

10:08:57 1 **THE TRIBUNAL RESUMED AS FOLLOWS ON WEDNESDAY,**
2 **22ND FEBRUARY 2006 AT 10.30 A.M:**

3

4 CHAIRMAN: Good morning, Ms. Dillon.

10:36:01 5

6 MS. DILLON: Good morning. Ms. Dalton: Ms. Hennessy please.

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8 **MS. MARIE HENNESSY, HAVING BEEN SWORN, WAS QUESTIONED**9 **AS FOLLOWS BY MS. DALTON:**

10:36:42 10

11 CHAIRMAN: Good morning, Ms. Hennessy.

12 Q 1 MS. DALTON: Good morning. You are a member of South Dublin county council at
13 present, is that correct?

14 A No, no.

10:36:52 15 Q 2 You are not, you were a member in January 1995?

16 A 1995 to June '99.

17 Q 3 And I think your ward was Tallaght, Old Bawn, is that correct?

18 A That's right.

19 Q 4 You are a member of Democratic Left in 1995, is that the position?

10:37:06 20 A That's right.

21 Q 5 Were you a member of the Worker's Party in 1992?

22 A I was.

23 Q 6 You were. And are you a member of any party at this stage?

24 A No.

10:37:14 25 Q 7 No. I think you provided a statement to the Tribunal and that is dated the
26 26th January, 2006 and I am just going to read that statement to you and then
27 just ask you a number of questions arising out of it?

28 A Okay, yes.

29 Q 8 "Dear Mr. King, I refer to your correspondence of the 13, 19th and 20th January
10:37:32 30 concerning the above. I have no memory of Beechill project as it appears to

10:37:35 1 have taken place prior to my time on council. As regards Ballycullen Farms, I
2 met Mr. Oliver Brooks regarding the merits of this project. I was co-opted to
3 South Dublin county council in January 1995. And contested the 1999 local
4 elections as an independent unsuccessfully.

10:37:54 5
6 To the best of my recollection I was never offered any payment at any stage in
7 this matter and of course since I was not involved in politics in 1992, the
8 suggestion that I got a political donation of 500 pounds is obviously a
9 mistake. I have never met or had any contact with Mr. Dunlop or Mr. Lawlor. I
10 don't understand therefore why I should be required to give evidence but if I
11 am called, I would appreciate getting reasonable notice as I have to apply for
12 leave from my employer. Yours sincerely, Marie Hennessy."

13
14 Just in your statement you met with Oliver Brooks regarding the merits of
10:38:29 15 Ballycullen. Will you tell the Tribunal how you knew Oliver Brooks?

16 A I didn't know him prior to him being introduced, I can't remember the exact but
17 it would have been in the council where I would have been approached maybe by
18 him or somebody asked me to speak with him.

19 Q 9 Right. And how often would he have approached you?

10:38:49 20 A It would have been around the time of the material contravention and the first
21 time he was explaining the kind of the history of Ballycullen Farms.

22 Q 10 Yes.

23 A And explaining then about the material contravention that was going to be
24 proposed. I would have met him a couple of times, I am not really sure, a
10:39:10 25 number of times.

26 Q 11 Did you visit the lands with him?

27 A I don't ever recall visiting the lands.

28 Q 12 Right. Well did he lobby you in relation to the material contravention?

29 A He would have, yeah.

10:39:23 30 Q 13 Okay. Did Mr. Brooks give you any political donations in 1992?

- 10:39:29 1 A I wouldn't have known Mr. Brooks in 1992.
- 2 Q 14 Okay. So you first met Mr. Brooks in 1995, is that correct?
- 3 A I am not sure, it would have been whatever year the material contravention came
- 4 to South Dublin County Council would have been the first time I would have met
- 10:39:42 5 him.
- 6 Q 15 Yes. And could you have received any donation from him after that date?
- 7 A It's possible I could have in 1999 for the local elections.
- 8 Q 16 Okay. Do you know what amount that might have been?
- 9 A I have no idea, I am not even sure that I did but I did receive political, I
- 10:40:03 10 think two or three political donations towards the local elections.
- 11 Q 17 Right.
- 12 A But I am not a hundred percent. Like I have no record, I am finished on the
- 13 council seven years and I really have no, I didn't keep any records, I am not
- 14 involved in any politics or anything now.
- 10:40:19 15 Q 18 Did you meet Mr. Chris Jones at any stage?
- 16 A No.
- 17 Q 19 Frank Brooks?
- 18 A I have met Frank Brooks with Oliver Brooks.
- 19 Q 20 Yes.
- 10:40:28 20 A And I assumed, I never heard of the Jones Group, I assumed that the Brooks were
- 21 the people that were involved in the land.
- 22 Q 21 Yes. And could Mr. Brooks have given you a political donation at any stage?
- 23 A Frank Brooks?
- 24 Q 22 Yes.
- 10:40:45 25 A No.
- 26 Q 23 Did you ever meet Mr. Dunlop in relation to the Ballycullen lands?
- 27 A Never.
- 28 Q 24 Or Mr. Liam Lawlor?
- 29 A No.
- 10:40:51 30 Q 25 I think you attended meetings of the South Dublin County Council on the 13th

- 10:40:57 1 November 1995 and the 12th February 1995 in relation to the material
2 contravention, is that correct?
- 3 A I don't know about the 12th, it's possible, yes. Yes.
- 4 Q 26 If I could just have brief page 2399 please. It shows you were in attendance
10:41:10 5 on that date.
- 6 A I am sure, I can't actually see it without my glasses.
- 7 Q 27 I think you did vote in favour of the motion proposed by Councillors Cass and
8 Tipping to grant planning permission for the 600,000 on the Ballycullen lands,
9 is that correct?
- 10:41:28 10 A I thought the Ballycullen material contravention through having meetings with
11 the manager and everything else, it was actually a very good deal for the
12 council at the time.
- 13 Q 28 Very good. It's accepted that you voted in accordance with the recommendations
14 of the planners of the council at that time?
- 10:41:44 15 A Yes.
- 16 Q 29 Is it possible, is there any possibility that you received 500 pounds at that
17 time?
- 18 A I wouldn't imagine so, no.
- 19 Q 30 No.
- 10:41:55 20 A There would have been no reason. You know there was nothing, there was no
21 elections or anything at that time.
- 22 Q 31 Very good. Can I just ask you, you said earlier on that you were a member of
23 Democratic Left in 1995. I wonder could you just tell me what the procedure
24 for receiving political donations was at that time?
- 10:42:15 25 A To the best of my recollection, it would be -- now I personally, at that time I
26 would have been very new on the, being involved in the, being a councillor or
27 anything like that. But if a political donation came in to whoever would have
28 been TD or councillor or whatever, the normal procedure would have been that it
29 would have been brought to a constituency council, where it would have been
10:42:43 30 discussed as to whether it should be accepted or what it would be used for or

10:42:50 1 whether it would be returned.

2 Q 32 Yes. And can you just tell me in relation to the procedure in the Workers
3 Party in 1992, what was the procedure there for receiving political donations?
4 A I was just a member of the Workers Party, I wasn't involved in a constituency
10:43:09 5 council or anything at that time.

6 Q 33 Very good. If you could just answer any questions?
7 A Yes, certainly.
8
9 CHAIRMAN: Anybody wish to go cross-examine? No, I don't think so. Thank you
10:43:19 10 very much Ms. Hennessy, you are free to go.

11 A Thank you.
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13 MS. DALTON: Thank you, Ms. Hennessy.
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10:43:28 15 MS. DILLON: Mr. Michael Joseph Cosgrave please.
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10:43:31 1 **MR. MICHAEL JOSEPH COSGRAVE, HAVING BEEN SWORN,**
2 **WAS EXAMINED AS FOLLOWS BY MS. DILLON:**

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4 CHAIRMAN: Good morning, Mr. Cosgrave.

10:43:59 5 A Good morning.

6

7 MS. DILLON: Good morning, Mr. Cosgrave.

8 A Good morning.

9 Q 34 I think between 1974 and 1999, you were a county councillor in Dublin, is that
10:44:09 10 right?

11 A That is right.

12 Q 35 And I think you are still a councillor, is that right?

13 A I am still a councillor on Fingal.

14 Q 36 I think you are a member of the Fine Gael political party and between 1974 and
10:44:20 15 1985 you were a member of Dublin Corporation?

16 A I was.

17 Q 37 And from 1985 to 1993, you were a member of Dublin County Council?

18 A That's correct.

19 Q 38 And from 1994 onwards, you were a member of Fingal County Council?

10:44:32 20 A That's correct.

21 Q 39 I believe that your political ward is in Baldoyle, is that correct?

22 A I am politically warded in the Baldoyle/Howth area.

23 Q 40 That would be not north of the county, is that right?

24 A Yes.

10:44:44 25 Q 41 And the Ballycullen lands the subject of the present module would be situated
26 in the south of the county, is that right?

27 A Correct.

28 Q 42 Now, in 1992, Mr. Cosgrave, you are recorded as voting in favour of the

29 Ballycullen, the rezoning of the Ballycullen lands, if I could have page 1876

10:45:06 30 please which records the attendances on the 29th October 1992 at Dublin County

- 10:45:15 1 Council and at page 1902, the motion to rezone the Ballycullen lands to
2 residential and amenity is put and passed and can you confirm first of all that
3 you were the MJ Cosgrave who is listed as voting in favour?
- 4 A I am.
- 10:45:32 5 Q 43 Now, Mr. Dunlop has told the Tribunal that he was retained by Mr. Jones to
6 assist in obtaining the rezoning of these lands?
- 7 A That's right.
- 8 Q 44 You have already in previous modules outlined to the Tribunal your close
9 relationship with Mr. Dunlop and your habitual record as it were, of supporting
10 Mr. Dunlop in his endeavours in relation to rezoning matters, is that right?
- 11 A That's correct.
- 12 Q 45 Is it likely therefore Mr. Cosgrave that Mr. Dunlop contacted you about these
13 lands and sought your support in relation to them?
- 14 A Yes, it's more than likely, I would presume he did.
- 10:46:06 15 Q 46 And in conformity with what you have already told the Tribunal, isn't it likely
16 that once Mr. Dunlop had made a representation to you in relation to these
17 lands, that you would then have proceeded as was your habit to support the
18 lands that Mr. Dunlop was promoting?
- 19 A Providing I felt that I should support it.
- 10:46:23 20 Q 47 Yes. What inquiries did you make about these lands Mr. Cosgrave?
- 21 A It's such a long time ago, it would be vague in my mind at this stage. However
22 I would have probably listened to the debate in the chamber before the matter
23 was passed and I would certainly take into consideration what Mr. Dunlop would
24 give, the information Mr. Dunlop would have provided me.
- 10:46:52 25 Q 48 Did you have any contact, can you recollect, from anybody else in relation to
26 the rezoning of the Ballycullen lands?
- 27 A Not to my recollection.
- 28 Q 49 Now, I think that in documentation that has been provided to the Tribunal by
29 Mr. Christopher Jones and I think it's page 702 please, yes, if we could
10:47:16 30 enlarge the bottom portion of that, in this document, Mr. Cosgrave, you are the

- 10:47:21 1 third name down and you are recorded there as having been paid a sum of 1,000
2 pounds in connection with the local election contribution in the year ended
3 30th December 1992.
- 4 A That's what's recorded there.
- 10:47:34 5 Q 50 Now in the first place, there was no local election in 1992, isn't that the
6 position?
- 7 A That's correct, yes.
- 8 Q 51 The local election in fact took place the previous year in June of 1991?
- 9 A That's correct.
- 10:47:43 10 Q 52 Now, is it your position that you don't have a recollection of receiving any
11 such payment from Mr. Jones or Ballycullen Farms?
- 12 A None whatsoever.
- 13 Q 53 Now, is it also the position that previously when you had been asked initially
14 I think by the Fine Gael inquiry and then subsequently by this Tribunal in
10:48:02 15 connection with other payments that you had received, that you had a failure of
16 recollection in relation to a sum of 1,000 pounds in from Ballymore Homes?
- 17 A That's correct.
- 18 Q 54 And I think that Mr. Liam Creavan, who was a colleague and lives I think close
19 to you, is a councillor also, also had a similar failure of recollection in
10:48:23 20 relation to that payment, isn't that right?
- 21 A That's correct.
- 22 Q 55 Right. And I think that was the subject of evidence in a previous module,
23 isn't that right?
- 24 A It was.
- 10:48:28 25 Q 56 But I think you do accept that insofar as the payment of 1,000 pounds from
26 Ballymore Homes is concerned, that you had no recollection of receiving it?
- 27 A That's correct.
- 28 Q 57 When you were initially asked by both your political party and the Tribunal.
- 29 A That's correct.
- 10:48:41 30 Q 58 But that you made contact with the person from Ballymore Homes, who then

- 10:48:46 1 confirmed to you that a payment had been made?
- 2 A That's correct.
- 3 Q 59 And you accepted then that such a payment was likely to have been made to you,
4 isn't that right?
- 10:48:52 5 A That's correct.
- 6 Q 60 Now, isn't it likely or is it possible, Mr. Cosgrave, that a similar situation
7 pertains here, that you may in fact have received the political donation or
8 payment of 1,000 pounds but you have no recollection of receiving it?
- 9 A No recollection whatsoever.
- 10:49:10 10 Q 61 Right. And insofar as you record political donations, Mr. Cosgrave, is it the
11 position that you intermingle your political funds with your own funds?
- 12 A Absolutely, at that time, I did, yes.
- 13 Q 62 And in the period let us say 1991 to 1995, you didn't keep any record of those
14 who had made political donations to you?
- 10:49:30 15 A No, I kept no records.
- 16 Q 63 Right. And other than, you did receive a sum of 1,000 pounds I think from
17 Mr. Dunlop?
- 18 A That's correct.
- 19 Q 64 That was in, he paid you by cheque for a Senate election, isn't that right?
- 10:49:43 20 A That's correct.
- 21 Q 65 But in the absence of records from the people who provide you with the
22 information, who provide you with the money, you have nothing to indicate that
23 you received such funds, is that right?
- 24 A That is correct.
- 10:49:55 25 Q 66 So that insofar as this payment by Mr. Jones or Ballycullen Farms is concerned,
26 your position is that you development recollect receiving it?
- 27 A My position is that I don't I do not recollect receiving that payment.
- 28 Q 67 But you do acknowledge that on a previous occasion you had a similar failure of
29 recollection in relation to another payment for the same amount?
- 10:50:15 30 A I do.

- 10:50:15 1 Q 68 And that you do not and were not in the habit of keeping any records or
2 documents that would allow you to establish payments that you had received
3 politically?
- 4 A That's correct.
- 10:50:25 5 Q 69 Is that the position?
- 6 A That's the position.
- 7 Q 70 Now, so that insofar as you say that you don't, sorry the furthest that you are
8 putting the matter Mr. Cosgrave is that you don't recollect receiving this
9 money?
- 10:50:37 10 A I have no recollection whatsoever.
- 11 Q 71 Did you know Mr. Oliver Brooks?
- 12 A I know Mr. Oliver Brooks, yes.
- 13 Q 72 And Mr. Frank Brooks?
- 14 A No.
- 10:50:46 15 Q 73 And how long have you known Mr. Oliver Brooks?
- 16 A I'd say I have only known him within the last six, seven years.
- 17 Q 74 Since you became a councillor in the Meath area, is it?
- 18 A Yes, exactly. That would be the time. Yes.
- 19 Q 75 And is he a member of the same political party as yourself?
- 10:51:01 20 A He is not.
- 21 Q 76 He is a member of Fianna Fail party?
- 22 A Correct.
- 23 Q 77 Did you know Mr. Christopher Jones?
- 24 A Never met him in my life.
- 10:51:07 25 Q 78 Mr. Derry Hussey?
- 26 A I would have probably met Mr. Hussey because his wife was a member of the Fine
27 Gael party, on one or two occasions maybe.
- 28 Q 79 Would Mr. Hussey have known that you were also a member of the Fine Gael party?
- 29 A I presume he would.
- 10:51:24 30 Q 80 Yes. If you received this donation, Mr. Cosgrave, in 1992, is it the position

- 10:51:30 1 that it's the only donation you would have ever have received from Mr. Jones,
2 Mr. Hussey or Ballycullen lands?
- 3 A Are we talking about this donation here.
- 4 Q 81 Yes.
- 10:51:40 5 A But as I say I have no recollection.
- 6 Q 82 But if you received is what I said?
- 7 A If, yes right.
- 8 Q 83 It is the only such donation that you received?
- 9 A Oh yes, absolutely.
- 10:51:49 10 Q 84 Mr.--
- 11 A To my recollection, if that happened, I wouldn't have received anything else.
- 12 Q 85 And if Mr. Jones made that payment to you, the only time he made a payment was
13 in 1992?
- 14 A That's what this says.
- 10:52:03 15 Q 86 There's nothing in the documentation provided by Mr. Jones to the Tribunal to
16 indicate insofar as you were concerned, unlike other councillors, that he made
17 any other payments to you other than the one in 1992?
- 18 A There's nothing in the documentation that I can say.
- 19 Q 87 Yes. I think you received a letter from the Tribunal on the 6th February 2006,
10:52:22 20 Mr. Cosgrave, in relation to certain lodgments to your bank account?
- 21 A Correct.
- 22 Q 88 And this arose out of the fact that it was the documentation disclosed that a
23 payment of 1,000 pounds had been made and I think you were asked by the
24 Tribunal to account for a series of lodgments to certain of your bank accounts,
10:52:41 25 isn't that right?
- 26 A Correct.
- 27 Q 89 Now, I think the document that you were furnished with at page 3476 please --
- 28 A Correct.
- 29 Q 90 Is that the document?
- 10:52:52 30 A That's the document.

- 10:52:53 1 Q 91 If I take you now?
- 2 A That's the document you sent me and I used in my reply.
- 3 Q 92 That's correct. The one that you actually used in your reply just to show you
- 4 that's the original was at 3415. Which is the same document but it contains
- 10:53:08 5 some notes from yourself?
- 6 A That's right.
- 7 Q 93 Now, I think what you did, Mr. Cosgrave, you numbered each lodgment, 1, 2, 3,
- 8 4, 5, 6 and then 7, 8, 9, 10, 11, 12?
- 9 A Correct.
- 10:53:18 10 Q 94 And then in the letter that you provide the to the Tribunal in relation to
- 11 those lodgments, you give an explanation for the various amounts that are
- 12 lodged there, isn't that right?
- 13 A That's right.
- 14 Q 95 Now, you do make the point that the transactions occurred 13 years ago and that
- 10:53:30 15 it's a very long time since the transactions took place, isn't that right?
- 16 A That's right.
- 17 Q 96 Now, in your, would you like to be given a hard copy of the document or are you
- 18 able to work from the screen?
- 19 A I can work on the screen.
- 10:53:42 20 Q 97 On the letter that you sent to the Tribunal is at page 3413 and I will read it
- 21 to you rather than putting it up because I want you to deal with the lodgments
- 22 that are on screen. The first lodgment is 4,660 pounds which is lodged to your
- 23 account number 28871537 on the 11th November 1992?
- 24 A That's correct.
- 10:54:09 25 Q 98 Now in your reply to the -- you itemize that lodgment at lodgment number 1?
- 26 A Right.
- 27 Q 99 And in your reply you say "With regard to items one and two on window period
- 28 lodgments, I believe would to the best of my recollection have come from Dail
- 29 payments such as salary and expenses and also special allowance made available
- 10:54:30 30 to outgoing members standing for the election."

