

09:54:34 1 **THE TRIBUNAL RESUMED AS FOLLOWS ON TUESDAY,**
2 **26TH FEBRUARY, 2007, AT 10.30 A.M:**

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CHAIRMAN: Good morning, Ms. Dillon.

10:38:39 5

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MS. DILLON: Good morning. Mr. Des Richardson, please.

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MR. DES RICHARDSON, HAVING BEEN SWORN,

9

WAS QUESTIONED BY MS. DILLON AS FOLLOWS:

10:38:46 10

11

CHAIRMAN: Good morning, Mr. Richardson.

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A. Good morning, Judges.

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MS. DILLON: Good morning Mr. Richardson. On the last occasion when you were

10:39:03 15

16

before the Tribunal, before we had the systems failure, you had been telling

17

the Tribunal about the change over in your invoicing from Willdover to

18

A. Sure.

19

Q. 1 And you had told the Tribunal that in Willdover, while you were paid 5,000

10:39:18 20

21

pounds, some of that money had been used, I think, for promotion work within

22

Fianna Fail, but that after you changed over to Berraway the 5,000 pounds per

23

month that you were paid was for your own services completely, isn't that

24

A. My fee, yes.

10:39:33 25

26

Q. 2 So may the Tribunal take it then that insofar as invoices were raised by

27

Willdover on some occasions, they included an element of funds that you

28

A. Correct.

29

Q. 3 But that did not occur in relation to Berraway?

10:39:47 30

A. Any funds that I expended within Berraway would have been reclaimed from Fianna

10:39:51 1 Fail.

2 Q. 4 By way of expenses in the normal way?

3 A. Yes.

4 Q. 5 So that insofar as the invoicing by Berraway is concerned, those funds were

10:39:59 5 payments, effectively, to Mr. Des Richardson but through the medium of

6 Berraway, is that right?

7 A. Correct, yes.

8 Q. 6 Now, if I could just show you page 1967, Mr. Richardson, which is from the

9 Cloghran brief and you will see there that this is a company printout of

10:40:15 10 Willdover limited, isn't that right? And the company was incorporated

11 according to this document, on the 17th of February 1992 and dissolved on the

12 23rd of April 1999, isn't that right?

13 A. It seems to be that way, yeah.

14 Q. 7 Yes. Can you tell the Tribunal whether you were ever listed as either a

10:40:33 15 director or shareholder of Willdover Limited?

16 A. No, I wasn't.

17 Q. 8 Right. Was there any particular reason for that Mr. Richardson?

18 A. No, the intention was that that would happen, but it didn't actually happen.

19 Q. 9 Right. And then when you changed over to Berraway, if I can show you page 2004

10:40:50 20 of the Cloghran brief, and this again is a company printout of Berraway and

21 according to this document it was incorporated on the 13th of April 1992. So

22 it was incorporated in the same year as Willdover, isn't that right?

23 A. Yes.

24 Q. 10 And it was dissolved on the 7th of May 1999?

10:41:10 25 A. Okay, yeah.

26 Q. 11 So it was dissolved in the same year as Willdover, isn't that right?

27 A. Yes.

28 Q. 12 Yes. Now, in view of the fact that both Willdover and Berraway had their

29 corporate existence for the same period of time, what was the reason that you

10:41:24 30 had for changing your invoicing from Willdover to Berraway?

10:41:27 1 A. Willdoover, as I mentioned last time, was a promotions company, not for profit
2 company. When I changed over to Berraway it was to use that as a vehicle for
3 my invoicing of my fees to companies I worked with at that time.

4 Q. 13 Yes. Did you say that Willdoover was a not for profit company?

10:41:51 5 A. Yes, I did.

6 Q. 14 And what were the objects for which Willdoover was incorporated, can you
7 remember?

8 A. To the best of my knowledge, promotions and fundraising.

9 Q. 15 You're not suggesting that Willdoover was a charity when you say not for profit?

10:42:06 10 A. No, I'm not suggesting a charity at all, no, no.

11 Q. 16 In fact, if one looks at the objects of the company, at 1969, the first
12 objective of Willdoover is stated to be, "To take part in the management
13 supervision or control of the operation of any company and to act as business
14 consultant supervisors and agents." Isn't that right?

10:42:28 15 A. I see that here, yeah.

16 Q. 17 So that in the stated objects of Willdoover is effectively to provide business
17 consultancy services, would that be correct?

18 A. According to that, yes.

19 Q. 18 Yes. And it was your belief though that Willdoover was a not for profit
10:42:42 20 company, is that right?

21 A. Well when I got involved in Fianna Fail it was used as a not for profit company
22 and for promotions, that's what I actually used it for.

23 Q. 19 But did you not also use it for the receipt of income to yourself from Fianna
24 Fail?

10:42:56 25 A. I didn't receive income from Willdoover.

26 Q. 20 Did Willdoover receive income on foot of services you had provided?

27 A. From it?

28 Q. 21 From anybody.

29 A. Willdoover received monies from Fianna Fail to allow me carry out the
10:43:17 30 fundraising activities I was involved in, primarily.

