

THE TRIBUNAL OF INQUIRY INTO CERTAIN MATTERS RELATING TO
THE COMPLAINTS PROCESSES IN THE DEFENCE FORCES AND THE
CULTURE SURROUNDING THE MAKING OF COMPLAINTS AS
ESTABLISHED ON 20TH DAY OF JUNE 2024 BY S.I.304/2024

PUBLIC HEARING OF THE TRIBUNAL OF INQUIRY BEFORE
THE SOLE MEMBER, MS. JUSTICE ANN POWER,
AT THE INFINITY BUILDING, THIRD FLOOR,
GEORGE'S COURT, GEORGE'S LANE, SMITHFIELD, DUBLIN 7
ON TUESDAY, 16TH JUNE 2026 - DAY 8

8

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their stenographic notes
in the above-named
action.

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1 THE TRIBUNAL RESUMED ON TUESDAY, 16TH JUNE 2026 AS
2 FOLLOWS:

3
4 SOLE MEMBER: Good morning, everybody. Welcome to
5 today's proceedings. Mr. McGovern. 10:29

6 MR. McGOVERN: Thank you, Judge. The next witness is
7 Mr. Alan Byrne. Mr. Byrne, please.

8 SOLE MEMBER: Thank you.

9
10 MR. ALAN BYRNE, HAVING BEEN SWORN, WAS DIRECTLY 10:29
11 EXAMINED BY MR. McGOVERN AS FOLLOWS:

12
13 1 Q. MR. McGOVERN: Good morning, Mr. Byrne.

14 A. Hello.

15 2 Q. Am I correct that you enlisted in the Defence Forces in 10:30
16 2007?

17 A. That's correct.

18 3 Q. And I think you did your initial Two Star training in
19 Gormanston, County Meath?

20 A. Yes. 10:30

21 4 Q. And thereafter you spent about five years, I think, in
22 each of the 7th Infantry in Cathal Brugha and the 5th
23 in McKee Barracks?

24 A. I spent five years in McKee Barracks and two years in
25 Cathal Brugha. 10:30

26 5 Q. Two, thank you. I think just after you enlisted in
27 2007 there was, unfortunately, a family tragedy, am I
28 correct in that?

29 A. Yes.

1 6 Q. And I hope you don't mind me saying, I think it
2 involved your family home burning down. As a result of
3 that, did you suffer any symptoms of anxiety?
4 A. I did, yeah.

5 7 Q. And at this stage, you were in the Defence Forces? 10:30
6 A. I was in training at the time.

7 8 Q. Doing your initial training?
8 A. Mm-hmm.

9 9 Q. And did you attend a Defence Forces doctor at that
10 time? 10:31
11 A. I did, yeah.

12 10 Q. And, in particular, was it a doctor or were you
13 referred to a Defence Forces psychiatrist?
14 A. Doctor and psychiatrist.

15 11 Q. And psychiatrist. And were you treated and prescribed 10:31
16 medication?
17 A. I'm sure I was, yeah.

18 12 Q. And would all of that have been recorded on your
19 military records, your LA30?
20 A. Yeah, it should have been. 10:31

21 13 Q. Passing on, I think in 2008 or 2009 you spent some time
22 in Portlaoise Prison and in February 2010 you went to
23 Chad?
24 A. Yes.

25 14 Q. Two things about that, Mr. Byrne, if I can ask you, the 10:31
26 first is did you volunteer to go to Chad?
27 A. No.

28 15 Q. How were you selected?
29 A. My name was just put on the board.

1 16 Q. My understanding was that you -- Defence Force
2 personnel, if they wished to go abroad that they would
3 volunteer and then they would go through a selection
4 process?
5 A. Yeah, you could ask to go but it depends on seniority. 10:32
6 17 Q. Okay. Did you ask to go to Chad?
7 A. No.
8 18 Q. You were simply selected?
9 A. Yes.
10 19 Q. The second thing is, did you do a pre-trip medical 10:32
11 examination?
12 A. Yes.
13 20 Q. Was that a Defence Force doctor?
14 A. Yes.
15 21 Q. During the course of that medical, was any mention made 10:32
16 of your previous visits to the psychiatrist and the
17 fact you had been treated for anxiety earlier on when
18 you first joined in '07?
19 A. No.
20 22 Q. I think you spent four months in Chad? 10:32
21 A. Yeah, approximately that.
22 23 Q. Before you went and during the four months you were
23 there and for a time after, did you take Larium?
24 A. Yes.
25 24 Q. Did you have any side effects or symptoms as a result 10:32
26 of taking that medication?
27 A. Yes.
28 25 Q. Can I can ask you, Mr. Byrne, when did those symptoms
29 first develop or manifest themselves?

1 A. When I started taking them.

2 26 Q. Will you tell us, just briefly, what the symptoms were?

3 A. What was going on was, like, anxiety mostly, nightmares

4 at the start. Then they obviously evolved on to like

5 suicidal ideation and stuff like that. 10:33

6 27 Q. It was my understanding, and correct me, Mr. Byrne, if

7 I'm wrong about this?

8 A. Yeah.

9 28 Q. Is that if you had a history of psychological problems

10 or anxiety, that that was a contraindication for taking 10:33

11 Larium. Was that ever discussed with you?

12 A. No.

13 29 Q. You came back from Chad, I think, in about May of 2010,

14 would that be right?

15 A. About that time, yeah. 10:33

16 30 Q. You went in February, you went for four months.

17 A. Yeah.

18 31 Q. And did your symptoms improve over time or what

19 happened?

20 A. No, they got worse over time. 10:33

21 32 Q. They got worse. So by November 2010, were you back

22 seeing the Defence Force psychiatrist?

23 A. I'm not too sure.

24 33 Q. Well, leaving aside the dates for the moment, did you

25 re-attend? 10:33

26 A. Oh, yes.

27 34 Q. And what symptoms did you go to him with?

28 A. Depression.

29 35 Q. And was a diagnosis made around that time in November

1 2010?

2 A. I don't know.

3 36 Q. You don't know. You told us, if I can refresh your
4 memory, it's at page 4028 of your second interview, you
5 said that you were asked was a diagnosis made and you 10:34
6 replied:
7
8 "He said..."
9
10 This is the doctor. 10:34
11
12 "... I had a personality disorder or something like
13 that, or OCD."
14
15 A. Yeah, but that's not a diagnosis, is it? He told me 10:34
16 that.
17 37 Q. That's what he told you. That is what the doctor told
18 you?
19 A. Yeah, that's what the doctor told me.
20 38 Q. I'm slightly confused; why would the doctor tell you 10:34
21 that if that wasn't a diagnosis that he made?
22 A. I don't know. You'd have to ask the doctor that.
23 39 Q. All right. So, were you given any treatment at that
24 stage?
25 A. I was given sleeping tablets. 10:34
26 40 Q. A sleeping tablet. Was that prescribed by a Defence
27 doctor?
28 A. Yes.
29 41 Q. And did you go on leave?

1 A. I was on --

2 42 Q. Was that on medical leave or holiday leave?

3 A. I'm not too sure why you're asking me medical leave,

4 like I was off for four weeks.

5 43 Q. You were off for four weeks? 10:35

6 A. Then I was AWOL also.

7 44 Q. We'll come to that in a moment?

8 A. Okay.

9 45 Q. Just deal with the first section of leave. Did you

10 hand in sick notes to the Defence Forces? 10:35

11 A. Yes.

12 46 Q. Were they, the sick notes given to you by a civilian

13 doctor or a Defence Force doctor?

14 A. Defence Forces doctor.

15 47 Q. So you went to a Defence Force doctor and he certified 10:35

16 you unfit for work?

17 A. Yes.

18 48 Q. And what was the reason you were certified unfit for

19 work by a Defence Force doctor?

20 A. Because of the symptoms I have had from Lariam. 10:35

21 49 Q. Okay. You say that the medical sick leave lasted for,

22 you think for about four weeks?

23 A. Yes.

24 50 Q. And you mentioned a moment ago you then went on AWOL?

25 A. Yes. 10:35

26 51 Q. Absent without leave. How long you were absent without

27 leave?

28 A. Altogether?

29 52 Q. Yes, in total?

1 A. Probably around 16 months, maybe.

2 53 Q. All right. That wasn't all in one go, was it?

3 A. No.

4 54 Q. You were in and out?

5 A. Yes. 10:36

6 55 Q. But from late 2010, for about 18 months after that, you

7 were in and out?

8 A. Yes.

9 56 Q. With AWOL?

10 A. Yes. 10:36

11 57 Q. As a result of your absence without leave, were you

12 disciplined?

13 A. No. Oh, yes, I was.

14 58 Q. And what form did that discipline take; were you

15 charged or were you brought up before a superior? 10:36

16 A. I was brought before a superior and charged.

17 59 Q. Okay. And the superior, was that your Battalion

18 Commander?

19 A. Yes.

20 60 Q. And the charge, I take it, was AWOL? 10:36

21 A. Yes.

22 61 Q. All right. As a result was a penalty imposed on you as

23 a result of that?

24 A. I'm sure maybe fines and... I can't really remember

25 what the charge was. 10:36

26 62 Q. All right. The charge was AWOL but the penalties, you

27 told us, were fined, am I right about that, were you

28 fined?

29 A. Yeah.

1 63 Q. And secondly you were confined to barracks?
2 A. Yes.
3 64 Q. CB as it is known?
4 A. Yeah, CB.
5 65 Q. How long do you think you were confined to barracks? 10:36
6 A. A couple of months.
7 66 Q. A couple of months. Now, I don't want to pry into your
8 personal circumstances but I think you had a son, is
9 that correct?
10 A. Yes. 10:37
11 67 Q. And did you have access arrangements with him at
12 weekends?
13 A. Yeah, but I had a Court Order with him.
14 68 Q. A court order. Am I correct that the process in the
15 Defence Forces is if there's a Court Order, that you 10:37
16 bring that to the attention of the military personnel?
17 A. Yes.
18 69 Q. So they were aware of the Court Order?
19 A. Yes.
20 70 Q. And the fact that you had been granted access to your 10:37
21 son at weekends?
22 A. Yes.
23 71 Q. What was the consequence of that or what was the
24 result; were you allowed to visit your son at weekends
25 or were you prevented from doing that? 10:37
26 A. I was put on weekend duties, and Saturday duty.
27 72 Q. And who would have put you on weekend duties,
28 Mr. Byrne?
29 A. The CS.

1 73 Q. That's the Company Sergeant?
2 A. Yeah. Or whoever was in control of doing the duties.
3 74 Q. And would he have known about your access arrangements?
4 A. Of course.
5 75 Q. And yet you were still put on weekend duties? 10:37
6 A. Yes.
7 76 Q. And did that prevent you from seeing your son?
8 A. It did.
9 77 Q. Ultimately, I think, Mr. Byrne, you say that, there are
10 two quotations, if I can put them to you, come from 10:38
11 your interview, I don't think it's necessary to refer
12 to them but at page 845 of your first interview you say
13 you were treated with disdain by your superiors?
14 A. Yes.
15 78 Q. Secondly, at page 858 you said that: "They just wanted 10:38
16 me out as quickly as possible", quote-unquote?
17 A. Yes.
18 79 Q. Was that the attitude that you perceived from your
19 superiors?
20 A. Yes. 10:38
21 80 Q. Was there any reason for that, Mr. Byrne? Why do you
22 think the superiors had that attitude towards you?
23 A. Well, because I was going AWOL and stuff and I had the
24 symptoms off the Lariam, if you know what I mean.
25 81 Q. That's two reasons, (1) your symptoms or your 10:38
26 diagnosis, the second was that you were going AWOL for
27 protracted periods. Is there any other reason?
28 A. No.
29 82 Q. No. At some stage did you give an interview to some of

1 the media?

2 A. I did.

3 83 Q. And can you tell us about that. How many newspapers
4 did you give interviews to?

5 A. One. 10:39

6 84 Q. Only one. Which paper was that?

7 A. I think it was the Sunday Independent.

8 85 Q. Were there not in fact two papers?

9 A. There was The Irish Times and The Sunday Independent
10 but I only gave an interview to one. 10:39

11 86 Q. But it was published in two papers; is that what you
12 are saying?

13 A. No, it was only one paper.

14 87 Q. I understood it was in two. All right, it was in one.
15 First of all, what was the interview or the article 10:39
16 about?

