30:19, 34:17 fact ^[49] - 15:12, 19:19, 22:14, 24:17, 27:26, 27:28, 29:29, 30:7, 30:16, 30:18, 30:21, 30:27, 31:9, 33:24, 33:27, 35:1, 36:26, 44:23, 47:9, 60:27, 70:20, 94:12, 94:21, 95:19, 101:20, 119:26, 119:27, 120:7, 120:13, 122:8, 122:11, 123:11, 123:24, 123:25, 128:23, 130:1, 130:24, 135:5, 135:9, 136:22, 136:28, 137:1, 139:14, 139:22, 144:22, 153:13, 153:23, 161:25 factors ^[4] - 15:29, 65:24, 75:6, 76:1 facts ^[1] - 13:17 factual ^[2] - 123:13, 123:15 Faculty ^[1] - 44:13 failed ^[1] - 148:13				

<p>fair [11] - 25:20, 67:16, 69:1, 69:2, 105:23, 116:4, 120:5, 124:7, 138:23, 144:13, 161:21</p> <p>fairer [1] - 139:29</p> <p>fairly [2] - 91:14, 154:6</p> <p>fairness [1] - 152:3</p> <p>familiar [4] - 37:12, 72:5, 78:8, 148:9</p> <p>family [1] - 41:15</p> <p>Fanning [17] - 11:26, 15:10, 44:25, 55:22, 60:17, 60:19, 82:2, 82:11, 82:27, 91:26, 91:29, 92:21, 93:11, 97:20, 99:22, 99:25, 104:12</p> <p>fanning [1] - 104:23</p> <p>FANNING [1] - 3:5</p> <p>far [7] - 29:19, 40:26, 73:9, 117:15, 121:24, 125:2, 142:14</p> <p>Faroshi [1] - 5:6</p> <p>fashion [1] - 112:5</p> <p>feasible [3] - 89:13, 122:7, 126:27</p> <p>features [1] - 46:18</p> <p>February [5] - 24:22, 55:29, 57:11, 57:12, 60:28</p> <p>FEBRUARY [2] - 1:4, 1:8</p> <p>FELIX [1] - 3:16</p> <p>fellowship [1] - 44:12</p> <p>felt [12] - 15:16, 22:9, 22:18, 34:14, 48:27, 49:29, 60:28, 66:6, 85:11, 89:21, 97:4, 122:10</p> <p>Fermoy [32] - 15:11, 15:25, 26:4, 31:17, 31:28, 81:1, 84:13, 84:14, 86:13, 88:7, 91:24, 92:6, 93:27, 94:5, 95:16, 96:1, 96:6, 105:12, 105:13, 131:6, 131:12, 131:21, 132:4, 132:14, 132:24, 142:9, 142:28, 148:7, 148:13, 148:18, 149:8, 150:24</p> <p>Fermoy [1] - 150:16</p> <p>FERRY [1] - 2:24</p> <p>few [8] - 24:1, 25:22, 130:6, 138:27, 157:2, 157:10, 158:29,</p>	<p>159:21</p> <p>fewer [1] - 17:12</p> <p>file [7] - 12:22, 13:4, 13:14, 17:23, 50:28, 95:25, 108:16</p> <p>filling [3] - 135:6, 144:14, 144:18</p> <p>filter [1] - 121:17</p> <p>final [4] - 15:22, 15:24, 76:13, 153:29</p> <p>finally [2] - 38:15, 122:16</p> <p>financial [1] - 51:23</p> <p>findings [5] - 63:1, 103:19, 110:8, 110:22, 112:3</p> <p>fine [2] - 58:25, 105:18</p> <p>finish [1] - 152:8</p> <p>finished [2] - 158:28, 159:11</p> <p>Fintan [2] - 15:10, 104:12</p> <p>FINTAN [1] - 3:5</p> <p>first [37] - 5:16, 8:4, 10:23, 14:22, 20:5, 20:7, 21:18, 25:2, 27:24, 31:23, 33:23, 36:22, 38:20, 39:11, 40:3, 59:16, 60:20, 61:26, 73:13, 76:13, 78:26, 86:20, 87:25, 97:18, 107:26, 109:20, 114:19, 116:21, 124:27, 126:20, 129:20, 134:14, 136:29, 137:2, 141:29, 149:15, 153:2</p> <p>firstly [2] - 64:4, 80:11</p> <p>fit [19] - 64:1, 72:25, 73:15, 73:17, 73:19, 74:11, 74:16, 75:5, 75:27, 79:22, 84:17, 99:16, 101:11, 103:16, 104:16, 105:8, 106:13, 121:8</p> <p>fitness [10] - 76:3, 77:3, 82:20, 100:9, 100:14, 102:1, 102:28, 103:4, 107:15, 110:14</p> <p>FITZGERALD [3] - 2:17, 126:15, 126:17</p> <p>fitzgerald [1] - 126:12</p> <p>Fitzgerald [1] - 126:17</p> <p>FITZGERALD.....</p>	<p>..... [1] - 4:18</p> <p>five [6] - 12:10, 33:7, 55:24, 61:22, 82:26, 128:15</p> <p>five-page [1] - 12:10</p> <p>fixed [1] - 77:18</p> <p>flagged [2] - 20:13, 52:9</p> <p>flagging [1] - 56:22</p> <p>flesh [1] - 67:9</p> <p>focus [1] - 78:25</p> <p>follow [7] - 31:17, 68:22, 71:14, 73:23, 97:13, 117:2, 145:15</p> <p>followed [2] - 64:22, 64:23</p> <p>FOLLOWING [1] - 1:3</p> <p>following [18] - 1:24, 10:3, 10:26, 10:27, 11:29, 50:27, 59:24, 63:9, 76:16, 79:28, 81:8, 86:12, 92:23, 103:8, 110:26, 111:28, 140:17, 162:26</p> <p>FOLLOWS [13] - 5:1, 5:25, 23:25, 36:12, 39:17, 43:15, 81:25, 113:20, 126:15, 128:10, 134:22, 143:22, 156:12</p> <p>follows [3] - 55:24, 77:2, 110:4</p> <p>foolish [1] - 36:4</p> <p>foolishly [1] - 36:1</p> <p>foot [1] - 24:9</p> <p>FOR [10] - 1:6, 2:6, 2:9, 2:10, 2:16, 2:24, 3:5, 3:11, 3:15, 81:24</p> <p>force [5] - 6:9, 44:5, 95:9, 150:7, 150:20</p> <p>forget [1] - 124:7</p> <p>forgetting [1] - 124:11</p> <p>forgive [2] - 126:8, 143:16</p> <p>forgotten [3] - 133:18, 164:1, 164:2</p> <p>form [24] - 12:27, 47:17, 79:12, 123:29, 124:9, 126:3, 129:17, 135:6, 135:12, 141:24, 144:14, 144:18, 147:26, 147:29, 149:20, 151:20, 151:23, 152:2, 152:25, 153:14, 153:15, 154:2, 157:22</p>	<p>formal [2] - 62:29, 103:1</p> <p>formally [4] - 92:1, 112:7, 112:21, 113:4</p> <p>formation [1] - 151:27</p> <p>formed [5] - 103:10, 107:17, 145:13, 146:19, 147:15</p> <p>FORMER [2] - 1:12, 2:3</p> <p>formulation [1] - 124:6</p> <p>FORRISTAL [1] - 2:20</p> <p>forth [1] - 89:11</p> <p>forward [3] - 60:29, 117:11, 118:1</p> <p>forwarded [6] - 41:17, 59:8, 85:27, 86:14, 96:6, 133:22</p> <p>forwarding [1] - 68:5</p> <p>foster [1] - 78:18</p> <p>foundation [1] - 26:12</p> <p>four [4] - 24:22, 50:28, 142:6, 142:7</p> <p>fourth [4] - 59:14, 129:25, 156:18, 157:12</p> <p>framework [7] - 85:11, 85:21, 90:11, 90:13, 95:5, 98:13, 121:14</p> <p>FRANKFORT [1] - 3:17</p> <p>frankly [1] - 12:26</p> <p>fraught [3] - 84:25, 86:29, 89:21</p> <p>free [1] - 99:5</p> <p>FREEMAN [1] - 3:7</p> <p>frequency [1] - 17:10</p> <p>FRIDAY [1] - 164:9</p> <p>Friday [3] - 162:19, 162:26</p> <p>friend [1] - 152:13</p> <p>front [2] - 114:5, 143:25</p> <p>full [3] - 36:6, 132:19, 134:1</p> <p>fuller [1] - 58:21</p> <p>fullest [1] - 21:15</p> <p>fully [2] - 29:4, 63:11</p> <p>function [3] - 11:3, 17:21, 18:8</p> <p>functions [1] - 120:16</p> <p>funds [1] - 157:8</p> <p>furnished [2] - 26:9, 55:21</p>	<p>G</p> <p>gained [1] - 124:12</p> <p>GARDA [1] - 2:16</p> <p>garda [7] - 10:6, 50:25, 84:27, 84:28, 92:5, 92:6, 133:13</p> <p>Garda [56] - 6:2, 6:17, 6:20, 9:24, 10:16, 13:15, 13:16, 13:26, 14:15, 21:23, 24:8, 25:1, 30:9, 31:2, 31:7, 31:14, 43:27, 44:4, 44:8, 45:24, 45:25, 50:21, 51:9, 65:26, 68:17, 77:7, 81:1, 82:19, 82:20, 84:24, 84:27, 86:13, 87:6, 87:11, 87:14, 88:7, 96:1, 96:6, 107:2, 107:14, 108:11, 110:12, 114:8, 114:23, 114:24, 115:11, 115:23, 116:11, 120:1, 120:8, 121:14, 121:23, 126:17, 149:29, 151:3, 156:20</p> <p>gardaí [1] - 35:4</p> <p>general [5] - 24:27, 45:24, 89:14, 120:27, 138:11</p> <p>generality [1] - 160:22</p> <p>generally [3] - 12:19, 73:19, 162:10</p> <p>generate [1] - 32:2</p> <p>gentleman [1] - 16:1</p> <p>geography [2] - 22:7, 37:7</p> <p>Ger [1] - 17:12</p> <p>GERAGHTY [1] - 2:26</p> <p>Gerry [1] - 20:12</p> <p>gist [1] - 120:27</p> <p>given [21] - 22:4, 27:5, 29:11, 32:13, 32:20, 36:5, 71:20, 75:15, 118:13, 118:14, 119:23, 119:24, 119:25, 119:26, 119:27, 129:8, 129:15, 151:21, 155:7, 157:27, 161:29</p> <p>Glanmire [6] - 14:24, 15:10, 15:19, 22:4, 51:20, 105:14</p> <p>Glanmire [1] - 98:19</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>gloss [1] - 162:11 goal [3] - 119:12, 119:13, 119:14 GOHS [1] - 51:13 golf [1] - 43:4 GORDON [1] - 3:11 Gould [1] - 160:9 gould's [1] - 161:8 GP [13] - 52:26, 69:11, 69:12, 71:25, 71:27, 72:1, 73:15, 73:17, 74:10, 86:22, 95:28, 97:26, 114:20 GP's [1] - 71:8 grateful [2] - 38:25, 126:4 gratitude [1] - 164:3 gratuity [1] - 109:2 great [3] - 5:9, 53:7, 163:17 greater [4] - 15:18, 30:19, 33:21, 36:27 grievances [2] - 46:15, 55:15 Grogan [3] - 57:13, 60:2, 60:6 grounds [1] - 12:7 group [1] - 16:29 guess [1] - 26:27 guest [2] - 5:6, 5:12 guidance [1] - 10:17 guided [1] - 119:6 guideline [1] - 88:29 Gwen [1] - 1:23 GWEN [1] - 1:28</p>	<p>134:17, 143:19, 143:21, 143:24, 151:19, 153:28, 154:11, 154:13, 154:18, 154:23, 155:14 Harty [12] - 35:19, 143:16, 151:16, 152:3, 152:7, 152:24, 152:29, 153:10, 153:14, 153:21, 153:26 harty [1] - 134:19 Hashimi [2] - 5:6, 5:10 HAVING [3] - 5:24, 39:16, 43:14 hazard [17] - 77:22, 77:23, 77:24, 77:28, 77:29, 85:19, 88:23, 94:10, 94:11, 94:13, 94:22, 94:24, 98:21 head [2] - 40:5, 45:25 heading [1] - 99:14 headquarters [7] - 15:13, 15:14, 28:8, 28:13, 30:18, 33:14, 34:16 health [15] - 46:27, 48:28, 51:9, 52:16, 72:20, 77:26, 85:20, 86:14, 88:8, 89:22, 93:26, 94:6, 96:2, 99:6, 104:8 Health [1] - 45:26 hear [5] - 101:9, 154:9, 154:10, 159:18, 159:25 heard [4] - 60:8, 123:2, 129:5, 129:6 hearer [1] - 10:18 hearing [2] - 156:18, 162:23 HEARING [4] - 1:16, 5:1, 81:24, 164:9 held [9] - 6:7, 6:19, 69:5, 97:17, 104:2, 106:15, 114:7, 116:16 HELD [1] - 1:16 HELEN [1] - 3:15 Helen [1] - 35:25 help [4] - 27:11, 27:19, 96:19, 116:28 helpful [3] - 38:4, 38:18, 163:7 helpfully [1] - 38:2 helps [1] - 78:14 hereby [1] - 135:15 hesitate [1] - 161:17</p>	<p>Heslin [1] - 143:15 hierarchy [6] - 30:28, 32:5, 77:27, 88:24, 89:15, 90:18 High [1] - 135:24 highlight [1] - 153:29 him [1] - 144:26 himself [10] - 16:11, 26:22, 47:23, 58:26, 84:20, 90:6, 93:13, 111:25, 138:7, 152:24 history [3] - 8:8, 61:26, 137:15 history [1] - 145:26 hold [5] - 6:5, 6:19, 44:4, 69:3, 152:14 holiday [1] - 41:15 holidays [1] - 130:10 home [1] - 141:3 hope [6] - 27:22, 63:11, 101:2, 128:14, 161:26, 162:27 hoped [1] - 142:15 hopeful [11] - 131:3, 131:10, 131:11, 131:17, 131:20, 131:24, 132:1, 132:11, 132:18, 132:22, 147:28 hopefully [5] - 114:2, 124:16, 132:7, 137:18, 138:8 Hopefully [2] - 147:8, 147:18 hoping [26] - 130:24, 130:25, 132:2, 136:21, 136:23, 137:5, 137:11, 137:18, 138:20, 139:9, 139:12, 139:14, 139:21, 139:22, 140:1, 142:11, 142:25, 142:26, 144:2, 144:8, 144:14, 144:19, 144:23, 145:7, 147:7 HORAN [1] - 2:18 hostility [2] - 22:20, 23:1 hour [1] - 86:19 hours [2] - 42:2, 75:21 HOUSE [2] - 2:21, 3:8 housekeeping [1] - 37:16 HQ [3] - 22:22, 53:26, 69:5 HR [7] - 6:1, 6:29, 10:18, 10:23, 10:26,</p>	<p>50:4, 112:20 HRM [30] - 6:28, 10:10, 10:24, 10:26, 10:27, 11:22, 13:10, 20:8, 44:20, 48:1, 48:3, 51:6, 57:10, 59:18, 59:22, 59:25, 59:28, 60:10, 72:17, 76:23, 85:27, 85:29, 86:2, 86:8, 95:17, 97:11, 97:29, 106:26, 133:11, 133:20 HRPD [9] - 57:3, 104:3, 110:13, 110:15, 110:19, 110:25, 111:3, 111:6, 111:27 huge [2] - 124:5, 162:27 hugely [1] - 163:24 Human [2] - 6:2, 27:4 hundred [1] - 35:17</p>	<p>71:26, 89:8, 107:3 import [1] - 144:11 importance [4] - 127:8, 135:9, 153:8, 153:9 important [11] - 54:22, 66:13, 83:26, 105:14, 106:6, 134:28, 135:1, 135:7, 136:28, 138:16, 153:10 imposition [2] - 150:9, 150:26 impression [1] - 150:13 improper [2] - 22:13, 153:17 improve [7] - 137:19, 137:26, 138:9, 146:28, 147:9, 147:19, 147:27 improvement [4] - 137:21, 137:28, 147:11, 148:27 IN [1] - 1:16 in-depth [1] - 113:26 inability [1] - 26:20 inaccuracy [1] - 124:17 inappropriate [2] - 151:1, 155:6 inch [1] - 130:12 incidents [2] - 37:22, 149:26 inciting [1] - 40:16 include [3] - 47:18, 162:7, 162:8 included [4] - 53:25, 59:9, 60:15, 131:16 including [6] - 18:20, 21:15, 86:24, 86:26, 103:20, 161:8 inclusion [1] - 112:14 incongruent [1] - 157:26 inconsistent [1] - 157:25 inconvenient [1] - 81:20 incorrect [9] - 40:19, 123:25, 132:21, 137:1, 144:4, 144:6, 144:7, 144:12, 157:14 incorrectly [7] - 130:23, 136:21, 139:5, 139:19, 139:20, 144:2, 144:8 increased [2] - 32:28 increasing [1] - 17:9</p>