- 10:43:26 1 Q. 22 Did you receive any funds yourself from Willdover?
- 2 A. Not in terms of salaries, no. I did have a loan account within Willdover which
- 3 was repaid.
- 4 Q. 23 Right. So did Fianna Fail pay a fee of 5,000 pounds a month to Willdover?
- 10:43:38 5 A. They did.
- 6 Q. 24 And did that include remuneration in respect of your services and provision for
- 7 fundraising activities?
- 8 A. Primarily fundraising activity.
- 9 Q. 25 But it did include some provision for remuneration?
- 10:43:51 10 A. Well it was used by and large for the benefit of promoting Fianna Fail
- 11 fundraising.
- 12 Q. 26 And insofar as Berraway was concerned, when you moved to Berraway --
- 13 A. Yeah.
- 14 Q. 27 -- in 1994, I think, is that, in 1995 --
- 10:44:06 15 A. I think '95.
- 16 Q. 28 -- '95. Was that on the basis that the fees received by Berraway in respect of
- 17 your services, were fees invoiced only in respect of your services and did not
- 18 include any element of expense or fundraising?
- 19 A. Well, I invoiced Fianna Fail via Berraway for my fees and for my expenses and
- 10:44:29 20 for fees of people who worked along with me for Fianna Fail.
- 21 Q. 29 Right. So may the Tribunal take it then that the essential distinction that
- 22 you are drawing between Willdover and Berraway is that Willdover's payment of
- 23 5,000 -- receipt of 5,000 pounds per month from Fianna Fail was primarily in
- 24 respect of fundraising expenses incurred by you?
- 10:44:53 25 A. Yeah, it wasn't my intention -- the intention was to be in Fianna Fail for a
- 26 year to two years in terms of structuring the fundraising in Ireland and abroad
- 27 and my plan was following that to go back into my own line of work.
- 28 Q. 30 Uh-huh.
- 29 A. In 1994 when Bertie Ahern became Party Leader, he asked me to stay on until the
- 10:45:17 30 following election to carry on with the fundraising on behalf of Fianna Fail.

- 10:45:21 1 So I saw that as a different element as to the work we did before. So as a
2 consultant I invoiced Fianna Fail for my income, for my fees, for my expenses
3 on my behalf and on behalf of people who worked for me, fundraising.
- 4 Q. 31 You invoiced if through which company?
- 10:45:39 5 A. Berraway.
- 6 Q. 32 Right. And that I think it from January 1994?
- 7 A. Correct, yes.
- 8 Q. 33 Insofar as Berraway is concerned, Mr. Richardson, what exactly was your
9 relationship with Berraway?
- 10:45:52 10 A. Well, I wasn't a director or shareholder of Berraway. In 1995, as I mentioned,
11 I used Berraway as a vehicle for my invoicing to clients that I had at that
12 time. So in effect I was probably shadow director of Berraway from '95 on.
- 13 Q. 34 Right. You were never registered as a director or shareholder?
- 14 A. No, I was not. No.
- 10:46:20 15 Q. 35 And originally the company had been incorporated, apparently, as a
16 pharmaceutical company but that had been changed, the objects of the company
17 had been changed?
- 18 A. That I don't know. I wasn't involved in that.
- 19 Q. 36 Was Berraway involved in any development activities in which you had an
10:46:35 20 interest?
- 21 A. It was involved in a small development or two or refurbishment, to the best of
22 my knowledge, for a couple of years and then that company ceased trading I
23 think in 1994 or that business ceased trading in '94 and moved on to a
24 partnership arrangement as against a company arrangement.
- 10:46:58 25 Q. 37 And insofar as you had an involvement with Berraway prior to the 1st of January
26 1994, was that involvement limited to participating in those developments with
27 other people?
- 28 A. In what developments?
- 29 Q. 38 In whatever developments the company carried out prior to 1994.
- 10:47:17 30 A. Yes, yes.

- 10:47:17 1 Q. 39 And were you involved with Mr. Eamonn Duignan?
- 2 A. Yes, I was.
- 3 Q. 40 Right. It would appear from the documentation that's been provided to the
- 4 Tribunal, that Mr. Duignan became a director on the 27th of January 1994, but
- 10:47:29 5 you never became a director of Berraway, isn't that right?
- 6 A. No, I did not. No.
- 7 Q. 41 And it would also appear to be the case that at some stage Mr. Duignan became a
- 8 shareholder in Berraway?
- 9 A. I believe so, yes.
- 10:47:41 10 Q. 42 And it would appear also that, at 2059, that on the 1st of June 1994, the
- 11 registered offices of Berraway was changed to 25 Upper Mount Street?
- 12 A. I see that here.
- 13 Q. 43 And 25 Upper Mount Street was the address of Mr. Frank Dunlop's office, isn't
- 14 that correct?
- 10:47:59 15 A. Correct, yes.
- 16 Q. 44 Did you know anything about why that change took place?
- 17 A. Well, obviously, Berraway hired or rented an office from Frank Dunlop in the
- 18 same building and Mr. Duignan operated from that building. I never did.
- 19 Q. 45 Right. And insofar as up to 1994 Berraway conducted activities of
- 10:48:21 20 refurbishment or whatever else they were, were you involved in providing funds
- 21 in respect of those activities?
- 22 A. I wasn't involved in providing funds. I was probably a bank guarantor or
- 23 whatever was required from a funding point of view at that time, yes.
- 24 Q. 46 Did you share in any of the profits that were generated or was it intended that
- 10:48:39 25 you would share in any of the profits that might be generated?
- 26 A. The intention was that I would be sharing in any future profits, yes.
- 27 Q. 47 And it would appear, at 2062, that in April of 1992, Mr. Dunlop is recorded as
- 28 being a shareholder of, holding one of the two issued shares in Berraway.
- 29 A. I see that, yeah.
- 10:49:01 30 Q. 48 Yes. Were you aware of the fact that Mr. Dunlop was recorded as holding a

10:49:05 1 share in Berraway?

2 A. No, I wasn't. No.

3 Q. 49 Right. Do you know anything about the circumstances in which Mr. Dunlop came

4 to be registered or recorded in the Companies Office documentation as a

10:49:15 5 shareholder?

6 A. Only what I know is that he was asked to become a shareholder by Mr. Duignan at

7 some stage.

8 Q. 50 Now, it would appear that the following year in 1994, at 2074, Mr. Dunlop

9 continued to be registered as a shareholder of the company?

10:49:37 10 A. Okay, fine, yeah.

11 Q. 51 Right. And it would appear then from the bank documentation, at 1963, where

12 there is a certificate that, "At a meeting of the directors of Berraway

13 Limited, held on 22nd of September 1993, the following resolutions were

14 passed." And they are mainly financial resolutions, isn't that right?

10:49:58 15 A. I haven't seen that before.