17 A. It was about Lariam, the side effects of Lariam.

18 88 Q. Side effects of Lariam. And were you interviewed by a
19 journalist and did your story appear in the newspaper?

20 A. It did. 10:39

21 89 Q. And did that article in the newspaper, was that also --
22 did it include a photograph of you?

23 A. It did.

24 90 Q. So you were readily identifiable?

25 A. Yes. 10:39

26 91 Q. Were you aware, Mr. Byrne, that to give an interview
27 like that or approach a third party, that was a breach
28 of Defence Force Regulations?

29 A. Yes.

1 92 Q. You were aware of that?
2 A. I was.
3 93 Q. And you were aware of that at the time?
4 A. Yes.
5 94 Q. And yet you did it? 10:40
6 A. I did.
7 95 Q. At page 859 of your interview, Mr. Byrne, you said at
8 line 89, you said:
9
10 "I went to the newspapers." 10:40
11
12 And further down the same page, on the bottom of the
13 same page you said:
14
15 "Going back to The Irish Times now, did the journalist 10:40
16 contact you or did you contact them?"
17
18 Was the question. Answer:
19
20 "The journalist contacted me." 10:40
21
22 A. Yes.
23 96 Q. So did you go to the papers or did they somehow contact
24 you?
25 A. Yeah, they contacted me and then I went to them. 10:40
26 97 Q. Okay. How did they come to contact you, do you know?
27 A. I think it was by e-mail or by another person.
28 98 Q. All right. Perhaps you misunderstood the question,
29 Mr. Byrne. I was asking you how did the journalist

1 know to go to you for a story?

2 A. I don't know.

3 99 Q. You don't know. But anyway, you gave a story?

4 A. Yes.

5 100 Q. And you say that around that time, for whatever reason, 10:40
6 the attitude of your superiors appears to have changed?

7 A. Sorry, I didn't hear what you said, sorry.

8 101 Q. You're saying that around the time of the newspaper
9 article you believe that the attitude of your superiors
10 changed towards you? 10:41

11 A. Yes.

12 102 Q. Now, you said you were in and out of duty over an
13 18-month period, being AWOL in between. Were you --
14 when you were at work were you re-delegated to a
15 different work? 10:41

16 A. Yes.

17 103 Q. Can you tell us what that was?

18 A. It was the recycling centre.

19 104 Q. And where was the recycling centre based?

20 A. In McKee Barracks. 10:41

21 105 Q. In McKee Barracks. And what sort of work were you
22 doing in the recycling centre?

23 A. Recycling. Separating cans and plastic bottles, and
24 stuff like that.

25 106 Q. And how long do you think you were in the recycling 10:41
26 centre?

27 A. About five to six months.

28 107 Q. Around that time did you -- I should have asked you
29 earlier, when you joined first, enlisted back in '07,

1 were you given any instruction or training in relation
2 to the complaints processes in the Defence Forces?

3 A. No.

4 108 Q. No. And from 2007, when you enlisted, up to 2012, say,
5 did you ever get any instruction about the complaints 10:42
6 process?

7 A. No.

8 109 Q. Were you ever given any documentation in relation to
9 it?

10 A. No. 10:42

11 110 Q. So, did you know about the PSS, the Personnel Support
12 Service?

13 A. I did.

14 111 Q. Did you ever approach them?

15 A. I did. 10:42

16 112 Q. You did. When was that?

17 A. They approached me in 2007 when the house went on fire.
18 So I had -- it was seven years I was in contact with
19 the BPSSO and the Personnel Support Service unit.

20 113 Q. That was just after you enlisted first in '07? 10:42

21 A. Yes.

22 114 Q. After the unfortunate event with your house?

23 A. Yes.

24 115 Q. That was before you went to Chad and took Lariam,
25 obviously? 10:42

26 A. Yes.

27 116 Q. But later on, when you got the symptoms, you say, from
28 Lariam, did you approach the PSS then?

29 A. Yes, well, it was constantly ongoing with the PSS. I

1 would have meetings on a Friday or once a month or
2 something like that.

3 117 Q. And you say that was continual from '07?
4 A. Yes.

5 118 Q. It never stopped? 10:43
6 A. No.

7 119 Q. All right. And that went back to the house fire
8 incident?
9 A. Yes.

10 120 Q. Okay. And did you find the PSS contacts helpful? 10:43
11 A. Yes.

12 121 Q. I think you also went to PDFORRA at some stage?
13 A. I did.

14 122 Q. And how did you find that?
15 A. Nothing happened after it. 10:43

16 123 Q. Nothing?
17 A. I made a complaint to PDFORRA.

18 124 Q. What was your complaint about?
19 A. It was about an officer in my unit.

20 125 Q. That's a different matter, is it? 10:43
21 A. It's the same matter. That's who sent me to the
22 recycling centre.

23 126 Q. So, the complaint that you brought to PDFORRA was about
24 the officer who sent you to the recycling centre?
25 A. Yes. 10:43

26 127 Q. In 2015, you'd been in the Defence Forces from 2007,
27 how long was your contract, Mr. Byrne?
28 A. Five years.

29 128 Q. Five years. And that was renewed, obviously, at some

1 stage?

2 A. It was supposed to be renewed.

3 129 Q. Yeah. And were you asked to attend what's known as an
4 extension of service medical?

5 A. I was. 10:44

6 130 Q. Who told you to attend the extension of service
7 medical?

8 A. It was someone out of my unit, maybe the CS. I can't
9 really remember.

10 131 Q. And the process for that. We referred earlier to your 10:44
11 Defence Force medical record, that's your LA30?

12 A. Mm-hmm.

13 132 Q. Do you collect that from somewhere?

14 A. You collect it from your office.

15 133 Q. From the office, and who gives it, your Company 10:44
16 Sergeant?

17 A. Or the Company Clerk will give it to you, yeah.

18 134 Q. And you would bring that to Bricin's?

19 A. Bring that to Bricin's Hospital.

20 135 Q. And is that what you did in 2015? 10:44

21 A. That went over, yeah.

22 136 Q. You collected your LA30 and you go off to Bricin's with
23 it and you have your medical examination?

24 A. Yes.

25 137 Q. And when the medical examination is finished you then 10:44
26 return back to your barracks and give the LA30 back to
27 the Company Sergeant or the Company Clerk?

28 A. Yes.

29 138 Q. When you were going back to the clerk, did you notice

1 what was written on your LA30?

2 A. I noticed when I was in the room with the BMO.

3 139 Q. This is in Bricin's Hospital?

4 A. No, in Cathal Brugha.

5 140 Q. In Cathal Brugha after you had returned from your 10:45
6 medical?

7 A. Yes.

8 141 Q. What did you notice was written on it?

9 A. It says "discharge medical".

10 142 Q. Discharge medical rather than extension of service 10:45
11 medical?

12 A. Mm-hmm.

13 143 Q. Was that the first time you had heard mention of
14 discharge from the Defence Forces?

15 A. Yes. 10:45

16 144 Q. So what happened after that, Mr. Byrne?

17 A. I left.

18 145 Q. Did you leave or were you discharged?

19 A. I went over to the office and I was told that my
20 services were no longer required so I walked out. 10:45

21 146 Q. Okay. Let's be clear about this; you originally signed
22 a contract for five years?

23 A. Yes.

24 147 Q. So, the contract you were under, had this expired at
25 this stage? 10:45

26 A. Yes.

27 148 Q. So you couldn't stay in the Defence Forces unless you
28 signed a new contract?

29 A. Well, I was there for two years, I didn't have a

1 contract for two years.

2 149 Q. Because your contract had expired?

3 A. Yeah.

4 150 Q. Were you being offered a new contract or a renewed
5 contract? 10:45

6 A. It was offered for two years because I was in year 7 at
7 the time so until 9.

8 151 Q. When the two years' extension was over, were you
9 offered a new contract?

10 A. I don't understand, I -- 10:46

11 152 Q. You signed up for five years?

12 A. Yes.

13 153 Q. Then you got a two-year extension?

14 A. I didn't get a two-year extension, I was in there. I
15 didn't have a contract. 10:46

16 154 Q. You stayed on for another two years after --

17 A. Yes, without a contract.

18 155 Q. Without a contract. At that stage you thought you were
19 being sent for an extension of service medical?

20 A. Yeah, for an extra two years. 10:46

21 156 Q. But in fact it turned out to be a discharge medical?

22 A. Yes.

23 157 Q. You had no contract at that stage and the Defence
24 Forces, am I right, were not renewing it?

25 A. Sorry? 10:46

26 158 Q. You were out of contract?

27 A. Yes.

28 159 Q. The Defence Forces weren't offering you a new contract?

29 A. They were.

1 160 Q. They were?
2 A. For two years.
3 161 Q. And you did the two years, did you not?
4 A. No.
5 162 Q. So in -- when did you leave the Defence Forces? 10:46
6 A. 2015.
7 163 Q. 2015. And when did you go for this medical that you
8 just told us about?
9 A. Maybe 2014.
10 164 Q. 2014. And when you left in 2015 were the Defence 10:47
11 Forces offering you an extension of contract or was
12 that the end of it?
13 A. No, because it turned into a discharge medical.
14 165 Q. Yes. So you left then in 2015?
15 A. Yes. 10:47
16 166 Q. At any stage, apart from approaching PDFORRA, and it
17 appears you didn't take any formal steps, did you ever
18 bring a formal complaint at any stage to the Defence
19 Forces?
20 A. I don't think so. 10:47
21 MR. McGOVERN: You don't think so. Thank you. You
22 might answer my Friend.
23 SOLE MEMBER: Thank you, Mr. Marron.
24
25 MR. ALAN BYRNE WAS CROSS-EXAMINED BY MR. MARRON AS 10:47
26 FOLLOWS:
27
28 167 Q. MR. MARRON: I have a few brief, short questions. In
29 relation to your trip to Chad, do you recall when the

1 mission ended was there a post-deployment medical?

2 A. Yes.

3 168 Q. And can you just explain where that took place?

4 A. It was in the medical post in the base.

5 169 Q. Was that a one-to-one? 10:48

6 A. Yes.

7 170 Q. Interview. And were you asked did you experience any

8 symptoms in relation to Larium?

9 A. I was but before I went into the room I was told not to

10 say anything about the side effects. 10:48

11 171 Q. And who told you that?

12 A. It was a sergeant or a corporal. I can't remember who

13 it was.

14 172 Q. And do you remember did they give you a reason as to

15 why? 10:48

16 A. He said that I wouldn't be overseas, he said that I

17 wouldn't be getting to go overseas again if I

18 complained about it.

19 173 Q. Okay. You also said you had ongoing discussions, I

20 think weekly meetings, with the PSS, with the BPSSO I 10:48

21 presume?

22 A. Yes and the Chaplain.

23 174 Q. I'll come on to the Chaplain in a second. So you had

24 discussions with the PSS initially about what happened

25 to your family home? 10:48

26 A. Mm-hmm.

27 175 Q. And the related anxiety. But I'm interested, after

28 Chad you were still talking to the PSS, is that

29 correct?

1 A. Yes.

2 176 Q. And did you raise any of the issues post-Chad with the
3 PSS in relation to, for instance, working in the
4 recycling centre or in relation to your symptoms?

5 A. Yeah. 10:49

6 177 Q. Did the PSS Officer ever suggest that you make a
7 complaint?

8 A. No.

9 178 Q. Okay. And then likewise you said, and you said I think
10 at page 4041, and you said it was very useful to talk 10:49
11 to the Chaplain, you discussed these issues with the
12 Chaplain?

13 A. Mm-hmm.

14 179 Q. And they would have been the issues which I've just
15 referred to which is post-Chad, you were, for instance, 10:49
16 deployed to the recycling centre?

17 A. Yes.

18 180 Q. And your symptoms. And did the Chaplain ever suggest
19 that you make a complaint or tell you how?

20 A. No. 10:49

21 181 Q. Thank you. Just one final question, you're no longer a
22 serving Defence Force member. What would you like to
23 see either for soldiers now, or what would you like to
24 have seen then for you in relation to a complaints
25 process? 10:50

26 A. Like an independent body that's not involved with the
27 Defence Forces, where you can go and speak to them or
28 not, because everyone knows your business in the
29 Defence Forces.

