

THE TRIBUNAL RESUMED AS FOLLOWS ON WEDNESDAY,

20TH OF DECEMBER, 2006, AT 10.30 A.M:

MS. DILLON: Good morning, Sir.

CHAIRMAN: Good morning, Ms. Dillon.

MS. DILLON: Mr. Desmond Richardson, please.

MR. MAGUIRE: Chairman, I ask for representation on behalf of Mr. Richardson.

CHAIRMAN: Certainly. Granted.

10:38:35 1 **MR. DESMOND RICHARDSON, HAVING BEEN SWORN,**
2 **WAS QUESTIONED BY MS. DILLON AS FOLLOWS:**

10:38:47 5 CHAIRMAN: Good morning,

6 A. Good morning, Chairman.

7

8 MS. DILLON: Good morning, Mr. Richardson. Thank you for attending the
9 Tribunal.

10:38:53 10
11 I understand from the evidence of Mr. Sean Flemming that you were appointed to
12 a fundraising position in Fianna Fail in 1993, isn't that correct?

13 A. Correct.

14 Q. 1 And can you just outline to the Tribunal in general terms initially what
15 position you were appointed to and the purpose of the position and how you
16 conducted the operations necessary to that position?

17 A. Initially, in '93 I was appointed to go in, have a look at the structure of
18 fundraising within Fianna Fail and see could I do anything to help it along in
19 terms of nationwide to bring the whole thing together, where we could work as a
10:39:36 20 unit from a national point of view. So I spent the first year almost in
21 travelling around the country, into the UK and into America to put a structure
22 in place for local fundraising to be done. And I spent my first year doing
23 that.

24 Q. 2 And did you establish an office for that purpose?

10:39:56 25 A. I did.

26 Q. 3 And where was that office?

27 A. In the Berkley Court Hotel.

28 Q. 4 And how did that office describe itself, what was that known as?

29 A. It was a Fianna Fail fundraising office.

10:40:08 30 Q. 5 And what was it called? Was it the national fundraising office.

10:40:14 1 A. It was, yeah. I mean, at the time I could not be accommodated in HQ because
2 they didn't have room to put me in there.

3 Q. 6 Yes?

4 A. They couldn't accommodate the office.

10:40:25 5 Q. 7 Yes. And at that stage who was the treasurer of Fianna Fail can you remember
6 in 1993?

7 A. There were two. Bertie Ahern was one. I just can't think of the second
8 person. I can't think of the second person who was treasurer.

9 Q. 8 Would that have been Mr. Padraig Flynn until his appointment to Europe?

10:40:45 10 A. No, no, it wasn't Padraig Flynn.

11 Q. 9 Was it Ms. Mary Hanafin?

12 A. No, I think she came in after, I think she came after Bertie Ahern left as
13 Party Treasurer. I think it may have been a TD from Louth.

14 Q. 10 I see?

10:41:00 15 A. That was involved with the Bertie Ahern at the time as Party Treasurer.

16 Q. 11 And that office, the office of the national treasurer of Fianna Fail. Was that
17 a separate office or a separate undertaking to your fundraising undertaking?

18 A. I beg your pardon.

19 Q. 12 Were the national treasurers of Fianna Fail in 1993 separate and distinct from
10:41:21 20 the fund raising operation you carried out?

21 A. No, it was all one operation.

22 Q. 13 It was all the one operation?

23 A. Yeah.

24 Q. 14 But you had a separate office in the Berkley Court?

10:41:29 25 A. Yeah, exactly.

26 Q. 15 And within that office in the Berkley Court what was your function.

27 A. As I mentioned, initially to coordinate on a national basis the Fianna Fail
28 fund raising going towards the next election.

29 Q. 16 And would that have meant then, if I understand the purpose of the -- your
10:41:52 30 appointment, was to try and rearrange, re organise the fundraising activities

10:41:57 1 of Fianna Fail?

2 A. Yeah, by and large, yeah, yeah.

3 Q. 17 But you were also involved, were you not, with raising money for Fianna Fail?

4 A. Yes, I was.

10:42:04 5 Q. 18 Because obviously the whole purpose of fundraising is to interface with people?

6 A. Absolutely.

7 Q. 19 And to arrange money under many guises such as golf outings, matters such as

8 that sort, isn't that right?

9 A. Correct, yeah. But I came in in '93. There was a committee of about 15 people

10 based in Dublin who had been overseeing the fundraising previous to me coming

11 in. That committee stayed in place while I did my co-ordination work around

12 the country.

13 Q. 20 All right?

14 A. And that committee stayed in place, they were there before I came and were

10:42:37 15 there after I left.

16 Q. 21 Yes. And the systems of or the types of fundraising that were in place when

17 you came in. Would you just outline those briefly to the Tribunal?

18 A. Yeah, I mean, it was a multitude of different things. As you mentioned, there

19 may have been about 10, 12 golf outings a year, horse raising, greyhound

10:42:57 20 raising, business lunches, dinners, dances, raffles, everything that we could

21 think of.