- 10:54:32 1 A That's my recollection.
- 2 Q 100 Right. Do you have any document at all, Mr. Cosgrave, to assist you in your
3 recollection as to how to that is composed?
- 4 A No, I have no documentation whatsoever.
- 10:54:43 5 Q 101 So it is to the best of your belief that that's the composition of the sum of
6 4,660 pounds?
- 7 A That is to the best of my belief.
- 8 Q 102 That's a lodgment made on the 11th November 1992?
- 9 A That's right.
- 10:54:54 10 Q 103 If we come to the next lodgment made on the 20th November 1992 which is a sum
11 of 1,000 pounds and this again is a lodgment to your account number 28871537
12 and insofar as you provide an explanation for that lodgment, it's the same
13 explanation you say with regard to items 2 on window period lodgment, "I
14 believe would to the best of my recollection have come from Dail payments such
10:55:22 15 as salary and expenses and also special allowance made available to outgoing
16 members standing for the election."
- 17 A Correct.
- 18 Q 104 Is that right?
- 19 A That's right.
- 10:55:27 20 Q 105 Now, if we could just look briefly in relation to both of those lodgments at
21 the actual bank statement at page 3447, sorry, 3477. Now, under the credit
22 column on that account, you will see --
- 23 A Credit, yes.
- 24 Q 106 You will see that the opening lodgment is the lodgment of 4,660.
- 10:55:56 25 A Correct.
- 26 Q 107 Do you see that, Mr. Cosgrave?
- 27 A I see that.
- 28 Q 108 So you opened that account with that lodgment?
- 29 A Evidently so.
- 10:56:03 30 Q 109 Yes. Now, the Tribunal has not been able to trace that lodgment by way of a

- 10:56:06 1 credit transfer or transaction involving another account of yours. Do you
2 understand? I mean there is nothing in the documentation that that's been
3 provided by the Tribunal by your banks to indicate where that money came from?
4 A If you say that, I believe that would be the case.
- 10:56:22 5 Q 110 I think you have the documentation also, isn't that right?
6 A Yes, that's right.
7 Q 111 Now, that means, therefore, that that lodgment comes from somewhere other than
8 one of your then existing bank accounts, Mr. Cosgrave.
9 A That's right.
- 10:56:33 10 Q 112 So what you are telling the Tribunal is that you elected to open this bank
11 account with a combination of funds coming from your Dail payments, salary,
12 expenses and special allowances.
13 A Yes. That seems to be the case.
14 Q 113 That's your evidence, is that correct?
10:56:50 15 A Well evidently from what's in front of me here, that seems to be correct.
16 Q 114 So what happened in November of 1992 that would have caused you to decide to
17 open your bank account at that time with that combination of funds,
18 Mr. Cosgrave?
19 A Well I suppose people of that era, especially with myself, I was trying to
10:57:10 20 balance accounts all over the place but also, there was a general election on
21 at the time.
22 Q 115 Right. Are you saying that you opened this as a political account or --
23 A I can't honestly say that.
24 Q 116 Because you did have other accounts that were extant at that time?
10:57:23 25 A I did.
26 Q 117 I will come to deal with those in a minute?
27 A I did have.
28 Q 118 To which other lodgments were made?
29 A That's right, this is a current account.
10:57:33 30 Q 119 Yes, but you did have another current account I think, Mr. Cosgrave?

- 10:57:35 1 A I could have had, yes.
- 2 Q 120 So that you appear to have decided in early November 1992 that you had an a
3 necessity to open another account?
- 4 A Evidently so, yes.
- 10:57:46 5 Q 121 All right. Now, if we look at the second lodgment then that's made to that
6 account, on the 20th November 1992, a sum of 1,000 pounds is lodged and you
7 again tell the Tribunal that that comes from the same source as the earlier
8 lodgment of 4,660.
- 9 A Yes.
- 10:58:01 10 Q 122 Isn't that right?
- 11 A Yes, exactly, or it could -- not from the same lodgment, it was 4,660 lodged,
12 then there was a 1,000 lodged.
- 13 Q 123 I didn't say the same lodgment, I said the same source?
- 14 A The same source or it could have been cash that I had on hand.
- 10:58:16 15 Q 124 That's not what you said in your letter, I will just repeat what you said in
16 your letter?
- 17 A I know what I said in my letter.
- 18 Q 125 You said "With regard to items one and 2 on the window panel lodgement and item
19 1 is the 4,660 and item 2 is the 1,000 pounds", isn't that right?
- 10:58:30 20 A Yes.
- 21 Q 126 "I believe would to the best of my recollection have come from Dail payments
22 such as salary and expenses and also special allowance made available to
23 outgoing members standing for the election."
- 24 A Yes.
- 10:58:42 25 Q 127 You make one lodgment on the 11th November 1992 and you make the second
26 lodgment on the 20th November 1992?
- 27 A Correct.
- 28 Q 128 So what you are telling the Tribunal is that you lodge 5,660 pounds in a two
29 week period in November 1992 and the source of those monies come from Dail
10:59:00 30 salary and expenses?

- 10:59:01 1 A That would have been my belief.
- 2 Q 129 But other than your belief, Mr. Cosgrave, do you have any idea where the money
3 came from?
- 4 A The money would have come from my Dail salary, expenses or maybe money that I
10:59:12 5 had on hand.
- 6 Q 130 The Tribunal has previously heard from you, Mr. Cosgrave, in relation to other
7 payments that you had forgotten had been made to you such as Ballymore Homes,
8 isn't that right?
- 9 A That's right.
- 10:59:23 10 Q 131 Right. Now, are you speculating that the source of that lodgment is as you
11 have identified in your letter, do you have an actual recollection of deciding
12 to open that bank account with those funds from that source?
- 13 A I didn't say I had an absolute recollection of that, I am speculating at this
14 stage where the monies came from. It's been a long time ago and I cannot be
10:59:47 15 positive and I have no documentation.
- 16 Q 132 Now, I think that the next lodgment on the list, Mr. Cosgrave, is a lodgment of
17 1,000 pounds to the same account in March of 1993, so I am not going to deal
18 with that lodgment because it's outside the relevant period. So I want to deal
19 with another bank account now which is account number 15765735 and a lodgment
11:00:11 20 in September 1992 of 1,500 pounds. If we could have page 3479 please.
- 21
- 22 Now, if you look at the bottom of that, on the 11th September 1992,
23 Mr. Cosgrave, there is a lodgment to that value, you will see that the account
24 there is in credit, Mr. Cosgrave.
- 11:00:38 25 A That's right.
- 26 Q 133 Right, and --
- 27 A That's a savings account.
- 28 Q 134 That's a savings account?
- 29 A That's right.
- 11:00:42 30 Q 135 But it's in credit?

- 11:00:43 1 A It's in credit, yes.
- 2 Q 136 And then in the 11th September 1992, you make a lodgment of 1,500 pounds and on
3 the 14th September 1992, you make a lodgment of 530 pounds?
- 4 A That's correct.
- 11:00:56 5 Q 137 So between the 11th and the 14th September, a period of about five days you
6 judge just over 2,000 pounds to that account?
- 7 A Correct.
- 8 Q 138 Isn't that correct? And that takes place some three weeks before you opened
9 the other account with 5,000 pounds approximately, 4,000 pounds approximately,
11:01:14 10 is that right?
- 11 A That's right.
- 12 Q 139 Insofar as this lodgment is concerned, you don't appear to have provided the
13 Tribunal with any information in relation to the lodgment for 1,500 pounds
14 because even though you identify it as number 4 on the list, you in fact in
11:01:28 15 your answer, or your letter, didn't deal with number 4 at all.
- 16 A I thought I did.
- 17 Q 140 Yes. Perhaps if you could give Mr. Cosgrave a copy of the letter 3413?
- 18 A I may have it here myself.
- 19 Q 141 The letter you sent to the Tribunal?
- 11:01:44 20 A Yeah, I may have. What date was that letter?
- 21 Q 142 The date of the letter is the 15th February 2006?
- 22 A I have it. 15th of the 2nd.
- 23 Q 143 Yes. And you allocate number 4 as the number beside the lodgment of 1,500
24 pounds on the schedule the Tribunal gave you.
- 11:02:01 25 A Item 4 and 5.
- 26 Q 144 Items 4 and 5.
- 27 A Yes.
- 28 Q 145 I see. You were dealing with items 4 and 5 on the letter I have is 1 and 5?
- 29 A On the letter I have is 4 and 5.
- 11:02:13 30 Q 146 I accept that, Mr. Cosgrave, so what you then say is both of those lodgments

- 11:02:17 1 were likely to be Dail salary expenses and county council expenses?
- 2 A Right.
- 3 Q 147 And you say in relation to item number 5, that it seems to be a transfer of
- 4 money from one account to another to ensure direct debits were honoured.
- 11:02:31 5 A Yes.
- 6 Q 148 That's what you say?
- 7 A That's right.
- 8 Q 149 Now, I suggest to you that insofar as number 5 is concerned, that's not
- 9 correct, Mr. Cosgrave, because what's recorded on the 14th September is in
- 11:02:41 10 branch credit?
- 11 A In branch credit.
- 12 Q 150 If you look at the very last entry on the bank statement.
- 13 A In branch credit, yes.
- 14 Q 151 It's not in branch credit is not a credit transfer, it means you stood in the
- 11:02:55 15 bank and you lodged 530 pounds to your account, Mr. Cosgrave?
- 16 A Right.
- 17 Q 152 That's what that means?
- 18 A Right.
- 19 Q 153 A credit transfer comes up at C/T or CR/T?
- 11:03:07 20 A Well I didn't know that.
- 21 Q 154 All right. Accepting that then, what that means, Mr. Cosgrave is that the
- 22 Tribunal has not been able to trace that lodgment of 1,500 pounds or the
- 23 lodgment of 530 pounds as a credit transfer or transaction involving any other
- 24 bank account of yours?
- 11:03:24 25 A Right.
- 26 Q 155 So is it your position then insofar as the Tribunal is concerned, that the
- 27 source of money that was used to make these lodgments arose from Dail salary
- 28 expenses and county council expenses?
- 29 A Yes and I have an idea what may have happened, it may be that it was my Dail
- 11:03:40 30 salary which I cashed, and relodged it.

- 11:03:44 1 Q 156 And you cashed your Dail salary cheque and lodged it?
2 A I did from time to time.
3 Q 157 Yes. You had previously told the Tribunal in relation to the two earlier
4 lodgments which were November 1992, that they came from the same source
11:03:58 5 effectively, is that right?
6 A That's right.
7 Q 158 All right.
8 A They came from Dail sources.
9 Q 159 From Dail sources?
11:04:04 10 A Yes.
11 Q 160 Then I think that on the, if we look then at on the 1st October 1992, on the
12 same bank account?
13 A 1st October.
14 Q 161 Yes. That, I think the 1st October 1992 at page 3480.
11:04:24 15 A Could we have that please?
16 Q 162 It's coming up now. On the same bank account, you have a lodgment of 500
17 pounds?
18 A Yes.
19 Q 163 Do you see that?
11:04:33 20 A Yes.
21 Q 164 And, the information you provided to the Tribunal in relation to number 6, if
22 you just check the letter that you have in front of you --
23 A Item number?
24 Q 165 6.
11:04:44 25 A 6. Number 7, 8, yes.
26 Q 166 What information did you provide to the Tribunal in your letter in relation
27 to --
28 A Hold on I see with regard to item 7, 8 and 9.
29 Q 167 I see that too but I don't see a number 6, Mr. Cosgrave?
11:04:59 30 A No, I don't see it myself.

- 11:05:00 1 Q 168 Well, if you look at that lodgment appears to be in branch credit which again
2 would mean you stood in the bank and made that lodgment, do you have any idea
3 where the money came from?
4 A It would have come from Dail sources because as I would say I would cash
11:05:16 5 cheques and I hold money at home and I would lodge the money as I go along.
6 Q 169 I see. And other than that --
7 A That account was, it was nearing a position where it needed to be topped up so
8 as to say to keep it in credit, isn't that right?
9 Q 170 Yes, in exact what happened I think if you look beneath that, that you
11:05:37 10 transferred 10,400 pounds from that account to?
11 A To a savings account.
12 Q 171 Another savings account that we are not looking at because it doesn't come into
13 this particular inquiry but in fact the account was over 10,000 pounds in
14 credit at the time that you made that transfer?
11:05:51 15 A Right.
16 Q 172 If you look immediately between the lodgment?
17 A I see that on top here.
18 Q 173 Yes. And your position is in relation to that 500 pounds that it's the same,
19 it comes from the same source as the other lodgments?
11:06:04 20 A It comes from the same source, i.e. Dail council expenses which I sometimes
21 cash and cash that I would have held over the few years at home.
22 Q 174 If we look then at another account of yours Mr. Cosgrave and another query the
23 Tribunal had, this is account 0233035, page number 3481 please?
24 A 02333035.
11:06:27 25 Q 175 Yes, this is a lodgment of 700 pounds made on the 11th September 1992?
26 A Yes.
27 Q 176 Again it's a round figure lodgment, Mr. Cosgrave. Is that right?
28 A 700 pounds.
29 Q 177 Yes.
11:06:38 30 A Yes.

- 11:06:39 1 Q 178 Credit to that account and insofar as you provide information to the Tribunal,
2 you say this money came from cessation payments arrears of Dail pension, lump
3 sum payments already notified to the Tribunal?
4 A Correct.
- 11:06:50 5 Q 179 And you say effectively this comes from your Dail salary or?
6 A That was the source of my income.
- 7 Q 180 Of your income, that 700 pounds and then I think on the same account, on the
8 next page at 3482, there are two lodgments --
9 A By the way, could I just say this, that's an AIB bank, not a Bank of Ireland
11:07:14 10 account.
11 Q 181 Yes. I didn't say it was an AIB account, I simply gave the account number.
12 But yes, it is an AIB account. You have two lodgments there, one on the 24th
13 November 1992 and a second one I think on the 25th November 1992, one of 450
14 and one of 500 pounds?
11:07:31 15 A That's correct.
- 16 Q 182 Now, those lodgments total 950 pounds in a two day period, isn't that right?
17 A That's right.
- 18 Q 183 Now, these didn't come again from any transfer from any other bank account held
19 I but, is that right?
11:07:42 20 A It could be that I took money out from an account in the bank in Coolock and
21 brought it to that account in are a Raheny.
- 22 Q 184 Well unless its --
23 A It could be.
- 24 Q 185 I think, Mr. Cosgrave, that the Tribunal has analysed all of the accounts that
11:07:56 25 you have and is unable to find a bank account from which you made a withdrawal
26 that would account for those lodgments?
27 A Well it could be cash that I had in hand.
- 28 Q 186 If it was, that's not what you told the Tribunal when you were asked about it,
29 I think --
11:08:10 30 A Well I was trying to when I was telling the Tribunal, I was trying to tell them

- 11:08:14 1 where the source of all any income was from and where I would take money from
2 that income. As to how I, I can see for instance with this account, it was
3 overdrawn and I was probably under pressure from the bank to lodge something.
- 4 Q 187 If those two lodgments didn't come from any bank account of yours,
11:08:34 5 Mr. Cosgrave, that you provided to the Tribunal, it would mean it came from
6 funds that you were holding or from your income, your Dail salary, isn't that
7 right?
- 8 A It's probably, funds that I was holding from my Dail salaries and other incomes
9 that I have mentioned to you.
- 11:08:49 10 Q 188 Now, I think that on the schedule that was provided to you, if we go back to
11 3415?
12 A 3415.
- 13 Q 189 Yes, this is the schedule.
14 A Oh yes.
- 11:09:05 15 Q 190 There are then a number of lodgments that are made in March of 1993, there are
16 four lodgments made in March of 1993, do you see that, Mr. Cosgrave?
17 A When I get the date here. The 4/3, yes.
- 18 Q 191 7, 8, 9 and 10?
19 A That's right.
- 11:09:20 20 Q 192 They are all made between the 4th March 1993 and the 15th March 1993?
21 A That's correct.
- 22 Q 193 And they amount to 13,000 pounds?
23 A That's correct.
- 24 Q 194 Yes. And you have, told the Tribunal that this would have come from cessation
11:09:33 25 payments arrears of Dail pension, lump sum payments.
26 A Correct.
- 27 Q 195 Is that correct?
28 A That's correct.
- 29 Q 196 Are you telling the Tribunal that what you would have done is that you would
11:09:41 30 have cashed this cheque or these cheques, held the money and over a period of

- 11:09:46 1 time, made various lodgments to that account?
- 2 A I would have made the lodgments, I think; you know within a reasonable time of
- 3 receiving the payments because it was a savings account, I think, was it not?
- 4 Q 197 Yes, but what I'm pointing out to you on the schedule that you have been
- 11:10:09 5 provided with and that's on screen, if all of these monies come from the one
- 6 source, you make a lodgment on the 4th March, you make a lodgment on the 11th
- 7 March, you make a lodgment on the 15th March.
- 8 A Yes.
- 9 Q 198 And I am asking you if it comes all from the one source, why didn't you make
- 11:10:25 10 the lodgment on the one day when you cashed the cheque?
- 11 A Because when you lose your seat, the cheques due to you from cessation
- 12 payments, for salary and especially when you stand for the Senate, are not paid
- 13 to you on the monthly basis, they are paid to you after three months. So they
- 14 would have been paid in a lump sum.
- 11:10:45 15 Q 199 It would have been paid in a lump sum?
- 16 A For instance the 4,000 pounds one, right, that or even the 5,500 pounds one
- 17 that's correct would be money which I was entitled to because after you lose
- 18 your seat, you are entitled to, I think it was at that time six monthly
- 19 payments of full salary. Right? And because the Senate election was on, I
- 11:11:11 20 probably would have received three of them. Now do you see? And lodged them
- 21 like, they would have come in one cheque for the three.
- 22 Q 200 It would have come in one cheque for the three.
- 23 A Yes.
- 24 Q 201 That's what I -- can we have page 3483, I think I am just somewhat confused
- 11:11:28 25 about this, Mr. Cosgrave, because I had understood the information that had
- 26 been provided to the Tribunal to be that you would have received one cheque for
- 27 all of these?
- 28 A No, I would have received one cheque for the 4,000, say, right, and I would
- 29 have received one cheque for the 5,500. The 1,512.82 that would have been a
- 11:11:48 30 separate cheque.