1 182 Q. okay. And that's what you -- is that what prevented
2 you --

3 A. Yeah, basically, yeah.

4 MR. MARRON: Okay. Thank you.

5 SOLE MEMBER: Thank you, Mr. Marron. 10:50

6

7 MR. ALAN BYRNE WAS CROSS-EXAMINED BY MS. CARNEY AS
8 FOLLOWS:

9

10 183 Q. MS. CARNEY: Good morning, Mr. Byrne. My name is 10:50
11 Caroline Carney and I appear on behalf of the Defence
12 Forces. Just briefly by way of outline, as I'm sure
13 you are aware the role of the Tribunal is to look at
14 how complaints were effectively handled. So it's not
15 looking into whether or not the underlying allegations 10:50
16 are true or not. So in those circumstances the
17 questions that I'm going to ask you this morning,
18 Mr. Byrne, relate to the process in effect. There's
19 three broad themes that I want to briefly touch upon
20 and just to outline them from the beginning. First, 10:51
21 I'm going to ask you some questions in relation to
22 events shortly after your enlistment in the Defence
23 Forces in 2007. Secondly, in relation to your
24 deployment to Chad. Then thirdly and finally some
25 questions in relation to what occurred post-Chad on 10:51
26 your return from overseas.

27 A. Yeah.

28 184 Q. The first topic in line with that I want to touch on is
29 your training in relation to the complaints processes.

1 I think that Mr. McGovern asked you this morning if you
2 received any training or instruction in relation to the
3 complaints processes. You indicated that you hadn't;
4 is that correct?

5 A. Yes. 10:51

6 185 Q. And just in relation to your first interview, this is
7 at page 586, when asked about your training in relation
8 to Chapter 1 and Chapter 2 and complaints processes you
9 said you wouldn't be able to recall. So, it's not a
10 criticism, Mr. Byrne, I just want to understand the 10:52
11 position; are you saying that you didn't receive any
12 training in relation to complaints processes or that
13 you're now unable to recall one way or another?

14 A. No, I didn't receive any training for complaints.

15 186 Q. I think you told Mr. McGovern as well that at no point 10:52
16 did you make a formal complaint?

17 A. No, I didn't.

18 187 Q. I just want to turn, then, Mr. Byrne, to events shortly
19 after your enlistment. You said in your interviews
20 that you were in the Defence Forces for a very short 10:52
21 period, I believe two or three days, when there was a
22 family tragedy in relation to a house fire?

23 A. Yes.

24 188 Q. I understand that after those events you engaged with a
25 number of services and supports within the Defence 10:52
26 Forces?

27 A. Yes.

28 189 Q. You outline that in relation to the medical supports of
29 the doctor and the psychiatrist but also I understand

1 that you engaged with the PSS and the Chaplain?

2 A. Yes.

3 190 Q. So, would I be right in saying then at the very early
4 stages of your recruit career in the Defence Forces you
5 had an awareness of the supports available? 10:53

6 A. Yes.

7 191 Q. And you actively engaged with those supports?

8 A. I did.

9 192 Q. Can I ask how you had an awareness of those supports?
10 A. We'd be told about them. 10:53

11 193 Q. You were told about them. And would you describe your
12 engagement as positive?

13 A. Yes.

14 194 Q. I'll turn then to the second of the points that I
15 outlined at the beginning in relation to your service 10:53
16 in Chad. So I understand in 2010 you served overseas
17 for approximately four months and you said that you
18 began to experience the symptoms while in Chad?

19 A. Yes.

20 195 Q. And while in Chad, prior to the repatriation medical, 10:53
21 did you report those symptoms to anybody?

22 A. No.

23 196 Q. And then I'm going to turn to a third point that I
24 outlined at the beginning in relation to your return
25 from overseas. So you said that you engaged, again, 10:53
26 with medical personnel in the form of the doctor and
27 the psychiatrist?

28 A. Mm-hmm.

29 197 Q. And I understand that you were put on medication by the

1 psychiatrist.

2 when questioned by Mr. McGovern you mentioned periods

3 where you were AWOL or absent without leave?

4 A. Yeah.

5 198 Q. And can I just ask; would there have been any periods 10:54

6 prior to going overseas to Chad where you would have

7 been absent without leave?

8 A. I was.

9 199 Q. I just want to briefly touch upon, you mentioned when

10 being questioned by Mr. McGovern in relation to an 10:54

11 interview you gave to a newspaper and you said that you

12 had an awareness that it would have been a breach of

13 Defence Forces Regulations?

14 A. Yeah.

15 200 Q. Could I ask how exactly you had that awareness or what 10:54

16 that awareness was premised on?

17 A. Sorry?

18 201 Q. Can I ask --

19 A. I don't understand.

20 202 Q. Sorry, I'll repeat the question. My apologies, 10:54

21 Mr. Byrne. Can I ask how you were aware that it was a

22 breach of DF Regulations? So that would your

23 understanding of the Regulations have been?

24 A. I know there was a press Officer and I knew that you

25 couldn't go to the media. Just, I just knew, I don't 10:55

26 know how I knew, I just knew you couldn't go to the

27 media about anything.

28 203 Q. Okay and I think you said in your second interview at

29 page 4037 that in relation to you speaking to the media

1 that there were no charges brought?

2 A. No.

3 204 Q. And you were never paraded?

4 A. No.

5 205 Q. Finally, I just want to speak about your engagement 10:55
6 with various Defence Forces services post your return
7 from Chad. You mentioned that you spoke to the
8 Chaplain every Friday?

9 A. Most Fridays, yeah.

10 206 Q. In your first interview, or your second, apologies. 10:55
11 And you said in evidence today that you also spoke to
12 the PSS?

13 A. Yes.

14 207 Q. And I think at page 4041 of your second interview, you
15 described or agreed with the description of both of 10:55
16 those services as being confidential?

17 A. Yes.

18 208 Q. So, would it be fair to say, Mr. Byrne, that the
19 services and supports that were available to you at the
20 outset of your career, namely the medical supports, but 10:55
21 more importantly the PSS and the Chaplain, they were
22 also available to you in the latter stages of your
23 career after you had taken Lariam and raised those
24 concerns?

25 A. I don't understand what you mean. 10:56

26 209 Q. So, you engaged with the PSS and the Chaplain and the
27 medical supports at the beginning of your career?

28 A. Yes.

29 210 Q. And those supports were also available after your

1 return from Chad?

2 A. Yes.

3 MS. CARNEY: Thank you, Mr. Byrne. Nothing further.

4 SOLE MEMBER: Thank you. Mr. McGuinness.

5 10:56

6 MR. ALAN BYRNE WAS CROSS-EXAMINED BY MR. MCGUINNESS AS
7 FOLLOWS:

8

9 211 Q. MR. MCGUINNESS: Just one question. Mr. Byrne, my name
10 is Diarmaid McGuinness and I appear for the Minister 10:56
11 for Defence. You may recall Ms. Pillay asked you in
12 your second interview, she asked the following question
13 at page 4041:

14

15 "Did you think he was part of the complaints process or 10:56
16 did you think he was just someone for support."

17

18 And that's a question in relation to the Chaplain. You
19 answered:

20

21 "No, he was just a personal support." 10:56

22

23 I mean, you didn't expect the Chaplain to help you make
24 a complaint, he was there to support you in your
25 personal -- 10:57

26 A. Yeah.

27 212 Q. -- by listening to you?

28 A. Yeah.

29 MR. MCGUINNESS: Thank you.

1 SOLE MEMBER: Mr. Byrne, I have a couple of questions
2 for you.
3 THE WITNESS: No problem.
4
5 MR. ALAN BYRNE WAS QUESTIONED BY THE SOLE MEMBER, AS 10:57
6 FOLLOWS:
7
8 213 Q. SOLE MEMBER: Could I clarify what you meant when you
9 told Mr. McGovern that you, the attitude of your
10 superiors changed after the newspaper article, because 10:57
11 I had understood that just prior to telling him that,
12 you said you had been treated with disdain by your
13 superiors, they just wanted you out. In what way did
14 the attitude change?
15 A. I just felt, like, they were asking me to go on my 10:57
16 ticket, to pay myself to go and I was getting weekend
17 duties, I was getting sent to the recycling centre.
18 214 Q. And how was that different from being treated with
19 disdain beforehand?
20 A. I was treated perfectly before that. 10:57
21 215 Q. So, when you spoke about -- you said you were put on
22 weekend duties by whoever was in control, prevented you
23 from seeing your son and that you were treated with
24 disdain by superiors, "they just wanted me out". I'm
25 just trying to get the sequence. So, did that happen 10:58
26 before the newspaper article or after?
27 A. After.
28 216 Q. After. So, beforehand --
29 A. Before, there was no problem.

1 217 Q. There was no problem?
2 A. No issues at all.
3 218 Q. Thank you. Thank you. And you mentioned a complaint
4 that you did make about a particular Officer?
5 A. Yes. 10:58
6 219 Q. Can I ask you was that a complaint of abuse, an abuse
7 that -- the complaints of abuse that I have to
8 investigate, they're defined specifically as meaning
9 certain things like bullying, harassment, sexual
10 assault and so forth. Can I ask you was that a 10:58
11 complaint of abuse or was that complaint in any way
12 related to abuse?
13 A. Yeah.
14 220 Q. It was. And what was that about?
15 A. About being charged because I got charged so I got 10:58
16 fined and then I was getting, what do you call it? I
17 was getting more punished after I'd already done my
18 fine, if you get me. I have already been punished for
19 the AWOL and now I'm being punished more by the
20 Officer, getting sent to the recycling centre and 10:59
21 stuff.
22 221 Q. So would it be fair to say you were complaining about
23 the extra punishment or the extra duties that you were
24 being given?
25 A. Well, no one else was getting sent down to the 10:59
26 recycling centre.
27 222 Q. Okay. And I think you answered a question when you
28 were asked earlier did you ever make a complaint and I
29 understood your answer to be no, but in this instance

1 you did make a complaint?

2 A. Yeah, but nothing -- it wasn't like -- I went down to
3 PDFORRA to tell them about it but nothing happened
4 after that.

5 223 Q. And the complaint about the Officer who was giving you 10:59
6 extra duties, that was to PDFORRA only?

7 A. Yes.

8 224 Q. You didn't complain to anybody in your chain of command
9 about it?

10 A. No, sure nothing had been done about it. That Officer 11:00
11 got sent overseas and it was forgotten about then.

12 225 Q. I see. One last question. You were asked, I think, by
13 Ms. Carney whether you had made a complaint of your
14 symptoms while you were in Chad and you said no, you
15 hadn't; is that correct? 11:00

16 A. Yes.

17 226 Q. And I thought in your main evidence you had said you
18 were told not to, you were told not to mention your
19 symptoms, did you tell that to Mr. McGovern, did you
20 say that in your main evidence? 11:00

21 A. I can't remember.

22 227 Q. Just this morning?

23 A. This morning, yeah.

24 228 Q. So, how clearly do you remember that conversation where
25 you say you were told not to, because you wouldn't be 11:00
26 sent on overseas duties or missions?

27 A. I remember clearly, yeah.

28 229 Q. Can you tell me a little bit about that, without
29 telling me who it was, do you remember the person you

1 spoke to?

2 A. I do remember the person it was.

3 230 Q. And can you tell me a little bit about what was said on
4 the way in?

5 A. It was just like before you go into the doctor, don't 11:01
6 say anything about effects or anything like this
7 because you won't get overseas again and you won't get
8 any, like, courses and all that.

9 231 Q. And do you remember your response to that?

10 A. I was like, 'okay'. So I went in and I didn't say that 11:01
11 I was suffering with anything.

12 SOLE MEMBER: I see. Thanks very much. I want to
13 thank you particularly for coming forward and assisting
14 us with the inquiry.

15 THE WITNESS: That's no problem. 11:01

16 SOLE MEMBER: Because we couldn't do our work if people
17 like you didn't come forward to share your experience.
18 Thank you very much, Mr. Byrne.

19 THE WITNESS: Thanks very much.

20 SOLE MEMBER: Now, I think we can proceed with the next 11:01
21 witness.

22 MS. PILLAY: Thank you, Judge. The next witness is
23 Mr. Martin Connor.

24 SOLE MEMBER: Thank you. And I might ask you to move
25 the microphone towards you, Ms. Pillay. 11:01
26 MS. PILLAY: Thank you.

