

QUEENSLAND COAL MINING BOARD OF INQUIRY

Coal Mining Safety and Health Act 1999

Establishment of a Board of Inquiry Notice (No 01) 2020

Before:

Mr Terry Martin SC,
Chairperson and Board Member

Mr Andrew Clough,
Board Member

At Court 17, Brisbane Magistrates Court
363 George Street, Brisbane QLD

On Wednesday, 12 August 2020 at 10am
(Day 7)

1 THE CHAIRPERSON: Yes, Mr Rice.

2

3 MR RICE: Mr Martin, two witnesses scheduled for this
4 morning are inspectors from the northern region, who
5 I expect will be giving evidence remotely.

6

7 THE CHAIRPERSON: Yes.

8

9 MR RICE: I call Paul Brown.

10

11 <PAUL BROWN, affirmed: [10.01am]

12

13 <EXAMINATION BY MR RICE:

14

15 MR RICE: Q. Is your name Paul Brown?

16 A. That's correct.

17

18 Q. Mr Brown, you're an inspector of mines attached to the
19 northern region; correct?

20 A. Correct.

21

22 Q. You have prepared a statutory declaration setting out
23 some information of relevance to the inquiry, have you not?

24 A. That is correct.

25

26 Q. Do you happen to have a copy of that there?

27 A. Yes, I do.

28

29 Q. Mr Operator, it's document BPA.001.001.0001. Can we
30 go directly, Mr Brown, to the conversation that you say you
31 had with Mr Schiefelbein on 20 March, and you give some
32 details of that at paragraphs 5 and 7 of your declaration;
33 correct?

34 A. That is correct.

35

36 Q. Do we understand you correctly that the details of
37 that conversation were entered directly by you on to the
38 computer whilst you were sitting at Brisbane Airport?

39 A. Yes. At the time I was at the airport, I had my
40 laptop open and I entered relevant details of that
41 conversation into my - into Lotus Notes.

42

43 Q. Would that have been on the incident notification form
44 of Lotus Notes?

45 A. When I was making the entry at Brisbane Airport on my
46 laptop, I was working offline, which is what we refer to as
47 in local Lotus Notes, so it's not connected to the server.

1 Some of the details are still retained within the incident
2 investigation - sorry, the incident notification. Some of
3 the details were updated the following day, after I checked
4 that there was consistency between the form 1A and my
5 recollection as I was typing it into Lotus Notes on the day
6 before.

7
8 Q. So we have the incident notification form, but, for
9 example, in the "Concise Description" field, does that
10 represent some of the conversation that you recorded
11 somewhere else on your computer?

12 A. That is correct.

13
14 Q. Did Mr Schiefelbein say anything to you about why he
15 was calling you - and I assume it was on your mobile -
16 looking for Mr Brennan?

17 A. Initially when Mr Schiefelbein called me, he stated
18 that he was trying to make contact with Mr Brennan and that
19 he couldn't make contact. I suggested to him that
20 Mr Brennan, if he is not answering the phone or the phone's
21 busy, that he is busy, and I asked him what it was in
22 relation to. He stated that it was to report a HPI, so
23 I told him that he could speak to me and I would take the
24 notification.

25
26 Q. We're just trying to record this, Mr Brown, so if you
27 wouldn't mind being conscious of being close to the
28 microphone and perhaps speaking a little more slowly, if
29 that's okay.

30 A. Okay. Sorry.

31
32 Q. Did you learn during that conversation that it was in
33 fact the third report that he had made that day?

34 A. I was aware that there had been a previous HPI
35 reported to Inspector Brennan the same day, but at that
36 time I was more interested in taking the information of the
37 notification of the HPI that he was wanting to report to
38 me, but I was aware that there were other HPIs that he'd
39 reported to Inspector Brennan.

40
41 Q. How would you have been aware of that?

42 A. He made me aware, he stated that he had already
43 reported an HPI to Inspector Brennan earlier in the day.

44
45 Q. You don't refer to that in your description of the
46 conversation in paragraphs 5 and 7, but you say that
47 Mr Schiefelbein did tell you that there were earlier

1 reports to Mr Brennan?

2 A. That is correct. My statement is in relation to the
3 HPI that was reported to me.

4
5 Q. I do notice now, at paragraph 8, that you say
6 Mr Schiefelbein said that there had been at least one
7 earlier report to Mr Brennan.

8 A. Yes, correct.

9
10 Q. Did you feel it necessary to engage with
11 Mr Schiefelbein as to what that earlier report or reports
12 were about?

13 A. Mr Schiefelbein did state that it was in relation to
14 methane exceedance and that he was reporting another
15 methane exceedance to myself.

16
17 Q. Well, I'm not sure I understand what you just said.
18 Your answer was that he didn't make you aware that the
19 earlier HPI was in relation to an exceedance?

20 A. No, no, he did state that it was - he had already
21 reported a HPI to Inspector Brennan. He did mention that
22 it was in relation to a methane exceedance, but I did not
23 go into a level of detail about those exceedances. I was
24 more interested in the HPI that he was reporting to me.

25
26 Q. You apparently had a discussion about the prospect of
27 some follow-up that might ensue from that conversation?

28 A. That's correct. I left it open that after I received
29 the form 1A, that there may be some further follow-up.

30
31 Q. In fact, the form 1A came to you, didn't it, later
32 that day?

33 A. During my flight, Inspector Brennan had emailed it to
34 my in-box, and I've noted in my statement at the time that
35 my in-box has received it. I reviewed that information the
36 following day.

37
38 Q. Well, at paragraph 10, you refer to the email that you
39 received at 3.52. You're saying to us that you didn't
40 actually look at that until the next day?

