

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 THURSDAY, 9TH JULY 2026 - DAY 21

21

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

~~GWEN MALONE STENOGRAPHY
SERVICES~~

APPEARANCES

FOR THE DEFENCE FORCES TRIBUNAL : MR. AEDAN McGOVERN SC
MR. MICHAEL CUSH SC
MS. LALITA MORGAN PILLAY BL

INSTRUCTED BY: MR. JOHN V. NOLAN, SOLICITOR

FOR THE DEPARTMENT OF DEFENCE : MR. DIARMUID McGUINNESS SC
MS. RUTH MYLOTTE BL
MR. KARL SHIRHAN BL

INSTRUCTED BY: MS. SARAH MAGUIRE
MS. GRAINNE HYNES
SOLICITOR
CSSO

FOR THE DEFENCE FORCES : MR. PATRICK McCANN SC
MR. DARREN LEHANE SC
MS. ELIZABETH DONOVAN BL
MS. CAROLINE A. CARNEY BL

INSTRUCTED BY: MR. RONAN COTTER
SOLICITOR
CSSO

FOR SEVERAL WITNESSES
REPRESENTED BY COLEMAN LEGAL : MR. ALAN BRADY BL
MR. PATRICK MARRON BL
MR. LOUIS MASTERSON BL

INSTRUCTED BY: MR. NORMAN SPICER
COLEMAN LEGAL LLP

FOR AN INDIVIDUAL REPRESENTED .
BY SEÁN COSTELLO SOLICITORS : MR. THOMAS P. HOGAN SC
MR. PADRAIG LYONS BL

INSTRUCTED BY: MR. SEÁN COSTELLO, SOLICITOR
SEÁN COSTELLO SOLICITORS

COPYRIGHT: Transcripts are the work of Gwen Malone
Stenography Services and they must not be photocopied or
reproduced in any manner or supplied or loaned by an
appellant to a respondent or to any other party without
written permission of Gwen Malone Stenography Services

INDEX

WITNESS	PAGE
<u>MR. JOHN FITZMAURICE</u>	
DIRECTLY EXAMINED BY MS. PILLAY	4
CROSS-EXAMINED BY MR. LEHANE	45
CROSS-EXAMINED BY MR. MASTERSON	50
CROSS-EXAMINED BY MR. HOGAN	57
CROSS-EXAMINED BY MS. MYLOTTE	68
QUESTIONED BY THE SOLE MEMBER	76
<u>MR. WALTER HAYES</u>	
DIRECTLY EXAMINED BY MR. CUSH	80
CROSS-EXAMINED BY MR. MCCANN	165
CROSS-EXAMINED BY MR. MCGUINNESS	173
QUESTIONED BY THE SOLE MEMBER	184

1 THE TRIBUNAL RESUMED ON THURSDAY, 9TH JULY 2026 AS
2 FOLLOWS:

3
4 SOLE MEMBER: Good morning, everybody. Now,
5 Ms. Pillay, good morning.

10:34

6 MS. PILLAY: Good morning, Judge. The witness this
7 morning is Mr. John Fitzmaurice, please.

8
9 MR. JOHN FITZMAURICE, HAVING BEEN SWORN, WAS DIRECTLY
10 EXAMINED BY MS. PILLAY AS FOLLOWS:

10:35

11
12 1 Q. MS. PILLAY: Mr. Fitzmaurice, as you are aware, the
13 Tribunal is investigating the effectiveness of the
14 complaints processes and the cultures within the
15 Defence Forces in relation to complaints of abuse. So,
16 it is not permitted to make findings in relation to the
17 well-foundedness of complaints of abuse. And, for that
18 reason, you are required to refrain from disclosing the
19 names of any alleged perpetrators in your evidence
20 today. And where it is necessary to refer to such
21 individuals, you must do so by using their rank or the
22 pseudonym given to them by the Tribunal. Do you
23 understand that?

24 A. Yes.

25 2 Q. If you can address your answers to the Judge, please.
26 So, I think you attended for an interview on 5th May in
27 the Tribunal and then, again, on 6th July 2026, is that
28 correct?

10:35

29 A. That is correct.

1 3 Q. And, Judge, these documents can be found in booklet
2 Part 5, at page 3759 and at booklet Part 10 at page
3 5381. And by way of background, Mr. Fitzmaurice, I
4 think you joined as a cadet in 1975, is that correct?
5 A. That's correct. 10:36

6 4 Q. And you attended college in 1976 and that was through
7 the Defence Forces Cadet Scheme in USAC where you
8 studied Law, History and Archaeology?
9 A. That's correct.

10 5 Q. And I think you graduated with a Bachelor of Arts 10:36
11 degree?
12 A. Correct.

13 6 Q. And you were commissioned in 1977 and in 1980 you were
14 moved to the Military Police corps in The Curragh?
15 A. That is correct. 10:36

16 7 Q. I think you stayed there as a Military Police officer
17 until 1993?
18 A. That's correct.

19 8 Q. And during that period, I think you were, you worked in
20 a number of positions and that included the Governor of 10:36
21 Military Detention Barracks, mess administration and
22 you participated in an International Shooting Defence
23 Forces team and you also did a formal course in the
24 Military College, is that correct?
25 A. That is correct. 10:37

26 9 Q. I think for the majority of your time you worked in the
27 Investigation Section in the Military Police?
28 A. That is correct.

29 10 Q. And, I think, you were promoted to captain whilst with

1 the Military Police and that was in or around 1986, is
2 that right?

3 A. That's correct.

4 11 Q. In 1993, you went to the 3rd Infantry Battalion and you
5 were promoted to commandant in the late 1990s, and 10:37
6 around 1998 you moved back to the Military Police
7 School, is that right?

8 A. That is correct, yes.

9 12 Q. And I think in or around 2000, you moved from there and
10 you went to various other units until your retirement 10:37
11 in 2013, is that right?

12 A. About 2001, maybe.

13 13 Q. That's when you moved from the Military Police --
14 A. From the Military Police to the 3rd Battalion. Sorry,
15 '90 -- 10:38

16 14 Q. Sometime from '99 to 2001?

17 A. Sorry, from -- yeah, after 2000 I moved to other units
18 which was Special Services unit in The Curragh, yeah.

19 15 Q. And then you retired in 2013, is that right?

20 A. That's correct. 10:38

21 16 Q. So, I think, in your Defence Forces career you spent
22 about 15 years working with the Military Police, is
23 that right?

24 A. That is correct.

25 17 Q. And, I think, the Military Police are responsible for 10:38
26 the prevention and investigation of offences, the
27 enforcement of discipline and the general policing of
28 the Defence Forces, is that right?

29 A. That is correct.

1 18 Q. And during your 15 years in the Military Police, you
2 attended some courses, namely Military Police Crime
3 Officers course, a drugs course, a scene of crimes
4 course, crime scene photography course in Baldonnel and
5 an investigation course, is that right? 10:39
6 A. That's correct.
7 19 Q. And I think, when asked about investigation specific
8 courses on interviewing, I think you said that was
9 something you picked up on the job itself, is that
10 right? 10:39
11 A. That is correct.
12 20 Q. I'm not sure if you've heard any evidence that has been
13 before the Tribunal, we have had Col. Damien Coakley,
14 he is the current Provost Marshal. And he gave
15 evidence on Day 4 of the hearings. He said that: 10:39
16
17 "In the Military Police School we conduct more
18 specialist law enforcement courses, investigation
19 courses and so on."
20 10:39
21 And from what you said that was probably not the case
22 in the '80s and '90s, you didn't have specific
23 specialised investigation courses, is that right?
24 A. Well I did the Garda Síochána Scenes of Crime Officers
25 course. 10:40
26 21 Q. And specifically investigations into how you
27 investigate crime. So the courses that you have told
28 me about are the crimes scenes?
29 A. Yes.

1 22 Q. The drugs courses, the photography crime officers
2 courses, you said for investigations and interviewing
3 people you picked that up on the job?
4 A. Correct.

5 23 Q. Did you have a specific investigations course? 10:40
6 A. In the Military Police, no, we would have gone to the
7 Gardaí for that.

8 24 Q. Can you tell the Judge about your Gardaí investigations
9 course, please?
10 A. That was a scene of crime officers course, it's the 10:40
11 course that all detectives do, it's about a six weeks
12 course.

13 25 Q. Okay, so this is what we talked about earlier, the
14 scene of crimes course, so this is about the scene of
15 crimes? 10:40
16 A. Scene of crimes, yeah.

17 26 Q. Okay, so not following up investigations after the
18 crime scene?
19 A. No.

20 27 Q. I see. So, I think in the 1980's you said you became 10:41
21 officer in command of the Investigation Section, is
22 that correct?
23 A. Correct.

24 28 Q. And you were the head of the Investigation Section in
25 the Military Police, isn't that right? 10:41
26 A. That is correct.

27 29 Q. And what was your role as head of the Investigation
28 Section?
29 A. There was no specific duties laid out. But, basically,

1 you were the officer, in the Investigation Section,
2 while the Company Sergeant would be the person in
3 charge of the day-to-day running of the Investigation
4 Section. And he would be the person who would allocate
5 cases to individual NCOs within the section. But I was 10:41
6 there as a kind of, if he needed me.

7 30 Q. I think you said it was probably around the time of
8 your promotion to captain that you became the Officer
9 in Command of the Investigation Section, is that right?

10 A. That would be correct, generally, yes, I can't recall 10:42
11 the dates for that.

12 31 Q. You think you were promoted around 1986. You did say
13 that even as a lieutenant you would have been the
14 officer in command of the Investigation Section. So,
15 is it correct to say it was probably around '85, '86 10:42
16 that you became the Officer in Command?

17 A. It could be, yeah. I don't know, I don't have a CV, if
18 I ask for it.

19 32 Q. Just from your memory?

20 A. Around that time. 10:42

21 33 Q. In 1991 you were a captain for about five years, is
22 that right?

23 A. That would be correct.

24 34 Q. Approximately. And I think you were the only captain
25 in the Investigation Section, is that right? 10:42

26 A. That is correct.

27 35 Q. But you think there may have been two other captains in
28 the Military Police corps itself?

29 A. In the unit, in The Curragh, yes.

1 36 Q. In The Curragh. And I think there were three persons
2 in the unit, that's the whole Military Police Unit,
3 that were superior to you in rank. One was a
4 commandant and he was the Commandant of the school?
5 A. Correct, yeah. 10:43

6 37 Q. And one was the Lieutenant Colonel who was the Officer
7 Commanding of the Military Police. He also held the
8 position of Assistant Provost Marshal?
9 A. That's correct.

10 38 Q. And the third person was the GOC of The Curragh? 10:43
11 A. That is correct, yeah.

12 39 Q. Okay. So, I think you had a number of non-commissioned
13 officers that were to be on the investigations team, is
14 that right, under your command?
15 A. That is correct. There was a number of people there, 10:43
16 yes.

17 40 Q. And those NCOs -- there was no officers on your team,
18 they were all NCOs, is that right?
19 A. Yes. There was an Investigation Section you would have
20 a company sergeant, you would have a sergeant and 10:43
21 possibly three corporals. That type of a situation.

22 41 Q. And you said in your interview when you were the
23 Officer in Command, you had about six people under your
24 command, so that was the Corporals, the sergeant and
25 the Company Sergeant? 10:43
26 A. That would be the CS, the Sergeants and three
27 corporals, maybe four corporals, yeah.

28 42 Q. Okay. So --
29 A. So it would fluctuate because people would go overseas,

1 they would go on courses.

2 43 Q. Okay and in your interview you were asked about your
3 duties as the head of the Investigation Section. I
4 think you said you didn't have a set of written duties,
5 is that right? 10:44

6 A. That is correct.

7 44 Q. But you understood that your role was that you were in
8 charge of a group of people, is that correct?

9 A. That could be correct, yes.

10 45 Q. And did you learn about the Provost Marshal Directives 10:44
11 when you were the Military Police officer in charge?

12 A. Yes, there was a set of Provost Marshal Directives,
13 yes.

14 46 Q. And Col. Coakley said:
15
10:44

16 "Essentially the Provost Marshal Directives is a
17 guidance document that covers procedural matters and
18 how investigations might be conducted or are to be
19 conducted. There's obviously a certain amount of
20 latitude on how investigators approach that but it is 10:44
21 just to give some structure on how we carry out our
22 business."

23

24 Does that sound correct to you?

25 A. That could be correct, but I can't recall those 10:45
26 directives now, at this stage. That's 35 years ago.

27 47 Q. And do you think you may have been referring to those
28 directives regularly when conducting investigations?

29 A. Eh, no.

1 48 Q. Do you think you were trained on those directives at
2 any stage?

3 A. That is correct but I would like to see the set of
4 directives now, which was in vogue in 1991, so that I
5 could comment on them then. But, at this stage, I 10:45
6 couldn't comment on what was in the directives.

7 49 Q. So you don't recall?

8 A. Like, if there was an index then I could refer to them
9 but I can't, no idea what they were.

10 50 Q. And unfortunately we only have the current set of 10:45
11 directives, so we don't have them.

12 A. They should have been archived.

13 51 Q. Very good. If we just turn to 1991 now. I think
14 you're aware that on 20th June 1991, it is alleged by
15 former members of the 34th Platoon that 2nd Lt. B was 10:46
16 involved in the bullying of a number of apprentices,
17 including, in particular, Mr. Oliver Mullaney. And
18 tragically two days later Mr. Mullaney died in a
19 shooting incident and this was either accidental or it
20 was a suicide. The view that was held by a number of 10:46
21 his former colleagues, in the 34th Platoon, was that
22 the death was by suicide and that the alleged bullying
23 contributed to his death. The Tribunal will not
24 determine whether his death was an accident or a
25 suicide but it will be looking at the two Military 10:46
26 Police investigations that followed Mr. Mullaney's
27 death. And I think you have some knowledge of those
28 investigations, is that right, Mr. Fitzmaurice?

29 A. That is correct. But in relation to the sudden death

1 of Mullaney, eh, there was a coroner's report and there
2 was a coroner's decision.

3 52 Q. And in relation to that particular investigation, I
4 think on 22nd June, that was the day of the passing of
5 Mr. Mullaney, I think you said you were the Duty 10:47
6 Officer that weekend, is that correct?

7 A. That is correct, as far as I can recall, yeah.

8 53 Q. And you went out to ensure scene preservation?
9 A. The scene preservation would have been done by the
10 scenes of crime NCO, I would have been there as Duty 10:47
11 Officer, to report, to see can I provide any
12 assistance.

13 54 Q. I think I'll ask Ms. Heavey to open the report on this
14 investigation. It's at page 2978. It's 2978. We'll
15 call this the first investigation. So this is the 10:47
16 investigation that we looked at, the report was done by
17 Corporal P1?

18 A. Correct.

19 55 Q. We see the top line is headed:
20
21 "Offences Against the Person Self-Inflicted Deaths and
22 Attempts."
23
24 Do you see that?

25 A. I do, yes. 10:48

26 56 Q. If we scroll down a bit, paragraph 1 it says:
27
28 "Herewith final report by Corporal P1 in connection
29 with the above noted subject."

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

And we can see this report is being forwarded to the OC of Devoy at the top and that is being forwarded by the assistant provost marshal.

A. Mm-hmm.

10:48

57 Q. If we go to the next page over, page 2979, we see a report index and a list of statements that were included in this report and there are six statements there and that is from persons P3 up to P8. And then there's also the FR's, a doctor's note of attendance. You see all that, Mr. Fitzmaurice?

10:48

A. Yes.

58 Q. And we move on to the next page, 2980, overleaf. This is Corporal P1's report?

A. Mm-hmm, yes.

10:48

59 Q. We see the top line:

"Military Police preliminary investigation report dated 24th June 1991 refers."

10:48

A. Yes.

60 Q. And at paragraph 3 it states:

"At 9:45 the undersigned arrived at the Guard Room, Devoy Barracks. I was briefed by Captain P10 OIC Investigation Section and Sergeant P11 Investigation Section who were present at the scene."

10:49

And you are Captain P10, I don't think you dispute

1 that?

2 A. That's correct, yeah.

3 61 Q. Okay. And what did that briefing involve?

4 A. That was when I was Duty Officer and I was called out
5 and I reported to the scene of the incident in Devoy
6 Barracks, Naas. And while there I would just ensure
7 that there was nothing untoward went, you know
8 happened, until the NCO the crime scene examiner came
9 and the photographer, the evidence collector. The
10 Gardaí would also be there.

10:49

10:50

1 62 Q. This report references the preliminary investigation
2 report and I might ask Ms. Heavey to bring that up,
3 it's page 3025. And this is your report, again,
4 Mr. Fitzmaurice. I think if we scroll down to the
5 bottom we can see Cpt. P10 again?

10:50

6 A. Yes.

17 63 Q. We heard about this from the Provost Marshal in his
18 evidence and he stated that:

20 "This is the first document that the Military Police
21 will produce and it's a preliminary investigation
22 report. It contains a basic outline of events on the
23 allegation and other information, including, he said,
24 critically a case number for tracking and the assigned
25 investigators are also listed."

10:50

10:50

27 would you agree with that synopsis of what that report
28 is?

29 A. I would, yes.

1 64 Q. I see the assigned investigators don't seem to be
2 listed on that page?
3 A. Sorry?
4 65 Q. The assigned investigators are not listed on this page,
5 are they? Maybe we can scroll a bit further down to 10:50
6 the end.
7 A. No.
8 66 Q. And do you know why that might be?
9 A. In section F there it records:
10
11 "MP Investigator/Liaison."
12
13 It was the Investigation Section so it was a number of
14 persons would be assigned to that. Mainly the Corporal
15 but at the time, in some cases which are simple, a 10:51
16 single investigator could have been signed to it. But
17 in this case a number of investigators were assigned
18 to. Plus the other investigation would be the
19 Inspector or the garda in Naas, the Gardaí in Naas.
20 67 Q. What was the responsibility of the Military Police 10:51
21 Investigation Section with respect to investigating
22 what had happened that night?
23 A. Their job was to investigate the incident. And,
24 basically, to see was there somebody else involved in
25 the actual death or produce the evidence and let the 10:52
26 coroner decide.
27 68 Q. And I think you said in your interview it was also to
28 gather the evidence to present to the coroner or higher
29 authorities as to what actually happened, is that

1 right?

2 A. Correct, yes.

3 69 Q. And what would one look at to assess whether the death
4 could be caused by the self-inflicted method or by an
5 accidental method? 10:52

6 A. We would never decide that.

7 70 Q. And what would you look at and what evidence would you
8 gather to assist other people in deciding that?

9 A. The screen has gone blank.

10 71 Q. That's fine, you think about the question. So, what 10:52
11 information would you gather or look at to assess
12 whether the death was self-inflicted or not, to gather
13 that information for the coroner?

14 A. You would photograph the scene. You would take
15 statements from the people who were in the Guard Room. 10:52
16 You would take evidence -- you would take the weapon,
17 the spin casings and other ammunition, put them into
18 evidence bags and bring them up to the Garda Technical
19 Bureau for examination.

20 72 Q. And in relation to asking questions of people; what 10:53
21 information might you glean from interviewing persons
22 that might be relevant?

23 A. I didn't interview anybody there.

24 73 Q. And you, as a Military Police officer in charge of
25 investigations, in general what would you say is 10:53
26 relevant when interviewing a person in such an
27 investigation?

28 A. That is up to the investigators themselves.

29 74 Q. And do you have a view as somebody who was the head of

1 investigations for such a long period of time?

2 A. No. They were well experienced investigators. They

3 were more experienced than I was in investigations.

4 75 Q. I think at page 3028, Ms. Heavey might bring that page

5 up, 3028, so there are some handwritten notes from one 10:54

6 of the Military Police members. I think at the first

7 interview you thought this might be the duty

8 investigator. So we see there at the top left it says

9 22nd June 1991. And it says:

10

11 "Phone call from Sergeant MPC to my home."

12

13 Then if we move down, just to the end of those notes,

14 paragraph 3 there, that's perfect. Sorry, just back up

15 again, Ms. Heavey. 10:54

16 A. They're not my notes.

17 76 Q. Yes, I'm going to ask you about the notes, I understand

18 they're not your notes, you think they might be the

19 duty investigator's notes, is that right?

20 A. I can't see it. 10:55

21 77 Q. Sorry we'll try to move it more central to the screen.

22 So that's page 3029 there. And, I think, we don't need

23 to read it out but it lists some pressures that

24 Mr. Mullaney may have been under. You can see that

25 there? 10:55

26 A. I never saw those notes before until the Tribunal.

27 78 Q. Yeah and that's fine. But you can see the list of

28 pressures there. So I'm just asking for your

29 experience as an investigator.

So, I think it's clear that the investigator must have found these relevant to the investigation; is that fair to say, that he wrote a note of it?

A. I couldn't say that. Somebody else wrote those notes. I never saw them before. So it would be unfair of me to comment. I was asked to tell the truth, I'm telling the truth.

79 Q. And is it a matter of common sense that pressures or
traumas a person may experience might be relevant as to
whether it was an accidental shooting or not? 10:56

A. I couldn't comment on that. Common sense is not very common.

80 Q. If we move down to paragraph 13 on page 3031, you'll see there it says "to see" in the middle and it talks about three apprentices. No. 13 and do you see the words "to see", just above the big black box?

A. Yeah.

81 Q. "Aptce. P34, P30 and Aptce. Murphy."

And it says there:

"Seen Aptce. Mullaney crying himself to sleep on Thursday night."

And it seems to reference training and ranges here. Do you see that?

A. Yes.

82 Q. Again, if a person in your unit takes notes, do you

1 think they consider those notes are relevant to what
2 they're investigating?

3 A. Was the person who took those notes interviewed?
4 Because I can't comment on them. They're not my notes.
5 I never saw that before. 10:57

6 83 Q. And the question is, if a person who takes notes in
7 your unit under you, do you think they consider that
8 relevant to the investigation?

9 A. I couldn't say that because I'm not in their position.

10 84 Q. Okay. well, there are statements from the first 10:57
11 investigation file, from Mr. Murphy and from P34, and
12 they relate to the event on Thursday night. And
13 they're dated 24th June, 26th June and 9th July. Do
14 you recall seeing those at the time?

15 A. No. This was 35 years ago, I can't recall seeing those 10:57
16 statements.

17 85 Q. Okay. You did say at your interview that you were not
18 really involved hands-on in the investigation into the
19 death of Mr. Mullaney but you had oversight of the
20 statement taking, is that right? 10:58

21 A. "Oversight" would be a strong word.

22 86 Q. And it's the word that you used. So can you explain
23 that word to me?

24 A. No.

25 87 Q. We might bring up page 3784, Ms. Heavey, please. Just 10:58
26 so you can tell the Tribunal, in your own words, what
27 you meant by "oversight" of taking of statements?

28 A. Is this from my first interview in May?

29 88 Q. This is from your first interview, yes. So I asked you

1 at line 14 that you weren't involved and you said:
2
3 "Not hands-on, no. But you had oversight of the
4 statements that were taken."
5 10:58

6 A. I did make a number of corrections at the last meeting.
7 89 Q. But Mr. Fitzmaurice, if you can close the folder and
8 answer the questions for the judge.
9

10 So, just in relation to that document and having 10:59
11 oversight, explain to the Tribunal what you meant by
12 that?
13 A. Where is that recorded again?

14 90 Q. Line 14, we were talking about the investigation. I
15 said you weren't involved you said: 10:59
16
17 "Not hands-on, no. But you would have oversight of the
18 statements."
19

20 A. But my wording, in that occasion, was wrong. Because I 10:59
21 was being asked questions about something that happened
22 35 years ago and I would have been in the Investigation
23 Section but the oversight would have been done by the
24 Company Sergeant of the Investigation Section and more
25 especially the Corporal who signed the report, P1. 10:59

26 91 Q. Sorry and did you say that your wording was wrong?
27 A. Yes. As I said, the ones that I recorded in the
28 folders, the last time I met.
29 92 Q. And can you explain to the Tribunal why you said that

1 then? It was just a mistake, was it?

2 A. It was a mistake, yes. Like all the other mistakes

3 that were there.

4 93 Q. Okay. And you said that:

5

6 "In investigations such as this..."

7

8 And you described sudden death cases:

9

10 "...an investigator would interview people who worked 11:00

11 with the deceased to see if they might have any

12 information on why the person might have taken his own

13 life."

14

15 Is that correct? 11:00

16 A. That would be correct, yeah.

17 94 Q. Okay, thank you. So, saying that then, we'll just move

18 on to the Thursday night.

19

20 So I think you do remember something about the 11:00

21 investigation into the bullying on the Thursday and

22 Thursday evening, that was the second investigation

23 called "The Ill-Treatment of Subordinates".

24 A. Yes, I would be more familiar with that.

25 95 Q. Okay. And in relation to that investigation, I think 11:00

26 that was your investigation, is that right?

27 A. Eh, I couldn't guarantee that specifically.

28 96 Q. Okay. And Ms. Heavey might bring up --

29 A. But --

1 97 Q. Sorry, go ahead.
2 A. When you think about it, the wording that's said -- I
3 have no memory of all this because I was asked a year
4 ago about the investigation and I could not remember
5 the second investigation. I was asked specifically 11:01
6 "was there a second investigation?" And I said "no".
7
8 In fact, there was a second investigation, which is the
9 one that I signed off on. So, I have no recollection,
10 except for certain things. 11:01
11 98 Q. Okay.
12 A. I can't even remember interviewing Lt. B or Lt. A.
13 99 Q. Okay, well we can look at the report, you talked about
14 the report. So, just in relation to the investigation,
15 what you have said, is that it was your responsibility 11:01
16 and it was your investigation. And you said that in
17 your second interview?
18 A. If you say so.
19 100 Q. Do you accept that or... we'll bring up your report.
20 Your report is at page 2888. That's 2888, Ms. Heavey. 11:01
21 And this is your report to the Assistant Provost
22 Marshal on 13th August. So, I think in paragraph 1 --
23 A. That is correct.
24 101 Q. You recognise this from probably recently?
25 A. Yes. 11:02
26 102 Q. Paragraph 1:
27
28 "On 15th July 1991 this office was instructed by
29 APML10."

1
2 That's The Curragh Command?
3 A. Yeah.
4 103 Q. "...to commence an investigation into the alleged
5 ill-treatment of apprentices on 20 June 1991 in Devoy 11:02
6 Barracks, Naas."
7
8 A. Correct.
9 104 Q. So, I think it says that you were instructed by the
10 APM, is that a correct -- 11:02
11 A. The office was instructed by the APM, I can say.
12
13 "This office was instructed by the APM."
14
15 105 Q. And can you say -- 11:02
16 A. So it wasn't, I can't remember being instructed
17 specifically by the APM. I can't even tell you who the
18 APM at the time was.
19 106 Q. Just in relation to your memory, I think you told me
20 that you conducted about ten -- 11:02
21 A. Ten, correct.
22 107 Q. -- Military Police investigations?
23 A. Yeah.
24 108 Q. So this was just one of the ten Military Police
25 investigations? 11:03
26 A. Correct.
27 109 Q. would you usually be instructed by the APM each time?
28 A. Eh... no, not necessarily, no.
29 110 Q. And --

1 A. If the crime was, or the alleged crime, related to
2 something that involved mainly officers, for example
3 frauds in officers' messes, then I would be the
4 investigator for that. Because I would know about the
5 mess, the Officers' Mess system, I would know about the 11:03
6 individuals involved and then I would be able to
7 interview all the officers involved.

8 111 Q. Okay. And is this -- I think this is the only
9 investigation you completed into the ill-treatment of
10 inferiors? 11:03

11 A. That is correct.

12 112 Q. That wording there, I think, comes from the Defence Act
13 at the time, it's since been amended?

14 A. It does, yeah.

15 113 Q. I think that's section 140, isn't that correct? 11:03

16 A. Whatever section it was, I don't know. That's where
17 the heading came from.

18 114 Q. Right. And do you recall, at all, what the parameters
19 of your investigation might have been?

20 A. No. 11:04

21 115 Q. Do you think you would have been given specific
22 instructions or Terms of Reference, specific matters to
23 look into?

24 A. Sorry, I said I don't recall.

25 116 Q. And I am going to press you just a little bit in the 11:04
26 hope that you do remember or you generally might
27 remember, because, you were either given instructions
28 or you were just left alone and asked to investigate.
29 Do you think it could have been the latter or the

1 former?
2 A. I will say what is written:
3
4 "This office was instructed by the APM to commence an
5 investigation." 11:04
6
7 So it doesn't say "I was instructed". It says "this
8 office was instructed", that is all I can recall.
9 117 Q. And you accept this is your report and you were
10 responsible for reporting back to the APM? 11:04
11 A. That is correct because it was a handwritten report,
12 which I did. And the handwritten report is actually in
13 the evidence. And this is the typed version of it.
14 118 Q. Okay. And do you know why it was decided to initiate
15 this investigation into the Thursday night events? 11:05
16 A. No, except I was instructed and if you're instructed
17 you just do it.
18 119 Q. Okay. And you did say previously that when you were
19 being asked about the second investigation, and why it
20 was initiated, you said that it was based on your 11:05
21 reading of the statements. And Ms. Heavey just might
22 bring up page 3788 and go back to the report in a
23 moment.
24
25 And line 6, you were saying about the second 11:05
26 investigation and being asked about why it was
27 initiated. Based on reading of your statements, I
28 asked:
29

1 "Based on your reading of the statement?"
2
3 You say:
4
5 "Yes and it be the APM and you discuss it with the 11:05
6 APM."
7
8 I asked:
9
10 "MS. PILLAY: He wouldn't have been on the scene 11:05
11 reading statements or going through files?
12 MR. FITZMAURICE: Not at all but you would go to him
13 and tell him this is an issue.
14 MS. PILLAY: Do you think it was you that discovered it
15 might have been an issue? 11:06
16 MR. FITZMAURICE: I would say so, yeah, because we
17 hadn't come across anything like that before."
18
19 Do you remember what struck you as particularly bad
20 about this incident? 11:06
21 A. what I said in that is not fully correct.
22 120 Q. Just one moment and then you can comment:
23
24 "MR. FITZMAURICE: It is a whole lot of it. Like many
25 of the apprentices were saying the same thing, 11:06
26 basically the same thing so there had to be something
27 in it
28 MS. PILLAY: And did you link the Thursday night to the
29 death of Oliver Mullaney?

1 MR. FITZMAURICE: I would say I would have, yeah, it
2 would have to be an important aspect of it because he
3 was being picked on."
4
5 So you're saying that's not correct? 11:06
6 A. Not -- I keep saying, I cannot remember the incidents.
7 And when I say there that I was being briefed by the
8 APM, I cannot say that that is correct. Nor can I say
9 that I discussed it with anybody else, or did I discuss
10 it with the members of the Investigation Section. It 11:06
11 is probable, but I have no recollection of that. All I
12 can recall is statements that I took, I know that
13 they're correct because they're from the handwritten
14 version and it's my handwriting.
15 121 Q. Okay. So you're saying it's probable that you had a 11:07
16 conversation but you can't be sure, is that fair to
17 say?
18 A. I can't remember, I can't say "probable".
19 122 Q. I think you said "probable" just a moment ago?
20 A. I would go back to the front of the page. 11:07
21
22 "This section was tasked with..."
23
24 I cannot say who I discussed it with.
25 "Probable"/"possible", it's possible. It's possible, 11:07
26 not probable is what I can say truthfully.
27 123 Q. Okay. Well, we'll look at your report again. So it's
28 page 2888, Ms. Heavey, thank you.
29 A. Yes.

1 124 Q. You can see that the report says:
2
3 "The investigation, at paragraph 2, is now completed
4 and the following appears to be the facts."
5 11:08
6 A. Yeah.
7 125 Q. And you then summarise your interview or an interview
8 with Apprentice P34 and you do say the same with P44
9 and Brian Murphy. And then you also summarise the
10 contents of the interview with Lt. P35 and Lt. P7? 11:08
11 A. That's correct.
12 126 Q. The latter two persons, they were suspects in this
13 investigation, is that right?
14 A. That is correct because there was cautioned statements.
15 127 Q. Thank you. And this second investigation file that the 11:08
16 Tribunal received, contains statements from Brian
17 Murphy, as we see from there, but it has two statements
18 from him, so one from 18th July, and that was conducted
19 by Corporal P12 and then one, also, from 26th June '91
20 taken by Sgt. 11. 11:09
21
22 Now, I think the 26th June '91 was from the first
23 investigation file and there's a copy on that file
24 also. There's a copy, also, on your file; do you know
25 why that might be? 11:09
26 A. No.
27 128 Q. I think corporal P12, you said he was somebody that was
28 on your team, the person who took the 18th July
29 statement, is that right?

1 A. I'd have to refer to my notes.

2 129 Q. And when you said it to me at interview, would you be
3 willing to stand over that? Well, nothing turns on it,
4 we can move on.

5 A. In relation, there's a number of statements taken. I 11:09
6 think --

7 130 Q. Mr. Fitzmaurice, so if you just answer the questions
8 and then speak to the Judge.

9 A. Okay.

10 131 Q. And if you need to say anything at the end, you can do 11:09
11 that.

12

13 So there's two statements also from P34 and that's one
14 dated 16th July and one dated 26th June. So, each of
15 these persons has two statements, one taken after your 11:09
16 investigation was initiated and one from prior. So, do
17 you think it's likely that the earlier statements were
18 used as part of the second investigation?

19 A. I can't say that. I can stand over this report and the
20 statements that were taken by NCOs, I think it could 11:10
21 have been three but I don't know, three/four, three, I
22 think.

23 132 Q. And I can tell you that --

24 A. And then my two statements that I took.

25 133 Q. I can tell you that the earlier statements, for 11:10
26 example, Brian Murphy's of 26th June and P34's of 26th
27 June, both in the main refer to the Thursday night and
28 the Thursday night events.

29

1 So, if their particular statements were on your file,
2 does that indicate to you that there may be some
3 overlap in the two investigations, they were not
4 completely separate?

5 A. Can I see the report fully? 11:11

6 134 Q. If you wish to look at the report --

7 A. The first one is P34, thank you. The next one is
8 Aptce. Murphy. The next one --

9 135 Q. Scroll down to the next page, please.

10 A. -- is P44. They're the three statements that should be 11:11
11 on my file, and only those three statements.

12 136 Q. Okay. And those three statements --

13 A. And then you have the two, P35 and whoever is next, P7.

14 137 Q. The question, Mr. Fitzmaurice, it's accepted those
15 three statements are absolutely on your file. But 11:11
16 there's also two further statements from those
17 individuals that were taken during the first
18 investigation. So I'm asking you if you think that
19 indicates an overlap or a connection with the two
20 investigations? 11:11

21 A. I couldn't say that because they're not on my file. I
22 have three -- there's three statements, there's five
23 statements on my report, and only five, as far as I can
24 see from that report. Because that is my report.

25 138 Q. And that report does only refer to five different 11:12
26 persons, that's correct.

27 A. Five statements.

28 139 Q. And I asked you, at interview, why a number of other
29 people were not interviewed. So, I think, we discussed

1 this and in the statements of P34, and we might bring
2 up page 2892. So, you can see there's a number of
3 different code names referred to there. In the middle
4 of the page:

5
6 "Given the inspection was carried out by Lt. P35 and P7
7 along with Corporals, P42, P43, P41 and so forth."
8

9 Can you explain to the Tribunal why those corporals
10 were never interviewed?

11 A. No, I cannot.

12 140 Q. And it's the same situation with Mr. Murphy's
13 statement, there were a number of people not
14 interviewed. Do you want to try and explain to the
15 Tribunal why they may not have been interviewed?

16 A. No, I cannot.

17 141 Q. And in relation to the apprentices that were not
18 interviewed, I think you did indicate that you can't
19 interview everyone at your interview with me, but can
20 you say why you didn't ask, maybe, Brian Murphy or any
21 of these guys, who else was present during the Thursday
22 night event?

23 A. I did not interview Brian Murphy.

24 142 Q. Yeah, I accept that you didn't interview him, of course
25 but I think you had responsibility for the
26 investigation?

27 A. Into the mistreatment?

28 143 Q. Yes, we're only talking about the ill-treatment of
29 subordinates?

1 A. Okay. There was enough in the statements that we had
2 to show a pattern.

3 144 Q. Okay. And again I'll ask Ms. Heavey to bring back page
4 2888. And as we've looked at, your report summarises
5 the statements of five different people? 11:14

6 A. Mm-hmm.

7 145 Q. And if we move to page 2890, at paragraph 8, there's a
8 comment at the end of the report after summarising the
9 five statements. And it says:
10 11:14

11 "While no allegation was made on any of the witness
12 statements nor by Military Police Investigators that
13 any action or remarks of Lt. P7 was a factor in the
14 death of Aptce. Mullaney, Lt. P7 volunteered, in his
15 statement, that he whole-heartily rejected any 11:14
16 involvement in the death of Aptce. Mullaney."
17

18 A. Correct.

19 146 Q. And is it correct that Lt. P7 brought up this denial,
20 even though it was never put to him that somebody had 11:15
21 connected him to the death?

22 A. That is correct because that's why I put it in. It
23 wasn't specifically put to him.

24 147 Q. And did that raise any red flags with you? would that
25 make you think that maybe a connection here should be 11:15
26 looked at?

27 A. That was the finishing of the report if it wanted to go
28 further than that.

29 148 Q. There were no findings in your report?

1 A. Correct, we don't do findings.

2 149 Q. And there are no conclusions?

3 A. No, we don't do conclusions.

4 150 Q. And I think that's the situation; the Military Police
5 do not make findings in relation to disputed facts, is 11:15
6 that right?

7 A. No. If you go back up to the top of that report,
8 please. There. Para 3, okay. Para 2:
9

10 "This investigation is now completed and the following 11:15
11 appear to be the facts."
12

13 That's all we said.

14 151 Q. And do you have any view on that, as somebody who is a
15 Military Police investigator? You're assessing all 11:16
16 this information and putting it into a report and
17 you're stopped from actually finding facts, which may
18 be of great benefit to somebody in the future?

19 A. 35 years ago, that's the way it was. You put down the
20 facts as you could find them. 11:16

21 152 Q. And trying to look back would you think it would be
22 more beneficial if you were able to make findings of
23 fact?

24 A. Not particularly, no, because then you're left open to
25 judgement and we deal with facts, not judgements. 11:16

26 153 Q. And I think your report went to the Assistant Provost
27 Marshal, is that right?

28 A. That is correct.

29 154 Q. And if the APM had questions about why something was or

1 wasn't done, would he speak to you about it, do you
2 think?

3 A. It's a possibility, yes.

4 155 Q. And do you recall him coming back and having any
5 conversations with you? 11:17

6 A. I don't recall.

7 156 Q. Is it correct that he would send this report to the GOC
8 and to the Legal Officer, is that right?

9 A. I would presume so, that would be the norm in other
10 reports. 11:17

11 157 Q. Okay. And do you think he would also send the report
12 to the OC of the Army Apprentice School, but you're not
13 sure; is that fair to say?

14 A. Eh, in the report into the sudden death, that would
15 have gone to the Apprentice School. The Legal Officer, 11:17
16 Apprentice School, GOC and a copy would go to the
17 Provost Marshal. In this particular report it was sent
18 to the APM and his decision after that as to what
19 happened with it. I don't know what happened to it but
20 I'm sure everything that was issued out, it would all 11:17
21 be recorded, so that the post book at the time would
22 record that report going to whoever it was.

23 158 Q. Okay and I think it's correct to say that when you were
24 conducting this investigation, you were not made aware
25 of any previous allegations of abuse at the Army 11:18
26 Apprentice School, is that right?

27 A. That is correct.

28 159 Q. And you weren't aware of any previous complaints of
29 abuse against 2nd Lt. B when you were conducting this

1 investigation?

2 A. That is correct, I was not aware of any previous

3 complaints, if any.

4 160 Q. And if you were advised about the previous allegations

5 against 2nd Lt. B, do you think that you would have 11:18

6 conducted any part of this investigation differently?

7 A. I would think so, yes.

8 161 Q. And can you tell the Tribunal how so?

9 A. If there was previous allegations, then we would follow

10 up as to what allegations were made, by whom, any 11:19

11 written evidence of the allegations. So it would have

12 been extended if something like that had come up. I

13 would definitely have done that.

14 162 Q. Okay. And you have said in your interview that you did

15 link Thursday night events to the death of 11:19

16 Mr. Mullaney. You said it would have to be an

17 important aspect because he was being picked on. Do

18 you stand by that?

19 A. From the statements, in hindsight, yes.

20 163 Q. And do you know why there was not a joint 11:19

21 investigation?

22 A. I cannot answer that question because there was one

23 investigation and then we were asked to do a second

24 one. The first one was into the sudden death and the

25 second one then was in relation to the mistreatment. 11:20

26 So those two investigations were done separately. You

27 asked me already, would that still be my view and I

28 would say, definitely say yes, that would be my view.

29 164 Q. Sorry, it would be your view that?

1 A. Two investigations. You were saying that in -- the
2 Provost Marshal said that they should be rolled into
3 one.

4 165 Q. Yes.

5 A. But that was today, what would he have done 35 years 11:20
6 ago?

7 166 Q. We'll come to the Provost Marshal then. So, again
8 Col. Coakley gave evidence and we spoke about this at
9 your last interview and one thing he said was that
10 there was no statutory independence for the Military 11:20
11 Police until 2015. So, prior to that there was no
12 statutory independence; is that right as far as you're
13 aware?

14 A. I would not agree with that.

15 167 Q. Okay. And do you want to explain that? He's just 11:21
16 specifically talking about legislation now, so in
17 statute there was no separation?

18 A. In relation to serious crimes, oversight is with the
19 Gardaí and in actual fact, in the legal system, if the
20 Military Police -- sorry, if the Legal Officer wanted 11:21
21 to charge an individual with a particular crime, which
22 was also a crime in civilian life, they'd have to get
23 permission from the Gardaí to go ahead with that and
24 the Gardaí to give their okay.

25 11:21

26 So I would say there was oversight, by the Gardaí, in
27 relation to serious crimes. So there was some form of
28 oversight. There was no internal form of oversight,
29 except you might be queried by the Legal Officer on

1 certain things.

2
3 You also had, if there was -- as a result of a report
4 that was done, statements, etc., a summary of evidence
5 would have to be taken and that is done by an 11:22
6 independent body. That summary of evidence would
7 actually give the summary of the evidence against the
8 individual, as distinct from statements. For example,
9 if I had a notebook and took notes from an individual
10 at the time, as I found to my cost, I did not include 11:22
11 those in the summary of evidence. In actual fact, they
12 weren't admitted afterwards because you didn't give
13 them in the summary of evidence, so there was -- it's
14 like a Book of Evidence. A summary of evidence is
15 produced to the accused. So, there is oversight if you 11:23
16 look at it that way

17 168 Q. And that's for serious offences, is that right?

18 A. It would be for -- summary of evidence, if it was
19 possible court-martial charges, that's where it would
20 be. Straightforward charges, none. But for the -- the 11:23
21 summary of evidence would be taken if the Legal Officer
22 was of the opinion that it could go to court-martial,
23 so that they would have a summary and then see can they
24 still go for court-martial.

25 169 Q. And Col. Coakley said that it was always accepted 11:23
26 practice that you would conduct your investigation
27 without fear or favour; is that what you always
28 understood?

29 A. That is correct.

1 170 Q. And he said that a decision to broaden an investigation
2 could be made by the MP unit and formation. Did you,
3 as head of an investigation, think that you could
4 extend the scope of any of your investigations?
5 A. I didn't find it necessary at any stage. Whereas you 11:24
6 might be conducting investigations, the scope would be
7 part of the same report.
8
9 So, if there was -- for example, the theft of fuel from
10 petrol pumps. That could be, you know, broadened. For 11:24
11 example, I remember one when the individual on the
12 pumps claimed that the cog was broken so, therefore,
13 instead of giving out 50 litres it would only record 40
14 litres. But I remember going to officers who had
15 vehicles with high capacity tank to be able to show 11:24
16 that fuel was actually used. So he was able to fill up
17 his tank but the guy was scamming it.
18 171 Q. So it could happen?
19 A. So it could happen, yeah, it depends on the
20 circumstances. 11:25
21 172 Q. Col. Coakley also spoke about the preliminary
22 investigation report and we looked at one earlier on
23 and I think you agreed with his description of it,
24 contains a basic outline of events and the allegation
25 and includes the case number for tracking and the 11:25
26 assigned investigators. There doesn't seem to be a
27 preliminary investigation report for the ill-treatment
28 investigation; do you know why that might be?
29 A. There wasn't but I can't explain why. My reasoning

1 would be that a section was passed by APM to do an
2 investigation, so it was done.

3 173 Q. Okay and he said that:

4

5 "In the process of an investigation all personnel
6 involved would be interviewed and throughout the
7 process investigators will conduct case conferences."

11:25

8

9 was that the case in 1991?

10 A. I'm sure it was.

11:26

11 174 Q. Do you remember case conferences in relation to the
12 investigations?

13 A. No.

14 175 Q. You also stated that:

15

16 "Suspects are advised that they can bring legal
17 representation to an interview."

11:26

18

19 was that done in this case, do you recall?

20 A. That is not correct. Suspects are not advised that
21 they can have legal representation. They are cautioned
22 that they're not obliged to say anything unless they
23 wish to do so. There is no facility whereby a suspect
24 can bring counsel to the interview. All the suspect
25 has to say is 'I have nothing to say.'

11:26

26

27 And then when it progresses forward and there's a
28 summary of evidence, if it happens, then they can have
29 counsel. Court-martial, then they have counsel, if

11:27

1 they want to. But not at an interview.

2 176 Q. And you also referred to a disposal certificate and
3 this is something you said is sent with the final
4 investigation report to a unit commander. Do you know
5 if there was one completed in this case? 11:27

6 A. A disposal ulcer?

7 177 Q. A disposal certificate.

8 A. Right. In which case, the mistreatment or the sudden
9 death?

10 178 Q. In the mistreatment, the second investigation? 11:27

11 A. No, all I had is that the report was completed, it was
12 sent to the APM and that's the last I heard of it.

13 179 Q. So you're not aware if there was a disposal
14 certificate?

15 A. No. And I wouldn't think so that one would have been 11:27
16 done in that case, in the mistreatment allegations.

17 180 Q. And why is that, Mr. Fitzmaurice?

18 A. No idea.

19 181 Q. When you said you wouldn't think so, can you help the
20 Tribunal to understand why it might not have happened? 11:28

21 A. Because it wasn't an official case. It wasn't a
22 numbered case. You can see the Disposal Certificate in
23 relation to other investigations, MPINV, let's say
24 22/91, right, a Disposal Certificate.

25 11:28

26 And if you look at the one for the sudden death, you
27 will find it's probably, it says "not applicable". If
28 you have that one there again.

29 182 Q. Sorry, I'm not really clear, do you know why it

1 Would you have launched two, or would you today, launch
2 two separate standalone investigations?"

3
4 Col. Coakley responded:

5
6 "If it was me and they were this close apart, I would
7 probably role them into one".
8

9 He was asked:

10
11 "Is that your view and does it remain your view?"
12

13 The answer:

14
15 "It does but I would caveat it with the fact that in
16 order to make an investigative decision, you would have
17 to sit down and assess what was done and I do
18 understand from the investigation into the
19 ill-treatment, that the fatality was referenced in that
20 case. But I think today, given the proximity of the
21 two incidents that they would be rolled into one."
22

23 A. I think the appropriate word is "today". He would roll
24 two of them into one. What would he have done 35 years
25 ago?

26 186 Q. So you accept that today they may be rolled into one?

27 A. No, I wouldn't accept that, no. I would be of the
28 opinion there would be two separate investigations.
29 One specifically into a sudden death and the other one

1 specifically into any allegations.

2 187 Q. And he also said that:

3

4 "You would have to investigate the connection."

5 11:31

6 And he agreed that it was a matter of common sense. Do

7 you want to comment on that?

8 A. No. That is his opinion.

9 188 Q. And --

10 A. Can I ask a question? How long has Col -- what 11:32

11 experience Col. Coakley has in the Military Police?

12 How many years?

13 189 Q. We're just going to move on, Mr. Fitzmaurice?

14 A. Sorry, I think it's relevant.

15 190 Q. And I understand that, but if you just answer the 11:32

16 questions that I'm asking.

17 A. I will.

18 191 Q. So, was there any circumstances, in 1991, or anything

19 relating to the decision-making process, that might

20 have resulted in the separation of the incidents, do 11:32

21 you think?

22 A. No, they were just two separate incidents. Two

23 separate investigations. That is all I can recall.

24 192 Q. Okay. I'm just going to ask you about a court of

25 inquiry because we're moving on from that. I think you 11:32

26 said you were never called about a court of inquiry on

27 this and you never heard about one, is that right?

28 A. That is correct.

29 193 Q. Am I correct in thinking that you thought that there

1 was no court of inquiry in this case maybe?

2 A. I don't remember one, no.

3 MS. PILLAY: Thank you, Mr. Fitzmaurice, I have no

4 further questions. My Friends may have some questions.

5 SOLE MEMBER: Thank you, Ms. Pillay. 11:33

6

7 MR. JOHN FITZMAURICE, WAS CROSS-EXAMINED BY MR. LEHANE

8 AS FOLLOWS:

9

10 194 Q. MR. LEHANE: Mr. Fitzmaurice, my name is Darren Lehane 11:33

11 and I'm a barrister who's acting for the Defence Forces

12 and certain former members of the Defence Forces, okay.

13 I'm going to ask you questions, though, just on behalf

14 of the Defence Forces.

15 A. Right. 11:33

16 195 Q. And the first set of questions I want to ask you is

17 just in terms of your role, okay, in the investigation

18 into the ill-treatment of inferiors, okay?

19 A. Okay.

20 196 Q. So am I correct in understanding you received quite a 11:33

21 specific instruction from the Assistant Provost Marshal

22 in The Curragh Command to commence an investigation

23 into the alleged ill-treatment of apprentices on 20th

24 June 1991?

25 A. I cannot stand over that comment, no. 11:34

26 197 Q. Sorry, could you repeat that, please?

27 A. I cannot stand over that comment.

28 198 Q. You cannot stand over that comment?

29 A. No.

1 199 Q. okay.
2 A. Because it's in the report "this section was tasked".
3 200 Q. okay.
4 A. So I cannot say that it was me specifically who was
5 told, or did the Lieutenant colonel tell somebody else 11:34
6 or did he tell the section or was I there on the day or
7 whatever, I don't remember that.
8 201 Q. In fairness, that's a very careful and considered
9 answer, so I might just rephrase my question. What you
10 were doing was you were looking into allegations of 11:34
11 ill-treatment on 20th June 1991?
12 A. That is correct.
13 202 Q. And as part of your investigation into allegations of
14 ill-treatment of apprentices on 20th June 1991, a
15 number of apprentices were interviewed; yes? 11:35
16 A. That is correct, but it wouldn't be specifically around
17 20th June, if anything else came up - and I think there
18 might have been something in the statements as well, if
19 you go through them.
20 203 Q. And Lt. A was interviewed? 11:35
21 A. Correct.
22 204 Q. And Lt. B was interviewed?
23 A. Correct.
24 205 Q. And you set out the results of your investigation in
25 the report, 13th August 1991; yes? 11:35
26 A. That is correct.
27 206 Q. And in terms of the way you carried out your
28 investigation, am I correct -- I'll put it a different
29 way, did anyone seek to interfere with the conduct of

1 your investigation?

2 A. Not that I can recall, no.

3 207 Q. Did anyone discuss the progress of your investigation
4 while it was ongoing with you, outside of your unit?

5 A. No, they did not. I wouldn't have done that. 11:36

6 208 Q. why do you say you wouldn't have done that?

7 A. I wouldn't need to discuss it outside the unit with
8 anybody.

9 209 Q. Reference was made by --

10 A. Unless it was the Legal Officer, maybe. 11:36

11 210 Q. Sorry for interrupting you. Reference was made by
12 Counsel to the Tribunal to statute and changes in the
13 law in relation to independence. But from a practical
14 point of view, am I correct in understanding your
15 evidence that when you were carrying out an 11:36
16 investigation, such as this, you were independent in
17 the exercise of your function?

18 A. That is correct.

19 211 Q. Okay, thank you. In terms of the reason that you're
20 here today, the Tribunal is looking at the Military 11:37
21 Police investigations, the first into the death on 22nd
22 June, and the second into allegations of ill-treatment
23 to examine the manner in which they were carried out
24 with a view to determining whether or not there was a
25 culture which deterred the making of complaints, okay? 11:37
26 You're aware of that from following the Tribunal, are
27 you?

28 A. Correct, yeah.

29 212 Q. Again, you mightn't be able to answer this question

1 because your memory - and it's 35 years ago, so I
2 appreciate you mightn't be able to answer it and if
3 you're not able to answer it please don't answer it -
4 but from your recollection of your interaction with the
5 apprentices, as part of the investigation into the 11:38
6 ill-treatment of inferiors, did you feel that anyone
7 was deterred or inhibited in terms of their
8 interactions with you?

9 A. Not from -- I didn't interview them, but I would -- if
10 you read the statements, the ones that were taken, I 11:38
11 would say there was no -- nobody was prohibited from
12 saying anything because if you look at the three
13 statements, you'll see it's fairly vivid as to what
14 they're alleging.