27

28 MR. MARTIN CONNOR, HAVING BEEN SWORN, WAS DIRECTLY
29 EXAMINED BY MS. PILLAY AS FOLLOWS:

1
2 232 Q. MS. PILLAY: Judge, the submission and interviews of
3 Mr. Connor can be found at booklet Part 1 on pages 864
4 to 890 and booklet Part 6 from 4089 to 4125. Good
5 morning, Mr. Connor? 11:02
6 A. Morning.
7 233 Q. Mr. Connor, as you are aware, the Tribunal is
8 investigating the effectiveness of the complaints
9 processes and the culture within the Defence Forces in
10 relation to complaints of abuse. It's not permitted to 11:02
11 make findings in relation to the well-foundedness of
12 complaints of abuse. For that reason you are required
13 to refrain from disclosing the names of any alleged
14 perpetrators in your evidence today. And where it is
15 necessary to refer to an individual you must do so by 11:03
16 using their rank, do you understand that?
17 A. I understand.
18 234 Q. In line with that and in respect of the anti-malarial
19 drug called Lariam, the Tribunal is not concerned with
20 the rights or wrongs of the use of Lariam, nor is it 11:03
21 investigating whether or not Lariam ought to have been
22 administered or whether it generated side effects.
23 What it is concerned with is the complaints processes
24 and if the processes were not used, why they were not
25 used. Do you understand that that will be the focus of 11:03
26 your evidence?
27 A. I understand, yeah.
28 235 Q. I think you provided a submission to the Tribunal and
29 you also attended for two interviews; is that correct?

1 A. Correct, yes.

2 236 Q. I think you joined the Defence Forces in 1988; is that
3 right?

4 A. Correct.

5 237 Q. And how many years did you serve? 11:03

6 A. 23 years.

7 238 Q. And you served until what year, Mr. Connor?

8 A. 2011.

9 239 Q. 2011. And am I correct that you started your service
10 in Castleblayney in 1989? 11:04

11 A. Correct.

12 240 Q. And you stayed there until 1999?

13 A. Correct.

14 241 Q. And then you served in Dundalk until the end of your
15 service in 2011? 11:04

16 A. Correct.

17 242 Q. And what age were you when you began your service?

18 A. 22, I think.

19 243 Q. About 22?

20 A. Yeah. 11:04

21 244 Q. And do you recall undergoing recruit training at that
22 time?

23 A. I do, yeah.

24 245 Q. And you were asked previously about what you recall in
25 relation to any lectures you might have received on the 11:04
26 complaints processes?

27 A. Yes.

28 246 Q. Do you remember receiving any lectures on the
29 complaints processes in your recruit training?

1 A. I don't remember specifically receiving any lectures in
2 that.

3 247 Q. Okay. And I think when you were asked about this in
4 your second interview, you said there might have been,
5 in relation to lectures, but you just can't recall it? 11:04

6 A. I can't recall, no.

7 248 Q. So that's the position, it is that there might have
8 been?

9 A. There might have been, yeah, but I just don't recall
10 it. 11:05

11 249 Q. Okay. And I think you indicated that the first time
12 you recall learning about the Redress of Wrongs was
13 about three or four years after you commenced your
14 service, is that right?

15 A. Correct. 11:05

16 250 Q. And can you tell the Tribunal in what circumstances you
17 came to learn of the Redress of Wrongs procedure?

18 A. I think it was just through talking with other guys and
19 whatever because back then it wasn't -- it was, like,
20 you know, the Army, we just were told to do this, do 11:05
21 that, whatever. I just can't remember being, sitting
22 in a meeting or a lecture being told 'this is what you
23 do in the event of A, B or C', if you know what I mean?
24 So I think it was more you learned as you went along.
25 If something happened then you were told, 'This is what 11:05
26 you have to do.' If you know what I mean.

27 251 Q. And if something happened who might have told you this
28 is what you have to do?

29 A. It probably would have been a corporal, you would have

1 asked the corporal because they would have known what
2 steps to take in relation to this stuff. In the Army
3 it was always like that for me, for any soldier. You
4 started with an NCO and then if he thought it had to go
5 higher, it would go higher until eventually it went to 11:06
6 as high as it had to go.

7 252 Q. That seems to indicate that you did use the complaints
8 system at some stage?

9 A. I never used it, no. I never made a complaint in the
10 Army. 11:06

11 253 Q. I see. And do you recall learning anything about the
12 Chapter 1 process, which would have started with a
13 policy in 1996, do you recall anything about that?

14 A. Chapter 1, what's that?

15 254 Q. In relation to interpersonal relationships, so the A7 11:06
16 process?

17 A. I knew of A7 and I knew it was, I think it's to do with
18 charges or something, is it, or something.

19 255 Q. It's in relation to interpersonal relationships and if
20 there's an issue how you complain about that? 11:06

21 A. I knew of it but I never had to use it or I never
22 looked into it. I just knew it was there, if you know
23 what I mean. I have heard of A7 a few times in my
24 career but never had any reason to look any further
25 into it. 11:07

26 256 Q. Okay. And when you say you heard about it, did you
27 hear about it in relation to somebody going through the
28 process, or just general commentary?

29 A. Just general, it would have been general commentary.

1 257 Q. okay. And was that commentary positive or negative,
2 would you say, or neutral, you don't know?
3 A. I don't know.
4 258 Q. okay. And what did you understand about the complaints
5 processes at the end of your 23 years? So I take it 11:07
6 you learned more and more as time went on?
7 A. Mm-hmm.
8 259 Q. So at the end of your 23 years, if you had a complaint,
9 what would you have done?
10 A. If I had a complaint to make? 11:07
11 260 Q. Yes?
12 A. I probably wouldn't have done anything because from my
13 whole experience in the Army, from overseas trips and
14 whatever, I knew that if you complained about
15 something, you were going to be the one that it would 11:08
16 come back on. In relation to, say you made a complaint
17 about an individual, that individual will obviously be
18 higher rank than you, so he would always have kind of,
19 I won't say control over you, but you'll always have to
20 answer to that person. So, they could turn around and 11:08
21 make you, not make you, but detail you to go to the
22 kitchen, go wash pots and pans, give you dirty details.
23 So it wasn't really worth your while making complaints
24 because it was always going to be, you're the one who
25 is going to suffer no matter what. That was my own 11:08
26 experience, now. That's how I experienced that
27 process, if you know what I mean. I would never say
28 anything because I knew it would come back on me.
29 261 Q. So you had a perception that it could come back on you

1 if you were to complain?

2 A. Yeah. And from what I seen in the Army, nine times out
3 of ten it would come back on you.

4 262 Q. So your perception was formed from what you saw other
5 members of the Defence Forces go through? 11:09

6 A. Correct.

7 263 Q. Okay. I think you mentioned in your second interview
8 that you recall the Personnel Support Service starting
9 up within the Defence Forces, is that correct?

10 A. I knew of it starting up because it was probably put on 11:09
11 a noticeboard and you'd read it. Wouldn't be too sure
12 what it was about, you know, when you seen it for the
13 first time because it was a new thing. Probably would
14 have passed no remarks on it because, you know, it's
15 just another thing on the notice board and unless you 11:09
16 had some reason to use it, which I've learned later in
17 my career, that's when you'd want to use it, if you
18 know what I mean.

19 264 Q. I think when you were in Dundalk that you did use the
20 PSS, you spoke to the BPSSO, which is the Barrack 11:09
21 Personnel Support Service Officer, is that right?

22 A. I did. I was a Sergeant and I spoke to him as just to
23 friends rather than going in officially because I know
24 now the official part of it. But I would just go in
25 and have a chat with him because I knew him personally 11:10
26 as well so I would go in and sit down, have the craic
27 with him, a cup of tea or whatever and that would be
28 it.

29 265 Q. You were able to have a discussion with him about

1 things that bothered you?

2 A. Yes.

3 266 Q. And you found him a support, is that correct?

4 A. Yes. But I would ask not to take it further or

5 anything because I knew that there'd be -- you know, it 11:10

6 wouldn't go good for me, if you know what I mean. As

7 in, if he reported it up the ranks and just say I, when

8 I was suffering, like, with the depression and stuff,

9 if I felt that if he told it on that it would come back

10 on me that I would probably, I won't say punished but, 11:10

11 you know, given dirty details or not allowed to go

12 overseas or go on courses or anything like that,

13 because there's something wrong with me in the want of

14 a better word.

15 267 Q. And did you feel your conversations with this Officer, 11:11

16 this Sergeant, the BPSSO, did you feel they were

17 confidential?

18 A. Well, I just felt it was just two friends talking.

19 268 Q. And did you trust that he would keep this private?

20 A. Oh, absolutely, yeah. 11:11

21 269 Q. So you never had any reason to believe that he was

22 sending information to --

23 A. No, absolutely not.

24 270 Q. And I think you indicated the first time you spoke to

25 him was after, was some time after your first overseas 11:11

26 mission, is that correct?

27 A. Yeah, well my first overseas mission was in 1990 so and

28 it started up in, as you say, the mid '90s. So I would

29 have spoken to him about stuff like that, yeah, because

1 it was still fresh in mind what happened with me
2 overseas on the first trip so I would have spoke to him
3 because I was in a bad place for a while in relation to
4 how I was feeling and that.

5 271 Q. Just to give the Tribunal a bit of context; your first 11:12
6 overseas mission was in the Lebanon?

7 A. Correct.

8 272 Q. In 1990 and I think you suffered a traumatic experience
9 in witnessing fatalities as a result of armed conflict
10 there? 11:12

11 A. Yes.

12 273 Q. I think you were diagnosed in the Lebanon with post
13 traumatic reactive anxiety?

14 A. Correct.

15 274 Q. And you explained in your interview that this condition 11:12
16 was later renamed PTSD?

17 A. Correct.

18 275 Q. And I think you continued to suffer with your
19 psychological health from 1989 onwards?

20 A. Correct. 11:12

21 276 Q. After your trip to the Lebanon, am I correct that you
22 spoke to a psychiatrist in the Defence Forces?

23 A. Yes, in St. Bricin's.

24 277 Q. Okay. And how did that go?

25 A. I really don't remember, honestly, I don't remember. I 11:12
26 just know I went up and spoke to somebody and then that
27 was the last I heard of it.

28 278 Q. And you were speaking to them about your experience in
29 the Lebanon?

1 A. Yes.

2 279 Q. And I think you had, as a result of your PTSD, there
3 was episodes of self-harm and an attempted suicide; is
4 that correct?

5 A. That's right, yeah. 11:13

6 280 Q. I think you mentioned in your interview that in 1995
7 you went to St. Bricin's Military Hospital?

8 A. Correct.

9 281 Q. I think you were there for a period of a week or two to
10 treat your psychological health issues? 11:13

11 A. That's 1995, yes, that's when I tried to commit
12 suicide.

13 282 Q. Okay. How long you were there in St. Bricin's?

14 A. I think about maybe two weeks, about that. Probably
15 about two weeks. 11:13

16 283 Q. Okay. And what kind of aftercare were you given after
17 St. Bricin's, do you recall?

18 A. When I left Bricin's I was, on my LA30 it said no
19 duties for, what is it, one of twelve, and no weapons,
20 no weapons for one month. So, I wasn't allowed carry a 11:14
21 weapon or do duties for a month when I left Bricin's at
22 that time. So it was back to the unit and it would
23 have been Blayney so I would have been doing the
24 kitchen, wash the dishes or cleaning or whatever in
25 cleaning the barracks. 11:14

26 284 Q. That seems to indicate you were on a reduced duty?

27 A. Yeah.

28 285 Q. Could that have been a downgrading because of --

29 A. Oh, absolutely.

1 286 Q. So you think you may have been medically downgraded so
2 you couldn't carry a weapon?
3 A. Well, I don't know -- I wasn't allowed carry a loaded
4 weapon because, obviously, I'm not assuming, but the
5 reason being I tried to kill myself a couple of weeks 11:14
6 beforehand so giving me a loaded weapon, it's probably
7 not a good idea. Sorry for laughing.

8 287 Q. Fair enough. In relation to aftercare, did you receive
9 any medication or any ongoing psychiatric appointments?
10 A. I'm not sure what, if I was given medication or not, as 11:15
11 in no, I'm not sure then what I was given to be honest
12 with you. After the month I would have been put back
13 on duties and carried on from there.

