

1
2
3
4 **COMMISSION OF INQUIRY**

5
6
7
8 **Held at**
9 **St. Theresa's Cathedral Hall**
10 **Laffan Street, Hamilton, Bermuda**

11
12 **TUESDAY, 29 NOVEMBER 2016**
13

14
15
16
17
18
19
20 **Before:**

21 **SIR ANTHONY HOWELL MEURIG EVANS CHAIRMAN**
22 **HON JOHN BARRITT COMMISSIONER**
23 **FIONA ELIZABETH LUCK COMMISSIONER**
24 **KUMI DUANE BAMIDELE BRADSHAW COMMISSIONER**
25

A P P E A R A N C E S

1
2
3 Mr. Narinder K. Hargun

4 Mr. Jeffrey P. Elkinson

5 Mr. Ben Adamson for the Commission

6
7 Mr. Jerome Lynch, QC for Dr. Hon. Ewart Brown JP

8
9 ALSO PRESENT:

10 Mr. Delroy Duncan

11 Mr. Donal Smith

12
13
14 Ms. Alberta Dyer-Tucker

15 Ms. Jane Brett Clerks to the Commission

16
17 Lisa Barrett, CRR, RPR, CRC, CSR

18 Angela Gunn, CSR

19 Margaret Gazzard, CSR

Chartered Shorthand
Reporters

TABLE OF CONTENTS

1		
2		
3	Submissions by Mr. Duncan re: Trocan Management	
4	and Mr. Donal Smith	4
5		
6	Ruling by the Commission	14
7		
8	Application by Mr. Lynch, QC, on behalf of	
9	Dr. the Hon. Ewart Brown JP	16
10		
11	Ruling by the Commission	42
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 TUESDAY, 29TH NOVEMBER 2016

2 --- Upon commencing at 10:00 a.m. ---

3 **THE CHAIRMAN:** Yes, Mr. Elkinson.

4 **MR. ELKINSON:** Good morning, Mr. Chairman,
5 Members of the Commission.

6 This morning, the first item of business is
7 the subpoena in relation to documents concerning
8 Bermuda Emissions Control Limited. There is a history
9 of this subpoena that the Commissioners will probably
10 recall whereby initially this subpoena was issued
11 against Mr. Donal Smith back in July of 2016.
12 Subsequently when Mr. Smith said that they were not his
13 personal documents, a subpoena was then issued against
14 Trocan Management.

15 Trocan Management is the corporate arm of
16 Trott & Duncan, and Mr. Delroy Duncan has had control
17 of the documents, but insofar as being able to produce
18 them to the Commission, that has proved to be of some
19 difficulty, given the stance taken by Bermuda
20 Emissions.

21 The Commissioners will be aware that there
22 was a Judicial review started by Bermuda Emissions.
23 That matter came before the Chief Justice. Various
24 arguments were raised concerning the standing of the
25 Commission, whether it was *ultra vires*, whether there

1 was a power of the Commission to have the documents
2 produced before one Commissioner or four, but all of
3 these arguments that have been raised have been dealt
4 with by the Chief Justice. The company sought to
5 appeal to the Court of Appeal. They had their appeal
6 and that appeal found equally, just like Chief Justice,
7 that the linguistic contortions as regards trying to
8 interpret the terms of reference, the arguments taken,
9 all were of no merit, and so that appeal has been
10 dismissed.

11 So, we are in the position now whereby the
12 subpoena is returnable for today. Mr. Duncan is here,
13 but I believe he wants to address the Tribunal about
14 his position at present.

15 **THE CHAIRMAN:** Yes, Mr. Duncan.

16 **MR. DUNCAN:** Good morning, Members of the
17 Tribunal. Firstly, thank you.

18 Firstly, I would like to thank the Tribunal
19 for adjourning my attendance from yesterday to today.
20 I have been in communication with Mr. Adamson, one of
21 your counsel, and informed him of the current situation
22 that Trocan, and me in particular, is facing.

23 By way of history, the Tribunal should be
24 aware the documents aren't currently in my possession.
25 There was a history in relation to the first attendance

1 before the Tribunal. I attended on a morning, subject
2 to subpoena with the documents. I think Mr. Bradshaw
3 was the sole Commissioner who was present at the time,
4 and on seeking to comply with the subpoena request, the
5 documents were taken by the president of the BECL,
6 Mr. Donal Smith, and I was subsequently issued with
7 a second subpoena to return on that day.

8 I didn't have the documents when I returned,
9 and I believe there may have been both Mr. Bradshaw and
10 Ms. Luck were present on the second occasion when
11 I attended. Prior to attending on the second occasion,
12 Mr. Smith and Mr. John Medeiros, both directors of the
13 company, clearly indicated to me I had no authority to
14 release the documents the Tribunal, and were I to
15 release them, I would be sued by the company for
16 unlawfully disclosing the documents to the Tribunal.

17 On that occasion, also, Mr. Eugene Johnston
18 had then been instructed by the company. He also
19 confirmed what was said by both directors, that I would
20 be subject to suit.

21 The Tribunal may be aware that I instructed
22 Mr. Woloniecki of ASW, and he was in communication with
23 Mr. Hargun, and I think it was Mr. Adamson, and
24 an agreement was arrived at whereby the documents would
25 be kept at ASW in a sealed box, subject to

1 an undertaking that they would be disclosed upon order
2 of the Court, and that position stayed in place up
3 until presumably yesterday.

4 But, for my purposes, between the date of
5 that undertaking and the last appearance I had before
6 this Tribunal, I was repeatedly told by Mr. Smith --
7 I think maybe on one occasion by Mr. Medeiros -- that
8 I would be sued if there was no lawful resolution
9 authorizing me to release the documents.

10 And then the Tribunal will recall that the
11 last occasion I appeared here, Mr. Johnston, standing
12 there on behalf of the company, actually reiterated the
13 threat that I would be sued.

14 The update is that today I received an email
15 from Mr. Donal Smith, and he informed me -- I can read
16 it out -- it says:

17 "Good morning, Delroy. Please be
18 advised that you are 'fired' --

19 In quotes --

20 "...from representing Bermuda Emissions
21 Control Limited at the Commission of
22 Inquiry with respect to the matter
23 regarding the BECL documents."

24 [As read]

25 I think that's probably just another shot

1 across the bows.

2 My position is that if this Tribunal could
3 find some other way to achieve whatever their purpose
4 is with respect to what is in the documents, I would
5 prefer that, rather than having to find myself in the
6 middle of an obligation to this Tribunal I must comply
7 with in a lawsuit.

8 And so that that really is my request today,
9 if there is some other way in which the Tribunal can
10 achieve its purpose, I would seek some form of
11 allowance on that basis.

12 **THE CHAIRMAN:** Putting it another way, you
13 have the documents in your possession as agent for the
14 company. That's the starting point, is it?

15 **MR. DUNCAN:** That's the starting point, but
16 then that moved on to --

17 **THE CHAIRMAN:** That's why I say that's the
18 starting point.

19 **MR. DUNCAN:** Yes.

20 **THE CHAIRMAN:** And as of this morning, it has
21 certainly become clear that the company, represented by
22 Mr. Donal Smith, is not authorizing you to release the
23 documents --

24 **MR. DUNCAN:** That's correct.

25 **THE CHAIRMAN:** -- in accordance with the

1 subpoena?

2 **MR. DUNCAN:** That's correct.

3 **THE CHAIRMAN:** It is not a very easy
4 situation, and I say straightaway that the Commission
5 has sympathy, we do, of finding yourself in that
6 situation.

7 Mr. Smith is present here today, is he?

8 **MR. DUNCAN:** Yes.

9 **THE CHAIRMAN:** Yes, but not represented by
10 counsel?

11 **MR. DUNCAN:** I don't know if his counsel is
12 coming. I don't know.

13 If it's Mr. Johnston, then he is not here.

14 **THE CHAIRMAN:** No, and no other counsel
15 representing Mr. Donal Smith.

16 Mr. Smith, will you stand, please. Thank
17 you. You've heard what Mr. Duncan has said,
18 effectively on his own behalf, because he tells us that
19 you've withdrawn any authority from the company, for
20 him to speak on behalf of the company.

21 **MR. SMITH:** That is true.

22 **THE CHAIRMAN:** May I talk to you on behalf of
23 the company, to you as the representative of the
24 company?

25 **MR. SMITH:** Sure.

1 **THE CHAIRMAN:** And you haven't got counsel
2 present but you are happy that I should talk to you
3 direct?

4 **MR. SMITH:** Yes, no problem.

5 **THE CHAIRMAN:** Yes, thank you. Well, what
6 I want to say is this: We will retire in a moment to
7 consider our position, but if the situation is that we
8 don't have the documents, and that is because you have
9 refused to authorise their release, we will have to
10 consider what steps, if any, we might take against you,
11 but we're frankly not going to go into that territory.
12 We are not going to seek to commit you or report you to
13 the Courts, because our object is to inquire into
14 various matters, which you are well aware of.

15 If we do not have these documents from you,
16 then we will have to go ahead without them. And you
17 will appreciate that we will have to act on other
18 evidence we've received, but we won't have had any
19 evidence from you. We won't from -- from the company,
20 we won't have had any assistance from the company, and
21 the company, therefore, won't be in a very strong
22 position to complain if we rely on other evidence and
23 then make our findings on that basis. Are you quite
24 clear as to what that situation is?

25 **MR. SMITH:** I'm very clear, but I want to say

1 this so everybody in this room can understand. My
2 grandmother, my great-grandmother told me as long as
3 I tell the truth, there is really nothing to remember.
4 I don't come with files and documents. Everything is
5 "note to file," and for 20 years it took me to do that
6 business, amongst other things, which I've spoken to in
7 letters to Mr. Elkinson, I am prepared to expose so
8 much information about who I really am leading up to
9 this, and the whole world will know that not only is
10 this some farce or witch-hunt, as some people call it,
11 but it is unlawful simply because I believe my rights
12 as a person has been violated, asking me questions
13 about political contributions. I think that was wrong.
14 But there are so many things I am going to say
15 publicly -- once I sit with the press -- and I will be
16 exposing -- if I am attacked, I will be exposing so
17 much, which has nothing to do with your Commission, and
18 you may have to be invited again to look into so many
19 other matters.

20 **THE CHAIRMAN:** Mr. Smith --

21 **MR. SMITH:** That's what I got to say to you,
22 so --

23 **THE CHAIRMAN:** Thank you.

24 **MR. SMITH:** -- I respect what you said,
25 Mr. Commissioner, and I give you honour for your job,

1 but I am going to say that I don't run from a fight,
2 you know.

3 There is no evidence. I have not been
4 charged for anything --

5 **THE CHAIRMAN:** Well, let me --

6 **MR. SMITH:** -- and I just want to put it to
7 you that I'm not that backing off from you.

8 **THE CHAIRMAN:** Let me stop you there,
9 Mr. Smith.

10 **MR. SMITH:** Thank you.

11 **THE CHAIRMAN:** You've made your position
12 plain, but you do realise that this morning -- these
13 documents, if I call them "financial records of the
14 company," that's a good enough description.

15 **MR. SMITH:** Yes.

16 **THE CHAIRMAN:** This matter this morning is
17 concerned solely with the question of the financial
18 records of the company; you do realise that?

19 **MR. SMITH:** I do realise that.

20 **THE CHAIRMAN:** Thank you. Well, we will --
21 unless you want to add anything, Mr. Duncan?

22 **MR. DUNCAN:** No.

23 **THE CHAIRMAN:** We will retire for a few
24 moments.

25 --- Upon recessing at 10:13 a.m. ---

1 --- Recess ---

2 --- Upon resuming at 10:18 a.m. ---

3 **THE CHAIRMAN:** Mr. Duncan before I give our
4 Ruling, Mr. Barritt has one question relating to the
5 transcript of the proceedings we have just had.

6 **MR. BARRITT:** I thought I heard this, and the
7 transcript records it is a such, Mr. Duncan.

8 Good morning, Members of the Tribunal.
9 Firstly, thank you. "By way of history, the Tribunal
10 should be aware that the documents are not currently in
11 my possession."

12 **MR. DUNCAN:** They are in a sealed box.

13 **MR. BARRITT:** With Jan Woloniecki?

14 **MR. DUNCAN:** Subject to a discussion that
15 took place on the first day, when I was subpoenaed, and
16 I think I was at Mr. Woloniecki's office and I called
17 Ben Adamson and Narinder Hargun, and there was
18 a discussion, and it was agreed that documents would be
19 kept in a sealed box.

20 **MR. ELKINSON:** I think perhaps, given that
21 Mr. Duncan is only the agent, he may not be familiar
22 with the fact that, in fact, we did return to the
23 Supreme Court, and the Chief Justice did release the
24 documents back into the company's possession.

25 **MR. DUNCAN:** Oh, okay. Well...

1 **MR. ELKINSON:** So it is quite understandable.
2 Mr. Duncan is just speaking from his perspective as to
3 what he knew, but that is actually where we stand. As
4 per the direction from the Commissioners, we went back
5 to the Supreme Court and that was the order made.

6 **MR. BARRITT:** Yes, that's what we thought,
7 they had been released to the company, and I suppose
8 one can assume that they are still with Jan Woloniecki
9 then, as opposed to --

10 **MR. DUNCAN:** That's correct, I haven't
11 retrieved them.

12 **MR. BARRITT:** Thank you.

13 **MR. ELKINSON:** And there is still an extra
14 copy sealed with the Court, there's actually two copies
15 of the documents.

16 **MR. DUNCAN:** I didn't know that. Thank you.

17 **THE CHAIRMAN:** This is the Commission's
18 Ruling.

19 The Commission is concerned to enquire into,
20 among other matters, the award by the Government of
21 Bermuda to BECL, that's the company the Bermuda
22 Emissions Control Limited, of contracts for the
23 construction of vehicle emission testing stations in
24 2003 and 2006, and for services associated therewith,
25 and for the operation of those facilities against

1 payment of an annual fee.

2 The Commission has sought to obtain certain
3 financial records of BECL, which it considers may be
4 relevant to its inquiry, and it has issued a subpoena
5 addressed to Mr. Delroy Duncan, who has held them in
6 his capacity as a director of Trocan Limited, itself,
7 a director of BECL.

8 Mr. Duncan has informed the Commission of
9 Inquiry this morning that BECL, through Mr. Donal
10 Smith, has instructed him not to release the documents
11 to the Commission, and that he, Mr. Duncan, has no
12 authority to do so.

13 Mr. Smith, who is present at this hearing,
14 has confirmed that that is correct.

15 I have informed Mr. Smith that by withholding
16 this evidence, he will compel the Commission to
17 determine issues relating to BECL without reference to
18 any relevant evidence that may be contained in the
19 financial records of BECL, or which the Commission
20 might have obtained if it had had access to them.

21 Because Mr. Smith has persisted in his
22 refusal to authorise Mr. Duncan to release the
23 documents, or to release them himself, it has to be
24 quite clear to Mr. Smith, and others, that that
25 consequence will follow.

1 The Commission has decided to release
2 Mr. Duncan from the subpoena, and to make no further
3 order in relation to it.

4 **MR. DUNCAN:** Thank you very much.

5 **THE CHAIRMAN:** And, Mr. Smith --

6 **MR. ELKINSON:** Thank you, Mr. Chairman.

7 **THE CHAIRMAN:** -- I think I should ask you
8 this: You have no other application to make?

9 **MR. SMITH:** No, I was speaking...

10 **THE CHAIRMAN:** Thank you. Very well.