<p>H</p>			<p>I</p>	
<p>half [4] - 128:27, 129:1, 142:4, 142:6 HALIDAY [1] - 3:8 HALL [1] - 3:17 HANAHOE [1] - 3:13 hand [2] - 21:2, 97:22 hands [1] - 10:10 happy [14] - 21:7, 55:18, 113:26, 123:26, 124:2, 124:8, 124:27, 132:5, 132:25, 134:2, 142:29, 143:2, 156:1, 164:5 harassment [5] - 7:15, 8:14, 97:25, 98:24, 149:27 hard [1] - 155:3 HARTY [15] - 2:24, 4:25, 35:20, 127:17,</p>			<p>IAN [2] - 2:5, 163:3 lan [1] - 163:2 IC [2] - 41:21, 42:18 idea [2] - 68:17, 117:19 idem [1] - 68:26 identifiable [1] - 88:22 identified [4] - 7:9, 9:3, 19:7, 94:9 identifies [1] - 20:12 identify [1] - 77:21 identifying [1] - 90:16 ignore [1] - 155:21 illness [11] - 45:6, 45:20, 48:28, 49:28, 59:18, 60:11, 61:10, 108:12, 108:24, 108:26, 109:10 illustrate [1] - 27:11 IMA [2] - 76:27, 103:10 impact [4] - 75:11, 77:10, 77:20, 94:6 impacted [2] - 89:21, 89:22 impacting [1] - 85:19 impairments [1] - 77:5 impasse [1] - 87:10 implement [1] - 116:2 implemented [3] -</p>	

<p>indeed [6] - 19:8, 30:25, 129:13, 153:8, 161:5, 164:7</p> <p>independent [8] - 46:25, 52:17, 61:9, 70:14, 82:22, 86:27, 103:10, 103:21</p> <p>independently [1] - 107:16</p> <p>INDEX [1] - 4:1</p> <p>indicated [6] - 39:23, 88:13, 138:3, 138:12, 142:14, 142:17</p> <p>indicates [2] - 142:23, 142:24</p> <p>indication [1] - 52:20</p> <p>indications [1] - 151:26</p> <p>individual [6] - 21:1, 58:8, 58:12, 75:3, 75:27, 76:4</p> <p>individual's [1] - 68:2</p> <p>indivisible [1] - 74:22</p> <p>inevitable [1] - 153:16</p> <p>inextricable [1] - 74:22</p> <p>inextricably [1] - 74:29</p> <p>infer [1] - 66:2</p> <p>inferred [1] - 29:1</p> <p>inform [1] - 71:8</p> <p>information [29] - 34:25, 46:29, 47:7, 51:26, 56:13, 56:19, 58:10, 65:24, 66:9, 68:4, 75:9, 77:1, 83:12, 84:1, 93:8, 100:18, 101:12, 101:14, 103:20, 104:7, 104:15, 105:5, 110:3, 110:26, 111:29, 133:22, 135:15, 136:13, 138:29</p> <p>informed [4] - 14:16, 92:2, 108:20, 128:29</p> <p>informing [2] - 7:20, 159:27</p> <p>initial [2] - 19:8</p> <p>initiate [2] - 29:14, 50:9</p> <p>initiated [3] - 21:4, 51:19, 110:7</p> <p>injuries [1] - 7:26</p> <p>injury [18] - 52:1, 52:2, 52:5, 52:10, 52:12, 52:13, 52:14,</p>	<p>54:4, 54:21, 54:25, 59:6, 107:27, 109:18, 109:19, 112:16, 130:18, 136:6, 149:28</p> <p>inordinate [1] - 20:14</p> <p>input [2] - 15:6, 51:7</p> <p>inquired [1] - 130:15</p> <p>inquiry [2] - 63:1, 163:16</p> <p>INQUIRY [2] - 1:1, 1:7</p> <p>inserted [1] - 120:14</p> <p>inserting [1] - 121:16</p> <p>insight [2] - 20:26, 71:17</p> <p>insisting [1] - 71:26</p> <p>insofar [13] - 8:23, 11:21, 12:12, 23:12, 25:9, 25:22, 26:18, 40:29, 41:18, 85:26, 100:21, 111:10, 132:21</p> <p>inspector [8] - 8:7, 10:8, 12:17, 120:13, 120:15, 128:17, 128:19, 160:13</p> <p>instance [6] - 17:6, 20:5, 41:5, 60:20, 105:12, 126:20</p> <p>institute [2] - 51:23, 135:3</p> <p>institution [1] - 7:20</p> <p>INSTRUCTED [7] - 2:8, 2:12, 2:20, 2:25, 3:7, 3:12, 3:16</p> <p>instructed [3] - 23:28, 35:26, 113:24</p> <p>instructive [2] - 109:20, 109:22</p> <p>instrument [2] - 11:9, 11:10</p> <p>INSTRUMENT [1] - 1:6</p> <p>insulated [1] - 33:17</p> <p>insurers [1] - 135:23</p> <p>integrity [4] - 66:20, 67:27, 84:7, 87:14</p> <p>intend [5] - 39:10, 39:21, 55:12, 101:4, 112:13</p> <p>intended [6] - 48:9, 77:15, 83:25, 102:5, 151:11, 151:13</p> <p>intending [2] - 39:20, 78:26</p> <p>intention [2] - 160:19, 161:9</p> <p>inter [2] - 44:17, 131:17</p>	<p>interact [2] - 90:3, 91:9</p> <p>interaction [10] - 13:20, 16:26, 32:16, 51:6, 71:29, 89:24, 90:9, 146:1, 146:29, 148:28</p> <p>interactions [10] - 16:6, 90:6, 100:21, 125:9, 125:18, 126:26, 126:29, 127:2, 127:7, 160:13</p> <p>interest [2] - 66:27, 86:10</p> <p>interests [2] - 146:15, 148:4</p> <p>interim [2] - 73:7, 82:5</p> <p>internally [1] - 40:11</p> <p>interpersonal [4] - 46:15, 86:24, 100:17, 133:20</p> <p>interpret [1] - 140:6</p> <p>interpretation [3] - 57:29, 139:27, 144:5</p> <p>interpreted [1] - 138:20</p> <p>interruption [1] - 126:9</p> <p>intervene [1] - 151:10</p> <p>interview [8] - 7:10, 9:10, 9:15, 9:28, 15:21, 27:22, 27:29, 62:14</p> <p>interviewed [1] - 38:13</p> <p>intimate [1] - 17:3</p> <p>INTO [1] - 1:1</p> <p>intransigent [1] - 21:24</p> <p>investigated [3] - 19:21, 97:26, 108:14</p> <p>investigation [27] - 8:3, 8:13, 8:19, 8:20, 8:24, 53:3, 53:4, 53:17, 53:27, 54:1, 54:2, 54:17, 54:19, 54:22, 54:28, 55:5, 55:18, 58:20, 59:17, 59:19, 62:29, 67:3, 108:15, 110:6, 110:9, 111:25, 112:4</p> <p>investigations [6] - 19:26, 54:6, 100:16, 101:18, 110:11, 113:5</p> <p>investigator [10] - 7:9, 8:9, 9:10, 9:22, 14:9, 15:21, 19:11, 21:20, 23:5, 27:14</p>	<p>investigators [2] - 9:15, 38:17</p> <p>invites [1] - 158:3</p> <p>involve [5] - 63:8, 85:10, 125:9, 126:25, 159:2</p> <p>involved [5] - 29:28, 66:28, 121:19, 134:5, 155:2</p> <p>involvement [4] - 8:12, 8:25, 111:11, 113:9</p> <p>involving [2] - 65:26, 76:23</p> <p>IOD [3] - 51:20, 52:1, 53:2</p> <p>Ireland [2] - 5:7, 5:11</p> <p>ironed [1] - 20:11</p> <p>irrespective [2] - 15:24, 28:23</p> <p>isolated [1] - 38:2</p> <p>issue [49] - 8:28, 9:20, 20:1, 20:8, 20:22, 21:25, 22:8, 22:25, 26:10, 26:12, 27:6, 30:21, 30:23, 31:16, 41:9, 51:29, 52:7, 52:8, 54:4, 58:1, 58:5, 59:6, 59:11, 70:4, 74:29, 75:28, 84:26, 91:18, 93:26, 94:12, 94:23, 96:20, 96:27, 101:15, 105:13, 106:20, 107:20, 109:11, 110:17, 110:24, 111:26, 112:29, 141:23, 142:21, 144:21, 153:8, 153:9, 153:29, 161:20</p> <p>issued [14] - 11:21, 16:4, 19:3, 24:20, 47:15, 62:12, 63:9, 74:10, 76:18, 82:24, 87:17, 96:2, 96:13, 97:9</p> <p>issues [47] - 19:20, 19:22, 22:5, 26:19, 28:16, 36:15, 46:28, 49:25, 49:28, 50:7, 50:10, 50:14, 50:20, 54:12, 61:22, 61:28, 66:28, 67:4, 69:20, 72:22, 73:26, 75:10, 75:12, 75:19, 75:25, 80:21, 83:11, 83:13, 84:18, 86:4, 86:23, 94:6, 96:28, 96:29, 98:11, 98:21, 98:23, 99:7, 100:17, 101:17,</p>	<p>109:16, 109:25, 151:12, 151:17, 151:25, 153:23, 158:29</p> <p>it'll [1] - 122:29</p> <p>item [1] - 8:21</p> <p>itself [1] - 16:15</p>
J				
<p>Jack [1] - 60:8</p> <p>JAMES [1] - 2:14</p> <p>January [16] - 15:11, 34:4, 48:9, 49:18, 51:2, 52:17, 57:9, 60:3, 95:20, 103:2, 103:6, 106:11, 106:12, 108:4, 109:5, 133:2</p> <p>JEREMIAH [2] - 4:10, 39:16</p> <p>Jerry [1] - 39:5</p> <p>job [2] - 34:26, 161:27</p> <p>jobs [1] - 34:20</p> <p>John [3] - 5:17, 60:2, 82:23</p> <p>JOHN [8] - 2:17, 2:24, 3:11, 3:15, 4:3, 5:24, 23:24, 36:11</p> <p>john [1] - 126:17</p> <p>joined [1] - 93:15</p> <p>Judge [6] - 5:6, 5:20, 32:9, 33:1, 37:7, 43:18</p> <p>judge [2] - 5:10</p> <p>judgement [1] - 33:12</p> <p>judges [2] - 5:9, 5:10</p> <p>July [6] - 44:2, 129:28, 130:2, 131:1, 162:19, 162:26</p> <p>JULY [1] - 164:9</p> <p>JUNE [2] - 1:17, 5:2</p> <p>June [1] - 6:9</p> <p>JUSTICE [3] - 1:6, 1:11, 2:2</p>				
K				
<p>Karl [1] - 38:23</p> <p>KATE [1] - 2:19</p> <p>Kavanagh [1] - 163:29</p> <p>keep [4] - 42:9, 42:10, 75:25, 141:2</p> <p>keeping [1] - 100:27</p> <p>Kehoe [6] - 19:27,</p>				

108:15, 108:18, 108:19, 109:5, 111:26 Kehoe's [1] - 8:13 KELLEHER [1] - 2:13 Ken [1] - 7:22 kept [2] - 79:14, 91:15 Kiely [22] - 46:13, 48:27, 57:14, 59:19, 63:18, 64:20, 64:22, 67:12, 68:26, 74:23, 78:29, 79:11, 82:5, 82:15, 84:11, 114:18, 115:12, 118:2, 118:18, 122:10, 130:7, 150:23 Kiely's [12] - 65:29, 74:25, 77:16, 80:28, 82:29, 115:25, 119:27, 121:25, 129:6, 130:1, 149:4, 150:14 kind [15] - 8:12, 42:3, 70:24, 76:9, 78:10, 90:8, 90:18, 91:7, 94:25, 95:12, 98:13, 118:11, 121:10, 122:7, 159:1 know.. [1] - 64:15 knowledge [17] - 7:11, 8:12, 8:21, 8:25, 16:21, 16:26, 17:7, 17:15, 20:26, 20:28, 21:1, 21:5, 22:24, 23:2, 42:22, 51:29, 135:16 known [5] - 25:29, 100:23, 107:17, 128:17, 128:19	109:21, 130:6, 145:25, 145:27 late [1] - 51:17 latitude [1] - 119:10 LAW [1] - 3:17 learned [2] - 23:7, 70:29 least [2] - 32:21, 37:28 leave [11] - 29:24, 33:22, 34:25, 41:8, 42:14, 42:16, 81:12, 108:28, 124:15, 133:28, 148:11 leaving [2] - 85:2, 112:24 led [1] - 10:8 left [4] - 6:9, 97:22, 118:10, 131:19 left-hand [1] - 97:22 legal [6] - 7:22, 51:23, 154:7, 159:1, 159:27, 163:15 legitimacy [1] - 153:19 legitimate [3] - 152:20, 153:5, 153:11 length [1] - 14:1 lengthy [1] - 29:27 less [2] - 116:27, 156:1 letter [49] - 9:5, 13:6, 16:3, 16:4, 19:23, 24:2, 24:13, 25:23, 26:5, 26:24, 27:2, 27:7, 28:25, 29:6, 29:26, 29:27, 30:3, 34:5, 37:10, 38:3, 47:10, 47:13, 60:18, 61:21, 61:25, 82:2, 82:5, 82:8, 82:10, 82:27, 83:4, 84:16, 91:28, 92:14, 92:16, 92:20, 97:2, 104:20, 104:21, 104:22, 104:26, 104:27, 106:18, 107:25, 109:26, 111:18, 115:25, 133:2, 133:11 letters [2] - 97:1, 104:12 level [5] - 21:18, 22:21, 22:22, 25:2 levelling [1] - 35:16 levels [4] - 137:20, 137:27, 147:10, 148:26 lies [1] - 112:19 light [1] - 87:10 likely [1] - 124:21	likewise [1] - 23:2 limited [3] - 32:14, 33:11, 54:11 line [11] - 9:28, 14:10, 21:21, 45:15, 50:2, 50:4, 59:14, 78:26, 80:24, 87:20, 140:29 lines [1] - 94:5 link [1] - 151:16 list [3] - 8:21, 159:17, 160:29 listed [2] - 39:4, 159:25 listening [1] - 124:19 LITTLE [1] - 2:22 live [1] - 95:24 load [1] - 119:14 loathe [1] - 151:10 local [17] - 22:21, 46:16, 50:7, 52:7, 56:3, 56:11, 69:13, 76:24, 78:6, 93:2, 110:19, 110:21, 110:25, 111:2, 111:28, 112:19, 114:21 locate [1] - 91:3 location [15] - 70:15, 70:21, 70:28, 71:3, 71:22, 71:28, 