22 Q. 22 And the fundraising would have carried out I presume initially at local level,

23 each constituency would have its own fundraising activity?

24 A. Well they might for the local constituency.

10:43:16 25 Q. 23 Yes?

26 A. But my job was to look at the national picture.

27 Q. 24 You were looking at the big picture of Fianna Fail?

28 A. The national picture, yeah.

29 Q. 25 And the national picture of Fianna Fail financially when you were appointed in

10:43:26 30 1993 insofar as its bank situation was concerned, Mr. Richardson, wasn't that

- 10:43:31 1 healthy, isn't that right?
- 2 A. No, I think about three million pounds in debt approximately.
- 3 Q. 26 Yes. And I think that there was some correspondence that passed between
- 4 yourself and Mr. Sean Flemming as to the indebtedness of Fianna Fail in 1993,
- 10:43:44 5 isn't that right?
- 6 A. That would happen on a continuous basis to find out what the picture is as we
- 7 went forward.
- 8 Q. 27 Yes. And the purpose of your appointment then would have been it try and
- 9 strengthen the Fianna Fail financial position?
- 10:43:54 10 A. Yes.
- 11 Q. 28 And to, I presume, reduce the debt and increase the liquidity of Fianna Fail?
- 12 A. Reduce the debt particularly, yeah.
- 13 Q. 29 And the method of reducing the debt was fundraising?
- 14 A. Absolutely, yeah.
- 10:44:07 15 Q. 30 And among the methods used within Fianna Fail was a system that's become known
- 16 as the pick-me-up system, are you familiar with that?
- 17 A. I am, yes, yeah.
- 18 Q. 31 Would you just outline to the Tribunal how that system operated Mr. Richardson?
- 19 A. Well the pick-me-up situation has been around for approximately 40 years, long
- 10:44:24 20 before I came into Fianna Fail. It was a system used by different parties at
- 21 different times. It was a very minor part of the fundraising. It's basically
- 22 a contribution to Fianna Fail in a different way. But it worked the very same
- 23 as a contribution in terms of a person who wants to make a donation or
- 24 contribution to Fianna Fail might pick up a bill that Fianna Fail owed. But it
- 10:44:54 25 was a very small portion, maybe to the tune of about 5% of the overall
- 26 fundraising. So it didn't happen very often.
- 27 Q. 32 But how did it operate? I mean, how did a donor come to become aware of the
- 28 existence of the pick-me-up system or that they wanted to use it?
- 29 A. Well it's been around for 40 years.
- 10:45:15 30 Q. 33 Yes?

10:45:15 1 A. So it was known about that, sometimes pick-me-ups were used. Quite simply if a
2 donor wanted confidentiality in making a donation, he could or would seek out
3 to pay by the term PMU and maybe one of our committee members might meet with a
4 potential donor and explain that if he wanted to do it in confidentiality this
10:45:45 5 was a way of doing it. But, I mean, there was nothing under handed about PMU's
6 they were in the marketplace and they were recorded in the Fianna Fail books.

7 Q. 34 Yes. And insofar as a donation, a financial donation to Fianna Fail is
8 concerned. What would normally happen is a person would send a donation to
9 Fianna Fail, that would be lodged to the Fianna Fail bank records and a receipt
10:46:06 10 issued, isn't that right?

11 A. Yes.

12 Q. 35 So there are two parties involved in that transaction, isn't that right?

13 A. Yeah.

14 Q. 36 There is the person who pays the money and Fianna Fail the organisation that
10:46:16 15 receives the monies, isn't that right?

16 A. Yeah.

17 Q. 37 Now, when one pays a pick-me-up or make as donation by way of a pick-me-up
18 there's a third factor involved in it, isn't that right?

19 A. Yes, there is.

10:46:26 20 Q. 38 Would you like to outline now to the Tribunal, Mr. Richardson, how the
21 pick-me-up system actually operated?

22 A. Okay. If a committee member was with a donor seeking a donation and if they
23 agreed to do the PMU, the -- they would agree on a figure. Then the committee
24 member from the Fianna Fail committee would come back to, probably Sean
10:46:52 25 Flemming, and say that we have a donor, wants to make a donation of 1,000
26 pounds or 10,000 pounds, what company do we owe money to. And Sean would give
27 them the name of a company. And then the committee member would go back to the
28 donor and explain that you would will receive an invoice from a company A, B or
29 C for 10,000 pounds. And if you pay that bill, then you have made your
10:47:16 30 donation to Fianna Fail.