11 **MR. DUNCAN:** I'm released now?

12 **THE CHAIRMAN:** Yes.

13 **MR. DUNCAN:** Thank you.

14 **MR. HARGUN:** The next business is
15 an application by my friend, Mr. Lynch.

16 **THE CHAIRMAN:** Yes.

17 **MR. LYNCH:** There are, in fact, two
18 applications that we seek to make. Thank you.

19 One is an application for Dr. Brown to be
20 excused for compliance with the subpoena, which he is
21 required to return tomorrow.

22 The second is leave to address the Commission
23 of Inquiry at the conclusion of all the evidence on
24 behalf of the various clients that I have been
25 instructed to represent.

1 Can I make the first application first?

2 I hope that the Commissioners will have
3 received what is, I hope, a reasonably comprehensive
4 document setting out the basis upon which the
5 application is predicated. And it was foreshadowed
6 that this application was made on the 13th of November.

7 Do you all have copies of that? It might be
8 useful.

9 **THE CHAIRMAN:** Yes.

10 **MR. LYNCH:** Yes.

11 **THE CHAIRMAN:** Yes. Just so we can also
12 start by being clear what we're talking about, we have
13 copies of the letter addressed to Dr. Brown dated the
14 25th of July --

15 **MR. LYNCH:** Yes.

16 **THE CHAIRMAN:** -- 2016, and a further letter
17 dated the 7th of November, 2016.

18 **MR. LYNCH:** Yes. And then there is my
19 submissions, which should be dated the 13th of
20 November.

21 **THE CHAIRMAN:** Yes. Yes.

22 **MR. LYNCH:** And I anticipate, and hope that
23 as a result of the service of that material, that I can
24 make this application in relatively short order, but of
25 course I am entirely in your hands.

1 If you would rather me make it more
2 comprehensively, I can, but I'm mindful of time, and it
3 may be that you would prefer for me to make it in short
4 order.

5 Can I start, at any rate, in that way, and,
6 of course, you will ask me such questions as you think
7 appropriate.

8 But the application is an application for
9 Dr. Brown to be excused from compliance with his
10 subpoena issued against him on the 31st of August, on
11 the grounds that it would be unreasonable in all of the
12 circumstances for him to be compelled to give evidence.

13 And as I indicated in the document, the
14 application centres around his constitutional,
15 statutory and common law right to -- which guarantees
16 his privilege against self-incrimination, and I will
17 refer to it as "the privilege."

18 And, sir, you will appreciate, that from your
19 own Rules published earlier this year, that such
20 applications need to be made in relation to such
21 subpoenas under Rule 8, and that rule is clear that it
22 is a claim by a person if he is unable to comply with
23 the subpoena, or, (b) it is unreasonable in all of the
24 circumstances to require him to comply with that
25 subpoena, and it was obviously under 4(b) that we made

1 the application, and we did so in writing, as is
2 required by this rule.

3 And it is a matter, as we see it, for the
4 Chairman, yourself, sir, to make under your own Rules,
5 but the detail of it is set out in the document that
6 I've identified, and so --

7 **THE CHAIRMAN:** You should clarify that, as of
8 course the full Commission is present, I take it that
9 you're content that the Commission should decide your
10 application?

11 **MR. LYNCH:** Of course. I regard such rules
12 as a guide, ultimately, to the way in which the
13 Commission proposes to proceed, but of course it is
14 a matter for you to vary and amend those Rules as you
15 see appropriate, and, of course, it makes some sense
16 that the Commission as a whole should decide something,
17 which is obviously an important decision to be made.

18 **THE CHAIRMAN:** Well, the Rules haven't been
19 formally amended, but I take it that you consent --

20 **MR. LYNCH:** I do --

21 **THE CHAIRMAN:** -- to the Commission hearing
22 your application?

23 **MR. LYNCH:** Of course I do, yes.

24 You will appreciate that careful
25 consideration had to be given to the requirement to

1 comply with the subpoena. And it has been the position
2 that Dr. Brown, with sufficient time, was anxious to
3 seek to comply with that subpoena, and we've made that
4 clear from the outset. Indeed, the Commission, on the
5 last occasion, granted additional time for him to do
6 that, and I made it clear that, if there came a point
7 in time when it was right and proper to indicate that
8 we were going to seek to rely on this privilege, we
9 would do so rather than waiting until tomorrow, we
10 would put everyone on notice, which we did
11 approximately two weeks ago.

12 Having considered all of the facts that we
13 have before us, it seemed to us beyond doubt that it
14 was right and proper to give a certain type of advice
15 to Dr. Brown. Ultimately, it must be a decision for
16 him to make. Advice is but advice, but against the
17 background of the facts, as we know them to be, it
18 seemed to us that there was pretty unequivocal advice
19 that needed to be given, and that was given. And as
20 a result, he has sought to rely upon his privilege, as
21 identified.

22 We're mindful of the fact that he is unique
23 in -- of all the witnesses that might come before this
24 Commission, firstly, because of his position as the
25 former Premier of this country, and responsible for

1 a number of the projects that you are inquiring into.
2 But set against that is the fact that here is a man
3 who, it has been declared, is part of an ongoing
4 investigation by the police.

5 We, earlier this year, sought to try and
6 bring that investigation to a conclusion, inviting the
7 police, in no uncertain terms, to bring it to an end,
8 having spent five years and several millions
9 investigating, never having arrested him, never having
10 asked him a single question, never having asked him for
11 a single document in all of that time, and he remains
12 under investigation.

13 You will recall that when we first
14 foreshadowed the difficulties that Dr. Brown was in,
15 I mentioned these facts before you, and indeed in
16 correspondence, it was dealt with between us and the
17 Commission.

18 We are left in a situation where the
19 Commission, having considered all of the material they
20 had, which included the prospect that they could have
21 obtained from the police such material as they had
22 managed to garner in the five years to date, chose not
23 to do that. And it is not for us to go behind the
24 reasoning as to why that's been the position.

25 What we're left with though is your

1 declaration on a number of occasions, both at the
2 outset when we made submissions back at the end of
3 September, and indeed when I was making submissions on
4 behalf of Adam DeSilva, that the Commission clearly
5 were seized of some information from the police, the
6 part of the inquiry that they were conducting
7 overlapped with some of the matters contained in your
8 own inquiry.

9 That being so, and it not being identified
10 which particular projects it was, we are left in
11 a situation where we had no choice but to advise, as
12 responsible lawyers, what the position might be. And
13 as a result, he is left in some considerable jeopardy,
14 we would submit, if he were to be placed in the
15 witness-box and asked any questions.

16 Now you will appreciate it is not simply one
17 question. The law, we have argued in our document, is
18 clear that it's the cumulation of effect of a series of
19 questions that is the issue at hand when one is seeking
20 to rely on privilege.

21 We have, and neither do you, any information
22 at all that has been garnered by the police to this
23 stage.

24 We don't know whether it's true or untrue, or
25 what the position might be, and we can but do no more

1 than rely, as I do, on the definition, as is adumbrated
2 in, what used to, in my day, be *Cross on Evidence* is
3 now *Cross and Tapper on Evidence*, which I draw your
4 attention to. It is at paragraph 30, which describes
5 the privilege in this way:

6 "The privilege against compulsory self
7 incrimination is part of the common law
8 of human rights. It is based on the
9 desire to protect personal freedom and
10 human dignity. These social values
11 justify the impediment that privilege
12 presents to judicial or other
13 investigation. It protects the innocent
14 as well as the guilty from the indignity
15 and invasion of privacy which occurs in
16 compulsory self-incrimination."

17 [As read]

18 We could not begin to put it better than
19 that, and we submit that, in the circumstances that
20 you're presented with, it would be wrong to conclude
21 that it would be anything other than unreasonable in
22 the circumstances to require him to comply with such
23 a subpoena, and therefore ask that it should be
24 discharged against him.

25 Unless there is any further detail that you

1 wish me to adumbrate, the application is made, reliance
2 on the document, which is, I hope, fairly fulsome, in
3 our submissions.

4 **THE CHAIRMAN:** Just one matter of law --

5 **MR. LYNCH:** Of course.

6 **THE CHAIRMAN:** -- since you approach your
7 application, you raised some issues as to the exact
8 definition of the scope of the privilege, but I was
9 going to suggest to you, that doesn't really arise
10 today. It is broadly described as a privilege against
11 self incrimination.

12 **MR. LYNCH:** It does.

13 **THE CHAIRMAN:** And the Commission, of course,
14 as is very plain from the outset, gives full legal
15 privilege to any witness who appears before it.

16 And one other matter arising out of what you
17 have said, we've received from you a draft affidavit to
18 be sworn by Dr. Brown, and we're not quite sure what
19 the position is with regard to that.

20 **MR. LYNCH:** Let me assist you with that.
21 I've spoken to your lawyers --

22 **THE CHAIRMAN:** Sorry, is it a draft or is it
23 an actual sworn affidavit?

24 **MR. LYNCH:** It is a draft, in this sense,
25 that I have spoken to your lawyers this morning, and

1 they've asked me to add an additional line, which I'm
2 perfectly content to do so. Dr. Brown had asked me
3 also to add an additional line.

4 He, mindful of the fact that this application
5 is yet to be granted, is to arrive this afternoon, and
6 therefore will be available, should the application be
7 refused, because his subpoena requires him to appear
8 tomorrow morning, and he is anxious not to violate that
9 subpoena, until you determine otherwise. So he is
10 going to be on Island -- and it seemed, to us, sensible
11 that should you grant this application, it will be of
12 course subject to the signing of an affidavit, along
13 the lines of that which we have drafted between us, and
14 it will be served today.

15 **THE CHAIRMAN:** I think we must clear this up,
16 because, as you say, either Dr. Brown would appear
17 tomorrow to answer the subpoena, and then proffer
18 an affidavit, but equally we could indicate, at this
19 stage, that he need not appear, but that would have to
20 be on condition --

21 **MR. LYNCH:** Of course --

22 **THE CHAIRMAN:** -- that he will swear
23 an affidavit, and there must be some reasonable
24 position as to what its contents will be.

25 **MR. LYNCH:** Yes.

1 **THE CHAIRMAN:** You are content with that?

2 **MR. LYNCH:** I am indeed content with that.

3 **THE CHAIRMAN:** Yes.

4 **MR. LYNCH:** Indeed, as I say, I have been
5 discussing that with your lawyers, and I think we're
6 agreed a form of words, and it will be in their hands
7 today.

8 **THE CHAIRMAN:** Well, we, the Commission, do
9 have one specific requirement in that respect: The
10 first letter to Dr. Brown indicated five subjects of
11 inquiry, and the second letter indicated a sixth. And
12 we are adamant, if I may say so, that the affidavit
13 must contain some reference to those letters or to
14 those six headings, so that there will be no doubt as
15 to the issues in relation to which the privilege is
16 being claimed.

17 **MR. LYNCH:** Indeed, and that was one of the
18 matters we canvassed. I think actually there were six
19 separate topics, --

20 **THE CHAIRMAN:** Yes --

21 **MR. LYNCH:** -- although projects were
22 identified as five, but there were six topics that we
23 were asked questions about --

24 **THE CHAIRMAN:** So it's a total of seven.

25 **MR. LYNCH:** Seven altogether, yes. And

1 certainly I'm happy to identify that. Indeed, I think
2 I identified them in the briefest possible terms in the
3 submissions that I make in writing.

4 **THE CHAIRMAN:** I think we had sought to do
5 that, in open court, so to speak.

6 **MR. LYNCH:** It is at paragraph 23, sir.

7 **THE CHAIRMAN:** Of?

8 **MR. LYNCH:** Of the document that I've
9 prepared. At paragraph 23, it sets out the six, and
10 then in the subsequent paragraph the --

11 **THE CHAIRMAN:** Yes --

12 **MR. LYNCH:** -- and seventh.

13 **THE CHAIRMAN:** May I then just take your
14 wording, without reading it all, the six -- seven
15 headings are these:

16 One is delegation of accounting
17 responsibility. Secondly is Bermuda Emissions Control
18 Limited. Third is Heritage Wharf, 2007, 2008. The
19 fourth is Port Royal Golf Course, 2007, 2008. And the
20 fifth is GlobalHue, 2006.

21 I think there may be a question there of the
22 renewal of a contract with GlobalHue, so perhaps that
23 would have to be expanded slightly.

24 And the sixth is Ambling 2008. And then
25 seven was the Dame Lois Browne Building, specifically

1 the arrangements that were made with the company then
2 known as LLC in November 2016.

3 Mr. Elkinson, you are happy with those? Or,
4 Mr. Hargun, you are happy with those?

5 **MR. HARGUN:** Mr. Chairman, yes. I'll address
6 you very briefly at the end, Mr. Chairman.

7 **MR. LYNCH:** Yes.

8 **THE CHAIRMAN:** And just one small matter
9 arising. It may be just a matter of words, but if it
10 is required that Dr. Brown provide that affidavit,
11 I suspect that the status will be that he will have
12 given evidence to the Commission through that
13 affidavit, but that the subpoena will not require him
14 to give oral evidence.

15 **MR. LYNCH:** Yes, I suppose formally that
16 would be the --

17 **THE CHAIRMAN:** Are you content with that?

18 **MR. LYNCH:** The formal position, yes.

19 **THE CHAIRMAN:** Yes. And now I just wanted to
20 ask you about the consequences if the Commission -- for
21 the inquiry, if the Commission does take the step you
22 are asking us to. I was going to suggest that these
23 are the consequences, and I would be very grateful for
24 any comment you may have to make upon them.

25 **MR. LYNCH:** May I sit down while I --

1 **THE CHAIRMAN:** Yes, please do.

2 The first is this: The fact that you,
3 Dr. Brown, have claimed legal privilege against
4 self-incrimination is not evidence against you of guilt
5 of any criminal offence.

6 I imagine you have no -- you don't take issue
7 with that?

8 **MR. LYNCH:** Surprisingly not.

9 **THE CHAIRMAN:** Secondly, the Commission is
10 required by its terms of reference to refer to the
11 Director of Public Prosecutions and to the police "any
12 evidence of possible criminal activity *inter alia* in
13 relation to the transactions about which you would have
14 been asked."

15 And, (3), the Commission therefore will
16 determine those issues by reference to such other
17 evidence as it has received relating to it.

18 **MR. LYNCH:** Yes.

19 **THE CHAIRMAN:** Or, as lawyers sometimes put
20 it, without the benefit of hearing any evidence from
21 you about it.

22 **MR. LYNCH:** Well, actually, this touches, in
23 part, on my second application, which I wasn't going to
24 make until you determined the first, which is to have
25 leave to address the Commission on behalf of my various

1 clients at some point tomorrow, if it's convenient to
2 the Commission.

3 And that would include making reference to
4 the fact that two of my clients have not given evidence
5 formally, save in the nature of the affidavit on behalf
6 of Dr. Brown.

7 **THE CHAIRMAN:** Yes.

8 **MR. LYNCH:** And to what inferences may or may
9 not be drawn from that, and addressing, in particular,
10 the points you've just raised, for those who haven't
11 given evidence, and those who have, to address you in
12 respect of their --

13 **THE CHAIRMAN:** Yes.

14 **MR. LYNCH:** -- evidence. And so that was
15 going to be my second application.

16 It seemed to -- it seemed to be a little
17 premature until you've decided what you were going to
18 do insofar --

19 **THE CHAIRMAN:** Yes.

20 **MR. LYNCH:** -- as the first application for
21 Dr. Brown was concerned.