15 213 Q. And in terms of the questions that you were asked about 11:38
16 why other people weren't interviewed as part of this
17 investigation, am I correct in understanding your
18 evidence to the Sole Member is that you felt that the
19 statements that you had and the investigation that was
20 set out in the statements set out a certain pattern of 11:39
21 behaviour?

22 A. That is correct.

23 214 Q. Okay. And, again, if you can't answer this question,
24 tell the sole Member you can't answer this question.
25 But, again, try and put yourself back into the time 11:39
26 that you were carrying out the investigation; was that
27 a view you formed at the time or is it a view you're
28 forming now looking at the back at the documents?

29 A. Sorry?

1 215 Q. Sorry, the view that you expressed, okay, as to that,
2 you know, that there was a pattern of behaviour set out
3 in the statements, is that a view that you recall
4 having at the time, or is it a view that you formed
5 when you were given the documents by the Tribunal when 11:39
6 you're talking about your view now?

7 A. I can't recall. You know, I can say probable/possible
8 and it's possible, probable from the statements of the
9 individuals and that is why I put those questions to
10 the two individuals. And it is based on the extracts 11:40
11 from the statements which I put down as a specific
12 question to the two officers.

13 216 Q. Okay. And, again, my final question - and again I
14 don't represent you, I represent the Defence Forces -
15 but it's just in terms of process; when you attended 11:40
16 for interview with the Tribunal, you did so
17 voluntarily; yes?

18 A. That's correct.

19 217 Q. And the interviews, they're not sworn or anything like
20 that, you attend and you answer questions and you 11:40
21 assist the legal team with their task?

22 A. Yeah.

23 218 Q. The evidence you're giving today, that's your sworn
24 testimony?

25 A. Correct. 11:40

26 219 Q. And, again, in terms of, you know, you referred to a
27 number of mistakes you identified, you know, that you
28 said things in the first interview that you corrected
29 in the second interview?

1 A. Correct.

2 220 Q. Are you satisfied that where you have been brought to
3 those issues by Counsel to the Tribunal today, that the
4 answer you have given is your actual evidence, your
5 accurate recollection? 11:41

6 A. Correct.

7 MR. LEHANE: Thank you very much.

8 SOLE MEMBER: Thank you, Mr. Lehane. Mr. Masterson.

9 MR. MASTERSON: If I may, thank you.

10 11:41

11 MR. JOHN FITZMAURICE, WAS CROSS-EXAMINED BY

12 MR. MASTERSON AS FOLLOWS:

13

14 221 Q. MR. MASTERSON: Mr. Fitzmaurice, my name is Louis
15 Masterson, I appear instructed on behalf of several 11:41
16 members of the apprentice group. Can you hear me okay?

17 A. Yes.

18 222 Q. Great. Thank you. I just have a few questions, if I
19 may. You will recall that Ms. Pillay, at the outset of
20 her questioning, put it to you that the Military Police 11:41
21 is tasked with the prevention and investigation of
22 offences; you'll recall that?

23 A. Correct.

24 223 Q. Am I correct in saying then that you, as an
25 investigator, don't make findings? 11:41

26 A. That is correct.

27 224 Q. And nor do you make any recommendations?

28 A. That is correct.

29 225 Q. And put simply, I mean for those not familiar with the

1 investigations of Military Police, and I include myself
2 in that, put simply, yours is an information-gathering
3 exercise; would that be fair to say?
4 A. That is correct.
5 226 Q. Can I ask Ms. Heavey, perhaps, just to pull up your 11:42
6 report, I think it's at page 2888. At the top there,
7 paragraph 2. Can I just ask you, you say:
8
9 "This investigation is now completed and the following
10 appears to be the facts." 11:42
11
12 Can I just ask you, Mr. Fitzmaurice, were you intending
13 to make factual findings in this report?
14 A. No, that is a standard template for paragraph 2.
15 227 Q. Okay. 11:43
16 A. It says:
17
18 "And it appeared to be the facts".
19 228 Q. It says in the same report that:
20
21 "The investigation is completed." 11:43
22
23 And obviously you make no finding, you make no
24 assessment of credibility, you make no recommendations,
25 isn't that correct? 11:43
26 A. Correct.
27 229 Q. So, you are, in effect, gathering information,
28 compiling a report and passing it to your superior
29 officers, is that fair to say?

1 A. That is correct.

2 230 Q. Okay. The report, if I may say so, looks quite
3 selective of its witnesses. I think you summarise only
4 three apprentice accounts and I think you interviewed
5 only two officers? 11:43

6 A. Correct.

7 231 Q. Am I right, then, that in practical terms, the report
8 was built by taking statements from a small number of
9 apprentices and then only those two, I think Lt. A and
10 Lt. B? 11:44

11 A. Correct.

12 232 Q. I think you said in your evidence to Ms. Pillay, that
13 you interviewed Lt. A and Lt. B under caution, isn't
14 that right?

15 A. Correct. 11:44

16 233 Q. And I think that is reflected in your report, further
17 down the page. And that, as you said, is because they
18 were suspects, is that right?

19 A. That is correct.

20 234 Q. Can I refer you -- 11:44

21 A. "You're not obliged to say anything unless you wish to
22 do so", so if I think that they may have something to
23 answer, or they may be inculcate themselves, they will
24 be cautioned as a matter of course.

25 235 Q. Okay. 11:45

26 A. Just to clarify; if it wasn't a cautioned statement,
27 then it might not be, it could not be introduced in
28 evidence. That's why the cautioned statement would be
29 used.

1 236 Q. Thank you. Can I put something to you that was said by
2 Lt. A and, just, Judge, for the Court's reference, it
3 is at page 79 of Lt. A's transcript which was Day 19,
4 and that's on 7th July, 2026. My colleague,
5 Mr. McGovern, put it to Lt. A, he said at line 15, 11:45
6 Judge:
7
8 "No, so this is the only occasion, then, that you were
9 subject..."
10 11:45
11 That is Lt. A:
12
13 "...to a Military Police investigation as opposed to
14 being a witness."
15 11:45
16 To which Lt. A applied:
17
18 "I wasn't aware that I was subject to a Military Police
19 investigation."
20 11:46
21 Is that, in your view, Mr. Fitzmaurice, in any way
22 credible?
23 A. He was interviewed on a particular day and date at a
24 time by me, as recorded in the statement. So, he must
25 have been aware that there was something, because I 11:46
26 would have cautioned him.
27 237 Q. You say "he must have been aware"; can I ask you a more
28 direct question: Did you make him aware that he was
29 subject of a Military Police investigation?

1 A. Can I refer back to my report, please?
2 238 Q. Certainly.
3 A. And to go down towards the end, further, yeah, back up.
4 So, Lt. A is P7, is it?
5 239 Q. I think P7 is actually 2nd Lt. B, the pseudonyms have 11:47
6 changed?
7 A. They have, yes.
8 SOLE MEMBER: Can you assist, Mr. Lehane?
9 MR. LEHANE: I'm looking at the version from 4442 and
10 it's 6 is Lt. A. 11:47
11 SOLE MEMBER: Who is Lt. A?
12 MR. LEHANE: Sorry, Sole Member. If you see P35.
13 SOLE MEMBER: P35 is Lt. A.
14 MR. LEHANE: Yes.
15 SOLE MEMBER: And P7 is Lt. B, is that correct? 11:47
16 MR. LEHANE: Yes. And the documents that I'm referring
17 to you, Sole Member, are found at 441, it's Book 10.
18 MR. MASTERSON: I'm very grateful to my Friend.
19 SOLE MEMBER: Thank you.
20 THE WITNESS: So at paragraph 6 there is a record of my 11:47
21 interview with Lt. A, is it?
22 SOLE MEMBER: Could you please remind the witness,
23 again.
24 MR. LEHANE: Sorry, at paragraph 6, P35 is A.
25 SOLE MEMBER: Is A, thank you. 11:48
26 THE WITNESS: So I would have put those questions to
27 him, from the statements that had been taken by the
28 NCOS. So, I would have put it specifically, let's say
29 in (b):

1
2 "Do you remember referring to any apprentices's
3 girlfriend as a 'pig'."
4
5 So if he didn't know that that was in relation to the 11:48
6 night in question, it's his opinion. But to say that
7 he was not aware that he was under investigation, after
8 being cautioned.
9 240 Q. MR. MASTERSON: Can I ask you then, Lt. A and Lt. B
10 made certain admissions to you, isn't that correct? 11:48
11 Well if I may just give you --
12 A. No.
13 241 Q. -- I think Lt. A admits taking apprentices P44's rifle
14 off the bed?
15 A. Yes. 11:49
16 242 Q. Withholding it for a period of time. And just by way
17 of example Lt. B admits adjusting Aptce. Mullaney's
18 beret?
19 A. Correct.
20 243 Q. Where Lt. A or Lt. B made certain admissions, is that 11:49
21 where your investigation of those matters stopped?
22 A. Sorry, could you repeat?
23 244 Q. If either of the Lieutenants made an admission, is that
24 where your investigation, of that particular matter,
25 stopped? 11:49
26 A. The investigation into the two officers was done under
27 caution. I put the allegations, from the statements,
28 to those individuals and I asked for a response and I
29 recorded the response given by the two officers. That

1 was it.

2 245 Q. That was it. Okay. Can I ask you, Ms. Heavey, perhaps
3 if you would be kind enough to scroll down to the
4 concluding paragraph, I think it's 8.

5 11:50

6 And to my reading, Mr. Fitzmaurice, and this is no
7 criticism of you, but I think it's slightly unusual and
8 I'd like just to put a few questions to you on this.

9

10 This is a report, supposedly, of ill-treatment of 11:50
11 inferiors. Can I ask why the issue of
12 Aptce. Mullaney's death was introduced into this?

13 A. You mean section 8?

14 246 Q. Section 8, yes.

15 A. That is a voluntary statement, under caution, given by 11:50
16 Lt. B where that is what he actually said. I didn't
17 put a question to him about that, he offered it.

18 247 Q. Okay. And I want to put something to you and I want to
19 invite your comment on it because to my reading of that
20 paragraph, it seems in some way protective or 11:51
21 exculpatory of Lt. B. You say he introduced that
22 purely voluntarily?

23 A. That is correct, it was a cautioned statement.

24 248 Q. Again, my question a moment ago, this was an
25 investigation into the ill-treatment of inferiors. why 11:51
26 did you feel it necessary to include that?

27 A. Because that is what he said. I recorded, in my
28 report, everything that the individuals said.

29 249 Q. My last --

1 A. And it would be clearer to see it when you have my
2 handwritten report because that's where I produced the
3 questions.

4 250 Q. My last question, well hopefully last question, Mr.
5 Fitzmaurice, can I refer you on page 2889, so if 11:52
6 Ms. Heavey would be find enough to scroll up. There is
7 reference to Lt. B's normal training methods. And I
8 think you record Lt. B's assertion and I quote:
9
10 "Nothing that occurred deviated from the training 11:52
11 methods to which he himself..."
12
13 That is Lt. B:
14
15 "... had been subjected to." 11:52
16
17 Can I ask; did you do anything to test that assertion?
18 A. No.

19 251 Q. You simply recorded it without --
20 A. Correct. 11:52
21 MR. MASTERSON: Mr. Fitzmaurice, I'm very grateful for
22 you for answering the questions, thank you.
23 SOLE MEMBER: I think Mr. Hogan.
24

25 MR. JOHN FITZMAURICE, WAS CROSS-EXAMINED BY MR. HOGAN 11:53
26 AS FOLLOWS:
27

28 252 Q. MR. HOGAN: Mr. Fitzmaurice, Tom Hogan is my name and I
29 represent Lt. 2B and I just have some questions for

1 you. I think in your report, Mr. Masterson was just
2 asking you there about paragraph 8 of your report,
3 where you confirm that out of the people who were
4 interviewed in relation to the allegations of
5 mistreatment, that no allegation was made by any of 11:53
6 those individuals interviewed that the actions or
7 remarks, the alleged actions or remarks of Lt. 2B, on
8 the Thursday evening, were a factor in the death of
9 Oliver Mullaney, isn't that correct?

10 A. P34, Lt. B and Lt. 2B, is it the same person? 11:53

11 253 Q. In that document I think it was, is it P37? P37 is
12 Lt. 2B?

13 SOLE MEMBER: No, it's not.

14 MR. LEHANE: I think it might be useful, Sole Member,
15 if people looked at the Tribunal's Book 10 because it 11:54
16 is gives the actual Lt. A and Lt. B.

17 SOLE MEMBER: Can you give me the exact?

18 MR. LEHANE: 4443.

19 SOLE MEMBER: Could you bring that up, please,
20 Ms. Heavey. 11:54

21 254 Q. MR. HOGAN: So you see there, Mr. Fitzmaurice,
22 paragraph 8?

23 A. Yes.

24 255 Q. "While no allegation was made on any of the witness
25 statements nor by Military Police Investigators that 11:54
26 any action or remarks of Lt. B was a factor in the
27 death of Aptce. Mullaney he then volunteered that he
28 reject any involvement."
29

1 I'm just asking you to confirm that none of the
2 individuals who were interviewed in relation to the
3 allegations of mistreatment on the Thursday evening,
4 suggested that any of those alleged actions or remarks
5 were a factor in the death of Aptce. Mullaney, isn't 11:55
6 that correct?

7 A. From what I can recall, yes.

8 256 Q. Yes. The Tribunal has heard evidence that there was a
9 perception among apprentices that there was a
10 connection, but nobody voiced that connection, it 11:55
11 appears, during the investigation into the events of
12 Thursday night; would you agree with that?

13 A. I think so, I'm not fully sure.

14 257 Q. But that appears to be what your report records?

15 A. I'm trying to remember back 35 years and my memory 11:55
16 isn't as good as what it used to be. But what's in the
17 report is what's in the report and that's what I signed
18 off on. And that's what I stand over.

19 258 Q. You said in answer to a question or questions from
20 Ms. Pillay, that, in your view, the events of the 11:56
21 Thursday night were an important aspect in the death of
22 Oliver Mullaney. And I'm wondering why that isn't
23 recorded in your report or is that, perhaps, is that,
24 having put fresh eyes on it now, Mr. Fitzmaurice?

25 A. I can't recall. 11:56

26 259 Q. You said that there was an important aspect because
27 Aptce. Mullaney was being picked on; that was your
28 evidence?

29 A. If you say so.

1 260 Q. well, it was your evidence, Mr. Fitzmaurice?
2 A. when?
3 261 Q. well, a short time ago in answer to questions by the
4 Tribunal Counsel, Ms. Pillay. You were firstly asked,
5 would you have taken into account previous allegations 11:57
6 against any individual?
7 A. That is correct.
8 262 Q. And you said --
9 A. I was asked if I was aware --
10 263 Q. -- you would if you were aware of them? 11:57
11 A. Can I finish?
12 264 Q. Yes, sorry, go ahead.
13 A. I said if I was aware that there was previous
14 allegations against Lt. A or Lt. B, I would have taken
15 that into consideration and would have examined that. 11:57
16 265 Q. well, as it happens, there has been no evidence to this
17 Tribunal of previous allegations of mistreatment of
18 Aptce. Mullaney by Lt. 2B?
19 A. I accept that.
20 266 Q. I want to look at another, perhaps, important aspect, 11:58
21 and I'd ask that document 3028 be put up, please. You
22 were asked by Ms. Pillay to look at this document
23 earlier, these are interview notes that were taken not
24 by you but by one of your investigators.
25 Mr. Fitzmaurice, are you familiar with the document? 11:59
26 A. No.
27 267 Q. Have you seen the document before?
28 A. I've seen it since the Tribunal started. I've never
29 seen it before then.

1 268 Q. But did it not form part of your investigation?
2 A. No, that was an investigation completed by P1.
3 269 Q. In particular, you were referred to a reference, or a
4 part of the document which recorded that
5 Aptce. Mullaney had cried himself to sleep. And it was 11:59
6 put to you that that related to the previous -- events
7 of the previous Thursday; do you remember being asked
8 about that?
9 A. That is probable, yeah.
10 270 Q. And I want to also refer you to other matters that are 11:59
11 recorded in the notes, and, in particular, at, I think
12 it's page 3029, there's a record of an interview with
13 P36. And at paragraph 3 it's recorded:
14
15 "Spoke to P36, Aptce. P36, who told me he was 12:00
16 Aptce. Mullaney's friend (he was very upset)."
17
18 And then the information recorded from Aptce. P36
19 follows. No. 1:
20
21 "Mullaney borrowed £2,000 about two weeks ago from 12:00
22 credit union to pay for a car..."
23
24 Sorry, something.
25
26 "... to pay for a car. He owed money and was under a 12:01
27 lot of pressure over money."
28
29 Do you see that?

1 witness about these notes is?

2 THE WITNESS: Sorry, can I just say one thing. You
3 stated there that he didn't have enough money to feed
4 himself. He was an apprentice on free rations in the
5 Apprentice School. 12:03

6 MR. HOGAN: The point is, Judge, I want to put it to
7 this witness that nobody, during the course of the
8 investigation carried out by Mr. Fitzmaurice in
9 relation to the events of the Thursday night, suggested
10 that there was a connection with those events and the 12:03
11 unfortunate death of Oliver Mullaney.

12 SOLE MEMBER: That's already in paragraph 8 of his
13 report.

14 MR. HOGAN: Yes. And, also, in the investigation into
15 the death of Oliver Mullaney, his friend, who appears 12:03
16 to have known him well, did not suggest that there was
17 any connection between the events of the Thursday night
18 or, indeed, any other connection with my client,
19 Lt. 2B.

20 SOLE MEMBER: This witness wasn't involved into the 12:03
21 investigation into the death.

22 MR. HOGAN: Yes, but he can confirm that there is an
23 inconsistency, of the people who were interviewed,
24 whether there was a perception other otherwise, that
25 nobody of those interviewed in either investigation, 12:04
26 made a connection between Lt. 2B -- and Lt. 2B and the
27 death of Oliver Mullaney.

28 SOLE MEMBER: 2nd Lt. B the probably the easiest way.
29 The 2 is for second. 2nd Lt. B.

1 MR. HOGAN: And I want to put it to Mr. Fitzmaurice
2 that when he came to the Tribunal today to say that it
3 was an important aspect, in the two investigations that
4 occurred at the time, it clearly wasn't identified as
5 an important aspect, by any of the individuals who were 12:04
6 interviewed in either investigation.
7 SOLE MEMBER: And that's the question you want to put?
8 MR. HOGAN: Yes.
9 SOLE MEMBER: Okay. Do you have any comment to make on
10 that, Mr. Fitzmaurice? 12:04
11 THE WITNESS: Could you repeat the question, please?
12 271 Q. MR. HOGAN: You carried out your investigation into the
13 Thursday night, the events, the alleged events of the
14 Thursday night; you've recorded in your report that
15 nobody -- 12:05
16 A. Sorry, can I -- Thursday night and, I think, did some
17 relate to Thursday afternoon?
18 272 Q. Well, the events of the Thursday --
19 SOLE MEMBER: Thursday, 20th June.
20 THE WITNESS: Okay. 12:05
21 273 Q. MR. HOGAN: The alleged mistreatment of apprentices.
22 And we know that, in your report, that you record that
23 no allegations by any of the individuals interviewed
24 were made that the actions or remarks or the alleged
25 actions or remarks of Lt. 2B were a factor in the death 12:05
26 of Aptce. Mullaney. That's what you've recorded in
27 your report?
28 A. Yes, he volunteered himself that he wasn't involved.
29 274 Q. I'm not talking about what he volunteered?

1 A. That's what was in the statement.

2 275 Q. Your report records that nobody, nobody at all, alleged
3 that there was a connection between the events on
4 Thursday night and Oliver Mullaney's death?

5 A. Sorry can I see -- 12:06

6 SOLE MEMBER: Excuse me. Mr. Hogan, if you are going
7 to put what's in the report, will you put it exactly as
8 it is.

9 MR. HOGAN: Absolutely.

10 SOLE MEMBER: Paragraph 8 begins with the word: 12:06

11

12 "Whilst no allegations are made".

13 THE WITNESS: Thank you, your Honour.

14 276 Q. MR. HOGAN: Can we have the report, please. The report
15 is at 3784. And if we could go down to paragraph 8, 12:06
16 please. So, Mr. Fitzmaurice, just to be fair to you
17 will, again, paragraph 8 says:

18

19 "While no allegation was made of any of the witness
20 statements nor by Military Police Investigators that 12:06
21 any action or remarks of Lt. 2B was a factor in the
22 death of Aptce. Mullaney, Lt. 2B volunteered in his
23 statement that he wholeheartedly rejected any
24 involvement in the death of Aptce. Mullaney."

25 12:07

26 And what I'm suggesting to you is during the course of
27 your investigation and in your report, you record that
28 nobody was saying that there was a connection. That's
29 what you record?

1 A. I recorded:
2
3 "While no allegation was made on any of the witness
4 statements nor by Military Police Investigators that
5 any action or remarks by Lt. 2B was a factor in the 12:07
6 death of Aptce. Mullaney. Lt. 2B volunteered in his
7 statement that he wholeheartedly rejected any
8 involvement in the death of Aptce. Mullaney."
9
10 And that's what was recorded in the statement. 12:07
11 277 Q. I'm not trying to catch you out, Mr. Fitzmaurice. It's
12 a very --
13 A. I'm reading paragraph 8.
14 278 Q. -- is that nobody was saying there was a connection at
15 the time of your investigation. Nobody said to you, 12:07
16 'Look, you need to be looking at, there's a connection
17 here between what happened on the Thursday night and
18 Oliver Mullaney's death.' Nobody said that to you?
19 A. I can't recall that.
20 279 Q. Well, that's what I'm suggesting you recorded, 12:08
21 Mr. Fitzmaurice?
22 A. I recorded, will I read it out again, please:
23
24 "While no allegation was made on any of the witness
25 statements..." 12:08
26
27 The witness statements:
28
29 "... nor any Military Police investigators that any

1 action or remarks made by Lt. 2B was a factor in the
2 death of Aptce. Mullaney, Lt. 2B volunteered in his
3 statement that he wholeheartedly rejected any
4 involvement in the death of Aptce. Mullaney."

12:08

5
6 That is what I recorded.

7 280 Q. I'm surprised that you can't agree with the simple
8 proposition I have put to you, Mr. Fitzmaurice. Maybe
9 we can look at it from the other direction. If
10 somebody had alleged there was a connection, your
11 report would read:

12:08

12
13 "While Aptce. X has suggested that the actions and
14 remarks of Lt. 2B were a factor in the death of
15 Aptce. Mullaney, Lt. 2B volunteered in his statement
16 that he wholeheartedly rejected any involvement in the
17 death."

12:09

18
19 Isn't that right? If somebody had said 'look, there's
20 a connection', you would have recorded it?

12:09

21 A. Excuse me, can I make a comment. This is the
22 investigation into the mistreatment. The investigation
23 into the sudden death which was done by Corporal P1,
24 was he interviewed? Has he given evidence?

25 281 Q. Mr. Fitzmaurice, I'm asking you about the people that
26 you actually record as being interviewed in your
27 report?

12:09

28 A. Which was Lt. A and Lt. B.

29 282 Q. And the other apprentices who described the events of

1 Thursday night?

2 A. I did not take their statements.

3 283 Q. Yeah but you compiled the report, and you confirmed
4 that nobody's saying there's a connection?

5 A. I did not take their statements, those statements were 12:09
6 taken by -- I have a record of it here.

7 284 Q. Similarly, when one of Aptce. Mullaney's friends was
8 interviewed, another apprentice and gave his account,
9 he didn't suggest there was any connection with the
10 alleged events of the Thursday night in 12:10
11 Oliver Mullaney's death.

12

13 And I'm putting to you, Mr. Fitzmaurice, that what you
14 suggest was an important aspect, what you suggest was
15 that Oliver Mullaney was being picked on on the 12:10
16 Thursday night and that that was an important aspect in
17 his death, that that was never recorded in either of
18 the investigations that were made either by you or by
19 anybody else in the Military Police. It wasn't a
20 connection that was identified? 12:10

21 A. If you say so.

22 MR. HOGAN: Thank you, Mr. Fitzmaurice.

23 SOLE MEMBER: Thank you, Mr. Hogan. Now, Ms. Mylotte.

24

25 MR. JOHN FITZMAURICE, WAS CROSS-EXAMINED BY MS. MYLOTTE 12:11
26 AS FOLLOWS:

27

28 285 Q. MS. MYLOTTE: Good afternoon, Mr. Fitzmaurice, my name
29 is Ruth Mylotte and I am counsel for the Minister for

1 Defence. I only have a couple of questions for you in
2 respect of your investigation. I'm dealing with the
3 copy, if you don't mind, on page 4441 of the booklet of
4 documents.

5
6 Mr. Fitzmaurice, I understand that this was a
7 significant period of time ago when your report was
8 compiled but I just want to understand a little bit
9 more about what your role was in compiling that report.

10
11 Was your role as head of the Investigations Unit at the
12 time in 1991?

13 A. Yes.

14 286 Q. Yes. Okay. And you had been assigned the duty to the
15 best of your recollection and certainly it appears from
16 the body of the report, to investigate the alleged
17 ill-treatment of apprentices on 20th June 1991?

18 A. That is correct.

19 287 Q. Okay. And I understand your evidence previously was
20 that you don't -- you deal in facts, you don't deal in
21 judgement?

22 A. Correct.

23 288 Q. So, you don't make findings at the end of your report?

24 A. That is correct.

25 289 Q. Okay. Now, do you establish the facts though,
26 Mr. Fitzmaurice? I'm a little bit confused as to
27 whether your role is to gather facts or establish
28 facts? Are you gathering information or are you
29 establishing facts?

1 A. You are gathering information. When it says there:
2
3 "And the following appear to be the facts."
4
5 290 Q. Yeah. 12:12
6 A. That is a standard template paragraph which is put into
7 investigation reports.
8 291 Q. Okay.
9 A. So it would appear to be the facts from the evidence
10 and the statements as produced. It's up to somebody 12:12
11 else to interpret whether they're actual facts in a
12 subsequent legal setting.
13 292 Q. Okay. So, you were to gather information?
14 A. Correct. "Information" would be the appropriate word.
15 293 Q. Thank you. And that was, that information was in 12:12
16 respect of ill-treatment of apprentices?
17 A. That is correct.
18 294 Q. Okay. Now, I understand that you didn't interview the
19 three apprentices that were interviewed yourself, you
20 only interviewed, effectively, Lt. A and 2nd Lt. B? 12:13
21 A. That is correct.
22 295 Q. Okay. Now, just to bring you to the three statements
23 that were before you, because again I understand from
24 your evidence earlier to the Sole Member, effectively
25 what you did is you summarised the evidence that had 12:13
26 been gathered from the three apprentices and that
27 evidence was put to those that you interviewed, is that
28 correct?
29 A. That is correct.

1 296 Q. Okay. So, the three statements that were gathered are,
2 commence in my records at page 4444, four 4s. And they
3 were from two unnamed apprentices and from Brian
4 Murphy. That's correct?

5 A. That is correct. 12:13

6 297 Q. Okay. Now, I suppose what jumps out at me,
7 Mr. Fitzmaurice, from these statements is that there's
8 a number of references to named and unnamed apprentices
9 and to conduct that is alleged on 20th June against
10 those apprentices, that's correct, I think. I note 12:14
11 from them the specific conduct is alleged against
12 Mr. McGrath, against Hurley and Guinan, against
13 Aptce. O'Connell. I don't think that's controversial,
14 that jumps out from all three statements, that were
15 gathered. For example, let's bring you to them to be 12:14
16 fair to you.

17 SOLE MEMBER: It might be easier just to take us to the
18 summary of the apprentices' statements.

19 298 Q. MS. MYLOTTE: Okay. So, on page 4445, what I do note
20 as well, there is a repeated reference to NCOs 12:14
21 shouting, I think that's mentioned on three occasions
22 on page 4445. But there is reference, obviously, to
23 Mr. Mullaney, but there's also reference, sorry if we
24 turn over the page to 4446, there's reference to
25 Aptces. Guinan and Hurley and they were called into the 12:14
26 centre of the square and told to dance with each other.
27 Aptce. O'Connell, slightly below this, it says:
28
29 "After this Aptce. O'Connell was brought into the

1 middle of the square. We were told to link arms and to
2 sing 'The Milky Bar Kid'. Aptce. O'Connell was then
3 told to fall back in."

4
5 Further down that page, if you see, I suppose
6 three-quarters way down:

12:15

7
8 "Aptce. McGrath started to sing 'You've Lost That
9 Loving Feeling' and the rest of us joined in."

12:15

10
11 I suppose what I'm noting from that statement, from
12 that apprentice's statement is reference to named, and
13 as I say, unnamed apprentices, where conduct is alleged
14 against those apprentices?

15 A. Against those apprentices?

12:15

16 299 Q. Yes. That they were made dance, that they were made
17 link arms, that they were made sing. I don't think
18 that's controversial, Mr. Fitzmaurice?

19 A. No.

20 300 Q. Can I ask you, then --

12:15

21 SOLE MEMBER: Sorry did you say conduct was made
22 against them or in respect of them?

23 301 Q. MS. MYLOTTE: In respect of them. Sorry, Sole Member,
24 that they were made, I suppose, dance and sing. You
25 said to me a minute ago, Mr. Fitzmaurice, that you
26 reviewed the statements in advance of interviewing the
27 individuals that you interviewed; did you ever, after
28 reviewing those statements, think, well I should
29 interview those apprentices, they're named in

12:15

1 statements I've received?

2 A. I can't say.

3 302 Q. Okay. And did you not consider it was part of your
4 duty, if you were investigating ill-treatment against
5 apprentices, did you not consider that this could 12:16
6 constitute ill-treatment against these apprentices?

7 A. Well, in hindsight maybe, yes. But we were trying to
8 extract the most relevant piece of information from the
9 statements to put to the two officers. And putting in
10 things like "they were made to dance" as distinct to 12:16
11 other more serious allegations, I think we stuck to the
12 more serious allegations.

13 303 Q. And you didn't consider that serious allegation?

14 A. No because in the Military Justice System, as I have
15 found out, if an individual is found guilty of one 12:17
16 charge, it's the same as being found guilty of ten
17 charges.

18 304 Q. Okay but, as I understand it, you were the head of the
19 Military Police Investigation Unit?

20 A. Yes. 12:17

21 305 Q. You were being given the names of apprentices who were
22 allegedly being asked to dance and sing by 2nd Lt. B
23 and Lt. A. And you didn't think it appropriate, at the
24 time, that you should interview those individuals?

25 A. I can't recall now. 12:17

26 306 Q. Okay. Well, obviously, they weren't interviewed, I
27 think that's uncontroversial, is it? I'm not missing
28 any interviews or any statements?

29 A. I don't know whether they were or weren't.

1 307 Q. okay. And just on the -- I suppose on the flip side,
2 as I mentioned to you there, in the first statement
3 that I've opened to you, there's reference to,
4 repeatedly, to NCOs shouting at the apprentices. But
5 there's also, through that statement and through the 12:18
6 Brian Murphy statement and the third apprentice
7 statement, there's reference to allegations against
8 Cpl. G. And, again, he was identified to you. And I
9 think there's reference to him getting on to Aptce.
10 Gibbons in respect of not carrying a flag. Brian 12:18
11 Murphy references that he made comments after he took a
12 book from another apprentice's locker. That there were
13 Mé Féinners and Sinn Féinners. You didn't think to
14 interview Cpl. G as a possible respondent to the
15 allegations? 12:18
16 A. I can't recall.
17 308 Q. Okay. And how did you determine then who to interview?
18 A. I can't recall after 35 years.
19 309 Q. Okay. But you determined that it was only going to be
20 2nd Lt. B and Lt. A, isn't that correct? 12:18
21 A. Correct.
22 310 Q. Okay. And again, just in respect of your interview,
23 again, on the basis that you say you deal in facts and
24 not in judgement, one of the allegations made against
25 2nd Lt. B, at the time, was in relation to a comment 12:19
26 that he made in respect of an apprentice's mother; do
27 you recall that?
28 A. I can't recall that.
29 311 Q. okay.

1 A. But if it's in the statement, it's in the statement.

2 312 Q. I think it is in the statement. And if I bring you to
3 page 4451, and that, again, is the statement of what
4 I'm calling the third apprentice, and, again, these
5 were all statements you had for a number of weeks
6 before you interviewed 2nd Lt. B and Lt. A. And if I
7 bring you to three-quarters the way down that
8 statement, it says, the apprentice says:

9

10 "During this inspection comments were directed at me 12:19
11 personally about my mother by Lt. B. Lt. B said to me
12 and I quote "well, [redacted] is your mother still of a
13 nervous disposition or is it yourself this weather?"

14

15 The apprentice says: 12:20

16

17 "I made no comment to this comment. Lt. A was also
18 present when this comment was made."

19

20 Now, that statement is dated 22nd July 1991 and when I 12:20
21 look at the statement of Lt. A, which is at page 4454,
22 it doesn't appear that Lt. A is asked whether he
23 witnessed Lt. B making a comment about that
24 apprentice's mother, even though he had been identified
25 as a witness to that comment; can you explain why that 12:20
26 is the case?

27

28 313 Q. Yes. But you had one apprentice saying to you, of the
29 three apprentices, you have an apprentice saying:

1
2 "Comments were made about my mother by 2nd Lt. B and
3 they were witnessed by Lt. A."
4

5 I don't see, on page 4454, any reference to you asking 12:20
6 or him referring to overhearing a comment made to an
7 apprentice's mother. That seems unusual; can you
8 explain why that's the case?

9 A. No, I can't. 35 years ago, I can't recall why not.

10 MS. MYLOTTE: Okay. Thank you very much, 12:21
11 Mr. Fitzmaurice.

12 SOLE MEMBER: Thank you, Ms. Mylotte.
13

14 MR. JOHN FITZMAURICE WAS QUESTIONED BY THE SOLE MEMBER,
15 AS FOLLOWS: 12:21
16

17 314 Q. SOLE MEMBER: Mr. Fitzmaurice, you said in your
18 evidence, in answer to Ms. Pillay, when you were asked
19 about why you hadn't interviewed more apprentices, you
20 said: 12:21
21

22 "There was enough in the statements that we had to show
23 a pattern."
24

25 when asked. So could you just elaborate a little bit 12:21
26 on and I do appreciate it's 35 years ago but what was
27 your sense, well we'd enough -- we'd enough in the
28 statements to show a pattern?

29 A. I suppose -- we had three statements which were the

1 three main ones, which they were taken afterwards,
2 after the other investigation. And there was -- I
3 had -- there was enough in those three statements to
4 have -- to put allegations to the individuals without
5 having to get 52 apprentices. So that there was enough 12:22
6 in that to put allegations to the individual officers.

7 315 Q. Thank you. And then when you were pressed by Mr. Hogan
8 about paragraph 8 of your report, which began:

9
10 "While no allegations have been made connecting the 12:22
11 death..."

12
13 Am I correct in understanding, because I think
14 Mr. Hogan read it out and said to you, "well, if it had
15 said apprentice X alleged this, but Lt. 2B 12:22
16 volunteered", am I correct in thinking that you
17 wouldn't use the word "volunteered" if the allegation
18 was actually put; in other words, if it had said 'while
19 apprentice X had alleged this against 2nd Lt. B, would
20 you have used the word "he then volunteered that there 12:22
21 was no connection between the events on Thursday and
22 the death"?'

23 A. Yes, if somebody had made an allegation, yes. It would
24 have been put to Lt. B specifically.

25 316 Q. And would the word "volunteered" be used to describe 12:23
26 his response? If an allegation was made against him,
27 is it more likely he would either deny it or accept it,
28 but the word "volunteered", to me at least, seems to be
29 a careful choice of words?

1 A. It would be my words though.

2 317 Q. It was your words. But can you just -- what were you
3 trying to convey in that final paragraph, when you
4 begin with:
5
6 "While no allegations were made, Lt. 2B volunteered."
7
8 A. The word "volunteered" is because it came from a
9 cautioned statement and he wasn't specifically asked
10 about it but that he volunteered, in his statement. 12:23
11 318 Q. So he wasn't specifically asked if there was a
12 connection between the two events?
13 A. Correct, I couldn't ask him that.

14 319 Q. And whilst you were pressed on the fact that nobody
15 made the connection, in answer to Ms. Mylotte's 12:24
16 question you were saying your job was to gather
17 information?
18 A. Correct.

19 320 Q. Would it have been your function, in the
20 information-gathering exercise, to offer a view that 12:24
21 there was a connection between the two events, if
22 you're investigating allegations into ill-treatment of
23 subordinates, would your role extend to offering a view
24 that there was a connection between the allegations and
25 the death? 12:24
26 A. No, no.

27 321 Q. No. Thank you.
28
29 And in relation to the interviewing of Lt. A, Lt. A

1 gave evidence, very recently, that he understood he was
2 a witness, he didn't think he was a suspect, or he was
3 under -- that he was being investigated. Could you
4 take me through the practicalities of how a lieutenant
5 would be informed of the fact that the Military Police 12:25
6 want to see him? Just, in general, how would a
7 lieutenant, who is about to be investigated, after a
8 cautioned statement has been given, what would be the
9 procedure for letting him know, you're needed down in
10 the office of the Military Police Investigator? 12:25

11 A. The procedure would be for me to contact the Adjutant
12 of the unit.

13 322 Q. Yes.

14 A. To inform him that I required him to be interviewed.

15 323 Q. And would the Lieutenant, who's arriving for interview, 12:25
16 would he know, in advance, why he's being interviewed?
17 would he know whether it's because you witnessed
18 something, or because allegations have been made
19 against you?

20 A. He might not necessarily have known. But when I put 12:25
21 the allegations to him, well, first of all, when I
22 would caution him, and then put the allegation to him,
23 at that stage he would definitely know that he was
24 being a suspect.

25 SOLE MEMBER: Thank you. I don't have any further 12:26
26 questions for you. Thank you very much for coming to
27 the Tribunal to assist with the inquiry. Thank you,
28 Mr. Fitzmaurice.

29 THE WITNESS: Thank you.

1 SOLE MEMBER: we'll rise now for ten minutes before the
2 next witness.

3
4 THE TRIBUNAL ADJOURNED BRIEFLY AND RESUMED AS FOLLOWS:

5
6 SOLE MEMBER: Good afternoon. Mr. Cush.

7 MR. CUSH: Good afternoon. Our next witness is retired
8 Lt. Col. Hayes.

9 SOLE MEMBER: Thank you.

10
11 MR. WALTER HAYES, HAVING BEEN SWORN, WAS DIRECTLY
12 EXAMINED BY MR. CUSH AS FOLLOWS:

13
14 324 Q. MR. CUSH: Good afternoon, Mr. Hayes.

15 A. Good afternoon.

16 325 Q. Mr. Hayes, as you are aware, the Tribunal is
17 investigating the effectiveness of the complaints
18 processes and the culture within the Defence Forces in
19 relation to complaints of abuse. It is not permitted
20 to make findings in relation to the well-foundedness of
21 complaints of abuse and, for that reason, you are
22 required to refrain from disclosing the names of any
23 alleged perpetrators in your evidence today. Where it
24 is necessary to refer to such individuals, you must do
25 so by using their rank or the pseudonym given to them
26 by the Tribunal. Do you understand that?

27 A. Yeah, okay.

28 326 Q. Thank you. Mr. Hayes, it's appropriate to address you
29 as Mr. Hayes, is that right?

1 A. Fine.

2 327 Q. And you've provided a statement to the Tribunal and you
3 have also attended for two interviews, for which we are
4 very grateful. If I could ask you to -- we'll bring up
5 your statement on the screen. Can you read the screen 12:41
6 in front of you, Mr. Hayes?

7 A. Yeah, yeah.

8 328 Q. So the statement is at page 3644. Are you able to read
9 that?

10 A. Yeah, yeah. 12:42

11 329 Q. Good, thank you. So, in the first two paragraphs, you
12 give an overview of your military career, isn't that
13 so?

14 A. Correct.

15 330 Q. It's a very successful career. By the time you retired 12:42
16 in 2000 you had reached the rank of lieutenant colonel,
17 isn't that so?

18 A. That's so, yeah.

19 331 Q. And you then go on in paragraphs 3 and 4 to describe
20 the range of experience that you had throughout your 12:42
21 time in the service, isn't that so?

22 A. Correct.

23 332 Q. And it's widespread, both geographically and in terms
24 of the nature of the duties that you were undertaking?

25 A. Yeah. 12:42

26 333 Q. And in paragraph 4 you say, in the middle of that
27 paragraph:
28
29 "I became Officer Commanding holding the rank of

1 lieutenant colonel, at the Army Apprentice School in
2 Naas on 16th October 1990 until departing on 5th
3 January 1993."

4

5 Do you see that?

12:43

6 A. Yeah.

7 334 Q. So that marks your arrival in Devoy Barracks, is that
8 so?

9 A. That's it.

10 335 Q. Yeah. So, by the time you got there you were a very
11 experienced officer and you had moved well up the ranks
12 in service?

12:43

13 A. Good description.

14 336 Q. Yeah. And I'm just trying to guess, Mr. Hayes, but I
15 think you were in or about the age of 50 at that stage,
16 would that be right?

12:43

17 A. Yeah.

18 337 Q. Okay. And then in paragraphs 5 and subsequent
19 paragraphs, you describe the duties that you had. You
20 say you didn't live on site. You were there normally
21 9:00 to 5:00. You mentioned a number of apprentices.
22 The 34th were in their second year when you arrived.
23 And no major problems reported to you by your
24 predecessor, do you see all that?

12:43

25 A. Right.

12:44

26 338 Q. The next paragraph:

27

28 "Brigadier General Thomas Anthony, Tony Walls, general
29 officer commanding based in the The Curragh."

1
2 He was the man to whom you reported, is that right?
3 A. Correct, when he took over.
4 339 Q. Yes.
5 A. I was in Naas slightly before he became GOC. 12:44
6 340 Q. Okay. And then dropping down to paragraph 8, you
7 mention that somebody was, lieutenant colonel was
8 Officer Commanding of the school and responsible for
9 teachers and apprentice training. And who was that,
10 can you recall? 12:44
11 A. That was [REDACTED], since deceased, unfortunately.
12 341 Q. Very good. An you say:
13
14 "I was Officer Commanding of the barracks and
15 responsible for military matters." 12:44
16
17 That was your division of responsibility?
18 A. Yes.
19 342 Q. And then you were responsible for overseeing military
20 training, I take it? 12:45
21 A. Yes, overseeing the company that had the full
22 responsibility for the military training. There was an
23 apprentice company as well as the school and the
24 Headquarter Company.
25 343 Q. All right. And then, as you say in the last sentence 12:45
26 in paragraph 8, that military training was given by,
27 and that's 2 Lt. B, do you understand that?
28 A. Yeah.
29 344 Q. All right. And then you're making the point in

1 paragraph 9 that he was placed in a difficult position
2 because -- maybe you don't say it there but I think you
3 do make the point elsewhere that he was, effectively,
4 in charge of three platoons, isn't that so? Because
5 two of them -- 12:46

6 A. That's so, yeah.

7 345 Q. Okay. I just want to ask you about, just a small
8 matter. We've heard much about people being paraded
9 and could you just describe to the Tribunal what that
10 actually is when somebody is paraded? 12:46

11 A. Well, it depends what they were being paraded for. I
12 mean, there were parades on the square, regular
13 military exercises, that would be one form of parade.
14 But if you mean a guy who had done something, a
15 misdemeanour -- 12:46

16 346 Q. That is what I mean?

17 A. -- then he would be brought in at company level, first
18 of all. And if he was being charged with something
19 more serious, it could end up with me.

20 347 Q. Yes. 12:46

21 A. And, further, if necessary, as well. But, you know,
22 that was the graded system of parading.

23 348 Q. It's just the process of being brought before a
24 superior, is that right?

25 A. That would be it, yes, bit by bit. 12:47

26 349 Q. And if there isn't a charge following from it, if
27 there's just some advice or recommendation or the like,
28 is that a serious matter or how did it rank?

29 A. Well, if there wasn't going to be a charge it wouldn't

1 be that serious then. So, it might be something that
2 he might have had a complaint himself and he discussed
3 that.

4 350 Q. well, assume that the complaint is against him, against
5 the person? 12:47

6 A. If the complaint is against him, then, and it wasn't
7 serious enough for him to be charged.

8 351 Q. Yes.

9 A. well, then he would be given advice as to how to
10 rectify his behaviour. 12:47

11 352 Q. And would that be noted or recorded anywhere, the fact
12 that he was paraded?

13 A. well, platoon diaries, at the company level, would
14 record anything to do with that particular apprentice,
15 if it's an apprentice you're talking about, I presume. 12:47

16 353 Q. And if it wasn't an apprentice and if was an officer?

17 A. well, if it was an officer, ehm, obviously, he'd be
18 going before me and he could even end up with the GOC
19 if it was serious enough.

20 354 Q. Yes, but assume, again, that the view is taken that it 12:48
21 doesn't merit a charge, some advice is given, would
22 that, the fact of that parading be recorded somewhere?

23 A. Ehm, only in is annual confidentials where it might
24 record I had to speak to him about whatever particular
25 thing it would be. 12:48

26 355 Q. And is that -- does that go on to a personnel file or?

27 A. It would go on his personal annual report, which would
28 be probably still to this day on file somewhere in Army
29 headquarters.

1 356 Q. Okay, good. Thank you for that, that's helpful.

2

3

4

5

I want to just go forward to the events surrounding
Damien Traynor. And I'll just give you a summary of
what the evidence so far indicates.

12:49

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

On the evening of Friday, 11th, early morning,
Saturday, 12th May 1991, Mr. Traynor suffered some form
of breakdown. He damaged a pool table and other
property, including windows. He was confined, possibly
arrested. His laces and belt were removed from him,
probably for his own safety. His parents visited on
Sunday, the 12th. They've given evidence of witnessing
their son in a highly distressed state. They wanted to
take him home immediately and have him discharged.
That wasn't possible on the Sunday.

12:49

12:49

22

23

24

25

26

27

28

29

They returned on the Monday, the 13th, with the
discharge fee of £2,000 and procured his release on
that day.

12:50

And on that day, Monday, the 13th, before his
release -- I'm saying "release", Mr. Hayes, because I
think the formal discharge doesn't take effect until
sometime later but he was allowed leave on Monday, the
13th, do you follow me?

12:50

A. That's correct, yeah.

357 Q. And on Monday the 13th, before his release, he was
tried and charged in relation to the property damage

1 and convicted. He had a medical examination which
2 noted evidence of self-harm, and which raised the
3 question of a need for psychological help.
4
5 His parents were interviewed on that day, Monday the 12:50
6 13th, and made serious allegations of abuse against
7 Lt. B and Mr. Traynor himself was interviewed and
8 confirmed those allegations.
9
10 And I just want to -- first of all, does that accord 12:51
11 with your broad recollection of events, I'm trying to
12 put that in a neutral and uncontroversial way?
13 A. Yes. I actually have no recollection at the moment of
14 actually meeting his parents but somebody met me and
15 those things resulted. 12:51
16 358 Q. Yes, yes. That is helpful. I just want to show you a
17 document then that you certainly have seen before and
18 it's 2719. Do you see that there on the page?
19 A. Yes, indeed, yeah.
20 359 Q. And this is a document authored by you, isn't that so, 12:52
21 on 16th May?
22 A. Yeah.
23 360 Q. And it's to General Officer Commanding wall?
24 A. Correct.
25 361 Q. And it's described at the top as: 12:52
26
27 "Application for discharge by purchase."
28
29 Do you see that?

1 A. Mm-hmm.

2 362 Q. And it describes some events. It describes, first of
3 all, Mr. Traynor and various problems that he was said
4 to have had in, broadly speaking, adapting to the
5 military life, if I can put it that way? 12:52

6 A. True.

7 363 Q. And there are aspects of that, Mr. Hayes, that are
8 disputed. I'll just mention two of them to give you an
9 opportunity to comment.
10 12:53

11 On subparagraph (c) on 2720, halfway down that
12 paragraph, do you say on the right-hand side:
13
14 "He then outlined how he was not happy in the Army."
15 12:53

16 Do you see that?

17 A. Mmm mm.

18 364 Q. "And only joined as a result of parental pressure."
19
20 That's disputed by Mr. Traynor. I'll just give you an 12:53
21 opportunity to comment on that, that he didn't say
22 that, didn't feel that?

23 A. Well, I wouldn't have put it in if I didn't hear it
24 from somebody. Either when he came himself after the
25 orders in connection with his offence from the previous 12:53
26 weekend. Or to somebody in the company who he would
27 have, it would have been passed on.

28 365 Q. All right. And then at subparagraph (f), on that page,
29 it was suggested to his parents that Mr. Traynor might

1 require medical treatment following his irrational
2 behaviour the previous night but this was rejected by
3 both Mr. Traynor and his parents, do you see that?

4 A. Yes.

5 366 Q. And they certainly say they disagree with that? 12:54

6 A. He had the option of getting further -- he was
7 medically examined, of course, by a doctor, there was
8 documents about that. And he had the option of seeing
9 a psychiatrist or whatever but they didn't go with
10 that, probably because he wanted to get out of the 12:54
11 place as quick as he could at that stage and I think
12 subsequently they did go down that route from his home.

13 367 Q. And you know all that?

14 A. I know all that from the documents which have come in.

15 368 Q. Which you've read? 12:55

16 A. Yes.

17 369 Q. Just looking over the page, then, to paragraph 7, do
18 you see there it says:

19

20 "During the course of an interview with me 12:55
21 Mr. Traynor's parents made a number of allegations."
22

23 Do you see that?

24 A. Yes, although I can't remember, I am not saying it
25 didn't happen, it could be I don't recall, although I 12:55
26 probably would recall seeing somebody's parents. But
27 he certainly had an interview with somebody if he said
28 those things.

29 370 Q. Yes. I mean, we'll just be clear about this,

1 Cpt. O'keeffe has said he never interviewed the parents
2 and Mr. Coffey has said that he recalls you and he
3 being present, vaguely, in relation to meeting the
4 parents. And you have written that you interviewed
5 them. So I'm just suggesting to you, as a matter of 12:55
6 probability, it was you who interviewed them?
7 A. Well, it looks like that from what's there, yeah.
8 371 Q. Thank you.
9 A. Possible, it's that long ago, I wouldn't remember.
10 372 Q. And then you detail the four allegations there, isn't 12:56
11 that so?
12 A. Yeah, they're there, yeah.
13 373 Q. All right. And in paragraph 8 then, you're saying,
14 Mr. and Mrs. Traynor were given an assurance that these
15 allegations would be investigated? 12:56
16 A. Mm-hmm.
17 374 Q. Again I'm just putting to you as a probability it's
18 most likely you who gave that assurance?
19 A. Very likely, yeah. I did instigate an investigation
20 when I heard -- 12:56
21 375 Q. Indeed you did.
22 A. -- what the story was.
23 376 Q. No, we'll come to that.
24
25 And then on paragraph 9, over the page, you say: 12:56
26
27 "Subsequent to this conversation, Mr. Traynor was
28 interviewed by me. He confirmed the allegations."
29

1 And then you describe your account of that interview,
2 isn't that so?

3 A. Yes.

4 377 Q. And then you say:

5

6 "The allegations made by Traynor were investigated as
7 fully as possible. Statements from apprentices who
8 might have been witnesses were taken."

9

10 Is that right?

11 A. Ehm, yeah. well, that would be arising out of the
12 investigation performed by Cpt. O'keeffe.

13 378 Q. Exactly.

14 A. Yeah.

15 379 Q. "As were statements from..."

16

17 That's 2 Lt. B himself, isn't that so?

18 A. Mmm mm.

19 380 Q. And sergeant, do you know who that is?

20 A. Not now, I don't.

21 381 Q. That's fine. And then you say at paragraph 11:

22

23 "Letters were also submitted by the present company
24 commander."

25

26 That's Cmdt. Coffey, I think, isn't that so?

27 A. Yes.

28 382 Q. "And company commander at the time of the alleged
29 incidents."

1
2 And that, I think, is Cpt. Enright?
3 A. Correct.
4 383 Q. You just refer to those without any comment on what
5 they say? 12:58
6 A. No, but I think we've copies of them, have we not?
7 384 Q. Yes.
8 A. I presume I saw them, I think I saw them there.
9 385 Q. We'll come to them.
10 A. Okay. 12:58
11 386 Q. And then you have at paragraph 12:
12
13 "Informal enquiries also revealed that the big majority
14 of -- I presume that's apprentices -- were relieved to
15 see Mr. Traynor depart as he was generally regarded as 12:58
16 a troublemaker and a bully towards other apprentices."
17
18 I'm presuming, do you see that?
19 A. Yes.
20 387 Q. Who conducted those formal enquiries? 12:58
21 A. That would have been general information from
22 Apprentice Company and probably the Sergeant Major as
23 well.
24 388 Q. But who conducted the informal enquiry?
25 A. Well informal enquiries, is what it said, it wasn't 12:58
26 that we established an inquiry, a written inquiry or
27 anything like that.
28 389 Q. Informal?
29 A. "Informal" means we enquired from people and that is

1 what we --

2 390 Q. who's "we"? when you say "we enquired"?

3 A. It could be many people. Mainly the Sergeant Major

4 usually would consult on those matters.

