

10:01:57 1 **THE TRIBUNAL RESUMED AS FOLLOWS ON THURSDAY, 20TH MARCH 2008,**

2 **AT 10:30 A.M:**

3

4 CHAIRMAN: Good morning, Mr. O'Neill.

10:33:39 5

6 MR. O'NEILL: Good morning, Chairman, Members of the Tribunal.

7

8 Ms. Grainne Carruth, please could you return to the witness box.

9

10:33:49 10 **MS. GRAINNE CARRUTH, CONTINUED TO BE QUESTIONED BY MR. O'NEILL**

11 **AS FOLLOWS:**

12

13 MR. MILLAR: Good morning, Mr. Chairman. Before Mr. O'Neill commences. At

14 the conclusion of yesterday's session, you invited my client to consider her

10:34:11 15 evidence overnight and to reflect upon that. And in light of that invitation,

16 my client has done so and she has asked me to say the following on her behalf.

17

18 MR. O'NEILL: Well I think, with respect, we are in the middle of examination

19 of a witness and I think it's an inappropriate time for statements to be made.

10:34:28 20 I intend to establish the facts through the witness and her responses rather

21 than do receive a precis from --

22

23 MR. MILLAR: There is no suggestion, Mr. Chairman, of giving a precis. But

24 the implication yesterday by the comments that were made by the Chairman was

10:34:42 25 that my client should consider her position and consider her evidence. And in

26 light of that specific invitation, which was in the last few minutes of the

27 hearing yesterday, my client has done so. And she wishes now to address in

28 very brief terms that invitation.

29

10:34:58 30 CHAIRMAN: Yes but I would prefer, we would prefer that she would --

10:35:01 1
2 MR. MILLAR: Well --
3
4 CHAIRMAN: If she wants to say anything arising from her evidence yesterday
10:35:06 5 and arising from the opportunity she has had to consider the evidence and the
6 documentation that she was, that she saw yesterday and indeed saw before
7 yesterday, it is preferable that she would deal with that herself and in the
8 course of your cross-examination of her or at a later stage you can certainly
9 raise issues with her that you feel --

10:35:28 10
11 MR. MILLAR: But Mr. Chairman, this is less than one page and it addresses
12 succinctly the invitation that you raised yesterday. Ms. Carruth is it --
13
14 CHAIRMAN: No. Ms. Carruth is in the middle of her examination by counsel for
10:35:41 15 the Tribunal and she must complete her evidence until and then she can be
16 cross-examined by you.
17
18 MR. MILLAR: Well -- I would like to record my dissatisfaction with that in
19 the light of your invitation to consider --

10:35:55 20
21 CHAIRMAN: No. The invitation was to Ms. Carruth to consider her evidence and
22 the documentation that she saw. There is no compulsion on her to in any way
23 take a different line to that which she took yesterday in relation to her
24 evidence. It was simply an invitation to her to consider the evidence in the
10:36:17 25 light of the evidence that was given by Mr. Blair Hughes yesterday and indeed
26 subsequently by Ms. Carruth.
27
28 So we would now, we are now anxious to conclude her examination by Mr. O'Neill.
29 And certainly, I can ask Ms. Carruth if you want to say anything in relation to
10:36:41 30 your evidence yesterday, do you want to, having considered the evidence

10:36:46 1 overnight, do you want to alter it or change it or qualify it or add to it in
2 any way?
3 A. No, Judge.
4
10:36:56 5 CHAIRMAN: All right. Now, Mr. O'Neill.
6
7 Q. 1 MR. O'NEILL: Good morning, Ms. Carruth.
8 A. Good morning.
9 Q. 2 In the course of yesterday's evidence, Ms. Carruth, I think you accepted that
10:37:05 10 you had provided information at a private interview with Members of the
11 Tribunal legal team on the 6th of July of 2006, isn't that so?
12 A. Yes.
13 Q. 3 I think you accepted yesterday that the information which you had provided at
14 that interview was untrue, isn't that so?
10:37:29 15 A. No, I don't think so.
16 Q. 4 Okay. Did you on that occasion indicate to the Tribunal that the only
17 transactions which you conducted in relation to Mr. Ahern's banking affairs
18 were to cash his cheques at AIB and to lodge on occasion, the proceeds of those
19 cheques to his daughters' accounts?
10:37:54 20 A. Yes.
21 Q. 5 Is that the information that you gave to the Tribunal?
22 A. It is.
23 Q. 6 Yes. That is untrue, isn't that correct, Ms. Carruth --
24
10:38:03 25 MR. MILLAR: Sorry, Mr. Chairman --
26
27 MR. O'NEILL: I --
28
29 MR. MILLAR: No, I must insist, Chairman --
10:38:08 30

10:38:08 1 MR. O'NEILL: I am putting it to the witness what she has said is untrue. She
2 is capable of answering that with a yes or no answer without this interference
3 by her representative.
4

10:38:19 5 CHAIRMAN: It is a perfectly reasonable question. And it's not appropriate
6 for counsel or solicitor for a witness to step in, in this particular instance.
7 It's a simple question put to Ms. Carruth. And she would be well able to deal
8 with it, I have no doubt.
9

10:38:36 10 MR. MILLAR: Mr. Chairman, this should be put in an appropriate context. What
11 she accepted yesterday was as a matter of probability --
12

13 CHAIRMAN: This is something that if you feel that there is an issue that has
14 been sidestepped or avoided or not referred to by Mr. O'Neill, it's a matter
10:38:53 15 then that you can raise in your examination of your client later. You will
16 have that opportunity.
17

18 MR. MILLAR: I would like the questions to be put to her in an appropriate
19 manner and I would like --
20

10:39:00 20 CHAIRMAN: Well the question is. It's a simple straight forward question and
21 Ms. Carruth is well able to answer it. It's not a difficult or a trick
22 question.
23
24

10:39:09 25
26 Q. 7 MR. O'NEILL: The question I am putting to you, Ms. Carruth, is perfectly
27 clear. It's this: When you gave information to the Tribunal in private
28 interview on the 6th of July 2006, were you giving an untruth when you said
29 that the banking dealings you had for Mr. Ahern were limited to cashing his pay
10:39:33 30 cheques, do you understand the question?

10:39:36 1 A. Yes.

2 Q. 8 Yes. Well that was untrue, wasn't it?

3 A. I don't believe it was an untruth.

4 Q. 9 I see. Would you like to elaborate on that for me please, because in fact it

10:39:48 5 is not factually correct, which is generally that the consequence of making a

6 factually incorrect statement is that one is telling an untruth.

7 A. My recollection at that time was that I did Bertie's transactions, I did lodge

8 to his daughters' accounts and that's what I recollect at the time.