22 **THE CHAIRMAN:** Well, I think the two overlap
23 because, for our part, we would not wish to make the
24 order you asked us to make without it being plain
25 what -- how we regard the consequences as they are for

1 Dr. Brown.

2 **MR. LYNCH:** Yes. Well, I mean those are
3 consequences which you are open to at this stage --

4 **THE CHAIRMAN:** Yes.

5 **MR. LYNCH:** -- not having heard any
6 submissions in relation to it.

7 **THE CHAIRMAN:** Yes.

8 **MR. LYNCH:** And of course tomorrow, if you
9 are minded to grant my application to be able to
10 address you, you will no doubt take those into account
11 before deciding what to --

12 **THE CHAIRMAN:** Yes. There is nothing you
13 want to say about them at the moment?

14 **MR. LYNCH:** No, no. I recognise that any
15 person who seeks to rely on privilege, or just does not
16 give evidence, for whatever reason, may place
17 themselves in some jeopardy, and it's a question of
18 balance against that jeopardy, against the privilege
19 that they seek to invoke.

20 **THE CHAIRMAN:** I think what this may
21 underline is that Dr. Brown, in effect, is doing or
22 asking us to do two things: The first is his claim for
23 privilege issue.

24 The second is the underlying fact that he
25 will be choosing not to give evidence, which might

1 otherwise assist us on those various matters. So it's
2 helpful to distinguish between them.

3 **MR. LYNCH:** Yes.

4 **THE CHAIRMAN:** Good. Is there anything else
5 you want to say?

6 **MR. LYNCH:** Not in relation to that, no.

7 **THE CHAIRMAN:** But, Mr. Elkinson. Sorry, I
8 lost track.

9 **MR. ELKINSON:** Mr. Hargun will address you.

10 **THE CHAIRMAN:** Mr. Hargun, yes.

11 **MR. HARGUN:** Mr. Chairman, just very briefly,
12 as the Tribunal recalls on the 29th of September,
13 Mr. Lynch made an application to set aside the subpoena
14 at that stage, and you will recall that at that stage
15 it was on the basis that Mr. Lynch and Dr. Brown had
16 not had adequate time to prepare and he needed eight
17 additional weeks for the purposes of preparing and the
18 Commission granted Mr. Lynch that extension of time to
19 prepare.

20 It is fair to say that Mr. Lynch reserved
21 Dr. Brown's position in relation to the issue of
22 privilege against self-incrimination, and he now
23 invokes that privilege against self-incrimination, or,
24 as the Americans say, "Pleading the Fifth."

25 It is right to emphasize that Dr. Brown is

1 claiming privilege to answer questions in relation to
2 all the matters in respect of which he was requested to
3 give evidence. And that is -- includes all the matters
4 which were set out in the letter dated 25th of July,
5 2016, and a subsequent letter which expanded the topics
6 to include the Dame Lois Browne Building.

7 So, we should understand that Dr. Brown is
8 claiming privilege in relation to everything which he
9 was asked to assist the Tribunal, and as paragraph 23
10 of my friend's submissions records, that includes why
11 was construction projects, like the TCD and like the
12 pier, delegated from the Ministry of Public Works to
13 the Ministry of Tourism.

14 It includes Bermuda Emissions Control
15 Limited, and including the issues relating to it, as to
16 why it was that Correia Construction was given the
17 contract without any form of tender, in circumstances
18 where Correia Construction was a 30 per cent
19 shareholder in BECL, and in circumstances where
20 Mr. Correia was, in effect, a director of BECL.

21 It also includes any questions in relation to
22 Heritage Wharf, and, again, issues relating to it, and
23 including why there was delegation from the Ministry of
24 Public Works to the Ministry of Tourism, and including
25 questions relating to why it was that Mr. Correia or

1 Correia Construction, rather, was given the
2 construction project without any form of tender process
3 as required by the financial instructions.

4 It also includes any questions in relation to
5 Port Royal Golf Course, and, in particular, as to why
6 there was no compliance with financial instructions,
7 and why contracts, substantial contracts in relation to
8 that were not tendered as required by financial
9 instructions.

10 It also includes any questions in relation to
11 GlobalHue, the original contract by way of historical
12 analysis and, in particular, why the GlobalHue contract
13 was renewed in circumstances where there was severe
14 criticism by the Auditor General in a special report?
15 And it also includes questions relating to how was it
16 that the Government ended up in a situation where
17 Cornerstone was charging what appeared to be exorbitant
18 commissions in circumstances where Cornerstone was
19 refusing to give any invoices to back up.

20 It also includes any questions in relation to
21 Ambling contracts, the engagement of Ambling
22 Consultants and, in particular, as to precisely what
23 services Ambling performed for the Government, and what
24 charges were made.

25 And it also includes any questions in

1 relation to the Dame Lois Browne Building, including
2 when Dr. Brown knew that Mr. Hollinsid, his brother,
3 and Mr. Winters Burgess acquired a 42 per cent interest
4 in LLC, and how did he come to acquire that knowledge,
5 and why was it that that fact was not disclosed to the
6 Cabinet at the time of the renewal of the contract.

7 When I say "renewal", the new contract in
8 December 2008.

9 **THE CHAIRMAN:** Don't misunderstand. I think
10 perhaps I haven't stopped you going into some of the
11 details of these matters because what I had in mind,
12 and Mr. Lynch will hear me say this, what I had in mind
13 was, had privilege been claimed in open court, it would
14 be clear from the nature of the questioning what the
15 issues were on which privilege was being claimed, but
16 I think perhaps you have covered the ground in that
17 respect.

18 **MR. HARGUN:** And Dr. Brown says that he
19 anticipates that these are already being investigated
20 by the police, and he says that, in those
21 circumstances, it would be unfair to answer the
22 questions because of the -- answering those questions
23 would tend to expose him to proceedings for criminal
24 offences.

25 On that ground, he says that it is unfair

1 that he should be asked questions in this forum.

2 We have considered Dr. Brown's application,
3 and, Mr. Chairman, we do not object to it. It is
4 entirely a matter for the Commissioners to decide on
5 this issue.

6 **THE CHAIRMAN:** I think we are looking at the
7 strict view of the law here. He is asserting a right
8 to claim privilege, rather than complaining that it's
9 unfair.

10 **MR. HARGUN:** Yes. Thank you.

11 **MR. LYNCH:** Well, Mr. Hargun will no doubt
12 make a speech tomorrow. He started today. But in that
13 regard, I will address you about the detail, as he has
14 put it, tomorrow, on the assumption that you are going
15 to permit me to address you in due course in relation
16 to those matters.

17 **THE CHAIRMAN:** Well, shall we come to that
18 application now, unless there is anything more --

19 **MR. LYNCH:** I am content to deal with that
20 now, yes.

21 **THE CHAIRMAN:** I am puzzled that there is
22 a need for an application to be made, because you have
23 either statutory -- the right, or our leave to appear
24 on behalf of certain parties. And I thought we made it
25 plain that closing submissions would be heard from any

1 party representative --

2 **MR. LYNCH:** Well, if that's your position,
3 I needn't take it any further --

4 **THE CHAIRMAN:** Is that correct, Mr. Hargun?

5 **MR. HARGUN:** We certainly don't object.

6 **THE CHAIRMAN:** No, so...

7 **MR. LYNCH:** Yes. My position was simply that
8 I had two clients who had not given evidence formally
9 at all.

10 **THE CHAIRMAN:** Yes.

11 **MR. LYNCH:** I nonetheless wish to address you
12 on behalf of them as to the --

13 **THE CHAIRMAN:** You have our leave.

14 **MR. LYNCH:** And if that --

15 **THE CHAIRMAN:** If leave is required, you have
16 it to --

17 **MR. LYNCH:** Then that is all I seek.

18 **THE CHAIRMAN:** But perhaps I'd better post
19 a red flag: Your address must be confined to the
20 evidence we have heard, and must not seek to give us
21 evidence which we haven't heard from your two clients.

22 **MR. LYNCH:** No speech can rely on material
23 that is not before a Commission. I anticipate, though,
24 making a number of general observations --

25 **THE CHAIRMAN:** Oh, certainly --

1 **MR. LYNCH:** -- that apply across the board,
2 and then to try and divide up those who have given
3 evidence from those who have not.

4 I do not anticipate being, if I put it, at
5 the outer marker of an hour and a half. I would
6 anticipate being less than that.

7 **THE CHAIRMAN:** As regards to timetable, we
8 are starting tomorrow morning, is that right, on
9 submissions?

10 **MR. HARGUN:** Mr. Chairman, yes.

11 **THE CHAIRMAN:** Yes. So, you are happy to be
12 first on at ten o'clock?

13 **MR. LYNCH:** Well, I would rather go after
14 Mr. Hargun, if I have an option.

15 **THE CHAIRMAN:** Now, there is an issue.
16 I think in the normal course, counsel for the
17 Commission comes last.

18 **MR. LYNCH:** Well, it is a matter for you to
19 determine whether it should or should not be the case.

20 **THE CHAIRMAN:** Yes.

21 **MR. LYNCH:** If I had the option, I would go
22 after his submissions.

23 **THE CHAIRMAN:** Lots of people say that.

24 **MR. LYNCH:** Well, then you don't blame me for
25 asking.

1 **THE CHAIRMAN:** No. Well, I think I'll say
2 straightaway that we had assumed that you would address
3 us, or would have our leave to address us on behalf of
4 the various persons you've identified in the course of
5 the hearing.

6 **MR. LYNCH:** Yes.

7 **THE CHAIRMAN:** And, secondly, that we had
8 assumed that you would come last -- counsel for the
9 Commission would come last, in which case it looks as
10 if you may be starting first tomorrow.

11 **MR. LYNCH:** Thank you.

12 **THE CHAIRMAN:** Does that inconvenience you?
13 Would you rather make it later tomorrow or...

14 **MR. LYNCH:** Well, I've got a lot of work to
15 do, and the sooner I get away and do it, then the
16 better, but ten o'clock would be fine.

17 **THE CHAIRMAN:** Ten o'clock.

18 Well, now we'll retire for a moment just to
19 consider our ruling, but I will say straightaway, I am
20 reluctant to make any ruling when there is some
21 uncertainty as to what the affidavit will say, and when
22 it will be sworn.

23 **MR. LYNCH:** Well, there need be no
24 uncertainty to this extent.

25 It will be sworn this afternoon, and the

1 wording will be agreed between myself and your counsel.
2 So, it will be in their hands by the close of play
3 today, and any ruling you make could and should be
4 subject to that.

5 **THE CHAIRMAN:** Well I think I would go
6 further, as we'll discuss it, but I don't think we
7 ought to make any ruling until the affidavit is sworn
8 and in hand.

9 If there's a problem about swearing it, as
10 long as the form of the affidavit is settled, then we
11 can make an order, but not on the basis that there is
12 some uncertain affidavit to come.

13 **MR. LYNCH:** Well, the difficulty with that
14 is, of course, that that leaves extant the subpoena for
15 first thing tomorrow morning.

16 **THE CHAIRMAN:** Yes, yes.

17 **MR. LYNCH:** And I am slightly concerned about
18 that, in that I obviously am anxious to know one way or
19 the other what your ruling is going to be. I can't see
20 for myself --

21 **THE CHAIRMAN:** Well, but we can educate what
22 our ruling will be, but it will be bound to be, as you
23 said earlier, subject to an affidavit being sworn.

24 **MR. LYNCH:** I'm perfectly content with that.
25 So long as we are agreed between each other, and no

1 doubt you rely on your legal officers for the
2 Commission, if, between us, we can agree the wording,
3 and that it will be in their hands by the close of
4 business today --

5 **THE CHAIRMAN:** Yes.

6 **MR. LYNCH:** -- then one would hope would be
7 sufficient --

8 **THE CHAIRMAN:** No problem with that --

9 **MR. LYNCH:** -- guarantee --

10 **THE CHAIRMAN:** The ruling won't take effect
11 until --

12 **MR. LYNCH:** No, no, of course not.
13 I understand that, it will be subject to it.

14 **THE CHAIRMAN:** Yes, but unless there's
15 anything more you want to add, let's just retire for
16 a few minutes.

17 **MR. BARRITT:** I have a question, if I may.

18 **MR. LYNCH:** Yes, of course.

19 **MR. BARRITT:** We assume that you are still
20 representing Mr. Derrick Burgess.

21 **MR. LYNCH:** Yes.

22 **MR. BARRITT:** And the reason I ask that
23 question is because we received a second submission --

24 **MR. LYNCH:** Yes.

25 **MR. BARRITT:** -- from him, and we weren't

1 quite sure what to do with it.

2 **MR. LYNCH:** Well, can I address you about
3 that tomorrow?

4 **MR. BARRITT:** Yes, fair enough.

5 **MR. LYNCH:** Because it will be part of the
6 submissions I make in respect of him, and how you
7 should treat that additional material, over and above
8 that which he has provided by way of a statement in the
9 first instance, and evidence in the second.

10 This is an additional document which has been
11 placed -- together with a number, as you would have
12 seen, no doubt, a number of additional appendices
13 attached to it. And I will address you, if it meets
14 with your approval, tomorrow about how you should treat
15 that material.

16 **MR. BARRITT:** Okay, that's fair enough.

17 **THE CHAIRMAN:** We will return.

18 --- Upon recessing at 11:04 a.m. ---

19 --- Recess ---

20 --- Upon resuming at 11:23 a.m. ---

21 **THE CHAIRMAN:** The Commission issued, and
22 served on Dr. Brown, a subpoena requiring his
23 attendance to appear as a witness before the Commission
24 at its September hearing.

25 On the 29th of September, the second day of

1 that hearing, Mr. Lynch, Queen's Counsel, applied on
2 behalf of Dr. Brown to discharge the subpoena, and the
3 Commission varied the date for Dr. Brown's appearance
4 until tomorrow, the 30th of November, at 10:00 a.m.

5 This morning, Mr. Lynch, Queen's Counsel, has
6 applied for the subpoena to be discharged on the ground
7 that Dr. Brown, if he does appear as a witness, will
8 assert his legal right to claim privilege against
9 self-incrimination as regards all of the seven matters
10 which the Commission seeks to question him about.

11 Mr. Lynch has also indicated that Dr. Brown
12 will swear an affidavit asserting his right to claim
13 privilege in regard to all those issues.

14 As the Commission has made clear throughout
15 its proceedings, all witnesses who appear before it are
16 entitled to exercise their full legal rights,
17 including, in the case of Dr. Brown and one other
18 witness, the right to claim privilege against
19 self-incrimination, sometimes popularly known as
20 "Pleading the Fifth."

21 The first question is whether Dr. Brown has
22 the legal right to claim the privilege, and the
23 Commission accepts that he does.

24 The second issue is whether it is necessary
25 for him to attend as a witness in order to assert his

1 right in response to each and every question that he
2 will be asked.

3 On this issue, the Commission is prepared to
4 accept Dr. Brown's claim for privilege in affidavit
5 form, but it will not discharge the subpoena for him to
6 give oral evidence until the affidavit is sworn in
7 terms which are acceptable to the Commission.

8 The application, therefore, is adjourned
9 until tomorrow morning, the 30th of November, at 10:00
10 a.m., and the time for Dr. Brown to appear under the
11 subpoena is varied until 12:00 noon tomorrow, the
12 30th of November, 2016.

13 **MR. LYNCH:** Thank you. May I invite you to
14 consider adjourning the matter til eleven? In the time
15 that you've been deliberating, we've been discussing --

16 **THE CHAIRMAN:** Oh, I see.