16 Q. 52 Well I suggest that you have, Mr. Richardson?

17 A. Have I?

18 Q. 53 Because you signed it on the following page at 1964?

19 A. Okay. Fine, I accept that so.

10:50:07 20 Q. 54 Is that your signature?

21 A. Yes, it is. Yeah.

22 Q. 55 Right. And you are signing I think as a director, isn't that right?

23 A. A director --

24 Q. 56 Of Berraway. You will see at the top list of directors and secretary, do you

10:50:19 25 see that? If we could increase the very top.

26 A. I see it, yeah. I'm just checking the signature.

27 Q. 57 Yes. And you will see the first signature is Mr. Duignan's?

28 A. Yeah.

29 Q. 58 And the second signature is Desmond Richardson and an address is given?

10:50:34 30 A. I'm not 100 percent sure that was my signature.

10:50:36 1 Q. 59 You're not satisfied that that's your signature?
2 A. No, I said I'm not a hundred percent sure it's not my signature. It may be.
3 Q. 60 Yes. If you could just look at 3132, Mr. Richardson, and this is the signature
4 on your statement to the Tribunal. Do you see that signature?
10:50:53 5 A. Yes.
6 Q. 61 Now, that's the statement you made to the Tribunal on the 28th of November
7 2006. Is that your signature?
8 A. Yes.
9 Q. 62 Right. Now if we go back to look at the document at 1964 and if we could just,
10:51:09 10 if it's possible to put up the two signatures side by side, 1964 and 3132 to
11 assist you, Mr. Richardson. Now, looking at the two signatures together there,
12 Mr. Richardson, does that assist you in assisting the Tribunal as to whether
13 the document at 1964 is actually your signature?
14 A. Well they're different I can say. They're different signatures. I'm not
10:51:40 15 saying it's not mine. It may very well be mine, but I can see a difference in
16 them.
17 Q. 63 Yes. If you look at the signature at the top under Mr. Eamonn Duignan's name?
18 A. Yeah.
19 Q. 64 And if you look at the signature at bottom of your statement. You say that
10:51:53 20 they are not the same signature.
21 A. No, I didn't say that.
22 Q. 65 You say, It doesn't appear to be you signature.
23 A. No, I didn't say that. No.
24 Q. 66 What exactly are you saying, Mr. Richardson?
10:51:59 25 A. I'm not 100 percent certain it's my signature. They appear to be somewhat
26 different, but that can happen. I'm not saying at all it's not my signature,
27 it may very well be.
28 Q. 67 Is it your position that you've a recollection of, while you're not recorded as
29 being a director or shareholder of Berraway, did you previously tell the
10:52:17 30 Tribunal that you were one of the bank signatories?

10:52:19 1 A. Yes, indeed.

2 Q. 68 And in order to be a bank signatory on the bank documentation it's necessary to
3 provide a specimen signature to the bank, isn't that right?

4 A. Sure, sure.

10:52:28 5 Q. 69 And isn't the purpose of the document, at page 1964, the provision of a
6 specimen signature to the bank.

7 A. Yes, indeed.

8 Q. 70 And that would suggest, very strongly, Mr. Richardson, that it is probably your
9 signature when you recollect providing specimen signatures and being a
10 signatory to the bank account?

11 A. Probably, yes, indeed.

12 Q. 71 So if that is the case, then it suggests that certainly when this document was
13 signed on 22nd of September 1993, you were describing yourself as a director of
14 the -- in fact I think you were describing yourself as secretary of Berraway.

10:53:02 15 A. Right.

16 Q. 72 Is that right?

17 A. According to this form I did sign as a director, yes.

18 Q. 73 Yes. And can you just explain to the Tribunal how that would have occurred in
19 circumstances in which you've already told the Tribunal you were never a
20 director or shareholder of Berraway?

21 A. Well, because, I wasn't a director or shareholder of Berraway and as far as I
22 know there are no forms to that regard that I am a director or shareholder. I
23 was asked to become a signatory on the account, which is what I gather this is
24 for. Not for -- I wasn't an executive in Berraway at any stage up to 1995. I
25 was signatory on the cheque book, that I accept and that I was.

10:53:41 26 Q. 74 And you accept that in this document it appears that you are described as
27 either director or secretary of Berraway?

28 A. I don't have a problem with that, but I wasn't actually a director of Berraway.

29 Q. 75 Right. Can I ask you about a company called -- sorry. Just before I leave
30 that, can I ask you, Mr. Richardson, in relation to the invoicing by Berraway

10:54:13 1 in respect of your fees, did you have sole control of the Berraway bank
2 account?
3 A. Yes, I did.
4 Q. 76 And from what period in time did you have sole control of the Berraway bank
10:54:23 5 account?
6 A. From 1995.
7 Q. 77 And was it at that stage that yourself and Mr. Duignan went effectively your
8 separate ways?
9 A. No, we didn't.
10:54:30 10 Q. 78 You didn't?
11 A. No.
12 Q. 79 Can you just outline very brief the circumstances in which you came to have
13 sole control of the Berraway bank account?
14 A. Well, because the relationship that I had with Mr. Duignan was in Berraway and
10:54:44 15 in '94 we decided to go and operate in a partnership as against a company. So
16 on our developments that we were and are involved in Navan, we operate as a
17 partnership, there was no requirement for a company. That was the advice given
18 at the time by our accountants and that's what we did.
19 Q. 80 Would it be fair to say then or correct me if I'm wrong, that from 1994 or
10:55:11 20 early 1995 you were the only person utilising Berraway?
21 A. I was the only person utilising Berraway on the Berraway cheque book account in
22 Bank of Ireland Montrose, yes.
23 Q. 81 And was any other person raising invoices in the name of Berraway, that you
24 were aware of, from 1995 onwards?
10:55:29 25 A. Not that I know of.
26 Q. 82 And would it be fair to say that the receipts or the income that was received
27 by Berraway was within your control?
28 A. On the invoices that I raised, certainly.
29 Q. 83 But if nobody else raised invoices, as you've just said, it follows, does it
10:55:47 30 not --