75:19, 78:27, 79:1, 83:19, 84:10, 84:11, 84:12, 116:22, 117:17 look [65] - 7:19, 9:11, 9:28, 11:7, 12:9, 14:10, 15:2, 18:15, 18:23, 21:20, 45:2, 45:14, 46:28, 47:17, 48:11, 48:23, 50:8, 51:4, 55:2, 55:23, 56:27, 59:10, 60:18, 63:25, 64:25, 67:22, 67:23, 68:10, 69:5, 76:9, 76:12, 80:6, 80:8, 80:17, 80:23, 82:8, 82:11, 85:20, 85:29, 87:25, 90:8, 90:11, 91:27, 92:15, 92:16, 94:28, 95:20, 97:10, 97:18, 97:22, 99:29, 106:18, 109:22, 109:29, 111:17, 116:17, 121:14, 129:16, 133:6, 133:26, 137:16, 140:15, 153:1, 153:21 looked [2] - 83:29, 130:2	looking [7] - 42:14, 61:27, 66:22, 68:24, 74:25, 95:7, 134:27 looks [2] - 27:1, 140:7 loss [2] - 51:23, 86:22 lost [3] - 20:9, 151:3, 154:29 LRC [1] - 99:4 lunch [2] - 81:13, 81:29 LUNCH [1] - 81:24 luncheon [1] - 122:17 LYDIA [1] - 2:11	52:4, 52:7, 52:9, 52:28, 53:9, 56:3, 56:11, 56:19, 58:20, 65:27, 66:3, 66:9, 66:14, 66:28, 66:29, 68:6, 68:17, 69:9, 69:14, 70:9, 70:19, 71:4, 71:15, 71:19, 71:27, 72:4, 73:21, 76:24, 77:8, 78:7, 79:10, 79:13, 82:19, 84:20, 84:24, 84:27, 86:3, 87:4, 87:7, 87:12, 90:29, 91:14, 91:20, 97:5, 97:22, 98:21, 106:3, 107:2, 107:15, 110:20, 110:25, 111:3, 111:28, 112:20, 114:9, 114:23, 114:24, 115:11, 115:23, 116:11, 117:3, 117:24, 118:4, 119:17, 120:1, 120:8, 121:4, 121:6, 121:18, 121:23, 127:5, 151:9, 151:29 management [1] - 114:22 management's [1] - 69:22 management/HRM [1] - 110:12 management/ HRPD [1] - 110:21 managing [1] - 46:3 manner [2] - 87:13, 161:10 March [20] - 25:28, 30:8, 36:23, 53:4, 60:19, 63:29, 73:3, 73:4, 73:5, 91:29, 96:3, 96:25, 103:9, 104:2, 104:21, 104:22, 108:29, 128:16 MARK [1] - 2:24 marked [1] - 136:8 Marrinan [4] - 39:1, 39:3, 39:12, 39:20 MARRINAN [5] - 2:7, 39:4, 39:7, 39:10, 39:21 material [4] - 19:12, 26:23, 39:22, 86:2 materials [1] - 24:4 matter [45] - 8:4, 11:28, 12:24, 13:14, 14:22, 20:4, 22:27, 37:15, 40:3, 40:27,
M				
MADE [2] - 1:1, 1:6 mail [17] - 57:10, 57:11, 59:8, 59:12, 60:25, 61:1, 80:7, 83:3, 85:28, 86:1, 88:14, 93:24, 95:19, 100:3, 100:6, 100:7, 101:16 mails [1] - 104:4 main [1] - 118:21 maintain [1] - 84:6 maintained [1] - 34:13 maintaining [3] - 27:3, 66:20, 67:26 MAIREAD [1] - 2:20 major [1] - 161:20 Mallow [23] - 98:18, 131:10, 131:13, 131:18, 132:1, 132:3, 132:7, 132:12, 132:15, 132:23, 132:27, 138:1, 138:12, 138:15, 141:17, 143:1, 148:14, 148:15, 148:17, 148:19, 157:4, 157:14, 157:16 MALONE [1] - 1:28 Malone [1] - 1:23 man [3] - 31:15, 37:11, 146:17 manage [7] - 50:16, 71:15, 72:6, 89:12, 95:9, 117:3, 120:17 management [86] - 21:24, 22:22, 46:16, 46:20, 47:25, 50:2, 50:4, 50:7, 50:14, 50:21, 51:26, 51:28,				

41:16, 48:8, 81:5, 83:8, 85:3, 86:12, 87:12, 87:17, 88:16, 90:28, 95:26, 96:15, 97:21, 108:14, 110:25, 111:3, 111:27, 112:3, 112:11, 113:10, 121:22, 122:29, 123:18, 126:2, 129:5, 129:6, 133:29, 139:27, 140:26, 148:24, 151:17, 153:19, 154:7, 159:19 matters [23] - 6:14, 7:26, 10:11, 10:19, 12:2, 14:16, 19:10, 19:15, 20:10, 61:10, 82:26, 91:21, 91:23, 110:11, 128:14, 137:19, 138:9, 146:28, 147:9, 147:19, 149:1, 152:10, 152:24 MATTERS [1] - 1:3 Mayfield [11] - 15:25, 16:13, 25:25, 26:3, 29:13, 30:9, 31:2, 31:19, 32:13, 32:20, 36:19 McCOURT [1] - 2:26 McGarry [2] - 155:21, 155:25 MCGARRY [1] - 3:5 McGRATH [1] - 2:7 MCGUINNESS [3] - 4:5, 4:16, 128:10 McGuinness [48] - 2:6, 2:18, 5:4, 5:15, 5:16, 5:25, 5:28, 5:29, 9:4, 9:26, 12:21, 15:5, 18:11, 19:14, 25:16, 27:11, 35:18, 37:16, 38:29, 39:1, 43:10, 43:15, 43:19, 81:16, 81:29, 82:15, 94:4, 113:27, 114:11, 114:18, 114:27, 127:19, 127:20, 127:29, 128:12, 128:13, 134:7, 151:10, 152:8, 159:16, 159:17, 159:22, 160:20, 160:22, 160:28, 161:4, 161:8, 162:10 MCGUINNESS..... [1] - 4:22 McLoughlin [11] - 7:13, 10:10, 12:23,	17:28, 18:14, 19:19, 96:15, 96:21, 99:26, 99:28, 104:14 McLoughlin's [1] - 11:23 McTiernan [2] - 3:16, 35:26 ME [1] - 3:13 mean [21] - 27:13, 35:1, 37:9, 54:15, 54:27, 59:1, 65:11, 68:13, 74:25, 89:1, 93:23, 95:7, 101:16, 106:8, 116:17, 120:9, 122:28, 124:4, 140:4, 153:2, 159:3 meaning [1] - 144:10 means [5] - 78:5, 79:15, 94:26, 106:2, 119:9 meant [2] - 71:17, 144:27 meantime [1] - 62:29 measure [2] - 88:27, 89:8 measures [2] - 74:2, 88:24 mediation [2] - 99:3, 133:19 Medical [2] - 13:18, 44:14 medical [80] - 15:7, 44:1, 45:18, 45:20, 45:21, 46:25, 46:29, 47:6, 49:15, 49:27, 51:21, 52:13, 52:18, 53:10, 53:15, 54:12, 54:25, 56:13, 56:19, 57:15, 63:28, 63:29, 65:1, 66:27, 69:11, 70:4, 72:22, 74:4, 74:21, 74:23, 74:28, 75:1, 75:3, 75:7, 76:17, 77:3, 77:5, 82:20, 82:22, 82:24, 83:10, 83:13, 85:14, 85:17, 86:26, 86:27, 87:1, 88:2, 88:15, 91:15, 91:27, 92:9, 92:11, 95:24, 96:4, 97:3, 97:4, 100:9, 100:14, 101:28, 102:10, 102:28, 103:4, 103:10, 103:19, 103:21, 105:27, 107:17, 114:17, 117:24, 119:27, 121:25, 130:8, 130:15, 130:17, 136:3, 136:5,	149:1 medically [4] - 64:1, 79:22, 101:11, 103:16 Medicine [1] - 44:13 meet [7] - 32:18, 43:3, 61:17, 71:7, 98:17, 118:22, 119:8 meeting [13] - 17:9, 62:6, 80:10, 83:5, 93:20, 93:21, 95:25, 114:25, 117:9, 119:28, 120:2, 120:27, 147:1 meetings [7] - 16:28, 16:29, 17:11, 17:13, 98:3, 145:16 MEMBER [1] - 2:2 Member [1] - 99:9 member [76] - 6:23, 6:26, 44:7, 45:19, 50:8, 50:11, 50:23, 51:17, 51:18, 51:19, 51:20, 51:21, 51:22, 52:4, 52:7, 53:4, 55:16, 55:28, 58:11, 66:14, 69:11, 70:14, 71:7, 71:12, 71:14, 72:12, 72:16, 72:22, 73:19, 77:6, 77:9, 77:18, 78:21, 79:13, 79:22, 83:14, 84:2, 84:23, 86:22, 89:19, 92:25, 93:7, 94:9, 97:26, 97:28, 97:29, 98:2, 98:4, 98:17, 98:25, 98:26, 99:6, 99:9, 100:19, 100:24, 101:20, 104:16, 105:4, 106:7, 107:15, 111:22, 112:6, 116:18, 116:19, 117:2, 117:13, 118:22, 118:25, 118:27, 119:1, 119:8, 119:11, 119:17, 121:4 member's [16] - 55:17, 57:20, 67:26, 76:18, 76:26, 76:27, 77:10, 78:19, 82:20, 83:20, 87:4, 87:14, 92:23, 99:3, 100:9, 100:14 members [6] - 9:24, 10:6, 14:7, 50:25, 99:5, 150:8 memo [1] - 7:12 memory [2] - 18:10, 128:4 men [1] - 27:6 mental [3] - 46:27,	48:27, 61:10 mention [2] - 59:23, 163:19 mentioned [7] - 60:6, 61:16, 70:28, 148:19, 148:20, 148:21, 153:10 menu [1] - 118:29 merely [2] - 39:24, 104:5 message [1] - 137:2 messages [1] - 136:28 met [6] - 7:10, 16:18, 39:8, 62:6, 71:9, 105:17 Michael [2] - 13:21, 15:24 MICHAEL [2] - 2:13, 2:24 microphone [1] - 43:22 middle [5] - 52:16, 106:19, 133:11, 135:29, 137:16 Midleton [1] - 98:18 might [19] - 20:27, 20:28, 25:23, 58:13, 63:8, 81:12, 85:26, 93:17, 93:19, 100:3, 106:1, 112:15, 113:2, 120:10, 120:16, 146:28, 152:16, 158:12, 161:28 mind [10] - 27:27, 35:29, 54:16, 56:7, 85:4, 116:26, 131:1, 156:17, 160:1, 160:6 mine [5] - 38:23, 92:18, 93:1, 100:14, 147:22 MINISTER [1] - 1:6 minute [3] - 86:7, 111:6, 111:24 minutes [5] - 33:7, 117:9, 128:15, 138:27, 157:10 misheard [1] - 125:12 missing [1] - 163:29 mistake [3] - 31:24, 81:10, 124:17 misunderstood [1] - 153:6 Mitchelstown [34] - 13:15, 15:9, 15:19, 22:18, 24:7, 24:29, 25:13, 29:25, 30:12, 31:10, 31:27, 34:1, 34:3, 34:6, 34:15,	34:23, 35:1, 41:10, 78:28, 92:5, 102:12, 105:14, 116:14, 117:29, 132:5, 133:13, 133:28, 137:8, 142:2, 144:27, 145:14, 148:12, 149:7, 157:16 mixed [3] - 46:19, 55:13, 62:26 modification [1] - 101:5 modify [2] - 88:26, 90:8 moment [6] - 25:18, 97:15, 124:11, 134:11, 152:19, 156:20 moments [1] - 157:2 Monday [3] - 66:26, 81:9, 114:7 Monica [1] - 111:14 month [1] - 85:28 months [2] - 103:13, 142:12 mood [1] - 62:22 mooted [1] - 120:1 Morgan [1] - 28:14 morning [20] - 5:16, 5:17, 5:19, 5:20, 23:27, 24:5, 29:11, 35:10, 35:11, 39:7, 39:8, 39:9, 39:13, 39:14, 39:27, 43:17, 43:18, 81:9, 114:19, 117:26 most [3] - 38:24, 105:14, 157:16 motive [1] - 22:13 move [21] - 22:4, 25:13, 25:15, 27:16, 28:17, 29:16, 32:1, 33:20, 60:29, 85:6, 89:26, 94:5, 99:6, 117:4, 145:9, 148:16, 148:17, 149:8, 149:10, 150:15, 150:24 moved [17] - 16:12, 16:13, 25:25, 25:27, 26:3, 26:6, 29:12, 29:23, 30:8, 31:4, 31:10, 33:25, 36:19, 99:1, 104:20, 142:3, 142:10 moves [1] - 31:29 moving [1] - 142:8 MR [129] - 1:11, 2:2, 2:5, 2:6, 2:7, 2:10, 2:11, 2:13, 2:16, 2:17,
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2:17, 2:18, 2:20, 2:24, 2:24, 2:25, 3:5, 3:6, 3:7, 3:11, 3:11, 3:12, 3:16, 3:16, 4:3, 4:5, 4:6, 4:12, 4:16, 4:17, 4:18, 4:20, 4:22, 4:24, 4:25, 4:26, 5:16, 5:24, 5:25, 5:29, 23:24, 23:27, 31:23, 32:10, 33:5, 35:17, 35:18, 35:20, 36:11, 39:1, 39:4, 39:7, 39:10, 39:17, 39:21, 39:27, 43:10, 43:15, 43:19, 81:29, 82:15, 94:4, 113:19, 113:22, 122:28, 123:17, 123:21, 124:10, 124:19, 125:25, 125:29, 126:4, 126:10, 126:15, 126:17, 127:17, 127:20, 127:29, 128:5, 128:9, 128:10, 128:12, 134:16, 134:17, 134:21, 134:24, 140:3, 140:8, 142:21, 143:19, 143:21, 143:24, 151:10, 151:19, 152:5, 153:28, 154:5, 154:11, 154:13, 154:18, 154:23, 155:14, 155:24, 155:25, 155:29, 156:4, 156:9, 156:11, 156:14, 158:2, 158:6, 158:17, 159:17, 159:23, 160:6, 160:9, 160:12, 160:22, 160:28, 161:4, 161:8, 161:13, 161:25, 162:3, 163:3 MS [19] - 2:7, 2:8, 2:11, 2:12, 2:18, 2:19, 2:20, 3:15, 4:8, 35:22, 35:24, 35:29, 36:4, 36:11, 36:14, 37:15, 37:25, 38:2, 43:2 Murphy [19] - 27:27, 42:10, 87:27, 114:4, 116:26, 129:22, 134:13, 139:18, 141:26, 145:25, 149:5, 149:21, 152:19, 156:16, 156:17, 156:20, 158:5, 163:26, 163:27 murphy [1] - 130:13 MURPHY [12] - 2:5, 2:16, 4:24, 134:16,	134:21, 134:24, 140:3, 140:8, 142:21, 158:2, 158:6, 163:3 must [5] - 24:17, 65:25, 70:9, 99:5, 99:10 mutual [2] - 66:12, 94:27 mutually [19] - 63:3, 63:7, 65:9, 65:26, 66:18, 67:1, 67:11, 79:3, 79:14, 79:15, 84:19, 85:12, 116:6, 117:20, 118:7, 119:12, 121:5, 122:19, 124:28 MÍCHEÁL [1] - 2:17	39:4, 43:10, 47:16, 49:6, 57:24, 62:22, 65:4, 81:8, 108:4, 129:21, 129:24, 129:25, 131:13, 135:23, 149:23, 157:6 nice [2] - 5:21, 43:3 night [2] - 80:11, 128:20 nine [2] - 120:4, 129:1 no. [1] - 8:20 NOBLE [1] - 3:17 nobody [2] - 36:2, 128:22 Nolan [1] - 60:8 non [4] - 74:21, 74:28, 105:27, 126:7 non-essential [1] - 126:7 non-medical [3] - 74:21, 74:28, 105:27 none [4] - 6:22, 8:15, 23:1, 97:26 nonparticipation [1] - 11:15 normal [14] - 13:2, 44:20, 44:26, 45:11, 46:26, 47:16, 47:17, 47:24, 47:26, 49:21, 79:22, 92:25, 100:25, 112:17 normally [1] - 46:2 North [1] - 29:8 north [3] - 24:21, 30:10, 92:4 NORTHUMBERLAN D [1] - 2:26 note [16] - 17:24, 18:14, 48:24, 49:7, 51:4, 51:12, 53:7, 64:26, 66:22, 66:23, 69:6, 115:4, 125:11, 126:18, 130:10 noted [3] - 46:13, 52:16, 160:16 notes [17] - 1:25, 47:19, 55:12, 57:19, 57:23, 58:15, 114:7, 118:15, 124:21, 130:1, 131:2, 149:4, 149:16, 149:17, 149:18, 149:19, 150:14 nothing [19] - 21:14, 22:12, 29:21, 36:4, 37:25, 40:8, 40:10, 40:25, 41:1, 49:9, 49:11, 53:2, 54:13, 61:12, 101:29,	140:12, 151:28, 154:20, 158:18 notice [1] - 108:10 notified [2] - 79:29, 110:5 notwithstanding [2] - 16:11, 20:24 November [10] - 7:13, 16:5, 96:14, 97:2, 100:6, 101:17, 104:14, 108:18, 109:13, 110:14 nowhere [3] - 141:13, 142:15, 142:17 number [24] - 8:9, 12:7, 14:5, 14:23, 15:17, 16:28, 18:16, 19:22, 28:9, 28:11, 31:13, 37:22, 44:11, 45:6, 55:25, 61:28, 79:20, 90:24, 154:19, 154:20, 155:2, 155:12, 156:25, 159:26	obtain [2] - 137:18, 147:7 obtained [1] - 8:18 obviated [1] - 30:21 obvious [5] - 70:22, 77:17, 83:28, 90:7, 117:9 obviously [32] - 8:29, 18:20, 20:16, 24:15, 40:27, 47:5, 51:5, 53:24, 61:15, 61:28, 62:1, 64:15, 66:22, 67:10, 69:6, 80:20, 85:24, 90:16, 90:28, 99:18, 99:19, 100:7, 102:8, 102:14, 109:27, 121:21, 129:29, 133:10, 146:18, 159:24, 163:5, 163:11 occasion [4] - 8:4, 20:7, 38:16, 160:14 occasionally [2] - 17:13, 31:8 occasions [1] - 38:19 occupational [9] - 43:24, 45:29, 46:3, 50:14, 51:9, 52:15, 66:8, 72:20, 104:8 Occupational [2] - 44:13, 45:26 occupied [1] - 37:18 occur [2] - 20:29, 36:2 occurred [6] - 20:27, 44:23, 55:16, 62:28, 129:23 occurs [1] - 38:3 October [10] - 6:3, 44:23, 46:9, 47:16, 49:13, 49:23, 52:24, 65:18, 75:14, 99:22 OF [19] - 1:1, 1:7, 1:11, 1:12, 2:3, 2:16, 23:20, 35:13, 38:8, 42:27, 113:15, 125:21, 127:14, 134:9, 143:13, 155:17, 158:20 offend [1] - 16:1 offer [12] - 53:16, 55:23, 69:27, 70:15, 71:17, 77:2, 83:9, 87:1, 99:3, 110:4, 117:4, 117:10 offered [8] - 14:24, 41:11, 42:15, 50:27, 51:19, 71:22, 114:28, 115:24
N				
O				
O'Brien [1] - 20:12 O'BRIEN [1] - 3:6 o'clock [1] - 81:22 O'HIGGINS [1] - 2:17 O'MARA [1] - 2:26 O'Sullivan [3] - 128:17, 128:19, 160:13 O'SULLIVAN [1] - 3:5 oath [2] - 140:9, 140:11 object [3] - 152:6, 152:17, 158:2 objecting [2] - 123:10, 160:2 objection [2] - 153:20, 161:5 objective [7] - 50:6, 68:25, 90:24, 90:27, 102:6, 150:10, 150:27 obligation [1] - 122:13 obligatory [9] - 13:20, 16:6, 90:6, 100:20, 125:9, 125:18, 126:26, 126:29, 127:7 obliged [1] - 99:12 observation [1] - 30:26				

<p>offering [3] - 71:28, 78:27, 112:27</p> <p>offers [7] - 10:16, 70:24, 71:14, 116:19, 116:21, 117:2, 117:13</p> <p>OFFICE [1] - 2:21</p> <p>Office [1] - 163:5</p> <p>office [24] - 6:5, 6:7, 7:27, 10:7, 10:8, 10:11, 12:29, 16:23, 18:12, 20:13, 30:18, 33:17, 41:22, 42:1, 44:28, 45:29, 47:25, 92:7, 93:12, 95:27, 98:1, 112:21</p> <p>officer [7] - 10:21, 15:7, 20:14, 44:1, 45:21, 65:2, 86:25</p> <p>Officer [1] - 13:18</p> <p>offices [4] - 28:12, 45:25, 46:11</p> <p>official [3] - 53:3, 55:17, 154:14</p> <p>often [3] - 61:9, 125:25, 149:9</p> <p>OGHENOVO [4] - 4:14, 43:14, 113:19, 126:14</p> <p>Oghuvbu [10] - 15:29, 43:11, 59:17, 59:21, 59:22, 65:1, 66:27, 113:13, 123:9, 127:22</p> <p>OGHUVBU [4] - 4:14, 43:14, 113:19, 126:14</p> <p>Oghuvbu's [2] - 16:4, 43:20</p> <p>OHP [1] - 72:18</p> <p>ON [5] - 1:4, 1:8, 1:17, 5:1</p> <p>once [1] - 70:4</p> <p>one [48] - 9:24, 10:28, 14:22, 15:10, 15:15, 23:28, 25:18, 28:14, 31:14, 35:17, 40:1, 41:4, 42:1, 42:6, 59:12, 65:26, 69:4, 73:1, 75:3, 79:9, 89:1, 90:28, 99:25, 99:28, 101:11, 102:9, 105:18, 106:22, 107:20, 113:24, 113:27, 113:28, 122:26, 126:7, 129:6, 130:9, 131:13, 132:28, 134:17, 137:14, 138:13, 143:5, 149:8, 150:13, 153:29, 156:4, 156:8,</p>	<p>156:23</p> <p>ones [2] - 119:2, 154:17</p> <p>ongoing [5] - 12:17, 14:23, 19:28, 51:24, 54:19</p> <p>onsite [1] - 34:18</p> <p>onward [2] - 7:21, 18:23</p> <p>onwards [3] - 17:22, 18:25, 102:21</p> <p>open [8] - 15:17, 55:13, 85:2, 86:1, 112:24, 141:17, 143:25, 151:13</p> <p>opened [4] - 24:4, 41:24, 41:25, 114:6</p> <p>opening [1] - 150:13</p> <p>operating [1] - 35:3</p> <p>operational [8] - 33:18, 66:20, 78:8, 87:14, 91:13, 91:21, 92:6</p> <p>operationally [1] - 122:7</p> <p>opinion [26] - 25:10, 53:16, 54:29, 57:15, 57:20, 59:18, 59:22, 66:5, 77:2, 88:2, 88:13, 88:15, 91:14, 91:16, 101:12, 101:15, 101:29, 103:11, 103:18, 104:9, 107:17, 112:22, 115:15, 123:25, 157:25, 158:3</p> <p>opinions [1] - 59:21</p> <p>opportunity [8] - 28:17, 33:19, 33:21, 50:3, 151:21, 153:3, 161:29, 162:23</p> <p>opposed [1] - 152:21</p> <p>opting [1] - 79:9</p> <p>option [5] - 60:4, 90:20, 98:18, 119:1, 157:15</p> <p>options [5] - 15:17, 72:2, 72:4, 98:29, 121:11</p> <p>oral [1] - 162:22</p> <p>orbit [1] - 15:27</p> <p>ordeal [1] - 158:25</p> <p>order [6] - 13:23, 29:15, 42:5, 84:5, 114:2, 150:23</p> <p>organisation [2] - 67:28, 86:11</p> <p>organisational [4] - 71:14, 98:4, 99:10, 117:2</p>	<p>organise [1] - 50:5</p> <p>organised [1] - 69:4</p> <p>original [8] - 15:10, 22:3, 49:26, 53:24, 88:14, 105:27, 129:8, 133:7</p> <p>originally [3] - 15:11, 129:16, 130:7</p> <p>OSMOND [1] - 2:21</p> <p>ostensibly [2] - 150:10, 150:27</p> <p>OTHER [1] - 1:2</p> <p>otherwise [6] - 22:20, 30:13, 57:25, 113:4, 129:4, 162:9</p> <p>outcome [6] - 7:14, 78:20, 80:12, 82:6, 100:15, 113:5</p> <p>outcomes [1] - 101:20</p> <p>outline [1] - 98:10</p> <p>outlined [1] - 60:3</p> <p>outset [2] - 37:16, 146:7</p> <p>outside [2] - 116:14, 151:14</p> <p>outstanding [2] - 110:20, 112:2</p> <p>overlooked [1] - 158:10</p> <p>oversight [1] - 84:3</p> <p>overturn [1] - 21:16</p> <p>overview [1] - 9:23</p> <p>own [15] - 16:23, 18:21, 30:27, 34:5, 47:9, 49:16, 50:1, 52:26, 69:27, 73:15, 74:10, 152:9, 158:4, 163:19</p>	<p>64:27, 69:6, 80:8, 80:23, 80:24, 81:8, 83:4, 85:29, 86:19, 87:26, 87:28, 95:21, 96:10, 97:18, 102:25, 103:25, 103:27, 105:23, 106:19, 109:29, 111:17, 114:4, 129:16, 129:20, 129:21, 129:24, 129:25, 130:3, 130:4, 133:6, 134:26, 135:11, 135:28, 136:1, 140:15, 140:16, 141:6, 145:24, 149:4, 149:22, 156:24, 157:6, 160:10</p> <p>pages [4] - 18:16, 27:25, 110:1, 141:23</p> <p>paid [1] - 53:18</p> <p>papers [14] - 9:16, 11:6, 12:28, 14:4, 16:22, 17:27, 22:26, 22:28, 26:9, 29:21, 43:21, 51:5, 59:10, 60:15</p> <p>paperwork [1] - 17:23</p> <p>paragraph [37] - 44:10, 49:23, 50:18, 50:22, 56:28, 56:29, 57:11, 59:13, 61:23, 63:25, 63:26, 76:13, 78:14, 83:25, 84:21, 86:20, 88:14, 102:17, 102:20, 102:21, 102:24, 103:23, 103:28, 104:20, 104:26, 105:22, 106:23, 106:25, 107:9, 109:21, 109:22, 111:19, 135:24, 137:14, 137:17, 145:25, 145:27</p> <p>paragraphs [3] - 55:24, 57:26, 61:27</p> <p>parameters [2] - 10:17, 66:17</p> <p>pardon [17] - 12:9, 25:26, 31:20, 31:23, 48:12, 48:17, 49:4, 61:25, 87:26, 93:18, 99:27, 113:7, 115:19, 125:13, 139:2, 145:10, 159:23</p> <p>PARLIAMENT [1] - 3:14</p> <p>part [13] - 11:17,</p>	<p>20:5, 21:2, 22:25, 27:29, 53:24, 74:23, 74:29, 98:8, 98:9, 104:27, 141:29, 160:4</p> <p>participants [1] - 163:15</p> <p>participation [2] - 8:25, 11:14</p> <p>particular [27] - 8:1, 14:21, 15:2, 18:10, 24:13, 40:12, 47:4, 49:8, 53:6, 56:7, 56:11, 63:23, 70:28, 79:1, 79:7, 80:14, 80:18, 99:23, 104:27, 107:5, 107:16, 113:28, 114:29, 115:11, 147:18, 156:24, 157:22</p> <p>particularly [9] - 5:9, 5:11, 38:17, 38:18, 46:27, 54:7, 89:20, 153:6, 153:24</p> <p>parties [8] - 100:21, 160:28, 161:23, 162:14, 162:16, 162:23, 162:24, 162:27</p> <p>parts [4] - 141:28, 141:29, 160:17, 161:27</p> <p>party [2] - 96:28, 119:16</p> <p>pass [1] - 60:7</p> <p>passed [2] - 9:1, 40:20</p> <p>PASSED [1] - 1:3</p> <p>passing [1] - 48:24</p> <p>past [1] - 133:14</p> <p>patient [2] - 66:6, 66:25</p> <p>patient's [2] - 66:25, 66:27</p> <p>Patricia [1] - 160:9</p> <p>PATRICK [2] - 2:7, 3:6</p> <p>Paul [9] - 13:21, 29:25, 30:11, 31:27, 32:1, 40:1, 66:26, 67:2, 149:8</p> <p>PAUL [8] - 2:10, 3:5, 3:11, 4:20, 128:9, 134:21, 143:21, 156:11</p> <p>pausing [1] - 69:16</p> <p>pay [2] - 108:11, 109:1</p> <p>PD [5] - 6:1, 6:29, 10:18, 10:23, 10:27</p> <p>pending [2] - 46:20,</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>57:1 pension [1] - 109:2 penultimate [1] - 49:22 People [1] - 6:2 people [6] - 13:10, 17:10, 17:12, 28:16, 91:7, 110:12 people's [1] - 36:18 per [4] - 23:3, 50:22, 79:24, 92:18 perceive [2] - 77:22, 77:24 perceived [6] - 26:15, 83:6, 85:19, 89:19, 99:3, 101:21 percent [1] - 35:17 perception [5] - 50:1, 77:22, 101:22, 106:7, 106:8 perfected [1] - 18:28 perfectly [2] - 124:2, 124:8 perhaps [32] - 8:10, 9:11, 14:9, 18:15, 20:10, 21:20, 29:13, 30:18, 40:7, 54:15, 55:23, 56:10, 58:1, 59:2, 64:25, 69:5, 69:26, 76:12, 78:14, 80:8, 81:12, 83:24, 91:27, 95:7, 97:17, 97:21, 103:25, 129:25, 132:29, 133:27, 151:14, 162:11 period [5] - 6:7, 6:12, 20:2, 109:1, 111:23 permission [1] - 66:25 PERRY [1] - 2:11 persists [1] - 31:29 person [9] - 10:21, 10:24, 30:22, 59:26, 77:28, 77:29, 78:2, 78:3, 140:26 personal [1] - 7:26 Personal [1] - 27:4 personnel [10] - 11:21, 28:14, 33:15, 34:19, 35:3, 137:19, 138:9, 147:9, 147:19, 147:24 persons [1] - 60:6 perspective [6] - 49:12, 68:11, 87:2, 88:16, 91:15, 101:28 pertains [2] - 40:3, 111:11 phone [2] - 65:1,</p>	<p>93:28 phoned [1] - 130:7 phrase [7] - 16:3, 25:12, 78:25, 79:14, 127:7, 136:18, 137:17 phrased [3] - 56:26, 69:26, 126:6 physical [2] - 75:12, 146:29 physician [6] - 43:25, 46:3, 50:14, 65:12, 66:8, 67:22 physicians [1] - 45:29 PIAB [21] - 129:12, 135:3, 135:22, 136:28, 137:4, 139:10, 141:25, 141:26, 142:23, 143:4, 146:12, 147:26, 147:29, 149:20, 151:20, 151:23, 152:2, 152:25, 154:25, 157:29 PIAB's [1] - 135:7 pick [1] - 150:22 picked [1] - 49:16 picking [2] - 150:15, 150:17 picks [1] - 149:9 picture [1] - 58:21 piece [1] - 159:29 pigeonhole [1] - 160:15 pint [1] - 11:7 place [27] - 5:8, 8:2, 11:15, 13:24, 15:27, 34:6, 48:9, 49:18, 51:1, 60:28, 65:27, 66:11, 67:3, 71:7, 74:2, 78:23, 79:3, 79:6, 79:7, 83:20, 85:6, 95:6, 116:7, 118:22, 119:8, 120:29, 143:2 places [1] - 91:6 plan [2] - 66:26, 160:7 plausible [1] - 77:8 play [1] - 76:1 pleasant [1] - 5:5 pleasantly [1] - 163:17 point [66] - 7:28, 8:28, 11:19, 12:15, 15:20, 15:21, 15:22, 15:24, 20:16, 23:12, 26:29, 27:10, 27:13, 28:8, 28:24, 28:25,</p>	<p>29:5, 30:24, 30:25, 32:11, 32:12, 32:26, 33:1, 33:2, 33:3, 33:6, 33:9, 34:13, 34:22, 37:4, 37:21, 37:27, 49:10, 49:15, 53:8, 54:25, 56:7, 56:12, 58:25, 61:29, 64:6, 68:24, 70:1, 74:14, 74:20, 75:9, 77:17, 78:10, 79:24, 85:24, 89:3, 91:13, 92:15, 92:29, 94:8, 100:8, 100:27, 102:5, 106:9, 121:3, 127:6, 135:7, 154:9, 154:16, 156:26, 158:13 pointed [1] - 37:17 points [6] - 14:21, 15:4, 36:25, 58:28, 99:7, 106:17 policeman [1] - 6:20 policing [9] - 22:6, 33:18, 77:3, 77:6, 79:23, 82:21, 83:15, 92:26, 100:25 policy [1] - 110:6 pool [1] - 34:19 poor [1] - 81:9 portion [2] - 65:4, 106:18 portions [2] - 156:16, 156:19 portrayal [1] - 67:16 position [43] - 6:11, 6:15, 7:1, 8:18, 10:27, 15:17, 18:17, 20:20, 25:11, 27:3, 30:9, 31:12, 37:19, 41:26, 58:9, 58:18, 58:19, 58:29, 65:13, 65:15, 68:7, 72:7, 74:20, 83:7, 83:9, 95:4, 96:16, 101:2, 105:22, 106:15, 110:17, 119:5, 124:14, 133:27, 137:26, 151:3, 154:28, 158:11, 158:15, 161:23, 162:10, 162:17 positioning [1] - 141:7 possibility [10] - 32:14, 32:22, 32:28, 33:10, 46:24, 52:21, 56:22, 148:28, 160:24 possible [9] - 14:16, 27:25, 56:17, 80:13, 85:2, 90:17, 116:16,</p>	<p>129:9, 163:11 possibly [1] - 56:17 posted [2] - 15:26, 16:17 potential [2] - 146:21, 154:3 potentially [1] - 145:29 powder [1] - 152:15 Power [1] - 10:8 powers [1] - 6:22 practicability [1] - 71:10 practicable [15] - 69:13, 83:22, 87:8, 88:27, 89:9, 91:13, 95:2, 100:22, 114:21, 115:13, 115:26, 116:1, 121:7, 121:26, 121:28 practical [2] - 78:13, 78:22 practice [3] - 44:26, 46:26, 112:17 practise [1] - 112:8 practitioner [1] - 63:29 preclude [8] - 13:20, 70:4, 70:16, 70:21, 71:29, 83:14, 100:24, 116:22 precluded [1] - 16:5 precludes [2] - 75:7, 100:20 precluding [1] - 34:28 predate [1] - 154:3 predominantly [1] - 24:2 predominated [1] - 31:13 preface [1] - 123:13 prejudice [4] - 63:1, 78:20, 100:15, 110:21 premises [1] - 163:1 prepare [2] - 18:8, 18:14 prepared [3] - 17:24, 18:26, 51:12 prescribe [2] - 85:22, 107:1 prescribed [1] - 68:23 prescriptive [1] - 82:28 presence [2] - 34:18, 88:22 present [7] - 17:13, 32:25, 75:12, 94:23, 95:23, 109:17, 146:12</p>	<p>presented [3] - 77:19, 86:22, 101:18 presenting [2] - 94:10, 94:12 presently [1] - 79:27 preserves [1] - 87:13 PRESIDENT [2] - 1:12, 2:3 presumably [6] - 7:24, 19:25, 52:20, 65:25, 112:13, 133:7 presume [3] - 19:29, 42:24, 128:29 presumption [1] - 129:2 prevented [1] - 75:17 previous [12] - 31:13, 62:20, 83:11, 87:17, 92:20, 92:21, 97:16, 100:13, 117:16, 130:3, 137:15, 145:26 previously [6] - 25:29, 48:14, 87:4, 104:9, 120:8, 161:22 PREVIOUSLY [1] - 128:9 primary [2] - 65:11, 67:22 principle [3] - 68:25, 89:14, 90:16 priority [1] - 79:29 private [2] - 17:25, 59:20 problem [16] - 26:15, 89:29, 90:11, 90:13, 94:3, 105:17, 117:25, 123:12, 123:23, 123:27, 123:28, 124:1, 128:5, 162:3, 162:6 procedures [4] - 71:15, 99:11, 117:3, 160:23 proceed [6] - 19:4, 29:16, 36:8, 116:13, 153:27, 159:24 proceedings [2] - 7:21, 51:23 process [8] - 9:9, 10:9, 21:2, 22:23, 23:14, 25:5, 47:24, 47:27 processes [8] - 27:1, 50:9, 72:4, 77:8, 78:20, 84:4, 84:29, 87:11 processing [1] - 17:21 produce [1] - 163:10</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>produced [2] - 64:16, 152:26</p> <p>professional [5] - 67:27, 84:7, 86:15, 88:2, 117:24</p> <p>professionally [1] - 95:11</p> <p>progress [8] - 55:18, 70:25, 72:10, 76:25, 84:24, 85:3, 111:1, 111:12</p> <p>progressed [1] - 91:23</p> <p>progression [1] - 18:24</p> <p>prolonging [1] - 60:10</p> <p>promotion [1] - 33:21</p> <p>prompted [1] - 96:20</p> <p>promptly [1] - 129:13</p> <p>properly [1] - 23:3</p> <p>proposal [1] - 120:21</p> <p>proposals [5] - 118:4, 118:5, 118:9, 121:6, 122:14</p> <p>propose [8] - 41:25, 117:8, 117:14, 121:7, 123:21, 159:28, 160:28, 162:22</p> <p>proposed [11] - 11:18, 15:3, 15:11, 16:8, 17:6, 28:19, 93:5, 105:2, 120:1, 120:13, 160:29</p> <p>proposes [1] - 162:17</p> <p>proposing [5] - 16:1, 118:18, 118:19, 121:13, 127:29</p> <p>proposition [2] - 24:28, 124:23</p> <p>Prosecutions [1] - 108:17</p> <p>prosing [1] - 121:15</p> <p>prospect [1] - 28:18</p> <p>protect [2] - 75:23, 84:5</p> <p>PROTECTED [2] - 1:1, 1:2</p> <p>protected [4] - 8:29, 9:3, 19:9, 154:3</p> <p>Protected [1] - 8:29</p> <p>protecting [2] - 66:19, 67:27</p> <p>provide [15] - 9:22, 41:12, 41:26, 48:1, 56:18, 59:28, 94:16, 99:4, 107:3, 115:15,</p>	<p>130:8, 130:9, 133:3, 136:13, 138:28</p> <p>provided [18] - 10:24, 45:13, 47:1, 53:25, 55:11, 61:1, 64:11, 70:5, 82:19, 86:28, 97:10, 104:9, 106:2, 107:6, 107:13, 110:3, 111:5, 119:26</p> <p>providing [3] - 28:19, 78:17, 110:16</p> <p>provision [1] - 23:12</p> <p>provisions [1] - 21:8</p> <p>prowess [1] - 43:4</p> <p>proximity [1] - 35:9</p> <p>psychiatrist [2] - 61:7, 82:23</p> <p>psychological [2] - 75:13, 149:28</p> <p>PTSD [1] - 137:15</p> <p>Public [2] - 108:17, 163:5</p> <p>public [3] - 131:13, 134:3, 157:8</p> <p>pull [1] - 43:22</p> <p>Pulse [2] - 20:23, 20:25</p> <p>PURCELL [1] - 3:12</p> <p>purely [3] - 23:3, 103:18, 122:6</p> <p>purpose [1] - 50:15</p> <p>purposes [3] - 40:26, 111:5, 123:23</p> <p>pursued [1] - 26:29</p> <p>purview [1] - 95:8</p> <p>put [42] - 7:27, 10:9, 24:1, 36:26, 37:1, 37:3, 37:29, 38:3, 40:2, 50:18, 58:4, 65:27, 67:14, 71:7, 74:2, 83:26, 85:17, 103:25, 105:15, 113:27, 114:4, 116:7, 117:11, 117:18, 118:1, 118:22, 119:1, 119:8, 123:2, 124:23, 126:20, 128:16, 141:7, 142:13, 143:5, 145:14, 152:13, 156:16, 156:19, 160:17, 161:27, 162:12</p> <p>putting [3] - 20:17, 20:24, 138:16</p>	<p>qualifications [3] - 44:10, 44:12, 99:19</p> <p>qualifies [1] - 37:13</p> <p>quarrel [1] - 124:5</p> <p>QUAY [1] - 3:8</p> <p>queries [1] - 109:3</p> <p>query [4] - 80:6, 87:24, 91:27, 97:8</p> <p>QUESTIONED [4] - 4:8, 4:26, 36:11, 156:11</p> <p>questions [32] - 8:10, 24:1, 25:22, 29:1, 35:18, 35:20, 35:28, 38:5, 39:26, 40:2, 42:29, 43:1, 43:2, 59:24, 63:15, 109:9, 113:27, 114:4, 127:12, 127:17, 127:20, 132:9, 134:17, 143:17, 152:13, 155:15, 155:23, 155:24, 155:26</p> <p>quick [1] - 88:1</p> <p>quickly [3] - 86:18, 163:10, 163:21</p> <p>QUILTER [1] - 3:11</p> <p>Quinn [6] - 39:5, 39:9, 39:13, 39:19, 42:25, 43:6</p> <p>QUINN [2] - 4:10, 39:16</p> <p>quite [9] - 33:27, 35:8, 80:22, 86:29, 120:21, 124:21, 158:25, 161:14, 162:21</p> <p>quotation [1] - 70:7</p> <p>quoted [2] - 29:29</p> <p>quoting [1] - 93:25</p>	<p>re-establish [1] - 158:14</p> <p>re-examination [1] - 152:11</p> <p>re-positioning [1] - 141:7</p> <p>reached [2] - 25:2, 25:5</p> <p>reaction [2] - 62:27, 160:16</p> <p>reactive [2] - 46:14, 55:14</p> <p>read [9] - 9:4, 9:5, 22:1, 22:15, 66:4, 132:2, 140:6, 140:25, 161:9</p> <p>reading [3] - 55:3, 77:14, 139:29</p> <p>reads [1] - 136:1</p> <p>ready [1] - 81:27</p> <p>real [2] - 17:3, 85:19</p> <p>reality [3] - 20:6, 30:28, 151:25</p> <p>really [36] - 16:24, 38:20, 40:25, 49:14, 53:8, 53:12, 54:5, 54:7, 54:13, 58:25, 58:29, 68:22, 69:26, 71:18, 83:27, 85:14, 85:20, 89:29, 90:15, 91:20, 94:12, 94:23, 95:12, 95:13, 97:5, 117:27, 120:25, 121:18, 127:1, 127:8, 140:19, 154:20, 156:14, 156:23, 160:1, 160:6</p> <p>reason [6] - 26:1, 73:25, 74:4, 105:28, 109:23, 146:19</p> <p>reasonability [1] - 71:9</p> <p>reasonable [22] - 22:2, 22:9, 22:18, 69:13, 78:12, 78:22, 83:21, 87:8, 90:26, 91:12, 95:2, 114:21, 115:13, 115:25, 116:1, 121:7, 121:26, 121:28, 152:27, 153:20, 161:12, 162:21</p> <p>reasonably [5] - 79:5, 88:27, 89:8, 100:22, 116:1</p> <p>reasons [6] - 25:15, 25:18, 91:27, 92:6, 92:9, 141:17</p> <p>reasserting [1] - 87:20</p>	<p>reassessed [1] - 73:7</p> <p>reassessment [1] - 49:17</p> <p>rebuild [1] - 33:20</p> <p>recalcitrant [1] - 21:25</p> <p>recalled [2] - 151:15, 151:17</p> <p>recede [4] - 137:20, 137:27, 147:10, 148:26</p> <p>receipt [4] - 63:10, 64:22, 64:23, 103:9</p> <p>receive [6] - 10:25, 12:5, 13:2, 48:22, 60:13, 122:12</p> <p>received [24] - 11:28, 12:12, 12:26, 13:18, 13:28, 16:22, 19:16, 29:20, 30:6, 46:12, 48:10, 52:23, 62:17, 63:6, 63:28, 64:5, 65:1, 69:23, 73:28, 74:3, 109:15, 129:12, 160:15, 161:11</p> <p>recently [3] - 7:10, 20:9, 34:4</p> <p>recitation [1] - 80:10</p> <p>recite [1] - 61:25</p> <p>recites [2] - 62:14, 62:20</p> <p>reciting [1] - 56:29</p> <p>reclassification [5] - 110:18, 110:24, 111:23, 111:27, 112:2</p> <p>reclassified [1] - 108:25</p> <p>reclassify [1] - 109:10</p> <p>recognise [1] - 114:12</p> <p>recognised [1] - 37:29</p> <p>recollect [5] - 29:19, 57:17, 69:28, 96:20, 120:28</p> <p>recollection [7] - 19:15, 71:24, 93:20, 117:29, 120:12, 124:13, 125:26</p> <p>recommend [2] - 63:2, 90:23</p> <p>recommendation [7] - 13:25, 19:3, 67:21, 101:24, 115:25, 115:29, 124:28</p> <p>recommendations [13] - 69:12, 71:8, 71:25, 71:26, 76:27,</p>
Q				
<p>qualification [1] - 161:14</p>				
R				
<p>raise [2] - 56:9, 94:6</p> <p>raised [6] - 19:22, 36:15, 50:10, 73:26, 80:5, 110:18</p> <p>raises [1] - 40:4</p> <p>rank [4] - 6:19, 6:23, 44:4, 140:26</p> <p>ranks [2] - 6:16, 17:10</p> <p>rather [1] - 58:12</p> <p>rating [1] - 23:13</p> <p>rationale [4] - 14:8, 15:4, 18:21, 28:1</p> <p>re [5] - 66:25, 109:3, 141:7, 152:11, 158:14</p>				