- 11:11:50 1 Q 202 Insofar as those lodgment are concerned then, just so that we are clear about
2 it, it's your position that they relate to payments you received from the
3 government and not from any other source?
4 A And not from any other source whatsoever.
- 11:12:04 5 Q 203 And that's your position in relation to --
6 A From the government, the council right or there might have been -- I would be
7 pretty convinced from my recollection that that would be the source.
- 8 Q 204 And if we go back then to the earlier lodgments that are made at 3415 please if
9 we have the documentation again, it's your position then in relation to all of
11:12:25 10 those lodgments that you have no back up documentation in relation to any of
11 the lodgments?
12 A None whatsoever.
- 13 Q 205 It's your belief based on your best recollection that the source of those funds
14 are payment from you are Dail salary and local authority expenses?
11:12:38 15 A Correct.
- 16 Q 206 They do not involve a transfer from any other bank account, isn't that the
17 position?
18 A Not that I know of it.
- 19 Q 207 So set these lodgments are made, these are funds that you have in your personal
11:12:49 20 possession?
21 A I have some funds in my personal possession, yes.
- 22 Q 208 Were you accustomed to retain cash at all Mr. Cosgrave?
23 A I did, yes, I retained some cash at home.
- 24 Q 209 Was that your normal practice to retain cash?
11:13:01 25 A Yes. I did especially at this time because I had lost my seat and one always
26 tries to provide for a rainy day and I had intended opening a business and I
27 was trying to build up funds in the savings account to open a launderette for
28 my daughter in Baldoyle, which later became the constituency office.
- 29 Q 210 But you didn't keep any record or documentation in relation to any of these
11:13:29 30 lodgments?

11:13:29 1 A Never, no.

2 Q 211 And you didn't keep any documentation or records in relation to any political
3 donations or payments that were ever made to you?

4 A No.

11:13:37 5 Q 212 Thank you very much, Mr. Cosgrave.

6 A Thank you.

7 Q 213 Answer any questions anybody else may have.

8

9 CHAIRMAN: Anybody wish ... Just one question, Mr. Cosgrave, what is your
11:13:51 10 occupation now?

11 A Now, I am a county councillor, I have my pension from the Dail and I am semi
12 retired.

13

14 CHAIRMAN: And in 1992, 1993, did you have an occupation other than as a
11:13:58 15 politician?

16 A No, just full-time Dail representative, I did nothing else.

17

18 CHAIRMAN: Thank you.

19

11:14:05 20 JUDGE KEYS: Sorry, just one question, why didn't you keep records of
21 political donations?

22 A Well you know, in the fever of a general election, losing one's seat, then
23 heading into a Senate election, not knowing what one's future was going to be,
24 it wasn't foremost in my mind to keep a record.

11:14:29 25

26 JUDGE KEYS: Did you ever keep records of political donations?

27 A No, I didn't, no.

28

29 JUDGE KEYS: Well for a politician, do you not think that it would have been
11:14:37 30 beneficial to have kept records?

11:14:39 1 A Oh in hindsight, yes, oh yes.
2
3 JUDGE KEYS: Because when it come around to another election, at least you
4 would have a list of people who contributed before.

11:14:48 5 A Yes.
6
7 JUDGE KEYS: And if you had acknowledged the payments from the previous
8 elections, they might have been encouraged to contribute yet again?
9 A You are correct but as I say, I didn't do it.

11:14:59 10
11 JUDGE KEYS: I see. Thank you.
12
13 JUDGE FAHERTY: Just Mr. Cosgrave, when you say that you would have had kept
14 money on hand and you would have made lodgments?

11:15:07 15 A I did.
16
17 JUDGE FAHERTY: And, obviously you would have been paid your Dail salary when
18 you were a TD?
19 A Yes.

11:15:14 20
21 JUDGE FAHERTY: And indeed the county council expenses by cheque I take it.
22 A That's correct.
23
24 JUDGE FAHERTY: Where would you have negotiated and cashed these cheques?

11:15:22 25 A In the bank.
26
27 JUDGE FAHERTY: So but you wouldn't, why wouldn't you just have lodged the
28 cheque as opposed to always taking cash home with you?
29 A To my recollection and in order to be helpful, I think I am old fashioned in
11:15:38 30 the way I do my business. I like -- at that time especially doing business in

11:15:42 1 cash.
2
3 JUDGE FAHERTY: All right. Thank you very much.
4
11:15:47 5 CHAIRMAN: Thank you very much.
6 A Thank you.
7
8 MS. DILLON: Mr. John O'Halloran please.
9
11:15:55 10 MR. DULLY: If I could interject at this point, my name is Martin Dulley, I
11 have been instructed by Mr. O'Halloran to apply for representation in this
12 module on behalf of Cullen & Company solicitors who I think have been in
13 correspondence concerning Mr. O'Halloran in this module.
14
11:16:13 15 CHAIRMAN: All right. Granted.
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- 11:16:14 1 **MR. JOHN O'HALLORAN, HAVING BEEN SWORN,**
- 2 **WAS EXAMINED FOLLOWS MS. DILLON:**
- 3
- 4 CHAIRMAN: Good morning, Mr. O'Halloran.
- 11:16:31 5 A Good morning.
- 6
- 7 Q 214 MS. DILLON: Good morning, Mr. O'Halloran. I think that you are a member of
- 8 South Dublin county council?
- 9 A I was, yes.
- 11:16:40 10 Q 215 And that prior to that you were a member of Dublin County Council having been
- 11 elected in the June 1991 elections for the first time.
- 12 A That's correct.
- 13 Q 216 And I think that initially you were a member of the Labour Party but that you
- 14 subsequently stood and retained your seat as an independent candidate?
- 11:16:56 15 A No, no, I didn't stand as an independent. I left the party. And remained as
- 16 an independent councillor, I didn't actually stand as an independent.
- 17 Q 217 I beg your pardon but you did start out as a member of the Labour Party?
- 18 A I did, yes.
- 19 Q 218 I think you had a difference of opinion with the Labour Party over particular
- 11:17:14 20 development that's not the subject matter of this module?
- 21 A That's correct, yes.
- 22 Q 219 And I think in the course of that particular development which we needn't
- 23 mention, you did meet and came to know Frank Dunlop?
- 24 A I did, yes.
- 11:17:24 25 Q 220 I think that and correct me if I am wrong, that insofar as that development is
- 26 concerned, it would be fair to say that you were a staunch supporter of it?
- 27 A Subsequently became a strong supporter of it, yes.
- 28 Q 221 Of that particular development but throughout that you did come to know
- 29 Mr. Frank Dunlop?
- 11:17:40 30 A I came to meet him.

- 11:17:41 1 Q 222 Now, do you recollect Mr. Dunlop ever approaching you in connection with the
2 Ballycullen lands?
3 A No, never.
- 4 Q 223 I think you have previously told the Tribunal that you only ever discussed one
11:17:52 5 development with Mr. Dunlop and that was another development, not this one?
6 A That's correct.
- 7 Q 224 Is that still your position?
8 A That's still my position, yes.
- 9 Q 225 Now, you know that Mr. Dunlop was engaged as a lobbyist, isn't that right? You
11:18:03 10 know now.
11 A Oh I do, I know now.
- 12 Q 226 And you know now I think that Mr. Dunlop was edge gauged by a lobbyist by a
13 number of developers in relation to securing rezoning of various pieces of land
14 around Dublin, is that right?
11:18:16 15 A Yes.
- 16 Q 227 And I think that you have previously given evidence to the Tribunal in the
17 Carrickmines 1 module, for example, in relation to those lands in Carrickmines,
18 isn't that right?
19 A That's correct.
- 11:18:24 20 Q 228 And you know from your involvement in that module that Mr. Dunlop's job was to
21 attempt to secure the rezoning of lands, isn't that right?
22 A That's correct.
- 23 Q 229 Now, in order to carry out that job, the people who granted the rezoning of
24 lands were county councillors, Mr. O'Halloran, isn't that right?
11:18:41 25 A That's correct.
- 26 Q 230 So that in order to secure the rezoning of any lands, whether they were lands
27 in which you had an interest or not, Mr. Dunlop had to try and secure the
28 support of the councillors who would be voting on the lands, isn't that right?
29 A I don't particularly follow you, Ms. Dillon.
- 11:18:57 30 Q 231 All right, we will take it again. You know now that Mr. Dunlop's job was as a

- 11:19:01 1 lobbyist?
- 2 A Of course. Yes.
- 3 Q 232 You know Mr. Dunlop's job involved securing the rezoning of lands?
- 4 A Yes.
- 11:19:06 5 Q 233 The rezoning of lands is a reserved function to a limited bundle of people who
6 are councillors, isn't that right?
- 7 A Yes.
- 8 Q 234 So only councillors can rezone land, isn't that right?
- 9 A That's correct.
- 11:19:17 10 Q 235 So that Mr. Dunlop in carrying out his job of trying to secure the rezoning of
11 lands had to deal or meet with or seek the support of councillors, doesn't that
12 follow?
- 13 A Yes, not all councillors obviously.
- 14 Q 236 That's my point and what I'm trying to --
- 11:19:32 15 A Sorry.
- 16 Q 237 Trying to ascertain it's still your position in relation to your previous
17 evidence that notwithstanding what Mr. Dunlop may have said or interfaced with
18 other councillors insofar as you were concerned, it is still your position that
19 you only ever dealt with Mr. Dunlop in relation to one development and one
20 development only?
- 11:19:50 21 A One development only, that's correct.
- 22 Q 238 Now, can you think of any reason at all as to why Mr. Dunlop would have limited
23 his contact to you to that one development?
- 24 A No.
- 11:20:04 25 Q 239 I mean looking at it from outside, as it were, wouldn't it appear to be the
26 position that it would make sense that in every development in which he was
27 involved in, Mr. Dunlop would seek to meet with every councillor?
- 28 A Well he obviously didn't. I mean I would assume that the landowners or the
29 people, the proposers or the landowners I would have spoken to.
- 11:20:27 30 Q 240 Yes.

- 11:20:28 1 A What I'm saying to you absolutely is I only ever spoke to Frank Dunlop about
2 one development. That's it.
- 3 Q 241 Right. And never about any other development?
- 4 A No.
- 11:20:37 5 Q 242 So you disagree with Mr. Dunlop when he says that he sought your support in
6 connection with the Ballycullen lands?
- 7 A Yes.
- 8 Q 243 All right. Now, you accept, I think, that you had contact with Mr. Dunlop, is
9 that right, you met with him, had meetings with him and you telephoned him, is
11:20:52 10 that right?
- 11 A I would have had telephone conversations with him, yes.
- 12 Q 244 Okay, if we look then at 1992 and if we start with September of 1992, if we
13 start initially with September of 1992, I think there is some record of
14 telephone contact, the 1st September 1992, 1737. Now, the first telephone call
11:21:24 15 at 10. 10 Mr. Halloran is from you?
- 16 A Yes.
- 17 Q 245 Do you accept that that was probably you?
- 18 A No. I am not in a position to dispute it, Ms. Dillon.
- 19 Q 246 You are not disputing it?
- 11:21:35 20 A No, I don't I am not in a position to disputed it.
- 21 Q 247 All right but if you did contact Mr. Dunlop on the 1st September 1992, it's
22 your evidence that it would have been solely in connection with another
23 development on the west of Dublin.
- 24 A It could have been. It could also have been in connection with a donation to a
11:21:55 25 local group or whatever. I mean I cannot tell you for absolute certainty why I
26 might have contacted Frank Dunlop other than to say it wasn't Ballycullen.
- 27 Q 248 Now, I think that again at 1752 on the 10th September, and at 1753 if they can
28 both go up together because they relate to the same day there are two entries,
29 one at 11.30, which is the 10th September, at 11.30, and the second entry is in
11:22:38 30 the afternoon at 3 o'clock, John O'Halloran and the message at 3 o'clock from

- 11:22:45 1 John O'Halloran is "did FD do what he asked him at home from 7 o'clock", you
2 seemed to be asking had Mr. Dunlop done what you had wanted and that you would
3 be at home from 7 o'clock I think is what the message says, is that right?
- 4 A That's what it appears. Yeah.
- 11:23:01 5 Q 249 Can you recollect at all what you might have asked Mr. Dunlop to do in
6 September of 1992?
- 7 A No.
- 8 Q 250 At 1756 on the 14th September, and again at 1757 which is the afternoon of the
9 same day, you ring first of all at 9.50, John O'Halloran, "please call" and a
11:23:32 10 number is given, please call that number at 10.15. Do you recognise the
11 number, Mr. O'Halloran?
- 12 A I don't, no.
- 13 Q 251 You don't? And then in the afternoon at 1757 at 5.05, John O'Halloran, Frank
14 Dunlop was to ring council offices, they have left for something to eat now.
11:23:52 15 So the message there appears to be that Mr. Dunlop was meant to ring you, he
16 hadn't rung you and that you had now left the council offices for something to
17 eat. So you appear to be telling Mr. Dunlop where you are. Is that right, Mr.
18 O'Halloran?
- 19 A Well it would appear that way but I have no recollection of it, Ms. Dillon.
- 11:24:11 20 Q 252 Do you dispute though that it is an accurate record and that you must have
21 telephoned on that day?
- 22 A Can I just, I am not in a position to dispute or confirm, I mean it's there, I
23 can't say that I did or I didn't. If I did phone him or leave messages, I
24 certainly can't tell you what it was in relation to, except for certainly it
11:24:30 25 was nothing do with Ballycullen, that's all I'm saying.
- 26 Q 253 On the 15th September the following day, at 1758, John O'Halloran is again
27 recorded as having telephoned Mr. Dunlop's office. That's 1758 at 3.20. So
28 you have rung on the 14th twice, you ring on the 15th September 1992, you have
29 a meeting on the 16th September, 1992 at 1755 and Mr. Dunlop says in his
11:24:58 30 evidence to the Tribunal that he believes that that meeting was not in

- 11:25:01 1 connection with Ballycullen, that it was in connection with another
2 development, one that you did support. Would you agree with that, Mr.
3 O'Halloran?
- 4 A As I said earlier, Ms. Dillon, it's not a matter of agreeing or disagreeing
11:25:17 5 with it, I can't remember.
- 6 Q 254 Well what Mr. Dunlop says about this meeting is that he thinks it would have
7 taken place in connection with Quarryvale.
- 8 A That's likely, yes.
- 9 Q 255 And so you don't --
- 11:25:28 10 A No, in relation to discussing anything, it would have been Quarryvale, yes.
- 11 Q 256 He says that he would probably also have mentioned Ballycullen to you at that
12 meeting.
- 13 A No.
- 14 Q 257 You say not. On the 16th September at 1759, you have a meeting with Mr. Dunlop
11:25:47 15 at 5 o'clock but on the morning of the 16th September at 9.15 you ring him and
16 you, you leave a message that you will see Mr. Dunlop later, do you see that?
- 17 A I do.
- 18 Q 258 Would you accept from that that you certainly made that call and that it's
19 confirming the meeting that takes place at five o'clock that evening?
- 11:26:04 20 A That's what it appears, yes.
- 21 Q 259 Now, on the 17th September which is the following day to the meeting which
22 takes place on the 16th at 1763 at the bottom of the page, there's a message
23 "Kieran called, J O'Halloran left a message FD would phone at 7.15 p.m." And
24 that seems to record that John O'Halloran had left a message that Mr. Dunlop
11:26:29 25 would phone at quarter past 7. Do you see that?
- 26 A I do.
- 27 Q 260 Right. Again you are not in a position I think, if I understand your evidence?
- 28 A No, I am not.
- 29 Q 261 To dispute that matter. Now I think that on the 15th October 1992 at 1823, at
11:26:51 30 8.30 in the evening, you are recorded in Mr. Dunlop's diary for a meeting and

- 11:26:56 1 Mr. Dunlop says he thinks it would have been in connection with another
2 development, do you see that? You don't dispute the meeting, do you dispute
3 the meeting took place?
- 4 A I refer to what I said earlier, I mean I can't recall each time I would have
11:27:14 5 spoken to Mr. Dunlop.
- 6 Q 262 And on the 15th October 1992 at 1830 at 12.40 you are recorded as ringing
7 Mr. Dunlop's office, do you see that record?
- 8 A Yes, I do.
- 9 Q 263 Yes. And again on the 20th October 1992 at 1854 at 2 o'clock, you are recorded
11:27:39 10 as ringing Mr. Dunlop and you are telling him you are in the council. "John
11 O'Halloran, in the council." Do you see that?
- 12 A I do, yes.
- 13 Q 264 That would suggest that you are letting Mr. Dunlop know where you are, isn't
14 that right?
- 11:27:50 15 A That's correct.
- 16 Q 265 So that if Mr. Dunlop needed to meet you or contact you, he would know where
17 you were?
- 18 A That's what it appears, yes.
- 19 Q 266 Now, I think the meeting of the 29th October 1992, in relation to the zoning of
11:28:02 20 the Ballycullen lands, does not record you as being present or voting, Mr.
21 O'Halloran, isn't that the position?
- 22 A That's what I understand, it was pointed out to me when the records were
23 checked.
- 24 Q 267 It was pointed out by the Tribunal to Mr. Dunlop when he gave evidence that you
11:28:18 25 did not attend at that meeting on the 29th October 1992 and Mr. Dunlop was
26 asked to account for why he was saying that he had paid you in circumstances
27 where you didn't vote at the meeting.
- 28 A Yes.
- 29 Q 268 You will have seen that in the documentation?
- 11:28:31 30 A That's right.

- 11:28:31 1 Q 269 Now, at 1876 please, which is the record of those attending at the meeting, you
2 will note and confirm that your name is not recorded there, Mr. O'Halloran,
3 isn't that right?
4 A That's correct.
- 11:28:44 5 Q 270 And that means that you did not attend the meeting of the 29th October 1992 and
6 at the record of the vote that takes place, you are not recorded as voting in
7 favour or against the motion, isn't that right?
8 A That would be correct, yes.
- 11:29:03 9 Q 271 Now, is it your position that you did not meet Mr. Dunlop and you did not have
10 any discussion with Mr. Dunlop in connection with the Ballycullen lands?
11 A Absolutely, yes.
- 12 Q 272 Right. Did you meet Mr. Christopher Jones in connection with the Ballycullen
13 lands.
14 A No, no.
- 11:29:12 15 Q 273 Did you meet a Mr. Oliver Brooks?
16 A I spoke to Oliver Brooks but I was listening to evidence earlier, I seem to
17 remember Oliver Brooks in South Dublin county council which would be 1996,
18 whatever time, another motion came up with regard to Ballycullen. I don't
19 actually remember meeting him in 1992, that's all I'm saying.
- 11:29:31 20 Q 274 The material contravention motion that came up after 1994 in South Dublin
21 county council, you remember meeting Mr. Brooks then?
22 A Yes.
- 23 Q 275 But you don't recollect meeting him in the old Dublin County Council in 1991 to
24 1993?
11:29:45 25 A No.
- 26 Q 276 Do you remember meeting Mr. Frank Brooks?
27 A I do, yes.
- 28 Q 277 Due meet him prior to 1994?
29 A No, it would have been in South Dublin county council so it would have been
11:29:55 30 after 1994 when we split up from Dublin County Council.

