

1 THE INQUIRY RESUMED ON MONDAY, 28TH SEPTEMBER 2026 AS
2 FOLLOWS:

3
4 CHAIRMAN: Good morning Mr. Greaney.

5 MR. GREANEY: Good morning, Sir.

10:03

6
7 INTRODUCTORY REMARKS BY MR. GREANEY:

8
9 MR. GREANEY: Today, we're going is to hear evidence
10 about Part 4 of Chapter 3 and that part takes us to the 10:03
11 day of the bombing itself.

12
13 We will be considering today and into tomorrow, the
14 period on 15th August up until 2:28 p.m. and so, up
15 until the point just before the first warning call. 10:03

16
17 The starting point for the evidence will be the playing
18 of a passage from the interview conducted with
19 Detective Superintendent Casserly of the AGS relating
20 to that period of time. That part of the recording 10:03
21 lasts for just under 35 minutes. As we're about to
22 hear and see, Detective Superintendent Casserly deals
23 with telecommunications evidence relating to the period
24 during this passage of the recording. And, Sir, before
25 we watch it, there is something that we need to make 10:03
26 plain: During the course of his evidence, the
27 Detective Superintendent attributes the 980 orange
28 phone to Terence Morgan. As I say, during the course
29 of the recording we will see where that 980 phone is

1 mentioned, it will be attributed to Terence Morgan.
2 That the AGS did so is understandable because, Sir, as
3 everyone will recall, Terence Morgan's father-in-law
4 was the subscriber to that 980 number. But, he,
5 Terence Morgan was recorded in the contract as being 10:04
6 the principal user.

7
8 However, Sir, as you know, for good reason, we have
9 moved beyond that attribution and we provisionally now
10 place that phone, the 980 orange phone, with 10:04
11 Seamus McKenna in the bomb car on 15th August. So,
12 when everyone hears Detective Superintendent Casserly
13 attributing that 980 phone to Terence Morgan, please
14 bear in mind that we have moved beyond that and we
15 place it, as I've just said, with Seamus McKenna in the 10:05
16 bomb car.

17
18 We'll also hear the Detective Superintendent Casserly,
19 in his evidence, attributes the 585 dark blue phone to
20 Colm Murphy. And, again, that attribution by the AGS 10:05
21 is understandable because Colm Murphy was the
22 subscriber to that number.

23
24 However, again for good reason, we have moved beyond
25 that attribution as far as 15th August is concerned and 10:05
26 as all will recall we now provisionally that phone, the
27 585 dark blue phone, with Seamus Daly in the scout car
28 on 15th August. So, Sir, we hope that is clear and we
29 invite everyone to bear those matters in mind in

1 watching the next 30 or so minutes of footage.

2
3 Having made those introductory remarks could we now
4 play the footage please.

5
6 [video played]

7
8 DETECTIVE SUPERINTENDENT EMMET CASSERLY CONTINUED TO BE
9 QUESTIONED (ON 1ST SEPTEMBER) BY MR. GREANEY AS
10 FOLLOWS:

11
12 1 Q. MR. GREANEY: Chief Superintendent, as you know,
13 Chapter 3 of the Inquiry's oral evidence process
14 involves an examination of the events of the day of the
15 Omagh bombing, and I'm next going to seek your help
16 with Part 4 of Chapter 3, which deals with the events
17 of 15th August 1998 up to and including 14:28 hours on
18 that day.

19
20 So, can we begin by analysing the movements and/or
21 route of the bomb car --

22 A. Yeah.

23 2 Q. -- which will in turn involve analysing the movement of
24 certain mobile telephone handsets?

25 A. Of course.

26 3 Q. Now, the AGS established that the Vauxhall Cavalier of
27 Mr. Ward was stolen probably in the early hours of the
28 morning of 13th August?

29 A. That is correct, yes.

1 4 Q. So that was the overall preponderance of the evidence.
2 And that it was stolen from the address of Mr. Ward's
3 girlfriend, or outside it, at St. Macartan's Villas?
4 A. That's right.
5 5 Q. But did the investigation definitively establish where
6 the vehicle was taken to after the theft?
7 A. No, it did not. No.
8 6 Q. Did it establish definitively where the vehicle was
9 kept in the two days between the theft on 13th August
10 and the bombing on 15th August?
11 A. No, it did not. No.
12 7 Q. And did it establish definitively where the bomb had
13 been loaded into the vehicle?
14 A. Again, no, it did not.
15 8 Q. Could the AGS Investigation Team say either from what
16 location the vehicle set off from on its way to Omagh?
17 A. It could not, no.
18 9 Q. Or definitively where it returned to?
19 A. No.
20 10 Q. So we just need to start that again.
21
22 There was a rather silly suggestion of the bomb car
23 coming back. So we're just going to scrub that whole
24 bit and we'll start that section again. Sorry about
25 that.
26 A. That's all right.
27 11 Q. Detective Superintendent, as you know, Chapter 3 of the
28 Inquiry's oral evidence process will involve an
29 examination of the events on the day of the Omagh

1 bombing. And I'm next going to seek your assistance in
2 relation to Part 4 of Chapter 3, which involves an
3 analysis of the events on 15th August up to and
4 including 15:28 hours that day.

5 A. Okay.

6 12 Q. And specifically what we're going to analyse are the
7 movements of the bomb car on 15th August, which in turn
8 will principally involve an analysis of the movements
9 of mobile telephone handsets.

10 A. Yes.

11 13 Q. Now, just to recap where we had reached, the AGS had
12 established that the Vauxhall Cavalier of Mr. Ward was
13 stolen from the address of Mr. Ward's girlfriend on
14 Macartan's Villas in Carrickmacross?

15 A. It had, yes, that's correct.

16 14 Q. And did the preponderance of evidence indicate that it
17 was stolen in the early hours of the morning of 13th
18 August?

19 A. Yes, it did, yeah.

20 15 Q. Was the investigation able to establish definitively
21 where the Cavalier was taken to after the theft?

22 A. No, it was not.

23 16 Q. Was it able to establish definitively where the vehicle
24 had been kept for the two days between 13th August and
25 15th August?

26 A. No, it was not. No.

27 17 Q. And was the AGS investigation able to establish where
28 the bomb had been loaded into the vehicle?

29 A. No, it was not. No.

1 18 Q. was the investigation able to say from what location
2 the vehicle had set off from on its way to Omagh on the
3 day of the bombing?
4 A. Again, no, it could not, no.

5 19 Q. And in the report, we're told that what is described as
6 a major caveat with the identification of the route
7 believed to have been used is that there is no
8 conclusive eyewitness testimony?
9 A. That's correct, yes.

10 20 Q. Nor is there any supporting CCTV footage available to
11 identify the route taken by the bomb car?
12 A. No, there's not, no.

13 21 Q. And although it is thought that the bomb car was
14 accompanied by a scout car, is it the position that
15 there is no witness evidence or CCTV evidence
16 conclusively to confirm that there was another vehicle
17 travelling in convoy with the Cavalier?
18 A. That is the position, yes.

19 22 Q. Now, if it had been the position that there was only
20 one route which could realistically have been taken to
21 Omagh then things may have been different, but is it
22 the position that there were a myriad of routes that
23 the bomb vehicle could have taken to reach Omagh?
24 A. Yes, there's numerous routes that could have been
25 taken.

26 23 Q. Now, during the course of the early stages of the
27 investigation, were two mobile telephone numbers
28 identified as being of significant interest?
29 A. There were two phone numbers provided to the

1 Investigation Team that were deemed to be of
2 significant interest to the investigation.

3 24 Q. And were those numbers, mobile telephone numbers ending
4 first 585?

5 A. That's right, yeah. 5585, yeah.

6 25 Q. And second, a mobile telephone number ending 3980 - and
7 I'll refer to it as 980?

8 A. Perfect. Yes, that's correct.

9 26 Q. And we'll deal with the attribution of those numbers in
10 a moment. But did the investigation generate strong
11 support that those two mobile telephones had travelled
12 north to the area of Omagh on the day of the bombing?

13 A. It did, yes.

14 27 Q. And did the investigation also generate strong support
15 that one of those handsets was with a person in the
16 stolen Cavalier?

17 A. That is correct, yes.

18 28 Q. The bomb car?

19 A. Yes.

20 29 Q. And the other mobile telephone handset with a person in
21 a separate vehicle but associated, namely a scout
22 vehicle?

23 A. Yes, that's correct. Yeah.

24 30 Q. Did cell site analysis conducted on those two phones
25 and their billing on both sides of the Border provide
26 what the report describes as the only real indication
27 of the potential route travelled?

28 A. Absolutely correct, yes.

29 31 Q. So, there's quite a lot to unpack in all of that.

1 A. Yeah.

2 32 Q. We need to develop an understanding of what cell site
3 analysis is and we'll need to develop, first of all, an
4 understanding of to whom those mobile telephone numbers
5 585 and 980 are attributed.

6

7 Now, in terms of attribution, what I can do is draw
8 some strands together from the report overall and
9 you'll be able to confirm, Detective Superintendent,
10 that 585 is a number that has been attributed to a man
11 called Colm Murphy?

12 A. That's right.

13 33 Q. And that is attributed to him because it was a number
14 registered to him?

15 A. It was.

16 34 Q. So, sometimes, but not always, when one acquires a
17 mobile telephone with a number, that number is actually
18 registered to the particular individual?

19 A. Yes, that's correct.

20 35 Q. And that was also the case in the call of Colm Murphy?

21 A. Yes.

22 36 Q. And a little later we will look at a document that
23 deals with that.

24

25 And what you'll also be able to confirm, I'm certain,
26 because it is referred to in the report, is that
27 whether Colm Murphy was actually involved in the calls
28 we're about to look at or whether instead his phone was
29 in the hands of someone else will be a matter for the

1 broader evidence?

2 A. That's right.

3 37 Q. And 980 is attributed to a man called Terrence Morgan?

4 A. That's correct.

5 38 Q. It is attributed to him because it, 980, was a number

6 registered to his father-in-law?

7 A. It was.

8 39 Q. But the evidence, including documentary evidence,

9 revealed that he was in fact the usual user?

10 A. That's right.

11 40 Q. But once again, whether Terrence Morgan was actually

12 involved in the calls we're about to look at or whether

13 his phone was in the hands of someone else will be a

14 matter for the broader evidence.

15 A. It will.

16 41 Q. Now, I use the term cell site analysis, and during the

17 course of the Inquiry's oral evidence hearings, there

18 will be expert evidence from someone in relation to

19 cell site analysis and associated techniques. Just to

20 provide some context to the evidence that you're about

21 to give, and based upon your report, every time a

22 mobile telephone makes a call or receives a call or

23 sends or receives a text message, it will connect to

24 one of many cell towers which dot Northern Ireland and

25 the Republic of Ireland?

26 A. That's correct.

27 42 Q. And indeed did so in 1998?

28 A. That's correct, yes.

29 43 Q. Each tower has a designation and mobile phone operators

1 log the connections to their services by reference to
2 the tower designation?

3 A. That's right.

4 44 Q. And so in that way, it is possible to keep and obtain a
5 record of which particular mobile telephone has been
6 linked to which particular cell tower at particular
7 points in time?

8 A. That's correct.

9 45 Q. And in doing so, that can be used, there are a number
10 of purposes, but one can be to track the movements of a
11 phone over a period of time?

12 A. Absolutely, yes.

13 46 Q. And that's the position now and was the position in
14 1998?

15 A. Yes, correct.

16 47 Q. So, those two mobile telephones were used to make
17 telephone calls on the afternoon of 15th August?

18 A. They were.

19 48 Q. And from the telephone traffic on those two telephones,
20 what was it possible to ascertain?

21 A. So, it was possible to roughly map a route from County
22 Monaghan and County Louth to, travelling northwards to
23 Omagh, County Tyrone and then subsequently later on
24 back.

25 49 Q. So, what we see is the handsets travelling north --

26 A. Travelling northwards.

27 50 Q. -- to the area of Omagh in the period before the
28 bombing and then travelling backwards in the period
29 after the bomb car had been left --

1 A. That's correct.

2 51 Q. -- in Omagh. And as you've said already, this is the
3 only reliable source of information?

4 A. It is.

5 52 Q. -- about the route taken by the bomb car?

6 A. It is.

7 53 Q. -- and the scout car. On the basis of the data from
8 those two mobile telephones, was it possible for a map
9 outlining the most probable route taken from the
10 Republic of Ireland to Omagh to be prepared?

11 A. It was, yeah. Mr. Paul Creaner from the Garda Mapping
12 Section prepared a most probable route map.

13 54 Q. And we have available the map that shows that route as
14 slide 76.

15 A. Yeah.

16 55 Q. And that is showing a route to Omagh from
17 Castleblayney, is that correct?

18 A. Castleblayney, yeah.

19 56 Q. And Castleblayney is to the northwest of Dundalk?

20 A. It is.

21 57 Q. And linked directly to Dundalk by the N53 road?

22 A. It is.

23 58 Q. And was Castleblayney identified as the starting point
24 for the map because that was the starting point for the
25 cell site evidence?

26 A. Yes.

27 59 Q. So, that isn't to say that that's where the car started
28 off from?

29 A. No.

1 60 Q. But that was just where you had the first evidence of
2 cell site usage --
3 A. Exactly, yes.
4 61 Q. -- Castleblayney. And the route that was identified by
5 Mr. Creaner had the entry point into Northern Ireland
6 as being Aughnacloy?
7 A. Aughnacloy.
8 62 Q. Via Emyvale?
9 A. Emyvale, yeah.
10 63 Q. Now, that can go from the screen, thank you, Mr. Suter.
11 Did a Detective Sergeant in the Garda Mapping Section
12 also prepare a number of maps?
13 A. Yeah, Detective Sergeant Michael Campbell prepared a
14 number of maps outlining the location of the cell
15 sites, mobile phone towers on the maps.
16 64 Q. And we can see an index --
17 A. Yes.
18 65 Q. -- at Slide 78 --
19 A. Mm-hmm.
20 66 Q. -- outlining the mast number and the location of the
21 cell site mast --
22 A. Yes.
23 67 Q. -- in question. And they run from mast number 1
24 through to mast number 11.
25 A. Yeah, that's correct.
26 68 Q. And although they're numbered 1 to 11, we shouldn't
27 understand that 1 to 11 were their formal designations
28 by the mobile phone providers?
29 A. No. No, no.

1 69 Q. They were the designations for the purposes of the map?
2 A. Exactly.

3 70 Q. And would you tell us the location of each of those
4 masts numbered 1 to 11, please?
5 A. Yeah, sure. So mast number 1 is Derrygasson, Emyvale,
6 County Monaghan; (2) Corcaghan, County Monaghan; (3)
7 Clontibret, County Monaghan; (4) Castleblayney, County
8 Monaghan; (5) Aclint Tallanstown, Ardee, County Louth;
9 (6) Dundalk, County Louth; (7) Claremont Cairn,
10 Ravensdale, Dundalk, County Louth; (8) Killydonagh,
11 Emyvale, County Monaghan; (9) Tirkeenan, Monaghan,
12 County Monaghan; (10) Mahercrom, Kingscourt, County
13 Cavan; and (11) Drumnasillagh, Ballymascanlan, County
14 Louth.

15 71 Q. Was Detective Sergeant Campbell then able to map those
16 cell sites on to Ordnance Survey maps?
17 A. He was, yes.

18 72 Q. And we have those maps, first of all as slide 80.
19 A. Yeah.

20 73 Q. And we see the locations --
21 A. Yeah.

22 74 Q. -- of 1 to, I think, mast 10 --
23 A. That's right.

24 75 Q. -- on that particular map. And then if we go to
25 slide 82, we're able to see the location of mast 11?
26 A. Yeah, that's correct.

27 76 Q. And I should have been clearer in my question; the maps
28 that we've just seen on the screen and the work of
29 Detective Sergeant Campbell that you've described, was

1 that work that was conducted as part of the original
2 investigation?

3 A. It was, yes.

4 77 Q. So that was work that was conducted by the AGS back at
5 the time --

6 A. It was.

7 78 Q. -- of that investigation?

8 A. It was.

9 79 Q. But was work also undertaken by the RUC in Northern
10 Ireland into cell site issues?

11 A. It was, yes, on the cell sites north of the Border.

12 80 Q. So, the AGS doing their work on the south of the Border
13 and the RUC doing their work to the north of the
14 Border?

15 A. Absolutely, yeah.

16 81 Q. But with cooperation between the two forces?

17 A. It seems that the information was freely shared between
18 both forces.

19 82 Q. And with regard to the telephone calls made by those
20 two telephone numbers, 585 and 980, in Northern
21 Ireland, was someone called Raymond Clive Green
22 involved?

23 A. Yes, so -- he was, yes. He was a fraud investigation
24 manager with Vodafone and he provided a list of what
25 they call toll tickets to the RUC. These were then
26 supplied to An Garda Síochána.

27 83 Q. So, he prepared what were call toll tickets relating to
28 those two mobile telephone numbers and they were then
29 provided to the AGS?

1 A. That's right.

2 84 Q. And are those toll tickets documents that should be
3 interpreted as showing the date, time, number dialled
4 and incoming number and cell site number and location
5 for 980 and 585?

6 A. Yes. That's my understanding of it, yes.

7 85 Q. And these days we might call them call data records?

8 A. Yes.

9 86 Q. But at that time they were describing them as toll
10 tickets. So let's look, first of all, at the toll
11 ticket. So, this is the Northern Ireland side of
12 things, the toll ticket for the mobile telephone number
13 ending 585, which is attributed to Colm Murphy because
14 it was registered to him. So, slide 84, please. And
15 so we can see there a series of calls made by 585 --

16 A. Yes.

17 87 Q. -- on 15th August.

18 A. Yes.

19 88 Q. Starting out at 1:29:48 that day.

20 A. Yeah, that's right.

21 89 Q. And the number called the 980 number attributed to
22 Terrence Morgan, for the reasons we've given.

23 A. Mm-hmm.

24 90 Q. How long was that call?

25 A. One minute and three seconds.

26 91 Q. And the location of the cell site upon which that call
27 was made?

28 A. So, it's listed as Pound Hill Centre, 2 Moore Street,
29 Aghnacloy, County Tyrone.

1 92 Q. So, this is Aughnacloy, so the point, the location at
2 which --
3 A. The Border crossing essentially, yeah.
4 93 Q. The Border crossing essentially. And so this is why
5 we're now seeing the product of the work in Northern
6 Ireland?
7 A. Yes.
8 94 Q. Then the next call at 13:57:54, again the number called
9 the 980 number attributed --
10 A. That's correct yes.
11 95 Q. -- to Terrence Morgan. And the duration of that call?
12 A. It's 28 seconds.
13 96 Q. And the location of the cell site at that time?
14 A. So it's Omagh College of Further Education, Bridge
15 Street, Omagh.
16 97 Q. So, the 585 handset has moved north, as you've told us
17 already, from the Border crossing at Aughnacloy to the
18 area of Omagh?
19 A. That's right. That's right.
20 98 Q. The next call, 14:09, is an incoming call?
21 A. Yes, that's right. 33 seconds.
22 99 Q. And utilising which cell site?
23 A. So, it's a cell site at Pigeon Top, Pollnalaght, County
24 Tyrone, which is outside of Omagh.
25 100 Q. And commonly during the course of the Inquiry's oral
26 evidence process that will be referred to as the Pigeon
27 Top --
28 A. Pigeon Top, yes.
29 101 Q. -- cell site. Then at 14:10:56 there is an outgoing

1 call from 585 --
2 A. Yeah.
3 102 Q. -- to a number ending 430?
4 A. 430 is correct, yes.
5 103 Q. Duration?
6 A. 17 seconds.
7 104 Q. And utilising that same Pigeon Top cell site?
8 A. Same Pigeon Top. That's right, yes.
9 105 Q. At 14:19:10 an incoming call to 585 and the length of
10 that call being?
11 A. It's 32 seconds. And again from Pigeon Top cell site.
12 106 Q. And then since it's on the screen, at 14:38, another
13 call from 585 to that 430 number.
14 A. Yeah.
15 107 Q. With the duration?
16 A. Of ten seconds. And this one then is at Cranlome,
17 which is in Ballygawley in Tyrone.
18 108 Q. So, putting the material that was generated in the
19 Republic of Ireland together with the material
20 generated in Northern Ireland, we have that northward
21 movement of the 585 handset --
22 A. That's correct.
23 109 Q. -- associated with Colm Murphy --
24 A. Yeah.
25 110 Q. -- to the area of Omagh. And, as we've seen, there are
26 contacts with the 980 number associated with
27 Terrence Morgan --
28 A. That's right.
29 111 Q. -- over the period of that journey?

1 A. That's correct.

2 112 Q. Then we can perform a similar exercise in terms of
3 tracking the movement by looking next at slide 90,
4 please. So, is this a map generated by the AGS?

5 A. It is, I think, yes.

6 113 Q. And does it chart the calls, movement and times
7 indicating the locations of the phone 585 travelling
8 northwards from the Republic of Ireland --

9 A. It does, yes.

10 114 Q. -- towards the Border?

11 A. It does.

12 115 Q. If we can just enlarge that. There are the calls.
13 First of all, 12:41, Castleblayney?

14 A. Yeah.

15 116 Q. 585 ringing 980?

16 A. Yeah, that's correct.

17 117 Q. And at Emyvale?

18 A. 13:13, same call and it's clear that the phone has
19 moved in a northerly direction over the course of that
20 period of time.

21 118 Q. So that is depicting the product of the work in the
22 Republic of Ireland. Then if we go to slide 92. And
23 is this a slide that was produced by the RUC?

24 A. This is an RUC slide, yes.

25 119 Q. So this is their work?

26 A. It's a map, I should say.

27 120 Q. So this is their work on their side of the Border?

28 A. Yeah.

29 121 Q. Again charting the movement of that 585 phone, still

10:27

1 ever northward, once it's crossed Border --

2 A. Yes.

3 122 Q. -- to the area of Omagh?

4 A. That's correct.

5 123 Q. It's showing that call at 13:29 at Aughnacloy?

6 A. That's right.

7 124 Q. A call to Terrence Morgan. Then the call at 13:57 --

8 A. That's right.

9 125 Q. -- again to the phone associated, I should say, with

10 Terrence Morgan. At 14:09 --

11 A. Yeah.

12 126 Q. -- 585, receiving a call from the phone associated with

13 Terrence Morgan. Then at 14:10 we see the call to

14 430 --

15 A. That's right.

16 127 Q. -- which I mentioned earlier. And on this cell site

17 map we can see that that number is attributed to a

18 person called Oliver Treanor?

19 A. That's right.

20 128 Q. And then at 14:19, 585 receiving a call from Terrence

21 Morgan?

22 A. That's correct.

23 129 Q. And then that subsequent call that we'll get to later

24 at 14:38 --

25 A. Yeah.

26 130 Q. -- another call to Terrence Morgan --

27 A. Okay.

28 131 Q. -- Oliver Treanor, thank you very much.

29

1 And there is also a slide 94, which we won't deal with
2 at this stage, Detective Superintendent. Slide 94
3 deals with the movement of that 585 phone back from the
4 area of Omagh --
5 A. That's correct.
6 132 Q. -- to the Republic of Ireland?
7 A. Yes.
8 133 Q. And that is a subsequent part of --
9 A. Yeah.
10 134 Q. -- Chapter 3. So we'll get to that --
11 A. Yeah.
12 135 Q. -- in due course. So, next we'll go to slide 95 as we
13 move through the slides.
14 A. Mm-hmm. Yeah.
15 136 Q. And this is a chart which seeks to bring together the
16 calls made on, and received by, the 585 number
17 associated with Colm Murphy --
18 A. Yes.
19 137 Q. -- on 15th August.
20 A. Yeah, exactly.
21 138 Q. And I'm not going to take you through each of those
22 calls, at least in relation to this chart, but this is
23 a chart which accurately sets out what the underlying
24 telecommunications data shows in relation to that
25 phone.
26 A. That's correct, yes.
27 139 Q. Now, we're next going to look at a series of other
28 charts that have been produced, just so that they are
29 placed into evidence. So, first of all, slide 90,

1 please. And this is the slide that we've looked at
2 already --
3 A. Yeah.
4 140 Q. -- produced by the AGS. And that shows that at 12:42
5 on 15th August a call was made by the 585 number to the
6 980 number.
7 A. That's right.
8 141 Q. Lasting 14 seconds in duration.
9 A. Mm-hmm.
10 142 Q. And did the call data records show that the call
11 originated from the service provider, Eircell's
12 Castleblayney cell site?
13 A. It did, yes.
14 143 Q. And where within Castleblayney was that cell site
15 located?
16 A. It's in Castleblayney Town.
17 144 Q. That same slide, slide 90, shows that at 1313 hrs on
18 15th August a further call was made from the 585
19 number, again to the 980 number associated with
20 Terrence Morgan, lasting for 17 seconds in duration.
21 A. Yes, that's right.
22 145 Q. And did the underlying data records show that that call
23 had utilised Eircell's Emyvale site?
24 A. It did, it used the site at Derrygasson, Emyvale,
25 County Monaghan.
26 146 Q. And was the call processed by an Eircell repeater mast
27 at Killydonagh, Emyvale?
28 A. That's right, it was, yes.
29 147 Q. That being an extension of the main site at

1 Derrygasson?

2 A. It was, yeah, that's right.

3 148 Q. Now, to track the movements of 585, we next need to go
4 to the slide at 92. And this is now the work of the
5 RUC.

6 A. Mm-hmm.

7 149 Q. And did this reveal that at 13:29 on the same day, 15th
8 August, a call was made from 585 to, again, the 980
9 number?

10 A. Yes.

11 150 Q. Lasting for one minute and three seconds?

12 A. That's right. That's correct.

13 151 Q. And was it that call that utilised a now Vodafone cell
14 site?

15 A. It was, yes, in Aughnacloy, County Tyrone.

16 152 Q. And at 13:57, did the data reveal that a call was made
17 from 585 once more to 980 lasting for 28 seconds?

18 A. It did, yes.

19 153 Q. And where was the cell site that that call utilised?

20 A. It's the Vodafone cell site in Omagh, County Tyrone.

21 154 Q. So this, as we've established already, is 585
22 travelling north from the Republic of Ireland into
23 Northern Ireland and entering the area of Omagh?

24 A. That's right.

25 155 Q. And then still on this same map, did the data reveal
26 that at 1410 hrs, or 2:10 p.m., a call was made from
27 the 585 number associated with Colm Murphy to the 430
28 number associated with Oliver Treanor?

29 A. That's right.

1 156 Q. Lasting for 17 seconds in duration?
2 A. Again correct, yes.
3 157 Q. Where did the data reveal that call was utilising?
4 A. The Pigeon Top site outside of Omagh.
5 158 Q. Now, the next series of calls all relate to the journey
6 back to the Republic of Ireland subsequently and we'll
7 get to those in due course, but for now we'll just
8 stick with the calls and the movements of the phones --
9 A. Of course.
10 159 Q. -- up until 14:28.
11 A. Okay.
12 160 Q. So we've now seen the movement of 5885. We'll next
13 look at the movements of 980, so that number associated
14 with Terrence Morgan. So, we're going to be looking at
15 the position from the point of view of that phone. So,
16 first of all could we have on the screen, please,
17 slide 97. So, again, on the screen are we looking at a
18 chart which seeks to draw together the various
19 communications in which that 980 number was involved on
20 15th August?
21 A. That's right, yes.
22 161 Q. And I'm not going to take you through all of that,
23 because we'll see the calls on the cell site charts in
24 due course. But we see now another number which is
25 highlighted in red, a number which ends with the three
26 digits, 259.
27 A. We do, yeah.
28 162 Q. And in the chart, that number is associated with
29 someone who is there described as 'Shanty' Brown?

1 A. Yeah, it is.

2 163 Q. 'Shanty' Brady, forgive me?

3 A. 'Shanty' Brady, yeah.

4 164 Q. So, slide 99 next, please. And this is a chart that
5 we're now very familiar with. This is showing, as
6 we've agreed, the product of the work of the AGS and
7 showing those calls in which the 980 number was
8 involved.

9 A. Yeah.

10 165 Q. We'll next go to slide 101, please. Again, we're very
11 familiar with this, but we're looking at it from the
12 point of view of 980. Did the work of the RUC
13 demonstrate that at 14:09 on 15th August the 980 number
14 made a telephone call to the 585 number lasting for
15 33 seconds?

16 A. It did, yes.

17 166 Q. And which cell was being utilised by that handset to
18 make that call?

19 A. The Vodafone cell on Bridge Street in Omagh.

20 167 Q. So, again, drawing the data together, the 980 number, 10:37
21 similarly to the 585 number, has moved northwards --

22 A. Yes.

23 168 Q. -- from the same area of the Republic of Ireland to the
24 same general area of Northern Ireland?

25 A. That's correct.

26 169 Q. At similar times. And do we also see that at 14:14 on
27 15th August, the 980 number made a call to that 259
28 number that we've just seen?

29 A. Yes.

1 170 Q. That number of, or associated with 'Shanty' Brady?
2 A. Mm-hmm, that's right.
3 171 Q. Otherwise known as Derek 'Shanty' Brady?
4 A. Mm-hmm.
5 172 Q. Is that correct?
6 A. That's correct, yes, sorry.
7 173 Q. Where did the data reveal that that call was made from
8 in terms of a cell site utilised?
9 A. Yes, it's Pigeon Top outside of Omagh.
10 174 Q. And then at 1419 hrs, did the data reveal that 980 made
11 a call to the 585 number?
12 A. It did. It did.
13 175 Q. And did that call last for 32 seconds in duration?
14 A. Again correct, yes.
15 176 Q. And which cell was utilised to make that call?
16 A. The same site, Pigeon Top outside of Omagh.
17 177 Q. And, again, there are a number of subsequent calls, all
18 dealing with the journey back to the Republic of
19 Ireland, but that concludes, unless I've missed
20 something, the calls that are relevant to our Part 4,
21 the period up until 14:28?
22 A. Yes.
23 178 Q. Now, Detective Superintendent, within the report
24 prepared by the AGS there is a substantial section
25 which details the identification of the coverage area
26 for particular cell sites.
27 A. There is.
28 179 Q. And it's headed "Cell Site Enquiries"?
29 A. Yes.

1 180 Q. And that section, which runs to perhaps three or four
2 pages, relies upon work that was undertaken by an
3 expert in such matters who had been instructed by the
4 RUC?

5 A. That's correct, yes.

6 181 Q. And so could I indicate that we are grateful for the
7 work that has been done by the AGS to digest that
8 material within the report, but insofar as we need to
9 address the expert evidence that was obtained by the
10 RUC, we will do it separately from this process?

11 A. Yes. No, that's fine. Perfect.

12 182 Q. And I hope that's understood and accepted?

13 A. Yeah, yeah, that's fine.

14

15 [End of video]

10:40

16

17 MR. DE LA POER: Sir, that concludes the prerecorded
18 evidence in relation to Part 4 from the An Garda
19 Síochána. Can I invite you to rise just for five
20 minutes right now, so not a full morning break, the
21 purpose of this is to that a copy of the timeline can
22 be distributed to everybody who wants a physical copy
23 in the room and if I could just ask everybody to do
24 their best to confine themselves to that five minutes,
25 so we can re-start promptly please.

10:41

26

27 Members of the Inquiry secretariat will be at the back
28 distribute those.

29 THE INQUIRY ADJOURNED BRIEFLY

10:41

1 THE INQUIRY RESUMED AS FOLLOWS:

3 CHAIRMAN: Mr. de la Poer.

4 MR. DE LA POER: Sir, thank you. Before we resume with
5 Mr. Safranauskas who remains under oath from last week. 10:49

6 Can I remind everyone by way of housekeeping of two
7 matters. Firstly, in terms of the hard copies, please
8 do not mark those as they are being reused over the
9 course of this week. And, secondly, Sir, that at
10 INQ 049121 or 049563, there are available 10:49
11 electronically to Core Participants the Excel or the
12 word versions of the timeline respectively.

13 CHAIRMAN: Good morning, Mr. Safranauskas.

14 THE WITNESS: Morning, Sir.

15
16 MR. MARK SAFRANAUSKAS, CONTINUED TO BE QUESTIONED BY
17 MR. DE LA POER AS FOLLOWS:

18
19 183 Q. MR. DE LA POER: Mr. Safranauskas, we are going to
20 resume with the timeline and your presentation please? 10:49

21 A. Yes.

22 184 Q. The timeline is at page 21 for Part 4?

23 A. Yes.

24 185 Q. And as before, we're going to, between us, work through
25 what we see there, work through what you have created 10:50
26 in the presentation, and, where appropriate, draw out
27 some of the matters which may be of significance?

28 A. That's fine, yeah.

29 186 Q. So, our Part 4 period starts at midnight on 15th of

1 August and runs through to 14:28 (inclusive)?

2 A. Yes.

3 187 Q. And is this right, it covers the period on the 15th

4 before the first bomb warning call made to UTV?

5 A. Yes. 10:50

6 188 Q. [Presentation played]. So, we start at row 167. The

7 first call that has been recorded here is a call by the

8 green 076 phone to Seamus Daly, I think we have that on

9 screen as well.

10 A. Yes. 10:51

11 189 Q. And we can see the cell site that is being used, Ardee

12 East, which is in the Republic of Ireland?

13 A. It is, yes.

14 190 Q. And because the scale of this map is slightly different

15 from what we were looking at on Thursday, I think we 10:51

16 would need to go up and to the right to find Dundalk

17 where we had focused much of Thursday's evidence?

18 A. Yes, around here.

19 191 Q. That is at 4:20 in the morning. We then move through

20 to more ordinary waking hours, 8:08:20, this is the 10:51

21 Peter Campbell pink phone. Do we have cell site for

22 that?

23 A. We do, yes.

24 192 Q. And where is that cell site please?

25 A. It is situated in the Clermont Carn area. 10:51

26 193 Q. We heard Detective Superintendent Casserly describe

27 that as Clermont Cairn, I think you're familiar with

28 the documentation it sometimes has an I in it and

29 sometimes has an S on the end?

1 A. Yes, correct.

2 194 Q. But they are one and the same place?

3 A. Yes.

4 195 Q. So, that is up -- the location of that cell is up
5 towards the Border, north and east of Dundalk? 10:52

6 A. Yes.

7 196 Q. And the purpose of this entry, as with others we saw on
8 Thursday, is to indicate the cell site location for
9 Peter Campbell, it's not the significance of the person
10 to whom he is in contact? 10:52

11 A. No.

12 197 Q. Next, row 169, we are going to see a sequence, a total
13 of six of these calls which cover a period of about 10
14 or 15 minutes?

15 A. Yes. 10:52

16 198 Q. Mr. Safranauskas, I think you have identified something
17 about the 804 call box which is located on Newry Road
18 in Dundalk, to draw our attention to?

19 A. Yes, I have, yeah. So, again, going back into the
20 timeline at around 17:55 on the evening of the 14th, so 10:53
21 the evening prior to the 15th.

22 199 Q. If we look at page 16, is that where we should be
23 directing our attention?

24 A. Yes, top of page 16, row 141, so the bottom of page 16.

25 200 Q. Bottom of page 16. So, we keep one finger in the hard 10:53
26 copy page 21 but turn back. So, just walk us through,
27 please, what you're drawing out about entry 141?

28 A. So, if we look at the three numbers associated with the
29 number, so 804, public call box, Newry Road, Dundalk,

1 we see an outgoing phone call from that call box to
2 that of Derek 'Shanty' Brady, the 259 yellow phone,
3 lasting two seconds, that's the evening before.

4 201 Q. So, public call box contacting the Derek 'Shanty'
5 Brady, yellow phone? 10:54

6 A. Yes.

7 202 Q. Contact, whatever it may have been, very short, only
8 two seconds?

9 A. Yes, correct.

10 203 Q. And that is just over 12 hours, have I got that right, 10:54
11 before?

12 A. Yes.

13 204 Q. And then if we go back to where we were on row 169 on
14 page 21, we see that same call box and can you confirm
15 that we are going to now work through a sequence of 10:54
16 calls, all of which share these characteristics, that
17 call box is calling the Seamus Daly green phone?

18 A. That's right, yes.

19 205 Q. This is the first of them. This contact lasted how
20 long, please? 10:54

21 A. 39 seconds.

22 206 Q. And then if we move through, please, to row 170.
23 [Presentation played]. We are now two minutes in time
24 on, so approximately a quarter of that period would
25 have been spent by way of a connection? 10:55

26 A. Yes.

27 207 Q. And then we've got a four-second call, is that right?

28 A. Yes, it is.

29 208 Q. Then if we move forward five minutes in time, very

1 short contact, two seconds?

2 A. Yes.

3 209 Q. And the fourth in the sequence is still only less than
4 10 minutes from the start of the first call, this time
5 a one-second call? 10:55

6 A. Yes.

7 210 Q. At 9:44:26?

8 A. Yes, that's right.

9 211 Q. We'll just pause that sequence because there are two
10 events which intervene that chronologically speaking? 10:55

11 A. Yes.

12 212 Q. Moving forward, please, we have a 9:44:49 and this one,
13 again, a call for the purpose of indicating which cell
14 site the 456 Patrick 'Mooch' Blair phone is using?

15 A. Yes, that's right. 10:56

16 213 Q. That is one that is located in the Dundalk area?

17 A. Correct.

18 214 Q. And then move forward again. [Presentation played].
19 So, here we have a very unusual entry, don't we --

20 A. We do, yes. 10:56

21 215 Q. -- Mr. Safranauskas, it's been included for two
22 reasons; firstly, because of its duration, it's
23 substantial contact of one minute and 21 seconds?

24 A. Yes.

25 216 Q. And that contact is with the red 430 phone? 10:56

26 A. Yes.

27 217 Q. Provisionally attributed at this time to Liam Campbell?

28 A. Yes.

29 218 Q. And, secondly, because it shows us where that phone is

1 approximately, by reference to the mast that it is
2 using?

3 A. Yes.

4 219 Q. A mast located up near the Border between Republic of
5 Ireland and Northern Ireland? 10:57

6 A. Yes.

7 220 Q. Again, that Clermont Carn cell?

8 A. Yes.

9 221 Q. What is, perhaps, unusual about this, is that the data
10 does not reveal the number from which that call was 10:57
11 made?

12 A. No, it doesn't.

13 222 Q. If we return to our sequence of six now. We are, we
14 remind ourselves, under four minutes on from the last
15 contact or attempted contact between the call box and 10:57
16 the 076 phone?

17 A. We are, yes.

18 223 Q. And another very short, one-second contact, between, is
19 that right?

20 A. Yes, it is, yes. 10:58

21 224 Q. Then finally, 9:50:23, another one-second contact?

22 A. Yes.

23 225 Q. So, we're now moving towards ten o'clock and we can see
24 the Colm Murphy landline is contacting Sile Grew, the
25 woman who worked at the Emerald Bar which Colm Murphy 10:58
26 owned?

27 A. Yes.

28 226 Q. A relatively short contact, 15 seconds?

29 A. Yes, that's right.

1 227 Q. Now, we'll turn over the page, please. [Presentation
2 played]. This is cell site entry, is that right?

3 A. It is, yes.

4 228 Q. It is for the phone that we spent quite a lot of
5 Thursday looking at, the Donegan 498 handset? 10:59

6 A. Yes.

7 229 Q. How long was the contact for?

8 A. One minute and 18 seconds.

9 230 Q. What was the cell that was used?

10 A. The 0375 located in Dundalk. 10:59

11 231 Q. [Presentation played]. And then we have 10:58, our
12 row 179, 076 handset?

13 A. Yes.

14 232 Q. This is Seamus Daly's ordinary phone?

15 A. It is, yes. 10:59

16 233 Q. The Martin McGeough landline?

17 A. Yes.

18 234 Q. And at this time the 076 phone at just before
19 11 o'clock on the morning of the 15th is using a cell
20 site up to the north and east of Dundalk? 10:59

21 A. Yes, that's right.

22 235 Q. If we move forward, please. [Presentation played].
23 Now, just pause it here. We heard last Monday
24 Mr. Greaney in his opening address, refer to the
25 concepts or phrase that is used within law enforcement, 11:00
26 of a phone "going dark"?

27 A. Yes.

28 236 Q. Is that a term that you're familiar with?

29 A. Yes.

1 237 Q. Do you understand that term to mean it is when a phone
2 ceases to have user-generated activity for a period of
3 time?
4 A. Yes.

5 238 Q. And that an inference that may be available is that 11:00
6 they have made a deliberate decision either to leave
7 that phone somewhere else to where they're going, or
8 just to not use it or switch it off?
9 A. Exactly that, yes.

10 239 Q. And do you see, in law enforcement investigations, 11:00
11 inferences being invited in prosecutions based upon
12 that concept of a phone going dark?
13 A. I do, yes.

14 240 Q. And is the inference that when a person stops using
15 their handset for another period that they may be using 11:01
16 a different handset for that period?
17 A. That can be an explanation as to why, yes.

18 241 Q. So, we can see at 10:58, this is the last
19 user-generated activity on this handset until after the
20 attack? 11:01
21 A. Yes.

22 242 Q. So, we'll play on please. [Presentation played]. Now,
23 we pick up from where we were on Thursday, and as you
24 trailed on Thursday, the 980 handset ordinarily used by
25 Terence Morgan, was handed in this working hypothesis 11:02
26 to Colm Murphy on the evening of the 14th?
27 A. Yes.

28 243 Q. But that from this point onwards - and we're going to
29 see a call very shortly involving that handset - the

1 attribution to Colm Murphy is no longer maintained but
2 rather the attribution changes?

3 A. Yes.

4 244 Q. I think you have used an animation here to demonstrate
5 this. [Presentation played]. So, from this point the 11:02
6 working hypothesis is to provisionally attribute 980 to
7 Seamus McKenna?

8 A. That's right, yes.

9 245 Q. Similarly, we remind ourselves from your evidence on
10 Thursday and indeed Wednesday, that the ordinary user 11:02
11 of 585 was Colm Murphy?

12 A. Yes.

13 246 Q. A phone subscribed to him?

14 A. Yes.

15 247 Q. But from this point we are recording it in the hands of 11:03
16 a different person?

17 A. Yes, we are.

18 248 Q. And who is that?

19 A. Seamus Daly.

20 249 Q. Are we going to see those changes in user provisional 11:03
21 attribution reflected in your presentation from this
22 point?

23 A. From 12:41 onwards, yes.

24 250 Q. And indeed we'll see that in our timeline as well?

25 A. Correct. 11:03

26 251 Q. So, we move forward please to 12:13:09. We have the
27 light blue 406 Oliver Treanor phone?

28 A. Yes.

29 252 Q. And that is calling the pink Peter Campbell phone?

1 A. Yes.

2 253 Q. And in terms of cell site do we have cell site
3 information for one of those phones?

4 A. For the 971 pink phone, yes.

5 254 Q. Using Clermont Carn? 11:04

6 A. Yes, correct.

7 255 Q. And a not insubstantial duration, one minute and 18
8 seconds?

9 A. That's right, yes.

10 256 Q. [Presentation played]. Now, our next entry 11:04
11 Mr. Safranauskas, I'm sure you will agree, is the first
12 in a sequence of what are regarded as entries of the
13 highest importance?

14 A. They are, yes.

15 257 Q. So, let's just take this nice and slowly and we'll go 11:04
16 over it as this develops, we heard something of it from
17 Detective Superintendent Casserly but you'll be able, I
18 anticipate, to add a little more detail?

19 A. Okay.

20 258 Q. Row 183, we have marked the Castleblayney cell site? 11:04

21 A. Yes.

22 259 Q. 6598?

23 A. Yes.

24 260 Q. That is a cell mast which is located inside the
25 Republic of Ireland? 11:05

26 A. It is, yes.

27 261 Q. And it is located not far from the Border?

28 A. No.

29 262 Q. 585 now in the hands of Seamus Daly on the provisional

1 attribution?

2 A. Yes.

3 263 Q. 980 in the hands of Seamus McKenna --

4 A. Yes.

5 264 Q. -- on the provisional attribution. Now, we don't have 11:05
6 cell site available, as matters stand, for the 980
7 phone?

8 A. No.

9 265 Q. That's your understanding, isn't it?

10 A. It is, yes. 11:05

11 266 Q. We will hear from Dr. Tart about that on Thursday.
12 Now, you have animated on this presentation "SC"?

13 A. Yes.

14 267 Q. What does "SC" stand for?

15 A. Scout car. 11:05

16 268 Q. Now, is this right, that as your understanding goes, we
17 don't know, because the investigation didn't reveal,
18 exactly where the scout car started its journey from?

19 A. No.

20 269 Q. What we do know is that the 585 mobile used a cell at 11:06
21 Castleblayney at 12:41:30?

22 A. Yes, that's right.

23 270 Q. And that could be consistent with the place that it
24 began from but, equally, it may be that the car had
25 travelled from somewhere else before it reached that 11:06
26 cell, the range of that mast at 12:41?

27 A. Yes.

28 271 Q. Now, your animation we're going to see, is very much a
29 straight line animation, isn't it?

1 A. Yes.

2 272 Q. You know that cell site data does not allow a person to
3 identify precisely, on the basis of a single mast,
4 where a vehicle is?

5 A. Correct. 11:07

6 273 Q. That's certainly your experience within law
7 enforcement?

8 A. Yes.

9 274 Q. And so, is this right, you should not be taken to be
10 indicating the precise location of the vehicle at this 11:07
11 time?

12 A. I'm not, no.

13 275 Q. Are you, instead, representing a direction of travel,
14 based on what you know is going to come next?

15 A. Yes. 11:07

16 276 Q. And, so, the fact that the marker is currently showing
17 just over the Border in Northern Ireland and then
18 apparently crossing the Border, are you being
19 deliberately crude in the sense of non-specific here,
20 so as to emphasise the point that you are not 11:07
21 representing a particular road being used?

22 A. Yes, that's correct.

23 277 Q. If we just play on, we are understanding that what you
24 are seeking to communicate here is a general direction
25 of travel? 11:07

26 A. Yes. [Presentation played]. So, again, with this its
27 current representation is that of a circle, you may see
28 other markers that I present where they're pointed, the
29 point being where there is a specific location either

1 at least known or with the intention to depict
2 specifically where it is. In this instance, this is a
3 circle to prevent the assumption that I'm trying to
4 indicate exactly where it is. And subsequent data
5 points have been my motivation for the direction of 11:08
6 travel of it.

7 278 Q. So, you would be the first to accept that depending on
8 which way that cell is orientated and what its range
9 is, that marker would be anywhere within that range?

10 A. Correct, yes. 11:08

11 279 Q. So, that is our first entry of the highest importance.
12 Let us continue with the presentation, please.
13 [Presentation played]. So, here we have a reverse of
14 what we saw at row 182?

15 A. Yes. 11:09

16 280 Q. So, about half an hour or so after that call ended, the
17 971 pink handset attributed to Peter Campbell calling
18 the 406 pale blue Oliver Treanor?

19 A. Yes, that's right.

20 281 Q. And the 971 continues to be using a mast located in an 11:09
21 area north and east of Dundalk?

22 A. That's right, yes.

23 282 Q. Next, 185. [Presentation played]. An entry just about
24 the Anthony Donegan phone here. Now, this one, can I
25 just draw attention to, you've marked it at Dundalk, in 11:10
26 fact Dundalk is some distance away from where that cell
27 is?

28 A. Yes.

29 283 Q. That beacon is flashing. Should, in fact - and you'll

1 be able to correct this on a subsequent presentation -
2 be indicated down to the right?

3 A. Yes, that should be in this locality. I apologise for
4 that.

5 284 Q. Not at all. There'll be an opportunity for that to be 11:10
6 corrected when we hear from Dr. Tart who will be
7 dealing with the interpretation of all of this.
8

9 [Presentation played]. 186, we have the Peter Campbell
10 971 and 406 light blue phone, a similar pattern to the 11:10
11 preceding row but one, another seven second-call, this
12 time at 12:45?

13 A. Yes.

14 285 Q. And the same mast area is being used?

15 A. Yes, that's correct. 11:11

16 286 Q. [Presentation played]. Next, we have a sequence of
17 calls involving Barney's Filling Station?

18 A. Yes.

19 287 Q. Are these what was described by Mr. Greaney a week ago
20 today to be those calls which are termed the "test 11:11
21 calls"?

22 A. Some of them are, yes.

23 288 Q. So, let's play on the presentation. [Presentation
24 played]. So, pausing there, please, just note some
25 factors here or features. The first is that this is a 11:11
26 location which is within a very short distance of the
27 Border, as indicated by the yellow line?

28 A. It is, yes.

29 289 Q. It is just on the Northern Ireland side Of the Border?

1 A. Yes.

2 290 Q. But the Border can be crossed by travelling that
3 distance indicated there in a straight road?

4 A. Yes, correct.

5 291 Q. You have found an image of Barney's Filling Station is 11:12
6 that right?

7 A. Yes.

8 292 Q. Was that taken at the time of the investigation or have
9 you found that from open source footage and just
10 seeking to give a representation of it? 11:12

11 A. This has been taken from Google Street View, not at the
12 time of the bombing, it was taken years later.

13 293 Q. So, the exact layout may have changed but it gives
14 everybody a sense of the space and the place that that
15 first call in this sequence was made from? 11:12

16 A. Yes, correct.

17 294 Q. So play on please. [Presentation played]. Pause
18 there. This is our entry 187 on the timeline?

19 A. Yes.

20 295 Q. We can see that Barney's Filling Station is indicated 11:13
21 by the beacon just down and to the right of centre?

22 A. Yes.

23 296 Q. And up in the top right-hand corner you have indicated
24 the location of The Irish News in Belfast?

25 A. Yes. 11:13

26 297 Q. How long was this call for?