41 A. That is correct. I was still on the flight between
42 Brisbane - at that time.

43
44 Q. If we might just have a quick look at that email,
45 Mr Brennan, Mr Operator if we could have document
46 RSH.002.059.0001, and it's page 2 of that document. Can
47 you see on the screen, Mr Brown, there's an email to you

- 1 from Mr Brennan at 3.52 on the 20th?
2 A. That is correct.
3
4 Q. You would have learned from that that there were three
5 exceedances, and Mr Brennan had discussed two of them with
6 Mr Schiefelbein?
7 A. That is correct.
8
9 Q. And the attachment was the form 1A; correct?
10 A. That is correct.
11
12 Q. When you viewed this, did you look to engage with
13 Mr Brennan about the content or circumstances of the
14 earlier two that had been reported to him?
15 A. No, I didn't. I didn't contact Mr Brennan on the
16 Saturday morning. I reviewed the information within the
17 form 1A and then I prepared an email to send to
18 Mr Schiefelbein requesting further information.
19
20 Q. Would it not have been of interest to you to know what
21 the circumstances of two earlier events that same day were,
22 for what it revealed about the circumstances and the mine's
23 response to that sequence?
24 A. Yes. The process that I followed, following up on, in
25 this case, a third HPI after there had been a previous two,
26 is I'm trying to treat it in isolation so that I can
27 actually have a look at what it is about that particular
28 HPI or what caused it and then have a look at further
29 information as to what caused the other HPIs, which is one
30 of the reasons why, when I sent Schiefelbein an email
31 Saturday morning at 8.19am, I requested other details that
32 overlapped into those HPIs.
33
34 Q. It was apparently a deliberate choice of yours to
35 place your focus on this third event and, as you say, to
36 treat it in isolation; correct?
37 A. That is correct. That's the event that I took, and
38 Mr Brennan took the other two events.
39
40 Q. Well, who was managing them?
41 A. Mr Brennan.
42
43 Q. Mr Operator, if we go back to the previous page of
44 this document, we see shown there the email that you sent
45 Mr Schiefelbein at 8.19 the next day. Do you recognise
46 that?
47 A. Yes, I do.

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Q. At that time, you had the form 1A, you had Mr Brennan's email from the previous day, but if I understand correctly, you did not have details of what the earlier two exceedances comprised or the circumstances surrounding them?

A. That is correct.

Q. Tell me, when did you become aware of the circumstances of the earlier two that were reported to Mr Brennan?

A. I do recall I read through the form 1As that Mr Brennan had received on the Monday. The email that you have in front of you at the moment, you notice I've requested the previous 12 hours of data, including shearer positioning/movement, tailgate sensor, dogleg sensor, barometer, and there's other details there you can see. The reason I chose that 12-hour period is that overlapped into Mr Brennan's exceedances, and without contaminating my view of what has actually occurred, I wanted to actually see the data before I read what was in the form 1A so I could form a view what was actually occurring with all three exceedances.

Q. I understand what you say, I'm just curious as to why you would not want to view all of the circumstances together to see what circumstances may have overlapped and factor that into any response you might wish to make.

A. Because the other two exceedances that were reported were being dealt with by another inspector.

Q. You hadn't had any dialogue with him, had you, about what they consisted of or what he proposed, if anything, by way of response?

A. No, and that's why I requested data, that I could actually form a view as to whether any of them were related to each other or if there were other circumstances that impacted on the exceedance that I received.

Q. Are you saying that in terms of the data that you requested, including information from the previous 12 hours, that you expected that that would encapsulate the circumstances of the earlier two that you were aware of, but not the details?

A. That is correct. I was looking for the information in the data to form a view before I read what was in the form 1As.

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Q. And did you anticipate that that data would give you information about the incident that had been reported to you, plus information encompassing the earlier two incidents?

A. That is correct.

Q. Could you give us a description, if you wouldn't mind, of the significance of the kind of information that you've got there at the first five dot points?

A. Yes. The previous 12 hours, the time frame that I chose deliberately overlapped my exceedance and the two exceedances that Inspector Brennan was issued with. The shearer position and movement would be covered in obtaining screenshots that we refer to, and that way we can actually see if there's any evidence of the same trends occurring. So the shearer position and movement, the gas registered on the tailgate sensor, dogleg sensor - you can actually see them on the screenshots and how they relate to each other, so whether or not the exceedances are actually occurring at the same shearer position or the same shearer movement, so the direction of travel.

The barometer is also important to have an understanding. While it's not the key point of an exceedance, it can have an influence on an exceedance. When I looked at the previous 12 hours, Inspector Brennan's exceedances, there was a slight rise in the barometer. In my exceedance, there was a slight drop-off on the barometer, so the barometer was on a fall, and on Inspector Brennan's, the barometer was on a slight rise.

So I was looking at and taking in all this information as to whether or not there was any correlation between any of the exceedances or whether they were in isolation.

Q. And you also sought some information about gas well performance?

A. That is correct. I asked for what gas wells were active in this time frame, gas well performance, both planned and actual, and I asked for a plan to show the positions of gas wells on a mine plan. All information was provided to me.

Q. Mr Schiefelbein I think did come back to you over the weekend with that information?

A. That is correct. I requested it to be provided to me

1 by Monday, which is a reasonable amount of time for him to
2 gather that level of detail, considering he would probably
3 not be at work, and he actually - I received it in my
4 in-box on Sunday, the 22nd.

5
6 Q. To sum up, did you expect that all of the information
7 you sought in that email would give you, for your purposes,
8 a comprehensive overview of at least a 12-hour time frame?

9 A. Yes, correct.

10
11 Q. You undertook your review of the information, I think,
12 on the Monday morning?

13 A. That is correct.

14
15 Q. And you were also in contact with Mr Dobson, I think,
16 to pass on some information to him about what you had
17 received?

18 A. Yes, that is correct.

19
20 Q. And you say at paragraph 14 that this particular
21 incident was discussed at the meeting at 8am that Monday
22 morning?

23 A. That is correct. We have a weekly inspectorate
24 meeting on Monday mornings where we discuss - we have an
25 agenda that we go through and discuss a lot of matters.
26 HPIs, gas exceedances, serious accidents, from the weekend
27 are the first point, and then we discuss about other
28 incidents that have occurred in the previous week, and
29 during the course of that discussion, Inspector Dobson did
30 actually ask me some questions about that particular
31 exceedance, and I offered to provide him with some
32 information that I'd already received at that time.

33
34 Q. It may just be a choice of words, but you see at
35 paragraph 14 you mention that the gas exceedance had been
36 discussed at the 8am Monday meeting?

37 A. Yes, correct.

38
39 Q. I just wanted to point out that there obviously had
40 been in fact not one, but three, gas exceedances.

41 A. Yes, I'm only referring to the gas exceedance that
42 I received. I don't speak for other HPIs that other
43 inspectors have received.

44
45 Q. But are you able to tell us whether the other two were
46 also the subject of discussion at that meeting?