- 11:29:59 1 Q 278 And Mr. Derry Hussey, do you ever remember meeting him?
- 2 A No.
- 3 Q 279 Mr. Christopher Jones senior?
- 4 A No.
- 11:30:05 5 Q 280 Mr. Christopher Jones junior?
- 6 A No.
- 7 Q 281 No. According to the records that have been provided to the Tribunal by
- 8 Mr. Christopher Jones at page 701 please. This is a record of payments that
- 9 were made by Mr. Christopher Jones and Ballycullen Farms and at the bottom
- 11:30:27 10 section which is headed "political schedule", if we could increase the bottom
- 11 and you will see that the first entry there is dated the 31st December 1992,
- 12 John -- J O'Halloran, charity walk, 3,000 pounds. Now --
- 13 A No.
- 14 Q 282 I was going to ask you that, do you ever recollect in 1992 seeking 3,000
- 11:30:52 15 pounds?
- 16 A No.
- 17 Q 283 For a charity walk.
- 18 A No.
- 19 Q 284 Do you remember doing any charity walk in 1992?
- 11:30:57 20 A No, not 1992, no.
- 21 Q 285 Not in 1992?
- 22 A No.
- 23 Q 286 Did you later, did you do one subsequently?
- 24 A I had one --
- 11:31:04 25 Q 287 Do you ever remember receiving a contribution towards any charity walk from Mr,
- 26 either Mr. Oliver Brooks, Mr. Frank Brooks or Ballycullen Farms or Mr. Jones?
- 27 A Well certainly not Mr. Jones because I have no recollection of I ever met him.
- 28 Could have from Oliver Brooks maybe.
- 29 Q 288 And the sum of 3,000 pounds, would you remember that?
- 11:31:24 30 A No, I think I would have remembered that amount but definitely not.

- 11:31:28 1 Q 289 So it's your position you never received those funds for that charitable
2 purpose?
- 3 A No.
- 4 Q 290 Right. Now, at page 1912, on the 3rd November 1992, Mr. Dunlop's telephone
11:31:47 5 records two calls from you, Mr. O'Halloran, one at 4.30 saying that you are at
6 home and one at 5.20, do you see that?
- 7 A I do.
- 8 Q 291 You don't dispute that. On the following day, the 4th of November,
9 Mr. Dunlop's diary records a meeting with you at 9.30 at 1908. Do you see that
11:32:13 10 entry? On the 4th November?
- 11 A I do, yes.
- 12 Q 292 9.30. Do you accept that it's likely that meeting took place?
- 13 A Could have, yes.
- 14 Q 293 What would it have been about?
- 11:32:28 15 A Again, getting back to what we speak about earlier, the one proposal that I
16 knew Mr. Dunlop to be involved in or I believed Mr. Dunlop to be involved in.
17 That's it.
- 18 Q 294 Nothing else.
- 19 A No.
- 11:32:40 20 Q 295 Mr. Dunlop has said that to the best of his recollection it is likely that
21 following the telephone calls on the 3rd of November 1992 from you, he made an
22 arrangement to meet you and that it is likely that he paid you in connection
23 with Ballycullen rezoning on the 4th November, do you dispute that?
- 24 A I do, yes.
- 11:32:58 25 Q 296 But you don't recollect what the meeting was about?
- 26 A Meeting with Mr. Dunlop, no.
- 27 Q 297 But the way before you accept, you made two telephone calls to Mr. Dunlop's
28 office and that they must have been in connection with setting up the meeting
29 that takes place the following day?
- 11:33:18 30 A I didn't say that but I it's not unlikely that that's what it was about. I

- 11:33:19 1 didn't agree --
- 2 Q 298 It seems probable?
- 3 A It seems probable, yes.
- 4 Q 299 There were two telephone calls to Mr. Dunlop's office on the 3rd and a meeting
- 11:33:29 5 takes place on, it's likely the phone calls are connected to the meeting, isn't
- 6 that right?
- 7 A Yes.
- 8 Q 300 Now, you say you only met Mr. Dunlop in relation to a separate development,
- 9 Mr. Dunlop says that this is likely to have been at the meeting where he said
- 11:33:40 10 he paid you for your support, you dispute that?
- 11 A I do absolutely. Yeah.
- 12 Q 301 Then tell the Tribunal what the meeting of the 4th was about if it wasn't about
- 13 getting paid in connection with Ballycullen?
- 14 A In 1992, Ms. Dillon I couldn't tell you what it was about. I can tell you what
- 11:33:55 15 it wasn't about.
- 16 Q 302 And what was that, that wasn't about?
- 17 A It wasn't about Ballycullen because I wasn't aware of Mr. Dunlop's involvement
- 18 until this came out in the Tribunal.
- 19 Q 303 In connection with Ballycullen?
- 11:34:08 20 A Yes.
- 21 Q 304 Did you have an occasion, Mr. O'Halloran, on which you remembered subsequently
- 22 that you had received cash from Mr. Dunlop?
- 23 A Yes.
- 24 Q 305 And isn't it the position that when you initially dealt with the Tribunal, you
- 11:34:22 25 told the Tribunal that you had received 2,500 pounds in connection with the
- 26 1996 by-election.
- 27 A I can't remember the figure but I accept what you are saying, yes.
- 28 Q 306 And that other than that, you hadn't received any money from Mr. Dunlop?
- 29 A Yes.
- 11:34:34 30 Q 307 But you did subsequently come back to the Tribunal and tell the Tribunal that

- 11:34:38 1 you believed you had received cash from Mr. Dunlop between 1991 and 1993, isn't
2 that right?
- 3 A 500 euro, sorry pounds.
- 4 Q 308 500 pounds. But your recollection then was when you remembered the payment was
11:34:54 5 that it had taken place between 1991 and 1993 and it had taken place at or near
6 Dublin County Council?
- 7 A Yes.
- 8 Q 309 You told the Tribunal you didn't ask Mr. Dunlop for the money, that he simply
9 gave you the money.
- 11:35:08 10 A Yes.
- 11 Q 310 And that you probably had two meetings, one at where Mr. Dunlop said he would
12 pay you the money and the next at which Mr. Dunlop actually paid you the money,
13 is that fair?
- 14 A That's, yes, probably fair.
- 11:35:19 15 Q 311 Right. So that the position then is in relation to that particular payment by
16 Mr. Dunlop, you didn't remember it initially, isn't that right?
- 17 A That's correct.
- 18 Q 312 And but then you did remember he had paid you cash in or around Dublin County
19 Council?
- 11:35:33 20 A Yes.
- 21 Q 313 And that you didn't know whether or not Mr. Dunlop had made any other similar
22 payments that was also your evidence, isn't that right?
- 23 A Yes.
- 24 Q 314 Now, can you remember when it was that Mr. Dunlop paid you the 500 pounds?
- 11:35:47 25 A No.
- 26 Q 315 Other than you believe it to be some time between June 1991 and December 1993.
27 A Yes. That's -- I can't -- I can't be specific, I am sorry.
- 28 Q 316 Right. But you do remember it was in or around Dublin County Council?
29 A Yes.
- 11:36:02 30 Q 317 And is that where you normally saw Mr. Dunlop?

- 11:36:06 1 A Yes, he was a constant presence around Dublin County Council.
- 2 Q 318 Was a constant presence in the hostelries around Dublin County Council,
3 Conway's pub, the Royal Dublin, the Gresham?
- 4 A I can't say that, I know he was a constant presence in Dublin County Council
11:36:23 5 offices.
- 6 Q 319 And where did he actually give you the money, the 500 pounds?
- 7 A As far as I can remember it would have been in the vicinity of the council
8 offices themselves.
- 9 Q 320 Inside in the building?
- 11:36:31 10 A Yes.
- 11 Q 321 Right and was it in an envelope?
- 12 A Again, Ms. Dillon, I can't remember, it's quite a considerable time ago.
- 13 Q 322 Right. But when you got it, you at some stage counted it in any event to
14 establish that it was 500 pounds?
- 11:36:46 15 A Yes.
- 16 Q 323 And was that the only time that Mr. Dunlop ever made such a payment to you?
- 17 A Yes.
- 18 Q 324 And did he subsequently make any other payment to you by cheque?
- 19 A He did, yes, something --
- 11:37:02 20 Q 325 The 2,500 pounds, is that right? For the by-election?
- 21 A Yes.
- 22 Q 326 In 1996. Was there another payment for a smaller amount by cheque?
- 23 A There was, yes.
- 24 Q 327 And how much was that?
- 11:37:12 25 A I think it's 500 pounds.
- 26 Q 328 500 pounds?
- 27 A It's on the record.
- 28 Q 329 And there was an earlier payment by cheque to getting the 500 pounds in cash,
29 can you remember, Mr. O'Halloran, a sum of 250 pounds, can you remember?
- 11:37:26 30 A I can't remember, no.

- 11:37:27 1 Q 330 So the position, if I can just remind of you this, your starting position with
2 the Tribunal was a cheque for 2,500 pounds for the 1996 by-election?
3 A Yes.
4 Q 331 And it was the only payment?
11:37:37 5 A Yes.
6 Q 332 You now accept that there was a payment of 500 pounds in cash in or around
7 Dublin County Council between June of 1991 and December of 1993?
8 A Yes.
9 Q 333 And you can't narrow between those dates?
11:37:49 10 A I can't, I'm sorry.
11 Q 334 And there was another payment of around 250 pounds by way of cheque, is that
12 right?
13 A I believe so, again I can't be absolutely certain.
14 Q 335 You can't be absolutely certain in relation to it. And did you ever approach
11:38:04 15 Mr. Dunlop for money?
16 A No.
17 Q 336 Did you approach him for the 2,500 pounds for the by-election?
18 A I sought a donation for the by-election, yes, sorry?
19 Q 337 And insofar as the 500 pounds in cash is concerned, you never approached him
11:38:16 20 for that?
21 A No.
22 Q 338 And was it a big surprise to you when he gave it to you?
23 A It was, yes.
24 Q 339 Did you know, did you ask him have you ever given anybody else money or is it
11:38:25 25 just me?
26 A No.
27 Q 340 And you don't relate that payment if I understand you correctly Mr. O'Halloran,
28 to any particular election or activity, the 500 pounds in cash, is that right?
29 A That's right.
11:38:35 30 Q 341 What led to Mr. Dunlop giving you the 500 pounds, can you remember?

- 11:38:39 1 A I can't.
- 2 Q 342 He just gave it to you?
- 3 A Yes.
- 4 Q 343 He had a discussion with you one day and he paid you another day, is that
- 11:38:46 5 right? Or did he pay you the day -- what happened?
- 6 A He just gave me the money and said it's a, that's it.
- 7 Q 344 And he gave it to you and what did he say when he gave it to you?
- 8 A Well I can't recall exactly what he said, Ms. Dillon. I mean what I am
- 9 absolutely certain about, is that he never spoke to me about Ballycullen, I
- 11:39:08 10 wasn't aware of his involvement with Ballycullen.
- 11 Q 345 I think from the documentation that you have been supplied with, Mr.
- 12 O'Halloran, Mr. Dunlop's telephone records would record fairly consistent
- 13 contact between you and Mr. Dunlop's office, would that be their to say?
- 14 A Yes.
- 11:39:27 15 Q 346 And you say that all of that is limited to one development, namely Quarryvale?
- 16 A Yes.
- 17 Q 347 Right. You voted against the Ballycullen lands being dezoned in 1993, is that
- 18 right?
- 19 A I can't remember.
- 11:39:43 20 Q 348 On the --
- 21 A If the record shows that, well I accept it.
- 22 Q 349 The record does show it at page 2085 please. You are recorded there as voting
- 23 against an attempt to have the lands rezoned back to agriculture, which in
- 24 effect Mr. O'Halloran means you were voting in favour of the rezoning of the
- 11:40:00 25 lands to residential and amenity?
- 26 A Confirming the ...
- 27 Q 350 You were voting in favour of the confirming, is that right?
- 28 A Yes.
- 29 Q 351 Did Mr. Dunlop speak you in advance of that confirming motion about the
- 11:40:13 30 Ballycullen lands?

- 11:40:13 1 A No.
- 2 Q 352 Right. Did you connect the payment of 500 pounds by Mr. Dunlop to the one
3 development that you accept Mr. Dunlop spoke to you about?
4 A No, I didn't connect it with anything to be honest with you.
- 11:40:29 5 Q 353 Okay. Just so that I can understand that clearly, Mr. O'Halloran, Mr. Dunlop
6 approaches new Dublin County Council one day, is that right?
7 A Yes.
- 8 Q 354 He gives you 500 pounds in cash, is that right?
9 A Yes.
- 11:40:41 10 Q 355 You can't remember whether it was in an envelope or not?
11 A Well not specifically.
- 12 Q 356 Yes. He doesn't explain to you why he is giving you the money, is that right?
13 A Correct.
- 14 Q 357 He doesn't say anything when he gives you the money that causes you to remember
11:40:55 15 the occasion at all, is that right?
16 A No, no.
- 17 Q 358 And you can recollect about it is that Mr. Dunlop gave you 500 pounds in cash?
18 A Yes.
- 19 Q 359 And it was the only time in which Mr. Dunlop ever gave you 500 pounds in cash?
11:41:09 20 A Yes.
- 21 Q 360 Or any payment in cash?
22 A Yes.
- 23 Q 361 And you do not know to this day why he did it?
24 A No.
- 11:41:15 25 Q 362 All right. Thank you Mr. O'Halloran. Would you answer any questions anybody
26 else has.
27
28
29
- 11:41:19 30 **MR. O'HALLORAN QUESTIONED BY MR. DULLEY AS FOLLOWS:**

- 11:41:19 1
- 2 Q 363 MR. DULLEY: If I can could just ask a couple of questions of Mr. O'Halloran.
- 3 Mr. O'Halloran, I think during the course of the Carrickmines module,
- 4 Mr. Dunlop made an allegation against you that he paid a bribe to you to vote
- 11:41:36 5 in favour of Carrickmines rezonings, isn't that right?
- 6 A That's correct, yes.
- 7 Q 364 And in the course of a narrative statement to the Tribunal, he made that
- 8 specific allegation to you, isn't that correct?
- 9 A That's correct.
- 11:41:47 10 Q 365 And about you. Now, was it the case that the records subsequently established
- 11 that notwithstanding Mr. Dunlop's supposed attempt to bribe you, that you
- 12 didn't even attend the council meetings at which the voting on the rezoning
- 13 occurred, is that correct?
- 14 A That's correct, yes.
- 11:42:05 15 Q 366 And that Mr. Dunlop was subsequently obliged to apologise to you in the
- 16 Tribunal for making that allegation in the first place. Isn't that correct?
- 17 A That's correct, yes.
- 18 Q 367 Now, here we have exactly the same allegation being made against you now, Mr.
- 19 O'Halloran, it is alleged by Mr. Dunlop that notwithstanding the fact that he
- 11:42:23 20 bribed you to vote in favour of the Ballycullen rezoning, you apparently failed
- 21 to show up for the meeting?
- 22 A That's correct, yes.
- 23 Q 368 And as I understand it, the language, the generalised language used in
- 24 Mr. Dunlop's statement to the Tribunal as regards the Carrickmines zoning is
- 11:42:45 25 identical to the language that he uses to allege that you accepted a bribe in
- 26 respect of the Ballycullen lands.
- 27 A That's the way it appears, yes.
- 28 Q 369 Have you -- Are you aware of any attempt by Mr. Dunlop to quantify the payment
- 29 of 5,000 pounds to you during the periods 1991 to 1993 and to give any specific
- 11:43:08 30 details about the circumstances in which those payments were allegedly made to

- 11:43:11 1 you?
- 2 A No.
- 3 Q 370 And this is notwithstanding Mr. Dunlop's detailed allegations of payments and
4 amounts, dates and locations in respect of other elected members, isn't that
11:43:24 5 right?
- 6 A That's correct, yes.
- 7 Q 371 But we are provided with no such information from Mr. Dunlop concerning you, is
8 that right?
- 9 A That's correct.
- 11:43:34 10 Q 372 In fact we don't even understand or know the basis on which he says he paid you
11 the sum of 5,000 pounds at all, as to how that figure is first quantified.
- 12 A That's correct, yes.
- 13 Q 373 Now, I don't know, Mr. O'Halloran, but perhaps you are prepared to offer some
14 comment on this, isn't it rather unusual that a person who has allegedly bribed
11:43:57 15 you on a number of occasions to vote in respect of particular rezonings would
16 find themselves in a position where they don't do what you are supposed to do
17 and who continue to bribe you?
- 18 A (no answer).
- 19 Q 374 It seems to be a rather curious allegation to make, isn't it?
- 11:44:17 20 A Seems to be, yes.
- 21 Q 375 Thanks very much, Mr. O'Halloran.
- 22
- 23 CHAIRMAN: Mr. O'Halloran, the 500 pounds cash that you received I think, was
24 it in 1991 or 1992?
- 11:44:34 25 A I am not sure of the date, Chairman.
- 26
- 27 CHAIRMAN: All right. But it was around that period anyway. You say you
28 don't know why he paid you. What did you attribute the payment to yourself in
29 your own mind?
- 11:44:47 30 A I just assumed it was a political donation, chairman. I didn't attach any

11:44:52 1 significance to it at all.
2
3 CHAIRMAN: By donation, do you mean political donation?
4 A Yes, certainly.
11:44:58 5
6 CHAIRMAN: Was it at the time of an election?
7 A No, no there wouldn't have been an election then, the election would have been
8 over.
9
11:45:06 10 CHAIRMAN: Would it be very surprising to get a political donation --
11 A Well I wouldn't have been familiar with getting political donations or how they
12 were made available or when they might be made available.
13
14 CHAIRMAN: And would you have associated the payment in any way with any
11:45:24 15 assistance you were providing?
16 A No.
17
18 CHAIRMAN: To --
19 A Sorry chairman as I said earlier, I wasn't aware that Mr. Dunlop was involved
11:45:33 20 with any of these ...
21
22 CHAIRMAN: Right.
23
24 JUDGE FAHERTY: Just Mr. O'Halloran, just following up on what the Chairman
11:45:41 25 said, were you first elected in 1991, was it?
26 A I was, yes.
27
28 JUDGE FAHERTY: As councillor and I think would it be fair to say when you went
29 into the council in 1991, in terms of the development, one of the biggest
11:45:52 30 issues facing you was the making of the Development Plan, that ultimately was

11:45:57 1 made at the end of 1993?

2 A That's right, yes.

3

4 JUDGE FAHERTY: And I think we know that the first public display, it really

11:46:03 5 started I think in earnest in September, October of 1991, isn't that right?