77:2, 78:27, 79:10, 82:19, 86:26, 104:3, 114:20, 115:12 recommended [12] - 56:1, 56:4, 65:9, 70:14, 77:12, 78:18, 78:25, 78:28, 79:22, 83:19, 104:16, 133:19 recommending [3] - 65:26, 118:19 record [9] - 12:22, 25:25, 55:13, 55:17, 57:23, 111:10, 148:23, 148:25, 160:4 recorded [9] - 52:28, 57:18, 119:3, 119:7, 131:25, 132:21, 139:2, 139:13, 149:15 records [6] - 14:11, 130:23, 136:21, 139:21, 144:2, 144:8 records.. [1] - 139:5 reduced [2] - 75:21, 148:28 refer [18] - 7:2, 16:3, 24:14, 37:19, 47:3, 63:24, 78:26, 80:28, 93:23, 97:16, 100:6, 100:10, 104:26, 111:19, 131:19, 133:10, 155:11 reference [24] - 7:7, 12:21, 19:23, 30:16, 42:9, 44:24, 59:12, 67:11, 86:7, 93:24, 107:27, 108:4, 108:9, 110:6, 110:22, 111:5, 116:20, 117:1, 117:4, 118:14, 118:16, 138:15, 151:27, 153:15 referenced [6] - 30:15, 34:5, 37:18, 37:23, 57:10, 111:23 references [3] - 7:1, 7:4, 37:17 referral [3] - 45:26, 46:24, 49:26 referred [14] - 12:12, 15:5, 44:20, 45:7, 45:8, 45:13, 45:20, 45:22, 48:13, 49:25, 97:7, 104:7, 135:23, 138:27 referring [12] - 26:19, 106:22, 122:21, 131:14, 132:17, 138:10, 139:26, 141:27, 141:28, 142:11, 142:27,	145:17 refers [5] - 27:29, 59:11, 102:18, 133:1, 149:1 reflect [3] - 80:26, 131:1, 133:27 reflected [2] - 74:17, 116:6 reflecting [1] - 114:13 reflection [1] - 122:11 refrain [1] - 158:11 refused [2] - 51:20, 133:18 refusing [1] - 84:23 refute [2] - 105:26, 106:1 regard [14] - 7:6, 14:13, 14:16, 25:11, 34:10, 47:6, 57:24, 65:8, 100:10, 111:15, 112:27, 152:20, 152:21, 162:21 regarded [1] - 77:8 regarding [2] - 92:10, 154:1 regardless [2] - 30:7, 47:9 regime [1] - 76:2 region [1] - 17:14 Region [1] - 17:15 regional [9] - 15:13, 15:14, 28:8, 28:13, 30:17, 30:18, 30:29, 33:14, 34:16 register [1] - 44:14 registered [1] - 44:14 REGISTRAR [1] - 2:5 registrar [1] - 134:25 regularly [1] - 100:25 regulations [1] - 11:11 reiterated [1] - 159:29 rejected [1] - 17:29 rejection [1] - 72:3 rejects [4] - 71:14, 116:19, 117:2, 117:13 related [15] - 21:11, 22:22, 45:15, 48:28, 48:29, 49:27, 50:20, 53:11, 53:27, 57:15, 57:26, 58:5, 59:3, 108:24, 108:29 relating [9] - 7:11, 9:25, 11:17, 19:13, 21:8, 46:15, 49:19, 61:10, 67:4	relation [37] - 8:18, 9:5, 13:14, 23:6, 26:10, 29:9, 36:15, 36:16, 36:25, 37:21, 38:22, 41:4, 52:5, 53:2, 53:10, 61:2, 77:3, 78:23, 82:20, 83:6, 83:18, 91:24, 96:15, 99:21, 108:12, 108:19, 109:15, 114:19, 130:5, 135:1, 141:23, 141:26, 142:1, 148:2, 148:6, 154:1, 154:25 relations [2] - 133:19, 134:4 relationship [4] - 86:25, 89:20, 100:17, 101:22 relationships [1] - 133:20 relative [1] - 28:12 relevance [1] - 161:28 relevant [15] - 10:19, 30:22, 50:9, 54:5, 54:8, 84:27, 87:11, 110:26, 111:29, 152:1, 153:12, 155:22, 161:3, 161:4, 162:8 relied [1] - 17:24 relocation [1] - 105:16 rely [5] - 24:2, 128:3, 141:15, 160:19, 163:24 remain [2] - 34:3, 99:9 remained [3] - 20:20, 101:15, 104:16 remaining [1] - 144:27 remains [1] - 30:10 remark [1] - 126:21 remarkable [1] - 163:16 remarkably [1] - 150:12 remedy [1] - 145:4 remember [14] - 41:12, 53:6, 99:23, 114:27, 115:1, 115:8, 115:10, 115:23, 118:16, 119:28, 120:26, 122:1, 144:1, 160:17 reminded [1] - 36:24 remit [2] - 110:11, 122:6	remove [13] - 77:28, 77:29, 88:25, 89:15, 89:16, 89:27, 90:20, 90:24, 130:27, 136:24, 137:6, 139:15, 144:25 removed [2] - 40:9, 145:28 removes [2] - 89:24, 90:1 removing [1] - 146:27 repeat [1] - 146:3 repeating [1] - 141:3 repetitive [2] - 151:1, 154:27 rephrase [1] - 124:16 rephrasing [1] - 125:16 replay [1] - 152:22 replied [4] - 80:27, 88:10, 96:9, 140:23 reply [13] - 61:29, 81:7, 81:8, 82:3, 83:9, 86:9, 86:18, 92:14, 92:15, 97:19, 109:27, 109:29, 141:2 report [86] - 8:7, 12:17, 12:23, 12:26, 13:3, 13:4, 13:29, 19:14, 19:18, 22:1, 22:15, 24:14, 25:9, 41:16, 41:22, 41:27, 41:28, 47:15, 48:10, 48:15, 48:18, 48:20, 48:22, 49:1, 49:3, 49:5, 49:8, 49:22, 49:23, 50:19, 52:26, 53:25, 55:4, 55:21, 57:3, 62:12, 62:14, 63:9, 63:10, 63:13, 63:14, 63:20, 65:18, 66:29, 68:14, 72:17, 72:29, 74:3, 74:17, 76:11, 82:22, 91:4, 96:13, 96:20, 98:4, 98:9, 98:12, 103:9, 103:21, 104:4, 108:9, 109:11, 114:16, 119:26, 120:19, 122:22, 125:5, 125:8, 130:1, 130:5, 130:8, 130:15, 130:17, 131:25, 132:22, 136:3, 136:5, 145:24, 146:12, 147:4, 157:29, 161:17, 163:10 reported [7] - 10:11, 50:20, 55:15, 86:22,	98:7, 100:13, 100:16 reporting [8] - 31:6, 32:3, 45:19, 94:21, 98:26, 126:26, 126:29, 127:7 reports [4] - 14:5, 52:23, 55:2, 98:1 represent [2] - 23:29, 113:25 representation [1] - 135:22 representations [1] - 30:13 representative [1] - 18:5 representatives [1] - 163:15 represents [1] - 5:8 reprimand [2] - 150:9, 150:27 reputation [1] - 151:23 request [13] - 24:9, 24:19, 45:2, 48:1, 48:6, 50:5, 52:10, 54:29, 86:28, 108:28, 109:17, 109:18, 162:20 requested [3] - 44:27, 80:26, 133:4 requesting [2] - 81:4, 83:7 require [9] - 39:24, 47:11, 47:12, 66:12, 66:13, 91:4, 122:20, 122:22, 125:5 required [6] - 11:8, 11:10, 47:8, 50:25, 65:17, 136:3 requirement [2] - 73:13, 90:2 reservations [1] - 57:19 residence [2] - 14:25, 22:16 resist [5] - 130:25, 136:22, 137:1, 139:22, 144:23 resisting [2] - 142:24, 142:27 RESOLUTIONS [1] - 1:3 resolve [3] - 87:12, 99:3, 133:20 Resources [2] - 6:2, 27:4 resources [1] - 10:7 respect [12] - 9:23, 24:6, 27:1, 83:19, 101:5, 111:7, 114:29,
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>120:5, 135:17, 135:26, 156:28, 163:17 respectfully [1] - 123:18 responded [2] - 75:4, 102:13 response [15] - 14:10, 34:8, 34:12, 88:1, 88:14, 97:10, 99:21, 100:4, 110:4, 110:16, 110:23, 114:29, 117:7, 157:27, 159:28 responses [1] - 19:11 responsibilities [2] - 6:23, 68:10 responsibility [3] - 11:23, 71:19, 87:6 rest [1] - 91:14 restored [1] - 109:1 restricted [1] - 75:21 result [3] - 21:12, 51:24, 54:28 resulted [3] - 19:23, 53:15, 149:28 RESUMED [2] - 5:1, 81:24 resurrect [2] - 40:17, 40:29 retire [1] - 108:10 retired [1] - 107:22 retirement [3] - 6:9, 23:13, 51:22 return [28] - 55:29, 56:2, 56:17, 56:22, 64:2, 67:2, 72:26, 73:15, 73:17, 73:19, 73:27, 74:11, 74:16, 75:11, 75:16, 75:27, 75:28, 76:18, 76:26, 84:25, 87:5, 96:14, 103:3, 103:16, 104:16, 107:15, 118:8, 128:15 returning [1] - 77:6 returns [1] - 63:2 revealed [1] - 22:26 review [22] - 19:2, 21:16, 24:3, 25:9, 26:5, 27:8, 29:6, 30:3, 44:27, 48:8, 49:6, 50:27, 55:28, 57:2, 57:9, 60:17, 92:23, 100:9, 102:27, 103:1, 104:1, 130:6 reviewed [2] - 13:14, 97:29 reviews [1] - 62:21</p>	<p>revive [1] - 40:16 rid [1] - 120:18 ringing [1] - 93:28 risk [5] - 36:27, 93:4, 98:4, 98:21, 105:1 ROAD [2] - 2:26, 3:18 ROBERT [1] - 3:12 role [26] - 6:1, 6:28, 9:23, 12:3, 23:6, 23:10, 23:11, 23:15, 23:16, 25:7, 33:10, 37:17, 37:18, 46:8, 66:8, 91:3, 99:10, 110:10, 117:23, 117:24, 119:24, 122:20, 125:4, 125:8, 125:15, 126:25 roles [3] - 28:9, 33:16, 36:18 room [2] - 122:27, 156:1 roster [1] - 91:6 round [1] - 152:16 routed [1] - 44:28 routine [1] - 7:24 routinely [1] - 7:27 Ruane [1] - 7:22 rule [2] - 45:24, 152:22 ruled [1] - 154:8 Rules [1] - 152:12 rules [1] - 72:16 rumoured [1] - 36:22 run [1] - 26:21 running [2] - 82:12, 86:10 RYAN [2] - 1:11, 2:2 Ryan [5] - 7:10, 9:22, 21:20, 27:23, 38:23 ryan [1] - 38:22 récitatif [1] - 83:5</p>	<p>sanction [1] - 51:19 sanctioned [1] - 51:17 satisfied [2] - 130:17, 136:5 saw [10] - 21:14, 22:12, 46:8, 55:11, 58:1, 67:13, 73:2, 93:21, 131:2, 140:27 SC [10] - 2:6, 2:7, 2:10, 2:16, 2:17, 2:17, 2:24, 3:5, 3:11, 3:15 scene [1] - 114:2 schedule [1] - 159:26 scheduled [1] - 159:18 scheduling [1] - 60:17 scope [2] - 85:2, 95:9 screen [4] - 9:18, 103:25, 114:5, 116:28 screens [1] - 36:6 scroll [14] - 42:7, 45:4, 49:7, 64:27, 71:4, 80:20, 86:5, 87:27, 111:17, 116:25, 129:20, 130:3, 134:26, 139:1 seam [1] - 153:26 SEAN [3] - 1:11, 2:2, 3:7 SEANAD [1] - 1:4 seat [1] - 159:11 second [13] - 15:20, 34:13, 40:6, 41:4, 42:6, 45:14, 90:20, 109:21, 116:17, 117:1, 137:14, 147:29, 157:15 secondary [1] - 62:27 secondly [2] - 33:27, 137:4 secretary [1] - 17:25 section [2] - 108:11, 150:13 Section [1] - 76:24 sector [1] - 59:20 see [55] - 5:21, 5:22, 14:29, 16:8, 24:27, 27:24, 28:3, 29:15, 39:12, 40:26, 46:2, 46:5, 50:11, 50:15, 52:17, 54:10, 55:2, 56:18, 61:3, 61:24, 64:14, 64:27, 74:21, 74:22, 74:28, 74:29, 78:12, 80:2, 86:7,</p>	<p>101:4, 106:20, 109:20, 116:25, 129:19, 130:7, 131:16, 135:11, 135:19, 137:12, 137:17, 137:21, 140:25, 141:20, 143:8, 144:7, 147:26, 152:3, 152:13, 153:16, 153:20, 157:19, 159:6, 160:20, 161:24, 164:6 seeing [2] - 56:15, 68:19 seek [10] - 33:21, 47:6, 61:4, 86:11, 88:2, 107:1, 111:2, 112:25, 152:27, 163:10 seeking [17] - 51:20, 51:21, 53:9, 54:21, 61:21, 85:25, 85:27, 96:24, 109:17, 109:18, 112:22, 130:25, 135:2, 136:22, 137:1, 139:22, 144:23 seem [6] - 88:29, 89:29, 91:23, 115:4, 130:4, 151:14 sees [1] - 46:4 selected [1] - 152:28 self [1] - 13:19 send [2] - 38:4, 63:17 senior [4] - 17:10, 21:23, 46:16, 76:24 seniority [1] - 17:9 sense [6] - 6:22, 30:26, 47:18, 151:4, 153:2, 154:29 sensible [3] - 81:15, 81:16, 146:17 sent [24] - 7:12, 7:19, 25:22, 26:4, 41:21, 63:17, 63:19, 63:20, 64:16, 80:9, 82:5, 82:15, 85:29, 86:2, 86:8, 86:17, 93:10, 93:27, 100:4, 100:7, 106:16, 111:18, 133:8, 133:24 sentence [6] - 59:13, 76:13, 88:13, 109:21, 117:12, 144:7 separate [4] - 16:16, 75:25, 75:26, 144:10 separately [1] - 19:24 September [2] -</p>	<p>13:6, 19:29 sequentially [1] - 128:14 SERGEANT [3] - 2:10, 4:10, 39:16 Sergeant [98] - 6:8, 7:15, 7:29, 9:2, 9:4, 11:18, 12:10, 13:15, 13:20, 13:24, 14:14, 14:25, 14:26, 15:16, 16:18, 17:20, 18:1, 19:1, 19:7, 20:16, 21:12, 21:24, 22:21, 23:1, 23:7, 26:11, 26:22, 26:29, 29:10, 31:9, 32:17, 32:25, 33:19, 34:13, 37:2, 39:5, 39:9, 39:13, 39:19, 40:19, 41:14, 41:15, 41:20, 41:29, 42:14, 42:16, 42:20, 42:25, 43:6, 44:19, 47:22, 49:13, 56:9, 56:25, 57:8, 57:12, 59:8, 61:14, 62:3, 62:6, 62:26, 63:2, 63:29, 64:1, 78:3, 80:14, 80:26, 86:12, 88:6, 89:2, 91:17, 92:5, 92:6, 92:11, 93:26, 94:7, 95:25, 95:28, 96:4, 96:25, 102:8, 103:1, 103:2, 103:8, 104:1, 104:23, 105:27, 106:18, 107:4, 107:12, 107:21, 108:3, 109:15, 120:15, 120:17, 120:18, 121:18, 133:24 sergeant [8] - 39:28, 41:5, 41:10, 42:6, 42:11, 90:5, 99:11, 133:9 sergeants [4] - 28:9, 28:11, 33:16, 149:8 series [1] - 149:26 serious [1] - 161:19 seriously [2] - 88:8, 147:14 served [1] - 28:18 Service [2] - 15:15, 45:26 service [18] - 23:13, 50:19, 76:25, 79:27, 79:28, 86:28, 87:18, 92:23, 99:5, 100:13, 100:24, 101:2, 110:5, 110:10, 110:16, 111:11, 112:6, 112:14</p>
S				
	<p>safe [31] - 28:20, 34:7, 34:14, 34:23, 56:2, 59:23, 59:29, 63:3, 63:8, 65:9, 68:27, 70:5, 71:21, 78:17, 78:27, 79:3, 79:5, 83:15, 92:26, 93:5, 100:19, 104:17, 105:2, 107:3, 107:6, 107:13, 116:7, 118:7, 118:29, 119:12, 133:15 safety [4] - 77:26, 93:26, 94:6, 99:7</p>			