47 A. When I forwarded Inspector Dobson the information,

1 which was at 8.43am, I said to him in my email to him:

2
3 *Still to go through information yet. Will*
4 *look at it today. I have enlarged the*
5 *additional information sent yesterday.*
6 *I noted the peak value is different for*
7 *exceedance 3. I will question this after*
8 *I have looked at the other information.*
9

10 Q. In fact, you did get the other two forms 1A later that
11 morning?

12 A. I accessed the other - the exceedances that
13 Inspector Brennan had received, I accessed them through
14 Lotus Notes, and Inspector Brennan and I did actually
15 discuss the exceedances on that morning, but
16 I independently had a look at his exceedances on Lotus
17 Notes. That was the first time I looked at them.
18

19 Q. So to understand the sequence, then, according to the
20 email transmissions - I won't go to them, but according to
21 them, the forms 1A were actually sent to you about
22 five minutes before 9am that morning. Does that jog your
23 memory?

24 A. Yes, the mine had sent me the form 1As again. It's
25 the same form 1A that Inspector Brennan had forwarded to me
26 on Friday, and for whatever reason, I believe it was
27 probably just the SSE being particular about ensuring that
28 the mine had sent it directly to me, I received that form
29 1A again, but it was the exact same form 1A that I received
30 on Friday.
31

32 Q. Yes, but I'm talking about the other two, being the
33 forms 1A relevant to the matters reported to Mr Brennan.
34 I'm suggesting to you that you got them shortly before
35 9 o'clock on the Monday morning.

36 A. I didn't receive them. I actually viewed them in
37 Lotus Notes. So I didn't download them. I just viewed
38 them.
39

40 Q. All right, it's not worth going to, but there is
41 a record of an email addressed to you that morning, or two
42 emails, attaching those forms 1A. That doesn't jog your
43 memory?

44 A. The form 1A that you're referring to in the email is
45 the - only the form 1A for my gas exceedance.
46

47 Q. By that time --

- 1 A. You're referring to - sorry.
- 2
- 3 Q. I gather you then engaged Mr Schiefelbein in
- 4 conversation, having reviewed the details of all three
- 5 exceedances through the forms 1A that you by then had?
- 6 A. During the course of our inspectorate meeting on the
- 7 Monday morning, I cannot remember the exact time it
- 8 finished, but it commenced at 8 o'clock - during the course
- 9 of that meeting, Mr Schiefelbein was trying to contact me
- 10 via my mobile phone. I stepped out of that meeting, I took
- 11 the call. We had a discussion about what I had reviewed so
- 12 far about the exceedance that I'd received. I didn't
- 13 discuss the exceedances that Inspector Brennan had
- 14 received. I specifically spoke to Mr Schiefelbein about
- 15 the exceedance that I'd received, and we discussed those in
- 16 detail, which I later recorded in an email to SSE Wynn.
- 17
- 18 Q. In an email to whom, sorry?
- 19 A. The SSE, Mr Wynn.
- 20
- 21 Q. We have that. I don't think there's a need to go to
- 22 it, but the upshot, I gather from paragraph 17 of your
- 23 statement, was that you got an email from Mr Wynn the next
- 24 day attaching a form of ventilation advice that was
- 25 consequent upon your communications to him and to
- 26 Mr Schiefelbein; is that correct?
- 27 A. That is correct.
- 28
- 29 Q. The next stage in the process, as you know, is for the
- 30 mine to prepare forms 5A at a later date.
- 31 A. Yes, correct.
- 32
- 33 Q. In this case, because there were three exceedances on
- 34 20 March, there were three forms. Did they come to you, do
- 35 you recall?
- 36 A. No. The form 5A is received by our administration
- 37 workers in our office here. They input the data in the
- 38 form 5A into Lotus Notes and then they send us
- 39 a notification by email that it's now ready to be viewed,
- 40 and it's a requirement of each individual inspector to
- 41 review the form 5A received for that individual HPI or
- 42 serious accident.
- 43
- 44 Q. Does it follow that in accordance with that procedure
- 45 you would have viewed the form 5A for the event at 12 noon
- 46 on 20 March?
- 47 A. That is correct.

1
2 Q. And you would expect Mr Brennan would have looked at
3 the other two?

4 A. That is correct.

5
6 Q. Well, the forms were all submitted - perhaps you can
7 take it from me - on 7 April, according to the email
8 transmissions that we have. Were you aware, by the time
9 that you received or at least reviewed the content of the
10 form 5A for the event you were concerned with, that there
11 had been another three incidents in the meantime at
12 Grasstree mine?

13 A. No, I was not aware of that.

14
15 Q. Had you been aware of it, would it have prompted you
16 to review the sequence of HPIs at Grasstree mine?

17 A. Yes, it would have. I would have actually had a look
18 at each individual HPI to see if there was any correlation
19 between that and the HPI that I'd received.

20
21 Q. So in reviewing the form 5A, as we expect you did,
22 there was no alert or other mechanism to identify for you
23 that there had been another three that you might have
24 wished to look into?

25 A. No, not - at that time, there was not a mechanism in
26 Lotus Notes.

27
28 Q. And, in fact, by 11 April there was another one,
29 making a total of eight HPIs in a sequence at Grasstree
30 between 22 February and 11 April. Do you know that now?

31 A. I know that now.

32
33 Q. Did you undertake any review of the group of eight to
34 see what they might reveal by way of any need for
35 intervention by the inspectorate with respect to that
36 group?

37 A. No, when I was aware that there had been a number of
38 HPIs relating to gas exceedance incidents, I was aware that
39 that had already been raised to the attention of the
40 regional inspector, so he'd already been made aware of
41 that, but I could not tell you when that actually occurred.

42
43 Q. In any event, you didn't review the group of eight as
44 a whole, because from what you tell us, you didn't at that
45 stage know there was a group of eight?

46 A. No, that is correct.

47

1 Q. Do you know whether anyone else did? You've mentioned
2 Inspector Smith. He had a particular focus on the location
3 of the sensor and whether it was compliant. But in terms
4 of the underlying causes of the HPIs, are you aware of
5 whether he or anyone undertook a review of those eight HPIs
6 in sequence?

7 A. No, I'm not aware.

8

9 Q. And there was no function within the computer system
10 or any other system to alert you to the fact that there had
11 been eight in close sequence?

12 A. Not at that time. That function is there now, but it
13 wasn't at that time.

14

15 Q. You would know this, Mr Brown: for how long has that
16 function been available to you?

17 A. I returned to my job on Monday after being off for
18 four weeks' carers leave, and on my first day of return
19 this week, I was aware through an email and as well as
20 having a look at Lotus Notes that there is a new function
21 in Lotus Notes that makes you aware of the historical -
22 there's historical data when you select the hazard
23 classification or when you're entering a particular --

24

25 Q. All right. So if you were to go to Lotus Notes today
26 to enter a description and other details of an HPI, are you
27 saying there is some mechanism within the system to alert
28 you to the HPI history?

