

10:29:47 1 **THE TRIBUNAL RESUMED AS FOLLOWS ON WEDNESDAY,**
2 **12TH DECEMBER 2007, AT 10.30 A.M:**

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CHAIRMAN: Good morning, Ms. Dillon.

10:39:11 5

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MS. DILLON: Good morning Sir.

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The purpose of this morning's sittings was either to recommence the evidence of

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Mr. Dunlop or to update the Tribunal in relation to the medical position in

10:39:19 10

relation to Mr. Dunlop.

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The MRI Scan, which was the difficulty, has now been read. And it's understood

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as a result of that Mr. Dunlop will be in a position to proceed to give

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evidence subject to a final and definitive medical report, which I understand

10:39:33 15

will be available orally and/or in writing at the latest by Friday evening.

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On that basis, it is anticipated that Mr. Dunlop will resume his evidence at 2

18

o'clock on Monday. And I think that Mr. Redmond is satisfied that that

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correctly is the position I think.

10:39:52 20

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CHAIRMAN: All right.

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MR. REDMOND: I am in a position to confirm that, Chairman.

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10:39:56 25

CHAIRMAN: All right. Well that seems to be good news.

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27

MS. DILLON: Yes.

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CHAIRMAN: So we will adjourn until 12 o'clock because we have other witnesses

10:40:02 30

at 12 o'clock.

10:40:04 1
2 MS. DILLON: Yes, Sir.
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4 CHAIRMAN: And we'll await the report on Friday in relation to Mr. Dunlop.
10:40:09 5
6 MS. DILLON: Yes. And we will be listing Mr. Dunlop's evidence to recommence
7 on Monday at 2 o'clock and then on Tuesday and Wednesday morning. All right.
8
9 CHAIRMAN: Thank you.
10:40:19 10
11 MS. DILLON: Thank you, Sir.
12
13 CHAIRMAN: Thank you. Thank you.
14
10:40:21 15 **THE TRIBUNAL THEN ADJOURNED FOR A SHORT BREAK AND RESUMED**
16 **AS FOLLOWS:**
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18 CHAIRMAN: Good afternoon Mr. O'Neill.
19
12:09:17 20 MR. O'NEILL: Good afternoon, Mr. Chairman, Members of the Tribunal. The next
21 witness to be called is Mr. Dermot Carew. Mr. Carew, could you come forward to
22 the witness box here, please?
23
24 MR. BURKE: Chairman, Members of the Tribunal, just for the record David Burke
12:09:34 25 is my name. I'm appearing instructed by BCM Hanby Wallace for Mr. Carew today.
26 We already have a grant, I think we got it at the opening a few months ago.
27
28 CHAIRMAN: All right. It's there anyway.
29
12:09:51 30 MR. BURKE: It's there. Thank you.

12:09:55 1

2

MR. DERMOT CAREW, HAVING BEEN SWORN, WAS QUESTIONED

3

BY MR. O'NEILL AS FOLLOWS:

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12:09:59 5

CHAIRMAN: Good afternoon, Mr. Carew

6

A. Good afternoon.

7

8

MR. O'NEILL: Good afternoon, Mr. Carew.

9

A. Hello.

12:10:06 10

Q. 1 You are a publican by occupation, isn't that right?

11

A. That's correct.

12

Q. 2 And you own a licenced premises known as Beaumont House, is that so?

13

A. That's correct.

14

Q. 3 And do you own any other licenced premises?

12:10:18 15

A. No.

16

Q. 4 No. You may have other business interests, which aren't of concern to the

17

Tribunal, but in your capacity as a publican I think you've had dealings with

18

Mr. Bertie Ahern, is that right?

19

A. That's correct.

12:10:29 20

Q. 5 And your involvement with this Tribunal arises in circumstances where the

21

Tribunal is enquiring into a lodgement of funds to the account of Mr. Ahern,

22

which was made on the 11th of October 1994, in the sum of 24,838.49 pounds. A

23

sum which equates exactly to the amount which a person exchanging 25,000 pounds

24

sterling on that date would have received at AIB bank, had they conducted that

12:11:03 25

transaction within the bank and had a rate of exchange for foreign currency up

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to 2,500 pounds in value being applied to that transaction. Now, your

27

involvement in this arises from the fact that you were named in a report

28

prepared by Mr. Des Peelo on behalf of Mr. Ahern and furnished to the Tribunal

29

by Mr. Ahern as his narrative of events. And we'll see at page 17837, which

12:11:35 30

would appear on screen before you, an extract from Mr. Peelo's report, which is

12:11:41 1 dated the 20th of April 2006.
2
3 Here he is dealing with the transfer of 24,838.49 Pounds. "Dear client, 7 day
4 fixed interest account at Allied Irish Bank" -- number given -- "on the 11th of
12:12:00 5 October 1994." And the narrative stays, paragraph A, "Mr. Ahern attended and
6 spoke at private dinner in Manchester circa this time. This dinner was
7 organised by Manchester Irish businessmen and Mr. Ahern had attended similar
8 dinners on previous occasions. The dinner was not organised as a fundraiser.
9 At the end of the dinner, unsolicited by Mr. Ahern, he was presented with cash
12:12:24 10 of circa sterling 8,000 Pounds made up by individual contributions from the
11 attendance. There was no list of contributors in this regard. John Kennedy,
12 one of the Manchester businessmen involved and senator Tony Kett who attended
13 the dinner, can confirm the foregoing.
14
12:12:41 15 B. The exact amount of sterling cash is not known and the then 11th of October
16 1994 sterling punt exchange rate of 0.9883. The sterling equivalent of
17 7,938.49 was circa sterling 7,845.61. Note Irish 7,938.49 Pounds plus 16,500
18 Pounds equals 24,438.49 Pounds.
19
12:13:14 20 The balance of Irish 16,000 Pounds in the lodgement was made up as follows.
21 Paddy Reilly, 3,500 pounds. Barry English 5,000 Pounds. Joe Burke 3,500
22 Pounds. Dermot Carew 4,500 Pounds. A different Paddy Reilly than listed at
23 15A.
24
12:13:35 25 All of the above persons are personal friends of Mr. Ahern. The amounts were
26 entirely unsolicited and represented a goodwill loan from friends towards
27 building up Mr. Ahern's personal finances re possible purchase of a house."
28
29 So you will see that the attention of the Tribunal is drawn to your involvement
12:13:55 30 in this exchange from Mr. Ahern. And this was followed by correspondence,

12:14:00 1 which passed between the Tribunal's solicitor and Mr. Ahern's solicitor, and in
2 June of 2006 your address was furnished to the Tribunal by Mr. Ahern's
3 solicitors and you were written to by the Tribunal seeking assistance. And if
4 we look to page 17923 on screen, you will see a letter to you dated the 29th of
12:14:26 5 June 2006. Which reads as follows, "Dear Mr. Carew. The Tribunal has been
6 informed that you made payment of money to Mr. Bertie Ahern TD or for his
7 benefit in or about October 1994. The Tribunal seeks your assistance in
8 reconciling certain receipts of funds by Mr. Ahern during this period and
9 accordingly requests you to provide to the Tribunal a detailed narrative
12:14:49 10 statement setting out the circumstances in which you came to make any such
11 payment to Mr. Ahern. In your narrative statement please include the following
12 information.
13
14 1. The identity of the person who requested you to make such payment.
12:15:03 15 2. Your understanding as to why such payment was to be made.
16 3. The reasons advanced to you by any other person for the making of any such
17 payments.
18 4. The identity of any other persons who to your knowledge made similar
19 payments.
12:15:17 20 5. The identity of the person to whom you made the payment.
21 6. The manner in which the payment was made by you, whether in cash, by
22 cheque, by draft, money order or otherwise.
23 7. The bank account or other source of funds used by you to make such payment,
24 enclosing copies of any bank withdrawals, bank statements or other
12:15:34 25 documentation recording the fact of such payment.
26 8. The terms, if any, upon which you made such payments to or for the benefit
27 of Mr. Ahern.
28 9. Details of any acknowledgement or receipt given to you in respect of such
29 payment, either at the time of payment or subsequently.
12:15:50 30 10. Details of any other payments made by you to Mr. Ahern with an explanation

12:15:56 1 there for."
2
3 Now, following this letter being sent to you on the 29th of June 2006, you
4 responded in writing to the Tribunal on the 24th of July 2006 setting out your
12:16:11 5 narrative and response, isn't that so?
6 A. That's right.
7 Q. 6 And we'll see that at page 17925. Which reads as follows.
8
9 "Dear Ms. Gilvarry. I refer to your letter regarding receipts of monies by the
12:16:27 10 Taoiseach, Mr. Bertie Ahern.
11
12 I can verify that approximately 12 years ago I gave Bertie Ahern 16,500 Pounds.
13 I contributed 4,500 Pounds of this sum personally and the rest of the money
14 came from other close friends of Mr. Ahern in a personal capacity and related
12:16:45 15 to the situation Mr. Ahern found himself in, in the aftermath of his separation
16 from his wife. This was the only time I gave any monies to Mr. Ahern --
17 sorry -- to Bertie Ahern.
18
19 Bertie Ahern is a long-standing friend and he regularly frequents my pub."
12:17:04 20 There is a redaction there, which is referring to the separation itself. "I
21 would also have been conscious of the fact that Bertie was living Joe Burke's
22 family and in his constituency office as he had no home of his own.
23
24 I remember being in the company of mutual friends of mine and of Bertie Ahern.
12:17:21 25 One of the gathering commented that it was sad that he was living in the little
26 flat over Saint Luke's. The fact that Bertie Ahern had no home of his own was
27 felt by his friends to be damaging to him personally and in his career.
28
29 As this discussion progressed, it was decided that his friends should prevail
12:17:39 30 upon Mr. Ahern to get his domestic arrangements regularised and that we would

12:17:44 1 loan him money to help him. I volunteered to collect the money and to talk to
2 Mr. Ahern accordingly.

3
4 As a result Joe Burke gave 3,500 pounds, as did Paddy Reilly. Barry English
12:18:01 5 gave 5,000 Pounds. I myself decided to give 4,500 pounds. I gave this money
6 in cash, which I took from my own resources. All of the sums I collected were
7 in cash at my request. I felt that if I was to try and give Mr. Ahern a cheque
8 I would not have been able to prevail upon him to cash it.

9
12:18:15 10 When I gave Bertie the proceeds of the collection he initially did not want it
11 to take the money. I made the point to him that his friends wished to help him
12 out and he was argued that he needed to buy a house if he was ever to progress
13 with his political ambitions. Eventually Mr. Ahern said that he would accept
14 the money on the basis that he would repay it when he had his affairs sorted
12:18:36 15 out. Yours faithfully. Signed Dermot Carew".

16
17 That was the statement.

18 A. That's it, yeah.

19 Q. 7 Do you adopt that statement, Mr. Carew, as your best recollection of the events
12:18:47 20 which are the subject matter of the inquiry?

21 A. That's correct.

22 Q. 8 I see. Could we perhaps look at this in a little more detail with you now.
23 You refer to there being a meeting at which this matter was discussed. Can you
24 tell me where that took place and when?

12:19:05 25 A. Well it wasn't exactly a meeting.

26 Q. 9 Yes.

27 A. We were just having a few pints in the Beaumont House.

28 Q. 10 Right.

29 A. And were just yapping away as usual and when -- Bert was there originally, and
12:19:18 30 when Bert left then the company was Joe, Paddy and -- Joe, Paddy and Barry.

12:19:24 1 Q. 11 I see.

2 A. And we were yapping away where he was staying tonight and the usual ...

3 Q. 12 Okay. Perhaps we'll take it in stages. Can you tell me firstly by reference

4 to the year 1994, as best you can, what month of the year it was that this

12:19:40 5 meeting took place?

6 A. It was around September 'cos the then, the All-Ireland -- September. And then,

7 I'm sure it was around September.

8 Q. 13 Right. And your pub is located in Beaumont, is that right?

9 A. That's right.

12:19:57 10 Q. 14 And was it a daytime or a night-time meeting?

11 A. A night-time.

12 Q. 15 A night-time.

13 A. Yeah.

14 Q. 16 And can you say whether or not it was any particular day of the week, was it at

12:20:09 15 a weekend or a weekday or?

16 A. I'd imagine, I'm not a hundred per cent sure, but I would imagine it was a

17 Saturday night because Saturday night was a night we all got together.

18 Q. 17 I see. And as well as being the owner of this pub, I take it that you work

19 there yourself do you?

12:20:25 20 A. I do, yeah.

21 Q. 18 Do you work and were you working on the night in question?

22 A. No, generally on a Saturday night I have a few pints with the lads.

23 Q. 19 Right.

24 A. Or if Bert comes in I wouldn't be bothered working.

12:20:36 25 Q. 20 So is this an extensive premises or what kind of numbers can you accommodate

26 there?

27 A. A few hundred, 6 or 700.

28 Q. 21 All right. Was it by arrangement that you had met with these customers and

29 friends of yours who were subsequently to discuss Mr. Ahern's affairs or was it

12:20:55 30 matter of habit that every Saturday night or whatever it might be, that you

12:20:58 1 might meet with the same grouping or how did it happen?

2 A. The same guys would be there on a Saturday night or a few nights during the

3 week. It wasn't arranged it just happened to fall into place.

4 Q. 22 Okay. And where in the pub did this take place, was it in the public area?

12:21:13 5 A. It was, yeah, down at the end of the counter.

6 Q. 23 Down near the counter, was it at a separate table from --

7 A. No.

8 Q. 24 -- other customers or was it something --

9 A. No. We all congregate in the same little area down at the end of the counter

12:21:27 10 all the time.

11 Q. 25 You were down at the end of the counter with a number of your regular customers

12 and as far as you can recollect they included Mr. Ahern himself, is that right?

13 A. Yeah. Bert was there, yeah.

14 Q. 26 That obviously was the earlier part of the evening, was it?

12:21:40 15 A. That's correct.

16 Q. 27 And at what time do you think he left?

17 A. Quite honestly with you I haven't a clue.

18 Q. 28 Yes.

19 A. Around closing time or shortly after closing time.

12:21:52 20 Q. 29 Shortly after closing time.

21 A. I'd imagine, so, yeah.

22 Q. 30 I take it that the discussion on this subject didn't take place in his

23 presence?

24 A. No, he was gone at this time.

12:22:01 25 Q. 31 So at closing time or thereabouts then, how many of Mr. Ahern's friends and

26 your friends were present when the discussion on Mr. Ahern's personal affairs

27 opened?

28 A. Well the discussion actually took place between the four of us, Paddy, Barry

29 and Joe, myself because we were actually, we drink -- we don't all say drink

12:22:29 30 together.

- 12:22:29 1 Q. 32 Yeah.
- 2 A. But we drink in little groups.
- 3 Q. 33 Right.
- 4 A. But there would be a good few more of Bert's friends there.
- 12:22:31 5 Q. 34 Well were they present during the exchange between yourself and the three
6 people you've named, about Mr. Ahern's situation or had they left and the four
7 of you got together on this issue?
- 8 A. They wouldn't be in our company. They weren't part of the discussion with me.
- 9 Q. 35 Well were they present and could they overhear what was going on?
- 12:22:51 10 A. No, no, they wouldn't overhear what was going on.
- 11 Q. 36 Does it then mean that four of you were within ear shot and had a common
12 interest to discuss that as Mr. Ahern's affairs, but the others were not
13 listening in on that?
- 14 A. Well I don't know were they listening in or not, but they weren't part of the
15 discussion with me anyway.
- 12:23:12 16 Q. 37 All right. Well who initiated the discussion as far as you know about
17 Mr. Ahern?
- 18 A. I'm 90 per cent sure I brought it up actually first.
- 19 Q. 38 Okay.
- 12:23:23 20 A. With Joe.
- 21 Q. 39 Okay.
- 22 A. Because I --
- 23 Q. 40 Yes. You brought it up and what was the subject that you brought up?
- 24 A. I think I mentioned to Joe, "where is Bert staying tonight?" Something to that
12:23:35 25 effect and it progressed from there and I said it's about time that he got a
26 house. Because I had mentioned to Bert beforehand on a few occasions when we'd
27 be having a pint and -- you know, I said, "would you not go out and get a
28 fecking house instead of living in Luke's or with Joe." He did say that he was
29 in the process of doing that, that he had some savings.
- 12:23:57 30 Q. 41 Well we'll take it in stages. Firstly, this meeting that you had with

- 12:24:02 1 Mr. Ahern was one of a series of social exchanges that you would have had for a
2 considerable time going back since he became a customer of yours, isn't that
3 right?
- 4 A. Yeah, it wouldn't be a meeting as such. It would just be meet up with him for
12:24:17 5 a pint.
- 6 Q. 42 It probably is exaggerating somewhat to call it a meeting, but you actually did
7 meet and you regularly socialised, isn't that right?
- 8 A. Oh, yes, that's correct.
- 9 Q. 43 And this had been going on for years, isn't that right?
- 12:24:30 10 A. Well quite -- I know Bert donkeys years, but yes.
- 11 Q. 44 And there was nothing new about the fact that he was separated because he had
12 separated back in 1987?
- 13 A. That's correct, yeah.
- 14 Q. 45 Right. And is there any reason in particular, I mean obviously when he
12:24:47 15 separated in 1987 he ceased to live in his family home in Malahide, isn't that
16 right?
- 17 A. That's correct.
- 18 Q. 46 And his domestic arrangements, his living arrangements had been continuing for
19 this seven, well seven plus years by the time you had this discussion in the
12:25:02 20 pub that night, isn't that right?
- 21 A. Well I wouldn't say seven years had elapsed before I discussed it.
- 22 Q. 47 No I'm talking about this discussion taking place on this particular night. We
23 are now dealing with September of the year 1994. He had separated in January
24 1987, which was seven years earlier, isn't that right?
- 12:25:24 25 A. That's correct.
- 26 Q. 48 In what sense was it in any way topical or a matter of conversation to be
27 discussing Mr. Ahern's residence seven years after the event?
- 28 A. It just came up in conversation that I asked Joe, "where's Bert staying
29 tonight, is he not staying with you?" Small talk like that.
- 12:25:47 30 Q. 49 Yeah. Is it not the case that Mr. Ahern had moved in to the apartment, which

12:25:51 1 had been refurbished for his benefit, in St. Luke's in the middle of or the
2 early part of 1992, that building had been acquired in 1988. It had been
3 extensively refurbished and a self-contained apartment had been built-in the
4 property at that time, isn't that right?

12:26:12 5 A. Well I'm not sure of the dates it was refurbished.

6 Q. 50 Right. Well, Mr. Ahern's evidence is that he was living in that apartment and
7 that it was available to him from 1992 onwards, some two years before the
8 conversation you had with him or the conversation you had about his residence
9 that night, which was to lead to money being raised, isn't that so?

12:26:40 10 A. I don't get the drift of your question.

11 Q. 51 I'm asking you whether or not you accept or otherwise that Mr. Ahern had a
12 place to reside in from 1992 onwards, which was exclusively a place for him.
13 In other words, he was not, didn't have to stay with friends or with his family
14 or with anybody else, he had an apartment in St. Luke's and he occupied it from
15 1992 onwards?

16 A. Yeah, but he was also staying with Joe Burke --

17 Q. 52 I'm sure.

18 A. -- at the same time.

19 Q. 53 I'm sure many of us who stay with different people from time to time --

12:27:12 20 A. Yeah.

21 Q. 54 -- nothing unusual about that. But you he didn't have a need, Mr. Carew, at
22 the time for an additional residence?

23 A. Well I thought he did.

24 Q. 55 You thought he did?

12:27:23 25 A. Uh-huh.

26 Q. 56 So you have this conversation then with the other three, who you have named and
27 you say that this wasn't the first time that you had raised the question of
28 Mr. Ahern buying a house, is that right?

29 A. That's correct.

12:27:38 30 Q. 57 And then you went on to say that at some stage he had indicated to you that he

12:27:43 1 had savings to buy a house, is that right?

2 A. That's correct.

3 Q. 58 Can you tell me where and when you had that conversation with him in connection

4 with the purchase of a house?

12:27:53 5 A. Well, where and when, I just can't remember.

6 Q. 59 Okay.

7 A. You know you'd be out for a pint or meet him socially and I remember one time

8 actually I had met him, "Bert when you do buy a house I hope you don't buy in

9 the south side of the city." Just small talk. And he told me that he had, I

12:28:13 10 forget a place that he named, but he did say that he was working on it.

11 Q. 60 Well I'd like to know, if you can recollect, when it is that you first brought

12 up with Mr. Ahern the question of his personal finances and when it was that he

13 indicated to you that he had savings that he intended to use?

14 A. It would be prior to me giving him the money.

12:28:34 15 Q. 61 Yes. And was it that year, in other words, in 1994 or was it in '93, do you

16 know?

17 A. Quite honest with you I just don't remember.

18 Q. 62 Right. But did that satisfy your curiosity or your interest in Mr. Ahern's

19 affairs when he was in a position to tell you, "I do have savings and I'm

12:28:54 20 saving for a house"?

21 A. Yeah, I knew he was saving for a house.

22 Q. 63 Right. Was there any need to go any further then and suggest or discuss with

23 others that you should implement those savings in some way?

24 A. Well I felt that he had savings so I thought an extra few pound actually it

12:29:13 25 would only be a few pounds each get him a house and get on with it.

26 Q. 64 Well why -- did you think that his savings were in some way deficient and were

27 not sufficient to allow him to buy a house?

28 A. Just -- how do you mean?

29 Q. 65 You obviously had a discussion with him about buying a house?

12:29:34 30 A. That's right.