5 391 Q. Did you make informal enquiries? 12:59

6 A. From them, the Sergeant Major, the Adjutant and

7 Apprentice Company Commander and that would all be

8 emanating from the apprentices themselves and that was

9 the general opinion that came across.

10 392 Q. So this is kind of thirdhand information coming to you, 12:59

11 isn't that right?

12 A. Thirdhand, yeah, I didn't interview any of the people

13 who actually, eh, where is it? who actually said that

14 man to man, so to speak. But there was evidence of

15 that type of thing, in that some apprentices 12:59

16 reluctantly, or were afraid to come forward, I heard,

17 because of what might happen to them.

18 393 Q. This is all what you heard from somebody who might have

19 heard from somebody else?

20 A. Yeah. 13:00

21 394 Q. Is it appropriate to include that sort of thirdhand

22 information in a document like this?

23 A. Well, it gives a good overview of the general

24 impression that we had that he was, it was he was in

25 the company. 13:00

26 395 Q. So you think it is appropriate?

27 A. Yeah, in view of the general nature of the whole thing.

28 I mean it could be taken at face value, as you are now

29 doing, by anybody who read it.

1 396 Q. Is that not perhaps the problem with information of
2 this type?

3 A. How do you mean "part of the problem"?

4 397 Q. You don't see a problem anyway, do you?

5 A. I think that if you're in an organisation or in a group 13:00
6 of people, obviously, you form opinions of what the
7 character of those people are and that's based on
8 day-to-day contact with them.

9 398 Q. I'll put it this way, I won't dwell on it, Mr. Hayes.

10 A. Okay. 13:01

11 399 Q. Is it fair to Mr. Traynor?

12 A. Well, we're talking about Mr. Traynor, eh, going away
13 and buying himself out.

14 400 Q. Yes.

15 A. And we have to -- if that was the case, eh, build up a 13:01
16 picture that, eh, he was semi-unsuitable to be there in
17 the first place.

18 401 Q. Okay. For who? who did you have to build that picture
19 for?

20 A. The GOC. I'm writing to the GOC to justify -- I didn't 13:01
21 want the GOC to write back and say "do not give that
22 man permission to leave, he's a top-class soldier, he
23 should be left serving on".

24 402 Q. You had not effectively made this decision?

25 A. Hmm? 13:01

26 403 Q. Had you not effectively made this decision to
27 discharge?

28 A. No. The discharge, the GOC could have refused to
29 accept it. This was only going in, along with the

1 money that he paid, practically the same, I think it
2 was the same day. So it still had to go through the
3 machinery of authorising it. He wasn't discharged at
4 this stage.

5 404 Q. No, I understand, not formally so. 13:02
6 A. Mmm.

7 405 Q. But you, yourself, say, if you just turn back a page to
8 2721, on the top of that page, subparagraph (g):
9
10 "It was agreed..." 13:02
11
12 Do you see the third line:
13
14 "His parents arrived. It was agreed it was in the best
15 interest of all concerned that Mr. Traynor's discharge 13:02
16 by purchase should be proceeded with as soon as
17 possible. And he could transfer his exams."
18
19 Etc, he paid the money and left, he was released. It
20 was effectively decided? 13:02
21 A. Yes but not -- not without the case going through.

22 406 Q. I understand the record has to be --
23 A. I had no reason to believe it wouldn't go through
24 because I was making sure that all the --

25 407 Q. There was no prospect, Mr. Hayes, of this not going 13:02
26 through, was there?
27 A. There was. It could happen. In fact, it had happened.
28 You might remember --

29 408 Q. Of this particular discharge?

1 A. Not of this one but you said --

2 409 Q. I just want to ask you about this one. Would you agree
3 with me that there was no prospect?

4 A. No, I wouldn't agree there was no prospect. It was
5 unlikely but there was no prospect. 13:03

6 410 Q. And in paragraph 13, just going on, you're actually
7 saying that application would have been made for his
8 discharge anyway had he not been seeking it, isn't that
9 so?

10 A. Yes, that was the case, he was regarded as an 13:03
11 unsuitable person at that stage.

12 411 Q. And then at paragraph 14 you're describing, in short
13 form, I think it's fair to say, the investigation of
14 the allegations, is that fair?

15 A. 14? Let me see what's in it. [Short pause]. Yeah, 13:03
16 well that was the result of Cpt. O'Keefe's
17 investigation and he reported on it. And, ehm, also
18 backed up by his company commander's letter. So,
19 therefore, it was fair to say all those things at that
20 stage. That's a summary of the investigation after 13:04
21 that.

22 MR. CUSH: Judge, I might just finish this document
23 before lunch.

24 SOLE MEMBER: Indeed, yes. Yes, we'll finish this and
25 then we'll take a break, thank you. 13:04

26 412 Q. MR. CUSH: Thank you. And then at paragraph 15, while
27 it's expressed as a matter of probability it's a rather
28 serious condemnation of Mr. Traynor, is it not?

29 A. What are you asking me to comment on?

1 413 Q. Paragraph 15.
2 A. Right. Yes.
3 414 Q. I'm suggesting to you that expressed --
4 A. It's not saying anything. It's saying that it looked
5 from the available evidence and the events of the 13:05
6 previous few days, he wanted to get out. Eh, he needed
7 allegations to justify his application, which, as I
8 said, had to be made, it was only an application at
9 this stage. And he had to justify his demand from his
10 parents that they pay £2,000 to get him out of which 13:05
11 was a lot of money.
12 415 Q. It suggests, does it not, that he is probably lying and
13 probably elicited the help of his friends to back him
14 up in his lies?
15 A. I wouldn't call them "lies", I wouldn't be accusing him 13:05
16 of that. But that he had to build up a case for
17 himself and that's possibly behind it. Again I said
18 it's probable. I didn't say definitely. Perhaps not.
19 416 Q. And then in contrast you describe then:
20
21 "2 Lt. 2B as an enthusiastic committed officer and 13:06
22 platoon commander for all three platoons".
23
24 You make that point. And you say:
25
26 "It is only natural..." etc. 13:06
27
28 And that's a positive endorsement of 2 Lt. B, is it
29 not?

1 A. Based on all the information I had and the
2 recommendation of his company commander, yes.
3 MR. CUSH: Thank you. We might come back to that
4 document but we'll move on after lunch.
5 THE WITNESS: Okay. 13:06
6 SOLE MEMBER: Thank you very much.
7
8 THE TRIBUNAL ADJOURNED FOR LUNCH AND CONTINUED AS
9 FOLLOWS:
10
11 SOLE MEMBER: Good afternoon. 14:07
12 MR. CUSH: Mr. Hayes, please.
13
14 MR. WALTER HAYES CONTINUED TO BE DIRECTLY EXAMINED BY
15 MR. CUSH AS FOLLOWS: 14:07
16
17 417 Q. MR. CUSH: Mr. Hayes, would you mind pulling your chair
18 a little closer to the desk because some of my
19 colleagues are having a little trouble hearing you?
20 A. All right. Sure. How's that? 14:08
21 418 Q. Thank you. That's very helpful. Thank you.
22
23 We finished looking at the document on 2719, and we
24 might just look at one last aspect of it, please. Just
25 the heading there, Mr. Hayes: 14:08
26
27 "Application for discharge by purchase."
28
29 Is that what this document was really about?

1 A. That was the main purpose of the document, yeah.
2 419 Q. Okay.
3 A. To get Aptce. Traynor's discharge, he requested it.
4 420 Q. And did it have another purpose? When you say it was
5 the main purpose, was there a subsidiary purpose? 14:09
6 A. No, no, I mean it was outlining his history in the
7 Apprentice School, basically.
8 421 Q. Yes.
9 A. And coming to the conclusion that, eh, discharge by
10 purchase should be granted. 14:09
11 422 Q. All right. And did you send that document?
12 A. To the GOC? Yeah, we did, yeah.
13 423 Q. You did?
14 A. Yeah.
15 424 Q. Okay. In any event, you did, indeed, conduct an 14:09
16 investigation or have an investigation conducted, isn't
17 that so?
18 A. Correct, yeah.
19 425 Q. By Cpt. O'Keeffe?
20 A. Correct, also. 14:09
21 426 Q. And that investigation remained under your
22 responsibility or supervision?
23 A. Yeah.
24 427 Q. And was that investigation, then, to report to you, is
25 that right? 14:09
26 A. Yes, Cpt. O'Keeffe reported to me.
27 428 Q. Yes. And would it, necessarily -- would the outcome
28 necessarily have been reported to General Officer
29 Commanding Wall, or would that just depend on the

1 outcome?

2 A. well, if we were going to apply for Aptce. Traynor's

3 purchase we had to --

4 429 Q. No, no, this is the investigation into the allegation

5 now, just to be clear. So, you've asked Cpt. O'Keefe 14:10

6 to conduct an investigation into the allegations made

7 by Mr. Traynor?

8 A. Mmm.

9 430 Q. Against 2 Lt. B.

10 A. Mmm mm. 14:10

11 431 Q. And you told us he was going to report to you with his

12 findings, as it were?

13 A. Mm-hmm.

14 432 Q. And could it stop at you? would you have had

15 sufficient authority to deal with it? 14:10

16 A. Ehm -- well there's two areas here. One is the

17 application for the discharge --

18 433 Q. No, I'm leaving that aside now. Just the --

19 A. well two are in this letter, this letter deals with

20 both. 14:11

21 434 Q. I understand that. I'm asking you just to concentrate

22 now on the investigation into the allegations?

23 A. well, I couldn't have dealt with the thing on my own.

24 I wouldn't have dealt with it on my own because the

25 allegations were serious enough to refer them higher. 14:11

26 435 Q. I see, that's what I wanted to understand. Thank you.

27 A. Yeah.

28 436 Q. So, Cpt. O'Keefe, then, has told us that he had no

29 training in investigation, and were you aware of that?

1 A. I was aware that Cpt. O'Keeffe was a very experienced
2 officer. He had as much training in investigation as I
3 would have had. So, as such, eh, there was nobody else
4 to do such an investigation, except he was the best
5 placed man to do it. 14:11

6 437 Q. All right. But I'm just asking you; were you aware
7 that he had no actual training in investigation?

8 A. I was aware that he would have had as much training as
9 I had and I had to do investigations also from time to
10 time. 14:12

11 438 Q. Were you ever trained in investigations?

12 A. Yes, indirectly. I mean, I didn't go on an
13 investigator's course, I would say as such. But it
14 would have been part of the general Army courses that I
15 did and also I did an adjutant course at one stage 14:12
16 which Cpt. O'Keeffe also did, as far as I remember.
17 And we would have had a fair lump of that to do with
18 investigations, yeah.

19 439 Q. He also told us that he didn't interview Mr. Traynor or
20 his parents? 14:12

21 A. No.

22 440 Q. And you're aware of that?

23 A. Well, I'm aware of it now when I saw the thing, you
24 know, and obviously when I got the reports from
25 Mr. Traynor and his parents weren't included in the 14:12
26 list of people.

27 441 Q. Well, exactly, so you were aware of it --

28 A. I was.

29 442 Q. -- at the time?

1 A. Yes.

2 443 Q. And you were also aware, at the time, that he didn't
3 interview 2 Lt. B, the alleged abuser, isn't that so?

4 A. Yes, but he would have had access to information from
5 the company as regards 2 Lt. B's defence of the whole 14:13
6 thing.

7 444 Q. So, could I just ask you to look to an extract from
8 your interview on that topic of not interviewing 2
9 Lt. B. 5130. And do you see there, line 17:
10
11 "I would imagine he would have interviewed Lt. B."
12
13 Do you see that?

14 A. Eh, yeah, I see that, yeah.

15 445 Q. And then 21 I had said to you: 14:13
16
17 "It seems natural, does it not, that the person who is
18 alleged to have been the abuser would be interviewed."
19
20 To which you say: 14:13
21
22 "Of course:
23
24 "You would expect that? You would."
25
26 And I say: 14:14
27
28 "If it didn't happen that would be somewhat unusual."
29

1 And you say:
2
3 "It probably would".
4
5 And that continues over the page and at line 21, you're 14:14
6 saying:
7
8 "If I was investigating, I wasn't investigating."
9
10 I said: 14:14
11
12 "If you were".
13
14 If I was I probably would have asked questions."
15 14:14
16 In other words, had an interview. So I just want to
17 put to you that it is an unusual feature of this
18 investigation, that the alleged abuser was not
19 interviewed by the investigator?
20 A. Possibly, but he would have had information as to 14:14
21 what -- he didn't need to interview him in other words.
22 He felt he didn't need to interview him himself,
23 otherwise he would have, I'm sure. But he didn't feel
24 he had to.
25 446 Q. His evidence is to the effect that he was told by you 14:14
26 to interview the apprentices?
27 A. Yeah, well, true, but I didn't disclude (sic) him
28 interviewing anybody else either.
29 447 Q. But you knew he hadn't because you saw from his report

1 who he had interviewed?

2 A. I did but I saw his conclusions as well. And I knew he

3 would have had access to the information from the

4 company coming from Lt. 2.

5 448 Q. Nobody interviewed the alleged abuser, isn't that 14:15

6 right?

7 A. Nobody interviewed the alleged abuser.

8 449 Q. The appointed investigator didn't, you didn't, nobody

9 did. That's what he himself has told us?

10 A. Yes, but we didn't feel the need because we had enough 14:15

11 information without interviewing him.

12 450 Q. That, I'm suggesting to you, Mr. Hayes, is a serious

13 flaw in the investigation?

14 A. No, I wouldn't agree with you it's a serious flaw in

15 the investigation. We wouldn't have found out any more 14:15

16 had we interviewed him, put it that way.

17 451 Q. But, at interview, you were telling us it would indeed

18 be an unusual feature not to interview him?

19 A. Yes but that was because you put a hypothetical

20 question to me about the whole thing. 14:16

21 452 Q. I have to suggest to you it wasn't remotely

22 hypothetical, it was about exactly this?

23 A. No, it was hypothetical because you were saying "if I

24 was doing it, would I -- would I do this or would I do

25 that". 14:16

26 453 Q. Yes.

27 A. That's hypothetical. I wasn't doing it, Cpt. O'Keefe

28 was. And the reason he didn't interview Lt. 2B was

29 that he had enough information about what he would have

1 got anyway had he interviewed him. He wouldn't have
2 got any more information by interviewing him.

3 454 Q. So, on page 5130, when I said to you:
4
5 "It seems natural, does it not, that the person who is 14:16
6 alleged to have been the abuser would be interviewed."
7
8 And when you answered:
9
10 "Of course". 14:16
11
12 what are we to understand from that?

13 A. where are we again, now?

14 455 Q. 5130, line 17 -- line 21, sorry.

15 A. Yes, as I said, I may have interviewed him if I had any 14:17
16 doubts.

17 456 Q. This is what I'm drawing to your attention, Mr. Hayes.

18 A. Yeah, go ahead. Tell me which line I should be looking
19 at?

20 457 Q. 21: 14:17
21
22 "It seems natural, does it not, that the person who is
23 alleged to have been the abuser would be interviewed."
24
25 And you say: 14:17
26
27 "Of course."
28
29 A. Yeah, well that would be the normal reaction of anyone

1 who was asked a question like that. But, in this
2 particular case, it would be different because he had
3 access to the information and he felt he didn't need to
4 interview him.

5 458 Q. So, I'll just leave it at this, Mr. Hayes; that was a 14:17
6 very serious flaw in this investigation, that the
7 alleged abuser --

8 A. No, I don't agree it was. He wouldn't have found out
9 any more if he did interview him, that's the point.
10 why would we be doing something we didn't need to do? 14:17

11 459 Q. All right. So, you're also aware, I think, that in his
12 report, 2729, he actually concludes on his next page,
13 on two of the four allegations, isn't that right?

14 A. Two of them, yeah, yeah.

15 460 Q. Yeah, with no conclusion on the other two? 14:18

16 A. No, but that was covered elsewhere, if I remember from
17 my memory.

18 461 Q. In this report?

19 A. What were the other two incidents? Can you revise my
20 memory? 14:18

21 462 Q. I'll come back to them. Is this not a gap in the
22 investigation report?

23 A. Well, it would be if the other two warranted
24 investigating but obviously they mustn't have, I can't
25 remember what they are now off the top of my head. If 14:18
26 you tell me what they are, I'll tell you the answer to
27 that question.

28 463 Q. We'll look at them again. But we'll go back right now.
29 The four are described in your document, if you recall,

1 beginning on page 2719. On page 2721, you list four
2 allegations, isn't that so?

3 A. Where are we again?

4 464 Q. Paragraph 7, just if you scroll down there, (a), (b),
5 (c), (d)? 14:19

6 A. Okay, yeah.

7 465 Q. And when we look again at Cpt. O'Keefe's report on
8 2729, I'm just drawing to your attention the
9 conclusion, he deals with the kicking incident, that
10 was (a). And the press-up position? 14:20

11 A. Mm-hmm.

12 466 Q. And he doesn't deal with the other two?

13 A. No.

14 467 Q. It's an obvious gap?

15 A. Well, there might be, all right, but the other two had 14:20
16 no real bearing on the outcome of the application for
17 Aptce. Traynor's discharge. So we wouldn't have
18 included them. You know, they weren't -- they weren't
19 as major as the first two, shall we say.

20 468 Q. But, are we to understand, then, that these allegations 14:20
21 are only being investigated in the context of the
22 application for discharge?

23 A. Yes because I didn't know anything about them before
24 that.

25 469 Q. You know about them now. The parents - the parents - 14:21
26 have voiced them to you in the circumstances with which
27 we're familiar. And you have assured them that they
28 will be investigated?

29 A. Yeah.

1 470 Q. And are you now saying that it was appropriate to
2 simply not have an outcome on two of them?
3 A. Well, I'm just telling you why they weren't included.
4 That has nothing to do with what I did or didn't tell,
5 because I can't remember telling them anything, 14:21
6 Aptce. Traynor's parents. Eh, but they weren't really
7 that relevant to the whole thing. Not being serious.
8 471 Q. Were they relevant to Mr. Traynor?
9 A. Only in that he added them in as complaints. But they
10 wouldn't have been that relevant to him, eh, given that 14:21
11 events superseded the allegations. If we can look at
12 them again, I'll explain why.
13 472 Q. Well certainly go back and look again at 2721.
14 A. Yeah, okay. Right. So (c) was an allegation that he
15 had been told to pack his bags that he would be going 14:22
16 on his ticket. And then he was told this was only a
17 warning, eh, if he didn't improve.
18
19 So there's nothing terribly serious about that.
20 Aptce. Traynor may have taken this whole thing out of 14:22
21 context and thought it was a serious, he was about to
22 be kicked out the door that minute. But not so, he was
23 told that he could -- this was a warning. And,
24 obviously, it was felt that he needed such a warning to
25 improve performance. That was that one. 14:22
26
27 And, eh, the other one, about verbal pressures, that
28 his discharge was subjecting failure, he was unhappy
29 and would be better off in civilian life. That would,

1 really, be a matter for his school performance, which
2 wasn't great either.

3
4 So, he probably consider that to be threats or affects,
5 but what he should have done was taken seriously and 14:23
6 gone back and improved his academic performance in the
7 school and, thereby, ensure that he might have
8 qualified. There's no doubt that he could have, had he
9 done that.

10 473 Q. Did you form the view that these allegations didn't 14:23
11 warrant investigation?

12 A. Eh, yes, really. You know, it's self-evident that they
13 weren't material to his discharge anyway.

14 474 Q. And you remember forming that view, do you?

15 A. No, I don't. I don't remember very much about this now 14:23
16 but I'm reading about it there now and I'm putting
17 myself in the position of what I would have thought at
18 the time. I mean, had I thought that Cpt. O'Keeffe
19 should have gone back and investigated them further, I
20 would have told him to do it. But, eh, I didn't think 14:24
21 that was necessary because, I think, my thinking on it
22 was accurate enough to cover his situation at the time.
23 And nobody wrote back to me from the GOC's position
24 saying, "you never did anything about the packing the
25 bags allegations" as such. So had it been, I would 14:24
26 have, of course, investigated it further. But I don't
27 think it was that relevant to the letter which is to do
28 with his discharge more than anything else.

29 475 Q. Well, that's what I wanted to come back to. So, is

1 this investigation really about whether or not his
2 discharge is warranted?

3 A. No but the two were combined, obviously, because it's
4 part of his performance.

5 476 Q. When you say two things, is one of them that on their 14:24
6 face, Mr. Traynor's allegations deserve to be
7 investigated because, if true, they reflect very poorly
8 on 2 Lt. B. Is that one of the things you're
9 mentioning?

10 A. Ehm, I don't quite follow the point you're getting at 14:25
11 there now.

12 477 Q. So, I want to know whether this is being investigated
13 really to see whether or not discharge is warranted, or
14 whether it's also being investigated to see whether or
15 not potentially disciplinary action is warranted 14:25
16 against 2 Lt. B?

17 A. Yeah, both.

18 478 Q. Both?

19 A. Yeah. If a serious thing came up and it was
20 substantiated, we would have initiated more stronger 14:25
21 disciplinary --

22 479 Q. So, these are allegations which at least in part had to
23 be investigated for that purpose, isn't that so?

24 A. The first two, certainly, the other two not really,
25 they're not madly disciplinary matters. One was just 14:25
26 that he took more seriously than he should have
27 somebody threatening that he might get his ticket if he
28 didn't improve his performance.
29

1 And the other was something that was there and indeed
2 eventually came to a head to the extent that he applied
3 for his discharge by purchase anyway.

4 480 Q. Can we take it then, as far as you're concerned, either
5 Cpt. O'Keeffe decided and you agreed or you decided 14:26
6 that these two allegations didn't warrant any
7 investigation?

8 A. Both. I mean obviously Cpt. O'Keeffe decided and I
9 didn't see why we should re-open the investigation to
10 examine something that we knew the answer to already. 14:26

11 481 Q. All right. I just want to look then at the statement
12 supplied by Cpt. Enright on 2726. And do you see he's
13 there saying that he held the position of company
14 commander up until January 1991, do you see that in
15 paragraph 1? 14:27

16 A. Yes, yeah.

17 482 Q. And then in paragraph 2 he describes 2 Lt. B as the
18 most enthusiastic and dedicated officer who gave
19 willingly his spare time. And then he goes on to make
20 the point that he had this difficult task effectively 14:27
21 being in charge of three platoons, do you see that?

22 A. Yeah.

23 483 Q. And then he says at the end of that paragraph:
24
25 "At no stage did I receive or learn of any complaint or 14:27
26 allegations regarding his activities or behaviour."
27
28 Do you see that?

29 A. Yeah.

1 484 Q. And that's clearly thought to be relevant to a
2 consideration of Mr. Traynor's allegations, isn't that
3 so?
4 A. Ehm, well, not necessarily, but it could include those.
5 He's talking in general there, I think, isn't he. 14:28
6 485 Q. No, no, I'm only suggesting to you -- we'll see later
7 that you yourself investigated the possibility of other
8 allegations and I'm going to suggest that that's to
9 your credit. But I'm merely suggesting to you, at this
10 point, that this is being included in the statement, 14:28
11 this idea of:
12
13 "At no stage did I receive or learn any complaint or
14 allegation regarding activities".
15 14:28
16 Because that's relevant to a consideration of
17 Mr. Traynor's allegations; in other words no other
18 allegations?
19 A. Yeah, well, that's what he's saying there.
20 486 Q. Yes. And you'd agree it's relevant? 14:28
21 A. Well, I wasn't there at that particular time you're
22 talking about.
23 487 Q. No, I'm saying the statement, not a question of being
24 there, as I think you know.
25 A. It's 1990. 14:29
26 488 Q. It's not a question of being there. It's not a
27 question of being there, I'm asking you simply about
28 the relevance of the statement. It is relevant?
29 A. Well, it's relevant in that it clears up that he

1 received -- he didn't learn of any complaint or
2 allegation, eh, regarding his behaviour. That's
3 relevant.

4 489 Q. Yes. Thank you.

5 A. If he did, he would have said 'except for (a), (b) and 14:29
6 (c)' and listed them, I presume.

7 490 Q. Exactly, that's what you'd expect?

8 A. Yes. That would imply there were no allegations.

9 491 Q. No other allegations. You deal with Mr. Traynor's
10 allegations, are you suggesting no other allegations? 14:29

11 A. Sorry?

12 492 Q. He's dealing with Mr. Traynor's allegations, so he's
13 suggesting there are no other allegations?

14 A. Yes, from other people, yeah. Up to that time while he
15 was company commander. 14:30

16 493 Q. Yeah. And, then, if you would look at 2724. This is
17 from Cmdt. Coffey. I should say both of these are
18 addressed to you; do you understand that? Sorry, the
19 previous statement was and this one is too, do you see
20 that? 14:30

21 A. Yeah.

22 494 Q. And he, in paragraph 1, says:
23

24 "Since taking over in January, I have found 2 Lt. B to
25 be hard-working, enthusiastic and competent." 14:30
26

27 A similar description to Cpt. Enright, isn't that so?

28 A. More or less, yeah.

29 495 Q. More or less. And he then goes on to make a very

1 similar point about being effectively in charge of
2 three platoons?

3 A. Correct, yeah.

4 496 Q. Also, very similar.

5 A. Mmm. 14:31

6 497 Q. And then he has a listing in paragraph 2, in relation
7 to Mr. Traynor's allegations, isn't that so? Do you
8 see that, 2(a), (b), (c), (d), etc.?

9 A. Yes, yeah.

10 498 Q. And then if we turn over the page: 14:31

11
12 "There have been no allegations relating to my period
13 as company commander and I am satisfied there are no
14 grounds for any such allegations."
15 14:31

16 A. That's what he says, yeah.

17 499 Q. Mmm. And there's a considerable similarity between the
18 two statements in respects we've just identified?

19 A. There is. Which is not surprising because
20 Cpt. Enright, at this stage, was 2IC to Cmdt. Coffey. 14:32

21 500 Q. Yeah.

22 A. So he would have had to consult with -- Cmdt. Coffey
23 would have had to consult with Cpt. Enright about his
24 period in charge and they had similar results of their
25 conversation. 14:32

26 501 Q. And similar language and similar points?

27 A. Similar language, yeah, exactly.

28 502 Q. It would appear, I'm not suggesting there is anything
29 wrong with it, but a level of coordination, some level

1 of coordination?

2 A. Well there would have to be. You're talking about the

3 OC and 2IC, naturally they discuss all matters,

4 including the allegations that Aptce. Traynor --

5 503 Q. But read together, the two statements would indicate to 14:32

6 the reader, that during the entire period that they're

7 covering between them, there were no allegations, no

8 other allegations apart from Mr. Traynor's allegations?

9 A. Well, there were before our time other allegations.

10 504 Q. I'm asking about the document first of all, Mr. Hayes. 14:32

11 Read together, they suggest that, do they not, clearly?

12 A. There's nothing clear about it. What you're trying to

13 say is that, eh, allegations means nothing was ever

14 happened at all, eh, concerning 2nd Lt. B. Whereas

15 they would have known that there was, before 14:33

16 Cpt. Enright was there but Cmdt. Coffey and myself

17 weren't there, when the other allegations were

18 promulgated. Everybody knew that at that stage.

19

20 So, you know, they weren't -- he didn't mean that when 14:33

21 he said it. He meant allegations that were proven. As

22 I meant myself, when I said there were no allegations.

23 Ones that were substantiated. That's the difference.

24 505 Q. We'll come to this again in your statement because

25 you're clearly thinking ahead, Mr. Hayes. But an 14:33

26 allegation, by its nature, is not something that is

27 proven. Surely that's obvious?

28 A. Well, it's not obvious. It depends on your

29 interpretation of it. I mean, if you were to take

1 every allegation made about a certain individual, eh,
2 even if spurious ones, you'd have a long list. There
3 was very, very few people go through and have no
4 allegations.

5 506 Q. I'm not going to tangle with you, Mr. Hayes. I'm going 14:34
6 to just say it to you straight, that those two
7 statements, taken together, are entirely misleading?

8 A. Ehm, in what? In regards to --

9 507 Q. They suggest to the reader that there were no other
10 allegations -- 14:34

11 A. Yeah but you see, it depends on your definition of
12 allegations.

13 508 Q. Is that how you want to explain these documents?
14 They're not even your documents, Mr. Hayes?

15 A. No, they're not. But I would have made similar 14:34
16 statements.

17 509 Q. Well, we know that you did.

18 A. Yeah.

19 510 Q. And we'll come to them.

20 A. There you go. 14:34

21 511 Q. So, is that how you explain these two documents and
22 your own statement when we see it?

23 A. I can't explain those two documents because I received
24 them. But, eh, all I looked, when I looked at them was
25 that they were in agreement, in general. And, eh, I 14:35
26 didn't see any reason to doubt them. As I had evidence
27 that it was reason to doubt, I would have written back
28 to them and said, 'You're wrong about that.' Or, 'I
29 think you are wrong about that.'

1 512 Q. We might just go to the top of that document again to
2 establish its date. Do you see it's 15th May, do you
3 see that?

4 A. Yes, yeah.

5 513 Q. There's an undated document from Cmdt. Coffey, the same 14:35
6 author, it's 4397. Also addressed to you, do you see
7 that?

8 A. Yeah, I'm looking at it now, yeah.

9 514 Q. Yeah. And actually signed, if you just go to the end
10 of the page, by Cmdt. Coffey, do you see that? 14:35

11 A. Cmdt. Coffey, yeah.

12 515 Q. If we just go back up. This is a document which does
13 actually, if you drop a little bit down, sorry. Do you
14 see (d), (e)?

15 A. Mm-hmm. 14:36

16 516 Q. These are about -- and (h).

17 A. He is making a conclusion there in (h) about the
18 alleged --

19 517 Q. It's recording allegations from somebody else, in
20 relation to other matters, isn't that so, other 14:36
21 incidents?

22 A. Yeah, other incidents.

23 518 Q. That's what it's doing?

24 A. But, as I say, those had all been dealt with and
25 everybody knew about them, so it may be there that they 14:36
26 were -- "allegations" might have been the wrong word to
27 use. What they should have said was "unproven
28 allegations".

29 519 Q. You're just hopelessly misleading, Mr. Hayes, I'm going

1 to put that to you. It says "no other allegations", it
2 says "no allegations"?

3 A. But I'm telling you the fact of the situation on the
4 ground was that everybody knew about the other
5 allegations. So, nobody would believe that there were 14:37
6 no allegations as such, even though that's what it
7 says. I agree with you. Probably bad wording more
8 than anything else.

9 520 Q. What Cmdt. Coffey told us was that when he became aware
10 of these allegations, he was appalled, the extra ones; 14:37
11 were you appalled?

12 A. Go easy now, which allegation are you talking about
13 now?

14 521 Q. The smoking ones, I'll call them loosely that?

15 A. Was I appalled about the smoking one? Is that what 14:37
16 you're asking me?

17 522 Q. Yes, when you learnt of them?

18 A. Well, when I learnt of them, of course, I was. It
19 wouldn't be the way I would deal with it. But he had
20 an explanation for it, which was that he wanted to stop 14:38
21 them setting fire to the billet, which had happened
22 some time previous.

23

24 Now, as I say, it was before my time, Cpt. Enright
25 might be more au fait with that one. But, eh, I would, 14:38
26 eh, say that he was paraded by the GOC at the time.

27 523 Q. Exactly, yes.

28 A. And gave a promise that he would improve his
29 performance. And it was pointed out by the then GOC

1 that apprentices or cadets or anybody else, the
2 training might be hard and they should revise it. And
3 we assumed he was doing that.

4 524 Q. Well these, in fact, weren't mere allegations because
5 these were allegations where the essential facts were
6 agreed; isn't that so? 14:38

7 A. Yeah, yeah.

8 525 Q. So, could we look at 2831. This is, also, dated 16th
9 May, do you see that?

10 A. Yeah, yeah, yeah. Same allegations. 14:39

11 526 Q. This is written to you by 2 Lt. B?

12 A. Mmm.

13 527 Q. And in it he is setting out his version of what I'll
14 describe as the smoking incidents and the hair-cutting
15 incidents; do you recall this? 14:39

16 A. Two versions; what do you mean?

17 528 Q. No, 2 Lt. B is giving you his version of those
18 allegations?

19 A. Yeah.

20 529 Q. The two smoking incidents and the hair-cutting
21 incident? 14:39

22 A. Correct, yeah.

23 530 Q. Is that right?

24 A. Mm-hmm. I wasn't the OC he said that to. It wasn't
25 me. 14:40

26 531 Q. But we can take it that, at the very latest, 16th
27 May --

28 A. 16th May was in the middle of the allegations that
29 Aptce. Traynor had.

1 532 Q. Exactly.
2 A. Yeah.
3 533 Q. And, at exactly that time, you were actually aware of
4 these other allegations and the fact that the
5 substantive facts were agreeable to 2 Lt. B, you were 14:40
6 aware of that?
7 A. Yes but they had been dealt with.
8 534 Q. I appreciate that.
9 A. Mmm.
10 535 Q. And did you ask 2 Lt. B to prepare that document? I 14:40
11 suggest you must have. You must have asked him 'what
12 do you say about these?'
13 A. That would have all fed into Cpt. O'Keeffe's
14 investigation of the incident.
15 536 Q. Yes. 14:41
16 A. And would have been part of the reason why he didn't
17 consider the incidents that had happened in 1990, as
18 being relevant at that particular time, in that they
19 had been dealt with.
20 537 Q. So, Cpt. O'Keeffe didn't see this, this is addressed to 14:41
21 you?
22 A. I know it is addressed to me but he would have seen it.
23 538 Q. Well, it's not his evidence. But can I just suggest to
24 you that you must have asked him for this?
25 A. We looked for a response from the company, no doubt the 14:41
26 Company Commander got Lt. 2B to respond and that would
27 have been sent on then with Cmdt. Coffey's letter as
28 well.
29 539 Q. And you were doing all this as part of the Traynor

1 investigation?

2 A. Yes because we had said that we'd investigate it and we
3 would investigate it anyway.

4 540 Q. And just, correctly, can I suggest, you are seeking to
5 get information about other allegations or other 14:42
6 incidents; it was part of a proper investigation?

7 A. Yeah. All tied in with the justification of him
8 getting his discharge, as he wanted.

9 541 Q. Well, we've agreed, Mr. Hayes, we'll try not to tangle
10 on this, that there's a separate strand to this which 14:42
11 is investigating Mr. Traynor's allegations because it
12 might have an effect on 2 Lt. B, do you remember that?

13 A. Yeah, yeah, yeah, yeah.

14 542 Q. Was this report, Cpt. O'Keeffe's report --

15 A. Mm-hmm. 14:42

16 543 Q. -- and the two statements we've looked at, by the two I
17 mine Cpt. Enright's one and the dated one from
18 Cmdt. Coffey; were they sent to Officer Commanding
19 wall?

20 A. As far as I remember they were. 14:42

21 544 Q. We just haven't seen any evidence of that?

22 A. It probably would tell you, on the attachment section
23 of one of them whether they were or not, maybe not, I'm
24 sure they probably would have been. If not, he'd have
25 looked for them probably and they would have got them 14:43
26 eventually anyway.

27 545 Q. The only evidence we have of a communication to Officer
28 Commanding wall is your document of 16th May, which is
29 primarily, you told us --

1 A. And did that mention attachments, I can't remember now
2 myself?

3 546 Q. No.

4 A. It didn't, yeah.

5 547 Q. Sorry, you mentioned that two statements had been 14:43
6 taken --

7 A. Mmm.

8 548 Q. -- but you didn't attach them?

9 A. Yeah, well they could have been attached and if they
10 weren't I'm sure General Wall or his staff would have 14:43
11 requested them and then they would have got them.

12 549 Q. So you're not able to say whether they were or weren't
13 sent?

14 A. Not for sure, not at this stage. I can't even remember
15 the particular one that we're talking about. I 14:43
16 obviously wrote it and all that. The discharge did
17 come through shortly after, so it was approved at
18 command level as well.

19 550 Q. So your document of 16th May, the one that we've looked
20 at a couple times, that's completely silent about other 14:44
21 allegations in respect of 2 Lt. B, isn't that so?

22 A. Ehm --

23 551 Q. I'm happy to go back and bring you through it?

24 A. Maybe we won't go back through it again.

25 552 Q. Perhaps take my word for it, it makes no mention of 14:44
26 other allegations?

27 A. Yes, if you say so, yeah.

28 553 Q. I just want to suggest to you, that insofar as this was
29 an investigation of allegations against 2 Lt. B, that

1 silence was inappropriate?

2 A. Not necessarily, in that we were dealing with

3 Aptce. Traynor's discharge, not 2IB at all.

4 554 Q. You just told us that we're also dealing with the 14:44

5 allegations against 2 Lt. B. You've told us that a

6 couple of times?

7 A. Because of the material that's in it. But the main

8 purpose of it was to process Aptce. Traynor's

9 application for discharge.

10 555 Q. And if your surmise is right, that the statements of 14:45

11 Cmdt. Coffey and Cpt. Enright were also sent, then they

12 would have given a completely positively misleading

13 impression but what we've seen that they said "there is

14 other allegations"?

15 A. Well, perhaps if he felt -- he would have had on his 14:45

16 file, from the previous GOC, the whole business about

17 what happened in the previous November. So he could

18 have found out that if he went that far to investigate.

19 I don't know whether he did or not at that stage.

20 Obviously, it became more relevant when events that 14:45

21 followed came up.

22 556 Q. Did you suggest to Cmdt. Coffey that he should delete

23 the references, in his undated statement, that referred

24 to Mr. Lenaghan's allegations from the dated one; did

25 you suggest that to him? 14:45

26 A. Did he delete it?

27 557 Q. Yes. Well, sorry, I beg your pardon, I'm so sorry.

28 It's an undated document so forgive me, I should have

29 put it to you. If it was prepared in advance of 15th

1 May, then they were deleted. If it was prepared after
2 15th May then they were added. So, I should have made
3 that clear to you. You understand that?

4 A. Yes, but I can't see the point you're getting at.

5 558 Q. Right. If it was prepared beforehand, and I'm simply 14:46
6 asking you did you suggest to him that he --

7 A. Certainly not. I wouldn't have suggested that to him
8 at all. You know, I'd leave it up to him to send
9 whatever he wanted in.

10 559 Q. I want to look at another document that you're familiar 14:46
11 with, it's 2864. It's your handwriting, isn't that so?

12 A. Yeah, it looks like it, yeah.

13 560 Q. And it bears a date that, I don't think we're going to
14 be able to see on the foot of the document but we have
15 seen that it is actually May, I think it's obscured, do 14:47
16 you see, by the number, on this version it's obscured
17 by the number but will you take it from me, please,
18 that it is May 1991?

19 A. Could be.

20 561 Q. And if I just go back to the top. It would seem, 14:47
21 inferentially, at least, based on some of the
22 information here, that it was prepared after 16th May.
23 And I say that because there are matters here that
24 probably came from Cpt. O'Keeffe's report to you on
25 that date? 14:47

26 A. Mmm.

27 562 Q. But, in any event, it is a document that you prepared
28 and it has a date on the second left column; the nature
29 of the complaint in the middle column; and a comment of

1 yours following, isn't that so?

2 A. Yeah.

3 563 Q. And, as we scroll down through it, I think there's a
4 total of nine matters mentioned, four of which are
5 Mr. Traynor, isn't that so? Mr. Traynor's allegations? 14:48

6 A. I'm not counting them now.

7 564 Q. I beg your pardon, I'll help you with that and forgive
8 me. We better go back to no. 1. November 1989 and the
9 cigarette incident there mentioned, do you see that?

10 A. Yeah. 14:48

11 565 Q. That's not Mr. Traynor, right?

12 A. No.

13 566 Q. And the next one, November 1989, another cigarette
14 incident?

15 A. That's a similar thing yeah. 14:48

16 567 Q. Not Mr. Traynor.

17 A. No.

18 568 Q. And your comment in respect of them is the occurred?

19 A. Yeah. That refers to the parading by the previous GOC.

20 569 Q. Exactly. January 1990, that's Aptce. C, that's 14:49
21 Aptce. Traynor, do you see that, the no. 3.

22 A. That's the basis of one of his allegations subsequently
23 made, yeah.

24 570 Q. That's right, yeah. And the next one, February 1990,
25 you include that one? 14:49

26 A. That was one of the other allegations, yeah.

27 571 Q. That's another Mr. Traynor allegation?

28 A. Yeah.

29 572 Q. You can see that it's included.

1 A. The discharge, yeah. They're his other two -- the
2 basis of the his four allegations that he made when he
3 was discharged.

4 573 Q. Exactly. The third one, March '90, that's presumably
5 no. 5, that's the third Mr. Traynor allegation, isn't 14:49
6 that so?

7 A. Yeah, it looks like it.

8 574 Q. Then if we go over the page, that's the fourth
9 Mr. Traynor allegation?

10 A. Verbal threats. 14:49

11 575 Q. Exactly.

12 A. Yes, that's the fourth one.

13 576 Q. And then no. 7, that's not Mr. Traynor, no. 8 is not
14 Mr. Traynor, and no. 9 is not Mr. Traynor; isn't that
15 so? 14:50

16 A. It would appear not.

17 577 Q. So you have seen fit, correctly I suggest, Mr. Hayes,
18 to take the four Traynor allegations and put them in
19 the context of the other allegations; that's what
20 you've done? 14:50

21 A. Well, I can't remember that document. I obviously
22 wrote it and it went to the GOC so it must have been on
23 foot of some request as to what things had been
24 resurrected against Lt. 2B and that's what it looks
25 like. 14:50

26 578 Q. You think you would have only prepared it at somebody's
27 request, you wouldn't have done it of your own
28 volition, is that right?

29 A. No, I mean, why would I be doodling a whole thing about

1 any of the people so I must have had a request to do.

2 579 Q. It's not doodling, I suggest, Mr. Hayes, it's actually
3 reflective of quite a bit of work on your part?

4 A. Oh, it is. It's quite a good document in summarising
5 the whole thing. And, you know, that's the only that I 14:51
6 would have known about. Now, I would have to consult
7 the records for that because some of it happened prior
8 to my going there at all.

9 580 Q. Exactly. But either of you of your own volition or
10 somebody, correctly, I suggest, decided that the 14:51
11 Traynor allegations should be seen in a broader
12 context?

13 A. No, somebody wanted to know what allegations had been
14 made against 2nd Lt. 2B, probably in the wake of the
15 allegations that occurred when Aptce. Mullaney, 14:51
16 unfortunately --

17 581 Q. No, no, I just want to be very clear with, Mr. Hayes,
18 that's obviously not correct. This document is dated
19 May 1991?

20 A. Okay. 14:51

21 582 Q. It has nothing to do with the death of Mullaney?

22 A. Well, '91 is there but I can't see the May bit.

23 583 Q. No, I'm telling you that it's May?

24 A. All right. I take it your word for it.

25 584 Q. And, therefore, I'm telling you it's got nothing to do 14:52
26 with the unfortunate death of Oliver Mullaney?

27 A. Well, in that case somebody at command level must have
28 inquired as to what other allegations were against
29 2nd Lt. 2B.

1 585 Q. Are you suggesting that you were not the level
2 appropriate?
3 A. That what was appropriate?
4 586 Q. I'm sorry, I interrupted. I beg your pardon. But I
5 think you were suggesting that somebody at command 14:52
6 level must have asked you to do this, is that right?
7 A. It would appear so, yeah. I wouldn't have done it
8 myself.
9 587 Q. You wouldn't have?
10 A. No. I mean, the things were in my mind, I knew about 14:52
11 them. So why would I be writing them down? I can't
12 follow where this document even came from because, eh,
13 it would have been typed out. It looks like something
14 prepared for typing but didn't actually get typed. But
15 that must have been the case. And there is a thing 14:52
16 forwarded there on the bottom, and presumably that must
17 have been up to command. So that would have been on
18 receipt of a request to do so.
19 588 Q. All right. And, just the other indication, and it's
20 clearly in the context of Mr. Traynor, could I just 14:53
21 point out to you that the red type at the bottom, we're
22 told by the Defence Forces who supplied this document,
23 that that is referable to Mr. Traynor, those
24 references?
25 A. Right. well, perhaps, they, when they got their 14:53
26 application for the discharge of him were aware that
27 there was a disciplinary issue in the background,
28 looked for that from command and command looked to me
29 for it and I would have sent on that, then. Although,

1 normally it would be typed out. However, that would --
2 I can't remember the context of it really.

3 589 Q. Just to be clear, the other allegations that aren't
4 made by Mr. Traynor would have nothing to do with
5 Mr. Traynor's discharge, would they? 14:53

6 A. Ehm, no, but they would have to do with 2nd Lt. 2B.

7 590 Q. Precisely. Precisely.

8 A. But somebody looked for information about his
9 performance.

10 591 Q. In the context of Mr. Traynor's allegations? 14:54

11 A. Not necessarily. Possibly in the context. The
12 timeline --

13 592 Q. Obviously, so, Mr. Hayes?

14 A. -- would indicate that.

15 593 Q. Obviously so? 14:54

16 A. Obviously so?

17 594 Q. Mmm.

18 A. Well, there's nothing obvious because there's no
19 signatures and no sign of who sent what to where. I'm
20 just surmising that that would have happened. A most 14:54
21 likely explanation. It's not obvious.

22 595 Q. If you could look at another document, please, 2876.
23 This is your handwriting also, isn't that so?

24 A. It would appear to be, yeah.

25 596 Q. And I think just if we go to -- 14:54

26 A. Well, they are you are:

27

28 "The effective of the investigation on
29 Lt. [so-and-so]."

1
2 That means somebody was investigating him, hence the
3 previous chronology. However, go ahead, yeah, sorry.
4 597 Q. Just at the foot, do you see there's another reference
5 which we're told is a Mr. Traynor reference; do you see 14:55
6 that?
7 A. Right, yeah.
8 598 Q. I would just ask you to note that. If we go back up to
9 the document, do you see paragraph 2:
10
11 "See report."
12
13 That's the report in relation to Mr. Traynor, do you
14 understand that?
15 A. Yeah. That would be -- you mean that would be the 14:55
16 report I would have sent in when Mr. Traynor's
17 allegations were part of his discharge, is that what
18 you mean?
19 599 Q. It's your writing and I, therefore, can't say precisely
20 what report it is but I can say that it is referable to 14:55
21 Mr. Traynor because of the --
22 A. Well, then, it probably was.
23 600 Q. And then no. 3 is the Ministerial Query, do you see
24 that?
25 A. Mm-hmm. 14:55
26 601 Q. And I'm just going to show you another document, to see
27 what we can see in relation to that. It's 2882. And
28 do you see that heading:
29

1 "Notes re Ministerial Query."
2
3 A. Yeah.
4 602 Q. And this is back to the smoking incidents, do you see
5 that? 14:56
6 A. Well, it's referenced, yeah.
7 603 Q. And, also, that the officer was paraded. So this was,
8 it would seem, a note prepared to enable an answer be
9 given to a Ministerial Query; do you see that?
10 A. Yes. 14:56
11 604 Q. That's what it looks like?
12 A. And it's typed out, which is more than the other one
13 was, yeah.
14 605 Q. Indeed. And if we scroll down to the end of that
15 document. It also has a Mr. Traynor reference; do you 14:56
16 see that?
17 A. Yeah, they're obviously all gone into the same file.
18 606 Q. Exactly. And if we could just go back, then, to 2876.
19 And looking at no. 4 "other incidents," do you see
20 that? 14:57
21 A. Mm-hmm.
22 607 Q. And you had, as we've just seen, either, you say
23 probably at somebody else's request, but you had
24 recorded these incidents in your chronology document,
25 isn't that so? 14:57
26 A. Yes, yeah.
27 608 Q. And, indeed, you were aware of them?
28 A. Yes.
29 609 Q. And then if you look at paragraph 1, this is the effect

1 of the investigation. So that's the Mr. Traynor
2 investigation, isn't that so?

3 A. It would be appear be, yeah.

4 610 Q. On 2 Lt. B and is that the company, I suppose, is that
5 the... what's that last word? 14:58

6 A. "And company," it doesn't make much sense.

7 611 Q. The investigation, it would seem, had an effect, not
8 surprisingly, on 2 Lt. B and the broader company. And
9 in the next line:

10 14:58

11 "He should not be removed immediately. Suggest Aug."

12

13 And I just want to ignore August for the moment. But
14 the line "he should not be removed immediately." It
15 does suggest, Mr. Hayes, that you were of the view, at 14:58
16 this time, that he should be removed?

17 A. No, what it suggests is that somebody might have
18 suggested to me that he be removed and I was saying he
19 shouldn't be removed immediately. And that was only a
20 month -- is there a date on that thing -- 14:58

21 612 Q. No.

22 A. -- we're looking at. Okay, well presumably it's around
23 the same May time, around a lot of significant events
24 occurred close together there.

25 14:59

26 The reason for that would be that he was the Platoon
27 Commander, there was a platoon about to pass out in
28 July, and, eh, he was the Platoon Commander and we
29 would be leaving it until after that. And then August

1 would be better from the point of view that there would
2 be -- apprentices would be gone on holidays and there'd
3 be a more comfortable time for handover. I'm
4 surmising, but I presume

5 613 Q. If we just go back to the first surmise. 14:59

6 A. Mmm.

7 614 Q. I was putting it to you that it appeared that you were
8 of the view that he should be removed but not
9 immediately and you're suggesting, am I right in
10 understanding you that perhaps that was somebody else's 14:59
11 view that you're recording, is that right?

12 A. Ehm, it would look like somebody suggested that he
13 would be removed.

14 615 Q. And why do you say that?

15 A. Because it says he should not be removed immediately. 15:00
16 Therefore, somebody would have had to suggest that he
17 be removed and I was saying, no, not just now. But was
18 this before or after, because other events, eh, change
19 the whole picture.

20 616 Q. I appreciate that. But these other events that you 15:00
21 mention are nowhere mentioned in this document, isn't
22 that so?

23 A. No, but that might have been written before the other
24 events.

25 617 Q. It was, I'm suggesting to you, written in or about May? 15:00

26 A. Yeah, probably.

27 618 Q. That's a strong probability because it nowhere
28 references --

29 A. What has that got to do with anything?

1 619 Q. It nowhere references Mr. Mullaney's death, isn't that
2 so?
3 A. No.
4 620 Q. It references Mr. Traynor's report which is qua the 15:00
5 2 Lt. B allegations; the Ministerial Query which is qua
6 2 Lt. B allegations; and the other incidents which
7 you've recorded qua 2 Lt. B, isn't that so?
8 A. Mm-hmm.
9 621 Q. So that's what this is about. Let's not beat around
10 the bush, that's what this is about? 15:01
11 A. I'm not beating around the bush. I'm trying to make
12 sense of why you're asking me these questions at all.
13 622 Q. Forget about Mr. Mullaney now?
14 A. No, we're not bringing Mr. Mullaney into it.
15 623 Q. I just want to know, are you saying -- in interview you 15:01
16 said it was possible that you had formed the view that
17 he should be removed?
18 A. Ehm, I never said that as such. What interview did I
19 say that in?
20 624 Q. Well, you said it in an interview with myself not so 15:01
21 long ago, I will get you the reference.
22 A. Yeah, that was subsequent -- I did say that subsequent
23 to the unfortunate events surrounding Aptce. Mullaney
24 but not before that. If we're talking before that,
25 then that would have been relevant to this document if 15:01
26 this document was completed before the events of
27 June '91.
28 625 Q. I'll just find it for you, if you bear with me. If we
29 could go to 5143. And do you see line 14:

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

"And Including a Ministerial Query, including other incidents that you had there in number 4 which is not itemised."

15:02

You say:

"It is possible."

"I'm putting to you that it is written in relation to Mr. Traynor, which I think we're all agreed now."

15:02

And then I say:

"If that is case then it suggests that you had in mind some time in May or early June to remove the Lieutenant prior to the death of Oliver Mullaney; is that possible?"

15:03

And you say:

15:03

"It is possible but I can't say..."

And over the page, if you just 5144, do you see line 4, I say to you:

15:03

"Let me put it this way, Mr. Hayes, can you recall now that you possibly reflected prior to death of Ollie Mullaney and took the view that it was best that

1 the Lieutenant be removed?"
2
3 And you say:
4
5 "It is possible, again I can't be sure..." 15:03
6
7 I just want to give you an opportunity, Mr. Hayes, to
8 say now; is it possible?
9 A. I said there it is possible and I'm saying it again. I
10 mean, I can't remember what happened over a two- or 15:03
11 three-month period in 1991.
12 626 Q. Okay.
13 A. It's possible that we were considering it because of,
14 quite possibly, Aptce. Traynor's complaints as well,
15 combined with everything else. And it's also possible 15:04
16 that somebody might have suggested from above. I'm not
17 aware, I can't remember that. But he wasn't removed
18 anyway, as we know, at that stage.
19 627 Q. We do know. And either you're of that view or somebody
20 above is of that view, or perhaps both of you are of 15:04
21 that view. Aren't those three possibilities?
22 A. Yeah, yeah, yeah. All possibilities.
23 628 Q. I wonder if we could just go back to the document,
24 2876. Do you see it's expressed in the negative:
25
26 "He should not be removed immediately..." 15:04
27
28 Do you see that? Second line.
29 A. Mmm. That would imply somebody suggested removing him

1 immediately, as we said already.