- 10:47:17 1 Q. 39 And those invoices would have included VAT, isn't that right?
- 2 A. Plus VAT.
- 3 Q. 40 Plus VAT?
- 4 A. Yeah.
- 10:47:24 5 Q. 41 And therefore, the VAT would be reclaimable in the hands of the donee if it was
6 being treated in the books of the donee as a business expense, isn't that
7 right?
- 8 A. If it was.
- 9 Q. 42 Yes?
- 10:47:34 10 A. But it not necessarily would be.
- 11 Q. 43 If it was?
- 12 A. Yeah, but, I mean, when I talked with Sean Flemming back in '93 he mentioned a
13 PMU system to me. And did explain that if a person was going to take up the
14 offer of a PMU or requested a PMU, that they were not in a position to reclaim
10:47:54 15 the VAT because it was not a business transaction.
- 16 Q. 44 And in any case in which you -- did you ever organise a pick-me-up?
- 17 A. Yes, I did.
- 18 Q. 45 And in those cases where you yourself organised a pick-me-up. Was it your
19 practice to advise the person who was making the donation that they could not
10:48:10 20 or should not claim back the VAT?
- 21 A. I would advise them the situation that it was not VAT reclaimable.
- 22 Q. 46 Was that your invariable practice then, Mr. Richardson, that you would have
23 advised anyone with whom you organised a pick-me-up for Fianna Fail that VAT
24 was not reclaimable?
- 10:48:25 25 A. Yes I have done that.
- 26 Q. 47 Have you done that in all cases?
- 27 A. I have done that to the best of my knowledge.
- 28 Q. 48 Yes. And you yourself would have been instrumental in organising pick-me-ups,
29 isn't that right?
- 10:48:36 30 A. I have done. Not very many.

10:48:38 1 Q. 49 Yes?

2 A. A number of them.

3 Q. 50 I think if we look at page 1960. It will come up on the screen beside you

4 there. From the brief, Mr. Richardson. You will see this document which is

10:48:47 5 Headed Office of the National Treasurers, Fianna Fail?

6 A. Yeah.

7 Q. 51 With an address at the Berkley Court Hotel, Landsdowne Road?

8 A. Sure.

9 Q. 52 Was that your office, the office that's referred there?

10:48:57 10 A. Yes, yes.

11 Q. 53 So you are in effect then the Office the of the National Treasurers of Fianna

12 Fail, is that right?

13 A. Yes.

14 Q. 54 Was there also a separate office of the National Treasurers at head office in

10:49:07 15 Mount Street?

16 A. No, but there was some fund raising that went on from Mount Street as well.

17 Q. 55 There was or there wasn't?

18 A. Was.

19 Q. 56 There was fundraising from Mount Street, isn't that right?

10:49:16 20 A. Yeah.

21 Q. 57 Was that separate to the activities carried out by yourself?

22 A. Well it was all part of the same package. I mean, they were all fundraising to

23 help for the benefit of Fianna Fail bring down the national debt so it all went

24 into the same pool.

10:49:29 25 Q. 58 Yes. Was it a separate activity to the activity carried out by yourself?

26 A. Well we crossed over at times and helped each other with the different fund

27 raising. I mean, if they were involved in a golf outing or if I was involved

28 in a golf outing we would pool together.

29 Q. 59 Did you keep separate lists for example in the Berkley Court Hotel?

10:49:48 30 A. Yes, I did.

- 10:49:49 1 Q. 60 And did you maintain separate records?
- 2 A. Well, any records I had of any work I did were sent over to HQ at the end of
- 3 each month.
- 4 Q. 61 Yes. Did you maintain separate records?
- 10:50:03 5 A. Yes, we did.
- 6 Q. 62 Yes. And were those records available to Fianna Fail as and when Fianna Fail
- 7 required them or whenever you furnished them to Fianna Fail?
- 8 A. The agreement was that they were furnished at the end of each month.
- 9 Q. 63 But they were separate records, isn't that right?
- 10:50:17 10 A. Well, they were my records.
- 11 Q. 64 Yes. And were they maintained on a separate computer in the Berkley Court
- 12 Hotel?
- 13 A. They were.
- 14 Q. 65 Right. And they were maintained separate and that computer system wasn't
- 10:50:32 15 linked into the Fianna Fail computer system, is that right?
- 16 A. No, no.
- 17 Q. 66 So in that regard at least they were separate and distinctive?
- 18 A. Sure, sure.
- 19 Q. 67 Look the at the document on screen Mr. Richardson. This appears to be a fax
- 10:50:44 20 from you to a Mr. John Sherry of Lydon House catering in 1994 I think, is that
- 21 right?
- 22 A. Yeah, it appears to be.
- 23 Q. 68 Your message there is, John, the attached is the list of companies to be
- 24 invoiced. Would that suggest to you that these are pick-me-ups that we're
- 10:51:01 25 going to look at?
- 26 A. No.
- 27 Q. 69 No. Please send these invoices to Mr. Richardson in the Berkley Court, that
- 28 would be you, I take it?
- 29 A. Yeah.
- 10:51:14 30 Q. 70 And then if we look at the documentation that's being attached to that at page