- 10:55:47 1 A. No. I said as far as I know, there were no invoices raised. Any invoice that
2 was raised from '95, that I was involved in, went to the Berraway bank account
3 in Montrose to the best of my knowledge.
- 4 Q. 84 And as far as you are aware and to the best of your belief from January 1995,
10:56:01 5 you are the only person who dealt with the Berraway bank account?
- 6 A. In Montrose, yes.
- 7 Q. 85 Were there any other bank accounts in the name of Berraway?
- 8 A. Not that I know of.
- 9 Q. 86 All right. Can I ask you, Mr. Richardson, about your involvement with Mr. Tim
10:56:18 10 Collins?
- 11 A. Yes, you may.
- 12 Q. 87 And can you outline briefly to the Tribunal the nature of your relationship
13 with Mr. Collins?
- 14 A. I met Mr. Collins, I think, in the late '80s on a fundraising team for Dublin
10:56:35 15 South constituency and we met, as I said, then and have been friends for a long
16 time and he was involved with one of my companies along the way to source
17 business on my behalf. For a short while.
- 18 Q. 88 Yes, was that the Pilgrim group?
- 19 A. No, I think it was -- it wasn't the Pilgrim group. It was a company --
10:57:00 20 recruitment. The Pilgrim group I think came later, I'm not quite sure about
21 dates at the moment. I was a shareholder in Pilgrim, three or four
22 shareholders, of which Tim Collins was one.
- 23 Q. 89 What was the company with which you were involved with, with Mr. Collins, prior
24 to the Pilgrim Group?
- 10:57:18 25 A. Workforce Limited or Workforce Technical Limited.
- 26 Q. 90 Was that a company in which both yourself and Mr. Collins had equal shares?
- 27 A. No.
- 28 Q. 91 Who was the majority shareholder in that company, can you remember?
- 29 A. I was.
- 10:57:30 30 Q. 92 Did Mr. Collins have a minority share or any shareholding?

- 10:57:39 1 A. No shareholding, no.
- 2 Q. 93 So what exactly was Mr. Collins' involvement in that company?
- 3 A. A director and his job in the company was to find work.
- 4 Q. 94 He was to bring in the business, is that the position?
- 10:57:44 5 A. Well, I brought in the business mainly. He also helped in that area.
- 6 Q. 95 Right. And was Mr. Collins' background then a background in recruitment?
- 7 A. No, he'd a background in building.
- 8 Q. 96 And what was Mr. Collins' or indeed, at first I should ask you, what was the
- 9 nature of your involvement in the Pilgrim group?
- 10:58:09 10 A. I had no involvement apart from being a director. I was not involved in any
- 11 way, in executive role, at all.
- 12 Q. 97 And why were you a director of Pilgrim can you remember, Mr. Richardson?
- 13 A. I was offered to become a director of Pilgrim and I liked the idea of getting
- 14 involved in an architectural company, that was my background generally,
- 10:58:28 15 architecture and engineering. And I got involved thinking that it was possible
- 16 to build a company up after a year or two, I'm not sure what the dates were. I
- 17 backed out of it and I resigned as a director.
- 18 Q. 98 Did you make any financial investment in the Pilgrim Group?
- 19 A. I made no financial investment in the company personally. What I did do was,
- 10:58:48 20 Pilgrim were a very small company, with very, very little funds and very, very
- 21 little work at that time, it was quite scarce. And when Pilgrim did get work
- 22 in they only had one, two or maybe three full-time employees. So if they got a
- 23 contract in they would have to bring in more employees, architectural or
- 24 engineering personnel. And I would hire the people from Workforce to work for
- 10:59:15 25 Pilgrim and I would allow them time to pay until they got paid.
- 26 Q. 99 So the nature of your relationship with the Pilgrim Group was that you were in
- 27 a position to assist them by providing employees from your recruitment company,
- 28 as and when they needed it, and then you were reasonably fair to them in
- 29 relation to the payment for those services?
- 10:59:37 30 A. I beg your pardon.

- 10:59:38 1 Q. 100 You were reasonably fair to them in relation to the payment of those services.
- 2 A. Yeah, that was my involvement by and large, yes.
- 3 Q. 101 But did your involvement in the Pilgrim Group arise out of your relationship
- 4 with Mr. Collins or your relationship with any other person in the Pilgrim
- 10:59:50 5 Group.
- 6 A. Mr. Collins and Mr. Tim Rowe.
- 7 Q. 102 Yes. And when did you tell the Tribunal that your relationship with
- 8 Mr. Collins started?
- 9 A. My friendship?
- 10:59:59 10 Q. 103 Yes.
- 11 A. I think late '80s.
- 12 Q. 104 And was that because of an involvement, I think Mr. Dunlop, in this Module,
- 13 told the Tribunal that Mr. Collins yourself and I think Mr. Burke were all
- 14 involved in fundraising for the O'Donovan Rossa Cumann, is that fair?
- 11:00:16 15 A. Correct, yes.
- 16 Q. 105 And Mr. Dunlop also told the Tribunal that that usually took place once a year
- 17 in Kilmainham, is that right?
- 18 A. Correct, yes.
- 19 Q. 106 Now, in that context, can I show you a document at 1953? Now, this is a
- 11:00:35 20 document, I think, that's been discovered to the Tribunal by Fianna Fail and I
- 21 think it comes from your records originally in the Berkley Court?
- 22 A. Well it wouldn't come from my records in the Berkley Court, no.
- 23 Q. 107 No. You will see there that it says, "Des, list of people you have to contact
- 24 for the 6th of December."
- 11:00:57 25 A. Yeah.
- 26 Q. 108 Right. And I want to draw to your attention first, the first name on that
- 27 list.
- 28 A. Yeah.
- 29 Q. 109 And can you tell the Tribunal, did you know or do you know Mr. John Butler of
- 11:01:07 30 Scafform?