2 629 Q. But the debate doesn't seem to be about removal or no
3 removal, the debate seems to be about the timing?

4 A. According to that, yes. Suggesting August.

5 630 Q. "Not immediately, suggest August"? 15:05

6 A. Yeah.

7 631 Q. 2 Lt. B says, or has said in his evidence, that he made
8 a verbal request for transfer in or about this time;
9 have you any recollection of that?

10 A. No. 15:05

11 632 Q. He says it was declined and he was told, not by you it
12 has to be said, that the reason was to the effect that
13 the bullies can't be seen to win; have you any
14 recollection of any of that?

15 A. The bullies can't be seen to win? What was he 15:05
16 implying, supposed to be implying there. I have no
17 recollection of it, to answer your question directly,
18 but I'm just wondering what was at the back of it.

19 633 Q. Well, he's reporting what somebody else is alleged to
20 have said. We can't speculate on that. 15:06

21 A. Well, it wasn't me.

22 634 Q. Can you throw any light on it?

23 A. It wasn't me. I wouldn't have said anything like that,
24 no.

25 635 Q. And he was not suggesting it was you. 15:06

26

27 Do you recall his written request for transfer sometime
28 later, unfortunately after the death of Mr. Mullaney?

29 A. I seen the letter. I remember seeing it, it was on the

1 submissions that came in. And no, I don't remember him
2 applying, but that's not to say he didn't.

3 636 Q. No.

4 A. But I did thing it strange that that particular
5 application, even though it was addressed, I forget who 15:06
6 it was addressed to now, but there were no
7 recommendations or anything written on it. It would
8 have implied that it wasn't sent on, or something.

9 637 Q. But as it happens, on that occasion, he himself made
10 the identical suggestion that he be removed but not 15:07
11 until August. And he has frankly said to the Tribunal
12 that was for perception reasons. I don't know if
13 you're familiar with that evidence?

14 A. Yeah, I think I saw it in one of the transcripts, yeah.

15 638 Q. I just want to ask you; this reference in the document 15:07
16 that we were looking at: Be removed but not until
17 August; was that partly due to perception reasons?

18 A. If I wrote -- it's in my handwriting, the reason would
19 have been, as I've already said, that that would be the
20 best time regarding the progress of the school to do 15:07
21 it, because people would be on holidays and there'd be
22 no passing out parades, which we needed him for because
23 he was the only one that was au fait with the whole
24 thing and he was the officer in situ. So keep him
25 until after the passing out parade was, basically the 15:08
26 reason for that.

27 639 Q. So only for practical reasons is that your evidence?

28 A. I would say so, yeah, only for practical reasons, but
29 that changed. It changed after the death of --

1 640 Q. I'm only talking about that time.
2 A. This was earlier.
3 641 Q. Yes. But if the removal was delayed to August, it
4 would negate any suggestion that it was attributable to
5 a combination of the Traynor allegations and all the 15:08
6 other allegations, isn't that so?
7 A. It would do that, yeah.
8 642 Q. It would have that effect?
9 A. Well, it should have that effect. In other words, if
10 he was seen to be removed the day after Aptce. Traynor 15:08
11 left, then people would say that's because of
12 Aptce. Traynor's complaints and he was being removed.
13 643 Q. Exactly.
14 A. And we wouldn't have wanted that perception to be there
15 in view of the fact that it didn't stack up that it was 15:08
16 because of that that Aptce. Traynor has applied for his
17 discharge, entirely, it may have been a contributory
18 factor but not entirely because of that.
19 644 Q. So, if he had been removed immediately it would have
20 given an incorrect perception, is that what you say? 15:09
21 A. Eh, well, as we just discussed, of course it would,
22 yeah. Aptce. Traynor goes day one, day four or five,
23 Lt. 2B goes, wouldn't that be the obvious conclusion
24 that an apprentice would come to, apart from the fact
25 that he would have left a hole in the place because we 15:09
26 would now have no platoon commander.
27 645 Q. But the reason why either you or the General Officer
28 Commanding, or both of you, have actually said he
29 should be removed is because of the combination of the

1 allegations of Mr. Traynor and the allegations of the
2 others, isn't that so?

3 A. Not entirely.

4 646 Q. well, it's a significant contributing --

5 A. well, it could be if that was the case. I don't 15:09
6 remember having a discussion with General Officer
7 Commanding Wall.

8 647 Q. well, that's the perception that he wanted to avoid,
9 isn't that so?

10 A. He wanted to avoid the perception that he was being 15:10
11 removed because some apprentice had complained about
12 him. That's what he wanted to avoid. Combined with
13 the fact that he had a job to finish them and pass out
14 the platoon and all that.

15 648 Q. Can I suggest to you that he should have been 15:10
16 removed --

17 A. Should have been removed?

18 649 Q. -- in May of 1991?

19 A. On what basis?

20 650 Q. Given the allegations of Mr. Traynor and given all of 15:10
21 the other allegations that you've carefully put
22 together?

23 A. well, we were planning to remove him, according to what
24 you have unearthed here. But it still hasn't happened.

25 651 Q. But the only issue is time? 15:10

26 A. Not the only issue, no, but the main issue as to when
27 he should go. I mean, to pull him out straight in
28 front of a passing out parade wouldn't have made sense
29 at all. Except given what happened subsequently, which

1 exacerbated the whole thing.

2 652 Q. I don't want to overstate this, Mr. Hayes, but had he
3 been removed in May, subsequent events might have been
4 different; have you ever reflected on that?

5 A. Well, you're iffing and anding there, yes, possibly. 15:11
6 But then he denies that he contributed to
7 Aptce. Mullaney's suicide, if that's what you mean.

8 653 Q. I'll just pass, if I may.

9

10 Could we look at document 4413. This is a document 15:11
11 which 2 Lt. B prepared, never sent to anybody and is
12 effectively a note for himself; do you understand that?

13 A. Yeah, I've seen this only recently, yeah.

14 654 Q. And in subparagraph (c) he's making these notes in
15 case, as we'll see later, that legal action is 15:12
16 necessary. But, in subparagraph (c) he says:
17

18 "I am not happy with the behaviour of Cpt. O'Keeffe. I
19 do not consider he conducted a fair investigation."
20
21 You'll see there, if you read it, why he was of the 15:12
22 view. Do you see that?

23 A. Yeah. Yeah.

24 655 Q. And there's a suggestion there that you had to correct
25 his letters, two of his letter, do you see that? 15:12
26 A. Yes.

27 656 Q. Any recollection of that?

28 A. No. Never corrected any of the letters, that I can
29 remember.

1 657 Q. He says he wasn't -- I beg your pardon, were you going
2 to say something?
3 A. I was going to say I used the letters regarding the
4 investigation as a background to the application for
5 Aptce. Traynor's discharge. 15:13
6 658 Q. Right. The last sentence there he says:
7
8 "I informed Cpt. O'Keefe, on several occasions, that I
9 was unhappy with his conduct of the investigation."
10 15:13
11 So, we know two things: Both Cpt. O'Keefe and 2 Lt. B
12 say that 2 Lt. B was never interviewed in relation to
13 the substance of the allegations; do you follow?
14 A. Yeah.
15 659 Q. But here, it would seem, that 2 Lt. B had approached 15:13
16 him on several occasions expressing that he was unhappy
17 with his conduct of the investigation. Can I just ask
18 you; is it appropriate that the subject of the
19 investigation would do that?
20 A. Probably not, but I knew nothing about that until I 15:13
21 read it here. But on the other hand, it could be
22 explained away by the fact that they meet every day at
23 coffee and conversations could have happened, you know.
24 660 Q. So, the other thing is he said:
25 15:13
26 "I was not furnished with his report of the
27 investigation despite an assurance that one would be
28 provided."
29

1 would you agree that he should have been provided with
2 the report?

3 A. Ehm... the report that I sent to the GOC? Not
4 necessarily.

5 661 Q. well, no, he's referring here to Cpt. O'Keefe's 15:14
6 report --

7 A. To the actual investigation of the report? Ehm, maybe,
8 yeah. You know, it's open to debate.

9 662 Q. well, was he entitled to some formal indication of the
10 outcome of the investigation into himself? 15:14

11 A. well, if by some nefarious means he found out what was
12 in it, which he obviously must have, he was able to
13 make comments like that, then he should have been happy
14 with the investigation because it more or less cleared
15 him. 15:14

16 663 Q. Sorry, Mr. Hayes, that's not an answer to the question,
17 as you well know.

18 A. I don't well know, I'm telling you that's the position.

19 664 Q. Should he --

20 A. Have got a copy of it? 15:15

21 665 Q. Should he have got some of the notice of the outcome,
22 whether it is a copy or a description of the outcome,
23 should he have?

24 A. He probably did. But I can't see any evidence here
25 that he didn't -- 15:15

26 666 Q. All right.

27 A. -- get it. He's just saying he never got an official
28 copy of the letter.

29 667 Q. Can we agree this; that if you're the subject of an

1 investigation, you should get some notification of the
2 outcome of the investigation?

3 A. well, he wasn't subject -- the investigation was into
4 allegations by Aptce. Traynor, eh, which more or less,
5 eh -- now, he, obviously, heard on the grapevine what 15:15
6 was happening but I wasn't to know that so I didn't
7 feel -- but we would have told him, eh, in conversation
8 that he wasn't being blamed for anything, that there
9 was satisfactory explanations for most of the things.

10 668 Q. well, is that, actually, perhaps, what you really mean 15:15
11 by all of this, that 2 Lt. B was never the subject of
12 this investigation, this was an investigation by
13 Mr. Traynor; is that what you're suggesting?

14 A. No, not an investigation about Mr. Traynor, an
15 investigation about Mr. Traynor or Aptce. Traynor's 15:16
16 allegations, that's what it was about.

17 669 Q. Against 2 Lt. B?

18 A. Against, largely, but not entirely. And I would
19 suggest that he would have found out, on the grapevine,
20 what had happened. 15:16

21 670 Q. And that's sufficient, is it?

22 A. Hmm?

23 671 Q. Is that sufficient?

24 A. I think so. You know, if he looked for one he would
25 have given it to him. 15:16

26 672 Q. what was the outcome of the investigation into
27 Mr. Traynor's allegations against 2 Lt. B?

28 A. well, now you're asking me a double-edged question
29 there because the Military Police carried out an

1 investigation into --

2 673 Q. No, no, no, Mr. Traynor's allegations?

3 A. That was done in order to, eh, process Aptce. Traynor's

4 application for discharge, not necessarily trip up

5 2 Lt. B, even though he was, obviously, the subject of 15:17

6 a lot of it.

7 674 Q. So, was there an outcome in relation to the allegations

8 against 2 Lt. B?

9 A. There was.

10 675 Q. What was it? 15:17

11 A. Command initiated further procedures, which, to my

12 knowledge, have never actually been finalised to this

13 day, because it was several suggestions, which I wasn't

14 even aware of. In fact I was gone at that time on

15 another job that some disciplinary action might be 15:17

16 taken.

17 676 Q. Was there ever a finding of proved, disproved or

18 partially proved, any such finding?

19 A. From whom?

20 677 Q. From the investigation? 15:18

21 A. Which investigation?

22 678 Q. In Mr. Traynor's allegations for which --

23 A. No, they had gone up the line. And as a result of them

24 going up the line, ehm, the command, obviously, took

25 over the reins to a certain extent and made submissions 15:18

26 to the Adjutant General 's branch of which there was, I

27 understand from subsequent letters that I've only seen

28 a lot of them now, eh, could have involved disciplinary

29 proceedings but then they dropped them. As to why that

1 happened I don't know.

2 679 Q. So that's admonition procedure subsequent to
3 Mr. Mullaney's death, isn't that so; that's what you're
4 referring to?

5 A. That and the other things that they would have had on 15:18
6 file. Obviously, they had the whole lot up there
7 because you're referencing me those red letters. I
8 think there was quite a file about him around the
9 place.

10 680 Q. So, in relation to Mr. Traynor's allegations is there 15:18
11 any finding that you're aware of, from anybody, as to
12 whether they're proved, disproved, partially true,
13 anything of that nature?

14 A. Not as yet because, as I say, Lt. 2B is at the bottom
15 of this and I have never been told, for example, 'It's 15:19
16 all over and we find one way or the other,' or
17 whatever. Or than the admonition thing that was
18 shelved. No explanation given. I wasn't going to look
19 for one ten years later, you know.

20 681 Q. So you're saying you haven't been informed of any 15:19
21 outcome --

22 A. Exactly.

23 682 Q. -- in relation to Mr. Traynor's allegations?

24 A. Yeah. Not definitively.

25 683 Q. And 2 Lt. B has never been informed. And Mr. Traynor's 15:19
26 parents and Mr. Traynor have never been informed, isn't
27 that so, of anything?

28 A. Well, I don't know whether people might have written to
29 Aptce. Traynor's parents or not, but, eh, it would

1 appear not. I would imagine that if we had been
2 informed -- if we hadn't been informed then they
3 certainly probably wouldn't have been either. So, the
4 answer is still the thing is still in the air.

5 684 Q. They weren't even told that an investigation had 15:20
6 commenced, isn't that so? The minute they walked out
7 the door they were ignored?

8 A. Who was ignored?

9 685 Q. Mr. Traynor's parents, and Mr. Traynor?

10 A. Well, no. They were told that it would be investigated 15:20
11 or was investigated. They never got a result because
12 we never got a result.

13 686 Q. I see. So there's never been a result to the
14 investigation into Mr. Traynor's allegations; is that
15 your evidence? 15:20

16 A. Not 1, 2, 3, 4, as you've said, as such.

17 687 Q. Okay. I want to move on to document 2478. Do you see
18 this document now is dated 12th November 1992, so, just
19 be alert, we've skipped on in time now, do you see
20 that? 15:21

21 A. Mm-hmm.

22 688 Q. And this document is written by you?

23 A. Yeah, probably, yeah.

24 689 Q. And you see paragraph 1:
25
26 "Reference yours dated 13 Aug, the following is the
27 information sought."
28
29 Let me just help you here, Mr. Hayes, what has happened

1 now is that in December of 1991, Mr. Traynor has
2 instituted civil proceedings and he's named 2 Lt. B as
3 a defendant in the proceedings, do you follow?
4 A. Yeah.
5 690 Q. And you're now being asked for information in relation 15:21
6 to that claim, do you understand?
7 A. Yeah.
8 691 Q. And in the second paragraph you say:
9
10 "Documentation arising from investigation into 15:21
11 Aptce. Traynor's complaints is attached at Annex A and
12 B, see also paras 7-16 inclusive of report..."
13
14 And that's from you.
15
16 "...dated 16 May (copy attached at Annex C)." 15:22
17
18 Do you see that?
19 A. Yeah.
20 692 Q. So I just want to look at those, just identify those 15:22
21 three documents for you. We've seen them but I just
22 want to be clear on about what they are again. If we
23 could look at the first, 2729. That's Cpt. O'Keeffe's
24 report, isn't that right?
25 A. About the allegations, yes. 15:22
26 693 Q. Exactly. And if we just go to the top of the page, the
27 first page again. Very top. Do you see there on the
28 top right-hand column it's marked "Annex A"?
29 A. Mmm.

1 694 Q. So you're sending this document on, in response to this
2 query for the legal case; do you understand?
3 A. Yeah.
4 695 Q. Yeah. And we won't go back over it, about --
5 A. Okay, yeah. 15:23
6 696 Q. -- what deficiencies we suggest are in that document.
7 But if we just then turn to the next document, 2724.
8 This is Cmdt. Coffey's document of 15th May, isn't that
9 right?
10 A. Yeah. 15:23
11 697 Q. And if you go down through it, just this is the version
12 with no mention of the Lenaghan allegations, isn't that
13 so, we skipped it a little bit quickly there but do you
14 see (a) to (e), that's the version without the Lenaghan
15 allegations, isn't that right? 15:23
16 A. Yes, except the incidents are alleged to have taken
17 place approximately one-and-a-half years ago which
18 would have been the time of the earlier one.
19 698 Q. No, this is the first of Mr. Traynor's allegations --
20 this is all of Mr. Traynor's allegations? 15:23
21 A. Hmm?
22 699 Q. These are all Mr. Traynor's allegations?
23 A. Yeah, but the incidents are alleged that have taken
24 place approximately one-and-a-half years ago may not
25 have been anything to do with Traynor at all. Because 15:24
26 we're talking about one-and-a-half years before.
27 700 Q. Can I just suggest to you that that's clearly not so
28 and I'll just move on. Do you see paragraph 3, if you
29 would. This is the sentence in which he says:

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

"There have been no allegations relating to my period as Company Commander and I am satisfied that there are no grounds for any such allegations."

15:24

We've seen that before?

A. Yeah, that's Cmdt. Coffey's thing, yeah.

701 Q. So, I mean, the first document is only about Mr. Traynor's allegations and in fact only about two of them. This document is only about Mr. Traynor's allegations and positively says there are no other allegations, isn't that so? That's what it says.

15:24

A. Yeah, the point being what?

702 Q. We'll come to it in a moment.

15:24

And then the third document, as we'll see it's at 2719, this is Annex C.

A. Mmm.

703 Q. And then as we've seen, this is your document that we've seen before.

15:25

A. Yeah.

704 Q. And it's also completely silent on other allegations, isn't that so?

A. But this doesn't purport to have anything else in it only the application for the discharge by purchase of Traynor. It's the information.

15:25

705 Q. I understand.

A. It gives them material for a reply to the Ministerial Query.

1 706 Q. At this point, you're being asked, internally, to
2 provide the Defence Forces with documentation to assist
3 in the defence of a case; do you understand?
4 A. Yeah.
5 707 Q. And this is what you send them? 15:25
6 A. I sent them everything we had, yeah.
7 708 Q. Well, you didn't, with respect, Mr. Hayes.
8 A. What did I not send?
9 709 Q. Because the documents you sent to them make no
10 reference to the any other allegations against the 15:25
11 named defendant in the proceedings. That's clear,
12 isn't it?
13 A. There were no other allegations. We sent them all we
14 knew about Aptce. Traynor, seeing he was making the
15 claim against the Minister. 15:26
16 710 Q. You see, based on the information that you provided,
17 the court, if Mr. Traynor's case had proceeded, would
18 have been left with, I'll put it this way, with a
19 significant evidential deficit; would you agree?
20 A. In what way? 15:26
21 711 Q. Because it would know nothing of the other allegations
22 made against the named defendant in the proceedings?
23 A. Allegations made -- yeah. Eh, are you talking about
24 Traynor now or are you talking about all the
25 allegations of all -- 15:26
26 712 Q. All the other allegations, because you've dealt with
27 Mr. Traynor but you haven't dealt with--
28 MR. HOGAN: Sorry, Sole Member. I fail to see how the
29 other allegations would have been relevant to a civil

1 claim brought by Mr. Traynor, complaining about the
2 allegations.

3 SOLE MEMBER: You don't see how they could be relevant?
4 MR. HOGAN: well, the Tribunal is investigating the
5 complaints procedure. 15:27

6 SOLE MEMBER: But Mr. Cush is asking him about civil
7 proceedings that followed after Mr. Traynor had left.

8 MR. HOGAN: Yes, in relation to his allegations of
9 mistreatment. Why would allegations of mistreatment of
10 other apprentices be relevant to Mr. Traynor's claim 15:27
11 that he was mistreated?

12 SOLE MEMBER: I think that's very straightforward
13 enough in terms of civil proceedings, that if you're
14 going to name somebody as having done something you
15 would produce other evidence as well to corroborate it. 15:27

16 MR. CUSH: Certainly, it's not an objection to this
17 line of questioning.

18 SOLE MEMBER: It's not an objection to this line of
19 questioning, absolutely.

20 MR. CUSH: It might have been a debate -- 15:27

21 MR. HOGAN: Very good.

22 MR. CUSH: -- but of no merit, I would suggest, to be
23 had in the Circuit Court but not an objection to this
24 line of questioning.

25 SOLE MEMBER: Yes. I agree. Thank you. 15:27

26 713 Q. MR. CUSH: Mr. Hayes, you're asked for assistance with
27 Mr. Traynor's case and you provide this information.
28 Now, as a matter of fact, it doesn't refer to any other
29 allegations against 2 Lt. B. Can we just agree as a

1 matter of fact it doesn't?

2 A. what other allegations were there?

3 714 Q. The hair-cutting, the smoking?

4 A. They were referred to.

5 715 Q. No, not in these documents? 15:28

6 A. They were in the previous one you showed me, it

7 mentioned allegations a year and a half ago. That was

8 the only one.

9 716 Q. No.

10 A. There were no other ones. 15:28

11 717 Q. With respect --

12 A. How to you mean no? I mean, it was obvious, it wasn't

13 last week from May, it was a year and a half before

14 which was going back into the early days of his

15 apprenticeship. 15:28

16 718 Q. Is that what you want to suggest to the Tribunal that

17 that one reference is a reference to the other

18 allegations?

19 A. well, what else could it be?

20 719 Q. Okay. 15:28

21 A. If they wanted further information -- but they had all

22 the information anyway and may well have included it in

23 their final submission. I don't know what went back up

24 the line on that but there was the clue for them.

25 720 Q. well, if that's not how either it was intended or could 15:29

26 reasonably be construed, would you agree with me that

27 the Defence Forces, people whom you were trying to

28 assist, weren't getting the full picture, from you?

29 A. But they had the full picture.

1 721 Q. From you. You weren't giving them the full picture?
2 A. We gave the full picture with the information that
3 there were previous allegations before that were being
4 put at our time which were there. All they had to do
5 was look them up if they wanted to use them. But as it 15:29
6 turned out, they didn't need them because the thing was
7 withdrawn before it went to court.

8 722 Q. Could I ask you to look to your own statement, if you
9 would, Mr. Hayes. This is 3644. If you could scroll
10 on to paragraph 10 on page 3647. Do you see you're 15:30
11 telling the Tribunal:
12

13 "I have no recollection of any concerns in the period
14 from my appointment in October 1990 to my departure in
15 January 1992 regarding the military side of the 15:30
16 training for apprentices. I am certainly not aware of
17 the dissatisfaction which is set out in the statements
18 in the books of documents provided which I have read."
19

20 That's not correct, Mr. Hayes, sure it's not? 15:30
21 A. Well, we're talking about the military side of the
22 training here. Ehm, obviously, there were the
23 complaints and what not.

24 723 Q. Mmm.
25 A. But, ehm, I wasn't aware of them until they appeared. 15:30
26 724 Q. Yeah.
27 A. And we got them.

28 725 Q. And at paragraph 13, we won't dwell on this:
29 "I was not aware and had not been made aware of any

1 inappropriate conduct by 2 Lt. B prior to the death of
2 Aptce. Mullaney."

3
4 That's hopelessly inaccurate as well, isn't it?

5 A. No, because what we're talking about there is 15:31
6 allegations which had been dealt with or which he had
7 been cleared off, or at least there wasn't enough proof
8 to proceed with them. Perhaps, eh, proven
9 inappropriate conduct might have been better to clarify
10 to people who'd be reading it, like you're reading it 15:31
11 now. Proven inappropriate conduct, if you add that in.
12 At this late stage, it's not worth it, I suppose.

13 726 Q. I don't think so, Mr. Hayes.

14
15 So, the heading above paragraph 16: 15:31

16
17 "Submission made by Mr. Padraic Lenaghan."

18
19 Do you see that? Sorry, I should say, just above that
20 heading you say: 15:32

21
22 "I confirm that I have been furnished with and read the
23 folders of documented entitled 'booklet of documents'."

24
25 And that's all the witness statements, isn't that 15:32
26 right?

27 A. Mmm.

28 727 Q. And then you chose to deal with the ones that you've
29 mentioned there, isn't that right?

1 A. Yeah.

2 728 Q. But you didn't, actually, deal with Mr. Traynor at all?

3 A. No.

4 729 Q. And I think you told us in interview it's because you
5 didn't think it was relevant? 15:32

6 A. Well, as I say, there were no proven allegations there.

7 730 Q. I just want to finish, if I may, Mr. Hayes, I just want
8 to put to you a couple of suggested deficiencies in the
9 investigation. This is Mr. Traynor's allegations and
10 give you an opportunity to comment on them. 15:32

11

12 I just have a little list of them there if you bear
13 with me. [Short pause]. Sorry, Mr. Hayes. We are
14 nearly finished and I'm sorry to delay. Here we are.

15 15:33

16 It's just a list of what I'm suggesting are
17 deficiencies in the investigation. I'll give you an
18 opportunity to comment on them.

19

20 The first is that there was only one interview with 15:33
21 Mr. Traynor on 13th May and that was on an occasion
22 when he was not fit to be interviewed and there was no
23 follow-up interview even attempted. That's a
24 deficiency?

25 A. What date? Sorry, 13th May was when? 15:33

26 731 Q. You interviewed him on 13th May, the same day as he had
27 a medical examination indicating he had been
28 self-harming and might require psychiatric help, and
29 that was not an appropriate occasion to interview him;

1 that's the first suggestion?

2 A. Yes, well we interviewed him. We found out he had

3 complaints. So we had to investigate those complaints

4 before we could do anything else.

5 732 Q. But you weren't going to get the best description of 15:34

6 the complaints from him on that occasion, I suggest?

7 A. Well, we had enough to be going on with, and, eh,

8 Cpt. O'Keeffe's conclusions were that there wasn't any

9 great foundation to most of them.

10 733 Q. And there was no follow-up interview even attempted 15:34

11 with Mr. Traynor?

12 A. No, because he was gone.

13 734 Q. He was still subject to military rule, isn't that so?

14 A. Only while his discharge was coming through, a matter

15 of a few weeks and had he -- 15:34

16 735 Q. Nobody attempted to ask him would he attend again for

17 another interview?

18 A. As far as I know, no. As far as I know, no.

19 736 Q. Secondly, Cpt. O'Keeffe didn't have training in

20 investigation. I know what you say about that, you 15:34

21 don't accept that's a deficiency?

22 A. Well, he's in the same position as anybody else who is

23 adjutant of a unit, they wouldn't have had -- he'd have

24 had as much as any of them.

25 737 Q. Thirdly, he never interviewed the alleged abuser, is 15:35

26 that right?

27 A. Lt. 2B?

28 738 Q. Exactly.

29 A. Well, he didn't interview him but he found out, eh,

1 both from him, it would appear, because they seem to
2 have had conversations that I knew nothing about and,
3 also, because he'd have been aware of the submission
4 that he made, refuting them. So, he wouldn't have
5 found out any more if he did interview him. 15:35

6 739 Q. Really? So you wouldn't find out any more by sitting
7 down --

8 A. Unless he had reason to cross-examine him about
9 something and he obviously mustn't have because he
10 didn't interview him. I'm sure he would have, if he 15:35
11 thought necessary.

12 740 Q. Another deficiency I suggest is that nobody interviewed
13 him, isn't that right?

14 A. Ehm, no, but he was there and discussions would have
15 happened. If you call that an interview or not I don't 15:36
16 know. But his company commander would have been in
17 conduct with him all the time and if there was anything
18 untoward in the air, the Company Commander would have,
19 I hope anyway, informed me about it. But I know
20 nothing about that. 15:36

21 741 Q. And Cpt. O'Keeffe, this is the fifth, I'm suggesting to
22 you actually only reported on two of the four
23 allegations, isn't that so?

24 A. Yeah, but we explained the reason why he didn't do the
25 other two. 15:36

26 742 Q. And, sixthly, although not interviewed by
27 Cpt. O'Keeffe, 2 Lt. B felt it appropriate and was able
28 to confront Cpt. O'Keeffe about his investigation and I
29 suggest to you that's not appropriate?

1 A. That's not what?
2 743 Q. Appropriate?
3 A. It certainly wouldn't be appropriate. I knew nothing
4 about that at all, or whatever conversation they had.
5 It could have been a casual one over coffee or they 15:36
6 could have met each other anywhere. But I knew nothing
7 of that.
8 744 Q. And if 2 Lt. B is believed, he made these views made
9 known to you but you disagree with that?
10 A. Yes, he did make them views known to me. 15:37
11 745 Q. The only document which seems to have made its way to
12 Officer Commanding Wall is your document of 16th May
13 991, which you say is primarily about the discharge
14 application?
15 A. Mmm. 15:37
16 746 Q. And it is completely silent about other allegations in
17 relation to 2 Lt. B?
18 A. Yes, we weren't writing about 2 Lt. B at all at that
19 stage. But the chronology of events thing which I
20 didn't even know existed, but now it's in my 15:37
21 handwriting would have gone up there and that outlined
22 more or less most of them.
23 747 Q. But in contrast, I suggest, you saw fit to include the
24 outcome of your informal enquiries in relation to
25 Mr. Traynor and I suggest to you that was very unfair 15:37
26 to Mr. Traynor?
27 A. Yeah, well, it possibly was, eh, but that's what the
28 impression was in the unit at the time. I mean, the
29 thing about all this, Judge, I haven't got around to

1 talking to you at all, yet, but you're the person who
2 has to judge on all of this eventually. But what has
3 gone on the evidence so far, from reading the
4 transcripts, is a totally false impression the
5 atmosphere in Devoy Barracks in Naas during my period 15:38
6 anyway, is floating around, which is that it was a
7 horrific place to be, eh, apprentices were abused, on a
8 widespread basis. This was so-called -- it was more of
9 a family-type of the place where I always found it
10 pleasant to work with all the people down along, 15:38
11 including any apprentices I had to come across. And
12 most of them, a large majority, because we're only
13 talking about a handful here out of about 150 or 160
14 people, were quite happy working along to get their
15 qualification in their trade. Some wanted the trades 15:39
16 more than they wanted the Army. That much is evident.
17 And several factors came into line in that area,
18 principally the ones that produced a drop in their
19 wages and meant that a lot of people who had been
20 selected for this particular class, pulled out before 15:39
21 they were called up, didn't appear so they had to go
22 down the list. Now, I'm not saying there was anything
23 wrong with any of the people that were selected but
24 they wouldn't have been the first choices. And a lot
25 of them, due to the financial conditions of the 15:39
26 country, thought that it was a great opportunity to
27 come in and be trained and get a trade and be paid at
28 the same time. Which it was. And that was the
29 atmosphere we worked on. But, there certainly wasn't

1 an atmosphere of, eh, ehm, oversuppression of people
2 during the military training period. Most of the time
3 was spent in the school getting their trades, and so
4 on, which is what most of them wanted, all of them
5 wanted. And many of them went on - and I know some of 15:40
6 them to this day - to be very successful members of the
7 Army.

8
9 we're talking about the complaints of a few influencing
10 an overall picture, which would erroneous, if it was 15:40
11 allowed to go through. That's just my say on the
12 matter. Sorry.

13 748 Q. Not at all, Mr. Hayes, and I do understand the
14 frustration of just dealing with the questions you're
15 being asked. I do understand that and I acknowledge it 15:40
16 but I do have to finish out this list, if you'll permit
17 me.

18
19 Another deficiency in this investigation, I suggest to
20 you, is that it has no obvious outcome? 15:40

21 A. Ehm, the investigation into the four allegations that
22 Aptce. Traynor made?

23 749 Q. Exactly.

24 A. No obvious outcome because there is no outcome, even as
25 yet, as regards that. I mean, I have never heard of 15:41
26 what the final outcome of any action that might be --
27 was attempted at the time, and some was.

28 750 Q. And certainly if there is an outcome, none has been
29 recorded in any document that we can see or

1 communicated to any of the interested parties, isn't
2 that so?

3 A. You're talking about Mr. Traynor.

4 751 Q. Mr. Traynor, his parents and 2 Lt. B?

5 A. And 2 Lt. B, yeah. Well, that's probably because there 15:41
6 has been no finalisation of it. It was still kicked to
7 touch, and so on, and still up in the atmosphere.

8 752 Q. Two matters that are slightly separate from the
9 investigation itself I want to suggest to you, as I
10 have done, that the information presented by you 15:41
11 internally in support of the defence of the claim was
12 seriously deficient?

13 A. In what way?

14 753 Q. Because it lacked any indication of there being other
15 allegations against 2 Lt. B? 15:42

16 A. Those allegations were already known at that level.
17 So, you know, if they'd asked me for them, and did, as
18 you pointed to a few times, included them in the list
19 of things that we sent up the line.

20 754 Q. Last thing; after the sad death of Mr. Mullaney, there 15:42
21 was a Military Police investigation, isn't that so?

22 A. Mmm.

23 755 Q. And I don't think you were asked to give a statement?

24 A. No.

25 756 Q. And you didn't volunteer a statement? 15:42

26 A. No. No.

27 757 Q. And could I ask you to look -- I asked you about this
28 in your interview, this is page 5152. Do you see at
29 line 9 there I'm asking you about this -- we've

1 established that you weren't interviewed and I'm asking
2 you there something slightly different I'm saying:
3
4 "If you had been interviewed as part of the
5 investigations into the events of the Thursday and the 15:43
6 death on the Saturday... would you have seen it as
7 relevant to bring to their attention the complaints of
8 Mr. Traynor and the investigation that followed that?"
9
10 And do you see your answer on the next line: 15:43
11
12 "I might have if the questioning went that line."
13
14 Do you see that?
15 A. Yeah, yeah. 15:43
16 758 Q. Does that remain your position?
17 A. Well, you're gone into the whole area of supposition
18 now. First of all, I wasn't interviewed at all.
19 759 Q. I understand that.
20 A. So, it's an if situation, you know. But, are you still 15:43
21 asking me the same question again?
22 760 Q. Yes.
23 A. Let me read what I said the first time. [Short pause].
24 Yeah, well, it's true that if I had been interviewed I
25 might have gone in, provided I wasn't impugning, 15:44
26 unnecessarily, anybody else. But it would depend on
27 the line of the questioning. And my remarks about the
28 APM and the command level thing would be the same.
29 761 Q. Well, is that a good indication of your approach to

1 this issue that if you were asked you might have?

2 A. well, I wasn't asked so I didn't is the straightforward
3 answer to that. Eh, but, you know, why are you saying
4 is that my approach? As I say, had I been asked I
5 would have given consideration to whatever it was they 15:45
6 were asking. But I wouldn't have been in a position to
7 add very much to the questions, which is probably why
8 they didn't ask me.

9 762 Q. So, Cpt. Fitzmaurice was the Military Police
10 Investigator into the events on the Thursday. He gave 15:45
11 evidence today, and he gave evidence to the effect that
12 it would have been relevant to his investigation had he
13 been aware of other allegations?

14 A. Right. There's no reason why he shouldn't have been
15 aware, because those documents were up in the 15:45
16 headquarters, which he was a part of. So, it was an
17 unfortunate slip if he wasn't aware. But had he asked
18 me I would have told him.

19 763 Q. But here's the point, Mr. Hayes, you're the Officer
20 Commanding -- 15:46

21 A. Mmm.

22 764 Q. -- of the barracks with responsibility for the military
23 side?

24 A. Yeah.

25 765 Q. And this has happened and this investigation is ongoing 15:46
26 and you never saw fit to draw that to the
27 investigator's attention. You should have volunteered
28 it, I'm suggesting to you?

29 A. well, I didn't. I hardly knew the Military Police were

1 in the barracks. They came and they took their
2 statements and they went without any consultation with
3 anybody, let alone me, the Company Commander, anybody.
4 So, they didn't -- are you listening to me at all?

5 766 Q. No, I am. I'm sorry, Mr. Hayes. I mean you no 15:46
6 discourtesy.

7 A. As I say, that's not the way things worked. The
8 Military Police came in and had I been seen to
9 volunteer, it could be implied that I was trying to
10 influence them in their outcome. So, you know, if they 15:46
11 asked me I would have, but they didn't and with good
12 reason; they didn't work like that. As I'm sure,
13 Cpt. Fitzmaurice might have explained.

14 767 Q. I'm suggesting to you that that was a serious failure
15 on your part, Mr. Hayes? 15:47

16 A. A serious failure on my part?

17 768 Q. Yes. Not to volunteer --

18 A. I'm not responsible for the way the Army works, you
19 know.

20 MR. CUSH: Thank you, Mr. Hayes. 15:47
21 SOLE MEMBER: Thank you, Mr. Cush.
22

23 MR. WALTER HAYES, WAS CROSS-EXAMINED BY MR. McCANN AS
24 FOLLOWS:
25 15:47

26 769 Q. MR. McCANN: Just a small number of questions, please,
27 Sole Member. Mr. Hayes, you've met me already, just
28 one or two questions for you. Is there anything else
29 you want to tell the Sole Member about the nature of

1 the Army Apprentice School at the time that you were
2 there? In general, you wanted to tell the Sole Member.
3 I think you answered the question?
4 A. I've said a little bit already. I've said a little bit
5 already. 15:47
6 770 Q. Have you said what you want to say in that respect. Is
7 there anything you want to add?
8 A. You mean anything more than what I've said?
9 771 Q. Yes.
10 A. No, except there was an allegation here, eh, some days 15:48
11 ago that the whole investigation into Aptce. Traynor's
12 complaints was a cover-up.
13 772 Q. Yes.
14 A. And I must say, I got annoyed and I'm still annoyed
15 that anyone could think that serving members of the 15:48
16 barracks in Naas would attempt to cover up anything.
17 We were working with the interests of the Apprentice
18 School and the Army, always to the fore. So that's
19 totally erroneous and I don't know how whoever came up
20 with that did come up with it. 15:48
21 773 Q. And you'll have noted Mr. Cush didn't mention that in
22 his questioning of you today?
23 A. Whatever, yeah. I don't want to finger anybody but
24 they're wrong and I hope --
25 774 Q. That's something -- 15:48
26 A. -- the Judge will take that into consideration.
27 775 Q. And in terms of, again, just to be clear to the
28 Judge -- sorry, Judge, I'm a long way away from the
29 microphone. Just to be clear, the day has been spent,

1 correctly in the circumstances, asking you questions
2 about the complaints made by Mr. Traynor and
3 Mr. Traynor's parent, isn't that correct? And then
4 somewhat about the events involving the tragic death of
5 Mr. Mullaney, isn't that so, isn't that what's been 15:49
6 discussed today?

7 A. Yeah. Wrong emphasis, I would think.

8 776 Q. That's the point I'm going to come to. Do you see
9 those events as being normal or representative of the
10 Army Apprentice School at your time or under your 15:49
11 command?

12 A. You see it depends on what events you're talking about.

13 777 Q. I'm asking about Mr. Traynor's event first of all. Is
14 that an exceptional, something that's exceptional that
15 happened in your time as Officer Commanding in the Army 15:49
16 Apprentice School?

17 A. It would be exceptional, yeah.

18 778 Q. And would the same apply --

19 A. Are you talking about the cigarette things and all
20 those various things? No, that wouldn't be the norm at 15:50
21 all. 2nd lieutenant went a bit over board with them.
22 Not entirely his full blame but he wouldn't have had
23 much experience outside of apprentices, which would
24 have helped if he had. Which is why we eventually
25 wanted him moved and somebody with more experience come 15:50
26 in and that happened and it did improve matters.

27 779 Q. Then just moving off that topic, if we might,
28 Mr. Hayes, just, again, a small number of short further
29 questions. Mr. Cush pointed you to your statement that

1 you made to the Tribunal, the first statement you made
2 to the Tribunal and can you recall were there a
3 different set of documents available to you at the time
4 that you made that statement that are now available to
5 you? 15:50

6 A. Oh, considerably. I mean, I didn't get the tranche of
7 stuff that was coming in my letterbox, shall we say,
8 over the last few weeks at that early stage.

9 780 Q. And do you think might you have written a different
10 statement had you been aware of all those documents? 15:51

11 A. Not materially but a different emphasis, perhaps, in
12 certain areas.

13 781 Q. And then, generally, just insofar you can help the
14 Tribunal's primary purpose, and I'm not saying the
15 questions were irrelevant, I should add. But in 15:51
16 relation to the complaints process, can you offer the
17 Sole Member any assistance in relation to the overall
18 complaints process available to the apprentices in the
19 Army Apprentice School during the time you were Officer
20 Commanding? 15:51

21 A. Yeah, I could say a few things about that.

22 782 Q. Well, first of all, to your knowledge, was it taught,
23 or was that something you were involved in?

24 A. Oh, yeah, they would have been informed by the
25 procedures. But whether they were listening or not is 15:51
26 another matter, you know. But in my experience, if
27 somebody needs to do something like complain or take a
28 Redress of Wrongs or something, they will become expert
29 in the whole area very quickly. In fact there's

1 probably a few examples during my time there of exactly
2 that happening, where people took redresses. So they
3 had to know the procedure to do it. It wasn't that
4 they weren't told about it but when they had to do it,
5 they certainly became more expert in it.

15:52

6 783 Q. Okay.

7 A. Just a human nature thing. But it was taught all
8 right.

9 784 Q. And again we discussed Redress of Wrongs, I suppose, a
10 fair amount in the Tribunal to date, but were there --
11 would you have been open to other informal approaches
12 about complaints, of any complaints being made to you?

15:52

13 A. Oh, absolutely. Now, having said that, it wouldn't
14 have been the norm for apprentices to tap me on the
15 shoulder as I walked down the barracks square or
16 something and say, 'I want to complain about this.'
17 No, the military thing would be a little bit
18 prohibitive of that area. But they could have made
19 complaints, of course they could have and there were
20 many other sources. There was a chaplain there, for
21 example, who had a room in the mess and was there.
22 Now, they may not have wanted to go into the mess to
23 meet him but he was there and available. So, you know,
24 they could have used that line. And there was the
25 doctors, if then went sick. And psychiatric care was
26 available if they wanted it as well. And then there
27 was the general chain of command right up to platoon,
28 corporals, sergeants, CS was there all the time,
29 sergeant major was there, all the officers up along. I

15:52

15:53

15:53

1 would say one thing though, they might have benefited a
2 little be more, in my time, if the PDFORRA organisation
3 had been up and running, which only happened in the
4 '90s, if you like, later '90s. That would have been an
5 added help, as they would have had more NCOs on their 15:53
6 back to help them.

7 785 Q. And to your knowledge, were the civilian teachers a
8 source of information about how the apprentices were
9 getting on, or any difficulties they were having, can
10 you assist? 15:54

11 A. Yes, they absolutely were. They would come over every
12 morning nearly, some of them would be there every
13 morning during our coffee break and we would initiate
14 conversations and they would keep us filled in. Not to
15 mention the platoon diaries, the Platoon Commander, 15:54
16 again when he could, he had so many to do, would have
17 those filled up with remarks of the teachers, and so
18 on, if they became relevant at any stage. So, yeah,
19 there was good communication with the teachers.

20 786 Q. Then just to conclude and to put you into context. 15:54
21 Mr. Hayes, I might just read from paragraph 3 of your
22 statement:

23
24 "Recruits..."

25
26 This is paragraph 3, 3644: 15:54

27
28 "Recruits came from the southeast so there would have
29 been a large annual camp in Gormanston."

1 And then you say:
2
3 "I was said to the Border with Northern Ireland in
4 1969 -- 1960 as part of the 16th Infantry Group."
5 15:54
6 Can you remember that time?
7 A. I do, indeed.
8 787 Q. Was that dangerous for you?
9 A. There was several little incidents but, you know, I'm
10 still here, shall we say. 15:55
11 788 Q. It was dangerous. And were you adjutant in that group?
12 A. Yeah.
13 789 Q. And then you said you were with the 10th Infantry
14 Battalion in Wexford and then you were appointed to The
15 Curragh Prison. Who was in The Curragh Prison at that 15:55
16 time?
17 A. IRA members, the majority.
18 790 Q. And what was your job?
19 A. Well, we had a guard on the prison and that's what I
20 would be responsible for. I didn't have much 15:55
21 communication with the prisoners at all. None in fact.
22 791 Q. And again you describe -- sorry, to cut across you,
23 Mr. Hayes, you describe that as a very difficult
24 appointment, isn't that right?
25 A. It was a difficult appoint, yeah. But I had no major 15:55
26 difficulties to hand, although I was also in the
27 Detention Barracks in The Curragh, which was a prison
28 for a time of IRA people. And I came in there two
29 weeks after the big break out so that was traumatic all

1 right, that time.

2 792 Q. I think you served again as Officer Commanding in
3 Portlaoise Prison, isn't that right?

4 A. Yes, yeah, yeah.

5 793 Q. And, again, as Mr. Cush fairly pointed out, you served 15:56
6 abroad and at home with distinction and honour?

7 A. Well, if you say so, thanks very much.

8 MR. McCANN: And I have no further questions for you.

9 Thank you, Mr. Hayes.

10 THE WITNESS: Okay, thanks. 15:56

11 SOLE MEMBER: It's just coming up to four o'clock now
12 so we might resume proceedings tomorrow morning at
13 10:30. Thank you.

14 MR. McCANN: I'm just conscious that Mr. Hayes is on
15 his own, he got here on his own. He has to take the 15:56
16 Luas and the train home. If it was at all possible to
17 get him home tonight and stay at home, if at all
18 possible.

19 MR. HOGAN: If it's helpful --

20 SOLE MEMBER: Let me just ascertain how long people 15:56
21 will be.

22 MR. HOGAN: If it's helpful, I have no questions.

23 SOLE MEMBER: You've no questions. Well that's
24 positive, in terms of timing. Thank you. Mr. Brady,
25 can you give me some indication of how long you will be 15:57
26 and then perhaps we will hear from the Minister's team?

27 MR. BRADY: I may have one question. It will
28 definitely be no more than one or two minutes.

29 SOLE MEMBER: And Mr. McGuinness?

1 MR. McGUINNESS: I would expect to be less than five
2 minutes.

3 SOLE MEMBER: Okay, thank you very much. We'll keep
4 going so.

5 MR. McCANN: Thanks very much, Sole Member.

15:57

6 SOLE MEMBER: Thank you.

7 THE WITNESS: Do you mind if I take a break?

8 SOLE MEMBER: Why don't we take a five-minute break
9 just for pause and come back. Thank you.

15:57

10
11 THE TRIBUNAL ADJOURNED BRIEFLY AND RESUMED AS FOLLOWS:

12
13 SOLE MEMBER: Good afternoon.

14 Now, Mr. Brady.

15 MR. BRADY: Judge, if it's of any assistance I actually
16 don't have any questions for Mr. Hayes. Thank you,
17 Judge.

16:04

18 SOLE MEMBER: Mr. McGuinness.

19 MR. McGUINNESS: Thank you.

16:04

20
21 MR. WALTER HAYES, WAS CROSS-EXAMINED BY MR. McGUINNESS
22 AS FOLLOWS:

23
24 794 Q. MR. McGUINNESS: Mr. Hayes, good afternoon. I'm one of
25 the counsel for the Minister for Defence and I have a
26 few questions for you, if you don't mind. My name is
27 Diarmaid McGuinness. I see from your statement that
28 you say at paragraph 4 that you "became Officer
29 Commanding holding the rank of lieutenant colonel of

16:05

1 the Army Apprentice School in Naas from 16 October 1990
2 until departing on overseas service on 5 January 1993."
3
4 Is that correct?
5 A. Correct. 16:05
6 795 Q. I wasn't sure whether I misheard you earlier saying
7 that you'd left in January '92 but do you think it's
8 January '93?
9 A. Oh, January '93, yeah.
10 796 Q. It is '93. So, you would have been responsible, as I 16:05
11 understand it, for dealing with 2 Lt. B's annual
12 appraisal, isn't that right, during that period?
13 A. Yeah.
14 797 Q. And correct me if I'm wrong, you would fill out part of
15 an Army form, 451, to deal with his annual appraisal 16:06
16 for each of the years that you were there and he was
17 there, isn't that correct?
18 A. Yes. Well, basically, two years, because he had gone,
19 obviously.
20 798 Q. Yes. 16:06
21 A. So, one year really.
22 799 Q. Yes. These have been discovered by the Defence Forces
23 commencing at page 4799, but I'm not going to open all
24 of the pages, but can I ask you to look at page 4808.
25 And there's handwriting there and I think it's -- I 16:06
26 think it's probably -- it reads as follows:
27
28 "I agree with reporting officer's comments. I had no
29 parade this officer re his over-zealous dealings with

1 apprentices. He is a good worker and has been heavily
2 committed being the only..."
3
4 I think it's regulars or regular platoon commander.
5 16:07
6 "...available in Naas. He needs to..."
7
8 It's not quite clear what that word is it might be turn
9 away or,
10 16:07
11 "...this approach..."
12
13 I think it says something about the episodes,
14
15 "...and this I have explained to him." 16:07
16
17 But, would you have written that or is that --
18 A. No, no, that is the GOC.
19 800 Q. That's the GOC then?
20 A. Yes. 16:07
21 801 Q. So at that time, then, that would have been
22 Brig. Gen. Wall?
23 A. No. That's the previous GOC I would imagine.
24 802 Q. Oh, is it?
25 A. Yeah, '91. That would be referring to the year 1990, 16:07
26 am I right?
27 803 Q. 1990, yes. But you knew that 2 Lt. B had been paraded
28 in 1990?
29 A. Oh, I knew. without placing great emphasis on it I

1 knew from my predecessor who actually lived in the
2 barracks in Naas, Col. [REDACTED], since deceased,
3 unfortunately, but I knew from him that he had been
4 paraded. A great detail wasn't gone into it. It
5 wasn't a major issue. 16:08

6 804 Q. Had you been informed of that on his handover to you?
7 A. I wouldn't call it a handover but I used to visit him
8 in his house and at some stage he told me about it.

9 805 Q. Right. Can I just --
10 A. That's Gen. [REDACTED], actually, who wrote that. 16:08

11 806 Q. Pardon?
12 A. Gen. [REDACTED].

13 807 Q. Is that right?
14 A. It wasn't Gen. Wall.

15 808 Q. Okay. But it's dated March '91 but it relates to the 16:08
16 year 1990?
17 A. That's correct, it would have been done after he had
18 gone out of The Curragh.

19 809 Q. It seems to say:
20
21 "I had to parade this officer."
22

23 Was it not Brig. Gen. Wall who had done that?
24 A. No.

25 810 Q. It wasn't? 16:09
26 A. No.

27 811 Q. Okay.
28 A. That was over the cigarette chewing.

29 812 Q. You were aware of it anyway.

1 A. I was aware of it.

2 813 Q. Was it soon after you took up your command?

3 A. Yeah, it was before my time that it happened but I was

4 aware of the parading, yeah.

5 814 Q. Okay. 16:09

6 A. Eventually, not immediately.

7 815 Q. Okay. In the form relating to 1991, there's a passage

8 which has been transcribed at page 4825, and if we just

9 look at the top, and I'm not clear whether this was

10 your assessment at the time of the making of this 16:10

11 report but it just says:

12

13 "Lt. P7 was Apprentice Platoon Commander Apprentice

14 Company during this period as the other two platoon

15 commanders were detached to third level education he 16:10

16 was effectively platoon commander to all three

17 apprentice platoons for much of the period. He

18 approached his work with enthusiasm and zeal and this

19 approach often produced good results.

20 16:10

21 However, in the evening of 20 June at the start of the

22 summer military training period, he displayed a lack of

23 tact and bad judgement in his handling of one

24 apprentice platoon. Allegations concerning aspects of

25 his behaviour on this occasion have been referred to 16:10

26 higher authority for any further action deemed

27 appropriate. To ensure that his handling of troops is

28 satisfactory, a period of service with troops at home

29 is recommended before considering him for overseas

1 service.

2
3 Lt. P7 was also Mess Secretary Officers Mess during
4 this period. In this, as with any other officer task
5 he was given, he was industrious and enthusiastic and 16:11
6 showed good administrative quality. He was promoted to
7 lieutenant during this period. More experience in this
8 rank is desirable before consideration for further
9 promotion."

10
11 Now, the handwritten version of that is on page 4819.
12 I'm not clear what officer reported that but could you
13 look at the handwriting there.

14 A. That's my writing.

15 816 Q. That's your handwriting? 16:11

16 A. Yeah.

17 817 Q. Okay. So, this was filled in by you. It appears to
18 not recommend him for UN service.

19 A. Yes.

20 818 Q. If one looks at page 4818. would that have been filled 16:11
21 in by you?

22 A. Yes, that whole thing was filled in by me, yeah.

23 819 Q. Yes. There's an X put through the yes box and "if
24 unsuitable give reasons"?

25 A. As I said in the report, he needed more experience with 16:12
26 troops and handling of troops because he was landed
27 in -- now, again, this is not a criticism of him, but
28 he was landed into Naas with very little previous
29 experience in an Army unit. He had no experience of

1 handling troops, let alone apprentices at all, and he
2 had three platoons to handle. So that was a difficult
3 task and he obviously wasn't ready for it. So I was
4 recommending -- and subsequently that happened. He
5 went back to the 3rd Battalion and into a unit there 16:12
6 where he would have been training recruits and,
7 ultimately, with experience, I presume, he became
8 suitable thereafter. But at that particular time that
9 was my opinion.

10 820 Q. Yes. And in relation to promotion, there was a "not 16:12
11 yet recommended" at the bottom of page 4818 there?

12 A. Yes, but he had only just been promoted to lieutenant,
13 remember, so he wouldn't have been due promotion for
14 another, what, eight years or something to captain in
15 the normal course of events. So I would have thought 16:13
16 that he'd need more experience as a lieutenant then.

17 821 Q. Can I ask you this; he's been referred to here as a
18 second, but when was he promoted?