10:51:19 1 1961.
2
3 A. Yeah.
4 Q. 71 And you will see there a series of names and companies and beside their names
10:51:27 5 are amounts that they are to be invoiced for, isn't that right?
6 A. Yes, indeed, yes.
7 Q. 72 And if you look at the bottom of the documentation it says the very last thing
8 "agreed price to Lydons 61, 875 pounds?"
9 A. Okay, yeah.
10:51:42 10 Q. 73 Would that suggest to you that that might have something to do with the Fianna
11 Fail catering at the Galway races?
12 A. Yes, it does.
13 Q. 74 Looking now at the document, Mr. Richardson, would that suggest to you that
14 that's likely to be a series of pick-me-up payments that are going to be
10:52:02 15 directed towards Lydon?
16 A. No.
17 Q. 75 No?
18 A. No.
19 Q. 76 Can you identified, therefore, what the payments are?
10:52:03 20 A. Yeah. They are people who bought tables at the Galway races.
21 Q. 77 With VAT, including VAT?
22 A. Yes, yeah.
23 Q. 78 So there was VAT on the tables at the Galway races, is that correct?
24 A. That I'm not sure now.
10:52:16 25 Q. 79 Well it's an important point, isn't it?
26 A. Sure sure. Yeah.
27 Q. 80 Looking at that. They are all plus VAT amounts, isn't that right?
28 A. Yeah, they are.
29 Q. 81 And in your extensive practice of fundraising for Fianna Fail. Was it the
10:52:29 30 normal practice in Fianna Fail to charge VAT when one took a a table at a

- 10:52:32 1 fundraising function?
- 2 A. I'm not quite sure on that. I'm not quite sure whether we charge the VAT or
- 3 not. I don't think so.
- 4 Q. 82 Isn't it likely that if you didn't charge VAT on tables that this is not
- 10:52:47 5 charges for tables, isn't that right?
- 6 A. No, they are charges for tables of that there is no doubt.
- 7 Q. 83 Why do you say that Mr. Richardson?
- 8 A. Because the people who are on the list there had taken tables in Galway. I
- 9 mean, I was involved in Galway myself for many years and that, they are the
- 10:53:04 10 people who took tables in Galway.
- 11 Q. 84 Yes. Now, if I just show you another document. It might just assist you in
- 12 relation to whether they are tables or not?
- 13 A. Sure.
- 14 Q. 85 If you look at page 1953.
- 10:53:19 15
- 16 And this I think is a list of people again it's a document directed to you
- 17 isn't that right, Des is that the heading?
- 18 A. It would appear to me be myself, yes, yeah.
- 19 Q. 86 What does this document relate to, Mr. Richardson?
- 10:53:31 20 A. I got sight of this document on Tuesday from my legal people. And my best
- 21 interpretation of that is that was a Kilmainham function on behalf of a
- 22 constituency and not actually Fianna Fail nationally.
- 23 Q. 87 It's not a Fianna Fail matter?
- 24 A. Nationally.
- 10:53:50 25 Q. 88 Nationally?
- 26 A. There was a constituency dinner to the best of my knowledge.
- 27 Q. 89 Just looking is there to the reference to the people who were attending the
- 28 function and there's references there to tables, isn't that right?
- 29 A. Yeah, yeah.
- 10:54:01 30 Q. 90 Now, on the other document. At 1961 which relates to the Galway races.

10:54:08 1 There's no reference to tables, isn't that right?

2 A. Correct, yes.

3 Q. 91 Right. And if we just analyse that document now on screen for a moment and we

4 try and work-out, for example, if we look at the first item on that list.

10:54:21 5 2,000 pounds plus VAT. How many people was he paying for at the table?

6 A. I'm not sure what year that was.

7 Q. 92 The document is dated 1994, by yourself at page 1960?

8 A. Okay. I can't recall what the cost for a table was in '94. I mean, that

9 information would be available within Fianna Fail of that there is no doubt.

10:54:48 10 Q. 93 Yes?

11 A. It may have been 4,000 pounds. I'm going from memory now.

12 Q. 94 Yes. Therefore, if it was 4,000 pounds per table then the first person on that

13 list is taking half a table, isn't that right?

14 A. That's quite possible.

10:55:01 15 Q. 95 The next person on the list is paying 10,000 pounds. That person is taking two

16 and a half tables, is that right?

17 A. That's possible, yeah, yeah.

18 Q. 96 And then what the person who is paying 1, 250 taking?

19 A. Good question. If they were paying 500 pounds each for a ticket it could be

10:55:22 20 two but, you know, I can't definitively recall.

21 Q. 97 If they are paying 500 pounds a ticket how much is the next person who is

22 paying 7, 200 pounds. How many people is he paying for?

23 A. You see, different people had different amounts of people on each table. We

24 had from four, eight, ten, twelve. But these people to the best of my

10:55:43 25 knowledge and looking at each name and they have been in Galway, at the Galway

26 races to the best of my knowledge.