9 Q. 10 Right.

10:40:13 10

11 CHAIRMAN: Well, sorry, just so that we're clear, Ms. Carruth. Are you saying

12 that at the time that you gave that information you believed it to be true?

13 A. Yes.

14

10:40:23 15 Q. 11 MR. O'NEILL: Do you accept that that in fact is not the case and that

16 therefore what you said was untrue wittingly or unwittingly?

17 A. I don't believe I ever told an untruth. I believe I tried to be as honest as I

18 could at all times.

19 Q. 12 What you said to the Tribunal on that occasion, Ms. Carruth, was factually

10:40:48 20 incorrect, isn't that so? I will repeat the question, Mrs. Carruth. What you

21 said to the Tribunal was factually incorrect, isn't that so?

22 A. It appears so.

23 Q. 13 On day 802, that's the 18th of December of last year, when you were sworn as a

24 witness before the Tribunal you were asked by Judge Keys and I quote, it's at

10:41:39 25 page 169:

26 "Just one question. Do I take it from your evidence that the only banking

27 input you had with Mr. Ahern was related purely to his cheques arising from his

28 salary, is that correct" and your answer was "yes, Judge".

29 Q: Nothing else?

10:42:00 30 A: Nothing else, Judge."

10:42:03 1
2 Those answers are untrue, isn't that's correct?
3 A. That was my belief at the time.
4 Q. 14 I am not enquiring about your belief --
10:42:13 5 A. Yes.
6 Q. 15 What you said was untrue, isn't that so?
7 A. Yes.
8 Q. 16 Do you appreciate, Mrs. Carruth, that this Oireachtas inquiry is an inquiry
9 into certain matters and that the report of the Tribunal will be based upon the
10:42:35 10 facts found by the Tribunal?
11 A. Yes.
12 Q. 17 And those facts can only be elicited if witnesses tell the truth, isn't that
13 so?
14
10:42:45 15 MR. MILLAR: Mr. Chairman, I have to object to this. It was established
16 yesterday that at the time on the 18th of December, Ms. Carruth gave honest
17 answers to the various questions raised and particularly these questions raised
18 by Judge keys. As a matter of probability, she now accepts having seen
19 documentation produced since they were --
10:43:02 20
21 CHAIRMAN: Yes but we --
22
23 MR. MILLAR: To suggest to her that she is telling lies is in my opinion
24 unwarranted.
10:43:08 25
26 MR. O'NEILL: I am putting to the witness that she is telling an untruth.
27
28 CHAIRMAN: We have to put in to a position, insofar as it's possible to do so,
29 to determine whether Ms. Carruth purposely misled the Tribunal or whether she
10:43:20 30 said something which at the time she believed was accurate and correct, which

10:43:25 1 is not an admission by her in any shape or form that she purposely misled the
2 Tribunal. These are issues that we have to determine. So it's important that
3 we understand her, the reasons for her giving her evidence in the way she gave
4 it at the time.

10:43:47 5
6 That doesn't in any way suggest necessarily that she was purposely misleading
7 the Tribunal.

8
9 MR. MILLAR: I accept entirely that you should inquiry. I accept entirely.
10:43:58 10 These issued were canvassed at length yesterday. And we are going back over
11 the same ground again.

12
13 CHAIRMAN: We are not going back over the same ground again. We are satisfied
14 that these questions have to be because only in this way can we reach a
10:44:12 15 determination on the particular issue, namely, the, whether or not Ms. Carruth
16 purposely misled the Tribunal or innocently misled --

17
18 MR. MILLAR: Could I suggest. If the matter is going to be put in that way.
19 Could I suggest that Mr. O'Neill put it to my client that she purposely misled
10:44:32 20 the Tribunal and let's bring this issue to a head once and for all.

21
22 MR. O'NEILL: I don't need to be --

23
24 CHAIRMAN: That's matter for Mr. O'Neill to deal with it in the way that he
10:44:36 25 deems appropriate, so long as the line of questioning is fair and so long as
26 Ms. Carruth understands the questions that are being put to her.

27
28 Q. 18 MR. O'NEILL: Ms. Carruth, in the course of yesterday's evidence you accepted
29 that you were incorrect in your belief that you had not lodged money in cash,
10:44:58 30 to Mr. Ahern's account and you were incorrect in your belief that you had not

10:45:03 1 made -- had banking dealings with Mr. Ahern's accounts, isn't that so?

2 A. Yes.

3 Q. 19 Where you were not prepared to go was to concede that you were incorrect in

4 your belief that you were dealing in large sums of sterling, isn't that so?

10:45:28 5 A. I have to accept that in my dealings here yesterday that as a matter of

6 probability it was sterling and there was transactions done in Irish Permanent.

7 Q. 20 And that acceptance, I take it, Ms. Carruth, is on the basis that the

8 consideration by you of the documentation furnished to you by the Tribunal

9 leads to the inevitable and overwhelming conclusion, that you were dealing with

10:45:59 10 sterling and on that basis you make this acknowledgement, is that correct?

11 A. I have no memory of sterling but with the papers that have come before me, it

12 equates that sterling transactions did happen.

13 Q. 21 Yes. You appreciate the obligation to tell the truth to a Tribunal of Inquiry,

14 is that correct?

10:46:28 15 A. I do.

16 Q. 22 Do you understand that the consequences of not doing that or what you believe

17 the consequences of not doing that to be?

18 A. I don't know what the consequences would be.

19 Q. 23 You don't. Do you believe that it might be limited to having had a hard day in

10:46:47 20 the witness box and you can put the matter behind you or do you believe that

21 there are other possible consequences that flow?

22 A. I don't know what, what consequences could come from this.

23

24 CHAIRMAN: Ms. Carruth, has your solicitor not explained to you what those

10:47:08 25 consequences might be?