6 A That's -- yes.

7

8 JUDGE FAHERTY: That's the time the representations were coming in from all

9 sorts of landowners looking for this, that and the other, their lands should be

11:46:19 10 rezoned and be it industrial or residential and I'm just asking you, did you

11 understand what you had to do in terms of the Development Plan? I think it was

12 put to yourself or maybe the previous witness, that only you could do the --

13 A It was the reserve function of the council.

14

11:46:38 15 JUDGE FAHERTY: A reserve function of the -- just when Mr. Dunlop handed you

16 the money and I know you can't say whether it was 1991 or 1992 or 1993, but you

17 knew at that stage, had you seen him around the county council offices?

18 A Mr. Dunlop? As I said earlier, he was a constant presence.

19

11:46:58 20 JUDGE FAHERTY: That's I think a fairly certain fact that and everybody agrees

21 that he was there nearly, a fair bit of the time, isn't that right?

22 A Yes.

23

24 JUDGE FAHERTY: At the votes. Did it ever concern you when he was handing you

11:47:09 25 the money that it was at a time when you were in the middle of exercising your

26 functions as a councillor?

27 A No.

28

29 JUDGE FAHERTY: Did that thought ever cross your mind?

11:47:21 30 A No.

11:47:22 1

2 JUDGE FAHERTY: All right. Thanks very much.

3 A Okay.

4

11:47:25 5 JUDGE KEYS: Mr. O'Halloran, just one question. Your evidence and correct me

6 if I am wrong, is that the only dealings you ever had with Mr. Dunlop was only

7 in relation to one development. That's correct.

8

9 JUDGE KEYS: And that development you have already mentioned and nothing else?

11:47:39 10 No other developments whatsoever?

11 A No.

12

13 CHAIRMAN: all right. Thank you very much.

14

11:47:43 15 CHAIRMAN: We will take a ten minute break.

16

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

18 **AND RESUMED AS FOLLOWS:**

19

11:48:31 20 MR. QUINN: Ms. Marian McGennis please.

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MS. MARIAN MCGENNIS, HAVING BEEN SWORN, WAS EXAMINED

AS FOLLOWS BY MR. QUINN:

CHAIRMAN: Good afternoon, Ms. McGennis.

A Chairman, could I apologise for the fact that I wasn't here at 10.30, I had a problem at home.

CHAIRMAN: That's all right, we didn't notice.

A Well I e-mailed the Tribunal last night to say I had a difficulty.

Q 376 MR. QUINN: Good morning, or good afternoon, Ms. McGennis. You were written to, if we could have document number 933 please, on the 13th January 2006 in connection with this module and in that letter, you were asked your responses to say a series of questions in relations to contacts that you had with people by or on behalf of Ballycullen Farms, the Jones Group, Christopher Jones, Oliver Brooks and John Brooks, that's 933 please.

And you were also asked about any payments or benefits that you might have received by or on behalf of those and you were asked to identify the persons who made representations to you or who might have made representations to you on behalf of Ballycullen Farms. And then at 934 you were asked for details of any contacts you had with Mr. Dunlop or Mr. Lawlor, including the dates and natures of such contacts.

And I think on the 27th January, if we could have 3036 please, you responded to the Tribunal as follows and I will just read your response and then I'll ask you one or two questions, you said "Dear Mr. King, I refer to your recent correspondence regarding the above module. Bearing in mind that the period in question covers events which occurred over 14 years ago I have no recollection of meetings or contacts with the people identified regarding the above lands.

12:10:55 1 I assume that the issue became before the party group meeting for consideration
2 in the first instance and later for discussion at the council meeting. I
3 regret that I can't be of greater assistance with regard to the volume of
4 files which the Tribunal has sent to me in relation to this module and others.

12:11:07 5 I would appreciate if you could arrange to have copied documents transferred to
6 CD Rom as I did not have storage space at home to accommodate this amount of
7 paperwork. Yours sincerely."

8
9 Now, I think Ms. McGennis in 1992 you were a member of Dublin County Council
10 and you represented the Mulhuddart electoral area?

11 A That's right. Mr. Quinn is it?

12 Q 377 That's correct, yes. I think you in that capacity, in October 1992, you voted
13 in favour of the proposal to rezone these lands, isn't that right?

14 A I think the record shows that, yes.

12:11:44 15 Q 378 I don't know if you have had an opportunity to review the documents that were
16 sent to you?

17 A Some of them.

18 Q 379 Yes. Now, before I deal with your vote at that time, can I just in the first
19 instance deal with your knowledge of the persons who have been mentioned here
12:12:01 20 as having a connection with these lands. Did you know for example
21 Mr. Christopher Jones?

22 A No.

23 Q 380 Did you know Mr. Oliver Brooks?

24 A I know, I think it's Oliver is the councillor, yes, I know him since he became
12:12:14 25 a councillor.

26 Q 381 He is a councillor --

27 A In Meath, yes.

28 Q 382 Did you know Mr. Frank Brooks?

29 A No.

12:12:20 30 Q 383 Had you ever met Mr. Frank or Oliver Brooks?

- 12:12:23 1 A I may have met Oliver but I don't know if it was over this period. I did meet
2 Oliver but I don't think in this period.
- 3 Q 384 You would have known Mr. Lawlor and Mr. Dunlop?
4 A Yes.
- 12:12:30 5 Q 385 Now, did you know in 1992 that Mr. Dunlop had been retained by Mr. Jones to
6 advise him in relation to having these lands rezoned?
7 A I didn't, no.
- 8 Q 386 When did you first become aware that Mr. Dunlop had an involvement with these
9 lands?
10 A I think when the Tribunal wrote to me about it.
- 11 Q 387 Prior to that, had you any knowledge Mr. Dunlop had been involved?
12 A Not really, no.
- 13 Q 388 In August 1991, if we could have 1504, Mr. Dunlop had provided a report to
14 Mr. Jones where he identified a number of councillors who ought to be canvassed
15 for their support in relation to the matter. Included in that were a number of
16 I think probably 26 in all, who were local councillors and then he gave a list
17 of other important points of contact and you were the third last mentioned
18 councillor on that list, do you see that?
19 A I do.
- 12:13:25 20 Q 389 Do you know why Mr. Dunlop might have regarded you an important point of
21 contact?
22 A I don't, no but if Mr. Dunlop was lobbying, I presume he would have lobbied
23 everybody, including me.
- 24 Q 390 Do you recall Mr. Dunlop lobbying you?
12:13:34 25 A No, I have no recollection about this and I was baffled to actually be called
26 as a witness in this module because it means nothing to me.
- 27 Q 391 You have no recollection of anybody lobbying you?
28 A No, I haven't, no, but the further you go from your local, your own electoral
29 ward, the less interest you really have in the detail of a development.
- 12:13:54 30 Q 392 We also know that Mr. Lawlor was advising Mr. Jones, if we could have 1764 in

- 12:14:01 1 1929, Mr. Lawlor would no longer have been a councillor but he does appear to
2 have been giving some advice to Mr. Jones. Did, do you have any recollection
3 of Mr. Lawlor lobbying you?
4 A No, I don't think Liam spoke to me about these lands.
- 12:14:16 5 Q 393 Okay. Now, just in relation to the receipt -- monies you might have received,
6 in relation to Mr. Dunlop, I think you have advised the Tribunal and the
7 inquiry that was conducted on behalf of your party, that you received 1,400
8 pounds in 1991 from Mr. Dunlop?
9 A I received a cheque from Mr. Dunlop for 1,400 pounds, yes.
- 12:14:39 10 Q 394 And then in 1992 you received you say, political assistance from Mr. Dunlop?
11 A Yes, that's right.
- 12 Q 395 Were you a candidate?
13 A I was a candidate in the Dublin north constituency for the general election of
14 that year, yes.
- 12:14:48 15 Q 396 And how did Mr. Dunlop come to provide that assistance to you?
16 A As far as I remember, I went to see Mr. Dunlop in his office when the election
17 was called. I think, in fact I know Frank was either a national organiser or
18 he had some particular official, he was working in some particular official
19 capacity for the party in that election.
- 12:15:08 20 Q 397 That was later in the election I think, that Mr. Dunlop was brought in to
21 assist?
22 A Yes. But it was a very short election.
- 23 Q 398 Yes. So you have a recollection of going to him and did you go to him had in
24 his capacity as having a role in the election?
12:15:25 25 A Yes, I think so, yes.
- 26 Q 399 And what did you, what did you ask him for?
27 A I have no idea, it was 1992 in the middle of an election but I do remember
28 speaking to Mr. Dunlop and asking for help.
- 29 Q 400 You had known Mr. Dunlop because there were a series of contacts between you
12:15:41 30 and Mr. Dunlop throughout 1992, isn't that right?

- 12:15:43 1 A Probably.
- 2 Q 401 You may or may not have seen from that the from the brief, 1627 please, this is
3 a telephone message left by a Marian McGennis on the 12th March 1992 at 10.50
4 p.m, do you recognise the telephone number?
- 12:15:57 5 A I do, that's my home number.
- 6 Q 402 Can you recall why you were trying to contact Mr. Dunlop?
- 7 A I have absolutely no idea. It may, sorry when is that anyway?
- 8 Q 403 It's March 1992, the 12th March 1992?
- 9 A No, I have no idea but maybe I have returned a call which was Mr. Dunlop made
12:16:13 10 to me but, no.
- 11 Q 404 Can I just ask you, you say Mr. Dunlop didn't lobby you in relation to these
12 lands?
- 13 A No I didn't, I said if Mr. Dunlop was lobbying on behalf of these lands,
14 there's in every probability he did, I am just saying this particular rezoning
12:16:29 15 means nothing to me personally.
- 16 Q 405 Would it be fair to say that Mr. Dunlop lobbied you in relation to numerous
17 lands?
- 18 A Yes.
- 19 Q 406 Now, there is a meeting arranged in Mr. Dunlop's dairy for the 18th March 1992
12:16:43 20 if we could have 1629 please, this is a 4 o'clock meeting. Do you recall
21 meeting Mr. Dunlop in March 1992?
- 22 A March, 1992. No, no, I was thinking 1993 was after the -- no, I don't.
- 23 Q 407 On the 2nd September 1992, if we could have 1739 please, there is an 11.40
24 phone call, Marian McGennis, do you recognise the number, could that have been
12:17:14 25 you looking for --
- 26 A Sorry I just need to find my name. Yes. That's my home number.
- 27 Q 408 On the 8th September 1992 at 1749 at 10 o'clock phone call --
- 28 A Sorry.
- 29 Q 409 10 o'clock.
- 12:17:35 30 A Yes.

- 12:17:37 1 Q 410 And then on the, the motion in this case was signed on the 28th September or
2 it's dated the 28th September I should say be to be more accurate. At 1793,
3 there appeared to have been a call put through on the 29th September, do you
4 have any idea what that call is?
- 12:17:55 5 A No. As I say unless Mr. Dunlop phoned me and I was returning his call or
6 unless it was to do with the other module, Quarryvale module which was very
7 delicate in my area at the time, I presume these things were happening around
8 the same time.
- 9 Q 411 1830 there appears to have ban call again very early, 9.40 on the 15th October
12:18:14 10 1992. Again, do you have any recollection?
- 11 A No, I haven't, I'm sorry.
- 12 Q 412 Now, the vote itself took place on the 29th October and you voted in favour of
13 the proposal to rezone the lands?
- 14 A Yes, that's on the record.
- 12:18:28 15 Q 413 At that stage, you think but you can't remember Mr. Dunlop may have --
- 16 A What I'm saying is if Mr. Dunlop was lobbying for that proposal, I would very
17 surprised if I didn't receive some correspondence or communications from him in
18 relation to anything he was lobbying for.
- 19 Q 414 You have no recollection of Mr. Oliver Brooks who you would have known asking
12:18:45 20 you to support the proposal?
- 21 A No I haven't but I can't say that he didn't because I know the man and I can't
22 say, I know him before or after that, I know the man but as I say, this
23 development means nothing to me.
- 24 Q 415 I understand. Now, in the schedule provided to the Tribunal on behalf of
12:19:08 25 Ballycullen Farms, there's a reference to a payment to you, if we could have
26 702 please, it may not be you but there's a reference to an "M McGuinness,
27 dinner, dated 31st December 1992, 250 pounds, local election donation", do you
28 see that?
- 29 A Yes.
- 12:19:26 30 Q 416 Could that be a payment or?

- 12:19:29 1 A I have no idea, does Mr. Jones say how this payment was made because if it was
2 a cheque, I'd like to see if it's my signature that's on the back of it, if it
3 isn't, I can say categorically I have never met Mr. Jones.
- 4 Q 417 You never met Mr. Jones?
- 12:19:45 5 A No.
- 6 Q 418 And you don't believe you ever received a payment from Mr. Jones, Ballycullen
7 Farms, Mr. Oliver Brooks, Mr. Frank Brooks?
- 8 A To the best of my knowledge, I didn't, I haven't you but as I say if there's a
9 cheque, I would like to see if there was a cheque and I don't know that I ever
10 had a dinner fund raiser. And again, the dates of Mr. Jones's, on the schedule
11 are, it says you know on or before the 31/12, the local elections were a year
12 earlier.
- 13 Q 419 That's the point in June 1991?
- 14 A I stood in a general election in the November --
- 12:20:20 15 Q 420 1992?
- 16 A Of 1992 but the local elections were and just as I was sitting in the gallery
17 there, I was going through this and on the same list, there are other people's
18 names and the party affiliations are completely wrong, there's other people who
19 I knew were members of the council with me who were listed as Fianna Fail
20 fundraiser and I know them in fact to be members of the Labour Party or Fine
21 Gael. So you know it's just something that struck me as I was sitting.
- 22 Q 421 Now, in your correspondence with the Tribunal, you said that you assumed that
23 the issue, that is the Ballycullen rezoning, came before the party group
24 meeting for consideration in the first instance, can you just explain what you
25 meant by that to the Tribunal?
- 12:21:01 26 A Well certainly up to 1991, I am not quite sure if the situation changed after
27 1991, before every council meeting, every ordinary council meeting, there was a
28 group meeting held usually in Conway's pub, at I think the meetings were half
29 past two so they would have been at 1 o'clock or thereabouts and members would
12:21:26 30 go through the agenda, I think to the best of my recollect, I think the same

12:21:28 1 procedure held for Development Plan meeting but they then started to come very
2 regularly so it was a possibility that there wasn't a meeting before every or
3 there wasn't a party meeting before every meeting.

4 Q 422 And Mr. Ryan, a colleague of yours, told the Tribunal yesterday that he would
12:21:44 5 accept that Fianna Fail tended to have a united position on motions, would you
6 agree with that?

7 A Probably in most of the cases, yes.

8 Q 423 That a decision or a position would be adopted at those meetings and that by
9 and large, there would be a united party front.

12:21:59 10 A It would depend, I think the only other time that I have been attendance at the
11 Tribunal was to do with the Fox and Mahony Module and I think Ms. Dillon asked
12 me the question at the time, why I had voted differently to the rest of the
13 members so it depends on the issue. If there was some disagreement at the
14 group meeting about the issue, then you know, if there was total agreement and
12:22:25 15 unless you had a specific reason that you felt no, this isn't something I want
16 to support, well then it would seem likely you would vote for it.

17
18 If there wasn't and there was some members within the group who felt that
19 perhaps it wasn't, it shouldn't be supported, well then I have done it in the
12:22:40 20 past, I voted differently to a lot of other members of my party.

21 Q 424 And presumably at those meetings, the person promoting the motion from within
22 the party was the person who would promote the --

23 A Who would speak to it.

24 Q 425 Who would speak to the motion at that meeting?

12:22:54 25 A Yes.

26 Q 426 Thank you very much.

27 A Thank you.

28

29 CHAIRMAN: Anybody? Thank you very much.

12:23:09 30 A Thank you. Chairman.

12:23:10 1

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MR. QUINN: Mr. Colm McGrath please.

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12:23:12 1 **MR. COLM MCGRATH, HAVING BEEN SWORN, WAS EXAMINED**

2 **AS FOLLOWS BY MR. QUINN:**

3

4 CHAIRMAN: Good afternoon.

12:23:50 5 A Good afternoon.

6

7 Q 427 MR. QUINN: Thank you Mr. McGrath. Mr. McGrath you were written to by the

8 Tribunal on the 13th January and you responded on the 24th January, if we could

9 have 3072 please. In your letter to Mr. King you said that "With reference to

12:24:06 10 your letter of the 13th January regarding the above lands, I wish to respond as

11 follows to the best of my recollection.

12

13 Having considered all the information and opinions available to me at the time,

14 I decided to vote in favour of the both the above zoning proposals. In

12:24:19 15 response to your specific questions, I wish to state;

16 1. I met Chris Jones once or twice at the races. I knew Oliver and Frank

17 Brooks through our mutual membership of Fianna Fail.

18 2. All the above supported by fund raisers at one time or another, no details

19 available but it was usually related to a golf classic.

12:24:40 20 3. I have no specific recollection of representations being made to me in an

21 informal way, however, I'm sure I would have discussed the proposals with some

22 of the above.

23 4. I had no contacts with Frank Dunlop or the late Liam Lawlor in relation to

24 the above proposals, Mr. Dunlop has misinformed the Tribunal. Trusting this is

12:24:59 25 of assistance". Do you want to add in any way to that statement?

26 A No.

27 Q 428 If I could start perhaps by asking you of your, about your relationship with

28 Mr. Jones, you say that you met Mr. Jones twice, once or twice and only then at

29 race meetings, is that correct?

12:25:15 30 A Yes, I think so. I think I was introduced to him once at a race meeting.

- 12:25:21 1 Q 429 Who introduced you to him?
- 2 A Oh I can't remember.
- 3 Q 430 When would that have been?
- 4 A Many, many years ago. I am not a race goer as such. But I remember once being
- 12:25:33 5 at, I am not sure even what race track it was, being introduced to him all
- 6 right.
- 7 Q 431 So you had a brief introduction to him?
- 8 A Just a passing introduction.
- 9 Q 432 Okay. You knew however Mr. Oliver and Frank Brooks?
- 12:25:48 10 A I did yes.
- 11 Q 433 How well did you know Mr. Oliver Brooks?
- 12 A I got to know both of them quite well through our mutual membership of Fianna
- 13 Fail and we would have met always at Ard Fheiseanna and then various
- 14 conventions over the years where you would have --
- 12:26:08 15 Q 434 Sorry, in 1992 you were a councillor for the Clondalkin ward, is that right?
- 16 A That's right. Yes.
- 17 Q 435 How well did you know Mr. Oliver and Frank Brooks in 1992?
- 18 A How well did I know them? Well I knew them quite well, I am sure I knew them
- 19 quite well.
- 12:26:27 20 Q 436 You know them quite well at this stage. Now, you felt and you told the
- 21 Tribunal that all of the above supported your fundraisers at one time or
- 22 another, is that right?
- 23 A Yes.
- 24 Q 437 Including Mr. Jones, though you only ever once met him then only briefly?
- 12:26:41 25 A Well it's only because of the information that I am getting from the Tribunal
- 26 that I'm making the connection with Mr. Jones, you know? So I do recall a team
- 27 being placed, taken on one of my golf classics.
- 28 Q 438 Maybe it we take it --
- 29 A It may be associated company wise to Mr. Jones, I can't be a hundred percent
- 12:27:01 30 sure of that.