14 288 Q. Okay. And I might ask Ms. Heavey to bring up
15 page 4095, and this is one of your interviews, 11:15
16 Mr. Connor, again it relates to the PSS when it was set
17 up. And I think at line 10 there you're being asked
18 about it. And, from my reading of this, it seems that
19 you may have felt that you had to hide that you wished
20 to speak to the Sergeant about your issues so you say 11:15
21 that:
22
23 "It was annoying me when I got back home but there was
24 nothing really there. You couldn't really... there was
25 no one to talk to." 11:15
26
27 You go on to say:
28
29 "You know what I mean because you were afraid to say

1 something because you'd be labelled then, 'Oh, that
2 fella, there's something wrong with him,' you know what
3 I mean? Even if he was seen going into the BPSSO's.
4 So what I used to do when I went in to see the Sergeant
5 there, I'd go to the canteen and I'd get a cup of tea 11:16
6 and a bun and take it up as if I was going to for just
7 a normal chat."
8
9 A. Correct.
10 289 Q. Do you recall saying that? 11:16
11 A. Yeah, yeah, yeah.
12 290 Q. Again, that seems to indicate that you didn't want to
13 be open in your conversations with the PSSO with other
14 people, that you tried to hide the fact you were
15 speaking to them? 11:16
16 A. Correct.
17 291 Q. And do you think that where the PSS office was, it made
18 it difficult for you to hide the fact that you were
19 having a conversation?
20 A. Correct, yeah. The BPSS office was in full view of, it 11:16
21 was an upstairs room on the old military blocks and you
22 can see it from -- you can be seen going in and coming
23 out, if you know what I mean.
24 292 Q. Okay. And I think you served on a number of overseas
25 missions after that first one? 11:17
26 A. Yeah, I did.
27 293 Q. I think it was in total seven, so six further missions,
28 is that correct?
29 A. Correct.

1 294 Q. And can you tell the Tribunal where you went overseas?
2 A. My second tour was back to Lebanon. The reason why I
3 wanted to go back was I wanted to go back to where the
4 incident was because it kept playing in my mind, I'd
5 have nightmares of the shootings, the fellas who got 11:17
6 shot, the fellas who died. I just felt as if I went
7 back to the place I could, I know it sounds stupid, but
8 kind of let it go, if you know what I mean, get closure
9 being where it all happened I think it was two or three
10 years beforehand. I thought that that's the way I 11:17
11 could deal with my anxiety and that there.

12 295 Q. Okay. So I think it was four trips to the Lebanon in
13 total, was it?

14 A. Correct, yeah.

15 296 Q. And then you had two to Kosovo? 11:18
16 A. Two to Kosovo.

17 297 Q. And I think your final trip was to Liberia?
18 A. Correct, yeah.

19 298 Q. Okay. Yes, I think so.
20 A. I'm trying to think. 11:18

21 299 Q. And in relation to the Liberia deployment, I think you
22 applied for that overseas deployment in 2004?

23 A. Correct.

24 300 Q. And there was a malarial risk associated with that trip
25 and I think you had to take Lariam for that mission? 11:18
26 A. Correct.

27 301 Q. And at this stage you had no objection to travelling to
28 Liberia, you were okay with going there?

29 A. Correct, yeah. My brother was going as well, so...

1 302 Q. Your brother was on the same trip?
2 A. Yeah.
3 303 Q. Okay. And I think you believe you suffered side
4 effects?
5 A. Yes. 11:18
6 304 Q. And can you tell the Judge when did those side effects
7 start?
8 A. I'm not sure exactly when they started, but they
9 started over there. Used to wake up at nighttime in
10 the tents and we used to have a mosquito net around us 11:18
11 and you'd be paranoid, you'd think there was something
12 inside the tent. You'd be hallucinating that there was
13 -- it's hard really to explain. It just felt as if
14 everything around you was all, you know, you got very
15 agitated and very nervous and you'd be shaking 11:19
16 sometimes and then you'd take a drink of water or
17 whatever and then you'd calm down and then someone
18 would say, 'Oh, there's another one.' You know, in the
19 tent, there was six of us in the tent, my brother
20 included and he suffered with stuff as well. And other 11:19
21 fellas in the tent, they used to have crazy dreams,
22 nightmares, hallucinating things in the tent that
23 wasn't there. When I say tent, it was a big tent.
24 305 Q. Were they the symptoms that you had, hallucinations,
25 nightmares? 11:19
26 A. Yeah.
27 306 Q. I think when you were having these symptoms in Liberia,
28 you didn't associate it with medication whilst you were
29 in Liberia, is that correct?

1 A. Correct. We just all thought it was just normal with
2 the heat, the long hours, the long days, you know,
3 fatigue or whatever.

4 307 Q. Okay. And I think you spoke to a doctor in Liberia
5 about your symptoms, but you don't believe that he made 11:20
6 any connection to Lariam or any medication?

7 A. No. The doctor I spoke to I think was a South African
8 doctor and then we found out after the trip that he
9 actually wasn't registered.

10 308 Q. We'll move on from that then. 11:20

11 A. Oh, sorry.

12 309 Q. You said that a PSS Officer came to Liberia about a
13 month or two before you came home, I think?

14 A. Correct.

15 310 Q. And you think he was there for a debrief, is that 11:20
16 right?

17 A. He was. And it was the same BPSSO that I spoke to in
18 Dundalk.

19 311 Q. I see. And can you tell the Tribunal about that
20 debrief? 11:20

21 A. The debrief, we were all assembled in one of the larger
22 areas -- the camp was like if you imagine Mosney and
23 Butlin's. So we had a lot of tents outside but there
24 was old buildings there from before the war started.
25 So we'd have a big enough room there for a lot of 11:21
26 soldiers to sit, to go in. He'd stand up and say I'm
27 so-and-so, if you're feeling that you need to come and
28 talk about something, if you're not feeling good, bad,
29 or whatever, my tent is over here, come and see me,

1 whatever, rather than, because you are not going to put
2 your hand up in front of a load of soldiers and say
3 that you're... whatever. So that was really the way it
4 was dealt with. So if you wanted to go and speak to
5 him, you went to his tent, which was in the middle of 11:21
6 everybody's tent and not many people went because there
7 would be fellas outside having a cigarette, you know,
8 or just sitting in the sun or whatever and they'd said,
9 oh, there's another one, you know, slagging like,
10 saying there's another one going to the BPSSO. So 11:21
11 that's what it was like there.

12 312 Q. So people would see you going into the tent?
13 A. Correct.

14 313 Q. So as a result you think it dissuaded people?
15 A. Yes, oh, absolutely. 11:22

16 314 Q. Did it dissuade you from visiting the PSS Officer?
17 A. Yes.

18 315 Q. Did the PSS Officer want to discuss any medical
19 symptoms or was that one of the things they brought up
20 in their briefing? 11:22
21 A. I can't recall. What do you mean by medical?

22 316 Q. Well, if people were feeling unwell or if they had any
23 symptoms such as problems sleeping or hallucinations.
24 Was that something you could discuss with the PSS?
25 A. I'm sure you could but everybody was, we were all the 11:22
26 same. We were all eating the same food. We were all
27 taking the same tablets. So everybody was kind of,
28 maybe some more so than others, there might be some
29 people that could handle it better or whatever. The

1 joke in the camp was, you know, 'Oh, there's another
2 one going mad,' if you know what I mean because there
3 was fights every weekend at night, you know, they will
4 have a few drinks or whatever and just randomly start
5 fighting over nothing. The joke was, 'Oh, Lariam.' 11:23

6 317 Q. I think you said you hadn't associated these symptoms
7 with Lariam whilst you were in Liberia?

8 A. I didn't know but it was a joke that everyone kept
9 saying, this was later, getting later at the end of the
10 trip. It was a joke so it wasn't really, it was just a 11:23
11 joke that we all had amongst ourselves, everybody was
12 blaming Lariam because nobody was like that before we
13 came over.

14 318 Q. So am I correct in understanding, then, there was jokes
15 about these symptoms being attributed to Lariam, but 11:23
16 nobody really believed that it was Lariam that were
17 causing the symptoms whilst you were in Liberia?

18 A. Well I think a lot of people believed it was Lariam but
19 it was a joke.

20 319 Q. And what about you yourself, did you believe, whilst 11:23
21 you were in Liberia, that these symptoms were caused by
22 Lariam?

23 A. While I was in Liberia I probably didn't because, as I
24 said, it wasn't really until we got home till we
25 started to come down from being over there and you 11:24
26 started saying, when you're with the family, I used to
27 be very, very good with my two boys but I could see
28 myself changing a lot. My brother changed. I don't
29 know if I am allowed, like my brother, I don't know if

1 I'm allowed say it or not, he committed suicide.
2 Sorry.

3 MR. McGUINNESS: Judge, I wonder might I just make a
4 short submission?

11:24

5
6 SUBMISSION BY MR. McGUINNESS:

7
8 MR. McGUINNESS: This module is about the failure to
9 make complaints or the issue of discouragement and so
10 forth. It's not about an extensive discussion about 11:24
11 effects of Lariam on any particular person as such.
12 It's about whether a complaints process that might have
13 been available was not available because of
14 discouragement or deterrence. I'm anxious that the
15 Tribunal shouldn't lose its focus on the primary task 11:25
16 it has set for itself and defined so carefully.

17 MS. PILLAY: And I accept that, Judge, and we certainly
18 aren't going to focus on that anymore, but we are
19 moving on now to a medical debriefing so it's just to
20 bring Mr. Connor to that point. 11:25

21 SOLE MEMBER: Very good.

22 320 Q. MS. PILLAY: Okay, Mr. Connor, the Tribunal has heard
23 about people receiving medical parading at the end of
24 their overseas deployment. Do you recall seeing a
25 doctor in relation to that? 11:25

26 A. Yes. We went to the medical aid post. We would have
27 had the medical in the medical aid post which probably
28 took 10 or 15 minutes, it was pretty routine. And then
29 the morning we were leaving, I don't know if this is

1 relevant, we were taken to a tent and we were all
2 marched in one at a time and we were given our Lariam,
3 our worm tablets, and they gave us another tablet, I
4 can't remember what it was before, this is before we
5 got on the buses to head to the airport. We were told 11:26
6 not to go near an Army barracks, toilets or anything
7 like that there, not to come near a cook house and to
8 use a separate toilet if you could when you went home
9 to your own house because of worms. That's why they
10 gave us the worm tablets but they told us not to. 11:26
11 321 Q. And when you were at this medical parading did you have
12 a chance to discuss any symptoms or any health problems
13 you might have?
14 A. No, because it was like a conveyor belt, next, next,
15 next. 11:26
16 322 Q. Okay. And what scenario would have helped you discuss
17 any complaints you might have had?
18 A. In Liberia?
19 323 Q. Yes, at this medical parading?
20 A. When you say scenario, what do you mean? 11:26
21 324 Q. Well what would have been preferable, as opposed to the
22 way it was, you said it was like a conveyor belt. What
23 would you suggest would have been a better way?
24 A. For me to go and talk to somebody about me feeling bad
25 or feeling not well? 11:27
26 325 Q. Yes, exactly.
27 A. Somewhere where nobody can see what's going on. Hard
28 to explain. When you're in a base like this, it's very
29 hard to hide. So people know your business, if you

1 know what I mean. If you're going to go to a doctor,
2 someone's going to know in your tent and someone's
3 going to talk so you know you keep stuff to yourself
4 until you get home till you're in a different scenario
5 and take it from there when you get home, if you know 11:27
6 what I mean.

7 326 Q. And you did attend your own GP eventually, is that
8 right?

9 A. I did, yeah.

10 327 Q. And you were prescribed antidepressants? 11:27

11 A. Yes. And I'm also prescribed tablets to help me sleep
12 at night because I suffer from insomnia. I have
13 tablets to take, they are not sleeping tablets but they
14 are the next thing there for sleeping tablets because I
15 can't sleep without taking them. 11:28

16 328 Q. Okay. You seem to have positive experiences with the
17 PSS in Ireland, is that correct?

18 A. Yeah, any time I spoke to that Sergeant in Dundalk, I'd
19 no problems whatsoever. But, as I said, I didn't need
20 to take it any further with the BPSSO because I knew 11:28
21 where it was going to end up. I knew that you'd be
22 labelled in the barracks, you wouldn't be able to
23 progress with promotion. I applied for an NCO's course
24 three times, turned down. But you weren't going to get
25 courses or anything like that that there. You would be 11:28
26 put to the side but you would still be kept okay, if
27 you know what I mean, you would still be doing your
28 duties and still be doing your overseas or whatever.