17 **MR. LYNCH:** -- proceedings for tomorrow.
18 That will give me a little more time, and we anticipate
19 that what might happen, if you were minded to allow it,
20 would be that I will address you before lunch, take our
21 lunch and my learned friend will address you.

22 **THE CHAIRMAN:** That is all right with you,
23 Mr. Hargun?

24 **MR. HARGUN:** That is certainly acceptable to
25 us.

1 **THE CHAIRMAN:** We can say 11:00 o'clock,
2 rather ten. I don't think I've said anything -- oh,
3 it's adjourned until tomorrow morning at 11:00.

4 **MR. LYNCH:** Thank you. The 12:00 o'clock
5 return time for --

6 **THE CHAIRMAN:** Yes.

7 **MR. LYNCH:** -- Mr. Brown can stay --

8 (Court Reporter appeals.)

9 **MR. LYNCH:** Of course I can. So sorry. The
10 return time can be the same, and, as I indicated
11 earlier, I plan to have the affidavit in my learned
12 friend's hands in a suitable form --

13 **THE CHAIRMAN:** Yes.

14 **MR. LYNCH:** -- agreeable to them, by the end
15 of today.

16 **THE CHAIRMAN:** Well, the timing is up to you
17 both, but naturally we'd like to be kept informed --

18 **MR. LYNCH:** Of course.

19 **THE CHAIRMAN:** -- and I think we were
20 assuming we would hear from you before 6:00 o'clock
21 this evening.

22 **MR. HARGUN:** Certainly.

23 **THE CHAIRMAN:** Well, thank you both very
24 much.

25 **MR. LYNCH:** Thank you.

1 **THE CHAIRMAN:** Anything else for today?

2 **MR. LYNCH:** No.

3 **MR. HARGUN:** Nothing. Nothing.

4 **THE CHAIRMAN:** Thank you.

5
6 --- Whereupon at 11:57 a.m. the hearing adjourned to
7 Wednesday, 30 November 2016 at 11:00 a.m. ---

8

9

10 The foregoing transcript is
11 certified correct to the
12 best of my skill and ability:

12

13

14

 Lisa Barrett

15

Lisa Barrett, CRR, RPR, CRC, CSR,

16

Certified Realtime Court Reporter

17

Editors: Angela Gunn, CSR

18

Margaret Gazzard, CSR

19

MG Court Reporting & Transcription Services

20

21

22

23

24

25

	.	29TH [2] 4/1 32/12 29th of [1] 42/25
MR. BARRITT: [10] 13/5 13/12 14/5 14/11 41/16 41/18 41/21 41/24 42/3 42/15	...from [1] 7/20	
MR. DUNCAN: [16] 5/15 8/14 8/18 8/23 9/1 9/7 9/10 12/21 13/11 13/13 13/24 14/9 14/15 16/3 16/10 16/12	1 10:00 [3] 4/2 43/4 44/9 10:13 [1] 12/25 10:18 [1] 13/2 11:00 [3] 45/1 45/3 46/7 11:04 [1] 42/18 11:23 [1] 42/20 11:57 [1] 46/6 12:00 noon [1] 44/11 12:00 o'clock [1] 45/4	3 30 [2] 23/4 46/7 30th of [3] 43/4 44/9 44/12 31st [1] 18/10
MR. ELKINSON: [6] 4/3 13/19 13/25 14/12 16/5 32/8	4 42 [1] 3/11 42 per cent [1] 35/3	4 42 [1] 3/11 42 per cent [1] 35/3
MR. HARGUN: [10] 16/13 28/4 32/10 35/17 36/9 37/4 38/9 44/23 45/21 46/2	6 6:00 o'clock [1] 45/20	6 6:00 o'clock [1] 45/20
MR. LYNCH: [75] MR. SMITH: [11] 9/20 9/24 10/3 10/24 11/20 11/23 12/5 12/9 12/14 12/18 16/8	7 7th [1] 17/17	7 7th [1] 17/17
THE CHAIRMAN: [105]	A a 30 per cent [1] 33/18 a claim [1] 18/22 a Commission [1] 37/23 a conclusion [1] 21/6 a contract [1] 27/22 a decision [1] 20/15 a director [3] 15/6 15/7 33/20 a discussion [2] 13/14 13/18 a draft [2] 24/22 24/24	A a 30 per cent [1] 33/18 a claim [1] 18/22 a Commission [1] 37/23 a conclusion [1] 21/6 a contract [1] 27/22 a decision [1] 20/15 a director [3] 15/6 15/7 33/20 a discussion [2] 13/14 13/18 a draft [2] 24/22 24/24
'	2 20 years [1] 11/5 2003 [1] 14/24 2006 [2] 14/24 27/20 2007 [2] 27/18 27/19 2008 [4] 27/18 27/19 27/24 35/8 2016 [9] 1/12 4/1 4/11 17/16 17/17 28/2 33/5 44/12 46/7 23 [3] 27/6 27/9 33/9 25th [2] 17/14 33/4 29 [1] 1/12	
'fired' [1] 7/18		

A

a few [2] 12/23 41/16
a fight [1] 12/1
a further [1] 17/16
a guide [1] 19/12
a half [1] 38/5
a history [2] 4/8 5/25
a lawsuit [1] 8/7
a little [2] 30/16
44/18
a lot [1] 39/14
a man [1] 21/2
a matter [5] 19/3
19/14 28/9 36/4
38/18
a moment [2] 10/6
39/18
a morning [1] 6/1
a need [1] 36/22
a number [5] 21/1
22/1 37/24 42/11
42/12
a person [2] 11/12
18/22
a point [1] 20/6
a privilege [1] 24/10
a problem [1] 40/9
a question [3] 27/21
31/17 41/17
a reasonably [1]
17/3
a red [1] 37/19

a result [3] 17/23
20/20 22/13
a right [1] 36/7
a sealed [3] 6/25
13/12 13/19
a second [2] 6/7
41/23
a series [1] 22/18
a single [2] 21/10
21/11
a situation [3] 21/18
22/11 34/16
a sixth [1] 26/11
a special [1] 34/14
a speech [1] 36/12
a statement [1] 42/8
a subpoena [4] 4/13
15/4 23/23 42/22
a subsequent [1]
33/5
a such [1] 13/7
a suitable [1] 45/12
a very [1] 10/21
a whole [1] 19/16
a witness [3] 42/23
43/7 43/25
a.m [9] 4/2 12/25
13/2 42/18 42/20
43/4 44/10 46/6 46/7
ability [1] 46/11
able [2] 4/17 31/9
about [15] 5/13 11/8
11/13 17/12 26/23

28/20 29/13 29/21
31/13 36/13 40/9
40/17 42/2 42/14
43/10
above [1] 42/7
accept [1] 44/4
acceptable [2] 44/7
44/24
accepts [1] 43/23
access [1] 15/20
accordance [1] 8/25
account [1] 31/10
accounting [1] 27/16
achieve [2] 8/3 8/10
acquire [1] 35/4
acquired [1] 35/3
across [2] 8/1 38/1
act [1] 10/17
activity [1] 29/12
actual [1] 24/23
actually [5] 7/12
14/3 14/14 26/18
29/22
Adam [1] 22/4
adamant [1] 26/12
Adamson [4] 2/5
5/20 6/23 13/17
add [4] 12/21 25/1
25/3 41/15
additional [7] 20/5
25/1 25/3 32/17 42/7
42/10 42/12
address [17] 5/13

A

address... [16] 16/22
28/5 29/25 30/11
31/10 32/9 36/13
36/15 37/11 37/19
39/2 39/3 42/2 42/13
44/20 44/21
addressed [2] 15/5
17/13
addressing [1] 30/9
adequate [1] 32/16
adjourned [3] 44/8
45/3 46/6
adjourning [2] 5/19
44/14
adumbrate [1] 24/1
adumbrated [1] 23/1
advice [4] 20/14
20/16 20/16 20/18
advise [1] 22/11
advised [1] 7/18
affidavit [18] 24/17
24/23 25/12 25/18
25/23 26/12 28/10
28/13 30/5 39/21
40/7 40/10 40/12
40/23 43/12 44/4
44/6 45/11
after [2] 38/13 38/22
afternoon [2] 25/5
39/25
again [2] 11/18 33/22

against [19] 4/11
4/13 10/10 14/25
18/10 18/16 20/16
21/2 23/6 23/24
24/10 29/3 29/4
31/18 31/18 32/22
32/23 43/8 43/18
agent [2] 8/13 13/21
ago [1] 20/11
agree [1] 41/2
agreeable [1] 45/14
agreed [4] 13/18
26/6 40/1 40/25
agreement [1] 6/24
ahead [1] 10/16
Alberta [1] 2/14
alia [1] 29/12
all [20] 5/2 5/9 16/23
17/7 18/11 18/23
20/12 20/23 21/11
21/19 22/22 27/14
33/2 33/3 37/9 37/17
43/9 43/13 43/15
44/22
allow [1] 44/19
allowance [1] 8/11
along [1] 25/12
already [1] 35/19
also [12] 2/9 6/17
6/18 17/11 25/3
33/21 34/4 34/10
34/15 34/20 34/25
43/11

although [1] 26/21
altogether [1] 26/25
am [12] 11/7 11/8
11/14 11/16 12/1
17/25 26/2 36/19
36/21 39/19 40/17
40/18
Ambling [4] 27/24
34/21 34/21 34/23
amend [1] 19/14
amended [1] 19/19
Americans [1] 32/24
among [1] 14/20
amongst [1] 11/6
an actual [1] 24/23
an additional [3]
25/1 25/3 42/10
an affidavit [5]
25/12 25/18 25/23
40/23 43/12
an agreement [1]
6/24
an annual [1] 15/1
an application [5]
16/15 16/19 18/8
32/13 36/22
an email [1] 7/14
an end [1] 21/7
an extra [1] 14/13
an hour [1] 38/5
an important [1]
19/17
an issue [1] 38/15

A

an obligation [1] 8/6
an ongoing [1] 21/3
an option [1] 38/14
an order [1] 40/11
an undertaking [1]
7/1
analysis [1] 34/12
and so [1] 19/6
Angela [2] 2/17
46/17
annual [1] 15/1
another [2] 7/25 8/12
answer [3] 25/17
33/1 35/21
answering [1] 35/22
ANTHONY [1] 1/21
anticipate [5] 17/22
37/23 38/4 38/6
44/18
anticipates [1] 35/19
anxious [3] 20/2 25/8
40/18
any [29] 9/19 10/10
10/18 10/20 15/18
18/5 22/15 22/21
23/25 24/15 28/24
29/5 29/11 29/20
31/5 31/14 33/17
33/21 34/2 34/4
34/10 34/19 34/20
34/25 36/25 37/3

39/20 40/3 40/7
anything [8] 12/4
12/21 23/21 32/4
36/18 41/15 45/2
46/1
anything more [1]
36/18
appeal [5] 5/5 5/5 5/5
5/6 5/9
appeals [1] 45/8
appear [8] 25/7
25/16 25/19 36/23
42/23 43/7 43/15
44/10
appearance [2] 7/5
43/3
appeared [2] 7/11
34/17
appears [1] 24/15
appendices [1] 42/12
application [28] 3/8
16/8 16/15 16/19
17/1 17/5 17/6 17/24
18/8 18/8 18/14 19/1
19/10 19/22 24/1
24/7 25/4 25/6 25/11
29/23 30/15 30/20
31/9 32/13 36/2
36/18 36/22 44/8
applications [2]
16/18 18/20
applied [2] 43/1 43/6
apply [1] 38/1

appreciate [4] 10/17
18/18 19/24 22/16
approach [1] 24/6
appropriate [2] 18/7
19/15
approval [1] 42/14
approximately [1]
20/11
are [35] 5/11 7/18
10/2 10/12 10/14
10/23 11/14 13/10
13/12 14/8 16/17
21/1 21/18 22/10
26/1 26/12 27/15
28/3 28/4 28/17
28/22 28/23 30/25
31/2 31/3 31/9 35/19
36/6 36/14 38/8
38/11 40/25 41/19
43/15 44/7
aren't [1] 5/24
argued [1] 22/17
arguments [3] 4/24
5/3 5/8
arise [1] 24/9
arising [2] 24/16
28/9
arm [1] 4/15
around [1] 18/14
arrangements [1]
28/1
arrested [1] 21/9
arrive [1] 25/5

A

arrived [1] 6/24
 as [77]
 as is [2] 19/1 23/1
 as to [1] 33/15
 aside [1] 32/13
 ask [5] 16/7 18/6
 23/23 28/20 41/22
 asked [11] 21/10
 21/10 22/15 25/1
 25/2 26/23 29/14
 30/24 33/9 36/1 44/2
 asking [4] 11/12
 28/22 31/22 38/25
 assert [2] 43/8 43/25
 asserting [2] 36/7
 43/12
 assist [3] 24/20 32/1
 33/9
 assistance [1] 10/20
 associated [1] 14/24
 assume [2] 14/8
 41/19
 assumed [2] 39/2
 39/8
 assuming [1] 45/20
 assumption [1] 36/14
 ASW [2] 6/22 6/25
 at [40] 1/8 4/2 5/14
 6/3 6/24 6/25 7/21
 12/25 13/2 13/16
 15/13 16/23 18/5

22/1 22/2 22/19
 22/22 23/4 25/18
 27/6 27/9 28/6 30/1
 31/3 31/13 32/14
 32/14 35/6 36/6 37/9
 38/4 38/12 42/18
 42/20 42/24 43/4
 44/9 45/3 46/6 46/7
 at all [2] 22/22 37/9
 attached [1] 42/13
 attacked [1] 11/16
 attend [1] 43/25
 attendance [3] 5/19
 5/25 42/23
 attended [2] 6/1 6/11
 attending [1] 6/11
 attention [1] 23/4
 Auditor [1] 34/14
 August [1] 18/10
 authorise [2] 10/9
 15/22
 authority [3] 6/13
 9/19 15/12
 authorizing [2] 7/9
 8/22
 available [1] 25/6
 award [1] 14/20
 aware [5] 4/21 5/24
 6/21 10/14 13/10
 away [1] 39/15

B

back [5] 4/11 13/24

14/4 22/2 34/19
 background [1]
 20/17
 backing [1] 12/7
 balance [1] 31/18
 BAMIDELE [1]
 1/24
 Barrett [2] 2/17
 46/15
 BARRITT [2] 1/22
 13/4
 based [1] 23/8
 basis [5] 8/11 10/23
 17/4 32/15 40/11
 be [94]
 because [14] 9/18
 10/8 10/13 11/11
 15/21 20/24 25/7
 25/16 30/23 35/11
 35/22 36/22 41/23
 42/5
 BECL [10] 6/5 7/23
 14/21 15/3 15/7 15/9
 15/17 15/19 33/19
 33/20
 become [1] 8/21
 been [21] 5/3 5/3 5/9
 5/20 6/9 6/18 11/12
 12/3 14/7 16/24
 19/18 20/1 21/3
 21/24 22/22 26/4
 29/14 35/13 42/10
 44/15 44/15