<p>services [1] - 28:20</p> <p>Services [1] - 1:23</p> <p>SERVICES [1] - 1:28</p> <p>set [18] - 8:7, 12:17, 15:4, 24:5, 37:9, 41:27, 41:28, 44:10, 55:24, 57:24, 61:22, 62:23, 69:19, 71:27, 82:26, 114:2, 149:24, 154:1</p> <p>sets [2] - 29:28, 111:10</p> <p>setting [1] - 58:2</p> <p>setup [1] - 37:8</p> <p>sexual [1] - 134:5</p> <p>Shane [2] - 23:28, 113:24</p> <p>SHANE [2] - 2:10, 2:16</p> <p>shape [1] - 157:22</p> <p>shared [1] - 42:1</p> <p>SHELLEY [1] - 2:18</p> <p>shift [2] - 51:18, 128:28</p> <p>SHIP [1] - 2:22</p> <p>short [5] - 40:1, 52:1, 64:26, 83:25, 160:10</p> <p>shortly [2] - 62:17, 107:21</p> <p>show [1] - 32:24</p> <p>showed [1] - 20:23</p> <p>shown [3] - 20:25, 134:24, 140:14</p> <p>sick [1] - 108:28</p> <p>Sickness [1] - 76:23</p> <p>side [2] - 69:9, 97:22</p> <p>sight [4] - 49:3, 49:5, 60:29, 76:17</p> <p>sign [1] - 18:25</p> <p>signature [2] - 129:29, 135:10</p> <p>signed [7] - 18:28, 47:5, 129:17, 129:18, 129:26, 133:7, 135:13</p> <p>significant [1] - 55:15</p> <p>signify [1] - 161:10</p> <p>signing [1] - 135:22</p> <p>similar [6] - 22:7, 31:11, 32:2, 32:6, 150:12, 150:21</p> <p>simple [1] - 30:27</p> <p>simplify [1] - 138:2</p> <p>simply [7] - 9:5, 18:13, 22:28, 28:21, 119:6, 119:20, 163:20</p> <p>single [1] - 20:29</p> <p>Sinéad [2] - 2:7, 10:8</p> <p>sit [5] - 5:27, 39:19, 43:23, 94:27, 121:10</p>	<p>sitting [1] - 158:23</p> <p>situation [25] - 31:5, 31:27, 31:29, 32:2, 32:6, 67:2, 67:12, 71:15, 72:6, 75:28, 80:27, 81:4, 85:18, 86:9, 86:29, 93:2, 97:5, 117:3, 120:10, 125:3, 140:2, 145:4, 145:29, 146:28, 157:3</p> <p>six [2] - 12:11, 50:28</p> <p>six-page [1] - 12:11</p> <p>slight [1] - 86:3</p> <p>slightly [7] - 43:23, 44:24, 82:9, 85:28, 88:10, 96:10, 149:23</p> <p>slow [1] - 162:29</p> <p>small [1] - 42:7</p> <p>smaller [2] - 15:18, 34:18</p> <p>SMITHFIELD [1] - 3:9</p> <p>so-called [1] - 74:26</p> <p>SOLE [1] - 2:2</p> <p>solely [1] - 155:1</p> <p>solicitor [3] - 37:20, 120:7, 143:29</p> <p>SOLICITOR [1] - 2:9</p> <p>SOLICITOR'S [1] - 2:21</p> <p>solicitors [2] - 129:11, 141:12</p> <p>SOLICITORS [3] - 2:13, 3:7, 3:13</p> <p>solution [8] - 90:1, 105:16, 107:5, 122:18, 122:19, 124:29, 126:23, 127:9</p> <p>someone [4] - 42:4, 128:23, 128:29, 144:5</p> <p>sometimes [2] - 63:22</p> <p>somewhat [1] - 31:11</p> <p>somewhere [1] - 15:1</p> <p>soon [2] - 80:13, 129:15</p> <p>sorry [34] - 27:18, 32:10, 33:2, 35:22, 36:1, 36:2, 41:6, 42:5, 48:11, 61:24, 74:24, 80:23, 81:9, 93:29, 94:2, 101:9, 123:1, 123:22, 128:2, 128:4, 129:25, 130:13, 138:29, 139:1, 139:17, 142:17, 143:16, 146:3, 154:25, 155:20,</p>	<p>156:6, 158:2, 164:2</p> <p>sort [9] - 53:26, 54:27, 76:2, 80:10, 90:13, 93:27, 102:9, 109:11, 152:22</p> <p>sorting [1] - 97:6</p> <p>sorts [1] - 28:16</p> <p>sought [11] - 19:14, 19:18, 41:6, 41:8, 44:27, 92:4, 95:15, 106:29, 110:15, 112:7, 112:26</p> <p>source [1] - 27:6</p> <p>Southern [1] - 17:15</p> <p>speaking [4] - 32:18, 40:3, 65:6, 65:7</p> <p>specialist [10] - 43:24, 44:11, 44:14, 52:27, 55:28, 56:16, 57:2, 61:7, 70:14, 86:27</p> <p>specialists [1] - 44:15</p> <p>specific [13] - 10:28, 57:17, 72:7, 84:13, 85:3, 85:5, 95:8, 98:9, 107:2, 117:16, 120:21, 120:29, 125:11</p> <p>specifically [5] - 29:9, 55:3, 69:29, 93:1, 119:2</p> <p>specifics [4] - 68:15, 116:2, 118:3, 118:20</p> <p>speculate [1] - 118:11</p> <p>speed [1] - 49:14</p> <p>spoken [1] - 41:20</p> <p>staff [6] - 14:7, 15:14, 15:16, 16:23, 23:2, 163:25</p> <p>stage [16] - 7:16, 8:16, 8:17, 10:23, 16:27, 19:26, 25:3, 25:5, 25:24, 29:22, 60:16, 63:7, 95:15, 114:16, 131:8, 142:6</p> <p>stamp [2] - 64:7, 64:14</p> <p>stance [1] - 58:16</p> <p>stand [3] - 12:2, 100:14, 125:11</p> <p>start [2] - 51:17, 67:7</p> <p>started [1] - 128:27</p> <p>STATE [1] - 2:21</p> <p>state [4] - 9:14, 55:14, 123:11, 131:1</p> <p>statement [22] - 9:26, 39:22, 42:8, 42:12, 43:20, 44:11,</p>	<p>56:28, 63:24, 93:23, 102:13, 102:18, 102:20, 102:24, 103:23, 107:9, 133:1, 160:3, 160:10, 160:18, 161:16, 161:18, 161:28</p> <p>statements [2] - 160:25, 161:1</p> <p>states [2] - 66:27, 149:24</p> <p>stating [2] - 64:1, 65:11</p> <p>station [20] - 16:15, 22:17, 30:9, 30:17, 31:2, 31:14, 92:5, 92:6, 93:5, 98:5, 104:24, 105:2, 116:14, 131:19, 132:17, 133:13, 134:3, 144:27, 149:7, 157:17</p> <p>Station [12] - 13:16, 13:26, 14:15, 24:8, 25:1, 31:7, 81:1, 86:13, 88:7, 96:1, 96:6</p> <p>stationed [3] - 35:6, 133:13, 134:5</p> <p>stations [2] - 34:18, 37:8</p> <p>status [5] - 95:23, 96:4, 96:17, 98:10, 100:2</p> <p>statutory [2] - 11:8, 11:10</p> <p>stay [4] - 33:29, 132:5, 134:11, 145:14</p> <p>stem [1] - 7:12</p> <p>stenographer [1] - 163:26</p> <p>stenographic [1] - 1:25</p> <p>stenography [1] - 1:23</p> <p>STENOGRAPHY [1] - 1:28</p> <p>step [4] - 7:6, 11:18, 18:17, 159:10</p> <p>stepped [1] - 10:27</p> <p>stick [1] - 143:24</p> <p>sticking [1] - 74:20</p> <p>still [20] - 6:5, 12:15, 19:26, 19:28, 25:12, 29:16, 47:10, 47:12, 56:18, 73:1, 86:9, 88:1, 90:28, 95:24, 101:21, 101:24, 102:3, 108:12, 110:20, 131:22</p>	<p>stop [4] - 130:12, 132:19, 134:1</p> <p>story [1] - 22:29</p> <p>straight [1] - 111:10</p> <p>straightaway [1] - 80:13</p> <p>strayed [1] - 151:14</p> <p>Street [22] - 13:16, 13:26, 14:15, 15:12, 15:26, 16:14, 24:7, 25:1, 25:14, 28:18, 30:12, 30:17, 30:27, 30:29, 31:7, 31:11, 32:2, 32:21, 34:17, 34:29, 35:4, 35:6</p> <p>STREET [3] - 2:14, 2:22, 3:14</p> <p>stress [9] - 45:16, 49:27, 57:26, 59:2, 137:20, 137:27, 146:21, 147:10, 148:26</p> <p>stressor [9] - 88:23, 88:25, 88:26, 89:3, 89:4, 89:16, 89:17, 90:21</p> <p>stressors [2] - 77:9, 145:21</p> <p>strictly [2] - 40:3, 152:12</p> <p>strikes [1] - 123:15</p> <p>strongly [1] - 105:26</p> <p>structure [3] - 13:24, 32:4, 33:13</p> <p>structures [1] - 78:8</p> <p>struggling [1] - 33:6</p> <p>sub [1] - 28:12</p> <p>sub-offices [1] - 28:12</p> <p>subject [14] - 10:22, 17:17, 18:1, 48:8, 55:17, 62:29, 77:7, 79:12, 99:18, 107:25, 108:2, 125:27, 126:7, 162:11</p> <p>subject-matter [1] - 48:8</p> <p>submission [4] - 122:29, 123:19, 154:7, 154:9</p> <p>submissions [8] - 156:28, 158:29, 162:9, 162:14, 162:16, 162:18, 162:24, 164:7</p> <p>submit [2] - 130:15, 136:3</p> <p>submitted [4] - 47:10, 97:26, 108:16, 122:9</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>subsequent [7] - 45:18, 49:17, 52:23, 74:17, 80:6, 104:12, 133:10</p> <p>subsequently [6] - 11:8, 15:26, 20:3, 41:1, 63:28, 95:18</p> <p>subsisting [1] - 93:2</p> <p>substantial [3] - 28:9, 28:11, 76:13</p> <p>substantive [1] - 86:20</p> <p>substation [1] - 15:18</p> <p>successful [2] - 132:5, 132:24</p> <p>succinctly [1] - 116:5</p> <p>succumbed [1] - 163:29</p> <p>suffered [3] - 150:3, 150:4, 150:18</p> <p>suffering [4] - 45:15, 45:19, 48:29, 146:20</p> <p>suffers [1] - 51:24</p> <p>sufficient [1] - 58:9</p> <p>suggest [21] - 20:15, 24:16, 29:22, 30:20, 101:14, 101:26, 115:5, 117:22, 118:13, 123:7, 136:27, 137:12, 138:10, 138:24, 139:7, 140:19, 141:22, 142:22, 143:3, 143:8, 146:14</p> <p>suggested [1] - 118:17</p> <p>suggesting [6] - 101:12, 116:10, 119:23, 120:8, 138:25, 159:22</p> <p>suggestion [5] - 22:3, 81:16, 81:17, 126:22, 150:21</p> <p>suggests [1] - 102:27</p> <p>suitable [2] - 71:7, 118:22</p> <p>suitably [1] - 111:12</p> <p>suited [1] - 141:18</p> <p>summarise [2] - 102:15, 105:22</p> <p>summarised [1] - 124:3</p> <p>summarises [1] - 18:17</p> <p>summary [4] - 7:14, 61:26, 123:5, 123:8</p> <p>SUNLIGHT [1] - 3:13</p>	<p>superintendent [120] - 13:10, 16:11, 16:16, 16:25, 17:4, 22:8, 24:21, 25:24, 26:13, 26:15, 26:20, 28:23, 29:7, 29:12, 29:23, 30:6, 30:8, 30:10, 31:4, 31:6, 31:8, 31:16, 31:28, 32:13, 32:16, 32:24, 33:25, 36:19, 36:28, 51:18, 53:25, 64:17, 69:12, 70:17, 77:19, 78:6, 80:16, 81:2, 84:3, 86:13, 86:25, 88:7, 89:3, 89:5, 89:20, 89:26, 89:27, 90:3, 90:7, 91:4, 92:4, 95:29, 96:5, 96:23, 97:11, 97:14, 97:25, 97:27, 98:1, 98:3, 98:17, 98:27, 99:1, 99:4, 99:6, 99:11, 99:12, 101:22, 108:23, 112:19, 116:15, 116:23, 120:14, 120:16, 120:19, 122:22, 125:5, 126:27, 130:26, 133:1, 133:8, 133:18, 133:25, 134:4, 136:23, 137:5, 137:7, 139:14, 139:23, 139:26, 141:27, 142:1, 142:5, 142:9, 142:16, 143:17, 143:19, 144:24, 145:6, 145:15, 145:17, 146:1, 146:9, 147:1, 147:27, 148:10, 148:18, 148:29, 149:7, 149:14, 150:4, 150:5, 150:7, 150:8, 150:14, 150:18, 150:22, 151:2, 151:8</p> <p>Superintendent [57] - 7:13, 8:13, 10:10, 11:23, 12:13, 12:23, 13:21, 14:1, 17:5, 17:7, 17:16, 17:28, 18:13, 19:18, 19:27, 20:12, 22:1, 22:10, 22:14, 22:19, 24:21, 26:18, 29:15, 29:20, 29:27, 40:16, 45:2, 57:13, 60:2, 60:6, 80:5, 82:4, 83:2, 85:25, 87:23, 93:11, 95:15, 95:18, 96:13, 96:14, 96:21, 98:25,</p>	<p>99:26, 99:28, 104:5, 104:13, 106:27, 107:1, 108:15, 108:18, 108:19, 109:5, 111:26, 133:17, 133:25, 142:18, 148:19</p> <p>superintendents [3] - 17:11, 17:14, 142:3</p> <p>supers [1] - 17:1</p> <p>supervise [1] - 120:17</p> <p>supervision [1] - 31:2</p> <p>supplied [1] - 16:22</p> <p>support [5] - 28:20, 75:23, 76:3, 157:8, 163:25</p> <p>supported [6] - 25:13, 25:15, 34:7, 63:12, 66:6, 118:28</p> <p>supportive [45] - 13:19, 13:24, 15:6, 24:28, 30:14, 33:13, 56:2, 63:3, 63:8, 65:10, 65:16, 65:21, 66:10, 68:17, 68:27, 71:21, 75:20, 78:18, 83:16, 84:8, 84:19, 85:12, 89:23, 92:26, 93:6, 94:15, 94:20, 94:26, 97:6, 100:19, 101:23, 102:3, 104:17, 105:3, 105:9, 105:11, 106:14, 107:4, 107:6, 107:13, 117:20, 118:7, 121:9, 133:15</p> <p>supports [1] - 50:24</p> <p>suppose [6] - 20:6, 33:23, 54:27, 65:29, 127:6, 134:13</p> <p>surely [2] - 118:16, 154:7</p> <p>surprise [1] - 123:4</p> <p>sustained [1] - 77:10</p> <p>SWORN [4] - 5:24, 39:16, 43:14, 128:9</p> <p>sworn [1] - 39:11</p> <p>symptoms [7] - 137:21, 137:28, 146:5, 146:20, 148:27, 149:12, 149:14</p> <p>symptoms" [1] - 147:11</p> <p>system [8] - 20:23, 45:7, 79:5, 79:6, 79:8, 82:12, 84:10, 121:16</p> <p>systems [2] - 73:13,</p>	<p>118:26</p> <p>SÍOCHÁNA [1] - 2:16</p> <p>Síochána [10] - 6:3, 6:17, 6:20, 43:27, 44:8, 45:24, 107:2, 150:1, 151:3, 156:21</p>	<p>T</p> <p>T8 [1] - 57:11</p> <p>table [1] - 70:20</p> <p>targeting [1] - 21:12</p> <p>task [1] - 