26 A. No.

27

28 CHAIRMAN: No?

29 A. No. I just ...

10:47:15 30

10:47:15 1 Q. 24 MR. O'NEILL: Could I suggest to you. Sorry, I may have cut across your
2 response, Ms. Carruth. Did you want to add to the --
3 A. No.
4 Q. 25 -- response to Judge Mahon?
10:47:25 5 A. No, sorry.
6
7 CHAIRMAN: Well would you like an opportunity to talk to your solicitor?
8 A. I just want to go home, Judge.
9
10:47:31 10 CHAIRMAN: I know.
11
12 MR. MILLAR: Mr. Chairman, all these questions are premised, it would seem to
13 me, on the assumption that my client is not telling the truth. She is
14 insisting that she is telling the truth.
10:47:44 15
16 CHAIRMAN: No. All of these questions are based on the possibility that she
17 may have misled the Tribunal.
18
19 MR. MILLAR: Well let me just put the record straight on that. My client is
10:47:54 20 saying that she is telling the truth and has not misled the Tribunal. So we
21 can move along on that basis.
22
23 CHAIRMAN: No, no, Mr. Millar. Part of the cross-examination and examination
24 of the process of cross-examining and examining witnesses is to probe the
10:48:12 25 answers that they give and the evidence that they give. And a mere statement
26 by someone saying I didn't mislead the Tribunal is not always necessarily
27 sufficient. If it's necessary to ask questions so that the Tribunal would be
28 in a position to determine what Ms. Carruth's state of mind was at the time,
29 then those questions are necessary and appropriate.
10:48:34 30

10:48:34 1 MR. MILLAR: I don't have any difficulty with that. But I respectfully
2 suggest that it is not part of the process of cross-examination to intimidate
3 the witness with questions about the consequence of not telling the truth.
4

10:48:43 5 CHAIRMAN: She is not being intimidated.
6

7 MR. MILLAR: Well in my respectful submission is she is.
8

9 CHAIRMAN: Which well I reject that.
10

10:48:52 10
11 Q. 26 MR. O'NEILL: Ms. Carruth, you indicate that you are unaware of the
12 consequences that flow from telling an untruth to the Tribunal, isn't that so?

13 A. Yes.

14 Q. 27 Now, I will outline those to you.
15

10:49:02 15
16 Firstly, under the provisions of the Tribunal Tribunals of Inquiry
17 (Evidence)(Amendment) Act, 1979, Section 3.
18

19 "If a person willfully gives evidence to a Tribunal, which is material to the
10:49:22 20 inquiry to which the Tribunal relates and which he knows to be false or does
21 not believe to be true, that person should be guilty of an offence and that
22 offence is an offence which a person found guilty of that offence under this
23 Section, is liable on conviction on indictment to a fine not exceeding 300,000
24 Euro or two years imprisonment."
25

10:49:55 25
26 Also, if a person by act or omission obstructs or hinders a Tribunal in the
27 performance of its functions or does -- or omits to do any other thing which
28 would amount to a contempt of the High Court, in the High Court, they equally
29 would be liable on conviction to a 300,000 pounds fine and/or two years
10:50:18 30 imprisonment.

10:50:20 1
2 You may also know that somebody who knowingly gives evidence on oath having
3 been sworn before a Tribunal to give evidence on oath, could be guilty of a
4 criminal offence called perjury.

10:50:35 5
6 They are the range of consequences to which somebody who willfully obstructs a
7 Tribunal or knowingly gives evidence to be false or omits to tell the truth
8 before a Tribunal is liable to. Do you appreciate that now?

9 A. Yes.

10:50:53 10 Q. 28 Yes. You see, you have given an account of events by your own admission, which
11 is an account of events which you have had to change in view of the fact that
12 evidence produced from other sources establishes that what you said in the
13 first instance was wrong, isn't that so?

14 A. Yes.

10:51:19 15 Q. 29 Do you now accept, Ms. Carruth, that you in fact made a lodgement to the Irish
16 Permanent Building Society account of Mr. Bertie Ahern and of his two daughters
17 on the 9th of March 1994, which was the proceeds of 6,000 pounds sterling,
18 which was changed by you into three sums of Irish cash equivalents which were
19 then lodged to the account of Mr. Ahern as the proceeds of 4,000 pounds
20 sterling to Ms. Georgina and Ms. Cecelia Ahern as to 1,000 pounds sterling, do
21 you accept that now?

22 A. As a matter of probability, I do accept that.

23 Q. 30 So are we down then in relation to that and to the other lodgements to the
24 question of what your recollection of these events is?

10:52:03 25 A. I don't recall them but I have to state that they've been done and they were
26 done in sterling and that's the way it is.

27 Q. 31 And how have you no recollection of these matters, Ms. Carruth?

28 A. I don't know, I wish I could, I really wish I could.

29 Q. 32 Well perhaps we can examine what your recollection of events has been in
30 relation to the banking affairs of Mr. Ahern which were dealt with by you. You

- 10:53:04 1 left Mr. Ahern's employment in 1999, isn't that so?
- 2 A. Yes.
- 3 Q. 33 Can you indicate to the Tribunal when it was and how it was that you first came
- 4 to have to recollect your banking transactions with and for Mr. Ahern?
- 10:53:23 5 A. When the Tribunal originally contacted me.
- 6 Q. 34 Well were you contacted by the solicitors for Mr. Ahern?
- 7 A. No, I got a letter from Ms. Gilvarry.
- 8 Q. 35 When was that?
- 9 A. Last year, '06.
- 10:53:42 10 Q. 36 Last year of '06?
- 11 A. Sorry, it was two years ago.
- 12 Q. 37 Had you been contacted in 2005 by Mr. Ahern's solicitors, Frank Ward & Co. in
- 13 relation to your dealings with Mr. Ahern's banking affairs?
- 14 A. I remember Mr. Ahern's lawyers talking to me at some stage.
- 10:54:16 15 Q. 38 Yes. Now, can you date that for me, please?
- 16 A. I can't.
- 17 Q. 39 We're 2008 at the moment, Mrs. Carruth. I can appreciate that whilst your
- 18 memory of events of 14 years ago might be somewhat rusty, can you not tell me
- 19 when it was that you were taken out of your retirement and contacted by
- 10:54:36 20 Mr. Ahern's solicitors in relation to his banking affairs in the last number of
- 21 years?
- 22 A. I can't date that, I can't, I just ...
- 23 Q. 40 Well tell me what the circumstances of it were. Were you contacted by Frank
- 24 Ward & Co. in advance of you receiving a letter to attend an interview from the
- 10:54:55 25 Tribunal?
- 26 A. I think that's, I think they could have. I think they could have contacted me
- 27 before I got the letter.
- 28 Q. 41 And who contacted you and for what purpose?
- 29 A. Just to discuss what my dealings with Bertie's financial --
- 10:55:23 30 Q. 42 Yes.

10:55:24 1 A. -- financial record, financial dealings were, what I did with them.

2 Q. 43 Were you contacted by phone or in writing?

3 A. By phone.

4 Q. 44 Right. Did you meet with Mr. Ahern or any representatives of Mr. Ahern

10:55:42 5 following that telephone call?

6 A. I met with Liam, I can't remember his last name.

7 Q. 45 Guidera?

8 A. Sorry?

9 Q. 46 Guidera.

10:55:54 10 A. Oh.

11 Q. 47 Liam Guidera of Frank Ward & Co.?

12 A. Okay.

13 Q. 48 Where did you meet Mr. Guidera?

14 A. In St. Luke's.

10:56:03 15 Q. 49 I see. In a room in St. Luke's?