B

before [16] 1/20 4/23
5/2 6/1 7/5 13/3
20/13 20/23 21/15
24/15 31/11 37/23
42/23 43/15 44/20
45/20
begin [1] 23/18
behalf [13] 3/8 7/12
9/18 9/20 9/22 16/24
22/4 29/25 30/5
36/24 37/12 39/3
43/2
behind [1] 21/23
being [11] 4/17 17/12
22/9 22/9 26/16
30/24 35/15 35/19
38/4 38/6 40/23
believe [3] 5/13 6/9
11/11
Ben [2] 2/5 13/17
benefit [1] 29/20
Bermuda [9] 1/10
4/8 4/19 4/22 7/20
14/21 14/21 27/17
33/14
best [1] 46/11
better [3] 23/18
37/18 39/16
between [7] 7/4
21/16 25/13 32/2
40/1 40/25 41/2

beyond [1] 20/13
blame [1] 38/24
board [1] 38/1
both [6] 6/9 6/12
6/19 22/1 45/17
45/23
bound [1] 40/22
bows [1] 8/1
box [4] 6/25 13/12
13/19 22/15
BRADSHAW [3]
1/24 6/2 6/9
Brett [1] 2/14
briefest [1] 27/2
briefly [2] 28/6 32/11
bring [2] 21/6 21/7
broadly [1] 24/10
brother [1] 35/2
Brown [31] 2/7 3/9
16/19 17/13 18/9
20/2 20/15 21/14
24/18 25/2 25/16
26/10 28/10 29/3
30/6 30/21 31/1
31/21 32/15 32/25
33/7 35/2 35/18
42/22 43/2 43/7
43/11 43/17 43/21
44/10 45/7
Brown's [4] 32/21
36/2 43/3 44/4
Browne [3] 27/25
33/6 35/1

Building [3] 27/25**33/6 35/1****Burgess [2] 35/3****41/20****business [4] 4/6 11/6****16/14 41/4****but [46] 4/17 5/2****5/13 7/4 8/15 9/9****10/2 10/7 10/11****10/18 10/25 11/11****11/14 12/1 12/12****14/3 17/24 18/2 18/8****19/5 19/13 19/19****20/16 20/16 21/2****22/11 22/25 24/8****25/18 25/19 26/22****28/9 28/13 32/7****35/15 36/12 37/18****39/16 39/19 40/6****40/11 40/21 40/22****41/14 44/5 45/17****C****Cabinet [1] 35/6****call [2] 11/10 12/13****called [1] 13/16****came [2] 4/23 20/6****can [19] 7/15 8/9****11/1 14/8 17/1 17/11****17/23 18/2 18/5****22/25 37/22 40/11****40/21 41/2 42/2 45/1****45/7 45/9 45/10**

C		
<p>can't [1] 40/19 canvassed [1] 26/18 capacity [1] 15/6 careful [1] 19/24 case [3] 38/19 39/9 43/17 Cathedral [1] 1/9 cent [2] 33/18 35/3 centres [1] 18/14 certain [3] 15/2 20/14 36/24 certainly [6] 8/21 27/1 37/5 37/25 44/24 45/22 certified [2] 46/10 46/16 CHAIRMAN [9] 1/21 4/4 16/6 19/4 28/5 28/6 32/11 36/3 38/10 charged [1] 12/4 charges [1] 34/24 charging [1] 34/17 Chartered [1] 2/18 Chief [4] 4/23 5/4 5/6 13/23 choice [1] 22/11 choosing [1] 31/25 chose [1] 21/22 circumstances [9] 18/12 18/24 23/19</p>	<p>23/22 33/17 33/19 34/13 34/18 35/21 claim [8] 18/22 31/22 36/8 43/8 43/12 43/18 43/22 44/4 claimed [4] 26/16 29/3 35/13 35/15 claiming [2] 33/1 33/8 clarify [1] 19/7 clear [12] 8/21 10/24 10/25 15/24 17/12 18/21 20/4 20/6 22/18 25/15 35/14 43/14 clearly [2] 6/13 22/4 Clerks [1] 2/14 clients [5] 16/24 30/1 30/4 37/8 37/21 close [2] 40/2 41/3 closing [1] 36/25 come [7] 11/4 20/23 35/4 36/17 39/8 39/9 40/12 comes [1] 38/17 coming [1] 9/12 commencing [1] 4/2 comment [1] 28/24 COMMISSION [52] Commission's [1] 14/17 COMMISSIONER [6] 1/22 1/23 1/24</p>	<p>5/2 6/3 11/25 Commissioners [5] 4/9 4/21 14/4 17/2 36/4 commissions [1] 34/18 commit [1] 10/12 common [2] 18/15 23/7 communication [2] 5/20 6/22 company [19] 5/4 6/13 6/15 6/18 7/12 8/14 8/21 9/19 9/20 9/23 9/24 10/19 10/20 10/21 12/14 12/18 14/7 14/21 28/1 company's [1] 13/24 compel [1] 15/16 compelled [1] 18/12 complain [1] 10/22 complaining [1] 36/8 compliance [3] 16/20 18/9 34/6 comply [7] 6/4 8/6 18/22 18/24 20/1 20/3 23/22 comprehensive [1] 17/3 comprehensively [1] 18/2 compulsory [2] 23/6</p>

C		
compulsory... [1] 23/16	construction [6] 14/23 33/11 33/16 33/18 34/1 34/2	46/10 Correia [5] 33/16 33/18 33/20 33/25 34/1
concerned [4] 12/17 14/19 30/21 40/17	Consultants [1] 34/22	correspondence [1] 21/16
concerning [2] 4/7 4/24	contain [1] 26/13	could [5] 8/2 21/20 23/18 25/18 40/3
conclude [1] 23/20	contained [2] 15/18 22/7	counsel [10] 5/21 9/10 9/11 9/14 10/1 38/16 39/8 40/1 43/1 43/5
conclusion [2] 16/23 21/6	content [7] 19/9 25/2 26/1 26/2 28/17 36/19 40/24	country [1] 20/25
condition [1] 25/20	contents [2] 3/1 25/24	course [22] 17/25 18/6 19/8 19/11 19/13 19/15 19/23 24/5 24/13 25/12 25/21 27/19 31/8 34/5 36/15 38/16 39/4 40/14 41/12 41/18 45/9 45/18
conducting [1] 22/6	contortions [1] 5/7	court [10] 5/5 7/2 13/23 14/5 14/14 27/5 35/13 45/8 46/16 46/19
confined [1] 37/19	contract [6] 27/22 33/17 34/11 34/12 35/6 35/7	Courts [1] 10/13
confirmed [2] 6/19 15/14	contracts [4] 14/22 34/7 34/7 34/21	covered [1] 35/16
consent [1] 19/19	contributions [1] 11/13	CRC [2] 2/17 46/15
consequence [1] 15/25	control [6] 4/8 4/16 7/21 14/22 27/17 33/14	criminal [3] 29/5 29/12 35/23
consequences [4] 28/20 28/23 30/25 31/3	convenient [1] 30/1	criticism [1] 34/14
consider [4] 10/7 10/10 39/19 44/14	copies [3] 14/14 17/7 17/13	Cross [2] 23/2 23/3
considerable [1] 22/13	copy [1] 14/14	CRR [2] 2/17 46/15
consideration [1] 19/25	Cornerstone [2] 34/17 34/18	
considered [3] 20/12 21/19 36/2	corporate [1] 4/15	
considers [1] 15/3	correct [6] 8/24 9/2 14/10 15/14 37/4	
constitutional [1] 18/14		

<p>C</p> <p>CSR [6] 2/17 2/17 2/18 46/15 46/17 46/18</p> <p>cumulation [1] 22/18</p> <p>current [1] 5/21</p> <p>currently [2] 5/24 13/10</p>	<p>24/8</p> <p>delegated [1] 33/12</p> <p>delegation [2] 27/16 33/23</p> <p>deliberating [1] 44/15</p> <p>Delroy [4] 2/10 4/16 7/17 15/5</p> <p>Derrick [1] 41/20</p> <p>described [1] 24/10</p> <p>describes [1] 23/4</p> <p>description [1] 12/14</p> <p>DeSilva [1] 22/4</p> <p>desire [1] 23/9</p> <p>detail [3] 19/5 23/25 36/13</p> <p>details [1] 35/11</p> <p>determine [4] 15/17 25/9 29/16 38/19</p> <p>determined [1] 29/24</p> <p>did [5] 13/22 13/23 19/1 20/10 35/4</p> <p>didn't [2] 6/8 14/16</p> <p>difficulties [1] 21/14</p> <p>difficulty [2] 4/19 40/13</p> <p>dignity [1] 23/10</p> <p>direct [1] 10/3</p> <p>direction [1] 14/4</p> <p>director [4] 15/6 15/7 29/11 33/20</p> <p>directors [2] 6/12 6/19</p>	<p>discharge [2] 43/2 44/5</p> <p>discharged [2] 23/24 43/6</p> <p>disclosed [2] 7/1 35/5</p> <p>disclosing [1] 6/16</p> <p>discuss [1] 40/6</p> <p>discussing [2] 26/5 44/15</p> <p>discussion [2] 13/14 13/18</p> <p>dismissed [1] 5/10</p> <p>distinguish [1] 32/2</p> <p>divide [1] 38/2</p> <p>do [28] 9/5 10/15 11/5 11/17 12/12 12/18 12/19 15/12 17/7 19/20 19/23 20/5 20/9 21/23 22/21 22/25 23/1 25/2 26/8 27/4 29/1 30/18 31/22 36/3 38/4 39/15 39/15 42/1</p> <p>document [8] 17/4 18/13 19/5 21/11 22/17 24/2 27/8 42/10</p> <p>documents [26] 4/7 4/13 4/17 5/1 5/24 6/2 6/5 6/8 6/14 6/16 6/24 7/9 7/23 8/4 8/13 8/23 10/8 10/15</p>
<p>D</p> <p>Dame [3] 27/25 33/6 35/1</p> <p>date [3] 7/4 21/22 43/3</p> <p>dated [4] 17/13 17/17 17/19 33/4</p> <p>day [4] 6/7 13/15 23/2 42/25</p> <p>deal [1] 36/19</p> <p>dealt [2] 5/3 21/16</p> <p>December [1] 35/8</p> <p>December 2008 [1] 35/8</p> <p>decide [3] 19/9 19/16 36/4</p> <p>decided [2] 16/1 30/17</p> <p>deciding [1] 31/11</p> <p>decision [2] 19/17 20/15</p> <p>declaration [1] 22/1</p> <p>declared [1] 21/3</p> <p>definition [2] 23/1</p>		

<p>D</p> <p>documents... [8] 11/4 12/13 13/10 13/18 13/24 14/15 15/10 15/23</p> <p>does [6] 24/12 28/21 31/15 39/12 43/7 43/23</p> <p>doesn't [1] 24/9</p> <p>doing [1] 31/21</p> <p>don't [12] 9/11 9/12 10/8 11/4 12/1 22/24 29/6 35/9 37/5 38/24 40/6 45/2</p> <p>Donal [8] 2/11 3/4 4/11 6/6 7/15 8/22 9/15 15/9</p> <p>doubt [6] 20/13 26/14 31/10 36/11 41/1 42/12</p> <p>down [1] 28/25</p> <p>Dr [27] 2/7 3/9 16/19 20/2 20/15 21/14 24/18 25/16 26/10 28/10 30/6 30/21 31/21 32/15 32/25 33/7 35/2 35/18 36/2 42/22 43/2 43/3 43/7 43/17 43/21 44/4 44/10</p> <p>Dr. [7] 17/13 18/9 25/2 29/3 31/1 32/21</p>	<p>43/11</p> <p>Dr. Brown [6] 17/13 18/9 25/2 29/3 31/1 43/11</p> <p>Dr. Brown's [1] 32/21</p> <p>draft [3] 24/17 24/22 24/24</p> <p>drafted [1] 25/13</p> <p>draw [1] 23/3</p> <p>drawn [1] 30/9</p> <p>DUANE [1] 1/24</p> <p>due [1] 36/15</p> <p>Duncan [17] 2/10 3/3 4/16 4/16 5/12 5/15 9/17 12/21 13/3 13/7 13/21 14/2 15/5 15/8 15/11 15/22 16/2</p> <p>Dyer [1] 2/14</p> <p>Dyer-Tucker [1] 2/14</p> <hr/> <p>E</p> <p>each [2] 40/25 44/1</p> <p>earlier [4] 18/19 21/5 40/23 45/11</p> <p>easy [1] 9/3</p> <p>Editors [1] 46/17</p> <p>educate [1] 40/21</p> <p>effect [4] 22/18 31/21 33/20 41/10</p> <p>effectively [1] 9/18</p> <p>eight [1] 32/16</p>	<p>either [2] 25/16 36/23</p> <p>eleven [1] 44/14</p> <p>ELIZABETH [1] 1/23</p> <p>Elkinson [5] 2/4 4/3 11/7 28/3 32/7</p> <p>else [2] 32/4 46/1</p> <p>email [1] 7/14</p> <p>emission [1] 14/23</p> <p>Emissions [7] 4/8 4/20 4/22 7/20 14/22 27/17 33/14</p> <p>emphasize [1] 32/25</p> <p>end [4] 21/7 22/2 28/6 45/14</p> <p>ended [1] 34/16</p> <p>engagement [1] 34/21</p> <p>enough [3] 12/14 42/4 42/16</p> <p>enquire [1] 14/19</p> <p>entirely [2] 17/25 36/4</p> <p>entitled [1] 43/16</p> <p>equally [2] 5/6 25/18</p> <p>Eugene [1] 6/17</p> <p>EVANS [1] 1/21</p> <p>evening [1] 45/21</p> <p>every [1] 44/1</p> <p>everybody [1] 11/1</p> <p>everyone [1] 20/10</p> <p>everything [2] 11/4</p>
--	--	---

E

everything... [1] 33/8
evidence [28] 10/18
10/19 10/22 12/3
15/16 15/18 16/23
18/12 23/2 23/3
28/12 28/14 29/4
29/12 29/17 29/20
30/4 30/11 30/14
31/16 31/25 33/3
37/8 37/20 37/21
38/3 42/9 44/6
Ewart [2] 2/7 3/9
exact [1] 24/7
excused [2] 16/20
18/9
exercise [1] 43/16
exorbitant [1] 34/17
expanded [2] 27/23
33/5
expose [2] 11/7 35/23
exposing [2] 11/16
11/16
extant [1] 40/14
extension [1] 32/18
extent [1] 39/24
extra [1] 14/13

F

facilities [1] 14/25
facing [1] 5/22
fact [10] 13/22 13/22
16/17 20/22 21/2

25/4 29/2 30/4 31/24
35/5
facts [3] 20/12 20/17
21/15
fair [3] 32/20 42/4
42/16
fairly [1] 24/2
familiar [1] 13/21
farce [1] 11/10
fee [1] 15/1
few [2] 12/23 41/16
fifth [3] 27/20 32/24
43/20
fight [1] 12/1
file [1] 11/5
files [1] 11/4
financial [7] 12/13
12/17 15/3 15/19
34/3 34/6 34/8
find [2] 8/3 8/5
finding [1] 9/5
findings [1] 10/23
fine [1] 39/16
FIONA [1] 1/23
first [16] 4/6 5/25
13/15 17/1 17/1
21/13 26/10 29/2
29/24 30/20 31/22
38/12 39/10 40/15
42/9 43/21
firstly [4] 5/17 5/18
13/9 20/24
five [4] 21/8 21/22

26/10 26/22
flag [1] 37/19
follow [1] 15/25
foregoing [1] 46/10
foreshadowed [2]
17/5 21/14
form [7] 8/10 26/6
33/17 34/2 40/10
44/5 45/12
formal [1] 28/18
formally [4] 19/19
28/15 30/5 37/8
former [1] 20/25
forum [1] 36/1
found [1] 5/6
four [1] 5/2
fourth [1] 27/19
frankly [1] 10/11
freedom [1] 23/9
friend [2] 16/15
44/21
friend's [2] 33/10
45/12
full [3] 19/8 24/14
43/16
fulsome [1] 24/2
further [5] 16/2
17/16 23/25 37/3
40/6