5:5</p> <p>tasked [1] - 8:23</p> <p>tautology [1] - 116:5</p> <p>team [2] - 159:27, 163:19</p> <p>technical [1] - 9:20</p> <p>temporarily [1] - 46:20</p> <p>temporary [4] - 78:22, 79:23, 83:18, 92:29</p> <p>tenable [1] - 34:9</p> <p>tend [1] - 58:11</p> <p>tender [1] - 39:24</p> <p>tendered [1] - 108:10</p> <p>tensions [1] - 67:25</p> <p>terms [31] - 8:28, 9:9, 16:25, 20:1, 21:3, 24:27, 49:15, 67:25, 68:2, 68:5, 74:15, 75:19, 78:8, 84:8, 85:11, 89:12, 89:14, 94:14, 101:18, 101:21, 118:4, 119:3, 119:11, 126:21, 138:7, 140:17, 142:21, 142:22, 145:28, 151:27, 160:22</p> <p>testimonial [1] - 38:24</p> <p>testimony [1] - 143:4</p> <p>th [1] - 91:29</p> <p>thankful [1] - 163:24</p> <p>THE [26] - 1:2, 1:6, 1:7, 1:12, 2:3, 2:6, 2:9, 2:16, 5:1, 5:20, 5:22, 38:15, 38:27, 43:5, 43:8, 43:18, 81:18, 81:21, 81:24, 127:24, 127:27, 158:27, 159:4, 159:9, 159:14, 164:9</p> <p>theme [1] - 26:17</p> <p>themselves [1] - 48:1</p> <p>THEN [5] - 38:27,</p>	<p>43:8, 81:24, 159:14, 164:9</p> <p>thereabouts [2] - 74:18, 103:14</p> <p>thereafter [4] - 25:6, 25:7, 135:22, 135:24</p> <p>thereby [2] - 31:5, 120:18</p> <p>therefore [5] - 10:8, 26:4, 59:5, 135:21, 161:19</p> <p>therefrom [1] - 24:27</p> <p>therein [1] - 60:6</p> <p>thereof [1] - 110:15</p> <p>they've [1] - 75:4</p> <p>thinking [4] - 125:23, 125:24, 138:20, 162:16</p> <p>thinks [2] - 34:6, 122:27</p> <p>third [8] - 27:10, 27:13, 28:1, 52:29, 84:21, 88:18, 90:28, 111:19</p> <p>thirdly [1] - 129:11</p> <p>thoughts [1] - 63:12</p> <p>three [11] - 14:21, 15:4, 27:1, 28:1, 92:15, 99:7, 103:13, 129:21, 142:3, 142:4, 162:20</p> <p>Three [1] - 98:23</p> <p>three-page [1] - 129:21</p> <p>three-point [1] - 92:15</p> <p>throughout [2] - 26:9, 133:27</p> <p>tick [1] - 130:20</p> <p>ticked [3] - 105:12, 130:20, 136:8</p> <p>timely [2] - 87:13, 112:5</p> <p>tiny [1] - 162:20</p> <p>title [2] - 6:26, 11:13</p> <p>titled [1] - 6:28</p> <p>Tobin [19] - 61:5, 61:25, 62:1, 62:6, 62:10, 65:16, 65:25, 66:29, 68:26, 70:7, 73:2, 74:3, 74:8, 82:23, 103:22, 114:17, 116:4, 119:26, 124:28</p> <p>tobin [1] - 65:9</p> <p>Tobin's [4] - 61:21, 63:10, 63:24, 67:10</p> <p>today [1] - 65:2</p> <p>together [2] - 16:29, 85:12</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>Tony ^[1] - 7:13 took ^[9] - 11:16, 49:18, 51:1, 58:18, 66:4, 120:29, 140:9, 140:11, 152:5 top ^[2] - 86:19, 88:11 topic ^[1] - 56:24 totally ^[2] - 124:14, 157:14 tours ^[1] - 42:15 towards ^[5] - 22:21, 23:1, 43:23, 151:1, 155:6 train ^[1] - 8:27 trained ^[1] - 44:7 training ^[3] - 44:9, 44:12, 67:24 transcript ^[8] - 1:24, 7:4, 9:14, 122:28, 123:3, 140:14, 156:15, 156:19 transfer ^[139] - 9:6, 9:9, 10:9, 10:22, 10:25, 11:18, 13:15, 13:25, 15:1, 15:2, 16:8, 17:6, 18:3, 19:2, 20:17, 21:4, 21:16, 21:26, 24:3, 24:7, 24:9, 24:20, 24:23, 24:29, 25:9, 26:5, 27:2, 27:9, 29:6, 29:17, 29:24, 30:11, 31:9, 51:19, 60:4, 71:1, 72:16, 90:23, 90:26, 91:24, 92:4, 92:7, 92:10, 95:16, 97:28, 98:1, 99:2, 102:12, 104:23, 105:29, 106:4, 117:28, 118:15, 118:17, 118:24, 118:26, 119:29, 121:15, 126:23, 127:10, 130:24, 130:25, 130:26, 131:6, 131:10, 131:12, 131:17, 131:20, 131:21, 132:1, 132:3, 132:4, 132:6, 132:11, 132:14, 132:15, 132:19, 132:22, 132:24, 132:25, 133:17, 134:2, 136:22, 136:23, 136:24, 137:2, 137:3, 137:6, 137:11, 137:18, 137:25, 138:4, 138:5, 138:8, 138:11, 138:21,</p>	<p>139:9, 139:12, 139:15, 139:21, 139:22, 140:2, 140:20, 141:2, 141:4, 141:27, 142:1, 142:24, 142:25, 142:26, 142:27, 142:29, 144:3, 144:9, 144:15, 144:16, 144:17, 144:18, 144:19, 144:20, 144:22, 144:23, 144:24, 145:5, 147:7, 147:16, 147:17, 147:20, 147:21, 147:25, 148:4, 148:7, 148:12, 148:17, 157:3 transferred ^[15] - 14:14, 20:26, 21:7, 27:5, 72:16, 97:28, 131:4, 131:11, 132:20, 132:26, 134:1, 137:29, 142:12, 143:1, 152:1 transferring ^[2] - 116:13, 121:28 transfers ^[12] - 9:23, 9:25, 10:6, 10:7, 10:11, 10:16, 21:8, 98:18, 142:4, 147:27, 149:2, 156:27 translated ^[1] - 58:8 transmission ^[1] - 7:21 travel ^[1] - 142:16 treat ^[1] - 109:2 treated ^[3] - 60:27, 75:4, 75:26 treating ^[6] - 52:27, 55:28, 56:16, 57:2, 130:16, 136:4 treatment ^[3] - 75:5, 150:3, 150:17 treatments ^[1] - 62:21 tribunal ^[30] - 5:12, 7:9, 19:7, 22:12, 23:29, 27:14, 37:21, 40:4, 40:27, 42:12, 47:20, 49:20, 61:2, 64:11, 87:21, 129:11, 132:10, 140:9, 141:24, 146:26, 151:28, 152:28, 159:5, 159:18, 159:27, 161:9, 162:15, 162:17, 162:18, 163:14 TRIBUNAL ^[3] - 1:1, 2:6, 2:9</p>	<p>tribunal's ^[1] - 102:25 TRIBUNALS ^[1] - 1:7 trigger ^[2] - 72:5, 99:23 triggered ^[5] - 48:28, 53:26, 60:24, 60:25 true ^[2] - 135:16, 135:25 trust ^[1] - 111:10 truth ^[3] - 140:11, 140:12 truthfully ^[1] - 21:14 try ^[5] - 42:1, 74:1, 90:13, 149:9, 159:7 trying ^[13] - 25:20, 33:7, 40:22, 58:4, 67:9, 67:22, 71:27, 75:22, 78:11, 102:17, 106:26, 124:20, 125:27 turned ^[2] - 93:11, 128:29 turning ^[2] - 129:4, 135:28 turns ^[1] - 37:25 two ^[22] - 16:6, 25:29, 27:6, 31:18, 32:3, 32:29, 40:1, 75:2, 75:25, 81:22, 90:9, 90:24, 91:7, 93:16, 109:29, 113:27, 125:28, 126:7, 132:9, 134:17, 136:28, 141:23 twofold ^[1] - 102:9 type ^[1] - 122:11 typed ^[3] - 130:23, 143:28 typographical ^[1] - 24:15</p>	<p>140:20, 142:28, 144:16, 152:10 underlying ^[1] - 26:11 undermined ^[3] - 151:3, 154:28, 161:19 undermining ^[2] - 98:2, 161:15 understandable ^[1] - 31:25 understood ^[7] - 30:5, 57:28, 67:20, 78:10, 125:2, 126:20, 126:23 undertaken ^[1] - 76:25 undertaking ^[3] - 83:15, 92:25, 100:25 undisclosed ^[1] - 79:27 unfair ^[2] - 150:3, 150:17 unfit ^[5] - 46:20, 57:1, 73:12, 91:18, 106:12 unfortunately ^[1] - 163:29 unique ^[1] - 20:29 universally ^[3] - 150:7, 150:20, 150:26 unless ^[2] - 55:2, 147:24 unnecessarily ^[1] - 151:11 unnecessary ^[3] - 150:6, 150:19, 150:25 unreasonable ^[1] - 115:28 unsigned ^[1] - 133:7 unsolicited ^[1] - 38:24 unsuccessful ^[1] - 131:12 UNTIL ^[1] - 164:9 untoward ^[1] - 22:12 unusual ^[7] - 49:9, 49:11, 61:12, 68:1, 113:6, 113:8, 122:11 up ^[34] - 7:2, 9:21, 10:1, 32:24, 37:19, 42:3, 42:22, 45:3, 45:8, 49:9, 49:12, 49:14, 49:16, 49:25, 49:29, 52:3, 52:6, 71:4, 73:23, 74:29, 82:12, 88:4, 96:10, 97:13, 114:5, 118:4, 121:7, 121:10, 128:29, 129:4, 130:3, 130:12, 151:13,</p>	<p>162:25 upcoming ^[1] - 57:2 update ^[3] - 57:1, 60:21, 96:16 upheld ^[3] - 97:26, 98:24, 99:2 upset ^[8] - 56:26, 56:27, 57:21, 57:29, 58:27, 59:11 upstairs ^[1] - 163:2 urgency ^[2] - 81:5, 83:8 urgent ^[1] - 109:3 usefully ^[1] - 114:2 uses ^[1] - 45:24 usual ^[2] - 55:22, 112:8 utilising ^[1] - 84:27</p>
V				
<p>vacations ^[1] - 164:5 valid ^[1] - 76:9 validity ^[1] - 26:14 various ^[6] - 14:7, 14:23, 15:8, 24:8, 24:26, 25:6 verbatim ^[1] - 1:24 versus ^[1] - 20:8 via ^[4] - 150:4, 150:9, 150:18, 150:27 viable ^[1] - 118:1 victim ^[2] - 108:22, 109:6 victimisation ^[1] - 149:27 Victims ^[1] - 108:21 view ^[51] - 15:8, 20:16, 21:17, 21:23, 23:12, 33:11, 49:10, 49:15, 54:25, 58:18, 59:2, 60:4, 61:4, 61:9, 61:27, 65:11, 67:11, 68:24, 69:22, 69:27, 71:28, 77:18, 80:11, 80:14, 85:24, 89:3, 91:13, 94:9, 97:3, 100:1, 101:5, 102:5, 102:9, 103:2, 105:7, 107:14, 114:28, 115:24, 116:11, 116:16, 121:4, 122:18, 135:7, 136:29, 137:25, 145:13, 146:19, 147:15, 152:6, 152:9 viewed ^[1] - 94:22 views ^[4] - 61:22, 80:18, 80:21, 95:10</p>				

virtue ^[2] - 30:21, 34:29 vision ^[1] - 36:7 visit ^[1] - 38:20	38:27, 43:8, 127:27, 159:14 WITNESS ^[16] - 4:2, 5:20, 5:22, 38:15, 38:27, 43:5, 43:8, 43:18, 81:18, 81:21, 127:24, 127:27, 158:27, 159:4, 159:9, 159:14 witness ^[13] - 5:17, 39:2, 39:4, 43:10, 126:19, 152:14, 154:6, 158:3, 159:25, 160:13, 160:18, 160:25, 161:29 witness's ^[2] - 160:8, 161:16 witnesses ^[4] - 159:18, 159:26, 160:29, 163:18 women ^[1] - 5:10 wonder ^[4] - 134:24, 134:25, 140:14, 154:5 wondering ^[2] - 99:21, 133:26 word ^[6] - 43:3, 66:12, 125:9, 125:12, 125:27, 127:2 worded ^[2] - 66:2, 82:10 words ^[10] - 34:9, 75:14, 126:7, 135:12, 135:13, 135:19, 136:19, 139:3, 139:27, 150:28 work-related ^[4] - 45:15, 48:28, 49:27, 57:26 worker ^[3] - 88:25, 90:20, 90:24 worker's ^[2] - 88:26, 89:16 workers ^[1] - 59:20 workplace ^[41] - 13:19, 50:20, 56:2, 63:13, 65:16, 65:21, 66:10, 75:20, 77:12, 78:18, 78:22, 79:23, 83:16, 83:18, 84:6, 84:9, 86:24, 87:5, 87:7, 88:23, 91:19, 93:2, 93:6, 94:15, 97:6, 100:16, 100:20, 100:26, 101:23, 102:3, 104:18, 105:3, 105:9, 105:11, 106:14, 107:4, 107:6, 107:13, 117:20, 121:9 workplace ^[1] - 55:16	works ^[1] - 89:15 Works ^[1] - 163:6 worlds ^[1] - 127:3 worry ^[1] - 94:3 write ^[5] - 26:24, 37:21, 100:4, 112:21, 161:17 writes ^[1] - 109:26 writing ^[9] - 26:19, 27:2, 28:25, 29:5, 41:22, 71:12, 84:16, 85:7, 116:19 written ^[8] - 34:3, 58:14, 96:23, 97:2, 120:8, 161:17, 162:14, 162:17 wrongly ^[1] - 62:13 wrote ^[18] - 19:24, 24:3, 25:9, 34:12, 53:3, 82:2, 83:8, 95:18, 95:20, 107:24, 108:19, 109:13, 109:24, 111:14, 141:11, 141:12, 143:26, 159:27
wait ^[1] - 123:22 waived ^[1] - 92:12 WALSH ^[1] - 2:8 wants ^[4] - 30:10, 30:11, 52:5, 149:8 WAS ^[11] - 5:24, 23:24, 36:11, 39:16, 43:14, 113:19, 126:14, 128:9, 134:21, 143:21, 156:11 watercooler ^[1] - 22:27 ways ^[2] - 85:2, 91:5 WEDNESDAY ^[2] - 1:17, 5:1 weeks ^[3] - 50:28, 159:26, 162:20 welcome ^[6] - 5:6, 5:7, 5:11, 159:2, 162:15 welfare ^[1] - 66:28 wellbeing ^[12] - 66:19, 67:26, 75:11, 75:18, 75:23, 77:10, 77:20, 78:19, 84:5, 86:23, 87:14, 145:28 whereas ^[2] - 131:20, 140:2 whereby ^[3] - 31:14, 32:3, 120:15 whichever ^[1] - 154:18 whole ^[15] - 65:20, 78:4, 78:11, 117:7, 118:29, 119:14, 130:4, 140:11, 153:25, 153:26, 158:24, 158:25, 159:6, 159:7, 161:16 wider ^[1] - 54:2 willing ^[2] - 98:25, 157:3 willingness ^[1] - 41:27 wish ^[7] - 24:14, 86:11, 95:23, 96:3, 108:9, 133:16, 157:21 wishing ^[2] - 32:12, 44:7 withdraw ^[1] - 95:16 WITHDREW ^[4] -	Y	yard ^[1] - 39:14 year ^[3] - 92:21, 95:19, 142:12 years ^[7] - 14:23, 31:14, 120:4, 133:14, 142:5, 142:6, 142:7 yesterday ^[3] - 67:12, 129:7, 160:1 yourself ^[11] - 15:1, 23:15, 41:11, 51:9, 63:7, 68:26, 72:25, 108:2, 141:7, 146:27, 156:1
	Z	
	zone ^[2] - 152:28, 153:5	
	É	
	ÉIREANN ^[2] - 1:3, 1:4	