27 Q. 98 And if you look at the next person on the list that person is paying 1,500

28 pounds plus VAT. And the next person is paying 7, 200 pounds plus VAT. And

29 they want two invoices to total the above amount, isn't that right? Why would

10:56:06 30 there be any necessity for two invoices totalling 7, 200 pounds plus VAT, can

- 10:56:12 1 you think, Mr. Richardson?
- 2 A. Maybe the invoice was being divided by the people at the table. I can't
- 3 recall. I can't think other than that why they would want two invoices.
- 4 Q. 99 And was Fianna Fail registered for VAT.
- 10:56:30 5 A. No, I believe not, no.
- 6 Q. 100 So if Fianna Fail wasn't registered for VAT and these were payments for tables
- 7 why is there any reference to VAT at all on the document?
- 8 A. That money wouldn't have come to Fianna Fail. It would have gone to the name
- 9 of the person on the front page, his company.
- 10:56:53 10 Q. 101 So it would have been a payment to Lydon House Catering?
- 11 A. Yes, I believe so, yes.
- 12 Q. 102 But it's a fundraiser for Fianna Fail, is that right?
- 13 A. Yes, indeed, yeah.
- 14 Q. 103 So if these people are being receipted by Fianna Fail they are being charged
- 10:57:00 15 VAT on foot of this document, isn't that right?
- 16 A. Well the invoice would come from that company who looked after the catering in
- 17 Galway. If they were issuing an invoice then they would issue a VAT invoice
- 18 which they would have to do.
- 19 Q. 104 Right so that anybody who is taking a table at the Galway races pays Lydon
- 10:57:19 20 House directly rather than Fianna Fail, isn't that the position?
- 21 A. Not particularly. Some people paid Lydon House, some people paid Fianna Fail.
- 22 There was no, you know.
- 23 Q. 105 Let's just see if we can work-out the people who would have elected to pay
- 24 Lydon House and why would they have paid them, and who were the people who
- 10:57:34 25 would have paid Fianna Fail directly?
- 26 A. Well according to this. In my view these people paid Lydon House directly.
- 27 Q. 106 And these people in electing to pay Lydon House directly are paying VAT, isn't
- 28 that right?
- 29 A. Yes, they are.
- 10:57:47 30 Q. 107 Whereas if they were to pay Fianna Fail directly they wouldn't be paying VAT,

10:57:51 1 isn't that right?

2 A. Yes.

3 Q. 108 Isn't it much more likely then that what you are looking at here are a series

4 of payments that are pick-me-up payments that are made to Lydon House but which

10:57:58 5 are treated within Fianna Fail as donations to Fianna Fail?

6 A. No, I would say. I mean, we have records for Galway going back to 1994 up to

7 2006 and I would have to say that most of those people on that list today would

8 be on the list over the years. So they wouldn't be doing a pick-me-up every

9 year. They would be paying for a table in Galway. Now, obviously some paid

10:58:22 10 VAT because they were charged VAT by Lydon House. But that does not mean that

11 they can reclaim the VAT.

12 Q. 109 Yes. And if I just show you the instruction that goes with that list,

13 Mr. Richardson. At 1960.

14

10:58:34 15 The instruction is the attached is the list of companies to be invoiced.

16 A. Yeah.

17 Q. 110 And then the invoices are to be sent to Mr. Richardson at the Berkley Court?

18 A. Right.

19 Q. 111 So what did you do with them when you got them?

10:58:51 20 A. Probably sent them out to the companies.

21 Q. 112 Who were they from?

22 A. Oh, from Lydon House.

23 Q. 113 Right so what happened then is you were told, for example, by Mr. David

24 Shubotham or Mr. Eamonn Duignan that they wanted to pay Lydon House. And you

10:59:03 25 organised the invoices, isn't that right?

26 A. I beg your pardon.

27 Q. 114 You organised the invoices?

28 A. I did, I did.

29 Q. 115 Right so that what would happen is that these people would make a payment to

10:59:14 30 Lydon House, is that right?

10:59:16 1 A. Yeah, yeah.

2 Q. 116 Right. But you say that this was not a pick-me-up. These were payments for
3 tables to the best of your recollection?

4 A. Yes, to the best of my recollection. As I said, those names would appear on
10:59:26 5 the Galway races for Fianna Fail for many years.

6 Q. 117 Yes. The mere fact that they appear as having attended the Galway races for
7 many years for Fianna Fail would not necessary mean that they were not making a
8 payment by way of a pick-me-up, isn't that right?

9 A. Well they were paying for a bill that Fianna Fail did actually owe. But it
10:59:48 10 wasn't that they did not attend the function. They did attend the function.
11

12 CHAIRMAN: But is it the case Mr. Richardson that the total bill to Lydons for
13 the event was 61,000 odd and that out of a large number of people who attended,
14 these on this list, were identified as those who rather than paying Fianna Fail
11:00:11 15 a contribution directly for convenience they were asked to pay the 61,000?