19 A. Sometime during my period there, as far as I can
20 remember he went from 2nd lieutenant. That's an 16:13
21 automatic thing after two years from commissioning, to
22 get -- unless there's something against him. Or unless
23 they didn't pass their YO's course, which some didn't
24 and had to wait until they successfully passed it from
25 getting promoted to lieutenant otherwise it's two 16:13
26 years. And he came into that two-year period while he
27 was in Naas.

28 822 Q. Okay. So, is it your signature, then, at the bottom of
29 page 4820. If one looks at it there. There's more

1 writing here?

2 A. well, it's redacted on this.

3 823 Q. Yes. That's his -- the top one and we'll just go down
4 to the bottom one. The writing there:
5
6 "Lt. LP was informed that his service in [redacted]
7 subsequent to his service in [redacted]..."
8
9 Presumably that's the Army Apprentice School.
10
11 "...and was therefore not reviewed in this report."
12
13 So, that would seem logical that if you were only
14 reviewing the period until he was in Naas, you weren't,
15 obviously, reporting on him after he had left. So is 16:14
16 that your writing, I know the signature --
17 A. Yes, that's my writing.

18 824 Q. Yes.

19 A. That's my signature too.

20 825 Q. Yes. Okay. That appears to have gone within ten days 16:14
21 or so, 12 days, up to the Brigadier General. And if we
22 look at page 4822, there's a sentence there and it
23 says:
24
25 "Lt. P7 is the subject of allegations of ill-treatment 16:15
26 by an apprentice. Until the matter is... it is
27 impossible not to have reservations about his worth..."
28
29 I think:

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

"...or his suitability for overseas service."

That appears to be the Brigadier General. Was that
Brig. Gen. Wall then, at that time?

16:15

A. That would be Brig. Gen. Wall, yeah, '92, yeah.

826 Q. There is a transcription of that at page 4827. I may
have misstated that word, it's transcribed here as:

"Until this matter is out of the way..."

16:15

which was slightly illegible,

"...it is impossible not to reservations about his
worth or his suitability for overseas service."

16:16

A. That was Gen. Wall's summary of my assessment and of
the knowledge he had. And at that stage 2 Lt. B2, or
whatever we call him, was still under investigation.

827 Q. In the handwritten passage I put to you from page 4825:

16:16

"Allegations concerning aspects of his behaviour on
this occasion have been referred to higher authority
for any further action deemed appropriate."

16:16

what did you consider was involved there? Did that
come from anything that you sent to the GOC at that
time?

A. Well, the GOC would have been aware of the position

1 after Aptce. Mullaney had died, and the subsequent
2 investigations and the move of 2nd Lt. B out of Naas
3 and into the 3rd Battalion. He was still in The
4 Curragh Command, though, at that stage, but he would be
5 now in the 3rd Battalion. So he would have been 16:17
6 working on that. He would have known him fairly well
7 at that stage.

8 828 Q. But can I just clarify something in my own mind? The
9 document that Mr. Cush asked you about at great length,
10 forensic length, obvious, the application for discharge 16:17
11 by purchase dated 16th March?

12 A. May.

13 829 Q. May, I beg your pardon. Yes, you're quite right. May.
14 who was that submitted to?

15 A. The GOC. 16:17

16 830 Q. The GOC?

17 A. That man that wrote the confidential report,
18 essentially, the following year.

19 831 Q. So it doesn't go to Headquarters it goes to Brigade
20 Command? 16:17

21 A. Curragh Command.

22 832 Q. Of The Curragh?

23 A. Command of The Curragh, yeah.

24 833 Q. When you were writing that about the allegations being
25 referred to a higher authority, had you sent any other 16:18
26 document, other than the application for discharge by
27 purchase up relating to allegations against 2 Lt. B --

28 A. No, but there was a Military Police investigation into
29 those allegations.

1 834 Q. Pardon?
2 A. There was a Military Police investigation into those
3 allegations, which was done at command level. So, all
4 that information would have been on the GOC's desk if
5 he needed it. 16:18
6 835 Q. It all comes back to GOC, Curragh Command?
7 A. What all comes back? Sorry?
8 836 Q. The Military Police investigations?
9 A. Oh, yes, that would be Curragh Command.
10 837 Q. Two of them? 16:18
11 A. Yes.
12 838 Q. And your application for discharge by purchase of
13 Mr. Traynor?
14 A. And that, yeah, that would have fed into it. Of course
15 it would, yeah. That was a separate thing to the 16:18
16 Military Police report.
17 839 Q. When you were writing this, then, as you've confirmed
18 on 16th March of '92, did you consider, and were you of
19 the view that all of these allegations against him, or
20 some of them, were, as it were, in the balance to be 16:19
21 determined by the GOC?
22 A. More or less. I mean, we had allowed Aptce. Traynor to
23 go on his discharge, and that was the main thrust of
24 the letter that I wrote. But that would have revealed
25 the details of the complaints that Traynor made to -- 16:19
26 Aptce. Traynor made to the GOC. And he would have been
27 able to access that if he needed to do so. But it
28 would have been all at command level at that stage.
29 840 Q. But do you see it as a defect in either one, two or

1 three different processes that from your point of view
2 you saw no concluded decision arrived at by authorities
3 in command?

4 A. well, authorities in command, apparently, again I
5 wasn't privy to all of this at all. This was gone out 16:20
6 of my hands and so was 2nd Lt. 2B, or Lt. 2B as he was
7 then, gone now to the 3rd Battalion and in fact I saw
8 some documents coming to OC, 3rd Battalion about the
9 subsequent result of the GOC's letter to the Adjutant
10 General to proceed with some sort of a disciplinary 16:20
11 procedure. Eventually the whole thing was dropped.
12 But I was never told about it. Now, Naas could have
13 been but I was gone out of Naas at that stage. I
14 personally knew nothing about the results. To this day
15 I don't know. 16:20

16 841 Q. You wouldn't expect to have been informed?

17 A. Oh, no, not when I'm gone out of the unit. No. The
18 unit might have been informed.

19 MR. McGUINNESS: Thank you, Mr. Hayes.

20
21 MR. WALTER HAYES WAS QUESTIONED BY THE SOLE MEMBER, AS
22 FOLLOWS:
23

24 842 Q. SOLE MEMBER: Thank you. Just on that point,
25 Mr. Hayes. You said that to this day you don't know 16:21
26 the outcome of Mr. Traynor's complaints and you
27 mentioned disciplinary proceedings against 2nd Lt. B
28 being shelved. One of the matters that I have to
29 report on is the response to and the outcome of

1 complaints of abuse. Does the fact that over three
2 decades later you don't know the outcome of the
3 investigation following complaints made by
4 Aptce. Traynor, does that support the apprentices'
5 perception, as given in evidence, that there was no 16:21
6 point in making a complaint of abuse because nothing
7 would change?

8 A. Not entirely, no.

9 843 Q. Not entirely. Well, would you start first of all, if
10 there is something in it that would support their view 16:21
11 and then you can tell me about any qualification you'd
12 like to make?

13 A. Well, I don't know whether --

14 844 Q. Speak into the microphone, would you mind.

15 A. I'm leaning back too much. I don't know what happened, 16:22
16 really, after I left Naas. But I do know it was
17 ongoing for some time because as we see in some letters
18 that came back OC, 3rd Battalion was advised to tell
19 him that this was thing was put in abeyance. Now,
20 whether that was the final thing or not I'm not sure. 16:22
21 I wouldn't have been told and I wouldn't expect to be
22 told.

23
24 Now, if you're asking should Mr. Traynor's parents and
25 himself get some sort of formal thing, perhaps they 16:22
26 should and that could be -- but this was an exceptional
27 thing. It wouldn't be the norm. Most investigations
28 would be finished rather speedily and so the results
29 could then be transferred to people that would be

1 concerned. In other words, the complainant or their
2 parent if there were parents involved so it wouldn't be
3 the norm that this would happen.

4 845 Q. The investigation is into the complaints made by
5 Mr. Traynor insofar as they were reported in your
6 document, the application to discharge, that seems to
7 have been dealt with fairly speedily.

16:23

8 A. It was.

9 846 Q. You interview him on the 13th, you get reports on the
10 15th, you get another one on the 16th, and the decision
11 is made on the 16th. And, you said, you know, you
12 didn't want anyone coming back saying, 'No, the
13 discharge can't go ahead.' I think you said he's a
14 fine soldier. And yet on the other hand, when we look
15 at second limb of what the work was, the investigation
16 into the allegations made against many [REDACTED].
17 Sorry, excuse me, and I make an order immediately,
18 2nd Lt. B. I make an order prohibiting the publication
19 of anything that would identify the individual in
20 question. Thank you.

16:23

16:23

16:23

21
22 so, yet the investigation into 2nd Lt. B nevertheless,
23 to this day, you don't know the outcome of it?

24 A. I don't, but that doesn't necessarily mean there's
25 anything wrong with the procedure. They wouldn't be
26 telling me anyway because I'm gone out of the unit. It
27 possible should inform the unit, which doesn't exist
28 anymore because the Apprentice School closed down in
29 1998.

16:24

1 847 Q. But to your knowledge?
2 A. To my knowledge there's --
3 848 Q. You were the person who had, at least the evidence
4 before the Tribunal is you are the person who had
5 instructed Cpt. O'Keefe to interview apprentices, to 16:24
6 interview the Platoon Sergeant, and to check the LA
7 record of Mr. Traynor. And to the best of your
8 knowledge, after you got that report and the letter
9 from Cmdt. Coffey, no further outcome to the
10 investigation into the allegations against 2nd Lt. B 16:24
11 has been made available?
12 A. No, but there are more that I'm not aware of because
13 command were dealing with it from then on.
14 849 Q. And you're not aware of what happened to those
15 procedures? 16:25
16 A. I'm not aware of the final outcome, no.
17 850 Q. We understand from the evidence of 2nd Lt. B that the
18 admonition proceedings did not -- they didn't proceed?
19 A. Apparently they were dropped for... but I don't know
20 why they were dropped. 16:25
21 851 Q. Mr. Traynor gave evidence on Day 10 to the Tribunal
22 about the fact that he was forced to sign an earlier
23 discharge form and that was before he had this
24 breakdown on the evening of 11/12 -- morning of 11/12
25 May. And he said that he went to see you, he went to 16:25
26 see yourself as the Commanding Officer and he said:
27
28 "But I wanted to see him because, I mean, that was my
29 ultimate cry for help. I was done, I was spent, I was

1 broke, I was suicidal. I just wanted the whole thing
2 to stop."
3
4 And he said he went to see you but he was made to sign
5 the form again. He said: 16:26
6
7 "It was the same, maybe a little drop in the expletives
8 but the tone was exactly the same and I was made to
9 sign, again, another form, the same form that I'd
10 signed the day before." 16:26
11
12 Have you any comment to make on that?
13 A. I've no memory of it at all.
14 852 Q. You've no memory?
15 A. I should say, perhaps he was confusing me with the 16:26
16 Company Commander because commander is all the same to
17 him. But I've no memory of seeing him on that occasion
18 whatsoever. But that doesn't mean it didn't happen.
19 It's a long time ago, you know. But I wouldn't have
20 reacted. I wouldn't have done that sort of thing. 16:26
21 853 Q. What sort of thing?
22 A. Having him sign a document that sounds funny in the
23 first place, from the way you're reading it there.
24 854 Q. In your report at paragraph (c) you refer to the fact
25 that he had signed an undertaking that any further 16:26
26 breach of discipline by him during the remainder of his
27 service would lead to his discharge?
28 A. That would have been the Company Commander, also.
29 855 Q. That would be the Company Commander?

1 A. Yeah, Cmdt. Coffey.

2 856 Q. Can I ask you about the fact that in your report in the
3 next paragraph you're informing the GOC about what
4 happened on the evening, on the night of 11/12 May when
5 he severely damaged a pool table in the Rec Room and he 16:27
6 broke a number of windows causing damage to the value
7 of £2,018.50. As a result of this, you say, he was
8 placed under guard in the Fire Picket Room during
9 Sunday, 12 May, to ensure that he caused no further
10 damage. Can I ask you; given the condition in which 16:27
11 Mr. Traynor presented to his parents - and it was
12 described earlier by Mr. Cush was listing certain
13 events that have taken place - given the condition he
14 was in, the distressed condition that his parents found
15 him in, given that they were willing to pay £2,000 16:28
16 which was a significant amount of money to remove their
17 son in the Army Apprentice School; given that he had
18 indications of self-harm; why was the focus of your
19 report here on the fact that he was placed under guard
20 to ensure he caused no further damage. You've just 16:28
21 mentioned he damaged property costing £2,018. Looking
22 at that now, do you think there was an overemphasis on
23 ensuring that the property was paid for rather than the
24 care of a young apprentice?

25 A. Well, it reads like that, I have to admit. But from 16:28
26 my -- I didn't find out about that till I arrived on
27 Monday morning, that he had been locked up, and so on.
28 And they did it for his own protection, was what I was
29 told. And they removed his shoelaces and what not to

1 ensure that he didn't commit further damage to himself.
2 He had already, apparently, done some damage to his
3 arms.

4 857 Q. That being the case, if it was to save him causing
5 damage to property and for his own protection, why 16:29
6 would you proceed to interview a young apprentice, on
7 the same day, rely upon what he says in that interview,
8 and proceed to conclude, you said he wasn't lying but
9 you said:

10
11 "It's probable he raised these allegations to justify
12 his application for discharge."
13

14 A. Yeah, probable. It's still probable. But that's not
15 saying that that's not his motivation in doing it. But 16:29
16 he, obviously, wanted out at that stage. That's quite
17 clear. That's why the pool table was broken up and why
18 he had to be restrained to stop him doing further
19 damage to himself or property, as the case may be.

20 858 Q. His evidence was that the breaking of the pool table 16:30
21 was a breakdown, that the young man was in the
22 Apprentice School, he has given evidence in relation to
23 what he experienced, and that he was alone, having been
24 confined to barracks and it was a cry for help. He had
25 a breakdown and he comes before you on the Monday. 16:30

26 A. Sorry, for interrupting you there, but it was better
27 than letting him loose on the rest of the Apprentice
28 School where he might have maybe set fire so something
29 or done something. They couldn't take that risk.

1 859 Q. where was the concern for this young apprentice?
2 A. Oh, they were concerned about him.
3 860 Q. Can you show me what you did in relation to this young
4 apprentice to demonstrate that you were concerned about
5 him and what he was going through and why there were no 16:31
6 questions asked of him. 'Why did you do this? What's
7 happening? What's wrong with you? What's going on?'
8 A. I don't know what exact communication happened between
9 him on that particular night because I didn't know --
10 861 Q. Did you ask him when you saw him? Were you concerned 16:31
11 about him rather than the damage to the property?
12 A. All I got was the allegations that he made, which we
13 subsequently investigated. He didn't seem to be in as
14 bad a condition as is now being portrayed at that
15 particular stage. So I would take it that he wasn't, 16:31
16 really, in major, eh, danger of a breakdown, collapsing
17 in a heap in the floor, or such thing. The only danger
18 was that he might take further attempts to either
19 damage himself or further property. That's why the
20 Guard Commander felt, and the Orderly Officer in Naas 16:31
21 on that night, that they had to confine him in the
22 barracks, in a cell in the barracks, which is not, it
23 wasn't an unusual thing. People would be confined from
24 time to time, in a barracks cell. It's the safest
25 thing to do. Four walls, you can't do very much there. 16:32
26 862 Q. The Tribunal has heard evidence of allegations of abuse
27 and I reiterate the Tribunal cannot determine the
28 veracity, or otherwise, of those allegations, but it's
29 entitled to hear evidence of abuse in order to

1 investigate whether the procedures for dealing with
2 complaints of abuse were appropriate or fit for
3 purpose, or whether there was a culture that deterred,
4 actively deterred the making of complaints of abuse or
5 discouraged the making of complaints of abuse. So the 16:32
6 nature of the allegations that the Tribunal has heard
7 to date, concern things like random, unprovoked
8 physical attacks, hair-cutting incidents, unpredictable
9 random punishment, a consistent thread through which
10 was the non-predictability of what was going to happen 16:32
11 to them. One apprentice, former apprentice, gave
12 evidence:

13
14 "I walked into hell. We weren't trained, but
15 tortured." 16:33

16
17 others said there was no relief from the pressured
18 environment. Others described it as a prison or a
19 penal colony. They described petty vindictiveness.
20 They described group targeting; punishing all for the 16:33
21 infraction of one. Another described it as:

22
23 "We all lived in survival mode."

24
25 "Food deprivation, coupled with intense physical 16:33
26 exercise, no access to water."

27
28 And so forth. Are all of these former apprentices who
29 are giving evidence; what do you say to that now given

that you describe it as a family the atmosphere was like a family?

A. Yes, yeah. Yeah. I think those particular apprentices are exaggerating the thing. There may have been, and there obviously was individual occurrences, which should not have happened. Like, for example, it was before my time but I heard about it, the hair cutting and the cigarette chewing and all that. We wouldn't be tolerating that, at any stage, if we knew about it.

But it wasn't an ongoing thing. In other words, that was never repeated. And during my time, as I said, in my thing, no such things occurred.

Eh, and you have isolated complaints of people being complaining about the food and various things like that. But that's normal enough in military parlance that you blame the cooks for everything, you know. But there was no one starving or anything like that. And they were all putting on weight, as expected of people of that age.

And the many, in fact I had a talk with the Army catering, one of the Army catering officers lately about it and he thought that the cooks in Naas were of a very high standard.

863 Q. That hasn't been the evidence to the Tribunal to date.

A. what wasn't?

864 Q. That they were well fed?

A. Yes, yes but yet some of those complaints are around

1 food and things like that.

2 865 Q. Oh, they are, some of them certainly are. But your
3 recollection then of the atmosphere, the environment,
4 the culture in the Army Apprentice School, would you
5 agree, is a world apart from the recollection of the 16:35
6 apprentices who were there at the time?

7 A. Of those few apprentices.

8 866 Q. Of the apprentices who have come before the Tribunal?

9 A. I know, yeah.

10 867 Q. And to give their sworn testimony? 16:35

11 A. They wouldn't have come before the Tribunal if they
12 hadn't got a problem. You possibly should have got
13 some guys who had passed out satisfactorily.

14 868 Q. Well, we did invite anybody and all people with
15 relevant information to come forward? 16:35

16 A. Mmm but they didn't come, unfortunately.

17 869 Q. They didn't.

18 A. But I mean you go back to 1950, whatever it was when
19 the school opened and I know many of them myself and
20 they had very successful Army careers and civilian 16:35
21 careers.

22 870 Q. But I'm dealing with the people who had complaints of
23 abuse to make and some made them and we saw what
24 happened and the response and the outcome to them. And
25 some said they couldn't make them. They gave reasons, 16:36
26 lots of reasons as to why they couldn't make them.

27 A. I have heard those reasons.

28 871 Q. You heard them all.

29 A. And I can see how that would happen in a military

1 environment because you don't encourage complainers, if
2 you like. And, indeed, it wouldn't do morale good in a
3 platoon if somebody was to say, "go ahead and complain
4 now, you're not complaining" --

5 872 Q. So, is it your evidence that complaints weren't 16:36
6 encouraged?

7 A. No, I wouldn't say -- but they weren't discouraged
8 either.

9 873 Q. They weren't discouraged?

10 A. No. No, certainly not. 16:36

11 874 Q. You were going to say something, I am sorry, I
12 interrupted you, about morale, it wouldn't be good for
13 morale?

14 A. Yeah, it wouldn't be good for morale if you encouraged
15 people to complain. Eh and, you know, semi make up 16:36
16 things or blow small things into much bigger things.
17 That, obviously, would result in an overall depressing
18 cloud over the whole place, which wasn't there. That's
19 the point I'd make.

20 SOLE MEMBER: Thank you, Mr. Hayes. Thank you very 16:37
21 much.

22 MR. CUSH: I wonder if I might just delay the Tribunal
23 for a moment?

24 SOLE MEMBER: Yes.

25 MR. CUSH: This morning some evidence was given before 16:37
26 the Tribunal to the effect that Aptce. Mullaney may
27 have had some financial difficulties.

28 SOLE MEMBER: Yes, I think it was read out by counsel,
29 yes.

1 MR. CUSH: And Mary Mullaney, that's the mother of
2 Aptce. Mullaney, her representative has sent an e-mail
3 to the Tribunal, in which she just asked to make clear
4 the family's position that there were no such financial
5 difficulties. And I would just ask that that be
6 recorded. 16:37

7 SOLE MEMBER: Yes.

8 MR. CUSH: And, of course, on behalf of the Tribunal, I
9 can confirm that it is no part of the Tribunal's
10 investigation to inquire into whether or not the late 16:38
11 Mr. Mullaney had financial difficulties. And I can
12 confirm that it will be no part of the report or the
13 findings of the Tribunal, as to whether he did or he
14 didn't.

15 SOLE MEMBER: Absolutely. Absolutely. Thank you for 16:38
16 that clarification and thank you to the family for
17 raising it. Thank you very much. We'll meet tomorrow
18 at 10:30.

19
20 THE TRIBUNAL WAS THEN ADJOURNED UNTIL FRIDAY, 10TH JULY 16:38
21 AT 10:30 A.M.

	180:21, 189:9 12th [3] - 86:8, 86:13, 147:18 13 [5] - 19:14, 19:16, 96:6, 147:26, 154:28 13th [11] - 23:22, 46:25, 86:18, 86:22, 86:26, 86:28, 87:6, 156:21, 156:25, 156:26, 186:9 14 [5] - 21:1, 21:14, 96:12, 96:15, 134:29 140 [1] - 25:15 15 [5] - 6:22, 7:1, 53:5, 96:26, 97:1 150 [1] - 160:13 15th [6] - 23:28, 117:2, 123:29, 124:2, 149:8, 186:10 16 [3] - 148:16, 155:15, 174:1 160 [1] - 160:13 165 [1] - 3:14 16th [15] - 30:14, 82:2, 87:21, 119:8, 119:26, 119:28, 121:28, 122:19, 124:22, 159:12, 171:4, 182:11, 183:18, 186:10, 186:11 17 [2] - 102:9, 105:14 173 [1] - 3:15 184 [1] - 3:16 18th [2] - 29:18, 29:28 19 [1] - 53:3 1950 [1] - 194:18 1960 [1] - 171:4 1969 [1] - 171:4 1975 [1] - 5:4 1976 [1] - 5:6 1977 [1] - 5:13 1980 [1] - 5:13 1980's [1] - 8:20 1986 [2] - 6:1, 9:12 1989 [2] - 125:8, 125:13 1990 [11] - 82:2, 112:25, 120:17, 125:20, 125:24, 154:14, 174:1, 175:25, 175:27, 175:28, 176:16	1990s [1] - 6:5 1991 [25] - 9:21, 12:4, 12:13, 12:14, 14:19, 18:9, 23:28, 24:5, 40:9, 44:18, 45:24, 46:11, 46:14, 46:25, 69:12, 69:17, 75:20, 86:8, 111:14, 124:18, 127:19, 136:11, 140:18, 148:1, 177:7 1992 [2] - 147:18, 154:15 1993 [4] - 5:17, 6:4, 82:3, 174:2 1998 [2] - 6:6, 186:29	2	2 [61] - 29:3, 34:8, 42:23, 51:7, 51:14, 63:29, 83:27, 91:17, 97:21, 97:28, 100:9, 102:3, 102:5, 102:8, 104:4, 110:8, 110:16, 111:17, 113:24, 114:6, 119:11, 119:17, 120:5, 120:10, 121:12, 122:21, 122:29, 123:5, 130:9, 132:4, 132:8, 134:5, 134:6, 134:7, 137:7, 141:11, 142:11, 142:12, 142:15, 144:11, 144:17, 144:27, 145:5, 145:8, 146:25, 147:16, 148:2, 152:29, 155:1, 158:27, 159:8, 159:17, 159:18, 162:4, 162:5, 162:15, 174:11, 175:27, 181:18, 182:27 2(a) [1] - 114:8 20 [2] - 24:5, 177:21 2000 [3] - 6:9, 6:17, 81:16 2001 [2] - 6:12, 6:16	2013 [2] - 6:11, 6:19 2015 [1] - 37:11 2026 [3] - 4:1, 4:27, 53:4 20th [8] - 12:14, 45:23, 46:11, 46:14, 46:17, 64:19, 69:17, 71:9 21 [4] - 102:15, 103:5, 105:14, 105:20 22/91 [1] - 41:24 22nd [4] - 13:4, 18:9, 47:21, 75:20 2478 [1] - 147:17 24th [2] - 14:19, 20:13 26th [6] - 20:13, 29:19, 29:22, 30:14, 30:26 2719 [4] - 87:18, 98:23, 107:1, 150:16 2720 [1] - 88:11 2721 [3] - 95:8, 107:1, 108:13 2724 [2] - 113:16, 149:7 2726 [1] - 111:12 2729 [3] - 106:12, 107:8, 148:23 2831 [1] - 119:8 2864 [1] - 124:11 2876 [3] - 129:22, 131:18, 136:24 2882 [1] - 130:27 2888 [5] - 23:20, 28:28, 33:4, 51:6 2889 [1] - 57:5 2890 [1] - 33:7 2892 [1] - 32:2 2978 [2] - 13:14 2979 [1] - 14:6 2980 [1] - 14:13 2B [31] - 57:29, 58:7, 58:10, 58:12, 60:18, 63:19, 63:26, 64:25, 65:21, 65:22, 66:5, 66:6, 67:1, 67:2, 67:14, 67:15, 77:15, 78:6, 97:21, 104:28, 120:26, 126:24, 127:14,	127:29, 129:6, 139:23, 146:14, 157:27, 184:6 2IB [1] - 123:3 2IC [2] - 114:20, 115:3 2nd [26] - 12:15, 35:29, 36:5, 54:5, 63:28, 63:29, 70:20, 73:22, 74:20, 74:25, 75:6, 76:2, 77:19, 115:14, 127:14, 127:29, 129:6, 167:21, 179:20, 182:2, 184:6, 184:27, 186:18, 186:22, 187:10, 187:17	3	3 [11] - 14:22, 18:14, 34:8, 61:13, 81:19, 125:21, 130:23, 147:16, 149:28, 170:21, 170:26 3025 [1] - 15:13 3028 [3] - 18:4, 18:5, 60:21 3029 [2] - 18:22, 61:12 3031 [1] - 19:14 34th [3] - 12:15, 12:21, 82:22 35 [11] - 11:26, 20:15, 21:22, 34:19, 37:5, 43:24, 48:1, 59:15, 74:18, 76:9, 76:26 3644 [3] - 81:8, 154:9, 170:26 3647 [1] - 154:10 3759 [1] - 5:2 3784 [2] - 20:25, 65:15 3788 [1] - 26:22 3rd [8] - 6:4, 6:14, 179:5, 182:3, 182:5, 184:7, 184:8, 185:18	4	4 [10] - 3:5, 7:15, 42:23, 81:19,	81:26, 131:19, 135:3, 135:24, 147:16, 173:28 40 [1] - 39:13 4397 [1] - 117:6 441 [1] - 54:17 4413 [1] - 141:10 4441 [1] - 69:3 4442 [1] - 54:9 4443 [1] - 58:18 4444 [1] - 71:2 4445 [2] - 71:19, 71:22 4446 [1] - 71:24 4451 [1] - 75:3 4454 [2] - 75:21, 76:5 45 [1] - 3:6 451 [1] - 174:15 4799 [1] - 174:23 4808 [1] - 174:24 4818 [2] - 178:20, 179:11 4819 [1] - 178:11 4820 [1] - 179:29 4822 [1] - 180:22 4825 [2] - 177:8, 181:20 4827 [1] - 181:7 4s [1] - 71:2 4th [1] - 42:23	5	5 [4] - 5:2, 82:18, 126:5, 174:2 50 [3] - 3:7, 39:13, 82:15 5130 [3] - 102:9, 105:3, 105:14 5143 [1] - 134:29 5144 [1] - 135:24 5152 [1] - 162:28 52 [1] - 77:5 5381 [1] - 5:3 57 [1] - 3:8 5:00 [1] - 82:21 5th [2] - 4:26, 82:2	6	6 [4] - 26:25, 54:10, 54:20, 54:24 68 [1] - 3:9 6th [1] - 4:27
--	--	---	----------	---	--	---	----------	--	----------	---	---	----------	--	----------	---

7	185:1, 185:6, 191:26, 191:29, 192:2, 192:4, 192:5, 194:23 abused [1] - 160:7 abuser [9] - 102:3, 102:18, 103:18, 104:5, 104:7, 105:6, 105:23, 106:7, 157:25 academic [1] - 109:6 accept [9] - 23:19, 26:9, 32:24, 43:26, 43:27, 60:19, 77:27, 94:29, 157:21 accepted [2] - 31:14, 38:25 access [5] - 102:4, 104:3, 106:3, 183:27, 192:26 accident [1] - 12:24 accidental [3] - 12:19, 17:5, 19:11 accord [1] - 87:10 according [2] - 137:4, 140:23 account [3] - 60:5, 68:8, 91:1 accounts [1] - 52:4 accurate [2] - 50:5, 109:22 accused [1] - 38:15 accusing [1] - 97:15 acknowledge [1] - 161:15 Act [1] - 25:12 acting [1] - 45:11 action [11] - 33:13, 58:26, 65:21, 66:5, 67:1, 110:15, 141:15, 145:15, 161:26, 177:26, 181:24 actions [6] - 58:6, 58:7, 59:4, 64:24, 64:25, 67:13	actively [1] - 192:4 activities [1] - 111:26 activities" [1] - 112:14 actual [8] - 16:25, 37:19, 38:11, 50:4, 58:16, 70:11, 101:7, 143:7 adapting [1] - 88:4 add [4] - 155:11, 164:7, 166:7, 168:15 added [3] - 108:9, 124:2, 170:5 address [2] - 4:25, 80:28 addressed [6] - 113:18, 117:6, 120:20, 120:22, 138:5, 138:6 ADJOURNED [4] - 80:4, 98:8, 173:11, 196:20 adjusting [1] - 55:17 adjutant [3] - 101:15, 157:23, 171:11 Adjutant [4] - 79:11, 93:6, 145:26, 184:9 administration [1] - 5:21 administrative [1] - 178:6 admission [1] - 55:23 admissions [2] - 55:10, 55:20 admit [1] - 189:25 admits [2] - 55:13, 55:17 admitted [1] - 38:12 admonition [3] - 146:2, 146:17, 187:18 advance [3] - 72:26, 79:16, 123:29 advice [3] - 84:27, 85:9, 85:21 advised [4] -	36:4, 40:16, 40:20, 185:18 affects [1] - 109:4 afraid [1] - 93:16 afternoon [9] - 64:17, 68:28, 80:6, 80:7, 80:14, 80:15, 98:11, 173:13, 173:24 afterwards [2] - 38:12, 77:1 age [2] - 82:15, 193:20 ago [23] - 11:26, 20:15, 21:22, 23:4, 28:19, 34:19, 37:6, 43:25, 48:1, 56:24, 60:3, 61:21, 69:7, 72:25, 76:9, 76:26, 90:9, 134:21, 149:17, 149:24, 153:7, 166:11, 188:19 agree [18] - 15:27, 37:14, 59:12, 67:7, 96:2, 96:4, 104:14, 106:8, 112:20, 118:7, 143:1, 143:29, 151:19, 152:25, 152:29, 153:26, 174:28, 194:5 agreeable [1] - 120:5 agreed [7] - 39:23, 44:6, 95:14, 111:5, 119:6, 121:9, 135:11 agreed.. [1] - 95:10 agreement [1] - 116:25 ahead [8] - 23:1, 37:23, 60:12, 105:18, 115:25, 130:3, 186:13, 195:3 air [2] - 147:4, 158:18 alert [1] - 147:19 allegation [25] - 15:23, 33:11, 39:24, 42:28, 58:5, 58:24, 65:19, 66:3,	66:24, 73:13, 77:17, 77:23, 77:26, 79:22, 100:4, 108:14, 112:14, 113:2, 115:26, 116:1, 118:12, 125:27, 126:5, 126:9, 166:10 allegations [181] - 35:25, 36:4, 36:9, 36:10, 36:11, 41:16, 44:1, 46:10, 46:13, 47:22, 55:27, 58:4, 59:3, 60:5, 60:14, 60:17, 64:23, 65:12, 73:11, 73:12, 74:7, 74:15, 74:24, 77:4, 77:6, 77:10, 78:6, 78:22, 78:24, 79:18, 79:21, 87:6, 87:8, 89:21, 90:10, 90:15, 90:28, 91:6, 96:14, 97:7, 100:6, 100:22, 100:25, 106:13, 107:2, 107:20, 108:11, 109:10, 109:25, 110:6, 110:22, 111:6, 111:26, 112:2, 112:8, 112:17, 112:18, 113:8, 113:9, 113:10, 113:12, 113:13, 114:7, 114:12, 114:14, 115:4, 115:7, 115:8, 115:9, 115:13, 115:17, 115:21, 115:22, 116:4, 116:10, 116:12, 117:19, 117:26, 118:1, 118:2, 118:5, 118:6, 118:10, 119:4, 119:5, 119:10, 119:18, 119:28, 120:4, 121:5, 121:11, 122:21, 122:26, 122:29, 123:5, 123:14, 123:24, 125:5, 125:22, 125:26, 126:2, 126:18, 126:19, 127:11, 127:13, 127:15,	127:28, 129:3, 129:10, 130:17, 134:5, 134:6, 139:5, 139:6, 140:1, 140:20, 140:21, 142:13, 144:4, 144:16, 144:27, 145:2, 145:7, 145:22, 146:10, 146:23, 147:14, 148:25, 149:12, 149:15, 149:19, 149:20, 149:22, 150:2, 150:4, 150:9, 150:11, 150:12, 150:22, 151:10, 151:13, 151:21, 151:23, 151:25, 151:26, 151:29, 152:2, 152:8, 152:9, 152:29, 153:2, 153:7, 153:18, 154:3, 155:6, 156:6, 156:9, 158:23, 159:16, 161:21, 162:15, 162:16, 164:13, 177:24, 180:25, 181:22, 182:24, 182:27, 182:29, 183:3, 183:19, 186:16, 187:10, 190:11, 191:12, 191:26, 191:28, 192:6 allegations" [1] - 117:28 alleged [35] - 4:19, 12:14, 12:22, 24:4, 25:1, 45:23, 58:7, 59:4, 64:13, 64:21, 64:24, 65:2, 67:10, 68:10, 69:16, 71:9, 71:11, 72:13, 77:15, 77:19, 80:23, 91:28, 102:3, 102:18, 103:18, 104:5, 104:7, 105:6, 105:23, 106:7, 117:18, 137:19, 149:16, 149:23, 157:25 allegedly [2] - 62:20, 73:22 alleging [1] - 48:14
8	8 [16] - 33:7, 56:4, 56:13, 56:14, 58:2, 58:22, 63:12, 65:10, 65:15, 65:17, 66:13, 77:8, 83:6, 83:26, 90:13, 126:13 80 [3] - 3:13, 42:20, 42:22				
9	9 [4] - 84:1, 90:25, 126:14, 162:29 991 [1] - 159:13 9:00 [1] - 82:21 9:45 [1] - 14:24 9th [1] - 20:13 9TH [1] - 4:1				
A	A's [1] - 53:3 a [1] - 107:10 A.M [1] - 196:21 abeyance [1] - 185:19 able [14] - 25:6, 34:22, 39:15, 39:16, 47:29, 48:2, 48:3, 62:27, 81:8, 122:12, 124:14, 143:12, 158:27, 183:27 abroad [1] - 172:6 absolutely [7] - 31:15, 65:9, 152:19, 169:13, 170:11, 196:15 abuse [15] - 4:15, 4:17, 35:25, 35:29, 80:19, 80:21, 87:6,				

allocate ^[1] - 9:4 allowed ^[3] - 86:25, 161:11, 183:22 alone ^[4] - 25:28, 165:3, 179:1, 190:23 amended ^[1] - 25:13 ammunition ^[1] - 17:17 amount ^[4] - 11:19, 62:27, 169:10, 189:16 AND ^[3] - 80:4, 98:8, 173:11 anding ^[1] - 141:5 Annex ^[4] - 148:11, 148:16, 148:28, 150:17 annoyed ^[2] - 166:14 annual ^[5] - 85:23, 85:27, 170:29, 174:11, 174:15 answer ^[27] - 21:8, 30:7, 36:22, 43:13, 44:15, 46:9, 47:29, 48:2, 48:3, 48:23, 48:24, 49:20, 50:4, 52:23, 59:19, 60:3, 76:18, 78:15, 106:26, 111:10, 131:8, 137:17, 143:16, 147:4, 163:10, 164:3 answered ^[2] - 105:8, 166:3 answering ^[1] - 57:22 answers ^[1] - 4:25 Anthony ^[1] - 82:28 anyway ^[13] - 94:4, 96:8, 105:1, 109:13, 111:3, 121:3, 121:26, 136:18, 153:22, 158:19, 160:6, 176:29, 186:26 apart ^[4] - 43:6, 115:8, 139:24, 194:5 APM ^[17] - 24:10, 24:11,	24:13, 24:17, 24:18, 24:27, 26:4, 26:10, 27:5, 27:6, 28:8, 34:29, 35:18, 40:1, 41:12, 42:13, 163:28 APML10 ^[1] - 23:29 appalled ^[3] - 118:10, 118:11, 118:15 appear ^[13] - 34:11, 50:15, 70:3, 70:9, 75:22, 114:28, 126:16, 128:7, 129:24, 132:3, 147:1, 158:1, 160:21 appeared ^[3] - 51:18, 133:7, 154:25 applicable ^[1] - 41:27 application ^[20] - 87:27, 96:7, 97:7, 97:8, 98:27, 100:17, 107:16, 107:22, 123:9, 128:26, 138:5, 142:4, 145:4, 150:25, 159:14, 182:10, 182:26, 183:12, 186:6, 190:12 applied ^[3] - 53:16, 111:2, 139:16 apply ^[2] - 100:2, 167:18 applying ^[1] - 138:2 appoint ^[1] - 171:25 appointed ^[2] - 104:8, 171:14 appointment ^[2] - 154:14, 171:24 appraisal ^[2] - 174:12, 174:15 appreciate ^[4] - 48:2, 76:26, 120:8, 133:20 Apprentice ^[24] - 29:8, 35:12, 35:15, 35:16, 35:26, 63:5, 82:1, 92:22, 93:7, 99:7, 166:1, 166:17, 167:10, 167:16,	168:19, 174:1, 177:13, 180:9, 186:28, 189:17, 190:22, 190:27, 194:4 apprentice ^[28] - 50:16, 52:4, 63:4, 68:8, 74:6, 75:4, 75:8, 75:15, 75:28, 75:29, 77:15, 77:19, 83:9, 83:23, 85:14, 85:15, 85:16, 139:24, 140:11, 177:17, 177:24, 180:26, 189:24, 190:6, 191:1, 191:4, 192:11 apprentice's ^[5] - 72:12, 74:12, 74:26, 75:24, 76:7 apprentices ^[57] - 12:16, 19:16, 24:5, 27:25, 32:17, 45:23, 46:14, 46:15, 48:5, 52:9, 55:13, 59:9, 64:21, 67:29, 69:17, 70:16, 70:19, 70:26, 71:3, 71:8, 71:10, 72:13, 72:14, 72:15, 72:29, 73:5, 73:6, 73:21, 74:4, 75:29, 76:19, 77:5, 82:21, 91:7, 92:14, 92:16, 93:8, 93:15, 103:26, 119:1, 133:2, 152:10, 154:16, 160:7, 160:11, 167:23, 168:18, 169:14, 170:8, 175:1, 179:1, 187:5, 192:28, 193:3, 194:6, 194:7, 194:8 apprentices' ^[2] - 71:18, 185:4 apprentices's ^[1] - 55:2 apprenticeship ^[1] - 153:15 approach ^[4] - 11:20, 163:29, 164:4, 177:19	approach.. ^[1] - 175:11 approached ^[2] - 142:15, 177:18 approaches ^[1] - 169:11 appropriate ^[18] - 43:23, 70:14, 73:23, 80:28, 93:21, 93:26, 108:1, 128:2, 128:3, 142:18, 156:29, 158:27, 158:29, 159:2, 159:3, 177:27, 181:24, 192:2 approved ^[1] - 122:17 aptce ^[2] - 19:19, 72:2 Aptce ^[65] - 19:19, 19:23, 31:8, 33:14, 33:16, 55:17, 56:12, 58:27, 59:5, 59:27, 60:18, 61:5, 61:15, 61:16, 61:18, 64:26, 65:22, 65:24, 66:6, 66:8, 67:2, 67:4, 67:13, 67:15, 68:7, 71:13, 71:27, 71:29, 72:8, 74:9, 99:3, 100:2, 107:17, 108:6, 108:20, 115:4, 119:29, 123:3, 123:8, 125:20, 125:21, 127:15, 134:23, 136:14, 139:10, 139:12, 139:16, 139:22, 141:7, 142:5, 144:4, 144:15, 145:3, 146:29, 148:11, 151:14, 155:2, 161:22, 166:11, 182:1, 183:22, 183:26, 185:4, 195:26, 196:2 Aptces ^[1] - 71:25 Archaeology ^[1] - 5:8 archived ^[1] - 12:12 area ^[4] -	160:17, 163:17, 168:29, 169:18 areas ^[2] - 100:16, 168:12 arising ^[2] - 91:11, 148:10 arms ^[3] - 72:1, 72:17, 190:3 Army ^[23] - 35:12, 35:25, 82:1, 85:28, 88:14, 101:14, 160:16, 161:7, 165:18, 166:1, 166:18, 167:10, 167:15, 168:19, 174:1, 174:15, 178:29, 180:9, 189:17, 193:22, 193:23, 194:4, 194:20 arrested ^[1] - 86:11 arrival ^[1] - 82:7 arrived ^[5] - 14:24, 82:22, 95:14, 184:2, 189:26 arriving ^[1] - 79:15 Arts ^[1] - 5:10 AS ^[15] - 4:1, 4:10, 45:8, 50:12, 57:26, 68:26, 76:15, 80:4, 80:12, 98:8, 98:15, 165:23, 173:11, 173:22, 184:21 ascertain ^[1] - 172:20 aside ^[1] - 100:18 aspect ^[11] - 28:2, 36:17, 59:21, 59:26, 60:20, 62:19, 64:3, 64:5, 68:14, 68:16, 98:24 aspects ^[4] - 62:21, 88:7, 177:24, 181:22 assertion ^[2] - 57:8, 57:17 assess ^[3] - 17:3, 17:11, 43:17 assessing ^[1] - 34:15 assessment ^[3]	- 51:24, 177:10, 181:17 assigned ^[7] - 15:24, 16:1, 16:4, 16:14, 16:17, 39:26, 69:14 assist ^[7] - 17:8, 49:21, 54:8, 79:27, 151:2, 153:28, 170:10 assistance ^[4] - 13:12, 152:26, 168:17, 173:15 Assistant ^[6] - 10:8, 23:21, 34:26, 42:6, 42:10, 45:21 assistant ^[1] - 14:4 assume ^[2] - 85:4, 85:20 assumed ^[1] - 119:3 assurance ^[3] - 90:14, 90:18, 142:27 assured ^[1] - 107:27 AT ^[1] - 196:21 atmosphere ^[6] - 160:5, 160:29, 161:1, 162:7, 193:1, 194:3 attach ^[1] - 122:8 attached ^[3] - 122:9, 148:11, 148:16 attachment ^[1] - 121:22 attachments ^[1] - 122:1 attacks ^[1] - 192:8 attempt ^[1] - 166:16 attempted ^[4] - 156:23, 157:10, 157:16, 161:27 Attempts ^[1] - 13:22 attempts ^[1] - 191:18 attend ^[2] - 49:20, 157:16 attendance ^[1] - 14:10 attended ^[5] - 4:26, 5:6, 7:2, 49:15, 81:3
---	---	---	--	--	--

attention [4] - 105:17, 107:8, 163:7, 164:27 attributable [1] - 139:4 au [2] - 118:25, 138:23 Aug [2] - 132:11, 147:26 August [9] - 23:22, 46:25, 132:13, 132:29, 137:4, 137:5, 138:11, 138:17, 139:3 author [1] - 117:6 authored [1] - 87:20 authorising [1] - 95:3 authorities [3] - 16:29, 184:2, 184:4 authority [4] - 100:15, 177:26, 181:23, 182:25 automatic [1] - 179:21 available [8] - 97:5, 168:3, 168:4, 168:18, 169:23, 169:26, 175:6, 187:11 avoid [3] - 140:8, 140:10, 140:12 aware [50] - 4:12, 12:14, 35:24, 35:28, 36:2, 37:13, 41:13, 47:26, 53:18, 53:25, 53:27, 53:28, 55:7, 60:9, 60:10, 60:13, 80:16, 100:29, 101:1, 101:6, 101:8, 101:22, 101:23, 101:27, 102:2, 106:11, 118:9, 120:3, 120:6, 128:26, 131:27, 136:17, 145:14, 146:11, 154:16, 154:25, 154:29, 158:3, 164:13, 164:15, 164:17, 168:10, 176:29, 177:1, 177:4,	181:29, 187:12, 187:14, 187:16 B B's [4] - 57:7, 57:8, 102:5, 174:11 B2 [1] - 181:18 Bachelor [1] - 5:10 backed [1] - 96:18 background [3] - 5:3, 128:27, 142:4 bad [4] - 27:19, 118:7, 177:23, 191:14 bags [3] - 17:18, 108:15, 109:25 balance [1] - 183:20 Baldonnel [1] - 7:4 Bar [1] - 72:2 Barracks [7] - 5:21, 14:25, 15:6, 24:6, 82:7, 160:5, 171:27 barracks [10] - 83:14, 164:22, 165:1, 166:16, 169:15, 176:2, 190:24, 191:22, 191:24 barrister [1] - 45:11 based [9] - 26:20, 26:27, 27:1, 49:10, 82:29, 94:7, 98:1, 124:21, 151:16 basic [2] - 15:22, 39:24 basis [5] - 74:23, 125:22, 126:2, 140:19, 160:8 Battalion [9] - 6:4, 6:14, 171:14, 179:5, 182:3, 182:5, 184:7, 184:8, 185:18 BE [1] - 98:14 bear [2] - 134:28, 156:12 bearing [1] - 107:16 bears [1] -	124:13 beat [1] - 134:9 beating [1] - 134:11 became [11] - 8:20, 9:8, 9:16, 81:29, 83:5, 118:9, 123:20, 169:5, 170:18, 173:28, 179:7 become [1] - 168:28 bed [1] - 55:14 BEEN [2] - 4:9, 80:11 beforehand [1] - 124:5 beg [5] - 123:27, 125:7, 128:4, 142:1, 182:13 began [1] - 77:8 begin [1] - 78:4 beginning [1] - 107:1 begins [1] - 65:10 behalf [3] - 45:13, 50:15, 196:8 behaviour [9] - 48:21, 49:2, 85:10, 89:2, 111:26, 113:2, 141:18, 177:25, 181:22 behind [1] - 97:17 believes [1] - 62:18 below [1] - 71:27 belt [1] - 86:11 beneficial [1] - 34:22 benefit [1] - 34:18 benefited [1] - 170:1 beret [1] - 55:18 best [7] - 69:15, 95:14, 101:4, 135:29, 138:20, 157:5, 187:7 better [5] - 108:29, 125:8, 133:1, 155:9, 190:26 between [11] - 63:17, 63:26, 65:3, 66:17,	77:21, 78:12, 78:21, 78:24, 114:17, 115:7, 191:8 big [3] - 19:17, 92:13, 171:29 bigger [1] - 195:16 billet [1] - 118:21 bit [16] - 13:26, 16:5, 25:25, 69:8, 69:26, 76:25, 84:25, 117:13, 127:3, 127:22, 149:13, 166:4, 167:21, 169:17 black [1] - 19:17 blame [2] - 167:22, 193:17 blamed [1] - 144:8 blank [1] - 17:9 blow [1] - 195:16 board [1] - 167:21 body [2] - 38:6, 69:16 book [2] - 35:21, 74:12 Book [3] - 38:14, 54:17, 58:15 booklet [3] - 5:1, 5:2, 69:3 books [1] - 154:18 Border [1] - 171:3 borrowed [1] - 61:21 bottom [7] - 15:15, 128:16, 128:21, 146:14, 179:11, 179:28, 180:4 box [2] - 19:17, 178:23 Brady [2] - 172:24, 173:14 BRADY [2] - 172:27, 173:15 branch [1] - 145:26 breach [1] - 188:26 break [5] - 96:25, 170:13, 171:29, 173:7,	173:8 breakdown [5] - 86:9, 187:24, 190:21, 190:25, 191:16 breaking [1] - 190:20 Brian [8] - 29:9, 29:16, 30:26, 32:20, 32:23, 71:3, 74:6, 74:10 briefed [2] - 14:25, 28:7 briefing [1] - 15:3 BRIEFLY [2] - 80:4, 173:11 Brig [4] - 175:22, 176:23, 181:5, 181:6 Brigade [1] - 182:19 Brigadier [3] - 82:28, 180:21, 181:4 bring [20] - 15:12, 17:18, 18:4, 20:25, 22:28, 23:19, 26:22, 32:1, 33:3, 40:16, 40:24, 42:22, 58:19, 70:22, 71:15, 75:2, 75:7, 81:4, 122:23, 163:7 bringing [1] - 134:14 broad [1] - 87:11 broaden [1] - 39:1 broadened [1] - 39:10 broader [2] - 127:11, 132:8 broadly [1] - 88:4 broke [2] - 188:1, 189:6 broken [2] - 39:12, 190:17 brought [6] - 33:19, 50:2, 71:29, 84:17, 84:23, 152:1 build [3] - 94:15, 94:18, 97:16 built [1] - 52:8 bullies [2] - 137:13, 137:15 bully [1] - 92:16	bullying [4] - 12:16, 12:22, 22:21, 42:28 Bureau [1] - 17:19 bush [2] - 134:10, 134:11 business [2] - 11:22, 123:16 buying [1] - 94:13 BY [21] - 3:5, 3:6, 3:7, 3:8, 3:9, 3:10, 3:13, 3:14, 3:15, 3:16, 4:10, 45:7, 50:11, 57:25, 68:25, 76:14, 80:12, 98:14, 165:23, 173:21, 184:21 C C) [1] - 148:16 cadet [1] - 5:4 Cadet [1] - 5:7 cadets [1] - 119:1 camp [1] - 170:29 cannot [11] - 28:6, 28:8, 28:24, 32:11, 32:16, 36:22, 45:25, 45:27, 45:28, 46:4, 191:27 capacity [1] - 39:15 Captain [2] - 14:25, 14:29 captain [5] - 5:29, 9:8, 9:21, 9:24, 179:14 captains [1] - 9:27 car [1] - 61:26 car.. [1] - 61:22 care [2] - 169:25, 189:24 career [3] - 6:21, 81:12, 81:15 careers [2] - 194:20, 194:21 careful [2] - 46:8, 77:29 carefully [1] - 140:21 carried [6] - 32:6, 46:27,
--	---	--	---	---	--