- 12:29:34 1 Q. 66 He indicated to you "I have savings," isn't that right?
- 2 A. He was actually working on savings, yes.
- 3 Q. 67 Right. He didn't say "I don't have enough to buy a house."
- 4 A. No, he did not.
- 12:29:46 5 Q. 68 He didn't say "I'm short the few bob."
- 6 A. No.
- 7 Q. 69 So on that basis why could you or how could you presume that he didn't have
- 8 sufficient savings to allow him to buy a house, if and when he wanted to?
- 9 A. Well if he had sufficient savings I'd take it for granted that he would have
- 12:30:03 10 bought a house.
- 11 Q. 70 Yes. Well that doesn't necessarily follow. He mightn't have wanted to buy a
- 12 house at that particular time. He mightn't have found a suitable house at the
- 13 time. There are any number of reasons, short of him not having sufficient
- 14 savings, isn't that right?
- 12:30:19 15 A. If you say so.
- 16 Q. 71 I mean did you ask him? Did you say -- when he said "I have savings" did you
- 17 say "have you got enough? Are you short? How much do you think you need? Can
- 18 I be --"
- 19 A. That's a very personal question I wouldn't ask a man.
- 12:30:31 20 Q. 72 Well you felt that you could ask him whether he had savings, that's very
- 21 personal?
- 22 A. No I didn't ask. He said that he had savings.
- 23 Q. 73 He volunteered to you that he had savings?
- 24 A. Yes.
- 12:30:42 25 Q. 74 Right. So in the knowledge that he had savings and that he was saving to
- 26 purchase a house, you brought up the matter with three of your friends and his
- 27 on this evening and it was some time after closing time or close to closing
- 28 time.
- 29 A. Yeah, after closing time.
- 12:30:59 30 Q. 75 And can you tell us what input each of the individuals had with regard to the

- 12:31:06 1 discussion, did everybody know that he had savings, for example?
- 2 A. I could have mentioned it to them, I'm not a hundred per cent sure.
- 3 Q. 76 Did any of them indicate that they thought that he was short of money?
- 4 A. Well that was the reason we gave him the money because we were under the
- 12:31:23 5 impression that he needed the few quid.
- 6 Q. 77 Well I'm trying to understand how that impression was created, Mr. Carew. In
- 7 your mind, given that this gentleman that you were talking about had been --
- 8 well firstly he was the Minister for Finance at the time. Secondly, he had
- 9 been a government minister continuously since 1987. He lived a frugal
- 12:31:49 10 lifestyle. He wasn't a man to spend a lot of money. Could I suggest to you
- 11 that there was no indication that he was in any way short of money?
- 12 A. Well he had given up his family home, which I knew.
- 13 Q. 78 That was in 1987.
- 14 A. That's right.
- 12:32:12 15 Q. 79 He hadn't lived there since then?
- 16 A. That's right. And when I did discuss it with him at an earlier stage, prior to
- 17 me giving him the money, he did indicate that he was saving for a house.
- 18 Q. 80 Yes.
- 19 A. And I saw nothing wrong with helping him, giving him a dig out.
- 12:32:20 20 Q. 81 But I mean he hadn't, as you've already indicated to us, indicated that he
- 21 needed a dig out. I'm wondering why it is that you took it on yourself to
- 22 engage in conversation with others about the affairs of Mr. Ahern and his
- 23 finances, when there wasn't an apparent need for him to have a dig out, if I
- 24 could put it that way?
- 12:32:45 25 A. Well I took it for granted that say, for example, if he had enough savings he'd
- 26 have gone out and bought a house in that period of time, but he hadn't. So I
- 27 just took it for granted that he didn't have enough to go ahead with the
- 28 purchase of a house so.
- 29 Q. 82 Well did everybody else feel, at that time, at that meeting, that Mr. Ahern was
- 12:33:05 30 in need of financial assistance?

12:33:08 1 A. I'd, I reckon -- I can't speak for them, but I imagine that would be the
2 general consensus.

3 Q. 83 Right. And had you any idea of what his financial requirement was?

4 A. How do you mean?

12:33:21 5 Q. 84 Did you know if he needed 5,000, 10,000, 100,000 or more?

6 A. No, we had no figure whatsoever. Just among ourselves we decided -- I left it
7 up to each individual what they wanted to give.

8 Q. 85 Well what had you in mind to do, were you going to buy him a house?

9 A. No. Actually as I said earlier on, we were giving him a dig out towards the
12:33:46 10 deposit for a house.

11 Q. 86 Right. Well in what form was that to take place firstly?

12 A. How do you mean?

13 Q. 87 Were you going to give him the money? Were you going to loan him the money?
14 Were you going to give him special interest rate on money? Were you going to
12:34:03 15 go guarantor for him with the bank? There are any numbers of ways in which you
16 can assist somebody who needs financial assistance. Now, you tell us that you
17 reached a determination in your own mind that he did need assistance and I'm
18 trying to establish the circumstances in which you came to give the money that
19 you did.

12:34:25 20 A. We just gave him the money, that was it. You're not going to turn around to a
21 friend and say "by the way I'm charging you 10 per cent interest on it." He is
22 a pal of mine.

23 Q. 88 Yes. In order to give him money you have to identify what his need is?

24 A. Not necessarily.

12:34:41 25 Q. 89 Well then why not give him 50 quid as opposed to 10,000 if you don't -- haven't
26 identified the need?

27 A. I don't think that you'd get much of a house for 50 pound, even on the south
28 side.

29 Q. 90 He was to get a house, is that right?

12:34:55 30 A. Yeah.

- 12:34:55 1 Q. 91 Well what was the money to go for?
- 2 A. It was to go towards the purchase of a house.
- 3 Q. 92 Okay. Had you any idea of how much he intended to spend on a house?
- 4 A. No.
- 12:35:09 5 Q. 93 Had you any idea as to whether he was going to borrow money from a building
- 6 society or a bank in order to acquire the house?
- 7 A. Well everybody borrows to buy a house.
- 8 Q. 94 Yes.
- 9 A. I take it for granted that he would be no different.
- 12:35:23 10 Q. 95 Right. Well is that what your understanding was? I mean --
- 11 A. That's it.
- 12 Q. 96 You, Mr. Carew, and four others had a sufficient discussion --
- 13 A. Three others.
- 14 Q. 97 Four in total I should say.
- 12:35:36 15 A. Yeah.
- 16 Q. 98 Four of you came to a conclusion, on this particular evening, that translated
- 17 into 16,500 Pounds being gathered. That's a substantial sum of money now and a
- 18 very substantial sum of money then. And it could only have happened after
- 19 there being some discussion or agreement between you. What I'm trying to
- 12:35:56 20 establish from you, insofar as I can, what that agreement was, what that
- 21 discussion was that led to Mr. Ahern being given the money?
- 22 A. As I said earlier on to you, that basically we decided actually we had a chat
- 23 about where he was living and we decided to throw a few quid in each and there
- 24 was no big deal.
- 12:36:19 25 Q. 99 You decided to throw a few quid in each?
- 26 A. Yeah.
- 27 Q. 100 Well who decided that it should be in thousands?
- 28 A. Nobody. It was left up to each individual whatever they wanted to give.
- 29 Q. 101 Right?
- 12:36:39 30 A. And I agreed to collect the money.

- 12:36:41 1 Q. 102 Right. But was this money to be given to Mr. Ahern as a gift, was that your
2 intention?
- 3 A. We didn't -- we said -- at the time we said about a loan. You know, just
4 wasn't decided.
- 12:37:04 5 Q. 103 Well something was decided Mr. Carew because it translated into 16,500 pounds
6 being gathered.
- 7 A. Uh-huh.
- 8 Q. 104 So there must have been a decision. What I want to know is what was decided
9 between you. Was it decided that money would be given to Mr. Ahern? Was it
10 decided that money would be lent to him on terms? What was the decision that
11 you say --
- 12 A. There was no basic decision whatsoever taken whether it be a loan or a gift.
13 We were given the money to Bert and as it transpired, when I did give it to him
14 he took it on the condition that it was a loan.
- 12:37:29 15 Q. 105 Well are you saying that some people might have thought they were going to give
16 him a loan or others might have thought they were going to give him a gift.
17 They are two quite different concepts aren't they?
- 18 A. Totally different. When you're giving money to a friend you don't say well
19 that's a loan and I want it back next week or next year, in ten years time.
- 12:37:49 20 Q. 106 You do if you're loaning him money. "Here, I'm giving you a loan of this money
21 to help you as a dig out. We'll worry about the repayment schedule or the
22 interest later, but this is a loan." That's one way you can do it. The other
23 is to say "here is a couple of bob for yourself, do what you like with it."
- 24 A. We didn't decide it was a loan, we were just giving it to Bert.
- 12:38:10 25 Q. 107 But I mean if that is so, Mr. Carew, there are four people here.
- 26 A. Yeah.
- 27 Q. 108 Four contributors. They have to have some understanding between themselves as
28 to what their money is for?
- 29 A. Well.
- 12:38:25 30 Q. 109 Are they giving it as a loan or are they giving it as a gift?

- 12:38:29 1 A. I can't get into their head and decide -- to think for them.
- 2 Q. 110 But --
- 3 A. As far as I'm concerned.
- 4 Q. 111 But this was raised by you. You say you were the person whose idea it was --
- 12:38:39 5 A. That's right.
- 6 Q. 112 -- to raise this discussion. You must have had something in mind and you must
- 7 have expressed that to your three fellow contributors, isn't that right?
- 8 A. No, that's wrong.
- 9 Q. 113 Okay. Well you tell me how it is that in a short conversation in a public
- 12:38:54 10 house it ultimately translates into 16,500 Pounds cash being produced?
- 11 A. Well basically didn't transfer -- on the night it didn't into 16,500 pounds.
- 12 Each individual made up their own mind what they were bringing in to give to
- 13 Bert.
- 14 Q. 114 Well did you propose a figure?
- 12:39:14 15 A. No.
- 16 Q. 115 Was there any discussion between the four of you as to what the appropriate
- 17 figure would be?
- 18 A. No.
- 19 Q. 116 How did you reach the various figures that were contributed?
- 12:39:26 20 A. Well I didn't --
- 21 Q. 117 Was that discussed between you?
- 22 A. No, I didn't reach any figures.
- 23 Q. 118 You had no agreement then at the end of the night as to any specific amount
- 24 being given by anybody, is that right?
- 12:39:38 25 A. That's correct, yeah.
- 26 Q. 119 Right. None of the other three had said to you "I'm prepared to go to three
- 27 and a half" and another said "I'm prepared to go to four and a half" or
- 28 whatever.
- 29 A. No.
- 12:39:52 30 Q. 120 There was no conversation about --

12:39:52 1 A. Not about amounts of money, no.

2 Q. 121 All right. So what was the agreement then? We've heard that you, it occurred

3 to you to raise this issue about Mr. Ahern being -- deserving of getting some

4 money from his friends to help with the house, is that a summary of what

12:40:13 5 happened?

6 A. That's the gist of it.

7 Q. 122 Right. There is no discussion about how much that is going to be, is that

8 right?

9 A. No.

12:40:19 10 Q. 123 There is no discussion as to whether it's going to be a loan or whether it's

11 going to be a gift --

12 A. That's correct, yeah.

13 Q. 124 -- isn't that right?

14 A. That's right, yeah.

12:40:27 15 Q. 125 There is no discussion about the amount?

16 A. We could have discussed it, but there is nothing in stone saying this is a loan

17 to Bert, this is a gift to Bert.

18 Q. 126 Well I'm not asking about whether it was written down or recorded at that point

19 in time or otherwise in stone as you suggest, but the principle, you say,

12:40:50 20 wasn't discussed, as to whether it was either a loan or whether it was a gift,

21 is that right?

22 A. That wasn't discussed.

23 Q. 127 It wasn't discussed and the amount wasn't discussed?

24 A. No.

12:40:59 25 Q. 128 What was agreed?

26 A. It was agreed on the night that I would collect the money that the lads said

27 that they'd drop it in to the pub to me.

28 Q. 129 Right.

29 A. And as time went by they dropped in the money and I --

12:41:17 30 Q. 130 Sorry.

- 12:41:18 1 A. Sorry.
- 2 Q. 131 Was this the same three individuals only?
- 3 A. That's correct, yes.
- 4 Q. 132 Yes.
- 12:41:22 5 A. Yes.
- 6 Q. 133 And at the end of the evening when you closed up that evening, what did you
7 believe the agreement or arrangement was?
- 8 A. Well I just took it for granted that the lads more or less agreed with me in
9 principle that we should collect a few quid for Bert.
- 12:41:38 10 Q. 134 Right. Having that agreement under your belt, when did you next meet with
11 Mr. Ahern?
- 12 A. I think actually if that was on a Saturday we probably met on Sunday for a
13 pint.
- 14 Q. 135 Okay.
- 12:41:50 15 A. I'm not a hundred per cent sure.
- 16 Q. 136 Did you approach the situation and say "look, myself and three of the lads
17 believe that you should be helped out in relation to the acquiring of a
18 property and we'd like to make a contribution"?
- 19 A. No.
- 12:42:05 20 Q. 137 Did you raise that with them?
- 21 A. No, I did not. Actually I had no discussions with Bertie about it whatsoever.
- 22 Q. 138 Well why not? He is a friend of yours at this point in time, what you are
23 intending to do is to help him.
- 24 A. Well I hadn't collected the money at this stage.
- 12:42:19 25 Q. 139 But you don't need the collection of the money at that stage to go to him. You
26 could say to him "I've had a great idea last night. We understand that you're
27 strapped for a few bob. We are going to make a payment to you" and he could
28 then either accept it or refuse it or what have you, isn't that right?
- 29 A. No, that's wrong. Because how could I possibly go to Bert and say "I'm giving
12:42:41 30 you money." I hadn't got the money at this stage. I didn't --

12:42:44 1 Q. 140 You didn't have to have the money. All you have to say is "we have an
2 agreement in principle, myself and a couple of the lads."
3 A. But we hadn't -- wait a second.
4 Q. 141 You had that agreement?
12:42:53 5 A. Why did we have to have an agreement?
6 Q. 142 You had an agreement, as I understand it, on the close of that evening, that
7 you were going to be collecting money from these three friends of yours and his
8 with the intention that you were going to give it to Bertie Ahern. In
9 principle there was an agreement that the four of you were going to help him
12:43:12 10 out. I'm asking you why it is on the following day you didn't discuss that
11 with him and saying --
12 A. Hold on a sec now, I'm not sure it was the following day. I said it could have
13 been the following day.
14 Q. 143 Well fine. Well then the next day you met him, whether it be the following day
12:43:28 15 or the following week, I'm asking you why you didn't discuss the matter with
16 Mr. Ahern?
17 A. No point in it.
18 Q. 144 No point in it, why not?
19 A. Well why was there a point in it?
12:43:39 20 Q. 145 He might say, "thank you very much lads it's a sweet thought but really this is
21 my business not your business and I do not want to be taking money from you."
22 A. But I didn't discuss it with him.
23 Q. 146 I know you didn't, but why not?
24 A. I didn't feel like it. Why should I?
12:43:54 25 Q. 147 Because you felt that you could discuss his business with others. You felt
26 that you could go out and raise money. You felt apparently that you could go
27 to him with a bundle of cash, without having discussed it with him at all.
28 That's extraordinary?
29 A. But sure hold on a second. I don't know where you're coming from or where
12:44:13 30 you're going, but it's like this I didn't have the money. I didn't discuss it

12:44:17 1 with Bert at that stage.

2 Q. 148 Yes.

3 A. So where are you coming from?

4 Q. 149 You have an agreement between the four of you that you were going to collect --

12:44:26 5 A. No wait.

6 Q. 150 You were going to be the person collecting an amount of money, which you would

7 in turn give to Mr. Ahern?

8 A. Hold on a second.

9 Q. 151 That was agreed, isn't that right?

12:44:34 10 A. No, we agreed in principle -- there was nothing as I said before written in

11 stone that they were going to come in and give me the money.

12 Q. 152 Exactly. Is there any reason you didn't go to him and say we're thinking of

13 giving you money?

14 A. No why should I?

12:44:49 15 Q. 153 Because he was the person who was going to be the person receiving this money.

16 A. I didn't have the money at that stage.

17 Q. 154 He mightn't have wanted the money.

18 A. I didn't see any point in saying it to him. I didn't have the money at that

19 stage.

12:45:01 20 Q. 155 You gathered the money then at some stage?

21 A. That's correct.

22 Q. 156 Right. And this was on the basis of people coming to the pub with money for

23 you, is that right?

24 A. That's correct.

12:45:11 25 Q. 157 And who is the first of them to give you money?

26 A. Quite honest with you I can't remember.

27 Q. 158 Right. But all three of them anyway made the contribution, is that right?

28 A. That's correct.

29 Q. 159 And how was this done, did they all come together?

12:45:34 30 A. No, actually Barry dropped in at lunch time because he used to drop in now and

12:45:40 1 again for his lunch and he gave me an envelope. He told me what was in it and
2 I marked it on the envelope, just initials and 5,000 and I put it in my safe in
3 the pub.

4 Q. 160 Right. Did he count it out for you?

12:45:53 5 A. Oh, no. No, come on.

6 Q. 161 He just gave you an envelope.

7 A. What just gave me an envelope and told me what was in it.

8 Q. 162 Did he tell you what was in it?

9 A. He did, yeah.

12:46:08 10 Q. 163 And he told you it was 5,000, did he?

11 A. That's correct.

12 Q. 164 And you wrote that on the envelope?

13 A. I just marked five and a little mark so I'd know whose envelope it was.

14 Q. 165 Right. And did you give him a receipt for it?

12:46:16 15 A. Oh, no come off it will you. What, are you joking me?

16 Q. 166 No I'm not?

17 A. This is a pal of mine that -- I wouldn't issue receipts.

18 Q. 167 Okay. So was it, did you open the envelope?

19 A. When?

12:46:31 20 Q. 168 When he gave you the envelope.

21 A. No, as I told you, I put it in the safe.

22 Q. 169 Did you ever count the money?

23 A. I never counted it, no.

24 Q. 170 All right. So it stayed in the envelope --

12:46:42 25 A. Sorry, go on.

26 Q. 171 I interrupted you. You were going to go on and say, you said I never counted
27 the money but --

28 A. Yeah, but when Joe Burke and Paddy dropped in their money and I put the whole
29 lot in. I didn't count any of the monies, but I knew what was in each one
12:47:00 30 because they told me and I'd marked -- I put the whole lot in together and my

- 12:47:04 1 own money with that, 4,500.
- 2 Q. 172 Let's start with the first one. The first one is 5,000 Pounds you think?
- 3 A. That's correct, yeah.
- 4 Q. 173 Okay. Was that a surprise to you to know that Mr. English had contributed such
- 12:47:15 5 a large sum?
- 6 A. Not really, no.
- 7 Q. 174 No. Was there any remark on the amount by you to him?
- 8 A. No, none at all, not that I can think of. I said thanks all right.
- 9 Q. 175 All right.
- 12:47:29 10 A. And maybe a bit of small talk or something like that. I just can't remember
- 11 exactly what I said.
- 12 Q. 176 Did you indicate to him that you would be making the same contribution?
- 13 A. No, I did not.
- 14 Q. 177 Did you tell him you were going to give more?
- 12:47:42 15 A. No, I wouldn't of -- I don't think so, no, I wouldn't have.
- 16 Q. 178 Did you tell him that you were going to give him less?
- 17 A. No, I wouldn't have.
- 18 Q. 179 There was no discussion about what your contribution was going to be?
- 19 A. No, I would have said to Barry that I was giving money myself, but 99 per cent
- 12:48:00 20 sure I wouldn't have told him how much because --
- 21 Q. 180 We know that from the occasion when you say the agreement was reached, all of
- 22 you were going to give money, but nobody had mentioned an amount, isn't that
- 23 right?
- 24 A. That's correct, yeah.
- 12:48:12 25 Q. 181 We now get to the situation where the first person who arrives, you believe, is
- 26 probably Mr. English. He produces 5,000 in cash.
- 27 A. Yeah.
- 28 Q. 182 You take it without commenting as to whether it's a large amount or a small
- 29 amount and you don't have any conversation with him about what you are going to
- 12:48:28 30 contribute, is that right?

- 12:48:29 1 A. That's correct, yeah.
- 2 Q. 183 Okay. The next person then who makes a contribution to you is who?
- 3 A. Is it could have been Joe or Paddy, I'm not sure which of them.
- 4 Q. 184 All right and did they come to the pub as well?
- 12:48:41 5 A. They came to the pub, yeah.
- 6 Q. 185 And produced the money in cash?
- 7 A. That's correct. We specifically agreed that it had to be in cash because I
- 8 know Bert. There is no way he'd have cashed a cheque if we gave it to him
- 9 anyway.
- 12:48:55 10 Q. 186 What was wrong if he didn't?
- 11 A. What?
- 12 Q. 187 What was wrong if he didn't cash the cheque and said "sorry lads I don't need
- 13 the money thank you very much?"
- 14 A. Well we wouldn't be giving him money then. We couldn't say "Bert you have to
- 12:49:05 15 cash that cheque." Whereas if he had the cash you know he had it and that's
- 16 it.
- 17 Q. 188 He didn't have to take the cash either?
- 18 A. He didn't have to sure. We don't have to drink water if we don't want to
- 19 either.
- 12:49:16 20 Q. 189 When the next tranche of money came along, was that also in an envelope?
- 21 A. That's correct.
- 22 Q. 190 Well --
- 23 A. When you say an envelope. Quite honest I'm not sure if it was an envelope,
- 24 wrapped in paper, a bag, I'm not a hundred per cent sure. It was in a sealed
- 12:49:30 25 yoke anyway because each one I marked what they gave me and their initial on
- 26 it.
- 27 Q. 191 Can you remember whether it was given to you, was it across the bar in the pub?
- 28 A. Oh, Jesus. Well they'd have handed it across the bar, they would have yeah.
- 29 More than likely.
- 12:49:45 30 Q. 192 Well can you remember is what I'm asking you. Obviously --

12:49:49 1 A. Quite honest with you now, it's a long time ago and --

2 Q. 193 I'm sure it is Mr. Carew, but at the same time I take it that it is a unique

3 occasion and that you weren't in the habit of receiving large amounts of cash

4 across the bar counter?

12:50:02 5 A. Oh, Jesus no we're not that dear for drink yet.

6 Q. 194 Sorry?

7 A. We're not that dear for drink yet.

8 Q. 195 We're talking about thousands of pounds being handed over to you and I am

9 asking you in those circumstances for your best recollection as to what it was

12:50:29 10 that took place on the occasion -- one coming in at lunchtime --

11 A. Barry would have come in at lunchtime. Because Barry didn't come in much at

12 night and would have been in at lunchtime because he dropped in now and again

13 for a bite to eat. 90 per cent sure he gave it to me at lunchtime. The lads

14 more than likely happen at night because at nighttime we'd meet up for a pint.

12:50:39 15 Q. 196 Yes.

16 A. They didn't come in together anyway, I'm definite of that because -- and it

17 would have been handed, say Joe came in for a pint I'd go out and join him for

18 a pint outside in the counter or Paddy came in for a pint, I wouldn't be

19 bothered working, just go out and have a pint with him. It wouldn't be just a

12:50:55 20 question of coming in and handing money over the counter. I would have been

21 beside him or outside, you know --

22 Q. 197 And when you opened the next or when you were given the next contribution --

23 A. Yes.

24 Q. 198 -- that was for 3,500, isn't that right?

12:51:11 25 A. That's correct.

26 Q. 199 And again, was there any discussion with yourself and the donor of that as to

27 whether it was sufficient, whether it was light, whether they should give more?

28 A. There was no discussion actually on how much they should give, but they did

29 tell me how much was in each envelope and I marked it on it and I put it in the

12:51:35 30 safe.