16 A. Upstairs.

17 Q. 50 Yes. Upstairs. In whose office?

18 A. In the sitting room upstairs.

19 Q. 51 I see. And who else was present?

10:56:23 20 A. Just me and Liam.

21 Q. 52 Right. Is there any reason why you didn't attend at the solicitor's office

22 where Mr. Guidera conducts his practice?

23 A. I don't know where that is.

24 Q. 53 It's on the quays here in Dublin. Anyway, I'm asking you why it was that the

10:56:36 25 meeting was arranged in St. Luke's?

26 A. I don't know, it was possibly convenient for both of us, I don't know.

27 Q. 54 And what was discussed in St. Luke's in relation to Mr. Ahern's banking affairs

28 between yourself and Mr. Guidera on that occasion?

29 A. We went over what I did.

10:56:56 30 Q. 55 Yes.

- 10:56:57 1 A. The lodging, the cashing of his cheque and the lodging to his daughters'
2 accounts.
- 3 Q. 56 Did Mr. Guidera indicate to you why it was that he was seeking this information
4 from you?
- 10:57:20 5 A. He just said that the Tribunal might be making contact with me.
- 6 Q. 57 Yes. The Tribunal had in fact been in contact with Mr. Guidera's office since
7 2004. When do you think you were contacted, Ms. Carruth?
- 8 A. I don't know, I don't know.
- 9 Q. 58 On the 25th of October 2005, the Tribunal forwarded to Mr. Guidera's office, a
10:57:56 10 list of lodgements which were substantial lodgements made to accounts in the
11 name of Mr. Ahern and Mr. Ahern's family and asked for detailed response to
12 queries which were raised in that letter.
13
14 On the 7th of June of 2006, some eight months later, the Tribunal received a
10:58:23 15 response. And in that response, reference is made to the fact that you and
16 Ms. Cullagh were persons who made lodgements to the accounts of Mr. Ahern's
17 daughters. Is it probable, Ms. Carruth, therefore, that your meeting with
18 Mr. Guidera took place prior to the 7th of June of 2006, thereby allowing him
19 to write to the Tribunal and set out your involvement in Mr. Ahern's banking
10:58:59 20 affairs?
- 21 A. That must be, yes.
- 22 Q. 59 Right. Now, the documentation which Mr. Guidera was asked to deal with by the
23 Tribunal was a list of accounts, we can see at page 27158. This is a list
24 prepared by the Tribunal from the documents which it had analysed, which were
10:59:40 25 provided by various institutions to the Tribunal institutions to the Tribunal.
26 And it sets out, starting at the top of the tab, tab No. 1, a series of
27 lodgements which are dated, the bank is identified by initials, the account
28 holders are identified by initials, the account number is given, the narrative
29 is given as to whether it's a lodgement, a credit transfer, principal transfer
11:00:18 30 or a deposit and the amount is given. Do you see that?

11:00:22 1 A. Yes.

2 Q. 60 Do you remember being asked by Mr. Guidera whether you could assist him in
3 relation to providing responses to the Tribunal in respect of any of the
4 transactions that are on this page here? Were you shown this page? This was
11:00:40 5 part of a three page summary prepared by the Tribunal?

6 A. I have never seen this page --

7 Q. 61 You have never seen it?

8 A. -- or anything like this, no.

9 Q. 62 You will see that it sets out in a sequence here accounts in the name of Mr.
11:00:56 10 and Mrs. Ahern, followed by accounts in the name of Georgina and Cecelia
11 jointly, followed by accounts in the name of Georgina, followed by accounts in
12 the name of Cecelia, followed by accounts in the name of Mr. Ahern himself,
13 isn't that so?

14 A. Yes.

11:01:23 15 Q. 63 You will see that on this list, Ms. Carruth, are the lodgements which are the
16 subject of yesterday's inquiries of you. If you look to item No. 21 you will
17 see the manuscript numbering on the very left-hand side here is inserted by
18 Mr. Guidera as a guide to his response to the Tribunal. And if you go down to
19 No. 21, moving across from that on date you will see the 9th of March 1994
11:01:55 20 Irish Permanent Building Society GA, Georgina Ahern, her account number, cash,
21 1,028.40, do you see that?

22 A. Yes.

23 Q. 64 That is the first of the lodgements of 1,000 pounds sterling that we were
24 dealing with yesterday. And the immediately following reference is the 9th of
11:02:19 25 May 1994, to the same financial institution, again, Georgina's account, cash
26 1,000. And that was the 1,000 pound element of the 5 -- 5,450 pounds sterling
27 changed on the 5th of -- sorry on the 9th of May of 1994, do you see that?

28 A. Yes.

29 Q. 65 If we move then down to item 29, you will see that the same 29 and 30 refer to
11:02:47 30 the same amounts in the accounts of Cecelia Ahern.

11:02:52 1 A. Yes.

2 Q. 66 Do you see that?

3 A. Yes.

4 Q. 67 And then if we move down to 39 you'll see 4,119.59 pounds, the 4,000 pounds

11:03:06 5 sterling which you lodged to Mr. Ahern's account as 4,119.59 pounds, isn't that

6 so?

7 A. I see that, yes.

8 Q. 68 Item 41, the 3,518.99 pounds which was part of the 5,450 pounds sterling

9 changed on the 9th of May.

11:03:33 10 And finally, item 43, the 28th of October 1994; 3,970.19 pounds. Again, you

11 now accept this to be a lodgement made by you to Mr. Ahern's account. And it

12 in fact is the proceeds of 4,000 pounds sterling exchanged on that day, isn't

13 that right?

14 A. Yes, I have to accept that.

11:04:03 15 Q. 69 Are you saying that you were not asked about these particular lodgements by

16 Mr. Ahern's representative when he was asking you to detail the particular

17 transactions with which you were involved?

18 A. I have never seen anything like this, this is the first time I've seen this,

19 Mr. O'Neill. The first time.

11:04:26 20 Q. 70 Before you were questioned by Mr. Ahern's representatives about the accounts of

21 Mr. Ahern, it appears obvious that there was documentation in the possession of

22 Mr. Ahern and his representatives which related to the actual lodgements made

23 to the accounts of Mr. Ahern by Mr. Ahern himself and also by others, isn't

24 that right?

11:04:53 25 A. I accept that, yes.

26 Q. 71 Did you ask to see the documentation which related to the lodgements which you

27 knew you had in fact made?

28 A. No.

29 Q. 72 What was the purpose of attending at a meeting with Mr. Ahern's representatives

11:05:12 30 if it was not to identify which lodgements were made by you and what your role

11:05:18 1 was in his banking affairs?