11:01:07 1 A. I do know John Butler, yes.

2 Q. 110 And how long have you known him?

3 A. I met him at a couple of functions in Kilmainham many, many, many years ago.

4 Q. 111 So would you have known him prior to 1993, for example?

11:01:18 5 A. Yes, I would. Oh, yes, yeah.

6 Q. 112 And would Mr. Butler have been one of the people who was, regularly attended

7 that fundraising event or indeed other fundraising events that you might have

8 been involved in?

9 A. Primarily that particular fundraising event in the earlier years, '97, '98 --

11:01:36 10 sorry let me -- in the late '80s.

11 Q. 113 1987.

12 A. Yeah.

13 Q. 114 1988.

14 A. No, well in the late '80s, yes.

11:01:46 15 Q. 115 So the fundraising event we're talking about is the Kilmainham event and the

16 O'Donovan Rossa fundraising event described by Mr. Dunlop to the Tribunal, is

17 that right?

18 A. Yes.

19 Q. 116 Did Mr. Butler attend any other Fianna Fail fundraising events that you can

11:02:01 20 recollect?

21 A. Not that I can recollect. I presume he did, but I mean, not through me.

22 Q. 117 Not through you?

23 A. To the best of my knowledge.

24 Q. 118 Would you agree, Mr. Richardson, that it would appear from the sort of a

11:02:23 25 direction that's contained on this document, "list of people you have to

26 contact for the 6th of December", that these were the people on your list to

27 organise for the fundraising event in Kilmainham?

28 A. Not particularly, no, no.

29 Q. 119 No?

11:02:29 30 A. No.

- 11:02:30 1 Q. 120 So where it says, "Des, list of people you have to contact for the 6th of
2 December", how do you interpret that?
- 3 A. Well, I would be given a list, as the committee members would be, and we would
4 make a selection from that list of the people we know personally.
- 11:02:44 5 Q. 121 Uh-huh?
- 6 A. And make that contact.
- 7 Q. 122 Right?
- 8 A. I see the Johnny Butler name crossed out up there. So maybe he wasn't on my
9 list, on my final list.
- 11:02:53 10 Q. 123 Right. Is that the entire list for the fundraising event or is it a portion of
11 the entire list for the fundraising event?
- 12 A. No, just a portion.
- 13 Q. 124 Just a portion.
- 14 A. Yeah.
- 11:03:02 15 Q. 125 So would it be fair to say that whatever other members of whatever the
16 committee was, would have had other lists or other portions of this list?
- 17 A. Yeah.
- 18 Q. 126 So that what you would do is everybody would take a list of names that they
19 would contact.
- 11:03:14 20 A. We would have an overall list of names, we discussed it at a meeting, we'd go
21 down through the list one by one and the people around the table would take the
22 individual that they know and say I'll contact them and they'll be put down
23 against that individual.
- 24 Q. 127 On top of the list that's under your name, Mr. Richardson, is Mr. Butler, who
11:03:33 25 was one of the developers of the lands in Cloghran, isn't that right?
- 26 A. Yes, yeah, yeah.
- 27 Q. 128 Right. Now, this document, and I'm only suggesting this to you and disagree
28 with me please if you want Mr. Richardson, may relate to the 6th of December
29 1996. If I show you 1954?
- 11:03:53 30 A. Okay.

- 11:03:55 1 Q. 129 Which is an extract from Mr. Dunlop's diary and I just want to show you first
2 of all the date is the 6th of December 1996 and at the bottom he has an entry
3 "Bertie's dinner, Kilmainham Hospital." If you look at the 6th.
4 A. Yeah.
- 11:04:08 5 Q. 130 Is that the event we're talking about?
6 A. I would think so, yeah.
- 7 Q. 131 If I take you back then to the page at 1953 and I show you that the list of
8 people you have to contact for the 6th of December, I'd suggest to you that
9 it's probably for the 6th of December 1996?
- 11:04:25 10 A. Yeah, quite possibly, yeah.
- 11 Q. 132 And is it fair to say that that event usually takes place in December?
12 A. Yes, indeed, always, yes.
- 13 Q. 133 And it's usually in the same location, is that right?
14 A. At that time it was. It's changed in the meantime.
- 11:04:36 15 Q. 134 And that what happens is a master list is prepared and that's divided among the
16 committee members, who in turn contact the people on their list, to put
17 together tables for the function.
18 A. At that time, that's the way it was done.
- 19 Q. 135 Now, there are a number of names on that list that I want to draw to your
11:04:53 20 attention, that you would have contacted or on the list under your name.
21 Mr. Robert White is on that list, isn't that right?
22 A. Yep.
- 23 Q. 136 And was he a person who was known to you?
24 A. Yes.
- 11:05:02 25 Q. 137 Right. If you go down to Mr. Eamonn Duignan. Berraway Limited.
26 A. Yes.
- 27 Q. 138 If you see half way down? He was also on the list, isn't that right?
28 A. Yes.
- 29 Q. 139 In 1996. And then at the very bottom there is written in handwriting "Frank
11:05:16 30 Dunlop."