29 A. Yes, that is correct. When you enter the - when
30 you're entering the incident notification, you have to
31 enter in the hazard classification. As soon as you select
32 a hazard classification, there is a - it looks a little bit
33 like a spreadsheet that comes up within a box below that,
34 and it will alert you to the previous 12 months of the
35 hazard classification. However, it only selects the main
36 hazard sub-classification, if that makes sense. Under each
37 hazard classification, there are sub-classifications.

38

39 Q. That was put in place whilst you were on leave;
40 correct?

41 A. Yes, that is correct. I could not tell you the date
42 that that was activated, but it was while I was on leave.

43

44 Q. Is it correct that to become aware of that kind of
45 historical information, you and others in the region have
46 been pretty heavily reliant on discussions amongst
47 yourselves at the weekly meetings and in other ways to

1 share information of that kind?

2 A. That's correct. The other ways would be - yes, that
3 is correct. The other ways would be generating a report
4 from the incident database for that particular mine in
5 a particular time frame, which is a manual extraction of
6 data.

7
8 Q. It would be unusual to have performed such an
9 exercise?

10 A. It is a standard exercise that we perform when we're
11 preparing for an inspection. It is part of our inspection
12 process and procedure that we follow to generate a standard
13 report of HPIs that have occurred for an individual mine at
14 a particular time frame.

15
16 Q. Did the action that you took with respect to the one
17 or perhaps three HPIs on 20 March trigger any need for
18 a follow-up inspection?

19 A. When we - as I said, when we generate the report, we
20 look for trends within that report of HPIs or serious
21 accidents. If there's an unusual trend - and if we just
22 talk about gas exceedances, when you generate that report,
23 it produces it in an Excel spreadsheet, and within that
24 spreadsheet it provides you with a description, who took
25 the notification, all the detail that's within the incident
26 notification, and it provides you with a hyperlink that you
27 can actually click on and go straight to that notification
28 and print the notifications as well.

29
30 Q. Are you speaking about the new function that was put
31 in place whilst you were on leave?

32 A. No, that is the function of generating the report for
33 the purpose of conducting an inspection.

34
35 Q. Okay, I understand. Thanks, Mr Brown.

36
37 MR HOLT: No questions, thank you.

38
39 THE CHAIRPERSON: Mr Roney?

40
41 MR RONEY: No questions.

42
43 THE CHAIRPERSON: Mr Anderson?

44
45 MR ANDERSON: No questions, thank you.

46
47 THE CHAIRPERSON: Ms Holliday?

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<EXAMINATION BY MS HOLLIDAY:

MS HOLLIDAY: Q. You've been with the inspectorate for almost five years, Inspector Brown?

A. That is correct.

Q. And at paragraphs 2 and 3 of your statement, it details very briefly an overview of your experience?

A. That is correct.

Q. Also the qualifications you hold, and it's correct, is it not, that you hold what's commonly referred to as a second class ticket?

A. That is correct.

Q. And you also have an Advanced Diploma of Underground Coal Mining Management; that's correct?

A. That is correct, yes.

Q. In terms of the HPI that you received on 20 March 2020 at Grasstree, you detailed in your statement, and also to Mr Rice, that you were at Brisbane Airport at the relevant time; that's correct?

A. Correct.

Q. And you had your computer already open at the time that you received the phone call; that's correct?

A. Yes, correct.

Q. Mr Operator, if Inspector Brown can see document RSH.002.076.0001, and what I've asked to be brought up, Inspector Brown, is the incident notification form, what's commonly referred to as Lotus Notes, those first two pages.

A. Yes.

Q. Mr Operator, if we can zoom in such that we focus on the "Concise Description" and "Other details", which is just slightly below halfway down, you indicated to Mr Rice that you weren't online, you weren't connected to the internet, at the airport; that's correct?

A. That is correct.

Q. But, nonetheless, you wrote into that incident notification page at the airport; that's correct?

A. That is correct.

1 Q. And, indeed, where you wrote - or typed, I should
2 say - was under the heading of "Concise Description";
3 that's correct?

4 A. That is correct.
5

6 Q. But in earlier evidence to Mr Rice, is it the case
7 that that might not have been completed - you might have
8 finished that on another day, but you entered some parts of
9 it into the "Concise Description" at the airport?

10 A. Yes, that is correct, there's sections that I would
11 have entered and then updated after receiving the form 1A.
12

13 Q. So rather than swapping between documents, we might
14 just stick with this one, then. In terms of the concise
15 description, the aim of that part of the form is to provide
16 an overview in relation to the HPI that you've received;
17 that's correct?

18 A. That is correct.
19

20 Q. And there's a limitation, isn't there, in terms of the
21 amount that you can type within that part of the form?

22 A. Yes, there's a technical limitation of Lotus Notes.
23 It's 72 words for "Concise Description".
24

25 Q. Then there is a further heading where you can detail
26 further information, and that's what's called the "Other
27 details" that appears beneath there; that's correct?

28 A. That is correct.
29

30 Q. If one does a comparison between the form 1A and the
31 other details that you have included, it's evident, isn't
32 it, that it's what comes from the form 1A that you have
33 included under the "Other details"?

34 A. That is correct.
35

36 Q. And is that because there's a consistency between the
37 form 1A and what you're informed verbally?

38 A. That is correct. We always check for consistency
39 between verbal notifications and any notes that we make, as
40 well as the form 1A, so we're looking for that the
41 information is concise and correct.
42

43 Q. Have you ever had an occasion where the form 1A wasn't
44 consistent with what you'd been informed verbally?

45 A. Not that I can recall, no.
46

47 Q. If we go down further and on to what I say is on the

1 top of page 2, but in effect when you look at this on the
2 screen, it all comes up on the one screen, doesn't it?
3 It's just when you print it out, it's now come out as two
4 pages.

5 A. Yes, there's drop-down tabs that you go from one
6 screen to another, but, yes, that's correct.

7
8 Q. Do you see on the top of page 2 there's a heading
9 "Actions Taken By Mine/Operator"?

10 A. Yes, I can see that.

11
12 Q. And a subheading of "Instructions or advice given to
13 Mine/Operation". You've typed in there; that's correct?
14 You're the one that entered those two fields?

15 A. Yes, that is correct.

16
17 Q. And then you've actually detailed that when you were
18 notified of the exceedance, the underground mine manager
19 indicated that it was a roof fall as the cause for the
20 exceedance?

21 A. Yes.

22
23 Q. And then you questioned the shearer position?