- 12:27:02 1 Q 439 Okay. We will tell you what Mr. Jones has said and told to the Tribunal in the
2 first instance, if we could have page 703 please. You now taking the first
3 group of councillors mentioned, the second last, 31st June 1999, Colm McGrath,
4 golf, 500 pounds local election donation, do you see that?
- 12:27:29 5 A Right.
- 6 Q 440 Did receive a 500 pounds local election donation from Chris Jones? 1999?
7 A I am sure I did, I am not sure if it was in his name.
- 8 Q 441 Okay, then further down, do you see 19th November 1992, "Colm McGrath, 500
9 pounds, political Democrats golf", do you see that?
- 12:27:53 10 A Yeah well --
- 11 Q 442 Did you receive?
12 A I am sure I did. Yeah.
- 13 Q 443 On the 10th October 1996 I think it is, Colm McGrath, "500 pounds, political
14 Democrats golf"?
- 12:28:04 15 A Yes.
- 16 Q 444 I think on the 27th March 1999, "Colm McGrath, Citywest telethon, 200 pounds",
17 can you see that?
18 A I do, yeah, I don't know what that is though.
- 19 Q 445 You don't know what that is?
- 12:28:17 20 A No.
- 21 Q 446 Could we have 1943 please?
22 A "Political Democrats" doesn't seem to make any sense either.
- 23 Q 447 I understand. You see this appears to be an entry amongst the documentation
24 discovered to the Tribunal on behalf of Ballycullen Farms. Which suggests that
12:28:35 25 Mr. Frank Brooks paid Colm McGrath 500 pounds on the 19th November 1992, do you
26 see that?
27 A I do see it.
- 28 Q 448 Did you receive 500 pounds from Mr. Frank Brooks in November 1992?
29 A No, I didn't unless it was in relation to a golf classic.
- 12:28:55 30 Q 449 Could you have received it in a relation to a golf classic?

- 12:28:58 1 A I could have.
- 2 Q 450 Were you running golf classics in November 1992?
- 3 A I am not sure but maybe the previous slide would tell us that.
- 4 Q 451 If we go back to 703 please. 19th November, Colm McGrath, 1716, "500 pounds.
- 12:29:23 5 Political democrat golf"?
- 6 A That could be it, that could be it now, but they were usually paid by cheque.
- 7 Q 452 It would have been usually paid by cheque to you?
- 8 A Yes.
- 9 Q 453 Then --
- 12:29:35 10 A Or to the venue, me or the venue.
- 11 Q 454 If I could have 2552 please, there appears to have been another 500 pounds,
- 12 Colm McGrath which may have been the same payment, it's difficult to know, but
- 13 there's a reference to the 31st December 1998, did you in 1998 receive 500
- 14 pounds?
- 12:29:54 15 A If we go back to the previous slide?
- 16 Q 455 702 please, 703 I should say.
- 17 A I don't suppose we should be using this as definitive reference but it is
- 18 handy.
- 19 Q 456 The best reference I think Mr. McGrath might be your own recollection?
- 12:30:12 20 A Yes well like I would have had fund raisers over the years.
- 21 Q 457 When you received the requests from the Tribunal which asked you to identify
- 22 any payments you might have received from the Tribunal or from either
- 23 Ballycullen Farms or Mr. Brooks presumably you carried out some search of your
- 24 own records in order to assist you in answering the query?
- 12:30:33 25 A I did, yes.
- 26 Q 458 And can you tell the Tribunal what that search disclosed?
- 27 A Well it wouldn't have disclosed that kind of detail because when one runs a
- 28 golf classic, you receive a combination of cheques and cash and they are not
- 29 necessarily connected directly to the person to whom you may have written.
- 12:30:55 30 Q 459 Yes.

- 12:30:55 1 A They may --
- 2 Q 460 You would have a series of people that you would write to?
- 3 A Yes.
- 4 Q 461 For support?
- 12:31:01 5 A Yes.
- 6 Q 462 Were the Brooks brothers on that list?
- 7 A They were, they would have been, yes.
- 8 Q 463 And when would they have first gone on that list?
- 9 A Oh, well I suppose as far back as the first time they --
- 12:31:12 10 Q 464 As far as back as 1992?
- 11 A Probably. If that's what the record shows.
- 12 Q 465 So from 1992, from at least 1992 onwards, the Brooks brothers were people you
- 13 would have regarded as --
- 14 A Ah yes.
- 12:31:25 15 Q 466 Amongst your donors or political backers?
- 16 A Not necessarily political backers.
- 17 Q 467 But people you would have looked to for political financial support?
- 18 A Yes, I would have included them on a list of potential contributors.
- 19 Q 468 There's, if we could have 3444 please. This is a letter to Mr. Jones on the
- 12:31:44 20 7th May 1999 looking for support in relation to a professional golf classic for
- 21 the 19th May. By 1999 Mr. Jones appears to have made it on to the list, isn't
- 22 that right?
- 23 A Yes, or that may be the name I was given to write to.
- 24 Q 469 Given by whom?
- 12:32:04 25 A Maybe one of the Brooks.
- 26 Q 470 When would they have given you that name?
- 27 A Around the time of the letter I would say.
- 28 Q 471 And why would they have contributed themselves heretofore and now in 1999 as to
- 29 write directly to Mr. Jones?
- 12:32:20 30 A I suppose you would have to ask them that but I mean --

- 12:32:23 1 Q 472 Would you not have asked them?
- 2 A Frank was a keen golfer I think.
- 3 Q 473 Sorry?
- 4 A I think Frank was a keen golfer.
- 12:32:31 5 Q 474 What did that contribute to what we are dealing with, Mr. McGrath?
- 6 A He may have been interested just to be in the tournament.
- 7 Q 475 Bring interest to the tournament, is it?
- 8 A Well I can recall, well I think I can vaguely recall that there were two teams
- 9 at one of my golf tournaments related to the Jones/Ballycullen people. Now one
- 12:32:59 10 of them may have been Oliver Brooks.
- 11 Q 476 When was that, when had you two teams?
- 12 A I am nearly sure it was the, it was one of the earlier or maybe one of the -- I
- 13 am not quite sure, Mr. Quinn, to be honest.
- 14 Q 477 In 1992 or 1993?
- 12:33:15 15 A I don't think it was 1992 or 1993, I think it was one of the later ones.
- 16 Q 478 Was your support for the Ballycullen rezoning ever in doubt, Mr. McGrath?
- 17 A In whose mind?
- 18 Q 479 In yours?
- 19 A No, not really, no.
- 12:33:27 20 Q 480 Now, Mr. Dunlop has alleged that he has given you, that he gave you 1,000
- 21 pounds in cash in return for your support for this rezoning, isn't that right?
- 22 A That's what he has alleged, yes, so I believe.
- 23 Q 481 And there's no doubt but that you did receive cash from Mr. Dunlop in 1992,
- 24 isn't that right, you have given evidence of that to the Tribunal?
- 12:33:50 25 A Yes, not in relation to Ballycullen.
- 26 Q 482 Not in relation to Ballycullen but you have given evidence and you have
- 27 accepted that you have received money by way of cash from Mr. Dunlop in 1992?
- 28 A I gave evidence that I received cash from Mr. Dunlop on several occasions.
- 29 Q 483 Yes.
- 12:34:08 30 A I don't think I put specific times on it.

- 12:34:10 1 Q 484 I thought you had admitted to having received 2,000 pounds sometime in 1992?
- 2 A Probably.
- 3 Q 485 At your offices wrapped in an Irish Times newspaper, is that correct?
- 4 A Yes, I would give a modicum of credence to the dates but I would be very
- 12:34:28 5 suspicious of any --
- 6 Q 486 Take the year, Mr. McGrath, was it 1992?
- 7 A It could have been. Yes.
- 8 Q 487 Now, Mr. Dunlop does not allege that he gave you this 1,000 pounds in cash at
- 9 your offices, he says he gave it to you the environs of Dublin County Council?
- 12:34:46 10 A Is that a question?
- 11 Q 488 Yes.
- 12 A You are asking me did he give me it?
- 13 Q 489 Yes.
- 14 A No, he didn't.
- 12:34:53 15 Q 490 And you have told the Tribunal, I think in the past, that it was your practice
- 16 not to lodge cash to your accounts, is that right?
- 17 A Yes.
- 18 Q 491 You would normally -- So if Mr. Dunlop, if Mr. Dunlop had given you a further
- 19 1,000 pounds in cash in the environs of Dublin County Council in 1992 in
- 12:35:12 20 October 1992, you wouldn't have lodge that had to your account, isn't that
- 21 right?
- 22 A I wouldn't have, no. If he had given it to me.
- 23 Q 492 Now, there were a series of lodgments I think raised but in correspondence to
- 24 accounts held by you in September to December 1992, isn't that right, if we
- 12:35:28 25 could have 2959 please. These are lodgments in September, October, 1992, isn't
- 26 that right? Of 600, 455 and 337. Those were sent to you in a letter on the
- 27 19th January 2006, isn't that right?
- 28 A I am sure, yes, I recall this.
- 29 Q 493 You have no recollection of the source of those lodgments, isn't that right?
- 12:35:59 30 A Can I see my --

- 12:36:00 1 Q 494 You certainly didn't reply to that letter.
- 2 A I didn't?
- 3 Q 495 No. It was a subsequent letter to you sent to you on the 27th January 2006
4 which is at 2963, if we could have a look at the schedule at 2964 where there
12:36:17 5 were further lodgments in December and November 1992 furnished to you. You did
6 reply to that letter and I think you said in relation to the first lodgment,
7 that's for 3295, that constituted the proceeds of a sale of a motorcar, isn't
8 that right?
- 9 A Before we go on to that, I would be surprised that I didn't reply to any of
12:36:36 10 your letters, I have been very diligent in my replying, I will have to check
11 that for you and see if I can find something on my file.
- 12 Q 496 Okay, there may be a mix up on that. Just dealing with the lodgments on screen
13 for the moment, the first lodgment on the 8th December that appears that, you
14 say that constituted the proceeds of the sale of a motorcar?
- 12:36:58 15 A That's my best recollection.
- 16 Q 497 The subsequent three lodgments are each to be found in a bank statement at 2969
17 and I think in relation to the lodgment of 524.90, you said that that was the
18 proceeds of council travel and subsistence, is that right?
- 19 A Yes.
- 12:37:17 20 Q 498 The 400 pounds, you have no idea of the source of that lodgment?
- 21 A No.
- 22 Q 499 And in relation to the 500 pounds, you say it's drawings, Clondalkin
23 Distributors, yes, what is that?
- 24 A That was my company.
- 12:37:30 25 Q 500 That was your company. And you say you withdrew money from your company or you
26 had money on hand?
- 27 A No, that would be a regular withdrawal.
- 28 Q 501 It's a lodgment here now Mr. McGrath.
- 29 A Yeah, what account is that? Yeah, see that's my personal account. I would
12:37:53 30 have withdrawn from my business account.

- 12:37:53 1 Q 502 So we should see --
- 2 A You could probably put it in the category of wages.
- 3 Q 503 We should see a 500 pounds withdrawal from your business account, is that
- 4 correct and a --
- 12:38:01 5 A I would say so, if I am a hundred percent right but that's my best guess as to
- 6 what it was.
- 7 Q 504 And then there were two further lodgments on the 19th November and the 7th
- 8 December for 1300 and 1023 respective and I think one of them you said was a
- 9 quarterly rent from tenant and the other was a service charge from a tenant, is
- 10 that correct?
- 11 A Yes but I don't see it on screen, but however.
- 12 Q 505 2970 is the 1,300 pounds and I take it that's your writing at the end of it, is
- 13 that right?
- 14 A Yes, that's right, that would be quarterly rent.
- 12:38:35 15 Q 506 One should again find in your lodgments a 1,300 pounds deposits for that year?
- 16 A Yes, if they paid on when they were supposed to. That would represent a rent
- 17 of 100 pounds per week divided by into a quarterly payment.
- 18 Q 507 Yes, are you satisfied that's what that 1,300 pounds represents?
- 19 A That's my best recollection.
- 12:38:59 20 Q 508 Was it the practice of the tenant to pay quarterly?
- 21 A Most tenants made by the month, I don't know why that tenant paid --
- 22 Q 509 At 2971 there's another 1,023.20 and you say it's a service charge from a
- 23 tenant?
- 24 A Yes.
- 12:39:22 25 Q 510 What do you mean by that, Mr. McGrath?
- 26 A Well we provided services to our tenants in house. And that may have
- 27 represented a running account, so there might have been two or three months
- 28 service charges paid in that one cheque.
- 29 Q 511 Did you know that the Brooks brothers were employed by Mr. Jones?
- 12:39:45 30 A Not initially, no.

- 12:39:46 1 Q 512 Did you know that they were involved in Ballycullen Farms?
- 2 A Yes, I did eventually.
- 3 Q 513 Yes, but did you know when it came to vote in 1992 that they had an involvement
- 4 with Ballycullen Farms?
- 12:39:56 5 A Yes.
- 6 Q 514 And you had I think, had you been canvassed by them for support in relation to
- 7 that rezoning?
- 8 A I would have been, I say.
- 9 Q 515 Do you recall being canvassed for your support by Mr. Dunlop?
- 12:40:09 10 A I don't recall being canvassed by Mr. Dunlop, no but I'm sure I would have
- 11 discussed it with him.
- 12 Q 516 Yes. What makes you so sure that you would have discussed it with him?
- 13 A Well, that was his brief, wasn't it.
- 14 Q 517 Sorry?
- 12:40:25 15 A That was his brief.
- 16 Q 518 To discuss it with you?
- 17 A To discuss it with all councillors I am sure.
- 18 Q 519 There was quite an amount of contact between you and Mr. Dunlop in 1992, isn't
- 19 that right?
- 12:40:35 20 A There would have been extensive contact.
- 21 Q 520 Extensive contact. I mean I don't want to go through all of the various
- 22 contacts, but taking it up from June 1992, if we could have 1689 I think you
- 23 rang his office at 9.40 on the morning of the 4th June 1992, is that right?
- 24 A Well probably to help the Tribunal and in the context of the time, I would have
- 12:40:56 25 had extensive contact with him on almost a daily basis during the course of the
- 26 Development Plan.
- 27 Q 521 Was this in relation to another development?
- 28 A Yes, Quarryvale, in relation to Quarryvale.
- 29 Q 522 We don't want, we are injuncted from dealing with Quarryvale at this time?
- 12:41:08 30 A Okay. Well we will say another development.

- 12:41:09 1 Q 523 Another development.
- 2 A Okay.
- 3 Q 524 Did you have contact with him in relation to the current development?
- 4 A No, I doubt it, unless by way of return phone call to see --
- 12:41:21 5 Q 525 Did you have contact with him in relation to other developments, that is other
- 6 than this development?
- 7 A I probably did, yes, but they would be a very small fraction of the amount of
- 8 contact that I would have had with him with the other main development.
- 9 Q 526 You met him I think on the 17th June 1992 at 1692. There seems to be a 1 p.m.
- 12:41:45 10 meeting. Again on the 27th July, 1992, you rang his office at 10.25, at 1707,
- 11 the 4th August 1992 at 1711. 7th August 1992, 1712. The 11th August 1992 at
- 12 1715. 17th August 1992 at 1719. 1st September 1992, 1737. 1739, on the 2nd
- 13 September 1992. You rang to tell him that there was an "FF group meeting at
- 14 DCC at 6 o'clock in Conway's, Parnell Street." Do you recall that phone call?
- 12:42:33 15 A No, I don't neither can I confirm the veracity of any of those records.
- 16 Q 527 Well have you any recollection of --
- 17 A It's probably likely that I did phone.
- 18 Q 528 Is it probable you might have, on the 2nd September 1992, rang Mr. Dunlop at
- 19 12.55 to advise him there was a Fianna Fail group meeting at Dublin county
- 12:42:57 20 council at 6 o'clock in Conway's?
- 21 A It's likely I did, yes.
- 22 Q 529 Was it usual to have Fianna Fail group meetings in Conway's was it usual to
- 23 discuss upcoming motions at those meetings?
- 24 A Yes.
- 12:43:12 25 Q 530 And do you recall any group meetings in discussion in relation to the motion of
- 26 the rezoning of the Ballycullen lands?
- 27 A Not specifically but once it was on the agenda, I am sure it would have been
- 28 discussed.
- 29 Q 531 And would a consistent view have been taken on the vote for that rezoning --
- 12:43:29 30 A Among the Fianna Fail group?

- 12:43:32 1 Q 532 Yes.
- 2 A Yeah. I think it found favour with almost all Fianna Fail councillors as it
- 3 was viewed to be a good proposal.
- 4 Q 533 Yes. You had a further meeting on the, two phone calls on the 3rd September,
- 12:43:43 5 that's 1741, one on the 8th September, 1749, two on the 9th September, 1750.
- 6 Again, at 1751, you had a further two calls on the same day. One on the 10th
- 7 September, that's 1753. Two on the 16th September, 1759. One on the 17th
- 8 September, one on the 23rd September, that's 1763 and 1776, you have been
- 9 supplied with all these attendances, isn't that right, Mr. McGrath, as part of
- 12:44:19 10 your brief?
- 11 A I have seen most of this stuff.
- 12 Q 534 One on the 28th September, that's at 1781 you had rang looking for Mr. Dunlop,
- 13 isn't that right?
- 14 A Mr. Quinn, I can't confirm the veracity of any of these records. So all I can
- 12:44:37 15 say to you is I can see what you have on the screen and all I can do is repeat
- 16 to you I had extensive dealings with Frank Dunlop in relation to another
- 17 development and it might help you and the Tribunal to save time that I can say
- 18 to you that I had little or no dealings with Mr. Dunlop on the current module.
- 19 Q 535 Yes.
- 12:44:57 20 A So those phone calls I can assure you are were nothing to do with Ballycullen.
- 21 Q 536 Yes.
- 22 A Or things that have allegedly -- or the meetings that have allegedly supposed
- 23 to have happened.
- 24 Q 537 Just in relation to -- I was unfair to you a moment ago, Mr. McGrath, in
- 12:45:12 25 relation to the lodgments, you were contribute when you say you did respond to
- 26 the Tribunal's letter to you of the 19th January in relation to the lodgments
- 27 and if we could have 2959 please, on the 24th January in response to that
- 28 letter, you advise the Tribunal that the first and second item, you have no
- 29 records saying the bank statements to which you refer and you say "My best
- 12:45:40 30 guess is that the lodgment 337 so my personal account is a cheque from council

12:45:44 1 expenses and that the lodgment 455.32 to my office account is most likely a
2 cheque from one of my tenants."