- 12:51:35 1 Q. 200 Yes. And was it coincidence then that the other two were 3,500 pounds each?
- 2 A. Pure coincidence I suppose.
- 3 Q. 201 Well I'm asking you.
- 4 A. Well how do I know?
- 12:51:46 5 Q. 202 Because you were the person who received the money. You were the person who
6 organised the fact that the money should be given to you in cash. You say that
7 you didn't mention any figure, but here we have two sums which are identical
8 and it's extraordinary that they should be identical unless there had been some
9 discussion?
- 12:52:05 10 A. Well, just pure coincidence. That's what they gave me and --
- 11 Q. 203 Well did you ask them about how they had come to the sum of 3,500 pounds?
- 12 A. No.
- 13 Q. 204 Did you suggest to Mr. English that you'd give him back 1,500 because his
14 figure was 1,500 Pounds more than the other two lads had given?
- 12:52:26 15 A. But why should I?
- 16 Q. 205 Well, I mean, you weren't collecting for a target figure.
- 17 A. No.
- 18 Q. 206 No. You didn't need 16,500 Pounds. Whatever figure it was you gathered you
19 were going to give to Mr. Ahern, isn't that right?
- 12:52:40 20 A. Yeah, that's right.
- 21 Q. 207 In the normal course of four of you are making a decision to do that, you would
22 expect there to be four equal contributions?
- 23 A. Why would you?
- 24 Q. 208 Because is there any great reason why one of you should be spending more than
12:52:53 25 the other or less than the other?
- 26 A. Well as I said earlier on to you we didn't decide on any particular sum of
27 money to donate.
- 28 Q. 209 Yes. Well isn't that a reason why you should try to get a kind of uniformity
29 and say "what are we going to put in here lads?"
- 12:53:07 30 A. Well it's like this. If Barry decides to give X amount of Pounds or Joe

- 12:53:11 1 decides -- it's not up to me to tell them what to do with their money.
- 2 Q. 210 Well I mean at one level, the person who gave the most money would be looking,
- 3 I suppose, for the most kudos or reward for having given the most money, isn't
- 4 that right?
- 12:53:26 5 A. Well.
- 6 Q. 211 Normally in a whip around would you not be giving exactly the same amount,
- 7 "we'll all put in a certain amount."
- 8 A. Just one second now. Who ever said we were looking for rewards for the money?
- 9 Q. 212 Well I mean when one, even if you are giving a contribution to a charity, the
- 12:53:41 10 person who gives the most tends to get a bit more attention perhaps?
- 11 A. Well.
- 12 Q. 213 Human nature being as it is.
- 13 A. Well I give money to charity and I don't look for anything back off that
- 14 charity.
- 12:53:53 15 Q. 214 Right. In any event, when the other two contributed three and a half you
- 16 didn't bring this to the attention of Mr. English that he had given more than
- 17 the others?
- 18 A. No.
- 19 Q. 215 And you didn't match either of those. You went somewhere in between with your
- 12:54:08 20 contribution?
- 21 A. That's right.
- 22 Q. 216 Is there any particular reason for that?
- 23 A. None whatsoever.
- 24 Q. 217 All right. So you get these monies then in envelopes, in the case of
- 12:54:20 25 Mr. English package or sealed in some way in respect of the others, is that
- 26 right?
- 27 A. That's correct.
- 28 Q. 218 And you say that at some point then you amalgamated these amounts together, is
- 29 that right?
- 12:54:31 30 A. That's correct.

- 12:54:31 1 Q. 219 And how did you do that?
- 2 A. You just take them out of the envelope and put them together.
- 3 Q. 220 You put the lot of them together in a bundle, is that right?
- 4 A. Yeah and I put in my own 4,500.
- 12:54:42 5 Q. 221 All right. Did you count it out?
- 6 A. No.
- 7 Q. 222 So you don't know how much it is that you gave, is that the position?
- 8 A. Well the only knowledge I would have of it is what the lads told me and I had
- 9 it marked on the envelope and I put in four and a half myself so that
- 12:55:00 10 recollection then would be if you add up the figures I wrote on the envelope it
- 11 would come to 16 and a half.
- 12 Q. 223 Are you saying that you made a conscious effort not to count it?
- 13 A. I just didn't bother. I trust the lads. They told me what was in it. I just
- 14 didn't count it. No point.
- 12:55:12 15 Q. 224 Was there any reason to take it out of the envelopes that it had been put in
- 16 then, at all and rather to go down to Mr. Ahern and say "here four envelopes
- 17 from four of the pals, I've put the initials of each of them on the envelope,
- 18 this is their identity and whatever is inside that envelope is what they
- 19 contributed."
- 12:55:28 20 A. No, I put it into -- actually I took money out and put it in to a type of
- 21 folder to bring it down to give it Bert. I wasn't going to walk out and say
- 22 "there's money, there's two envelopes." Jaysus.
- 23 Q. 225 Having gathered all of the money, do you think that that was probably within a
- 24 week or so of the initial suggestion or was it something that took longer to
- 12:55:47 25 organise?
- 26 A. I'd say it was within a week or maybe two weeks, ten days, I'm not a hundred
- 27 per cent sure. It was shortly after we had the discussion. It would be about
- 28 a week I'd say.
- 29 Q. 226 Okay. Are you we still in September or do you think you've gone in to October?
- 12:56:01 30 A. No, because it was during the times of the All-Ireland. Definitely not in

12:56:06 1 October.

2 Q. 227 All right. Well it's the last week in September?

3 A. No, it would be early September.

4 Q. 228 Early September?

12:56:12 5 A. I'd imagine so. I'm not 100 per cent sure to be quite honest with you.

6 Q. 229 Well now you have the fund together. Did you keep it for long or did you go

7 down to him and make an arrangement with Mr. Ahern as soon as you'd gathered

8 the money?

9 A. No actually I didn't actually make any arrangement. Bert was in, he generally

12:56:31 10 drops in during the week and I met him for a pint actually in the pub.

11 Q. 230 Okay.

12 A. And when he came in I was having a pint with him, went up to the safe. I had

13 the money already and all in a folder, I brought it down and I gave to it to

14 him.

12:56:48 15 Q. 231 And was this in the evening or night-time?

16 A. Night-time.

17 Q. 232 Night-time.

18 A. Yeah.

19 Q. 233 Again, a Saturday night do you think?

12:56:54 20 A. No it was a midweek night, it was a very quiet night actually. You don't be

21 that busy during the week.

22 Q. 234 He arrived. I take it without any forewarning that he was about the recipient

23 of 16,500 Pounds in cash from you, is that right?

24 A. That's correct, I hadn't rang him or told him.

12:57:11 25 Q. 235 How did you raise the matter with him?

26 A. We were sitting down having a pint and I left my pint there and went up to the

27 safe, brought down the money and I said "Bert the boys myself want you to have

28 that". And he first of all he said "what is it?" And I said "it's a few

29 pounds we collected towards a deposit for a house". And I told him who gave

12:57:32 30 what and he said "no, no --" I won't use the words, but he didn't want to take

12:57:36 1 it.

2 Q. 236 Yes.

3 A. And after long discussion, well not long, a few minutes it was. And he said

4 he'd take it then eventually. I said "the boys won't take it back". I said

12:57:47 5 "no fecking way" and he said "I'll take it as a loan."

6 Q. 237 Okay. Was he on his own at that time?

7 A. He was. He was on his own at that time.

8 Q. 238 Right. And you broached the subject of having gathered the few bob, as I think

9 to use your terminology, to help him, is that right?

12:58:09 10 A. That's correct.

11 Q. 239 Do you think him how much it was?

12 A. I told him what each one gave and what I put in myself.

13 Q. 240 Yes. And what was his reaction to that?

14 A. Absolutely amazed.

12:58:20 15 Q. 241 Yes.

16 A. And shortly afterwards Tony Kett joined us.

17 Q. 242 Yes. And did Mr. Kett have any contribution to make to the discussion as to

18 whether or not it should be accepted or otherwise?

19 A. No. I didn't -- I wouldn't, didn't tell Tony. Actually I reckoned nobody

12:58:42 20 actually knew about it only the four of us.

21 Q. 243 Well there was a folder in front of him, it had 16,500 Pounds in cash in it,

22 isn't that right?

23 A. No, the folder wasn't in front of him.

24 Q. 244 Well where was it?

12:58:55 25 A. He had his coat. To the best of my knowledge he put it on the seat and his

26 coat over it. I'm not a hundred per cent sure. It wasn't as if the 16,500 was

27 sitting up there in front of him.

28 Q. 245 I'm not suggesting that it was there visible in cash, but you had assembled

29 three bundles of cash and added your own 4,500 pounds to it.

12:59:13 30 A. That's right, yeah.

12:59:14 1 Q. 246 You put it in a folder.
2 A. That's right.
3 Q. 247 You had the folder in your safe.
4 A. That's right.
12:59:19 5 Q. 248 You came down with that to Mr. Ahern and you said to him "I've 16,500 Pounds
6 here from the lads made up as follows, three and a half from Paddy the
7 plasterer, three and a half from Joe Burke and 5,000 from Barry English and
8 four and a half from myself. And we want you to have this for your house."
9 A. I said it was towards a deposit for a house, yeah.
12:59:44 10 Q. 249 Towards the deposit for a house?
11 A. Yeah.
12 Q. 250 I see. And where had the question of it being used as a deposit for the house
13 been --
14 A. Sorry?
12:59:56 15 Q. 251 Where had the question of it being used as a deposit for the house?
16 A. How do you mean the question?
17 Q. 252 You were gathering money to assist him with the acquisition of a house.
18 A. That's correct, yeah.
19 Q. 253 Okay. You are now talking about an amount which would go towards the deposit
13:00:12 20 for the house?
21 A. Well it's 16,500, wouldn't certainly buy a house.
22 Q. 254 But it could go -- he might well have the money for the deposit for the house
23 himself?
24 A. Yeah but --
13:00:23 25 Q. 255 It could go on the decoration, it could go on the legal fees for the
26 acquisition, it could go on anything.
27 A. But that's what we collected originally for, to help him out to buy a house.
28 Q. 256 You say you collected it to buy -- to assist him buying out a house. You
29 haven't specified that it was for the deposit.
13:00:42 30 A. But sure I don't know what planet you are on, but if you have money you

13:00:46 1 generally pay the deposit for a house.

2 Q. 257 But he had money. Mr. Ahern had money.

3 A. And we gave him more to put towards the deposit.

4 Q. 258 Why did he need it for the deposit?

13:00:55 5 A. What do you use for a deposit for a house, if you don't use money?

6 Q. 259 You use, I take it, in most instances the amount of money that you have in your

7 building society account, savings account, that you've put aside for the

8 purpose of acquiring the house.

9 A. I don't get you. I don't know where you're coming from or where --

13:01:15 10 Q. 260 Did you discuss with Mr. Ahern or did he discuss with you that he had almost

11 20,000 Pounds on deposit in the Irish Permanent Building Society at the time

12 that you were about to offer him the 16,500 pounds?

13 A. What are you talking about building society?

14 Q. 261 I'm asking you whether Mr. Ahern said to you "Dermot, I have nearly 20,000

13:01:39 15 Pounds on deposit in my Irish Permanent Building Society account. I don't need

16 this money"?

17 A. No, he never mentioned anything about a deposit account.

18 Q. 262 But you said to him "I want you to have this as a deposit towards the

19 acquisition of a house."

13:01:55 20 A. Towards the deposit.

21 Q. 263 Towards the deposit.

22 A. Yeah, yeah. Towards the purchase of a house.

23 Q. 264 Yes. Was there any reaction from Mr. Ahern about the necessity or otherwise of

24 his requiring money for a deposit or for any other purpose?

13:02:19 25 A. How do you mean?

26 Q. 265 Did he say to you "Dermot thank you very much but I don't need the money"?

27 A. He didn't want to take it.

28 Q. 266 I'm asking you whether he said "I don't need it."

29 A. No, he -- I don't believe he used the words "don't need it."

13:02:32 30 Q. 267 Right. Did he tell you that he had 50,000 Pounds in cash savings?

- 13:02:37 1 A. When I gave him the money?
- 2 Q. 268 Yeah.
- 3 A. No.
- 4 Q. 269 Did he tell you that he had 22,500 Pounds given to him by another group of pals
- 13:02:49 5 some months earlier?
- 6 A. No.
- 7 Q. 270 Did you know that Mr. Richardson had been instrumental in raising 22,500 Pounds
- 8 for him and that that had occurred in December of 1993?
- 9 A. No.
- 13:03:10 10 Q. 271 So you didn't know that he had had 50,000 Pounds savings?
- 11 A. No, but actually --
- 12 Q. 272 You didn't know that he had 20,000 Pounds on deposit in his Irish Permanent
- 13 Building Society account and you didn't know that he also had 22,500 Pounds
- 14 from his pals?
- 13:03:27 15 A. No. Prior to me making the collection for Bert, he did tell me that he had
- 16 money. I'm not sure of the exact amount, he mentioned a sum to me but I just
- 17 can't remember how much it was. It was prior to me collecting the money for
- 18 him.
- 19 Q. 273 It's one o'clock.
- 13:03:45 20
- 21 CHAIRMAN: Okay. We'll sit at two o'clock.
- 22
- 23 **THE TRIBUNAL THEN ADJOURNED FOR LUNCH.**
- 24
- 13:03:56 25
- 26
- 27
- 28
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- 30

THE TRIBUNAL RESUMED AS FOLLOWS AT 2:00 P.M.:

MR. O'NEILL: Mr. Carew, please.

CONTINUATION OF QUESTIONING OF MR. DERMOT CAREW AS FOLLOWS:

CHAIRMAN: Good afternoon, Mr. Carew

A. Good afternoon to you.

MR. O'NEILL: Mr. Carew, before lunch I was taking you through a number of cash assets of Mr. Ahern's and asking you whether or not Mr. Ahern had raised any of these matters with you in response to your offer to provide him with 16,500 Pounds. I think your answer was no he hadn't done so. Just finally on that score. There was a further sum of 8,000 Pounds or thereabouts in sterling, which had been received by Mr. Ahern in and around this time, we understand. Did he make any mention to you of the fact that he had received another donation of 8,000 sterling?

A. No.

Q. 274 No. So you were totally unaware of what his actual financial position was when you made the suggestion to him that you and your friends would like to give him the 16,500?

A. Well I did know that he had some money towards the deposit for a house.

Q. 275 Yes. I think we started the day with that and indeed you indicated that you weren't aware of how much that was?

A. That's correct.

Q. 276 Or what proportion it represented of any need that he had to meet any expense, isn't that right?

A. That's correct.

Q. 277 When you offered the 16,500 Pounds to him, equally he didn't say that if he was to apply that sum to the money, which he had in savings, he would either have

- 14:09:20 1 enough for a house deposit or he would be short or he would have anything of
2 that nature, isn't that right?
- 3 A. We didn't discuss that.
- 4 Q. 278 He didn't discuss at all with you the amount of his actual savings or assets,
14:09:33 5 isn't that right?
- 6 A. Not at that time, no.
- 7 Q. 279 Are you saying he might have done so later?
- 8 A. No, he did earlier on before I gave him the money.
- 9 Q. 280 No. As much as he said earlier on was that he had savings, without telling you
14:09:46 10 how much they were.
- 11 A. He mentioned a sum, I just can't remember whether it was 20 or 30,000. I'm not
12 sure of the exact sum.
- 13 Q. 281 Your intention had been to give him this money so that he would have sufficient
14 for a deposit, is that right?
- 14:09:57 15 A. That's right.
- 16 Q. 282 Did you ask him whether or not now that you had given him the 16,500, whether
17 that represented a sufficient sum to allow him purchase a house using that as a
18 deposit?
- 19 A. No.
- 14:10:09 20 Q. 283 And why was that?
- 21 A. Saw no reason for it.
- 22 Q. 284 Well I mean you had intended to give him the money for a purpose, specifically
23 to allow him to purchase a house. Were you not curious as to whether or not
24 you had achieved a sufficient target in your contribution to allow him to do so
14:10:26 25 or not?
- 26 A. No, you wouldn't.
- 27 Q. 285 He needed another 5,000 or so, I presume, and had he indicated to you that he
28 was now just short a few thousand you would have gone off and got the balance
29 for him, isn't that right?
- 14:10:39 30 A. Well we didn't discuss it, how much money he had at that time.

- 14:10:45 1 Q. 286 Well did you intend that he would leave that money there for purposes other
2 than acquiring a house?
3 A. Well my understanding actually and when I gave it to him I told him it was
4 towards a deposit for a house.
- 14:10:59 5 Q. 287 Yes. You know that he didn't buy a house until 1997, three years later?
6 A. No, we didn't go discussing that.
- 7 Q. 288 You didn't discuss what?
8 A. When he bought the house.
- 9 Q. 289 Oh, I know that, but you know that he didn't buy a house until 1997.
14:11:15 10 A. No, I didn't know that.
- 11 Q. 290 You didn't know that?
12 A. No.
- 13 Q. 291 Well was that not something that you would have discussed with Mr. Ahern over
14 time. You'd made a very generous contribution, on your evidence, towards the
14:11:27 15 acquisition of a husband house, did you never ask him whether or not he had
16 used it for that purpose?
17 A. No, I would not.
- 18 Q. 292 You never would?
19 A. No.
- 14:11:34 20 Q. 293 Though that was the purpose for your raising the money?
21 A. That's correct.
- 22 Q. 294 I see. You say that when you produced the money you identified to him the
23 individuals who had contributed the amounts --
24 A. That's right.
- 14:11:46 25 Q. 295 -- and the amounts of their contribution, is that right?
26 A. That's correct.
- 27 Q. 296 But it wasn't written down anywhere, is that right?
28 A. No.
- 29 Q. 297 He didn't note their names for you or say that he was going to discuss the
14:11:59 30 matter with them and thank them or anything of that nature?

- 14:12:02 1 A. No, we didn't go into any discussion about it.
- 2 Q. 298 No. And he received the money, as you say, in a packet, he put it under his
3 overcoat and he remained there for the rest of the evening I take it?
- 4 A. He, I'm not sure exactly. He put it on, I couldn't say whether it was beside
14:12:20 5 or in front of him. It was in a packet. It wasn't as if anyone could see it.
6 He was there for a while afterwards because Tony Kett joined us.
- 7 Q. 299 Yes.
- 8 A. Shortly -- a short time later Kett came in and joined us for a pint as well.
- 9 Q. 300 Yes. Was he there for the evening, both of you or the three of you?
- 14:12:38 10 A. The three of us were there for probably an hour or two, I'm not a hundred per
11 cent sure how long it was.
- 12 Q. 301 Now, what had been said to you by Mr. Ahern when you produced the money was
13 that he wasn't going to take it. You had spent some time convincing him that
14 he should, is that right?
- 14:12:57 15 A. That's correct.
- 16 Q. 302 Eventually he came to your way of thinking?
- 17 A. That would be right.
- 18 Q. 303 But he said "I'm going to, I'll take it as a loan" as you quote it?
- 19 A. Something to that exact words. Not, you know, in a roundabout way that's
14:13:12 20 exactly --
- 21 Q. 304 And what was your reaction to that when he indicated that that was the basis
22 upon which he would take it?
- 23 A. I just said "fine Bert."
- 24 Q. 305 Fine.
- 14:13:21 25 A. Something to that effect, once he took the money I was happy.
- 26 Q. 306 Okay. And you understood now that he was taking it on terms now that it was a
27 loan, is that right?
- 28 A. That's correct yeah.
- 29 Q. 307 A did he indicate anything to you about a likely repayment schedule for it, did
14:13:36 30 he say "I'll need it for a couple of years" or "God willing if I get appointed

- 14:13:41 1 to a higher office maybe I'll be able to pay you back in a shorter period."
2 Was there any discussion?
3 A. No, not on the night. No.
4 Q. 308 Or ever?
14:13:50 5 A. Oh, he brought it up on numerous occasions with me about paying it back.
6 Q. 309 All right. When was the first of those occasions that he brought it up?
7 A. It could have been three four years after, I'm not 100 per cent sure. You'd be
8 out having a drink or at a race meeting or socialising, "Dermot, I must fix up
9 that few quid with you." Every time he brought it up I just put it off. I
14:14:16 10 just didn't want it.
11 Q. 310 You say that firstly you didn't bring it up on any occasion, is that right?
12 A. No, I never brought it up on him.
13 Q. 311 On the occasion that it was brought up, it was brought up by him?
14 A. By Bert, yeah.
14:14:28 15 Q. 312 I think you've said so far in relation to that he said to you "about that few
16 quid I'll fix you up", is that what he said?
17 A. "I must get that back to you, I must pay it back."
18 Q. 313 "I must get it back, I must pay you back."
19 A. Something -- I'm not a hundred per cent of the exact words.
14:14:44 20 Q. 314 What was your response to that, firstly, did you treat that as being an offer
21 by him to pay you back the money?
22 A. Well he wanted to pay it back.
23 Q. 315 Yes. Is that as you saw it?
24 A. Yes.
14:14:54 25 Q. 316 He wanted to pay you back the money?
26 A. That's right yeah.
27 Q. 317 Did he in fact pay it back at that time?
28 A. No, every time he offered to pay it back I just didn't take it, I just put it
29 off.
14:15:04 30 Q. 318 When you say that he offered to pay it back, he said "I must fix up with you

- 14:15:10 1 with that few Bob or that few quid" or whatever it might be?
- 2 A. Words like that, something similar. The exact words he used I'm not a hundred
3 per cent sure.
- 4 Q. 319 Did he ever produce to you the 5,000 Pounds in cash in the same way as you had
14:15:22 5 produced it to him and say "look, there is it is thanks for everything,
6 Dermot"?
- 7 A. No.
- 8 Q. 320 So when he said he'll produce it and you said no, was that the end of it then?
- 9 A. That would be the end of it until he'd bring it up again.
- 14:15:33 10 Q. 321 Right. And obviously his first bringing it up didn't result in your being
11 paid. In what way was the next, in what way was it brought up on the second
12 occasion?
- 13 A. Something similar, same basis, you'd be out for a pint or somewhere with him
14 and he'd bring it up in conversation.
- 14:15:51 15 Q. 322 Well what was the impediment to it being back? I mean he supposedly was
16 offering it to you, why weren't you taking it?
- 17 A. I didn't want it.
- 18 Q. 323 And did he have any difficulty in appreciating that you didn't want it and if
19 so can you explain why he came back to you to offer to it to you again, if you
14:16:09 20 had refused it?
- 21 A. Because every time he offered it I said "we'll talk about it again." I never
22 use the words exactly to Bert "I don't want it back." I always put it off in a
23 nice type of way because that's the way I done it.
- 24 Q. 324 Right. Did it just fade then as a matter of discussion or was it continuously
14:16:29 25 discussed with you? You have given evidence of two occasions upon which he
26 offered to pay the money back and on both occasions you refused it?
- 27 A. There would be a lot more than two occasions. On a good few occasions he
28 offered it.
- 29 Q. 325 At some point did that stop and he apparently accept is that he was not going
14:16:49 30 to be making any further offers and you didn't expect to receive any further

14:16:54 1 offers?