- 11:05:17 1 A. Yeah.
- 2 Q. 140 Do you see that?
- 3 A. Uh-huh.
- 4 Q. 141 Now, first of all, can I ask you, do you think that that's your handwriting on
- 11:05:22 5 the document?
- 6 A. Yes, I do.
- 7 Q. 142 So it's likely you are the person who put in Mr. Dunlop's name.
- 8 A. It looks like that, yeah.
- 9 Q. 143 So would it be fair to say that when this list was being put together, it was
- 11:05:33 10 decided that the people, included in the people you should contact was
- 11 Mr. Butler, Mr. White and Eamonn Duignan and then Mr. Dunlop's name was added
- 12 later?
- 13 A. No, not necessarily.
- 14 Q. 144 Not necessarily?
- 11:05:46 15 A. There are names on in a list that I certainly did contact, yes.
- 16 Q. 145 Right. And would you have contacted Mr. Butler?
- 17 A. Not that I can recall, no.
- 18 Q. 146 And you will see that written beside Mr. Butler's name, there appears to be
- 19 "one by ten", would that suggest to you a table for ten people?
- 11:06:03 20 A. Yeah.
- 21 Q. 147 And would that suggest that somebody would have contacted Mr. Butler and asked
- 22 him to take a table and that he probably took a table?
- 23 A. Sure. All of these people would have been contacted by somebody.
- 24 Q. 148 Yes. And it's only coincidental then that it's under your name that these
- 11:06:26 25 people are to be contacted, is that right?
- 26 A. I would be given a list as other people would be. I would pick from that list
- 27 people I would contact because I would know them. I wasn't particularly
- 28 friendly with Johnny Butler, I did know him from, as I mentioned the late '80s,
- 29 attending the Kilmainham function.
- 11:06:36 30 Q. 149 You would have known him as a supporter of that function?

- 11:06:40 1 A. Yeah.
- 2 Q. 150 You were involved with a small group of people in organising the fundraising
3 for that function?
- 4 A. Correct.
- 11:06:46 5 Q. 151 It would follow from that, would it not Mr. Richardson, that you would know of
6 everybody who supported that function and some you would know, if you
7 understand that distinction?
- 8 A. No, ask the question again please?
- 9 Q. 152 You would know of everybody who was a supporter of that function?
- 11:06:57 10 A. No, no, no.
- 11 Q. 153 Not that you would know them personally but you would know them from being a
12 name on a list.
- 13 A. The functions were attended by about 350 people. I wouldn't know the 350
14 people.
- 11:07:14 15 Q. 154 That's the point I was making to you is exactly that, Mr. Richardson, I wasn't
16 suggesting that you would know everybody who attended the function, what I was
17 saying to you is that you would know of them, insofar as they were names on
18 lists that were discussed at meetings?
- 19 A. Well if I was given a list of names of that many people and I didn't know them
11:07:31 20 I would ignore them because they wouldn't be friends of mine and I wouldn't
21 contact them.
- 22 Q. 155 Right. But insofar as lists like this are prepared, I suggest to you
23 Mr. Richardson, that handing you a list with, "Des, you have to contact the
24 people for the 6th of December", would suggest that somebody thought you should
11:07:49 25 contact the people who are set out there?
- 26 A. Quite possible, yeah. The Chairman of the committee maybe, yes.
- 27 Q. 156 Who was the Chairman of the committee?
- 28 A. The Chairman of the committee, at that stage, was Joe Burke.
- 29 Q. 157 Right. And who else was on that committee?
- 11:08:03 30 A. Myself, Tim Collins, Ger Brennan, the late Ger Brennan, Paddy Reilly, Jimmy

- 11:08:11 1 Keane, I think that was about it.
- 2 Q. 158 And I think --
- 3 A. Celia Larkin maybe.
- 4 Q. 159 And would everybody have had similar lists to this?
- 11:08:24 5 A. Well, you would sit down with an overall list, names would be called out and
- 6 we'd decide who would go after whom.
- 7 Q. 160 So there would be a division of the work among the committee members?
- 8 A. By and large, yeah.
- 9 Q. 161 Right. And do you have any recollection of meeting with Mr. Butler or
- 11:08:42 10 discussing with Mr. Butler him taking a table in connection with that event?
- 11 A. No, I don't. No, no.
- 12 Q. 162 But you are aware, you've told the Tribunal you were aware of his presence from
- 13 the late 80's?
- 14 A. Absolutely, yes.
- 11:08:55 15 Q. 163 Right. Would you have known whether or not Mr. Butler was a supporter of
- 16 Fianna Fail, independently of Mr. Butler being a supporter of this particular
- 17 event?
- 18 A. No. I mean, if Johnny Butler was in Kilmainham I would presume that he would
- 19 be a Fianna Fail supporter.
- 11:09:12 20 Q. 164 The Tribunal has been furnished with information by Mr. Butler in which
- 21 Mr. Butler tells the Tribunal in his statement that Mr. Frank Dunlop asked him
- 22 to pay a pick-me-up in December 1993 and you've seen that in the documentation
- 23 with which you've been furnished?
- 24 A. Yes, I have, yeah.
- 11:09:32 25 Q. 165 Did you ever in 1993 have any reason to go to Mr. Butler for any fundraising
- 26 matter connected to Fianna Fail, regardless of whether it was this dinner or
- 27 any other Fianna Fail event?
- 28 A. No.
- 29 Q. 166 Would you have ever sought, as a matter of generality Mr. Richardson, people to
- 11:09:50 30 make payments by way of pick-me-up as opposed to direct payments to Fianna

11:09:53 1 Fail?

2 A. On what issue now?

3 Q. 167 At any level.

4 A. You mean Kilmainham or do you mean Fianna Fail?

11:10:02 5 Q. 168 I mean either.

6 A. Well, I mean, we're aware of pick-me-ups within Fianna Fail.

7 Q. 169 Yes?

8 A. Yeah.

9 Q. 170 But what I'm asking you, was it your practice ever to approach anybody?

11:10:12 10 A. Yes.

11 Q. 171 Or did you ever approach anyone to pay a pick-me-up?

12 A. Yes, I did, yes.

13 Q. 172 Did you ever approach Mr. Butler to pay a pick-me-up?

14 A. No.

11:10:22 15 Q. 173 Do you know the people whom you approached to pay pick-me-ups?

16 A. Well.

17 Q. 174 I'm not asking you to name them now, Mr. Richardson, but can I ask you was it

18 an unusual occurrence?

19 A. It was most unusual, yes.

11:10:32 20 Q. 175 And are you aware of the people to whom you made such approaches?

21 A. I couldn't name them offhand, but if I went through records I probably could

22 name them.