27 A. 32 seconds.

28 298 Q. So, that is the first in the sequence?

29 A. Yes.

1 299 Q. Play on. [Presentation played]. Pause there. This is
2 three minutes later?
3 A. Yes.
4 300 Q. 12:49, an eight-second call. Just identify for us,
5 please, what was the called number, so the recipient? 11:14
6 A. The Omagh Samaritans.
7 301 Q. That is at 12:49. [Presentation played]. Next please.
8 Just pause there. Now, we're at 12:50 here?
9 A. We are.
10 302 Q. The last time we saw 585 dark blue phone was at 12:41, 11:14
11 our row 183, is that right?
12 A. Yes, it is.
13 303 Q. And at that time, 585 was using a cell mast in the
14 Castleblayney area?
15 A. Yes. 11:15
16 304 Q. If you'd like to just indicate on the map, please,
17 where that is. So that's where the mast was located?
18 A. Yes.
19 305 Q. And are we going to see that just before a quarter past
20 one, that same 585 was using a cell in the Emyvale 11:15
21 area?
22 A. Yes.
23 306 Q. Do you want to just indicate for us where that is. So,
24 over a period of just over half an hour the inference
25 is, Mr. Safranauskas, we'll hear from Dr. Tart, that 11:15
26 the 585 handset has moved between the Castleblayney
27 area into the Emyvale area?
28 A. That's right, yes.
29 307 Q. And this call falls between those two data points?

1 A. Yes.

2 308 Q. Because it is an incoming call on the 585, there's no
3 cell site data available that Dr. Tart has described as
4 reliable?

5 A. No. 11:16

6 309 Q. So, you've used a circle rather than a pointer to
7 indicate an approximate location, as you've said,
8 unknown, between those two data points?

9 A. Yes.

10 310 Q. But at all events we can see that at this time the 11:16
11 scout car phone is well on its way towards the Border
12 at the time it receives this call?

13 A. It is, yes.

14 311 Q. And that call was just within a minute of the test call
15 to the Samaritans in Omagh? 11:16

16 A. Yes, that's right.

17 312 Q. The call was 23 seconds?

18 A. Yes.

19 313 Q. And we're going to see that it falls within the
20 sequence between two important locations for the 11:16
21 purpose of the warning calls that were to come?

22 A. Yes.

23 314 Q. Because we know that one of the warning calls was made
24 to the Samaritans in Omagh?

25 A. Yes. 11:17

26 315 Q. But it was diverted to Coleraine?

27 A. It was.

28 316 Q. And the other was made to UTV?

29 A. It was, yes.

1 317 Q. So, our row 188, the Samaritans in Omagh; one minute
2 later a call to the scout car, well on its way towards
3 Omagh.
4 A. Yes.
5 318 Q. And then let us move on, please, to row 190. Again, 11:17
6 Barney's Filling Station. Two minutes later --
7 A. Yes.
8 319 Q. -- a call to UTV?
9 A. Yes, that's right.
10 320 Q. And how long did that call last, please? 11:17
11 A. 17 seconds.
12 321 Q. And once that call was completed, are we going to see
13 more in the sequence, albeit that one wouldn't describe
14 these as a test call?
15 A. No. 11:18
16 322 Q. So, the inference being Irish News a test call to see
17 if they're open on a Saturday?
18 A. Yes.
19 323 Q. The Samaritans in Omagh to see if they're open on a
20 Saturday? 11:18
21 A. Yes.
22 324 Q. Ulster TV to see if they're open on a Saturday?
23 A. Yes.
24 325 Q. Those are three of the four we've looked at, the fourth
25 being a call to the convoy travelling to Omagh? 11:18
26 A. Yes.
27 326 Q. And now we see at 12:54 a call from that same landline,
28 just two minutes after the test call to UTV, and where
29 was that call to please?

1 A. To Town Glass Limited.

2 327 Q. And is that the -- we looked at this in detail last
3 week but we remind ourselves of some of the detail, who
4 are the two key figures who are associated with the
5 ownership of that? 11:19

6 A. Seamus McGrane and Oliver Treanor.

7 328 Q. And who are the three individuals who were employees
8 that we looked at?

9 A. Peter, Michael and Liam Campbell.

10 329 Q. How long was this call for, please? 11:19

11 A. 20 seconds.

12 330 Q. And then within a minute do we see our next entry?

13 A. We do, yes.

14 331 Q. [Presentation played]. We'll just wait for the
15 presentation to display that. This is the 144 purple 11:19
16 phone?

17 A. Yes.

18 332 Q. And this has been provisionally attributed, as we heard
19 last Wednesday, to Town Glass Limited?

20 A. Yes. 11:19

21 333 Q. The difference between this and the previous one being
22 that this is a mobile as opposed to a landline?

23 A. Yes, that's right.

24 334 Q. How long was that car for, please?

25 A. A period of 52 seconds. 11:20

26 335 Q. Now, there are some further calls which we'll see in a
27 moment, from Barney's Filling Station?

28 A. Yes.

29 336 Q. Whilst the sequence we've just looked at appears,

1 because of the timings and the identities of the
2 different users of the handsets, all to be linked; do
3 you agree?

4 A. I do agree, yes.

5 337 Q. The ones we're going to see shortly have been included 11:20
6 because of the proximity in time, is that right?

7 A. Yes.

8 338 Q. But also we remind ourselves that this is a public call
9 box and, therefore, it is possible that they are
10 unrelated, being called by somebody for a different 11:20
11 reason?

12 A. I agree, yes.

13 339 Q. We'll come to those in just a moment. We're going to
14 see here at 12:57, at row 193, a call from Alan Clarke
15 who owned electrical company employing Joseph Fee, is 11:20
16 that right?

17 A. That's right, yes.

18 340 Q. Also employing Sean Hoey?

19 A. Yes.

20 341 Q. That was a four-second call? 11:21

21 A. It was, yes.

22 342 Q. Followed very shortly by a call from Joseph Fee to his
23 answer phone?

24 A. Yes.

25 343 Q. Based on the provisional attribution? 11:21

26 A. Correct, yes.

27 344 Q. [Presentation played]. Turn to Barney's Filling
28 Station; this is a call at 58 minutes past 12, so it's
29 separated in time by just under three minutes, bearing

1 in mind that the Town Glass mobile call was nearly a
2 minute in length?

3 A. Yes.

4 345 Q. So, less than three minutes and this is to an
5 unattributed number ending 453? 11:21

6 A. Yes, that's right.

7 346 Q. And then a minute after that, a substantial call. How
8 long did this one last, please?

9 A. One minute and 39 seconds.

10 347 Q. Where was being called? 11:22

11 A. Robert Murphy Newsagents.

12 348 Q. Now, we're going to continue moving through.
13 [Presentation played]. Our next one, as it appears on
14 screen, is another cell site, this is at Clermont Carn
15 cell site? 11:22

16 A. Yes.

17 349 Q. Again, for the Donegan 498 number?

18 A. Yes, that's right.

19 350 Q. So, we're now going to look, Mr. Safranauskas, at
20 row 198, the second of perhaps the most important 11:23
21 sequence of calls that we're looking at?

22 A. Yes.

23 351 Q. The first was back at our row 183, 585 to 980 at 12:41?

24 A. Yes.

25 352 Q. We've now moved on to 13:13 and we have a call from the 11:23
26 585 to the 980?

27 A. Yes.

28 353 Q. Duration please?

29 A. 17 seconds.

1 354 Q. And here you have, again, with a circle so you're not
2 seeking to be precise --

3 A. No.

4 355 Q. -- indicated a possible direction of travel for the
5 scout car based on the other data points that you have 11:24
6 available to you?

7 A. Yes.

8 356 Q. So, we're going to see that that passes the area of
9 Emyvale?

10 A. We are, yes. 11:24

11 357 Q. And you have indicated behind it, a red-coloured
12 vauxhall cavalier?

13 A. Yes.

14 358 Q. Now, at this time, the working hypothesis is 980 is in
15 that vehicle? 11:24

16 A. Yes.

17 359 Q. We don't, according to Dr. Tart, as matters stand, have
18 reliable cell site evidence in relation to 980, is that
19 your understanding?

20 A. That's correct my understanding, yes. 11:24

21 360 Q. But are you here depicting how the scout car and bomb
22 car might be travelling if the scout car is serving a
23 scouting function?

24 A. Exactly that, yes.

25 361 Q. In other words, that it is going ahead prior to the 11:24
26 Border and following the Border with a view to
27 identifying any potential issues by way of roadblocks
28 or other problems that might cause the bomb car to need
29 to take a different route?

1 A. Yes.

2 362 Q. And so, again, we've got a circle there, nobody should
3 be understanding you to be saying that that is exactly
4 where it was, in fact the evidence doesn't reveal how
5 close the two vehicles were, is that right? 11:25

6 A. That's correct, yes, there's no data for this or the
7 preceding entry for the 980 number.

8 363 Q. But we know from the location of Emyvale that that is a
9 cell site which is close to the Border?

10 A. Correct. 11:25

11 364 Q. And that 585 was in range of that mast at the time that
12 this call occurred?

13 A. Correct.

14 CHAIRMAN: Mr. de la Poer, we will have, at some stage,
15 to take a break for the shorthand writer. 11:26

16 MR. DE LA POER: Yes.

17 CHAIRMAN: Other than our short break earlier, we've
18 now sat for about an hour and a half.

19 MR. DE LA POER: Yes.

20 CHAIRMAN: Is this a convenient point. 11:26

21 MR. DE LA POER: It absolutely is a convenient point,
22 thank you very much.

23 CHAIRMAN: So, if we rise now and sit again at, say,
24 11:45?

25 MR. DE LA POER: Thank you. 11:26

26

27 THE INQUIRY ADJOURNED BRIEFLY

28

29

1 THE INQUIRY RESUMED AS FOLLOWS:

3 CHAIRMAN: Mr. de la Poer.

4 MR. DE LA POER: Thank you, sir.

6 MR. MARK SAFRANAUSKAS, CONTINUED TO BE QUESTIONED BY
7 MR. DE LA POER AS FOLLOWS:

11:47

9 365 Q. MR. DE LE POER: Mr. Safranauskas, we pick up where we
10 were at row 198, and just remind everyone, because it
11 is an important point, that you are not here
12 identifying the precise known location of either of
13 these vehicles, are you?

11:47

14 A. I'm not, no.

15 366 Q. It is for illustrative purposes only?

11:47

16 A. Yes.

17 367 Q. [Presentation played]. 199, our timeline indicates
18 that the scout car and bomb car approached/crossed the
19 border into Northern Ireland?

20 A. Yes.

11:47

21 368 Q. That falls between 13:13 and 13:29 and is the
22 explanation for that what we see in row 200?

23 A. It is, yes.

24 369 Q. [Presentation played]. Just pause it here. So, the
25 third in our most important sequence of calls, as
26 before we see some information in common with those two
27 earlier calls --

11:48

28 A. Yes.

29 370 Q. -- don't we? We see that it is the blue 585 phone

1 calling the orange 980 phone?

2 A. We do, yes.

3 371 Q. This is a substantial contact, isn't it?

4 A. It is, why.

5 372 Q. It's over a minute in length -- 11:49

6 A. Yes.

7 373 Q. -- that those two phones were in contact. And we know
8 something about the cell sites that each of those
9 phones were using?

10 A. Yes. 11:49

11 374 Q. Firstly, 585, that is using a cell site located at
12 Pound Hill Centre, Aughnacloy?

13 A. Yes.

14 375 Q. And that 980 is using the same cell site?

15 A. Yes. 11:49

16 376 Q. And what this tells us is that 585 is in range of that
17 mast to be able to connect to it?

18 A. Yes.

19 377 Q. And that 980 is in range of that mast so as to be able
20 to connect to it? 11:49

21 A. Correct.

22 378 Q. Now, again, you have represented, for illustrative
23 purposes, the possible approximate location of each?

24 A. Yes.

25 379 Q. Again, you are not seeking to ascribe any precision to 11:49
26 that?

27 A. No.

28 380 Q. And it is based upon a general direction of travel that
29 is established by all of the cell site data?

1 A. That's right, yes.

2 381 Q. Again, so that nobody misunderstands, you are not
3 suggesting that at 1:29:48 there is sufficient data
4 available to you to be able to say that that is the
5 exact moment the scout car crossed the Border? 11:50

6 A. I'm not, no.

7 382 Q. Nor are you saying that about the bomb car?

8 A. Correct.

9 383 Q. Let us play on please. [Presentation played]. Just
10 pause here. Now, Mr. Safranauskas, as we touched on on 11:50
11 Wednesday when you were first sworn in and you
12 introduced yourself, part of your expertise at the
13 Visual Evidentiary Recovery and Analysis Unit at GMP is
14 looking at CCTV?

15 A. Yes, it is. 11:51

16 384 Q. [Presentation played]. And what we are seeing in the
17 image to the right is CCTV from the Aughnacloy border,
18 is that right?

19 A. Yes.

20 385 Q. And is that CCTV showing vehicles which are travelling 11:51
21 from a southerly direction in a northerly direction?

22 A. Yes.

23 386 Q. So, if we look at that carriageway, the Republic of
24 Ireland would be off camera to the top of the frame?

25 A. It would, yes. 11:51

26 387 Q. And that as the vehicles pass under where the camera is
27 located, they are travelling towards the North?

28 A. Correct.

29 388 Q. Now, we need to say something about this CCTV footage.

1 Firstly, you have conducted your own analysis of it,
2 haven't you?

3 A. I have, yes.

4 389 Q. And you have compared it to the PSNI viewing log that
5 was prepared as part of the Omagh bombing investigation 11:52
6 about it?

7 A. Yes.

8 390 Q. And is your conclusion that that viewing log is an
9 accurate representation of what can be seen on this
10 footage? 11:52

11 A. Yes.

12 391 Q. Now, in terms of the availability of this footage, as a
13 result of a technical difficulty it has only recently
14 become available, is that right?

15 A. That's right, yes. 11:52

16 392 Q. And that was technical difficulty that the PSNI worked
17 at speed to remedy, isn't it, as you understand it?

18 A. Yes.

19 393 Q. And so we are able now to consider this at the moment
20 in time when it arises? 11:52

21 A. We are, yes.

22 394 Q. And you have clipped some of that footage from period
23 the period one and two o'clock on the 15th?

24 A. I have, indeed.

25 395 Q. Because it is during that window that if the scout car 11:53
26 and bomb car travelled on this road they would have
27 passed this camera?

28 A. Yes.

29 396 Q. Now, are there limitations in terms of the possibility

1 of vehicles getting through and not being captured of
2 this footage?

3 A. There are, yes.

4 397 Q. Just talk us through that, please.

5 A. So, my review was conducted between the times of 13:10 11:53
6 and 13:45, in line with the viewing log that I was
7 provided with by the PSNI. Within that time, as we can
8 see on the screen here now, at the top left of the
9 screen you can probably just about see the word "hold,"
10 that's to indicate that the footage has been paused. 11:54
11 Although in a paused state, what you can also see is
12 the counter time here being 13:16:31. If I play now,
13 despite being paused you'll see that counter time going
14 up. What we can also see is there is a vehicle in the
15 background not picked up. 11:54
16

17 So, between them times I noted that there was a period
18 of around eight minutes and 30 seconds whereby it was
19 not recording because it was in a paused state, so in
20 plain terms from a 35-minute period you're looking at 11:54
21 around 25% of the footage was not recording at the time
22 due to being in that paused state.

23 398 Q. So, during that paused state, any vehicle that passed
24 that camera was not recorded?

25 A. No. 11:54

26 399 Q. From the footage that you've seen?

27 A. Correct.

28 400 Q. And, again, you've done your best to try and help us,
29 have you considered how quickly a vehicle might travel

1 through that frame of view based upon the ordinary
2 driving conditions which are being exhibited by all of
3 the drivers that went through in that 35-minute period?
4 A. I have, yes.
5 401 Q. And about how long, on average, does it take a car to 11:55
6 drive from what is the very top of the shot to being
7 not visible?
8 A. So, again, what you can see here in the middle of the
9 road is a speed bump. So, again, it's a matter of what
10 degree of caution each individual driver exercised but, 11:55
11 generally, it was around between eight and 12 seconds
12 that it would take from passing through the top of the
13 camera to out of view at the bottom of the camera.
14 402 Q. So, if we were to take a 10-minute average, we could
15 see -- 11:55
16 A. About 10 seconds.
17 403 Q. Forgive me, 10-second average, we can see then that
18 every minute that it is not recording there is the
19 potential, at least, for six vehicles to pass through?
20 A. Yes. 11:56
21 404 Q. And, obviously, we are looking at many more than that
22 because we are at eight and a half minutes or so of not
23 captured?
24 A. We are, yes.
25 405 Q. So, in terms of what this footage doesn't capture, 11:56
26 there is a substantial opportunity for a significant
27 number of vehicles to pass through and not be recorded?
28 A. Correct.
29 406 Q. Now, the conclusion of the investigation was that the

1 bomb car, Mr. Ward's Vauxhall Cavalier, whether bearing
2 the original plates or the cloned plates, is not on the
3 footage that is available, is that right?

4 A. Correct.

5 407 Q. And do you agree with that? 11:56

6 A. I do agree, yes.

7 408 Q. So, is there anything more that you would like to say
8 about this footage from your analysis? I know you're
9 going to play on and we're going to see a sequence, I
10 think, which is intended to illustrate a period of time 11:57
11 that that's captured, but you have accelerated it on
12 the basis that it is for impression only?

13 A. That's correct, yes. No, there's nothing more I wish
14 to add.

15 409 Q. If we play on, I think there's another facet to the 11:57
16 Aghnacloy border that you are going to draw attention
17 to.

18 A. Yes.

19 410 Q. Is that another example of a hold, where a vehicle has
20 reached a particular point, the camera is frozen and 11:57
21 the best opportunity for reading that number plate is
22 made?

23 A. Correct, yes.

24 411 Q. So, playing on please. [Presentation played]. If you
25 just pause it there, we're going to see in the bottom 11:57
26 right-hand corner that you have just captured and you
27 have accelerated some of that further footage within
28 that 35-minute period?

29 A. I have, yes.

1 412 Q. But, also, we can see that shrunk to a thumbnail
2 because there is a map in the background and a road
3 marked "Ravella Road"?

4 A. Yes.

5 413 Q. I think you have selected this as a potential route by 11:58
6 which a vehicle might go around that camera and not
7 have to pass through it, having crossed the Border?

8 A. Yes, that's correct.

9 414 Q. Again, you're not suggesting that you've seen any
10 evidence that suggests that was the route taken by 11:58
11 either the scout car or the bomb car?

12 A. No.

13 415 Q. But, for illustrative purposes, you're just showing
14 what that might look like if they chose to go that way?

15 A. Yes. 11:58

16 416 Q. If you play on, please. [Presentation played]. Thank
17 you very much, indeed. Finally on that sequence,
18 you're not suggesting that's the only way round in the
19 general area of Aughnacloy that a person could go to
20 avoid that camera, just one perhaps obvious way? 11:59

21 A. More to highlight that there are other options
22 available rather than just driving through the camera.

23 417 Q. So, does it come to this that about 25% of the window
24 which has been focused on is not captured?

25 A. Correct. 11:59

26 418 Q. And so there exists a possibility for either vehicle to
27 have passed through there when the camera was paused on
28 other vehicles?

29 A. Yes.

1 419 Q. Or it may be the case that either or both vehicles
2 simply went round where the camera was?
3 A. Yes, that's correct.
4 420 Q. So, we've looked at the 13:13 call, let us move forward
5 in our presentation. 11:59
6 A. We've looked at 13:29 call as well.
7 421 Q. And the 13:29 which is the Aughnacloy call. And we
8 move to another call that's taking place at that time
9 using 456 Patrick 'Mooch' Blair brown phone, this?
10 A. Yes. 12:00
11 422 Q. This is for illustrative purposes as to cell site that
12 that phone is being used in range of a mast in Dundalk?
13 A. Correct, yes.
14 423 Q. So, over the page, please, for those following and
15 continuing with your presentation. We're now at 13:35. 12:00
16 [Presentation played]. And here a call captured with a
17 view to considering whether there is cell site
18 available, Dr. Tart was asked to look at this but his
19 conclusion, we can see in the bottom right-hand corner,
20 there is no cell site available for this 259 handset at 12:00
21 1:35?
22 A. Correct.
23 424 Q. Carry on, please. [Presentation played]. Cell site
24 entry for the pink phone, 971, Peter Campbell, that's
25 using a cell site in the Clermont Carn? 12:01
26 A. That's right, yes.
27 425 Q. It's row 203, we are at 1:44 here?
28 A. Yes.
29 426 Q. [Presentation played]. Now, if we pause here,

1		potentially significant contact given what we knows	
2		about to happen with that 430 handset?	
3	A.	Yes.	
4	427 Q.	So let's just break down what we can see. We're at	
5		13:48?	12:01
6	A.	Yes.	
7	428 Q.	We can see that 430 phone, the red phone attributed	
8		provisionally to Liam Campbell at this stage using	
9		Clermont Carn?	
10	A.	Yes.	12:02
11	429 Q.	That's near the Border?	
12	A.	Yes.	
13	430 Q.	And are we going to see in the following 30 minutes	
14		that red phone will travel in a way that results in it	
15		using cell masts in Northern Ireland?	12:02
16	A.	Yes.	
17	431 Q.	And, in particular, cell masts which are clustered	
18		around where the warning calls were made from?	
19	A.	Correct.	
20	432 Q.	So, we know that that handset is shortly to engage in	12:02
21		that behaviour, and we will see that laid out, and is	
22		here receiving and potentially speaking, assuming it	
23		didn't go to answer phone, to the Peter Campbell	
24		handset for nine seconds?	
25	A.	Yes, that's right.	12:02
26	433 Q.	Now, if we continue, we have the next in our most	
27		important sequence. [Presentation played]. We are	
28		here at just before two o'clock?	
29	A.	We are.	

1 434 Q. Just pause it here for a moment. Now, previously,
2 Mr. Safranauskas, you have made clear that the beacons
3 that you have used to identify the general location of
4 the cell masts are not intended, in any way, to suggest
5 what their range might be? 12:03

6 A. Correct.

7 435 Q. But they're there to draw the eye so people can see the
8 approximate location of the mast?

9 A. Yes.

10 436 Q. I think we're going to see part of your presentation 12:03
11 which is slightly different from that, is that right?

12 A. Yes.

13 437 Q. And have you taken this from Dr. Tart's report?

14 A. I have, yes.

15 438 Q. So, let's just play on. He will come and speak to the 12:03
16 contents of it, you can draw attention to what you have
17 chosen to include. [Presentation played]. So, pause
18 there for a moment. So, there are two circles, one
19 large one and within it a smaller one?

20 A. Yes, that's correct. 12:04

21 439 Q. The large pinker colour, does that represent a circle
22 with a radius of 35 kilometres with a central point of
23 Pigeon Top?

24 A. That's right, yes.

25 440 Q. And is it your understanding that that is the maximum 12:04
26 range, on a line of sight basis, for any mast operating
27 on the 2G network?

28 A. Yes.

29 441 Q. And we heard that from Dr. Tart last week. Now, you

1 have identified a dotted arrow emanating from the
2 centre point?

3 A. I have, yes.

4 442 Q. Is that 70-degree indication reflecting the azimuth of
5 the cell? 12:04

6 A. Yes.

7 443 Q. And so, we heard from Dr. Tart and we'll hear from him
8 again about this, but he's told us that that will
9 reflect the direction in which the cell is pointed,
10 albeit that it will capture, depending on various 12:04
11 factors, phone calls both to the upper side as we look
12 at it here and the lower side in what are called
13 sectors?

14 A. Yes.

15 444 Q. But it is very firmly pointed in the direction of the 12:05
16 centre of Omagh, isn't it?

17 A. That's right, yes.

18 445 Q. That, perhaps, will be unsurprising bearing in mind
19 that is major conurbation nearby?

20 A. Yes. 12:05

21 446 Q. So, that's the first and larger circle. You've also
22 indicated a blue circle within that which is centred on
23 Omagh?

24 A. Yes.

25 447 Q. And what does that circle represent please? 12:05

26 A. The cell mast of the Omagh College and the
27 five-kilometre radius that that one holds.

28 448 Q. So, that is a circle which has a radius of
29 5 kilometres, as you say, from the mast, indicating the

1 potential range of that mast in every direction?

2 A. Yes.

3 449 Q. Again, we'll hear from Dr. Tart about this, but is it
4 your understanding that when a mobile telephone
5 connects to the Pigeon Top, it must be somewhere within 12:06
6 that pink circle --

7 A. Yes.

8 450 Q. -- in order to be able to reach it. And we can see in
9 fact that that pink area includes Aughnacloy?

10 A. Yes. 12:06

11 451 Q. And so, in principle, subject to various matters of
12 terrain and so on, that is within the theoretical range
13 of that Pigeon Top mast?

14 A. That's right, yes.

15 452 Q. By contrast, where a phone contacts Omagh College, is 12:06
16 it your understanding that it must be somewhere within
17 that five-kilometre radius?

18 A. Yes.

19 453 Q. As I say, we'll go back all over this with Dr. Tart, an
20 expert in this area, but you've been given that 12:06
21 information, you have created this representation based
22 upon that and is it your understanding that Dr. Tart
23 has seen this and is happy that that reflects what he's
24 trying to describe?

25 A. I believe so, yes. 12:07

26 454 Q. We'll hear from him on Thursday but let us now
27 continue, please, with that information in our minds,
28 as we continue some further key calls.
29

1 [Presentation played]. Pause there for a moment. This
2 is the fourth call in the sequence which started in
3 Castleblayney and as per the three previous calls -
4 they being at 12:41, 13:13, 13:29 - this call at 13:57,
5 so about half an hour after the preceding one, 12:08
6 originates from the 585?

7 A. Yes.

8 455 Q. And is to the 980 orange phone?

9 A. Yes.

10 456 Q. How long was this call please? 12:08
11 A. 28 seconds.

12 457 Q. And we can see over to the left of the screen, the
13 Pigeon Top cell mast indicated, that's the location of
14 the mast?

15 A. Yes. 12:08

16 458 Q. And we know from your previous representation that the
17 range of that directed towards Omagh, as it was,
18 included a very large area of land?

19 A. Correct.

20 459 Q. And we can see you've indicated over by that mast to 12:08
21 the left, 980?

22 A. Yes.

23 460 Q. Is that to indicate that for this call, the 980 has
24 connected to the Pigeon Top mast?

25 A. I have, yes. 12:08

26 461 Q. By contrast, we can see right in the centre of our
27 screen a blue beacon to indicate the location of the
28 Omagh College mast, is that right?

29 A. Yes, it is.

1 462 Q. And which phone contacted that mast please?
2 A. The Omagh college one sorry, did you say?
3 463 Q. Yes.
4 A. Yes, 585.
5 464 Q. So, that is the dark blue handset provisionally 12:09
6 attributed to Seamus Daly?
7 A. Yes.
8 465 Q. And in the working hypothesis, in the scout car?
9 A. Yes.
10 466 Q. And, therefore, it must follow that that is somewhere 12:09
11 within range of that mast?
12 A. It is, yes.
13 467 Q. So, that is the fourth call in the sequence that we
14 have identified as of particular importance. Can we
15 move on to the next, which is the fifth in this 12:09
16 sequence? [Presentation played]. Just pause there.
17 You have, as you have before, used circles with "SC"
18 and the red Cavalier in, to indicate the potential
19 approximate location of those vehicles?
20 A. Yes. 12:10
21 468 Q. And the same caveats as before apply; you're not
22 suggesting that that is where you know them to be, or
23 that the cell site allows that level of precision?
24 A. No.
25 469 Q. But that is a representation based upon a movement over 12:10
26 a much larger space?
27 A. Yes.
28 470 Q. And here we can see that the calling number has changed
29 from our previous four, is that right?

1 A. Yes.

2 471 Q. It is now the 980 that is making the call?

3 A. Yes.

4 472 Q. And it is calling the 585 for how long please?

5 A. For a duration of 33 seconds. 12:10

6 473 Q. Again, a substantial contact. Help us with the cell

7 sites, are they the same in terms of the 980 using the

8 same one and the 585 using the same one, or are they

9 different please?

10 A. They have now also changed or flipped. 12:11

11 474 Q. And so we now have that cell with a very large area

12 that it covers, the Pigeon Top?

13 A. Yes.

14 475 Q. That's 585?

15 A. Yes. 12:11

16 476 Q. And we look at our time here, this is 14:09, but we

17 know, don't we, Mr. Safranauskas, that just 12 minutes

18 earlier, that 585 was within range of the Omagh

19 college?

20 A. Within 5 kilometres of it, yes. 12:11

21 477 Q. And, similarly, whereas the 980, 12 minutes ago, was

22 somewhere within range of Pigeon Top mast, it's now

23 within range of the Omagh College mast?

24 A. Yes.

25 478 Q. And so both phones, by this stage, have passed within 12:11

26 the range of that Omagh College mast?

27 A. Yes.

28 479 Q. We're going to use the phrase "in or around Omagh" to

29 reflect that?

1 A. Yes.

2 480 Q. So, with the 980 and 585 handsets in or around Omagh at
3 this point in time, let's continue with our sequence
4 just to understand who they are in contact with.
5 [Presentation played]. The first one is, we're going 12:12
6 to come back out to look at the 456 brown phone and
7 where that's located whilst those two phones are in or
8 around Omagh?

9 A. Yes.

10 481 Q. That phone has moved in terms of the cell mast that 12:12
11 it's contacting -- forgive me, I'm jumping ahead here.
12 We're now just going to review the sequence, aren't we?

13 A. We are, yes.

14 482 Q. That's my fault, I've jumped ahead. You have prepared
15 a presentation which just represents what we've just 12:13
16 seen in terms of those key calls?

17 A. Yes.

18 483 Q. Do you want to just talk us through it, please?

19 A. Yes. This is designed, the first data that was made
20 available was the 12:41 of the 585 blue phone 12:13
21 provisionally attributed to Seamus Daly. This
22 presentation is designed to show the data of both the
23 585 and the 980 phone as they travel north up in the
24 direction of Omagh.

25 484 Q. So, our first data point, 12:41 Castleblayney? 12:13

26 A. Yes, 585.

27 485 Q. 13:13 for 585 at Emyvale?

28 A. Yes.

29 486 Q. Both phones using a mast at Aghnacloy at 13:29?

1 A. Yes.

2 487 Q. Then at 13:57, 585 using Omagh College, 980 using
3 Pigeon Top?

4 A. Yes, that's right.

5 488 Q. And, of course, we know, that the position is reversed 12:14
6 just 12 minutes later?

7 A. That's right, yes.

8 489 Q. [Presentation played]. So, here we have the 456 brown
9 phone still using a mast in the Dundalk area?

10 A. Yes. 12:14

11 490 Q. It's the Patrick 'Mooch' Blair provisional attribution?

12 A. Yes.

13 491 Q. [Presentation played]. And now we come just a minute
14 or so after 585 has been called, let's just pause for a
15 moment because the links here may be important. We saw 12:14
16 at row 206 that at 14:09:06 there was 33-second contact
17 between the orange Seamus McKenna phone and the dark
18 blue 585 Seamus Daly phone?

19 A. Yes.

20 492 Q. So, that call would have ended shortly after the clock 12:15
21 turned to 14:10?

22 A. Yes.

23 493 Q. We can see at 14:10:56 the entry on the screen in our
24 row 208, that having received that call from the bomb
25 car, as per the provisional attributions and working 12:15
26 hypothesis, Seamus Daly then calls the 430
27 Liam Campbell phone?

28 A. That's right, yes.

29 494 Q. We discussed this in the context of Peter Campbell and

1 that contact which took place a few minutes before, is
2 this the start of the sequence, Mr. Safranauskas, where
3 we see that the masts that are being used by 430 cease
4 to be in the Republic of Ireland and are then in
5 Northern Ireland, just over the Border? 12:16

6 A. Correct.

7 495 Q. So, a call from 585, which is in or around Omagh, which
8 appears to have just spoken to the bomb car, down to
9 430 just by the Border?

10 A. Yes. 12:16

11 496 Q. We'll pick up Liam Campbell as we go and in particular
12 look at the overall effect in Part 5 of the movement of
13 that phone. But let's continue please. [Presentation
14 played]. We've looked at 585, that having been in
15 touch with the 430 red phone, we're now looking at what 12:16
16 the orange handset provisionally attributed to
17 Seamus McKenna, in the bomb car, in or around Omagh?

18 A. Yes.

19 497 Q. It's 14:14, and in fact although we're using the phrase
20 "in or around Omagh" because we know from the use of 12:16
21 the Omagh College that that is right for an earlier
22 call, here that phone has connected to the Pigeon Top?

23 A. That's right, yes.

24 498 Q. Which on its own would not exclude a very large area?

25 A. No. 12:17

26 499 Q. But are we also going to see that in four minutes,
27 which will be our next entry, that that car is on the
28 Campsie Road?

29 A. Yes, we are.

1 500 Q. And so, an example of where the use of the Pigeon Top
2 on its own can't tell us exactly where that phone is,
3 but we get much closer to knowing where it is bearing
4 in mind that we know the precise location in four
5 minutes' time? 12:17
6 A. We do, yes.
7 501 Q. And so there is no question that that phone is in the
8 Omagh area at this time, based on the CCTV to come, do
9 you agree?
10 A. Yes. 12:17
11 502 Q. And as it is approaching where it will ultimately be
12 parked up, approximately 10 minutes after this moment
13 in time, which phone does it call?
14 A. The 259 phone.
15 503 Q. And for how long was there contact between the two? 12:18
16 A. A duration of 44 seconds.
17 504 Q. And who is 259 provisionally attributed to?
18 A. Derek 'Shanty' Brady.
19 505 Q. So, we will play on before we hear Ms. Briggs help us
20 with some eyewitness evidence. 12:18
21 A. Okay.
22 506 Q. So we're just going to do row 210 now, please, which
23 we've already foreshadowed between the two of us.
24 A. Yes.
25 507 Q. [Presentation played]. Here you've zoomed in. Now, 12:18
26 let's just be clear about this Mr. Safranauskas, you've
27 used a modern map, haven't you, for this?
28 A. I have, yes.
29 508 Q. So, you're not seeking to suggest that everything that

1 we see here is precisely as it was in 1998?

2 A. Correct.

3 509 Q. But you are able, because the road network is the same
4 for our purposes, to indicate where these two cameras
5 are? 12:19

6 A. Yes.

7 510 Q. So, the first camera is marked there with the camera
8 signal?

9 A. Yes.

10 511 Q. [Presentation played]. Just pause there. That is a 12:19
11 filling station or petrol station?

12 A. Yes.

13 512 Q. And where should we be directing our attention please,
14 when we're going to look at this footage?

15 A. So, we should be looking at the road, so Campsie Road 12:19
16 just there.

17 513 Q. And are we going to see that in the Omagh bombing
18 investigation by the RUC and PSNI, a circle is placed
19 around the vehicle that we should be concentrating?

20 A. Yes. 12:19

21 514 Q. So, until people see that circle we're just seeing a
22 flow of traffic. Let's just play on. [Presentation
23 played]. Pause there. That is in the lane furthest
24 from the camera?

25 A. Yes. 12:20

26 515 Q. It is driving from left to right as we view this --

27 A. Yes.

28 516 Q. -- which is in the direction of Omagh Town Centre?

29 A. Yes.

1 517 Q. And it is indicated by that red circle which will then
2 follow the vehicle until it leaves the shot?
3 A. Correct.
4 518 Q. Then your animation continues. [Presentation played].
5 You've identified the location of the next camera, this 12:20
6 will now be an oncoming camera, is that right?
7 A. It is, yes.
8 519 Q. So, rather than driving away from the camera, it is now
9 driving towards it?
10 A. To the front of it, yes. 12:21
11 520 Q. And do we also see a red circle?
12 A. Yes. I've paused it, but just there.
13 521 Q. Do we know the time is approximately 14:18?
14 A. Yes.
15 522 Q. Now, you haven't conducted your own analysis of that 12:21
16 video footage, you have?
17 A. No.
18 523 Q. But is it your understanding - and we will hear more
19 about this from DCI Billingsley - that the
20 investigation commissioned an expert to review this 12:21
21 footage and it is they (the experts) who have
22 identified those vehicles after painstaking research
23 and review?
24 A. Correct.
25 524 Q. So, we'll hear more about that now, but that is what 12:21
26 the investigation has concluded?
27 A. Yes.
28 525 Q. Mr. Safranauskas, I am now going to hand you over to
29 Ms. Briggs who are going to help us with our rows 211

1 through to 214?
2 A. okay.
3
4 MR. MARK SAFRANAUSKAS WAS QUESTIONED BY MS. BRIGGS AS
5 FOLLOWS: 12:22
6
7 526 Q. MS. BRIGGS: Good after, Mr. Safranauskas.
8 A. Afternoon.
9 527 Q. If I could ask you just to press play on the
10 presentation now, we will move into the centre of 12:22
11 Omagh. [Presentation played]. And just pause in a
12 moment. Pause now please. What we can see on the
13 screen then is a junction, isn't that right?
14 A. Yes.
15 528 Q. It's a junction with four streets coming off it and we 12:22
16 can see, if we start from the left-hand side we can see
17 Market Street, isn't that right?
18 A. Yes.
19 529 Q. And if one continues up that road, one would reach the
20 courthouse, isn't that right? 12:22
21 A. Up there, yes.
22 530 Q. And continuing then around, in a clockwise direction we
23 can see Drumragh Avenue?
24 A. Yes.
25 531 Q. And then following on round we can see Campsie Road? 12:22
26 A. Yes.
27 532 Q. And that would take one in the direction of an area
28 called Campsie in Omagh, isn't that right?
29 A. That's right, yes.

1 533 Q. And then, finally, Dublin Road?
2 A. Yes.
3 534 Q. And in relation to Campsie Road, it's marked on your
4 presentation as Campsie Road, is it in fact correct to
5 say that that is a continuation of Market Street and 12:23
6 there are some premises that we will look at shortly on
7 that road and they're called 64 Market Street and
8 they're on that portion of road, isn't that right?
9 A. Yes, that's right. If you continue up slightly it
10 becomes Campsie Road at the junction of Campsie Drive, 12:23
11 which is the first junction.
12 535 Q. Thank you. And some people would refer to that piece
13 of road as Campsie Road but others might say Market
14 Street?
15 A. That's right, yes. 12:23
16 536 Q. Thank you very much. What I'm now going to examine
17 with you, Mr. Safranauskas, are five eyewitness
18 accounts that were given by persons in the belief that
19 they saw the bomb car. Four of those five eyewitnesses
20 are and were designated by DCI Billingsley as key 12:23
21 eyewitnessss to the Omagh bomb investigation, isn't that
22 right?
23 A. Yes.
24 537 Q. If we just play the presentation then. [Presentation
25 played]. If you pause it there. The first two 12:24
26 eyewitnesses are George and Stephen Martin, they are
27 father and son, isn't that right?
28 A. They are, yes.
29 538 Q. And on 15th August 1998 at about 2:20 p.m. they said

1 546 Q. Mr. George Martin said that as he was driving up a
2 small incline out of the yard of his premises he saw
3 what he described as a maroon-coloured saloon car drive
4 slowly along Market Street?
5 A. Yes. 12:25
6 547 Q. And he said it was directly in front of him?
7 A. Yes.
8 548 Q. And that's the passage we've just seen played, isn't
9 that right?
10 A. That's right, yes. 12:26
11 549 Q. And he said that the vehicle, the Vauxhall Cavalier
12 that was maroon, was heading in the direction of the
13 traffic lights adjacent to the El Paso bar, isn't that
14 right?
15 A. Yes. 12:26
16 550 Q. And those premises, they're at 62 Market Street, so
17 they're next to the C&A Anderson shop, isn't that
18 right?
19 A. Yes.
20 551 Q. And he said that he saw the driver of the maroon 12:26
21 Cavalier glance around in his direction and look at
22 him?
23 A. Yes.
24 552 Q. And he gave a description of that driver, can you tell 12:26
25 the Inquiry what that description was?
26 A. Yes. So, he said it was a male aged between 20 to 24
27 years old with dirty fair hair and cut, in his words,
28 as shortish.
29 553 Q. And he went on to describe that individual's face and

1 some facial features; what did he say about that?

2 A. He said that the individual had a roundish-type face,
3 he did not have glasses, nor a moustache, a beard or
4 earrings. He went on to say that he was clean shaven.
5 He had normal-type ears, meaning he didn't believe they 12:27
6 were sticking out. In respect of his hair, he said
7 that there was no parting in it and he could see his
8 forehead and that his hair was not combed down as a
9 fringe.

10 554 Q. He then went on to say, didn't he, that the male person 12:27
11 you've just described looked straight ahead again --

12 A. Yes.

13 555 Q. -- and the car continued on still travelling slowly?

14 A. Yes.

15 556 Q. Mr. Martin said he believed there was another person in 12:27
16 the car?

17 A. Yes.

18 557 Q. Seated in the front, isn't that right?

19 A. It is, yes.

20 558 Q. But he said he could not give a description of that 12:27
21 person, isn't that correct?

22 A. Yes.

23 559 Q. But he was able to give his impression of that person's
24 stature, isn't that right?

25 A. Yes. 12:27

26 560 Q. And what did he say about that?

27 A. So, he said that his impression of that person was that
28 they were smaller but not a child.

29 561 Q. And he wasn't able to comment on what those two people

1 were wearing, isn't that correct?

2 A. Correct, yes.

3 562 Q. And he said that he believed the driver's window was
4 wound down?

5 A. Yes. 12:28

6 563 Q. And he went on to say, didn't he, that as he approached
7 the entrance leading from his yard, he looked right and
8 he saw that there were no pedestrians on the footpath
9 or road heading in his direction, isn't that right?

10 A. Correct. 12:28

11 564 Q. And he said that he could see that the traffic lights
12 were green?

13 A. Yes.

14 565 Q. And he said that on looking left he could see a car
15 which he couldn't describe which was approaching 12:28
16 Campsie Bridge heading from the direction of Campsie?

17 A. Yes.

18 566 Q. And he said that he drove out on to Market Street and
19 quickly turned right in the same direction as the
20 maroon-coloured car? 12:28

21 A. Yes.

22 567 Q. And that's the sequence we've just seen?

23 A. It is, yes.

24 568 Q. And he said he straightened his car up in the lane in
25 which one can go right across to the Drumragh Bridge or 12:28
26 straight ahead up Market Street?

27 A. Yes.

28 569 Q. And he said he had to slow up very sharply as the
29 maroon-coloured car, he said, "at this stage was

1 situated adjacent to the front of our shop." He then
2 commented on the vehicle speed, didn't he?
3 A. Yes.
4 570 Q. He said it was travelling slowly?
5 A. Yes. 12:29
6 571 Q. And he could see that the lights were still green?
7 A. Yes.
8 572 Q. He commented that the vehicle, the maroon-coloured
9 Cavalier was causing him some frustration?
10 A. Yes. 12:29
11 573 Q. What did he say about that?
12 A. He said he wanted to get through the lights and
13 continue on with his journey.
14 574 Q. And he said that he thought because the vehicle was
15 slowly moving he wasn't going to make it through the 12:29
16 lights, isn't that right?
17 A. That's right, yes.
18 575 Q. But in fact the vehicle did, it did continue on through
19 the green light?
20 A. It did, yes. 12:29
21 576 Q. But it was moving slowly with himself travelling quite
22 close behind?
23 A. Yes.
24 577 Q. He also remarked on other cars that he said were
25 sitting at the junction of Dublin Road or Market Street 12:29
26 on the Kozy Corner bar side of the junction, isn't that
27 right?
28 A. That's right, yes.
29 578 Q. And he said that the maroon-coloured Cavalier continued

1 across the junction heading in the direction of Market
2 Street, isn't that correct?

3 A. Yes.

4 579 Q. And it crossed the junction and he was then able to
5 drive onto the Drumragh Road himself heading towards 12:30
6 the bridge?

7 A. Yes, that's correct.

8 580 Q. And he said that that was the last time he saw the
9 vehicle?

10 A. Yes. 12:30

11 581 Q. If you could just play that portion then, which is the
12 next sequence. [Presentation played]. If we pause
13 there. So, that showed the Martins' vehicle making a
14 right turn and it showed the maroon vehicle heading up
15 Market Street? 12:30

16 A. Yes.

17 582 Q. If we go then to Stephen Martin's account, he also gave
18 a statement on 18th August 1998, isn't that right?

19 A. Yes, it is.

20 583 Q. And he said he and his father were going to ride 12:31
21 motorbikes that afternoon?

22 A. Yes.

23 584 Q. And he said he checked the wall clock in the fishing
24 department of the shop he saw the time to be 2:16 or
25 2:17 he said? 12:31

26 A. Yes.

27 585 Q. And he commented, didn't he, that the clock was
28 accurate as the shop's clocks were synchronised every
29 week, sometimes twice a week, in order that the staff

1 would not be leaving for lunch or for the day at
2 different times?

3 A. Yes.

4 586 Q. And he, like his father, said that they left the shop
5 via the rear door at 2:20 p.m.? 12:31

6 A. Yes.

7 587 Q. And they got into his father's blue Cavalier?

8 A. Correct.

9 588 Q. And he went on to describe another vehicle that was
10 blocking the car in the car park area of the premises, 12:31
11 isn't that right?

12 A. Yes.

13 589 Q. And he described an interaction with a female driver of
14 that vehicle, isn't that right?

15 A. Yes. 12:31

16 590 Q. And he went on to say what he saw from the passenger
17 seat of his father's car?

18 A. Yes.

19 591 Q. He said that their vehicle had to wait to get out of
20 the premises? 12:32

21 A. Yes.

22 592 Q. And he described the traffic as being busy with all of
23 the lanes full of traffic?

24 A. Yes.

25 593 Q. And he said the traffic lights changed and he put the 12:32
26 windows of the car down as it was warm and sunny?

27 A. Yes.

28 594 Q. And he said that when his father saw a space, he drove
29 the car out on to the road, making a right turn and

1 getting into the right-hand lane, isn't that right?

2 A. Yes.

3 595 Q. Like his father, he said their vehicle made the way to
4 the traffic lights. And he said that the traffic in
5 the lane had become stationary because of the traffic? 12:32

6 A. Yes.

7 596 Q. And he then described what he saw when his father's
8 vehicle stopped, he described a dark maroon-coloured
9 Cavalier in front of them?

10 A. He did. 12:32

11 597 Q. And he said that no one was in the rear of the vehicle
12 and the registration was northern?

13 A. He did.

14 598 Q. How did he describe the Cavalier?

15 A. He described it as a basic-looking Cavalier with no 12:32
16 frills.

17 599 Q. And he said that he saw two men sitting in the front of
18 the car, isn't that right?

19 A. Yes.

20 600 Q. And how did he describe them? 12:33

21 A. He described them as not being big men as they didn't
22 take a lot of room up in the car. He didn't see their
23 faces.

24 601 Q. And he commented on the positioning of the maroon
25 Cavalier as being strange; what did he say about that? 12:33

26 A. He said that he deemed it strange because the Cavalier
27 was out of line of the lane of traffic in front of it
28 as it was going up Market Street. It was positioned
29 facing up Market Street with half of its body

1 protruding out of the left side of the line of traffic
2 as it made its way up Market Street.

3 602 Q. He went on to say, didn't he, that the traffic lights
4 were still green at the time and as soon as his father
5 had edged up far enough that their vehicle turned right 12:33
6 on to the Drumragh Avenue?

7 A. Yes.

8 603 Q. And they made their way out of turn?

9 A. Yes.

10 604 Q. And he was able to comment on the view from his car, 12:33
11 from his father's car, isn't that right, he said that
12 the view was clear?

13 A. Yes.

14 605 Q. He said that there were objects hindering vision?

15 A. Yes. 12:34

16 606 Q. And he said that the windscreen was very clean as
17 normal?

18 A. Yes.

19 607 Q. He also said that when he observed the Cavalier it was,
20 and this is to use his words, "bumper to bumper" with 12:34
21 his father's car?

22 A. Correct.

23 608 Q. And he said that he saw it for about 30 continuous
24 seconds, isn't that right?

25 A. Yes. 12:34

26 609 Q. And he also said he had his contact lenses in and could
27 see clearly.

28 A. Correct.

29 610 Q. Okay, we'll move on then and play the next portion of

1 the presentation. [Presentation played]. If we just
2 pause there. We've now moved to a view over Market
3 Street in Omagh centrally with the courthouse at the
4 top towards the left-hand side of Market Street?

5 A. Yes. So, the courthouse is just here as indicated by 12:35
6 my cursor.

7 611 Q. And we can see a number of other streets, some of which
8 move behind the courthouse --

9 A. Yes.

10 612 Q. -- which will become important in a moment? 12:35
11 A. They will.

12 613 Q. If we play the presentation please. [Presentation
13 played]. If we just pause there. This is the next,
14 the third eyewitness reported sighting of the bomb
15 vehicle and that was by a Mr. Robert Bridge, isn't that 12:35
16 correct?

17 A. Yes.

18 614 Q. And he gave a statement to police on 7th September
19 1998, isn't that right?

20 A. Correct. 12:35

21 615 Q. Now, the Martins who we looked at a moment ago, they
22 and other eyewitnesses who we will shortly address,
23 they were designated as key witnesses by
24 DCI Billingsley, isn't that right?

25 A. Yes. 12:36

26 616 Q. But, Mr. Bridge, he was not?