24 A. That is correct.

25
26 Q. In terms of when that questioning happened of the
27 underground mine manager, was that in the initial verbal
28 notification that you had that discussion with the
29 underground mine manager?

30 A. That is correct. We had that discussion verbally.

31
32 Q. And then you've recorded it into Lotus Notes?

33 A. That's correct, albeit very brief, but that is
34 correct.

35
36 Q. Then the next sentence that appears there is:

37
38 *After receiving the Form 1A from another*
39 *Inspector I am requesting further*
40 *information on the exceedance.*

41
42 A. That is correct.

43
44 Q. It is probably obvious given the wording, but you
45 didn't enter that until after you had received the form 1A;
46 that is correct?

47 A. That is correct. I've updated - I've populated some

1 parts of the incident notification on the Friday and I've
2 completed the rest of it on the Saturday.

3

4 Q. Because you received, didn't you, the form 1A from
5 Inspector Brennan just after 3 o'clock on the Friday;
6 that's correct?

7 A. That is correct.

8

9 Q. And you then reviewed it again on the Saturday
10 morning; that's correct?

11 A. That is correct, yes.

12

13 Q. And then you --

14 A. I reviewed it the first time Saturday morning, sorry.

15

16 Q. And then you requested information on the exceedance
17 from the underground mine manager; that's correct?

18 A. That is correct.

19

20 Q. And you've recorded that there in Lotus Notes in the
21 sentence that we've just detailed?

22 A. That is correct, and the emails are attached to Lotus
23 Notes as well.

24

25 Q. That was another question I was going to ask you.
26 Mr Rice took you to a number of emails. He didn't put them
27 all up on the screen, but if someone was going to look into
28 that HPI via Lotus Notes, they'd be able to access those
29 emails as well, wouldn't they?

30 A. Yes, that is correct.

31

32 Q. And that's by just clicking on a drop-down on Lotus
33 Notes?

34 A. It is the final drop-down box in the incident
35 notification, and all the emails - they look exactly what
36 they would look like in your in-box. They look like an
37 email, and you just click them and open them up and, yes,
38 it will be the exact same email that would be in my in-box.

39

40 Q. I'm going to take you now to the email that you sent
41 to the underground mine manager at 8.19am on the Saturday.
42 Mr Operator, if we could bring up RSH.002.059.0001.

43 Inspector Brown, by the time you sent that email, you had
44 already received the form 1A in relation to the exceedance
45 that had been reported to you; that's correct?

46 A. That is correct.

47

1 Q. You were asked some questions by Mr Rice as to why you
2 looked at your exceedance individually, if you like, rather
3 than as a group of three, that being the two that were
4 reported to Inspector Brennan and the one that was reported
5 to yourself. Why was it important for you to look at your
6 exceedance individually, rather than collectively at that
7 point in time?

8 A. To start with, this is the notification that
9 I received. I did not receive and wasn't party to all the
10 conversations that Inspector Brennan had taken when he
11 received his notifications. My duty was to review this
12 information. My choice to request the information that
13 overlapped in terms of Inspector Brennan's was to see if
14 there was any information that would come to light that
15 would show any similarities between the exceedances. So
16 I did not want to read the form 1As directly from
17 Mr Brennan until I'd had a chance to look at the data
18 itself.

19

20 Q. Did the data, once you received it on the Sunday,
21 reveal those previous exceedances that were reported to
22 Inspector Brennan?

23 A. Yes, they did, the screenshots, the 12-hour screenshot
24 did reveal that data.

25

26 Q. Whilst there may have been some similarities, did you
27 also note a difference between the exceedance that was
28 reported to you and those reported to Inspector Brennan?

29 A. Yes. There was a difference between the peak of my
30 exceedance. My exceedance peak was much higher. The
31 previous two exceedances - the first exceedance, the peak
32 was not as high as the second exceedance. The barometer
33 was on the rise as well, and the shearer position was not
34 exactly the same in all three exceedances. So there were
35 some differences there, and that's what I was exploring, as
36 to why there were some obvious changes with each
37 exceedance.

38

39 Q. The underground mine manager responded to your request
40 of 21 March on the Sunday; that's already been established.

41 A. Correct.

42

43 Q. But you obviously still had some queries, some
44 questions; that's correct?

45 A. Yes, that is correct, yes.

46

47 Q. In relation to what then occurred, you had the Monday

- 1 morning meeting, and that occurs, apart from public
2 holidays, weekly on a Monday; that's correct?
3 A. That is correct.
4
- 5 Q. Mr Operator, if we can bring up RSH.002.182.0001. If
6 we can go to the second page, you were asked in relation to
7 whether it was just your exceedance or perhaps all three
8 that were discussed at that Monday morning meeting.
9 A. That is correct.
10
- 11 Q. Does that assist you in terms of the fact that the
12 minutes record that the three gas exceedances were
13 detailed, at least in terms of what's recorded in those
14 minutes there?
15 A. The minutes have grouped them. It's not necessarily
16 that we have reviewed - either Inspector Brennan has
17 reviewed mine and I have reviewed his. It's just how the
18 meeting minutes are recorded that they are grouped there,
19 and it is a very brief explanation of the exceedances, but
20 it is consistent with what actually occurred with the
21 exceedances.
22
- 23 Q. Inspector Dobson asked you, didn't he, what follow-up
24 had been conducted in relation to the exceedance?
25 A. That is correct.
26
- 27 Q. You then provided Inspector Dobson with copies of the
28 email exchange between yourself and the underground mine
29 manager; that's correct?
30 A. That is correct.
31
- 32 Q. You also had a conversation with the underground mine
33 manager on that Monday morning; that's correct?
34 A. That is correct.
35
- 36 Q. In fact, you had two conversations, didn't you? There
37 was one on the telephone that you've recalled to Mr Rice,
38 and there was another brief one --
39 A. Correct.
40
- 41 Q. -- in a hallway because the underground mine manager
42 was going to see Inspector Brennan?
43 A. That is correct.
44
- 45 Q. As a result of those conversations, that then prompted
46 you to send the email to the SSE; that's correct?
47 A. Correct. Yes, that is correct.