2 A. It depends what you mean by stop?

3 Q. 326 Well I mean did it happen after the first or second or third occasion in the

4 first year or two and if so when?

14:17:03 5 A. I am not sure. I just can't say, if it happened on a Monday or it happened on

6 a Tuesday or October or November.

7 Q. 327 The Tribunal of Inquiry started to make inquiries of Mr. Ahern in connection

8 with certain large lodgements to his account, one of which is the one that

9 we're currently discussing with you, Mr. Carew.

14:17:21 10 A. Uh-huh.

11 Q. 328 And in 2005 the particular transaction that is involved here, that is the

12 transaction involving the deposit of the 24,838 Pounds was being inquired into

13 by the Tribunal.

14 A. Uh-huh.

14:17:38 15 Q. 329 Did Mr. Ahern raise this with you in any of the meetings, saying that the money

16 you had given him was now going to be the subject of inquiry by the Tribunal or

17 they were looking for details of that payment?

18 A. I can't remember.

19 Q. 330 Well we're not talking now about 14 years ago, we're talking about from June

14:17:57 20 2005 onwards, did Mr. Ahern --

21 A. What year are we in now?

22 Q. 331 2005.

23 A. 2005.

24 Q. 332 June 2005. The Tribunal was enquiring of Mr. Ahern as to where the source of

14:18:10 25 these monies were and they were to receive the information, which they did, in

26 Mr. Peelo's report in April 2006, which we saw earlier on screen. At that time

27 apparently Mr. Ahern had identified you as being one of the contributors to

28 this particular lodgement. What I'm asking you is whether or not, before that

29 date, that is between 2005 and April 2006, did Mr. Ahern or anybody

14:18:40 30 representing Mr. Ahern contact you to see whether or not you had any

14:18:46 1 information that would be of assistance in establishing the source of the
2 contribution of funds to Mr. Ahern at that time?

3 A. No, I don't think so.

4 Q. 333 Can we take it that that didn't happen then? You say you don't think so. I'm
14:19:04 5 just wondering is that a lack of recollection on your part or do you mean to
6 say that it didn't happen?

7 A. No what I said actually, I just can't remember it. It could have happened. I
8 just can't remember it.

9 Q. 334 Do you believe that somebody might have asked you to throw your mind back to
14:19:18 10 this and to see what information you had in relation to the payment, but that
11 you've forgotten it in the past two years?

12 A. No, as I said already, I just cannot remember somebody, at that particular
13 time, coming to me. I don't think they did. I'm not sure.

14 Q. 335 I see. Do you remember -- what is your first memory of this matter being
14:19:42 15 raised in the context of the Tribunal's inquiries with you?

16 A. It was actually when Bert actually giving back the cheques.

17 Q. 336 When he gave you back the cheque?

18 A. Yeah just before that or sometime around then that he --

19 Q. 337 Well in fact the Tribunal, as you know, have been in touch with you on the 29th
14:20:04 20 of June of 2006, in correspondence.

21 A. Yeah.

22 Q. 338 The cheque wasn't sent back for another three and a half months?

23 A. Yeah.

24 Q. 339 So you were contacted by the Tribunal and asked to give an account as to how
14:20:19 25 this money had come to be given to Mr. Ahern, isn't that so?

26 A. That's correct, yeah.

27 Q. 340 Yes. And we saw how you gave a response in July.

28 A. That's correct.

29 Q. 341 Right.

14:20:30 30 A. Yeah.

14:20:31 1 Q. 342 Did you discuss it with Mr. Ahern or with any of the other contributors in June
2 or July or at any time after that?
3 A. Discuss which now?
4 Q. 343 Discuss the payment of the monies that constitute what's called the second
14:20:45 5 goodwill loan or whip-round for Mr. Ahern?
6 A. I would have discussed it with the lads, yeah.
7 Q. 344 Fine. And did you discuss it with Mr. Ahern?
8 A. I could have, I'm not a hundred per cent sure.
9 Q. 345 Yes. We're now talking about 2006, we're only talking about last year,
14:21:03 10 Mr. Carew.
11 A. That's -- yeah, yeah.
12 Q. 346 This is a unique event. It was now the subject of correspondence from the
13 Tribunal with you. I'm asking you to throw your mind back now, as accurately
14 as you can and indicate whether or not you did discuss this matter with
14:21:20 15 Mr. Ahern in 2006?
16 A. And as I said to you before I'm not sure.
17 Q. 347 You're not sure?
18 A. No.
19 Q. 348 You've no memory at all?
14:21:27 20 A. Oh, I have a memory all right but --
21 Q. 349 You have no memory of discussing this payment and your involvement --
22 A. Yeah.
23 Q. 350 -- in the payment with Mr. Ahern, is that right?
24 A. What I'm saying is I can't recollect actually, I'm not sure. I could have and
14:21:41 25 I may have. I'm not sure.
26 Q. 351 I see.
27 A. Now I'm going to help you as much as possible, but if I can't remember
28 something I can't remember it.
29 Q. 352 Yes. Do you remember getting the cheque in the post?
14:21:53 30 A. I didn't get it in the post.

14:21:55 1 Q. 353 Oh, I see. How did you get it?
2 A. I went down to Luke's.
3 Q. 354 How did that happen?
4 A. I got a phone call.
14:22:02 5 Q. 355 When?
6 A. It would be in or around the time I got the cheque actually.
7 Q. 356 Well if it helps you, the cheque was dated the 29th of September.
8 A. Well then it would be prior to that.
9 Q. 357 You mean a day or two prior to it?
14:22:24 10 A. It could have been. It could have been a day or two, it could have been a week
11 prior to it. I'm not a hundred per cent sure.
12 Q. 358 If it helps you at all, Mr. Carew --
13 A. Yeah.
14 Q. 359 -- Mr. Ahern gave a lengthy interview on television with Mr. Brian Dobson on
14:22:33 15 the 26th of September. He then spoke in the Dail on the matter subsequently
16 and he wrote the cheque on the 29th.
17 A. Yeah.
18 Q. 360 Do you remember being referred to in the course of the interview?
19 A. I do, yeah.
14:22:52 20 Q. 361 Okay. Was it before that, that you had discussed the matter with Mr. Ahern or
21 did you discuss it with him afterwards, to your recollection?
22 A. I'm not sure quite honestly.
23 Q. 362 I see. When you got the cheque anyway you received a telephone call, is that
24 right?
14:23:09 25 A. That's right, yeah.
26 Q. 363 And who was that from?
27 A. It was either from Bert or from Sandra.
28 Q. 364 Right.
29 A. Yeah.
14:23:17 30 Q. 365 And what were you told? What was indicated to you?

14:23:19 1 A. Oh, it was indicated that the cheque -- I'm nearly sure it was Bert actually
2 rang me, that there's a cheque there in Luke's would I go down and collect it,
3 the money I had lent him.

4 Q. 366 There was a cheque down in Luke's, it was the money that you'd lent him --

14:23:32 5 A. Yeah.

6 Q. 367 -- and would you collect it?

7 A. Yeah.

8 Q. 368 So did you go down to St. Luke's?

9 A. I went down some time later actually, I didn't run down straight away.

14:23:42 10 Q. 369 Right. And what did you do there, did you meet with Mr. Ahern?

11 A. In the meantime actually I spoke to the lads about what we'd do with the
12 cheques because everybody was getting them back and --

13 Q. 370 Well how did you know that anybody else was getting it back, you had been
14 invited down to receive a cheque?

14:24:00 15 A. Yes, that's correct, yeah.

16 Q. 371 Who indicated to you that all parties would be receiving a cheque?

17 A. Well it was quite obvious.

18 Q. 372 It was a deduction on your part then, was it? Because you were getting a
19 cheque that other people would get a cheque, isn't that right?

14:24:15 20 A. Yeah, he was paying back the 16,500.

21 Q. 373 Yes.

22 A. Yeah.

23 Q. 374 So you went down believing then that you were not going to be the only person
24 who had received the cheque, is that right?

14:24:30 25 A. That's right, yeah.

26 Q. 375 Okay. Now, what happened when you got there, were you given the cheque?

27 A. As far as I know it was Sandra that was there and the cheque was there, but I
28 had spoken to the boys about it, I wasn't taking it back I was giving it to
29 charity.

14:24:46 30 Q. 376 Uh-huh.

- 14:24:47 1 A. And I asked, I mentioned to Joe and to Paddy and Barry would they go along
2 giving it to CARI because of Miriam's involvement with it. And I signed the
3 cheque and left it there for it to be sent over to CARI.
- 4 Q. 377 I see. Well firstly, you went down and when you went down you had apparently
14:25:07 5 decided, in advance of going down, that you weren't going to take the cheque?
- 6 A. That's correct, yeah.
- 7 Q. 378 You had decided also that it was a cheque that should go to CARI?
- 8 A. That's correct.
- 9 Q. 379 Had you made contributions to that charity beforehand?
- 14:25:25 10 A. No.
- 11 Q. 380 No. At whose suggestion was it that you decided that it was an appropriate
12 charity to receive the money, which you were owed by Mr. Ahern?
- 13 A. It was my own decision.
- 14 Q. 381 Your own decision?
- 14:25:38 15 A. Yeah.
- 16 Q. 382 And what prompted you to think that that charity as opposed to the very many
17 charities that we know that are probably more publicly known than CARI?
- 18 A. Well because of Miriam's involvement with CARI and the Ahern connection with
19 it, so I thought it very appropriate.
- 14:25:54 20 Q. 383 That was in other words entirely your idea, was it?
- 21 A. That's correct, yeah.
- 22 Q. 384 Do you know whether or not Mr. Ahern preferred that to be the charity that the
23 money would go to or --
- 24 A. Sorry, what do you mean?
- 14:26:08 25 Q. 385 Did you know, did you speak with Mr. Bertie Ahern as to whether or not the
26 charity with which his wife is associated, would be the appropriate charity?
- 27 A. No.
- 28 Q. 386 No.
- 29 A. No.
- 14:26:18 30 Q. 387 It was entirely a matter for you, is that right?

14:26:21 1 A. I decided myself.

2 Q. 388 Now, you received -- you had a cheque made out to you for 10,266 Pounds, isn't

3 that right?

4 A. Yeah.

14:26:36 5 Q. 389 If we look to page 19561, please.

6

7 CHAIRMAN: There is a screen in front of you there.

8

9 MR. O'NEILL: If we could turn the cheque, please, and enlarge it? You see

14:26:53 10 that's the cheque that was made out to you.

11 A. That's correct, yeah.

12 Q. 390 And the following page then shows that endorsed then on the rear of it, your

13 signature?

14 A. That's correct, yeah.

14:27:02 15 Q. 391 So that never in fact left St. Luke's, is that the position?

16 A. No.

17 Q. 392 No.

18 A. No well except when it went to --

19 Q. 393 It went to a charity.

14:27:10 20 A. Yeah, yeah, yeah.

21 Q. 394 You subsequently received a receipt on the -- dated the 10th of October, if we

22 see page 22324. You see that cheque?

23 A. Yeah.

24 Q. 395 Or that receipt, I should say.

14:27:37 25 A. Uh-huh.

26 Q. 396 Do you remember getting that?

27 A. Well someone actually delivered it up to the pub.

28 Q. 397 I beg your pardon?

29 A. Someone delivered it.

14:27:47 30 Q. 398 Okay. Now, beside that we see, firstly it has a number 7. Cheque No. 500610.

14:27:55 1 A. Yeah.

2 Q. 399 And then it has the amount?

3 A. Yeah.

4 Q. 400 Do you see that?

14:27:58 5 A. Yeah.

6 Q. 401 Do you know what the 7 relates to?

7 A. Haven't a clue.

8 Q. 402 And there is no reference on that to the other contributors, isn't that so?

9 A. That's right.

14:28:09 10 Q. 403 Nor is there any reference to you?

11 A. Well, no. There's not, no.

12 Q. 404 No. Subsequently if we look to page 21751. We see a second receipt, this one

13 is now dated the 13th of November 2006 and it has the reference to "donation

14 received with thanks from Dermot Carew." Again the same cheque number, it's

14:28:44 15 missing the 7. The same amount, isn't that right?

16 A. That's right, yeah.

17 Q. 405 Do you know any reason why a second receipt was issued, but on this occasion it

18 named you as the donor?

19 A. I haven't a clue.

14:28:57 20 Q. 406 You haven't a clue. Do you remember receiving that?

21 A. No, I received one receipt. Where did you get your two receipts from?

22 Q. 407 You may take it that the first of them that we referred to was a receipt

23 provided by your solicitor, that's the one which does not have your name on it.

24 A. Yeah.

14:29:14 25 Q. 408 Subsequently the others were provided by Mr. Ahern.

26 A. Oh, right. Okay.

27 Q. 409 You equally received a letter on the 14th of December or certainly there's one

28 sent to you at page 19573. "I acknowledge with thanks cheque for 10,266,

29 comprising 6,349 loan repayment and 319 -- 3,917 interest on the loan," signed

14:29:51 30 by you isn't that right? Is that your signature?

- 14:29:56 1 A. That's right, yeah. Yeah, go ahead.
- 2 Q. 410 In what circumstances was this generated on the 14th of December?
- 3 A. Oh, yeah. Yes. Yeah, I signed that below in Bert's office.
- 4 Q. 411 I'm sorry?
- 14:30:11 5 A. I signed that in Bert's office.
- 6 Q. 412 You signed that in Bert's office?
- 7 A. Yeah.
- 8 Q. 413 It was prepared for your signature, is that correct?
- 9 A. That's right, yeah.
- 14:30:19 10 Q. 414 And you signed as appropriate.
- 11 A. Yeah. Actually now that I think of it, Bert mentioned actually that he needed
- 12 it, his accountant needed it or something.
- 13 Q. 415 His accountant needed it?
- 14 A. Yeah. That's my knowledge now that I see it there. Actually I forgot about
- 14:30:41 15 that.
- 16 Q. 416 Your contribution, Mr. Carew, to this fund you say was 4,500 pounds, isn't that
- 17 right?
- 18 A. That's right, yeah.
- 19 Q. 417 You were paid back 5,000 Pounds and the interest on it, do you know why that
- 14:30:54 20 is?
- 21 A. Haven't a clue.
- 22 Q. 418 Yes.
- 23 A. Didn't even bother looking at it.
- 24 Q. 419 No. And why did you not bother looking at it?
- 14:31:03 25 A. I had no interest in taking back the money in the first place.
- 26 Q. 420 Right. Would you not have checked to see whether or not Mr. Ahern had got it
- 27 right in making the payment back to you, because I suggest in addition to
- 28 making the wrong payment to you, the wrong payment was also made to
- 29 Mr. English. Mr. English received back 4,500 though he gave five. You
- 14:31:26 30 received back 5,000 though you gave four and a half?

14:31:29 1 A. Well actually, I did receive back five.

2 Q. 421 Sorry?

3 A. The cheque was for a lot more than five.

4 Q. 422 No, no, 5,000 Pounds Irish translates into 6,349 on the conversion.

14:31:40 5 A. No, but the cheque was made out for 10,000 something wasn't it.

6 Q. 423 Euro.

7 A. Yeah.

8 Q. 424 Euro. You didn't pay Euro apparently?

9 A. That's right because the Euro wasn't out then.

14:31:49 10 Q. 425 Exactly.

11 A. Yeah.

12 Q. 426 Yes. What you say is you paid 4,500 pounds Irish?

13 A. That's right.

14 Q. 427 Right. What you got back was the Euro equivalent of 5,000, which was the

14:32:02 15 contribution which is attributed to Mr. English. Mr. English on the other hand

16 received back 4,500, the equivalent of 4,500 pounds though his contribution had

17 been supposedly 5,000. I am just asking you why it is that that occurred?

18 A. You'd have to ask Mr. Ahern that. How am I supposed to know?

19 Q. 428 Because this is an acknowledgement by you "I acknowledge with thanks cheque for

14:32:35 20 10,266 comprising 6,349 loan repayment and 3,917 interest on the loan" signed

21 by you?

22 A. Yeah.

23 Q. 429 Yes.

24 A. Well to be quite honest with you, when I went in to collect the cheque I didn't

14:32:47 25 bring a little calculator with me and start converting the Euros back into

26 Pounds or Pounds into Euros. I just got a cheque and wasn't going to say "oh,

27 Bert listen here, that's not made up right". I just wrote the cheque and that

28 was it.

29 Q. 430 You were going to sign whatever was put in front of you, is that the position?

14:33:04 30 A. No, I wouldn't sign whatever was in front of me. I was signing for a cheque

- 14:33:05 1 that I got. Isn't that what that's signed for?
- 2 Q. 431 That's what the signature was applied on this document two months after you had
- 3 signed over the proceeds of this cheque in blank.
- 4 A. Yeah.
- 14:33:21 5 Q. 432 Yeah. Now, in relation to the funds of others, Mr. Carew, that is the cheques
- 6 which were received by others, you've told us that when you received the call
- 7 that a cheque was waiting for you in St. Luke's, you contacted others and
- 8 decided that it would be appropriate that the money would go to charity rather
- 9 than to collect it yourself?
- 14:33:52 10 A. Yes, sometime in and around then.
- 11 Q. 433 And who did you contact in relation to it?
- 12 A. I rang Joe Burke, Paddy --
- 13 Q. 434 Yes.
- 14 A. -- and Barry.
- 14:34:00 15 Q. 435 Right.
- 16 A. And I spoke to Charlie Chawke on the phone.
- 17 Q. 436 And what possible interest had Mr. Charlie Chawke in the contribution that you
- 18 have made personally or the contribution which you had collected from the three
- 19 others and paid to Mr. Ahern in September of 1994?
- 14:34:19 20 A. Sorry, I don't get your --
- 21 Q. 437 Mr. Chawke was one of Mr. Richardson's contributors to a fund, which was paid
- 22 to Mr. Ahern in December 1993, I'm wondering what interest you had in
- 23 contacting Mr. Charlie Chawke, because you were not a contributor to the same
- 24 fund as Mr. Charlie Chawke, do you understand?
- 14:34:42 25 A. That's correct, yeah.
- 26 Q. 438 Nor he to the fund that you contributed to, isn't that right?
- 27 A. That's correct.
- 28 Q. 439 So what was your interest in contacting him about it?
- 29 A. Well Charlie is pal of mine, has been for donkey's years so I just rang him,
- 14:34:57 30 told him what I was doing with the cheques and would he be interested in doing

14:35:01 1 something similar?

2 Q. 440 And was that your first discussion with him in relation to the fact that he

3 also had been a donor of monies to a goodwill loan to Mr. Ahern?

4 A. That's correct.

14:35:12 5 Q. 441 That was the first time you'd ever discussed it with him, was it?

6 A. Yeah.

7 Q. 442 And what had prompted you to ring him about it?

8 A. Just the spur of the moment, sitting in the office, I just rang him.

9 Q. 443 I see.

14:35:23 10 A. Yeah.

11 Q. 444 And as a result of that what happened?

12 A. I haven't a clue.

13 Q. 445 You haven't a clue?

14 A. Well I know Charlie actually gave his -- gave the money back to CARI.

14:35:33 15 Q. 446 Yes. Did you talk to Mr. Richardson about it?

16 A. No.

17 Q. 447 No. Did you arrange with Mr. Richardson that the cheque should come to you?

18 A. No, even though -- I know Mr. Richardson said --

19 Q. 448 You know what that he said?

14:35:54 20 A. Well in his -- you know the hundreds and hundreds of pages or thousands of

21 pages you send out to me every so often.

22 Q. 449 Yes.

23 A. I see Mr. Richardson actually in his statement said that he sent back the

24 cheque for my attention or something.

14:36:08 25 Q. 450 Yes.

26 A. Yes. No that didn't happen.

27 Q. 451 You never got it.

28 A. I never got that cheque.

29 Q. 452 No. It didn't go to you and you didn't deal with it?

14:36:14 30 A. No.

14:36:14 1 Q. 453 You didn't lodge his cheque to CARI --

2 A. No, I didn't.

3 Q. 454 -- or the cheques of anybody else to CARI?

4 A. No, all the cheques were lodged together, to the best of my knowledge.

14:36:23 5 Q. 455 And you you never received an envelope marked for your attention at St. Luke's

6 which contained three cheques?

7 A. No.

8 Q. 456 No. Have you discussed that with Mr. Richardson, as you say you've received

9 this documentation over time from the Tribunal updating you on the position in

14:36:42 10 relation to the evidence which you're likely to meet at the Tribunal, did you

11 consider it appropriate to question Mr. Richardson as to why he was saying that

12 you were the person who had organised for these cheques to be sent to you so

13 that you might transmit them onward to CARI and that apparently is not the

14 case?

14:37:05 15 A. No, I haven't been talking to Des at all.

16 Q. 457 I see. Thank you.

17 A. Thank you.

18

19 CHAIRMAN: Sorry, just hang on a second.

14:37:27 20

21 MR. O'NEILL: There may be others who want to question you.

22

23 CHAIRMAN: Mr. Burke, do you want ask any questions?

24

14:37:31 25 MR. BURKE: Yes, Chairman, just one or two very brief questions.

26

27 **THE WITNESS WAS QUESTIONED BY MR. BURKE AS FOLLOWS:**

28

29 MR. BURKE: Mr. Carew, would you tell the Tribunal when and how you became a

14:37:39 30 friend of Mr. Bertie Ahern's initially, please?

- 14:37:40 1 A. I met Bert going back donkey's years ago in a pub in the inner city and I know
2 him what --
- 3 Q. 458 Was that a pub that you were running yourself?
- 4 A. A pub that I owned in the inner city, yeah.
- 14:37:52 5 Q. 459 And where was Mr. Ahern working at this time?
- 6 A. He was working actually in the Mater.
- 7 Q. 460 In the Mater Hospital?
- 8 A. Yeah.
- 9 Q. 461 I see. And you are reasonably familiar with St. Luke's, isn't that right?
- 14:38:10 10 A. Very familiar with it, yeah.
- 11 Q. 462 And what would your view of the accommodation that Mr. Ahern had at that time
12 be?
- 13 A. Very pokey little flat upstairs over the offices.
- 14 Q. 463 And would it be suitable for more than one person?
- 14:38:17 15 A. Definitely not.
- 16 Q. 464 Thank you very much, Sir.
- 17 A. All right.
- 18
- 19 CHAIRMAN: All right.
- 14:38:21 20
- 21 JUDGE FAHERTY: Could I just ask you, Mr. Carew, when exactly did you become
22 aware that Mr. Chawke had made a contribution to Mr. Ahern?
- 23 A. I'm not sure. Actually, I --
- 24
- 14:38:37 25 JUDGE FAHERTY: I just want to know in the context of you having phoned Mr.
26 Chawke, when you got your CARI cheque as I understand it.
- 27 A. That's correct, yeah.
- 28
- 29 JUDGE FAHERTY: And Mr. O'Neill asked you how come you phoned Mr. Chawke.
- 14:38:50 30 A. Yeah.