27 A. No.

28 617 Q. Sir, the Inquiry is likely to hear more about
29 Mr. Bridge from DCI Billingsley in due course, he is

1 scheduled to give evidence next week, Sir, on 7th
2 October.
3
4 For present purposes, Mr. Safranauskas, Mr. Bridge's
5 account was that on the day of the bombing he left his 12:36
6 home in Enniskillen with his wife at about 1:45 p.m.,
7 isn't that right?
8 A. It is, yes.
9 618 Q. And that's about a 27-mile journey, isn't that correct?
10 A. Yes. 12:36
11 619 Q. And today, at least, one would expect that journey to
12 take about 40 minutes?
13 A. Yes.
14 620 Q. He said that he and his wife were going to go shopping
15 that day? 12:36
16 A. Yes.
17 621 Q. And he said that they were in their Toyota Carina car
18 and they came into Omagh via the Dromore Road, isn't
19 that right?
20 A. Yes. 12:36
21 622 Q. And he said that they first saw a red Vauxhall Cavalier
22 when they passed a chapel?
23 A. Yes.
24 623 Q. And it's understood, isn't it, that that chapel is and
25 was a chapel located on Church Street? 12:37
26 A. Yes.
27 624 Q. And it's called Sacred Heart Church?
28 A. That's right, yes.
29 625 Q. So, if we just play the presentation now.

1 [Presentation played]. If you pause there. So what we
2 have just seen is the red Vauxhall Cavalier move up
3 Market Street, isn't that right?

4 A. Yes.

5 626 Q. An icon was faded, isn't that correct? 12:37

6 A. Yes.

7 627 Q. Is that to demonstrate one possible route of the
8 Cavalier was based on the account given by Mr. Bridge?

9 A. That was to articulate if Robert Bridge was correct
10 which way it would have travelled. So, Mr. Bridge 12:37
11 initially picks up, or gets sight of the Vauxhall
12 Cavalier here (indicating), to get here (indicating)
13 plainly it would have had to have driven up Market
14 Street when considering the other key witness
15 sightings. 12:38

16 628 Q. Including, for example, the Martins who we've just
17 heard?

18 A. Exactly that, yes.

19 629 Q. So, if the Martins and others are to be relied upon,
20 and indeed the CCTV evidence is to be relied upon, in 12:38
21 order to make sense of Mr. Bridge's account, this is
22 the possible route that the Cavalier would have taken
23 before meeting the vehicle of Mr. Bridge?

24 A. Yes, but the fading signifies that that's not actually
25 within the confines of Mr. Bridge's information at that 12:38
26 point.

27 630 Q. Okay. So, Mr. Bridge's account was that as his vehicle
28 was going past the chapel there was a red Vauxhall
29 Cavalier in front of his vehicle, and we'll see that in

1 a moment. And there's the chapel marked Sacred Heart
2 Church?

3 A. Yes.

4 631 Q. If we just play on for a short time. [Presentation
5 played]. Okay, if we stop there. So, he said that he 12:39
6 first saw the red Vauxhall Cavalier as he went past the
7 chapel?

8 A. Yes.

9 632 Q. And he said there were two men in the Vauxhall
10 Cavalier, isn't that right? 12:39

11 A. Yes.

12 633 Q. And he said that the car turned right from Church
13 Street down into what he called Main Street?

14 A. Yes.

15 634 Q. And he said that his vehicle followed it? 12:39

16 A. Yes.

17 635 Q. Now, that right turn, in fact, it's call George's
18 Street, isn't that right?

19 A. That's right, yes.

20 636 Q. And we've just seen that right turn played on the 12:39
21 screen, isn't that correct?

22 A. Yes.

23 637 Q. And he said that it was obvious that the Vauxhall
24 Cavalier was looking for a car parking space?

25 A. Yes. 12:39

26 638 Q. And he said that the vehicle made an attempt to park
27 opposite the courthouse but there was not enough room
28 to get in?

29 A. Yes.

1 639 Q. And he said that the car then drove on down slowly to
2 the traffic lights in the middle of the town?
3 A. Yes.
4 640 Q. And he said that his vehicle was still following the
5 Cavalier? 12:40
6 A. Yes.
7 641 Q. And then he said, which we're about to see, that the
8 Cavalier turned left towards the bus depot?
9 A. Yes.
10 642 Q. And on to the next set of traffic lights, if we just 12:40
11 play that now. [Presentation played]. And he said
12 then that the Cavalier turned right at those lights and
13 his car followed them?
14 A. Yes.
15 643 Q. If we just stop there. So, what we've just seen then 12:40
16 is the two vehicles making a journey from the Sacred
17 Heart Church?
18 A. Yes.
19 644 Q. Down George's Street?
20 A. Yes. 12:40
21 645 Q. On to Market Street?
22 A. Correct.
23 646 Q. Before turning left on to Bridge Street?
24 A. Yes.
25 647 Q. Over Bell's Bridge, isn't that right? 12:40
26 A. Yes, that's right.
27 648 Q. And then turning right on to Drumragh Avenue?
28 A. Yes.
29 649 Q. Mr. Bridge then said, which we're about to see, that as

1 the two vehicles were going over the bridge at Drumragh
2 Avenue, that the Vauxhall Cavalier put on its
3 right-hand indicator, isn't that right?
4 A. Yes.
5 650 Q. And he said that his vehicle moved into the left-hand 12:41
6 lane --
7 A. Yes.
8 651 Q. -- to go out what he called the Cookstown Road?
9 A. Yes.
10 652 Q. And that is understood to be the Campsie Road, isn't 12:41
11 that right?
12 A. Yes.
13 653 Q. And he said when the vehicles got to the lights they
14 were red?
15 A. Yes. 12:41
16 654 Q. And he said that the Cavalier turned right up the town?
17 A. Yes.
18 655 Q. And he said that his own vehicle went out to Cookstown
19 as he and his wife had decided do their shopping there?
20 A. Yes. 12:41
21 656 Q. We'll just play that sequence now then. [Presentation
22 played]. Okay. So, we saw the two vehicles then take
23 their different directions?
24 A. Yes.
25 657 Q. Cookstown, it's a 40-minute drive, again, roughly from 12:41
26 Omagh, isn't it?
27 A. Yes.
28 658 Q. And it's in a more easterly direction?
29 A. Yes.

1 659 Q. And, finally, Mr. Bridge had said, didn't he, that he
2 did not remember the registration number of the
3 Cavalier?
4 A. Correct.
5 660 Q. But he did give a description of the driver, isn't that 12:42
6 right?
7 A. Yes, he did.
8 661 Q. And what was that description?
9 A. "Late thirties, or early forties. Dark bushy hair
10 going grey at the sides and a stocky build." 12:42
11
12 He then described the passenger as "a younger man, slim
13 build with a longish face. He was wearing what
14 appeared to be a light green body warmer."
15 662 Q. Okay. Just to tie that together then. If the Martins 12:42
16 and other eyewitnesses are correct, there are two
17 possibilities, on the evidence, isn't that right?
18 A. Yes.
19 663 Q. The first is that the Vauxhall Cavalier drove up Market
20 Street and around the courthouse, as Mr. Bridge says? 12:42
21 A. Yes.
22 664 Q. Or the car parked on Market Street once it arrived
23 there initially?
24 A. Yes.
25 665 Q. If we move on then and just play some more of the 12:42
26 presentation. [Presentation played]. Okay. If we
27 stop there. This is the fourth of five eyewitness
28 accounts and this is the account of Diane Keyes and she
29 gave her statement on 10th September 1998?

1 A. Yes.

2 666 Q. And that was her first statement. And her sighting was
3 at about 2:20 p.m.?

4 A. Yes.

5 667 Q. And she said that she drove into Omagh Town to do some 12:43
6 shopping with her young daughter?

7 A. Yes.

8 668 Q. And she said, didn't she, that she parked in the Town
9 Centre at 1:20 p.m.?

10 A. That's right. 12:43

11 669 Q. And she went to a number of shops in the town?

12 A. Yes.

13 670 Q. And she said that she was pushing her young daughter in
14 a pushchair, isn't that right?

15 A. Yes. 12:43

16 671 Q. She described, didn't she, a number of shops that she
17 went to?

18 A. Yes.

19 672 Q. She said that she went to the wattersons shop, then to
20 Harry Corry's, which she said she left at 2:00 p.m. 12:43
21 which was the time on her receipt, isn't that right.

22 A. Correct.

23 673 Q. And then said that she went to Mr. G's and Pine
24 Emporium, isn't that right?

25 A. It is, yes. 12:44

26 674 Q. And Pine Emporium and Mr. G's, they're both situated on
27 Market Street, isn't that right?"

28 A. Correct.

29 675 Q. Pine Emporium, it's at 52 Market Street, isn't that

1 right?

2 A. Yes.

3 676 Q. And Mr. G's at 33 Market Street?

4 A. Yes.

5 677 Q. And she said that she was at Pine Emporium only 12:44

6 briefly, isn't that right?

7 A. Correct.

8 678 Q. She then went to Nicholl & Shiels, didn't she, which

9 was situated towards the lower end of Market Street?

10 A. Yes. 12:44

11 679 Q. And we can see that marked on the screen now, can't we?

12 A. Yes.

13 680 Q. And she said that after five to 10 minutes in Nicholl &

14 Shiels that she went up to Kells shop which is

15 understood to be SD Kells, isn't that right? 12:44

16 A. Yes.

17 681 Q. And if we just play then the presentation we'll see

18 that marked. [Presentation played]. Thank you very

19 much. And she said that she looked at a pair of

20 sandals in the window there? 12:45

21 A. Correct.

22 682 Q. And she said she was aware of a lot of people in the

23 shop and a lot of people outside?

24 A. Yes.

25 683 Q. And she said there was heavy traffic? 12:45

26 A. Yes.

27 684 Q. So, she said she decided to cross the road to McIlroy's

28 Shoe Shop?

29 A. Yes.

1 685 Q. And that was right at 46-48 Market Street, isn't that
2 correct?

3 A. Yes.

4 686 Q. She described that she pushed the pushchair onto the
5 roadway and she was between two parked cars and she 12:45
6 said that the space she was in herself was big enough
7 for a car to park in?

8 A. Yes.

9 687 Q. She said she could not remember the makes or colours of
10 the cars that were parked? 12:45

11 A. Correct.

12 688 Q. And she said that she was looking to her right when she
13 saw a red Vauxhall Cavalier travelling very slowly?

14 A. Yes.

15 689 Q. And she said that when she first saw it, it was in the 12:45
16 area of the pedestrian crossing outside Nicholl &
17 Shiels?

18 A. Yes.

19 690 Q. And she said, didn't she, that the sun was shining
20 brightly? 12:46

21 A. Yes.

22 691 Q. And she commented on the direction she believed the
23 Cavalier had come from?

24 A. Yes.

25 692 Q. What did she say about that? 12:46

26 A. So, she said that if it had come from Dublin Road,
27 marked here, or Drumragh Avenue here, she would have
28 expected it to have been in a different position from
29 where she first seen it. So, she believed that it had

1 come from Campsie.

2 693 Q. And she said that the Cavalier had its left-hand
3 indicator on, didn't she?

4 A. Yes.

5 694 Q. And she noticed the driver gesture? 12:46

6 A. Yes.

7 695 Q. What did she see?

8 A. Sorry, can you repeat that?

9 696 Q. She saw the driver make a gesture?

10 A. Yes. 12:46

11 697 Q. And it was a gesture with the right hand?

12 A. Yes.

13 698 Q. And she said that she saw him flick and back and
14 forwards several times?

15 A. Yes, it was to let her cross the road. 12:46

16 699 Q. And she did then proceed to cross the road?

17 A. She did, yes.

18 700 Q. And she said in her statement that she didn't make eye
19 contact with the driver when he made the gesture?

20 A. Yes. 12:47

21 701 Q. But she could see that there were two men in the car,
22 isn't that right?

23 A. Yes.

24 702 Q. And she commented that the front seat passenger seemed
25 to be crouched back in the seat? 12:47

26 A. Yes.

27 703 Q. And she said she remembered thinking it was decent of
28 the driver to let her cross the road and she said she
29 put her hand up to acknowledge that?

1 A. Yes.

2 704 Q. And then she said she went into McIlroy's Shoe Shop
3 where she spent a brief minute?

4 A. Yes.

5 705 Q. And she said she left the shop and remembered looking 12:47
6 at her watch and she thought the time was at about
7 2:25 p.m.?

8 A. Yes.

9 706 Q. And she said she knew that she was running late as she
10 only had an hour in the car parking space? 12:47

11 A. Correct.

12 707 Q. And she said she went in a hurry to another shop, a
13 little shop beside superValu which she thought was
14 called Kelly's and then she went on to her car?

15 A. Yes. 12:48

16 708 Q. And she estimated that was at 2:25 p.m.?

17 A. At 2:35, yes.

18 709 Q. I beg your pardon, 2:35. She went on to give a more
19 detailed description of the two men she saw in the
20 Cavalier, isn't that right? 12:48

21 A. Yes.

22 710 Q. And what did she say about that?

23 A. She said that the driver looked to be of a bigger build
24 than the passenger, and the passenger was crouched down
25 in his seat. She could see the top of the seat over 12:48
26 his shoulders. She said he was wearing dark coloured
27 clothing and had dark hair. She only glanced at them
28 briefly but the passenger didn't look like a teenager
29 nor did he look very old. If she had to say his age,

1 she would put him around late 20s. She said is his
2 hair didn't look like it was long and he didn't have a
3 skinhead hair cut. Other than that, she wasn't able to
4 say any further.
5 12:49
6 She didn't get a good look at the driver in front. She
7 thinks that he may have had the sun visor down but she
8 wasn't sure. She said that the sun was reflecting on
9 the window of the car but she did state that the driver
10 appeared to be of a bigger build than the passenger. 12:49
11 She couldn't describe him any more than that. The two
12 people in the carry reminded her of a father and son
13 but that was only down to the builds of the two people.
14 711 Q. And she made another statement a day later on 11th
15 September 1998 and she gave some more details in that 12:49
16 statement, isn't that right?
17 A. Yes.
18 712 Q. And she said that when she first saw the Cavalier at
19 Market Street it had its indicator on?
20 A. Yes. 12:49
21 713 Q. And it was roughly in the area between the Kozy Corner
22 pub and Nicholl & Shiels?
23 A. Yes.
24 714 Q. And those are the bottom two premises at Market Street
25 towards the corner of the junction? 12:49
26 A. They are, yes.
27 715 Q. And she said the Cavalier was about three car lengths
28 away from her at the time?
29 A. Yes.

1 716 Q. She also added, didn't she, that when she waved at the
2 driver she didn't look towards him?
3 A. Yes.
4 717 Q. And she said that she was aware of the vehicle
5 travelling very slowly in her direction? 12:50
6 A. Yes.
7 718 Q. And she didn't see this car stop or make any manoeuvres
8 to park in the space that she had come from?
9 A. No.
10 719 Q. And she didn't see the red Cavalier again after that? 12:50
11 A. Correct.
12 720 Q. If we move on to the final eyewitness as part of this
13 presentation. Press play. [Presentation played]. So,
14 what we're seeing now is the account of Diane Keyes?
15 A. Yes. 12:50
16 721 Q. And we're moving on now to Ruth Buchanan?
17 A. Yes.
18 722 Q. [Presentation played]. If we pause there.
19 Ms. Buchanan gave a statement dated 17th August 1998,
20 isn't that right? 12:51
21 A. Yes.
22 723 Q. And she said that she had driven her car which was a
23 Vauxhall Corsa into Omagh to do some shopping?
24 A. Yes.
25 724 Q. And she said she arrived in Omagh at 1:30 p.m. 12:51
26 approximately?
27 A. Yes.
28 725 Q. And she said that she parked her car outside Kells
29 shop?

1 A. Yes.

2 726 Q. which is understood to be SD Kells, which we saw
3 earlier on the presentation?

4 A. Yes.

5 727 Q. And she was with her mum and her mum got out of the car 12:51
6 to do some shopping and she stayed in her car the
7 entire time?

8 A. Yes.

9 728 Q. And she said at 2:00 p.m., approximately, she saw a
10 maroon-coloured car which she thought was a Cavalier? 12:51

11 A. Yes.

12 729 Q. And she said that that car pulled in and parked in
13 front of her?

14 A. Yes.

15 730 Q. And what we can see then is the time of two o'clock 12:51
16 approximately on the screen and Ms. Buchanan's account
17 was that it was about 2:00 p.m., approximately?

18 A. Yes.

19 731 Q. That can't be correct, can it, on the basis of other
20 evidence, primarily the CCTV footage on the Campsie 12:52
21 Road?

22 A. No, not from what we've seen from the CCTV.

23 732 Q. But as part of your presentation and your work, you
24 have taken the timings of witnesses at face value?

25 A. Yes. 12:52

26 733 Q. And in all of your own experience as an investigator,
27 would you agree that witnesses can make mistakes about
28 time?

29 A. I agree, yes.

1 734 Q. And, indeed, it's ordinary human behaviour, isn't it,
2 for any individual to not necessarily be aware of the
3 time at any given moment?
4 A. Correct.

5 735 Q. And an event like seeing a car, as Ms. Buchanan did, 12:52
6 might not have caused her to check her watch, for
7 example?
8 A. No.

9 736 Q. But that isn't to say that she and others can't be
10 reliable in relation to their memories of other matters 12:52
11 such as what they saw?
12 A. No, yeah.

13 737 Q. So, Ms. Buchanan said that the doors of the Cavalier
14 opened immediately and both the passenger and the
15 driver got out? 12:52
16 A. Yes.

17 738 Q. They were both male?
18 A. Yes.

19 739 Q. She said she wasn't sure whether they locked the car
20 but they walked in the direction of the Dublin Road? 12:53
21 A. Yes.

22 740 Q. And she said she couldn't give much of a description of
23 them, isn't that right?
24 A. Yes.

25 741 Q. But she was able to give some details? 12:53
26 A. Yes.

27 742 Q. What were they?
28 A. So, she said that one of these people were around six
29 feet tall and wearing dark clothes. She said that he

1 was of thin build. She then said that the other person
2 was smaller but heavier built. She went on to say that
3 both of these people had short, tidy hairstyles and to
4 her mind gave the appearance of being soldiers. She
5 wasn't able to give further descriptions of these. 12:53

6 743 Q. Thank you very much. She said, then, that she left
7 where she was parked at about 2:10 in her mind?

8 A. Yes.

9 744 Q. And she said that the two persons she saw would have
10 been in their mid 20s? 12:53

11 A. Correct.

12 745 Q. And in another statement she gave on 21st August 1998,
13 she gave more detail about the shops that her mother
14 went to?

15 A. Yes. 12:54

16 746 Q. And she said that the front of her car was parked level
17 with the front doors of Kells Ladies Clothes Shop?

18 A. Yes.

19 747 Q. She said when the Vauxhall Cavalier parked it parked
20 first time and did not have to reverse? 12:54

21 A. Correct.

22 748 Q. And she estimated the distance between her car and the
23 maroon Cavalier?

24 A. Yes.

25 749 Q. And what was that? 12:54

26 A. About half a car length.

27 750 Q. And she commented on the passenger's door, she thought
28 it didn't open fully?

29 A. Yes, that's right.

1 751 Q. She said there was a pole, a traffic pole, possibly a
2 lamppost?
3 A. Yes.
4 752 Q. And she said that the passenger got out of the car
5 quickly? 12:54
6 A. Yes.
7 753 Q. Turning to his left and walking to the rear of the
8 Cavalier?
9 A. Yes.
10 754 Q. She said that she didn't see the driver getting out but 12:54
11 he walked quickly across the front of her own car and
12 joined his passenger on the pavement?
13 A. Yes.
14 755 Q. And she thought at the time that they must have been in
15 a hurry? 12:55
16 A. Yes.
17 756 Q. And she said that she noticed that both of the men, the
18 driver and the passenger, she described them as being
19 very neat in appearance and said that they looked like
20 soldiers? 12:55
21 A. Yes.
22 757 Q. She said she looked at the passenger and then the
23 driver and looked again at the passenger, isn't that
24 right?
25 A. Yes. 12:55
26 758 Q. And she noted that the passenger was the more handsome
27 of the two men?
28 A. Yes.
29 759 Q. And she said that she had observed the men for

1 approximately three to four continuous seconds?

2 A. Yes.

3 760 Q. And she said there were no physical obstructions
4 obscuring her view and she said that they were
5 approximately six to eight feet away from her as they 12:55
6 stood at the front of her car on the footpath?

7 A. Correct.

8 761 Q. And she said she was wearing her glasses at the time?

9 A. Yes.

10 762 Q. If we just pause there and play what Ms. Buchanan saw. 12:55
11 [Presentation played]. We can see them two individuals
12 walking in the direction of Dublin Road --

13 A. Yes.

14 763 Q. -- between the two vehicles parked. She commented,
15 didn't she, that as the men stood on the footpath, the 12:56
16 passenger caught eye contact with her and grinned with
17 her?

18 A. Yes.

19 764 Q. And she described his demeanour, she said he was calm
20 and relaxed? 12:56

21 A. Correct.

22 765 Q. She said the driver was standing staring down
23 Market Street towards Campsie Road?

24 A. Yes.

25 766 Q. And she said that he appeared to have a serious 12:56
26 expression on his face?

27 A. She did.

28 767 Q. She described the walking pace of both men down
29 Market Street was a normal pace?

1 A. Yes.

2 768 Q. And she said she didn't see them again after they
3 walked past her car?

4 A. Correct.

5 769 Q. And in the second statement she gave even more detailed 12:56
6 descriptions of the men that she saw, isn't that right?

7 A. Correct.

8 770 Q. She said that she would describe passenger as man in
9 his mid 20s?

10 A. Correct. 12:57

11 771 Q. Approximately six foot tall and of slim build?

12 A. Yes.

13 772 Q. She said that he had dark coloured hair which was
14 neatly cut?

15 A. Yes. 12:57

16 773 Q. She said it was short in length?

17 A. Yes.

18 774 Q. She described him as having a long face and a clear
19 complexion?

20 A. Yes. 12:57

21 775 Q. She said that he was clean shaven and he would be
22 described as a good looking man?

23 A. She did.

24 776 Q. And she said:
25
26 "I can recall that the top half of his clothing was
27 dark in colour."
28
29 But she wasn't sure about the rest?

1 A. Correct.

2 777 Q. She went on to describe the driver as a man in his mid
3 20s?

4 A. Yes.

5 778 Q. And she said that he was of a slightly heavier build 12:57
6 than the passenger but was not fat?

7 A. Yes.

8 779 Q. And she said that he was about 5'9 inches tall?

9 A. Yes.

10 780 Q. And she commented on his hair and said it was "dirty 12:57
11 fair coloured hair which was neatly cut"?

12 A. Yes.

13 781 Q. And she said he was clean shaven and was more sallow
14 skinned than the passenger?

15 A. Yes. 12:57

16 782 Q. And she said that he had a slightly natural tanned
17 look?

18 A. Yes.

19 783 Q. And she said she was not too sure about his clothing?

20 A. That's right. 12:58

21 784 Q. It's correct, isn't it, that Ms. Buchanan gave oral
22 evidence to the Hoey trial on 4th October 2006?

23 A. Yes.

24 785 Q. And she said there that she left home at about 1:30 and
25 parked outside Kells shop at approximately 1:45. And 12:58
26 she said that she said stayed in her car continuously
27 until going to Boots. And she said that she knew that
28 it was 2:30 when she went to Boots by her car clock,
29 isn't that right?

1 A. Yes.

2 786 Q. And she estimated that the Cavalier came at
3 approximately two o'clock but she did say, didn't she,
4 that she had not looked at her watch?

5 A. Correct. 12:58

6 787 Q. One final point before I pass on to Mr. de la Poer.
7 It's perhaps difficult to determine from Ms. Buchanan's
8 statement whether or not her vehicle was parked in
9 front of or behind the Vauxhall Cavalier, isn't that
10 right? 12:59

11 A. It is, yes.

12 788 Q. Or indeed what direction her vehicle was facing,
13 whether it was towards the courthouse or towards the
14 junction, is that fair to say?

15 A. It is, yes. 12:59

16 789 Q. But what we do know is that she said that the Vauxhall
17 Cavalier parked in front of her vehicle?

18 A. Correct.

19 790 Q. And she also said that the driver of the Cavalier
20 walked across the front of her car? 12:59

21 A. Yes.

22 MS. BRIGGS: Thank you very much Mr. Safranauskas.

23 MR. DE LE POER: Sir, I note the time, but we have two
24 entries left to do, and I wonder if we could just
25 slightly encroach on lunch so as to complete 12:59
26 Mr. Safranauskas's evidence for now.

27 CHAIRMAN: Of course.

28

29

MR. MARK SAFRANAUSKAS WAS FURTHER QUESTIONED BY MR. DE
LA POER AS FOLLOWS:

791 Q. MR. DE LA POER: Mr. Safranauskas, we have two entries left to look at. Before we turn to those, can I say through you that you are aware, aren't you, that the material that you and Ms. Briggs have just been through, forms part of the Inquiry Legal Team Part 4 summary?

12:59

A. Yes, I do.

12:59

792 Q. And that in due course that summary will be available
on the Inquiry website?

A. Yes.

793 Q. And that it includes a number of other sightings not
included in your presentation, and is it your
understand that in relation to those sightings, either
they don't fit comfortably with the other established
evidence?

13:00

A. Yes.

794 Q. Or that they don't add anything by way of any detail to
that which we've heard already?

13.00

A. Correct.

795 Q. But nevertheless they form part of the corpus of the
evidence and are available on the website?

A. Yes.

13:00

796 Q. Let's turn now, please, to conclude your Part 4 presentation, we have just looked at eyewitness events which are timed sometime after 14:18, so depending on whether Mr. Bridge is right or not, in a period of

1 around 14:19 through probably to around 14:23?

2 A. That's right, yes.

3 797 Q. So, let us have a look at what is happening during that
4 period that the bomb car is parking. Firstly, we are
5 away from Omagh? 13:00

6 A. We are.

7 798 Q. The 456 Patrick 'Mooch' Blair brown phone calling
8 Liam Campbell red 430 phone?

9 A. Yes.

10 799 Q. We have mentioned a number of times, that that phone is 13:01
11 about to engage in telephone traffic by the location
12 that the warning calls were made from?

13 A. Yes.

14 800 Q. We can see, if we look at our timeline, that that 430
15 had had a 17-second contact with the scout car at a 13:01
16 time that it was in or around Omagh?

17 A. Yes.

18 801 Q. And now, having had that contact with the scout car, it
19 engages in what is recorded as a 58-second call with
20 the Patrick 'Mooch' Blair phone? 13:01

21 A. Yes, that's right.

22 802 Q. As everybody remembers from what Mr. Greaney said a
23 week ago, that is the Man A call in the PONI Report of
24 2001?

25 A. Correct. 13:01

26 803 Q. Sometimes described as 59-second call. So, we can see
27 from the cell site information that the 456 brown phone
28 is using a mast in the Dundalk area?

29 A. Yes.

1 804 Q. And the 430 is using that mast by the Border?
2 A. That's right.
3 805 Q. Then our final call in this sequence takes us back to
4 Omagh?
5 A. Yes. 13:02
6 806 Q. And we remember that it is at this time that the car is
7 either parking up or seeking to park up?
8 A. Yes.
9 807 Q. It's 4:19:10?
10 A. Yes. 13:02
11 808 Q. Both phones are using the Pigeon Top mast which has the
12 azimuth directed towards Omagh?
13 A. Yes.
14 809 Q. It's substantial contact of 32 seconds?
15 A. Yes. 13:02
16 810 Q. If we just remind ourselves of what that 980 phone had
17 been doing, we see at row 206 at 4:09, so 10 minutes
18 before this, there had been a contact with the scout
19 car, 585 Seamus Daly phone?
20 A. Yes. 13:03
21 811 Q. We can see that five minutes after that there was a
22 44-second contact with the 259 'Shanty' Brady?
23 A. That's right, yes.
24 812 Q. Just before that bomb car hit the Campsie Road CCTV?
25 A. Yes. 13:03
26 813 Q. And then five minutes after that, it is again calling
27 the 585 scout car?
28 A. That's right, yes.
29 814 Q. And so that Derek 'Shanty' Brady 259 yellow phone

1 provisional attribution, right in the middle, almost
2 exactly between those two calls between the bomb car
3 and the scout car as they are engaging in the final
4 stages of leading the bomb car?

5 A. I agree, yes.

13:03

6 MR. DE LE POER: Sir, we have encroached into lunch by
7 five minutes. Can I just indicate this, having spoken
8 to Mr. Greaney it's not anticipated that we will run
9 out of time this afternoon, may I invite you to
10 consider a 2:05 re-start. And can I, finally, just
11 indicate this, if everybody please could either leave
12 their timelines on their desk or return them to the
13 Inquiry staff, they'll be redistributed tomorrow.

13:04

14 CHAIRMAN: Thank you, Mr. de la Poer.

13:04

15
16 THE INQUIRY ADJOURNED FOR LUNCH AND RESUMED AS FOLLOWS:

17
18 CHAIRMAN: Mr. Greaney.

19 MR. GREANEY: Good afternoon. In the witness box we
20 have Col. Peter MacMullen, could he be sworn please.

14:06

21 CHAIRMAN: Good afternoon, Colonel.

22
23 COL. PETER MacMULLEN, HAVING BEEN SWORN, WAS QUESTIONED
24 BY MR. GREANEY AS FOLLOWS:

14:06

25
26 815 Q. MR. GREANEY: Tell us your full name please?

27 A. Col. Peter MacMullen.

28 816 Q. And, Colonel, are you the Assistant Head of Operational
29 Legacy for the British Army?

1 A. Yes, I am.

2 817 Q. And does that mean that you are the principal
3 representative of the Army in all legal and
4 investigative activity relating to operational legacy?

5 A. Yes. 14:07

6 818 Q. What is your background in the Army?

7 A. I'm a career infantry officer with 35 years' regular
8 service and an extended contract in order to fulfil
9 this post.

10 819 Q. So, as you've said a lengthy service, 35 years in the 14:07
11 Army, and has that included service in Northern
12 Ireland, Kosovo, Iraq and Sierra Leon?

13 A. Correct, yes.

14 820 Q. And I just mention that you had served in Northern
15 Ireland, should we understand that you did not have any 14:07
16 involvement in relation to the Omagh bombing on 15th
17 August 1998?

18 A. No.

19 821 Q. Now, you have provided a number of witness statements
20 for the Inquiry, I think eight in total. In providing 14:08
21 those witness statements have you had regard to your
22 own personal research?

23 A. Yes.

24 822 Q. And have you also drawn upon the research conducted by
25 others on your direction? 14:08

26 A. Correct.

27 823 Q. And, as you know, you'll have to give evidence before
28 the Chairman on a number of occasions, in fact twice in
29 this chapter, the second time coming on Wednesday of

1 this week and, again, you will need to give evidence in
2 Chapter 5 which deals with the issue of security
3 normalisation.
4

5 Today, we're going to ask for your help in two topics 14:08
6 in particular. Let me tell you what those are. First
7 of all, with a high level introduction to British Army
8 deployment in Northern Ireland, both over time and
9 specifically in 1998, so that's the first topic. And,
10 as I've said, we'll deal with that at a high level. No 14:09
11 doubt subsequently you'll give evidence in much more
12 detail about that topic. And topic two and the
13 principal topic on which we seek your assistance, the
14 British Army arrangements at the Aughnacloy border
15 crossing in 1998 and specifically in August of 1998. 14:09
16 So, that's where we're going over the course of, I
17 would hope, no more than 60 minutes, certainly in
18 answering my questions.
19

20 Just to bring the formalities to a close, in your 14:09
21 evidence today we are going to be considering two and
22 possibly three of your eight witness statements, let me
23 tell you which those are. First of all, we will
24 consider a small number of parts of your main corporate
25 statement, which is dated 11th November of last year, 14:09
26 and has the INQ reference, 015715.
27

28 Secondly, we'll be dealing with your witness statement
29 dated 14th August of this year which deals with the

1 Aughnacloy border crossing specifically and which also
2 deals with the VENGEFUL system, a system you'll come to
3 explain to us. And it might be necessary for us to
4 look, to some extent, at a short statement you provided
5 dated 13th August of this year which dealt with the 14:10
6 VENGEFUL system, although I think all of that, or
7 almost all of that was also covered in the second of
8 the statements I've just mentioned.

9 A. Correct.

10 824 Q. But we'll see where we get to. The INQ references for 14:10
11 those other two statements are 14th August, is INQ
12 042363, and 13th August is INQ 049648. That will just
13 help us track back into your evidence in due course if
14 we're reading the transcript.

15
16 Are those three statements true to the best of your
17 knowledge, information and belief?

18 A. Yes, they are.

19 825 Q. And do you wish them to stand as at least part of your
20 evidence to the Inquiry? 14:11

21 A. Yes, I do.

22 826 Q. The first topic I'm going to ask you to help with, is
23 setting the context. And, Sir, I'm now at page 2,
24 paragraph 6 of your main statement, statement of 11th
25 November. And I'm simply going to adduce just a small 14:11
26 amount of what you have to say in that section.

27
28 Was it in 1969 that the British Army commenced what you
29 describe as "military operations" in Northern Ireland?

1 A. Correct.

2 827 Q. And what was the code name for that operation?

3 A. Operation Banner.

4 828 Q. In the 39 years that followed, how many troops of the
5 British Army were deployed to Northern Ireland in 14:12
6 total?

7 A. Well over a quarter of a million, well over 250,000.

8 829 Q. And does that figure describe about a quarter of a
9 million separate individuals or does it incorporate
10 situations in which the same individual has been 14:12
11 deployed on a number of occasions?

12 A. It would be a blend of both in truth, because many
13 people will have done multiple tours, but, effectively,
14 it covers the broad bandwidth of numbers of people that
15 are deployed. 14:12

16 830 Q. Now, still dealing with the issue of context. At
17 paragraph 9 of that witness statement, you say the
18 following, at page 3:
19

20 "The 1998 Belfast Good Friday Agreement created rising 14:12
21 expectations of peace and demilitarisation for large
22 swathes of the community. However, opposition to the
23 Peace Process grew and dissident republicans became
24 bolder and increasingly active gaining more support and
25 technological expertise. Much of their activity took 14:13
26 place in South Armagh and some of the 21 terrorist
27 incidents set out at Part 1, reflects this."
28

29 We're not going to be dealing with those prior

1 incidents today, but you're talking about prior attacks
2 or attempted attacks by violent dissident republicans?

3 A. Correct.

4 831 Q. The paragraph that I referred to continues:

5
6 "The security forces were therefore placed in the
7 dilemma of having to balance reducing an overt military
8 profile with suppressing dissident republican activity,
9 all whilst managing an acceptable level of risk to the
10 soldiers on the ground." 14:13

11 A. Yeah.

12 832 Q. So, we'll get to all of that in much more detail when
13 you return in Chapter 5, but does it follow from what
14 I've just read out in 1998 a number of separate but
15 connected things were happening; first of all, there 14:14
16 was a rising expectation of peace and demilitarisation
17 within the communities of Northern Ireland?

18 A. Correct.

19 833 Q. And, indeed, that expectation also existed, do you
20 agree, within the Government of the United Kingdom? 14:14

21 A. Yeah, that would be fair.

22 834 Q. So, there was, both within the community and emanating
23 from the Government, an expectation of increasing
24 security normalisation?

25 A. Yes. 14:14

26 835 Q. So, that was the first thing that was happening. The
27 second thing that was happening, contemporaneously, was
28 that violent dissident republicans were becoming
29 emboldened?

1 A. Yes.

2 836 Q. They were becoming active?

3 A. Yeah.

4 837 Q. In a significant way?

5 A. Yeah, they were filling a void. 14:14

6 838 Q. And that they had the expertise to carry out attacks?

7 A. They were developing, yeah, I think it's fair to say

8 that their expertise was continuing to develop.

9 839 Q. And, third, the security forces had to balance the

10 drive for security normalisation against the need to 14:15

11 address the threat presented by the dissidents?

12 A. Yeah, that's a fair summary.

13 840 Q. And was there a sense, can you tell us, that those two

14 objectives, so security normalisation and addressing

15 the threat of the dissidents, that those two objectives 14:15

16 were in tension with each other?

17 A. I think it would be difficult not to admit an element

18 of tension there, but I think there was also -- there

19 had been periods of ceasefire and pauses where the

20 military posture had to adapt previously and I think it 14:15

21 probably was running on a similar term to that, perhaps

22 with greater momentum this time. But yeah, there was a

23 tension there.

24 841 Q. It's difficult to avoid the logic of the proposition

25 that seeking to reduce militarisation whilst also 14:16

26 seeking to address the threat presented by people who

27 were mounting an ever greater number of attacks, that

28 those were difficult things to pull together in the

29 same way?

1 A. Yeah, I think it was acknowledged in the senior
2 leadership and the direction and the operational
3 profiling that -- to reduce risk.

4 842 Q. Still just dealing with context and to drill into the 14:16
5 issue of the rise of violent dissident republicanism
6 just to a slightly different extent, I'm now at
7 paragraph 11 of the statement. What you can confirm
8 from your research is that support for violent
9 dissident republicanism was initially focused in
10 Dundalk? 14:17

11 A. Yeah.

12 843 Q. But over time spread into the North?

13 A. Correct.

14 844 Q. And I mentioned the fact that the dissident republicans 14:17
15 became emboldened over time and in your statement you
16 provide a specific example which dates to June of 1998
17 when dissident republicans conducted what you describe
18 as an illegal vehicle checkpoint an IVCP. And could
19 you tell us something about that incident and its
20 significance? 14:17

21 A. I can't tell you the exact details of it, but the fact
22 that it took place and they were prepared to operate
23 with arms in Northern Ireland stopping traffic and
24 making a presence felt was an indication given at that
25 time that there was a freedom of movement that they 14:17
26 were expressing that they felt they had.

27 845 Q. And that incident, the illegal vehicle checkpoint, that
28 happened in Jonesborough?

29 A. Correct.

1 846 Q. And what it came to was the dissident republicans
2 flaunting, quite openly, their opposition to the Peace
3 Process?
4 A. Yes, in the face of PIRA.
5 847 Q. In the very face or under the noses of the Provisional 14:18
6 IRA?
7 A. Correct.
8 848 Q. So, this would be an example, as I suggested, of the
9 dissident republicans becoming emboldened?
10 A. Yeah. 14:18
11 849 Q. And what you also tell us in your witness statement is
12 that by early August of 1998 the tempo of operations
13 was such that attacks were taking place at
14 approximately a rate of one each week?
15 A. Correct. 14:18
16 850 Q. So, can I invite you to accept that when the Omagh
17 bombing occurred in August of 1998, that did not emerge
18 out of nowhere so far as the Army was concerned?
19 A. No, that would be a fair contention, I think.
20 851 Q. Because it was known by then that violent dissident 14:19
21 republicanism was on the rise?
22 A. Yeah.
23 852 Q. There had been many attacks by that stage. It was
24 known that the focus of operations for the dissident
25 republicans was Dundalk. 14:19
26 A. [Witness nods].
27 853 Q. And you're nodding your head. And it was known that
28 the group that was causing this threat and that needed
29 to be addressed was that that was to become known as

1 the Real IRA?

2 A. Yeah, there was a viable and very real terrorist threat
3 throughout the summer of 1998.

4 854 Q. You say "summer 1998," at some stage later on we'll
5 need to look closely at quite how far back it goes, 14:19
6 whether it's just the summer of '98 or whether, as
7 we'll be suggesting --

8 A. It followed through from '97 through.

9 855 Q. Absolutely.

10 A. It built throughout that period of time. 14:20

11 856 Q. Well, that's a very fair way ---

12 A. I think the point being that it wasn't an end and there
13 wasn't a perception of an end of a terrorist threat at
14 any stage by the Army.

15 857 Q. So, that's a very helpful introduction to the context 14:20
16 of August 1998. I'm going to move on now to the next
17 topic that I want your help with, which is the
18 structure of the Ministry of Defence and the Army in
19 particular, in 1998. And I'm in that same statement,
20 the 86-page statement, and I'm at page 8 of that 14:20
21 statement, Part A, paragraph 1-1.

22

23 what history records is that the Labour Party, under
24 Tony Blair, won a significant majority in the National
25 Election on 2nd May 1997. And were the key political 14:20
26 figures thereafter, to state probably the obvious, the
27 following so far as Northern Ireland was concerned;
28 first of all, the Prime Minister Tony Blair?

29 A. Yes.

1 858 Q. Secondly, the Home Secretary, Jack Straw?
2 A. Correct. 14:21

3 859 Q. Thirdly, the Defence Secretary or Secretary of State
4 for Defence, George Robertson?
5 A. Correct. 14:21

6 860 Q. So, the ultimate political boss of the Army. The
7 Minister of State for Armed Forces, so between 2nd May
8 '97 and 27th July '98 John Reid, Dr. John Reid. And
9 between 27th July '98 and 29th July '99 Doug Henderson?
10 A. Correct. 14:21

11 861 Q. And, finally, but not least so far as political
12 importance is concerned, the Secretary of State for
13 Northern Ireland and referred to as SoSNI who during
14 the relevant period was Mo Mowlam?
15 A. Correct. 14:22

16 862 Q. When we get to Chapter 5, we'll see that she makes some
17 very important public statements about security
18 normalisation in late '97 and into '98. So, those are
19 the key political figures in 1998.
20 14:22

21 Next, the key military figures so far as Northern
22 Ireland was concerned were who, or whom?
23 A. GOC Northern Ireland at that time was Lieutenant
24 General Sir Rupert Smith, he reported directly to the
25 Chief of General Staff, General Sir Roger Wheeler, who, 14:22
26 again, under the Chief of the Defence Staff at that
27 time was General Sir Charles Guthrie.

28 863 Q. And you referred to the GOC and does that stand for the
29 General Officer Commanding?

1 A. Yeah, he was the senior military representative in
2 Northern Ireland.

3 864 Q. And he reported to the Chief of the General Staff?
4 A. Correct.

5 865 Q. Who, in turn, reported to the Chief of the Defence 14:23
6 Staff?

7 A. Correct.

8 866 Q. Now, next, and relatedly, we need to understand the
9 extent of the British Army deployment in 1998 within
10 Northern Ireland. But as a starting point, before we 14:23
11 get to numbers, I'm going to ask you to explain some
12 terms that not everyone will necessarily understand.
13 So, within the British Army, first of all, what is a
14 division?

15 A. A division is composite group of brigades, so, 14:23
16 effectively it's a command structure at a general
17 level, General Officer with three or more brigades
18 under its command.

19 867 Q. And you've just used the term "brigade," what is a
20 brigade? 14:23

21 A. "Brigade" is a, in the context of this place of
22 Northern Ireland in the Inquiry at the time would be an
23 infantry brigade, a composite number of three to four
24 infantry battalions. Each one of the brigades would be
25 given a geographical area of responsibility. 14:24

26 868 Q. So, working down, so division, brigade, you've just
27 mentioned a battalion; what is a battalion?

28 A. A battalion, again, another grouping under the command
29 of the Lieutenant Colonel with probably four

1 operational companies, again with their own tactical
2 area of responsibility. Each company group commanded
3 by a major, about 100 people under command, again
4 subsequently split into platoons, each platoon of 30.
5 Each one of those platoons in a Northern Ireland 14:24
6 context split into what would be a multiple, half size,
7 13, based mostly about helicopter lift and the ability
8 to move members and independent bodies, was probably
9 the prime construct for operational deployment on the
10 ground. And then within each one of those multiples 14:25
11 you'd have three sections or bricks, I think the common
12 parlance was "brick" at the time in the early part of
13 Operation Banner it moved to sections at later stage,
14 they would be up to five or six people.

15 869 Q. Moving the other way round, this time from bottom to 14:25
16 top; you've got brick at the bottom?

17 A. Correct.

18 870 Q. Multiple?

19 A. Yeah.

20 871 Q. A platoon? 14:25

21 A. Yeah.

22 872 Q. Then a company?

23 A. Yeah.

24 873 Q. Battalion?

25 A. Yeah. 14:25

26 874 Q. Brigade, and at the top, division?

27 A. Yes. In Northern Ireland there wasn't a division per
28 se but Headquarters Northern Ireland assumed that
29 responsibility. I think a division would normally be

1 commanded by a two-star General, a Major General. In
2 Northern Ireland, given the significance of operation,
3 was a three-star command post.

4 875 Q. Now, in your corporate witness statement, the 11th
5 November witness statement you set out in a diagram the 14:26
6 command structure in Northern Ireland at the relevant
7 time. And it's at page 20 of your witness statement
8 and I am going to ask that that diagram be placed on
9 the screen. So this is INQ 015715, tell me if I have
10 taken that too quickly. And it's page 20. Do you have 14:26
11 that on the screen, Colonel?

12 A. Yeah, I do.

13 876 Q. This isn't readily deciphered by someone who isn't a
14 person with intimate knowledge of the Army structure so
15 I'm going to ask you to talk us through this chart 14:26
16 slowly please so we can understand it. Starting at the
17 top, GOC?

18 A. So, that would be Rupert Smith. Whether there was a
19 CLF place in 1998 I can't necessarily confirm from
20 memory, but, effectively, he would have been the 14:27
21 command structure that subsequently as we talked about
22 with the three brigades operating their billets from
23 left to right. Left, the 39 Brigade based out of
24 Lisburn with predominantly an area of responsibility of
25 around Belfast. The 8 Brigade centred in Londonderry 14:27
26 and 3 Brigade in Armagh. Subsequently, I think it
27 moved to Portadown, the brigade headquarters for that.

28 877 Q. Just pausing for one moment, you've got at the very top
29 the General Officer Commanding, in brackets after we've

1 got three -- represents three stars which, again, is a
2 term?

3 A. Lieutenant General.

4 878 Q. And they would be referred to as a three-star commonly.
5 Then CLF if there was, a two-star, so that's a two-star 14:27
6 General. And then the three brigades, in brackets
7 after each one of them is a one-star; would you explain
8 what that means, please?

9 A. A Brigadier commanding each one of those brigades.

10 879 Q. I interrupted you, you were about to tell us about 14:28
11 battalions.

12 A. So, three or four battalions and each one of those
13 brigade areas, each commanded by a Lieutenant Colonel,
14 probably numbering between 6- to 700 people in each one
15 of those. 14:28

16 880 Q. Then the three companies?

17 A. So, you'd have -- so, three to four operational
18 companies in each one of those battalions, some of the
19 battalions would have been larger just because of the
20 construct of how they moved and where they were 14:28
21 operating and they may have been reinforced. But I
22 think what you have here demonstrated on the slide is
23 the total number of companies that were available in
24 each one of those brigades. So, when you run down to
25 it, there's 12 to 16 companies, each company would be 14:28
26 commanded by a major available in each one of those
27 brigade locations.

28 881 Q. And often in documentation that you have referenced in
29 your statements, we see "COY" that would generally

1 stand for company?

2 A. Company, correct.

3 882 Q. We then get, as you explained earlier, to the platoons?

4 A. Yeah. So, the platoons are commanded by an officer.

5 This is the point by which things would be separated in 14:29

6 between ten multiples where you have a sergeant, you

7 have the deputy commander. In each one of those

8 platoons there would have been sergeant, he would have

9 commanded half of the platoon, the officer commanding

10 the other half and creating multiples. So, those 14:29

11 numbers would double in terms of the number of

12 multiples that were available to operate, which is

13 predominantly the metric by which things were moved

14 around and operated under Operation Banner.

15 883 Q. And commanded by an officer commonly of lieutenant 14:29

16 rank?

17 A. Correct.

18 884 Q. Then the sections?

19 A. Yeah. So, in each platoon there'll be three sections

20 of eight men and that's commanded by a corporal. And 14:30

21 then beneath that, his deputy would command one of the

22 two bricks within that, so half section elements of it.

23 885 Q. And that would be a lance corporal --

24 A. Correct.

25 886 Q. -- who would command each brick. What we are told in 14:30

26 the chart is when one puts all of that together, as of

27 1998 the total strength of the security forces in

28 Northern Ireland was around 10,260?

29 A. Correct.

1 887 Q. I'm going to ask you to turn next to what in my version
2 of the statement is page 28, it's paragraph 9-1. And
3 we're going to deal specifically with military
4 deployments in County Tyrone and specifically Omagh.
5 And have you found that paragraph? 14:30
6 A. Yeah.
7 888 Q. What you tell us is:
8
9 "Whilst there were deployments along the Border in
10 Tyrone and Londonderry, the key focus on border 14:31
11 operations was South Armagh and Fermanagh."
12 A. Correct.
13 889 Q. And then you refer to the Omagh battalion, is that
14 correct?
15 A. Yeah. 14:31
16 890 Q. Thank you for taking that from the screen. Which was
17 the Omagh battalion?
18 A. 1st Battalion, the Queen's Lancashire Regiment was the
19 Omagh resident Battalion, there was also 4 Royal Irish
20 as a -- Home Service Royal Irish battalion that was 14:31
21 based out of Omagh as well.
22 891 Q. Often referred to as 1 QLR?
23 A. Correct.
24 892 Q. And, as you know, we're going to hear from a number of
25 former soldiers with 1 QLR on Wednesday of this week in 14:31
26 relation to a particular issue about documentation?
27 A. Yeah.
28 893 Q. What you tell us is:
29

1 "The operational focus of the 1 QLR was in Tyrone and
2 Fermanagh with the seven subunits under operational
3 command conducting a rotation of..."
4

5 And what do you mean when you describe a rotation? 14:32

6 A. So, when I spoke about each battalion having four
7 subunits, sometimes there was a period where they would
8 be task organised with additional units in order to
9 cover areas, their area of reasonability was broader,
10 and this is a classic case of that. So, as you say, 14:32
11 there are six subunits in that and they would rotate
12 through a period of base security in and around
13 Lisanelly Barracks in Omagh, leave and training for
14 one, Omagh sub-division operations, so anything
15 directed by the Royal Ulster Constabulary at a period 14:32
16 of time, and patrols accompanying the RUC. Again,
17 another one operating in or around Clogher. And the
18 patrol bases along the Border, the remaining patrol
19 bases along the Border in Fermanagh, that's Lisnaskea
20 Annaghamartin, Canashy Bridge, Killyvilly, Rosslea and 14:33
21 Wattlebridge. And they were a blend of patrol bases
22 from which to conduct operations and patrols and
23 checkpoints depending on each one. Annaghamartin was a
24 checkpoint, Kilturk was a checkpoint, Killyvilly was a
25 patrol base. It just depended on the geographical 14:33
26 point and whether or not the road was open or not at
27 that particular moment in time.