G

garner [1] 21/22
garnered [1] 22/22

<p>G</p> <p>Gazzard [2] 2/18 46/18</p> <p>general [2] 34/14 37/24</p> <p>General in [1] 34/14</p> <p>get [1] 39/15</p> <p>give [12] 11/25 13/3 18/12 20/14 28/14 31/16 31/25 33/3 34/19 37/20 44/6 44/18</p> <p>given [12] 4/19 13/20 19/25 20/19 20/19 28/12 30/4 30/11 33/16 34/1 37/8 38/2</p> <p>gives [1] 24/14</p> <p>GlobalHue [4] 27/20 27/22 34/11 34/12</p> <p>go [6] 10/11 10/16 21/23 38/13 38/21 40/5</p> <p>going [14] 10/11 10/12 11/14 12/1 20/8 24/9 25/10 28/22 29/23 30/15 30/17 35/10 36/14 40/19</p> <p>Golf [2] 27/19 34/5</p> <p>good [6] 4/4 5/16 7/17 12/14 13/8 32/4</p> <p>got [3] 10/1 11/21</p>	<p>39/14</p> <p>Government [3] 14/20 34/16 34/23</p> <p>grandmother [2] 11/2 11/2</p> <p>grant [2] 25/11 31/9</p> <p>granted [3] 20/5 25/5 32/18</p> <p>grateful [1] 28/23</p> <p>great [1] 11/2</p> <p>great-grandmother [1] 11/2</p> <p>ground [3] 35/16 35/25 43/6</p> <p>grounds [1] 18/11</p> <p>guarantee [1] 41/9</p> <p>guarantees [1] 18/15</p> <p>guide [1] 19/12</p> <p>guilt [1] 29/4</p> <p>guilty [1] 23/14</p> <p>Gunn [2] 2/17 46/17</p> <hr/> <p>H</p> <p>had [27] 4/16 5/5 6/13 6/18 7/5 10/18 10/20 13/5 14/7 15/20 15/20 19/25 21/20 21/21 22/11 25/2 27/4 32/15 32/16 35/11 35/12 35/13 37/8 37/8 38/21 39/2 39/7</p> <p>half [1] 38/5</p>	<p>Hall [1] 1/9</p> <p>Hamilton [1] 1/10</p> <p>hand [2] 22/19 40/8</p> <p>hands [5] 17/25 26/6 40/2 41/3 45/12</p> <p>happen [1] 44/19</p> <p>happy [5] 10/2 27/1 28/3 28/4 38/11</p> <p>Hargun [10] 2/3 6/23 13/17 28/4 32/9 32/10 36/11 37/4 38/14 44/23</p> <p>has [31] 4/16 4/18 5/9 8/20 9/5 9/17 11/12 11/17 13/4 15/2 15/4 15/5 15/8 15/10 15/11 15/14 15/21 15/23 16/1 20/1 20/20 21/3 22/22 29/17 36/13 42/8 42/10 43/5 43/11 43/14 43/21</p> <p>have [57]</p> <p>haven't [6] 10/1 14/10 19/18 30/10 35/10 37/21</p> <p>having [8] 8/5 20/12 21/8 21/9 21/9 21/10 21/19 31/5</p> <p>he [41] 5/13 6/18 6/22 7/15 9/7 9/13 9/18 13/21 14/3 15/11 15/16 16/20</p>
--	--	--

H	44/5	I appeared [1] 7/11
he... [29] 18/22 20/20	himself [1] 15/23	I ask [1] 41/22
20/22 21/11 22/13	his [20] 4/12 5/14	I attended [2] 6/1
22/14 25/4 25/8 25/9	9/11 9/18 14/2 15/6	6/11
25/19 25/22 28/11	15/21 18/9 18/14	I believe [3] 5/13 6/9
31/24 32/16 32/22	18/16 20/20 20/24	11/11
33/2 33/8 35/4 35/18	25/7 31/22 35/2	I call [1] 12/13
35/20 35/25 36/1	38/22 42/22 43/8	I called [1] 13/16
36/7 36/12 36/13	43/12 43/25	I can [3] 7/15 17/23
42/8 43/7 43/23 44/1	historical [1] 34/11	18/2
headings [2] 26/14	history [4] 4/8 5/23	I can't [1] 40/19
27/15	5/25 13/9	I didn't [2] 6/8 14/16
hear [2] 35/12 45/20	Hollinsid [1] 35/2	I do [4] 12/19 19/23
heard [6] 9/17 13/6	HON [3] 1/22 2/7 3/9	23/1 38/4
31/5 36/25 37/20	honour [1] 11/25	I don't [6] 9/11 9/12
37/21	hope [5] 17/2 17/3	11/4 12/1 40/6 45/2
hearing [7] 15/13	17/22 24/2 41/6	I give [1] 11/25
19/21 29/20 39/5	hour [1] 38/5	I had [6] 6/13 7/5
42/24 43/1 46/6	how [5] 30/25 34/15	35/11 35/12 37/8
held [2] 1/8 15/5	35/4 42/6 42/14	38/21
helpful [1] 32/2	HOWELL [1] 1/21	I have [5] 5/20 12/3
here [6] 5/12 7/11	human [2] 23/8	15/15 38/14 41/17
9/7 9/13 21/2 36/7	23/10	I heard [1] 13/6
Heritage [2] 27/18	hunt [1] 11/10	I hope [3] 17/2 17/3
33/22		24/2
him [21] 5/21 9/20	I	I identified [1] 27/2
15/10 18/10 18/12	I address [1] 42/2	I imagine [1] 29/6
18/24 20/5 20/16	I am [9] 11/14 11/16	I indicated [2] 18/13
21/9 21/10 21/10	12/1 17/25 26/2	45/10
23/22 23/24 25/7	36/19 36/21 39/19	I instructed [1] 6/21
28/13 35/23 41/25	40/17	I just [2] 12/6 28/19
42/6 43/10 43/25	I anticipate [2] 17/22	I made [1] 20/6
	37/23	I make [3] 17/1 27/3

I	I tell [1] 11/3	45/2
I make... [1] 42/6	I then [1] 27/13	identified [6] 19/6
I may [1] 41/17	I think [22] 6/2 6/23	20/21 22/9 26/22
I mean [1] 31/2	7/7 7/25 11/13 13/16	27/2 39/4
I mentioned [1]	13/20 16/7 25/15	identify [1] 27/1
21/15	26/5 27/1 27/4 27/21	if [35] 7/8 8/2 8/9
I must [1] 8/6	30/22 31/20 35/9	9/11 9/13 10/7 10/10
I needn't [1] 37/3	35/16 36/6 38/16	10/15 10/22 11/16
I nonetheless [1]	39/1 40/5 45/19	12/13 15/20 18/1
37/11	I thought [2] 13/6	18/22 20/6 22/14
I obviously [1] 40/18	36/24	26/12 28/9 28/20
I plan [1] 45/11	I to [1] 6/14	28/21 30/1 31/8 37/2
I put [1] 38/4	I understand [1]	37/14 37/15 38/4
I really [1] 11/8	41/13	38/14 38/21 39/10
I received [1] 7/14	I want [2] 10/6 10/25	40/9 41/2 41/17
I recognise [1] 31/14	I was [8] 6/6 7/6	42/13 43/7 44/19
I regard [1] 19/11	13/15 13/16 16/9	imagine [1] 29/6
I respect [1] 11/24	22/3 24/8 28/22	impediment [1]
I returned [1] 6/8	I wasn't [1] 29/23	23/11
I say [4] 8/17 9/4	I will [6] 11/15 11/16	important [1] 19/17
26/4 35/7	18/16 36/13 39/19	include [2] 30/3 33/6
I seek [1] 37/17	42/13	included [1] 21/20
I should [2] 10/2	I would [12] 5/18	includes [9] 33/3
16/7	6/15 6/19 7/8 7/13	33/10 33/14 33/21
I sit [2] 11/15 28/25	8/4 8/10 28/23 38/5	34/4 34/10 34/15
I start [1] 18/5	38/13 38/21 40/5	34/20 34/25
I suppose [1] 14/7	I'd [1] 37/18	including [5] 33/15
I suppose formally	I'll [2] 28/5 39/1	33/23 33/24 35/1
[1] 28/15	I'm [7] 10/25 12/7	43/17
I suspect [1] 28/11	16/11 18/2 25/1 27/1	inconvenience [1]
I take [2] 19/8 19/19	40/24	39/12
I talk [1] 9/22	I've [6] 11/6 19/6	incrimination [9]
	24/21 27/8 39/14	18/16 23/7 23/16

I
incrimination... [6]
24/11 29/4 32/22
32/23 43/9 43/19
indeed [7] 20/4 21/15
22/3 26/2 26/4 26/17
27/1
indicate [2] 20/7
25/18
indicated [6] 6/13
18/13 26/10 26/11
43/11 45/10
indignity [1] 23/14
inferences [1] 30/8
information [3] 11/8
22/5 22/21
informed [5] 5/21
7/15 15/8 15/15
45/17
initially [1] 4/10
innocent [1] 23/13
inquire [1] 10/13
inquiring [1] 21/1
inquiry [9] 1/4 7/22
15/4 15/9 16/23 22/6
22/8 26/11 28/21
insofar [2] 4/17
30/18
instance [1] 42/9
instructed [4] 6/18
6/21 15/10 16/25
instructions [3] 34/3

34/6 34/9
inter [1] 29/12
interest [1] 35/3
interpret [1] 5/8
into [8] 10/11 10/13
11/18 13/24 14/19
21/1 31/10 35/10
invasion [1] 23/15
investigated [1]
35/19
investigating [1]
21/9
investigation [4]
21/4 21/6 21/12
23/13
invite [1] 44/13
invited [1] 11/18
inviting [1] 21/6
invoices [1] 34/19
invoke [1] 31/19
invokes [1] 32/23
is [144]
Island [1] 25/10
issue [8] 22/19 29/6
31/23 32/21 36/5
38/15 43/24 44/3
issued [6] 4/10 4/13
6/6 15/4 18/10 42/21
issues [8] 15/17 24/7
26/15 29/16 33/15
33/22 35/15 43/13
it [129]
it's [9] 9/13 22/18

22/24 26/24 30/1
31/17 32/1 36/8 45/3
item [1] 4/6
its [6] 8/10 15/4
25/24 29/10 42/24
43/15
itself [1] 15/6
J
Jan [2] 13/13 14/8
Jane [1] 2/14
Jeffrey [1] 2/4
jeopardy [3] 22/13
31/17 31/18
Jerome [1] 2/7
job [1] 11/25
JOHN [2] 1/22 6/12
Johnston [3] 6/17
7/11 9/13
JP [2] 2/7 3/9
judicial [2] 4/22
23/12
July [3] 4/11 17/14
33/4
just [16] 5/6 7/25
12/6 13/5 14/2 17/11
24/4 27/13 28/8 28/9
28/19 30/10 31/15
32/11 39/18 41/15
Justice [4] 4/23 5/4
5/6 13/23
Justice did [1] 13/23
justify [1] 23/11

K
kept [3] 6/25 13/19
45/17
knew [2] 14/3 35/2
know [8] 9/11 9/12
11/9 12/2 14/16
20/17 22/24 40/18
knowledge [1] 35/4
known [2] 28/2
43/19
KUMI [1] 1/24

L
Laffan [1] 1/10
last [6] 7/5 7/11 20/5
38/17 39/8 39/9
later [1] 39/13
law [5] 18/15 22/17
23/7 24/4 36/7
lawful [1] 7/8
lawsuit [1] 8/7
lawyers [5] 22/12
24/21 24/25 26/5
29/19
leading [1] 11/8
learned [2] 44/21
45/11
leave [6] 16/22 29/25
36/23 37/13 37/15
39/3
leaves [1] 40/14
left [4] 21/18 21/25
22/10 22/13

legal [6] 24/14 29/3
41/1 43/8 43/16
43/22
less [1] 38/6
let [3] 12/5 12/8
24/20
let's [1] 41/15
letter [6] 17/13 17/16
26/10 26/11 33/4
33/5
letters [2] 11/7 26/13
like [5] 5/6 5/18
33/11 33/11 45/17
Limited [6] 4/8 7/21
14/22 15/6 27/18
33/15
line [2] 25/1 25/3
lines [1] 25/13
linguistic [1] 5/7
Lisa [2] 2/17 46/15
little [2] 30/16 44/18
LLC [2] 28/2 35/4
Lois [3] 27/25 33/6
35/1
long [3] 11/2 40/10
40/25
look [1] 11/18
looking [1] 36/6
looks [1] 39/9
lost [1] 32/8
lot [1] 39/14
Lots [1] 38/23
LUCK [2] 1/23 6/10

lunch [2] 44/20
44/21
Lynch [11] 2/7 3/8
16/15 32/13 32/15
32/18 32/20 35/12
43/1 43/5 43/11

M
made [16] 12/11 14/5
17/6 18/20 18/25
19/17 20/3 20/6 22/2
24/1 28/1 32/13
34/24 36/22 36/24
43/14
make [22] 10/23 16/2
16/8 16/18 17/1
17/24 18/1 18/3 19/4
20/16 27/3 28/24
29/24 30/23 30/24
36/12 39/13 39/20
40/3 40/7 40/11 42/6
makes [1] 19/15
making [3] 22/3 30/3
37/24
man [1] 21/2
managed [1] 21/22
Management [3] 3/3
4/14 4/15
many [2] 11/14
11/18
Margaret [2] 2/18
46/18
marker [1] 38/5

<p>M</p> <p>material [6] 17/23 21/19 21/21 37/22 42/7 42/15</p> <p>matter [12] 4/23 7/22 12/16 19/3 19/14 24/4 24/16 28/8 28/9 36/4 38/18 44/14</p> <p>matters [11] 10/14 11/19 14/20 22/7 26/18 32/1 33/2 33/3 35/11 36/16 43/9</p> <p>may [21] 6/9 6/21 9/22 11/18 13/21 15/3 15/18 18/3 26/12 27/13 27/21 28/9 28/24 28/25 30/8 30/8 31/16 31/20 39/10 41/17 44/13</p> <p>maybe [1] 7/7</p> <p>me [20] 5/22 6/13 7/9 7/15 11/2 11/5 11/12 12/5 12/8 18/1 18/3 18/6 24/1 24/20 25/1 25/2 35/12 36/15 38/24 44/18</p> <p>mean [1] 31/2</p> <p>Medeiros [2] 6/12 7/7</p> <p>meets [1] 42/13</p>	<p>Members [3] 4/5 5/16 13/8</p> <p>mentioned [1] 21/15</p> <p>merit [1] 5/9</p> <p>MEURIG [1] 1/21</p> <p>MG [1] 46/19</p> <p>middle [1] 8/6</p> <p>might [8] 10/10 15/20 17/7 20/23 22/12 22/25 31/25 44/19</p> <p>millions [1] 21/8</p> <p>mind [2] 35/11 35/12</p> <p>minded [2] 31/9 44/19</p> <p>mindful [3] 18/2 20/22 25/4</p> <p>Ministry [4] 33/12 33/13 33/23 33/24</p> <p>minutes [1] 41/16</p> <p>misunderstand [1] 35/9</p> <p>moment [3] 10/6 31/13 39/18</p> <p>moments [1] 12/24</p> <p>more [5] 18/1 22/25 36/18 41/15 44/18</p> <p>morning [17] 4/4 4/6 5/16 6/1 7/17 8/20 12/12 12/16 13/8 15/9 24/25 25/8 38/8 40/15 43/5 44/9 45/3</p> <p>moved [1] 8/16</p>	<p>Mr [36] 2/3 2/4 2/5 2/7 2/10 2/11 3/3 3/4 3/8 4/3 4/4 5/12 5/15 6/2 6/9 9/17 11/7 11/20 12/21 13/3 13/21 14/2 15/8 15/11 15/22 16/6 28/3 28/5 32/7 32/9 32/10 32/11 36/3 38/10 44/23 45/7</p> <p>Mr. [52]</p> <p>Mr. Adamson [2] 5/20 6/23</p> <p>Mr. Barritt [1] 13/4</p> <p>Mr. Chairman [1] 28/6</p> <p>Mr. Commissioner [1] 11/25</p> <p>Mr. Correia [2] 33/20 33/25</p> <p>Mr. Delroy [2] 4/16 15/5</p> <p>Mr. Derrick [1] 41/20</p> <p>Mr. Donal [6] 4/11 6/6 7/15 8/22 9/15 15/9</p> <p>Mr. Duncan [2] 13/7 16/2</p> <p>Mr. Eugene [1] 6/17</p> <p>Mr. Hargun [5] 6/23 28/4 36/11 37/4 38/14</p>
---	---	---