16 A. Yes, Chairman, yeah.
17

18 CHAIRMAN: I presume there were a lot more people than seven or eight
19 A. Yes, there were, yeah.
11:00:27 20

21 CHAIRMAN: And these were identified as because they contributions would have
22 equalled the bill to Richardson?

23 A. Yes, yes.
24

11:00:33 25 CHAIRMAN: And then on top of this there would be a list of others who would
26 pay have paid directly to Fianna Fail?

27 A. Correct, yeah.
28

29 CHAIRMAN: So to that extent there was an element of pick-me-up?
11:00:44 30 A. I'd agree with that, yeah, yeah.

- 11:00:47 1
- 2 MS. DILLON: And insofar --
- 3 A. If I may just say, Chairman. My view on a pick-me-up is that.
- 4
- 11:00:55 5 CHAIRMAN: It's where there was no service provided to the individual?
- 6 A. Yes, exactly, yeah. Sorry, Ms. Dillon.
- 7
- 8 MS. DILLON: And insofar as this emanates, apparently, at 1960, please.
- 9
- 11:01:17 10 From your office in the Berkley Court. This would have been done on your
- 11 instructions and with your authority?
- 12 A. Yes, it would, yes.
- 13 Q. 118 And while you were employed in that capacity by Fianna Fail, Mr. Richardson,
- 14 did you raise invoices yourself to Fianna Fail in respect of the work you did
- 11:01:25 15 funds raising?
- 16 A. I did.
- 17 Q. 119 Right. And I think Mr. Flemming has already told the Tribunal that your
- 18 remuneration by Fianna Fail was in no way connected with the amount of funds
- 19 that were generated by your activities. Would you agree with that?
- 11:01:39 20 A. Unfortunately not.
- 21 Q. 120 Were you successful then at the job that you did for Fianna Fail in fund
- 22 raising?
- 23 A. Well that's not for me to comment on.
- 24 Q. 121 Well either you reduced the debt or it didn't reduce or you made a lot of money
- 11:01:50 25 or you didn't Mr. Richardson?
- 26 A. Well the debt was reduced.
- 27 Q. 122 Yes. And did you invoice Fianna Fail yourself personally in respect of the
- 28 services you provided to Fianna Fail?
- 29 A. From a company, yes.
- 11:02:02 30 Q. 123 What was the name of that company?

11:02:04 1 A. In the '93 / '94 was a company called Willdover.

2 Q. 124 And was, did that company carry out the activity of fundraising, was that its
3 purpose?

4 A. It was a vehicle for invoicing Fianna Fail for work done on behalf of half of
11:02:20 5 Fianna Fail.

6 Q. 125 I beg your pardon, Mr. Richardson?

7 A. For invoicing Fianna Fail for work done on behalf of Fianna Fail.

8 Q. 126 Yes. So that you were invoicing through a company to Fianna Fail in the
9 initial stages through a company called Willdover?

11:02:36 10 A. Willdover, yes.

11 Q. 127 That company provided your services to Fianna Fail, is that's correct?

12 A. Yes.

13 Q. 128 And you were then remunerating by Willdover, is that the position?

14 A. Well, the fee that came in from Fianna Fail was 5,000 pounds per month. A lot
11:02:59 15 of the 5,000 per month was actually used for promotion work within Fianna Fail.

16 Q. 129 And what other promotion work for Fianna Fail was done?

17 A. I don't understand the question.

18 Q. 130 Ask did Willdover do any other promotion work for Fianna Fail other than
19 providing your services?

11:03:16 20 A. I don't understand the question.

21 Q. 131 You invoiced Fianna Fail for your services through a company called Willdover
22 Limited, is that right?

23 A. Yeah, yeah.

24 Q. 132 Did Willdover provide any other services to Fianna Fail other than you?

11:03:32 25 A. Fianna Fail were invoiced by Willdover for work that was carried out by
26 Willdover.

27

28 CHAIRMAN: But it was --

29 A. By myself.

11:03:49 30

11:03:49 1 CHAIRMAN: Yes. That's the question. Was it just yourself in effect or was
2 there, would Willdover have been paying other staff?
3 A. Well, hmmm.
4

11:03:58 5 CHAIRMAN: Besides yourself?
6 A. Well only staff that were employed on the Fianna Fail fundraising team. Which
7 was a secretary or two.
8

9 CHAIRMAN: Yes.
10 A. At one stage there was a team of four people working but generally two.
11

12 CHAIRMAN: And these would be working under your direction
13 A. Yeah, yeah.
14

11:04:16 15 CHAIRMAN: And they would be paid their wages from the 5,000 per month that
16 was --
17 A. No, no, no, no, no.
18