29 329 Q. You are saying that there was a fear that it could

1 affect you getting courses?

2 A. Oh, yeah, yeah. If you had -- if it's in your LA30 or
3 if the BPSSO deems it necessary to tell, I think he has
4 to let the higher up know if he feels there's a danger
5 towards the individual, or whatever. So, obviously, 11:29
6 it's going to be in your LA30 so when you're going to
7 be put forward for a course you're going to say well
8 no, he won't get it or anything like that. I know this
9 is probably wrong, what I'm saying here, I was going to
10 Liberia regardless, no matter what, because of my job 11:29
11 title overseas. So regardless of what was said, I was
12 travelling no matter what because they needed to fill
13 the criteria of drivers.

14 330 Q. We'll just go back to the PSS for a moment?

15 A. Sorry. 11:29

16 331 Q. In relation to the PSS, it seemed to be confidential
17 for you, you're happy that it was confidential, your
18 conversations with the PSS?

19 A. Yes, because I knew that it was friend to friend and
20 not soldier to BPSSO. So he wasn't taking notes, he 11:29
21 was giving me his own thoughts of what I was feeling.

22 332 Q. Okay. So that was a friend to friend. Are there other
23 ways that you would suggest for improving the privacy
24 in relation to the PSS, do you have any ideas yourself
25 or suggestions? 11:30

26 A. Yeah. I think, going forward, the Army should really
27 consider having a place off base, not in The Curragh,
28 some place in the City here, that a soldier can say to
29 the medic or whoever, there has to be a procedure put

1 in place. So there's no question to ask, this chap
2 needs this day off, a personal day, say. He doesn't
3 have to explain I'm doing this, that or the other and
4 he can go to a third party or maybe someone who is
5 involved in the Army, but away from camp and just go 11:30
6 up. Obviously they'll make an arrangement beforehand
7 and go in and chat to somebody, one-on-one or whatever
8 and nobody knows your business, absolutely nobody.

9 333 Q. And can you put a year on when you thought that maybe
10 the symptoms I've been having could be associated with 11:31
11 Lariam; when did you think that? Just an approximate
12 year?

13 A. Probably about 2007, maybe '8.

14 334 Q. But it was prior to you leaving the Defence Forces?

15 A. Oh, it was, yeah. It was. 11:31

16 335 Q. Okay. And is it correct that you never formally raised
17 any complaint about Lariam within the complaints
18 processes within the Defence Forces?

19 A. No, because I still at that time didn't know if it was
20 to do -- you know what I mean? You just don't know, 11:31
21 oh, that was this or that was that. But, I don't know,
22 can I say about my brother just briefly?

23 336 Q. I think we'll just --

24 A. That's what kind of put me then, when I seen his
25 deterioration and then I thought, oh, I felt that way, 11:31
26 I have done this, you know what I mean. Then I kind of
27 put two and two together then because he wasn't great
28 either, like. Then I said 'I was like that' and he
29 would say, 'here', you know what I mean, so we'd talk

1 that way. Then I would kind of say 'I was okay before
2 I went' and he would say 'so was I'.

3 337 Q. So it was in mutual conversations with your brother
4 that you both came to maybe it related to Lariam,
5 having symptoms? 11:32

6 A. Yeah and then there was other friends who would say the
7 same.

8 338 Q. I'm just going to go back to the complaints processes.
9 So you didn't use the complaints processes within the
10 Defence Forces? 11:32

11 A. I didn't feel I had to because I didn't know that I
12 was, I didn't know that I was suffering because of
13 Lariam. I didn't know what it was, you know what I
14 mean?

15 339 Q. And when did you think it was to do with Lariam? 11:32

16 A. I'm not sure when I actually said 'that was Lariam'.
17 But it was from when I came home, so it was after I
18 came back from my tour and after I took it as well,
19 when my life changed dramatically, like.

20 340 Q. I think you did issue civil proceedings in respect of 11:33
21 Lariam, isn't that right?

22 A. Correct.

23 341 Q. And, again, the Tribunal is not concerned with any
24 litigation brought but, in effect, those civil
25 proceedings were a complaint relating to Lariam that 11:33
26 you brought to the courts. So can you explain to the
27 Tribunal how you were able to complain about Lariam
28 through the courts but not through the Defence Forces
29 complaints system?

1 A. Because if I done it through the Defence Forces,
2 everybody would know your business. You're
3 jeopardising -- not jeopardising, but if you done it
4 through the Army there was always the fallout of, well,
5 you're not going to get this, you're not going to get 11:33
6 that. You couldn't speak to -- you couldn't speak to
7 them, you couldn't tell them because you were afraid of
8 what might happen with your career.

9 342 Q. Are there any other changes that you would like to see
10 within the Defence Forces in relation to reporting of 11:33
11 complaints in relation to abuse or psychological harm
12 or anything like that?

13 A. Just like what I said there a while ago, if it's done
14 in a private kind of way, like now, I don't know if
15 it's the same as when I left, when I was there you went 11:34
16 into the medical aid post, you got your medical file
17 from, it was taken out of a filing cabinet. A lot of
18 people have access to that. If someone didn't like you
19 or anything like that, they had no problem going in and
20 opening up your medical file to see if this was -- it 11:34
21 is so easy to happen, you know what I mean. It is kept
22 in a filing cabinet in the Company Office in my
23 battalion and anybody had access to your medical file
24 that was working in the office. You could be on parade
25 that morning and you'd be told 'Company Office', you'd 11:34
26 be like a runner so you'd be up in the Company Office
27 doing mail or making tea or whatever, but everything is
28 there, you've access to anything that's there in filing
29 cabinets. So...

1 MS. PILLAY: Okay. Thank you, Mr. Connor. There may
2 be other questions for you.

3 SOLE MEMBER: Thank you, Ms. Pillay, Mr. Marron.
4

5 MR. MARTIN CONNOR, WAS CROSS-EXAMINED BY MR. MARRON AS 11:35
6 FOLLOWS:
7

8 343 Q. MR. MARRON: Mr. Connor, just a few questions for you
9 and I'll be as brief as I can. The first one is in
10 relation to the trip to Liberia and you described the, 11:35
11 let's call it the post-deployment medical and that's
12 where, as you said, it's like a conveyor belt I think
13 was your description of it. Can I just ask you
14 specifically, so you did meet one-on-one with a medic
15 or a doctor in that, as you said, conveyor belt. Were 11:35
16 you asked specifically whether you had suffered various
17 symptoms, like was there a checklist, like did somebody
18 say have you suffered from nightmares, have you
19 suffered from hallucinations?

20 A. No, I don't recall that being said to me. 11:36

21 344 Q. Okay. And then in relation to your talks with the
22 BPSSO, I know he's a personal friend of yours and you
23 would have talked to him on many occasions and I know
24 in relation to a complaint about Lariam, not entirely
25 sure exactly when you linked to it, but it was before 11:36
26 you left the Army, you had made the link between Lariam
27 and your symptoms, is that correct?

28 A. Yeah.

29 345 Q. Yeah. And would you have talked to the BPSSO in that

1 period?

2 A. About Lariam?

3 346 Q. well, about anything?

4 A. well, I would have because I was speaking to him up
5 until '08 when my brother died because I was liaising 11:36
6 with him because, to put it all separate, so I was
7 liaising with the BPSSO with my brother's ex-wife so I
8 was speaking to him up to then.

9 347 Q. And in relation to complaints, and it's similar because
10 I think you maybe saw the question I asked Mr. Byrne, 11:37
11 did, I think I already know the answer to this, did he
12 ever suggest you make a complaint?

13 A. I don't think so, but I wouldn't have made an official
14 complaint anyway.

15 348 Q. would he have been aware of your concerns, and you've 11:37
16 spoken about your concerns about why you wouldn't make
17 a complaint, did he ever try to allay -- I suppose I
18 should ask was he aware of those concerns, just with
19 you or anybody generally in relation to what would
20 happen if a complaint was made? 11:37

21 A. I'm not sure if he was aware, but at that time anyone
22 that I knew that was in the Army would be afraid of the
23 backlash, if that's the right word to use. Something
24 was going to happen. If you were deemed not fit to do
25 X, Y or Z, like, you're going to be put in the kitchen. 11:37
26 You're going to be, I won't say degraded, but you're
27 not going to be looked at nicely, you know what I mean.

28 349 Q. Did the BPSSO ever try to allay your concerns like
29 that. Did he ever tell you well actually there's a

1 complaints process there and it is, you know?

2 A. No.

3 350 Q. Thank you. And then in relation to -- I'll make these
4 two questions into one question. You said you had
5 concerns about everybody knowing your business and the 11:38
6 example you give is the fact that the LA30 is in the
7 office and, I suppose, actually just maybe to confirm
8 that the LA30 is not your whole medical file, is that
9 correct?

10 A. Correct. If you're going to Bricin's for a medical for 11:38
11 anything, you go into the Company Office, you sign for
12 your LA30 and your medical file. You bring both with
13 you on the transport to Dublin?

14 351 Q. And I think we have heard evidence from Col. Corcoran
15 about the fact that your LA30 mightn't record actual 11:39
16 symptoms?

17 A. Correct.

18 352 Q. But it would record codes as to what you can do and
19 what you can't do?

20 A. Yes. 11:39

21 353 Q. Okay?

22 A. But my LA30 from Lebanon back in 1990, it recorded my
23 diagnosis as in post traumatic reactive anxiety.

24 354 Q. Okay but just in relation to that and also, and you
25 said at interview and you have already answered the 11:39
26 question is that you feel it would be much better, not
27 only for civilian involvement but actually location to
28 have somewhere outside of a barracks. I'm also, it
29 just struck me that the barracks you served in, which

1 were Dundalk and Castleblayney, which I am assuming,
2 maybe it is not a correct assumption, are smaller than
3 maybe McKee or Cathal Brugha?

4 A. Well Castleblayney was very small. Dundalk is pretty
5 big. It is a big enough barracks, like it was a 11:40
6 British Army base.

7 355 Q. Do you think it's an issue in smaller barracks, having
8 people know your business, than it is in other
9 barracks?

10 A. Well I believe myself that regardless of what size the 11:40
11 barracks is, like if you're walking out of a BPSSO's
12 office and someone walks by and sees you, that's when
13 they start talking. You could be up there just talking
14 about anything, but, you know, they're saying, 'oh,
15 he's up there, I wonder what's wrong with him', or her, 11:40
16 or whatever.

17 MR. MARRON: Thank you, Mr. Connor.

18 SOLE MEMBER: Thank you, Mr. Marron. Mr. Lehané.

19

20 MR. MARTIN CONNOR WAS CROSS-EXAMINED BY MR. LEHANE AS 11:40
21 FOLLOWS:
22

23 356 Q. MR. LEHANE: Good morning, Mr. Connor, my name is
24 Darren Lehané, I'm a barrister representing the Defence
25 Forces and I'm going to ask you some questions. I'm 11:40
26 going to ask you some questions firstly about your
27 awareness of the complaints process and secondly I am
28 going to ask you some questions about your interaction
29 with the PSS and, finally, I am going to ask you some

1 questions about your experiences in Liberia, okay?

2 A. Okay.

3 357 Q. I should say at the outset if you want me to slow down
4 or you don't understand something I'm saying, I'm not
5 going to be put out if you say 'can you repeat yourself 11:41
6 and clarify what you mean'.

7 A. Okay.

8 358 Q. Before I do any of that, just in terms of your role,
9 obviously I think you'll agree with me, you can only
10 tell the Judge about what you experienced? 11:41

11 A. Mm-hmm.

12 359 Q. And how you felt?

13 A. Yeah.

14 360 Q. You can't tell the Judge about how other people felt?

15 A. I understand. 11:41

16 361 Q. Or what experiences they had?

17 A. Yeah.

18 362 Q. Just dealing with your awareness of the complaints
19 process, the first thing I said I was going to talk
20 about. I think you told the counsel for the Tribunal 11:41
21 when she was asking you questions that you don't
22 remember much detail about your training but you're not
23 excluding the possibility that you received some
24 lectures on the complaints process during your training
25 as a recruit? 11:42

26 A. Yes, it's possible, yes.

27 363 Q. Again you told counsel for the Tribunal in terms of
28 your awareness of the complaints process that you
29 became aware of the A7 process?