- 1
2 Q. If, Mr Operator, we can bring up RSH.002.060.0001.
3 You can see there that we're still on Monday morning, at
4 9.56am, that you sent that email?
5 A. Yes, correct.
6
7 Q. Was your purpose for doing that to set out the
8 conversation that you'd had with the underground mine
9 manager and an issue that still remained of concern to you?
10 A. That is correct.
11
12 Q. Mr Wynn then responded to your email the following
13 day; that's correct?
14 A. That is correct.
15
16 Q. Mr Operator, if we can bring up BPA.001.001.0005. The
17 SSE forwarded on to you communication that he'd had with
18 his ventilation officer and also the ventilation advice;
19 that's correct?
20 A. That is correct.
21
22 Q. You considered that response sufficient to alleviate
23 the concern that you had raised in your email to the SSE?
24 A. That is correct.
25
26 Q. As Mr Rice has already detailed with you, subsequently
27 you received the form 5A; that's correct?
28 A. That is correct.
29
30 Q. And you reviewed it to make --
31 A. I --
32
33 Q. Sorry?
34 A. I was just going to say, I received notification that
35 the form 5A had been entered into the system, and then
36 I reviewed it after receiving that notification from our
37 admin staff.
38
39 Q. And you were satisfied that the action that had been
40 taken by the mine was as they had detailed previously to
41 you; that's correct?
42 A. The form 5A was listed with all the other
43 documentation. It's attached to the form 1A.
44
45 Q. Just to clarify one final point in relation to the
46 sequence, you received the form 1A because it was forwarded
47 on by Inspector Brennan on the Friday afternoon; that's

- 1 correct?
2 A. Correct. Yes, correct.
3
4 Q. And then on the Monday morning, you received it again
5 via the mine; that's correct?
6 A. That is correct.
7
8 Q. It was only that form 1A, though, in relation to your
9 exceedance, that you received from the mine, wasn't it?
10 A. That is correct, that's all they had to send to me.
11
12 Q. But nonetheless you reviewed all the form 1As - when
13 I say "all", I mean all three - on that Monday?
14 A. On the Monday, I also read the form 1As for the other
15 two exceedances, after I had also requested further
16 information and then the other exchanges had occurred
17 between myself and the SSE, Mr Wynn.
18
19 Q. If I can move on to a different topic now, you were
20 asked some questions in relation to identifying trends in
21 HPIs. If you are going out to conduct an inspection at
22 a mine, there's an inspection planning procedure, isn't
23 there, that you have to follow?
24 A. Yes, there is, that's correct.
25
26 Q. And is one of the tasks that you have to perform prior
27 to the inspection to review recent HPIs that have occurred
28 at that mine?
29 A. That is correct, that's one of the tasks that we have
30 to do.
31
32 Q. In order to do that, do you access Lotus Notes?
33 A. Yes, that is correct.
34
35 Q. And you can put in the name of the mine and also
36 a date range, and it will bring up the HPIs for that
37 particular mine over that particular period?
38 A. That is correct. Yes, that is correct.
39
40 Q. And is that, as a matter of practice, what you do
41 prior to going to a mine to conduct an inspection?
42 A. That is correct.
43
44 Q. So in relation to gas exceedances at a mine, in terms
45 of the review of the HPIs, what would you look at in terms
46 of information via Lotus Notes?
47 A. If there was a trend of HPIs involving gas exceedances

1 that I discover from running that report, there's
2 a hyperlink attached to that report that is printed, also
3 that is transferred into Excel, and I can click on the
4 hyperlinks and then view each of the form 1As and have
5 a look at other data that has been attached to that form 1A
6 and see if there's any correlation between - you have to
7 actually have a look to see if they are related or if there
8 is specific contributing factors or root causes for each
9 one. So it takes - it can be quite time consuming going
10 through, looking, but that's the only way you can do it, is
11 actually look at each individual exceedance.
12

13 Q. And you do that as a matter of course?

14 A. If there is a trend there, yes, but that applies to
15 any HPIs. If there's a trend there for a particular HPI
16 that is reoccurring, we would follow the same process.
17

18 Q. Just looking at that word "trend" for a moment, in
19 terms of a trend, there might be a trend because of
20 a cluster in terms of date - that would be a trend?

21 A. That is correct.
22

23 Q. But, nonetheless, when you look at the form 1As, what
24 might have appeared to be a trend might in fact not be?

25 A. That is correct. It can reflect good reporting as
26 well.
27

28 Q. But also, I suppose - and using these three
29 exceedances that happened on 20 March 2020 - there were
30 some similarities between them, obviously, in terms of the
31 fact that they all occurred on the same day and it was the
32 same sensor - that's correct?

33 A. That is correct, yes.
34

35 Q. But when you looked at them, as you did, in more
36 detail, there were also differences, weren't there?

37 A. There were differences. There were activities
38 occurring surrounding adjusting ventilation controls, and
39 that was my principal concern, which is why I engaged
40 further with the UMM and also the SSE.
41

42 Q. Inspector Brown, you obviously conduct inspections as
43 one of the functions of being an inspector?

44 A. That's correct.
45

46 Q. When you conduct those inspections, do you speak with
47 coal mine workers?

1 A. Yes, I do.

2

3 Q. How do you determine whether you should include
4 management in those discussions?

5 A. Often it is essential to include management in those
6 discussions, because our principal objective of inspections
7 is looking at how they are controlling principal hazards
8 and other hazards - when I'm talking about hazards, it
9 might be just extending a range of pipes or something like
10 that, but we look at all the facets of the hazards that
11 they're controlling. More often than not, the persons that
12 are accompanying us on the inspection are the risk owners,
13 so it's essential that they get feedback directly on how
14 well the risk management process is working at the
15 particular job that we're doing a task observation on.

16

17 Q. Why might you determine that it's appropriate to speak
18 to a coal mine worker in the absence of management?

19 A. That's a case-by-case situation. There may be trends
20 that you identify in the HPI data and that is linked to
21 that specific job, and you may want to get some direct
22 feedback from the coal mine workers that were engaged in
23 the task as to how well and how effective those controls
24 are.

25

26 Now, it can be quite difficult for coal mine workers
27 engaging face to face with inspectors. Some have no
28 problems with it at all, and some get very nervous. Now,
29 it doesn't make the situation even easier still if the mine
30 manager or if the technical services manager or another
31 member of senior staff is standing right beside me, so at
32 that point in time I would ask the person that is with me
33 on the inspection to give me a bit of time with the coal
34 mine worker, which they always do, and I would have
35 a discussion on my own and try to settle their nerves a bit
36 and then engage them about their task.

37

38 Q. When you're planning an inspection and you have to
39 make the decision as to whether it's going to be an
40 announced inspection or an unannounced inspection, why is
41 it that you make the decision for it to be an announced
42 inspection, on occasions? I'm not saying all the time.
43 Why would you make that decision for it to be an announced
44 inspection?