28
29 Then you also had, in addition to that you had two

1 Royal Irish companies under command of commanding
2 officer of 1 QLR, operational command, in support of
3 different operations. And as they were Home Service
4 part-time soldiers they would support and augment
5 operations in and around the Tyrone area.

14:33

6 894 Q. And do you refer at paragraph 9.2 to an ARB. And what
7 was an ARB?

8 A. There were various iterations of naming conventions
9 that took place, latterly that became NIBAT 1, and at
10 that time it was Armagh Roulement Battalion, and as a
11 roulement battalion that was a -- rather than a
12 resident battalion, roulement battalions were on a
13 six-month cycle, I think earlier in Operation Banner
14 they were three months, they balanced out to a standard
15 operational rhythm in the British Army a six-month
16 operational deployment. The Armagh Battalion was based
17 out of Bessbrook and covered South Armagh
18 predominantly. They were companies based out of
19 Crossmaglen, Forkhill and Bessbrook and conducted
20 operations in and around there, including the
21 observation towers, the Golf and Romeo towers in and
22 around South Armagh.

14:34

14:34

14:34

23 895 Q. That's probably enough information for today's purposes
24 in relation to deployments.

14:34

26 There is another witness statement, Colonel, in which
27 you deal in greater detail with deployment, and we'll
28 adduce some further material about that on Wednesday
29 when you return.

1 A. Sure.

2 896 Q. Now, where I'd like to turn next, please, to is the
3 topic that you're really here to help us here today,
4 namely the vehicle checkpoints. And we're going to go
5 to page 31 paragraph 14-1 of the same corporate witness 14:35
6 statement.

7 A. Yeah.

8 897 Q. And you tell us details, so locations, dates, manning
9 and capability of any vehicle checkpoints, watch towers
10 and observation posts in Omagh or County Tyrone between 14:35
11 1st December 1997 and 15th August 1998 are as follows.
12

13 And would you list for us what those are, each of them,
14 and explain what each is also please?

15 A. So, the permanent overt observation posts, there were 14:36
16 checkpoints and patrols bases. So, the observations
17 posts were those in and around South Armagh, the Romeo
18 towers, the Golf towers. They were there simply as a
19 point by which observation would take place over
20 certain areas and I think included in my corporate 14:36
21 statement there's a matrix, there's a diagram showing
22 the matrix of they were positioned.

23 898 Q. There is.

24 A. Which gives an indication of those. The permanent
25 vehicle checkpoints were places like Aughnacloy which 14:36
26 was a permanent point by which a road was kept open and
27 a checkpoint established. Some of the patrol bases, as
28 I said before, you had the balance between some of the
29 operational locations, so Annahmartin was a patrol

1 base and a vehicle checkpoint, so patrols would be
2 operating from it but also monitor the Border as a
3 manned point. I think this comes from a period of time
4 when not all of the roads across the Border were open
5 and there was restricted access and so the checkpoints 14:37
6 were set along them in order to monitor that traffic
7 that came across, and other road crossings were closed.
8 So, at that time, you got a blend of all three elements
9 and also you have the direction from the GOC at the
10 time that observation and surveillance becomes a 14:37
11 priority for him as we go through that point that you
12 talked about, the contested and the tricky period of
13 time balancing effort.

14 899 Q. And in the documents we will sometimes see those
15 permanent overt observation posts referred to as OPs? 14:37
16 A. Yeah.

17 900 Q. We will see patrol bases referred to as PBs?
18 A. Yeah.

19 901 Q. And most pertinently for our purposes today, we will
20 see the permanent vehicle checkpoints referred to as 14:37
21 PVCs?
22 A. Yeah, PVCs.

23 902 Q. Thank you. Or sometimes just as checkpoints?
24 A. Correct.

25 903 Q. And by the time that we are dealing with in 1998, as 14:38
26 you observed, these had become a common feature of
27 life?
28 A. Yeah.

29 904 Q. And you describe how they provided both a degree of

1 protection to other installations and a source of
2 valuable intelligence?

3 A. Yes, and so a lot of them were predicated on gathering
4 information and intelligence.

5 905 Q. By whom would they tend to be manned? 14:38

6 A. Pretty much exclusively these would be manned by
7 soldiers from infantry battalions on Roulement tours.

8 906 Q. Now, let's turn specifically to the checkpoint at
9 Aughnacloy. And this takes us to the second of the
10 statements that I mentioned which is your statement of 14:39
11 14th August 2026, INQ 042363. I will just give you a
12 moment to turn that up. It's a statement that
13 certainly, as I have it, runs to 37 paragraphs and nine
14 pages.

15 A. Yeah, got it. 14:39

16 907 Q. What we need to do, the two of us, Colonel, but
17 principally you, is to deal with what the vehicle
18 monitoring arrangements on the A5 Monaghan Road at
19 Aughnacloy were in August of 1998. And I think you
20 would agree that the Ministry of Defence records do not 14:39
21 provide certainty in relation to a number of aspects
22 relevant to that checkpoint?

23 A. No.

24 908 Q. But, we need do our best, don't we, to understand the
25 position, even if that position is imperfect? 14:40

26 A. Yeah, sure.

27 909 Q. At paragraph 7, page 3, you explain the importance of
28 vehicle monitoring arrangements and would you summarise
29 the position for us please?

1 A. Again, it goes back to what I said previously, the
2 Border crossings and the management of the security
3 across the Border was an element of an overt collection
4 process and mechanism by which to manage the Border
5 crossings to gain as much information as we possibly 14:40
6 could in order to combat terrorism. So it's a blend.
7 It was definitely overt. It was imperfect, there was
8 constantly a tension between, this is a fixed point at
9 any one time that can be circumnavigated, it being a
10 known point of information where there were soldiers 14:41
11 were operating. But, equally, then managed the areas
12 where you could control access and target areas where,
13 perhaps, where operations took place where we didn't
14 know or where freedom or had vehicles, roads that were
15 closed. 14:41

16 910 Q. So, subsequently to the Good Friday Agreement and
17 subsequently to the period that we are most concerned
18 with, the vehicle checkpoints were phased out?

19 A. Gradually, yes, as sort of a point of normalisation.

20 911 Q. And as a result of normalisation but, also, because 14:41
21 there was developed a modern network of static and
22 mobile automatic number plate recognition or ANPR
23 cameras?

24 A. Yeah. So, you've got a blend of technology improving,
25 reducing footprint. Again, sort of I think a 14:41
26 realisation that a static fixed point on the ground for
27 any operation is easily circumnavigated by anybody with
28 intent to undermine that. So, they were of value at a
29 point in time and that changed as the operation

1 environment changed as well.

2 912 Q. You were watching, I think, the evidence given by
3 Mark Safranauskas earlier on today?

4 A. Yeah.

5 913 Q. And he provided an example of how someone who wished to 14:42
6 circumvent the Aughnacloy checkpoint would have been
7 able to do so?

8 A. Correct, yes.

9 914 Q. That risk was recognised. The point I was driving at
10 was that although they became phased out subsequently 14:42
11 to the period that we're looking at and came to be
12 replaced with more modern systems, as of August 1998
13 did vehicle checkpoints remain an important part of the
14 Army operation in Northern Ireland?

15 A. Yes. 14:42

16 915 Q. And one thing that's going to be important for us to
17 understand over the course of your evidence, is whether
18 the kind of modern systems that ANPR-based systems that
19 most of us will have some degree of familiarity with,
20 whether the position in August 1998 was something very 14:43
21 similar to that or something very different from that?

22 A. I think extraordinarily, two points I'd make. Firstly,
23 I think the checkpoints were a part, important is hard
24 to stress because it's rooting back to in terms of
25 somebody else's impression at a particular moment in 14:43
26 time.

27 916 Q. Yes.

28 A. But ANPR, at that stage, this is mark 0.1 and was
29 really clunky and had all sorts of points of friction

1 in terms of how it was delivered, how it operated,
2 limitations on what it was doing. We have indications
3 about a delivery programme for the ANPR systems that
4 were due in place that, like most of these things,
5 never quite matched up to the initial intent. And 14:44
6 certainly by that stage they were still very much early
7 stages of development and imperfect in many ways.

8 917 Q. So, just to draw some of those strands together because
9 you've said some things that may be important.

10
11 ANPR was in its very early days and basic compared with
12 what is available now?

13 A. Correct.

14 918 Q. Not that we're not going to go into the sensitivities
15 of what is available now. But, in fact, you aren't 14:44
16 even in a position to say, based upon your research,
17 whether even that basic ANPR had been installed at the
18 Aughnacloy checkpoint as of August 1998?

19 A. So, we have paperwork, I've discovered paperwork that
20 indicates that it was due to be rolled out at that 14:44
21 time. Aughnacloy was unmanned at that time by the
22 military so I think it is a fair assumption to turn
23 around and say that ANPR was operating at Aughnacloy at
24 that period of time. I just can't definitively turn
25 around and say yes, I saw it here and I have a piece of 14:45
26 paperwork that says that it was operational at that
27 time.

28 919 Q. Thank you very much for continuing to think about this
29 issue, but where you have rested is that you think, on

1 balance, it is likely --

2 A. Correct.

3 920 Q. -- that ANPR had been installed but you can't say
4 definitively that it had been?

5 A. Yeah. 14:45

6 921 Q. You mentioned that as of August 1998, it's probable,
7 indeed highly probable - and I'm now at your
8 paragraph 8 - that the Aughnacloy checkpoint was
9 unmanned?

10 A. Yeah. 14:45

11 922 Q. And that it was managed remotely from another location?

12 A. Yeah.

13 923 Q. Where do you assess that other location is likely to
14 have been?

15 A. I think at that time there were three locations in and 14:45
16 around, you have PSNI Station or RUC Station, you have
17 the military base where there was a company from
18 1 Royal Welsh and a Royal Irish battalion there and you
19 have the checkpoint, and I think it was manned by the
20 military. It was monitored by the military from the 14:46
21 remote Aughnacloy site.

22 924 Q. So, it's unmanned because military, as we learn from
23 your statement, had withdrawn from that checkpoint in
24 October 1995?

25 A. Yes, so the ceasefire is in '95, definitive evidence 14:46
26 that they withdrew from it and it worked remotely from
27 that point.

28 925 Q. So, you think - and you've chosen the word carefully -
29 that it was monitored from the military base in

1 Aughnacloy?

2 A. Yeah.

3 926 Q. And it's perhaps relevant at this stage to understand
4 why you've taken care to chose that word "monitored."
5 Is it because as for whether the cameras were monitored 14:47
6 by a person or automatically the document doesn't say
7 either way?

8 A. No. I mean I think there's a blend. In 1995 it would
9 have been operated remotely, as the Internet went
10 through that initial stage. The presence of ANPR there 14:47
11 and the systems and how it managed, it's the assumption
12 that would have been an automated system by that stage,
13 because it was utilising ANPR.

14 927 Q. So, let me just make sure I've understood this. You
15 assess that it's likely there were ANPR cameras at 14:47
16 Aughnacloy in August 1998?

17 A. Yeah.

18 928 Q. If there were ANPR cameras, you assess that they would
19 have been monitored or utilised automatically at that
20 point in time? 14:47

21 A. Yeah. And speaking to somebody who managed the systems
22 a year later, he identified that there was no remote
23 access other than what was, effectively, to be a local
24 system. So, I don't think there's any ability for the
25 system to be managed or dealt with anywhere else other 14:48
26 than Aughnacloy.

27 929 Q. Yes.

28 A. And in terms of who or possibly could have been
29 involved in that process, again, goes back down to the

1 very basic level of soldiering that would have taken
2 place there with private soldiers, lance corporals,
3 corporals operating the system and managing it, if
4 there was any human system intervention at that stage.
5 But I think it's unlikely given the probability of ANPR 14:48
6 as it stood at that time.

7 930 Q. So, you're having to make your judgments about this as
8 best you can?

9 A. Yes.

10 931 Q. Often in the face of an absence of relevant 14:48
11 documentation. You've judged it's likely, ANPR likely
12 automatic. But what you've just told us, I think, is
13 that if there was any human element to the operation of
14 those cameras it would have been at a very junior
15 soldier level? 14:49

16 A. Yeah, absolutely.

17 932 Q. Could I just ask you to consider whether two features
18 make any difference to your assessment, and no doubt
19 you've thought about these; when we look at the footage
20 from the Aughnacloy checkpoint, sometimes it zooms in, 14:49
21 sometimes it zooms out, sometimes it pauses on a
22 particular vehicle which we'll come back to in a
23 moment, and when it pauses it does so for periods of
24 time that are variable in length. So it's not just
25 pausing for 30 seconds or a minute, does that make 14:49
26 sense?

27 A. Yeah.

28 933 Q. Is it fair to at least ask whether those are
29 indications that there was, for some of the time at any

1 rate, human intervention?

2 A. I am -- like you, I don't know, I can't say one way or
3 the other. There is, equally, an opportunity to turn
4 around and say that this is a camera that's zooming in
5 or out automatically. I notice that some of the pauses 14:50
6 are not pauses on vehicles, some of them are pauses on
7 the blank road, whether it's picked up something in the
8 threshold in terms of the ANPR. I know that the ANPR
9 system struggled in a whole series of different light
10 and weather conditions and was degraded as such, and 14:50
11 then focused differently, managed differently, recorded
12 things differently at different stages. So, yeah, I
13 can see both sides of this one.

14 934 Q. Yes.

15 A. I haven't found anything definitive either way. 14:50

16 935 Q. What you're doing is expressing a likelihood, based
17 upon such documents that as you have seen, if there
18 were any, and based upon people that you have spoken
19 to --

20 A. Correct. 14:50

21 936 Q. -- that you might expect to have knowledge?

22 A. Correct.

23 937 Q. And thank you very much for doing your best to help us.
24 In relation to the cameras themselves, I'm now at
25 paragraph 9. Each checkpoint in Aughnacloy being no 14:51
26 different, had cameras covering the angles of vehicle
27 movement across the Border?

28 A. Yeah.

29 938 Q. But the information on how many cameras or where they

1 were located at the Aughnacloy checkpoint does not
2 appear to have been retained in MoD records?

3 A. No, and the best evidence, and I seem to ascertain how
4 and where it works is in the PSNI evidence.

5 939 Q. Having dealt with some matters of background I'm going 14:51
6 to turn to some particular issues relating to the
7 checkpoint at Aughnacloy and we can probably move
8 through these fairly swiftly.

9

10 So, given what the cell site evidence reveals, we can 14:51
11 have a high degree of confidence about when the bomb
12 car crossed the Border on 15th August, obviously within
13 parameters?

14 A. Yeah.

15 940 Q. And to take those parameters that are far wider in fact 14:52
16 and are realistic, well let's take them as between
17 1:00 p.m. and 2:00 p.m. Even though 2:00 p.m. would
18 have been much too late for the car to have been parked
19 up shortly after 2:18 p.m. Let's take between
20 1:00 p.m. to 2:00 p.m. at the Border as being our 14:52
21 parameter.

22

23 So, we have, as you know Colonel, footage from the
24 cameras at the Aughnacloy crossing point for vehicles
25 travelling from the Republic of Ireland into Northern 14:52
26 Ireland as the bomb car and the scout car did, between
27 1:00 p.m. and 2:00 p.m. So we have footage for that
28 period of time. Is this making sense so far?

29 A. Yes.

1 941 Q. It's obviously relevant to establish whether the bomb
2 car on its false plates, MDZ 5211 was captured on the
3 system between those two points?
4 A. Correct.
5 942 Q. You can see the sense in that. What we know from the 14:53
6 evidence of Mark Safranauskas this morning, is that the
7 vehicle was not captured on the recording made at the
8 crossing point at the checkpoint, again you're nodding
9 your head in agreement with that?
10 A. Yeah, correct. 14:53
11 943 Q. So, what we need do is to understand whether there is
12 any significance to be attached to the fact that that
13 vehicle, the bomb car, cannot be seen in the recording
14 between 1:00 p.m. and 2:00 p.m., I hope this is making
15 sense. 14:53
16 A. Yeah.
17 944 Q. So, that's what I'm going to ask you to help with.
18 Now, first of all the absence of a recording of that
19 vehicle might be significant if the system would be
20 expected to record every vehicle that passed the 14:53
21 cameras, but you will be able to confirm, and your
22 experience is similar to that of Mr. Safranauskas, that
23 when vehicles pass in close succession they were not
24 always captured by the system?
25 A. No, that's a failing in it. 14:54
26 945 Q. And, furthermore, as we know, the footage pauses from
27 time to time usually on a particular vehicle?
28 A. Correct.
29 946 Q. And during that period which varied in time but could

1 be lengthy, other vehicles would continue to pass the
2 cameras?

3 A. Yeah.

4 947 Q. And during those periods those vehicles would not be
5 recorded? 14:54

6 A. Correct.

7 948 Q. So, I mean it was far from a perfect system, would it
8 be fair to say?

9 A. Completely. I think at the early stages anything is
10 subject to -- it's more than teething, but, yeah, it 14:54
11 wasn't a perfect system at that stage, but it was
12 leading technology of its time.

13 949 Q. So, what we have just to focus back in on the question
14 I was exploring, what we have is not a complete record
15 of all vehicles passing the cameras? 14:55

16 A. Correct.

17 950 Q. We know that for certain. And is the obvious upshot
18 from that, that the bomb car might or might not have
19 crossed the Border at the Aughnacloy checkpoint?

20 A. Correct, and we have evidence that turns around and 14:55
21 says that we weren't capturing all of the vehicles and
22 it was anomaly that had been raised in the system.

23 951 Q. Do you think that that anomaly was known about at the
24 time?

25 A. Yes, I think we have a document in closed that dates a 14:55
26 specific point in or around 12th August at that time
27 where it was raised. So it was clearly an issue that
28 was live at that period of time.

29 952 Q. And thank you for maintaining the open/closed divide

1 and explaining that material exists in closed on this
2 issue. That was the first point that I wanted your
3 help on. There are some subsidiary and perhaps less
4 important points but let's deal with them anyway.

14:56

6 Secondly, your work establishes that there is no
7 missing footage for the relevant south to north cameras
8 for that period that I've identified; 1:00 p.m. to
9 2:00 p.m. on 15th August?

10 A. Correct.

14:56

11 953 Q. Thirdly, there is no indication from the records of the
12 Ministry of Defence of any deliberate human
13 interference with the recording that we know was being
14 made on 15th August?

15 A. None.

14:56

16 954 Q. Now, fourthly, and stepping into a hypothetical world
17 now, in the event that a need to stop a vehicle
18 physically at a checkpoint had arisen in August 1998,
19 how would that have been achieved, and I'm now at
20 paragraph 20 of that second statement?

14:57

21 A. I think at that stage because the checkpoint was
22 unmanned you're effectively relying on both police and
23 military patrols that are operating in depth of the
24 Border, or at different locations, whether they be
25 helicopter-based eagle vehicle checkpoints that drop
26 down or planned patrols or something way long those
27 lines, or something that was then triggered by a
28 vehicle crossing to do so. Although, given the
29 timeframes and vehicle transit and multiple options

14:57

1 subsequently it would be very hard. It was a period of
2 I think, best way to explain the difficulty in that, is
3 after a major incident there would be a call for eagle
4 VCPs to move out and around an area to try and set up
5 checkpoints on a responsive basis. But it's very hard 14:57
6 to do, it's very hard to coordinate, very hard to do it
7 in a timeframe that's suitable, very hard to cover
8 every road. But, effectively, to stop at that point in
9 time would be based on a physical patrol on the ground.

10 955 Q. Fifth, have searches of military operational records 14:58
11 failed to identify any specific working arrangements
12 between the MoD and British Army on the one hand and
13 RUC on the other in relation to the vehicle monitoring
14 system at Aughnacloy?

15 A. Yes, and wider. We don't have anything that would turn 14:58
16 around and say that we did or didn't do it. We have
17 acknowledged practices in place but we haven't found
18 any paperwork to turn around and say that.

19 956 Q. That was really what I wanted to understand, whether 14:58
20 the result of your work was that you hadn't been able
21 to find any evidence, either way, of that kind of
22 arrangement between the Army and the RUC, including in
23 relation to information sharing?

24 A. Correct. The documentation doesn't exist, just
25 practices seem to happen naturally in that space. One 14:59
26 either imagines there was documentation or there was no
27 requirement for it, because it just happened.

28 957 Q. And that's a point, as you've made clear, that applies
29 generally and not just in relation to the position in

1 Aughnacloy?

2 A. Yeah. This is an evolving operation over decades, you
3 can see how those things have worked and I think it's
4 in the context of a modern governmental post and
5 position where we require accountability through those
6 things is the length by which we examine it, but
7 perhaps wasn't in place then. I don't know.

8 958 Q. So, we need to be fair to the point, we don't know if
9 there were such arrangements --

10 A. Correct.

11 959 Q. -- from the documents. If there were, we don't know
12 what form they took, but the clear indications are that
13 the footage for 15th August and, indeed, 14th August
14 was provided by the Army to RUC (as it was then) for
15 the purposes of the investigation of the Omagh bombing?

16 A. Correct.

17 960 Q. And, sixth, and after that we'll come to the VENGEFUL
18 system and a form of words has been chosen to deal with
19 this point. In open we'll be faithful to it. we'll
20 see in due course whether we can unpick either in open
21 or in closed. The Ministry of Defence is unable to
22 confirm, you tell us, whether any State agency of the
23 Republic of Ireland had any cameras covering the area
24 of Aughnacloy border crossing which had been avowed to
25 the UK State. So, that's paragraph 36?

26 A. Yeah.

27 961 Q. I may not have used every word, but I've certainly
28 achieved the thrust of it. So, that's all I want to
29 ask you about the checkpoint at Aughnacloy itself.

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I, next, want to move and finally move to a topic that is connected with the checkpoint, but I think it's important to understand different from. I've used the term "VENGEFUL system" and we mustn't think, must we, Colonel, and tell me if I've got this wrong, that what we have just been describing, namely the vehicle monitoring by cameras system at Aughnacloy, whether by ANPR or otherwise, we must not think that that is the system that's called VENGEFUL?

A. No. VENGEFUL is the database that predates the ANPR system by quite some time. I think in the Inquiry's domain there is a sort of early video of the operating system, it's simply a record of those vehicles registered in Northern Ireland against which a set of categories were placed whether that was a person of interest, a vehicle of interest, whether this vehicle was to be stopped, whether this vehicle was to be monitored, along those lines. So, based on a link between a number plate, a registration document and a category and that's it. So, a database and database alone.

962 Q. So, separate from a camera, albeit --
A. Yeah, the camera system. So, effectively, it was established initially so that somebody would work on the ground, a soldier or a policeman would be on the ground, a soldier on the ground and would stop a vehicle, and do a plate check of this vehicle and it would come back with the information stated against it.

1 And it would either be radioed to someone who manually
2 operated the system, or at some of the vehicle
3 checkpoints or patrol bases, somebody who would then
4 see the car, manually enter the whole process and you
5 would have that corresponding information. The 15:03
6 difficulty between the delta between ANPR system, which
7 was just a number plate and recognition and a person,
8 always these things the person was able to turn around
9 and identify other factors that were in place whether,
10 it was the same car or whether there were any anomalies 15:03
11 to it, or it looked suspicious at that particular
12 moment in time. What you win with an automatic system,
13 it's swings and roundabouts.

14 963 Q. Let's just drill into some of that so that we've a
15 complete understanding, but before we do so, you 15:03
16 mentioned a video, you refer to that in your witness
17 statement, in fact, it's a video that Mr. Suter
18 uncovered, it was discovered in the Imperial War
19 Museum, and that shows a very early version of
20 VENGEFUL. So, if anyone wanted to look at where 15:03
21 VENGEFUL came from that would be a helpful starting
22 point?

23 A. Yes, I think so. But I'd mention it is exceptionally
24 dated, and this was -- I think it's a late '80s
25 programme at that stage and so we've moved on some way 15:04
26 but the basic principles of a database, I think the
27 interfaces improved, the large discs that were used, et
28 cetera, technology improved around it, but the
29 principle of a database and DVLA information, or a

1 Northern Irish equivalent going into it is the same.

2 964 Q. So, the reason we're not playing it, and we did
3 consider playing it, is because it may not give the
4 most accurate reflection of the position in '98, and
5 indeed it might create some confusion rather than bring 15:04
6 clarity. I'll give the INQ reference for it, so that
7 the transcript is comprehensible in due course. It's
8 INQ 049533. At least that can be used as a starting
9 point, I think it might also be found elsewhere, I'll
10 be told off for giving the wrong reference but we'll 15:04
11 correct that in due course.

12

13 At paragraph 19 of the statement we were looking at,
14 you describe the VENGEFUL system in this way:

15 15:05

16 "It was an intelligence database containing details of
17 vehicles registered in Northern Ireland as well as
18 vehicles registered elsewhere that were of interest to
19 the security forces." Paragraph 19, page 5.

20 A. Got it. 15:05

21 965 Q. "Put simply, it was a database of information to assist
22 the security forces with the identification and
23 interception of terrorist vehicles. The system held
24 four classes of information; vehicle registration data,
25 information on suspect vehicles, records of sightings, 15:05
26 and reference material."

27 A. Correct.

28 966 Q. "It recorded vehicle sightings for subsequent retrieval
29 and analysis and assessed those sightings in real-time

1 to alert users when defined preconditions were met."
2 You then give an example that:
3
4 "If a vehicle registration number was held in the
5 VENGEFUL database the security forces would be able to 15:06
6 retrieve, giving further basic information such as
7 colour, make and model. If the vehicle was of interest
8 to the intelligence community then that registration
9 plate may be assigned additional instructions such as
10 stop and search." 15:06
11 A. Correct.
12 967 Q. Indeed, those of us who have watched the video will see
13 that another instruction might be, don't stop?
14 A. Yeah.
15 968 Q. "Sightings of vehicles were added manually to the 15:06
16 database utilising information from patrols and vehicle
17 checkpoints."
18
19 And you go on to explain that as technology improved
20 and with the introduction of ANPR, the manual input 15:06
21 process gradually became fully automated?
22 A. Correct.
23 969 Q. And you say there, that you haven't been able to
24 confirm whether ANPR was operating at Aughnacloy at the
25 relevant time, but as you've explained to us today, 15:07
26 your resting position no doubt as a result of much work
27 is that you think it likely that it was?
28 A. Yeah. I mean, that's a point at which we dated that
29 statement and it changed when we found more

1 information.

2 970 Q. And that we welcome. At paragraph 22, you describe an
3 upgrade to the system. Was the upgrade one that was
4 necessary to ensure that there was greater integration
5 between VENGEFUL and ANPR cameras? 15:07

6 A. Yes, without referring directly to what the notes that
7 we talk about in closed, I'm reading that yes. I think
8 it probably was about a capacity issue and ability to
9 process and improving processing power.

10 971 Q. So, what I can say, without treading into material 15:08
11 which is operationally sensitive, still less closed, is
12 that as you've just put it, there was a capacity issue,
13 that there was a need to ensure that VENGEFUL was able
14 to service a greater number of ANPR cameras than was
15 the position and that was what the update was? 15:08

16 A. Correct. I think there we have specific numbers by
17 which they were sort of pretty low and it's increasing
18 those numbers and breadth.

19 972 Q. The precise numbers are available to the Core
20 Participants but it's not necessary to go into them, 15:08
21 it's the principle that is important to understand.
22

23 For how long were sightings retained on the database?

24 A. It's been hard to ascertain, there's lots of different
25 sort of information that comes in about this. We've 15:08
26 identified no clear policy that we've been able to find
27 there which says for this period of time, information
28 was held. We've identified some video footage
29 parameters that appear to say that 21 days it was a

1 rewrite over the videos, some say six months, so it was
2 temporary basis.

3
4 In terms of the ANPR system, the camera footage in
5 there, that was a fairly rapid overwrite because the 15:09
6 camera, the ANPR camera converted, my understanding
7 from speaking to somebody who operated the system a
8 year later, the assumption is that it was in place at
9 that time, is that it converted the number plate into a
10 data feed and then fired it through the system as that 15:09
11 rather than a video footage, and so as a result it was
12 overwritten. Now, a period of time then could be
13 intervened and had been done in order to get
14 information back, but I can't be specific about the
15 timeframes. 15:10

16 973 Q. No. So, there are at least two and there may be three
17 different things. So, there is the period of time that
18 the footage from the non-ANPR cameras would be
19 overwritten. There's the period of time that the
20 footage of the ANPR camera footage would be 15:10
21 overwritten, and I think you've answered that question.
22 In terms of the information that had been manually
23 inputted or automatically later inputted into VENGEFUL,
24 would that be overwritten or would that --

25 A. No, I think that was -- the intelligence information 15:10
26 stayed there for as long as it was required. What we
27 don't have is a record of the database. So I can't
28 tell you, but there seems to be no reason why that
29 information disappeared.

1 974 Q. And what I was really asking about was paragraph 23 and
2 it would have been more sensible had I taken you
3 straight to that. You say, dealing with VENGEFUL:
4
5 "Sightings were retained on the live database for six 15:10
6 months. Before being deleted from the live database
7 they were copied from DAT tape for archival storage.
8 The DAT tape was the sole archive copy and there was no
9 separate backup of the archived tape."
10 15:11
11 So, that's what you've just latterly told me about,
12 namely the material on VENGEFUL?
13 A. Correct.
14 975 Q. That it would have remain on a live database for six
15 months, but that it wouldn't then be overwritten or 15:11
16 destroyed, it would be archived in the way I've just --
17 A. Correct.
18 976 Q. Then, finally, before I invite Mr. Southey to ask his
19 questions, paragraph 24 tells us, that during the
20 VENGEFUL replacement upgrade period whilst data was 15:11
21 transferred between the VENGEFUL current and VENGEFUL
22 replacement system a discrepancy was identified in the
23 data held between the two systems?
24 A. And that's what I spoke about earlier, that period of
25 time, as it were, August '98 that information was 15:11
26 identified and there was a problem and they were trying
27 to identify how they would resolve it.
28 977 Q. And the assessment that the MoD makes is that further
29 information about that issue should be regarded as

1 being provisionally closed subject, obviously, to the
2 decision of the Chairman in due course?

3 A. Yeah.

4 MR. GREANEY: Colonel, thank you very much for
5 answering my questions on the first of what will be two 15:12
6 occasions this week. As I've explained to you when I
7 saw you earlier, as I see all witnesses that I'm
8 calling, Mr. Southey has some questions on behalf of
9 the bereaved families that he represents.

10
11 COL. PETER MacMULLEN WAS QUESTIONED BY MR. SOUTHEY AS
12 FOLLOWS:
13

14 978 Q. MR. SOUTHEY: Thank you, Colonel. I, as you have
15 heard, have a few questions to ask on behalf of some of 15:12
16 the bereaved families and some of the survivors. A
17 number of things I wanted to cover have already been
18 covered, so I'll try and focus on what I think hasn't
19 been covered. You've talked about how your assumption
20 is, and explained why this is your assumption, there 15:12
21 were ANPR cameras operating in Aughnacloy at the time.
22 And I think a moment ago you also said that the way
23 they would operate would be that they would convert,
24 effectively, the film into number plates or a list of
25 number plates that passed through, is that correct? 15:13

26 A. No, they convert the film into data rather than to a
27 number plate. So it was a data transfer. Sort of
28 whether that's well stepping outside my level of
29 expertise, but it wasn't an image it was rather a batch

1 of data that went into the system.

2 979 Q. Sorry, I wasn't expressing myself very well, what I
3 meant by that was data. In principle, I'm just trying
4 to make sure I understand how this operated, you would,
5 perhaps after a day's operation of this, you might get 15:13
6 a list of registration numbers that had passed through
7 a particular point as data somewhere, would that be
8 right?

9 A. Yes, but that be on the VENGEFUL system. So, I think
10 the ANPR was -- what I'm talking about here was sort of 15:14
11 the separation between the two. So, the mechanics of
12 the ANPR system as to how it took a photograph and
13 converted that information that could be inputted as
14 opposed to somebody typing it in was by that conversion
15 to data. But the record of information on the list of 15:14
16 number plates, that goes back on to the VENGEFUL
17 system. So, everything feeds the single database.

18 980 Q. Okay. But through the VENGEFUL system would it, in
19 principle, have been possible to say what cars have we
20 recorded going through Aughnacloy on 15th August, for 15:14
21 example?

22 A. Yeah.

23 981 Q. And you would interrogate the VENGEFUL system to get
24 that list, is that right?

25 A. Yeah. 15:14

26 982 Q. Okay. Thank you. Turning then to the VENGEFUL system
27 the Inquiry has, and it may be worth putting it up on
28 the screen, it's INQ 42364 and go to page 6 I think.
29 Sorry, 0006. I may have missed a number. My

1 instructing solicitor says I may have got the number
2 wrong. Yes, thank you. This is the VENGEFUL manual
3 that we have and I think towards the bottom it appears
4 to be dated, bottom left-hand corner, April '81?
5 A. Yeah. 15:15
6 983 Q. Are you aware of any updates to that manual?
7 A. No, we're not. No. That's the simplest answer to it,
8 the assumption being that there may have been as the
9 system improved, I can't even imagine there would have
10 been at that stage given the length of time in between 15:16
11 it, because we haven't found any.
12 984 Q. I think earlier you described the video as being
13 exceptionally dated, this, obviously, was pretty dated
14 by that stage, and it doesn't, I don't think, address,
15 for example, the ANPR? 15:16
16 A. No.
17 985 Q. In relation to VENGEFUL, you have talked about, I think
18 in your statement the tapes I think they were, DAT, the
19 material being put on DAT tapes after six months?
20 A. Yeah. 15:16
21 986 Q. I think and I just want to clarify this from what you
22 said a moment ago to Mr. Greaney, am I correct to
23 understand that in principle there was no policy
24 provided for the destruction of those tapes after six
25 months or am I wrong about that? 15:17
26 A. No, the only destruction or overwriting information
27 we've seen is about the surveillance tapes, there were
28 video tapes that were made from some of the observation
29 posts and that's the discrepancy where you can't

1 necessarily identify the 21 days or six month rule.

2 987 Q. Yeah.

3 A. But certainly nothing to do with the VENGEFUL data we

4 have found anything that would identify or explain a

5 destruction policy. 15:17

6 988 Q. But, as I understand from what you were saying a moment

7 ago, the DAT tapes don't exist anymore, is that right?

8 A. No, we have not been able to find anything along those

9 lines that we hold.

10 989 Q. Sorry, I was going to indicate that I wasn't going to 15:17

11 ask anymore about VENGEFUL but, you mentioned, just one

12 thing I do want to ask and you may not be able to

13 answer this in open and if it is something for closed

14 then obviously make that clear. You mention that there

15 had been this discrepancy that had been identified 15:18

16 between the old system and the new system, I think in

17 fact on 12th August '98, so at about the time of the

18 bombing, did that have any impact on retention of data

19 as opposed to how the data was gathered?

20 A. It's not clear from that, I don't think, I mean it's a 15:18

21 very short letter which turns round and says there is a

22 problem and we have identified this is a problem. It

23 gives us nothing in terms of resolution or anything in

24 addition to that that we have been able to find.

25 990 Q. Yes, okay. Turning then to the video retention and you 15:18

26 have been very helpful in relation to that. I think

27 you have indicated that as far as you are aware there

28 was no clear policy on retention. You haven't been

29 able to locate a policy perhaps is a fairer way of

1 putting it. I think you did indicate that, from sort
2 of looking at I suppose the video and and things, there
3 would be inconsistency about how long videos were
4 retained for. Am I correct in understanding though the
5 shortest period you have seen them retained for was 21 15:19
6 days?

7 A. Yes, I think nothing below that threshold and it
8 expanded then to the six month window at the other
9 side.

10 991 Q. I think you also, when answering questions from 15:19
11 Mr. Greaney, indicated that you have not been able to
12 locate any policy on video sharing effectively between
13 the RUC and the Army, is that right?

14 A. No, no policy but I can't see why anything that had
15 been requested by the RUC specifically in relation to 15:20
16 an investigation of this size wouldn't have been
17 instantaneously given over.

18 992 Q. When you were saying about policy I was going to ask if
19 there was any policy on dealing with requests in the
20 context of an investigation as opposed to routine 15:20
21 sharing?

22 A. No, and there is certainly nothing that would indicate
23 any obstacle that we have come across in terms of
24 sharing information.

25 993 Q. Can I just ask for another thing to be put up on the 15:20
26 screen, it's INQ 030903. This, as I understand it, is
27 a response to an RUC request for information about
28 sightings of a red Vauxhall Cavalier. The detail
29 doesn't really matter, what I am interested in is, it

1 appears to have been provided by a body called the
2 Special Military Intelligence Unit Northern Ireland. I
3 just was interested in what its role was, if you know,
4 in relation to vehicles in particular?

5 A. It's a gloriously grand title for four people who were 15:21
6 a liaison unit based out of Knock, RUC Knock. So if
7 there was information required from the police who
8 wanted something they would just simply go to them and
9 they were the point, they were the conduit into the
10 military data information systems and intelligence 15:21
11 systems. So I think it was a late entry major and a
12 couple of collators that worked there. It has a
13 grander title than its perhaps alluded to.

14 994 Q. So if, for example, the police had wanted a list of the
15 registration numbers that had passed through Aughnacloy 15:22
16 on 15th August that's who they would have asked?

17 A. Yes. And I think their response is and included in
18 that response, I think the delineation between what is
19 evidential information and what is intelligence
20 gathering and the thresholds by which the military was 15:22
21 operating to build an alternative picture against vice
22 police requirement within that.

23 995 Q. Would its data in relation to vehicles have simply been
24 VENGEFUL then or would it have access, did it have its
25 own records is what I am asking about? 15:22

26 A. SIMU? No, it would have gone into VENGEFUL. They
27 weren't anything other than a conduit.

28 996 Q. Okay?

29 A. They held no specific data or intelligence function in

1 that other than just a simple conduit and a postbox by
2 which to operate from, a physical postbox by which to
3 operate.

4 997 Q. I think that covers everything I need to cover, thank
5 you very much indeed.

15:23

6
7 QUESTIONED FURTHER BY MR. GREANEY AS FOLLOWS:

8
9 MR. GREANEY: Colonel, I am just going to make sure
10 that I am clear about two aspects of the evidence you
11 have just given in answer to Mr. Southey's questions.
12 But first of all the Special Military Intelligence
13 Unit, the SMIU, was just there as a vehicle by which
14 the police could obtain information?

15:23

15 A. Correct.

15:23

16 998 Q. And if the police came to the SMIU and said we need
17 details of all of the vehicles that passed through the
18 Aughnacloy checkpoint on 15th August, the SMIU would
19 see what was available on the VENGEFUL system and
20 provide that information to the police?

15:24

21 A. Yeah, and they would go through one of the other
22 intelligence based structures within, I think it was,
23 from memory, I think the Intelligence Database
24 Management, IDM, company that would hold and manage the
25 data effectively, so it was just a -- yeah.

15:24

26 999 Q. Does it follow from the evidence that you gave earlier
27 that not every vehicle passing the cross point would be
28 recorded?

29 A. Correct.

1 1000 Q. Does it follow from that, that the list that would be
2 provided by the SMIU would not be or certainly could
3 not be guaranteed to be and indeed would be most
4 unlikely to be a comprehensive list of all the
5 vehicles? 15:24

6 A. That's very correct.

7 1001 Q. And the second point; your assessment is that there was
8 no impediment to the provision by the Army to the
9 police of information that had been gathered from
10 vehicle checkpoints? 15:25

11 A. I can't, we haven't seen anything, I haven't come
12 across anybody that would say there was anything that
13 would do so and from my own experience there didn't
14 seem to be, there wasn't any.

15 1002 Q. I am just going to explore whether there may be two 15:25
16 indications of that. One, does the very existence of
17 the SMIU tend to suggest that such coordination did
18 occur?

19 A. Correct, I think that's fair.

20 1003 Q. And secondly, I just want to understand the 15:25
21 significance of the fact that you believe that the
22 recordings found their way to the RUC investigation.
23 We just need to take this in a couple of stages. First
24 of all, when you searched the Army no longer held copy
25 of the recordings from the 15th of August? 15:26

26 A. No.

27 1004 Q. And yet the Inquiry does have the recording for the
28 15th and indeed 14th August and that is because the
29 Inquiry has received them from PSNI (as it now is). So

1 does it seem likely, if not inevitable, that PSNI
2 received those recordings from the Army during the
3 course of the investigation?

4 A. Yes, I agree.

5 1005 Q. And what you are suggesting to us, and tell me if I 15:26
6 have misunderstood, is the fact that the relationship
7 worked appropriately in relation to the investigation
8 is an indication that generally there was no impediment
9 to information sharing?

10 A. No, I think at this level information when serious 15:26
11 crime has been committed as much information as
12 possible would be transmitted and shared.

13 1006 Q. well, thank you very much indeed, I am just going to
14 check whether the Chairman has any questions he would
15 like to ask. 15:27

16 CHAIRMAN: No, thank you.

17 MR. GREANEY: As you know we are going to ask you to
18 return on ^ thank you very much indeed, I am just going
19 to pause for one moment. I ought to as a matter of
20 courtesy ask Mr. Toal whether he proposes to ask his 15:27
21 questions on Wednesday when I think they are most
22 appropriate.

23 MR. TOAL: I am happy with either course, I can go back
24 to this topic if it suits the witness and the Inquiry.

25 MR. GREANEY: It may be if there are questions which 15:27
26 are focused on the evidence the Colonel has given
27 today, we would be better off hearing them today but I
28 am in your hands.

29 CHAIRMAN: Did I understand if Ms. Fee had some

1 questions as well?

2 MR. GREANEY: She was going to indicate if she did and
3 she hasn't.

4 CHAIRMAN: How are we doing for time?

5 MR. GREANEY: well we have been going for an hour and 15:27
6 20. Mr. Toal has been two minutes.

7

8 QUESTIONED BY MR. TOAL AS FOLLOWS:

9

10 MR. TOAL: Colonel, just some things have come to me 15:28
11 whilst I have listened to your evidence. When you have
12 looked at the Aughnacloy crossing and when assessing
13 possible routes from the Republic of Ireland into
14 Tyrone, would you agree that one should not assume that
15 a vehicle had to use that crossing in order to get into 15:28
16 Aughnacloy?

17 A. So, it's not been part of our collection of information
18 for this, but having seen the evidence and seen
19 everything that it seems probable that there were other
20 alternative routes through. 15:28

21 1007 Q. And it may actually be that because you have a couple
22 of days between now and then, you could perhaps look at
23 this issue?

24 A. Certainly.

25 1008 Q. Yes, because from my memory after the 1994 ceasefire 15:28
26 there was a campaign on the Border known as "Border
27 Busters", and what happened was that local farmers and
28 others got JCB diggers et cetera, and they took away
29 the concrete roadblocks from the smaller roads and in

1 other places where the Army had made craters, they
2 filled in the craters, so by the time we got to 1998 a
3 number of the other minor roads were in fact usable?
4 A. Yes, that would be fair, that would be entirely fair.
5 I think it was an ongoing point of tension between 15:29
6 security forces and the local residents.
7 1009 Q. Yes.
8 A. That pre-dated all of those dates that you talk about.
9 1010 Q. And logically, even from my memory when one drove up to 15:29
10 the Aughnacloy crossing you could see the cameras on
11 the sangars, they were very visible and if you were
12 transporting a bomb one would have most likely avoided
13 that crossing and used the minor crossings instead, I
14 mean that's logical?
15 A. I mean, it was a security force base, yes and so there 15:30
16 is a balance of probabilities and risk assessment with
17 anybody committing any crime that anyone would have to
18 take, I can understand that as a point.
19 1011 Q. Yes, so perhaps if you could use the next few days to
20 look at the minor roads around Aughnacloy to see if 15:30
21 there is any evidence that they were in fact usable at
22 that time?
23 A. We'll have a look and see what we can find.
24 1012 Q. Okay, thank you.
25 15:30
26 FURTHER QUESTIONED BY MR. GREANEY AS FOLLOWS:
27
28 MR. GREANEY: And you've told me already you were
29 watching the evidence of Mark Safranauskas earlier

1 today, and I may have misunderstood but my recollection
2 is that he was drawing your attention to a road, I
3 think he told us it was called Ravella road which any
4 road blocks or craters had been removed or filled in
5 would have produced an alternative route to get into 15:31
6 Northern Ireland near Aughnacloy and would not have
7 involved using the crossing point?

8 A. Yes.

9 1013 Q. Thank you Mr. Suter for reminding me of that. Could I
10 invite you to return in good time for your evidence on 15:31
11 Wednesday.

12 A. Certainly.

13 MR. GREANEY: That is as far as we can take the
14 evidence today. Could I indicate that for reasons set
15 out in a letter that Mr. Suter has circulated very 15:31
16 recently indeed, it will be necessary for us to have a
17 procedural hearing tomorrow morning at 9:30.