14:38:51 1
2 JUDGE FAHERTY: And you said he was a pal of mine and I told him what I was
3 doing regarding the cheque that you had received.
4 A. That's right.

14:38:58 5
6 JUDGE FAHERTY: And I just want to understand, why did you phone Mr. Chawke?
7 A. I was in the office, just phoned him.
8
9 JUDGE FAHERTY: But in what context were you phoning him?
10 A. To know would he -- tell him what I was doing with the cheque and the lads and
11 would he be interested in doing the same thing.
12
13 JUDGE FAHERTY: Yes. What I want to really know is, I understood you to say
14 to Mr. O'Neill earlier, that at the time you had gathered up the money to give
14:39:28 15 to Mr. Ahern.
16 A. Are you going back now to the '94?
17
18 JUDGE FAHERTY: '94.
19 A. Yeah.

14:39:33 20
21 JUDGE FAHERTY: That certainly at that time --
22 A. Yeah.
23
24 JUDGE FAHERTY: -- you were not made privy to the fact that Mr. Ahern had the
14:39:39 25 benefit of a loan from other friends.
26 A. That's correct, yeah.
27
28 JUDGE FAHERTY: Isn't that right?
29 A. That's right.

14:39:43 30

14:39:43 1 JUDGE FAHERTY: So I just want to know when was it that you became aware of
2 this?
3 A. Well to be quite honest with you, I'm wracking my brain here at the moment when
4 did I become aware, because I'm not too sure, but I definitely -- because there
14:39:55 5 was so much hype about the bloody cheques and the money to Bert that somebody
6 had mentioned it or I saw it somewhere in one of the thousands of pages that I
7 got out from the Tribunal that were coming out like confetti --
8
9 JUDGE FAHERTY: Yes.
14:40:12 10 A. -- and I'd say actually it was probably in that sense that I must have read it
11 actually in one of the piles of paper that Charlie, in one of Charlie's
12 statements. Everyone's statement was coming out to me, everyone's bank
13 statement was coming out to me. This was crazy.
14
14:40:28 15 JUDGE FAHERTY: Mr. O'Neill will correct me on this. I think a lot of that
16 documentation you will have received, Mr. Carew, some time this year. As I
17 understand it, the cheque, the phone call you would have made to Mr. Chawke as
18 I understand it, must have occurred --
19 A. Yeah.
14:40:42 20
21 JUDGE FAHERTY: -- sometime, as I understand it, between September and perhaps
22 October 2006.
23 A. It was actually prior to I collecting my own cheque below for Bert. I'd have
24 rang Charlie.
14:40:55 25
26 JUDGE FAHERTY: I know that.
27 A. Yeah.
28
29 JUDGE FAHERTY: I'm just asking you, how did you become aware of the fact that
14:41:02 30 you should have rang Mr. Chawke?

14:41:03 1 A. I'm here trying to rack my brain, when did I -- I would say it must have been
2 off some of the literature that came out from the Tribunal. I must have seen
3 it or else I could have been talking to Charlie, I'm not a hundred per cent
4 sure now when I knew. I definitely knew actually that Charlie gave him money,
14:41:18 5 but when exactly that is I'm not a hundred per cent sure. It has to be
6 sometime around -- it has to be sometime around the same time as I got the
7 cheque. When did ye send out all of that literature to me?

8
9 JUDGE FAHERTY: That might have been in 2007, yes, prior to these hearings,
14:41:34 10 Mr. Carew.

11
12 MR. O'NEILL: The operative dates, if they're helpful, Judge Faherty, are that
13 the cheque was written on the 29th of September. The lodgement was made to
14 CARI on the 10th of October.

14:41:46 15
16 JUDGE FAHERTY: Yes, that's right.

17
18 MR. O'NEILL: So it was in that window, in that window obviously there was no
19 circulation of documentation from the Tribunal to this witness in relation to
14:41:57 20 Mr. Chawke's appearance.

21
22 MR. BURKE: Judge Faherty.

23
24 JUDGE FAHERTY: You had become aware by some means that Mr. Chawke had made a
14:42:05 25 contribution or --

26 A. I'm not sure how I heard, but I have a funny feeling it was actually some of
27 the documentation I got from here.

28
29 MR. BURKE: Chairman --

14:42:15 30 A. Ye sent out bundles and bundles of stuff nearly 12 months ago now or longer,

14:42:19 1 two years ago.
2
3 MR. BURKE: Chairman, I purposely withheld until you had asked the questions
4 and answers been given and my client has said he wasn't too sure. But I think
14:42:27 5 it's a matter of record, which should be brought to the attention of the
6 Tribunal, that during the interview between the Taoiseach and Mr. Dobson on the
7 26th of September Mr. Chawke's name was mentioned.
8
9 JUDGE FAHERTY: Yes, that is a matter of record, yes.
14:42:49 10
11 MR. BURKE: He was in the newspapers. Perhaps that might --
12
13 JUDGE FAHERTY: That might be an aid to Mr. Carew, yes.
14 A. I don't want to say it was on a Sunday or Monday or something when I found out,
14:42:49 15 I'm not sure.
16
17 JUDGE FAHERTY: Very well. Thank you.
18 A. Sorry that I couldn't be more helpful your honour.
19
14:42:55 20 JUDGE KEYS: Just one more question. After you had given the money to
21 Mr. Ahern. Did you ever make any inquiries from him thereafter what progress
22 he was making in relation to purchasing a house?
23 A. No.
24
14:43:09 25 JUDGE KEYS: Did you ever ask him at any stage had he purchased a house?
26 A. Sorry, I didn't get that.
27
28 JUDGE KEYS: Did you ever ask him at any stage had he purchased a house?
29 A. No.
14:43:20 30

14:43:20 1 JUDGE KEYS: So you collected money for a particular purpose and even out of
2 curiosity?

3 A. No.

14:43:26 5 JUDGE KEYS: And when did you hear he had purchased a house or did you ever
6 hear that he had purchased a house?

7 A. Well when he moved in and lived in Carysfort I took it for granted that he
8 bought the house.

14:43:37 10 JUDGE KEYS: I see. Thank you.

11 A. All right.

12
13 CHAIRMAN: All right. Thank you very much.

14 A. Thank you.

14:43:41 15

16 **THE WITNESS THEN WITHDREW.**

17
18 MR. O'NEILL: The next witness is Mr. Barry English. Mr. English please.

19
14:43:47 20 MR. LYONS: Chairperson, Pdraig Lyons, instructed by Noel Smyth & Partners, if
21 I might make an application for a grant of limited representation on behalf of
22 Mr. English?

23
24 CHAIRMAN: Certainly, yes. Granted.

14:43:57 25

26 **MR. BARRY ENGLISH, HAVING BEEN SWORN, WAS QUESTIONED**

27 **BY MR. O'NEILL AS FOLLOWS:**

28
29 CHAIRMAN: Good afternoon Mr. English.

14:44:21 30

14:44:21 1 MR. O'NEILL: Mr. English good afternoon. You are a witness before the
2 Tribunal because you are one of the contributors to the fund that has been
3 described by the last witness, Mr. Carew, as having been presented by him to
4 Mr. Ahern, you appreciate that?

14:44:34 5 A. Sure.

6 Q. 465 And I think that Mr. English, you are a businessman, is that right?

7 A. Yes.

8 Q. 466 And you have a relationship with Mr. Ahern dating back, you say, for some 12
9 years prior to your first contacts with the Tribunal, is that right?

14:44:55 10 A. Sure.

11 Q. 467 You indicated in your statement to the Tribunal that you had been away for some
12 years, you returned to Ireland, and it was I think after that that you first
13 met with Mr. Ahern, is that right?

14 A. That's right.

14:45:09 15 Q. 468 Okay. You had been away seven years in all, is that right?

16 A. Yes, since college.

17 Q. 469 Since college?

18 A. Uh-huh.

19 Q. 470 And you were I think born in April 1966, is that right?

14:45:24 20 A. That's right.

21 Q. 471 You came back to Ireland to take up employment in Ireland, did you?

22 A. Yes.

23 Q. 472 And where were you employed first?

24 A. The same company as I worked with abroad, MF Kent.

14:45:36 25 Q. 473 All right. And that was the engineering group MF Kent that I think went into
26 financial difficulties probably in 1994 or so?

27 A. Examinership, yes.

28 Q. 474 They went into examinership and subsequently the company may have gone through
29 a receivership of sorts?

14:45:52 30 A. No, went into examinership and then it had Malaysian investors that rescued the

14:45:58 1 company and now it's got 4 or 5,000 employees.

2 Q. 475 So when you came back to Ireland, was it to take up employment with an Irish

3 branch of that, you had been working for them abroad, is that right?

4 A. Yeah, I worked for them in London and Barcelona and Singapore.

14:46:19 5 Q. 476 Right.

6 A. And then I came back to, I ran their Dublin office.

7 Q. 477 Okay. There was a company called Kencam, is that within their --

8 A. Kencam, no.

9 Q. 478 No.

14:46:34 10 A. There could have been, there was 64 companies in the group so --

11 Q. 479 Can you tell me whether or not it is the case that you commenced to work with

12 them in Ireland in October of 1993, is that right?

13 A. I spent I think a month or two down in their head office in Clonmel.

14 Q. 480 Yes.

14:46:57 15 A. Working on an engineering for a project in Saudi Arabia and then they asked me

16 to go to Dublin and take over the Dublin office.

17 Q. 481 Right. Can you say what month it was in 1994 that you came to the Dublin

18 office?

19 A. It was either the end of January or the beginning of February.

14:47:16 20 Q. 482 Right. The company called Kentz, K-E-N-T-Z might well have been your employer

21 then from the 1st of February 1994?

22 A. Yeah.

23 Q. 483 Until the 31st of March 1995, is that right?

24 A. Um, almost, I handed in my notice the 1st of March '95 and I left on the 17th

14:47:41 25 of March '95.

26 Q. 484 All right. They may have paid you up to the end of the month?

27 A. I don't remember.

28 Q. 485 Right.

29 A. Kentz was the new came for MF Kent because there was a management buy out and

14:47:52 30 part of the deal of the management buy out was that they would change their

14:47:57 1 name.

2 Q. 486 I see. Did you then go on to set up your own company?

3 A. Yes.

4 Q. 487 Was that Penman Construction?

14:48:09 5 A. It was. It's now called Penman Construction, I set up as Winthrop Engineers
6 and Contractors and then I set up subsidiary companies and made the original
7 company a holding company, which is called Penman Construction.

8 Q. 488 I see. So if we look to the year 1994 then. You came to Dublin effectively in
9 February of 1994, is that right?

14:48:30 10 A. Yes.

11 Q. 489 And where were you living at that time?

12 A. Originally the company had a house in Rathgar, which wasn't, it was okay and I
13 subsequently, within a month or two, took a house over in Ballsbridge.

14 Q. 490 Yes?

14:48:47 15 A. In Willfield Private.

16 Q. 491 I see. And when was it that you first met with Mr. Ahern then in 1994?

17 A. It would have been a few months after that. I met Joe Burke first in,
18 somewhere in town through a social occasion.

19 Q. 492 Yes.

14:49:11 20 A. And then I would have gone on various occasions to either to Beaumont House or
21 to Fagan's with Joe.

22 Q. 493 Right. Mr. Joe Burke was in the construction business at that stage I think,
23 perhaps specialising in pub refurbishments, I'm not sure.

24 A. Yes.

14:49:29 25 Q. 494 But that general area, isn't that right?

26 A. Absolutely, yeah.

27 Q. 495 Not quite the heavy engineering side of the business that Kentz would be
28 involved in, is that right?

29 A. No, the type of business that -- Kentz had various aspects, but a lot of what
14:49:47 30 Kentz did in Ireland would have been offices, hotels, shopping centres.

- 14:49:52 1 Q. 496 Right.
- 2 A. And when I started up my business I would have done things like pubs.
- 3 Q. 497 I appreciate that but that wasn't to take place until the following year, 1995,
- 4 isn't that right?
- 14:50:01 5 A. Yes.
- 6 Q. 498 In 1994 you were still working for Kentz albeit that they were going through
- 7 this process of restructuring or examinership?
- 8 A. Yes.
- 9 Q. 499 You were working for them as an employee, isn't that right?
- 14:50:15 10 A. Yes.
- 11 Q. 500 You were living in, initially Rathgar, now Ballsbridge and you met with Mr. Joe
- 12 Burke.
- 13 A. Yes.
- 14 Q. 501 Was that a meeting that arose out of a joint business interest or did you share
- 14:50:30 15 some social connection or some family connection, how did you come to meet?
- 16 A. I suppose I'd left -- I'm from Tipperary, I had gone abroad straight after
- 17 college so I was in the business of trying to network as much as possible
- 18 within the city.
- 19 Q. 502 Yes. Sure.
- 14:50:47 20 A. Joe is very amiable type of character, he's easy to --
- 21 Q. 503 So he is a personable fellow, if you met him, but I think you'd accept that
- 22 there was a very wide generation gap between you, almost 17 years or so in your
- 23 dates of birth. You at the time were 28 years of age.
- 24 A. Yeah.
- 14:51:06 25 Q. 504 He was some 17 years older than you.
- 26 A. Yeah.
- 27 Q. 505 And did that social level of exchange with him, it involved you meeting for a
- 28 drink from time to time?
- 29 A. Yes.
- 14:51:25 30 Q. 506 Did you meet every week or once a month or?

14:51:30 1 A. It kind of went through cycles.

2 Q. 507 Yeah.

3 A. You know, you could meet twice in a week, for a couple of weeks in a row, you

4 could go a couple of months without meeting him. It depended on as time

14:51:44 5 progressed I started my own business, you mightn't have got to see him for a

6 few months and then see a good bit of him.

7 Q. 508 I'm really concerned only with the initial period, that is in the year 1994,

8 between February and September, a period of seven months or so, on how many

9 occasions you think you would have met him in that period?

14:52:04 10 A. It's hard to tell, 10, 12, 14, you know it's --

11 Q. 509 Okay. And in what circumstances did you first come to meet with Mr. Bertie

12 Ahern?

13 A. It was in Beaumont House.

14 Q. 510 Yes. With Mr. Burke?

14:52:21 15 A. Yes.

16 Q. 511 I see.

17 A. Yeah.

18 Q. 512 Was Mr. Burke in effect the conduit to your meeting Mr. Ahern or had you any

19 other connection with Mr. Ahern whether through family or otherwise?

14:52:33 20 A. I don't think I ever met Bertie Ahern in those years without Joe Burke.

21 Q. 513 Okay. You wouldn't think of going to Beaumont House unless Mr. Burke was with

22 you, is that the position?

23 A. No, but I'd call in. I'd call in during the day and have my lunch there

24 because I knew Dermot as well so --

14:52:52 25 Q. 514 Okay.

26 A. But if it was a drink in the evening time unless Joe was going, there was a

27 reason, I don't think I've ever gone on my own.

28 Q. 515 Okay. And on how many occasions do you think you met with Mr -- well firstly

29 when was the first time you met Mr. Ahern in the, was it in the presence of

14:53:08 30 Mr. Burke?

14:53:08 1 A. Yes.

2 Q. 516 And was it in the Beaumont House?

3 A. It could -- I'm trying to think of that. I'm almost sure, but not a hundred

4 per cent that it was in Fagan's.

14:53:25 5 Q. 517 Okay. But it was in the in a pub environment rather than in his office or in

6 his ministerial office or in the Dail or anywhere like that?

7 A. Yes.

8 Q. 518 It was a social occasion, is that right?

9 A. Oh, yes, yeah.

14:53:39 10 Q. 519 Across a table having a drink?

11 A. Never across a table, no.

12 Q. 520 Across a bar then?

13 A. They always stand at the counter.

14 Q. 521 Okay. And how many times do you think you met him, well when was the first

14:53:51 15 time you met him?

16 A. It was maybe May/June I couldn't --

17 Q. 522 May or June, but obviously you weren't particularly friendly with Mr. Burke,

18 I'm not saying you were unfriendly, you didn't have a long relationship with

19 Mr. Burke by then?

14:54:16 20 A. Didn't have a long relationship, but I would have been pretty friendly with

21 Mr. Burke, yeah.

22 Q. 523 And then you meet Mr. Ahern.

23 A. Yeah.

24 Q. 524 And that was probably in June and how many times did you meet him between then

14:54:27 25 and September?

26 A. It could have been four, it could have been six.

27 Q. 525 Okay.

28 A. You know sometimes you may be in the pub and you may not talk to him at all,

29 but you'd be in the same group and other times you'd just be talking to him for

14:54:40 30 --

- 14:54:41 1 Q. 526 Okay. Did you ever have a one-to-one conversation with him in the absence of
2 Mr. Burke or anybody else? In other words did you ever sit down and have a
3 heart-to-heart on any issue?
- 4 A. Um.
- 14:54:53 5 Q. 527 I'm talking again about 1994.
- 6 A. 1994. I don't know. I mean, my long-term memory of Bertie Ahern is he always
7 wanted to know how things were at work, as if he was trying to use you as a
8 barometer of the, you know, from talking to ordinary people, that was my --
- 9 Q. 528 Yes.
- 14:55:13 10 A. So he could have easily, at that stage, kind of said "how are things going,
11 how's business, what's --"
- 12 Q. 529 Sure. But as regards a personal contact with him on matters, let's say that
13 you wouldn't discuss freely with people you didn't know. You never discussed
14 your family affairs with him and you wouldn't expect him to discuss them with
15 you?
- 14:55:33 15
- 16 A. Other than basic family of being from Tipperary and that sort of stuff, no, not
17 personal matters.
- 18 Q. 530 And so by September do you think you would have met him four times, three times
19 or more than that between June and September?
- 14:55:49 20 A. Could have been four, six times I'm not --
- 21 Q. 531 Okay. And in those circumstances it was always in one pub or other and it was
22 over a glass of beer or whatever it might be?
- 23 A. Yeah.
- 24 Q. 532 Were you aware of what his family circumstances were, from Mr. Ahern, did he
14:56:07 25 ever discuss it with you or was it ever discussed in his presence when you were
26 present?
- 27 A. I would never have had that discussion with Mr. Ahern.
- 28 Q. 533 No. Was that because you did not consider yourself to be closely associated
29 with Mr. Ahern?
- 14:56:26 30 A. Wouldn't consider myself close enough, no.

- 14:56:29 1 Q. 534 No. And can you recollect then the discussion which took place with the last
2 witness and yourself, apparently in September 1994, at which Mr. Ahern's living
3 arrangements were discussed? Do you remember that?
- 4 A. Maybe not as specific as the last witness.
- 14:56:53 5 Q. 535 What is your memory of?
- 6 A. It -- my memory is that it was the end of the summer. I wouldn't disagree with
7 it being a Saturday night, but I couldn't specifically remember it was a
8 Saturday night neither.
- 9 Q. 536 All right.
- 14:57:04 10 A. And there was, and I certainly wouldn't have been as specific as a deposit for
11 a house other than that he was, he had come through a separation, he was kind
12 of -- from the different bits of conversation throughout the summer, you know,
13 with Joe and that that his circumstances wouldn't have been normal.
- 14 Q. 537 All right. Okay.
- 14:57:28 15 A. As living with Joe and whatever and that night then it came up about, you know,
16 trying to do something for him.
- 17 Q. 538 Okay. Did you know at that time that Mr. Ahern had in fact been separated from
18 his wife for a period of about seven years before this?
- 19 A. I wouldn't have known at the time, but I would have known he was separated,
14:57:49 20 yeah.
- 21 Q. 539 Okay. Did you know that he had formed a second relationship and that he was in
22 a relationship with Ms. Celia Larkin, in which he considered and she considered
23 that they were life partners at that point?
- 24 A. Celia would be in the pub like.
- 14:58:07 25 Q. 540 Sorry.
- 26 A. Celia would be in the pub.
- 27 Q. 541 Yes.
- 28 A. Yeah.
- 29 Q. 542 And as regards his financial status, as opposed to his personal status, he was,
14:58:19 30 at that time, the Minister for Finance.

- 14:58:22 1 A. That's right.
- 2 Q. 543 And I mean as a 28 year old I take it you were in suitable awe of meeting the
3 Minister for Finance for a few drinks.
- 4 A. Probably difficult enough to explain to the Tribunal but --
- 14:58:38 5 Q. 544 Uh-huh.
- 6 A. -- when you're in a pub with Bertie you don't meet the Minister for Finance or
7 you don't meet the Taoiseach. You meet a very, not mundane, but a very
8 ordinary person.
- 9 Q. 545 Right.
- 14:58:58 10 A. And he would never, you know, he would never ever come across as a Minister.
- 11 Q. 546 So you didn't overawe you in any way, you had a free exchange of views with
12 him, as you would with anybody across a bar, is that the relationship that you
13 had with him?
- 14 A. Yeah, plus I mean I, I'd had a pretty successful record myself coming back. I
14:59:09 15 was ready to take on the world so.
- 16 Q. 547 Sure. So you weren't in any way intimidated by him?
- 17 A. No.
- 18 Q. 548 You didn't feel under any compulsion to make any payment to him if anybody had
19 made any request or demand of you for money, isn't that right?
- 14:59:24 20 A. No.
- 21 Q. 549 At the same time, he was somebody that you'd met four times and you are now
22 being asked to contribute towards a financial dig out apparently, for him, in
23 circumstances where as far as you know he was the Minister for Finance and
24 therefore drawing a fairly reasonable salary at that time, isn't that right?
- 14:59:45 25 A. I'm sure he was like. I would have never thought -- traditionally I would have
26 never thought politicians, they would have been well paid.
- 27 Q. 550 Perhaps not, but he certainly, could I suggest, would probably have been making
28 more than you were as an employee of a company?
- 29 A. I don't think so, no.
- 15:00:01 30 Q. 551 You don't believe so?