2 A. Looking back now it's my own stupidity that I didn't ask those questions.

3 Q. 73 But how could you deal with any questions if you didn't see any of the

4 documentation put to you, Ms. Carruth?

11:05:36 5 A. I don't know.

6 Q. 74 Did you look at any single document when you were in St. Luke's to see whether

7 or not it was a transaction with which you were involved?

8 A. I never saw any documentation.

9 Q. 75 Well perhaps you might tell us then what took place at this meeting where you

11:05:55 10 saw no documentation and where you had been called in to deal with Mr. Ahern's

11 banking affairs? What were you asked, firstly?

12 A. I was just asked what I did, what I remembered and who asked me to do it.

13 Q. 76 Well what did you say when you were asked what you remember?

14 A. I said I remembered going to the bank, cashing his wage, going to Irish

11:06:25 15 Permanent and it was always that Bertie asked me to do this for him.

16 Q. 77 Well were you not told that you had done more than that because the

17 documentation in the possession of Mr. Ahern's representatives indicated that

18 you had made lodgements to his AIB bank. Sorry -- you had made a lodgement to

19 his AIB bank.

11:06:54 20 A. I never saw any documentation, nothing was put in front of me.

21 Q. 78 But when you said that as much as you had done was to change his salary cheques

22 to cash --

23 A. Yes.

24 Q. 79 -- were you not corrected and told that in fact you had made lodgements not

11:07:10 25 only to his Irish Permanent Building Society account but you had also made

26 lodgements to his AIB account?

27 A. I was never told anything like that.

28 Q. 80 If we look to page 27153. This is the response provided by Mr. Ahern's lawyers

29 to the queries which were raised by the Tribunal in relation to the

11:07:42 30 transactions which were shown on the page immediately off screen, Ms. Carruth.

11:07:50 1 And the numbering 18 to 33 relates to lodgements made to the accounts of
2 Georgina. Sorry -- Georgina Ahern and Cecelia Ahern. If we can revert back
3 now please to page 27158, we follow the numbering there from 18 to 33. Do you
4 see that?

11:08:20 5 A. Yes.

6 Q. 81 And if we can go back now and look at the explanation which is given to the
7 Tribunal in relation to those transactions at page 27153. It reads as follows:

8
9 "Mr. Ahern made significant provision for his daughters, Georgina Ahern and
11:08:38 10 Cecelia Ahern. In this regard, he made (or directed his staff to make)
11 lodgements to their accounts. Mr. Ahern believes the source of all these
12 lodgements were his salary cheques.

13
14 Mr. Ahern does not have specific recollections of each of these transactions,
11:08:55 15 his general practice being that Sandra Cullagh or Grainne Carruth (of the
16 Drumcondra constituency office) would do one of the following.

17
18 1. Cash the cheque and lodge some of the proceeds to the Georgina/Cecelia's
19 account and give the balance to Mr. Ahern.

11:09:23 20
21 or 2. Lodge the cheque to the Georgina/Cecelia account, some of the cheque
22 being encashed".

23
24 So that was the procedure which was set out in this response. And I suggest
11:09:30 25 that this is what was provided to the Tribunal following upon the interview
26 with you, is that right?

27 A. Yes.

28 Q. 82 Is that what you believe the limit of your involvement was as set out in this
29 document?

11:09:44 30 A. That's what I -- yes.

- 11:09:48 1 Q. 83 If we look to the following page now, 27154. We'll see at item 35 "lodgement
2 2,662.02 pounds made on the 13th of July 195, lodged by Grainne Carruth.
3
4 Mr. Ahern believes this lodgement relates to salary cheques". And if we can
11:10:15 5 revert back now to page 27158 to the list again and to item 35. Moving across
6 you will see that's the 13th of July 1995, AIB bank not IPBS, Mr. Ahern's
7 account, note not an account of the girls and the lodgement of 2,662.02 pounds
8 which is explained as being a lodgement made by you. Do you see that?
9 A. Yes.
- 11:10:48 10 Q. 84 Now, how could that information be provided to the Tribunal, Ms. Carruth, if
11 your evidence was to the effect that you only had salary transaction cheques of
12 Mr. Ahern's which were cashed, not lodged to any account of his, and the
13 proceeds lodged to his daughters' accounts or alternatively the cheques were
14 lodged to IPBS. This is an instance where in the self same reply given to the
11:11:18 15 Tribunal, which contained your account of events, you are also shown to have
16 lodged money to Mr. Ahern's AIB account.
17 A. No recollection of it but ...
- 18 Q. 85 It did happen I take it or do you dispute the fact that you made that
19 lodgement?
- 11:11:38 20 A. No, I can't dispute anything. It's here in black-and-white in front of me. I
21 don't recall it but it's in black-and-white here in front of me.
- 22 Q. 86 You are invited to attend an interview at the Tribunal offices on the 6th of
23 July 2006, Ms. Carruth, isn't that right?
- 24 A. Yes.
- 11:12:02 25 Q. 87 And on that occasion you attended with a solicitor, isn't that so?
26 A. Yes.
- 27 Q. 88 Who was that solicitor?
28 A. Liam.
- 29 Q. 89 Liam Guidera?
11:12:11 30 A. Liam Guidera.

- 11:12:12 1 Q. 90 He was acting in your solicitor in providing this information at this interview
2 to the Tribunal, is that so?
- 3 A. Yes.
- 4 Q. 91 Can you tell the Tribunal why Mr. Guidera is no longer your solicitor and you
11:12:23 5 are now represented by Mr. Millar?
- 6 A. I thought on giving my evidence in private that, that would be it so I just
7 didn't think that I needed to have anyone at that time.
- 8 Q. 92 Well when it came to your giving evidence, why didn't you use Mr. Guidera to be
9 your solicitor, who apparently had been your solicitor at this interview?
- 11:12:54 10 A. I don't know.
- 11 Q. 93 Ms. Carruth, you must know. There must be an explanation?
- 12 A. I was upset --
- 13 Q. 94 As to why it is -- sorry?
- 14 A. I was upset and this was coming on a daily basis to my door and I just wanted
11:13:07 15 it out of my house and my husband, my husband found Mr. Millar.
- 16 Q. 95 Your husband did what with Mr. Millar?
- 17 A. He got Mr. Millar.
- 18 Q. 96 It doesn't answer the question as to why you changed your solicitor from being
19 Mr. Guidera, who represented you initially, to Mr. Millar?
- 11:13:37 20 A. I don't know why I didn't go with Mr. Guidera, I just wanted everything away
21 from my door.
- 22 Q. 97 Well, Ms. Carruth, I can understand in human terms why it is that you would
23 like not to be here. But you do have an obligation, at law and otherwise, to
24 tell the truth to this Tribunal. You appreciate that?
- 11:14:02 25 A. Yes.
- 26 Q. 98 Now, the recollection that you have of the transactions that involved
27 lodgements of monies to Georgina Ahern's accounts and Cecelia Ahern's accounts
28 are recollections which you have without the benefit of seeing any
29 documentation which lodged money to those accounts, isn't that so?
- 11:14:28 30 A. Yes.