45 A. Well, it's normally for a specific purpose, so we'll
46 be looking at specific principal hazards and processes,
47 meaning longwall development, outbye, or service gas range.

1 The other reason we would give advance notice - and it
2 could be anywhere between 1 and 7 days and sometimes
3 a little bit longer - we give them that notice so that we
4 can request documents in advance, and by "documents" I mean
5 safety health management system documents. We review those
6 documents to prepare questions about the documents, and
7 then we look at which people that we will need access to,
8 and I'm talking about people at all levels - coal mine
9 workers, middle management, senior management, and, in
10 particular, the SSHR, and the more notice that we can give
11 the mine, the more likely they are able to provide an
12 opportunity to conduct an inspection with the SSHR or at
13 least meet with the SSHR if they've got a very busy day on.
14

15 The main advantage by conducting a planned, announced
16 inspection is to maximise the impact of the inspection and
17 maximise the coverage of the inspection that you are doing
18 and areas that you will cover.
19

20 Q. Do I take it from that that if you hadn't previously
21 requested the documents, for example, the bulk of your
22 inspection would be taken up with reading those documents
23 rather than inspecting the mine?

24 A. Yes, that is correct.
25

26 Q. Do I take it that you're alive to the fact, and it
27 would come as no surprise, that the mine would clean up as
28 much as it could prior to an inspection being conducted?

29 A. Yes, I am aware that it can occur, and sometimes there
30 is evidence that that does occur, and sometimes there's
31 evidence it doesn't occur.
32

33 Q. Do you confirm whether or not there has been
34 a clean-up on previous occasions, for example, by then
35 conducting an unannounced inspection?

36 A. An unannounced inspection is good in that respect,
37 that you can actually do a comparison of what is the norm.
38 So I'm saying that you'll review - when you go for your own
39 inspection, and conducting inspections at that site, you'll
40 read other MREs and from that, when conducting an
41 unannounced inspection, you'll be able to form a view if
42 what you're viewing is the normal activities at the mine,
43 meaning standards at the mine, and you can basically draw
44 from that whether or not there is significant clean-up work
45 being done or not. Unannounced inspections are also done
46 for reasons that may be related to an ongoing complaint, it
47 may be trends in the HPIs that we've already mentioned, or

1 it's simply done on a random basis. We do have KPIs for
2 the unannounced inspections. However, there is a specific
3 purpose for doing an unannounced inspection as well. So
4 whether there's a KPI or not, they have a specific role.
5

6 Q. When you're conducting an announced inspection and say
7 it has a specific purpose of considering an aspect of the
8 safety and health management system, you're not precluded,
9 though, are you, from going and conducting an inspection of
10 the mine in another part where you haven't said you were
11 going to go in advance to the mine?

12 A. No, that is correct. We can inspect any areas of the
13 mine, whether it's - in an underground mine, it's surface
14 and underground. Open-cut is the same. The only
15 limitation is there may be some areas that are not open,
16 and, as part of that, we'll be conducting the inspection,
17 a statutory official can actually open up the area.
18

19 Q. The point that I was trying to make with you is that
20 even though it might be an announced inspection in terms of
21 a particular aspect, nonetheless you might take the
22 opportunity to look at other areas that you haven't given
23 notice of to the mine?

24 A. That is correct.
25

26 Q. Inspector Brown, you've been an inspector, as we've
27 detailed, for almost five years. In terms of the
28 relationship that you have with the ISHRs, how would you
29 describe that relationship?

30 A. I have a good professional relationship with the
31 ISHRs.
32

33 Q. Is there one in particular that you have a stronger
34 relationship with?

35 A. Most of my dealings with the ISHRs have mainly been
36 with Inspector Woods, who is based in Mackay.
37

38 Q. In terms of the period since November 2019, has there,
39 in your view, been any deterioration of the relationship
40 with the ISHRs?

41 A. No, not that I'm aware of, no.
42

43 MS HOLLIDAY: Thank you. No further questions.
44

45 THE CHAIRPERSON: Mr Rice?
46

47 MR RICE: No, thank you.

1
2 THE CHAIRPERSON: Mr Clough?

3
4 MR CLOUGH: No questions from me, thank you.

5
6 THE CHAIRPERSON: Q. Mr Brown, just before you go, on
7 the Friday, 20 March, and then the few days that followed,
8 were you on duty, normal duty, those days?

9 A. On the Friday, I was. The Saturday and the Sunday,
10 I was on days off.

11
12 Q. And back on work day on Monday?

13 A. That is correct.

14
15 Q. Finally, can you say on average how often during
16 a year a coal mine would be inspected by the inspectorate?
17 A. We do have an inspection schedule. They vary for each
18 mine. I would be hard to place a particular number,
19 because the risk profile's different for each of the mines.
20 Some mines get more inspections than others simply by risk
21 profile.

22
23 Q. Could you give a maximum and a minimum?

24 A. Oh, okay. For an open-cut, the minimum, two
25 inspections; the maximum, six inspections, and that can be
26 more. An underground mine - and I'm only talking about my
27 discipline as well. I can't talk for mechanical,
28 electrical and hygiene, because there's other areas that do
29 inspections. For mining inspections, for an underground
30 mine, minimum, six inspections; maximum, up to a dozen.
31 But, again, it really depends on the risk profile of the
32 mine.

33
34 THE CHAIRPERSON: All right, thank you. Can Mr Brown be
35 excused?

36
37 MR RICE: Yes, he can, Mr Martin.

38
39 THE CHAIRPERSON: Mr Brown, thank you for your evidence.
40 You are excused.

41
42 **<THE WITNESS WITHDREW**

43
44 MR RICE: I call Inspector Mark Lydon, who in fact is here
45 in person.