23 Q. 176 I'm not going to ask to you name them Mr. Richardson.

24 A. Sure, sure.

11:10:58 25 Q. 177 But can I ask you this, are you absolutely satisfied that Mr. Butler was not

26 one of them?

27 A. Yes.

28 Q. 178 Right. So that insofar as -- sorry, it seems clear from the documentation that

29 a pick-me-up was paid in December 1993.

11:10:59 30 A. Yeah.

- 11:10:59 1 Q. 179 And I think you would agree with that, is that right?
- 2 A. Yes, indeed.
- 3 Q. 180 And from the documentation that's been furnished to the Tribunal by Fianna Fail
- 4 that appears to be the position, isn't that right?
- 11:11:07 5 A. Yeah.
- 6 Q. 181 And it would appear that it was paid on foot of two cheques, 1135 please? This
- 7 is a cheque by Construct Sales Limited?
- 8 A. Okay.
- 9 Q. 182 Mr. Butler's company, and then 1137, which is a cheque by Blackfern Limited --
- 11:11:31 10 A. Okay.
- 11 Q. 183 -- which was a company that was effectively owned jointly by Mr. Butler,
- 12 Mr. Kenny and Mr. Williams.
- 13 A. Okay.
- 14 Q. 184 Now, other than seeing this documentation in the brief, Mr. Richardson, have
- 11:11:43 15 you ever come across that documentation before?
- 16 A. Which documentation?
- 17 Q. 185 This documentation in relation to the pick-me-up that was paid in December
- 18 1993.
- 19 A. Not that I can recall, but I may have seen this when it came into Fianna Fail
- 11:11:57 20 because we had weekly meetings with Sean Flemming discussing who paid what and
- 21 what came in. So I may have seen that before.
- 22 Q. 186 Would you have known Mr. Tom Williams?
- 23 A. Never, no.
- 24 Q. 187 And Mr. Niall Kenny?
- 11:12:10 25 A. Never met them, no.
- 26 Q. 188 So of the three individuals who were connected with the Cloghran transaction
- 27 and who were involved in the Courtyard Restaurant, the only one of those that
- 28 you knew was Mr. John Butler?
- 29 A. Yes, from Kilmainham.
- 11:12:22 30 Q. 189 And you did know that he was a supporter of Fianna Fail from meeting him at

- 11:12:26 1 certain fundraising events, isn't that right?
- 2 A. I didn't say that, no. What I said was I met John Butler in Kilmainham on a
3 number of occasions and I presumed that he was a supporter of Fianna Fail.
- 4 Q. 190 Arising from that, but you yourself never approached Mr. Butler, is that right,
11:12:41 5 seeking him to pay a pick-me-up?
- 6 A. I've no recollection whatsoever of that, no.
- 7 Q. 191 Right. And is it likely that if you had approached him that you would remember
8 it?
- 9 A. Well, going back 13, 14 years. It's difficult to know, you know, it's long
11:13:01 10 time ago but I wasn't particularly friendly with Johnny Butler.
- 11 Q. 192 Yes.
- 12 A. And from that point of view, I don't think he would be given to me on my list.
13 There were people, I'm sure, on the committee who knew him better than I did.
- 14 Q. 193 I beg your pardon?
- 11:13:18 15 A. There were people on the committee you who have known him better than I did.
- 16 Q. 194 Who on the committee knew him better than you did?
- 17 A. Well there were people who knew him before I did, probably Tim Collins, maybe
18 Joe Burke. They were on the committee longer than I was and before I was and
19 there were functions going on before I joined the committee and I presume that
11:13:35 20 Johnny Butler would have been at them before I met him.
- 21 Q. 195 So both Mr. Burke and Mr. Collins would have known Mr. Butler longer and better
22 than you did?
- 23 A. Yeah, yeah.
- 24 Q. 196 And would either of those have been in a position or in the normal course of
11:13:49 25 events, would either of those have been people who would have been likely to
26 approach Mr. Butler for a pick-me-up for Fianna Fail?
- 27 A. Most certainly not.
- 28 Q. 197 No. So in fact was there anybody else on that committee who would have been
29 likely to have approached Mr. Butler for a pick-me-up for Fianna Fail?
- 11:14:05 30 A. On that committee, probably not, no.

- 11:14:07 1 Q. 198 Right. Can you think of anybody else, leaving aside that fundraising
2 committee, Mr. Richardson, who might have approached Mr. Butler to make a
3 payment to Fianna Fail in this manner?
- 4 A. There could have been many people from the large committee that Fianna Fail had
11:14:22 5 in place. The committee function was a function for the constituency, once
6 every year the committee met three or four times and then disbanded on the
7 following year. So nobody on that committee, apart from myself, would have
8 been doing any work on behalf of Fianna Fail.
- 9 Q. 199 Do you know of anybody else who was working on behalf of Fianna Fail, who would
11:14:43 10 have had contact or communication with Mr. Butler?
- 11 A. Well I don't know offhand. But, I mean, I'm sure somebody had obviously.
- 12 Q. 200 But you are satisfied, as best you can from your recollection, that it wasn't
13 you, is that right?
- 14 A. I have no recollection of getting a PMU from Johnny Butler, no. I have been
11:15:00 15 involved in PMUs, as I mentioned before, of that there's no doubt, but I can't
16 recall a Johnny Butler PMU at all, no.
- 17 Q. 201 I think you told the Tribunal that it was an unusual event for you to seek
18 someone to make a donation to Fianna Fail by way of pick-me-up?
- 19 A. When I say unusual, it was a very very very small percentage of our fundraising
11:15:30 20 activities. From that point of view, in terms of the amounts of cheques that
21 we may have got from people over the years. The amount of PMUs would be tiny.
- 22 Q. 202 Did you ever approach Mr. Dunlop, for example, to make a donation to Fianna
23 Fail by way of a pick-me-up or to pay a pick-me-up?
- 24 A. Yeah, I think did, yeah. Probably at the Galway Races.
- 11:15:45 25 Q. 203 And approximately, in terms of number, how many people would you have made
26 approaches like that to?
- 27 A. Over the years in Fianna Fail?
- 28 Q. 204 Uh-huh.
- 29 A. I'd be guessing at ten or fifteen, maybe twenty.
- 11:16:00 30 Q. 205 Would you have sought Mr. Dunlop's assistance in fundraising for Fianna Fail?