3 A Mmm.

4 Q 538 And you don't provide, you offer no assistance with the third item which is
12:45:58 5 outside your control, that's the lodgment of the 600 pounds, isn't that right?

6 A That's right, yes.

7 Q 539 Thank you very much.

8 A Okay.

9

12:46:15 10 JUDGE FAHERTY: Just sorry Mr. McGrath, just one matter. I know you have said
11 you had extensive contact with Mr. Dunlop regarding another development and you
12 seem to account for insofar as you can, the records that show and obviously
13 they are Mr. Dunlop's office records of calls from you or his diary entries or
14 whatever, obviously Mr. Dunlop was, you were meeting him regarding that other
12:46:46 15 development but we know from Mr. Dunlop and indeed from others and we will hear
16 further that Mr. Dunlop was also engaged for a number of other clients, isn't
17 that correct?

18 A He was.

19

12:46:58 20 JUDGE FAHERTY: So you are not disputing but that he would have spoken to you
21 about Ballycullen?

22 A Oh he would have, I would say, yes.

23

24 JUDGE FAHERTY: I see. That's all right.

12:47:12 25 A Okay. Thank you.

26

27 CHAIRMAN: Thank you very much.

28 A Thank you very much, chairman.

29

12:47:16 30 MS. DILLON: There's only one further witness for today, Mr. Creavan, he is

12:47:19 1 not available until 2.15.

2

3

CHAIRMAN: All right. We will sit at 2.15.

4

12:47:33 5 MS. DILLON: May it please you.

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THE TRIBUNAL THEN ADJOURNED UNTIL 2.15.

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14:22:20 10

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THE TRIBUNAL RESUMED AS FOLLOWS AT 2.15.

14:22:20 1
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3 MS. DILLON: Good afternoon sir. Mr. Liam Creavan please. While Mr. Creavan
4 is approaching the witness box, Mr. Creavan is represented by Mr. Robert Dore
14:22:31 5 of Dore and company and Mr. Dore has an application for limited representation.
6 Mr. Creavan has not previously been granted representation.

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8 CHAIRMAN: All right well we will grant that.

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14:22:43 10 MS. DILLON: Mr. Liam Creavan please.

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14:22:48 1 **MR. LIAM CREAVAN, HAVING BEEN SWORN, WAS EXAMINED**

2 **AS FOLLOWS BY MS. DILLON:**

3

4 CHAIRMAN: Good afternoon Mr. Creavan.

14:23:12 5 A Good afternoon.

6

7 MS. DILLON: Good afternoon, Mr. Creavan. I think that you first elected to

8 Dublin County Council in 1985?

9 A True.

14:23:20 10 Q 540 You are a member of the Fianna Fail political party, is that correct?

11 A Correct.

12 Q 541 And in 1993, you became a member of Fingal County Council?

13 A True.

14 Q 542 But between 1991 and 1993, the duration of the making of the 1993 Development

14:23:34 15 Plan, you were a member of Dublin County Council?

16 A Correct.

17 Q 543 Now, I think the record shows that insofar as the Ballycullen lands are
18 concerned, that you voted in favour of the rezoning of the Ballycullen lands on
19 the 29th October 1992, is that right?

14:23:48 20 A Correct.

21 Q 544 And I think similarly, you voted in favour of the confirming of that rezoning
22 on the 28th October 1993, the following year?

23 A Correct.

24 Q 545 Now, I think that the record shows that all members of Fianna Fail who were
14:24:02 25 present and voting on the 29th October 1992 voted in favour of the rezoning.

26 A Correct.

27 Q 546 And similarly, all members of Fianna Fail who were present and voting on the
28 28th October 1993, voted in favour of confirming the rezoning?

29 A Correct.

14:24:18 30 Q 547 I think you have previously told the Tribunal, Mr. Creavan, that the Fianna

- 14:24:21 1 Fail party tried to meet in advance of the meetings of Dublin County Council?
- 2 A Yes, it was a loose arrangement that they had.
- 3 Q 548 And that that meeting was for the purpose of going down through the agenda?
- 4 A Yes.
- 14:24:38 5 Q 549 And I think Mr. Ned Ryan, do you know Mr. Ned Ryan?
- 6 A I do.
- 7 Q 550 Mr. Ned Ryan gave evidence yesterday and I think he told the Tribunal that in
- 8 general, Fianna Fail would try and present what he described as a united front
- 9 in relation to matters that were on the agenda?
- 14:24:53 10 A Yes.
- 11 Q 551 And would you agree with that?
- 12 A I would, yes.
- 13 Q 552 And that in general, following these meetings, when they took place, Fianna
- 14 Fail in general had a view in relation to each development?
- 14:25:04 15 A Yes.
- 16 Q 553 Either for or against?
- 17 A Correct.
- 18 Q 554 And would it be fair to say that you would describe yourself as being in favour
- 19 of rezoning?
- 14:25:13 20 A Yes.
- 21 Q 555 I think you have also previously told the Tribunal that it was your habit as
- 22 indeed it was, that of Mr. Michael Joseph Cosgrave to support Mr. Frank Dunlop
- 23 in his endeavours in relation to developments, is that right?
- 24 A Correct.
- 14:25:26 25 Q 556 And you have told the Tribunal that with one exception where you abstained, you
- 26 never voted against a proposal that was being supported by Mr. Mr. Dunlop?
- 27 A Yes.
- 28 Q 557 And is that the position here that Mr. Dunlop, did he approach you about the
- 29 Ballycullen lands?
- 14:25:40 30 A Yes.

- 14:25:41 1 Q 558 And did you agree with Mr. Dunlop that you would support him?
- 2 A I did.
- 3 Q 559 In the Ballycullen lands?
- 4 A I did.
- 14:25:46 5 Q 560 And was it enough for you that Mr. Dunlop was supporting the, or promoting the
- 6 lands?
- 7 A Plus there was general agreement with most of the councillors that it was a
- 8 proposal we should support.
- 9 Q 561 And by you saying most of the councillors, do you mean within the Fianna Fail
- 14:26:06 10 party?
- 11 A Yes.
- 12 Q 562 That the Fianna Fail party was supporting the rezoning of the Ballycullen
- 13 lands?
- 14 A Yes.
- 14:26:12 15 Q 563 Right. Now, I think Mr. Creavan, you were recorded in Mr. Dunlop's telephone
- 16 attendances and diaries as having a number of telephone contacts with him in
- 17 late 1992 and I think it would be fair to say you wouldn't dispute that you
- 18 telephoned Mr. Dunlop fairly regularly?
- 19 A No I wouldn't.
- 14:26:35 20 Q 564 And is it also fair to say that you would have, your purpose in contacting
- 21 Mr. Dunlop would have been to discuss the matters with which you and he were
- 22 involved?
- 23 A Yes and other matters.
- 24 Q 565 And other matters. But in the main insofar as you had business to do together,
- 14:26:52 25 that business was the Development Plan?
- 26 A Yes.
- 27 Q 566 And insofar as you were contacting Mr. Dunlop as a councillor, as opposed to
- 28 contacting him as a friend, it was in connection with the developments or the
- 29 business of Dublin County Council?
- 14:27:04 30 A Yes.

- 14:27:05 1 Q 567 And that your contacts were and your meetings with there Dunlop, they dealt
2 with matters pertaining to the Development Plan?
3 A They did.
- 4 Q 568 And that would include the Ballycullen lands?
14:27:16 5 A Yes.
- 6 Q 569 Do you actually remember discussing the Ballycullen lands with Mr. Dunlop?
7 A No, I can't remember specifically discussing it with him but I'm sure he did
8 ask me.
- 9 Q 570 And you would have been happy to offer your support?
14:27:28 10 A I'm sorry?
- 11 Q 571 You would have been happy to offer your support?
12 A Yes.
- 13 Q 572 Could I have page 702 please, before I look at this document, can I ask you,
14 did you know Mr. Christopher Jones?
14:27:50 15 A No.
- 16 Q 573 And did you know Mr. Frank Brooks?
17 A No.
- 18 Q 574 Did you know Mr. Oliver Brooks?
19 A Yes.
- 14:27:50 20 Q 575 In 1992, did you know Mr. Oliver Brooks?
21 A I believe I did.
- 22 Q 576 And did you know that Mr. Oliver Brooks had an involvement or a connection with
23 Ballycullen Farms?
24 A Yes.
- 14:27:59 25 Q 577 Were you approached by Mr. Oliver Brooks for your support in connection with
26 the Ballycullen Farms?
27 A I can't recall the, Oliver Brooks actually coming to me and asking me but I
28 wouldn't -- I'd be very surprised if he didn't because of our relationship.
- 29 Q 578 And by your relationship, do you mean that you had become friendly --
14:28:20 30 A Yes.

- 14:28:21 1 Q 579 -- with Mr. Brooks?
- 2 A Yes.
- 3 Q 580 Because you were both members of the same political party?
- 4 A Exactly.
- 14:28:26 5 Q 581 I think if we could have page 2990 please, this is an extract from your
6 statement that you provided to the Tribunal, Mr. Creavan, and in subparagraph
7 1, you first of all state in the second paragraph that "My client" and that's
8 referring to you "who was a Fianna Fail councillor would also have lent his
9 support to his Fianna Fail colleagues representing the electoral ward in which
10 the Ballycullen lands were situate."
11 Do you see that Mr. Creavan, the second paragraph, if it could be enhanced
12 please.
13 A Yes, yes.
- 14 Q 582 The second at the very top?
- 14:29:13 15 A The second one. Yes.
- 16 Q 583 You see that paragraph?
- 17 A Yes.
- 18 Q 584 And you agree with that, that you would have supported your Fianna Fail
19 colleagues who were representing the Ballycullen lands?
- 14:29:23 20 A Yes.
- 21 Q 585 And insofar as subparagraph 1 is concerned, it says "To the best of your
22 recollection, information and belief, you had no contact with persons connected
23 to or on behalf of or with it Ballycullen Farms, the Jones Group,
24 Mr. Christopher Jones, Mr. Oliver Brooks and Mr. Frank Brooks."
14:29:43 25 A Yes.
- 26 Q 586 "My client freely admits he has had a long association with Mr. Oliver Brooks
27 down through the years which association arose out of their membership and
28 support of the Fianna Fail party. He has met Mr. Oliver Brooks from time to
29 time down through the years at social functions and the like and indeed would
14:30:01 30 consider that the fair of them developed a good friendship as a result. My

- 14:30:04 1 client has no recollection whatever however of Mr. Oliver making any contact
2 with him relating to Ballycullen Farms, the Jones Group, Mr. Christopher Jones
3 or Mr. Frank Brooks."
- 4 A Yes.
- 14:30:16 5 Q 587 Do you accept it is likely that Mr. Oliver Brooks did seek your support in
6 relation to the rezoning of the Ballycullen lands?
- 7 A As I said, I would be greatly spice surprised if he didn't.
- 8 Q 588 And you would have if I understand what you are saying correctly, been happy to
9 volunteer that support to Mr. Brooks?
- 14:30:31 10 A Correct.
- 11 Q 589 Did you ever go and visit the lands?
- 12 A No.
- 13 Q 590 Did you know Mr. Derry Hussey?
- 14 A No.
- 14:30:36 15 Q 591 You knew, I believe, the late Mr. Liam Lawlor?
- 16 A I knew him as a party member.
- 17 Q 592 Yes. Do you remember having any discussions with the late Mr. Liam Lawlor
18 about the Ballycullen lands?
- 19 A No.
- 14:30:49 20 Q 593 Now in paragraph 2, I think the Tribunal provided you with documentation in,
21 including documentation provided by Mr. Jones which records the fact that
22 insofar as Mr. Jones is concerned, in the year 1992 a sum of 1,000 pounds was
23 paid to you, I think you are familiar with that document, Mr. Creavan?
- 24 A Yes.
- 14:31:10 25 Q 594 Is that right, and this is your response to that document, isn't that right?
- 26 A In --
- 27 Q 595 That's on screen?
- 28 A Yes, that's my response.
- 29 Q 596 Now, first of all, do you accept that you might have received a sum of 1,000
14:31:23 30 pounds from Mr. Jones or somebody on his behalf?

- 14:31:28 1 A It appears from the statement that I did. But personally, I have no
2 recollection of that.
- 3 Q 597 You have no recollection of receiving --
- 4 A I have no recollection, no.
- 14:31:40 5 Q 598 Right. The -- no underlying document has been supplied to the Tribunal in
6 connection with the payment to you, Mr. Creavan, in other words no cheque stub
7 or copy cheque or any other document has been supplied by Mr. Jones or anybody
8 on his behalf in connection with this payment.
- 9 A No.
- 14:31:59 10 Q 599 So the only assertion the Tribunal has, is that this payment took place is this
11 schedule?
- 12 A Right.
- 13 Q 600 Now, do you have a memory at all of receiving a sum of 1,000 pounds from
14 Mr. Jones or anybody on his behalf?
- 14:32:13 15 A No, I have no recollection whatsoever.
- 16 Q 601 I think it's fair to say that you had been asked, I think, by the Fianna Fail
17 party in the course of the Fianna Fail Inquiry, as to whether you had ever
18 received any money from developers, isn't that right?
- 19 A That's correct.
- 14:32:27 20 Q 602 And I think you told the Fianna Fail party initially that you had never
21 received any money from indeed Mr. Frank Dunlop or anybody else in connection
22 with elections, isn't that right?
- 23 A Yes.
- 24 Q 603 And it was your position that other than family support, you had never received
14:32:41 25 any political donations of any sort from anybody?
- 26 A Right.
- 27 Q 604 Isn't that right?
- 28 A That's correct.
- 29 Q 605 That's what you told the Fianna Fail party?
- 14:32:48 30 A Yes.

- 14:32:49 1 Q 606 Now, I think subsequent to making that statement to the Fianna Fail party, you
2 had a late recollection that you had in fact received a sum of 1,000 pounds
3 from Ballymore Homes?
4 A That's correct.
- 14:33:00 5 Q 607 And you informed the Tribunal of that, isn't that right?
6 A That's right.
- 7 Q 608 Now, prior to you informing the Tribunal of the fact that you had received
8 1,000 pounds from Ballymore Homes, it had been your position that you had never
9 received any donations from any developer or indeed Mr. Dunlop, isn't that
14:33:15 10 right?
11 A Yes.
- 12 Q 609 Now, it's still your position that you never received any money from
13 Mr. Dunlop, isn't that correct?
14 A That's correct.
- 14:33:22 15 Q 610 But insofar as receiving money from developers is concerned, you concede that
16 you would at least have received 1,000 pounds from Ballymore Homes?
17 A Yes.
- 18 Q 611 And you accept that you didn't recollect that --
19
- 14:33:34 20 MR. DORE: Chairman, I understood we were dealing with the Beechill and
21 Ballycullen module, I am not sure any payment by Ballymore Homes is in relation
22 to this module. I would just like clarification on that, is it to do with this
23 module?
24
- 14:33:45 25 CHAIRMAN: No, no. Ms. Dillon is just giving some background as to your
26 client's position in relation to payments from developers or others generally,
27 we are not investigating Ballymore Homes at this stage.
28
- 29 MR. DORE: I am obliged
14:34:01 30

14:34:01 1 CHAIRMAN: And I understand your client in any event accepts that he was paid
2 1,000 pounds. He gave that evidence.

3
4 MS. DILLON: The receipt of the 1,000 pounds by Ballymore Homes was dealt with
14:34:13 5 in public session in the course of the Fox and Mahony module and Mr. Creavan
6 has given evidence confirming the sequence of events in relation to those
7 payments. I am drawing these matters to Mr. Creavan's attention for this
8 reason is that Mr. Creavan does not recollect receiving a payment of 1,000
9 pounds which Mr. Jones will tell the Tribunal was made on his behalf. And I am
14:34:33 10 drawing to Mr. Creavan's attention that he had previously told the Tribunal he
11 had not received any other sum from any developer and then subsequently did
12 disclose a payment of 1,000 pounds by cheque from Ballymore Homes and in the
13 light of that, I was just about to put to Mr. Creavan is it possible that he is
14 in a similar position in relation to this payment.

14:34:53 15
16 Q 612 Do you understand the point, Mr. Creavan?

17 A Yes.

18 Q 613 That you had previously forgotten about the Ballymore Homes payment, isn't that
19 right?

14:34:59 20 A That's correct.

21 Q 614 And I am just --

22 A That payment was for the Senate election campaign.

23 Q 615 Yes, but you had forgotten about it?

24 A I did, yes.

14:35:07 25 Q 616 And it was for 1,000 pounds.

26 A Well, whatever it was said at the time.

27 Q 617 Well that's what you said?

28 A Well okay then I accept that.

29 Q 618 Right. And what I'm putting to you, Mr. Creavan, is that you had previously
14:35:20 30 forgotten you had received a payment of 1,000 pounds from Mr. Mulryan?

- 14:35:26 1 A That's correct.
- 2 Q 619 Isn't that right? I am asking you now would you accept that it's possible you
3 may also have forgotten you received 1,000 pounds from Mr. Chris Jones or
4 somebody on his behalf?
- 14:35:36 5 A It's possible but I have no recollection whatsoever of it.
- 6 Q 620 Yes. Now, I think you do state at paragraph 2 or you appear to suggest at
7 paragraph 2 of your statement that you in fact may have received the monies
8 because what you say, you state is as follows:
9
- 14:35:50 10 "My client has no recollection of receiving any money whatever from the parties
11 at I above. My client does acknowledge however on perusing page number 702 of
12 the brief that has been furnished to him that it appears he did receive a
13 contribution from the Jones Group in the sum of 1,000 Irish pounds by way of a
14 local election donation on the 31st December 1992. To the best of my client's
14:36:14 15 recollection, there was not in fact a local election in 1992-1993. There was a
16 local election in 1991. My client was also contemplating running in the Seanad
17 elections in late 1992-1993. My client suspects that based on his friendship
18 with Mr. Oliver Brooks who was employed by the Jones Group, that he may have
19 procured this donation to my client to either assist him to defray costs
14:36:38 20 incurred by him in the 1991 local elections or to assist him in the Seanad
21 elections.
22
- 23 I can only reiterate that my client most surprised to see his name on page 702
24 of the brief as he genuinely has no recollection whatever of receiving this
14:37:00 25 payment." That's your statement, Mr. Creavan, isn't it?
- 26 A That's correct.
- 27 Q 621 And is the Tribunal to take from that, that because Mr. Jones has put your name
28 down as having received 1,000 pounds, you are prepared to concede that it may
29 have happened but you have absolutely no recollection of it?
- 14:37:10 30 A Correct.