M	44/21 45/11 46/11	not [45] 4/12 8/22
Mr. Hollinsid [1] 35/2	myself [3] 8/5 40/1 40/20	9/3 9/9 9/13 10/11 10/12 10/15 11/9 12/3 12/7 13/10 13/21 15/10 21/22
Mr. John [1] 6/12	N	21/23 22/9 22/16 23/18 24/18 25/8 25/19 28/13 29/4 29/8 30/4 30/9 30/23
Mr. Johnston [2] 7/11 9/13	Narinder [2] 2/3 13/17	31/5 31/15 31/25 32/6 32/16 34/8 35/5 36/3 37/8 37/20 37/23 38/3 38/4 38/19 40/11 41/12 44/5
Mr. Lynch [9] 16/15 32/13 32/15 32/18 32/20 35/12 43/1 43/5 43/11	naturally [1] 45/17 nature [2] 30/5 35/14 necessary [1] 43/24 need [4] 18/20 25/19 36/22 39/23	note [1] 11/5 nothing [5] 11/3 11/17 31/12 46/3 46/3
Mr. Medeiros [1] 7/7	needed [2] 20/19 32/16	notice [1] 20/10
Mr. Smith [11] 4/12 6/12 7/6 9/7 9/16 12/9 15/13 15/15 15/21 15/24 16/5	needn't [1] 37/3 neither [1] 22/21 never [3] 21/9 21/9 21/10	NOVEMBER [10] 1/12 4/1 17/6 17/17 17/20 28/2 43/4 44/9 44/12 46/7
Mr. Winters [1] 35/3	new [1] 35/7	November 2016 [1] 28/2
Mr. Woloniecki [1] 6/22	next [1] 16/14	now [10] 5/11 16/11 22/16 23/3 28/19 32/22 36/18 36/20 38/15 39/18
Mr. Woloniecki's [1] 13/16	no [33] 5/9 6/13 7/8 9/14 9/14 10/4 12/3 12/22 15/11 16/2 16/8 16/9 21/7 22/11 22/25 26/14 29/6 31/10 31/14 31/14 32/6 34/6 36/11 37/6 37/22 39/1 39/23 40/25 41/8 41/12 41/12 42/12 46/2	number [5] 21/1 22/1 37/24 42/11 42/12
Ms [3] 2/14 2/14 6/10		
much [4] 11/8 11/17 16/4 45/24		
must [7] 8/6 20/15 25/15 25/23 26/13 37/19 37/20		
my [22] 5/19 5/24 7/4 8/2 8/8 11/1 11/2 11/11 13/11 16/15 17/18 23/2 29/23 29/25 30/4 30/15 31/9 33/10 37/7		
	nonetheless [1] 37/11	
	noon [1] 44/11	
	normal [1] 38/16	

O

o'clock [6] 38/12
 39/16 39/17 45/1
 45/4 45/20
 object [3] 10/13 36/3
 37/5
 obligation [1] 8/6
 observations [1]
 37/24
 obtain [1] 15/2
 obtained [2] 15/20
 21/21
 obviously [3] 18/25
 19/17 40/18
 occasion [6] 6/10
 6/11 6/17 7/7 7/11
 20/5
 occasions [1] 22/1
 occurs [1] 23/15
 off [1] 12/7
 offence [1] 29/5
 offences [1] 35/24
 office [1] 13/16
 officers [1] 41/1
 oh [4] 13/25 37/25
 44/16 45/2
 okay [2] 13/25 42/16
 on [59]
 on to [1] 8/16
 once [1] 11/15
 one [17] 5/2 5/20 7/7
 13/4 14/8 16/19

22/16 22/19 24/4
 24/16 26/9 26/17
 27/16 28/8 40/18
 41/6 43/17
 ongoing [1] 21/3
 only [2] 11/9 13/21
 open [3] 27/5 31/3
 35/13
 operation [1] 14/25
 opposed [1] 14/9
 option [2] 38/14
 38/21
 or [23] 5/2 10/12
 11/10 15/19 15/23
 18/23 22/24 22/24
 23/12 24/22 26/13
 28/3 29/19 30/8
 31/15 31/21 32/23
 33/25 36/23 38/19
 39/3 39/13 40/18
 oral [2] 28/14 44/6
 order [8] 7/1 14/5
 16/3 17/24 18/4
 30/24 40/11 43/25
 original [1] 34/11
 other [16] 8/3 8/9
 9/14 10/17 10/22
 11/6 11/19 14/20
 16/8 23/12 23/21
 24/16 29/16 40/19
 40/25 43/17
 others [1] 15/24
 otherwise [2] 25/9

32/1
 ought [1] 40/7
 our [13] 10/7 10/13
 10/23 13/3 22/17
 24/3 30/23 36/23
 37/13 39/3 39/19
 40/22 44/20
 out [6] 7/16 17/4
 19/5 24/16 27/9 33/4
 outer [1] 38/5
 outset [3] 20/4 22/2
 24/14
 over [1] 42/7
 overlap [1] 30/22
 overlapped [1] 22/7
 own [4] 9/18 18/19
 19/4 22/8

P

paragraph [5] 23/4
 27/6 27/9 27/10 33/9
 paragraph 23 [3]
 27/6 27/9 33/9
 paragraph 30 [1]
 23/4
 part [6] 21/3 22/6
 23/7 29/23 30/23
 42/5
 particular [6] 5/22
 22/10 30/9 34/5
 34/12 34/22
 parties [1] 36/24
 party [1] 37/1

P		
<p> payment [1] 15/1 people [2] 11/10 38/23 per [3] 14/4 33/18 35/3 perfectly [2] 25/2 40/24 performed [1] 34/23 perhaps [5] 13/20 27/22 35/10 35/16 37/18 permit [1] 36/15 persisted [1] 15/21 person [3] 11/12 18/22 31/15 personal [2] 4/13 23/9 persons [1] 39/4 perspective [1] 14/2 pier [1] 33/12 place [3] 7/2 13/15 31/16 placed [2] 22/14 42/11 plain [4] 12/12 24/14 30/24 36/25 plan [1] 45/11 play [1] 40/2 Pleading [2] 32/24 43/20 please [3] 7/17 9/16 </p>	<p> 29/1 point [5] 8/14 8/15 8/18 20/6 30/1 points [1] 30/10 police [7] 21/4 21/7 21/21 22/5 22/22 29/11 35/20 political [1] 11/13 popularly [1] 43/19 Port [2] 27/19 34/5 Port Royal [2] 27/19 34/5 position [18] 5/11 5/14 7/2 8/2 10/7 10/22 12/11 20/1 20/24 21/24 22/12 22/25 24/19 25/24 28/18 32/21 37/2 37/7 possession [4] 5/24 8/13 13/11 13/24 possible [2] 27/2 29/12 post [1] 37/18 power [1] 5/1 precisely [1] 34/22 predicated [1] 17/5 prefer [2] 8/5 18/3 premature [1] 30/17 Premier [1] 20/25 prepare [2] 32/16 32/19 prepared [3] 11/7 </p>	<p> 27/9 44/3 preparing [1] 32/17 present [8] 2/9 5/14 6/3 6/10 9/7 10/2 15/13 19/8 presented [1] 23/20 presents [1] 23/12 president [1] 6/5 press [1] 11/15 presumably [1] 7/3 pretty [1] 20/18 Prior [1] 6/11 privacy [1] 23/15 privilege [28] 18/16 18/17 20/8 20/20 22/20 23/5 23/6 23/11 24/8 24/10 24/15 26/15 29/3 31/15 31/18 31/23 32/22 32/23 33/1 33/8 35/13 35/15 36/8 43/8 43/13 43/18 43/22 44/4 probably [2] 4/9 7/25 problem [3] 10/4 40/9 41/8 proceed [1] 19/13 proceedings [4] 13/5 35/23 43/15 44/17 process [1] 34/2 produce [1] 4/17 produced [1] 5/2 </p>

P
proffer [1] 25/17
project [1] 34/2
projects [4] 21/1
22/10 26/21 33/11
proper [2] 20/7
20/14
proposes [1] 19/13
Prosecutions [1]
29/11
prospect [1] 21/20
protect [1] 23/9
protects [1] 23/13
proved [1] 4/18
provide [1] 28/10
provided [1] 42/8
Public [3] 29/11
33/12 33/24
publicly [1] 11/15
published [1] 18/19
purpose [2] 8/3 8/10
purposes [2] 7/4
32/17
put [6] 12/6 20/10
23/18 29/19 36/14
38/4
Putting [1] 8/12
puzzled [1] 36/21

Q
QC [2] 2/7 3/8
Queen's [2] 43/1
43/5

question [11] 12/17
13/4 21/10 22/17
27/21 31/17 41/17
41/23 43/10 43/21
44/1
questioning [1]
35/14
questions [16] 11/12
18/6 22/15 22/19
26/23 33/1 33/21
33/25 34/4 34/10
34/15 34/20 34/25
35/22 35/22 36/1
quite [5] 10/23 14/1
15/24 24/18 42/1
quotes [1] 7/19

R
raised [4] 4/24 5/3
24/7 30/10
rate [1] 18/5
rather [8] 8/5 18/1
20/9 34/1 36/8 38/13
39/13 45/2
re [1] 3/3
read [3] 7/15 7/24
23/17
reading [1] 27/14
realise [3] 12/12
12/18 12/19
really [4] 8/8 11/3
11/8 24/9
Realtime [1] 46/16

reason [2] 31/16
41/22
reasonable [1] 25/23
reasonably [1] 17/3
reasoning [1] 21/24
recall [4] 4/10 7/10
21/13 32/14
recalls [1] 32/12
received [6] 7/14
10/18 17/3 24/17
29/17 41/23
Recess [2] 13/1 42/19
recessing [2] 12/25
42/18
recognise [1] 31/14
records [6] 12/13
12/18 13/7 15/3
15/19 33/10
red [1] 37/19
refer [2] 18/17 29/10
reference [6] 5/8
15/17 26/13 29/10
29/16 30/3
refusal [1] 15/22
refused [2] 10/9 25/7
refusing [1] 34/19
regard [5] 19/11
24/19 30/25 36/13
43/13
regarding [1] 7/23
regards [3] 5/7 38/7
43/9
reiterated [1] 7/12

R		
<p>relating [7] 13/4 15/17 29/17 33/15 33/22 33/25 34/15 relation [18] 4/7 5/25 16/3 18/20 26/15 29/13 31/6 32/6 32/21 33/1 33/8 33/21 34/4 34/7 34/10 34/20 35/1 36/15 relatively [1] 17/24 release [10] 6/14 6/15 7/9 8/22 10/9 13/23 15/10 15/22 15/23 16/1 released [2] 14/7 16/11 relevant [2] 15/4 15/18 reliance [1] 24/1 reluctant [1] 39/20 rely [8] 10/22 20/8 20/20 22/20 23/1 31/15 37/22 41/1 remains [1] 21/11 remember [1] 11/3 renewal [3] 27/22 35/6 35/7 renewed [1] 34/13 repeatedly [1] 7/6 report [2] 10/12</p>	<p>34/14 Reporter [2] 45/8 46/16 Reporters [1] 2/18 Reporting [1] 46/19 represent [1] 16/25 representative [2] 9/23 37/1 represented [2] 8/21 9/9 representing [3] 7/20 9/15 41/20 request [2] 6/4 8/8 requested [1] 33/2 require [3] 18/24 23/22 28/13 required [7] 16/21 19/2 28/10 29/10 34/3 34/8 37/15 requirement [2] 19/25 26/9 requires [1] 25/7 requiring [1] 42/22 reserved [1] 32/20 resolution [1] 7/8 respect [8] 7/22 8/4 11/24 26/9 30/12 33/2 35/17 42/6 response [1] 44/1 responsibility [1] 27/17 responsible [2] 20/25 22/12</p>	<p>result [3] 17/23 20/20 22/13 resuming [2] 13/2 42/20 retire [4] 10/6 12/23 39/18 41/15 retrieved [1] 14/11 return [6] 6/7 13/22 16/21 42/17 45/5 45/10 returnable [1] 5/12 returned [1] 6/8 review [1] 4/22 right [13] 18/15 20/7 20/14 32/25 36/7 36/23 38/8 43/8 43/12 43/18 43/22 44/1 44/22 rights [3] 11/11 23/8 43/16 room [1] 11/1 Royal [2] 27/19 34/5 RPR [2] 2/17 46/15 rule [3] 18/21 18/21 19/2 rules [5] 18/19 19/4 19/11 19/14 19/18 ruling [11] 3/6 3/11 13/4 14/18 39/19 39/20 40/3 40/7 40/19 40/22 41/10 run [1] 12/1</p>

S

same [1] 45/10
save [1] 30/5
say [21] 8/17 9/4
10/6 10/25 11/14
11/21 12/1 25/16
26/4 26/12 31/13
32/5 32/20 32/24
35/7 35/12 38/23
39/1 39/19 39/21
45/1
says [4] 7/16 35/18
35/20 35/25
scope [1] 24/8
sealed [4] 6/25 13/12
13/19 14/14
second [12] 6/7 6/10
6/11 16/22 26/11
29/23 30/15 31/24
41/23 42/9 42/25
43/24
secondly [3] 27/17
29/9 39/7
see [4] 19/3 19/15
40/19 44/16
seek [8] 8/10 10/12
16/18 20/3 20/8
31/19 37/17 37/20
seeking [2] 6/4 22/19
seeks [2] 31/15 43/10
seemed [5] 20/13
20/18 25/10 30/16