1 A. I've heard, I heard of it, do you know what I mean.
2 364 Q. And the Redress of Wrongs process, you heard about
3 that?
4 A. I have heard it, yeah, never used it or never had to.
5 365 Q. And, again, I think, and I thought it was a compelling 11:42
6 piece of evidence, if I may say that, where you
7 referred to things being on notice boards and your
8 awareness of what has been on a noticeboard depended
9 really on whether you were interested in it or not?
10 A. Yeah. 11:42
11 366 Q. Okay. Just moving on to the second topic I said I was
12 going to talk about in terms of your interaction with
13 the PSS. I think you'll agree with me that you have
14 spoken very positively about your interaction with the
15 BPSSO here this morning. And again in your interview, 11:42
16 I think it was on, or rather I do know it was on
17 page 19 of your second interview, you said that this
18 individual that you spoke to in Dundalk --
19 A. Yeah.
20 367 Q. -- three or four times, and who you also spoke to when 11:43
21 you were posted abroad, that he was a fantastic person
22 to talk to?
23 A. Absolutely, yeah.
24 368 Q. And I think you told counsel for the Tribunal during
25 the interview, and again today, that process was a 11:43
26 confidential process?
27 A. Well, I didn't look at it, just I was talking to, maybe
28 I missed you --
29 369 Q. As in you said that it was always confidential?

1 A. Ah, between me and him, yeah.

2 370 Q. Yes.

3 A. Sorry.

4 371 Q. Sorry, do you remember earlier on I said if I'm not
5 clear, you have to help me to help myself to ask some 11:43
6 questions, I suppose. Just in terms of your awareness
7 of confidentiality; you were aware there were limits to
8 confidentiality. I think you told counsel to the
9 Tribunal in the interview that the only reason he,
10 that's the BPSSO, would go further was if he thought 11:43
11 there was a threat to life?

12 A. Yes, which I learned later on in my Army career.

13 372 Q. Just in aid of the Chair, that's on the same page of
14 the second interview. So in terms of the PSS service,
15 as I said, it was a positive experience and you knew 11:44
16 there were limitations to the confidentiality and I
17 think you told the Judge your ideas for how that
18 confidentiality could be improved?

19 A. Mm-hmm.

20 373 Q. And I think again, compellingly, you described, you 11:44
21 know, how you would feel about being seen going up
22 talking to a BPSSO?

23 A. Yes.

24 374 Q. That you didn't like the idea of other people knowing
25 your business? 11:44

26 A. Of course, yeah.

27 375 Q. And you described to the Judge the steps that you took
28 to try and, you know, not let other people know you
29 were talking to the BPSSO. I think you described you

1 would get a coffee and you would go up and sit down
2 with him so it didn't look like you were having a
3 formal meeting?

4 A. Yes.

5 376 Q. You have given the Judge some suggestions as to how 11:45
6 that might be improved into the future as well and I'm
7 very grateful to that.

8

9 Can I move on to the third topic which I said I was
10 going to talk about and that's your experiences when 11:45
11 you were serving abroad, if I may.

12 A. Yeah.

13 377 Q. Would it be fair to say that during this process you
14 found talking about it in terms of preparing your
15 statement, talking about it to counsel to the Tribunal 11:45
16 in your two interviews, and talking about it this
17 morning, to be quite helpful in clarifying your
18 recollections of what actually happened?

19 A. Yes.

20 378 Q. And the reason I say that is, I think my understanding 11:45
21 from your evidence this morning is you say you didn't
22 make any complaint about Lariam until after you came
23 home, is that right?

24 A. Correct.

25 379 Q. And I'm not trying to catch you out but, again, during, 11:45
26 I think it was your first interview you described
27 talking to a Sergeant when you were out serving abroad
28 in Liberia about Lariam and you said that you spoke to
29 him about it at least once a week at least. Now, I

1 think in fairness to you, later on in the course of
2 your interviews you said you didn't mention anything to
3 him about hallucinations, you didn't mention thinking
4 to him about night sweats, you just told him you didn't
5 feel great?

11:46

6 A. Yeah, that would have been our Platoon Sergeant,
7 probably.

8 380 Q. In aid of the Judge, that's in the second interview in
9 page 4116. Again, just in terms of your experiences in
10 Liberia, you describe the tent being in the middle of,
11 the PSS tent, and the difficulties in being seen to
12 walk up there because it was your perception, you felt,
13 that people would think less of you if you engaged in
14 any of these support services, is that right?

11:46

15 A. Maybe not so much less of you but they'd be saying 'I
16 wonder why he's in there for', you know. 'Is he going
17 mad', that's what we used to slag them saying 'there's
18 another fella going mad'.

11:46

19 381 Q. It's a bit like, to use a trite example, you didn't
20 want to be seen going talking to somebody in authority
21 because people say 'I wonder what he's talking to
22 somebody in authority about'.

11:47

23 A. Exactly, yeah.

24 382 Q. And they might be asking your business and, again, you
25 have told the Judge about the steps that you think that
26 might be taken to make it easier to speak to people
27 about personal problems.

11:47

28
29 Now, at the end of your evidence you mentioned your

1 concerns, again your feelings, that people might have
2 access to your medical information in the filing
3 cabinet?

4 A. Correct.

5 383 Q. And, again, you know, and again I'm conscious it's your 11:47
6 feeling that you feel it mightn't be secure, but why
7 would you be concerned that people would access, or did
8 you feel that people would access other people's
9 confidential medical data?

10 A. I don't feel -- what I was trying to say was it's there 11:47
11 for anyone to access if they wanted to, you know, it's
12 not secured away as such.

13 384 Q. So, if I'm understanding, it's your feeling that you'd
14 be concerned about your material being in a filing
15 cabinet that somebody could walk into the office and 11:48
16 take it out?

17 A. Yeah, but just to give you -- just say that you had an
18 argument with a guy in the barracks, say, and he was up
19 in the Company Office and he'd say, 'oh, here', you
20 know what I mean, it was too easy to access medical 11:48
21 files for anybody who was in that vicinity of the
22 office.

23 385 Q. And, again, I'm grateful to you for giving that example
24 because that helps clarify my thought for the next
25 question. Are you aware of an incident where somebody 11:48
26 accessed somebody else's medical file from --

27 A. I'm not aware but I know that...

28 386 Q. You're not?

29 A. No.

1 MR. LEHANE: Thank you very much.

2 SOLE MEMBER: Thank you, Mr. Lehane.

3
4 MR. MARTIN CONNOR WAS CROSS-EXAMINED BY MS. MYLOTTE AS
5 FOLLOWS:

11:49

6
7 387 Q. MS. MYLOTTE: Hello, Mr. Connor, my name is Ruth
8 Mylotte. I have a few questions for you, Mr. Connor.
9 You were 23 years in the Defence Forces I think you
10 gave evidence of?

11:49

11 A. I did, yeah.

12 388 Q. Did you enjoy your time?

13 A. I did, yeah.

14 389 Q. Did you build good relationships over those 23 years?

15 A. I did, yeah.

11:49

16 390 Q. And you went on a number, I think seven tours of
17 duties?

18 A. Correct, yeah.

19 391 Q. And I think four of those may have been to the Lebanon,
20 a couple to Kosovo and one to Liberia, is that correct?

11:49

21 A. Yeah.

22 392 Q. Before, during and after those seven tours, would have
23 you had medicals for the purposes of going on the tour,
24 during the tour and after the tour?

25 A. You'd have a medical before you went and then you'd
26 have a repat medical coming home.

11:49

27 393 Q. Okay. And just if I bring you then to, I suppose you
28 outlined earlier you had some difficulties after
29 returning from the Lebanon in the early 1990s?

1 A. Correct.

2 394 Q. And spent a short period of time in Bricin's and you
3 gave evidence, I think, as to your LA30 and how there
4 was a period of time, I suppose, I think a month, where
5 you weren't to handle a weapon? 11:50

6 A. Yes.

7 395 Q. And I think your evidence was that you agreed that that
8 might have been an appropriate recommendation from the
9 doctor at the time, given your --

10 A. Of course, yeah. 11:50

11 396 Q. Bringing you then, I suppose, to your time in Liberia,
12 I think you fairly indicated that, look, you spoke to a
13 South African medic over there, and your indications
14 were you didn't attribute your symptoms to Lariam,
15 neither, I think, did the medic at the time? 11:50

16 A. Yeah.

17 397 Q. And I think you fairly, as Mr. Lehane has just pointed
18 out, you clarified that while you were in Liberia, you
19 didn't actually speak to a platoon sergeant about
20 anything. I think you indicated in your evidence, I 11:50
21 think around page 4114, that you didn't speak to the
22 Sergeant, for a number of reasons, but one of those
23 because you might be taken off the vehicle that you
24 were driving, the Mowag vehicle, is that correct?

25 A. Could be, yeah, possibly. 11:51

26 398 Q. Again, can I suggest to you that that would have been
27 an appropriate thing to do at the time that if you did
28 report symptoms, that maybe an appropriate reaction, no
29 more than the doctor in the 1990s, was to take you off

1 driving the vehicle; would you agree with that?

2 A. But I don't think anybody knew, even the sergeants, I
3 don't think anybody knew what the effects of Lariam
4 were because that was only the second trip to Liberia,
5 and I don't believe that -- my only personal, I don't 11:51
6 believe that the Sergeant would have thought, like, the
7 medical person, he was the Platoon Sergeant so you're
8 either going on duty -- they're probably thinking
9 you're trying to get off going on patrols.

10 399 Q. Again, I'm going on what your evidence to the Tribunal 11:51
11 was, that, look, you could have been taken off driving
12 duties and I'm putting it to you that maybe this was a
13 choice you made that you weren't going to discuss these
14 symptoms at the time because there may have been a
15 reaction, including taking you off driving duties? 11:51

16 A. Well, I don't believe that I would have been taken off
17 driving duties because they had not got enough drivers
18 for the Mowags on that trip. The patrols had to be
19 filled. We used to go out on patrol for 12, 13 days in
20 the jungle. We'd be back maybe 40 hours, 48 hours and 11:52
21 went back out again for another six, seven days. The
22 divers weren't there. The Army had to send a driver
23 over to Liberia, he had to sit in the tent for two
24 weeks while he was taking his Lariam and nobody was
25 allowed interact with him because he had to get the 11:52
26 Lariam into his system. There was no way, unless you
27 were not fit to work were you not going to be driving
28 those Mowags.

29 400 Q. Just, I suppose, in relation to your engagement, you've

1 kind of given evidence today to say, look, when you
2 came back you had symptoms and that you did ultimately
3 speak to a friend of yours who was a BPSSO?

4 A. Mm-hmm.

5 401 Q. And that was the only individual, up until, I suppose, 11:52
6 you finished in the Defence Forces, and I think
7 November 2011, that was the only individual you really
8 spoke to in respect of the possible affects of Lariam?

9 A. See, we didn't know we had symptoms, if you know what I
10 mean. What's a symptom? 11:53

11 402 Q. So in the period from 2004 to 2011 you didn't speak to
12 anyone else?

13 A. No, besides my brother.

14 403 Q. And again you gave the very fair evidence, Mr. Connor, 11:53
15 that you had an awareness, obviously, of the BPSSO, you
16 had an awareness after 23 years in the Defence Forces,
17 of the Redress of Wrongs procedure, you had an
18 awareness of the A7 procedure, you never made any sort
19 of formal complaint through those procedures?

20 A. No. 11:53

21 404 Q. Just, finally, you mention again, Mr. Connor, the
22 changes you would like to see happen and, I suppose,
23 the primary one you've mentioned is some sort of an
24 external body that a person could go to.

25 A. Mm-hmm. 11:53

26 405 Q. And it struck me to ask you, I suppose, are you aware
27 that there is, I suppose, an external body and there
28 was in 2003 and that there's this Carecall, a 24-hour
29 seven days a week counselling service that's available,

1 did you have any awareness of that?