- 14:37:10 1 Q 622 And it's your belief that if it did happen, it happened through your friendship
2 with Mr. Oliver Brooks?
3 A Correct.
4 Q 623 But you have no actual recollection of receiving this money?
14:37:20 5 A Correct.
6 Q 624 And in fairness to you, the Tribunal hasn't been provided with any other
7 documentation in relation to this payment, isn't that correct? If we had, you
8 would have been given it?
9 A Yes.
14:37:30 10 Q 625 Now, I think that in or around this time, I think the Tribunal wrote to you,
11 Mr. Creavan, in January, sorry I beg your pardon, February, 2006 and queried a
12 number of specific lodgments to your bank accounts, isn't that right?
13 A Yes.
14 Q 626 And these are lodgments that have occurred in late 1992, early 1993.
14:37:56 15 A Yes.
16 Q 627 And I think you have provided the Tribunal with certain information in relation
17 to those lodgments?
18 A Yes.
19 Q 628 And I think the first lodgment is a lodgment of 922.45 pounds, page 3485
14:38:13 20 please. On the 6th October 1992.
21 A Yes.
22 Q 629 And then also beneath that, there is a second lodgment on the 14th December of
23 1,494 pounds and 50 pence and I think your position is that insofar as the
24 922.45 is concerned, this is a combination of your salary from the family
14:38:35 25 retail business, a news agency business, is that correct?
26 A Yes.
27 Q 630 Together with legitimate expenses paid as a councillor and expenses paid to you
28 from your membership of the Eastern Health Board?
29 A Yes.
14:38:49 30 Q 631 Now, would you just outline to the Tribunal how you were in a position to

- 14:38:53 1 identify that that lodgment was composed of those various component parts.
- 2 A Well my wife was handling all my accounts. I just gave her the cheques and she
- 3 made the lodgments so I can't really elaborate on or answer the question you
- 4 are asking me.
- 14:39:11 5 Q 632 I am asking you, Mr. Creavan, the Tribunal raised queries with you in relation
- 6 to four lodgments, isn't that right, to your accounts, in February of this
- 7 year?
- 8 A Yes.
- 9 Q 633 You provided information to the Tribunal in relation to the sources of these
- 14:39:27 10 lodgments?
- 11 A Yes.
- 12 Q 634 And what I am asking you is where did you get the information that enabled you
- 13 to provide the answers that you gave?
- 14 A From the bank statements I presume.
- 14:39:37 15 Q 635 The bank statement is there on screen beside you, do you see that?
- 16 A Yes.
- 17 Q 636 And can you just identify there the information in relation to the lodgment of
- 18 922.45 and the information in relation to the lodgment of 1,494.50 that enabled
- 19 you to tell the Tribunal that they were lodgments attributable to a combination
- 14:39:59 20 of salary, county council expenses and Eastern Health Board expenses.
- 21 A I can't elaborate on what has already been submitted to the Tribunal.
- 22 Q 637 Could we have page 3365 please. This is a letter from your solicitor dated 9th
- 23 February 2006.
- 24 A Yes.
- 14:40:23 25 Q 638 It's addressed to the Tribunal.
- 26 A Mmm.
- 27 Q 639 And it's in connection with the two lodgments we have just seen, the lodgments
- 28 to your bank account at Bank of Ireland.
- 29 A Yes.
- 14:40:35 30 Q 640 Account number 14288930, is that right?

- 14:40:41 1 A Yes.
- 2 Q 641 Now, where did Mr. Dore get the information that allowed him tell the Tribunal
- 3 that those two lodgments were sourced from salary from the news agency business
- 4 together with County Council expenses and together with the Eastern Health
- 14:40:59 5 Board expenses?
- 6 A I believe he got it from my wife and my son.
- 7 Q 642 He didn't get it from you, is that what you are saying?
- 8 A I have no memory of, I can't recall, I didn't do that lodgment personally.
- 9 Q 643 Right.
- 14:41:12 10 A I didn't do any lodgments.
- 11 Q 644 All right. Did you provide any information to your solicitor to enable him
- 12 give the information to the Tribunal?
- 13 A I probably did, as best, whatever information I could give him, I gave him.
- 14 Q 645 And where did you get the information that you gave to your solicitor?
- 14:41:29 15 A From discussing it at home with my wife and my son.
- 16 Q 646 From?
- 17 A From discussing it at home with my wife and my son who was running the shop.
- 18 Q 647 And in discussing it with your wife and your son, did you consult any
- 19 documents?
- 14:41:45 20 A Only what, the bank link statements.
- 21 Q 648 The bank statements?
- 22 A And I think we might have got correspondence from the Health Board to show and
- 23 the council.
- 24 Q 649 Do you have correspondence from the county council showing your expenses in
- 14:42:03 25 1992?
- 26 A I believe they are on record, yes. I don't personally have them now.
- 27 Q 650 The county council have been unable to provide with the Tribunal with a record
- 28 of expenses after 1993?
- 29 A Well whatever --
- 14:42:15 30 Q 651 1994, I beg your pardon.

- 14:42:17 1
- 2 CHAIRMAN: Before 1994 --
- 3
- 4 MS. DILLON: In other words before 1993, the council are not in a position to
- 14:42:23 5 provide the Tribunal with any records of expenses paid.
- 6 A I am sorry, I can't help you on that.
- 7 Q 652 But if you have documentation at home Mr. Creavan in relation to council
- 8 expenses paid in 1992, would you agree to provide that to the Tribunal?
- 9 A Yes of course.
- 14:42:39 10 Q 653 Right. So it's your belief you do that documentation at home --
- 11 A Well I --
- 12 Q 654 That shows that part of these lodgments are comprised of county council
- 13 expenses?
- 14 A I can only say again, I have, I didn't make any lodgments. And whatever
- 14:42:54 15 documentation is there, I couldn't even tell you the dates on them. But
- 16 whatever documentation is there will be furnished to you if you so wish.
- 17 Q 655 Thank you very much, Mr. Creavan. So if you have documentation showing that
- 18 the amount of council expenses and the dates that you received them in 1992,
- 19 you will provide them to the Tribunal?
- 14:43:14 20 A Certainly. Certainly.
- 21 Q 656 But it's your present belief that when you were sitting discussing the matter
- 22 with your wife and your son, that you had available to you information about
- 23 your expenses from Dublin County Council in 1992?
- 24 A Whatever was available from the council, they had it.
- 14:43:31 25 Q 657 In 1992?
- 26 A Well I can't tell you the year because I don't remember the year.
- 27 Q 658 Well I suggest to you, Mr. Creavan, it had to be 1992?
- 28 A Well if it was then, so be it.
- 29 Q 659 Because the lodgments you were being asked about relate to 1992.
- 14:43:46 30 A Okay, well if the council had the records of 1992, they would have given them

- 14:43:52 1 to me.
- 2 Q 660 Did you ask them for the records of 1992?
- 3 A I am sure I did, I couldn't remember what I got then.
- 4 Q 661 When do you think you might have asked the council for the records in relation
- 14:44:03 5 to 1992, Mr. Creavan?
- 6 A I have totally no idea when I asked.
- 7 Q 662 Because the Tribunal has asked the council for records for 1992 expenses and
- 8 have been told that there are no records available.
- 9 A I see.
- 14:44:14 10 Q 663 I see. So the Tribunal would be very interested, Mr. Creavan, in seeing your
- 11 records --
- 12 A If I have -- if the council said to you, the Tribunal, that they don't have
- 13 records, certainly they had no records to give me to.
- 14 Q 664 But you have told the Tribunal I think five minutes ago, that part of the
- 14:44:33 15 reason you were able to provide the information that's contained in your
- 16 solicitor's letter is that you had looked at county council expenses.
- 17
- 18 CHAIRMAN: Well I don't think he said that, I think he said the information
- 19 would have come from primarily from his wife, who might have had access to such
- 14:44:51 20 records and I understand Mr. Creavan to have agreed that he would check to see
- 21 if he has those and/or his wife has them and if they are available, they will
- 22 be made available to the Tribunal.
- 23 A Correct.
- 24
- 14:45:04 25 JUDGE FAHERTY: Mr. Creavan, you would have gotten presumably -- when you got
- 26 expenses cheques from the county council or indeed the Eastern Health Board or
- 27 whatever else you were on, presumably attached to the cheque there would have
- 28 been a little slip, would there?
- 29 A There would, yes.
- 14:45:22 30

14:45:22 1 JUDGE FAHERTY: Details the dates, the expenses --

2 A And the account number, that's right.

3

4 JUDGE FAHERTY: Those sort of records would have been, that would have been

14:45:30 5 sent to you when you got your cheque, isn't that correct?

6 A Yes.

7

8 JUDGE FAHERTY: Are those the records you are saying you might have at home?

9 A No, I think we asked the council --

14:45:42 10

11 JUDGE FAHERTY: No, no I am not talk being the council. I want to ask you back

12 in 1992 you would have received cheques on a periodic basis from the county

13 council.

14 A I beg your pardon, you asking me if we have that stub that accompanied the

14:45:55 15 cheque.

16

17 JUDGE FAHERTY: The accounting thing that would have --

18 A I doubt if we have them.

19

14:46:01 20 JUDGE FAHERTY: You don't know obviously but if you have them you will submit

21 them to the Tribunal.

22 A Yes, without a doubt.

23

24 MS. DILLON: Thank you very much, Mr. Creavan. Would you answer any questions

14:46:10 25 that anybody else may have for you.

26

27 CHAIRMAN: All right. Do you want to ask any questions? Do you want to ask?

28

29 MR. DORE: If I may -- sorry.

14:46:17 30

14:46:17 1 CHAIRMAN: I think you are next, I was just asking Mr. Jones' solicitor. You
2 go ahead now.

3

4

WITNESS IS QUESTIONED BY MR. DORE AS FOLLOWS:

14:46:23 5

6 Q 665 MR. DORE: Mr. Creavan, in relation to the payments received or the payment that
7 is referred to by the Jones Group to you, you have absolutely no recollection
8 of receiving that payment, isn't that correct?

9 A Correct.

14:46:36 10 Q 666 Now, the only reason that you suspect you may have got that payment is because
11 it's referred to in a schedule which is referred to as page number 702 that you
12 received a payment on the 3 1/12/1992 in respect of a local elections donation?

13 A Correct.

14 Q 667 Isn't that correct?

14:46:53 15 A Correct.

16 Q 668 Your name in fact is not even spelt correctly on that document?

17 A That's correct.

18 Q 669 And you are reliant totally on that document which suggests or which gives the
19 appearance that you received that payment and that is the sole basis for your
20 belief that you received that payment?

14:47:06 21 A Correct.

22 Q 670 Isn't that correct? Now, in relation to the manner in which you choose to vote
23 in general, Mr. Creavan, in your capacity as a councillor, would it be fair to
24 say that in the main your ethos was pro development?

14:47:26 25 A Yes.

26 Q 671 Would it be fair to say you would support your Fianna Fail colleagues in a
27 particular ward if an application had been made in respect of zoning?

28 A Yes.

29 Q 672 It would be fair to say that that would happen, right?

14:47:36 30 A Yes.

- 14:47:37 1 Q 673 Now, did you ever receive or did you ever request a donation in respect of that
2 support?
- 3 A No.
- 4 Q 674 Now, other than the Jones Group payment about which you have no recollection
14:47:47 5 whatever, did you receive any other donation whatever in relation to that?
- 6 A No.
- 7 Q 675 In relation to voting. Now, it was put to you that you were happy to support
8 Frank Dunlop, was that because in the main, he was lobbying for development and
9 your ethos was pro development in any event?
- 14:48:07 10 A Yes.
- 11 Q 676 Did you have a friendship of sorts with Mr. Dunlop?
- 12 A Oh definitely, yes.
- 13 Q 677 Would you have reason to telephone him about matters other than development
14 matters?
- 14:48:18 15 A Yes.
- 16 Q 678 Would you discuss political matters with him?
- 17 A Yes.
- 18 Q 679 Would you discuss a variety of other social matters with him?
- 19 A Yes.
- 14:48:23 20 Q 680 And those conversations, it may well be that telephone conversations that you
21 had with Mr. Dunlop were pertaining to those matters as well as development
22 matters?
- 23 A Correct.
- 24 Q 681 Isn't that correct?
- 14:48:31 25 A Yes.
- 26 Q 682 Now, if you did receive the, a payment from the Jones Group, Mr. Creavan, would
27 it be something that would have amounted to, in your opinion, to something that
28 would tended to corrupt you or involve you in an attempt, an attempt to
29 influence you by way of inducement or otherwise to compromise you in your
14:49:14 30 disinterested performance of your public duties?

- 14:49:16 1 A No.
- 2 Q 683 Under no circumstances.
- 3 A No.
- 4 Q 684 I think that you have read an extract from the opening statement that was, that
- 14:49:28 5 was made, I think by Ms. Dillon on the 8th February 2006 where it refers to
- 6 Mr. Jones reiterating that any payments that he made were not in return for
- 7 support for his rezoning proposals and you would agree with that, is that
- 8 right?
- 9 A Yes.
- 14:49:43 10 Q 685 I think those are my questions.
- 11
- 12 CHAIRMAN: All right. Mr. Creavan, the records which Mr. Dunlop provided to
- 13 the Tribunal indicating attempts by people to ring him or phone calls to his
- 14 office when he wasn't there --
- 14:50:21 15 A Yes.
- 16
- 17 CHAIRMAN: Would indicate that you had a very large number of calls in 1992
- 18 and 1993, probably 100 over those two, no sorry, there's 15 I think in 1992 and
- 19 61 in 1993. That wouldn't include the times that you would have successfully
- 14:50:42 20 made contact with him, these would be calls made recorded by his secretary
- 21 where you would be looking for him.
- 22 A Yes.
- 23
- 24 CHAIRMAN: It would indicated very significant level of contact between
- 14:51:00 25 yourself and Mr. Dunlop in those two years, particularly 1993.
- 26 A Yes.
- 27
- 28 CHAIRMAN: How would you explain that level of contact?
- 29 A It's possible that he rang me sometimes and I wasn't there and I would return
- 14:51:11 30 his call. But he would, you mean what would we discuss?

14:51:18 1 CHAIRMAN: I mean it indicates a very significant degree of contact between
2 yourself and Mr. Dunlop.

3 A Yes. Well we have been friends for years
4

14:51:28 5 CHAIRMAN: I am just wondering what would have been the reasons for that level
6 of contact. I can understand why any councillor might occasionally ring
7 Mr. Dunlop or lobbyist, particularly if he was responding to a call made from
8 Mr. Dunlop, but your level of contact seems unusually high, is there any
9 reason, what are the reasons why you would have --

14:51:51 10 A We were extremely good friends and still are.
11

12 CHAIRMAN: But are you saying that most of the contact would have been of a
13 social nature rather than --

14 A No, there would be various reasons why he would have called me. As I said, I
14:52:06 15 think we would have discussed politics, at the we would have discussed the
16 affairs of the council. He might have asked me what did I think the
17 councillors were thinking about in particular rezoning, that type of thing.
18

19 CHAIRMAN: That might explain why you would be talking to him in --

14:52:31 20 A It's numerous. Yes.
21

22 CHAIRMAN: The reasons for your frequent phone calls is, I mean, were they of
23 just of a general nature?

24 A Yes.
14:52:38 25

26 CHAIRMAN: Or had it to do with council business?

27 A As I said, sometimes council business, sometimes I might have seen something in
28 the paper politically and I would ring him and ask him what his opinion on it
29 was. I can't recall exactly what I was discussing that might --
14:52:56 30

- 14:52:56 1 CHAIRMAN: Well I am not looking for precise details of every call. I am just
2 inquiring as to why there were so many calls.
- 3 A Yes.
- 4
- 14:53:03 5 CHAIRMAN: Over a period of time.
- 6 A Well basically it was our friendship, I pick up the phone and call him --
7
- 8 CHAIRMAN: All right.
- 9 A As I do with other friends that I have.
- 14:53:13 10
- 11 MR. DORE: Chairman, I neglected to deal with one matter, I apologise to this,
12 just attention was drawn to Mr. Creavan in relation to the lodgments to his
13 family current accounts and if I could just deal with that.
- 14
- 14:53:26 15 CHAIRMAN: Certainly.
- 16 Q 686 Now Mr. Creavan you were asked questions in relation to the family current
17 accounts and two lodgements that were made to it, one the sum of 922.45 pounds
18 and the other in relation to 1,494.50 pounds, could you just indicate to the
19 Tribunal what at that stage were your only sources of income?
- 14:53:47 20 A The shop business. The news agency.
- 21 Q 687 And I think then you did receive modest is the best way of describing them
22 expenses from --
- 23 A From the council.
- 24 Q 688 And I think in fact in the letter that I wrote there is somewhat of an error in
14:54:09 25 my instructions in that the payments, you did become a member of the health
26 board until I think slightly later?
- 27 A True.
- 28 Q 689 Is that correct? So far as the paragraph in my correspondence deals with three
29 sources of income, there were in fact only two, isn't that right?
- 14:54:23 30 A Yes.

- 14:54:24 1 Q 690 Now, I think on the basis of your instructions to me, there was literally no
2 other source of income that could make up these lodgments, isn't that correct?
- 3 A Correct.
- 4 Q 691 And isn't that in the main why yourself and your wife and indeed members of
14:54:39 5 your family believe that this was the source of these lodgments?
- 6 A Correct.
- 7 Q 692 Isn't that correct?
- 8 A Correct.
- 9 Q 693 I am obliged.
- 14:54:48 10
- 11 JUDGE KEYS: Mr. Creavan, can I just ask you one question, did you keep any
12 records at all of any political donations which you received?
- 13 A No.
- 14
- 14:54:56 15 JUDGE KEYS: Any particular reason why you didn't?
- 16 A There weren't that many anyway.
- 17
- 18 JUDGE KEYS: I mean as a politician I would have thought that to receive
19 political contributions, one would be anxious to know who paid them to you so
14:55:11 20 that you could reply to them and acknowledge the payments and maybe
21 subsequently approach them again when another election would come up for the
22 same reason.
- 23 A No, I didn't keep any records.
- 24
- 14:55:24 25 JUDGE KEYS: Do you know did any of your colleagues on the council ever keep
26 any records of political donations?
- 27 A Oh, I don't know, but I know a number of, some councillors held race nights and
28 different types of functions. I didn't. But whether they kept records, I
29 couldn't say.
- 14:55:42 30

14:55:42 1 JUDGE KEYS: Did you ever discuss with any of your colleagues what was the
2 best method of dealing with political donations or records?
3 A I really hadn't any interest in it.
4

14:55:56 5 JUDGE KEYS: I see. Thank you very much.
6
7 CHAIRMAN: All right.
8
9 MS. DILLON: That concludes the evidence for today.

14:56:01 10
11 CHAIRMAN: Thank you very much.
12 A Thank you.
13
14 CHAIRMAN: Half ten tomorrow.

14:56:17 15
16 MS. DILLON: May it please you, sir.
17

18 **THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING DAY,**
19 **THURSDAY, 23RD FEBRUARY 2006 AT 10.30 A.M.**

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