18 CHAIRMAN: Yes, thank you. Well, thank you very much
19 Col. MacMullen, I'm sure we will meet again.

20 THE WITNESS: I am sure, Sir. 15:32

21
22 THE INQUIRY ADJOURNED UNTIL TUESDAY, 29TH SEPTEMBER
23 2026 AT 9:30 A.M.
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INDEX

WITNESS	PAGE
INTRODUCTORY REMARKS BY MR. GREANEY	1
<u>DETECTIVE SUPERINTENDENT EMMET CASSERLY</u>	
QUESTIONED (ON 1ST SEPTEMBER) BY MR. GREANEY	3
<u>MR. MARK SAFRANAUSKAS</u>	
QUESTIONED BY MR. DE LA POER	27
QUESTIONED BY MS. BRIGGS	72
FURTHER QUESTIONED BY MR. DE LA POER	105
<u>COL. PETER MacMULLEN</u>	
QUESTIONED BY MR. GREANEY	108
QUESTIONED BY MR. SOUTHEY	150

	69:12, 91:13, 107:17 10,260 [1] - 123:28 10-MINUTE [1] - 55:14 10-SECOND [1] - 55:17 100 [1] - 120:3 101 [1] - 24:10 105 [1] - 162:12 108 [1] - 162:15 10:58 [2] - 33:11, 34:18 10TH [1] - 89:29 11 [8] - 12:24, 12:26, 12:27, 13:4, 13:13, 13:25, 33:19, 115:7 11:45 [1] - 49:24 11TH [4] - 95:14, 110:25, 111:24, 121:4 12 [7] - 30:10, 46:28, 55:11, 65:17, 65:21, 67:6, 122:25 12:13:09 [1] - 35:26 12:41 [8] - 18:13, 35:23, 37:26, 42:10, 47:23, 63:4, 66:20, 66:25 12:41:30 [1] - 37:21 12:42 [1] - 21:4 12:45 [1] - 40:12 12:49 [2] - 42:4, 42:7 12:50 [1] - 42:8 12:54 [1] - 44:27 12:57 [1] - 46:14 12TH [2] - 139:26, 153:17 13 [1] - 120:7 1313 [1] - 21:17 13:10 [1] - 54:5 13:13 [6] - 18:18, 47:25, 50:21, 58:4, 63:4, 66:27 13:16:31 [1] - 54:12 13:29 [7] - 19:5, 22:7, 50:21, 58:6, 58:7, 63:4, 66:29 13:35 [1] - 58:15 13:45 [1] - 54:6 13:48 [1] - 59:5	13:57 [4] - 19:7, 22:16, 63:4, 67:2 13:57:54 [1] - 16:8 13TH [6] - 3:28, 4:9, 5:17, 5:24, 111:5, 111:12 14 [1] - 21:8 14-1 [1] - 127:5 141 [2] - 29:24, 29:27 1410 [1] - 22:26 1419 [1] - 25:10 144 [1] - 45:15 14:09 [4] - 16:20, 19:10, 24:13, 65:16 14:09:06 [1] - 67:16 14:10 [2] - 19:13, 67:21 14:10:56 [2] - 16:29, 67:23 14:14 [2] - 24:26, 68:19 14:18 [2] - 71:13, 105:28 14:19 [2] - 19:20, 106:1 14:19:10 [1] - 17:9 14:23 [1] - 106:1 14:28 [4] - 3:17, 23:10, 25:21, 28:1 14:38 [2] - 17:12, 19:24 14TH [7] - 29:20, 34:26, 110:29, 111:11, 129:11, 142:13, 157:28 15 [2] - 29:14, 32:28 150 [1] - 162:16 15:28 [1] - 5:4 15TH [31] - 3:17, 4:10, 5:3, 5:7, 5:25, 10:17, 15:17, 20:19, 21:5, 21:18, 22:7, 23:20, 24:13, 24:27, 27:29, 28:3, 29:21, 33:19, 53:23, 73:29, 109:16, 127:11, 137:12, 140:9, 140:14, 142:13, 151:20, 155:16, 156:18, 157:25, 157:28	16 [5] - 29:22, 29:24, 29:25, 122:25 167 [1] - 28:6 169 [2] - 29:12, 30:13 17 [5] - 17:6, 21:20, 23:1, 44:11, 47:29 17-SECOND [1] - 106:15 170 [1] - 30:22 179 [1] - 33:12 17:55 [1] - 29:20 17TH [1] - 96:19 18 [2] - 33:8, 36:7 182 [1] - 39:14 183 [3] - 36:20, 42:11, 47:23 185 [1] - 39:23 186 [1] - 40:9 187 [1] - 41:18 188 [1] - 44:1 18TH [2] - 74:21, 79:18 19 [2] - 145:13, 145:19 190 [1] - 44:5 193 [1] - 46:14 1969 [1] - 111:28 198 [2] - 47:20, 50:10 199 [1] - 50:17 1994 [1] - 159:25 1995 [2] - 133:24, 134:8 1997 [2] - 117:25, 127:11 1998 [39] - 3:17, 9:27, 10:14, 70:1, 73:29, 74:21, 79:18, 83:19, 89:29, 95:15, 96:19, 99:12, 109:17, 110:9, 110:15, 112:20, 113:14, 115:16, 116:12, 116:17, 117:3, 117:4, 117:16, 117:19, 118:19, 119:9, 121:19, 123:27, 127:11, 128:25, 129:19, 131:12, 131:20, 132:18, 133:6, 134:16, 140:18, 160:2 1:00 [5] - 137:17, 137:20, 137:27,	138:14, 140:8 1:20 [1] - 90:9 1:29:48 [2] - 15:19, 52:3 1:30 [2] - 96:25, 103:24 1:35 [1] - 58:21 1:44 [1] - 58:27 1:45 [2] - 84:6, 103:25 1ST [2] - 124:18, 127:11 1ST [2] - 3:9, 162:7	27-MILE [1] - 84:9 27TH [2] - 118:8, 118:9 28 [4] - 16:12, 22:17, 63:11, 124:2 29TH [1] - 161:22 29TH [1] - 118:9 2:00 [9] - 90:20, 97:9, 97:17, 137:17, 137:20, 137:27, 138:14, 140:9 2:05 [1] - 108:10 2:10 [2] - 22:26, 99:7 2:16 [1] - 79:24 2:17 [1] - 79:25 2:18 [1] - 137:19 2:20 [3] - 73:29, 80:5, 90:3 2:25 [2] - 94:7, 94:16 2:30 [1] - 103:28 2:35 [2] - 94:17, 94:18 2G [1] - 60:27 2ND [2] - 117:25, 118:7
0					3
0.1 [1] - 131:28 0006 [1] - 151:29 015715 [2] - 110:26, 121:9 030903 [1] - 154:26 0375 [1] - 33:10 042363 [2] - 111:12, 129:11 049121 [1] - 27:10 049533 [1] - 145:8 049563 [1] - 27:10 049648 [1] - 111:12 076 [4] - 28:8, 32:16, 33:12, 33:18					3 [10] - 3:13, 3:16, 4:27, 5:2, 13:6, 20:10, 112:18, 121:26, 129:27, 162:7 30 [6] - 3:1, 54:18, 59:13, 82:23, 120:4, 135:25 31 [1] - 127:5 32 [4] - 17:11, 25:13, 41:27, 107:14 33 [4] - 16:21, 24:15, 65:5, 91:3 33-SECOND [1] - 67:16 35 [3] - 60:22, 109:7, 109:10 35-MINUTE [3] - 54:20, 55:3, 56:28 36 [1] - 142:25 37 [1] - 129:13 39 [4] - 30:21,
1					
1 [14] - 12:23, 12:26, 12:27, 13:4, 13:5, 13:22, 112:27, 124:22, 124:25, 125:1, 126:2, 126:9, 133:18, 162:4 1-1 [1] - 117:21 10 [8] - 13:12, 13:22, 29:13, 31:4, 55:16,					

47:9, 112:4, 121:23 3980 [1] - 7:6	15:15, 16:16, 17:1, 17:9, 17:13, 17:21, 18:7, 18:15, 18:29, 19:12, 19:20, 20:3, 20:16, 21:5, 21:18, 22:3, 22:8, 22:17, 22:21, 22:27, 24:14, 24:21, 25:11, 35:11, 36:29, 37:20, 42:10, 42:13, 42:20, 42:26, 43:2, 47:23, 47:26, 49:11, 50:29, 51:11, 51:16, 63:6, 64:4, 65:4, 65:8, 65:14, 65:18, 66:2, 66:20, 66:23, 66:26, 66:27, 67:2, 67:14, 67:18, 68:7, 68:14, 107:19, 107:27 5885 [1] - 23:12 59-SECOND [1] - 106:26	133:8 80 [1] - 13:18 804 [2] - 29:17, 29:29 82 [1] - 13:25 84 [1] - 15:14 86-PAGE [1] - 117:20 8:08:20 [1] - 28:20	A	145:4 ACCURATELY [1] - 20:23 ACHIEVED [2] - 140:19, 142:28 ACKNOWLED GE [1] - 93:29 ACKNOWLED GED [2] - 115:1, 141:17 ACLINT [1] - 13:8 ACQUIRES [1] - 8:16 ACTIVE [2] - 112:24, 114:2 ACTIVITY [5] - 34:2, 34:19, 109:4, 112:25, 113:8 ADAPT [1] - 114:20 ADD [3] - 36:18, 56:14, 105:20 ADDED [2] - 96:1, 146:15 ADDITION [2] - 125:29, 153:24 ADDITIONAL [2] - 125:8, 146:9 ADDRESS [8] - 4:2, 5:13, 26:9, 33:24, 83:22, 114:11, 114:26, 152:14 ADDRESSED [1] - 116:29 ADDRESSING [1] - 114:14 ADDUCE [2] - 111:25, 126:28 ADJACENT [2] - 75:13, 78:1 ADJOURNED [4] - 26:29, 49:27, 108:16, 161:22 ADMIT [1] - 114:17 AFTERNOON [6] - 10:17, 72:8, 79:21, 108:9, 108:19, 108:21 AGE [1] - 94:29 AGED [1] - 75:26 AGENCY [1] - 142:22 AGO [7] - 40:19, 65:21, 83:21, 106:23, 150:22,	152:22, 153:7 AGREE [14] - 36:11, 46:3, 46:4, 46:12, 56:5, 56:6, 69:9, 97:27, 97:29, 108:5, 113:20, 129:20, 158:4, 159:14 AGREED [1] - 24:6 AGREEMENT [1] - 138:9 AGREEMENT [2] - 112:20, 130:16 AGS [12] - 3:26, 4:15, 5:11, 5:27, 14:4, 14:12, 14:29, 18:4, 21:4, 24:6, 25:24, 26:7 AHEAD [5] - 48:25, 66:11, 66:14, 76:11, 77:26 ALAN [1] - 46:14 ALBEIT [3] - 44:13, 61:10, 143:23 ALERT [1] - 146:1 ALLOW [1] - 38:2 ALLOWS [1] - 64:23 ALLUDED [1] - 155:13 ALMOST [2] - 108:1, 111:7 ALONE [1] - 143:22 ALTERNATIVE [3] - 155:21, 159:20, 161:5 AMOUNT [1] - 111:26 ANALYSE [1] - 5:6 ANALYSING [2] - 3:20, 3:23 ANALYSIS [1] - 52:13 ANALYSIS [10] - 5:3, 5:8, 7:24, 8:3, 9:16, 9:19, 53:1, 56:8, 71:15, 145:29 AND [1] - 108:16 ANDERSON [2] - 74:5, 75:17 ANGLES [1] -
4		9			
4 [10] - 3:16, 5:2, 13:7, 25:20, 26:18, 27:22, 27:29, 105:8, 105:26, 124:19 40 [1] - 84:12 40-MINUTE [1] - 88:25 406 [3] - 35:27, 39:18, 40:10 42364 [1] - 151:28 430 [15] - 17:3, 17:4, 17:13, 19:14, 22:27, 31:25, 59:2, 59:7, 67:26, 68:3, 68:9, 68:15, 106:8, 106:14, 107:1 44 [1] - 69:16 44-SECOND [1] - 107:22 453 [1] - 47:5 456 [6] - 31:14, 58:9, 66:6, 67:8, 106:7, 106:27 46-48 [1] - 92:1 498 [2] - 33:5, 47:17 4:09 [1] - 107:17 4:19:10 [1] - 107:9 4:20 [1] - 28:19 4TH [1] - 103:22	6 [4] - 13:9, 111:24, 122:14, 151:28 60 [1] - 110:17 62 [1] - 75:16 64 [2] - 73:7, 74:9 6598 [1] - 36:22	9 [3] - 13:11, 112:17, 136:25 9-1 [1] - 124:2 9.2 [1] - 126:6 90 [3] - 18:3, 20:29, 21:17 92 [2] - 18:22, 22:4 94 [2] - 20:1, 20:2 95 [1] - 20:12 97 [1] - 23:17 971 [5] - 36:4, 39:17, 39:20, 40:10, 58:24 980 [44] - 7:7, 8:5, 9:3, 9:5, 14:20, 15:5, 15:21, 16:9, 17:26, 18:15, 21:6, 21:19, 22:8, 22:17, 23:13, 23:19, 24:7, 24:12, 24:13, 24:20, 24:27, 25:10, 34:24, 35:6, 37:3, 37:6, 47:23, 47:26, 48:14, 48:18, 49:7, 51:1, 51:14, 51:19, 63:8, 63:21, 63:23, 65:2, 65:7, 65:21, 66:2, 66:23, 67:2, 107:16 99 [1] - 24:4 9:30 [2] - 161:17, 161:23 9:44:26 [1] - 31:7 9:44:49 [1] - 31:12 9:50:23 [1] - 32:21			
5	6				
5 [8] - 13:8, 61:29, 65:20, 68:12, 110:2, 113:13, 118:16, 145:19 5'9 [1] - 103:8 52 [2] - 45:25, 90:29 5211 [1] - 138:2 5585 [1] - 7:5 58 [1] - 46:28 58-SECOND [1] - 106:19 585 [61] - 7:4, 8:5, 8:10, 14:20, 15:5, 15:13,	7 [2] - 13:9, 129:27 70-DEGREE [1] - 61:4 700 [1] - 122:14 72 [1] - 162:11 76 [1] - 11:14 78 [1] - 12:18 7TH [2] - 83:18, 84:1				
	7				
	8				
	8 [4] - 13:10, 117:20, 121:25,				

136:26 ANIMATED ^[1] - 37:12 ANIMATION ^[4] - 35:4, 37:28, 37:29, 71:4 ANNAGHMART IN ^[3] - 125:20, 125:23, 127:29 ANOMALIES ^[1] - 144:10 ANOMALY ^[2] - 139:22, 139:23 ANPR ^[31] - 130:22, 131:18, 131:28, 132:3, 132:11, 132:17, 132:23, 133:3, 134:10, 134:13, 134:15, 134:18, 135:5, 135:11, 136:8, 143:9, 143:11, 144:6, 146:20, 146:24, 147:5, 147:14, 148:4, 148:6, 148:18, 148:20, 150:21, 151:10, 151:12, 152:15 ANPR-BASED ^[1] - 131:18 ANSWER ^[5] - 46:23, 59:23, 152:7, 153:13, 156:11 ANSWERED ^[1] - 148:21 ANSWERING ^[3] - 110:18, 150:5, 154:10 ANTHONY ^[1] - 39:24 ANTICIPATE ^[1] - 36:18 ANTICIPATED ^[1] - 108:8 ANYWAY ^[1] - 140:4 APOLOGISE ^[1] - 40:3 APPEAR ^[2] - 137:2, 147:29 APPEARANCE ^[2] - 99:4, 100:19 APPEARED ^[3] - 89:14, 95:10, 101:25 APPLIES ^[1] - 141:28 APPLY ^[1] -	64:21 APPROACHED ^[1] - 77:6 APPROACHED /CROSSED ^[1] - 50:18 APPROACHIN G ^[2] - 69:11, 77:15 APPROPRIATE ^[2] - 27:26, 158:22 APPROPRIATE LY ^[1] - 158:7 APPROXIMATE ^[4] - 43:7, 51:23, 60:8, 64:19 APRIL ^[1] - 152:4 ARB ^[2] - 126:6, 126:7 ARCHIVAL ^[1] - 149:7 ARCHIVE ^[1] - 149:8 ARCHIVED ^[2] - 149:9, 149:16 ARDEE ^[2] - 13:8, 28:11 AREA ^[39] - 7:12, 10:27, 16:18, 17:25, 19:3, 20:4, 22:23, 24:23, 24:24, 25:25, 28:25, 31:16, 39:21, 40:14, 42:14, 42:21, 42:27, 48:8, 57:19, 62:9, 62:20, 63:18, 65:11, 67:9, 68:24, 69:8, 72:27, 80:10, 92:16, 95:21, 106:28, 119:25, 120:2, 121:24, 125:9, 126:5, 141:4, 142:23 AREAS ^[5] - 122:13, 125:9, 127:20, 130:11, 130:12 ARISEN ^[1] - 140:18 ARISES ^[1] - 53:20 ARMAGH ^[8] - 112:26, 121:26, 124:11, 126:10, 126:16, 126:17, 126:22, 127:17	ARMED ^[1] - 118:7 ARMS ^[1] - 115:23 ARMY ^[25] - 108:29, 109:3, 109:6, 109:11, 110:7, 110:14, 111:28, 112:5, 116:18, 117:14, 117:18, 118:6, 119:9, 119:13, 121:14, 126:15, 131:14, 141:12, 141:22, 142:14, 154:13, 157:8, 157:24, 158:2, 160:1 ARRANGEMEN T ^[1] - 141:22 ARRANGEMEN TS ^[5] - 110:14, 129:18, 129:28, 141:11, 142:9 ARRIVED ^[2] - 89:22, 96:25 ARROW ^[1] - 61:1 ARTICULATE ^[1] - 85:9 AS ^[13] - 3:9, 27:1, 27:17, 50:1, 50:7, 72:4, 105:2, 108:16, 108:24, 150:11, 156:7, 159:8, 160:26 ASCERTAIN ^[3] - 10:20, 137:3, 147:24 ASCRIBE ^[1] - 51:25 ASPECTS ^[2] - 129:21, 156:10 ASSESS ^[3] - 133:13, 134:15, 134:18 ASSESSED ^[1] - 145:29 ASSESSING ^[1] - 159:12 ASSESSMENT ^[4] - 135:18, 149:28, 157:7, 160:16 ASSIGNED ^[1] - 146:9 ASSIST ^[1] - 145:21 ASSISTANCE ^[2] - 5:1, 110:13	ASSISTANT ^[1] - 108:28 ASSOCIATED ^[15] - 7:21, 9:19, 17:23, 17:26, 19:9, 19:12, 20:17, 21:19, 22:27, 22:28, 23:13, 23:28, 25:1, 29:28, 45:4 ASSUME ^[1] - 159:14 ASSUMED ^[1] - 120:28 ASSUMING ^[1] - 59:22 ASSUMPTION ^[7] - 39:3, 132:22, 134:11, 148:8, 150:19, 150:20, 152:8 AT ^[1] - 161:23 ATTACHED ^[1] - 138:12 ATTACK ^[1] - 34:20 ATTACKS ^[6] - 113:1, 113:2, 114:6, 114:27, 116:13, 116:23 ATTEMPT ^[1] - 86:26 ATTEMPTED ^[2] - 32:15, 113:2 ATTENTION ^[7] - 29:18, 29:23, 39:25, 56:16, 60:16, 70:13, 161:2 ATTRIBUTE ^[1] - 35:6 ATTRIBUTED ^[17] - 8:5, 8:10, 8:13, 9:3, 9:5, 15:13, 15:21, 16:9, 19:17, 31:27, 39:17, 45:18, 59:7, 64:6, 66:21, 68:16, 69:17 ATTRIBUTION ^[10] - 7:9, 8:7, 35:1, 35:2, 35:21, 37:1, 37:5, 46:25, 67:11, 108:1 ATTRIBUTION S ^[1] - 67:25 AUGHNACLOY ^[49] - 12:6, 12:7, 15:29, 16:1,	16:17, 19:5, 22:15, 51:12, 52:17, 56:16, 57:19, 58:7, 62:9, 66:29, 110:14, 111:1, 127:25, 129:9, 129:19, 131:6, 132:18, 132:21, 132:23, 133:8, 133:21, 134:1, 134:16, 134:26, 135:20, 136:25, 137:1, 137:7, 137:24, 139:19, 141:14, 142:1, 142:24, 142:29, 143:8, 146:24, 150:21, 151:20, 155:15, 156:18, 159:12, 159:16, 160:10, 160:20, 161:6 AUGMENT ^[1] - 126:4 AUGUST ^[55] - 3:17, 3:28, 4:9, 4:10, 5:3, 5:7, 5:18, 5:24, 5:25, 10:17, 15:17, 20:19, 21:5, 21:18, 22:8, 23:20, 24:13, 24:27, 28:1, 73:29, 74:21, 79:18, 96:19, 99:12, 109:17, 110:15, 110:29, 111:5, 111:11, 111:12, 116:12, 116:17, 117:16, 127:11, 129:11, 129:19, 131:12, 131:20, 132:18, 133:6, 134:16, 137:12, 139:26, 140:9, 140:14, 140:18, 142:13, 149:25, 151:20, 153:17, 155:16, 156:18, 157:25, 157:28 AUTOMATED ^[2] - 134:12, 146:21 AUTOMATIC ^[3] - 130:22, 135:12, 144:12 AUTOMATICAL LY ^[4] - 134:6, 134:19, 136:5,	148:23 AVAILABILITY ^[1] - 53:12 AVAILABLE ^[23] - 6:10, 11:13, 27:10, 34:5, 37:6, 43:3, 48:6, 52:4, 53:14, 56:3, 57:22, 58:18, 58:20, 66:20, 105:11, 105:24, 122:23, 122:26, 123:12, 132:12, 132:15, 147:19, 156:19 AVENUE ^[5] - 72:23, 82:6, 87:27, 88:2, 92:27 AVERAGE ^[3] - 55:5, 55:14, 55:17 AVOID ^[2] - 57:20, 114:24 AVOIDED ^[1] - 160:12 AVOWED ^[1] - 142:24 AWARE ^[6] - 91:22, 96:4, 98:2, 105:6, 152:6, 153:27 AZIMUTH ^[2] - 61:4, 107:12
					B
					BACKGROUN D ^[4] - 54:15, 57:2, 109:6, 137:5 BACKUP ^[1] - 149:9 BACKWARDS ^[1] - 10:28 BALANCE ^[5] - 113:7, 114:9, 127:28, 133:1, 160:16 BALANCED ^[1] - 126:14 BALANCING ^[1] - 128:13 BALLYGAWLE Y ^[1] - 17:17 BALLYMASCA NLAN ^[1] - 13:13 BANDWIDTH ^[1] - 112:14

BANNER ^[4] - 112:3, 120:13, 123:14, 126:13 BAR ^[2] - 75:13, 78:26 BAR ^[1] - 32:25 BARNEY'S ^[6] - 40:17, 41:5, 41:20, 44:6, 45:27, 46:27 BARRACKS ^[1] - 125:13 BASE ^[6] - 125:12, 125:25, 128:1, 133:17, 133:29, 160:15 BASED ^[25] - 9:21, 34:11, 38:14, 46:25, 48:5, 51:28, 55:1, 62:21, 64:25, 69:8, 85:8, 120:7, 121:23, 124:21, 126:16, 126:18, 131:18, 132:16, 136:16, 136:18, 140:25, 141:9, 143:19, 155:6, 156:22 BASES ^[7] - 125:18, 125:19, 125:21, 127:16, 127:27, 128:17, 144:3 BASIC ^[6] - 81:15, 132:11, 132:17, 135:1, 144:26, 146:6 BASIC- LOOKING ^[1] - 81:15 BASIS ^[7] - 11:7, 38:3, 56:12, 60:26, 97:19, 141:5, 148:2 BATCH ^[1] - 150:29 BATTALION ^[4] - 124:18, 124:19, 126:10, 126:16 BATTALION ^[11] - 119:27, 119:28, 120:24, 124:13, 124:17, 124:20, 125:6, 126:11, 126:12, 133:18 BATTALIONS ^[7] - 119:24, 122:11, 122:12, 122:18, 122:19,	126:12, 129:7 BE ^[3] - 3:8, 27:16, 50:6 BEACON ^[3] - 39:29, 41:21, 63:27 BEACONS ^[1] - 60:2 BEARD ^[1] - 76:3 BEARING ^[4] - 46:29, 56:1, 61:18, 69:3 BECAME ^[5] - 112:23, 115:15, 126:9, 131:10, 146:21 BECOME ^[5] - 53:14, 81:5, 83:10, 116:29, 128:26 BECOMES ^[2] - 73:10, 128:10 BECOMING ^[3] - 113:28, 114:2, 116:9 BEEN ^[1] - 108:23 BEG ^[1] - 94:18 BEGAN ^[1] - 37:24 BEGIN ^[1] - 3:20 BEHALF ^[2] - 150:8, 150:15 BEHAVIOUR ^[2] - 59:21, 98:1 BEHIND ^[4] - 48:11, 78:22, 83:8, 104:9 BELFAST ^[3] - 41:24, 112:20, 121:25 BELIEF ^[2] - 73:18, 111:17 BELL'S ^[1] - 87:25 BELOW ^[1] - 154:7 BENEATH ^[1] - 123:21 BEREAVED ^[2] - 150:9, 150:16 BESIDE ^[1] - 94:13 BESSBROOK ^[2] - 126:17, 126:19 BEST ^[9] - 26:24, 54:28, 56:21, 111:16,	129:24, 135:8, 136:23, 137:3, 141:2 BETTER ^[1] - 158:27 BETWEEN ^[55] - 4:9, 5:24, 14:16, 14:17, 27:24, 32:4, 32:15, 32:18, 42:26, 42:29, 43:8, 43:20, 45:21, 50:21, 54:5, 54:17, 55:11, 67:17, 69:15, 69:23, 74:2, 75:26, 92:5, 95:21, 99:22, 101:14, 108:2, 118:7, 118:9, 122:14, 123:6, 127:10, 127:28, 130:8, 137:16, 137:19, 137:26, 138:3, 138:14, 141:12, 141:22, 143:20, 144:6, 147:5, 149:21, 149:23, 151:11, 152:10, 153:16, 154:12, 155:18, 159:22, 160:5 BIG ^[2] - 81:21, 92:6 BIGGER ^[2] - 94:23, 95:10 BILLETS ^[1] - 121:22 BILLING ^[1] - 7:25 BILLINGSLEY ^[4] - 71:19, 73:20, 83:24, 83:29 BIT ^[2] - 4:24, 74:18 BLAIR ^[7] - 31:14, 58:9, 67:11, 106:7, 106:20, 117:24, 117:28 BLANK ^[1] - 136:7 BLEND ^[6] - 112:12, 125:21, 128:8, 130:6, 130:24, 134:8 BLOCKING ^[1] - 80:10 BLOCKS ^[1] - 161:4	BLUE ^[12] - 35:27, 39:18, 40:10, 42:10, 50:29, 61:22, 63:27, 64:5, 66:20, 67:18, 74:15, 80:7 BODIES ^[1] - 120:8 BODY ^[3] - 81:29, 89:14, 155:1 BOLDER ^[1] - 112:24 BOMB ^[35] - 3:21, 4:12, 4:22, 5:7, 5:28, 6:11, 6:13, 6:23, 7:18, 10:29, 11:5, 28:4, 48:21, 48:28, 50:18, 52:7, 53:26, 56:1, 57:11, 67:24, 68:8, 68:17, 73:19, 73:21, 83:14, 106:4, 107:24, 108:2, 108:4, 137:11, 137:26, 138:1, 138:13, 139:18, 160:12 BOMBING ^[14] - 3:15, 4:10, 5:1, 6:3, 7:12, 10:28, 41:12, 53:5, 70:17, 84:5, 109:16, 116:17, 142:15, 153:18 BOOTS ^[2] - 103:27, 103:28 BORDER ^[43] - 7:25, 14:11, 14:12, 14:14, 16:3, 16:4, 16:17, 18:10, 18:27, 19:1, 29:5, 32:4, 36:27, 38:17, 38:18, 40:27, 40:29, 41:2, 43:11, 48:26, 49:9, 52:5, 57:7, 59:11, 68:5, 68:9, 107:1, 124:9, 125:18, 125:19, 128:2, 128:4, 130:2, 130:3, 130:4, 136:27, 137:12, 137:20, 139:19, 140:24, 159:26	BORDER ^[7] - 50:19, 52:17, 56:16, 110:14, 111:1, 124:10, 142:24 BOSS ^[1] - 118:6 BOTTOM ^[10] - 29:24, 29:25, 55:13, 56:25, 58:19, 95:24, 120:15, 120:16, 152:3, 152:4 BOX ^[9] - 29:17, 29:29, 30:1, 30:4, 30:14, 30:17, 32:15, 46:9, 108:19 BRACKETS ^[2] - 121:29, 122:6 BRADY ^[9] - 24:2, 24:3, 25:1, 25:3, 30:2, 30:5, 69:18, 107:22, 107:29 BREADTH ^[1] - 147:18 BREAK ^[4] - 26:20, 49:15, 49:17, 59:4 BRICK ^[3] - 120:12, 120:16, 123:25 BRICKS ^[2] - 120:11, 123:22 BRIDGE ^[9] - 16:14, 24:19, 77:16, 77:25, 83:15, 85:9, 87:23, 87:25, 125:20 BRIDGE ^[11] - 79:6, 83:26, 83:29, 85:8, 85:10, 85:23, 87:29, 88:1, 89:1, 89:20, 105:29 BRIDGE'S ^[4] - 84:4, 85:21, 85:25, 85:27 BRIEF ^[1] - 94:3 BRIEFLY ^[2] - 26:29, 49:27 BRIEFLY ^[2] - 91:6, 94:28 BRIGADE ^[3] - 121:23, 121:25, 121:26 BRIGADE ^[9] - 119:19, 119:20, 119:21, 119:23,	119:26, 120:26, 121:27, 122:13, 122:27 BRIGADES ^[7] - 119:15, 119:17, 119:24, 121:22, 122:6, 122:9, 122:24 BRIGADIER ^[1] - 122:9 BRIGGS ^[3] - 69:19, 71:29, 105:7 BRIGGS ^[4] - 72:4, 72:7, 104:22, 162:11 BRIGHTLY ^[1] - 92:20 BRING ^[3] - 20:15, 110:20, 145:5 BRITISH ^[9] - 108:29, 110:7, 110:14, 111:28, 112:5, 119:9, 119:13, 126:15, 141:12 BROAD ^[1] - 112:14 BROADER ^[3] - 9:1, 9:14, 125:9 BROWN ^[5] - 58:9, 66:6, 67:8, 106:7, 106:27 BROWN ^[1] - 23:29 BUCHANAN ^[6] - 96:16, 96:19, 98:5, 98:13, 101:10, 103:21 BUCHANAN'S ^[2] - 97:16, 104:7 BUILD ^[8] - 89:10, 89:13, 94:23, 95:10, 99:1, 102:11, 103:5, 155:21 BUILDS ^[1] - 95:13 BUILT ^[2] - 99:2, 117:10 BUMP ^[1] - 55:9 BUMPER ^[2] - 82:20 BUS ^[1] - 87:8 BUSHY ^[1] - 89:9 BUSTERS ^[1] - 159:27 BUSY ^[1] - 80:22
--	--	---	--	---	--

BY ^[17] - 3:9, 27:16, 50:6, 72:4, 105:1, 108:24, 150:11, 156:7, 159:8, 160:26, 162:4, 162:7, 162:10, 162:11, 162:12, 162:15, 162:16	CANASHY ^[1] - 125:20 CANNOT ^[1] - 138:13 CAPABILITY ^[1] - 127:9 CAPACITY ^[2] - 147:8, 147:12 CAPTURE ^[2] - 55:25, 61:10 CAPTURED ^[9] - 54:1, 55:23, 56:11, 56:26, 57:24, 58:16, 138:2, 138:7, 138:24 CAPTURING ^[1] - 139:21 CAR ^[106] - 3:21, 4:22, 5:7, 6:11, 6:13, 6:14, 7:18, 10:29, 11:5, 11:7, 11:27, 37:15, 37:18, 37:24, 43:11, 44:2, 45:24, 48:5, 48:21, 48:22, 48:28, 50:18, 52:5, 52:7, 53:25, 53:26, 55:5, 56:1, 57:11, 64:8, 67:25, 68:8, 68:17, 68:27, 73:19, 74:24, 75:3, 76:13, 76:16, 77:14, 77:20, 77:24, 77:29, 80:10, 80:17, 80:26, 80:29, 81:18, 81:22, 82:10, 82:11, 82:21, 84:17, 86:12, 86:24, 87:1, 87:13, 89:22, 92:7, 93:21, 94:10, 94:14, 95:9, 95:27, 96:7, 96:22, 96:28, 97:5, 97:6, 97:10, 97:12, 98:5, 98:19, 99:16, 99:22, 99:26, 100:4, 100:11, 101:6, 102:3, 103:26, 103:28, 104:20, 106:4, 106:15, 106:18, 107:6, 107:19, 107:24, 107:27,	108:2, 108:3, 108:4, 137:12, 137:18, 137:26, 138:2, 138:13, 139:18, 144:4, 144:10 CARE ^[1] - 134:4 CAREER ^[1] - 109:7 CAREFULLY ^[1] - 133:28 CARINA ^[1] - 84:17 CARN ^[6] - 28:25, 32:7, 36:5, 47:14, 58:25, 59:9 CARRIAGEWAY ^[1] - 52:23 CARRICKMACROSS ^[1] - 5:14 CARRY ^[3] - 58:23, 95:12, 114:6 CARS ^[4] - 78:24, 92:5, 92:10, 151:19 CASE ^[3] - 8:20, 58:1, 125:10 CASSERLY ^[2] - 28:26, 36:17 CASSERLY ^[2] - 3:8, 162:6 CASTLEBLAYNEY ^[16] - 11:17, 11:18, 11:19, 11:23, 12:4, 13:7, 18:13, 21:12, 21:14, 21:16, 36:20, 37:21, 42:14, 42:26, 63:3, 66:25 CATEGORIES ^[1] - 143:16 CATEGORY ^[1] - 143:21 CAUGHT ^[1] - 101:16 CAUSED ^[1] - 98:6 CAUSING ^[2] - 78:9, 116:28 CAUTION ^[1] - 55:10 CAVALIER ^[53] - 3:26, 5:12, 5:21, 6:17, 7:16, 48:12, 56:1, 64:18, 74:15, 75:11, 75:21, 78:9,	78:29, 80:7, 81:9, 81:14, 81:15, 81:25, 81:26, 82:19, 84:21, 85:2, 85:8, 85:12, 85:22, 85:29, 86:6, 86:10, 86:24, 87:5, 87:8, 87:12, 88:2, 88:16, 89:3, 89:19, 92:13, 92:23, 93:2, 94:20, 95:18, 95:27, 96:10, 97:10, 98:13, 99:19, 99:23, 100:8, 104:2, 104:9, 104:17, 104:19, 154:28 CAVAN ^[1] - 13:13 CAVEAT ^[1] - 6:6 CAVEATS ^[1] - 64:21 CCTV ^[11] - 6:10, 6:15, 52:14, 52:17, 52:20, 52:29, 69:8, 85:20, 97:20, 97:22, 107:24 CEASE ^[1] - 68:3 CEASEFIRE ^[3] - 114:19, 133:25, 159:25 CEASES ^[1] - 34:2 CELL ^[82] - 7:24, 8:2, 9:16, 9:19, 9:24, 10:6, 11:25, 12:2, 12:14, 12:21, 13:16, 14:10, 14:11, 15:4, 15:26, 16:13, 16:22, 16:23, 16:29, 17:7, 17:11, 19:16, 21:12, 21:14, 22:13, 22:19, 22:20, 23:23, 24:17, 24:19, 25:8, 25:15, 25:26, 28:11, 28:21, 28:24, 29:4, 29:8, 31:13, 32:7, 33:2, 33:9, 33:19, 36:2, 36:20, 36:24, 37:6, 37:20,	37:26, 38:2, 39:8, 39:26, 42:13, 42:20, 43:3, 47:14, 47:15, 48:18, 49:9, 51:8, 51:11, 51:14, 51:29, 58:11, 58:17, 58:20, 58:23, 58:25, 59:15, 59:17, 60:4, 61:5, 61:9, 61:26, 63:13, 64:23, 65:6, 65:11, 66:10, 106:27, 137:10 CELL ^[1] - 25:28 CENTRAL ^[1] - 60:22 CENTRALLY ^[1] - 83:3 CENTRE ^[5] - 41:21, 61:2, 61:16, 63:26, 72:10 CENTRE ^[4] - 15:28, 51:12, 70:28, 90:9 CENTRED ^[2] - 61:22, 121:25 CERTAIN ^[4] - 3:24, 8:25, 127:20, 139:17 CERTAINLY ^[10] - 38:6, 110:17, 129:13, 132:6, 142:27, 153:3, 154:22, 157:2, 159:24, 161:12 CERTAINTY ^[1] - 129:21 CETERA ^[2] - 144:28, 159:28 CHAIRMAN ^[15] - 27:3, 27:13, 49:14, 49:17, 49:20, 49:23, 50:3, 104:27, 108:14, 108:18, 108:21, 158:16, 158:29, 159:4, 161:18 CHAIRMAN ^[3] - 109:28, 150:2, 158:14 CHANGED ^[7] - 41:13, 64:28, 65:10, 80:25, 130:29, 131:1, 146:29 CHANGES ^[2] -	35:2, 35:20 CHAPEL ^[6] - 84:22, 84:24, 84:25, 85:28, 86:1, 86:7 CHAPTER ^[8] - 3:13, 3:16, 4:27, 5:2, 20:10, 110:2, 113:13, 118:16 CHAPTER ^[1] - 109:29 CHARACTERISTICS ^[1] - 30:16 CHARLES ^[1] - 118:27 CHART ^[9] - 18:6, 20:15, 20:22, 20:23, 23:18, 23:28, 24:4, 121:15, 123:26 CHARTING ^[1] - 18:29 CHARTS ^[2] - 20:28, 23:23 CHECK ^[3] - 98:6, 143:28, 158:14 CHECKED ^[1] - 79:23 CHECKPOINT ^[24] - 115:18, 115:27, 125:24, 127:27, 128:1, 129:8, 129:22, 131:6, 132:18, 133:8, 133:19, 133:23, 135:20, 136:25, 137:1, 137:7, 138:8, 139:19, 140:18, 140:21, 142:29, 143:3, 156:18 CHECKPOINTS ^[16] - 125:23, 127:4, 127:9, 127:16, 127:25, 128:5, 128:20, 128:23, 130:18, 131:13, 131:23, 140:25, 141:5, 144:3, 146:17, 157:10 CHIEF ^[5] - 3:12, 118:25, 118:26, 119:3, 119:5 CHILD ^[1] - 76:28 CHOSE ^[2] - 57:14, 134:4
C					
C&A ^[2] - 74:5, 75:17 CAIRN ^[2] - 13:9, 28:27 CALM ^[1] - 101:19 CAMERA ^[25] - 52:24, 52:26, 53:27, 54:24, 55:13, 56:20, 57:6, 57:20, 57:22, 57:27, 58:2, 70:7, 70:24, 71:5, 71:6, 71:8, 136:4, 143:23, 143:24, 148:4, 148:6, 148:20 CAMERAS ^[21] - 70:4, 130:23, 134:5, 134:15, 134:18, 135:14, 136:24, 136:26, 136:29, 137:24, 138:21, 139:2, 139:15, 140:7, 142:23, 143:8, 147:5, 147:14, 148:18, 150:21, 160:10 CAMPAIGN ^[1] - 159:26 CAMPBELL ^[17] - 12:13, 13:15, 13:29, 28:21, 29:9, 31:27, 35:29, 39:17, 40:9, 45:9, 58:24, 59:8, 59:23, 67:27, 67:29, 68:11, 106:8 CAMPSIE ^[16] - 68:28, 70:15, 72:25, 72:28, 73:3, 73:4, 73:10, 73:13, 77:16, 88:10, 93:1, 97:20, 101:23, 107:24					

CHOSEN [3] - 60:17, 133:28, 142:18 CHRONOLOGICAL [1] - 31:10 CHURCH [5] - 84:25, 84:27, 86:2, 86:12, 87:17 CIRCLE [15] - 38:27, 39:3, 43:6, 48:1, 49:2, 60:21, 61:21, 61:22, 61:25, 61:28, 62:6, 70:18, 70:21, 71:1, 71:11 CIRCLES [2] - 60:18, 64:17 CIRCULATED [1] - 161:15 CIRCUMNAVIGATED [2] - 130:9, 130:27 CIRCUMVENT [1] - 131:6 CLAREMONT [1] - 13:9 CLARIFY [1] - 152:21 CLARITY [1] - 145:6 CLARKE [1] - 46:14 CLASSES [1] - 145:24 CLASSIC [1] - 125:10 CLEAN [4] - 76:4, 82:16, 102:21, 103:13 CLEAR [12] - 18:18, 60:2, 69:26, 82:12, 102:18, 141:28, 142:12, 147:26, 153:14, 153:20, 153:28, 156:10 CLEARER [1] - 13:27 CLEARLY [2] - 82:27, 139:27 CLERMONT [7] - 28:25, 28:27, 32:7, 36:5, 47:14, 58:25, 59:9 CLF [2] - 121:19, 122:5 CLIPPED [1] - 53:22	CLIVE [1] - 14:21 CLOCK [4] - 67:20, 79:23, 79:27, 103:28 CLOCKS [1] - 79:28 CLOCKWISE [1] - 72:22 CLOGHER [1] - 125:17 CLONED [1] - 56:2 CLONTIBRET [1] - 13:7 CLOSE [5] - 49:5, 49:9, 78:22, 110:20, 138:23 CLOSED [9] - 128:7, 130:15, 139:25, 140:1, 142:21, 147:7, 147:11, 150:1, 153:13 CLOSELY [1] - 117:5 CLOSER [1] - 69:3 CLOTHES [2] - 98:29, 99:17 CLOTHING [3] - 94:27, 102:26, 103:19 CLUNKY [1] - 131:29 CLUSTERED [1] - 59:17 CODE [1] - 112:2 COL [3] - 108:20, 108:27, 161:19 COL [3] - 108:23, 150:11, 162:14 COLERAINE [1] - 43:26 COLLATORS [1] - 155:12 COLLECTION [2] - 130:3, 159:17 COLLEGE [10] - 16:14, 61:26, 62:15, 63:28, 64:2, 65:19, 65:23, 65:26, 67:2, 68:21 COLM [12] - 8:11, 8:20, 8:27, 15:13, 17:23,	20:17, 22:27, 32:24, 32:25, 34:26, 35:1, 35:11 COLONEL [1] - 150:4 COLONEL [13] - 108:21, 108:28, 119:29, 121:11, 122:13, 126:26, 129:16, 137:23, 143:6, 150:14, 156:9, 158:26, 159:10 COLOUR [3] - 60:21, 102:27, 146:7 COLOURED [11] - 48:11, 75:3, 77:20, 77:29, 78:8, 78:29, 81:8, 94:26, 97:10, 102:13, 103:11 COLOURS [1] - 92:9 COMBAT [1] - 130:6 COMBED [1] - 76:8 COMFORTABLE [1] - 105:17 COMING [3] - 4:23, 72:15, 109:29 COMMAND [12] - 119:16, 119:18, 119:28, 120:3, 121:3, 121:6, 121:21, 123:21, 123:25, 125:3, 126:1, 126:2 COMMANDED [8] - 120:2, 121:1, 122:13, 122:26, 123:4, 123:9, 123:15, 123:20 COMMANDER [1] - 123:7 COMMANDING [2] - 118:29, 121:29 COMMANDING [3] - 122:9, 123:9, 126:1 COMMENCED [1] - 111:28 COMMENT [2] - 76:29, 82:10 COMMENTED [9] - 78:2, 78:8,	79:27, 81:24, 92:22, 93:24, 99:27, 101:14, 103:10 COMMISSIONED [1] - 71:20 COMMITTED [1] - 158:11 COMMITTING [1] - 160:17 COMMON [3] - 50:26, 120:11, 128:26 COMMONLY [3] - 16:25, 122:4, 123:15 COMMUNICATED [1] - 38:24 COMMUNICATIONS [1] - 23:19 COMMUNITIES [1] - 113:17 COMMUNITY [3] - 112:22, 113:22, 146:8 COMPANIES [7] - 120:1, 122:16, 122:18, 122:23, 122:25, 126:1, 126:18 COMPANY [8] - 46:15, 120:2, 120:22, 122:25, 123:1, 123:2, 133:17, 156:24 COMPARED [2] - 53:4, 132:11 COMPLETE [3] - 104:25, 139:14, 144:15 COMPLETED [1] - 44:12 COMPLETELY [1] - 139:9 COMPLEXION [1] - 102:19 COMPOSITE [2] - 119:15, 119:23 COMPREHENSIBLE [1] - 145:7 COMPREHENSIVE [1] - 157:4 CONCENTRATING [1] - 70:19 CONCEPT [1] - 34:12 CONCEPTS [1] - 33:25 CONCERNED [5] - 116:18,	117:27, 118:12, 118:22, 130:17 CONCLUDE [1] - 105:26 CONCLUDED [1] - 71:26 CONCLUDES [2] - 25:19, 26:17 CONCLUSION [3] - 53:8, 55:29, 58:19 CONCLUSIVE [1] - 6:8 CONCLUSIVELY [1] - 6:16 CONCRETE [1] - 159:29 CONDITIONS [2] - 55:2, 136:10 CONDUCT [1] - 125:22 CONDUCTED [9] - 7:24, 14:1, 14:4, 53:1, 54:5, 71:15, 109:24, 115:17, 126:19 CONDUCTING [1] - 125:3 CONDUIT [3] - 155:9, 155:27, 156:1 CONFIDENCE [1] - 137:11 CONFINE [1] - 26:24 CONFINES [1] - 85:25 CONFIRM [9] - 6:16, 8:9, 8:25, 30:14, 115:7, 121:19, 138:21, 142:22, 146:24 CONFUSION [1] - 145:5 CONNECT [3] - 9:23, 51:17, 51:20 CONNECTED [4] - 63:24, 68:22, 113:15, 143:3 CONNECTION [1] - 30:25 CONNECTIONS [1] - 10:1 CONNECTS [1] - 62:5 CONSIDER [5] - 53:19, 108:10, 110:24, 135:17, 145:3	CONSIDERED [1] - 54:29 CONSIDERING [3] - 58:17, 85:14, 110:21 CONSISTENT [1] - 37:23 CONSTABULARY [1] - 125:15 CONSTANTLY [1] - 130:8 CONSTRUCT [2] - 120:9, 122:20 CONTACT [28] - 29:10, 30:7, 30:19, 31:1, 31:23, 31:25, 32:15, 32:18, 32:21, 32:28, 33:7, 51:3, 51:7, 59:1, 65:6, 66:4, 67:16, 68:1, 69:15, 82:26, 93:19, 101:16, 106:15, 106:18, 107:14, 107:18, 107:22 CONTACTED [1] - 64:1 CONTACTING [3] - 30:4, 32:24, 66:11 CONTACTS [2] - 17:26, 62:15 CONTAINING [1] - 145:16 CONTEMPORANEOUSLY [1] - 113:27 CONTENTION [1] - 116:19 CONTENTS [1] - 60:16 CONTESTED [1] - 128:12 CONTEXT [10] - 9:20, 67:29, 111:23, 112:16, 115:4, 117:15, 119:21, 120:6, 142:4, 154:20 CONTINUATION [1] - 73:5 CONTINUE [11] - 39:12, 47:12, 59:26, 62:27, 62:28, 66:3, 68:13, 73:9, 78:13, 78:18, 139:1
--	--	--	--	--	---

CONTINUED [2] - 76:13, 78:29 CONTINUED [3] - 3:8, 27:16, 50:6 CONTINUES [4] - 39:20, 71:4, 72:19, 113:4 CONTINUING [4] - 58:15, 72:22, 114:8, 132:28 CONTINUOUS [2] - 82:23, 101:1 CONTINUOUS LY [1] - 103:26 CONTRACT [1] - 109:8 CONTRAST [2] - 62:15, 63:26 CONTROL [1] - 130:12 CONURBATIO N [1] - 61:19 CONVENIENT [2] - 49:20, 49:21 CONVENTION S [1] - 126:8 CONVERSION [1] - 151:14 CONVERT [2] - 150:23, 150:26 CONVERTED [3] - 148:6, 148:9, 151:13 CONVOY [2] - 6:17, 44:25 COOKSTOWN [3] - 88:8, 88:18, 88:25 COOPERATIO N [1] - 14:16 COORDINATE [1] - 141:6 COORDINATIO N [1] - 157:17 COPE [1] - 149:7 COPIES [1] - 27:7 COPY [5] - 26:21, 26:22, 29:26, 149:8, 157:24 CORCAGHAN [1] - 13:6 CORE [2] - 27:11, 147:19 CORNER [2] - 78:26, 95:21 CORNER [5] - 41:23, 56:26,	58:19, 95:25, 152:4 CORPORAL [2] - 123:20, 123:23 CORPORALS [2] - 135:2, 135:3 CORPORATE [4] - 110:24, 121:4, 127:5, 127:20 CORPUS [1] - 105:23 CORRECT [167] - 3:29, 5:15, 6:9, 7:8, 7:17, 7:23, 7:28, 8:19, 9:4, 9:26, 9:28, 10:8, 10:15, 11:1, 11:17, 12:25, 13:26, 16:10, 17:4, 17:22, 18:1, 18:16, 19:4, 19:22, 20:5, 20:26, 22:12, 23:2, 24:25, 25:5, 25:6, 25:14, 26:5, 29:1, 30:9, 31:17, 35:25, 36:6, 38:5, 38:22, 39:10, 40:1, 40:15, 41:4, 41:16, 46:26, 48:20, 49:6, 49:10, 49:13, 51:21, 52:8, 52:28, 54:27, 55:28, 56:4, 56:13, 56:23, 57:8, 57:25, 58:3, 58:13, 58:22, 59:19, 60:6, 60:20, 63:19, 68:6, 70:2, 71:3, 71:24, 73:4, 76:21, 77:1, 77:2, 77:10, 79:2, 79:7, 80:8, 82:22, 82:28, 83:16, 83:20, 84:9, 85:5, 85:9, 86:21, 87:22, 89:4, 89:16, 90:22, 90:28, 91:7, 91:21, 92:2, 92:11, 94:11, 96:11, 97:19, 98:4, 99:11, 99:21, 101:7, 101:21, 102:4, 102:7, 102:10, 103:1, 103:21,	104:5, 104:18, 105:22, 106:25, 109:13, 109:26, 111:9, 112:1, 113:3, 113:18, 115:13, 115:29, 116:7, 116:15, 118:2, 118:5, 118:10, 118:15, 119:4, 119:7, 120:17, 123:2, 123:17, 123:24, 123:29, 124:12, 124:14, 124:23, 128:24, 131:8, 132:13, 133:2, 136:20, 136:22, 138:4, 138:10, 138:28, 139:6, 139:16, 139:20, 140:10, 141:24, 142:10, 142:16, 145:11, 145:27, 146:11, 146:22, 147:16, 149:13, 149:17, 150:25, 152:22, 154:4, 156:15, 156:29, 157:6, 157:19 CORRECTED [1] - 40:6 CORRESPOND ING [1] - 144:5 CORRICK [1] - 74:2 CORRY'S [1] - 90:20 CORSA [1] - 96:23 COUNTER [2] - 54:12, 54:13 COUNTY [20] - 10:21, 10:22, 13:6, 13:7, 13:8, 13:9, 13:10, 13:11, 13:12, 13:13, 15:29, 16:23, 21:25, 22:15, 22:20, 124:4, 127:10 COUNTY [1] - 10:23 COUPLE [3] - 155:12, 157:23, 159:21 COURSE [23] - 3:25, 6:26, 9:17, 16:25, 18:19, 20:12, 23:7, 23:9, 23:24, 27:9, 67:5,	83:29, 104:27, 105:11, 110:16, 111:13, 131:17, 142:20, 145:7, 145:11, 150:2, 158:3, 158:23 COURTESY [1] - 158:20 COURTHOUSE [7] - 72:20, 83:3, 83:5, 83:8, 86:27, 89:20, 104:13 COVER [5] - 29:13, 125:9, 141:7, 150:17, 156:4 COVERAGE [1] - 25:25 COVERED [4] - 111:7, 126:17, 150:18, 150:19 COVERING [2] - 136:26, 142:23 COVERS [4] - 28:3, 65:12, 112:14, 156:4 COY [1] - 122:29 CRANLOME [1] - 17:16 CRATERS [3] - 160:1, 160:2, 161:4 CREANER [2] - 11:11, 12:5 CREATE [1] - 145:5 CREATED [3] - 27:25, 62:21, 112:20 CREATING [1] - 123:10 CRIME [2] - 158:11, 160:17 CROSS [5] - 91:27, 93:15, 93:16, 93:28, 156:27 CROSSED [7] - 19:1, 41:2, 52:5, 57:7, 79:4, 137:12, 139:19 CROSSING [16] - 16:3, 16:4, 16:17, 38:18, 92:16, 110:15, 111:1, 137:24, 138:8, 140:28, 142:24, 159:12, 159:15, 160:10, 160:13, 161:7	CROSSINGS [4] - 128:7, 130:2, 130:5, 160:13 CROSSMAGLE N [1] - 126:19 CROUCHED [2] - 93:25, 94:24 CRUDE [1] - 38:19 CURRENT [2] - 38:27, 149:21 CURSOR [1] - 83:6 CUT [4] - 75:27, 95:3, 102:14, 103:11 CYCLE [1] - 126:13	- 143:11, 143:21, 144:26, 144:29, 145:16, 145:21, 146:5, 146:16, 147:23, 148:27, 149:5, 149:6, 149:14, 151:17 DATE [1] - 15:3 DATED [10] - 96:19, 110:25, 110:29, 111:5, 144:24, 146:28, 152:4, 152:13, 160:8 DATES [4] - 115:16, 127:8, 139:25, 160:8 DAUGHTER [2] - 90:6, 90:13 DAYS [1] - 151:5 DAYS [9] - 4:9, 5:24, 15:7, 132:11, 147:29, 153:1, 154:6, 159:22, 160:19 DCI [4] - 71:19, 73:20, 83:24, 83:29 DE [17] - 26:17, 27:4, 27:17, 27:19, 49:16, 49:19, 49:21, 49:25, 50:4, 50:7, 50:9, 104:23, 105:1, 105:4, 108:6, 162:10, 162:12 DE [5] - 27:3, 49:14, 50:3, 104:6, 108:14 DEAL [8] - 7:9, 20:1, 110:10, 124:3, 126:27, 129:17, 140:4, 142:18 DEALING [9] - 25:18, 40:7, 110:28, 112:16, 112:29, 115:4, 128:25, 149:3, 154:19 DEALS [6] - 3:16, 8:23, 20:3, 110:2, 110:29, 111:2 DEALT [3] - 111:5, 134:25, 137:5 DECADES [1] -
---	--	--	--	---	---