19 CHAIRMAN: Sorry.
11:04:25 20 A. They were -- they were I think in the Willdover days to the best of my memory
21 they were employed by a personnel company who invoiced either Willdover or
22 Fianna Fail. The people who worked in the Fianna Fail fundraising office apart
23 from myself, and there was one girl mainly, she would get paid an amount per
24 hour. And she was hired then, to the best of my knowledge from a personnel
11:04:56 25 company who would pay her.
26

27 CHAIRMAN: But I think Ms. Dillon was asking you really. I mean, what
28 expenses did Willdover incur. Willdover were being paid by Fianna Fail
29 A. Yes.
11:05:08 30

11:05:08 1 CHAIRMAN: And you say 5,000 a month

2 A. Yes.

3

4 CHAIRMAN: And what expenses would they have incurred other than yourself?

11:05:17 5 Were you -- were you paying the hotel, for example, or --

6 A. No, no. Any personal expenses were also invoiced separately.

7

8 CHAIRMAN: Yes.

9 A. As I mentioned earlier. I travelled the country. I went to the UK and I went

11:05:29 10 to the US, and they were paid separately by Fianna Fail to me.

11

12 CHAIRMAN: Not to Willdover?

13 A. To my to its best of my knowledge to me.

14

11:05:40 15 CHAIRMAN: So in effect Willdover was providing you as, I mean, the service

16 being provided by Willdover was yourself?

17 A. Yes, by and large, yes, yeah, yes.

18

19 CHAIRMAN: All right.

11:05:52 20

21 MS. DILLON: And when you say by and large, Mr. Richardson. What else was

22 covered other than the services you provided?

23 A. Well, out of the 5,000 pounds per month that Fianna Fail were paying Willdover.

24 There were some promotions, some fundraising ideas that were looked at, which

11:06:20 25 cost money to try and raise more money, and on occasion that came out of the

26 5,000 pounds that was paid by, sorry, by Fianna Fail to Willdover. There were

27 some other promotions, some other card games. Some ideas people came to me

28 with over the years and said, I have a good idea for Fianna Fail. I'd like to

29 try and raise some money for Fianna Fail and I'd look at the idea with some

11:06:38 30 other people and we'd say yes or say no. If we went with the idea, as we did

11:06:43 1 on a number of occasions that. Would be paid out of Willdover as well.

2 Q. 133 So they would be expenses that were paid out by Willdover?

3 A. Yes.

4 Q. 134 But which was recovered from Fianna Fail?

11:06:53 5 A. No.

6 Q. 135 But not in all cases?

7 A. Not recovered, no.

8 Q. 136 Not recovered?

9 A. No.

11:06:57 10 Q. 137 All right. And Mr. Quinn has drawn my attention to an answer that you gave
11 earlier, Mr. Richardson, and it may be that I had misunderstood you. I have
12 put to you what Mr. Fleming has told the Tribunal, and that Mr. Fleming has
13 told the Tribunal that your remuneration was not performance related. And I
14 asked you did you agree with that?

11:07:15 15 A. Yes, correct.

16 Q. 138 And do you agree with that?

17 A. Absolutely.

18 Q. 139 Because your earlier answer is in the negative. And it may have been an error
19 on the transcript?

11:07:22 20 A. I beg your pardon. I was not involved on commission at all with Fianna Fail.

21 Q. 140 That was Mr. Flemming's evidence, you do agree with Mr. Flemming's evidence?

22 A. 100 percent, yes.

23 Q. 141 Did you ever under invoice in any other name other than Willdover?

24 A. From 1995 onwards I was, my initial, my initial contract is not the right word,
11:07:44 25 my agreement was I would go in for a year or so and try and look at the Fianna
26 Fail fundraising nationally and internationally and put it on a footing where
27 it would work by itself. It wasn't my intention go into it for long-term.
28 When Bertie Ahern became Party Leader in 1994 I think it was, he asked me would
29 I spend more time and come in on a full-time basis until the next election. I
11:08:13 30 said I would do. So from 1995 onwards I invoiced Berraway for my services, a

- 11:08:18 1 company called Berraway Limited.
- 2 Q. 142 And was the situation in relation to Berraway the same as in relation to
- 3 Willdover, that its function was to provide these services to Fianna Fail?
- 4 A. Except that the payments that Fianna Fail made to Berraway were for my
- 11:08:33 5 services. And the distinction being where I mentioned earlier, occasionally
- 6 Willdover would do a bit of promotion out of the money Fianna Fail gave
- 7 Willdover, that didn't happen to Berraway, they were my fees, my personal fees.
- 8 Q. 143 Did Willdover do anything other than provide your services to Fianna Fail, as a
- 9 company did it do anything else?
- 11:08:54 10 A. It did a bit of -- I worked for a company for some time in sales but I, this is
- 11 going back to I think before my, well 1993.
- 12 Q. 144 What did it do?
- 13 A. Well, I was involved in the personnel business and I did some work for a
- 14 company during '93.
- 11:09:21 15 Q. 145 And did you invoice that company through Willdover for those services?
- 16 A. To the best of my knowledge. I'm not sure on that. To the best of my
- 17 knowledge.
- 18 Q. 146 Would it be fair to describe Willdover then as a vehicle for invoicing for
- 19 services provided by Mr. Des Richardson?
- 11:09:35 20 A. Not particularly, no. It was a company set up or used for the promotion of
- 21 Fianna Fail fundraising primarily. I can't recall whether it actually invoiced
- 22 my service to any other company. I just can't recall at the moment. I can
- 23 check that out for you.
- 24 Q. 147 Was the only asset of Willdover you, Mr. Richardson?
- 11:09:56 25 A. Yes.
- 26 Q. 148 Right. And was the only activity or its primary activity the work that
- 27 Willdover carried out for Fianna Fail?
- 28 A. Yes.
- 29 Q. 149 And insofar as it raised invoices, it raised invoices to Fianna Fail in respect
- 11:10:09 30 of your services and it may have raised an invoice to another company for