- 15:00:03 1 A. No.
- 2 Q. 552 In any event, when the discussion took place you are not quite clear as to
3 exactly what the circumstances were in which monies were to be gathered, other
4 than it was to go in some way towards a house, the acquisition of a house by
15:00:21 5 Mr. Ahern, is that right?
- 6 A. And even that I couldn't be as specific other than that you know times weren't
7 good and he was --
- 8 Q. 553 Right?
- 9 A. -- if I hadn't listened to Dermot Carew's evidence I wouldn't have been saying
15:00:35 10 it was specifically for a house, it was try and help out in his circumstances.
- 11 Q. 554 When you say about things not being good, are we talking about the emotional
12 side of a separation or are we talking about some perceived financial losses
13 that you understood were there? What was it was identified to you or what did
14 you believe as the factor, which would have merited any form of contribution
15:01:00 15 financially to Mr. Ahern?
- 16 A. Well my own brother had gone through a separation and divorce so I actually, my
17 heart goes out to anybody male or female going through a separation/divorce.
18 So that would have gone -- the fact that he was in those circumstances no one
19 would have to tell me. From the discussions prior to that, you know, I would
15:01:23 20 have known that he was, you know, staying with Joe a bit and staying over St.
21 Luke's.
- 22 Q. 555 Uh-huh.
- 23 A. Which would not have been normal for a man of his age.
- 24 Q. 556 Right. We might look at your statement, which you furnished to the Tribunal in
15:01:40 25 response to a letter which was issued on the 28th or 29th of June. If we look
26 to page 17976. I think this is, you might be familiar with that, Mr. English,
27 it's a letter written by you to the solicitor to the Tribunal --
- 28 A. Yes.
- 29 Q. 557 -- effectively responding to the same set of questions that had been asked of
15:02:02 30 all contributors?

15:02:03 1 A. Yes.

2 Q. 558 Your response is "I write in reply to your letter referenced above, dated 29th

3 of June 2006. For convenience I have followed the format of your letter for my

4 reply.

15:02:12 5

6 I have known and socialised with Bertie Ahern for over 12 years now since my

7 return to Dublin from working overseas, London, Spain and Singapore. One night

8 I took part in a discussion in the Beaumont House with other friends of Bertie

9 Ahern about how he was going through a rough time after his separation. He was

15:02:29 10 living his mother or friends or over the constituency office. It was suggested

11 that we give him a bit of a help out. Some of the usual group that drink with

12 us were there. Dermot Carew agreed to be the nominated person to collect the

13 money."

14

15:02:43 15 Question No. 2 there was your understanding as to why such payment was made.

16 "As per discussion above."

17

18 Question 3. Was the reason advanced to you by any other person for the making

19 of such payment. "Again group discussion as per one above."

15:02:57 20

21 Question 4 was the identity of other persons who to your knowledge made similar

22 payments.

23 "Dermot Carew definitely contributed, but I cannot be certain who else

24 contributed from the group as many volunteered at the time, but I don't know

15:03:11 25 the ones that actually followed through."

26

27 Question 5 was the identity of the person to whom you made the payment.

28 "Dermot Carew as he agreed to collect the money."

29

15:03:20 30 Question 6. Bank account details sought.

15:03:22 1 "The payment was made in cash as it was felt if we gave it as a cheque it may
2 never have been cashed by him."

3
4 As regards source.

15:03:37 5 "The money I gave was part of cash I held after returning to Ireland after
6 working for seven years abroad."

7
8 CHAIRMAN: Sorry. Could we turnover the page.

9
10 MR. O'NEILL: Sorry. That's page 17977, please.

11 Question 8 was the terms of any upon which you made such payment to or for the
12 benefit of Mr. Ahern.

13 "A soft loan until he got organised, with no definite time limit. Obviously it
14 was an understanding from our Beaumont House discussion but was not discussed
15 with Bertie."

15:04:00 16
17 9. Details of any acknowledgement or receipt given by you.

18 "None asked for or received other than a verbal expression of gratitude from
19 Bertie."

15:04:12 20
21 10. Details of any other payment made by you to Mr. Ahern.

22 "No other payments made to Mr. Ahern".

23
24 That was your view as of July 2006 of your involvement, isn't that right,
15:04:23 25 Mr. English? And I think it's clear from that, that you had no long-term
26 relationship with Mr. Ahern prior to this date, isn't that right?

27 A. Sure.

28 Q. 559 And can you explain to the Tribunal how it is that you came to contribute such
29 a large sum of money to Mr. Ahern, a person who you hardly knew I suggest, at
15:04:44 30 that time?

15:04:50 1 A. He, I kind of went with a flow of the conversation that night.

2 Q. 560 Yes.

3 A. Joe had gone back a long ways with Bertie and Dermot as well, but I wouldn't

4 have been guided by Joe but when the others said that they were going to

15:05:09 5 contribute I said that I would contribute as well.

6 Q. 561 Yes. If Mr. Carew's recollection is correct. You were the first of the

7 contributors and equally you were the largest of the contributors?

8 A. Yeah.

9 Q. 562 In terms and we've heard no discussion from Mr. Carew as to any figures being

15:05:29 10 discussed by the four contributors prior to your donation.

11 A. Uh-huh.

12 Q. 563 What was it that caused you to contribute 5,000 as opposed to 500 or as opposed

13 to 15,000?

14 A. I suppose, whatever happened on the night, I would have come away with my own

15:05:45 15 view of what was an appropriate amount.

16 Q. 564 Uh-huh.

17 A. You know, like when you're asked to give money to charity you always try to

18 gauge what's the correct amount to give.

19 Q. 565 Yes. Now, I appreciate that you were a successful man at the time, but you

15:06:03 20 were a young man, you were 28 years of age.

21 A. Uh-huh.

22 Q. 566 Were you single or married at that stage?

23 A. Single until this year.

24 Q. 567 Single until this year and therefore you didn't have massive overheads, isn't

15:06:14 25 that right?

26 A. No.

27 Q. 568 Equally, why would you be giving such large amount of money to somebody that

28 you hardly know?

29 A. How large is it? It was what I felt was appropriate for the from the

15:06:30 30 conversation that night. 5,000 wouldn't have been a lot of money to me

15:06:33 1 personally, no.

2 Q. 569 But if you went out three nights a week to the pub and if you were to

3 contribute to every story that you heard in a pub, it wouldn't take you long to

4 get rid of seven years savings?

15:06:47 5 A. No, it wouldn't.

6 Q. 570 Uh-huh.

7 A. But I've been a contributor all my life.

8 Q. 571 Yes.

9 A. In a lot larger sums than that.

15:06:57 10 Q. 572 The source of these funds, Mr. English, you tell us were some savings that you

11 had accumulated obviously by working for Kentz abroad and you brought back with

12 you.

13 A. Uh-huh.

14 Q. 573 Had you not deposited that in a bank deposit account?

15:07:16 15 A. I would have had some money in a bank account.

16 Q. 574 Yes.

17 A. And I would have had some money that I just kept in cash.

18 Q. 575 Yes.

19 A. I did that for a long time.

15:07:26 20 Q. 576 And is there any reason why you wouldn't have a record of the 5,000 Pounds that

21 you gave to Mr. Ahern, either by reference to your monthly accounting for your

22 income and outgoings or your bank account at the time or --

23 A. I have never done monthly accounting I think. Never.

24 Q. 577 You understood that this was going to be a soft loan --

15:07:51 25 A. Uh-huh.

26 Q. 578 -- to Mr. Ahern, isn't that right?

27 A. Uh-huh. Yeah, you gave the money and sometimes you give money to people and

28 you get it back, sometimes people come looking for more money. You know, it's

29 --

15:08:03 30 Q. 579 But your understanding at the time that you handed over the money was that it

- 15:08:07 1 was a soft loan and doesn't it follow from that, that you had an expectation of
2 receiving it back?
- 3 A. Expectation yeah, but --
- 4 Q. 580 Yes.
- 15:08:17 5 A. -- whenever you give money in those circumstances you'd usually write it off
6 yourself, you know and if you get it back well and good.
- 7 Q. 581 So you gave it intending it to be a loan, but you appreciated that you weren't
8 going to see it back again, is that right?
- 9 A. Yeah.
- 15:08:33 10 Q. 582 Was that a fair assumption of the relationship that you had with Mr. Ahern
11 here, that he would take money as a loan and you would never get it back, is
12 that what you're saying?
- 13 A. Is that what I'm saying? Like, on the night we said we'd give him the money
14 until he got himself sorted out. Now, what happens after that you don't know.
- 15:08:58 15 Q. 583 And what did happen as far as you're concerned, Mr. English, after that? You
16 had parted with your money --
- 17 A. Uh-huh.
- 18 Q. 584 -- and what next happened, did you meet with Mr. Ahern in the Beaumont House
19 some weeks later, days later, whatever it might be?
- 15:09:17 20 A. Well it wouldn't have been. Sorry. It wouldn't have been daytime, it would
21 have been evening time.
- 22 Q. 585 Yeah.
- 23 A. Yeah, he would have said "look thanks for that" or something along those lines
24 and "I'll sort you out for it" or yes.
- 15:09:30 25 Q. 586 He said he'd sort you out?
- 26 A. Some kind of an intimation that --
- 27 Q. 587 Was that reassuring from your point of view? Did you know now that you were
28 going to see your money back?
- 29 A. It was just his intimation at the time.
- 15:09:49 30 Q. 588 But you say in your statement that you've known and socialised with him for 12

15:09:54 1 years.

2 A. Uh-huh.

3 Q. 589 Since then.

4 A. Uh-huh.

15:09:57 5 Q. 590 And what has taken place in that period which would indicate that he had the
6 intention of paying you back this money?

7 A. Because he said things and I'll sort you out for it.

8 Q. 591 Yes. But he didn't.

9 A. No.

15:10:13 10 Q. 592 For 12 years.

11 A. Whenever -- 2006, yeah.

12 Q. 593 Uh-huh. And then in circumstances which we know where the matter becomes a
13 public issue and where it seems that the payment back is being made in a
14 structured way where you never actually get the money back do you?

15:10:30 15 A. Sorry.

16 Q. 594 You never actually got the money back?

17 A. Well I did get the cheque, yeah.

18 Q. 595 Well you signed the back of a cheque.

19 A. Well, it's a -- I listened to Dermot's evidence it's a little bit different to
15:10:50 20 my recollection. I don't recall Dermot saying to me about CARI because I very
21 specifically remember what happened. I got a call from Sandra, who was the
22 secretary in St. Luke's.

23 Q. 596 Yes.

24 A. And she asked me to call in because I was getting the cheque back and my first
15:11:07 25 surprise was seeing that it was for 11,406, which I said -- and she said "well
26 that's the amount plus interest" and I said "Jesus that's an awful lot to have
27 to give back." And I said "are the others taking it back"? And she said "well
28 some are taking it back, some are giving it to a charity and some are giving it
29 to Miriam's charity CARI", and I said fine "I'll endorse the back and give mine
15:11:35 30 to CARI."

- 15:11:35 1 Q. 597 Did you not consider that at this remove in time that you should just keep the
2 money that was being given back. It was your money. You had expected to get
3 it back at some stage?
4 A. Things had gone very very well for me. It was -- 11,000 then was even less
15:11:52 5 than 5,000 was at the time.
6 Q. 598 And the request had been made of you to come to the office, is that right?
7 A. Sandra called me.
8 Q. 599 Do you know why the cheque wasn't sent out to you?
9 A. No idea.
15:12:10 10 Q. 600 Well was it retained on the basis that it was expected that you would sign it
11 over there and then?
12 A. Sandra is, I don't know if she's been in the Tribunal. Sandra isn't a
13 secretary you certainly wouldn't feel under any pressure whatsoever meeting
14 somebody like Sandra. She is a lady and you know your wishes would be -- she
15:12:32 15 wouldn't be trying to force you to do anything or encourage you to do anything.
16 She'd give it as it is.
17 Q. 601 Well at some stage, as you know, Mr. English, you received a breakdown of how
18 the money was made up and I take it you appreciate that the money that was
19 being paid back to you was less than the sum that you had contributed in
15:12:54 20 capital sum by 500. It's calculated apparently on the basis of you having made
21 4,500 pounds.
22 A. No, I think you've got -- there's been a little bit of confusion there.
23 Q. 602 Yes.
24 A. I got 11,406 and I did a rough thing to try and see -- I think they worked out
15:13:11 25 at 5 per cent interest, so if you take 6,000 out and do 1.05 over the 12 years
26 it comes to almost the same figures as 11,406. What did happen was the first
27 receipt I got from CARI was for 10,422 or 200, which I think was Dermot's
28 receipt. And then I got a revised receipt for the 11,400 and if you look at my
29 receipt that I sent to the Tribunal you will see a note on the top of it that
15:13:52 30 says "Audrey please ignore the previous". As soon as I got the first I sent it

15:13:52 1 to my PA to include it in my annual returns and then when I got the revised one
2 I sent it on to her.

3 Q. 603 I see. So the error was corrected at a later stage?
4 A. But there is no error in the cheque.

15:14:00 5 Q. 604 I see.
6 A. I believe the cheque to be -- the cheque was 11,406 whereas Dermot's was 10,266
7 I think.

8 Q. 605 And was the purpose of the receipting of this and its acknowledgement so as to
9 ensure that you had a document for your tax records that would ensure that you
10 didn't have a liability to pay interest on -- sorry income tax on?
11 A. I would have had to pay tax on the interest.

12 Q. 606 If you didn't sign it over to the charity is that the position?
13 A. No, if I didn't get a CARI receipt.

14 Q. 607 Yes. But that is because that would be indicative of a fund going to a
15 charity, you get a corresponding discount on your tax liability because it was
16 going to a charity, otherwise you would be paying income tax on it?
17 A. On the interest.

18 Q. 608 On the interest element --
19 A. Of the 11,000. If I kept the money I'd have paid 40 per cent tax on about
20 5,000. So I'd still have had a net 9,500 so.

15:14:54 21 Q. 609 Thank you.
22
23 CHAIRMAN: Mr. Lyons, do you want to ask your client anything?
24

15:15:08 25 MR. LYONS: I have no questions, Chairman.
26

27 CHAIRMAN: Could I just ask you, Mr. English. At the time you were discussing
28 this in the pub, the collection of the money, there must have been some
29 indication given as to what the target figure would be, can you remember what
15:15:26 30 was discussed?

15:15:27 1 A. I don't remember target. I don't know the specifics of the discussion but, you
2 know, when you're in something you'll come away with your own view as what an
3 appropriate amount was. Whatever the discussion was I felt that an appropriate
4 amount was 5,000.

15:15:44 5
6 CHAIRMAN: That would suggest that there was some figures mentioned for you to
7 come away with a view --

8 A. I'm sure there was, Judge Mahon, but I couldn't go into the specifics.

9
15:15:52 10 CHAIRMAN: If there hadn't, everybody might have turned up with 500 or 1,000,
11 which wouldn't have been --

12 A. Sure and if somebody said he was to buy a new coat I'd have given 100 Pounds.
13 Do you know what I mean?

14
15:16:04 15 CHAIRMAN: And for you, I am not going to pry unnecessarily into your affairs
16 at the time, for you at 28, even though you had done well, it must have been a
17 huge amount of money --

18 A. No.

19
15:16:14 20 CHAIRMAN: -- to give to somebody who, while you were developing a friendship
21 with --

22 A. Yeah.

23
24 CHAIRMAN: -- at that time wouldn't have been a long-term friend.

15:16:26 25 A. Yeah. It wouldn't have been a huge amount of money, no. I dealt with
26 substantial amounts of money. Far --

27

28 CHAIRMAN: All right.

29

15:16:35 30 JUDGE FAHERTY: Again I don't want to pry in to your circumstances

15:16:40 1 unnecessarily, Mr. English, did you have a house yourself in 1994?

2 A. No, I had only moved back to Dublin and I had a company supplied house in

3 Ballsbridge.

4

15:16:50 5 JUDGE FAHERTY: Yes I understood that.

6 A. Yes.

7

8 JUDGE FAHERTY: But you weren't a house owner?

9 A. No.

15:16:55 10

11 JUDGE FAHERTY: Thanks very much.

12 A. Or a car owner. Everything was supplied by the company.

13

14 CHAIRMAN: All right. Thank you very much, Mr. English.

15:17:03 15 A. Thank you.

16

17 **THE WITNESS THEN WITHDREW.**

18

19 MR. MURPHY: Mr. Paddy Reilly, please.

15:17:11 20

21 MR. MAGUIRE: Chairman, Ross Maguire for Mr. Reilly seeking a limited grant for

22 representation, instructed by Bernard McEvoy of McEvoy Solicitors.

23

24 CHAIRMAN: All right. Granted.

15:17:26 25

26 **MR. PADDY REILLY, HAVING BEEN SWORN, WAS QUESTIONED**

27 **BY MR. MURPHY AS FOLLOWS:**

28

29 CHAIRMAN: Good afternoon, Mr. Reilly.

15:17:52 30 A. Good afternoon.

15:17:53 1
2 MR. MURPHY: Good afternoon, Mr. Reilly?
3 A. Good afternoon, Mr. Murphy. I trust you are well.
4 Q. 610 I am, thank you. Mr. Reilly, I think you live in Drumcondra, is that correct?
15:18:04 5 A. Correct.
6 Q. 611 And have you lived there all your life?
7 A. No, I have lived there since the, since around '71.
8 Q. 612 Since '71?
9 A. Yeah.
15:18:13 10 Q. 613 And what is your occupation?
11 A. Builder, plasterer by trade.
12 Q. 614 All right. And has that been your occupation since you left school?
13 A. Yes.
14 Q. 615 All right. And are you still in the building business and the plastering
15:18:28 15 business?
16 A. No.
17 Q. 616 Pardon?
18 A. No, sir.
19 Q. 617 When did you finish that?
15:18:32 20 A. About four or five years ago.
21 Q. 618 All right. And how what is your occupation?
22 A. I run a guest house in town.
23 Q. 619 You run a guest house in town.
24 A. Yes.
15:18:39 25 Q. 620 And I think you have a number of properties, you own a number of properties, is
26 that right?
27 A. Yeah, yeah.
28 Q. 621 Yes?
29 A. Yeah.
15:18:46 30 Q. 622 All right. And just to avoid any confusion, Mr. Reilly. There is another

15:18:52 1 Paddy Reilly who was a contributor to the first loan that we've discussed
2 previously, who is now deceased, isn't that right?

3 A. That is correct.

4 Q. 623 I don't know if you knew him or not?

15:19:13 5 A. Yes I did, I knew him very well.

6 Q. 624 All right. Mr. Reilly, if I could begin with your statement, please, for the
7 purpose of reading it into the record?

8 A. Sure.

9 Q. 625 And just to look briefly at the letter that was written to you by the Tribunal.
15:19:18 10 It's page 18599. And it's dated the 29th of June 2006. And it follows on the
11 Tribunal receiving a report from Mr. Peelo on behalf of Mr. Ahern, where your
12 name was mentioned as a contributor to this sum of 16,500 Pounds, you are aware
13 of all of that, is that right?

14 A. Absolutely, yes.

15:19:39 15 Q. 626 And just to take the first paragraph of that "Dear Mr. Reilly." Sorry it says
16 "re Tribunal of Inquiry into Certain Planning Matters and Payments. Dear Mr.
17 Reilly. The Tribunal has been informed that you made a payment of money to
18 Mr. Bertie Ahern TD or for his benefit in or about October 1994. The Tribunal
19 seeks your assistance in reconciling certain receipts of funds by Mr. Ahern
15:20:00 20 during this period and accordingly requests you to provide to the Tribunal a
21 detailed narrative statement setting out the circumstances in which you came to
22 make any such payment to Mr. Ahern. In your narrative statement please include
23 the following information". And there follows ten headings as it were, the
24 first is the identity of the person who requested you to make such payment, but
15:20:20 25 I am going to skip to your statement Mr. Reilly, because you actually adopt the
26 format of a narrative statement rather than individual answers to the queries.

27 A. Okay.

28 Q. 627 And if we could skip, please, to 18601. Your address, 6 Mannix Road,
29 Glasnevin, Dublin 9. The date of your letter or your statement is the 14th of
15:20:46 30 July 2006 and it reads as follows.

15:20:48 1
2 "Dear Ms. Gilvarry. Thank you for your letter dated 29th June 2006.
3
4 I wish to state that I have known Bertie Ahern since 1975 and regard him as a
15:20:56 5 close personal friend. In regard to your query, it was in this context that I
6 gave money to him".
7
8 There are a few short lines there that have been redacted on account of them
9 being personal, relating Mr. Ahern's matrimonial matters.
15:21:10 10 A. Sure, sure.
11 Q. 628 Your statement continues, "I was aware that in this period Bertie lived with
12 either friends, his mother or in the flat over St. Luke's. His not having a
13 home was the subject of sympathy among his friends.
14
15:21:24 15 As best I can recall a conversation to this effect took place in 1994. I was
16 part of a group of friends that would usually meet in the Beaumont House on a
17 Saturday night for a social drink.
18
19 One Saturday night, after Mr. Ahern had departed, there was a discussion about
15:21:36 20 his not having a home and the personal effect this was having on him. It was
21 agreed his friends should try and help him out.
22
23 The group decided that a number of us would contribute a sum of money and lend
24 it to Mr. Ahern to help him on the road towards purchasing his home. We agreed
15:21:51 25 that Dermot Carew would collect the money.
26
27 I gave Mr. Carew 3,500 Pounds. I was aware that other friends had contributed
28 similar amounts. Dermot subsequently gave the money to Bertie Ahern.
29
15:22:03 30 I gave my 3,500 Pounds in cash because I had cash available through an active

15:22:09 1 plastering business that I ran at this time.
2
3 Bertie later thanked me for the money and said that he would pay me back. I
4 was happy to help out a friend at a time of difficult personal circumstances.
15:22:19 5 I have made no other payment to Mr. Ahern. Yours sincerely Paddy Reilly."
6 A. That's correct.
7 Q. 629 That's your statement?
8 A. That is my statement, yes, Sir.
9 Q. 630 Thank you, Mr. Reilly. Now Mr. Reilly, you say in that statement that you
15:22:42 10 regard Mr. Ahern as a close personal friend.
11 A. Correct.
12 Q. 631 And I think you he regards you as a close personal friend?
13 A. I would hope so.
14 Q. 632 You would hope so?
15:22:50 15 A. Yeah.
16 Q. 633 Could I ask you, please, when you first met him?
17 A. Uh-huh. When I first? You want to know the circumstances?
18 Q. 634 When datewise and circumstances.
19 A. Well the circumstances were we were both actively involved in the Fianna Fail
15:23:03 20 party.
21 Q. 635 Yes.
22 A. And it was around 1975.
23 Q. 636 All right.
24 A. That we would have first met. It was before he was elected. He was elected in
15:23:13 25 '77. And we were both in Dublin, well what was Dublin/Finglas, now Dublin
26 Central and we're both members of Fianna Fail Cumann.
27 Q. 637 All right. Did you come to Fianna Fail via Mr. Ahern or to Mr. Ahern via
28 Fianna Fail?
29 A. To Mr. Ahern via Fianna Fail. I was a member of Fianna Fail before I met
15:23:32 30 Mr. Ahern.