47:23, 63:8, 64:12, 144:29 carry [1] - 11:21 carrying [3] - 47:15, 48:26, 74:10 case [35] - 7:21, 15:24, 16:17, 39:25, 40:7, 40:9, 40:11, 40:19, 41:5, 41:8, 41:16, 41:21, 41:22, 42:1, 42:14, 43:20, 45:1, 75:26, 76:8, 94:15, 95:21, 96:10, 97:16, 106:2, 127:27, 128:15, 135:15, 140:5, 141:15, 149:2, 151:3, 151:17, 152:27, 190:4, 190:19 cases [3] - 9:5, 16:15, 22:8 casings [1] - 17:17 casual [1] - 159:5 catch [1] - 66:11 catering [2] - 193:23 caused [3] - 17:4, 189:9, 189:20 causing [2] - 189:6, 190:4 caution [4] - 52:13, 55:27, 56:15, 79:22 cautioned [10] - 29:14, 40:21, 52:24, 52:26, 52:28, 53:26, 55:8, 56:23, 78:9, 79:8 caveat [1] - 43:15 cell [2] - 191:22, 191:24 central [1] - 18:21 centre [1] - 71:26 certain [11] - 11:19, 23:10, 38:1, 45:12, 48:20, 55:10, 55:20, 116:1, 145:25, 168:12,	189:12 certainly [17] - 54:2, 69:15, 87:17, 89:5, 89:27, 108:13, 110:24, 124:7, 147:3, 152:16, 154:16, 159:3, 160:29, 161:28, 169:5, 194:2, 195:10 certificate [3] - 41:2, 41:7, 41:14 Certificate [2] - 41:22, 41:24 chain [1] - 169:27 chair [1] - 98:17 change [2] - 133:18, 185:7 changed [3] - 54:6, 138:29 changes [1] - 47:12 chaplain [1] - 169:20 character [1] - 94:7 charge [13] - 9:3, 11:8, 11:11, 17:24, 37:21, 73:16, 84:4, 84:26, 84:29, 85:21, 111:21, 114:1, 114:24 charged [3] - 84:18, 85:7, 86:29 charges [3] - 38:19, 38:20, 73:17 check [1] - 187:6 chewing [2] - 176:28, 193:8 choice [1] - 77:29 choices [1] - 160:24 chose [1] - 155:28 chronology [3] - 130:3, 131:24, 159:19 cigarette [5] - 125:9, 125:13, 167:19, 176:28, 193:8 Circuit [1] - 152:23 circumstances	[5] - 39:20, 42:8, 44:18, 107:26, 167:1 civil [4] - 148:2, 151:29, 152:6, 152:13 civilian [4] - 37:22, 108:29, 170:7, 194:20 claim [5] - 148:6, 151:15, 152:1, 152:10, 162:11 claimed [1] - 39:12 clarification [1] - 196:16 clarify [3] - 52:26, 155:9, 182:8 class [2] - 94:22, 160:20 clear [17] - 19:2, 41:29, 89:29, 100:5, 115:12, 124:3, 127:17, 129:3, 148:22, 151:11, 166:27, 166:29, 175:8, 177:9, 178:12, 190:17, 196:3 cleared [2] - 143:14, 155:7 clearer [1] - 57:1 clearly [6] - 64:4, 112:1, 115:11, 115:25, 128:20, 149:27 clears [1] - 112:29 client [1] - 63:18 close [3] - 21:7, 43:6, 132:24 closed [1] - 186:28 closer [1] - 98:18 cloud [1] - 195:18 clue [1] - 153:24 Cmdt [17] - 91:26, 113:17, 114:20, 114:22, 115:16, 117:5, 117:10, 117:11, 118:9, 120:27, 121:18, 123:11, 123:22, 149:8, 150:7, 187:9, 189:1 Coakley [9] -	7:13, 11:14, 37:8, 38:25, 39:21, 42:5, 42:20, 43:4, 44:11 Coakley's [1] - 42:15 code [1] - 32:3 coffee [3] - 142:23, 159:5, 170:13 Coffey [15] - 90:2, 91:26, 113:17, 114:20, 114:22, 115:16, 117:5, 117:10, 117:11, 118:9, 121:18, 123:11, 123:22, 187:9, 189:1 Coffey's [3] - 120:27, 149:8, 150:7 cog [1] - 39:12 Col [13] - 7:13, 11:14, 37:8, 38:25, 39:21, 42:5, 42:15, 42:20, 43:4, 44:10, 44:11, 80:8, 176:2 collapsing [1] - 191:16 colleague [1] - 53:4 colleagues [2] - 12:21, 98:19 collector [1] - 15:9 College [1] - 5:24 college [1] - 5:6 colonel [5] - 46:5, 81:16, 82:1, 83:7, 173:29 Colonel [1] - 10:6 colony [1] - 192:19 column [3] - 124:28, 124:29, 148:28 combination [2] - 139:5, 139:29 combined [3] - 110:3, 136:15, 140:12 comfortable [1] - 133:3 coming [10] - 35:4, 79:26,	93:10, 99:9, 104:4, 157:14, 168:7, 172:11, 184:8, 186:12 Command [10] - 9:9, 9:16, 10:23, 24:2, 45:22, 182:4, 182:20, 182:21, 183:6, 183:9 command [22] - 8:21, 9:14, 10:14, 10:24, 122:18, 127:27, 128:5, 128:17, 128:28, 145:11, 145:24, 163:28, 167:11, 169:27, 177:2, 182:23, 183:3, 183:28, 184:3, 184:4, 187:13 commandant [2] - 6:5, 10:4 Commandant [1] - 10:4 commander [13] - 41:4, 91:24, 91:28, 97:22, 98:2, 111:14, 113:15, 114:13, 139:26, 158:16, 175:4, 177:16, 188:16 Commander [13] - 93:7, 120:26, 132:27, 132:28, 150:3, 158:18, 165:3, 170:15, 177:13, 188:16, 188:28, 188:29, 191:20 commander's [1] - 96:18 commanders [1] - 177:15 commanding [1] - 82:29 Commanding [17] - 10:7, 81:29, 83:8, 83:14, 87:23, 99:29, 121:18, 121:28, 139:28, 140:7, 159:12, 164:20, 167:15, 168:20, 172:2, 173:29, 187:26 commence [4] - 24:4, 26:4, 45:22, 71:2	commenced [1] - 147:6 commencing [1] - 174:23 comment [30] - 12:5, 12:6, 19:7, 19:12, 20:4, 27:22, 33:8, 44:7, 45:25, 45:27, 45:28, 56:19, 64:9, 67:21, 74:25, 75:17, 75:18, 75:23, 75:25, 76:6, 88:9, 88:21, 92:4, 96:29, 124:29, 125:18, 156:10, 156:18, 188:12 comments [5] - 74:11, 75:10, 76:2, 143:13, 174:28 commissioned [2] - 5:13, 10:12 commissionin g [1] - 179:21 commit [1] - 190:1 committed [2] - 97:21, 175:2 common [4] - 19:9, 19:12, 19:13, 44:6 communicated [1] - 162:1 communicatio n [4] - 121:27, 170:19, 171:21, 191:8 Company [14] - 9:2, 10:25, 21:24, 83:24, 92:22, 93:7, 120:26, 150:3, 158:18, 165:3, 177:14, 188:16, 188:28, 188:29 company [21] - 10:20, 83:21, 83:23, 84:17, 85:13, 88:26, 91:23, 91:28, 93:25, 96:18, 98:2, 102:5, 104:4, 111:13, 113:15, 114:13, 120:25, 132:4, 132:6, 132:8, 158:16 competent [1] -
--	---	--	--	---	---

113:25 compiled [2] - 68:3, 69:8 compiling [2] - 51:28, 69:9 complain [4] - 168:27, 169:16, 195:3, 195:15 complainant [1] - 186:1 complained [1] - 140:11 complainers [1] - 195:1 complaining [3] - 152:1, 193:15, 195:4 complaint [8] - 85:2, 85:4, 85:6, 111:25, 112:13, 113:1, 124:29, 185:6 complaints [39] - 4:14, 4:15, 4:17, 35:28, 36:3, 47:25, 80:17, 80:19, 80:21, 108:9, 136:14, 139:12, 148:11, 152:5, 154:23, 157:3, 157:6, 161:9, 163:7, 166:12, 167:2, 168:16, 168:18, 169:12, 169:19, 183:25, 184:26, 185:1, 185:3, 186:4, 192:2, 192:4, 192:5, 193:14, 193:29, 194:22, 195:5 completed [9] - 25:9, 29:3, 34:10, 41:5, 41:11, 51:9, 51:21, 61:2, 134:26 completely [6] - 31:4, 42:12, 122:20, 123:12, 150:22, 159:16 completeness [1] - 62:16 concentrate [1] - 100:21 concern [2] - 191:1, 192:7 concerned [6] - 95:15, 111:4, 186:1, 191:2, 191:4, 191:10	concerning [3] - 115:14, 177:24, 181:22 concerns [1] - 154:13 conclude [2] - 170:20, 190:8 concluded [1] - 184:2 concludes [1] - 106:12 concluding [1] - 56:4 conclusion [5] - 99:9, 106:15, 107:9, 117:17, 139:23 conclusions [4] - 34:2, 34:3, 104:2, 157:8 condemnation [1] - 96:28 condition [4] - 189:10, 189:13, 189:14, 191:14 conditions [1] - 160:25 conduct [16] - 7:17, 38:26, 40:7, 46:29, 71:9, 71:11, 72:13, 72:21, 99:15, 100:6, 142:9, 142:17, 155:1, 155:9, 155:11, 158:17 conducted [10] - 11:18, 11:19, 24:20, 29:18, 36:6, 42:13, 92:20, 92:24, 99:16, 141:19 conducting [4] - 11:28, 35:24, 35:29, 39:6 conferences [2] - 40:7, 40:11 confidential [1] - 182:17 confidentials [1] - 85:23 confine [1] - 191:21 confined [3] - 86:10, 190:24, 191:23 confirm [6] - 58:3, 59:1, 63:22, 155:22, 196:9, 196:12	confirmed [4] - 68:3, 87:8, 90:28, 183:17 confront [1] - 158:28 confused [1] - 69:26 confusing [1] - 188:15 connected [2] - 33:21, 62:6 connecting [1] - 77:10 connection [24] - 13:28, 31:19, 33:25, 44:4, 59:10, 63:10, 63:17, 63:18, 63:26, 65:3, 65:28, 66:14, 66:16, 67:10, 68:4, 68:9, 68:20, 77:21, 78:12, 78:15, 78:21, 78:24, 88:25 connection' [1] - 67:20 conscious [1] - 172:14 consider [10] - 20:1, 20:7, 73:3, 73:5, 73:13, 109:4, 120:17, 141:19, 181:26, 183:18 considerable [1] - 114:17 considerably [1] - 168:6 consideration [6] - 60:15, 112:2, 112:16, 164:5, 166:26, 178:8 considered [1] - 46:8 considering [2] - 136:13, 177:29 consistent [1] - 192:9 constitute [1] - 73:6 construed [1] - 153:26 consult [4] - 93:4, 114:22, 114:23, 127:6 consultation [1] - 165:2 contact [2] - 79:11, 94:8	contains [3] - 15:22, 29:16, 39:24 contents [1] - 29:10 context [9] - 107:21, 108:21, 126:19, 127:12, 128:20, 129:2, 129:10, 129:11, 170:20 CONTINUED [2] - 98:8, 98:14 continues [1] - 103:5 contrast [2] - 97:19, 159:23 contributed [3] - 12:23, 42:29, 141:6 contributing [1] - 140:4 contributory [1] - 139:17 controversial [2] - 71:13, 72:18 conversation [5] - 28:16, 90:27, 114:25, 144:7, 159:4 conversations [4] - 35:5, 142:23, 158:2, 170:14 convey [1] - 78:3 convicted [1] - 87:1 cooks [2] - 193:17, 193:24 coordination [2] - 114:29, 115:1 copies [1] - 92:6 copy [8] - 29:23, 29:24, 35:16, 69:3, 143:20, 143:22, 143:28, 148:16 coroner [3] - 16:26, 16:28, 17:13 coroner's [2] - 13:1, 13:2 Corporal [7] - 13:17, 13:28, 14:14, 16:14, 21:25, 29:19, 67:23 corporal [1] - 29:27 corporals [5] -	10:21, 10:27, 32:9, 169:28 Corporals [2] - 10:24, 32:7 corps [2] - 5:14, 9:28 correct [145] - 4:28, 4:29, 5:4, 5:5, 5:9, 5:12, 5:15, 5:18, 5:24, 5:25, 5:28, 6:3, 6:8, 6:20, 6:24, 6:29, 7:6, 7:11, 8:4, 8:22, 8:23, 8:26, 9:10, 9:15, 9:23, 9:26, 10:5, 10:9, 10:11, 10:15, 11:6, 11:8, 11:9, 11:24, 11:25, 12:3, 12:29, 13:6, 13:7, 13:18, 15:2, 17:2, 22:15, 22:16, 23:23, 24:8, 24:10, 24:21, 24:26, 25:11, 25:15, 26:11, 27:21, 28:5, 28:8, 28:13, 29:11, 29:14, 31:26, 33:18, 33:19, 33:22, 34:1, 34:28, 35:7, 35:23, 35:27, 36:2, 38:29, 40:20, 44:28, 44:29, 45:20, 46:12, 46:16, 46:21, 46:23, 46:26, 46:28, 47:14, 47:18, 47:28, 48:17, 48:22, 49:18, 49:25, 50:1, 50:6, 50:23, 50:24, 50:26, 50:28, 51:4, 51:25, 51:26, 52:1, 52:6, 52:11, 52:15, 52:19, 54:15, 55:10, 55:19, 56:23, 57:20, 58:9, 59:6, 60:7, 62:7, 69:18, 69:22, 69:24, 70:14, 70:17, 70:21, 70:28, 70:29, 71:4, 71:5, 71:10, 74:20, 74:21, 77:13, 77:16, 78:13,	78:18, 81:14, 81:22, 83:3, 86:27, 87:24, 92:3, 99:18, 99:20, 114:3, 119:22, 127:18, 141:24, 154:20, 167:3, 174:4, 174:5, 174:14, 174:17, 176:17 corrected [2] - 49:28, 141:28 corrections [1] - 21:6 correctly [4] - 121:4, 126:17, 127:10, 167:1 corroborate [1] - 152:15 cost [1] - 38:10 costing [1] - 189:21 counsel [6] - 40:24, 40:29, 68:29, 173:25, 195:28 Counsel [3] - 47:12, 50:3, 60:4 counting [1] - 125:6 country [1] - 160:26 couple [4] - 69:1, 122:20, 123:6, 156:8 coupled [1] - 192:25 course [31] - 5:23, 7:3, 7:4, 7:5, 7:25, 8:5, 8:9, 8:10, 8:11, 8:12, 8:14, 32:24, 52:24, 63:7, 65:26, 89:7, 89:20, 101:13, 101:15, 102:22, 105:27, 109:26, 118:18, 139:21, 169:19, 179:15, 179:23, 183:14, 196:8 course" [1] - 105:10 courses [10] - 7:2, 7:8, 7:18, 7:19, 7:23, 7:27, 8:1, 8:2, 11:1, 101:14 court [9] - 38:19, 38:22, 38:24,
---	--	--	---	---	---

40:29, 44:24, 44:26, 45:1, 151:17, 154:7 Court [1] - 152:23 Court's [1] - 53:2 court-martial [4] - 38:19, 38:22, 38:24, 40:29 cover [3] - 109:22, 166:12, 166:16 cover-up [1] - 166:12 covered [1] - 106:16 covering [1] - 115:7 covers [1] - 11:17 Cpl [2] - 74:8, 74:14 Cpt [41] - 15:15, 90:1, 91:12, 92:2, 96:16, 99:19, 99:26, 100:5, 100:28, 101:1, 101:16, 104:27, 107:7, 109:18, 111:5, 111:8, 111:12, 113:27, 114:20, 114:23, 115:16, 118:24, 120:13, 120:20, 121:14, 121:17, 123:11, 124:24, 141:18, 142:8, 142:11, 143:5, 148:23, 157:8, 157:19, 158:21, 158:27, 158:28, 164:9, 165:13, 187:5 credibility [1] - 51:24 credible [1] - 53:22 credit [2] - 61:22, 112:9 cried [1] - 61:5 crime [11] - 7:4, 7:27, 8:1, 8:10, 8:18, 13:10, 15:8, 25:1, 37:21, 37:22 Crime [2] - 7:2, 7:24 crimes [7] - 7:3, 7:28, 8:14, 8:15, 8:16, 37:18, 37:27 critically [1] - 15:24 criticism [2] - 56:7, 178:27 CROSS [12] - 3:6, 3:7, 3:8, 3:9, 3:14, 3:15, 45:7, 50:11, 57:25, 68:25, 165:23, 173:21 cross [1] - 158:8 cross-examine [1] - 158:8 CROSS- EXAMINED [12] - 3:6, 3:7, 3:8, 3:9, 3:14, 3:15, 45:7, 50:11, 57:25, 68:25, 165:23, 173:21 cry [2] - 187:29, 190:24 crying [1] - 19:23 CS [2] - 10:26, 169:28 culture [4] - 47:25, 80:18, 192:3, 194:4 cultures [1] - 4:14 Curragh [18] - 5:14, 6:18, 9:29, 10:1, 10:10, 24:2, 45:22, 82:29, 171:15, 171:27, 176:18, 182:4, 182:21, 182:22, 182:23, 183:6, 183:9 current [2] - 7:14, 12:10 Cush [8] - 80:6, 152:6, 165:21, 166:21, 167:29, 172:5, 182:9, 189:12 CUSH [19] - 3:13, 80:7, 80:12, 80:14, 96:22, 96:26, 98:3, 98:12, 98:15, 98:17, 152:16, 152:20, 152:22, 152:26, 165:20, 195:22, 195:25, 196:1, 196:8 cut [1] - 171:22	cutting [5] - 119:14, 119:20, 153:3, 192:8, 193:7 CV [1] - 9:17 D damage [10] - 86:29, 189:6, 189:10, 189:20, 190:1, 190:2, 190:5, 190:19, 191:11, 191:19 damaged [3] - 86:9, 189:5, 189:21 Damien [2] - 7:13, 86:4 dance [5] - 71:26, 72:16, 72:24, 73:10, 73:22 danger [2] - 191:16, 191:17 dangerous [2] - 171:8, 171:11 Darren [1] - 45:10 date [10] - 53:23, 117:2, 124:13, 124:25, 124:28, 132:20, 156:25, 169:10, 192:7, 193:26 dated [14] - 14:18, 20:13, 30:14, 75:20, 119:8, 121:17, 123:24, 127:18, 147:18, 147:26, 148:16, 176:15, 182:11 dates [1] - 9:11 day-to-day [2] - 9:3, 94:8 days [6] - 12:18, 97:6, 153:14, 166:10, 180:20, 180:21 deal [11] - 34:25, 69:20, 74:23, 100:15, 107:12, 113:9, 118:19, 155:28, 156:2, 174:15 dealing [9] - 69:2, 113:12, 123:2, 123:4, 161:14, 174:11, 187:13, 192:1, 194:22 dealings [1] - 174:29 deals [2] - 100:19, 107:9 dealt [9] - 100:23, 100:24, 117:24, 120:7, 120:19, 151:26, 151:27, 155:6, 186:7 death [62] - 12:22, 12:23, 12:24, 12:27, 12:29, 16:25, 17:3, 17:12, 20:19, 22:8, 27:29, 33:14, 33:16, 33:21, 35:14, 36:15, 36:24, 41:9, 41:26, 42:29, 43:29, 47:21, 56:12, 58:8, 58:27, 59:5, 59:21, 62:7, 62:8, 62:19, 63:11, 63:15, 63:21, 63:27, 64:25, 65:4, 65:22, 65:24, 66:6, 66:8, 66:18, 67:2, 67:4, 67:14, 67:17, 67:23, 68:11, 68:17, 77:22, 78:25, 127:21, 127:26, 134:1, 135:17, 135:28, 137:28, 138:29, 146:3, 155:1, 162:20, 163:6, 167:4 death.. [1] - 77:11 Deaths [1] - 13:21 debate [4] - 137:2, 137:3, 143:8, 152:20 decades [1] - 185:2 deceased [3] - 22:11, 83:11, 176:2 December [1] - 148:1 decide [2] -	16:26, 17:6 decided [6] - 26:14, 95:20, 111:5, 111:8, 127:10 deciding [1] - 17:8 decision [9] - 13:2, 35:18, 39:1, 43:16, 44:19, 94:24, 94:26, 184:2, 186:10 decision- making [1] - 44:19 declined [1] - 137:11 dedicated [1] - 111:18 deemed [2] - 177:26, 181:24 defect [1] - 183:29 defence [3] - 102:5, 151:3, 162:11 Defence [17] - 4:15, 5:7, 5:22, 6:21, 6:28, 25:12, 45:11, 45:12, 45:14, 49:14, 69:1, 80:18, 128:22, 151:2, 153:27, 173:25, 174:22 defendant [3] - 148:3, 151:11, 151:22 deficiencies [3] - 149:6, 156:8, 156:17 deficiency [4] - 156:24, 157:21, 158:12, 161:19 deficient [1] - 162:12 deficit [1] - 151:19 definitely [5] - 36:13, 36:28, 79:23, 97:18, 172:28 definition [1] - 116:11 definitively [1] - 146:24 degree [1] - 5:11 delay [2] - 156:14, 195:22 delayed [1] -	139:3 delete [2] - 123:22, 123:26 deleted [1] - 124:1 demand [1] - 97:9 demonstrate [1] - 191:4 denial [1] - 33:19 denies [1] - 141:6 deny [1] - 77:27 depart [1] - 92:15 departing [2] - 82:2, 174:2 departure [1] - 154:14 depressing [1] - 195:17 deprivation [1] - 192:25 describe [10] - 77:25, 81:19, 82:19, 84:9, 91:1, 97:19, 119:14, 171:22, 171:23, 193:1 described [9] - 22:8, 67:29, 87:25, 106:29, 189:12, 192:18, 192:19, 192:20, 192:21 describes [3] - 88:2, 111:17 describing [1] - 96:12 description [5] - 39:23, 82:13, 113:27, 143:22, 157:5 deserve [1] - 110:6 desirable [1] - 178:8 desk [2] - 98:18, 183:4 despite [1] - 142:27 detached [1] - 177:15 detail [2] - 90:10, 176:4 details [1] - 183:25 detectives [1] - 8:11
---	---	---	--

Detention [2] - 5:21, 171:27 determine [3] - 12:24, 74:17, 191:27 determined [2] - 74:19, 183:21 determining [1] - 47:24 deterred [4] - 47:25, 48:7, 192:3, 192:4 deviated [1] - 57:10 Devoy [6] - 14:3, 14:25, 15:5, 24:5, 82:7, 160:5 diaries [2] - 85:13, 170:15 Diarmid [1] - 173:27 died [2] - 12:18, 182:1 difference [1] - 115:23 different [11] - 31:25, 32:3, 33:5, 46:28, 106:2, 141:4, 163:2, 168:3, 168:9, 168:11, 184:1 differently [1] - 36:6 difficult [5] - 84:1, 111:20, 171:23, 171:25, 179:2 difficulties [5] - 170:9, 171:26, 195:27, 196:5, 196:11 direct [1] - 53:28 directed [1] - 75:10 direction [1] - 67:9 Directives [3] - 11:10, 11:12, 11:16 directives [6] - 11:26, 11:28, 12:1, 12:4, 12:6, 12:11 directly [1] - 137:17 DIRECTLY [5] - 3:5, 3:13, 4:9, 80:11, 98:14 disagree [2] - 89:5, 159:9	discharge [43] - 86:19, 86:24, 87:27, 94:27, 94:28, 95:15, 95:29, 96:8, 98:27, 99:3, 99:9, 100:17, 107:17, 107:22, 108:28, 109:13, 109:28, 110:2, 110:13, 111:3, 121:8, 122:16, 123:3, 123:9, 126:1, 128:26, 129:5, 130:17, 139:17, 142:5, 145:4, 150:25, 157:14, 159:13, 182:10, 182:26, 183:12, 183:23, 186:6, 186:13, 187:23, 188:27, 190:12 discharged [3] - 86:15, 95:3, 126:3 disciplinary [8] - 110:15, 110:21, 110:25, 128:27, 145:15, 145:28, 184:10, 184:27 discipline [2] - 6:27, 188:26 disclosing [2] - 4:18, 80:22 disclude [1] - 103:27 discouraged [3] - 192:5, 195:7, 195:9 discourtesy [1] - 165:6 discovered [2] - 27:14, 174:22 discuss [5] - 27:5, 28:9, 47:3, 47:7, 115:3 discussed [7] - 28:9, 28:24, 31:29, 85:2, 139:21, 167:6, 169:9 discussion [1] - 140:6 discussions [1] - 158:14 displayed [1] - 177:22 disposal [4] - 41:2, 41:6, 41:7, 41:13	Disposal [2] - 41:22, 41:24 disposition [1] - 75:13 disproved [2] - 145:17, 146:12 dispute [1] - 14:29 disputed [3] - 34:5, 88:8, 88:20 dissatisfaction [1] - 154:17 distinct [2] - 38:8, 73:10 distinction [1] - 172:6 distressed [2] - 86:14, 189:14 division [1] - 83:17 doctor [1] - 89:7 doctor's [1] - 14:10 doctors [1] - 169:25 document [65] - 11:17, 15:20, 21:10, 58:11, 60:21, 60:22, 60:25, 60:27, 61:4, 87:17, 87:20, 93:22, 96:22, 98:4, 98:23, 98:29, 99:1, 99:11, 106:29, 115:10, 117:1, 117:5, 117:12, 120:10, 121:28, 122:19, 123:28, 124:10, 124:14, 124:27, 126:21, 127:4, 127:18, 128:12, 128:22, 129:22, 130:9, 130:26, 131:15, 131:24, 133:21, 134:25, 134:26, 136:23, 138:15, 141:10, 147:17, 147:18, 147:22, 149:1, 149:6, 149:7, 149:8, 150:8, 150:10, 150:16, 150:19, 159:11, 159:12, 161:29, 182:9, 182:26, 186:6, 188:22 documentation [2] - 148:10, 151:2	documented [1] - 155:23 documents [19] - 5:1, 48:28, 49:5, 54:16, 69:4, 89:8, 89:14, 116:13, 116:14, 116:21, 116:23, 148:21, 151:9, 153:5, 154:18, 164:15, 168:3, 168:10, 184:8 documents' [1] - 155:23 done [34] - 13:9, 13:16, 21:23, 35:1, 36:13, 36:26, 37:5, 38:4, 38:5, 40:2, 40:19, 41:16, 43:17, 43:24, 47:5, 47:6, 55:26, 67:23, 84:14, 109:5, 109:9, 126:20, 126:27, 128:7, 145:3, 152:14, 162:10, 176:17, 176:23, 183:3, 187:29, 188:20, 190:2, 190:29 doodling [2] - 126:29, 127:2 door [2] - 108:22, 147:7 double [1] - 144:28 double-edged [1] - 144:28 doubt [4] - 109:8, 116:26, 116:27, 120:25 doubts [1] - 105:16 down [32] - 13:26, 15:14, 16:5, 18:13, 19:14, 31:9, 34:19, 43:17, 49:11, 52:17, 54:3, 56:3, 65:15, 72:5, 72:6, 75:7, 79:9, 83:6, 88:11, 89:12, 107:4, 117:13, 125:3, 128:11, 131:14, 149:11, 158:7, 160:10, 160:22, 169:15, 180:3, 186:28 draw [1] -	164:26 drawing [2] - 105:17, 107:8 drop [3] - 117:13, 160:18, 188:7 dropped [4] - 145:29, 184:11, 187:19, 187:20 dropping [1] - 83:6 drugs [2] - 7:3, 8:1 due [3] - 138:17, 160:25, 179:13  176:10, 176:12 during [23] - 5:19, 7:1, 31:17, 32:21, 59:11, 63:7, 65:26, 75:10, 89:20, 115:6, 160:5, 161:2, 168:19, 169:1, 170:13, 174:12, 177:14, 178:3, 178:7, 179:19, 188:26, 189:8, 193:11 duties [5] - 8:29, 11:3, 11:4, 81:24, 82:19 Duty [3] - 13:5, 13:10, 15:4 duty [4] - 18:7, 18:19, 69:14, 73:4 dwelt [2] - 94:9, 154:28	131:29, 132:7, 137:12, 139:8, 139:9, 164:11, 195:26 effective [1] - 129:28 effectively [11] - 62:26, 70:20, 70:24, 84:3, 94:24, 94:26, 95:20, 111:20, 114:1, 141:12, 177:16 effectiveness [2] - 4:13, 80:17 eh.. [1] - 24:28 ehm [20] - 85:17, 85:23, 91:11, 96:17, 100:16, 110:10, 112:4, 116:8, 118:26, 122:22, 129:6, 133:12, 134:18, 143:7, 145:24, 154:22, 154:25, 158:14, 161:1, 161:21 ehm.. [1] - 143:3 eight [1] - 179:14 either [21] - 12:19, 25:27, 55:23, 63:25, 64:6, 68:17, 68:18, 77:27, 88:24, 103:28, 109:2, 111:4, 127:9, 131:22, 136:19, 139:27, 147:3, 153:25, 183:29, 191:18, 195:8 elaborate [2] - 62:11, 76:25 elicited [1] - 97:13 elsewhere [2] - 84:3, 106:16 emanating [1] - 93:8 emphasis [3] - 167:7, 168:11, 175:29 enable [1] - 131:8 encourage [1] - 195:1 encouraged [2] - 195:6, 195:14 end [11] - 16:6,
E					
e-mail [1] - 196:2 early [4] - 86:7, 135:16, 153:14, 168:8 easier [1] - 71:17 easiest [1] - 63:28 easy [1] - 118:12 edged [1] - 144:28 education [1] - 177:15 effect [11] - 51:27, 86:24, 103:25, 121:12,					

18:13, 30:10, 33:8, 54:3, 69:23, 84:19, 85:18, 111:23, 117:9, 131:14 endorsement ^[1] - 97:28 enforcement ^[2] - 6:27, 7:18 enquired ^[2] - 92:29, 93:2 enquiries ^[5] - 92:13, 92:20, 92:25, 93:5, 159:24 enquiry ^[1] - 92:24 Enright ^[8] - 92:2, 111:12, 113:27, 114:20, 114:23, 115:16, 118:24, 123:11 Enright's ^[1] - 121:17 ensure ^[7] - 13:8, 15:6, 109:7, 177:27, 189:9, 189:20, 190:1 ensuring ^[1] - 189:23 enthusiasm ^[1] - 177:18 enthusiastic ^[4] - 97:21, 111:18, 113:25, 178:5 entire ^[1] - 115:6 entirely ^[8] - 116:7, 139:17, 139:18, 140:3, 144:18, 167:22, 185:8, 185:9 entitled ^[3] - 143:9, 155:23, 191:29 environment ^[3] - 192:18, 194:3, 195:1 episodes ^[1] - 175:13 erroneous ^[2] - 161:10, 166:19 especially ^[1] - 21:25 essential ^[1] - 119:5 essentially ^[2] - 11:16, 182:18 establish ^[3] - 69:25, 69:27, 117:2	established ^[2] - 92:26, 163:1 establishing ^[1] - 69:29 etc ^[4] - 38:4, 95:19, 97:26, 114:8 evening ^[7] - 22:22, 58:8, 59:3, 86:7, 177:21, 187:24, 189:4 event ^[5] - 20:12, 32:22, 99:15, 124:27, 167:13 events ^[41] - 15:22, 26:15, 30:28, 36:15, 39:24, 59:11, 59:20, 61:6, 63:9, 63:10, 63:17, 64:13, 64:18, 65:3, 67:29, 68:10, 77:21, 78:12, 78:21, 86:3, 87:11, 88:2, 97:5, 108:11, 123:20, 132:23, 133:18, 133:20, 133:24, 134:23, 134:26, 141:3, 159:19, 163:5, 164:10, 167:4, 167:9, 167:12, 179:15, 189:13 eventually ^[6] - 111:2, 121:26, 160:2, 167:24, 177:6, 184:11 evidence ^[76] - 4:19, 7:12, 7:15, 15:9, 15:18, 16:25, 16:28, 17:7, 17:16, 17:18, 26:13, 36:11, 37:8, 38:4, 38:6, 38:7, 38:11, 38:13, 38:14, 38:18, 38:21, 40:28, 42:17, 47:15, 48:18, 49:23, 50:4, 52:12, 52:28, 59:8, 59:28, 60:1, 60:16, 62:10, 62:18, 67:24, 69:19, 70:9, 70:24, 70:25, 70:27, 76:18, 79:1, 80:23, 86:5,	86:13, 87:2, 93:14, 97:5, 103:25, 116:26, 120:23, 121:21, 121:27, 137:7, 138:13, 138:27, 143:24, 147:15, 152:15, 160:3, 164:11, 185:5, 187:3, 187:17, 187:21, 190:20, 190:22, 191:26, 191:29, 192:12, 192:29, 193:26, 195:5, 195:25 Evidence ^[1] - 38:14 evident ^[2] - 109:12, 160:16 evidential ^[1] - 151:19 exacerbated ^[1] - 141:1 exact ^[2] - 58:17, 191:8 exactly ^[21] - 65:7, 91:13, 101:27, 104:22, 113:7, 114:27, 118:27, 120:1, 120:3, 125:20, 126:4, 126:11, 127:9, 131:18, 139:13, 146:22, 148:26, 157:28, 161:23, 169:1, 188:8 exaggerating ^[1] - 193:4 examination ^[3] - 17:19, 87:1, 156:27 examine ^[3] - 47:23, 111:10, 158:8 EXAMINED ^[17] - 3:5, 3:6, 3:7, 3:8, 3:9, 3:13, 3:14, 3:15, 4:10, 45:7, 50:11, 57:25, 68:25, 80:12, 98:14, 165:23, 173:21 examined ^[2] - 60:15, 89:7 examiner ^[1] - 15:8 example ^[10] - 25:2, 30:26, 38:8, 39:9, 39:11,	55:17, 71:15, 146:15, 169:21, 193:6 examples ^[1] - 169:1 exams ^[1] - 95:17 except ^[7] - 23:10, 26:16, 37:29, 101:4, 140:29, 149:16, 166:10 exceptional ^[4] - 167:14, 167:17, 185:26 exculpatory ^[1] - 56:21 excuse ^[4] - 62:2, 65:6, 67:21, 186:17 exercise ^[4] - 47:17, 51:3, 78:20, 192:26 exercises ^[1] - 84:13 exist ^[1] - 186:27 existed ^[1] - 159:20 expect ^[5] - 102:24, 113:7, 173:1, 184:16, 185:21 expected ^[1] - 193:19 experience ^[13] - 18:29, 19:10, 44:11, 81:20, 167:23, 167:25, 168:26, 178:7, 178:25, 178:29, 179:7, 179:16 experienced ^[5] - 18:2, 18:3, 82:11, 101:1, 190:23 expert ^[2] - 168:28, 169:5 explain ^[13] - 20:22, 21:11, 21:29, 32:9, 32:14, 37:15, 39:29, 75:25, 76:8, 108:12, 116:13, 116:21, 116:23 explained ^[4] - 142:22, 158:24, 165:13, 175:15 explanation ^[3] - 118:20, 129:21,	146:18 explanations ^[1] - 144:9 expletives ^[1] - 188:7 expressed ^[4] - 49:1, 96:27, 97:3, 136:24 expressing ^[1] - 142:16 extend ^[2] - 39:4, 78:23 extended ^[1] - 36:12 extent ^[2] - 111:2, 145:25 extra ^[1] - 118:10 extract ^[2] - 73:8, 102:7 extracts ^[1] - 49:10 eyes ^[1] - 59:24	69:27, 69:28, 69:29, 70:3, 70:9, 70:11, 74:23, 119:5, 120:5 facts " ^[1] - 51:18 factual ^[1] - 51:13 fail ^[1] - 151:28 failure ^[3] - 108:28, 165:14, 165:16 fair ^[14] - 19:3, 28:16, 35:13, 51:3, 51:29, 65:16, 71:16, 94:11, 96:13, 96:14, 96:19, 101:17, 141:19, 169:10 fairly ^[4] - 48:13, 172:5, 182:6, 186:7 fairness ^[1] - 46:8 fait ^[2] - 118:25, 138:23 fall ^[1] - 72:3 false ^[1] - 160:4 familiar ^[6] - 22:24, 50:29, 60:25, 107:27, 124:10, 138:13 family ^[4] - 160:9, 193:1, 193:2, 196:16 family's ^[1] - 196:4 family-type ^[1] - 160:9 far ^[12] - 13:7, 31:23, 37:12, 86:5, 101:16, 111:4, 121:20, 123:18, 157:18, 160:3, 179:19 fatality ^[1] - 43:19 favour ^[1] - 38:27 fear ^[1] - 38:27 feature ^[2] - 103:17, 104:18 February ^[1] - 125:24 fed ^[3] - 120:13, 183:14, 193:28 fee ^[1] - 86:19 feed ^[2] - 62:27, 63:3 Feeling' ^[1] -
F					
					face ^[2] - 93:28, 110:6 facility ^[1] - 40:23 fact ^[30] - 23:8, 34:23, 37:19, 38:11, 43:15, 78:14, 79:5, 85:11, 85:22, 95:27, 118:3, 119:4, 120:4, 139:15, 139:24, 140:13, 142:22, 145:14, 150:9, 152:28, 153:1, 168:29, 171:21, 184:7, 185:1, 187:22, 188:24, 189:2, 189:19, 193:22 factor ^[10] - 33:13, 58:8, 58:26, 59:5, 64:25, 65:21, 66:5, 67:1, 67:14, 139:18 factors ^[1] - 160:17 facts ^[18] - 29:4, 34:5, 34:11, 34:17, 34:20, 34:25, 51:10, 69:20, 69:25,

72:9 felt [7] - 48:18, 103:22, 106:3, 108:24, 123:15, 158:27, 191:20 few [12] - 50:18, 56:8, 97:6, 116:3, 157:15, 161:9, 162:18, 168:8, 168:21, 169:1, 173:26, 194:7 fifth [1] - 158:21 file [15] - 20:11, 29:15, 29:23, 29:24, 31:1, 31:11, 31:15, 31:21, 85:26, 85:28, 123:16, 131:17, 146:6, 146:8 files [1] - 27:11 fill [2] - 39:16, 174:14 filled [5] - 170:14, 170:17, 178:17, 178:20, 178:22 final [8] - 13:28, 41:3, 49:13, 78:3, 153:23, 161:26, 185:20, 187:16 finalisation [1] - 162:6 finalised [1] - 145:12 financial [5] - 62:25, 160:25, 195:27, 196:4, 196:11 findings [11] - 4:16, 33:29, 34:1, 34:5, 34:22, 50:25, 51:13, 69:23, 80:20, 100:12, 196:13 fine [5] - 17:10, 18:27, 81:1, 91:21, 186:14 finger [1] - 166:23 finish [6] - 60:11, 96:22, 96:24, 140:13, 156:7, 161:16 finished [3] - 98:23, 156:14, 185:28 finishing [1] - 33:27 fire [2] - 118:21,	190:28 Fire [1] - 189:8 first [39] - 13:15, 15:20, 18:6, 20:10, 20:28, 20:29, 29:22, 31:7, 31:17, 36:24, 45:16, 47:21, 49:28, 62:6, 74:2, 79:21, 81:11, 84:17, 87:10, 88:2, 94:17, 107:19, 110:24, 115:10, 133:5, 148:23, 148:27, 149:19, 150:8, 156:20, 157:1, 160:24, 163:18, 163:23, 167:13, 168:1, 168:22, 185:9, 188:23 firstly [2] - 42:27, 60:4 fit [5] - 126:17, 156:22, 159:23, 164:26, 192:2 FITZMAURICE [11] - 3:4, 4:9, 27:12, 27:16, 27:24, 28:1, 45:7, 50:11, 57:25, 68:25, 76:14 Fitzmaurice [45] - 4:7, 4:12, 5:3, 12:28, 14:11, 15:14, 21:7, 30:7, 31:14, 41:17, 44:13, 45:3, 45:10, 50:14, 51:12, 53:21, 56:6, 57:5, 57:21, 57:28, 58:21, 59:24, 60:1, 60:25, 63:8, 64:1, 64:10, 65:16, 66:11, 66:21, 67:8, 67:25, 68:13, 68:22, 68:28, 69:6, 69:26, 71:7, 72:18, 72:25, 76:11, 76:17, 79:28, 164:9, 165:13 five [10] - 9:21, 31:22, 31:23, 31:25, 31:27, 33:5, 33:9, 139:22, 173:1,	173:8 five-minute [1] - 173:8 flag [1] - 74:10 flags [1] - 33:24 flaw [3] - 104:13, 104:14, 106:6 flip [1] - 74:1 floating [1] - 160:6 floor [1] - 191:17 fluctuate [1] - 10:29 focus [1] - 189:18 folder [1] - 21:7 folders [2] - 21:28, 155:23 follow [8] - 36:9, 86:26, 110:10, 128:12, 142:13, 148:3, 156:23, 157:10 follow-up [2] - 156:23, 157:10 followed [4] - 12:26, 123:21, 152:7, 163:8 following [12] - 8:17, 29:4, 34:10, 47:26, 51:9, 70:3, 84:26, 89:1, 125:1, 147:26, 182:18, 185:3 FOLLOWS [15] - 4:2, 4:10, 45:8, 50:12, 57:26, 68:26, 76:15, 80:4, 80:12, 98:9, 98:15, 165:24, 173:11, 173:22, 184:22 follows [2] - 61:19, 174:26 food [3] - 192:25, 193:15, 194:1 foot [3] - 124:14, 126:23, 130:4 FOR [1] - 98:8 for.. [1] - 187:19 forced [1] - 187:22 Forces [14] - 4:15, 5:7, 5:23, 6:21, 6:28, 45:11, 45:12, 45:14, 49:14, 80:18, 128:22, 151:2, 153:27, 174:22	fore [1] - 166:18 forensic [1] - 182:10 forget [2] - 134:13, 138:5 forgive [2] - 123:28, 125:7 form [16] - 37:27, 37:28, 61:1, 62:4, 62:9, 84:13, 86:8, 94:6, 96:13, 109:10, 174:15, 177:7, 187:23, 188:5, 188:9 formal [5] - 5:23, 86:24, 92:20, 143:9, 185:25 formally [1] - 95:5 formation [1] - 39:2 formed [3] - 48:27, 49:4, 134:16 former [6] - 12:15, 12:21, 26:1, 45:12, 192:11, 192:28 forming [2] - 48:28, 109:14 forth [2] - 32:7, 192:28 forward [4] - 40:27, 86:3, 93:16, 194:15 forwarded [3] - 14:2, 14:3, 128:16 foundation [1] - 157:9 foundedness [2] - 4:17, 80:20 four [14] - 10:27, 71:2, 90:10, 106:13, 106:29, 107:1, 125:4, 126:2, 126:18, 139:22, 158:22, 161:21, 172:11, 191:25 fourth [2] - 126:8, 126:12 FR's [1] - 14:10 frankly [1] - 138:11 frauds [1] - 25:3 free [1] - 63:4 fresh [1] - 59:24 Friday [1] - 86:7	FRIDAY [1] - 196:20 friend [2] - 61:16, 63:15 Friend [1] - 54:18 Friends [1] - 45:4 friends [2] - 68:7, 97:13 from.. [1] - 91:15 front [3] - 28:20, 81:6, 140:28 frustration [1] - 161:14 fuel [2] - 39:9, 39:16 full [6] - 83:21, 153:28, 153:29, 154:1, 154:2, 167:22 fully [4] - 27:21, 31:5, 59:13, 91:7 function [2] - 47:17, 78:19 funny [1] - 188:22 furnished [2] - 142:26, 155:22 future [1] - 34:18 Féinners [2] - 74:13	G gap [2] - 106:21, 107:14 Garda [2] - 7:24, 17:18 garda [1] - 16:19 Gardaí [8] - 8:7, 8:8, 15:10, 16:19, 37:19, 37:23, 37:24, 37:26 gather [7] - 16:28, 17:8, 17:11, 17:12, 69:27, 70:13, 78:16 gathered [3] - 70:26, 71:1, 71:15 gathering [5] - 51:2, 51:27, 69:28, 70:1, 78:20 Gen [8] - 175:22, 176:10, 176:12, 176:14, 176:23,	181:5, 181:6, 181:17 general [13] - 6:27, 17:25, 79:6, 82:28, 92:21, 93:9, 93:23, 93:27, 101:14, 112:5, 116:25, 166:2, 169:27 General [10] - 82:28, 87:23, 99:28, 122:10, 139:27, 140:6, 145:26, 180:21, 181:4, 184:10 generally [4] - 9:10, 25:26, 92:15, 168:13 geographically [1] - 81:23 Gibbons [1] - 74:10 girlfriend [1] - 55:3 given [39] - 4:22, 25:21, 25:27, 32:6, 43:20, 49:5, 50:4, 55:29, 56:15, 62:10, 62:18, 67:24, 73:21, 79:8, 80:25, 83:26, 85:9, 85:21, 86:13, 90:14, 108:10, 123:12, 131:9, 139:20, 140:20, 140:29, 144:25, 146:18, 164:5, 178:5, 185:5, 189:10, 189:13, 189:15, 189:17, 190:22, 192:29, 195:25 glean [1] - 17:21 GOC [27] - 10:10, 35:7, 35:16, 83:5, 85:18, 94:20, 94:21, 94:28, 99:12, 118:26, 118:29, 123:16, 125:19, 126:22, 143:3, 175:18, 175:19, 175:23, 181:27, 181:29, 182:15, 182:16, 183:6, 183:21, 183:26, 189:3 GOC's [3] - 109:23, 183:4,
--	---	---	---	--	--	---

184:9  Gormanston [1] - 170:29 Governor [1] - 5:20 graded [1] - 84:22 graduated [1] - 5:10 granted [1] - 99:10 grapevine [2] - 144:5, 144:19 grateful [3] - 54:18, 57:21, 81:4 great [8] - 34:18, 50:18, 109:2, 157:9, 160:26, 175:29, 176:4, 182:9 ground [1] - 118:4 grounds [2] - 114:14, 150:4 group [5] - 11:8, 50:16, 94:5, 171:11, 192:20 Group [1] - 171:4 guarantee [1] - 22:27 Guard [3] - 14:24, 17:15, 191:20 guard [3] - 171:19, 189:8, 189:19 guess [1] - 82:14 guidance [1] - 11:17 guilty [2] - 73:15, 73:16 Guinan [2] - 71:12, 71:25 guy [2] - 39:17, 84:14 guys [2] - 32:21, 194:13	hair-cutting [4] - 119:14, 119:20, 153:3, 192:8 half [5] - 149:17, 149:24, 149:26, 153:7, 153:13 halfway [1] - 88:11 hand [5] - 88:12, 142:21, 148:28, 171:26, 186:14 handful [1] - 160:13 handle [1] - 179:2 handling [4] - 177:23, 177:27, 178:26, 179:1 handover [3] - 133:3, 176:6, 176:7 hands [4] - 20:18, 21:3, 21:17, 184:6 hands-on [3] - 20:18, 21:3, 21:17 handwriting [8] - 28:14, 124:11, 129:23, 138:18, 159:21, 174:25, 178:13, 178:15 handwritten [7] - 18:5, 26:11, 26:12, 28:13, 57:2, 178:11, 181:20 happy [5] - 88:14, 122:23, 141:18, 143:13, 160:14 hard [2] - 113:25, 119:2 hard-working [1] - 113:25 hardly [1] - 164:29 harm [2] - 87:2, 189:18 harming [1] - 156:28 HAVING [2] - 4:9, 80:11 Hayes [56] - 80:8, 80:14, 80:16, 80:28, 80:29, 81:6, 82:14, 86:23, 88:7, 94:9, 95:25, 98:12, 98:17,	98:25, 104:12, 105:17, 106:5, 115:10, 115:25, 116:5, 116:14, 117:29, 121:9, 126:17, 127:2, 127:17, 129:13, 132:15, 135:27, 136:7, 141:2, 143:16, 147:29, 151:7, 152:26, 154:9, 154:20, 155:13, 156:7, 156:13, 161:13, 164:19, 165:5, 165:15, 165:20, 165:27, 167:28, 170:21, 171:23, 172:9, 172:14, 173:16, 173:24, 184:19, 184:25, 195:20 HAYES [6] - 3:12, 80:11, 98:14, 165:23, 173:21, 184:21 head [9] - 8:24, 8:27, 11:3, 17:29, 39:3, 69:11, 73:18, 106:25, 111:2 headed [1] - 13:19 heading [5] - 25:17, 98:25, 130:28, 155:15, 155:20 Headquarter [1] - 83:24 Headquarters [1] - 182:19 headquarters [2] - 85:29, 164:16 heap [1] - 191:17 hear [4] - 50:16, 88:23, 172:26, 191:29 heard [17] - 7:12, 15:17, 41:12, 44:27, 59:8, 84:8, 90:20, 93:16, 93:18, 93:19, 144:5, 161:25, 191:26, 192:6, 193:7, 194:27, 194:28 hearing [1] - 98:19 hearings [1] -	7:15 heartily [1] - 33:15 Heavey [15] - 13:13, 15:12, 18:4, 18:15, 20:25, 22:28, 23:20, 26:21, 28:28, 33:3, 42:22, 51:5, 56:2, 57:6, 58:20 heavily [1] - 175:1 held [3] - 10:7, 12:20, 111:13 hell [1] - 192:14 help [11] - 41:19, 87:3, 97:13, 125:7, 147:29, 156:28, 168:13, 170:5, 170:6, 187:29, 190:24 helped [1] - 167:24 helpful [5] - 86:1, 87:16, 98:21, 172:19, 172:22 hence [1] - 130:2 herewith [1] - 13:28 high [2] - 39:15, 193:25 higher [5] - 16:28, 100:25, 177:26, 181:23, 182:25 highly [1] - 86:14 himself [22] - 19:23, 42:12, 61:5, 62:26, 62:27, 63:4, 64:28, 85:2, 87:7, 88:24, 91:17, 94:13, 97:17, 103:22, 104:9, 138:9, 141:12, 143:10, 185:25, 190:1, 190:19, 191:19 himself.. [1] - 57:11 hindsight [2] - 36:19, 73:7 history [1] - 99:6 History [1] - 5:8 hmm [17] - 14:5, 14:15, 33:6, 88:1,	90:16, 94:25, 100:13, 107:11, 117:15, 119:24, 121:15, 130:25, 131:21, 134:8, 144:22, 147:21, 149:21 HOGAN [21] - 3:8, 57:25, 57:28, 58:21, 62:14, 63:6, 63:14, 63:22, 64:1, 64:8, 64:12, 64:21, 65:9, 65:14, 68:22, 151:28, 152:4, 152:8, 152:21, 172:19, 172:22 Hogan [7] - 57:23, 57:28, 62:2, 65:6, 68:23, 77:7, 77:14 holding [2] - 81:29, 173:29 hole [1] - 139:25 holidays [2] - 133:2, 138:21 home [8] - 18:11, 86:15, 89:12, 172:6, 172:16, 172:17, 177:28 honour [1] - 172:6 Honour [1] - 65:13 hope [3] - 25:26, 158:19, 166:24 hopefully [1] - 57:4 hopelessly [2] - 117:29, 155:4 horrific [1] - 160:7 house [1] - 176:8 human [1] - 169:7 Hurley [2] - 71:12, 71:25 hypothetical [4] - 104:19, 104:22, 104:23, 104:27	138:10 identified [6] - 49:27, 64:4, 68:20, 74:8, 75:24, 114:18 identify [2] - 148:20, 186:19 iffing [1] - 141:5 ignore [1] - 132:13 ignored [2] - 147:7, 147:8 ill [21] - 24:5, 25:9, 32:28, 39:27, 42:21, 43:19, 45:18, 45:23, 46:11, 46:14, 47:22, 48:6, 56:10, 56:25, 62:5, 69:17, 70:16, 73:4, 73:6, 78:22, 180:25 Ill [1] - 22:23 ill-treatment [21] - 24:5, 25:9, 32:28, 39:27, 42:21, 43:19, 45:18, 45:23, 46:11, 46:14, 47:22, 48:6, 56:10, 56:25, 62:5, 69:17, 70:16, 73:4, 73:6, 78:22, 180:25 Ill-Treatment [1] - 22:23 illegible [1] - 181:12 imagine [3] - 102:11, 147:1, 175:23 immediately [11] - 86:15, 132:11, 132:14, 132:19, 133:9, 133:15, 137:1, 137:5, 139:19, 177:6, 186:17 immediately.. [1] - 136:26 implied [2] - 138:8, 165:9 imply [2] - 113:8, 136:29 implying [2] - 137:16 important [11] - 28:2, 36:17, 59:21, 59:26,
H				I	
h) [1] - 117:16 hair [5] - 119:14, 119:20, 153:3, 192:8, 193:7				idea [3] - 12:9, 41:18, 112:11 identical [1] -	