11:10:12 1 services provided by you, is that fair?

2 A. Possibly yes, yeah.

3 Q. 150 Now, was that the same situation with Berraway?

4 A. No, Berraway, well as I mentioned just to clarify it. In Willdover some of the

11:10:26 5 5,000 pounds per month given by Fianna Fail to Willdover was also used on

6 promotions. Which was not recovered from Fianna Fail. Now, in Berraway the

7 5,000 pounds per month or whatever the figure was then was for my services.

8 Q. 151 And insofar as the 5,000 pounds a month you were paid in Willdover was

9 concerned, are you saying that you used some of that money to carry out

11:10:51 10 activities that cost Willdover money and for which you didn't subsequently seek

11 reimbursement or further reimbursement from Fianna Fail?

12 A. Yes, correct.

13 Q. 152 And then in so far as Berraway is concerned, you switched over to Berraway as a

14 vehicle for invoicing, is that correct?

11:10:57 15 A. Correct, yes.

16 Q. 153 And when did you do that, Mr. Richardson?

17 A. January '95.

18 Q. 154 And why did you do that?

19 A. Why? Because Willdover was a company dealing in --

11:10:57 20 Q. 155 Sorry, sorry, problem with the transcript.

21

22 CHAIRMAN: All right, we'll just rise for ten minutes.

23

24 MS. DILLON: Thank you, Mr. Richardson. Sir, unfortunately the stenographic

11:10:57 25 equipment has temporarily failed and it's not entirely clear that we will be

26 able to replace it in sufficient time to conclude or to deal with today's

27 hearings. We would be able to proceed on foot of the transcription, the

28 recording but there is no guarantee that that would be a 100% accurate and in

29 those circumstances I am requesting you to adjourn these proceedings for a date

11:10:57 30 to be fixed in January. Mr. Maguire has indicated that he is happy to proceed

11:10:57 1 but in view of the fact that we couldn't stand over the accuracy of the record,
2 I am asking you to adjourn today's proceedings to a date in January. Now, Mr.
3 Kenny has to return also for the Cloghran Module as has Mr Williams and Mr.
4 Butler, so it might be possible, and Mr. Tim Collins, so it might be possible
11:10:57 5 to fix all of those witnesses for the week, I think, beginning around the 16th
6 January if that was possible.

7
8 CHAIRMAN: All right. Well, I think in the circumstances given the fact that
9 the accuracy of the record sometimes becomes a crucial issue in these
11:10:57 10 proceedings, I think it is preferable that we would put the matter back and
11 we'll do our best to facilitate Mr. Richardson and Mr. Maguire for a date in
12 January.

13
14 MS. DILLON: Yes, I don't anticipate that Mr. Richardson will be very much
11:10:57 15 longer and it might be possible to facilitate Mr. Maguire maybe possibly
16 sitting at 10.00am some morning in the course of the week, and to conclude Mr.
17 Richardsons' --

18
19 CHAIRMAN: We are sorry about that but these things happen. What about
11:10:57 20 Mr.Kenny's availability?

21
22 MS. DILLON: Mr. Montgomery has just temporarily stepped outside with his
23 clients, Sir, so I think we have somebody looking for him as we speak. So I
24 think perhaps if I were to discuss that with Mr. Montgomery and indicate that
11:10:57 25 you would be anxious to fix it for the week beginning the 16th, for the balance
26 of those witnesses.

27
28 MR. MAGUIRE: Can I just say, Chairman, that Mr. Richardson was anxious to
29 proceed and it has been explained to us the difficulty and in the circumstances
11:10:57 30 --

11:10:57 1

2 CHAIRMAN: Well, we will do our best to facilitate Mr. Richardson, we can sit
3 very early some morning to facilitate him because he shouldn't be too long.

4

11:10:57 5 MR. MAGUIRE: I am sure we can liaise with the Tribunal in that regard. Thank
6 you very much.

7

8 **THE TRIBUNAL THEN ADJOURNED**

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