- 15:23:32 1 Q. 638 All right. And were you an active Fianna Fail worker --
- 2 A. Sure.
- 3 Q. 639 -- in his constituency in the 70s before you met Mr. Ahern?
- 4 A. Oh yes, I was yeah.
- 15:23:47 5 Q. 640 And is that where you met him?
- 6 A. That's where I met him, yes.
- 7 Q. 641 All right. So it was through politics that you met him?
- 8 A. Correct.
- 9 Q. 642 But you went on to become a personal friend?
- 15:23:50 10 A. Very much so, yes.
- 11 Q. 643 All right. Could you give the Tribunal an idea, Mr. Reilly, please, just of
- 12 what your political involvement on behalf of Mr. Ahern was over the decade
- 13 since the mid 70s?
- 14 A. Yeah well, political involvement with Bertie would have been the first
- 15:24:11 15 political involvement as, would have been in 1977.
- 16 Q. 644 Yes. The election.
- 17 A. When he got elected.
- 18 Q. 645 Yes.
- 19 A. That's the first time I canvassed for him.
- 15:24:20 20 Q. 646 All right.
- 21 A. And I canvassed and worked for him in every election since then. I was
- 22 director of elections on a few occasions in Local Elections for the Fianna Fail
- 23 party in Dublin Central. And that's basically how it evolved.
- 24 Q. 647 Yes. So from a political point of view you would have worked closely with
- 15:24:43 25 Mr. Ahern in his constituency --
- 26 A. Sure.
- 27 Q. 648 -- since 1977?
- 28 A. Since 1977, yeah.
- 29 Q. 649 And you would have been an advisor in the constituency context, is that right?
- 15:24:53 30 A. Well I wouldn't consider myself much of an advisor, but I would have been

15:24:58 1 working --

2 Q. 650 I see.

3 A. -- I would have been working and involved in the local party organisation, yes.

4 Q. 651 In the local party organisation?

15:25:03 5 A. Yes.

6 Q. 652 All right. And as such you would be a regular visitor to St. Luke's, would

7 that be right?

8 A. Of course. Absolutely, yes.

9 Q. 653 Yes. And did you play any role with Mr. Ahern in a national context as opposed

15:25:19 10 to a constituency context?

11 A. No.

12 Q. 654 No.

13 A. No.

14 Q. 655 So your political role really was to assist Mr. Ahern at a constituency level?

15:25:29 15 A. Yes at his own constituency level. To assist the party if there was a party

16 thing, he was the dominant figure obviously, but yes.

17 Q. 656 Not just him, the party as well?

18 A. Of course, yes.

19 Q. 657 All right. And how soon would you think before, during or after 1977 would

15:25:50 20 your friendship have become a personal one?

21 A. Well I think during the 1977 and probably prior to 1977, I think as far as I

22 recall he was secretary of the organising committee, which would be the

23 overseeing committee of the Cumann in the area, so I would have met him first

24 in that context and we would have met fairly regularly at meetings.

15:26:12 25 Q. 658 Yes.

26 A. So throughout that and certainly from '77 on and '79 local elections, yes. '79

27 yes, we would have become quite close.

28 Q. 659 Yes. And --

29 A. I would, just for explanation, I would have been part of his own personal

15:26:26 30 election team.

15:26:27 1 Q. 660 His personal election team.

2 A. Yeah.

3 Q. 661 All right.

4 A. As you know each TD would have their own crew that would knock on doors and do

15:26:36 5 whatever needs to be done, so I would have been that.

6 Q. 662 All right. If we leave the politics out for a second. When would you have

7 started socialising with him at a personal level?

8 A. From the late 70s.

9 Q. 663 From the late 70s.

15:26:57 10 A. Oh, absolutely, yeah.

11 Q. 664 And would that have involved going for a drink of an evening?

12 A. Yeah.

13 Q. 665 Would it have involved any more than that?

14 A. Not really. The social scene in Drumcondra was, I'm going for drinks.

15:27:10 15 Q. 666 It didn't take in sporting fixtures for example, in particular.

16 A. We would have went to the odd football match together yes. Croke Park on the

17 odd occasion, of course.

18 Q. 667 So you'd have gone to Croke Park together on the odd occasion?

19 A. On the odd occasion, yes.

15:27:24 20 Q. 668 Would the main focus of your personal relationship have been a drink from time

21 to time?

22 A. Yeah it would be yeah. Yes, it would be. It wouldn't be the main -- it would

23 be a focus, it would be a part of it.

24 Q. 669 Yes.

15:27:38 25 A. I mean our friendship didn't consist of just meeting for drinks.

26 Q. 670 Sorry, and I didn't mean that --

27 A. Of course, yeah.

28 Q. 671 And apart from meeting in a work context, political context, or going to the

29 odd match --

15:27:50 30 A. Sure.

15:27:51 1 Q. 672 -- you would have had --

2 A. Sure.

3 Q. 673 -- a drink together?

4 A. Oh, absolutely.

15:27:55 5 Q. 674 Would that have been on a regular basis in say the 80's?

6 A. Oh, yeah.

7 Q. 675 Yes. Once a week, twice a week?

8 A. A couple of times a week.

9 Q. 676 He was Lord Mayor I think in around 1986, is that right?

15:28:07 10 A. From '86 to '87.

11 Q. 677 And he became Minister for Labour in '87.

12 A. Um.

13 Q. 678 Is that right?

14 A. Was it '87? It could be have been '87.

15:28:16 15 Q. 679 That was the election when Fianna Fail came back in?

16 A. Yeah, yeah, '87. Was he Chief Whip or Minister for Labour?

17 Q. 680 He was, he became Minister for Labour anyway for a few years and then became

18 Minister for Finance I think in 19 --

19 A. Early.

15:28:39 20 Q. 681 '91.

21 A. '91 I think it was.

22 Q. 682 All right. And around that time you would have met, I think, did you say a

23 couple of times a week --

24 A. Sure.

15:28:41 25 Q. 683 -- for a drink in the evening?

26 A. Yeah, yeah.

27 Q. 684 All right. And in the course of that you probably would have become or would

28 you have become aware that he separated from his wife in or around 1987?

29 A. Yes, I was aware that there was difficulties --

15:28:55 30 Q. 685 Yes.

- 15:28:55 1 A. -- in the marriage, of course I would have been aware of that.
- 2 Q. 686 And that he was no longer living at home?
- 3 A. Uh-huh.
- 4 Q. 687 Yes. And if we come on to, say 1993, and I know you can't possibly isolate one
- 15:29:12 5 year, but the early '90s, Mr. Reilly. How often then would you say -- you'd
- 6 have been meeting at constituency level?
- 7 A. We'd be meeting at a constituency level, would have been a regular visitor to
- 8 his office.
- 9 Q. 688 Yes.
- 15:29:29 10 A. And in the pub of course.
- 11 Q. 689 So you would have been meeting him in the strictly political context on a daily
- 12 basis on a regular basis, is that right?
- 13 A. Sure, sure.
- 14 Q. 690 Socially you would have then still been meeting him a couple of times a week,
- 15:29:44 15 is that right?
- 16 A. Yes.
- 17 Q. 691 Does that mean twice a week, three times a week?
- 18 A. It varies.
- 19 Q. 692 Yeah.
- 15:29:49 20 A. You know.
- 21 Q. 693 All right. And would that have been just the two of you or would it have been
- 22 with a number of people?
- 23 A. Sometimes it could have been the two of us, but more often than not there would
- 24 have been three or four people in the company.
- 15:30:05 25 Q. 694 And would this be a specific local or would it be different?
- 26 A. Well our locals would have been Kennedy's Bar in Drumcondra, in the 80's
- 27 Fagan's and Beaumont House.
- 28 Q. 695 Your three locals?
- 29 A. They would have been the various places where we'd have met up, yes.
- 15:30:23 30 Q. 696 Would it work out at one of each of them a week on average or?

15:30:27 1 A. Not necessarily. Not necessarily.

2 Q. 697 Which was the more favoured one?

3 A. The more favoured one, from my point of view, because I live locally would have

4 been Kennedy's or Fagan's in Drumcondra.

15:30:37 5 Q. 698 Kennedy's or Fagan's in Drumcondra. You would have been regular in each of the

6 three of those pubs?

7 A. Absolutely, yes. Saturday nights in Beaumont House would have been a fairly

8 regular standard meeting place for us, yes.

9 Q. 699 All right. Saturday night in Beaumont House?

15:30:50 10 A. Or sometimes -- not always, but yeah quite a lot.

11 Q. 700 All right. And who would -- and if you take -- sorry. On these particular

12 occasions when you'd go to one or other of these three pubs yourself and

13 Mr. Ahern, who would the other regulars be?

14 A. The other regulars would have been Joe Burke, Dermot that you've just been

15:31:20 15 speaking to.

16 Q. 701 Right.

17 A. Senator Tony Kett --

18 Q. 702 Yes.

19 A. -- would have been a regular because they worked together, they would have been

15:31:28 20 close friends of the Taoiseach -- of Bertie, because they worked together on

21 the Mater Hospital.

22 Q. 703 Yes.

23 A. There would have been one or two others, it varies. But they would have been

24 the core.

15:31:39 25 Q. 704 The core.

26 A. Yes.

27 Q. 705 Would you have regarded that as a closing personal circle of Mr. Ahern's?

28 A. Sure.

29 Q. 706 Would you say that each of you were close personal friends with Mr. Ahern?

15:31:48 30 A. Very much so, yes.

- 15:31:49 1 Q. 707 And of one another?
- 2 A. Yes.
- 3 Q. 708 I see. And would it on -- other than -- regularly would there be more people
4 involved?
- 15:32:14 5 A. Not regularly, but there would be sometimes. If you had a meeting, Comhairle
6 or Cumann meetings and people would drift back to the pub where the Taoiseach
7 would be and there would be a gathering of people.
- 8 Q. 709 Were you and Mr. Ahern the only two with St. Luke's in common or were there
9 other St. Luke's people as well?
- 15:32:32 10 A. No, they would all be St. Luke's people, mostly would have been. I would be a
11 regular visitor to St. Luke's, still am.
- 12 Q. 710 You would be were?
- 13 A. Absolutely, and so would Tony Kett and Joe Burke and those guys and Dermot
14 Carew.
- 15:32:45 15 Q. 711 At that time all regular visitors to St. Luke's?
- 16 A. They would have been regular visitors to the Taoiseach's office.
- 17 Q. 712 And does that mean that they were constituency workers as well?
- 18 A. Oh, yeah.
- 19 Q. 713 Right. Now, Mr. Reilly, were you aware at the end of November 199 -- sorry at
15:33:10 20 the end of the year 1993, November/December, that Mr. Ahern's litigation was
21 taking place and completing?
- 22 A. Yes, we would have been aware that he was going through the course of the
23 family court, his marriage was being final, marriage break up was being
24 finalised or whatever, yes.
- 15:33:31 25 Q. 714 Yes. You'd have been aware of that?
- 26 A. Sure.
- 27 Q. 715 And that the litigation was completed around that time?
- 28 A. When it was completed I couldn't exactly say, but you know possibly around that
29 time, yeah.
- 15:33:43 30 Q. 716 All right.

- 15:33:43 1 A. It's something that I couldn't put a date on it but in or around.
- 2 Q. 717 All right. Did you know anything about a collection organised by
- 3 Mr. Richardson and Mr. Brennan to collect a sum of money to meet a legal bill
- 4 that Mr. Ahern had at that time, a collection in December 1993?
- 15:34:09 5 A. No.
- 6 Q. 718 You knew nothing about that?
- 7 A. I knew absolutely nothing about it.
- 8 Q. 719 All right. When did you first learn of that, Mr. Reilly?
- 9 A. Of the collection by Mr. Richardson?
- 15:34:24 10 Q. 720 Yeah.
- 11 A. When the Tribunal became involved.
- 12 Q. 721 All right. You knew nothing about that collection of 22,500 in December 1993
- 13 until in other words, I suppose, 2006?
- 14 A. Around that time, yes.
- 15:34:37 15 Q. 722 All right. Could I just put up, please, page 24682. You probably watched
- 16 Mr. Ahern's interview with RTE with Mr. Dobson in September 2006?
- 17 A. No, I didn't.
- 18 Q. 723 You didn't?
- 19 A. I did not.
- 15:34:58 20 Q. 724 Well you read about it?
- 21 A. I was aware of it.
- 22 Q. 725 You were aware of it.
- 23 A. All right.
- 24 Q. 726 If you just go to the third column and just. I want to pick up the very last
- 15:35:07 25 line on that page which says "there were others that". And then go on to the
- 26 next page, please. And it says "wanted to assist at the time" that's referring
- 27 to December 1993, this collection I've just been mentioning, "and later on in
- 28 1994 four of them gave me 16,500 Irish Pounds."
- 29 A. Sure.
- 15:35:32 30 Q. 727 "They would have contributed at Christmas, but they were good friends of mine

15:35:36 1 and they were Joe Burke, Dermot Carew, Barry English and Paddy Reilly" and then
2 he goes on "who is a different Paddy Reilly" distinguishing from the other Mr.
3 Reilly.
4 A. Sure.
15:35:47 5 Q. 728 Mr. Ahern has told the country that he believed the four of you, you wanted to
6 assist in the Christmas collection.
7 A. Uh-huh.
8 Q. 729 And you would have contributed then.
9 A. Uh-huh.
15:36:02 10 Q. 730 But you didn't and you now contributed in the October one.
11 A. Uh-huh.
12 Q. 731 What do you say about that, Mr. Reilly?
13 A. I have no idea. I really don't understand that. I have no idea about that.
14 Q. 732 All right. Anyway, as far as you're concerned he is mistaken in that regard?
15:36:19 15 A. Well I didn't know anything about the 22 -- the other payment.
16 Q. 733 All right. Thank you. And just quickly, could I ask you, in relation to the
17 people who contributed to that 22,500 in December 1993. One of the
18 contributors was Mr. Dave McKenna.
19 A. Sure.
15:36:39 20 Q. 734 Did you know him at the time?
21 A. Yes.
22 Q. 735 Did you --
23 A. Did I know Dave McKenna back in --
24 Q. 736 '93, '94?
15:36:47 25 A. No, no, not at that time. But I subsequently got to know him.
26 Q. 737 No, but that the time?
27 A. Yes.
28 Q. 738 Jim Nugent?
29 A. Yes, I would have, yes. As far as I know, yeah. Not all that certain that I
15:37:00 30 would have known him in '93, but I certainly knew him way back in the 90s. I'm

15:37:05 1 not too sure.

2 Q. 739 You wouldn't be sure.

3 A. Jim Nugent would be a guy I've known for quite a while, yes.

4 Q. 740 All right. Fintan Gunne deceased, did you know him?

15:37:14 5 A. Never met the man, no.

6 Q. 741 Michael Collins?

7 A. No idea who he is.

8 Q. 742 Mr. Charlie Chawke?

9 A. Oh, yes know Charlie.

15:37:22 10 Q. 743 Did you know him back then?

11 A. I knew who Mr. Chawke was, but not personally.

12 Q. 744 All right. And the late Paddy Reilly?

13 A. Oh, I knew him very well.

14 Q. 745 Back at that time?

15:37:30 15 A. Absolutely.

16 Q. 746 So you knew him well?

17 A. Yes.

18 Q. 747 And did you say that you knew Mr. Chawke well?

19 A. Not well, but certainly would have met him on numerous occasions.

15:37:40 20 Q. 748 All right. All right. And Mr. Des Richardson, did you know him back in 1993?

21 A. Now that I could not say. I knew him -- I certainly knew Des Richardson in the

22 90s, throughout the 90's, whether it was '93 or not I'm not so sure.

23 Q. 749 All right. And Mr. Padraic O'Connor?

24 A. I couldn't pick him up out of a line up.

15:38:07 25 Q. 750 You couldn't --

26 A. I couldn't pick him out of a line up. I knew nothing about the man.

27 Q. 751 All right. Now, into 1994, Mr. Reilly, did you continue to meet the people

28 that you've mentioned in these particular pubs on a regular basis?

29 A. Sure, sure.

15:38:54 30 Q. 752 And Mr. Ahern, at that time, he was a friend of yours --

15:38:58 1 A. Uh-huh.

2 Q. 753 -- he was also Minister for Finance.

3 A. Uh-huh.

4 Q. 754 Right. And would Mr. Ahern himself have been a regular on these occasions?

15:39:12 5 A. Oh, yeah. He would have been reasonably regular, yeah. When his job would

6 allow him, yes, when his schedule would allow, yes.

7 Q. 755 Would you meet about 8 o'clock in the evening or would it be 10 o'clock?

8 A. Possibly much later than that, roughly nine-ish.

9 Q. 756 Do I gather correctly that it would be sort of a fixed thing, would it be

15:39:30 10 certain nights each week in a different place at a particular time, if you can

11 make it?

12 A. More or less, yes.

13 Q. 757 Now, Mr. Reilly, you probably -- were you here for Mr. Carew's evidence?

14 A. Yes, I was.

15:40:00 15 Q. 758 And you heard him remember a particular Saturday evening.

16 A. Uh-huh.

17 Q. 759 When Mr. Ahern was there along with you and Mr. Burke --

18 A. Sure.

19 Q. 760 -- and Mr. Carew and Mr. English and then Mr. Ahern left and there was a

15:40:16 20 discussion.

21 A. That's correct, yes.

22 Q. 761 Isn't that right?

23 A. That is right.

24 Q. 762 Do you recall that particular evening?

15:40:23 25 A. Yeah, if you're asking me for a date, no.

26 Q. 763 No.

27 A. But yes I do recall that particular evening, yes.

28 Q. 764 Do you recall the discussion?

29 A. Yes I do.

15:40:30 30 Q. 765 And would you be able to say roughly when it might have been in 1994?

15:40:35 1 A. It was in the fall of 1994. You know --

2 Q. 766 Mr. Carew was thinking around the time of the All-Ireland?

3 A. It would have been after the All-Ireland. I would assume that it was around

4 that time.

15:40:50 5 Q. 767 All right. So does that mean that it was either --

6 A. September/October.

7 Q. 768 -- September/October?

8 A. September/October or thereabouts, yes.

9 Q. 769 All right. And perhaps if I just ask you what you recall of that particular

15:41:09 10 evening? Maybe before Mr. Ahern left and then after as best you can, I

11 understand it's a good few years ago, but as best you can?

12 A. Yes it is, but how do you mean what do you recall? You have a group of friends

13 drinking in a bar sorting out the problems of the world, as they do in pubs.

14 Q. 770 Yeah.

15:41:28 15 A. What the conversation was up until the point where Mr. Ahern left, I couldn't

16 say, I have no idea.

17 Q. 771 Do you recall where you were in the bar, where you were positioned?

18 A. Where we always get positioned, down at the end of the bar, it's a sort of

19 common that we all gravitate towards a particular end of the bar.

15:41:47 20 Q. 772 Can you identify specifically who was there?

21 A. I can identify that the four people or the three people mentioned were

22 certainly there and the Taoiseach was there and there were other people there

23 who would be known to us, but were not necessarily part of the group.

24 Q. 773 All right. And so there was Mr. Ahern, there was yourself, there was Mr. Burke

15:42:10 25 --

26 A. Uh-huh.

27 Q. 774 -- there was Mr. Carew, there was Mr. English.

28 A. Yes.

29 Q. 775 Are you saying you'd have been in a group together?

15:42:17 30 A. Yes, we would have been, yeah.

- 15:42:18 1 Q. 776 And you really think that that was -- that group was together. There may have
2 been other people there?
- 3 A. Other people on the periphery of that group and you would drift around during
4 the night and talk to the various people, but you'd always come back to the
15:42:31 5 original.
- 6 Q. 777 What about Saturday night, what about wives, partners, girlfriends was there
7 mixed company?
- 8 A. My wife wasn't with me anyway.
- 9 Q. 778 Was Ms. Larkin there do you remember?
- 15:42:41 10 A. Not that I can recall, no.
- 11 Q. 779 But they might be?
- 12 A. Sure of course it's possible, yeah. They would be at different times. Of
13 course they would be, yes, yes, yeah.
- 14 Q. 780 And do you recall anything about the discussion, the chat that you had before,
15:42:56 15 I appreciate you say a general chat of course. Do you recall anything
16 specifically by way of chat before Mr. Ahern left?
- 17 A. No specifically, of course I can't recall, Mr. Murphy, it could have been about
18 football, it could have been about anything.
- 19 Q. 781 Sure. Do you recall about what time Mr. Ahern left?
- 15:43:18 20 A. Normally he would leave probably just before closing time.
- 21 Q. 782 Yes. All right. And I take it that's your recollection that left --
- 22 A. That left --
- 23 Q. 783 -- the rest of you?
- 24 A. That left the rest of us, yes.
- 15:43:33 25 Q. 784 It wasn't added to or anything like that?
- 26 A. It certainly wasn't no.
- 27 Q. 785 Can you tell the Tribunal, as best you can, what you recall about the
28 conversation that took place after that?
- 29 A. Well probably the reason the conversation would have come around because at the
15:43:47 30 time there was stories going around that people needed to know where the

15:43:55 1 Minister slept at night.

2 Q. 786 Yes.

3 A. They were I think being put around by some people who wouldn't have his best

4 interests at heart.

15:44:01 5 Q. 787 Right.

6 A. And certainly that conversation would have come up and it was decided then that

7 maybe we should, we should try and facilitate him into getting a permanent

8 residence.

9 Q. 788 Yes.

15:44:14 10 A. He, as you have heard, he would have been between places, sometimes St. Luke's,

11 sometimes, I think sometimes his Mum's house on Church Avenue, sometimes he

12 stayed overnight with Mr. Burke. So the conversation did come about as a

13 result of that.

14 Q. 789 Yes. Now, I think there would be no reason why he wouldn't just be -- his

15 fixed abode wouldn't have been St. Luke's, isn't that right? He had an

16 apartment in St. Luke's, isn't that right?

17 A. If you can call it that, yes. It was an apartment. It was a room and

18 whatever. It wouldn't have been fairly plush. It wouldn't have been fairly

19 large.

15:44:54 20 Q. 790 All right. Was it just one room Mr. Reilly?

21 A. No, there would have been two rooms.

22 Q. 791 Was it one bedroom?

23 A. I've never been in it.

24 Q. 792 You've never been in it. All right. In any event, he had something, he had

15:45:05 25 accommodation there, private accommodation there, isn't that right? I mean

26 reserved for himself?