60:20, 62:19, 62:21, 64:3, 64:5, 68:14, 68:16 impossible [2] - 180:27, 181:14 impression [4] - 93:24, 123:13, 159:28, 160:4 improve [5] - 108:17, 108:25, 110:28, 118:28, 167:26 improved [1] - 109:6 impugning [1] - 163:25 inaccurate [1] - 155:4 inappropriate [4] - 123:1, 155:1, 155:9, 155:11 incident [9] - 12:19, 15:5, 16:23, 27:20, 107:9, 119:21, 120:14, 125:9, 125:14 incidents [22] - 28:6, 43:21, 44:20, 44:22, 91:29, 106:19, 117:21, 117:22, 119:14, 119:15, 119:20, 120:17, 121:6, 131:4, 131:19, 131:24, 134:6, 135:3, 149:16, 149:23, 171:9, 192:8 include [7] - 38:10, 51:1, 56:26, 93:21, 112:4, 125:25, 159:23 included [9] - 5:20, 14:8, 101:25, 107:18, 108:3, 112:10, 125:29, 153:22, 162:18 includes [1] - 39:25 including [7] - 12:17, 15:23, 86:10, 115:4, 135:2, 160:11 inclusive [1] - 148:12 inconsistency [1] - 63:23	incorrect [1] - 139:20 inculcate [1] - 52:23 indeed [11] - 63:18, 87:19, 90:21, 96:24, 99:15, 104:17, 111:1, 131:14, 131:27, 171:7, 195:2 independence [3] - 37:10, 37:12, 47:13 independent [2] - 38:6, 47:16 index [2] - 12:8, 14:7 INDEX [1] - 3:1 indicate [4] - 31:2, 32:18, 115:5, 129:14 indicates [2] - 31:19, 86:5 indicating [2] - 42:9, 156:27 indication [5] - 128:19, 143:9, 162:14, 163:29, 172:25 indications [1] - 189:18 indirectly [1] - 101:12 individual [11] - 9:5, 37:21, 38:8, 38:9, 39:11, 60:6, 73:15, 77:6, 116:1, 186:19, 193:5 individuals [15] - 4:21, 25:6, 31:17, 49:9, 49:10, 55:28, 56:28, 58:6, 59:2, 64:5, 64:23, 72:27, 73:24, 77:4, 80:24 industrious [1] - 178:5 Infantry [3] - 6:4, 171:4, 171:13 inferentially [1] - 124:21 inferiors [5] - 25:10, 45:18, 48:6, 56:11, 56:25 inflicted [2] - 17:4, 17:12	Inflicted [1] - 13:21 influence [1] - 165:10 influencing [1] - 161:9 inform [2] - 79:14, 186:27 informal [8] - 92:13, 92:24, 92:25, 92:28, 92:29, 93:5, 159:24, 169:11 information [44] - 15:23, 17:11, 17:13, 17:21, 22:12, 34:16, 51:2, 51:27, 61:18, 69:28, 70:1, 70:13, 70:14, 70:15, 73:8, 78:17, 78:20, 92:21, 93:10, 93:22, 94:1, 98:1, 102:4, 103:20, 104:3, 104:11, 104:29, 105:2, 106:3, 121:5, 124:22, 129:8, 147:27, 148:5, 150:26, 151:16, 152:27, 153:21, 153:22, 154:2, 162:10, 170:8, 183:4, 194:15 information- gathering [2] - 51:2, 78:20 informed [13] - 79:5, 142:8, 146:20, 146:25, 146:26, 147:2, 158:19, 168:24, 176:6, 180:6, 184:16, 184:18 informing [1] - 189:3 infraction [1] - 192:21 inhibited [1] - 48:7 initiate [2] - 26:14, 170:13 initiated [5] - 26:20, 26:27, 30:16, 110:20, 145:11 inquire [1] - 196:10	inquired [1] - 127:28 inquiry [6] - 44:25, 44:26, 45:1, 79:27, 92:26 insofar [3] - 122:28, 168:13, 186:5 inspection [2] - 32:6, 75:10 Inspector [1] - 16:19 instead [1] - 39:13 instigate [1] - 90:19 instituted [1] - 148:2 instructed [12] - 23:28, 24:9, 24:11, 24:13, 24:16, 24:27, 26:4, 26:8, 26:16, 50:15, 187:5 instructed" [1] - 26:7 instruction [1] - 45:21 instructions [2] - 25:22, 25:27 intended [1] - 153:25 intending [1] - 51:12 intense [1] - 192:25 interaction [1] - 48:4 interactions [1] - 48:8 interest [1] - 95:15 interested [1] - 162:1 interests [1] - 166:17 interfere [1] - 46:29 internal [1] - 37:28 internally [2] - 151:1, 162:11 International [1] - 5:22 interpret [1] - 70:11 interpretation [1] - 115:29 interrupted [2] -	128:4, 195:12 interrupting [2] - 47:11, 190:26 interview [77] - 4:26, 10:22, 11:2, 16:27, 17:23, 18:7, 20:17, 20:28, 20:29, 22:10, 23:17, 25:7, 29:7, 29:10, 30:2, 31:28, 32:19, 32:23, 32:24, 36:14, 37:9, 40:17, 40:24, 41:1, 42:16, 42:25, 48:9, 49:16, 49:28, 49:29, 54:21, 60:23, 61:12, 70:18, 72:29, 73:24, 74:14, 74:17, 74:22, 79:15, 89:20, 89:27, 91:1, 93:12, 101:19, 102:3, 102:8, 103:16, 103:21, 103:22, 103:26, 104:17, 104:18, 104:28, 106:4, 106:9, 134:15, 134:18, 134:20, 156:4, 156:20, 156:23, 156:29, 157:10, 157:17, 157:29, 158:5, 158:10, 158:15, 162:28, 186:9, 187:5, 187:6, 190:6, 190:7 interviewed [62] - 20:3, 31:29, 32:10, 32:14, 32:15, 32:18, 40:6, 46:15, 46:20, 46:22, 48:16, 52:4, 52:13, 53:23, 58:4, 58:6, 59:2, 63:23, 63:25, 64:6, 64:23, 67:24, 67:26, 68:8, 70:19, 70:20, 70:27, 72:27, 73:26, 75:6, 75:27, 76:19, 79:14, 79:16, 87:5, 87:7, 90:1, 90:4, 90:6, 90:28, 102:11,	102:18, 103:19, 104:1, 104:5, 104:7, 104:16, 105:1, 105:6, 105:15, 105:23, 142:12, 156:22, 156:26, 157:2, 157:25, 158:12, 158:26, 163:1, 163:4, 163:18, 163:24 interviewing [11] - 7:8, 8:2, 17:21, 17:26, 23:12, 72:26, 78:29, 102:8, 103:28, 104:11, 105:2 interviews [3] - 49:19, 73:28, 81:3 introduced [3] - 52:27, 56:12, 56:21 investigate [10] - 7:27, 16:23, 25:28, 44:4, 69:16, 121:2, 121:3, 123:18, 157:3, 192:1 investigated [16] - 79:3, 79:7, 90:15, 91:6, 107:21, 107:28, 109:19, 109:26, 110:7, 110:12, 110:14, 110:23, 112:7, 147:10, 147:11, 191:13 investigating [12] - 4:13, 16:21, 20:2, 73:4, 78:22, 80:17, 103:8, 106:24, 121:11, 130:2, 152:4 Investigation [19] - 5:27, 8:21, 8:24, 8:27, 9:1, 9:3, 9:9, 9:14, 9:25, 10:19, 11:3, 14:26, 16:13, 16:21, 21:22, 21:24, 28:10, 73:19 investigation [183] - 6:26, 7:5, 7:7, 7:18, 7:23, 13:3, 13:14, 13:15, 13:16, 14:18, 15:11,
--	---	--	--	---	---

15:21, 16:18, 17:27, 19:3, 20:8, 20:11, 20:18, 21:14, 22:21, 22:22, 22:25, 22:26, 23:4, 23:5, 23:6, 23:8, 23:14, 23:16, 24:4, 25:9, 25:19, 26:5, 26:15, 26:19, 26:26, 29:3, 29:13, 29:15, 29:23, 30:16, 30:18, 31:18, 32:26, 34:10, 35:24, 36:1, 36:6, 36:21, 36:23, 38:26, 39:1, 39:3, 39:22, 39:27, 39:28, 40:2, 40:5, 41:4, 41:10, 42:1, 42:2, 42:21, 43:18, 45:17, 45:22, 46:13, 46:24, 46:28, 47:1, 47:3, 47:16, 48:5, 48:17, 48:19, 48:26, 50:21, 51:9, 51:21, 53:13, 53:19, 53:29, 55:7, 55:21, 55:24, 55:26, 56:25, 59:11, 61:1, 61:2, 62:5, 62:6, 62:10, 63:8, 63:14, 63:21, 63:25, 64:6, 64:12, 65:27, 66:15, 67:22, 69:2, 70:7, 77:2, 90:19, 91:12, 96:13, 96:17, 96:20, 99:16, 99:21, 99:24, 100:4, 100:6, 100:22, 100:29, 101:2, 101:4, 101:7, 103:18, 104:13, 104:15, 106:6, 106:22, 109:11, 110:1, 111:7, 111:9, 120:14, 121:1, 121:6, 122:29, 129:28, 132:1, 132:2, 132:7, 141:19, 142:4, 142:9, 142:17, 142:19, 142:27, 143:7, 143:10,	143:14, 144:1, 144:2, 144:3, 144:12, 144:14, 144:15, 144:26, 145:1, 145:20, 145:21, 147:5, 147:14, 148:10, 156:9, 156:17, 157:20, 158:28, 161:19, 161:21, 162:9, 162:21, 163:8, 164:12, 164:25, 166:11, 181:19, 182:28, 183:2, 185:3, 186:4, 186:15, 186:22, 187:10, 196:10 investigations [39] - 7:26, 8:2, 8:5, 8:8, 8:17, 10:13, 11:18, 11:28, 12:26, 12:28, 17:25, 18:1, 18:3, 22:6, 24:22, 24:25, 31:3, 31:20, 36:26, 37:1, 39:4, 39:6, 40:12, 41:23, 42:11, 43:2, 43:28, 44:23, 47:21, 51:1, 64:3, 68:18, 101:9, 101:11, 101:18, 163:5, 182:2, 183:8, 185:27 Investigations [1] - 69:11 investigative [1] - 43:16 Investigator [2] - 79:10, 164:10 investigator [10] - 16:16, 18:8, 18:29, 19:2, 22:10, 25:4, 34:15, 50:25, 103:19, 104:8 investigator's [3] - 18:19, 101:13, 164:27 Investigator/ Liaison [1] - 16:11 investigators [11] - 11:20, 15:25, 16:1, 16:4, 16:17, 17:28, 18:2, 39:26, 40:7,	60:24, 66:29 Investigators [4] - 33:12, 58:25, 65:20, 66:4 invite [2] - 56:19, 194:14 involve [1] - 15:3 involved [15] - 12:16, 16:24, 20:18, 21:1, 21:15, 25:2, 25:6, 25:7, 40:6, 63:20, 64:28, 145:28, 168:23, 181:26, 186:2 involvement [6] - 33:16, 58:28, 65:24, 66:8, 67:4, 67:16 involving [1] - 167:4 IRA [2] - 171:17, 171:28 Ireland [1] - 171:3 irrational [1] - 89:1 irrelevant [1] - 168:15 is.. [1] - 180:26 isolated [1] - 193:14 issue [9] - 27:13, 27:15, 56:11, 128:27, 140:25, 140:26, 164:1, 176:5 issued [1] - 35:20 issues [1] - 50:3 itemised [1] - 135:4 itself [3] - 7:9, 9:28, 162:9	4:9, 45:7, 50:11, 57:25, 68:25, 76:14 John [1] - 4:7 joined [3] - 5:4, 72:9, 88:18 joint [1] - 36:20 judge [2] - 21:8, 160:2 Judge [15] - 4:6, 4:25, 5:1, 8:8, 30:8, 53:2, 53:6, 63:6, 96:22, 159:29, 166:26, 166:28, 173:15, 173:17 judgement [4] - 34:25, 69:21, 74:24, 177:23 judgements [1] - 34:25 July [9] - 4:27, 20:13, 23:28, 29:18, 29:28, 30:14, 53:4, 75:20, 132:28 JULY [2] - 4:1, 196:20 jumps [2] - 71:6, 71:14 June [24] - 12:14, 13:4, 14:19, 18:9, 20:13, 24:5, 29:19, 29:22, 30:14, 30:26, 30:27, 42:23, 45:24, 46:11, 46:14, 46:17, 47:22, 64:19, 69:17, 71:9, 134:27, 135:16, 177:21 Justice [1] - 73:14 justification [1] - 121:7 justify [4] - 94:20, 97:7, 97:9, 190:11	107:9 Kid' [1] - 72:2 kind [3] - 9:6, 56:3, 93:10 knowledge [8] - 12:27, 145:12, 168:22, 170:7, 181:18, 187:1, 187:2, 187:8 known [8] - 63:16, 79:20, 115:15, 127:6, 159:9, 159:10, 162:16, 182:6	113:1 learnt [2] - 118:17, 118:18 least [5] - 77:28, 110:22, 124:21, 155:7, 187:3 leave [4] - 86:25, 94:22, 106:5, 124:8 leaving [2] - 100:18, 132:29 left [14] - 18:8, 25:28, 34:24, 62:28, 94:23, 95:19, 124:28, 139:11, 139:25, 151:18, 152:7, 174:7, 180:15, 185:16 Legal [6] - 35:8, 35:15, 37:20, 37:29, 38:21, 47:10 legal [7] - 37:19, 40:16, 40:21, 49:21, 70:12, 141:15, 149:2 legislation [1] - 37:16 Lehane [3] - 45:10, 50:8, 54:8 LEHANE [11] - 3:6, 45:7, 45:10, 50:7, 54:9, 54:12, 54:14, 54:16, 54:24, 58:14, 58:18 Lenaghan [3] - 149:12, 149:14, 155:17 Lenaghan's [1] - 123:24 length [2] - 182:9, 182:10 less [7] - 113:28, 113:29, 143:14, 144:4, 159:22, 173:1, 183:22 letter [11] - 96:18, 100:19, 109:27, 120:27, 137:29, 141:25, 143:28, 183:24, 184:9, 187:8 letterbox [1] - 168:7 letters [7] - 91:23, 141:25, 141:28, 142:3, 145:27, 146:7,
					L
					LA [1] - 187:6 laces [1] - 86:11 lack [1] - 177:22 lacked [1] - 162:14 laid [1] - 8:29 landed [2] - 178:26, 178:28 language [2] - 114:26, 114:27 large [2] - 160:12, 170:29 largely [1] - 144:18 last [14] - 21:6, 21:28, 37:9, 41:12, 56:29, 57:4, 83:25, 98:24, 132:5, 142:6, 153:13, 162:20, 168:8 late [3] - 6:5, 155:12, 196:10 lately [1] - 193:23 latest [1] - 119:26 latitude [1] - 11:20 latter [2] - 25:29, 29:12 launch [1] - 43:1 launched [1] - 43:1 Law [1] - 5:8 law [2] - 7:18, 47:13 lead [1] - 188:27 leaning [1] - 185:15 learn [4] - 11:10, 111:25, 112:13,
					J
					January [9] - 82:3, 111:14, 113:24, 125:20, 154:15, 174:2, 174:7, 174:8, 174:9 job [7] - 7:9, 8:3, 16:23, 78:16, 140:13, 145:15, 171:18 JOHN [7] - 3:4,
					K
					keep [4] - 28:6, 138:24, 170:14, 173:3 kicked [2] - 108:22, 162:6 kicking [1] -

185:17 letting [2] - 79:9, 190:27 level [13] - 84:17, 85:13, 114:29, 122:18, 127:27, 128:1, 128:6, 162:16, 163:28, 177:15, 183:3, 183:28 lies [2] - 97:14, 97:15 lieutenant [13] - 9:13, 79:4, 79:7, 81:16, 82:1, 83:7, 167:21, 173:29, 178:7, 179:12, 179:16, 179:20, 179:25 Lieutenant [5] - 10:6, 46:5, 79:15, 135:16, 136:1 Lieutenants [1] - 55:23 life [4] - 22:13, 37:22, 88:5, 108:29 light [1] - 137:22 likely [5] - 30:17, 77:27, 90:18, 90:19, 129:21 limb [1] - 186:15 line [30] - 13:19, 14:16, 21:1, 21:14, 26:25, 53:5, 95:12, 102:9, 103:5, 105:14, 105:18, 132:9, 132:14, 134:29, 135:24, 136:28, 145:23, 145:24, 152:17, 152:18, 152:24, 153:24, 160:17, 162:19, 162:29, 163:10, 163:12, 163:27, 169:24 link [4] - 27:28, 36:15, 72:1, 72:17 list [10] - 14:7, 18:27, 101:26, 107:1, 116:2, 156:12, 156:16, 160:22, 161:16, 162:18 listed [4] - 15:25, 16:2, 16:4, 113:6 listening [2] -	165:4, 168:25 listing [2] - 114:6, 189:12 lists [1] - 18:23 litres [2] - 39:13, 39:14 live [1] - 82:20 lived [2] - 176:1, 192:23 loans [1] - 62:28 locked [1] - 189:27 locker [1] - 74:12 logical [1] - 180:13 look [40] - 17:3, 17:7, 17:11, 23:13, 25:23, 28:27, 31:6, 34:21, 38:16, 41:26, 48:12, 60:20, 60:22, 67:9, 75:21, 98:24, 102:7, 106:28, 107:7, 108:11, 108:13, 111:11, 113:16, 119:8, 124:10, 129:22, 131:29, 133:12, 141:10, 146:18, 148:20, 148:23, 154:5, 154:8, 162:27, 174:24, 177:9, 178:13, 180:22, 186:14 looked [16] - 13:16, 33:4, 33:26, 39:22, 58:15, 97:4, 116:24, 120:25, 121:16, 121:25, 122:19, 128:28, 129:8, 144:24 looking [14] - 12:25, 46:10, 47:20, 48:28, 54:9, 66:16, 89:17, 98:23, 105:18, 117:8, 131:19, 132:22, 138:16, 189:21 looks [9] - 52:2, 90:7, 124:12, 126:7, 126:24, 128:13, 131:11, 178:20, 179:29 loose [1] - 190:27	loosely [1] - 118:14 Lost [1] - 72:8 Louis [1] - 50:14 Loving [1] - 72:9 LP [1] - 180:6 Lt [168] - 12:15, 23:12, 29:10, 32:6, 33:13, 33:14, 33:19, 35:29, 36:5, 46:20, 46:22, 52:9, 52:10, 52:13, 53:2, 53:3, 53:5, 53:11, 53:16, 54:4, 54:5, 54:10, 54:11, 54:13, 54:15, 54:21, 55:9, 55:13, 55:17, 55:20, 56:16, 56:21, 57:7, 57:8, 57:13, 57:29, 58:7, 58:10, 58:12, 58:16, 58:26, 60:14, 60:18, 63:19, 63:26, 63:28, 63:29, 64:25, 65:21, 65:22, 66:5, 66:6, 67:1, 67:2, 67:14, 67:15, 67:28, 70:20, 73:22, 73:23, 74:20, 74:25, 75:6, 75:11, 75:17, 75:21, 75:22, 75:23, 75:27, 76:2, 76:3, 77:15, 77:19, 77:24, 78:6, 78:29, 80:8, 83:27, 87:7, 91:17, 97:21, 97:28, 100:9, 102:3, 102:5, 102:9, 102:11, 104:4, 104:28, 110:8, 110:16, 111:17, 113:24, 115:14, 119:11, 119:17, 120:5, 120:10, 120:26, 121:12, 122:21, 122:29, 123:5, 126:24, 127:14, 127:29, 129:6, 129:29, 132:4, 132:8, 134:5, 134:6, 134:7,	137:7, 139:23, 141:11, 142:11, 142:12, 142:15, 144:11, 144:17, 144:27, 145:5, 145:8, 146:14, 146:25, 148:2, 152:29, 155:1, 157:27, 158:27, 159:8, 159:17, 159:18, 162:4, 162:5, 162:15, 174:11, 175:27, 177:13, 178:3, 180:6, 180:25, 181:18, 182:2, 182:27, 184:6, 184:27, 186:18, 186:22, 187:10, 187:17 Luas [1] - 172:16 lump [1] - 101:17 lunch [2] - 96:23, 98:4 LUNCH [1] - 98:8 lying [2] - 97:12, 190:8	126:4, 176:15, 182:11, 183:18 marked [1] - 148:28 marks [1] - 82:7 marshal [1] - 14:4 Marshal [14] - 7:14, 10:8, 11:10, 11:12, 11:16, 15:17, 23:22, 34:27, 35:17, 37:2, 37:7, 42:6, 42:10, 45:21 martial [4] - 38:19, 38:22, 38:24, 40:29 Mary [1] - 196:1 Masterson [3] - 50:8, 50:15, 58:1 MASTERSON [7] - 3:7, 50:9, 50:12, 50:14, 54:18, 55:9, 57:21 material [3] - 109:13, 123:7, 150:28 materially [1] - 168:11 matter [16] - 19:9, 44:6, 52:24, 55:24, 84:8, 84:28, 90:5, 96:27, 109:1, 152:28, 153:1, 157:14, 161:12, 168:26, 180:26, 181:10 matters [15] - 11:17, 25:22, 55:21, 61:10, 62:17, 83:15, 93:4, 110:25, 115:3, 117:20, 124:23, 125:4, 162:8, 167:26, 184:28 McCANN [6] - 3:14, 165:23, 165:26, 172:8, 172:14, 173:5 McGovern [1] - 53:5 McGrath [2] - 71:12, 72:8 McGuinness [9] - 3:15, 172:29, 173:1, 173:18, 173:19, 173:21,	173:24, 173:27, 184:19 mean [36] - 50:29, 56:13, 84:12, 84:14, 84:16, 89:29, 93:28, 94:3, 99:6, 101:12, 109:18, 111:8, 115:20, 115:29, 119:16, 126:29, 128:10, 130:15, 130:18, 136:10, 140:27, 141:7, 144:10, 150:8, 153:12, 159:28, 161:25, 165:5, 166:8, 168:6, 183:22, 186:24, 187:28, 188:18, 194:18 means [4] - 92:29, 115:13, 130:2, 143:11 meant [5] - 20:27, 21:11, 115:21, 115:22, 160:19 medical [3] - 87:1, 89:1, 156:27 medically [1] - 89:7 meet [3] - 142:22, 169:23, 196:17 meeting [3] - 21:6, 87:14, 90:3 Member [14] - 48:18, 48:24, 54:12, 54:17, 58:14, 62:16, 70:24, 72:23, 151:28, 165:27, 165:29, 166:2, 168:17, 173:5 MEMBER [62] - 3:10, 3:16, 4:4, 45:5, 50:8, 54:8, 54:11, 54:13, 54:15, 54:19, 54:22, 54:25, 57:23, 58:13, 58:17, 58:19, 62:2, 62:8, 62:29, 63:12, 63:20, 63:28, 64:7, 64:9, 64:19, 65:6, 65:10, 68:23, 71:17, 72:21, 76:12, 76:14,
--	---	---	--	--	---

76:17, 79:25, 80:1, 80:6, 80:9, 96:24, 98:6, 98:11, 152:3, 152:6, 152:12, 152:18, 152:25, 165:21, 172:11, 172:20, 172:23, 172:29, 173:3, 173:6, 173:8, 173:13, 173:18, 184:21, 184:24, 195:20, 195:24, 195:28, 196:7, 196:15 members [8] - 12:15, 18:6, 28:10, 45:12, 50:16, 161:6, 166:15, 171:17 memory [10] - 9:19, 23:3, 24:19, 48:1, 59:15, 106:17, 106:20, 188:13, 188:14, 188:17 mention [9] - 42:17, 83:7, 88:8, 122:1, 122:25, 133:21, 149:12, 166:21, 170:15 mentioned [11] - 71:21, 74:2, 82:21, 122:5, 125:4, 125:9, 133:21, 153:7, 155:29, 184:27, 189:21 mentioning [1] - 110:9 mere [1] - 119:4 merely [1] - 112:9 merit [2] - 85:21, 152:22 Mess [3] - 25:5, 178:3 mess [4] - 5:21, 25:5, 169:21, 169:22 messes [1] - 25:3 met [4] - 21:28, 87:14, 159:6, 165:27 method [2] - 17:4, 17:5 methods [2] - 57:7, 57:11 microphone [2]	- 166:29, 185:14 middle [6] - 19:15, 32:3, 72:1, 81:26, 119:28, 124:29 might [74] - 11:18, 15:12, 16:8, 17:21, 17:22, 18:4, 18:7, 18:18, 19:10, 20:25, 22:11, 22:12, 22:28, 25:19, 25:26, 26:21, 27:15, 29:25, 32:1, 37:29, 39:6, 39:28, 41:20, 42:17, 44:19, 46:9, 46:18, 52:27, 58:14, 71:17, 79:20, 85:1, 85:2, 85:23, 88:29, 91:8, 93:17, 93:18, 95:28, 96:22, 98:3, 98:24, 107:15, 109:7, 110:27, 117:1, 117:26, 118:25, 119:2, 121:12, 132:17, 133:23, 136:16, 141:3, 145:15, 146:28, 152:20, 155:9, 156:28, 161:26, 163:12, 163:25, 164:1, 165:13, 167:27, 168:9, 170:1, 170:21, 172:12, 175:8, 184:18, 190:28, 191:18, 195:22 mightn't [2] - 47:29, 48:2 military [16] - 81:12, 83:15, 83:19, 83:22, 83:26, 84:13, 88:5, 154:15, 154:21, 157:13, 161:2, 164:22, 169:17, 177:22, 193:16, 194:29 Military [58] - 5:14, 5:16, 5:21, 5:24, 5:27, 6:1, 6:6, 6:13, 6:14, 6:22, 6:25, 7:1, 7:2, 7:17, 8:6, 8:25, 9:28, 10:2,	10:7, 11:11, 12:25, 14:18, 15:20, 16:20, 17:24, 18:6, 24:22, 24:24, 33:12, 34:4, 34:15, 37:10, 37:20, 44:11, 47:20, 50:20, 51:1, 53:13, 53:18, 53:29, 58:25, 65:20, 66:4, 66:29, 68:19, 73:14, 73:19, 79:5, 79:10, 144:29, 162:21, 164:9, 164:29, 165:8, 182:28, 183:2, 183:8, 183:16 Milky [1] - 72:2 mind [8] - 69:3, 98:17, 128:10, 135:15, 173:7, 173:26, 182:8, 185:14 mine [1] - 121:17 Minister [3] - 68:29, 151:15, 173:25 Minister's [1] - 172:26 Ministerial [6] - 130:23, 131:1, 131:9, 134:5, 135:2, 150:28 minute [4] - 72:25, 108:22, 147:6, 173:8 minutes [3] - 80:1, 172:28, 173:2 misdeemeanour [1] - 84:15 misheard [1] - 174:6 misleading [3] - 116:7, 117:29, 123:12 missing [1] - 73:27 misstated [1] - 181:8 mistake [2] - 22:1, 22:2 mistakes [2] - 22:2, 49:27 mistreated [1] - 152:11	mistreatment [12] - 32:27, 36:25, 41:8, 41:10, 41:16, 58:5, 59:3, 60:17, 64:21, 67:22, 152:9 mode [1] - 192:23 moment [8] - 26:23, 27:22, 28:19, 56:24, 87:13, 132:13, 150:14, 195:23 Monday [7] - 86:18, 86:22, 86:25, 86:28, 87:5, 189:27, 190:25 money [9] - 61:26, 61:27, 62:26, 62:28, 63:3, 95:1, 95:19, 97:11, 189:16 month [2] - 132:20, 136:11 morale [4] - 195:2, 195:12, 195:13, 195:14 morning [11] - 4:4, 4:5, 4:6, 4:7, 86:7, 170:12, 170:13, 172:12, 187:24, 189:27, 195:25 most [11] - 73:8, 90:18, 111:18, 129:20, 144:9, 157:9, 159:22, 160:12, 161:2, 161:4, 185:27 mother [7] - 74:26, 75:11, 75:12, 75:24, 76:2, 76:7, 196:1 motivation [1] - 190:15 move [12] - 14:13, 18:13, 18:21, 19:14, 22:17, 30:4, 33:7, 44:13, 98:4, 147:17, 149:28, 182:2 moved [7] - 5:14, 6:6, 6:9, 6:13, 6:17, 82:11, 167:25 moving [2] - 44:25, 167:27	MP [2] - 16:11, 39:2 MPC [1] - 18:11 MPINV [1] - 41:23 MR [89] - 3:4, 3:6, 3:7, 3:8, 3:12, 3:13, 3:14, 3:15, 4:9, 27:12, 27:16, 27:24, 28:1, 45:7, 45:10, 50:7, 50:9, 50:11, 50:12, 50:14, 54:9, 54:12, 54:14, 54:16, 54:18, 54:24, 55:9, 57:21, 57:25, 57:28, 58:14, 58:18, 58:21, 62:14, 63:6, 63:14, 63:22, 64:1, 64:8, 64:12, 64:21, 65:9, 65:14, 68:22, 68:25, 76:14, 80:7, 80:11, 80:12, 80:14, 96:22, 96:26, 98:3, 98:12, 98:14, 98:15, 98:17, 151:28, 152:4, 152:8, 152:16, 152:20, 152:21, 152:22, 152:26, 165:20, 165:23, 165:26, 172:8, 172:14, 172:19, 172:22, 172:27, 173:1, 173:5, 173:15, 173:19, 173:21, 173:24, 184:19, 184:21, 195:22, 195:25, 196:1, 196:8 MS [14] - 3:5, 3:9, 4:6, 4:10, 4:12, 27:10, 27:14, 27:28, 45:3, 68:25, 68:28, 71:19, 72:23, 76:10 Mullaney [51] - 12:17, 12:18, 13:1, 13:5, 18:24, 19:23, 20:19, 27:29, 33:14, 33:16, 36:16, 58:9, 58:27, 59:5, 59:22, 59:27,	60:18, 61:5, 61:21, 62:19, 62:24, 63:11, 63:15, 63:27, 64:26, 65:22, 65:24, 66:6, 66:8, 67:2, 67:4, 67:15, 68:15, 71:23, 127:15, 127:21, 127:26, 134:13, 134:14, 134:23, 135:17, 135:29, 137:28, 155:2, 162:20, 167:5, 182:1, 195:26, 196:1, 196:2, 196:11 Mullaney's [11] - 12:26, 55:17, 56:12, 61:16, 65:4, 66:18, 68:7, 68:11, 134:1, 141:7, 146:3 Murphy [10] - 19:19, 20:11, 29:9, 29:17, 31:8, 32:20, 32:23, 71:4, 74:6, 74:11 Murphy's [2] - 30:26, 32:12 must [16] - 4:21, 19:2, 53:24, 53:27, 80:24, 120:11, 120:24, 126:22, 127:1, 127:27, 128:6, 128:15, 128:16, 143:12, 166:14 mustn't [2] - 106:24, 158:9 Mylotte [3] - 68:23, 68:29, 76:12 MYLOTTE [6] - 3:9, 68:25, 68:28, 71:19, 72:23, 76:10 Mylotte's [1] - 78:15 Mé [1] - 74:13
					N
					Naas [20] - 15:6, 16:19, 24:6, 82:2, 83:5, 160:5, 166:16, 174:1, 175:6, 176:2, 178:28, 179:27, 180:14, 182:2,

184:12, 184:13, 185:16, 191:20, 193:24 name [6] - 45:10, 50:14, 57:28, 68:28, 152:14, 173:26 named [6] - 71:8, 72:12, 72:29, 148:2, 151:11, 151:22 namely [1] - 7:2 names [4] - 4:19, 32:3, 73:21, 80:22 natural [3] - 102:17, 105:5, 105:22 natural.. [1] - 97:26 naturally [1] - 115:3 nature [8] - 81:24, 93:27, 115:26, 124:28, 146:13, 165:29, 169:7, 192:6 NCO [2] - 13:10, 15:8 NCOs [8] - 9:5, 10:17, 10:18, 30:20, 54:28, 71:20, 74:4, 170:5 nearly [2] - 156:14, 170:12 necessarily [10] - 24:28, 79:20, 99:27, 99:28, 112:4, 123:2, 129:11, 143:4, 145:4, 186:24 necessary [8] - 4:20, 39:5, 56:26, 80:24, 84:21, 109:21, 141:16, 158:11 need [12] - 18:22, 30:10, 47:7, 66:16, 87:3, 103:21, 103:22, 104:10, 106:3, 106:10, 154:6, 179:16 needed [8] - 9:6, 79:9, 97:6, 108:24, 138:22, 178:25, 183:5, 183:27 needs [2] -	168:27, 175:6 nefarious [1] - 143:11 negate [1] - 139:4 negative [1] - 136:24 nervous [1] - 75:13 neutral [1] - 87:12 never [32] - 17:6, 18:26, 19:6, 20:5, 32:10, 33:20, 44:26, 44:27, 60:28, 62:8, 62:12, 68:17, 90:1, 109:24, 134:18, 141:11, 141:28, 142:12, 143:27, 144:11, 145:12, 146:15, 146:25, 146:26, 147:11, 147:12, 147:13, 157:25, 161:25, 164:26, 184:12, 193:11 nevertheless [1] - 186:22 next [16] - 14:6, 14:13, 31:7, 31:8, 31:9, 31:13, 80:2, 80:7, 82:26, 106:12, 125:13, 125:24, 132:9, 149:7, 163:10, 189:3 night [28] - 16:22, 19:24, 20:12, 22:18, 26:15, 27:28, 30:27, 30:28, 32:22, 36:15, 55:6, 59:12, 59:21, 62:20, 63:9, 63:17, 64:13, 64:14, 64:16, 65:4, 66:17, 68:1, 68:10, 68:16, 89:2, 189:4, 191:9, 191:21 nine [1] - 125:4 no [1] - 23:6 nobody [20] - 48:11, 59:10, 63:7, 63:25, 64:15, 65:2, 65:28, 66:14, 66:15, 66:18,	78:14, 101:3, 104:5, 104:7, 104:8, 109:23, 118:5, 157:16, 158:12 nobody's [1] - 68:4 non [2] - 10:12, 192:10 non- commissioned [1] - 10:12 non- predictability [1] - 192:10 none [4] - 38:20, 59:1, 161:28, 171:21 norm [5] - 35:9, 167:20, 169:14, 185:27, 186:3 normal [5] - 57:7, 105:29, 167:9, 179:15, 193:16 normally [2] - 82:20, 129:1 Northern [1] - 171:3 note [7] - 14:10, 19:4, 71:10, 71:19, 130:8, 131:8, 141:12 notebook [1] - 38:9 noted [4] - 13:29, 85:11, 87:2, 166:21 notes [27] - 18:5, 18:13, 18:16, 18:17, 18:18, 18:19, 18:26, 19:5, 19:29, 20:1, 20:3, 20:4, 20:6, 30:1, 38:9, 60:23, 61:11, 62:1, 62:4, 62:12, 62:14, 62:15, 62:21, 62:24, 63:1, 131:1, 141:14 nothing [20] - 15:7, 30:3, 40:25, 57:10, 108:4, 108:19, 115:12, 115:13, 127:21, 127:25, 129:4, 129:18, 142:20, 151:21, 158:2, 158:20, 159:3, 159:6, 184:14,	185:6 notice [1] - 143:21 notification [1] - 144:1 noting [1] - 72:11 November [4] - 123:17, 125:8, 125:13, 147:18 nowhere [3] - 133:21, 133:27, 134:1 number [27] - 5:20, 10:12, 10:15, 12:16, 12:20, 15:24, 16:13, 16:17, 21:6, 30:5, 31:28, 32:2, 32:13, 39:25, 46:15, 49:27, 52:8, 71:8, 75:5, 82:21, 89:21, 124:16, 124:17, 135:3, 165:26, 167:28, 189:6 numbered [1] - 41:22	124:15, 124:16 obvious [10] - 107:14, 115:27, 115:28, 129:18, 129:21, 139:23, 153:12, 161:20, 161:24, 182:10 obviously [32] - 11:19, 51:23, 71:22, 73:26, 85:17, 94:6, 101:24, 106:24, 108:24, 110:3, 111:8, 122:16, 123:20, 126:21, 127:18, 129:13, 129:15, 129:16, 131:17, 143:12, 144:5, 145:5, 145:24, 146:6, 154:22, 158:9, 174:19, 179:3, 180:15, 190:16, 193:5, 195:17 OC [6] - 14:2, 35:12, 115:3, 119:24, 184:8, 185:18 occasion [9] - 21:20, 53:8, 138:9, 156:21, 156:29, 157:6, 177:25, 181:23, 188:17 occasions [3] - 71:21, 142:8, 142:16 occurred [6] - 57:10, 64:4, 125:18, 127:15, 132:24, 193:12 occurrences [1] - 193:5 October [3] - 82:2, 154:14, 174:1 offence [1] - 88:25 offences [3] - 6:26, 38:17, 50:22 Offences [1] - 13:21 offer [2] - 78:20, 168:16 offered [1] - 56:17 offering [1] - 78:23 office [6] -	23:28, 24:11, 24:13, 26:4, 26:8, 79:10 officer [19] - 5:16, 8:21, 9:1, 9:14, 11:11, 17:24, 82:11, 82:29, 85:16, 85:17, 97:21, 101:2, 111:18, 131:7, 138:24, 174:29, 176:21, 178:4, 178:12 Officer [30] - 9:8, 9:16, 10:6, 10:23, 13:6, 13:11, 15:4, 35:8, 35:15, 37:20, 37:29, 38:21, 47:10, 81:29, 83:8, 83:14, 87:23, 99:28, 121:18, 121:27, 139:27, 140:6, 159:12, 164:19, 167:15, 168:19, 172:2, 173:28, 187:26, 191:20 officer's [1] - 174:28 Officers [3] - 7:3, 7:24, 178:3 officers [16] - 8:1, 8:10, 10:13, 10:17, 25:2, 25:7, 39:14, 49:12, 51:29, 52:5, 55:26, 55:29, 73:9, 77:6, 169:29, 193:23 officers' [1] - 25:3 Officers' [1] - 25:5 official [2] - 41:21, 143:27 often [1] - 177:19 OIC [1] - 14:25 Oliver [15] - 12:17, 27:29, 58:9, 59:22, 62:19, 62:24, 63:11, 63:15, 63:27, 65:4, 66:18, 68:11, 68:15, 127:26, 135:17 Ollie [1] - 135:29 ON [1] - 4:1
--	--	---	---	--	---

on ^[1] - 94:23 one ^[103] - 10:3, 10:6, 17:3, 18:5, 23:9, 24:24, 27:22, 29:18, 29:19, 30:13, 30:14, 30:15, 30:16, 31:7, 31:8, 36:22, 36:24, 36:25, 37:3, 37:9, 39:11, 39:22, 41:5, 41:15, 41:26, 41:28, 43:21, 43:24, 43:26, 43:29, 44:27, 45:2, 60:24, 63:2, 68:7, 73:15, 74:24, 75:28, 84:13, 96:1, 96:2, 98:24, 100:16, 101:15, 108:25, 108:27, 110:5, 110:8, 110:25, 113:19, 118:15, 118:25, 121:17, 121:23, 122:15, 122:19, 123:24, 125:13, 125:22, 125:24, 125:25, 125:26, 126:4, 126:12, 131:12, 138:14, 138:23, 139:22, 142:27, 144:24, 146:16, 146:19, 149:17, 149:18, 149:24, 149:26, 153:6, 153:8, 153:17, 156:20, 159:5, 165:28, 170:1, 172:27, 172:28, 173:24, 174:21, 177:23, 178:20, 179:29, 180:3, 180:4, 183:29, 184:28, 186:10, 192:11, 192:21, 193:18, 193:23 one" ^[1] - 43:7 one-and-a-half ^[3] - 149:17, 149:24, 149:26 ones ^[10] - 21:27, 48:10, 77:1, 115:23, 116:2, 118:10, 118:14, 153:10, 155:28, 160:18 ongoing ^[4] -	47:4, 164:25, 185:17, 193:10 only.. ^[1] - 175:2 open ^[6] - 13:13, 34:24, 111:9, 143:8, 169:11, 174:23 opened ^[3] - 62:14, 74:3, 194:19 opening ^[1] - 62:11 opinion ^[6] - 38:22, 43:28, 44:8, 55:6, 93:9, 179:9 opinions ^[1] - 94:6 opportunity ^[6] - 88:9, 88:21, 136:7, 156:10, 156:18, 160:26 opposed ^[1] - 53:13 option ^[2] - 89:6, 89:8 or.. ^[1] - 23:19 order ^[5] - 43:16, 145:3, 186:17, 186:18, 191:29 Orderly ^[1] - 191:20 orders ^[1] - 88:25 organisation ^[2] - 94:5, 170:2 otherwise ^[4] - 63:24, 103:23, 179:25, 191:28 outcome ^[25] - 99:27, 100:1, 107:16, 108:2, 143:10, 143:21, 143:22, 144:2, 144:26, 145:7, 146:21, 159:24, 161:20, 161:24, 161:26, 161:28, 165:10, 184:26, 184:29, 185:2, 186:23, 187:9, 187:16, 194:24 outline ^[2] - 15:22, 39:24 outlined ^[2] - 88:14, 159:21 outlining ^[1] - 99:6 outs ^[1] - 71:14 outset ^[1] -	50:19 outside ^[3] - 47:4, 47:7, 167:23 over-zealous ^[1] - 174:29 overall ^[3] - 161:10, 168:17, 195:17 overemphasis ^[1] - 189:22 overhearing ^[1] - 76:6 overlap ^[2] - 31:3, 31:19 overleaf ^[1] - 14:13 overseas ^[5] - 10:29, 174:2, 177:29, 181:2, 181:15 overseeing ^[2] - 83:19, 83:21 oversight ^[17] - 20:19, 20:21, 20:27, 21:3, 21:11, 21:17, 21:23, 37:18, 37:26, 37:28, 38:15, 42:5, 42:7, 42:9, 42:12, 42:13 overstate ^[1] - 141:2 oversuppressi on ^[1] - 161:1 overview ^[2] - 81:12, 93:23 owed ^[2] - 61:26, 62:25 own ^[14] - 20:26, 22:12, 86:12, 100:23, 100:24, 116:22, 126:27, 127:9, 154:8, 172:15, 182:8, 189:28, 190:5	P	P3 ^[1] - 14:9 P30 ^[1] - 19:19 P34 ^[7] - 19:19, 20:11, 29:8, 30:13, 31:7, 32:1, 58:10 P34's ^[1] - 30:26 P35 ^[6] - 29:10, 31:13, 32:6, 54:12, 54:13, 54:24 P36 ^[4] - 61:13, 61:15, 61:18 P37 ^[2] - 58:11 P41 ^[1] - 32:7 P42 ^[1] - 32:7 P43 ^[1] - 32:7 P44 ^[2] - 29:8, 31:10 P44's ^[1] - 55:13 P7 ^[11] - 29:10, 31:13, 32:6, 33:13, 33:14, 33:19, 54:4, 54:5, 54:15, 177:13, 178:3 p7 ^[1] - 180:25 P8 ^[1] - 14:9 pack ^[1] - 108:15 packing ^[1] - 109:24 Padraic ^[1] - 155:17 page ^[70] - 5:2, 13:14, 14:6, 14:13, 15:13, 16:2, 16:4, 18:4, 18:22, 19:14, 20:25, 23:20, 26:22, 28:20, 28:28, 31:9, 32:2, 32:4, 33:3, 33:7, 42:20, 42:22, 42:24, 51:6, 52:17, 53:3, 57:5, 61:12, 69:3, 71:2, 71:19, 71:22, 71:24, 72:5, 75:3, 75:21, 76:5, 81:8, 87:18, 88:28, 89:17, 90:25, 95:7, 95:8, 103:5, 105:3, 106:12, 107:1, 114:10, 117:10, 126:8, 135:24, 148:26, 148:27, 154:10, 162:28, 174:23, 174:24, 177:8, 178:11, 178:20,	179:11, 179:29, 180:22, 181:7, 181:20 PAGE ^[1] - 3:2 pages ^[1] - 174:24 paid ^[4] - 95:1, 95:19, 160:27, 189:23 para ^[2] - 34:8 parade ^[5] - 84:13, 138:25, 140:28, 174:29, 176:21 paraded ^[8] - 84:8, 84:10, 84:11, 85:12, 118:26, 131:7, 175:27, 176:4 parades ^[2] - 84:12, 138:22 parading ^[4] - 84:22, 85:22, 125:19, 177:4 paragraph ^[60] - 13:26, 14:22, 18:14, 19:14, 23:22, 23:26, 29:3, 33:7, 51:7, 51:14, 54:20, 54:24, 56:4, 56:20, 58:2, 58:22, 61:13, 63:12, 65:10, 65:15, 65:17, 66:13, 70:6, 77:8, 78:3, 81:26, 81:27, 82:26, 83:6, 83:26, 84:1, 88:12, 89:17, 90:13, 90:25, 91:21, 92:11, 96:6, 96:12, 96:26, 97:1, 107:4, 111:15, 111:17, 111:23, 113:22, 114:6, 130:9, 131:29, 147:24, 148:8, 149:28, 154:10, 154:28, 155:15, 170:21, 170:26, 173:28, 188:24, 189:3 paragraphs ^[4] - 81:11, 81:19, 82:18, 82:19 parameters ^[1] - 25:18 paras ^[1] -	148:12 pardon ^[7] - 123:27, 125:7, 128:4, 142:1, 176:11, 182:13, 183:1 parent ^[2] - 167:3, 186:2 parental ^[1] - 88:18 parents ^[24] - 86:12, 87:5, 87:14, 88:29, 89:3, 89:21, 89:26, 90:1, 90:4, 95:14, 97:10, 101:20, 101:25, 107:25, 108:6, 146:26, 146:29, 147:9, 162:4, 185:24, 186:2, 189:11, 189:14 parlance ^[1] - 193:16 Part ^[2] - 5:2 part ^[28] - 30:18, 36:6, 39:7, 46:13, 48:5, 48:16, 61:1, 61:4, 62:4, 62:9, 73:3, 94:3, 101:14, 110:4, 110:22, 120:16, 120:29, 121:6, 127:3, 130:17, 163:4, 164:16, 165:15, 165:16, 171:4, 174:14, 196:9, 196:12 partially ^[2] - 145:18, 146:12 participated ^[1] - 5:22 particular ^[22] - 12:17, 13:3, 31:1, 35:17, 37:21, 53:23, 55:24, 61:3, 61:11, 85:14, 85:24, 95:29, 106:2, 112:21, 120:18, 122:15, 138:4, 160:20, 179:8, 191:9, 191:15, 193:3 particularly ^[2] - 27:19, 34:24 parties ^[1] - 162:1 partly ^[1] - 138:17
---	--	--	-----------------	---	--	---

pass [4] - 132:27, 140:13, 141:8, 179:23 passage [2] - 177:7, 181:20 passed [4] - 40:1, 88:27, 179:24, 194:13 passing [5] - 13:4, 51:28, 138:22, 138:25, 140:28 pattern [5] - 33:2, 48:20, 49:2, 76:23, 76:28 pause [1] - 173:9 pause [3] - 96:15, 156:13, 163:23 pay [4] - 61:22, 61:26, 97:10, 189:15 PDFORRA [1] - 170:2 penal [1] - 192:19 people [47] - 8:3, 10:15, 10:23, 10:29, 11:8, 17:8, 17:15, 17:20, 22:10, 31:29, 32:13, 33:5, 48:16, 58:3, 58:15, 63:23, 67:25, 84:8, 92:29, 93:3, 93:12, 94:6, 94:7, 101:26, 113:14, 116:3, 127:1, 138:21, 139:11, 146:28, 153:27, 155:10, 160:10, 160:14, 160:19, 160:23, 161:1, 169:2, 171:28, 172:20, 185:29, 191:23, 193:14, 193:19, 194:14, 194:22, 195:15 perception [9] - 59:9, 63:24, 138:12, 138:17, 139:14, 139:20, 140:8, 140:10, 185:5 perfect [1] - 18:14 performance [7] - 108:25, 109:1,	109:6, 110:4, 110:28, 118:29, 129:9 performed [1] - 91:12 perhaps [17] - 51:5, 56:2, 59:23, 60:20, 94:1, 97:18, 122:25, 123:15, 128:25, 133:10, 136:20, 144:10, 155:8, 168:11, 172:26, 185:25, 188:15 period [22] - 5:19, 18:1, 55:16, 69:7, 114:12, 114:24, 115:6, 136:11, 150:2, 154:13, 160:5, 161:2, 174:12, 177:14, 177:17, 177:22, 177:28, 178:4, 178:7, 179:19, 179:26, 180:14 permission [2] - 37:23, 94:22 permit [1] - 161:16 permitted [2] - 4:16, 80:19 perpetrators [2] - 4:19, 80:23 person [19] - 9:2, 9:4, 10:10, 17:26, 19:10, 19:29, 20:3, 20:6, 22:12, 29:28, 58:10, 85:5, 96:11, 102:17, 105:5, 105:22, 160:1, 187:3, 187:4 Person [1] - 13:21 personal [1] - 85:27 personally [2] - 75:11, 184:14 personnel [2] - 40:5, 85:26 persons [7] - 10:1, 14:9, 16:14, 17:21, 29:12, 30:15, 31:26 petrol [1] - 39:10 petty [1] - 192:19 phone [1] -	18:11 photograph [1] - 17:14 photographer [1] - 15:9 photography [2] - 7:4, 8:1 physical [2] - 192:8, 192:25 picked [7] - 7:9, 8:3, 28:3, 36:17, 59:27, 62:20, 68:15 Picket [1] - 189:8 picture [8] - 94:16, 94:18, 133:19, 153:28, 153:29, 154:1, 154:2, 161:10 piece [1] - 73:8 pig [1] - 55:3 PILLAY [8] - 3:5, 4:6, 4:10, 4:12, 27:10, 27:14, 27:28, 45:3 Pillay [9] - 4:5, 45:5, 50:19, 52:12, 59:20, 60:4, 60:22, 62:14, 76:18 place [11] - 89:11, 94:17, 139:25, 146:9, 149:17, 149:24, 160:7, 160:9, 188:23, 189:13, 195:18 placed [4] - 84:1, 101:5, 189:8, 189:19 placing [1] - 175:29 planning [1] - 140:23 platoon [12] - 85:13, 97:22, 132:27, 139:26, 140:14, 169:27, 170:15, 175:4, 177:14, 177:16, 177:24, 195:3 Platoon [7] - 12:15, 12:21, 132:26, 132:28, 170:15, 177:13, 187:6 platoons [5] - 84:4, 111:21, 114:2, 177:17,	179:2 platoons [1] - 97:22 pleasant [1] - 160:10 plus [1] - 16:18 point [21] - 47:14, 63:6, 83:29, 84:3, 97:24, 106:9, 110:10, 111:20, 112:10, 114:1, 124:4, 128:21, 133:1, 150:13, 151:1, 164:19, 167:8, 184:1, 184:24, 185:6, 195:19 pointed [4] - 118:29, 162:18, 167:29, 172:5 points [1] - 114:26 Police [55] - 5:14, 5:16, 5:27, 6:1, 6:6, 6:13, 6:14, 6:22, 6:25, 7:1, 7:2, 7:17, 8:6, 8:25, 9:28, 10:2, 10:7, 11:11, 12:26, 14:18, 15:20, 16:20, 17:24, 18:6, 24:22, 24:24, 33:12, 34:4, 34:15, 37:11, 37:20, 44:11, 47:21, 50:20, 51:1, 53:13, 53:18, 53:29, 58:25, 65:20, 66:4, 66:29, 68:19, 73:19, 79:5, 79:10, 144:29, 162:21, 164:9, 164:29, 165:8, 182:28, 183:2, 183:8, 183:16 policing [1] - 6:27 pool [4] - 86:9, 189:5, 190:17, 190:20 poorly [1] - 110:7 Portlaoise [1] - 172:3 portrayed [1] - 191:14	position [13] - 10:8, 20:9, 84:1, 107:10, 109:17, 109:23, 111:13, 143:18, 157:22, 163:16, 164:6, 181:29, 196:4 positions [1] - 5:20 positive [2] - 97:28, 172:24 positively [2] - 123:12, 150:11 possibilities [2] - 136:21, 136:22 possibility [2] - 35:3, 112:7 possible [21] - 28:25, 38:19, 49:8, 74:14, 86:16, 90:9, 91:7, 95:17, 134:16, 135:8, 135:18, 135:22, 136:5, 136:8, 136:9, 136:13, 136:15, 172:16, 172:18, 186:27 possibly [10] - 10:21, 86:10, 97:17, 103:20, 129:11, 135:28, 136:14, 141:5, 159:27, 194:12 post [1] - 35:21 potentially [1] - 110:15 practical [4] - 47:13, 52:7, 138:27, 138:28 practicalities [1] - 79:4 practically [1] - 95:1 practice [1] - 38:26 precisely [3] - 129:7, 130:19 predecessor [2] - 82:24, 176:1 predictability [1] - 192:10 preliminary [5] - 14:18, 15:11, 15:21, 39:21, 39:27 prepare [1] - 120:10 prepared [9] - 123:29, 124:1,	124:5, 124:22, 124:27, 126:26, 128:14, 131:8, 141:11 present [6] - 14:27, 16:28, 32:21, 75:18, 90:3, 91:23 presented [2] - 162:10, 189:11 preservation [2] - 13:8, 13:9 press [2] - 25:25, 107:10 press-up [1] - 107:10 pressed [2] - 77:7, 78:14 pressure [3] - 61:27, 62:25, 88:18 pressured [1] - 192:17 pressures [4] - 18:23, 18:28, 19:9, 108:27 presumably [4] - 126:4, 128:16, 132:22, 180:9 presume [7] - 35:9, 85:15, 92:8, 92:14, 113:6, 133:4, 179:7 presuming [1] - 92:18 prevention [2] - 6:26, 50:21 previous [23] - 35:25, 35:28, 36:2, 36:4, 36:9, 60:5, 60:13, 60:17, 61:6, 61:7, 88:25, 89:2, 97:6, 113:19, 118:22, 123:16, 123:17, 125:19, 130:3, 153:6, 154:3, 175:23, 178:28 previously [2] - 26:18, 69:19 primarily [2] - 121:29, 159:13 primary [1] - 168:14 principally [1] - 160:18 Prison [3] - 171:15, 172:3 prison [3] - 171:19, 171:27,
--	---	--	--	--	--