- 11:14:29 1 Q. 99 In those circumstances, how can you not have a recollection of the transactions
2 which are taking place on the same day which involve Mr. Ahern?
- 3 A. I have no memory of Bertie having an account there but he obviously did. It's
4 before me now. He definitely had an account there. I don't recall it. It's
11:14:58 5 there. I can't deny it.
- 6 Q. 100 You know, Ms. Carruth, that the exchange of a sterling amount in this
7 particular branch in Drumcondra would involve you, firstly, handing over the
8 money and it would be processed through a machine which would convert that into
9 Irish currency and you would receive a receipt, isn't that right?
- 11:15:27 10 A. I accept that, yes.
- 11 Q. 101 That receipt would show the amount of sterling tendered. It would show the
12 rate of exchange offered and it would show the net amount in Irish Pounds of
13 the transaction, isn't that right?
- 14 A. That's right.
- 11:15:39 15 Q. 102 If these transactions took place, as it appears they did in the branch, you
16 would have left that branch, I suggest, with a receipt on each occasion upon
17 which you changed money, isn't that so?
- 18 A. I probably would, yes.
- 19 Q. 103 And what would you have done with that receipt, Ms. Carruth?
- 11:15:59 20 A. I always gave everything back to Bertie.
- 21 Q. 104 Personally?
- 22 A. If it wasn't personally it was left in his drawer. I always returned
23 everything to Bertie.
- 24 Q. 105 So there should be documentation evidencing each one of these transactions in
11:16:17 25 the possession of Mr. Ahern?
- 26 A. I gave back whatever my dealings were with those accounts to him. I don't know
27 whether he still has it but that was what I did.
- 28 Q. 106 When you received the most recent documentation from the Tribunal which
29 indicates that these were sterling transactions, your solicitor responded on
11:16:44 30 the 11th of March 2008, to the Tribunal as follows at page 27279.

11:16:55 1
2 "Dear Ms. Gilvarry. We refer to your letter of the 6th of March.
3
4 We have spoken to Ms. Carruth and we are now preparing a narrative on her
11:17:04 5 behalf. However, to assist us in doing so, we would be obliged if you would
6 please furnish us with whatever copy documentation you have relating to the
7 transactions of the 9th of May 1994 and the 28th of October 1994.
8
9 We do not have any of the documentation relating to these dates and to which
11:17:25 10 you refer in your letter.
11
12 Ms. Carruth has told us that she has no recollection of ever transacting any
13 sterling transactions or indeed any foreign exchange transactions whatsoever on
14 behalf of Mr. Ahern. You will be aware from her evidence on oath on the 18th
11:17:43 15 of December, that Ms. Carruth stated in response to question 1051 that she
16 never dealt in sterling. Furthermore in, response to a question from Judge
17 Keys appearing at page 169 of the transcript, when she was asked had she ever
18 lodged monies, changed currency or anything like that, Ms. Carruth answered
19 "no".
11:18:03 20
21 With respect to your request for a meeting, I am advised by Ms. Carruth that
22 her husband is currently working outside Dublin. They have three young
23 children and it is simply not possible for her to meet you this week or next
24 week. Unfortunately, I will be away the following week.
11:18:21 25
26 Hopefully, however, in light of the evidence already given by Ms. Carruth and
27 the narrative which we wish to send you there will be no need for a meeting.
28 We have raised specific questions and we will reply to these in the narrative.
29 They have been addressed in evidence already in any event.
11:18:37 30

11:18:37 1 I look forward to hearing from you with the documentation requested in the
2 letter."

3
4 Now, that letter was written on your instructions and following consultation
11:18:48 5 with your solicitor, Mr. Millar, isn't that right, Mrs. Carruth?

6 A. Yes.

7 Q. 107 And even to that point on the 11th, you were prepared to stand over the
8 accuracy of what you were saying and had said under oath on the 18th of
9 December 2007, isn't that right?

11:19:05 10 A. Yes.

11 Q. 108 Was it not clear to you at that point, Ms. Carruth, that the transaction with
12 which you were involved were sterling transactions?

13 A. We had no documentation at that time. It was only until I saw the
14 documentation with my name on it and the sterling amounts on it, that I
11:19:27 15 realised that I ... the sterling is there.

16 Q. 109 The letter -- sorry. The letter of the 6th of March 2008, is at page 27275.
17 It was read out in extenso yesterday, I don't intend to read it out again, you
18 are probably familiar with it or are you familiar with it?

19 A. Yes, I've seen it.

11:19:56 20 Q. 110 You have' seen it?

21 A. Yes.

22 Q. 111 It sets out a step-by-step sequential reference to each document which led to
23 the conclusions or the appearance of these matters being sterling, isn't that
24 right?

11:20:10 25 A. Yes.

26 Q. 112 As much as the further documents that were provided to you would do, would be
27 to confirm the content of those letters, isn't that right?

28 A. Yes.

29 Q. 113 What accompanied that letter in the first instance, Ms. Carruth, was the
11:20:38 30 following documentation:

11:20:56 1 Firstly, page 27287. I beg your pardon, 27286. That's the document which
2 shows 4,000 pounds sterling being changed into 4,119.59 pounds, isn't that
3 right?

4 A. Yes.

11:21:47 5 Q. 114 You also had document 27288 changing, if we turn that, please. Changing 1,000
6 pounds sterling into 1,028.40 pounds, isn't that so?

7 A. Yes.

8 Q. 115 And a second document for transaction of similar value, 27289?

9 A. Yes, I have that.

11:22:20 10 Q. 116 And the document showing the exchange of 5,450 pounds sterling. 27292.
11 A. Yes.

12 Q. 117 And the document showing the lodgement of 3,970.19 pounds, which is 27296.
13 Now, those documents, Ms. Carruth, all make clear reference to sterling
14 transactions, isn't that right?

11:23:05 15 A. Yes.

16 Q. 118 Is there any reason why you did not get back to Mr. Ahern or his
17 representatives to indicate to them that you had now been shown documents which
18 would appear on their face to indicate that large sterling transactions were
19 conducted through the bank and that your name was being linked with them?

11:23:28 20 A. You are asking me why I didn't.