27 A. Yes, which was owned by the party by the way.

28 Q. 793 Yes. I'm not even touching on that.

29 A. Okay.

15:45:18 30 Q. 794 But that was his place to stay and to live, isn't that right?

- 15:45:18 1 A. Yes.
- 2 Q. 795 So there would be no reason for him to go anywhere else. I mean he may want to
- 3 buy a house or whatever, but there would be no reason, he had accommodation
- 4 there for himself?
- 15:45:28 5 A. Well when he needed it, yes, he probably had accommodation there, yes. You
- 6 know, I don't know whether there was reason for him to go anywhere else. I
- 7 certainly know that he did stay over at various other places.
- 8 Q. 796 Wasn't he living there, wasn't that his place of residence?
- 9 A. More or less, yes, yes.
- 15:45:44 10 Q. 797 I mean if he stayed with his mother, with Mr. Burke, that would have been
- 11 occasional, is that right?
- 12 A. On quite a few occasions, yeah.
- 13 Q. 798 All right.
- 14 A. Just on that. I'm not so sure there was even cooking facilities in the
- 15:46:00 15 apartment. I don't know.
- 16 Q. 799 But in any event, I think, Mr. Reilly, what you are saying is that you and your
- 17 pals, his pals, just had a concern for his accommodation facility, is that
- 18 right?
- 19 A. Yes.
- 15:46:18 20 Q. 800 In the course of this conversation.
- 21 A. Yes.
- 22 Q. 801 And you are putting this at the end of September, Saturday evening towards the
- 23 end --
- 24 A. I'm not tying it down to a date, I'm saying roughly.
- 15:46:27 25 Q. 802 It was a Saturday evening.
- 26 A. It would have been a Saturday evening because mostly we would have met there on
- 27 a Saturday evening.
- 28 Q. 803 It was the Drumcondra sorry, it was the Beaumont House?
- 29 A. Beaumont House, yes.
- 15:46:36 30 Q. 804 And I mean I have no reason to pin you to a particular Saturday --

- 15:46:39 1 A. Sure.
- 2 Q. 805 -- you seem to be favouring the end of September 1994.
- 3 A. That's my recollection it would certainly have been a Saturday night, yes.
- 4 Q. 806 All right. And one of the things is that there was word going around, a bit of
- 15:46:54 5 criticism or whatever it might be called, about the fact that he didn't have
- 6 proper accommodation or something, was that right?
- 7 A. I think the term was people needed to know where their Minister lived.
- 8 Q. 807 And the source of that was internal at the time I think, isn't that right?
- 9 A. Yes.
- 15:47:09 10 Q. 808 All right. But didn't that start two years earlier, Mr. Reilly?
- 11 A. Uh-huh.
- 12 Q. 809 At the time of the change of leadership?
- 13 A. Sure, yeah.
- 14 Q. 810 All right. So this wasn't a new thing --
- 15:47:20 15 A. No, no, no, no, no.
- 16 Q. 811 -- in September '97?
- 17 A. No, it didn't suddenly arise. It was ongoing. It was ongoing.
- 18 Q. 812 The smear?
- 19 A. Yes.
- 15:47:28 20 Q. 813 All right.
- 21 A. Yes, yes.
- 22 Q. 814 All right. He had left on this particular evening shortly before closing time,
- 23 Mr. Reilly, and you say that the question of his accommodation was raised in
- 24 your company.
- 15:47:48 25 A. Yeah.
- 26 Q. 815 Do you know who raised the subject?
- 27 A. Well Dermot Carew has said that he raised it and I have no reason to doubt him.
- 28 Q. 816 All right. All right. And do you recall what he said, what he, how he raised
- 29 the topic?
- 15:48:06 30 A. Well he would have been concerned, you know, that the Taoiseach was --

- 15:48:09 1 Q. 817 Sorry, he wasn't Taoiseach at the time.
- 2 A. Sorry. A bit premature.
- 3 Q. 818 Yeah.
- 4 A. He would certainly have been concerned that, and we all would have been
- 15:48:19 5 concerned that he was going home to effectively a flat and it was mentioned and
- 6 I think it was mentioned by Dermot, you know, if there was a possibility that
- 7 we could do something about it, everybody would contribute in some way.
- 8 Q. 819 Yes.
- 9 A. To helping him get a house.
- 15:48:39 10 Q. 820 Yes. Was this the first time this discussion had come up?
- 11 A. In that detail, yes.
- 12 Q. 821 Yes. Well in what way had it come up prior to that?
- 13 A. Well it would have been mentioned in passing that you know that there was some
- 14 nights you would have left, he would have been going to Joe Burke's house or he
- 15:49:01 15 would have been going to his Mum's house in Church Avenue.
- 16 Q. 822 Yes.
- 17 A. So you know it would have been the comments were probably being made that it
- 18 was an unusual arrangement.
- 19 Q. 823 Yes.
- 15:49:13 20 A. You know, for a senior member of the party.
- 21 Q. 824 Yes. And -- but this was the first time that it was mentioned that maybe you
- 22 could do something about it?
- 23 A. Absolutely, yes, yes.
- 24 Q. 825 Is there any particular reason for the timing, Mr. Reilly? If this had been
- 15:49:28 25 doing the rounds, this smear, and if you had this concern for Mr. Ahern himself
- 26 and his accommodation, as to why in previous chats in Beaumont or wherever, you
- 27 wouldn't have discussed the possibility of helping out?
- 28 A. Well all our chats in Beaumont, Mr. Murphy, would not have revolved around the
- 29 Taoiseach.
- 15:49:47 30 Q. 826 Wouldn't have what?

- 15:49:48 1 A. Wouldn't have revolved around the Taoiseach.
- 2 Q. 827 Of course not.
- 3 A. It wouldn't have been a weekly comment or a weekly conversation.
- 4 Q. 828 Would it have been a very rare topic of conversation?
- 15:49:57 5 A. Um, up to that point, yes it certainly would not have been regular.
- 6 Q. 829 And it wouldn't have been in the company of Mr. Ahern himself?
- 7 A. Not ever.
- 8 Q. 830 It wouldn't have been regular?
- 9 A. No.
- 15:50:10 10 Q. 831 But it was a topic that was raised previously?
- 11 A. Yes on occasion, yeah.
- 12 Q. 832 All right. But nobody suggested a whip-round or a dig out or a contribution, a
13 sum of money or anything, like that prior to this particular occasion?
- 14 A. No, not in my presence.
- 15:50:31 15 Q. 833 All right.
- 16 A. Not in my presence.
- 17 Q. 834 All right. And at this particular time, Mr. Ahern had gone, you were a close
18 friend of Mr. Ahern's --
- 19 A. Sure.
- 15:50:44 20 Q. 835 -- Mr. Burke was a close friend?
- 21 A. Very close friend, yes. They actually would have lived next door to each other
22 when, before their marital separation, yes.
- 23 Q. 836 And Mr. Carew was a close friend?
- 24 A. Mr. Carew was a very close friend, yes.
- 15:50:59 25 Q. 837 What about Mr. English?
- 26 A. He would have been a recent young convert to the company, yes.
- 27 Q. 838 How did it come about that you were having this discussion in front of
28 Mr. English?
- 29 A. Mr. English was a good friend or I assumed at the time and still do that he was
15:51:14 30 a good friend of Joe Burke's because Joe would not have introduced him into the

15:51:19 1 company if he didn't trust him.

2 Q. 839 All right. And was it Mr. Carew who suggested that perhaps between you you

3 could do something?

4 A. Yes.

15:51:35 5 Q. 840 And mainly make a financial contribution?

6 A. Uh-huh, yes.

7 Q. 841 And can you remember what he said in that regard?

8 A. To the best of my knowledge, that we should maybe try and do something about

9 it.

15:51:56 10 Q. 842 Yes.

11 A. He didn't mention figures, he didn't mention anything, he didn't, you know, he

12 said we should actually try and do something that if there's something we could

13 try and do to help to get permanent accommodation we should maybe try and do

14 it.

15:52:09 15 Q. 843 But did you understand him to mean, was he referring making a financial

16 contribution?

17 A. Oh, sure.

18 Q. 844 All right. And at this stage, as far as you are aware, you didn't know and as

19 far as you were aware, no one else knew about the collection back in December

15:52:23 20 '93 --

21 A. I certainly didn't.

22 Q. 845 -- of 22,500?

23 A. I can only speak of myself. I didn't know of it. I wasn't aware of it.

24 Q. 846 Would that have altered things if you'd known about that?

15:52:34 25 A. Not necessarily, no.

26 Q. 847 Would it have altered things if you had known that Mr. Ahern had an account

27 with 50,000 Pounds in it and another account with almost 20,000 Pounds in it at

28 that time?

29 A. I knew that he had money on account because he, you know, yes, I knew that he

15:52:48 30 had money.

- 15:52:49 1 Q. 848 What did you know about that, Mr. Reilly?
- 2 A. I didn't know the amount, but I knew it and indeed he mentioned it subsequent
- 3 to the money being given to him, he mentioned that he actually had money on
- 4 account.
- 15:53:03 5 Q. 849 Yes. When did you first know that he had money on account?
- 6 A. Previous to that he knew -- I knew that he had money, yes.
- 7 Q. 850 Yes.
- 8 A. When I'm not so sure. He could have been six months, it could have been 12
- 9 months.
- 15:53:20 10 Q. 851 Could you just tell the Tribunal a little bit more about that, about what
- 11 Mr. Ahern told you about what money he had at the time and the circumstances in
- 12 which he gave you the information?
- 13 A. In the circumstances in which he gave me the information, he would have said
- 14 that he was trying to get money together for a house that he was saving to get
- 15 a permanent accommodation.
- 15:53:35 16 Q. 852 Yes.
- 17 A. Now, we also, all of us knew that he had gone through a fairly sticky time
- 18 previous to that with his family situation, which everybody is now aware of.
- 19 Q. 853 Yes. Now, sorry, you say that he said to you on some occasion that he was
- 15:54:03 20 trying to get money together for a house, that he was saving to get a permanent
- 21 accommodation.
- 22 A. Uh-huh.
- 23 Q. 854 Do you know did he say that to you on more than one occasion?
- 24 A. No, it wouldn't have been a regular thing.
- 15:54:14 25 Q. 855 But he did say it to you before this collection that was made in September?
- 26 A. I would have been aware. I can only say I don't know if my four colleagues or
- 27 three colleagues would have been aware, I would certainly have been aware that
- 28 he did have some money on deposit.
- 29 Q. 856 I'm sorry to ask you, just to try and be a little bit more specific. Could
- 15:54:34 30 that have been earlier that year or would it have been in an earlier year

15:54:38 1 altogether?

2 A. Possibly earlier that year.

3 Q. 857 Yes.

4 A. As I say, I cannot -- I was aware that he had money on deposit, yes.

15:54:48 5 Q. 858 Was that because on a previous occasion you'd asked him "Bertie what are you
6 doing about a house?"

7 A. Well we would have mentioned it but not too often. It's not something you
8 bring up with somebody. It's a very personal thing. You don't go up to
9 somebody in a pub and say when are you buying your house or getting your house
10 from, you know. We would, it would have been mentioned and we would have known
11 that he was trying to buy a house, yes.

12 Q. 859 You say "we" would have known?

13 A. Well I would have known. I certainly would have known. And I presume that
14 Mr. Carew and certainly Mr. Burke would have known. I'm not so sure that Barry
15 English would have known.

15:55:25 15

16 Q. 860 Yes. So that -- yes. The three of you would have known that he was trying to
17 buy a house.

18 A. Sure.

19 Q. 861 Were you aware -- if you were having this intimate or personal discussion --

15:55:46 20 A. Uh-huh.

21 Q. 862 -- on this prior occasion, yourself and Mr. Ahern --

22 A. Uh-huh.

23 Q. 863 -- I mean, did you ask him, I mean "have you enough savings or can you do it or
24 do you need money"? Or anything like that?

15:56:00 25 A. No, he just said that he had some money that he was trying to -- he was putting
26 some money together and he was trying to buy a house, yes.

27 Q. 864 Yes. And you think, again, you think that would have been earlier that year?

28 A. Possibly earlier that year, yes.

29 Q. 865 All right. And we know from his own evidence to the Tribunal, Mr. Reilly, that
15:56:25 30 at the time when the married -- when the case -- sorry. We know that when he

15:56:30 1 opened -- prior to when he opened his first account in December 1993 --

2 A. Uh-huh.

3 Q. 866 -- he had savings of 50,000 Pounds.

4 A. The figure wasn't known to me.

15:56:39 5 Q. 867 You didn't know that?

6 A. No.

7 Q. 868 You know it now because it's been all over the papers?

8 A. Well I know that that was the figure, I knew that he had money because he told

9 me, but I did not know the figure.

15:56:49 10 Q. 869 Did you have any idea of the figure?

11 A. No, but I knew that he had some.

12 Q. 870 But is it a fact, if that's true, that he had 50,000 savings in 1993 --

13 A. Uh-huh.

14 Q. 871 -- and in 1994 if he then had 50,000 in an account plus nearly 20,000 in

15:57:04 15 another account --

16 A. Uh-huh.

17 Q. 872 -- he had plenty of money to get himself a house, isn't that right?

18 A. Which I wasn't aware of.

19 Q. 873 No.

15:57:10 20 A. As I say. So I mean whether it was a fact or not, it's something I wasn't

21 aware of.

22 Q. 874 All right. But did he say to you I'll have, that I have money and I'm going to

23 buy a house?

24 A. Well he said that he was and that he was looking around to buy a house, yes, of

15:57:28 25 course he did.

26 Q. 875 So you are saying, Mr. Reilly, that in 1994 you would have known, you knew from

27 Mr. Ahern that he was looking for a house?

28 A. Sure.

29 Q. 876 And that he had savings?

15:57:42 30 A. That he had some money saved, yes.

15:57:43 1 Q. 877 And while you didn't know this. We know from his evidence and from his bank
2 accounts --

3 A. Sure.

4 Q. 878 -- that he had plenty enough money to do the purchase.

15:57:52 5 A. Uh-huh.

6 Q. 879 Isn't that right?

7 A. Well if what he said to you is what he said to you then of course, yes, yes.

8 Q. 880 If it's correct?

9 A. Well of course it's correct, if he said so.

15:58:02 10 Q. 881 Of course. So Mr. Reilly, when Mr. Carew raised this on this Saturday evening
11 in September, about a concern for Mr. Ahern, did you say to him, "yes that
12 previously I have had a chat with Bertie and that he did say that he was
13 intending to buy a house and he had savings or was saving"?

14 A. I wouldn't recall that -- saying anything like that at all. That wouldn't have
15 been part of the conversation. When Mr. Carew mooted the idea of having a
16 whip-round or making a contribution, the other didn't come in to it. I didn't,
17 I certainly didn't say that to Mr. Carew.

18 Q. 882 But wouldn't it be relevant, I mean the four of you were there concerned about
19 Mr. Ahern's accommodation --

15:59:00 20 A. Sure.

21 Q. 883 -- and you actually have the information that he intends to buy a house and is
22 either saving and/or has savings towards it?

23 A. Mr. Murphy we all intended to buy a house for a couple of years before we got
24 the money together to buy it, everybody intends to buy a house.

15:59:14 25 Q. 884 Yes?

26 A. You know that doesn't necessarily mean they have the actual wherewithal to buy
27 it.

28 Q. 885 All right. But you had no reason at all, Mr. Reilly, to believe that Mr. Ahern
29 couldn't afford to pay the deposit on a house and arrange a mortgage, isn't
15:59:29 30 that right?

- 15:59:30 1 A. No reason that he couldn't afford? I had every reason to believe that he
2 didn't have enough to pay a deposit on a house.
- 3 Q. 886 Right.
- 4 A. The fact that he had some money doesn't necessarily mean that he had enough
15:59:45 5 money.
- 6 Q. 887 No.
- 7 A. No, now, what you are saying subsequent to his testimony and that, that's
8 different.
- 9 Q. 888 Was it your belief at that time that he didn't have enough money to buy a
15:59:58 10 house?
- 11 A. Yes, absolutely.
- 12 Q. 889 Did you say that at this little chat?
- 13 A. No, there was -- the conversation came up about or the proposal was put that we
14 might be able to contribute something and we all agreed that we would.
- 15:00:12 15 Q. 890 Yes. Now Mr. Reilly, three of the four of you were, you will say, very close
16 friends of Mr. Ahern.
- 17 A. Sure.
- 18 Q. 891 Was there anything to stop you on your next chat with Mr. Ahern either choosing
19 one of you, to say to him, to raise the subject with him and say could you
16:00:33 20 help?
- 21 A. Absolutely nothing to stop us from doing that, but we chose not to.
- 22 Q. 892 Yeah. And in fact, as far as you're concerned, it wasn't just. Sorry -- I
23 shouldn't say as far as you are concerned, though I think that was the
24 position, it wasn't just a personal matter and Mr. Ahern's comfort. It was a
16:00:47 25 political matter and a career matter as far as he was concerned, you would have
26 seen it?
- 27 A. Yes.
- 28 Q. 893 Because of this smear going on?
- 29 A. Sure.
- 16:00:54 30 Q. 894 So therefore you would have had -- putting on your constituency hat?

16:00:59 1 A. Sure.

2 Q. 895 There would be a reason for you saying to Mr. Ahern, "listen really you should
3 do something and get --"

4 A. No I would never have been that forward with -- I mean that's a very personal
16:01:09 5 thing.

6 Q. 896 I see.

7 A. And I certainly wouldn't have pried into his affairs on that matter. It's --
8 if you find yourself in a situation where you've just come out of a marital
9 break up and you're struggling to do what you do.

16:01:22 10 Q. 897 Yes.

11 A. You are hardly going to expect people to come up and talk to you about it.

12 Q. 898 Yes. Can I just ask you for one second --

13 A. Sure.

14 Q. 899 -- and I am side-tracking myself a little bit here Mr. Reilly. 18602, please.
16:01:36 15 Because you have just said if you find yourself in a situation where you have
16 just come out of a marital break up and you are struggling to do what you do.
17 And at 18602, which is the second page of your statement, you say "Bertie later
18 thanked me for the money and said that he would pay me back. I was happy to
19 help out a friend at a time of difficult personal circumstances. I have made
16:01:56 20 no other payment to Mr. Ahern."

21 A. Am uh-huh.

22 Q. 900 Can you tell the Tribunal what were those difficult personal circumstances in
23 September/October 1994?

24 A. As far as we were concerned, as far as I was concerned? Well he had his
16:02:08 25 marital break up. He was, he had lost his home. I think that's pretty
26 difficult circumstances.

27 Q. 901 Yes.

28 A. And was living between several different places. I mean, I don't think it gets
29 much more difficult than that.

16:02:24 30 Q. 902 But Mr. Reilly, isn't it the position and you knew as a close friend he had

16:02:28 1 separated in 1987.

2 A. Yes.

3 Q. 903 At this time he had a new partner.

4 A. Uh-huh.

16:02:32 5 Q. 904 Isn't that right?

6 A. Well --

7 Q. 905 He had partnership with Ms. Larkin, isn't that right?

8 A. Yes, that is correct, yes.

9 Q. 906 So if you like a new life.

16:02:43 10 A. Uh-huh.

11 Q. 907 His matrimonial proceedings were over since the end of the previous year.

12 A. Uh-huh.

13 Q. 908 Isn't that right?

14 A. Sure.

16:02:51 15 Q. 909 And he had accommodation in St. Luke's.

16 A. Yes and he had maintenance to make, payments to make and he had a family to

17 continue to look after.

18 Q. 910 And did you know all about that?

19 A. Well I certainly knew that he was making maintenance payments and I certainly

16:03:03 20 knew that he was looking after his two daughters.

21 Q. 911 Did he discuss all of that with you?

22 A. Well we knew that of course from previous discussions. Yes, absolutely.

23 Q. 912 So would you have known how much he was paying Mrs. Ahern?

24 A. No I would not.

16:03:15 25 Q. 913 And would you have known how much he was paying his daughters?

26 A. No.

27 Q. 914 Did you tell you how much savings he had?

28 A. No. He said he had some savings. I think I have already covered that.

29 Q. 915 You see, Mr. Reilly, September/October 1994 wasn't really a a difficult

16:03:31 30 personal circumstances time for Mr. Ahern.

16:03:36 1
2 MR. MAGUIRE: I'm reluctant to interrupt, Chairman, but I'm little bit
3 concerned that the tenure of this examination, I mean the witness has given
4 evidence that was his view and that's as far as he can put it. Whether or not
16:03:47 5 it was the actual situation is not something that this witness can answer.

6
7 CHAIRMAN: Well I mean we're, our only real interest is to ascertain what
8 Mr. Reilly's understanding of the situation was at the time. So certainly the
9 questions in that. Mr. Murphy, it's now just four o'clock. Do you want? If
16:04:10 10 Mr. Reilly is going to be finished in ten or fifteen minutes we'll certainly
11 sit on.

12
13 MR. MURPHY: I think not, Chairman. If we could continue it tomorrow.
14 A. That would not be very convenient for me I can assure you. I would prefer to
16:04:26 15 finish this now.

16
17 CHAIRMAN: How long more do you think you'll be, Mr. Murphy? We've a
18 commitment at 4:15 that --

19
16:04:36 20 MR. MURPHY: I won't be finished by 4:15, Chairman.

21
22 CHAIRMAN: You won't be finished. Is there any time tomorrow, Mr. Reilly,
23 that would be convenient for you to come back? We are sitting -- I think we've
24 witnesses scheduled tomorrow at 2 o'clock, is that right?

16:04:59 25
26 MR. O'NEILL: Twelve is the scheduled, so the Tribunal is tree free to take
27 evidence before then, if the members --

28
29 CHAIRMAN: Mr. Reilly, would you be available --

16:05:17 30

16:05:17 1 MR. O'NEILL: I'm sorry. We are scheduled at 2 I should say. So any time
2 before then.

3
4 CHAIRMAN: All right. Would it suit you to be here at half ten tomorrow?

16:05:18 5 A. I will be here at half six in the morning if you want me to, Chairman.

6
7 CHAIRMAN: We won't be here. If we could sit at half ten you would probably
8 be finished by half eleven.

9
16:05:33 10 MR. MURPHY: Yes.

11
12 MR. O'NEILL: Or indeed if it's more convenient to the witness, the other
13 witnesses are scheduled for two. So if it was more convenient for him to be
14 here at 12. His choice.

16:05:42 15 A. I would prefer to get it over as early as possible. I have other commitments
16 tomorrow.

17
18 CHAIRMAN: If we sit at half ten on the basis that you would be finished at
19 half eleven and then we'll sit again at two o'clock. Thank you.

16:05:58 20 A. Yep, yep.

21
22 **THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING DAY,**

23 **THURSDAY, 13TH DECEMBER, 2007, AT 10.30.**

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