2 A. First I've ever heard of it.

3 MS. MYLOTTE: Thank you. Thanks so much, Mr. Connor.

4 THE WITNESS: Thank you.

5 SOLE MEMBER: Thank you.

11:54

6
7 MR. MARTIN CONNOR WAS QUESTIONED BY THE SOLE MEMBER, AS
8 FOLLOWS:

9
10 406 Q. SOLE MEMBER: Mr. Connor, just a couple of questions, 11:54
11 please, if you don't mind. You've been told by counsel
12 to the Tribunal, and indeed reminded by Mr. McGuinness
13 that I have no power to investigate whether Lariam was
14 the cause of your symptoms or not, my only remit is to
15 investigate what complaints procedures in relation to 11:54
16 complaints of abuse were available, were they
17 appropriate, fit for purpose, were they used, and if
18 they weren't used why not and so forth. And you were
19 asked a question by Ms. Pillay about the complaints,
20 about why you didn't make a complaint and I need you to 11:54
21 help me to understand what it is that you're saying
22 because I heard two versions of why you didn't make a
23 complaint. So if you don't mind I'm going to explain
24 what I heard and you tell me which is the more accurate
25 one. 11:55

26
27 You said at one stage:

28
29 "I didn't feel I had to use the complaints process

1 because I didn't know that Lariam was causing the
2 problem."
3
4 That was your evidence earlier today?
5 A. Uh-huh. 11:55
6 407 Q. And then later on when you were asked:
7
8 "Well, you made a complaint through the courts why you
9 did you feel able to make a complaint through the
10 courts but not through the Defence Forces?" 11:55
11
12 Your answer was:
13
14 "Well, how could you complain about Lariam..."
15 11:55
16 Sorry, when you were asked how you could complain about
17 Lariam you said because going through the courts
18 wouldn't affect your career?
19 A. Correct, because I was gone.
20 408 Q. You were gone at that stage. 11:55
21 A. So I wasn't afraid to speak up, because I knew that I
22 was a civilian.
23 409 Q. Right. But I didn't understand you to say you were
24 afraid to speak up in the Defence Forces. I understood
25 you didn't feel you had to use the complaints process 11:55
26 because "I didn't know that Lariam was causing the
27 problem." So I'm trying to understand which version is
28 it; when you were in the Defence Forces was it a case
29 of, 'I don't need to make a complaint because I don't

1 associate my symptoms with any wrong that has been
2 done,' as you might have perceived it?

3 A. Yes.

4 410 Q. Was that the reason why you didn't speak up?

5 A. No, the reason I wouldn't have said anything while I 11:56
6 was serving in the Army was because I didn't know when
7 I was going to leave, was I was afraid of it coming
8 back on me, as in applying for courses or anything,
9 that it wouldn't -- it would go against me.

10 411 Q. But at what point in your career, and I know you say it 11:56
11 was up to around 2008 you were looking at your brother
12 and talking to your brother and so forth, at what point
13 in your career did you believe, before you left in
14 2011, 'Maybe what's happening to me, maybe my symptoms
15 are caused by something wrong,' something, you know, 11:56
16 some wrongful act; at what point did you start thinking
17 like that and then go on to say, 'well, I better not
18 say anything in case it affects my career'?

19 A. Well, before -- I didn't know from, I don't know if
20 this is what you want me to say. 11:57

21 412 Q. It's not what I want you to say I want to understand --

22 A. No, I want to make sure I say it right.

23 413 Q. I want to understand your thinking at the time?

24 A. See, I didn't know that I should have been exempt
25 Lariam because of my medical history before I went 11:57
26 overseas. I only found out later on that I shouldn't
27 have been given Lariam due to my suicidal attempts and
28 my depression and my anxiety and stuff.

29 414 Q. And that's not something I can investigate.

1 A. Oh, sorry. Right. I just wanted to say that.

2 415 Q. You appreciate that. That's not something that I can
3 investigate. Whether you should or shouldn't.

4 A. But the reason why I didn't say anything while I was
5 serving in the Army was because I'd be afraid of a 11:57
6 backlash.

7 416 Q. But at what point did you become aware or did you
8 believe there was an association?

9 A. It would have been around 2008, with my brother when I
10 seen what happened him and then other guys that was on 11:58
11 my trip. I've a photograph at home, four fellas
12 sitting in the back of an armoured vehicle, four of
13 them are dead, you know what I mean?

14

15 Then I was on Prime Time - I don't know if that's 11:58
16 relevant - I was contacted to go on Prime Time to talk
17 about it and I learnt a lot more about it then because
18 there was other cases that was quite similar to mine
19 and my brother and the other fellas that were there and
20 I learnt a lot more during the Prime Time. I think 11:58
21 that was 2013, I think it was, or it could have been
22 '12, I know I wasn't in the Army because they waited
23 till I left the Army before they asked me to give them
24 an interview for Prime Time.

25 417 Q. Okay. So then am I correct in understanding that when 11:58
26 you said to Ms. Pillay:

27

28 "I didn't feel I had to use the complaints processes
29 because I didn't know that Lariam was causing a

1 problem."

2

3 A. No, I wouldn't have used them because I would be afraid

4 of the backlash.

5 418 Q. So your statement that you didn't use them because you 11:59

6 didn't know Lariam was causing the problem, you're

7 qualifying that or are you saying I didn't know up to

8 2008 or at what point --

9 A. Did I think Lariam was the problem?

10 419 Q. Yeah. well, I want to know are you qualifying the 11:59

11 statement you gave earlier in your evidence:

12

13 "I didn't feel I had to use the complaints processes

14 because I didn't know that Lariam was causing a

15 problem." 11:59

16

17 A. Sorry, Judge, I just don't really understand what

18 the --

19 420 Q. I'm asking you, that was a note I took of what you had

20 said. 11:59

21 A. Yeah, I understand.

22 421 Q. So what I'm asking you is, your belief that you didn't

23 feel you had to use the complaints processes, because

24 you didn't know what was causing it, or, rather, you

25 didn't believe there was a connection between what you 11:59

26 were experiencing and the fact that you had been

27 prescribed Lariam, you didn't feel you had to use

28 complaints processes then because you didn't know that.

29 So are you qualifying that to say, 'well that only

1 applies up to 2008. After 2008 I did make that
2 connection. And the reason I didn't use the complaints
3 process was because of an impact on' your career?
4 A. Yes.
5 422 Q. So you're splitting that. It's up to a certain point 12:00
6 you're saying, 'I didn't feel I had to use them because
7 I didn't know'?
8 A. I'm confused. I didn't use them... I'm probably
9 repeating myself. I didn't use the complaints because
10 I didn't want to use the complaints because of what I'd 12:00
11 fear would happen.
12 423 Q. And that's from 2008, is that right?
13 A. Well, it would have been when we came home from
14 Liberia, yes. Because I never used it so I wouldn't
15 have known. I'm just not sure. 12:00
16 424 Q. Okay. Okay. I just needed to understand --
17 A. I understand, yeah.
18 425 Q. -- because I've heard two different reasons as to why
19 you didn't and I needed to be clear in my mind as to
20 what was the real basis for not using the complaints 12:01
21 process?
22 A. Well, the real basis would be because I was afraid of
23 the backlash. That would be --
24 426 Q. After you became aware that there might have been a
25 connection? 12:01
26 A. Yes.
27 427 Q. Okay. And when you talk about having this off-base
28 place which you are helpfully suggesting to me as one
29 possibility that might improve situations --

1 A. Yes.

2 428 Q. -- you talk about a place where no questions are asked
3 and you need a personal day off. If you had had that
4 available to you, throughout your career in the Defence
5 Forces, and, in particular, when you experienced 12:01
6 psychological injuries and difficulties, if you had had
7 that available to you, what difference would it have
8 made in your case, certainly for the first half, say,
9 pre your awareness, what difference would it have made
10 at a practical level if you could go outside and talk 12:02
11 to somebody? what would you have been complaining
12 about that would have been made better by having this?

13 A. well, nobody would know that you were there, no. 1 --

14 429 Q. Okay.

15 A. -- so you feel a lot more comfortable then because you 12:02
16 know that you're somewhere else. Nobody in the
17 barracks has seen you going in so... it would be better
18 for you because you're not going to get stigmatised or
19 anything like that there, you know, what I mean. I'm
20 finding it hard to say what I want to say. 12:02

21 430 Q. would it be just because nobody would know your
22 business?

23 A. Exactly, yes.

24 431 Q. Or because there would be a better solution that way?

25 A. I don't know if there would be a better solution but 12:02
26 it's half the battle if you are talking so somebody, a
27 third party, nobody else knows your business, what
28 you're doing there, so if you're talking to that person
29 they might say to you, 'well, maybe you should do this,

1 maybe you should do that,' but nobody knows what's
2 happening to you, you know what I mean, in the
3 barracks, there's no mates or NCOs knows why you're
4 there so they could say probably say to you, 'Look it,
5 I suggest that you do this or this,' or, you know, 12:03
6 that's what the way I would have liked to see it being
7 done. Or done now is, you know, give them as much help
8 as they possibly need because at the end of the day,
9 like, they are the same person as the person that
10 joined, they might just have a different way of, you 12:03
11 know, looking at things, or whatever, and they probably
12 just need help, like. That's what I think, like. In
13 the Army environment it's -- you start there and you
14 get to there and, like, to get to there it's hard
15 enough, as it is, but if you have one hiccup on that 12:03
16 ladder going up, like that could go against you for a
17 long, long time, you know what I mean? You might have
18 done something stupid, you know, you might have got
19 drunk one night and you hit a fella a slap, in the
20 barracks, and that's it, you're going to do down the 12:04
21 ladder and then they say, 'Ah, look at him, look at
22 him,' stigmatised all the time, you know what I mean.

23 432 Q. Just on the incidents that you described there it
24 struck me, you said in answer to questions that you had
25 a positive experience speaking to the Personnel Support 12:04
26 Service Officer, the Sergeant in Dundalk?

27 A. Yes.

28 433 Q. And you didn't need it to go any further, that he was a
29 friend of yours and no notes were taken. Am I correct

1 in thinking that you didn't see the conversations you
2 were having with this friend of yours as complaining to
3 a superior about something?

4 A. Oh, absolutely.

5 434 Q. You didn't see this as, 'Now, you're my superior and 12:04
6 I'm telling you something'?

7 A. Oh, no, because the conversation was, it wasn't Private
8 and Sergeant, it was --

9 435 Q. It was friend to friend, as I understand it?

10 A. It was friend to friend. 12:04

11 436 Q. And then you said:

12

13 "I knew the BPSSO so I could talk him about things that
14 bothered him and I found him a support. But I'd asked
15 him not to take it higher." 12:05

16

17 A. Yes.

18 437 Q. "Because it would come back on me. I'd be given dirty
19 details and not allowed to go overseas." 12:05

20

21 Later on you talked about, you know, you wouldn't make
22 a complaint because, well, you'd be complaining about a
23 person higher in rank to you. What about if you were
24 complaining about an incident where two guys after, you
25 know, a night out or whatever, totally same rank and 12:05
26 somebody assaulted you; would you have any difficulty
27 making a complaint there, where you're not complaining
28 about a person of higher rank?

29 A. No, because you'd usually sort it out yourselves.

1 438 Q. But you would have any difficulty, would you feel, 'I
2 better not say anything, there's a culture here that
3 tells me not to.' Or you sort it out yourself?
4 A. Well, if you couldn't sort it out yourselves and if you
5 did have to go and make a complaint about another, say 12:05
6 Private, it's still going to be the same outcome. At
7 the end of you're going to be saying, 'well, watch that
8 fella because if you do anything he's going to hang you
9 out to dry or whatever, give out about you, make a
10 complaint about you,' you know what I mean? 12:06
11 439 Q. Your peers would you be saying that about you?
12 A. Of course, yeah.
13 440 Q. But your superiors in terms of sorting that out if
14 there was an assault and you complained about it?
15 A. Well, if it was an assault and it was a serious assault 12:06
16 I'm sure they would have went through whatever
17 procedure they have to go through. If there was a
18 complaint made, I take it they would. But, like, you
19 know, if there's two lads there and they have a row or
20 something, it's usually dealt with there and then, you 12:06
21 know what I mean?
22 SOLE MEMBER: Thank you very much indeed, Mr. Connor.
23 I appreciate you coming here today and answering all of
24 the questions that have been put to you and for helping
25 the Tribunal to do the job it has been set up to do. 12:06
26 THE WITNESS: Thank you.
27 SOLE MEMBER: Thank you very much indeed. We will rise
28 now and we will meet tomorrow at ten o'clock. We will
29 remind everybody it's an earlier start than usual.

1 10:00 a.m. tomorrow. Thank you very much.

2
3 THE TRIBUNAL WAS THEN ADJOURNED UNTIL WEDNESDAY, 17TH
4 JUNE 2026 AT 10:00 A.M.

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