21 Q. 119 I am asking you why you didn't get in touch with Mr. Ahern the moment you
22 received this documentation because it clearly was contrary to what you had
23 told the Tribunal to that point, isn't that so?

24 A. Yes.

11:23:43 25 Q. 120 That put you in a very serious position, isn't that right?

26 A. Yes.

27 Q. 121 And you appreciated the seriousness of your position, isn't that so?

28 A. I do, yes.

29 Q. 122 Now, why did you not get in touch with Mr. Ahern to ask him what the basis or
11:23:57 30 the background to this documentation was, so as to allow you to deal with it

- 11:24:01 1 before the Tribunal?
- 2 A. Because my first priority was to protect -- was to get my children sorted and
- 3 then with his schedule he was away or that so I never thought, I never thought
- 4 of it.
- 11:24:14 5 Q. 123 You never thought of it?
- 6 A. It I just wanted to get my children sorted, that was my main priority.
- 7 Q. 124 I am quite sure that you do have priorities and particularly family priorities,
- 8 Ms. Carruth. But that does not prevent you from picking up the telephone,
- 9 getting in Dutch with your solicitor, with whom you had met and who was in a
- 11:24:36 10 position to write to the Tribunal on your behalf on the 11th of March?
- 11 A. I could have made that phone call, yes.
- 12 Q. 125 Well I'm asking you why you didn't. It clearly is nothing to do with the fact
- 13 that your children's commitments were pressing because you had the opportunity
- 14 and you took it, of discussing this with your own solicitor and providing a
- 11:25:00 15 response to the Tribunal's requests which were seeking at that point, a
- 16 narrative statement from you?
- 17 A. Yes.
- 18 Q. 126 And subsequently seeking to have a meeting with you, both of which were
- 19 declined?
- 11:25:14 20 A. I didn't decline that. I was always willing to come across to you, I just,
- 21 with three children was trying to organise them. They are on mid term and I
- 22 don't have them at the moment. It was never an issue that I didn't want to
- 23 come across to meet you. Never.
- 24 Q. 127 Why is it that you did not contact Mr. Ahern in the interim in relation to
- 11:25:38 25 these matters which are of crucial importance to you and to your family,
- 26 Ms. Carruth?
- 27 A. Because I'm hurt.
- 28 Q. 128 Because why?
- 29 A. I'm hurt.
- 11:25:49 30 Q. 129 You're hurt?

11:25:50 1 A. And I'm upset.

2 Q. 130 Yes. And what is upsetting you about your evidence before the Tribunal today?

3 A. Because it's taking me from my family and that's why I'm upset.

4 Q. 131 Is there any other reason, Ms. Carruth?

11:26:14 5 A. I just want to go home.

6

7 CHAIRMAN: Ms. Carruth, if you would like a short break or would you prefer

8 just to ...

9 A. Thank you, Judge Mahon, but no.

11:26:33 10

11 CHAIRMAN: All right.

12

13 MR. O'NEILL: I think perhaps we should break.

14

11:26:36 15 CHAIRMAN: All right. Well we'll break for ten minutes.

16

17 **THE TRIBUNAL THEN ADJOURNED FOR A SHORT BREAK**

18 **AND RESUMED AS FOLLOWS:**

19

11:44:21 20 MR. O'NEILL: Ms. Carruth, please.

21

22 CHAIRMAN: All right.

23

24 Q. 132 MR. O'NEILL: Ms. Carruth, does it remain the position that your evidence in

11:44:41 25 relation to the three transactions, rather the three visits to the Irish

26 Permanent Building Society by you on the 9th of March, the 9th of May and the

27 28th of October 1994, remains a matter upon which you have no recollection?

28 A. Yes.

29 Q. 133 It follows from that, Ms. Carruth, that in relation to the first of these days,

11:45:15 30 the 9th of March of 1994, that you have forgotten about the fact that Mr. Ahern

11:45:29 1 passed you 6,000 pounds in sterling that day, isn't that so? You have
2 forgotten about that?

3 A. I have no memories of sterling.

4 Q. 134 Yes. You have no memory of going to the bank, presenting yourself at the
11:45:48 5 counter and conducting an exchange of initially 4,000 pounds sterling in cash
6 across the counter. You can't remember that transaction?

7 A. I can't remember, no.

8 Q. 135 That you then produced 1,000 pounds sterling and you received 1,028.40 pounds
9 or lodged 1,028.40 pounds to the account of Ms. Georgina Ahern. You can't
11:46:14 10 remember that?

11 A. Yeah.

12 Q. 136 You can't remember producing the next 1,000 pounds with the same effect into
13 Ms. Cecelia -- Celia Larkin's sorry.

14 A. Cecelia Ahern.

11:46:28 15 Q. 137 -- Cecelia Ahern's account?

16 A. Yes.

17 Q. 138 You have forgotten all of that?

18 A. Yes.

19 Q. 139 You have forgotten going back to Mr. Ahern, confirming to him that you carried
11:46:38 20 out his instructions to the letter and you are now producing the receipt in
21 respect of each one of these three foreign exchange transactions. You have
22 forgotten that?

23 A. Yeah.

24 Q. 140 On the 9th of May of the same year, you have forgotten the fact that you
11:46:54 25 received money from Mr. Ahern that day to lodge to the IPBS, whether in
26 sterling or otherwise, is that right?

27 A. Yes.

28 Q. 141 You have forgotten the fact that you exchanged the entire of a that 5,450
29 pounds on that occasion for 5,119 -- sorry. 5,518.99 pounds Irish?

11:47:27 30 A. Yes.

11:47:28 1 Q. 142 You have forgotten that you took 2,000 out of that proceeds and you then lodged
2 1,000 each to the accounts of Georgina and Cecelia Ahern, you have forgotten
3 that?

4 A. Yes.

11:47:43 5 Q. 143 And you have forgotten that you brought the document back to Mr. Ahern
6 confirming that you had carried out his instruction as ordered, is that right?

7 A. Yes.

8 Q. 144 And finally, on the 28th of October of 1994, you have forgotten the fact that
9 you were given 4,000 pounds that morning in sterling and that you went across
10 and lodged it in the IPBS as 3,970.19 pounds Irish?

11 A. Yes.

12 Q. 145 Is that so?

13 A. Yes.

14 Q. 146 Do you believe that to be credible, Ms. Carruth? Can that possibly be true?

11:48:27 15 A. I can't remember it. I just can't remember it.

16 Q. 147 Thank you. I have no further questions.

17

18 CHAIRMAN: Mr. Millar, do you want to ask your client anything

19

11:48:39 20 MR. MILLAR: Yes, very briefly.