30/16
seen [1] 42/12
seized [1] 22/5
self [9] 18/16 23/6
23/16 24/11 29/4
32/22 32/23 43/9
43/19
self-incrimination [7]
18/16 23/16 29/4
32/22 32/23 43/9
43/19
sense [2] 19/15 24/24
sensible [1] 25/10
separate [1] 26/19
September [4] 22/3
32/12 42/24 42/25
series [1] 22/18
served [2] 25/14
42/22
service [1] 17/23
services [3] 14/24
34/23 46/19
set [4] 19/5 21/2
32/13 33/4
sets [1] 27/9
setting [1] 17/4
settled [1] 40/10
seven [5] 26/24 26/25
27/14 27/25 43/9
seventh [1] 27/12
several [1] 21/8
severe [1] 34/13
shall [1] 36/17

shareholder [1]
33/19
short [2] 17/24 18/3
Shorthand [1] 2/18
shot [1] 7/25
should [18] 5/23 10/2
13/10 16/7 17/19
19/7 19/9 19/16
23/23 25/6 25/11
33/7 36/1 38/19
38/19 40/3 42/7
42/14
signing [1] 25/12
simply [3] 11/11
22/16 37/7
since [1] 24/6
single [2] 21/10
21/11
sir [4] 1/21 18/18
19/4 27/6
sit [2] 11/15 28/25
situation [8] 5/21 9/4
9/6 10/7 10/24 21/18
22/11 34/16
six [5] 26/14 26/18
26/22 27/9 27/14
sixth [2] 26/11 27/24
skill [1] 46/11
slightly [2] 27/23
40/17
small [1] 28/8
Smith [20] 2/11 3/4
4/11 4/12 6/6 6/12

S	20/20 21/5 27/4	still [3] 14/8 14/13
Smith... [14] 7/6 7/15	speak [2] 9/20 27/5	41/19
8/22 9/7 9/15 9/16	speaking [2] 14/2	stop [1] 12/8
11/20 12/9 15/10	16/9	stopped [1] 35/10
15/13 15/15 15/21	special [1] 34/14	straightaway [3] 9/4
15/24 16/5	specific [1] 26/9	39/2 39/19
so [31] 5/9 5/11 8/8	specifically [1] 27/25	Street [1] 1/10
11/1 11/7 11/14	speech [2] 36/12	strict [1] 36/7
11/16 11/18 11/22	37/22	strong [1] 10/21
14/1 15/12 17/11	spent [1] 21/8	subject [8] 6/1 6/20
19/1 19/6 20/9 22/9	spoken [3] 11/6	6/25 13/14 25/12
25/2 25/9 26/12	24/21 24/25	40/4 40/23 41/13
26/14 26/24 27/5	St [1] 1/9	subjects [1] 26/10
27/22 30/14 32/1	stage [5] 22/23 25/19	submission [1] 41/23
33/7 37/6 38/11 40/2	31/3 32/14 32/14	submissions [12] 3/3
40/25 45/9	stance [1] 4/19	17/19 22/2 22/3 24/3
social [1] 23/10	stand [2] 9/16 14/3	27/3 31/6 33/10
sole [1] 6/3	standing [2] 4/24	36/25 38/9 38/22
solely [1] 12/17	7/11	42/6
some [18] 4/18 8/3	start [2] 17/12 18/5	submit [2] 22/14
8/9 8/10 11/10 11/10	started [2] 4/22	23/19
19/15 22/5 22/7	36/12	subpoena [29] 4/7
22/13 24/7 25/23	starting [5] 8/14 8/15	4/9 4/10 4/13 5/12
26/13 30/1 31/17	8/18 38/8 39/10	6/2 6/4 6/7 9/1 15/4
35/10 39/20 40/12	statement [1] 42/8	16/2 16/20 18/10
something [1] 19/16	stations [1] 14/23	18/23 18/25 20/1
sometimes [2] 29/19	status [1] 28/11	20/3 23/23 25/7 25/9
43/19	statutory [2] 18/15	25/17 28/13 32/13
sooner [1] 39/15	36/23	40/14 42/22 43/2
sorry [3] 24/22 32/7	stay [1] 45/7	43/6 44/5 44/11
45/9	stayed [1] 7/2	subpoenaed [1]
sought [5] 5/4 15/2	step [1] 28/21	13/15
	steps [1] 10/10	subpoenas [1] 18/21

S
subsequent [2] 27/10
33/5
subsequently [2]
4/12 6/6
substantial [1] 34/7
such [8] 13/7 18/6
18/19 18/20 19/11
21/21 23/22 29/16
sued [3] 6/15 7/8
7/13
sufficient [2] 20/2
41/7
suggest [2] 24/9
28/22
suit [1] 6/20
suitable [1] 45/12
suppose [2] 14/7
28/15
Supreme [2] 13/23
14/5
sure [3] 9/25 24/18
42/1
Surprisingly [1] 29/8
suspect [1] 28/11
swear [2] 25/22
43/12
swearing [1] 40/9
sworn [7] 24/18
24/23 39/22 39/25
40/7 40/23 44/6
sympathy [1] 9/5

T
TABLE [1] 3/1
take [10] 10/10 19/8
19/19 27/13 28/21
29/6 31/10 37/3
41/10 44/20
taken [3] 4/19 5/8
6/5
talk [2] 9/22 10/2
talking [1] 17/12
Tapper [1] 23/3
TCD [1] 33/11
tell [1] 11/3
tells [1] 9/18
ten [4] 38/12 39/16
39/17 45/2
ten o'clock [2] 38/12
39/17
tend [1] 35/23
tender [2] 33/17 34/2
tendered [1] 34/8
terms [5] 5/8 21/7
27/2 29/10 44/7
territory [1] 10/11
testing [1] 14/23
than [7] 8/5 20/9
23/1 23/18 23/21
36/8 38/6
thank [22] 5/17 5/18
9/16 10/5 11/23
12/10 12/20 13/9
14/12 14/16 16/4

16/6 16/10 16/13
16/18 36/10 39/11
44/13 45/4 45/23
45/25 46/4
that [246]
that's [15] 7/25 8/14
8/15 8/17 8/17 8/24
9/2 11/21 12/14 14/6
14/10 14/21 21/24
37/2 42/16
the Commission [1]
19/16
their [8] 5/5 8/3 10/9
26/6 30/12 40/2 41/3
43/16
them [15] 4/18 6/15
10/16 12/13 14/11
15/5 15/20 15/23
20/17 27/2 28/24
31/13 32/2 37/12
45/14
themselves [1] 31/17
then [20] 4/13 6/18
7/10 8/16 9/13 10/16
10/23 14/9 17/18
25/17 27/10 27/13
27/24 28/1 37/17
38/2 38/24 39/15
40/10 41/6
there [36] 4/8 4/21
4/25 5/25 6/9 7/8
7/12 8/9 11/3 11/14
12/3 12/8 13/17

T	25/15 26/5 26/18	7/14 8/8 9/7 24/10
there... [23] 14/13	27/1 27/4 27/21	25/14 26/7 36/12
16/17 17/18 20/6	30/22 31/20 35/9	40/3 41/4 45/15 46/1
20/18 23/25 25/23	35/16 36/6 38/16	together [1] 42/11
26/14 26/18 26/22	39/1 40/5 40/6 45/2	told [2] 7/6 11/2
27/21 27/21 31/12	45/19	tomorrow [19] 16/21
32/4 33/23 34/6	Third [1] 27/18	20/9 25/8 25/17 30/1
34/13 36/18 36/21	this [51]	31/8 36/12 36/14
38/15 39/20 39/23	those [18] 14/25	38/8 39/10 39/13
40/11	19/14 26/13 26/14	40/15 42/3 42/14
there's [3] 14/14	28/3 28/4 29/16	43/4 44/9 44/11
40/9 41/14	30/10 30/11 31/2	44/17 45/3
therefore [5] 10/21	31/10 32/1 35/20	took [2] 11/5 13/15
23/23 25/6 29/15	35/22 36/16 38/2	topics [3] 26/19
44/8	38/3 43/13	26/22 33/5
Theresa's [1] 1/9	though [2] 21/25	total [1] 26/24
therewith [1] 14/24	37/23	touches [1] 29/22
these [9] 5/3 10/15	thought [3] 13/6 14/6	Tourism [2] 33/13
12/12 21/15 23/10	36/24	33/24
27/15 28/22 35/11	threat [1] 7/13	track [1] 32/8
35/19	through [2] 15/9	transactions [1]
they [12] 4/12 5/5 7/1	28/12	29/13
13/12 14/7 14/8	throughout [1] 43/14	transcript [3] 13/5
21/19 21/20 21/21	til [1] 44/14	13/7 46/10
22/6 30/25 31/19	time [14] 6/3 18/2	Transcription [1]
they've [1] 25/1	20/2 20/5 20/7 21/11	46/19
thing [1] 40/15	32/16 32/18 35/6	treat [2] 42/7 42/14
things [3] 11/6 11/14	44/10 44/14 44/18	Tribunal [17] 5/13
31/22	45/5 45/10	5/17 5/18 5/23 6/1
think [26] 6/2 6/23	timetable [1] 38/7	6/14 6/16 6/21 7/6
7/7 7/25 11/13 13/16	timing [1] 45/16	7/10 8/2 8/6 8/9 13/8
13/20 16/7 18/6	to require [1] 18/24	13/9 32/12 33/9
	today [13] 5/12 5/19	Trocan [5] 3/3 4/14

T
Trocan... [3] 4/15
5/22 15/6
Trott [1] 4/16
true [2] 9/21 22/24
truth [1] 11/3
try [2] 21/5 38/2
trying [1] 5/7
Tucker [1] 2/14
TUESDAY [2] 1/12
4/1
two [8] 14/14 16/17
20/11 30/4 30/22
31/22 37/8 37/21
type [1] 20/14

U
ultimately [2] 19/12
20/15
ultra [1] 4/25
unable [1] 18/22
uncertain [2] 21/7
40/12
uncertainty [2]
39/21 39/24
under [5] 18/21
18/25 19/4 21/12
44/10
underline [1] 31/21
underlying [1] 31/24
understand [3] 11/1
33/7 41/13
understandable [1]

14/1
undertaking [2] 7/1
7/5
unequivocal [1]
20/18
unfair [3] 35/21
35/25 36/9
unique [1] 20/22
unlawful [1] 11/11
unlawfully [1] 6/16
unless [4] 12/21
23/25 36/18 41/14
unreasonable [3]
18/11 18/23 23/21
until [12] 7/3 20/9
25/9 29/24 30/17
40/7 41/11 43/4 44/6
44/9 44/11 45/3
untrue [1] 22/24
up [7] 7/2 11/8 25/15
34/16 34/19 38/2
45/16
update [1] 7/14
upon [9] 4/2 7/1
12/25 13/2 17/4
20/20 28/24 42/18
42/20
us [17] 9/18 20/13
20/13 20/18 21/16
21/23 25/10 25/13
28/22 30/24 31/22
32/1 37/20 39/3 39/3
41/2 44/25

used [1] 23/2
useful [1] 17/8
V
values [1] 23/10
varied [2] 43/3 44/11
various [6] 4/23
10/14 16/24 29/25
32/1 39/4
vary [1] 19/14
vehicle [1] 14/23
very [10] 9/3 10/21
10/25 16/4 16/10
24/14 28/6 28/23
32/11 45/23
view [1] 36/7
violate [1] 25/8
violated [1] 11/12
vires [1] 4/25

W
waiting [1] 20/9
want [7] 10/6 10/25
12/6 12/21 31/13
32/5 41/15
wanted [1] 28/19
wants [1] 5/13
was [62]
wasn't [1] 29/23
way [11] 5/23 8/3 8/9
8/12 13/9 18/5 19/12
23/5 34/11 40/18
42/8

W	33/22	19/17 20/10 21/20
we [81]	what [35] 6/19 8/4	22/10 23/3 23/4
we'd [1] 45/17	9/17 10/5 10/10	23/15 24/2 25/1
we'll [2] 39/18 40/6	10/24 11/21 11/24	25/13 26/15 29/13
we're [6] 10/11 17/12	14/3 14/6 17/3 17/12	29/23 29/24 31/3
20/22 21/25 24/18	21/25 22/12 22/25	31/25 33/2 33/4 33/5
26/5	23/2 24/16 24/18	33/8 35/15 37/21
we've [4] 10/18 20/3	25/24 30/8 30/17	39/9 42/8 42/10
24/17 44/15	30/25 31/11 31/20	43/10 44/7
Wednesday [1] 46/7	34/17 34/22 34/23	while [1] 28/25
weeks [2] 20/11	35/11 35/12 35/14	who [13] 6/3 11/8
32/17	39/21 40/19 40/21	15/5 15/13 21/3
well [28] 10/5 10/14	42/1 44/19	24/15 30/10 30/11
12/5 12/20 13/25	whatever [2] 8/3	31/15 37/8 38/2 38/3
16/10 19/18 23/14	31/16	43/15
26/8 29/22 30/22	when [13] 4/12 6/8	whole [2] 11/9 19/16
31/2 36/11 36/17	6/10 13/15 20/7	why [10] 8/17 21/24
37/2 38/13 38/18	21/13 22/2 22/3	33/10 33/16 33/23
38/24 39/1 39/14	22/19 35/2 35/7	33/25 34/5 34/7
39/18 39/23 40/5	39/20 39/21	34/12 35/5
40/13 40/21 42/2	where [8] 14/3 21/18	will [61]
45/16 45/23	22/11 33/18 33/19	Winters [1] 35/3
went [1] 14/4	34/13 34/16 34/18	wish [3] 24/1 30/23
were [22] 4/12 4/24	whereby [3] 4/10	37/11
5/9 6/5 6/10 6/14	5/11 6/24	witch [1] 11/10
20/8 22/5 22/6 22/14	Whereupon [1] 46/6	witch-hunt [1] 11/10
26/18 26/21 26/22	whether [6] 4/25	withdrawn [1] 9/19
26/23 28/1 30/17	4/25 22/24 38/19	withholding [1]
33/4 34/8 34/24	43/21 43/24	15/15
35/15 44/19 45/19	which [38] 8/9 10/14	without [7] 10/16
weren't [1] 41/25	11/6 11/17 15/3	15/17 27/14 29/20
Wharf [2] 27/18	15/19 16/20 17/4	30/24 33/17 34/2
	17/19 18/15 19/12	witness [6] 22/15

W

witness... [5] 24/15
42/23 43/7 43/18
43/25

witness-box [1]
22/15

witnesses [2] 20/23
43/15

Woloniecki [3] 6/22
13/13 14/8

Woloniecki's [1]
13/16

won't [5] 10/18
10/19 10/20 10/21
41/10

wording [3] 27/14
40/1 41/2

words [2] 26/6 28/9

work [1] 39/14

Works [2] 33/12
33/24

world [1] 11/9

would [45] 5/18 6/15
6/19 6/24 7/1 7/8
7/13 8/4 8/10 13/18
18/1 18/3 18/11 20/9
20/10 22/14 23/20
23/21 25/16 25/19
27/23 28/16 28/23
29/13 30/3 30/23
35/13 35/21 35/23
36/25 38/5 38/13

38/21 39/2 39/3 39/8
39/9 39/13 39/16
40/5 41/6 41/6 42/11
44/20 45/20

writing [2] 19/1 27/3

wrong [2] 11/13
23/20

Y

year [2] 18/19 21/5

years [3] 11/5 21/8
21/22

yes [58]

yesterday [2] 5/19
7/3

yet [1] 25/5

you [138]

you're [2] 19/9 23/20

you've [7] 9/17 9/19
12/11 30/10 30/17
39/4 44/15

your [25] 5/21 8/13

11/17 11/25 12/11
17/25 18/18 19/4
19/9 19/22 21/25
22/7 23/3 24/6 24/21
24/25 26/5 27/13
37/2 37/19 37/21
40/1 40/19 41/1
42/14

your lawyers [1]
24/21

yourself [2] 9/5 19/4