11:16:04 1 A. I never sought Frank Dunlop's assistance in fundraising for Fianna Fail. I got
2 to know Frank Dunlop in 1993 after I joined Fianna Fail. At different
3 functions I would have met him, he was involved in Fianna Fail, well known in
4 Fianna Fail, worked for Jack Lynch, worked for different Government departments
11:16:26 5 and I got to know Frank Dunlop sometime after I joined Fianna Fail and Frank
6 Dunlop was one of the best PR people around at that time and was doing lots of
7 good work in radio, television and offered, one day to me, to assist in any way
8 if I required his help on fundraising. During my time in fundraising from '93
9 on I would, as a part of my duty, send out many letters to Fianna Fail people,
11:17:01 10 to individuals, to business people, looking for their financial support. I
11 didn't have any great expertise in that communications area myself and Frank
12 Dunlop offered to help in putting letters together for me, which were very very
13 important, and in drawing up -- occasionally during my duties would mean that I
14 would have to speak on a number of occasions at functions and Frank Dunlop
11:17:24 15 helped me in putting my speeches together and writing letters on behalf of the
16 committee. And I found that extremely helpful because he was an excellent man
17 at that type of business.

18 Q. 206 So you would have had communication with Mr. Dunlop about fundraising then, is
19 that right?

11:17:39 20 A. Quite a lot, yes.

21 Q. 207 And it wasn't so much approaching Mr. Dunlop for money per se, but for Mr.
22 Dunlop's expertise in assisting you in fundraising?

23 A. Assisting me in the communications end of it, yes. Not in fundraising as such.

24 Q. 208 And Mr. Dunlop and yourself, did you have any commercial relationship,
11:17:58 25 Mr. Richardson?

26 A. Yeah, we did. It was well known in 1997 that I was operating as a consultant
27 for many years and I had an approach from Frank Dunlop and he offered to retain
28 my services for one year on a contract basis, on a signed contract basis, which
29 I'm sure you have a copy of. And I worked for Frank Dunlop for one year and
11:18:30 30 the business I was doing for Frank Dunlop was he wanted to source new clients

11:18:34 1 for his PR company and with the contacts that I'd made over the previous years
2 he felt that I was in a position to do that. Before I get involved with people
3 that I haven't been involved with before, I tend to do quite an amount of
4 checking to make sure that that's where I should be going and having talked and
11:18:57 5 worked with Frank for the previous number of years on the fundraising, again,
6 as I mentioned, in terms of the communication, when Frank wanted me to work for
7 him, I did my own background checking on the situation to find that the
8 company's that Frank was working with were companies of very reputable nature,
9 companies like RTE, Aer Lingus, banks, Greencore, Bar Council. So I was very
11:19:27 10 happy to be working with Frank with a clientele like that, that he had. There
11 were no difficulties.

12 Q. 209 Yes. So is it the position then, Mr. Richardson, you did have a commercial
13 relationship with Mr. Dunlop in 1997?

14 A. Yes.

11:19:40 15 Q. 210 And did you invoice Mr. Dunlop on foot of that agreement?

16 A. Yes, I did.

17 Q. 211 And what was the name of the company that you put the invoices through?

18 A. Berraway.

19 Q. 212 Right. And did Mr. Dunlop himself ever, to your knowledge, have any interest
11:19:53 20 in Berraway?

21 A. No, no.

22 Q. 213 Can you explain the circumstances in which Mr. Dunlop came to be recorded as
23 being a shareholder in Berraway?

24 A. No.

11:20:00 25 Q. 214 No. Did -- were you and Mr. Dunlop and Mr. Duignan ever involved jointly in
26 any enterprise?

27 A. Yes, we were. Again, probably '98 and '99, I can't just identify the year,
28 Mr. Duignan invited me to become involved in a development up in Navan, which I
29 did do and Mr. Dunlop was also invited by Mr. Duignan, as was Mr. Cathal
11:20:37 30 McCarthy. So we got involved in the small development in Navan, again, I just

11:20:38 1 can't define the year and I think in the year 2000 there was a falling out
2 between Frank Dunlop and Eamonn Duignan and Frank Dunlop was bought out of his
3 shareholding in that project.

4 Q. 215 Yes. In what corporate structure was that project --

11:20:53 5 A. Partnership.

6 Q. 216 Was there any corporate structure involved?

7 A. Well as I say --

8 Q. 217 Any company?

9 A. No, no, no, no, no.

11:21:00 10 Q. 218 Did Berraway have any interest in that development?

11 A. None at all.

12 Q. 219 Right. And at that period in time were you the only person who was involved in
13 Berraway?

14 A. Yes. As I said, from '95 onwards, in the Bank of Ireland Montrose, was the
11:21:17 15 bank account I controlled.

16 Q. 220 Thank you very much, Mr. Richardson. If you would answer any questions anybody
17 else might have.

18

19 CHAIRMAN: Mr. Maguire?

11:21:27 20

21 MR. MAGUIRE: I have no questions.

22

23 CHAIRMAN: Thank you very much, Mr. Richardson.

24 A. Thank you, indeed.

11:21:32 25

26 **THE WITNESS THEN WITHDREW.**

27

28 CHAIRMAN: That concludes the sittings for today.

29

11:21:35 30 MS. DILLON: Yes, Sir. The three witnesses listed for today have been, Mr.

11:21:38 1 Kenny is medically unable to attend and they have been put back to the end of
2 March, in which it is hoped that it will be possible to conclude that aspect of
3 the matter.

11:21:49 5 CHAIRMAN: All right. Thank you.

7 MS. DILLON: May it please you, Sir.

9 **THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING SITTING.**

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