192:18 prisoners [1] - 171:21 privy [1] - 184:5 probability [4] - 90:6, 90:17, 96:27, 133:27 probable [10] - 28:11, 28:15, 28:19, 28:26, 49:8, 61:9, 97:18, 190:11, 190:14 probable" [1] - 28:18 probable"/" possible [1] - 28:25 probable/possible [1] - 49:7 problem [4] - 94:1, 94:3, 94:4, 194:12 problems [2] - 82:23, 88:3 procedural [1] - 11:17 procedure [7] - 79:9, 79:11, 146:2, 152:5, 169:3, 184:11, 186:25 procedures [4] - 145:11, 168:25, 187:15, 192:1 proceed [5] - 155:8, 184:10, 187:18, 190:6, 190:8 proceeded [2] - 95:16, 151:17 proceedings [10] - 145:29, 148:2, 148:3, 151:11, 151:22, 152:7, 152:13, 172:12, 184:27, 187:18 process [9] - 40:5, 40:7, 44:19, 49:15, 84:23, 123:8, 145:3, 168:16, 168:18 processes [3] - 4:14, 80:18, 184:1 procured [1] - 86:19 produce [3] - 15:21, 16:25,	152:15 produced [5] - 38:15, 57:2, 70:10, 160:18, 177:19 progress [2] - 47:3, 138:20 progresses [1] - 40:27 prohibited [1] - 48:11 prohibiting [1] - 186:18 prohibitive [1] - 169:18 promise [1] - 118:28 promoted [7] - 5:29, 6:5, 9:12, 178:6, 179:12, 179:18, 179:25 promotion [4] - 9:8, 178:9, 179:10, 179:13 promulgated [1] - 115:18 proof [1] - 155:7 proper [1] - 121:6 property [8] - 86:10, 86:29, 189:21, 189:23, 190:5, 190:19, 191:11, 191:19 proposition [1] - 67:8 prospect [4] - 95:25, 96:3, 96:4, 96:5 protection [2] - 189:28, 190:5 protective [1] - 56:20 proved [3] - 145:17, 145:18, 146:12 proven [5] - 115:21, 115:27, 155:8, 155:11, 156:6 provide [3] - 13:11, 151:2, 152:27 provided [6] - 81:2, 142:28, 143:1, 151:16, 154:18, 163:25 provost [1] - 14:4 Provost [14] -	7:14, 10:8, 11:10, 11:12, 11:16, 15:17, 23:21, 34:26, 35:17, 37:2, 37:7, 42:6, 42:10, 45:21 proximity [1] - 43:20 pseudonym [2] - 4:22, 80:25 pseudonyms [1] - 54:5 psychiatric [2] - 156:28, 169:25 psychiatrist [1] - 89:9 psychological [1] - 87:3 publication [1] - 186:18 pull [2] - 51:5, 140:27 pulled [1] - 160:20 pulling [1] - 98:17 pumps [2] - 39:10, 39:12 punishing [1] - 192:20 punishment [1] - 192:9 purchase [10] - 87:27, 95:16, 98:27, 99:10, 100:3, 111:3, 150:25, 182:11, 182:27, 183:12 purely [1] - 56:22 purport [1] - 150:24 purpose [8] - 99:1, 99:4, 99:5, 110:23, 123:8, 168:14, 192:3 put [61] - 17:17, 33:20, 33:22, 33:23, 34:19, 46:28, 48:25, 49:9, 49:11, 50:20, 50:29, 51:2, 53:1, 53:5, 54:26, 54:28, 55:27, 56:8, 56:17, 56:18, 59:24, 60:21, 61:6, 62:15, 62:17, 62:22, 62:29, 63:6, 64:1,	64:7, 65:7, 67:8, 70:6, 70:27, 73:9, 77:4, 77:6, 77:18, 77:24, 79:20, 79:22, 87:12, 88:5, 88:23, 94:9, 103:17, 104:16, 104:19, 118:1, 123:29, 126:18, 135:27, 140:21, 151:18, 154:4, 156:8, 170:20, 178:23, 181:20, 185:19 putting [8] - 34:16, 68:13, 73:9, 90:17, 109:16, 133:7, 135:10, 193:19	165:26, 165:28, 167:1, 167:29, 168:15, 172:8, 172:22, 172:23, 173:16, 173:26, 191:6 quick [1] - 89:11 quickly [2] - 149:13, 168:29 quite [11] - 45:20, 52:2, 110:10, 127:3, 127:4, 136:14, 146:8, 160:14, 175:8, 182:13, 190:16 quote [2] - 57:8, 75:12	163:23, 170:21, 195:28 reader [2] - 115:6, 116:9 reading [12] - 26:21, 26:27, 27:1, 27:11, 56:6, 56:19, 66:13, 109:16, 155:10, 160:3, 188:23 reads [2] - 174:26, 189:25 ready [1] - 179:3 real [1] - 107:16 really [15] - 20:18, 41:29, 98:29, 108:6, 109:1, 109:12, 110:1, 110:13, 110:24, 129:2, 144:10, 158:6, 174:21, 185:16, 191:16 reason [17] - 4:18, 47:19, 80:21, 95:23, 104:28, 116:26, 116:27, 120:16, 132:26, 137:12, 138:18, 138:26, 139:27, 158:8, 158:24, 164:14, 165:12 reasonably [1] - 153:26 reasoning [1] - 39:29 reasons [8] - 138:12, 138:17, 138:27, 138:28, 178:24, 194:25, 194:26, 194:27 Rec [1] - 189:5 receipt [1] - 128:18 receive [2] - 111:25, 112:13 received [5] - 29:16, 45:20, 73:1, 113:1, 116:23 recently [3] - 23:24, 79:1, 141:13 recognise [1] - 23:24 recollection [14] - 23:9, 28:11, 48:4, 50:5, 69:15, 87:11, 87:13,
				R	
				Q	
				qua [3] - 134:4, 134:5, 134:7 qualification [2] - 160:15, 185:11 qualified [1] - 109:8 quality [1] - 178:6 quarters [2] - 72:6, 75:7 queried [1] - 37:29 query [1] - 149:2 Query [6] - 130:23, 131:1, 131:9, 134:5, 135:2, 150:29 QUESTIONED [4] - 3:10, 3:16, 76:14, 184:21 questioning [7] - 50:20, 152:17, 152:19, 152:24, 163:12, 163:27, 166:22 questions [38] - 17:20, 21:8, 21:21, 30:7, 34:29, 44:16, 45:4, 45:13, 45:16, 48:15, 49:9, 49:20, 50:18, 54:26, 56:8, 57:3, 57:22, 57:29, 59:19, 60:3, 69:1, 79:26, 103:14, 134:12, 161:14, 164:7,	raise [1] - 33:24 raised [2] - 87:2, 190:11 raising [1] - 196:17 random [2] - 192:7, 192:9 range [1] - 81:20 ranges [1] - 19:26 rank [8] - 4:21, 10:3, 80:25, 81:16, 81:29, 84:28, 173:29, 178:8 ranks [1] - 82:11 rather [4] - 96:27, 185:28, 189:23, 191:11 rations [1] - 63:4 re [3] - 111:9, 131:1, 174:29 re-open [1] - 111:9 reached [1] - 81:16 reacted [1] - 188:20 reaction [1] - 105:29 read [19] - 18:23, 42:16, 48:10, 66:22, 67:11, 77:14, 81:5, 81:8, 89:15, 93:29, 115:5, 115:11, 141:21, 142:21, 154:18, 155:22,

137:9, 137:14, 137:17, 141:27, 154:13, 194:3, 194:5 recommend [1] - 178:18 recommendati on [2] - 84:27, 98:2 recommendati ons [3] - 50:27, 51:24, 138:7 recommended [2] - 177:29, 179:11 recommending [1] - 179:4 record [16] - 35:22, 39:13, 54:20, 57:8, 61:12, 62:21, 62:24, 64:22, 65:27, 65:29, 67:26, 68:6, 85:14, 85:24, 95:22, 187:7 recorded [27] - 21:13, 21:27, 35:21, 53:24, 55:29, 56:27, 57:19, 59:23, 61:4, 61:11, 61:13, 61:18, 64:14, 64:26, 66:1, 66:10, 66:20, 66:22, 67:6, 67:20, 68:17, 85:11, 85:22, 131:24, 134:7, 161:29, 196:6 recording [2] - 117:19, 133:11 records [5] - 16:9, 59:14, 65:2, 71:2, 127:7 recruits [2] - 170:28, 179:6 recruits.. [1] - 170:24 rectify [1] - 85:10 red [3] - 33:24, 128:21, 146:7 redacted [3] - 75:12, 180:2, 180:6 redacted].. [1] - 180:7 Redress [2] -	168:28, 169:9 redresses [1] - 169:2 refer [14] - 4:20, 12:8, 30:1, 30:27, 31:25, 52:20, 54:1, 57:5, 61:10, 80:24, 92:4, 100:25, 152:28, 188:24 referable [2] - 128:23, 130:20 reference [24] - 19:26, 47:9, 47:11, 53:2, 57:7, 61:3, 71:20, 71:22, 71:23, 71:24, 72:12, 74:3, 74:7, 74:9, 76:5, 130:4, 130:5, 131:15, 134:21, 138:15, 147:26, 151:10, 153:17 Reference [1] - 25:22 referenced [2] - 43:19, 131:6 references [8] - 15:11, 71:8, 74:11, 123:23, 128:24, 133:28, 134:1, 134:4 referencing [1] - 146:7 referred [11] - 32:3, 41:2, 42:15, 49:26, 61:3, 123:23, 153:4, 177:25, 179:17, 181:23, 182:25 referring [7] - 11:27, 54:16, 55:2, 76:6, 143:5, 146:4, 175:25 refers [2] - 14:19, 125:19 reflect [1] - 110:7 reflected [3] - 52:16, 135:28, 141:4 reflective [1] - 127:3 refrain [2] - 4:18, 80:22 refused [1] - 94:28 refuting [1] - 158:4	regarded [2] - 92:15, 96:10 regarding [6] - 111:26, 112:14, 113:2, 138:20, 142:3, 154:15 regards [3] - 102:5, 116:8, 161:25 regular [2] - 84:12, 175:4 regularly [1] - 11:28 regulars [1] - 175:4 reins [1] - 145:25 reiterate [1] - 191:27 reject [1] - 58:28 rejected [6] - 33:15, 65:23, 66:7, 67:3, 67:16, 89:2 relate [2] - 20:12, 64:17 related [2] - 25:1, 61:6 relates [1] - 176:15 relating [5] - 44:19, 114:12, 150:2, 177:7, 182:27 relation [47] - 4:15, 4:16, 12:29, 13:3, 17:20, 21:10, 22:25, 23:14, 24:19, 30:5, 32:17, 34:5, 36:25, 37:18, 37:27, 40:11, 41:23, 42:20, 47:13, 55:5, 58:4, 59:2, 63:9, 74:25, 78:29, 80:19, 80:20, 86:29, 90:3, 114:6, 117:20, 130:13, 130:27, 135:10, 142:12, 145:7, 146:10, 146:23, 148:5, 152:8, 159:17, 159:24, 168:16, 168:17, 179:10, 190:22, 191:3 release [4] - 86:19, 86:23, 86:28	released [1] - 95:19 relevance [1] - 112:28 relevant [29] - 17:22, 17:26, 19:3, 19:10, 20:1, 20:8, 44:14, 73:8, 108:7, 108:8, 108:10, 109:27, 112:1, 112:16, 112:20, 112:28, 112:29, 113:3, 120:18, 123:20, 134:25, 151:29, 152:3, 152:10, 156:5, 163:7, 164:12, 170:18, 194:15 relief [1] - 192:17 relieved [1] - 92:14 reluctantly [1] - 93:16 rely [1] - 190:7 remain [2] - 43:11, 163:16 remainder [1] - 188:26 remained [1] - 99:21 remarks [13] - 33:13, 58:7, 58:26, 59:4, 64:24, 64:25, 65:21, 66:5, 67:1, 67:14, 163:27, 170:17 remember [42] - 22:20, 23:4, 23:12, 24:16, 25:26, 25:27, 27:19, 28:6, 28:18, 39:11, 39:14, 40:11, 42:13, 45:2, 46:7, 55:2, 59:15, 61:7, 89:24, 90:9, 95:28, 101:16, 106:16, 106:25, 108:5, 109:14, 109:15, 121:12, 121:20, 122:1, 122:14, 126:21, 129:2, 136:10, 136:17, 137:29, 138:1, 140:6, 141:29, 171:6, 179:13, 179:20	remind [1] - 54:22 remotely [1] - 104:21 removal [3] - 137:2, 137:3, 139:3 remove [4] - 42:11, 135:16, 140:23, 189:16 removed [25] - 86:11, 132:11, 132:14, 132:16, 132:18, 132:19, 133:8, 133:13, 133:15, 133:17, 134:17, 136:1, 136:17, 136:26, 138:10, 138:16, 139:10, 139:12, 139:19, 139:29, 140:11, 140:16, 140:17, 141:3, 189:29 removing [1] - 136:29 repaying [1] - 62:28 repeat [3] - 45:26, 55:22, 64:11 repeated [2] - 71:20, 193:11 repeatedly [1] - 74:4 rephrase [1] - 46:9 reply [1] - 150:28 report [121] - 13:1, 13:11, 13:13, 13:16, 13:28, 14:2, 14:7, 14:8, 14:14, 14:18, 15:11, 15:12, 15:13, 15:22, 15:27, 21:25, 23:13, 23:14, 23:19, 23:20, 23:21, 26:9, 26:11, 26:12, 26:22, 28:27, 29:1, 30:19, 31:5, 31:6, 31:23, 31:24, 31:25, 33:4, 33:8, 33:27, 33:29, 34:7, 34:16, 34:26, 35:7, 35:11, 35:14,	35:17, 35:22, 38:3, 39:7, 39:22, 39:27, 41:4, 41:11, 46:2, 46:25, 51:6, 51:13, 51:19, 51:28, 52:2, 52:7, 52:16, 54:1, 56:10, 56:28, 57:2, 58:1, 58:2, 59:14, 59:17, 59:23, 63:13, 64:14, 64:22, 64:27, 65:2, 65:7, 65:14, 65:27, 67:11, 67:27, 68:3, 69:7, 69:9, 69:16, 69:23, 77:8, 85:27, 99:24, 100:11, 103:29, 106:12, 106:18, 106:22, 107:7, 121:14, 124:24, 130:11, 130:13, 130:16, 130:20, 134:4, 142:26, 143:2, 143:3, 143:6, 143:7, 148:24, 177:11, 178:25, 180:11, 182:17, 183:16, 184:29, 187:8, 188:24, 189:2, 189:19, 196:12 report.. [1] - 148:12 reported [9] - 15:5, 82:23, 83:2, 96:17, 99:26, 99:28, 158:22, 178:12, 186:5 reporting [4] - 26:10, 137:19, 174:28, 180:15 reports [4] - 35:10, 70:7, 101:24, 186:9 represent [3] - 49:14, 57:29 representation [2] - 40:17, 40:21 representative [2] - 167:9, 196:2 request [7] - 126:23, 126:27, 127:1, 128:18, 131:23, 137:8, 137:27 requested [2] -
---	---	--	--	---	---

99:3, 122:11 require [2] - 89:1, 156:28 required [3] - 4:18, 79:14, 80:22 requirement [2] - 42:3, 42:4 reservations [2] - 180:27, 181:14 respect [13] - 16:21, 69:2, 70:16, 72:22, 72:23, 74:10, 74:22, 74:26, 122:21, 125:18, 151:7, 153:11, 166:6 respects [1] - 114:18 respond [1] - 120:26 responded [1] - 43:4 respondent [1] - 74:14 response [7] - 55:28, 55:29, 77:26, 120:25, 149:1, 184:29, 194:24 responsibility [7] - 16:20, 23:15, 32:25, 83:17, 83:22, 99:22, 164:22 responsible [8] - 6:25, 26:10, 83:8, 83:15, 83:19, 165:18, 171:20, 174:10 rest [2] - 72:9, 190:27 restrained [1] - 190:18 result [10] - 38:3, 88:18, 96:16, 145:23, 147:11, 147:12, 147:13, 184:9, 189:7, 195:17 resulted [2] - 44:20, 87:15 results [5] - 46:24, 114:24, 177:19, 184:14, 185:28 resume [1] - 172:12 RESUMED [3] -	4:1, 80:4, 173:11 resurrected [1] - 126:24 retain [1] - 42:12 retired [3] - 6:19, 80:7, 81:15 retirement [1] - 6:10 returned [1] - 86:18 revealed [2] - 92:13, 183:24 reviewed [2] - 72:26, 180:11 reviewing [2] - 72:28, 180:14 revise [2] - 106:19, 119:2 rifle [1] - 55:13 right-hand [2] - 88:12, 148:28 rise [1] - 80:1 risk [1] - 190:29 role [8] - 8:27, 11:7, 43:7, 45:17, 69:9, 69:11, 69:27, 78:23 roll [1] - 43:23 rolled [3] - 37:2, 43:21, 43:26 Room [4] - 14:24, 17:15, 189:5, 189:8 room [1] - 169:21 route [1] - 89:12 rule [1] - 157:13 running [2] - 9:3, 170:3 Ruth [1] - 68:29	save [1] - 190:4 saw [15] - 18:26, 19:6, 20:5, 92:8, 101:23, 103:29, 104:2, 138:14, 159:23, 164:26, 184:2, 184:7, 191:10, 194:23 say.. [1] - 135:22 scamming [1] - 39:17 scene [14] - 7:3, 7:4, 8:10, 8:14, 8:16, 8:18, 13:8, 13:9, 14:27, 15:5, 15:8, 17:14, 27:10 Scenes [1] - 7:24 scenes [2] - 7:28, 13:10 Scheme [1] - 5:7 School [21] - 6:7, 7:17, 35:12, 35:15, 35:16, 35:26, 63:5, 82:1, 99:7, 166:1, 166:18, 167:10, 167:16, 168:19, 174:1, 180:9, 186:28, 189:17, 190:22, 190:28, 194:4 school [8] - 10:4, 83:8, 83:23, 109:1, 109:7, 138:20, 161:3, 194:19 scope [2] - 39:4, 39:6 screen [4] - 17:9, 18:21, 81:5 scroll [10] - 13:26, 15:14, 16:5, 31:9, 56:3, 57:6, 107:4, 125:3, 131:14, 154:9 second [22] - 22:22, 23:5, 23:6, 23:8, 23:17, 26:19, 26:25, 29:15, 30:18, 36:23, 36:25, 41:10, 42:2, 47:22, 49:29, 63:29, 82:22, 124:28, 136:28, 148:8, 179:18, 186:15	secondly [1] - 157:19 Secretary [1] - 178:3 section [8] - 9:5, 16:9, 25:16, 28:22, 40:1, 46:2, 46:6, 121:22 Section [21] - 5:27, 8:21, 8:24, 8:28, 9:1, 9:4, 9:9, 9:14, 9:25, 10:19, 11:3, 14:26, 14:27, 16:13, 16:21, 21:23, 21:24, 25:15, 28:10, 56:13, 56:14 see [132] - 8:20, 12:3, 13:11, 13:19, 13:24, 14:2, 14:6, 14:11, 14:16, 15:15, 16:1, 16:24, 18:8, 18:20, 18:24, 18:27, 19:15, 19:16, 19:17, 19:27, 22:11, 29:1, 29:17, 31:5, 31:24, 32:2, 38:23, 41:22, 48:13, 54:12, 57:1, 58:21, 61:29, 65:5, 72:5, 76:5, 79:6, 82:5, 82:24, 87:18, 87:29, 88:16, 89:3, 89:18, 89:23, 92:15, 92:18, 94:4, 95:12, 96:15, 100:26, 102:9, 102:13, 102:14, 110:13, 110:14, 111:9, 111:12, 111:14, 111:21, 111:28, 112:6, 113:19, 114:8, 116:11, 116:22, 116:26, 117:2, 117:3, 117:6, 117:10, 117:14, 119:9, 120:20, 124:4, 124:14, 124:16, 125:9, 125:21, 125:29, 127:22, 130:4, 130:5, 130:9, 130:11, 130:23, 130:26, 130:27,	130:28, 131:4, 131:9, 131:16, 131:19, 134:29, 135:24, 136:24, 136:28, 141:15, 141:21, 141:22, 141:25, 143:24, 147:13, 147:17, 147:19, 147:24, 148:12, 148:18, 148:27, 149:14, 149:28, 150:16, 151:16, 151:28, 152:3, 154:10, 155:19, 161:29, 162:28, 163:10, 163:14, 167:8, 167:12, 173:27, 183:29, 185:17, 187:25, 187:26, 187:28, 188:4, 194:29 seeing [7] - 20:14, 20:15, 89:8, 89:26, 137:29, 151:14, 188:17 seek [1] - 46:29 seeking [2] - 96:8, 121:4 seem [10] - 16:1, 39:26, 124:20, 131:8, 132:7, 137:2, 142:15, 158:1, 180:13, 191:13 selected [3] - 62:15, 160:20, 160:23 selective [1] - 52:3 Self [1] - 13:21 self [6] - 17:4, 17:12, 87:2, 109:12, 156:28, 189:18 self-evident [1] - 109:12 self-harm [2] - 87:2, 189:18 self-harming [1] - 156:28 Self-Inflicted [1] - 13:21 self-inflicted [2] - 17:4, 17:12 semi [2] - 94:16, 195:15 semi- unsuitable [1] -	94:16 send [6] - 35:7, 35:11, 99:11, 124:8, 151:5, 151:8 sending [1] - 149:1 sense [7] - 19:9, 19:12, 44:6, 76:27, 132:6, 134:12, 140:28 sent [21] - 35:17, 41:3, 41:12, 42:1, 120:27, 121:18, 122:13, 123:11, 128:29, 129:19, 130:16, 138:8, 141:11, 143:3, 151:6, 151:9, 151:13, 162:19, 181:27, 182:25, 196:2 sentence [4] - 83:25, 142:6, 149:29, 180:22 separate [8] - 31:4, 43:2, 43:28, 44:22, 44:23, 121:10, 162:8, 183:15 separately [1] - 36:26 separation [2] - 37:17, 44:20 sergeant [4] - 10:20, 91:19, 169:29 Sergeant [10] - 9:2, 10:24, 10:25, 14:26, 18:11, 21:24, 92:22, 93:3, 93:6, 187:6 sergeants [1] - 169:28 Sergeants [1] - 10:26 serious [23] - 37:18, 37:27, 38:17, 73:11, 73:12, 73:13, 84:19, 84:28, 85:1, 85:7, 85:19, 87:6, 96:28, 100:25, 104:12, 104:14, 106:6, 108:7, 108:19, 108:21, 110:19, 165:14, 165:16 seriously [3] - 109:5, 110:26,
--	---	--	--	--	--

162:12 served [2] - 172:2, 172:5 service [11] - 81:21, 82:12, 174:2, 177:28, 178:1, 178:18, 180:6, 180:7, 181:2, 181:15, 188:27 Services [1] - 6:18 serving [2] - 94:23, 166:15 set [12] - 11:4, 11:12, 12:3, 12:10, 45:16, 46:24, 48:20, 49:2, 154:17, 168:3, 190:28 setting [3] - 70:12, 118:21, 119:13 several [6] - 50:15, 142:8, 142:16, 145:13, 160:17, 171:9 severely [1] - 189:5 Sgt [1] - 29:20 shall [3] - 107:19, 168:7, 171:10 shelved [2] - 146:18, 184:28 shoelaces [1] - 189:29 Shooting [1] - 5:22 shooting [2] - 12:19, 19:11 short [3] - 60:3, 96:12, 167:28 Short [3] - 96:15, 156:13, 163:23 shortly [1] - 122:17 shoulder [1] - 169:15 shouting [2] - 71:21, 74:4 show [7] - 33:2, 39:15, 76:22, 76:28, 87:16, 130:26, 191:3 showed [2] - 153:6, 178:6 sic [1] - 103:27 sick [1] - 169:25	side [5] - 74:1, 88:12, 154:15, 154:21, 164:23 sign [5] - 129:19, 187:22, 188:4, 188:9, 188:22 signature [3] - 179:28, 180:16, 180:19 signatures [1] - 129:19 signed [7] - 16:16, 21:25, 23:9, 59:17, 117:9, 188:10, 188:25 significant [5] - 69:7, 132:23, 140:4, 151:19, 189:16 silence [1] - 123:1 silent [3] - 122:20, 150:22, 159:16 similar [9] - 113:27, 114:1, 114:4, 114:24, 114:26, 114:27, 116:15, 125:15 similarity [1] - 114:17 similarly [1] - 68:7 simple [2] - 16:15, 67:7 simply [6] - 50:29, 51:2, 57:19, 108:2, 112:27, 124:5 sing [5] - 72:2, 72:8, 72:17, 72:24, 73:22 single [1] - 16:16 Sinn [1] - 74:13 sit [1] - 43:17 site [1] - 82:20 sitting [1] - 158:6 situ [1] - 138:24 situation [7] - 10:21, 32:12, 34:4, 42:8, 109:22, 118:3, 163:20 six [3] - 8:11, 10:23, 14:8 sixthly [1] -	158:26 skipped [2] - 147:19, 149:13 sleep [2] - 19:23, 61:5 slightly [6] - 56:7, 71:27, 83:5, 162:8, 163:2, 181:12 slip [1] - 164:17 small [5] - 52:8, 84:7, 165:26, 167:28, 195:16 smoking [6] - 118:14, 118:15, 119:14, 119:20, 131:4, 153:3 so-and-so [1] - 129:29 so-called [1] - 160:8 so [1] - 129:29 soldier [2] - 94:22, 186:14 SOLE [62] - 3:10, 3:16, 4:4, 45:5, 50:8, 54:8, 54:11, 54:13, 54:15, 54:19, 54:22, 54:25, 57:23, 58:13, 58:17, 58:19, 62:2, 62:8, 62:29, 63:12, 63:20, 63:28, 64:7, 64:9, 64:19, 65:6, 65:10, 68:23, 71:17, 72:21, 76:12, 76:14, 76:17, 79:25, 80:1, 80:6, 80:9, 96:24, 98:6, 98:11, 152:3, 152:6, 152:12, 152:18, 152:25, 165:21, 172:11, 172:20, 172:23, 172:29, 173:3, 173:6, 173:8, 173:13, 173:18, 184:21, 184:24, 195:20, 195:24, 195:28, 196:7, 196:15 Sole [14] - 48:18, 48:24, 54:12, 54:17, 58:14, 62:16, 70:24, 72:23, 151:28, 165:27, 165:29,	166:2, 168:17, 173:5 sometime [4] - 6:16, 86:25, 137:27, 179:19 somewhat [2] - 102:28, 167:4 somewhere [2] - 85:22, 85:28 son [2] - 86:14, 189:17 soon [2] - 95:16, 177:2 sorry [51] - 6:14, 6:17, 16:3, 18:14, 18:21, 21:26, 23:1, 25:24, 36:29, 37:20, 41:29, 42:23, 44:14, 45:26, 47:11, 48:29, 49:1, 54:12, 54:24, 55:22, 60:12, 61:24, 63:2, 64:16, 65:5, 71:23, 72:21, 72:23, 105:14, 113:11, 113:18, 117:13, 122:5, 123:27, 128:4, 130:3, 143:16, 151:28, 155:19, 156:13, 156:14, 156:25, 161:12, 165:5, 166:28, 171:22, 183:7, 186:17, 190:26, 195:11 sort [5] - 93:21, 184:10, 185:25, 188:20, 188:21 sought [1] - 147:27 sound [1] - 11:24 sounds [1] - 188:22 source [1] - 170:8 sources [1] - 169:20 southeast [1] - 170:28 spare [1] - 111:19 speaking [1] - 88:4 Special [1] - 6:18 specialised [1] -	7:23 specialist [1] - 7:18 specific [9] - 7:7, 7:22, 8:5, 8:29, 25:21, 25:22, 45:21, 49:11, 71:11 specifically [14] - 7:26, 22:27, 23:5, 24:17, 33:23, 37:16, 43:29, 44:1, 46:4, 46:16, 54:28, 77:24, 78:9, 78:11 speculate [1] - 137:20 speedily [2] - 185:28, 186:7 spent [4] - 6:21, 161:3, 166:29, 187:29 spin [1] - 17:17 spurious [1] - 116:2 square [4] - 71:26, 72:1, 84:12, 169:15 stack [1] - 139:15 staff [1] - 122:10 stage [32] - 11:26, 12:2, 12:5, 39:5, 79:23, 82:15, 89:11, 95:4, 96:11, 96:20, 97:9, 101:15, 111:25, 112:13, 114:20, 115:18, 122:14, 123:19, 136:18, 155:12, 159:19, 168:8, 170:18, 176:8, 181:18, 182:4, 182:7, 183:28, 184:13, 190:16, 191:15, 193:9 stand [7] - 30:3, 30:19, 36:18, 45:25, 45:27, 45:28, 59:18 standalone [1] - 43:2 standard [3] - 51:14, 70:6, 193:25 start [3] - 42:24, 177:21, 185:9	started [2] - 60:28, 72:8 starving [2] - 62:26, 193:18 state [1] - 86:14 statement [53] - 20:20, 27:1, 29:29, 32:13, 33:15, 42:16, 52:26, 52:28, 53:24, 56:15, 56:23, 65:1, 65:23, 66:7, 66:10, 67:3, 67:15, 72:11, 72:12, 74:2, 74:5, 74:6, 74:7, 75:1, 75:2, 75:3, 75:8, 75:20, 75:21, 78:9, 78:10, 79:8, 81:2, 81:5, 81:8, 111:11, 112:10, 112:23, 112:28, 113:19, 115:24, 116:22, 123:23, 154:8, 162:23, 162:25, 167:29, 168:1, 168:4, 168:10, 170:22, 173:27 statements [85] - 14:7, 14:8, 17:15, 20:10, 20:16, 20:27, 21:4, 21:18, 26:21, 26:27, 27:11, 28:12, 29:14, 29:16, 29:17, 30:5, 30:13, 30:15, 30:17, 30:20, 30:24, 30:25, 31:1, 31:10, 31:11, 31:12, 31:15, 31:16, 31:22, 31:23, 31:27, 32:1, 33:1, 33:5, 33:9, 33:12, 36:19, 38:4, 38:8, 46:18, 48:10, 48:13, 48:19, 48:20, 49:3, 49:8, 49:11, 52:8, 54:27, 55:27, 58:25, 65:20, 66:4, 66:27, 68:2, 68:5, 70:10, 70:22, 71:1, 71:7, 71:14, 71:18, 72:26, 72:28,
--	--	---	---	--	--

73:1, 73:9, 73:28, 75:5, 76:22, 76:28, 76:29, 77:3, 91:7, 91:15, 114:18, 115:5, 116:7, 116:16, 121:16, 122:5, 123:10, 154:17, 155:25, 165:2 statements. [1] - 66:25 states [1] - 14:22 statute [2] - 37:17, 47:12 statutory [2] - 37:10, 37:12 stay [1] - 172:17 stayed [1] - 5:16 still [17] - 36:27, 38:24, 75:12, 85:28, 95:2, 140:24, 147:4, 157:13, 162:6, 162:7, 163:20, 166:14, 171:10, 181:19, 182:3, 190:14 stop [4] - 100:14, 118:20, 188:2, 190:18 stopped [3] - 34:17, 55:21, 55:25 story [1] - 90:22 straight [2] - 116:6, 140:27 straightforwar d [3] - 38:20, 152:12, 164:2 strand [1] - 121:10 strange [1] - 138:4 strong [2] - 20:21, 133:27 stronger [1] - 110:20 struck [1] - 27:19 structure [1] - 11:21 stuck [1] - 73:11 studied [1] - 5:8 stuff [1] - 168:7 subject [10] - 13:29, 53:18, 53:29, 142:18, 143:29, 144:3, 144:11, 145:5,	157:13, 180:25 subject. [1] - 53:9 subjected [1] - 57:15 subjecting [1] - 108:28 submission [3] - 153:23, 155:17, 158:3 submissions [2] - 138:1, 145:25 submitted [2] - 91:23, 182:14 subordinates [2] - 32:29, 78:23 Subordinates" [1] - 22:23 subparagraph [5] - 88:11, 88:28, 95:8, 141:14, 141:16 subsequent [11] - 70:12, 82:18, 90:27, 134:22, 141:3, 145:27, 146:2, 180:7, 182:1, 184:9 subsequently [5] - 89:12, 125:22, 140:29, 179:4, 191:13 subsidiary [1] - 99:5 substance [1] - 142:13 substantiated [2] - 110:20, 115:23 substantive [1] - 120:5 successful [3] - 81:15, 161:6, 194:20 successfully [1] - 179:24 sudden [10] - 12:29, 22:8, 35:14, 36:24, 41:8, 41:26, 43:29, 62:7, 62:8, 67:23 suffered [1] - 86:8 sufficient [3] - 100:15, 144:21, 144:23 suggest [35] - 63:16, 68:9, 68:14, 104:21,	112:8, 115:11, 116:9, 120:11, 120:23, 121:4, 122:28, 123:22, 123:25, 124:6, 126:17, 127:2, 127:10, 132:11, 132:15, 133:16, 137:5, 140:15, 144:19, 149:6, 149:27, 152:22, 153:16, 157:6, 158:12, 158:29, 159:23, 159:25, 161:19, 162:9 suggested [10] - 59:4, 63:9, 67:13, 88:29, 124:7, 132:18, 133:12, 136:16, 136:29, 156:8 suggesting [21] - 65:26, 66:20, 90:5, 97:3, 104:12, 112:6, 112:9, 113:10, 113:13, 114:28, 128:1, 128:5, 133:9, 133:25, 137:4, 137:25, 144:13, 156:16, 158:21, 164:28, 165:14 suggestion [4] - 138:10, 139:4, 141:24, 157:1 suggestions [1] - 145:13 suggests [3] - 97:12, 132:17, 135:15 suicidal [1] - 188:1 suicide [5] - 12:20, 12:22, 12:25, 42:29, 141:7 suitability [2] - 181:2, 181:15 suitable [1] - 179:8 summarise [3] - 29:7, 29:9, 52:3 summarised [1] - 70:25 summarises [1] - 33:4 summarising [2] - 33:8, 127:4 summary [14] -	38:4, 38:6, 38:7, 38:11, 38:13, 38:14, 38:18, 38:21, 38:23, 40:28, 71:18, 86:4, 96:20, 181:17 summer [1] - 177:22 Sunday [3] - 86:13, 86:16, 189:9 superior [3] - 10:3, 51:28, 84:24 superseded [1] - 108:11 supervision [1] - 99:22 supplied [2] - 111:12, 128:22 support [3] - 162:11, 185:4, 185:10 suppose [9] - 71:6, 72:5, 72:11, 72:24, 74:1, 76:29, 132:4, 155:12, 169:9 supposed [1] - 137:16 supposedly [1] - 56:10 supposition [1] - 163:17 sure. [1] - 136:5 surely [1] - 115:27 surmise [2] - 123:10, 133:5 surmising [2] - 129:20, 133:4 surprised [1] - 67:7 surprising [1] - 114:19 surprisingly [1] - 132:8 surrounding [2] - 86:3, 134:23 survival [1] - 192:23 suspect [4] - 40:23, 40:24, 79:2, 79:24 suspects [4] - 29:12, 40:16, 40:20, 52:18 SWORN [2] - 4:9, 80:11	sworn [4] - 49:19, 49:23, 62:10, 194:10 synopsis [1] - 15:27 System [1] - 73:14 system [3] - 25:5, 37:19, 84:22 Síochána [1] - 7:24 T table [4] - 86:9, 189:5, 190:17, 190:20 tact [1] - 177:23 talks [1] - 19:15 tangle [2] - 116:5, 121:9 tank [2] - 39:15, 39:17 tap [1] - 169:14 targeting [1] - 192:20 task [4] - 49:21, 111:20, 178:4, 179:3 tasked [2] - 28:22, 50:21 tasked" [1] - 46:2 taught [2] - 168:22, 169:7 teachers [4] - 83:9, 170:7, 170:17, 170:19 team [6] - 5:23, 10:13, 10:17, 29:28, 49:21, 172:26 Technical [1] - 17:18 template [2] - 51:14, 70:6 ten [7] - 24:20, 24:21, 24:24, 73:16, 80:1, 146:19, 180:20 terms [12] - 45:17, 46:27, 47:19, 48:7, 48:15, 49:15, 49:26, 52:7, 81:23, 152:13, 166:27, 172:24 Terms [1] -	25:22 terribly [1] - 108:19 test [1] - 57:17 testimony [2] - 49:24, 194:10 that" [1] - 104:25 THE [20] - 3:10, 3:16, 4:1, 54:20, 54:26, 62:7, 63:2, 64:11, 64:20, 65:13, 76:14, 79:29, 80:4, 98:5, 98:8, 172:10, 173:7, 173:11, 184:21, 196:20 the. [1] - 132:5 theft [1] - 39:9 themselves [3] - 17:28, 52:23, 93:8 THEN [1] - 196:20 there'd [2] - 133:2, 138:21 thereafter [1] - 179:8 thereby [1] - 109:7 therefore [6] - 39:12, 96:19, 127:25, 130:19, 133:16, 180:11 they've [1] - 86:13 thinking [4] - 44:29, 77:16, 109:21, 115:25 third [8] - 10:10, 74:6, 75:4, 95:12, 126:4, 126:5, 150:16, 177:15 thirdhand [3] - 93:10, 93:12, 93:21 thirdly [1] - 157:25 this. [1] - 22:6 Thomas [1] - 82:28 thread [1] - 192:9 threatening [1] - 110:27 threats [2] - 109:4, 126:10 three [37] - 10:1, 10:21, 10:26, 19:16, 30:21,
--	--	--	--	--	--

31:10, 31:11, 31:12, 31:15, 31:22, 48:12, 52:4, 70:19, 70:22, 70:26, 71:1, 71:14, 71:21, 72:6, 75:7, 75:29, 76:29, 77:1, 77:3, 84:4, 97:22, 111:21, 114:2, 136:11, 136:21, 148:21, 177:16, 179:2, 184:1, 185:1 three-month [1] - 136:11 three-quarters [2] - 72:6, 75:7 threefour [1] - 30:21 throughout [2] - 40:6, 81:20 throw [1] - 137:22 thrust [1] - 183:23 THURSDAY [1] - 4:1 Thursday [34] - 19:24, 20:12, 22:18, 22:21, 22:22, 26:15, 27:28, 30:27, 30:28, 32:21, 36:15, 42:28, 58:8, 59:3, 59:12, 59:21, 61:7, 62:20, 63:9, 63:17, 64:13, 64:14, 64:16, 64:17, 64:18, 64:19, 65:4, 66:17, 68:1, 68:10, 68:16, 77:21, 163:5, 164:10 ticket [2] - 108:16, 110:27 tied [1] - 121:7 timeline [1] - 129:12 timing [2] - 137:3, 172:24 TO [1] - 98:14 to.. [1] - 175:6 today [14] - 4:20, 37:5, 43:1, 43:20, 43:26, 47:20, 49:23, 50:3, 62:11, 64:2,	80:23, 164:11, 166:22, 167:6 today " [1] - 43:23 together [5] - 115:5, 115:11, 116:7, 132:24, 140:22 tolerating [1] - 193:9 Tom [1] - 57:28 tomorrow [2] - 172:12, 196:17 tone [1] - 188:8 tonight [1] - 172:17 Tony [1] - 82:28 took [13] - 20:3, 28:12, 29:28, 30:24, 38:9, 74:11, 83:3, 110:26, 135:29, 145:24, 165:1, 169:2, 177:2 top [17] - 13:19, 14:3, 14:16, 18:8, 34:7, 51:6, 87:25, 94:22, 95:8, 106:25, 117:1, 124:20, 148:26, 148:27, 148:28, 177:9, 180:3 top-class [1] - 94:22 topic [2] - 102:8, 167:27 tortured [1] - 192:15 total [1] - 125:4 totally [2] - 160:4, 166:19 touch [1] - 162:7 towards [2] - 54:3, 92:16 tracking [2] - 15:24, 39:25 trade [2] - 160:15, 160:27 trades [2] - 160:15, 161:3 tragic [1] - 167:4 tragically [1] - 12:18 train [1] - 172:16 trained [4] - 12:1, 101:11, 160:27, 192:14 training [18] - 19:26, 57:7, 57:10, 83:9,	83:20, 83:22, 83:26, 100:29, 101:2, 101:7, 101:8, 119:2, 154:16, 154:22, 157:19, 161:2, 177:22, 179:6 tranche [1] - 168:6 transcribed [2] - 177:8, 181:8 transcript [2] - 42:23, 53:3 transcription [1] - 181:7 transcripts [2] - 138:14, 160:4 transfer [3] - 95:17, 137:8, 137:27 transferred [1] - 185:29 traumas [1] - 19:10 traumatic [1] - 171:29 Traynor [82] - 86:4, 86:8, 87:7, 88:3, 88:20, 88:29, 89:3, 90:14, 90:27, 91:6, 92:15, 94:11, 94:12, 96:28, 100:7, 101:19, 101:25, 108:8, 108:20, 115:4, 119:29, 120:29, 125:5, 125:11, 125:16, 125:21, 125:27, 126:5, 126:9, 126:13, 126:14, 126:18, 127:11, 128:20, 128:23, 129:4, 130:5, 130:13, 130:21, 131:15, 132:1, 135:11, 139:5, 139:10, 139:16, 139:22, 140:1, 140:20, 144:4, 144:13, 144:14, 144:15, 146:26, 147:9, 148:1, 149:25, 150:26, 151:14, 151:24, 151:27, 152:1, 152:7, 156:2, 156:21, 157:11, 159:25, 159:26,	161:22, 162:3, 162:4, 163:8, 167:2, 183:13, 183:22, 183:25, 183:26, 185:4, 186:5, 187:7, 187:21, 189:11 Traynor's [50] - 89:21, 95:15, 99:3, 100:2, 107:17, 108:6, 110:6, 112:2, 112:17, 113:9, 113:12, 114:7, 115:8, 121:11, 123:3, 123:8, 125:5, 129:5, 129:10, 130:16, 134:4, 136:14, 139:12, 142:5, 144:15, 144:27, 145:2, 145:3, 145:22, 146:10, 146:23, 146:25, 146:29, 147:9, 147:14, 148:11, 149:19, 149:20, 149:22, 150:9, 150:10, 151:17, 152:10, 152:27, 156:9, 166:11, 167:3, 167:13, 184:26, 185:24 treatment [22] - 24:5, 25:9, 32:28, 39:27, 42:21, 43:19, 45:18, 45:23, 46:11, 46:14, 47:22, 48:6, 56:10, 56:25, 62:5, 69:17, 70:16, 73:4, 73:6, 78:22, 89:1, 180:25 Treatment [1] - 22:23 TRIBUNAL [5] - 4:1, 80:4, 98:8, 173:11, 196:20 Tribunal [51] - 4:13, 4:22, 4:27, 7:13, 12:23, 18:26, 20:26, 21:11, 21:29, 29:16, 32:9, 32:15, 36:8, 41:20, 42:18, 47:12, 47:20, 47:26, 49:5, 49:16, 50:3, 59:8,	60:4, 60:17, 60:28, 64:2, 79:27, 80:16, 80:26, 81:2, 84:9, 138:11, 152:4, 153:16, 154:11, 168:1, 168:2, 169:10, 187:4, 187:21, 191:26, 191:27, 192:6, 193:26, 194:8, 194:11, 195:22, 195:26, 196:3, 196:8, 196:13 Tribunal's [3] - 58:15, 168:14, 196:9 tried [1] - 86:29 trip [1] - 145:4 troops [5] - 177:27, 177:28, 178:26, 179:1 trouble [1] - 98:19 troublemaker [1] - 92:16 true [5] - 88:6, 103:27, 110:7, 146:12, 163:24 truth [2] - 19:7, 19:8 truthfully [1] - 28:26 try [4] - 18:21, 32:14, 48:25, 121:9 trying [11] - 34:21, 59:15, 66:11, 73:7, 78:3, 82:14, 87:11, 115:12, 134:11, 153:27, 165:9 turn [6] - 12:13, 71:24, 95:7, 114:10, 149:7, 175:8 turned [1] - 154:6 turns [1] - 30:3 two [81] - 9:27, 12:18, 12:25, 29:12, 29:17, 30:13, 30:15, 30:24, 31:3, 31:13, 31:16, 31:19, 36:26, 37:1, 43:1, 43:2, 43:21, 43:24, 43:28, 44:22, 49:10, 49:12,	52:5, 52:9, 55:26, 55:29, 61:21, 64:3, 71:3, 73:9, 78:12, 78:21, 81:3, 81:11, 84:5, 88:8, 100:16, 100:19, 106:13, 106:14, 106:15, 106:19, 106:23, 107:12, 107:15, 107:19, 108:2, 110:3, 110:5, 110:24, 111:6, 114:18, 115:5, 116:6, 116:21, 116:23, 119:16, 119:20, 121:16, 122:5, 126:1, 136:10, 141:25, 142:11, 150:9, 158:22, 158:25, 162:8, 165:28, 171:28, 172:28, 174:18, 177:14, 179:21, 179:25, 179:26, 183:10, 183:29 two-year [1] - 179:26 type [5] - 10:21, 93:15, 94:2, 128:21, 160:9 typed [5] - 26:13, 128:13, 128:14, 129:1, 131:12 typing [1] - 128:14
					U
					ulcer [1] - 41:6 ultimate [1] - 187:29 ultimately [1] - 179:7 UN [1] - 178:18 uncontroersia l [2] - 73:27, 87:12 undated [3] - 117:5, 123:23, 123:28 under [17] - 10:14, 10:23, 18:24, 20:7, 42:11, 52:13, 55:7, 55:26, 56:15, 61:26, 62:24, 79:3, 99:21, 167:10,

181:19, 189:8, 189:19 undersigned [1] - 14:24 understood [3] - 11:7, 38:28, 79:1 undertaking [2] - 81:24, 188:25 uneearthed [1] - 140:24 unfair [2] - 19:6, 159:25 unfortunate [4] - 63:11, 127:26, 134:23, 164:17 unfortunately [6] - 12:10, 83:11, 127:16, 137:28, 176:3, 194:16 unhappy [3] - 108:28, 142:9, 142:16 union [1] - 61:22 unit [18] - 6:18, 9:29, 10:2, 19:29, 20:7, 39:2, 41:4, 47:4, 47:7, 79:12, 157:23, 159:28, 178:29, 179:5, 184:17, 184:18, 186:26, 186:27 Unit [3] - 10:2, 69:11, 73:19 units [2] - 6:10, 6:17 unless [6] - 40:22, 47:10, 52:21, 158:8, 179:22 unlikely [1] - 96:5 unnamed [3] - 71:3, 71:8, 72:13 unnecessarily [1] - 163:26 unpredictable [1] - 192:8 unproven [1] - 117:27 unprovoked [1] - 192:7 unsuitable [3] - 94:16, 96:11, 178:24 UNTIL [1] - 196:20 untoward [2] - 15:7, 158:18 unusual [6] - 56:7, 76:7,	102:28, 103:17, 104:18, 191:23 unwell [1] - 62:25 up [74] - 7:9, 8:3, 8:17, 14:9, 15:12, 17:18, 17:28, 18:5, 18:14, 20:25, 22:28, 23:19, 26:22, 32:2, 33:19, 34:7, 36:10, 36:12, 39:16, 42:22, 46:17, 51:5, 54:3, 57:6, 58:19, 60:21, 70:10, 81:4, 82:11, 84:19, 85:18, 94:15, 96:18, 97:14, 97:16, 107:10, 110:19, 111:14, 112:29, 113:14, 117:12, 123:21, 124:8, 128:17, 130:8, 139:15, 145:4, 145:23, 145:24, 146:6, 153:23, 154:5, 156:23, 157:10, 159:21, 160:21, 162:7, 162:19, 164:15, 166:12, 166:16, 166:19, 166:20, 169:27, 169:29, 170:3, 170:17, 172:11, 177:2, 180:21, 182:27, 189:27, 190:17, 195:15 upset [1] - 61:16 USAC [1] - 5:7 useful [1] - 58:14	108:27, 126:10, 137:8 version [9] - 26:13, 28:14, 54:9, 119:13, 119:17, 124:16, 149:11, 149:14, 178:11 versions [1] - 119:16 view [38] - 12:20, 17:29, 34:14, 36:27, 36:28, 36:29, 43:11, 47:14, 47:24, 48:27, 49:1, 49:3, 49:4, 49:6, 53:21, 59:20, 78:20, 78:23, 85:20, 93:27, 109:10, 109:14, 132:15, 133:1, 133:8, 133:11, 134:16, 135:29, 136:19, 136:20, 136:21, 139:15, 141:22, 183:19, 184:1, 185:10 views [2] - 159:8, 159:10 vindictiveness [1] - 192:19 visit [1] - 176:7 visited [1] - 86:12 vivid [1] - 48:13 vogue [1] - 12:4 voiced [2] - 59:10, 107:26 volition [2] - 126:28, 127:9 voluntarily [2] - 49:17, 56:22 voluntary [1] - 56:15 volunteer [3] - 162:25, 165:9, 165:17 volunteered [17] - 33:14, 58:27, 64:28, 64:29, 65:22, 66:6, 67:2, 67:15, 77:16, 77:17, 77:20, 77:25, 77:28, 78:6, 78:8, 78:10, 164:27	W wages [1] - 160:19 wait [1] - 179:24 wake [1] - 127:14 walked [3] - 147:6, 169:15, 192:14 Wall [12] - 87:23, 99:29, 121:19, 121:28, 122:10, 140:7, 159:12, 175:22, 176:14, 176:23, 181:5, 181:6 Wall's [1] - 181:17 Walls [1] - 82:28 walls [1] - 191:25 WALTER [6] - 3:12, 80:11, 98:14, 165:23, 173:21, 184:21 warning [3] - 108:17, 108:23, 108:24 warrant [2] - 109:11, 111:6 warranted [4] - 106:23, 110:2, 110:13, 110:15 WAS [11] - 4:9, 45:7, 50:11, 57:25, 68:25, 76:14, 80:11, 165:23, 173:21, 184:21, 196:20 water [1] - 192:26 way.. [1] - 181:10 weapon [1] - 17:16 weather [1] - 75:13 week [1] - 153:13 weekend [2] - 13:6, 88:26 weeks [6] - 8:11, 61:21, 75:5, 157:15, 168:8, 171:29 weight [1] - 193:19 well-	foundedness [2] - 4:17, 80:20 were" [1] - 103:12 Wexford [1] - 171:14 whatsoever [1] - 188:18 whereas [2] - 39:5, 115:14 whereby [1] - 40:23 whilst [3] - 5:29, 65:12, 78:14 who'd [1] - 155:10 whole [22] - 10:2, 27:24, 33:15, 93:27, 102:5, 104:20, 108:7, 108:20, 123:16, 126:29, 127:5, 133:19, 138:23, 141:1, 146:6, 163:17, 166:11, 168:29, 178:22, 184:11, 188:1, 195:18 whole-heartily [1] - 33:15 wholeheartedl y [4] - 65:23, 66:7, 67:3, 67:16 widespread [2] - 81:23, 160:8 willing [2] - 30:3, 189:15 willingly [1] - 111:19 win [2] - 137:13, 137:15 windows [2] - 86:10, 189:6 wish [4] - 31:6, 40:23, 52:21, 62:17 with.. [1] - 28:22 withdrawn [1] - 154:7 withholding [1] - 55:16 WITNESS [12] - 3:2, 54:20, 54:26, 62:7, 63:2, 64:11, 64:20, 65:13, 79:29, 98:5, 172:10, 173:7 witness [24] - 4:6, 33:11, 53:14, 54:22, 58:24,	62:3, 62:12, 62:15, 62:16, 62:17, 62:22, 63:1, 63:7, 63:20, 65:19, 66:3, 66:24, 66:27, 75:25, 79:2, 80:2, 80:7, 155:25 witnessed [3] - 75:23, 76:3, 79:17 witnesses [2] - 52:3, 91:8 witnessing [1] - 86:13 wonder [2] - 136:23, 195:22 wondering [2] - 59:22, 137:18 word [17] - 20:21, 20:22, 20:23, 43:23, 65:10, 70:14, 77:17, 77:20, 77:25, 77:28, 78:8, 117:26, 122:25, 127:24, 132:5, 175:8, 181:8 wording [5] - 21:20, 21:26, 23:2, 25:12, 118:7 words [12] - 19:17, 20:26, 77:18, 77:29, 78:1, 78:2, 103:16, 103:21, 112:17, 139:9, 186:1, 193:10 worker [1] - 175:1 works [1] - 165:18 world [1] - 194:5 worth [2] - 155:12, 181:15 worth.. [1] - 180:27 would" [1] - 103:3 write [1] - 94:21 writing [11] - 94:20, 128:11, 130:19, 159:18, 178:14, 180:1, 180:4, 180:16, 180:17, 182:24, 183:17 written [16] -
--	---	--	---	--	---

11:4, 26:2, 36:11, 90:4, 92:26, 116:27, 119:11, 133:23, 133:25, 135:10, 137:27, 138:7, 146:28, 147:22, 168:9, 175:17 Wrongs [2] - 168:28, 169:9 wrote [9] - 19:4, 19:5, 109:23, 122:16, 126:22, 138:18, 176:10, 182:17, 183:24	£2,018.50 [1] - 189:7
Y	
year [9] - 23:3, 82:22, 153:7, 153:13, 174:21, 175:25, 176:16, 179:26, 182:18 years [24] - 6:22, 7:1, 9:21, 11:26, 20:15, 21:22, 34:19, 37:5, 43:24, 44:12, 48:1, 59:15, 74:18, 76:9, 76:26, 146:19, 149:17, 149:24, 149:26, 174:16, 174:18, 179:14, 179:21, 179:26 YO's [1] - 179:23 young [5] - 189:24, 190:6, 190:21, 191:1, 191:3 yourself [6] - 48:25, 70:19, 75:13, 95:7, 112:7, 187:26	
Z	
zeal [1] - 177:18 zealous [1] - 174:29	
£	
£2,000 [4] - 61:21, 86:19, 97:10, 189:15 £2,018 [1] - 189:21	