46
47

1 <MARK WALTER LYDON, sworn: [11.06am]
2
3 <EXAMINATION BY MR RICE:
4
5 MR RICE: Q. Is your name Mark Walter Lydon?
6 A. That's correct.
7
8 Q. You're an inspector of mines attached to the northern
9 region; correct?
10 A. That's correct, sir.
11
12 Q. And your particular specialty is the electrical
13 discipline?
14 A. Yes.
15
16 Q. You've prepared a statutory declaration, haven't you,
17 setting out some details of your connection with an HPI
18 earlier this year?
19 A. I have.
20
21 Q. Could Mr Lydon see his declaration, please.
22 Mr Operator, it's document LMA.001.001.0001. That's a copy
23 of your declaration?
24 A. That is a copy, yes.
25
26 Q. Mr Brown has given us a lot of information, so in
27 light of that there's only a few things I want to ask you.
28 Okay?
29 A. Yes.
30
31 Q. You were involved in receiving information about an
32 HPI that occurred on 11 April this year?
33 A. That's correct.
34
35 Q. And you actually received the verbal notification
36 about that from Mr McNally the next morning?
37 A. That's correct, yes.
38
39 Q. Because it concerned an incident at the longwall in
40 production, which is outside your specialty, you decided to
41 engage with Mr Smith about the incident?
42 A. Yes. I engaged with Mr Smith in regard to being a gas
43 exceedance and, yes, it's outside my discipline, which is
44 electrical, so I took guidance in regard to the
45 notification from Mr Smith, yes.
46
47 Q. So you had a conversation with Mr Smith about the

1 information you'd got from Mr McNally?
2 A. Yes, I did.
3
4 Q. And that prompted you to send an email to Mr McNally
5 asking for some information?
6 A. Yes. Mr Smith asked for the trends on certain sensors
7 in the longwall installation, yes.
8
9 Q. And you received information, not long after, that
10 same morning?
11 A. That's correct.
12
13 Q. And then later that day, you got another email from
14 Mr McNally attaching the form 1A?
15 A. That's correct.
16
17 Q. Tell me, so far as those events that occurred on the
18 day of the notification, being your dialogue with
19 Mr McNally, your conversation with Mr Smith and your review
20 of the form 1A, were you aware at that stage that there had
21 been a recent history of HPIs involving methane exceedances
22 at Grasstree?
23 A. I wouldn't say I had a very high awareness of the HPIs
24 at Grasstree in regard to the number. I do know there had
25 been discussions in previous meetings, as Inspector Brown
26 indicated, where we have our Monday morning briefings.
27
28 Q. You were involved, I think, in reviewing the form 1A
29 the next day. You had received it I think by email at
30 about 7.52 the previous evening?
31 A. That's right, yes.
32
33 Q. And then come I think it was Monday --
34 A. Monday.
35
36 Q. -- you did the review?
37 A. Yes.
38
39 Q. You say you had some awareness there had been recent
40 HPIs. Did that awareness prompt you to undertake any
41 review of previous circumstances?
42 A. Not on the Monday. The Monday was a public holiday.
43 It was over the Easter period. So I lodged it into Lotus
44 Notes and put the relevant information that had been put
45 through from the mine ready for discussion on the Tuesday
46 because of the public holiday on the Monday, yes.
47

- 1 Q. You made your entries into Lotus Notes on the Monday?
2 A. I started my entries on Monday, yes.
3
- 4 Q. What I was asking you was whether, by that time, you
5 had any information that prompted you to go back and review
6 the HPI history?
7 A. Not at that point in time, no. That's where I was
8 relying on guidance from Inspector Smith with the trends
9 that got sent through, ready for discussion on Tuesday
10 morning for any further action.
11
- 12 Q. Was that at the weekly meeting or after the weekly
13 meeting?
14 A. After the Tuesday morning meeting, yes.
15
- 16 Q. You had a discussion with Mr Smith about information
17 that you had about the location of the sensor?
18 A. That's correct.
19
- 20 Q. And he was interested in that, I gather?
21 A. He was interested, yes.
22
- 23 Q. You would be aware, I think, that within a couple of
24 days he actually suspended Grasstree by virtue of the
25 location of the sensor at which this HPI had occurred?
26 A. Yes, I am aware that he issued a directive in regard
27 to the sensor not being in compliance with the legislation.
28
- 29 Q. Apart from the dialogue you had with Mr Smith
30 concerning that issue of location of the sensor, did you
31 see any reason to go back and review any HPI history for
32 Grasstree?
33 A. No, in the sense of - because my discipline is
34 electrical, and looking at the actions they had undertaken
35 in regard to ventilation, I do have an understanding on gas
36 management, not to the extent of Inspector Brown and the
37 mining people, but I do have an understanding to make some
38 determination, yes. So with the ventilation, in regard to
39 the Sherwood curtain and what they've done and the trends
40 that were put forward, I didn't see any relevance to go
41 back and look.
42
- 43 Q. Do we understand that given that they were all gas
44 exceedances, you may not have been the best person to
45 undertake such a review, in any event?
46 A. That's correct. That's why I took guidance from
47 Inspector Smith.

1
2 Q. Is that at least one reason why you didn't go back to
3 review what in fact were seven other exceedances --
4 A. Yes.
5
6 Q. -- with some overlapping causes?
7 A. That's right, yes.
8
9 Q. Likewise we've heard from Mr Brown, so far as the
10 form 5A is concerned, that in the ordinary course it would
11 come to you for review?
12 A. Yes. The 5A did come to me for review, because when
13 we enter into Lotus Notes, if the individual is not changed
14 to the discipline, then it will automatically come to the
15 inspector that's taken the notification, yes.
16
17 Q. Is it correct that at that point, having received that
18 information, there was no action undertaken by you to
19 review Grasstree's recent history, including seven other
20 incidents?
21 A. That's correct.
22
23 MR RICE: Thanks, Mr Lydon.
24
25 THE CHAIRPERSON: Mr Holt?
26
27 MR HOLT: No questions, thank you, Mr Martin.
28
29 THE CHAIRPERSON: Mr Roney?
30
31 MR RONEY: No questions.
32
33 THE CHAIRPERSON: Mr Anderson?
34
35 MR ANDERSON: No questions.
36
37 THE CHAIRPERSON: Ms Holliday?
38
39 MS HOLLIDAY: I have no questions.
40
41 THE CHAIRPERSON: Mr Clough?
42
43 MR CLOUGH: No questions, thank you.
44
45 THE CHAIRPERSON: Mr Lydon, thank you for your attendance
46 today. You are excused.
47

1 <THE WITNESS WITHDREW

2

3 MR RICE: Mr Martin, there is a tender list of documents
4 arising from yesterday's evidence. The list has been
5 circulated, and I tender the list and the documents
6 referred to on it. It's marked with the letter E.

7

8 THE CHAIRPERSON: Thank you. That tender list will be
9 admitted into evidence.

10

11 MR RICE: Mr Martin, those are the witnesses scheduled for
12 this morning. Could I suggest adjourning until 10.30
13 tomorrow.

14

15 THE CHAIRPERSON: Yes, very well. Thank you. We will
16 adjourn until 10.30 tomorrow.

17

18 **AT 11.15AM THE BOARD OF INQUIRY WAS ADJOURNED**
19 **UNTIL THURSDAY, 13 AUGUST 2020 AT 10.30AM**

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