21

22 **THE WITNESS WAS QUESTIONED BY MR. MILLAR AS FOLLOWS:**

23

24 Q. 148 MR. MILLAR: Ms. Carruth, just a couple of matters. In simple terms,
11:48:47 25 Ms. Carruth, did you tell the truth here on the 18th of December?

26 A. Yes.

27 Q. 149 And did you tell the truth yesterday and today?

28 A. Yes.

29 Q. 150 And with respect to an issue raised by the Chairman. Have you purposely misled
11:49:00 30 this Tribunal at all?

11:49:01 1 A. No.

2 Q. 151 Thank you, Ms. Carruth.

3

4 CHAIRMAN: Ms. Carruth, I was anxious to ask you one thing. When you would go

11:49:09 5 to the bank on any of these dates to exchange sterling and/or to lodge money,

6 you'd have been given a till roll receipt for the sterling. I'm sure you've

7 exchanged --

8 A. I have exchanged currencies, yes.

9

11:49:29 10 CHAIRMAN: For holidays and that.

11 A. Yes.

12

13 CHAIRMAN: And you are given a little printout which comes off a till roll.

14 A. That's right.

11:49:36 15

16 CHAIRMAN: Which a lot of people wouldn't necessarily hold on to for a length

17 of time. And then so you would get one of those for the sterling exchange.

18 You would then get a counter foil or a receipt for the lodgement to whatever

19 account.

11:49:55 20 A. Yes.

21

22 CHAIRMAN: You've said in evidence that you would give whatever paperwork you

23 got to Mr. Ahern on your return to the office.

24 A. Yes.

11:50:05 25

26 CHAIRMAN: Or you would leave it for him in his drawer.

27 A. Yes.

28

29 CHAIRMAN: So do you remember getting small pieces of paper, receipts or till

11:50:19 30 rolls?

11:50:20 1 A. I have no memory of, that Judge.
2
3 CHAIRMAN: But --
4 A. I must have.
11:50:24 5
6 CHAIRMAN: Yeah.
7 A. I must have. I must have because the sterling is there, so I must have
8 received a till or a roll receipt.
9
11:50:34 10 CHAIRMAN: And you would have given him --
11 A. Yes.
12
13 CHAIRMAN: That.
14 A. Yes, Judge.
11:50:37 15
16 CHAIRMAN: Or left it for him.
17 A. Yes.
18
19 CHAIRMAN: And I presume you'd have been careful to do that.
11:50:43 20 A. Yes.
21
22 CHAIRMAN: In the sense that when you are lodging or a doing a transaction for
23 a third party, you want to ensure that they will be satisfied that everything
24 was done above board.
11:50:52 25 A. Yes.
26
27 CHAIRMAN: All right.
28
29 JUDGE FAHERTY: Yes. Just one or two matters, Ms. Carruth. I understand your
11:50:58 30 evidence that until you were presented with documentation you had no

11:51:02 1 recollection that Mr. Ahern had an account in the Irish Permanent, is that
2 correct?

3 A. Yes.

11:51:09 5 JUDGE FAHERTY: For the years 1994, from the documents that the Tribunal has
6 seen, it would appear that you conducted as many transactions into Mr. Ahern's
7 Irish Permanent account as into the accounts of Cecelia or Georgina Ahern?

8 A. I have no recollection of ...

11:51:28 10 JUDGE FAHERTY: I just want to ask you. How could you have no recollection of
11 Mr. Ahern not having an account, given that in 1994 you did a number of
12 transactions regarding Cecelia Ahern and Georgina Ahern and the same number of
13 transactions or thereabouts as regards Mr. Ahern's account?

14 A. I accept that the account is there, is there, might still be there, I don't
11:51:50 15 know. But I just don't remember it. I always remember just the girls.

16
17 JUDGE FAHERTY: And you have told us as private interview, I understand, that
18 the lodgements you made were 200 or 300 pounds, I think that's my

19 A. That's my recollection, yes.

11:52:09 20
21 JUDGE FAHERTY: The evidence shows certainly that the lodgement in 1994 into
22 the girls' accounts was substantially more than -- it was 1,028 on 9th March
23 and 1,000 on 9th May and ditto for Georgina Ahern.

24 A. I accept that. I accept everything.

11:52:28 25
26 JUDGE FAHERTY: And they were fairly large lodgements into an account.

27 A. Yes, I accept that.

28

29 JUDGE FAHERTY: And lodgements into Mr. Ahern's account for the same period on
11:52:35 30 the same days were even larger again.

11:52:38 1 A. Yes.
2
3 JUDGE FAHERTY: And have you any explanation as to how you have no
4 recollection?
11:52:42 5 A. I just don't recall.
6
7 JUDGE FAHERTY: That's fine.
8
9 JUDGE KEYS: Ms. Carruth, if I could just ask you. You say that you received
11:52:53 10 instructions every time you went to the bank, I take it with money.
11 A. Yes.
12
13 JUDGE KEYS: With money to lodge on behalf of Mr. Ahern.
14 A. Yes.
11:53:01 15
16 JUDGE FAHERTY: Were they oral instructions or were they jotted down on a
17 piece of paper saying lodge so much to each account?
18 A. It would have been an oral transaction. He would have just told me orally.
19
11:53:15 20 JUDGE KEYS: And what about the account numbers? Would you have a copy of the
21 account numbers going to the bank?
22 A. Sorry, Judge?
23
24 JUDGE KEYS: Would you have a copy with you of the account numbers, you know
11:53:24 25 when you are filling in the docket?
26 A. Bertie would have given me their passbooks I believe.
27
28 JUDGE KEYS: So you would have three passbooks then, would that be correct?
29 A. I remember just two.
11:53:36 30

11:53:36 1 JUDGE KEYS: But wouldn't you have needed a third? Wouldn't you require a
2 third one? Would you not require a third one to make the third lodgement?

3 A. I must have had.
4

11:53:48 5 JUDGE KEYS: You can only remember two but not three?

6 A. Yes, Judge.
7

8 JUDGE KEYS: You appreciate that's very difficult to understand that answer in
9 those circumstances?

11:53:58 10 A. I do, Judge. I do.
11

12 JUDGE KEYS: And you still stick by your evidence that you have no
13 recollection of the third account, Mr. Ahern's account?

14 A. No, Judge.
15

11:54:11 16 JUDGE KEYS: Thank you very much.
17

18 CHAIRMAN: All right. Thank you very much, Ms. Carruth.
19

11:54:15 20 **THE WITNESS THEN WITHDREW.**
21

22 CHAIRMAN: We are sitting again on Tuesday the 1st of April I think at 10:30.
23

24 **THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING DAY,**

11:54:48 25 **TUESDAY, 1ST APRIL, 2008, AT 10:30 A.M:**
26
27
28
29
30