142:2 DECEMBER ^[1] - 127:11 DECENT ^[1] - 93:27 DECIDED ^[2] - 88:19, 91:27 DECIPHERED ^[1] - 121:13 DECISION ^[2] - 34:6, 150:2 DEEMED ^[2] - 7:1, 81:26 DEFENCE ^[8] - 117:18, 118:3, 118:4, 118:26, 119:5, 129:20, 140:12, 142:21 DEFINED ^[1] - 146:1 DEFINITELY ^[1] - 130:7 DEFINITIVE ^[2] - 133:25, 136:15 DEFINITELY ^[8] - 4:5, 4:8, 4:12, 4:18, 5:20, 5:23, 132:24, 133:4 DEGRADED ^[1] - 136:10 DEGREE ^[4] - 55:10, 128:29, 131:19, 137:11 DELETED ^[1] - 149:6 DELIBERATE ^[2] - 34:6, 140:12 DELIBERATELY ^[1] - 38:19 DELINEATION ^[1] - 155:18 DELIVERED ^[1] - 132:1 DELIVERY ^[1] - 132:3 DELTA ^[1] - 144:6 DEMEANOUR ^[1] - 101:19 DEMILITARISATION ^[2] - 112:21, 113:16 DEMONSTRATE ^[3] - 24:13, 35:4, 85:7 DEMONSTRATED ^[1] - 122:22 DEPARTMENT ^[1] - 79:24 DEPENDENT ^[1] -	125:25 DEPICT ^[1] - 39:1 DEPICTING ^[2] - 18:21, 48:21 DEPLOYED ^[3] - 112:5, 112:11, 112:15 DEPLOYMENT ^[5] - 110:8, 119:9, 120:9, 126:16, 126:27 DEPLOYMENT ^[3] - 124:4, 124:9, 126:24 DEPOT ^[1] - 87:8 DEPTH ^[1] - 140:23 DEPUTY ^[2] - 123:7, 123:21 DEREK ^[5] - 25:3, 30:2, 30:4, 69:18, 107:29 DERRYGASSO ^[3] - 13:5, 21:24, 22:1 DESCRIBE ^[18] - 28:26, 44:13, 62:24, 75:29, 77:15, 80:9, 81:14, 81:20, 95:11, 102:8, 103:2, 111:29, 112:8, 115:17, 125:5, 128:29, 145:14, 147:2 DESCRIBED ^[24] - 6:5, 13:29, 23:29, 40:19, 43:3, 74:27, 75:3, 76:11, 80:13, 80:22, 81:7, 81:8, 81:15, 81:21, 89:12, 90:16, 92:4, 100:18, 101:19, 101:28, 102:18, 102:22, 106:26, 152:12 DESCRIBES ^[1] - 7:26 DESCRIBING ^[2] - 15:9, 143:7 DESCRIPTION ^[7] - 75:24, 75:25, 76:20, 89:5, 89:8, 94:19, 98:22 DESCRIPTION ^[2] - 99:5, 102:6 DESIGNATED	^[2] - 73:20, 83:23 DESIGNATION ^[2] - 9:29, 10:2 DESIGNATION ^[2] - 12:27, 13:1 DESIGNED ^[2] - 66:19, 66:22 DESK ^[1] - 108:12 DESPITE ^[1] - 54:13 DESTROYED ^[1] - 149:16 DESTRUCTION ^[3] - 152:24, 152:26, 153:5 DETAIL ^[9] - 36:18, 45:2, 45:3, 99:13, 105:20, 110:12, 113:12, 126:27, 154:28 DETAILED ^[2] - 94:19, 102:5 DETAILS ^[7] - 25:25, 95:15, 98:25, 115:21, 127:8, 145:16, 156:17 DETECTIVE ^[10] - 4:27, 8:9, 12:11, 12:13, 13:15, 13:29, 20:2, 25:23, 28:26, 36:17 DETECTIVE ^[2] - 3:8, 162:6 DETERMINE ^[1] - 104:7 DEVELOP ^[3] - 8:2, 8:3, 114:8 DEVELOPED ^[1] - 130:21 DEVELOPING ^[1] - 114:7 DEVELOPMEN ^[1] - 132:7 DEVELOPS ^[1] - 36:16 DIAGRAM ^[3] - 121:5, 121:8, 127:21 DIALLED ^[1] - 15:3 DIANE ^[2] - 89:28, 96:14 DIFFERENCE ^[2] - 45:21, 135:18 DIFFERENT ^[22] - 6:21, 28:14, 34:16, 35:16,	46:2, 46:10, 48:29, 60:11, 65:9, 80:2, 88:23, 92:28, 115:6, 126:3, 131:21, 136:9, 136:12, 136:26, 140:24, 143:4, 147:24, 148:17 DIFFERENTLY ^[3] - 136:11, 136:12 DIFFICULT ^[4] - 104:7, 114:17, 114:24, 114:28 DIFFICULTY ^[4] - 53:13, 53:16, 141:2, 144:6 DIGEST ^[1] - 26:7 DIGGERS ^[1] - 159:28 DIGITS ^[1] - 23:26 DILEMMA ^[1] - 113:7 DIRECTED ^[3] - 63:17, 107:12, 125:15 DIRECTING ^[2] - 29:23, 70:13 DIRECTION ^[30] - 18:19, 38:13, 38:24, 39:5, 48:4, 51:28, 52:21, 61:9, 61:15, 62:1, 66:24, 70:28, 72:22, 72:27, 75:12, 75:21, 77:9, 77:16, 77:19, 79:1, 88:28, 92:22, 96:5, 98:20, 101:12, 104:12, 109:25, 115:2, 128:9 DIRECTIONS ^[1] - 88:23 DIRECTLY ^[4] - 11:21, 75:6, 118:24, 147:6 DIRTY ^[2] - 75:27, 103:10 DISAPPEARED ^[1] - 148:29 DISCOVERED ^[2] - 132:19, 144:18 DISCREPANCY ^[3] - 149:22,	152:29, 153:15 DISCS ^[1] - 144:27 DISCUSSED ^[1] - 67:29 DISPLAY ^[1] - 45:15 DISSIDENT ^[12] - 112:23, 113:2, 113:8, 113:28, 115:5, 115:9, 115:14, 115:17, 116:1, 116:9, 116:20, 116:24 DISSIDENTS ^[2] - 114:11, 114:15 DISTANCE ^[4] - 39:26, 40:26, 41:3, 99:22 DISTRIBUTE ^[1] - 26:28 DISTRIBUTED ^[1] - 26:22 DIVERTED ^[1] - 43:26 DIVIDE ^[1] - 139:29 DIVISION ^[7] - 119:14, 119:15, 119:26, 120:26, 120:27, 120:29, 125:14 DOCUMENT ^[4] - 8:22, 134:6, 139:25, 143:20 DOCUMENTAR ^[1] - 9:8 DOCUMENTAT ^[6] - 28:28, 122:28, 124:26, 135:11, 141:24, 141:26 DOCUMENTS ^[4] - 15:2, 128:14, 136:17, 142:11 DOMAIN ^[1] - 143:13 DONE ^[4] - 26:7, 54:28, 112:13, 148:13 DONEGAN ^[3] - 33:5, 39:24, 47:17 DOOR ^[2] - 80:5, 99:27 DOORS ^[2] - 98:13, 99:17 DOT ^[1] - 9:24 DOTTED ^[1] - 61:1	DOUBLE ^[1] - 123:11 DOUBT ^[3] - 110:11, 135:18, 146:26 DOUG ^[1] - 118:9 DOWN ^[19] - 40:2, 41:21, 59:4, 68:8, 76:8, 77:4, 80:26, 86:13, 87:1, 87:19, 94:24, 95:7, 95:13, 101:22, 101:28, 119:26, 122:24, 134:29, 140:26 DR ^[13] - 37:11, 40:6, 42:25, 43:3, 48:17, 58:18, 60:13, 60:29, 61:7, 62:3, 62:19, 62:22, 118:8 DRAW ^[9] - 8:7, 23:18, 27:26, 29:18, 39:25, 56:16, 60:7, 60:16, 132:8 DRAWING ^[3] - 24:20, 29:27, 161:2 DRAWN ^[1] - 109:24 DRILL ^[2] - 115:4, 144:14 DRIVE ^[5] - 55:6, 75:3, 79:5, 88:25, 114:10 DRIVE ^[1] - 73:10 DRIVEN ^[2] - 85:13, 96:22 DRIVER ^[20] - 55:10, 75:20, 75:24, 80:13, 89:5, 93:5, 93:9, 93:19, 93:28, 94:23, 95:6, 95:9, 96:2, 98:15, 100:10, 100:18, 100:23, 101:22, 103:2, 104:19 DRIVER'S ^[1] - 77:3 DRIVERS ^[1] - 55:3 DRIVING ^[8] - 55:2, 57:22, 70:26, 71:8, 71:9, 74:24, 75:1,
---	--	--	--	--	--

131:9 DROMORE [1] - 84:18 DROP [1] - 140:25 DROVE [7] - 74:27, 77:18, 80:28, 87:1, 89:19, 90:5, 160:9 DRUMNASILL AGH [1] - 13:13 DRUMRAGH [7] - 72:23, 77:25, 79:5, 82:6, 87:27, 88:1, 92:27 DUBLIN [5] - 73:1, 78:25, 92:26, 98:20, 101:12 DUE [13] - 20:12, 23:7, 23:24, 54:22, 83:29, 105:11, 111:13, 132:4, 132:20, 142:20, 145:7, 145:11, 150:2 DUNDALK [19] - 11:19, 11:21, 13:9, 13:10, 28:16, 29:5, 29:18, 29:29, 31:16, 33:10, 33:20, 39:21, 39:25, 39:26, 58:12, 67:9, 106:28, 115:10, 116:25 DURATION [12] - 16:11, 17:5, 17:15, 21:8, 21:20, 23:1, 25:13, 31:22, 36:7, 47:28, 65:5, 69:16 DURING [11] - 6:26, 9:16, 16:25, 53:25, 54:23, 106:3, 118:13, 138:29, 139:4, 149:19, 158:2 DVLA [1] - 144:29	89:9, 116:12, 120:12, 132:6, 132:11, 139:9, 143:13, 144:19 EARRINGS [1] - 76:4 EARS [1] - 76:5 EASILY [1] - 130:27 EAST [1] - 28:12 EAST [3] - 29:5, 33:20, 39:21 EASTERLY [1] - 88:28 EDGED [1] - 82:5 EDUCATION [1] - 16:14 EFFECT [1] - 68:12 EFFECTIVELY [10] - 112:13, 119:16, 121:20, 134:23, 140:22, 141:8, 143:24, 150:24, 154:12, 156:25 EFFORT [1] - 128:13 EIGHT [8] - 42:4, 54:18, 55:11, 55:22, 101:5, 109:20, 110:22, 123:20 EIGHT- SECOND [1] - 42:4 EIRCELL [1] - 21:26 EIRCELL'S [2] - 21:11, 21:23 EITHER [17] - 4:15, 34:6, 38:29, 50:12, 57:11, 57:26, 58:1, 105:16, 107:7, 108:11, 134:7, 136:15, 141:21, 141:26, 142:20, 144:1, 158:23 EL [1] - 75:13 ELECTION [1] - 117:25 ELECTRICAL [1] - 46:15 ELECTRONICA LLY [1] - 27:11 ELEMENT [3] - 114:17, 130:3, 135:13	ELEMENTS [2] - 123:22, 128:8 ELSEWHERE [2] - 145:9, 145:18 EMANATING [2] - 61:1, 113:22 EMBOLDENED [3] - 113:29, 115:15, 116:9 EMERALD [1] - 32:25 EMERGE [1] - 116:17 EMMET [2] - 3:8, 162:6 EMPHASISE [1] - 38:20 EMPLOYEES [1] - 45:7 EMPLOYING [2] - 46:15, 46:18 EMPORIUM [4] - 90:24, 90:26, 90:29, 91:5 EMYVALE [13] - 12:8, 12:9, 13:5, 13:11, 18:17, 21:23, 21:24, 21:27, 42:20, 42:27, 48:9, 49:8, 66:27 ENCROACH [1] - 104:25 ENCROACHED [1] - 108:6 END [5] - 26:15, 28:29, 91:9, 117:12, 117:13 ENDED [2] - 39:16, 67:20 ENDING [5] - 7:3, 7:6, 15:13, 17:3, 47:5 ENDS [1] - 23:25 ENFORCEMEN T [3] - 33:25, 34:10, 38:7 ENGAGE [2] - 59:20, 106:11 ENGAGES [1] - 106:19 ENGAGING [1] - 108:3 ENLARGE [1] - 18:12 ENNISKILLEN [1] - 84:6 ENQUIRIES [1] - 25:28 ENSURE [2] -	147:4, 147:13 ENTER [1] - 144:4 ENTERING [1] - 22:23 ENTIRE [1] - 97:7 ENTIRELY [1] - 160:4 ENTRANCE [1] - 77:7 ENTRIES [3] - 36:12, 104:24, 105:4 ENTRY [15] - 12:5, 29:7, 29:27, 31:19, 33:2, 36:10, 39:11, 39:23, 41:18, 45:12, 49:7, 58:24, 67:23, 68:27, 155:11 ENVIRONMEN T [1] - 131:1 EQUALLY [3] - 37:24, 130:11, 136:3 EQUIVALENT [1] - 145:1 ESSENTIALLY [2] - 16:3, 16:4 ESTABLISH [7] - 4:5, 4:8, 4:12, 5:20, 5:23, 5:27, 138:1 ESTABLISHED [7] - 3:26, 5:12, 22:21, 51:29, 105:17, 127:27, 143:25 ESTABLISHES [1] - 140:6 ESTIMATED [3] - 94:16, 99:22, 104:2 ET [2] - 144:27, 159:28 EVENING [4] - 29:20, 29:21, 30:3, 34:26 EVENT [2] - 98:5, 140:17 EVENTS [7] - 3:14, 3:16, 4:29, 5:3, 31:10, 43:10, 105:27 EVIDENCE [57] - 3:13, 4:1, 4:28, 5:16, 6:15, 9:1, 9:8, 9:14, 9:17,	9:18, 9:20, 11:25, 12:1, 16:26, 20:29, 26:9, 26:18, 28:17, 35:9, 48:18, 49:4, 57:10, 69:20, 84:1, 85:20, 89:17, 97:20, 103:22, 104:26, 105:18, 105:24, 109:27, 110:1, 110:11, 110:21, 111:13, 111:20, 131:2, 131:17, 133:25, 137:3, 137:4, 137:10, 138:6, 139:20, 141:21, 156:10, 156:26, 158:26, 159:11, 159:18, 160:21, 160:29, 161:10, 161:14 EVIDENTIAL [1] - 155:19 EVIDENTIARY [1] - 52:13 EVOLVING [1] - 142:2 EXACT [3] - 41:13, 52:5, 115:21 EXACTLY [11] - 12:3, 13:2, 20:20, 34:9, 37:18, 39:4, 48:24, 49:3, 69:2, 85:18, 108:2 EXAMINATION [2] - 3:14, 4:29 EXAMINE [2] - 73:16, 142:6 EXAMPLE [11] - 56:19, 69:1, 85:16, 98:7, 115:16, 116:8, 131:5, 146:2, 151:21, 152:15, 155:14 EXCEL [1] - 27:11 EXCEPTIONAL LY [2] - 144:23, 152:13 EXCLUDE [1] - 68:24 EXCLUSIVELY [1] - 129:6 EXERCISE [1] - 18:2 EXERCISED [1] - 55:10	EXHIBITED [1] - 55:2 EXIST [2] - 141:24, 153:7 EXISTED [1] - 113:19 EXISTENCE [1] - 157:16 EXISTS [2] - 57:26, 140:1 EXPANDED [1] - 154:8 EXPECT [2] - 84:11, 136:21 EXPECTATION [3] - 113:16, 113:19, 113:23 EXPECTATION S [1] - 112:21 EXPECTED [2] - 92:28, 138:20 EXPERIENCE [4] - 38:6, 97:26, 138:22, 157:13 EXPERT [5] - 9:18, 26:3, 26:9, 62:20, 71:20 EXPERTISE [5] - 52:12, 112:25, 114:6, 114:8, 150:29 EXPERTS [1] - 71:21 EXPLAIN [8] - 111:3, 119:11, 122:7, 127:14, 129:27, 141:2, 146:19, 153:4 EXPLAINED [4] - 123:3, 146:25, 150:6, 150:20 EXPLAINING [1] - 140:1 EXPLANATION [2] - 34:17, 50:22 EXPLORE [1] - 157:15 EXPLORING [1] - 139:14 EXPRESSING [3] - 115:26, 136:16, 151:2 EXPRESSION [1] - 101:26 EXTENDED [1] - 109:8 EXTENSION [1] - 21:29 EXTENT [3] - 111:4, 115:6,
E					
EAGLE [2] - 140:25, 141:3 EARLY [11] - 3:27, 5:17, 6:26,					

119:9 EXTRAORDINA RILY [1] - 131:22 EYE [3] - 60:7, 93:18, 101:16 EYEWITNESS [7] - 6:8, 69:20, 73:17, 83:14, 89:27, 96:12, 105:27 EYEWITNESSE S [4] - 73:19, 73:26, 83:22, 89:16 EYEWITNESSS [1] - 73:21	116:19, 117:11, 132:22, 135:28, 139:8, 142:8, 157:19, 160:4 FAIRER [1] - 153:29 FAIRLY [2] - 137:8, 148:5 FAITHFUL [1] - 142:19 FALLS [3] - 42:29, 43:19, 50:21 FALSE [1] - 138:2 FAMILIAR [4] - 24:5, 24:11, 28:27, 33:28 FAMILIARITY [1] - 131:19 FAMILIES [2] - 150:9, 150:16 FAMILY [2] - 74:1, 74:5 FAR [12] - 36:27, 82:5, 116:18, 117:5, 117:27, 118:11, 118:21, 137:15, 137:28, 139:7, 153:27, 161:13 FARMERS [1] - 159:27 FAT [1] - 103:6 FATHER [8] - 9:6, 73:27, 79:20, 80:4, 80:28, 81:3, 82:4, 95:12 FATHER'S [5] - 80:7, 80:17, 81:7, 82:11, 82:21 FATHER-IN- LAW [1] - 9:6 FAULT [1] - 66:14 FEATURE [1] - 128:26 FEATURES [3] - 40:25, 76:1, 135:17 FEE [3] - 46:15, 46:22, 158:29 FEED [1] - 148:10 FEEDS [1] - 151:17 FEET [2] - 98:29, 101:5 FELT [2] - 115:24, 115:26	FEMALE [1] - 80:13 FERMANAGH [3] - 124:11, 125:2, 125:19 FEW [3] - 68:1, 150:15, 160:19 FIFTH [2] - 64:15, 141:10 FIGURE [1] - 112:8 FIGURES [4] - 45:4, 117:26, 118:19, 118:21 FILLED [2] - 160:2, 161:4 FILLING [2] - 70:11, 114:5 FILLING [6] - 40:17, 41:5, 41:20, 44:6, 45:27, 46:27 FILM [2] - 150:24, 150:26 FINAL [4] - 96:12, 104:6, 107:3, 108:3 FINALLY [8] - 32:21, 57:17, 73:1, 89:1, 108:10, 118:11, 143:2, 149:18 FINE [3] - 26:11, 26:13, 27:28 FINGER [1] - 29:25 FIRED [1] - 148:10 FIRMLY [1] - 61:15 FIRST [48] - 7:4, 8:3, 12:1, 13:18, 15:10, 18:13, 20:29, 23:16, 28:4, 28:7, 30:19, 31:4, 36:11, 39:7, 39:11, 40:25, 41:15, 41:28, 47:23, 52:11, 61:21, 66:5, 66:19, 66:25, 70:7, 73:11, 73:25, 84:21, 86:6, 89:19, 90:2, 92:15, 92:29, 95:18, 99:20, 110:6, 110:9, 110:23, 111:22, 113:15, 113:26, 117:28, 119:13,	138:18, 140:2, 150:5, 156:12, 157:23 FIRSTLY [6] - 27:7, 31:22, 51:11, 53:1, 106:4, 131:22 FISHING [1] - 79:23 FIT [1] - 105:17 FIVE [13] - 26:19, 26:24, 30:29, 61:27, 62:17, 73:17, 73:19, 89:27, 91:13, 107:21, 107:26, 108:7, 120:14 FIVE- KILOMETRE [2] - 61:27, 62:17 FIXED [2] - 130:8, 130:26 FLASHING [1] - 39:29 FLAUNTING [1] - 116:2 FLICK [1] - 93:13 FLIPPED [1] - 65:10 FLOW [1] - 70:22 FOCUS [5] - 116:24, 124:10, 125:1, 139:13, 150:18 FOCUSED [5] - 28:17, 57:24, 115:9, 136:11, 158:26 FOLLOW [5] - 64:10, 71:2, 113:13, 156:26, 157:1 FOLLOWED [5] - 46:22, 86:15, 87:13, 112:4, 117:8 FOLLOWING [7] - 48:26, 58:14, 59:13, 72:25, 87:4, 112:18, 117:27 FOLLOWS [1] - 127:11 FOLLOWS [13] - 3:10, 27:1, 27:17, 50:1, 50:7, 72:5, 105:2, 108:16,	108:24, 150:12, 156:7, 159:8, 160:26 FOOT [1] - 102:11 FOOTAGE [32] - 3:1, 3:4, 6:10, 41:9, 52:29, 53:10, 53:12, 53:22, 54:2, 54:10, 54:21, 54:26, 55:25, 56:3, 56:8, 56:27, 70:14, 71:16, 71:21, 97:20, 135:19, 137:23, 137:27, 138:26, 140:7, 142:13, 147:28, 148:4, 148:11, 148:18, 148:20 FOOTPATH [3] - 77:8, 101:6, 101:15 FOOTPRINT [1] - 130:25 FOR [1] - 108:16 FORCE [1] - 160:15 FORCES [9] - 14:16, 14:18, 113:6, 114:9, 123:27, 145:19, 145:22, 146:5, 160:6 FORCES [1] - 118:7 FOREHEAD [1] - 76:8 FORESHADO WED [1] - 69:23 FORGIVE [3] - 24:2, 55:17, 66:11 FORKHILL [1] - 126:19 FORM [3] - 105:23, 142:12, 142:18 FORMAL [1] - 12:27 FORMALITIES [1] - 110:20 FORMER [1] - 124:25 FORMS [1] - 105:8 FORTIES [1] - 89:9 FORWARD [6] -	30:29, 31:12, 31:18, 33:22, 35:26, 58:4 FORWARDS [1] - 93:14 FOUR [18] - 26:1, 30:27, 32:14, 44:24, 46:20, 64:29, 68:26, 69:4, 72:15, 73:19, 101:1, 119:23, 119:29, 122:12, 122:17, 125:6, 145:24, 155:5 FOUR- SECOND [2] - 30:27, 46:20 FOURTH [5] - 31:3, 44:24, 63:2, 64:13, 89:27 FOURTHLY [1] - 140:16 FRAME [2] - 52:24, 55:1 FRAUD [1] - 14:23 FREEDOM [2] - 115:25, 130:14 FREELY [1] - 14:17 FRICTION [1] - 131:29 FRIDAY [2] - 112:20, 130:16 FRILLS [1] - 81:16 FRINGE [1] - 76:9 FRONT [18] - 71:10, 75:6, 76:18, 78:1, 81:9, 81:17, 81:27, 85:29, 93:24, 95:6, 97:13, 99:16, 99:17, 100:11, 101:6, 104:9, 104:17, 104:20 FROZEN [1] - 56:20 FRUSTRATION [1] - 78:9 FULFIL [1] - 109:8 FULL [3] - 26:20, 80:23, 108:26 FULLY [2] - 99:28, 146:21
--	--	---	---	---	---

FUNCTION ^[2] - 48:23, 155:29 FURTHER ^[4] - 105:1, 156:7, 160:26, 162:12 FURTHERMORE E ^[1] - 138:26 FURTHEST ^[1] - 70:23	85:8, 98:3, 115:24, 119:25, 121:2, 131:2, 135:5, 137:10, 140:28, 152:10, 154:17, 156:11, 158:26 GLANCE ^[1] - 75:21 GLANCED ^[1] - 94:27 GLASS ^[3] - 45:1, 45:19, 47:1 GLASSES ^[2] - 76:3, 101:8 GLORIOUSLY ^[1] - 155:5 GMP ^[1] - 52:13 GOC ^[4] - 118:23, 118:28, 121:17, 128:9 GOLF ^[2] - 126:21, 127:18 GOOGLE ^[1] - 41:11 GOVERNMENT ^[2] - 113:20, 113:23 GOVERNMENTAL ^[1] - 142:4 GRADUALLY ^[2] - 130:19, 146:21 GRAND ^[1] - 155:5 GRANDER ^[1] - 155:13 GRATEFUL ^[1] - 26:6 GREANEY ^[7] - 33:24, 40:19, 106:22, 108:8, 108:18, 152:22, 154:11 GREANEY ^[18] - 3:9, 3:12, 108:19, 108:24, 108:26, 150:4, 156:7, 156:9, 158:17, 158:25, 159:2, 159:5, 160:26, 160:28, 161:13, 162:4, 162:7, 162:15 GREATER ^[5] - 114:22, 114:27, 126:27, 147:4, 147:14 GREEN ^[1] - 14:21 GREEN ^[7] -	28:8, 30:17, 77:12, 78:6, 78:19, 82:4, 89:14 GREW ^[1] - 32:24 GREW ^[1] - 112:23 GREY ^[1] - 89:10 GRINNED ^[1] - 101:16 GROUND ^[7] - 113:10, 120:10, 130:26, 141:9, 143:26, 143:27 GROUP ^[3] - 116:28, 119:15, 120:2 GROUPING ^[1] - 119:28 GUARANTEED ^[1] - 157:3 GUTHRIE ^[1] - 118:27	34:29, 39:17, 42:26, 58:20, 59:2, 59:20, 59:24, 64:5, 68:16 HANDSETS ^[6] - 3:24, 5:9, 7:15, 10:25, 46:2, 66:2 HANDSOME ^[1] - 100:26 HAPPY ^[2] - 62:23, 158:23 HARD ^[9] - 27:7, 29:25, 131:23, 141:1, 141:5, 141:6, 141:7, 147:24 HARDWARE ^[1] - 74:6 HARRY ^[1] - 90:20 HAVING ^[1] - 108:23 HEAD ^[2] - 116:27, 138:9 HEAD ^[1] - 108:28 HEADED ^[1] - 25:28 HEADING ^[6] - 75:12, 77:9, 77:16, 79:1, 79:5, 79:14 HEADQUARTERS ^[1] - 120:28 HEADQUARTER ^[1] - 121:27 HEAR ^[11] - 37:11, 40:6, 42:25, 61:7, 62:3, 62:26, 69:19, 71:18, 71:25, 83:28, 124:24 HEARD ^[9] - 28:26, 33:23, 36:16, 45:18, 60:29, 61:7, 85:17, 105:21, 150:15 HEARING ^[2] - 158:27, 161:17 HEARINGS ^[1] - 9:17 HEART ^[3] - 84:27, 86:1, 87:17 HEAVIER ^[2] - 99:2, 103:5 HEAVY ^[1] - 91:25	HELD ^[6] - 145:23, 146:4, 147:28, 149:23, 155:29, 157:24 HELICOPTER ^[2] - 120:7, 140:25 HELICOPTER-BASED ^[1] - 140:25 HELP ^[13] - 3:15, 54:28, 65:6, 69:19, 71:29, 110:5, 111:13, 111:22, 117:17, 127:3, 136:23, 138:17, 140:3 HELPFUL ^[3] - 117:15, 144:21, 153:26 HENDERSON ^[1] - 118:9 HERSELF ^[1] - 92:6 HIGH ^[3] - 110:7, 110:10, 137:11 HIGHEST ^[2] - 36:13, 39:11 HIGHLIGHT ^[1] - 57:21 HIGHLIGHTED ^[1] - 23:25 HIGHLY ^[1] - 133:7 HILL ^[2] - 15:28, 51:12 HIMSELF ^[2] - 78:21, 79:5 HINDERING ^[1] - 82:14 HISTORY ^[1] - 117:23 HIT ^[1] - 107:24 HMM ^[7] - 12:19, 15:23, 20:14, 21:9, 22:6, 25:2, 25:4 HOEY ^[2] - 46:18, 103:22 HOLD ^[4] - 54:9, 56:19, 153:9, 156:24 HOLDS ^[1] - 61:27 HOME ^[3] - 118:1, 124:20, 126:3 HOME ^[2] - 84:6, 103:24 HOPE ^[3] - 26:12, 110:17,	138:14 HOURLY ^[6] - 39:16, 42:24, 49:18, 63:5, 94:10, 159:5 HOURS ^[6] - 3:17, 3:27, 5:4, 5:17, 28:20, 30:10 HOUSEKEEPING ^[1] - 27:6 HRS ^[3] - 21:17, 22:26, 25:10 HUMAN ^[5] - 98:1, 135:4, 135:13, 136:1, 140:12 HURRY ^[2] - 94:12, 100:15 HYPOTHESIS ^[5] - 34:25, 35:6, 48:14, 64:8, 67:26 HYPOTHETICAL ^[1] - 140:16
G		H			I
G'S ^[3] - 90:23, 90:26, 91:3 GAIN ^[1] - 130:5 GAINING ^[1] - 112:24 GARDA ^[4] - 11:11, 12:11, 14:26, 26:18 GATHERED ^[2] - 153:19, 157:9 GATHERING ^[2] - 129:3, 155:20 GENERAL ^[6] - 24:24, 38:24, 51:28, 57:19, 60:3, 119:16 GENERAL ^[12] - 118:24, 118:25, 118:27, 118:29, 119:3, 119:17, 121:1, 121:29, 122:3, 122:6 GENERALLY ^[4] - 55:11, 122:29, 141:29, 158:8 GENERATE ^[2] - 7:10, 7:14 GENERATED ^[5] - 17:18, 17:20, 18:4, 34:2, 34:19 GEOGRAPHICAL ^[2] - 119:25, 125:25 GEORGE ^[6] - 73:26, 74:14, 74:15, 74:20, 75:1, 118:4 GEORGE'S ^[2] - 86:17, 87:19 GESTURE ^[4] - 93:5, 93:9, 93:11, 93:19 GIRLFRIEND ^[2] - 4:3, 5:13 GIVEN ^[17] - 15:22, 59:1, 62:20, 73:18,		HAIR ^[10] - 75:27, 76:6, 76:8, 89:9, 94:27, 95:2, 95:3, 102:13, 103:10, 103:11 HAIRSTYLES ^[1] - 99:3 HALF ^[12] - 39:16, 42:24, 49:18, 55:22, 63:5, 81:29, 99:26, 102:26, 120:6, 123:9, 123:10, 123:22 HAND ^[14] - 41:23, 56:26, 58:19, 71:28, 72:16, 81:1, 83:4, 88:3, 88:5, 93:2, 93:11, 93:29, 141:12, 152:4 HANDED ^[1] - 34:25 HANDS ^[6] - 8:29, 9:13, 35:15, 36:29, 37:3, 158:28 HANDSET ^[19] - 7:20, 16:16, 17:21, 24:17, 33:5, 33:12, 34:15, 34:16, 34:19, 34:24,			ICON ^[1] - 85:5 IDENTIFICATION ^[3] - 6:6, 25:25, 145:22 IDENTIFIED ^[16] - 6:28, 11:23, 12:4, 29:16, 61:1, 64:14, 71:5, 71:22, 134:22, 140:8, 147:26, 147:28, 149:22, 149:26, 153:15, 153:22 IDENTIFY ^[9] - 6:11, 38:3, 42:4, 60:3, 141:11, 144:9, 149:27, 153:1, 153:4 IDENTIFYING ^[2] - 48:27, 50:12 IDENTITIES ^[1] - 46:1 IDM ^[1] - 156:24 ILLEGAL ^[2] - 115:18, 115:27 ILLUSTRATE ^[1] - 56:10 ILLUSTRATIVE ^[4] - 50:15, 51:22, 57:13, 58:11 IMAGE ^[3] -

41:5, 52:17, 150:29 IMAGINE ^[1] - 152:9 IMAGINES ^[1] - 141:26 IMMEDIATELY ^[1] - 98:14 IMPACT ^[1] - 153:18 IMPEDIMENT ^[2] - 157:8, 158:8 IMPERFECT ^[3] - 129:25, 130:7, 132:7 IMPERIAL ^[1] - 144:18 IMPORTANCE ^[5] - 36:13, 39:11, 64:14, 118:12, 129:27 IMPORTANT ^[15] - 43:20, 47:20, 50:11, 50:25, 59:27, 67:15, 83:10, 118:17, 131:13, 131:16, 131:23, 132:9, 140:4, 143:4, 147:21 IMPRESSION ^[4] - 56:12, 76:23, 76:27, 131:25 IMPROVED ^[4] - 144:27, 144:28, 146:19, 152:9 IMPROVING ^[2] - 130:24, 147:9 INCHES ^[1] - 103:8 INCIDENT ^[3] - 115:19, 115:27, 141:3 INCIDENTS ^[2] - 112:27, 113:1 INCLINE ^[1] - 75:2 INCLUDE ^[1] - 60:17 INCLUDED ^[7] - 31:21, 46:5, 63:18, 105:15, 109:11, 127:20, 155:17 INCLUDES ^[2] - 62:9, 105:14 INCLUDING ^[6] - 3:17, 5:4, 9:8, 85:16, 126:20, 141:22	INCLUSIVE ^[1] - 28:1 INCOMING ^[4] - 15:4, 16:20, 17:9, 43:2 INCONSISTEN CY ^[1] - 154:3 INCORPORAT E ^[1] - 112:9 INCREASING ^[2] - 113:23, 147:17 INCREASINGL Y ^[1] - 112:24 INDEED ^[19] - 9:27, 35:10, 35:24, 53:24, 57:17, 85:20, 98:1, 104:12, 113:19, 133:7, 142:13, 145:5, 146:12, 156:5, 157:3, 157:28, 158:13, 158:18, 161:16 INDEPENDENT ^[1] - 120:8 INDEX ^[1] - 162:1 INDEX ^[1] - 12:16 INDICATE ^[19] - 5:16, 26:6, 29:8, 39:4, 42:16, 42:23, 43:7, 54:10, 63:23, 63:27, 64:18, 70:4, 108:7, 108:11, 153:10, 154:1, 154:22, 159:2, 161:14 INDICATED ^[14] - 40:2, 40:27, 41:3, 41:20, 41:23, 48:4, 48:11, 61:22, 63:13, 63:20, 71:1, 83:5, 153:27, 154:11 INDICATES ^[2] - 50:17, 132:20 INDICATING ^[6] - 18:7, 31:13, 38:10, 61:29, 85:12 INDICATION ^[6] - 7:26, 61:4, 115:24, 127:24, 140:11, 158:8 INDICATIONS	^[4] - 132:2, 135:29, 142:12, 157:16 INDICATOR ^[3] - 88:3, 93:3, 95:19 INDIVIDUAL ^[5] - 8:18, 55:10, 76:2, 98:2, 112:10 INDIVIDUAL'S ^[1] - 75:29 INDIVIDUALS ^[3] - 45:7, 101:11, 112:9 INEVITABLE ^[1] - 158:1 INFANTRY ^[4] - 109:7, 119:23, 119:24, 129:7 INFERENCE ^[4] - 34:5, 34:14, 42:24, 44:16 INFERENCES ^[1] - 34:11 INFORMATION ^[47] - 11:3, 14:17, 36:3, 50:26, 62:21, 62:27, 85:25, 106:27, 111:17, 126:23, 129:4, 130:5, 130:10, 136:29, 141:23, 143:29, 144:5, 144:29, 145:21, 145:24, 145:25, 146:6, 146:16, 147:1, 147:25, 147:27, 148:14, 148:22, 148:25, 148:29, 149:25, 149:29, 151:13, 151:15, 152:26, 154:24, 154:27, 155:7, 155:10, 155:19, 156:14, 156:20, 157:9, 158:9, 158:10, 158:11, 159:17 INITIAL ^[2] - 132:5, 134:10 INPUT ^[1] - 146:20 INPUTTED ^[3] - 148:23, 151:13 INQ ^[11] - 27:10, 110:26, 111:10, 111:11, 111:12, 121:9, 129:11, 145:6, 145:8,	151:28, 154:26 INQUIRY ^[13] - 26:27, 75:25, 83:28, 105:8, 105:12, 108:13, 109:20, 111:20, 119:22, 151:27, 157:27, 157:29, 158:24 INQUIRY ^[6] - 26:29, 27:1, 49:27, 50:1, 108:16, 161:22 INQUIRY'S ^[5] - 3:13, 4:28, 9:17, 16:25, 143:12 INSIDE ^[1] - 36:24 INSOFAR ^[1] - 26:8 INSTALLATION ^[1] - 129:1 INSTALLED ^[2] - 132:17, 133:3 INSTANCE ^[1] - 39:2 INSTANTANEO USLY ^[1] - 154:17 INSTEAD ^[3] - 8:28, 38:13, 160:13 INSTRUCTED ^[1] - 26:3 INSTRUCTING ^[1] - 152:1 INSTRUCTION ^[1] - 146:13 INSTRUCTION ^[1] - 146:9 INSUBSTANTI AL ^[1] - 36:7 INTEGRATION ^[1] - 147:4 INTELLIGENC E ^[9] - 129:2, 129:4, 145:16, 146:8, 148:25, 155:10, 155:19, 155:29, 156:22 INTELLIGENC E ^[3] - 155:2, 156:12, 156:23 INTENDED ^[2] - 56:10, 60:4 INTENT ^[2] - 130:28, 132:5 INTENTION ^[1] - 39:1 INTERACTION ^[1] - 80:13	INTERCEPTIO N ^[1] - 145:23 INTEREST ^[6] - 6:28, 7:2, 143:17, 145:18, 146:7 INTERESTED ^[2] - 154:29, 155:3 INTERFACES ^[1] - 144:27 INTERFERENC E ^[1] - 140:13 INTERNET ^[1] - 134:9 INTERPRETATI ON ^[1] - 40:7 INTERPRETED ^[1] - 15:3 INTERROGATE ^[1] - 151:23 INTERRUPTED ^[1] - 122:10 INTERVENE ^[1] - 31:10 INTERVENED ^[1] - 148:13 INTERVENTIO N ^[2] - 135:4, 136:1 INTIMATE ^[1] - 121:14 INTRODUCED ^[1] - 52:12 INTRODUCTIO N ^[3] - 110:7, 117:15, 146:20 INTRODUCTO RY ^[1] - 3:3 INTRODUCTO RY ^[1] - 162:4 INVESTIGATIO N ^[25] - 4:5, 5:20, 5:27, 6:1, 6:27, 7:2, 7:10, 7:14, 14:2, 14:7, 14:23, 37:17, 41:8, 53:5, 55:29, 70:18, 71:20, 71:26, 73:21, 142:15, 154:16, 154:20, 157:22, 158:3, 158:7 INVESTIGATIO N ^[2] - 4:15, 7:1 INVESTIGATIO NS ^[1] - 34:10 INVESTIGATIV E ^[1] - 109:4 INVESTIGATO R ^[1] - 97:26 INVITE ^[5] -	26:19, 108:9, 116:16, 149:18, 161:10 INVITED ^[1] - 34:11 INVOLVE ^[3] - 3:23, 4:28, 5:8 INVOLVED ^[7] - 8:27, 9:12, 14:22, 23:19, 24:8, 134:29, 161:7 INVOLVEMENT ^[1] - 109:16 INVOLVES ^[2] - 3:14, 5:2 INVOLVING ^[2] - 34:29, 40:17 IRA ^[2] - 116:6, 117:1 IRAQ ^[1] - 109:12 IRELAND ^[59] - 9:24, 9:25, 11:10, 12:5, 14:10, 14:21, 15:11, 16:6, 17:19, 17:20, 18:8, 18:22, 20:6, 22:22, 22:23, 23:6, 24:23, 24:24, 25:19, 28:12, 32:5, 36:25, 38:17, 40:29, 50:19, 52:24, 59:15, 68:4, 68:5, 109:12, 109:15, 110:8, 111:29, 112:5, 113:17, 115:23, 117:27, 118:13, 118:22, 118:23, 119:2, 119:10, 119:22, 120:5, 120:27, 120:28, 121:2, 121:6, 123:28, 131:14, 137:25, 137:26, 142:23, 143:15, 145:17, 155:2, 159:13, 161:6 IRISH ^[7] - 41:24, 44:16, 124:19, 124:20, 126:1, 133:18, 145:1 IS ^[1] - 157:29 ISSUE ^[11] - 110:2, 112:16, 115:5, 124:26,
---	---	--	---	--	---

132:29, 139:27, 140:2, 147:8, 147:12, 149:29, 159:23 ISSUES [3] - 14:10, 48:27, 137:6 ITERATIONS [1] - 126:8 ITSELF [1] - 142:29 IVCP [1] - 115:18	KELLY'S [1] - 94:14 KEPT [3] - 4:9, 5:24, 127:26 KEY [10] - 45:4, 62:28, 66:16, 73:20, 83:23, 85:14, 117:25, 118:19, 118:21, 124:10 KEYES [2] - 89:28, 96:14 KILLYDONAGH [2] - 13:10, 21:27 KILLYVILLY [2] - 125:20, 125:24 KILOMETRE [2] - 61:27, 62:17 KILOMETRES [3] - 60:22, 61:29, 65:20 KILTURK [1] - 125:24 KIND [2] - 131:18, 141:21 KINGDOM [1] - 113:20 KINGSCOURT [1] - 13:12 KNOCK [2] - 155:6 KNOWING [1] - 69:3 KNOWLEDGE [3] - 111:17, 121:14, 136:21 KNOWN [10] - 25:3, 39:1, 50:12, 116:20, 116:24, 116:27, 116:29, 130:10, 139:23, 159:26 KNOWS [1] - 59:1 KOSOVO [1] - 109:12 KOZY [2] - 78:26, 95:21	LABOUR [1] - 117:23 LADIES [1] - 99:17 LAID [1] - 59:21 LAMPPOST [1] - 100:2 LANCASHIRE [1] - 124:18 LANCE [2] - 123:23, 135:2 LAND [1] - 63:18 LANDLINE [4] - 32:24, 33:16, 44:27, 45:22 LANE [6] - 70:23, 77:24, 81:1, 81:5, 81:27, 88:6 LANES [1] - 80:23 LARGE [7] - 60:19, 60:21, 63:18, 65:11, 68:24, 112:21, 144:27 LARGER [3] - 61:21, 64:26, 122:19 LAST [13] - 25:13, 27:5, 32:14, 33:23, 34:18, 42:10, 44:10, 45:2, 45:19, 47:8, 60:29, 79:8, 110:25 LASTED [1] - 30:19 LASTING [7] - 21:8, 21:20, 22:11, 22:17, 23:1, 24:14, 30:3 LATE [7] - 89:9, 94:9, 95:1, 118:18, 137:18, 144:24, 155:11 LATTERLY [2] - 126:9, 149:11 LAW [4] - 9:6, 33:25, 34:10, 38:6 LAYOUT [1] - 41:13 LE [3] - 50:9, 104:23, 108:6 LEADERSHIP [1] - 115:2 LEADING [3] - 77:7, 108:4,	139:12 LEARN [1] - 133:22 LEAST [9] - 20:22, 39:1, 55:19, 84:11, 111:19, 118:11, 135:28, 145:8, 148:16 LEAVE [3] - 34:6, 108:11, 125:13 LEAVES [1] - 71:2 LEAVING [2] - 74:1, 80:1 LEFT [25] - 10:29, 54:8, 63:12, 63:21, 70:26, 72:16, 77:14, 80:4, 82:1, 83:4, 84:5, 87:8, 87:23, 88:5, 90:20, 93:2, 94:5, 99:6, 100:7, 103:24, 104:24, 105:5, 121:23, 152:4 LEFT-HAND [5] - 72:16, 83:4, 88:5, 93:2, 152:4 LEGACY [1] - 108:29 LEGACY [1] - 109:4 LEGAL [1] - 105:8 LEGAL [1] - 109:3 LENGTH [8] - 17:9, 47:2, 51:5, 99:26, 102:16, 135:24, 142:6, 152:10 LENGTHS [1] - 95:27 LENGTHY [2] - 109:10, 139:1 LENSES [1] - 82:26 LEON [1] - 109:12 LESS [4] - 31:3, 47:4, 140:3, 147:11 LETTER [2] - 153:21, 161:15 LEVEL [10] - 64:23, 99:16, 110:7, 110:10,	113:9, 119:17, 135:1, 135:15, 150:28, 158:10 LIAISON [1] - 155:6 LIAM [6] - 31:27, 45:9, 59:8, 67:27, 68:11, 106:8 LIEUTENANT [4] - 118:23, 119:29, 122:3, 122:13 LIEUTENANT [1] - 123:15 LIFE [1] - 128:27 LIFT [1] - 120:7 LIGHT [5] - 35:27, 40:10, 78:19, 89:14, 136:9 LIGHTS [12] - 75:13, 77:11, 78:6, 78:12, 78:16, 80:25, 81:4, 82:3, 87:2, 87:10, 87:12, 88:13 LIKELIHOOD [1] - 136:16 LIKELY [9] - 83:28, 133:1, 133:13, 134:15, 135:11, 146:27, 158:1, 160:12 LIMITATIONS [2] - 53:29, 132:2 LIMITED [2] - 45:1, 45:19 LINE [6] - 37:29, 40:27, 54:6, 60:26, 81:27, 82:1 LINES [3] - 140:27, 143:19, 153:9 LINK [1] - 143:19 LINKED [3] - 10:6, 11:21, 46:2 LINKS [1] - 67:15 LISANELLY [1] - 125:13 LISBURN [1] - 121:24 LISNASKEA [1] - 125:19 LIST [9] - 14:24, 127:13, 150:24, 151:6, 151:15,	151:24, 155:14, 157:1, 157:4 LISTED [1] - 15:28 LISTENED [1] - 159:11 LIVE [4] - 139:28, 149:5, 149:6, 149:14 LOADED [2] - 4:13, 5:28 LOCAL [3] - 134:23, 159:27, 160:6 LOCALITY [1] - 40:3 LOCATE [2] - 153:29, 154:12 LOCATED [14] - 21:15, 29:17, 31:16, 32:4, 33:10, 36:24, 36:27, 39:20, 42:17, 51:11, 52:27, 66:7, 84:25, 137:1 LOCATION [30] - 4:16, 6:1, 12:14, 12:20, 13:3, 13:25, 15:4, 15:26, 16:1, 16:13, 29:4, 29:8, 38:10, 38:29, 40:26, 41:24, 43:7, 49:8, 50:12, 51:23, 60:3, 60:8, 63:13, 63:27, 64:19, 69:4, 71:5, 106:11, 133:11, 133:13 LOCATIONS [8] - 13:20, 18:7, 43:20, 122:27, 127:8, 127:29, 133:15, 140:24 LOCKED [1] - 98:19 LOG [4] - 10:1, 53:4, 53:8, 54:6 LOGIC [1] - 114:24 LOGICAL [1] - 160:14 LOGICALLY [1] - 160:9 LONDONDERRY [2] - 121:25, 124:10 LONGISH [1] - 89:13
J					
JACK [1] - 118:1 JCB [1] - 159:28 JOHN [2] - 118:8 JOINED [1] - 100:12 JONESBOROUGH [1] - 115:28 JOSEPH [2] - 46:15, 46:22 JOURNEY [8] - 17:29, 23:5, 25:18, 37:18, 78:13, 84:9, 84:11, 87:16 JUDGED [1] - 135:11 JUDGMENTS [1] - 135:7 JULY [3] - 118:8, 118:9 JUMPED [1] - 66:14 JUMPING [1] - 66:11 JUNCTION [11] - 72:13, 72:15, 73:10, 73:11, 74:19, 78:25, 78:26, 79:1, 79:4, 95:25, 104:14 JUNE [1] - 115:16 JUNIOR [1] - 135:14					
K					
KEEP [2] - 10:4, 29:25 KELLS [6] - 91:14, 91:15, 96:28, 97:2, 99:17, 103:25	LA [14] - 26:17, 27:4, 27:17, 27:19, 49:16, 49:19, 49:21, 49:25, 50:4, 50:7, 105:2, 105:4, 162:10, 162:12				
	L				

LOOK [35] - 8:22, 8:28, 9:12, 15:10, 20:27, 23:13, 29:22, 29:28, 47:19, 52:23, 57:14, 58:18, 61:11, 65:16, 66:6, 68:12, 70:14, 73:6, 75:21, 94:28, 94:29, 95:2, 95:6, 96:2, 103:17, 105:5, 106:3, 106:14, 111:4, 117:5, 135:19, 144:20, 159:22, 160:20, 160:23 LOOKED [20] - 21:1, 44:24, 45:2, 45:8, 45:29, 58:4, 58:6, 68:14, 76:11, 77:7, 83:21, 91:19, 94:23, 100:19, 100:22, 100:23, 104:4, 105:27, 144:11, 159:12 LOOKING [21] - 18:3, 23:14, 23:17, 24:11, 28:15, 33:5, 47:21, 52:14, 54:20, 55:21, 68:15, 70:15, 77:14, 81:15, 86:24, 92:12, 94:5, 102:22, 131:11, 145:13, 154:2 LOUTH [5] - 10:22, 13:8, 13:9, 13:10, 13:14 LOW [1] - 147:17 LOWER [2] - 61:12, 91:9 LUNCH [3] - 80:1, 104:25, 108:6 LUNCH [1] - 108:16	150:11, 161:19, 162:14 MAHERCROM [1] - 13:12 MAIN [3] - 21:29, 110:24, 111:24 MAIN [1] - 86:13 MAINTAINED [1] - 35:1 MAINTAINING [1] - 139:29 MAJOR [1] - 121:1 MAJOR [6] - 6:6, 61:19, 120:3, 122:26, 141:3, 155:11 MAJORITY [1] - 117:24 MALE [3] - 75:26, 76:10, 98:17 MAN [1] - 106:23 MAN [6] - 8:10, 9:3, 89:12, 102:8, 102:22, 103:2 MANAGE [2] - 130:4, 156:24 MANAGED [6] - 130:11, 133:11, 134:11, 134:21, 134:25, 136:11 MANAGEMENT [1] - 130:2 MANAGEMENT [1] - 156:24 MANAGER [1] - 14:24 MANAGING [2] - 113:9, 135:3 MANNED [4] - 128:3, 129:5, 129:6, 133:19 MANNING [1] - 127:8 MANOEUVRES [1] - 96:7 MANUAL [3] - 146:20, 152:2, 152:6 MANUALLY [4] - 144:1, 144:4, 146:15, 148:22 MAP [16] - 10:21, 11:8, 11:12, 11:13, 11:24, 13:1, 13:15, 13:24, 18:4, 18:26, 19:17, 22:25,	28:14, 42:16, 57:2, 69:27 MAPPING [2] - 11:11, 12:11 MAPS [6] - 12:12, 12:14, 12:15, 13:16, 13:18, 13:27 MARK [2] - 27:8, 131:28 MARK [3] - 131:3, 138:6, 160:29 MARK [5] - 27:16, 50:6, 72:4, 105:1, 162:9 MARKED [10] - 36:20, 39:25, 57:3, 70:7, 73:3, 74:8, 86:1, 91:11, 91:18, 92:27 MARKER [2] - 38:16, 39:9 MARKERS [1] - 38:28 MARKET [31] - 72:17, 73:5, 73:7, 73:13, 74:9, 75:4, 75:16, 77:18, 77:26, 78:25, 79:1, 79:15, 81:28, 81:29, 82:2, 83:2, 83:4, 85:3, 85:13, 87:21, 89:19, 89:22, 90:27, 90:29, 91:3, 91:9, 92:1, 95:19, 95:24, 101:23, 101:29 MAROON [12] - 75:3, 75:12, 75:20, 77:20, 77:29, 78:8, 78:29, 79:14, 81:8, 81:24, 97:10, 99:23 MAROON-COLOURED [7] - 75:3, 77:20, 77:29, 78:8, 78:29, 81:8, 97:10 MARTIN [5] - 33:16, 73:26, 74:14, 75:1, 76:15 MARTIN'S [3] - 74:15, 74:20, 79:17	MARTINS [4] - 83:21, 85:16, 85:19, 89:15 MARTINS' [1] - 79:13 MAST [43] - 12:20, 12:21, 12:23, 12:24, 13:5, 13:22, 13:25, 21:26, 32:1, 32:4, 36:24, 37:26, 38:3, 39:20, 40:14, 42:13, 42:17, 49:11, 51:17, 51:19, 58:12, 60:8, 60:26, 61:26, 61:29, 62:1, 62:13, 63:13, 63:14, 63:20, 63:24, 63:28, 64:1, 64:11, 65:22, 65:23, 65:26, 66:10, 66:29, 67:9, 106:28, 107:1, 107:11 MASTS [5] - 13:4, 59:15, 59:17, 60:4, 68:3 MATCHED [1] - 132:5 MATERIAL [10] - 17:18, 17:19, 26:8, 105:7, 126:28, 140:1, 145:26, 147:10, 149:12, 152:19 MATRIX [2] - 127:21, 127:22 MATTER [5] - 8:29, 9:14, 55:9, 154:29, 158:19 MATTERS [8] - 26:3, 27:7, 27:27, 37:6, 48:17, 62:11, 98:10, 137:5 MAXIMUM [1] - 60:25 MCGEOUGH [1] - 33:16 MCGRANE [1] - 45:6 MCILROY'S [2] - 91:27, 94:2 MCKENNA [4] - 35:7, 37:3, 67:17, 68:17 MDZ [1] - 138:2	MEAN [9] - 34:1, 109:2, 125:5, 134:8, 139:7, 146:28, 153:20, 160:14, 160:15 MEANING [1] - 76:5 MEANS [1] - 122:8 MEANT [1] - 151:3 MECHANICS [1] - 151:11 MECHANISM [1] - 130:4 MEET [1] - 161:19 MEETING [1] - 85:23 MEMBERS [2] - 26:27, 120:8 MEMORIES [1] - 98:10 MEMORY [4] - 121:20, 156:23, 159:25, 160:9 MEN [12] - 81:17, 81:21, 86:9, 93:21, 94:19, 100:17, 100:27, 100:29, 101:15, 101:28, 102:6, 123:20 MENTION [3] - 109:14, 144:23, 153:14 MENTIONED [9] - 19:16, 106:10, 111:8, 115:14, 119:27, 129:10, 133:6, 144:16, 153:11 MESSAGE [1] - 9:23 MET [1] - 146:1 METRIC [1] - 123:13 MICHAEL [2] - 12:13, 45:9 MID [3] - 99:10, 102:9, 103:2 MIDDLE [3] - 55:8, 87:2, 108:1 MIDNIGHT [1] - 27:29 MIGHT [18] - 15:7, 48:22, 48:28, 54:29, 57:6, 57:14, 60:5, 73:13, 98:6,	111:3, 136:21, 138:19, 139:18, 145:5, 145:9, 146:13, 151:5 MILITARISATI ON [1] - 114:25 MILITARY [2] - 155:2, 156:12 MILITARY [16] - 111:29, 113:7, 114:20, 118:21, 119:1, 124:3, 132:22, 133:17, 133:20, 133:22, 133:29, 140:23, 141:10, 155:10, 155:20 MILLION [2] - 112:7, 112:9 MIND [5] - 47:1, 61:18, 69:4, 99:4, 99:7 MINDS [1] - 62:27 MINISTER [2] - 117:28, 118:7 MINISTRY [4] - 117:18, 129:20, 140:12, 142:21 MINOR [3] - 160:3, 160:13, 160:20 MINUTE [16] - 15:25, 22:11, 31:23, 33:8, 36:7, 43:14, 44:1, 45:12, 47:2, 47:7, 47:9, 51:5, 55:18, 67:13, 94:3, 135:25 MINUTES [31] - 3:1, 26:20, 26:24, 29:14, 30:23, 30:29, 31:4, 32:14, 42:2, 44:6, 44:28, 46:28, 46:29, 47:4, 54:18, 55:22, 59:13, 65:17, 65:21, 67:6, 68:1, 68:26, 69:12, 84:12, 91:13, 107:17, 107:21, 107:26, 108:7, 110:17, 159:6 MINUTES' [1] - 69:5 MISSED [2] - 25:19, 151:29 MISSING [1] -
M					
MACARTANS [2] - 4:3, 5:14 MACMULLEN [6] - 108:20, 108:23, 108:27,					

140:7 MISTAKES [1] - 97:27 MISUNDERST ANDS [1] - 52:2 MISUNDERST OOD [2] - 158:6, 161:1 MO [1] - 118:14 MOBILE [23] - 3:24, 5:9, 6:27, 7:3, 7:6, 7:11, 7:20, 8:4, 8:17, 9:22, 9:29, 10:5, 10:16, 11:8, 12:15, 12:28, 14:28, 15:12, 37:20, 45:22, 47:1, 62:4, 130:22 MOD [3] - 137:2, 141:12, 149:28 MODEL [1] - 146:7 MODERN [5] - 69:27, 130:21, 131:12, 131:18, 142:4 MOMENT [25] - 7:10, 45:27, 46:13, 52:5, 53:19, 60:1, 60:18, 63:1, 67:15, 69:12, 72:12, 83:10, 83:21, 86:1, 98:3, 121:28, 125:27, 129:12, 131:25, 135:23, 144:12, 150:22, 152:22, 153:6, 158:19 MOMENTUM [1] - 114:22 MONAGHAN [10] - 10:22, 13:6, 13:7, 13:8, 13:11, 13:12, 21:25, 129:18 MONDAY [1] - 33:23 MONITOR [2] - 128:2, 128:6 MONITORED [6] - 133:20, 133:29, 134:4, 134:5, 134:19, 143:19 MONITORING [4] - 129:18, 129:28, 141:13, 143:8	MONTH [4] - 126:13, 126:15, 153:1, 154:8 MONTHS [6] - 126:14, 148:1, 149:6, 149:15, 152:19, 152:25 MOORE [1] - 15:28 MORGAN [13] - 9:3, 9:11, 15:22, 16:11, 17:27, 19:7, 19:10, 19:13, 19:21, 19:26, 21:20, 23:14, 34:25 MORNING [9] - 3:28, 5:17, 26:20, 27:13, 27:14, 28:19, 33:19, 138:6, 161:17 MOST [13] - 11:9, 11:12, 47:20, 50:25, 59:26, 128:19, 130:17, 131:19, 132:4, 145:4, 157:3, 158:21, 160:12 MOSTLY [1] - 120:7 MOTHER [1] - 99:13 MOTIVATION [1] - 39:5 MOTORBIKES [1] - 79:21 MOUNTING [1] - 114:27 MOUSTACHE [1] - 76:3 MOVE [23] - 20:13, 28:19, 30:22, 30:29, 31:18, 33:22, 35:26, 44:5, 58:4, 58:8, 64:15, 72:10, 82:29, 83:8, 85:2, 89:25, 96:12, 117:16, 120:8, 137:7, 141:4, 143:2 MOVED [13] - 16:16, 18:19, 24:21, 42:26, 47:25, 66:10, 83:2, 88:5, 120:13, 121:27, 122:20, 123:13, 144:25	MOVEMENT [11] - 3:23, 17:21, 18:3, 18:6, 18:29, 20:3, 23:12, 64:25, 68:12, 115:25, 136:27 MOVEMENTS [7] - 3:20, 5:7, 5:8, 10:10, 22:3, 23:8, 23:13 MOVING [7] - 31:12, 32:23, 47:12, 78:15, 78:21, 96:16, 120:15 MOWLAM [1] - 118:14 MR [45] - 3:9, 3:12, 26:17, 27:4, 27:16, 27:17, 27:19, 49:16, 49:19, 49:21, 49:25, 50:4, 50:6, 50:7, 50:9, 72:4, 104:23, 105:1, 105:4, 108:6, 108:19, 108:24, 108:26, 150:4, 150:11, 150:14, 156:7, 156:9, 158:17, 158:23, 158:25, 159:2, 159:5, 159:8, 159:10, 160:26, 160:28, 161:13, 162:4, 162:7, 162:9, 162:10, 162:12, 162:15, 162:16 MS [4] - 72:4, 72:7, 104:22, 162:11 MULTIPLE [4] - 112:13, 120:6, 120:18, 140:29 MULTIPLES [4] - 120:10, 123:6, 123:10, 123:12 MUM [2] - 97:5 MURPHY [13] - 8:11, 8:20, 8:27, 15:13, 17:23, 20:17, 22:27, 32:24, 32:25, 34:26, 35:1, 35:11, 47:11 MUSEUM [1] - 144:19 MUST [6] - 62:5, 62:16, 64:10,	100:14, 143:5, 143:9 MUSTN'T [1] - 143:5 MYRIAD [1] - 6:22 N N53 [1] - 11:21 NAME [2] - 108:26, 112:2 NAMELY [4] - 7:21, 127:4, 143:7, 149:12 NAMING [1] - 126:8 NATIONAL [1] - 117:24 NATURAL [1] - 103:16 NATURALLY [1] - 141:25 NEAR [3] - 32:4, 59:11, 161:6 NEARBY [1] - 61:19 NEARLY [1] - 47:1 NEAT [1] - 100:19 NEATLY [2] - 102:14, 103:11 NECESSARILY [4] - 98:2, 119:12, 121:19, 153:1 NECESSARY [4] - 111:3, 147:4, 147:20, 161:16 NEED [21] - 4:20, 8:2, 8:3, 22:3, 26:8, 28:16, 48:28, 52:29, 110:1, 114:10, 117:5, 119:8, 129:16, 129:24, 138:11, 140:17, 142:8, 147:13, 156:4, 156:16, 157:23 NEEDED [1] - 116:28 NETWORK [3] - 60:27, 70:3, 130:21 NEVER [1] - 132:5 NEVERTHELE SS [1] - 105:23	NEW [1] - 153:16 NEWRY [2] - 29:17, 29:29 NEWS [2] - 41:24, 44:16 NEWSAGENTS [1] - 47:11 NEWTOWNST EWART [1] - 74:2 NEXT [38] - 3:1, 3:15, 5:1, 16:8, 16:20, 18:3, 20:12, 20:27, 22:3, 23:5, 23:12, 24:4, 24:10, 29:12, 36:10, 38:14, 39:23, 40:16, 42:7, 45:12, 47:13, 59:26, 64:15, 68:27, 71:5, 75:17, 79:12, 82:29, 83:13, 84:1, 87:10, 117:16, 118:21, 119:8, 124:1, 127:2, 143:2, 160:19 NIBAT [1] - 126:9 NICE [1] - 36:15 NICHOLL [4] - 91:8, 91:13, 92:16, 95:22 NINE [2] - 59:24, 129:13 NOBODY [2] - 49:2, 52:2 NODS [1] - 116:26 NON [2] - 38:19, 148:18 NON-ANPR [1] - 148:18 NON-SPECIFIC [1] - 38:19 NONE [1] - 140:15 NORMAL [3] - 76:5, 82:17, 101:29 NORMAL- TYPE [1] - 76:5 NORMALISATI ON [7] - 110:3, 113:24, 114:10, 114:14, 118:18, 130:19, 130:20 NORMALLY [1]	- 120:29 NORTH [11] - 7:12, 10:25, 14:11, 14:13, 16:16, 22:22, 29:5, 33:20, 39:21, 66:23, 140:7 NORTH [2] - 52:27, 115:12 NORTHERLY [2] - 18:19, 52:21 NORTHERN [42] - 9:24, 12:5, 14:9, 14:20, 15:11, 16:5, 17:20, 22:23, 24:24, 32:5, 38:17, 40:29, 50:19, 59:15, 68:5, 109:11, 109:14, 110:8, 111:29, 112:5, 113:17, 115:23, 117:27, 118:13, 118:21, 118:23, 119:2, 119:10, 119:22, 120:5, 120:27, 120:28, 121:2, 121:6, 123:28, 131:14, 137:25, 143:15, 145:1, 145:17, 155:2, 161:6 NORTHERN [1] - 81:12 NORTHWARD [2] - 17:20, 19:1 NORTHWARD S [4] - 10:22, 10:26, 18:8, 24:21 NORTHWEST [1] - 11:19 NOSES [1] - 116:5 NOTE [2] - 40:24, 104:23 NOTED [2] - 54:17, 100:26 NOTES [1] - 147:6 NOTHING [5] - 56:13, 153:3, 153:23, 154:7, 154:22 NOTICE [1] - 136:5 NOTICED [2] - 93:5, 100:17
---	---	--	---	--	--

NOVEMBER ^[3] - 110:25, 111:25, 121:5 NOWHERE ^[1] - 116:18 NUMBER ^[88] - 7:6, 8:10, 8:13, 8:17, 9:5, 10:9, 12:12, 12:14, 12:20, 12:23, 12:24, 13:5, 15:3, 15:4, 15:12, 15:21, 16:8, 16:9, 17:3, 17:13, 17:26, 19:17, 20:16, 21:5, 21:6, 21:19, 22:9, 22:27, 22:28, 23:13, 23:19, 23:24, 23:25, 23:28, 24:7, 24:13, 24:14, 24:20, 24:21, 24:27, 24:28, 25:1, 25:11, 25:17, 29:29, 32:10, 42:5, 47:5, 47:17, 49:7, 55:27, 56:21, 64:28, 83:7, 89:2, 90:11, 90:16, 105:14, 106:10, 109:19, 109:28, 110:24, 112:11, 113:14, 114:27, 119:23, 122:23, 123:11, 124:24, 129:21, 130:22, 143:20, 144:7, 146:4, 147:14, 148:9, 150:17, 150:24, 150:25, 150:27, 151:16, 151:29, 152:1, 160:3 NUMBERED ^[2] - 12:26, 13:4 NUMBERING ^[1] - 122:14 NUMBERS ^[17] - 6:27, 6:29, 7:3, 7:9, 8:4, 14:20, 14:28, 29:28, 112:14, 119:11, 123:11, 147:16, 147:18, 147:19, 151:6, 155:15 NUMEROUS ^[1] - 6:24	O O'CLOCK ^[6] - 32:23, 33:19, 53:23, 59:28, 97:15, 104:3 OATH ^[1] - 27:5 OBJECTIVES ^[2] - 114:14, 114:15 OBJECTS ^[1] - 82:14 OBSCURING ^[1] - 101:4 OBSERVATIO N ^[7] - 126:21, 127:10, 127:15, 127:19, 128:10, 128:15, 152:28 OBSERVATIO NS ^[1] - 127:16 OBSERVED ^[3] - 82:19, 100:29, 128:26 OBSTACLE ^[1] - 154:23 OBSTRUCTIO NS ^[1] - 101:3 OBTAIN ^[2] - 10:4, 156:14 OBTAINED ^[1] - 26:9 OBVIOUS ^[4] - 57:20, 86:23, 117:26, 139:17 OBVIOUSLY ^[6] - 55:21, 137:12, 138:1, 150:1, 152:13, 153:14 OCCASIONS ^[3] - 109:28, 112:11, 150:6 OCCUR ^[1] - 157:18 OCCURRED ^[2] - 49:12, 116:17 OCTOBER ^[3] - 84:2, 103:22, 133:24 OF.. ^[1] - 125:3 OFFICER ^[5] - 109:7, 123:4, 123:9, 123:15, 126:2 OFFICER ^[3] - 118:29, 119:17, 121:29 OFTEN ^[3] - 122:28, 124:22,	135:10 OLD ^[3] - 75:27, 94:29, 153:16 OLIVER ^[6] - 19:18, 19:28, 22:28, 35:27, 39:18, 45:6 OMAGH ^[79] - 3:15, 4:16, 4:29, 6:2, 6:21, 6:23, 7:12, 10:23, 10:27, 11:2, 11:10, 11:16, 16:14, 16:15, 16:18, 16:24, 17:25, 19:3, 20:4, 22:20, 22:23, 23:4, 24:19, 25:9, 25:16, 42:6, 43:15, 43:24, 44:1, 44:3, 44:19, 44:25, 53:5, 61:16, 61:23, 61:26, 62:15, 63:17, 63:28, 64:2, 65:18, 65:23, 65:26, 65:28, 66:2, 66:8, 66:24, 67:2, 68:7, 68:17, 68:20, 68:21, 69:8, 70:17, 70:28, 72:11, 72:28, 73:21, 83:3, 84:18, 88:26, 90:5, 96:23, 96:25, 106:5, 106:16, 107:4, 107:12, 109:16, 116:16, 124:4, 124:13, 124:17, 124:19, 124:21, 125:13, 125:14, 127:10, 142:15 ON ^[2] - 3:9, 162:7 ONCE ^[5] - 9:11, 19:1, 22:17, 44:12, 89:22 ONCOMING ^[1] - 71:6 ONE ^[82] - 6:20, 7:15, 8:16, 9:24, 10:10, 15:25, 17:16, 22:11, 29:2, 29:25, 31:5, 31:12, 31:16, 31:23, 32:18, 32:21, 33:8, 36:3, 36:7, 39:24,	40:11, 42:20, 43:23, 44:1, 44:13, 45:21, 47:8, 47:9, 47:13, 53:23, 57:20, 60:18, 60:19, 61:27, 63:5, 64:2, 65:8, 66:5, 72:19, 72:27, 77:25, 81:11, 84:11, 85:7, 98:28, 104:6, 116:14, 119:24, 120:5, 120:10, 121:28, 122:7, 122:9, 122:12, 122:14, 122:18, 122:24, 122:26, 123:7, 123:21, 123:26, 125:14, 125:17, 125:23, 130:9, 131:16, 136:2, 136:13, 141:12, 141:25, 147:3, 153:11, 156:21, 157:16, 158:19, 159:14, 160:9, 160:12 ONE-SECOND ^[3] - 31:5, 32:18, 32:21 ONE-STAR ^[1] - 122:7 ONES ^[1] - 46:5 ONGOING ^[1] - 160:5 ONWARDS ^[2] - 34:28, 35:23 OPEN ^[11] - 41:9, 44:17, 44:19, 44:22, 99:28, 125:26, 127:26, 128:4, 142:19, 142:20, 153:13 OPEN/ CLOSED ^[1] - 139:29 OPENED ^[1] - 98:14 OPENING ^[1] - 33:24 OPENLY ^[1] - 116:2 OPERATE ^[5] - 115:22, 123:12, 150:23, 156:2, 156:3 OPERATED ^[6] - 123:14, 132:1,	134:9, 144:2, 148:7, 151:4 OPERATING ^[13] - 60:26, 121:22, 122:21, 125:17, 128:2, 130:11, 132:23, 135:3, 140:23, 143:13, 146:24, 150:21, 155:21 OPERATION ^[8] - 112:2, 121:2, 130:27, 130:29, 131:14, 135:13, 142:2, 151:5 OPERATION ^[4] - 112:3, 120:13, 123:14, 126:13 OPERATIONAL ^[1] - 108:28 OPERATIONAL ^[13] - 109:4, 115:2, 120:1, 120:9, 122:17, 125:1, 125:2, 126:2, 126:15, 126:16, 127:29, 132:26, 141:10 OPERATIONAL LY ^[1] - 147:11 OPERATIONS ^[10] - 111:29, 116:12, 116:24, 124:11, 125:14, 125:22, 126:3, 126:5, 126:20, 130:13 OPERATORS ^[1] - 9:29 OPPORTUNITY ^[4] - 40:5, 55:26, 56:21, 136:3 OPPOSED ^[4] - 45:22, 151:14, 153:19, 154:20 OPPOSITE ^[1] - 86:27 OPPOSITION ^[2] - 112:22, 116:2 OPS ^[1] - 128:15 OPTIONS ^[2] - 57:21, 140:29 ORAL ^[5] - 3:13, 4:28, 9:17, 16:25, 103:21 ORANGE ^[4] - 51:1, 63:8, 67:17, 68:16 ORDER ^[9] - 62:8, 79:29,	85:21, 109:8, 125:8, 128:6, 130:6, 148:13, 159:15 ORDINARILY ^[1] - 34:24 ORDINARY ^[5] - 28:20, 33:14, 35:10, 55:1, 98:1 ORDNANCE ^[1] - 13:16 ORGANISED ^[1] - 125:8 ORIENTATED ^[1] - 39:8 ORIGINAL ^[2] - 14:1, 56:2 ORIGINATED ^[1] - 21:11 ORIGINATES ^[1] - 63:6 OTHERWISE ^[2] - 25:3, 143:9 OUGHT ^[1] - 158:19 OURSELVES ^[5] - 32:14, 35:9, 45:3, 46:8, 107:16 OUTGOING ^[2] - 16:29, 30:1 OUTLINING ^[3] - 11:9, 12:14, 12:20 OUTSIDE ^[10] - 4:3, 16:24, 23:4, 25:9, 25:16, 91:23, 92:16, 96:28, 103:25, 150:28 OVERALL ^[3] - 4:1, 8:8, 68:12 OVERT ^[5] - 113:7, 127:15, 128:15, 130:3, 130:7 OVERWRITE ^[1] - 148:5 OVERWRITING ^[1] - 152:26 OVERWRITTE N ^[5] - 148:12, 148:19, 148:21, 148:24, 149:15 OWN ^[11] - 53:1, 68:24, 69:2, 71:15, 88:18, 97:26, 100:11, 109:22, 120:1, 155:25, 157:13
---	--	--	---	---	--

OWNED [2] - 32:26, 46:15 OWNERSHIP [1] - 45:5	80:10, 86:26, 92:7, 96:8, 107:7 PARKED [16] - 69:12, 89:22, 90:8, 92:5, 92:10, 96:28, 97:12, 99:7, 99:16, 99:19, 101:14, 103:25, 104:8, 104:17, 137:18 PARKING [4] - 86:24, 94:10, 106:4, 107:7 PARLANCE [1] - 120:12 PART [15] - 14:1, 20:8, 52:12, 53:5, 60:10, 96:12, 97:23, 105:8, 105:23, 111:19, 120:12, 126:4, 131:13, 131:23, 159:17 PART [11] - 3:16, 5:2, 25:20, 26:18, 27:22, 27:29, 68:12, 105:8, 105:26, 112:27, 117:21 PART-TIME [1] - 126:4 PARTICIPANT S [2] - 27:11, 147:20 PARTICULAR [23] - 8:18, 10:5, 10:6, 13:24, 25:26, 38:21, 56:20, 59:17, 64:14, 68:11, 74:12, 110:6, 117:19, 124:26, 125:27, 131:25, 135:22, 137:6, 138:27, 144:11, 151:7, 155:4 PARTING [1] - 76:7 PARTS [1] - 110:24 PARTY [1] - 117:23 PASO [1] - 75:13 PASS [7] - 52:26, 55:19, 55:27, 57:7, 104:6, 138:23, 139:1 PASSAGE [1] - 75:8	PASSED [10] - 53:27, 54:23, 57:27, 65:25, 84:22, 138:20, 150:25, 151:6, 155:15, 156:17 PASSENGER [19] - 74:25, 80:16, 89:12, 93:24, 94:24, 94:28, 95:10, 98:14, 100:4, 100:12, 100:18, 100:22, 100:23, 100:26, 101:16, 102:8, 103:6, 103:14 PASSENGER'S [1] - 99:27 PASSES [1] - 48:8 PASSING [3] - 55:12, 139:15, 156:27 PAST [5] - 42:19, 46:28, 85:28, 86:6, 102:3 PATRICK [5] - 31:14, 58:9, 67:11, 106:7, 106:20 PATROL [9] - 125:18, 125:21, 125:25, 127:27, 127:29, 128:17, 141:9, 144:3 PATROLS [7] - 125:16, 125:22, 127:16, 128:1, 140:23, 140:26, 146:16 PATTERN [1] - 40:10 PAUL [1] - 11:11 PAUSE [27] - 31:9, 33:23, 41:17, 42:1, 42:8, 50:24, 52:10, 56:25, 58:29, 60:1, 60:17, 63:1, 64:16, 67:14, 70:10, 70:23, 72:11, 72:12, 73:25, 74:19, 79:12, 83:2, 83:13, 85:1, 96:18, 101:10, 158:19 PAUSED [8] -	54:10, 54:11, 54:13, 54:19, 54:22, 54:23, 57:27, 71:12 PAUSES [7] - 114:19, 135:21, 135:23, 136:5, 136:6, 138:26 PAUSING [3] - 40:24, 121:28, 135:25 PAVEMENT [1] - 100:12 PBS [1] - 128:17 PEACE [2] - 112:21, 113:16 PEACE [2] - 112:23, 116:2 PEDESTRIAN [1] - 92:16 PEDESTRIANS [1] - 77:8 PEOPLE [18] - 60:7, 70:21, 73:12, 76:29, 91:22, 91:23, 95:12, 95:13, 98:28, 99:3, 112:13, 112:14, 114:26, 120:3, 120:14, 122:14, 136:18, 155:5 PER [3] - 63:3, 67:25, 120:27 PERCEPTION [1] - 117:13 PERFECT [4] - 7:8, 26:11, 139:7, 139:11 PERFORM [1] - 18:2 PERHAPS [16] - 26:1, 32:9, 47:20, 57:20, 61:18, 104:7, 114:21, 130:13, 134:3, 140:3, 142:7, 151:5, 153:29, 155:13, 159:22, 160:19 PERIOD [46] - 10:11, 10:27, 10:28, 17:29, 18:20, 25:21, 27:29, 28:3, 29:13, 30:24, 34:2, 34:15, 34:16, 42:24, 45:25, 53:22, 53:23, 54:17,	54:20, 55:3, 56:10, 56:28, 105:29, 106:4, 117:10, 118:14, 125:7, 125:12, 125:15, 128:3, 128:12, 130:17, 131:11, 132:24, 137:28, 138:29, 139:28, 140:8, 141:1, 147:27, 148:12, 148:17, 148:19, 149:20, 149:24, 154:5 PERIODS [3] - 114:19, 135:23, 139:4 PERMANENT [5] - 127:15, 127:24, 127:26, 128:15, 128:20 PERSON [18] - 7:15, 7:20, 19:18, 29:9, 34:14, 35:16, 38:2, 57:19, 76:10, 76:15, 76:21, 76:27, 99:1, 121:14, 134:6, 143:16, 144:7, 144:8 PERSON'S [1] - 76:23 PERSONAL [1] - 109:22 PERSONS [2] - 73:18, 99:9 PERTINENTLY [1] - 128:19 PETER [11] - 28:21, 29:9, 35:29, 39:17, 40:9, 45:9, 58:24, 59:23, 67:29, 108:20, 108:27 PETER [3] - 108:23, 150:11, 162:14 PETROL [1] - 70:11 PHASED [2] - 130:18, 131:10 PHONE [79] - 6:29, 8:28, 9:13, 9:29, 10:11, 12:15, 12:28, 18:7, 18:18, 18:29, 19:9, 19:12, 20:3, 20:25, 23:15,	28:8, 28:21, 30:1, 30:2, 30:5, 30:17, 31:14, 31:25, 31:29, 32:16, 33:4, 33:14, 33:18, 33:26, 34:1, 34:7, 34:12, 35:13, 35:27, 35:29, 36:4, 37:7, 39:24, 40:10, 42:10, 43:11, 45:16, 46:23, 50:29, 51:1, 58:9, 58:12, 58:24, 59:7, 59:14, 59:23, 61:11, 62:15, 63:8, 64:1, 66:6, 66:10, 66:20, 66:23, 67:9, 67:17, 67:18, 67:27, 68:13, 68:15, 68:22, 69:2, 69:7, 69:13, 69:14, 106:7, 106:8, 106:10, 106:20, 106:27, 107:16, 107:19, 107:29 PHONES [9] - 7:24, 23:8, 36:3, 51:7, 51:9, 65:25, 66:7, 66:29, 107:11 PHOTOGRAPH [1] - 151:12 PHRASE [3] - 33:25, 65:28, 68:19 PHYSICAL [4] - 26:22, 101:3, 141:9, 156:2 PHYSICALLY [1] - 140:18 PICK [3] - 34:23, 50:9, 68:11 PICKED [2] - 54:15, 136:7 PICKS [1] - 85:11 PICTURE [1] - 155:21 PIECE [2] - 73:12, 132:25 PIGEON [20] - 16:23, 16:26, 16:28, 17:7, 17:8, 17:11, 23:4, 25:9, 25:16, 60:23, 62:5, 62:13, 63:13, 63:24,
--	--	---	--	--	--

65:12, 65:22, 67:3, 68:22, 69:1, 107:11 PINE [4] - 90:23, 90:26, 90:29, 91:5 PINK [7] - 28:21, 35:29, 36:4, 39:17, 58:24, 62:6, 62:9 PINKER [1] - 60:21 PIRA [1] - 116:4 PLACE [19] - 29:2, 37:23, 41:14, 58:8, 68:1, 112:26, 115:22, 116:13, 119:21, 121:19, 126:9, 127:19, 130:13, 132:4, 135:2, 141:17, 142:7, 144:9, 148:8 PLACED [5] - 20:29, 70:18, 113:6, 121:8, 143:16 PLACES [2] - 127:25, 160:1 PLAIN [1] - 54:20 PLAINLY [1] - 85:13 PLANNED [1] - 140:26 PLATE [8] - 56:21, 130:22, 143:20, 143:28, 144:7, 146:9, 148:9, 150:27 PLATES [6] - 56:2, 138:2, 150:24, 150:25, 151:16 PLATOON [4] - 120:4, 120:20, 123:9, 123:19 PLATOONS [5] - 120:4, 120:5, 123:3, 123:4, 123:8 PLAY [28] - 3:4, 34:22, 38:23, 40:23, 41:17, 42:1, 52:9, 54:12, 56:9, 56:15, 57:16, 60:15, 69:19, 70:22, 72:9, 73:24, 74:18, 79:11,	82:29, 83:12, 84:29, 86:4, 87:11, 88:21, 89:25, 91:17, 96:13, 101:10 PLAYED [3] - 3:6, 75:8, 86:20 PLAYED [57] - 28:6, 30:23, 31:18, 33:2, 33:11, 33:22, 34:22, 35:5, 36:10, 38:26, 39:13, 39:23, 40:9, 40:16, 40:24, 41:17, 42:1, 42:7, 45:14, 46:27, 47:13, 50:17, 50:24, 52:9, 52:16, 56:24, 57:16, 58:16, 58:23, 58:29, 59:27, 60:17, 63:1, 64:16, 66:5, 67:8, 67:13, 68:14, 69:25, 70:10, 70:23, 71:4, 72:11, 73:25, 74:19, 79:12, 83:1, 83:13, 85:1, 86:5, 87:11, 88:22, 89:26, 91:18, 96:13, 96:18, 101:11 PLAYING [3] - 56:24, 145:2, 145:3 PLUMBRIDGE [1] - 74:3 POER [17] - 26:17, 27:4, 27:17, 27:19, 49:16, 49:19, 49:21, 49:25, 50:4, 50:7, 50:9, 104:23, 105:2, 105:4, 108:6, 162:10, 162:12 POER [5] - 27:3, 49:14, 50:3, 104:6, 108:14 POINT [57] - 11:23, 11:24, 12:5, 16:1, 23:15, 24:12, 34:28, 35:5, 35:15, 35:22, 38:20, 38:29, 49:20, 49:21, 50:11,	56:20, 60:22, 61:2, 66:3, 66:25, 74:11, 85:26, 104:6, 117:12, 119:10, 123:5, 125:26, 127:19, 127:26, 128:3, 128:11, 130:8, 130:10, 130:19, 130:26, 130:29, 131:9, 133:27, 134:20, 137:24, 138:8, 139:26, 140:2, 141:8, 141:28, 142:8, 142:19, 144:22, 145:9, 146:28, 151:7, 155:9, 156:27, 157:7, 160:5, 160:18, 161:7 POINTED [3] - 38:28, 61:9, 61:15 POINTER [1] - 43:6 POINTS [9] - 10:7, 39:5, 42:29, 43:8, 48:5, 131:22, 131:29, 138:3, 140:4 POLE [2] - 100:1 POLICE [10] - 74:21, 83:18, 140:22, 155:7, 155:14, 155:22, 156:14, 156:16, 156:20, 157:9 POLICEMAN [1] - 143:26 POLICY [9] - 147:26, 152:23, 153:5, 153:28, 153:29, 154:12, 154:14, 154:18, 154:19 POLITICAL [4] - 117:25, 118:6, 118:11, 118:19 POLLNALAGH T [1] - 16:23 PONI [1] - 106:23 PORTADOWN [1] - 121:27 PORTION [3] - 73:8, 79:11, 82:29 POSITION [19] - 6:14, 6:18, 6:19,	6:22, 10:13, 23:15, 67:5, 92:28, 129:25, 129:29, 131:20, 132:16, 141:29, 142:5, 145:4, 146:26, 147:15 POSITIONED [2] - 81:28, 127:22 POSITIONING [1] - 81:24 POSSIBILITIES [1] - 89:17 POSSIBILITY [2] - 53:29, 57:26 POSSIBLE [12] - 10:4, 10:20, 10:21, 11:8, 46:9, 48:4, 51:23, 85:7, 85:22, 151:19, 158:12, 159:13 POSSIBLY [4] - 100:1, 110:22, 130:5, 134:28 POST [3] - 109:9, 121:3, 142:4 POSTBOX [2] - 156:1, 156:2 POSTS [5] - 127:10, 127:15, 127:17, 128:15, 152:29 POSTURE [1] - 114:20 POTENTIAL [6] - 7:27, 48:27, 55:19, 57:5, 62:1, 64:18 POTENTIALLY [2] - 59:1, 59:22 POUND [2] - 15:28, 51:12 POWER [1] - 147:9 PRACTICES [2] - 141:17, 141:25 PRE [1] - 160:8 PRE-DATED [1] - 160:8 PRECEDING [3] - 40:11, 49:7, 63:5 PRECISE [5] - 38:10, 48:2, 50:12, 69:4, 147:19 PRECISELY [2] - 38:3, 70:1 PRECISION [2] -	51:25, 64:23 PRECONDITIO NS [1] - 146:1 PREDATES [1] - 143:11 PREDICATED [1] - 129:3 PREDOMINAN TLY [3] - 121:24, 123:13, 126:18 PREMISES [8] - 73:6, 74:8, 74:28, 75:2, 75:16, 80:10, 80:20, 95:24 PREPARE [1] - 12:12 PREPARED [8] - 11:10, 11:12, 12:13, 14:27, 25:24, 53:5, 66:14, 115:22 PREPONDERA NCE [2] - 4:1, 5:16 PRERECORDE D [1] - 26:17 PRESENCE [2] - 115:24, 134:10 PRESENT [2] - 38:28, 84:4 PRESENTATIO N [26] - 27:20, 27:26, 35:21, 37:12, 39:12, 40:1, 40:23, 45:15, 58:5, 58:15, 60:10, 66:15, 66:22, 72:10, 73:4, 73:24, 83:1, 83:12, 84:29, 89:26, 91:17, 96:13, 97:3, 97:23, 105:15, 105:27 PRESENTATIO N [57] - 28:6, 30:23, 31:18, 33:1, 33:11, 33:22, 34:22, 35:5, 36:10, 38:26, 39:13, 39:23, 40:9, 40:16, 40:23, 41:17, 42:1, 42:7, 45:14, 46:27, 47:13, 50:17, 50:24, 52:9, 52:16, 56:24,	57:16, 58:16, 58:23, 58:29, 59:27, 60:17, 63:1, 64:16, 66:5, 67:8, 67:13, 68:13, 69:25, 70:10, 70:22, 71:4, 72:11, 73:24, 74:19, 79:12, 83:1, 83:12, 85:1, 86:4, 87:11, 88:21, 89:26, 91:18, 96:13, 96:18, 101:11 PRESENTED [2] - 114:11, 114:26 PRESS [2] - 72:9, 96:13 PRETTY [3] - 129:6, 147:17, 152:13 PREVENT [1] - 39:3 PREVIOUS [4] - 45:21, 63:3, 63:16, 64:29 PREVIOUSLY [3] - 60:1, 114:20, 130:1 PRIMARILY [1] - 97:20 PRIME [1] - 120:9 PRIME [1] - 117:28 PRINCIPAL [2] - 109:2, 110:13 PRINCIPALLY [2] - 5:8, 129:17 PRINCIPLE [6] - 62:11, 144:29, 147:21, 151:3, 151:19, 152:23 PRINCIPLES [1] - 144:26 PRIORITY [1] - 128:11 PRIVATE [1] - 135:2 PROBABILITIE S [1] - 160:16 PROBABILITY [1] - 135:5 PROBABLE [5] - 11:9, 11:12, 133:6, 133:7, 159:19 PROBLEM [3] - 149:26, 153:22
--	---	---	--	--	---

PROBLEMS ^[1] - 48:28 PROCEDURAL ^[1] - 161:17 PROCEED ^[1] - 93:16 PROCESS ^[9] - 3:13, 4:28, 16:26, 26:10, 130:4, 134:29, 144:4, 146:21, 147:9 PROCESS ^[2] - 112:23, 116:3 PROCESSED ^[1] - 21:26 PROCESSING ^[1] - 147:9 PRODUCED ^[4] - 18:23, 20:28, 21:4, 161:5 PRODUCT ^[3] - 16:5, 18:21, 24:6 PROFILE ^[1] - 113:8 PROFILING ^[1] - 115:3 PROGRAMME ^[2] - 132:3, 144:25 PROMPTLY ^[1] - 26:25 PROPOSES ^[1] - 158:20 PROPOSITION ^[1] - 114:24 PROSECUTIO NS ^[1] - 34:11 PROTECTION ^[1] - 129:1 PROTRUDING ^[1] - 82:1 PROVIDE ^[5] - 7:25, 9:20, 115:16, 129:21, 156:20 PROVIDED ^[12] - 6:29, 14:24, 14:29, 54:7, 109:19, 111:4, 128:29, 131:5, 142:14, 152:24, 155:1, 157:2 PROVIDER ^[1] - 21:11 PROVIDERS ^[1] - 12:28 PROVIDING ^[1] - 109:20 PROVISION ^[1] - 157:8 PROVISIONAL	[7] - 35:20, 36:29, 37:5, 46:25, 67:11, 67:25, 108:1 PROVISIONAL ^[1] - 116:5 PROVISIONAL LY ^[9] - 31:27, 35:6, 45:18, 59:8, 64:5, 66:21, 68:16, 69:17, 150:1 PROXIMITY ^[1] - 46:6 PSNI ^[8] - 53:4, 53:16, 54:7, 70:18, 133:16, 137:4, 157:29, 158:1 PUB ^[1] - 95:22 PUBLIC ^[4] - 29:29, 30:4, 46:8, 118:17 PULL ^[1] - 114:28 PULLED ^[1] - 97:12 PURPLE ^[1] - 45:15 PURPOSE ^[4] - 26:21, 29:7, 31:13, 43:21 PURPOSES ^[11] - 10:10, 13:1, 50:15, 51:23, 57:13, 58:11, 70:4, 84:4, 126:23, 128:19, 142:15 PUSHCHAIR ^[2] - 90:14, 92:4 PUSHED ^[1] - 92:4 PUSHING ^[1] - 90:13 PUT ^[8] - 80:25, 88:2, 93:29, 95:1, 145:21, 147:12, 152:19, 154:25 PUTS ^[1] - 123:26 PUTTING ^[3] - 17:18, 151:27, 154:1 PVCPS ^[2] - 128:21, 128:22	Q QLR ^[4] - 124:22, 124:25, 125:1, 126:2 QUARTER ^[4] - 30:24, 42:19, 112:7, 112:8 QUEEN'S ^[1] - 124:18 QUESTIONED ^[16] - 3:9, 27:16, 50:6, 72:4, 105:1, 108:23, 150:11, 156:7, 159:8, 160:26, 162:7, 162:10, 162:11, 162:12, 162:15, 162:16 QUESTIONS ^[11] - 110:18, 149:19, 150:5, 150:8, 150:15, 154:10, 156:11, 158:14, 158:21, 158:25, 159:1 QUICKLY ^[5] - 54:29, 77:19, 100:5, 100:11, 121:10 QUITE ^[7] - 7:29, 33:4, 78:21, 116:2, 117:5, 132:5, 143:12	R RADIOED ^[1] - 144:1 RADIUS ^[4] - 60:22, 61:27, 61:28, 62:17 RAISED ^[2] - 139:22, 139:27 RANGE ^[17] - 37:26, 39:8, 39:9, 49:11, 51:16, 51:19, 58:12, 60:5, 60:26, 62:1, 62:12, 63:17, 64:11, 65:18, 65:22, 65:23, 65:26 RANK ^[1] - 123:16 RAPID ^[1] - 148:5 RATE ^[2] - 116:14, 136:1	RATHER ^[10] - 4:22, 35:2, 43:6, 57:22, 71:8, 126:11, 145:5, 148:11, 150:26, 150:29 RAVELLA ^[2] - 57:3, 161:3 RAVENSDALE ^[1] - 13:10 RAYMOND ^[1] - 14:21 RE ^[2] - 26:25, 108:10 RE-START ^[2] - 26:25, 108:10 REACH ^[3] - 6:23, 62:8, 72:19 REACHED ^[3] - 5:11, 37:25, 56:20 READ ^[1] - 113:14 READILY ^[1] - 121:13 READING ^[3] - 56:21, 111:14, 147:7 REAL ^[1] - 117:1 REAL ^[3] - 7:26, 117:2, 145:29 REAL-TIME ^[1] - 145:29 REALISATION ^[1] - 130:26 REALISTIC ^[1] - 137:16 REALISTICALL Y ^[1] - 6:20 REALLY ^[5] - 127:3, 131:29, 141:19, 149:1, 154:29 REAR ^[3] - 80:5, 81:11, 100:7 REASON ^[3] - 46:11, 145:2, 148:28 REASONABILI TY ^[1] - 125:9 REASONS ^[3] - 15:22, 31:22, 161:14 RECAP ^[1] - 5:11 RECEIPT ^[1] - 90:21 RECEIVED ^[4] - 20:16, 67:24, 157:29, 158:2	RECEIVES ^[3] - 9:22, 9:23, 43:12 RECEIVING ^[3] - 19:12, 19:20, 59:22 RECENTLY ^[2] - 53:13, 161:16 RECIPIENT ^[1] - 42:5 RECOGNISED ^[1] - 131:9 RECOGNITION ^[2] - 130:22, 144:7 RECOLLECTIO N ^[1] - 161:1 RECORD ^[6] - 10:5, 138:20, 139:14, 143:14, 148:27, 151:15 RECORDED ^[9] - 28:7, 54:24, 55:27, 106:19, 136:11, 139:5, 145:28, 151:20, 156:28 RECORDING ^[9] - 35:15, 54:19, 54:21, 55:18, 138:7, 138:13, 138:18, 140:13, 157:27 RECORDINGS ^[3] - 157:22, 157:25, 158:2 RECORDS ^[10] - 15:7, 21:10, 21:22, 117:23, 129:20, 137:2, 140:11, 141:10, 145:25, 155:25 RECOVERY ^[1] - 52:13 RED ^[18] - 23:25, 31:25, 48:11, 59:7, 59:14, 64:18, 68:15, 71:1, 71:11, 84:21, 85:2, 85:28, 86:6, 88:14, 92:13, 96:10, 106:8, 154:28 RED- COLOURED ^[1] - 48:11 REDISTRIBUT ED ^[1] - 108:13 REDUCE ^[2] - 114:25, 115:3 REDUCING ^[2] -	113:7, 130:25 REFER ^[6] - 7:7, 33:24, 73:12, 124:13, 126:6, 144:16 REFERENCE ^[6] - 10:1, 32:1, 110:26, 145:6, 145:10, 145:26 REFERENCED ^[1] - 122:28 REFERENCES ^[1] - 111:10 REFERRED ^[10] - 8:26, 16:26, 113:4, 118:13, 118:28, 122:4, 124:22, 128:15, 128:17, 128:20 REFERRING ^[1] - 147:6 REFLECT ^[2] - 61:9, 65:29 REFLECTED ^[1] - 35:21 REFLECTING ^[2] - 61:4, 95:8 REFLECTION ^[1] - 145:4 REFLECTS ^[2] - 62:23, 112:27 REGARD ^[2] - 14:19, 109:21 REGARDED ^[2] - 36:12, 149:29 REGIMENT ^[1] - 124:18 REGISTERED ^[7] - 8:14, 8:18, 9:6, 15:14, 143:15, 145:17, 145:18 REGISTRATIO N ^[8] - 81:12, 89:2, 143:20, 145:24, 146:4, 146:8, 151:6, 155:15 REGULAR ^[1] - 109:7 REID ^[2] - 118:8 REINFORCED ^[1] - 122:21 RELATE ^[1] - 23:5 RELATEDLY ^[1] - 119:8 RELATING ^[3] - 14:27, 109:4, 137:6
--	---	--	--	--	--	---

RELATION [24] - 5:2, 9:18, 20:22, 20:24, 26:18, 48:18, 73:3, 74:12, 98:10, 105:16, 109:16, 124:26, 126:24, 129:21, 136:24, 141:13, 141:23, 141:29, 152:17, 153:26, 154:15, 155:4, 155:23, 158:7 RELATIONSHIP [1] - 158:6 RELATIVELY [1] - 32:28 RELAXED [1] - 101:20 RELEVANT [9] - 25:20, 118:14, 121:6, 129:22, 134:3, 135:10, 138:1, 140:7, 146:25 RELIABLE [4] - 11:3, 43:4, 48:18, 98:10 RELIED [2] - 85:19, 85:20 RELIES [1] - 26:2 RELYING [1] - 140:22 REMAIN [2] - 131:13, 149:14 REMAINING [1] - 125:18 REMAINS [1] - 27:5 REMARKED [1] - 78:24 REMARKS [1] - 3:3 REMARKS [1] - 162:4 REMEDY [1] - 53:17 REMEMBER [3] - 89:2, 92:9, 107:6 REMEMBERED [2] - 93:27, 94:5 REMEMBERS [1] - 106:22 REMINDED [1] - 27:6, 32:14, 35:9, 45:3, 46:8, 50:10, 107:16 REMINDED [1] -	95:12 REMINING [1] - 161:9 REMOTE [2] - 133:21, 134:22 REMOTELY [3] - 133:11, 133:26, 134:9 REMOVED [1] - 161:4 REPEAT [1] - 93:8 REPEATER [1] - 21:26 REPLACED [1] - 131:12 REPLACEMENT [2] - 149:20, 149:22 REPORT [8] - 6:5, 7:26, 8:8, 8:26, 9:21, 25:23, 26:8, 60:13 REPORT [1] - 106:23 REPORTED [4] - 83:14, 118:24, 119:3, 119:5 REPRESENT [2] - 60:21, 61:25 REPRESENTATIVE [6] - 38:27, 41:10, 53:9, 62:21, 63:16, 64:25 REPRESENTATIVE [2] - 109:3, 119:1 REPRESENTED [1] - 51:22 REPRESENTING [2] - 38:13, 38:21 REPRESENTS [3] - 66:15, 122:1, 150:9 REPUBLIC [18] - 9:25, 11:10, 17:19, 18:8, 18:22, 20:6, 22:22, 23:6, 24:23, 25:18, 28:12, 32:4, 36:25, 52:23, 68:4, 137:25, 142:23, 159:13 REPUBLICAN [1] - 113:8 REPUBLICANISM [3] - 115:5,	115:9, 116:21 REPUBLICANS [8] - 112:23, 113:2, 113:28, 115:14, 115:17, 116:1, 116:9, 116:25 REQUEST [1] - 154:27 REQUESTED [1] - 154:15 REQUESTS [1] - 154:19 REQUIRE [1] - 142:5 REQUIRED [2] - 148:26, 155:7 REQUIREMENT [2] - 141:27, 155:22 RESEARCH [5] - 71:22, 109:22, 109:24, 115:8, 132:16 RESIDENT [2] - 124:19, 126:12 RESIDENTS [1] - 160:6 RESOLUTION [1] - 153:23 RESOLVE [1] - 149:27 RESPECT [1] - 76:6 RESPECTIVE [1] - 27:12 RESPONSE [3] - 154:27, 155:17, 155:18 RESPONSIBILITY [4] - 119:25, 120:2, 120:29, 121:24 RESPONSIVE [1] - 141:5 REST [1] - 102:29 RESTED [1] - 132:29 RESTING [1] - 146:26 RESTRICTED [1] - 128:5 RESULT [5] - 53:13, 130:20, 141:20, 146:26, 148:11 RESULTS [1] - 59:14 RESUME [2] -	27:4, 27:20 RESUMED [3] - 27:1, 50:1, 108:16 RETAINED [5] - 137:2, 147:23, 149:5, 154:4, 154:5 RETENTION [3] - 153:18, 153:25, 153:28 RETRIEVAL [1] - 145:28 RETRIEVE [1] - 146:6 RETURN [6] - 32:13, 108:12, 113:13, 126:29, 158:18, 161:10 RETURNED [1] - 4:18 REUSED [1] - 27:8 REVEAL [9] - 22:7, 22:16, 22:25, 23:3, 25:7, 25:10, 32:10, 37:17, 49:4 REVEALED [1] - 9:9 REVEALS [1] - 137:10 REVERSE [2] - 39:13, 99:20 REVERSED [1] - 67:5 REVIEW [4] - 54:5, 66:12, 71:20, 71:23 REWRITE [1] - 148:1 RHYTHM [1] - 126:15 RIDE [1] - 79:20 RIGHT-HAND [5] - 41:23, 56:26, 58:19, 81:1, 88:3 RINGING [1] - 18:15 RISE [4] - 26:19, 49:23, 115:5, 116:21 RISING [2] - 112:20, 113:16 RISK [4] - 113:9, 115:3, 131:9, 160:16 ROAD [23] - 29:17, 29:29, 57:3, 68:28,	70:15, 72:25, 73:1, 73:3, 73:4, 73:10, 73:13, 78:25, 79:5, 84:18, 88:8, 88:10, 92:26, 97:21, 98:20, 101:12, 101:23, 107:24, 129:18 ROAD [28] - 11:21, 38:21, 41:3, 53:26, 55:9, 57:2, 70:3, 70:15, 72:19, 73:7, 73:8, 73:13, 74:12, 74:28, 77:9, 80:29, 91:27, 93:15, 93:16, 93:28, 125:26, 127:26, 128:7, 136:7, 141:8, 161:2, 161:3, 161:4 ROADBLOCKS [2] - 48:27, 159:29 ROADS [5] - 128:4, 130:14, 159:29, 160:3, 160:20 ROADWAY [1] - 92:5 ROBERT [3] - 47:11, 83:15, 85:9 ROBERTSON [1] - 118:4 ROGER [1] - 118:25 ROLE [1] - 155:3 ROLLED [1] - 132:20 ROMEO [2] - 126:21, 127:17 ROOM [3] - 26:23, 81:22, 86:27 ROOTING [1] - 131:24 ROSSLEA [1] - 125:20 ROTATE [1] - 125:11 ROTATION [2] - 125:3, 125:5 ROUGHLY [3] - 10:21, 88:25, 95:21 ROULEMENT [2] - 126:10, 129:7 ROULEMENT	[2] - 126:11, 126:12 ROUND [5] - 57:18, 58:2, 72:25, 120:15, 153:21 ROUNDOABOUT [1] - 144:13 ROUNDISH [1] - 76:2 ROUNDISH-TYPE [1] - 76:2 ROUTE [18] - 3:21, 6:6, 6:11, 6:20, 7:27, 10:21, 11:5, 11:9, 11:12, 11:13, 11:16, 12:4, 48:29, 57:5, 57:10, 85:7, 85:22, 161:5 ROUTES [4] - 6:22, 6:24, 159:13, 159:20 ROUTINE [1] - 154:20 ROW [22] - 28:6, 29:12, 29:24, 30:13, 30:22, 33:12, 36:20, 39:14, 40:11, 42:11, 44:1, 44:5, 46:14, 47:20, 47:23, 50:10, 50:22, 58:27, 67:16, 67:24, 69:22, 107:17 ROWS [1] - 71:29 ROYAL [6] - 124:19, 124:20, 125:15, 126:1, 133:18 RUC [20] - 14:9, 14:13, 14:25, 18:23, 18:24, 22:5, 24:12, 26:4, 26:10, 70:18, 125:16, 133:16, 141:13, 141:22, 142:14, 154:13, 154:15, 154:27, 155:6, 157:22 RULE [1] - 153:1 RUN [3] - 12:23, 108:8, 122:24 RUNNING [2] - 94:9, 114:21 RUNS [3] - 26:1, 28:1, 129:13 RUPERT [2] -
--	--	---	---	--	---

118:24, 121:18 RUTH ^[1] - 96:16	SC ^[3] - 37:12, 37:14, 64:17 SCALE ^[1] - 28:14 SCHEDULED ^[1] - 84:1 SCOUT ^[21] - 6:14, 7:21, 11:7, 37:15, 37:18, 43:11, 44:2, 48:5, 48:21, 48:22, 50:18, 52:5, 53:25, 57:11, 64:8, 106:15, 106:18, 107:18, 107:27, 108:3, 137:26 SCOUTING ^[1] - 48:23 SCREEN ^[22] - 12:10, 13:28, 17:12, 23:16, 23:17, 28:9, 47:14, 54:8, 54:9, 63:12, 63:27, 67:23, 72:13, 74:8, 86:21, 91:11, 97:16, 121:9, 121:11, 124:16, 151:28, 154:26 SCRUB ^[1] - 4:23 SD ^[2] - 91:15, 97:2 SE ^[1] - 120:28 SEAMUS ^[15] - 28:8, 30:17, 33:14, 35:7, 35:19, 36:29, 37:3, 45:6, 64:6, 66:21, 67:17, 67:18, 67:26, 68:17, 107:19 SEAN ^[1] - 46:18 SEARCH ^[1] - 146:10 SEARCHED ^[1] - 157:24 SEARCHES ^[1] - 141:10 SEAT ^[6] - 74:25, 80:17, 93:24, 93:25, 94:25 SEATED ^[1] - 76:18 SECOND ^[16] - 7:6, 30:27, 31:5, 32:18, 32:21,	40:11, 42:4, 46:20, 47:20, 102:5, 109:29, 111:7, 113:27, 129:9, 140:20, 157:7 SECOND-CALL [1] - 40:11 SECONDLY ^[6] - 27:9, 31:29, 110:28, 118:1, 140:6, 157:20 SECONDS ^[39] - 15:25, 16:12, 16:21, 17:6, 17:11, 17:16, 21:8, 21:20, 22:11, 22:17, 23:1, 24:15, 25:13, 30:3, 30:8, 30:21, 31:1, 31:23, 32:28, 33:8, 36:8, 41:27, 43:17, 44:11, 45:11, 45:25, 47:9, 47:29, 54:18, 55:11, 55:16, 59:24, 63:11, 65:5, 69:16, 82:24, 101:1, 107:14, 135:25 SECRETARIAT [1] - 26:27 SECRETARY ^[4] - 118:1, 118:3, 118:12 SECTION ^[5] - 4:24, 25:24, 26:1, 111:26, 123:22 SECTION ^[2] - 11:12, 12:11 SECTIONS ^[4] - 120:11, 120:13, 123:18, 123:19 SECTORS ^[1] - 61:13 SECURITY ^[15] - 110:2, 113:6, 113:24, 114:9, 114:10, 114:14, 118:17, 123:27, 125:12, 130:2, 145:19, 145:22, 146:5, 160:6, 160:15 SEE ^[118] - 10:25, 12:16, 13:20, 13:25, 15:15, 19:13,	19:17, 23:23, 23:24, 24:26, 27:25, 28:11, 29:12, 30:1, 30:14, 32:23, 34:10, 34:18, 34:29, 35:20, 35:24, 37:28, 38:27, 41:20, 42:19, 43:10, 43:19, 44:12, 44:16, 44:19, 44:22, 44:27, 45:12, 45:26, 46:5, 46:14, 48:8, 50:22, 50:26, 50:29, 54:8, 54:9, 54:11, 54:13, 54:14, 55:8, 55:15, 55:17, 56:9, 56:25, 57:1, 58:19, 59:4, 59:7, 59:13, 59:21, 60:7, 60:10, 62:8, 63:12, 63:20, 63:26, 64:28, 67:23, 68:3, 68:26, 70:1, 70:17, 70:21, 71:11, 72:12, 72:16, 72:23, 72:25, 76:7, 77:11, 77:14, 78:6, 81:22, 82:27, 83:7, 85:29, 87:7, 87:29, 91:11, 91:17, 93:7, 93:21, 94:25, 96:7, 96:10, 97:15, 100:10, 101:11, 102:2, 106:14, 106:26, 107:17, 107:21, 111:10, 118:16, 122:29, 128:14, 128:17, 128:20, 136:13, 138:5, 142:3, 142:20, 144:4, 146:12, 150:7, 154:14, 156:19, 160:10, 160:20, 160:23 SEEING ^[5] - 16:5, 52:16, 70:21, 96:14, 98:5 SEEK ^[3] - 3:15, 5:1, 110:13 SEEKING ^[8] - 38:24, 41:10,	48:2, 51:25, 69:29, 107:7, 114:25, 114:26 SEEKS ^[2] - 20:15, 23:18 SEEM ^[4] - 137:3, 141:25, 157:14, 158:1 SELECTED ^[1] - 57:5 SENDS ^[1] - 9:23 SENIOR ^[2] - 115:1, 119:1 SENSE ^[8] - 38:19, 41:14, 85:21, 114:13, 135:26, 137:28, 138:5, 138:15 SENSIBLE ^[1] - 149:2 SENSITIVE ^[1] - 147:11 SENSITIVITIES [1] - 132:14 SEPARATE ^[5] - 7:21, 112:9, 113:14, 143:23, 149:9 SEPARATED ^[2] - 46:29, 123:5 SEPARATELY [1] - 26:10 SEPARATION [1] - 151:11 SEPTEMBER ^[3] - 83:18, 89:29, 95:15 SEPTEMBER ^[3] - 3:9, 161:22, 162:7 SEQUENCE ^[27] - 29:12, 30:15, 31:3, 31:9, 32:13, 36:12, 40:16, 41:15, 41:28, 43:20, 44:13, 45:29, 47:21, 50:25, 56:9, 57:17, 59:27, 63:2, 64:13, 64:16, 66:3, 66:12, 68:2, 77:22, 79:12, 88:21, 107:3 SERGEANT ^[2] - 123:6, 123:8 SERGEANT ^[4] - 12:11, 12:13, 13:15, 13:29	SERIES ^[4] - 15:15, 20:27, 23:5, 136:9 SERIOUS ^[2] - 101:25, 158:10 SERVED ^[1] - 109:14 SERVICE ^[2] - 124:20, 126:3 SERVICE ^[5] - 21:11, 109:8, 109:10, 109:11, 147:14 SERVICES ^[1] - 10:1 SERVING ^[1] - 48:22 SET ^[9] - 4:16, 6:2, 87:10, 112:27, 121:5, 128:6, 141:4, 143:15, 161:14 SETS ^[1] - 20:23 SETTING ^[1] - 111:23 SEVEN ^[2] - 40:11, 125:2 SEVERAL ^[1] - 93:14 SHARE ^[1] - 30:16 SHARED ^[2] - 14:17, 158:12 SHARING ^[5] - 141:23, 154:12, 154:21, 154:24, 158:9 SHARPLY ^[1] - 77:28 SHAVEN ^[3] - 76:4, 102:21, 103:13 SHIELDS ^[4] - 91:8, 91:14, 92:17, 95:22 SHINING ^[1] - 92:19 SHOE ^[2] - 91:28, 94:2 SHOP ^[16] - 74:1, 74:5, 74:6, 75:17, 78:1, 79:24, 80:4, 90:19, 91:14, 91:23, 94:5, 94:12, 94:13, 96:29, 99:17, 103:25 SHOP ^[2] - 91:28, 94:2
--	--	---	---	--	---

SHOP'S ^[1] - 79:28 SHOPPING ^[5] - 84:14, 88:19, 90:6, 96:23, 97:6 SHOPS ^[3] - 90:11, 90:16, 99:13 SHORT ^[11] - 30:7, 31:1, 32:18, 32:28, 40:26, 49:17, 86:4, 99:3, 102:16, 111:4, 153:21 SHORTEST ^[1] - 154:5 SHORTHAND ^[1] - 49:15 SHORTISH ^[1] - 75:28 SHORTLY ^[8] - 34:29, 46:5, 46:22, 59:20, 67:20, 73:6, 83:22, 137:19 SHOT ^[2] - 55:6, 71:2 SHOULDERS ^[1] - 94:26 SHOW ^[3] - 21:10, 21:22, 66:22 SHOWED ^[2] - 79:13, 79:14 SHOWING ^[9] - 11:16, 15:3, 19:5, 24:5, 24:7, 38:16, 52:20, 57:13, 127:21 SHOWS ^[6] - 11:13, 20:24, 21:4, 21:17, 31:29, 144:19 SHRUNK ^[1] - 57:1 SIDE ^[10] - 15:11, 18:27, 40:29, 61:11, 61:12, 72:16, 78:26, 82:1, 83:4, 154:9 SIDES ^[3] - 7:25, 89:10, 136:13 SIERRA ^[1] - 109:12 SIGHT ^[2] - 60:26, 85:11 SIGHTING ^[2] - 83:14, 90:2 SIGHTINGS ^[10]	- 85:15, 105:14, 105:16, 145:25, 145:28, 145:29, 146:15, 147:23, 149:5, 154:28 SIGNAL ^[1] - 70:8 SIGNIFICANCE ^[6] - 27:27, 29:9, 115:20, 121:2, 138:12, 157:21 SIGNIFICANT ^[7] - 6:28, 7:2, 55:26, 59:1, 114:4, 117:24, 138:19 SIGNIFIES ^[1] - 85:24 SILE ^[1] - 32:24 SILLY ^[1] - 4:22 SIMILAR ^[6] - 18:2, 24:26, 40:10, 114:21, 131:21, 138:22 SIMILARLY ^[3] - 24:21, 35:9, 65:21 SIMPLE ^[1] - 156:1 SIMPLEST ^[1] - 152:7 SIMPLY ^[7] - 58:2, 111:25, 127:18, 143:14, 145:21, 155:8, 155:23 SIMU ^[1] - 155:26 SINGLE ^[2] - 38:3, 151:17 SIT ^[1] - 49:23 SITE ^[1] - 25:28 SITE ^[58] - 7:24, 8:2, 9:16, 9:19, 11:25, 12:2, 12:21, 14:10, 15:4, 15:26, 16:13, 16:22, 16:23, 16:29, 17:7, 17:11, 19:16, 21:12, 21:14, 21:23, 21:24, 21:29, 22:14, 22:19, 22:20, 23:4, 23:23, 25:8, 25:16, 28:11, 28:21, 28:24, 29:8, 31:14, 33:2, 33:20, 36:2,	36:20, 37:6, 38:2, 43:3, 47:14, 47:15, 48:18, 49:9, 51:11, 51:14, 51:29, 58:11, 58:17, 58:20, 58:23, 58:25, 64:23, 106:27, 133:21, 137:10 SITES ^[6] - 12:15, 13:16, 14:11, 25:26, 51:8, 65:7 SITTING ^[2] - 78:25, 81:17 SITUATED ^[4] - 28:25, 78:1, 90:26, 91:9 SITUATIONS ^[1] - 112:10 SIX ^[17] - 29:13, 32:13, 55:19, 98:28, 101:5, 102:11, 120:14, 125:11, 126:13, 126:15, 148:1, 149:5, 149:14, 152:19, 152:24, 153:1, 154:8 SIX-MONTH ^[2] - 126:13, 126:15 SIXTH ^[1] - 142:17 SIZE ^[2] - 120:6, 154:16 SKINHEAD ^[1] - 95:3 SKINNED ^[1] - 103:14 SLIDE ^[7] - 18:23, 18:24, 20:2, 21:1, 21:17, 22:4, 122:22 SLIDE ^[14] - 11:14, 12:18, 13:18, 13:25, 15:14, 18:3, 18:22, 20:1, 20:12, 20:29, 21:17, 23:17, 24:4, 24:10 SLIDES ^[1] - 20:13 SLIGHTLY ^[7] - 28:14, 60:11, 73:9, 103:5, 103:16, 104:25, 115:6 SLIM ^[2] - 89:12,	102:11 SLOW ^[1] - 77:28 SLOWLY ^[10] - 36:15, 75:4, 76:13, 78:4, 78:15, 78:21, 87:1, 92:13, 96:5, 121:16 SMALL ^[3] - 75:2, 110:24, 111:25 SMALLER ^[4] - 60:19, 76:28, 99:2, 159:29 SMITH ^[2] - 118:24, 121:18 SMIU ^[5] - 156:13, 156:16, 156:18, 157:2, 157:17 SOLDIER ^[3] - 135:15, 143:26, 143:27 SOLDIERING ^[1] - 135:1 SOLDIERS ^[8] - 99:4, 100:20, 113:10, 124:25, 126:4, 129:7, 130:10, 135:2 SOLE ^[1] - 149:8 SOLICITOR ^[1] - 152:1 SOMEONE ^[8] - 8:29, 9:13, 9:18, 14:21, 23:29, 121:13, 131:5, 144:1 SOMETIME ^[1] - 105:28 SOMETIMES ^[11] - 8:16, 28:28, 28:29, 79:29, 106:26, 125:7, 128:14, 128:23, 135:20, 135:21 SOMEWHERE ^[7] - 34:7, 37:25, 62:5, 62:16, 64:10, 65:22, 151:7 SON ^[3] - 73:27, 74:24, 95:12 SOON ^[1] - 82:4 SORRY ^[7] - 4:24, 25:6, 64:2, 93:8, 151:2, 151:29, 153:10 SORT ^[8] -	130:19, 130:25, 143:13, 147:17, 147:25, 150:27, 151:10, 154:1 SORTS ^[1] - 131:29 SOSNI ^[1] - 118:13 SOURCE ^[3] - 11:3, 41:9, 129:1 SOUTH ^[5] - 112:26, 124:11, 126:17, 126:22, 127:17 SOUTH ^[2] - 14:12, 140:7 SOUTHERLY ^[1] - 52:21 SOUTHEY ^[2] - 149:18, 150:8 SOUTHEY ^[3] - 150:11, 150:14, 162:16 SOUTHEY'S ^[1] - 156:11 SPACE ^[8] - 41:14, 64:26, 80:28, 86:24, 92:6, 94:10, 96:8, 141:25 SPEAKING ^[4] - 31:10, 59:22, 134:21, 148:7 SPECIAL ^[2] - 155:2, 156:12 SPECIFIC ^[8] - 38:19, 38:29, 115:16, 139:26, 141:11, 147:16, 148:14, 155:29 SPECIFICALLY ^[9] - 5:6, 39:2, 110:9, 110:15, 111:1, 124:3, 124:4, 129:8, 154:15 SPEED ^[3] - 53:17, 55:9, 78:2 SPENT ^[3] - 30:25, 33:4, 94:3 SPLIT ^[2] - 120:4, 120:6 SPOKEN ^[3] - 68:8, 108:7, 136:18 SPREAD ^[1] - 115:12 ST ^[1] - 4:3 STAFF ^[4] - 118:25, 118:26,	119:3, 119:6 STAFF ^[2] - 79:29, 108:13 STAGE ^[20] - 20:2, 49:14, 59:8, 65:25, 77:29, 116:23, 117:4, 117:14, 120:13, 131:28, 132:6, 134:3, 134:10, 134:12, 135:4, 139:11, 140:21, 144:25, 152:10, 152:14 STAGES ^[6] - 6:26, 108:4, 132:7, 136:12, 139:9, 157:23 STAND ^[6] - 37:6, 37:14, 48:17, 111:19, 118:28, 123:1 STANDARD ^[1] - 126:14 STANDING ^[1] - 101:22 STAR ^[6] - 121:1, 121:3, 122:4, 122:5, 122:7 STARING ^[1] - 101:22 STARS ^[1] - 122:1 START ^[9] - 4:20, 4:24, 26:25, 28:6, 31:4, 68:2, 72:16, 74:20, 108:10 STARTED ^[3] - 11:27, 37:18, 63:2 STARTING ^[7] - 11:23, 11:24, 15:19, 119:10, 121:16, 144:21, 145:8 STARTS ^[1] - 27:29 STATE ^[5] - 118:3, 118:7, 118:12, 142:22, 142:25 STATE ^[6] - 54:11, 54:19, 54:22, 54:23, 95:9, 117:26 STATEMENT ^[40] - 74:20, 74:21, 79:18,
--	---	---	--	---	---

83:18, 89:29, 90:2, 93:18, 95:14, 95:16, 96:19, 99:12, 102:5, 104:8, 110:25, 110:28, 111:4, 111:24, 112:17, 115:7, 115:15, 116:11, 117:19, 117:20, 117:21, 121:4, 121:5, 121:7, 124:2, 126:26, 127:6, 127:21, 129:10, 129:12, 133:23, 140:20, 144:17, 145:13, 146:29, 152:18 STATEMENTS [9] - 109:19, 109:21, 110:22, 111:8, 111:11, 111:16, 118:17, 122:29, 129:10 STATIC [2] - 130:21, 130:26 STATION [2] - 70:11 STATION [8] - 40:17, 41:5, 41:20, 44:6, 45:27, 46:28, 133:16 STATIONARY [1] - 81:5 STATURE [1] - 76:24 STAYED [3] - 97:6, 103:26, 148:26 STEPHEN [3] - 73:26, 74:14, 79:17 STEPPING [2] - 140:16, 150:28 STICK [1] - 23:8 STICKING [1] - 76:6 STILL [12] - 18:29, 22:25, 31:3, 67:9, 76:13, 78:6, 82:4, 87:4, 112:16, 115:4, 132:6, 147:11 STOCKY [1] - 89:10 STOLEN [5] - 3:27, 4:2, 5:13, 5:17, 7:16 STOOD [3] -	101:6, 101:15, 135:6 STOP [9] - 86:5, 87:15, 89:27, 96:7, 140:17, 141:8, 143:27, 146:10, 146:13 STOPPED [2] - 81:8, 143:18 STOPPING [1] - 115:23 STOPS [1] - 34:14 STORAGE [1] - 149:7 STRAIGHT [5] - 37:29, 41:3, 76:11, 77:26, 149:3 STRAIGHTENE D [1] - 77:24 STRANDS [2] - 8:8, 132:8 STRANGE [2] - 81:25, 81:26 STRAW [1] - 118:1 STREET [41] - 15:28, 16:15, 24:19, 41:11, 72:17, 73:5, 73:7, 73:14, 74:9, 75:4, 75:16, 77:18, 77:26, 78:25, 79:2, 79:15, 81:28, 81:29, 82:2, 83:3, 83:4, 84:25, 85:3, 85:14, 86:13, 86:18, 87:19, 87:21, 87:23, 89:20, 89:22, 90:27, 90:29, 91:3, 91:9, 92:1, 95:19, 95:24, 101:23, 101:29 STREETS [2] - 72:15, 83:7 STRENGTH [1] - 123:27 STRESS [1] - 131:24 STRONG [2] - 7:10, 7:14 STRUCTURE [5] - 117:18, 119:16, 121:6, 121:14, 121:21 STRUCTURES [1] - 156:22	STRUGGLED [1] - 136:9 SUB [1] - 125:14 SUB-DIVISION [1] - 125:14 SUBJECT [3] - 62:11, 139:10, 150:1 SUBSCRIBED [1] - 35:13 SUBSEQUENT [6] - 19:23, 20:8, 25:17, 39:4, 40:1, 145:28 SUBSEQUENT LY [10] - 10:23, 23:6, 110:11, 120:4, 121:21, 121:26, 130:16, 130:17, 131:10, 141:1 SUBSIDIARY [1] - 140:3 SUBSTANTIAL [7] - 25:24, 31:23, 47:7, 51:3, 55:26, 65:6, 107:14 SUBUNITS [3] - 125:2, 125:7, 125:11 SUCCESSION [1] - 138:23 SUFFICIENT [1] - 52:3 SUGGEST [3] - 60:4, 69:29, 157:17 SUGGESTED [1] - 116:8 SUGGESTING [6] - 52:3, 57:9, 57:18, 64:22, 117:7, 158:5 SUGGESTION [1] - 4:22 SUGGESTS [1] - 57:10 SUITABLE [1] - 141:7 SUITS [1] - 158:24 SUMMARISE [1] - 129:28 SUMMARY [3] - 105:9, 105:11, 114:12 SUMMER [3] - 117:3, 117:4, 117:6 SUN [3] - 92:19,	95:7, 95:8 SUNNY [1] - 80:26 SUPERINTEND ENT [2] - 3:8, 162:6 SUPERINTEND ENT [7] - 3:12, 4:27, 8:9, 20:2, 25:23, 28:26, 36:17 SUPERVALU [1] - 94:13 SUPPLIED [1] - 14:26 SUPPORT [6] - 7:11, 7:14, 112:24, 115:8, 126:2, 126:4 SUPPORTING [1] - 6:10 SUPPOSE [1] - 154:2 SUPPRESSING [1] - 113:8 SURVEILLANC E [2] - 128:10, 152:27 SURVEY [1] - 13:16 SURVIVORS [1] - 150:16 SUSPECT [1] - 145:25 SUSPICIOUS [1] - 144:11 SUTER [4] - 12:10, 144:17, 161:9, 161:15 SWATHES [1] - 112:22 SWIFTLY [1] - 137:8 SWINGS [1] - 144:13 SWITCH [1] - 34:8 SWORN [1] - 108:23 SWORN [2] - 52:11, 108:20 SYNCHRONIS ED [1] - 79:28 SYSTEM [44] - 111:2, 111:6, 134:12, 134:24, 134:25, 135:3, 135:4, 136:9, 138:3, 138:19, 138:24, 139:7,	139:11, 139:22, 141:14, 142:18, 143:5, 143:8, 143:10, 143:12, 143:14, 143:24, 144:2, 144:6, 144:12, 145:14, 145:23, 147:3, 148:4, 148:7, 148:10, 149:22, 151:1, 151:9, 151:12, 151:17, 151:18, 151:23, 151:26, 152:9, 153:16, 156:19 SYSTEMS [9] - 131:12, 131:18, 132:3, 134:11, 134:21, 149:23, 155:10, 155:11 SÍOCHÁNA [2] - 14:26, 26:19 T TACTICAL [1] - 120:1 TALL [3] - 98:29, 102:11, 103:8 TALLANSTOW N [1] - 13:8 TANNED [1] - 103:16 TAPE [3] - 149:7, 149:8, 149:9 TAPES [6] - 152:18, 152:19, 152:24, 152:27, 152:28, 153:7 TARGET [1] - 130:12 TART [11] - 37:11, 40:6, 42:25, 43:3, 48:17, 58:18, 60:29, 61:7, 62:3, 62:19, 62:22 TART'S [1] - 60:13 TASK [1] - 125:8 TEAM [3] - 4:15, 7:1, 105:8 TECHNICAL [2] - 53:13, 53:16 TECHNIQUES [1] - 9:19 TECHNOLOGI CAL [1] - 112:25	TECHNOLOGY [4] - 130:24, 139:12, 144:28, 146:19 TEENAGER [1] - 94:28 TEETHING [1] - 139:10 TELECOMMUN ICATIONS [1] - 20:24 TELEPHONE [19] - 3:24, 5:9, 6:27, 7:3, 7:6, 7:20, 8:4, 8:17, 9:22, 10:5, 10:17, 10:19, 14:19, 14:20, 14:28, 15:12, 24:14, 62:4, 106:11 TELEPHONES [4] - 7:11, 10:16, 10:19, 11:8 TEMPO [1] - 116:12 TEMPORARY [1] - 148:2 TEN [3] - 17:16, 32:23, 123:6 TEND [2] - 129:5, 157:17 TENSION [5] - 114:16, 114:18, 114:23, 130:8, 160:5 TERENCE [1] - 34:25 TERM [7] - 9:16, 33:28, 34:1, 114:21, 119:19, 122:2, 143:5 TERMED [1] - 40:20 TERMS [22] - 8:7, 18:2, 25:8, 27:7, 36:2, 53:12, 53:29, 54:20, 55:25, 65:7, 66:10, 66:16, 119:12, 123:11, 131:24, 132:1, 134:28, 136:8, 148:4, 148:22, 153:23, 154:23 TERRAIN [1] - 62:12 TERRENCE [12] - 9:3, 9:11, 15:22, 16:11, 17:27, 19:7, 19:10,
--	--	---	---	--	--

19:13, 19:20, 19:26, 21:20, 23:14 TERRORISM ^[1] - 130:6 TERRORIST ^[4] - 112:26, 117:2, 117:13, 145:23 TEST ^[5] - 40:20, 43:14, 44:14, 44:16, 44:28 TESTIMONY ^[1] - 6:8 TEXT ^[1] - 9:23 THE ^[8] - 26:29, 27:1, 27:14, 49:27, 50:1, 108:16, 161:20, 161:22 THEFT ^[3] - 4:6, 4:9, 5:21 THEMSELVES ^[2] - 26:24, 136:24 THEORETICAL ^[1] - 62:12 THERE'LL ^[2] - 40:5, 123:19 THEREAFTER ^[1] - 117:26 THEREFORE ^[3] - 46:9, 64:10, 113:6 THIN ^[1] - 99:1 THINKING ^[1] - 93:27 THINKS ^[1] - 95:7 THIRD ^[3] - 50:25, 83:14, 114:9 THIRDLY ^[2] - 118:3, 140:11 THIRTIES ^[1] - 89:9 THREAT ^[6] - 114:11, 114:15, 114:26, 116:28, 117:2, 117:13 THREE ^[32] - 15:25, 22:11, 23:25, 26:1, 29:28, 42:2, 44:24, 45:7, 46:29, 47:4, 63:3, 95:27, 101:1, 110:22, 111:16, 119:17, 119:23, 120:11, 121:3, 121:22, 122:1, 122:4, 122:6,	122:12, 122:16, 122:17, 123:19, 126:14, 128:8, 133:15, 148:16 THREE-STAR ^[2] - 121:3, 122:4 THRESHOLD ^[2] - 136:8, 154:7 THRESHOLDS ^[1] - 155:20 THROUGHOUT ^[2] - 117:3, 117:10 THRUST ^[1] - 142:28 THUMBNAIL ^[1] - 57:1 THURSDAY ^[8] - 28:15, 29:8, 33:5, 34:23, 34:24, 35:10, 37:11, 62:26 THURSDAY'S ^[1] - 28:17 TICKET ^[2] - 15:11, 15:12 TICKETS ^[4] - 14:25, 14:27, 15:2, 15:10 TIDY ^[1] - 99:3 TIE ^[1] - 89:15 TIMED ^[1] - 105:28 TIMEFRAME ^[1] - 141:7 TIMEFRAMES ^[2] - 140:29, 148:15 TIMELINE ^[9] - 26:21, 27:12, 27:20, 27:22, 29:20, 35:24, 41:18, 50:17, 106:14 TIMELINES ^[1] - 108:12 TIMINGS ^[2] - 46:1, 97:24 TIRKEENAN ^[1] - 13:11 TITLE ^[2] - 155:5, 155:13 TO ^[3] - 3:8, 27:16, 50:6 TOAL ^[2] - 158:20, 159:6 TOAL ^[3] - 158:23, 159:8, 159:10 TODAY ^[13] - 40:20, 84:11,	110:5, 110:21, 113:1, 127:3, 128:19, 131:3, 146:25, 158:27, 161:1, 161:14 TODAY'S ^[1] - 126:23 TOGETHER ^[9] - 8:8, 17:19, 20:15, 23:18, 24:20, 89:15, 114:28, 123:26, 132:8 TOLL ^[6] - 14:25, 14:27, 15:2, 15:9, 15:10, 15:12 TOMORROW ^[2] - 108:13, 161:17 TONY ^[2] - 117:24, 117:28 TOOK ^[8] - 68:1, 112:25, 115:22, 126:9, 130:13, 142:12, 151:12, 159:28 TOP ^[13] - 29:24, 41:23, 52:24, 54:8, 55:6, 55:12, 83:4, 94:25, 102:26, 120:16, 120:26, 121:17, 121:28 TOP ^[20] - 16:23, 16:27, 16:28, 17:7, 17:8, 17:11, 23:4, 25:9, 25:16, 60:23, 62:5, 62:13, 63:13, 63:24, 65:12, 65:22, 67:3, 68:22, 69:1, 107:11 TOPIC ^[9] - 110:9, 110:12, 110:13, 111:22, 117:17, 127:3, 143:2, 158:24 TOPICS ^[1] - 110:5 TOTAL ^[5] - 29:12, 109:20, 112:6, 122:23, 123:27 TOUCH ^[1] - 68:15 TOUCHED ^[2] - 52:10, 74:11 TOURS ^[2] - 112:13, 129:7 TOWARDS ^[19] -	18:10, 29:5, 32:23, 43:11, 44:2, 52:27, 63:17, 71:9, 79:5, 83:4, 87:8, 91:9, 95:25, 96:2, 101:23, 104:13, 107:12, 152:3 TOWER ^[3] - 9:29, 10:2, 10:6 TOWERS ^[7] - 9:24, 12:15, 126:21, 127:9, 127:18 TOWN ^[7] - 21:16, 45:1, 45:19, 47:1, 70:28, 90:5, 90:8 TOWN ^[3] - 87:2, 88:16, 90:11 TOYOTA ^[1] - 84:17 TRACK ^[3] - 10:10, 22:3, 111:13 TRACKING ^[1] - 18:3 TRAFFIC ^[20] - 10:19, 70:22, 75:13, 77:11, 80:22, 80:23, 80:25, 81:4, 81:5, 81:27, 82:1, 82:3, 87:2, 87:10, 91:25, 100:1, 106:11, 115:23, 128:6 TRAILED ^[1] - 34:24 TRAINING ^[1] - 125:13 TRANSCRIPT ^[2] - 111:14, 145:7 TRANSFER ^[1] - 150:27 TRANSFERRE D ^[1] - 149:21 TRANSIT ^[1] - 140:29 TRANSMITTED ^[1] - 158:12 TRANSPORTIN G ^[1] - 160:12 TRAVEL ^[8] - 38:13, 38:25, 39:6, 48:4, 51:28, 54:29, 59:14, 66:23 TRAVELLED ^[5] - 7:11, 7:27,	37:25, 53:26, 85:10 TRAVELLING ^[18] - 6:17, 10:22, 10:25, 10:26, 10:28, 18:7, 22:22, 41:2, 44:25, 48:22, 52:20, 52:27, 76:13, 78:4, 78:21, 92:13, 96:5, 137:25 TREADING ^[1] - 147:10 TREANOR ^[6] - 19:18, 19:28, 22:28, 35:27, 39:18, 45:6 TRIAL ^[1] - 103:22 TRICKY ^[1] - 128:12 TRIGGERED ^[1] - 140:27 TROOPS ^[1] - 112:4 TRUE ^[1] - 111:16 TRUTH ^[1] - 112:12 TRY ^[3] - 54:28, 141:4, 150:18 TRYING ^[4] - 39:3, 62:24, 149:26, 151:3 TUESDAY ^[1] - 161:22 TURN ^[24] - 3:23, 5:7, 29:26, 33:1, 46:27, 79:14, 80:29, 82:8, 86:17, 86:20, 105:5, 105:26, 119:5, 124:1, 127:2, 129:8, 129:12, 132:22, 132:24, 136:3, 137:6, 141:15, 141:18, 144:8 TURNED ^[7] - 67:21, 77:19, 82:5, 86:12, 87:8, 87:12, 88:16 TURNING ^[5] - 87:23, 87:27, 100:7, 151:26, 153:25 TURNS ^[2] - 139:20, 153:21	TV ^[1] - 44:22 TWICE ^[2] - 79:29, 109:28 TWO ^[80] - 4:9, 5:24, 6:27, 6:29, 7:11, 7:24, 10:16, 10:19, 11:8, 14:16, 14:20, 14:28, 27:6, 30:3, 30:8, 30:23, 31:1, 31:9, 31:21, 42:29, 43:8, 43:20, 44:6, 44:28, 45:4, 49:5, 50:26, 51:7, 53:23, 59:28, 60:18, 66:7, 69:15, 69:23, 70:4, 73:25, 76:29, 81:17, 86:9, 87:16, 88:1, 88:22, 89:16, 92:5, 93:21, 94:19, 95:11, 95:13, 95:24, 97:15, 99:9, 100:27, 101:11, 101:14, 104:3, 104:23, 105:4, 108:2, 110:5, 110:12, 110:21, 111:11, 114:13, 114:15, 121:1, 122:5, 123:22, 125:29, 129:16, 131:22, 135:17, 138:3, 148:16, 149:23, 150:5, 151:11, 156:10, 157:15, 159:6 TWO-STAR ^[3] - 121:1, 122:5 TYPE ^[2] - 76:2, 76:5 TYPING ^[1] - 151:14 TYRONE ^[12] - 10:23, 15:29, 16:24, 17:17, 22:15, 22:20, 124:4, 124:10, 125:1, 126:5, 127:10, 159:14
					U
					UK ^[1] - 142:25 ULSTER ^[2] - 44:22, 125:15 ULTIMATE ^[1] -

118:6 ULTIMATELY ^[1] - 69:11 UNABLE ^[1] - 142:21 UNATTRIBUTE D ^[1] - 47:5 UNCOVERED ^[1] - 144:18 UNDER ^[13] - 27:5, 32:14, 46:29, 52:26, 116:5, 117:23, 118:26, 119:18, 119:28, 120:3, 123:14, 125:2, 126:1 UNDERLYING ^[2] - 20:23, 21:22 UNDERMINE ^[1] - 130:28 UNDERSTOOD ^[6] - 26:12, 84:24, 88:10, 91:15, 97:2, 134:14 UNDERTAKEN ^[2] - 14:9, 26:2 UNIT ^[3] - 52:13, 155:2, 156:13 UNIT ^[1] - 155:6 UNITED ^[1] - 113:20 UNITS ^[1] - 125:8 UNKNOWN ^[1] - 43:8 UNLESS ^[1] - 25:19 UNLIKELY ^[2] - 135:5, 157:4 UNMANNED ^[4] - 132:21, 133:9, 133:22, 140:22 UNPACK ^[1] - 7:29 UNPICK ^[1] - 142:20 UNRELATED ^[1] - 46:10 UNSURPRISING G ^[1] - 61:18 UNTIL ^[1] - 161:22 UNUSUAL ^[2] - 31:19, 32:9 UP ^[49] - 3:17, 5:3, 23:10, 25:21, 28:16, 29:4, 32:4, 33:20, 34:23, 41:23, 50:9, 54:14, 54:15, 66:23, 68:11, 69:12, 72:19, 72:21, 73:9, 74:18, 75:1, 77:24, 77:26, 77:28, 79:14, 81:22, 81:28, 81:29, 82:2, 82:5, 85:2, 85:11, 85:13, 88:16, 89:19, 91:14, 93:29, 107:7, 120:14, 129:12, 132:5, 136:7, 137:19, 141:4, 151:27, 154:25, 160:9 UPDATE ^[1] - 147:15 UPDATES ^[1] - 152:6 UPGRADE ^[3] - 147:3, 149:20 UPPER ^[1] - 61:11 UPSHOT ^[1] - 139:17 USABLE ^[2] - 160:3, 160:21 USAGE ^[1] - 12:2 USER ^[5] - 9:9, 34:2, 34:19, 35:10, 35:20 USER- GENERATED ^[2] - 34:2, 34:19 USERS ^[2] - 46:2, 146:1 USUAL ^[1] - 9:9 UTILISED ^[7] - 21:23, 22:13, 22:19, 24:17, 25:8, 25:15, 134:19 UTILISING ^[5] - 16:22, 17:7, 23:3, 134:13, 146:16 UTV ^[4] - 28:4, 43:28, 44:8, 44:28	V	VARIABLE ^[1] - 135:24 VARIED ^[1] - 138:29 VARIOUS ^[4] - 23:18, 61:10, 62:11, 126:8 VAUXHALL ^[21] - 3:26, 5:12, 48:12, 56:1, 74:15, 75:11, 84:21, 85:2, 85:11, 85:28, 86:6, 86:9, 86:23, 88:2, 89:19, 92:13, 96:23, 99:19, 104:9, 104:16, 154:28 VCPS ^[1] - 141:4 VEHICLE ^[89] - 4:6, 4:8, 4:13, 4:16, 5:23, 5:28, 6:2, 6:16, 6:23, 7:21, 7:22, 38:4, 38:10, 48:15, 54:14, 54:23, 54:29, 56:19, 57:6, 57:26, 70:19, 71:2, 75:11, 78:2, 78:8, 78:14, 78:18, 79:9, 79:13, 79:14, 80:9, 80:14, 80:19, 81:3, 81:8, 81:11, 82:5, 83:15, 85:23, 85:27, 85:29, 86:15, 86:26, 87:4, 88:5, 88:18, 96:4, 104:8, 104:12, 104:17, 115:18, 115:27, 127:4, 127:9, 127:25, 128:1, 128:20, 129:17, 129:28, 130:18, 131:13, 135:22, 136:26, 138:7, 138:13, 138:19, 138:20, 138:27, 140:17, 140:25, 140:28, 140:29, 141:13, 143:7, 143:17, 143:18, 143:28, 144:2, 145:24, 145:28, 146:4, 146:7, 146:16, 156:13, 156:27, 157:10, 159:15	VEHICLES ^[34] - 49:5, 50:13, 52:20, 52:26, 54:1, 55:19, 55:27, 57:28, 58:1, 64:19, 71:22, 87:16, 88:1, 88:13, 88:22, 101:14, 130:14, 136:6, 137:24, 138:23, 139:1, 139:4, 139:15, 139:21, 143:14, 145:17, 145:18, 145:23, 145:25, 146:15, 155:4, 155:23, 156:17, 157:5 VENGEFUL ^[30] - 111:2, 111:6, 142:17, 143:5, 143:10, 143:11, 144:20, 144:21, 145:14, 146:5, 147:5, 147:13, 148:23, 149:3, 149:12, 149:20, 149:21, 151:9, 151:16, 151:18, 151:23, 151:26, 152:2, 152:17, 153:3, 153:11, 155:24, 155:26, 156:19 VERSION ^[2] - 124:1, 144:19 VERSIONS ^[1] - 27:12 VIA ^[3] - 12:8, 80:5, 84:18 VIALE ^[1] - 117:2 VICE ^[1] - 155:21 VIDEO ^[14] - 3:6, 26:15, 71:16, 143:13, 144:16, 144:17, 146:12, 147:28, 148:11, 152:12, 152:28, 153:25, 154:2, 154:12 VIDEOS ^[2] - 148:1, 154:3 VIEW ^[1] - 41:11 VIEW ^[11] - 23:15, 24:12, 48:26, 55:1, 55:13, 58:17, 70:26, 82:10, 82:12, 83:2, 101:4 VIEWING ^[3] - 53:4, 53:8, 54:6 VILLAS ^[2] - 4:3, 5:14 VIOLENT ^[5] - 113:2, 113:28, 115:5, 115:8, 116:20 VISIBLE ^[2] - 55:7, 160:11 VISION ^[1] - 82:14 VISOR ^[1] - 95:7 VISUAL ^[1] - 52:13 VODAFONE ^[4] - 14:24, 22:13, 22:20, 24:19 VOID ^[1] - 114:5	W	WAIT ^[2] - 45:14, 80:19 WAKING ^[1] - 28:20 WALK ^[1] - 29:26 WALKED ^[4] - 98:20, 100:11, 102:3, 104:20 WALKING ^[3] - 100:7, 101:12, 101:28 WALL ^[1] - 79:23 WANTS ^[1] - 26:22 WAR ^[1] - 144:18 WARD ^[2] - 3:27, 5:12 WARD'S ^[3] - 4:2, 5:13, 56:1 WARM ^[1] - 80:26 WARMER ^[1] - 89:14 WARNING ^[5] - 28:4, 43:21, 43:23, 59:18, 106:12 WAS ^[4] - 72:4, 105:1, 108:23, 150:11 WATCH ^[4] - 94:6, 98:6, 104:4, 127:9 WATCHED ^[1] - 146:12 WATCHING ^[3] - 3:1, 131:2, 160:29 WATTERSONS ^[1] - 90:19 WATTLEBRIDGE ^[1] - 125:21 WAVED ^[1] - 96:1 WAYS ^[1] - 132:7 WEARING ^[5] - 77:1, 89:13, 94:26, 98:29, 101:8 WEATHER ^[1] - 136:10 WEBSITE ^[2] - 105:12, 105:24 WEDNESDAY ^[8] - 35:10, 45:19, 52:11, 109:29, 124:25, 126:28, 158:21, 161:11 WEEK ^[13] - 27:5, 27:9, 40:19, 45:3, 60:29, 79:29, 84:1, 106:23, 110:1, 116:14, 124:25, 150:6 WELCOME ^[1] - 147:2 WELSH ^[1] - 133:18 WHEELER ^[1] - 118:25 WHEREAS ^[1] - 65:21 WHEREBY ^[1] - 54:18 WHILST ^[7] - 45:29, 66:7, 113:9, 114:25, 124:9, 149:20, 159:11 WHOLE ^[3] - 4:23, 136:9, 144:4 WIDER ^[2] - 137:15, 141:15 WIFE ^[3] - 84:6, 84:14, 88:19 WIN ^[1] - 144:12 WINDOW ^[6] - 53:25, 57:23, 77:3, 91:20, 95:9,
--	----------	--	---	----------	---

154:8 WINDOWS ^[1] - 80:26 WINDSCREEN ^[1] - 82:16 WISH ^[2] - 56:13, 111:19 WISHED ^[1] - 131:5 WITHDRAWN ^[1] - 133:23 WITHDREW ^[1] - 133:26 WITNESS ^[3] - 27:14, 161:20, 162:2 WITNESS ^[17] - 6:15, 85:14, 108:19, 109:19, 109:21, 110:22, 110:28, 112:17, 116:11, 116:26, 121:4, 121:5, 121:7, 126:26, 127:5, 144:16, 158:24 WITNESSES ^[4] - 83:23, 97:24, 97:27, 150:7 WOMAN ^[1] - 32:25 WON ^[1] - 117:24 WONDER ^[1] - 104:24 WORD ^[1] - 27:12 WORD ^[4] - 54:9, 133:28, 134:4, 142:27 WORDS ^[4] - 48:25, 75:27, 82:20, 142:18 WORKS ^[1] - 137:4 WORLD ^[1] - 140:16 WORTH ^[1] - 151:27 WOUND ^[1] - 77:4 WRITER ^[1] - 49:15	110:25, 110:29, 111:5, 134:22, 148:8 YEARS ^[4] - 41:12, 75:27, 109:10, 112:4 YEARS' ^[1] - 109:7 YELLOW ^[4] - 30:2, 30:5, 40:27, 107:29 YOUNG ^[2] - 90:6, 90:13 YOUNGER ^[1] - 89:12 YOURSELF ^[1] - 52:12
Y	Z
YARD ^[3] - 74:27, 75:2, 77:7 YEAR ^[5] -	ZOOMED ^[1] - 69:25 ZOOMING ^[1] - 136:4 ZOOMS ^[2] - 135:20, 135:21