

THE TRIBUNAL RESUMED AS FOLLOWS ON TUESDAY, 13TH JULY 1999

AT 10:30AM:

MR. COUGHLAN: May it please you, Sir. I'd like to say something, Sir, for your benefit and for the benefit of the public about today's sittings. Today's sittings will be severely curtailed. The Tribunal received late notification yesterday evening that a witness the Tribunal intended calling will be unavailable today although the Tribunal was under the impression up to that notification that the Tribunal would be available today and was available all week. Unfortunately, this situation has arisen Sir that the witness will not be available today and will have to be taken later in the week. This is somewhat unfortunate but cannot be helped.

CHAIRMAN: Yes. Well, I have already been made aware Mr. Coughlan of that situation and I have to say that it seems to me unacceptable that some persons are not affording the requisite degree of cooperation with this Tribunal. We have, I think, in all our dealings with interested persons and with their legal representatives, sought to exercise the maximum of courtesy and facilitation but if it becomes necessary in the public interest, I will not hesitate to make somewhat more abrupt orders as regards the attendance of persons who may be necessary to the Tribunal sittings and those persons or practitioners, few though they are, who may have contributed to making the workings of the

public sittings more difficult, can scarcely complain if I take these matters very fully into consideration at any such eventual time as I may be asked to make cost provisions out of public funds so I very much hope that those, that minority of persons who have been signally failing to afford the requisite cooperation will pull up their socks or appropriate steps will be taken by me.

MR. COUGHLAN: May it please you Sir, Mr. Harry Boland please.

MR. CURRAN: I appear on behalf of Mr. Boland.

MR. HARRY BOLAND HAVING BEEN SWORN WAS EXAMINED AS FOLLOWS
BY MR. COUGHLAN:

CHAIRMAN: Thank you very much indeed. Sit down.

Q. MR. COUGHLAN: Thank you, Mr. Boland, for coming to give evidence to the Tribunal. I think, Mr. Boland, you are a former partner of the firm Haughey Boland?

A. Correct.

Q. And I think you have been asked by the Tribunal to prepare a statement or a Memorandum of Evidence in relation to a particular financial transaction which the Tribunal has brought to your attention, isn't that correct?

A. Correct.

Q. And I wonder do you have that memorandum with you, Mr. Boland, so I intend taking you through the memorandum in

the first instance and asking a few questions for clarification if that's all right with you. I think at paragraph 1 of your memorandum, "I say that this Memorandum of Evidence was provided following upon a request from Mr. John Davis, solicitor to the Tribunal of Inquiry, (Payments to Messrs. Charles Haughey and Mr. Michael Lowry)."

At paragraph 2; "The Tribunal has asked you about a loan account given in the joint name of Harry Boland or H. Boland and Mr. C.J. Haughey and you call that 'the account'." Is that correct?

A. Correct.

Q. And I think you say that the first you heard of this account was in January of this year when Miss Sandra Kells of Guinness & Mahon sent you a letter about it, is that correct?

A. Correct.

Q. She subsequently sent you a bank statement concerning the account, is that correct?

A. Bank statements.

Q. Bank statements. And I think you have informed the Tribunal that you have never been aware nor knew of the existence of the account until then?

A. Correct.

Q. And I think you have informed the Tribunal that you have never had a personal bank account in your name which has not been in the Irish form of your name, Anraí O'Beolain?

A. Yes.

Q. Now, I think you are aware, Mr. Boland, if you have no objection to me calling you that?

A. That's okay, I will put up with it.

Q. And if we just put it up on the screen, I think this is a document, we were only showing one particular transaction I think on the account but you have seen or you have seen the statements relating to this account, isn't that correct?

A. I have.

Q. And the account is an account in the name of Harry Boland/C.J. Haughey, it's an Irish pounds, resident loan account, is that correct?

A. So I see, yes.

Q. And I think that you are aware from looking at the statement that on the 29th January 1982, there is a debit and the particulars relating to that debit is a draft H.

Boland in the sum of €50,000. Do you see that?

A. I see, yes.

Q. And I think as an accountant, you would be familiar with looking at bank statements and understand that that appears to indicate that there was a draft made payable to H.

Boland in the sum of €50,000 drawn on that loan account; isn't that correct?

A. That's what it says.

Q. I think you are also familiar and we haven't put the whole statement up but this was a loan account and it appeared to be in the red; isn't that correct?

A. It appears to be in the red the whole time, yes.

Q. Now, is it your evidence, Mr. Boland, that you never received this œ50,000?

A. It is.

Q. And is it also your evidence that you have absolutely no knowledge good, bad or indifferent about this account?

A. It is.

Q. You were never aware that it existed, you never opened it?

A. No.

Q. You never authorised anybody to open it?

A. No.

Q. You gave no general form of authorisation to have loan accounts opened in your name?

A. No, certainly not.

Q. It would be an unusual

A. Very unusual.

Q. Type or facility or permission for an accountant to grant, I think you would agree?

A. Yes.

Q. Can I ask you, Mr. Boland, did you ever have any account yourself in Guinness & Mahon?

A. It's quite possible that during the first bank strike we were facilitated, we had a rather doubtful German client who issued money, issued cheques and didn't have the funds, the funds were in England and we were facilitated by Guinness & Mahon to cover those and we had to discharge them later on when he went caput.

Q. I see.

A. But I don't know whether it was an account that time or just a facility.

Q. That first bank strike, that was the bank strike in the early seventies, is that correct?

A. Probably, yes, I can't remember.

Q. And when you say that we, can we take it it was your practice?

A. Practice, yes.

Q. Your practice was dealing at that stage. And can I take it that it would also be your practice as an accountant to wish to receive bank statements about any accounts that your practice or you personally might have?

A. Certainly, yes, that I wished to

Q. That you would expect to receive accounts?

A. Oh yes, of course I would, yes indeed.

Q. And your very professional being would instill that type of desire in you?

A. Certainly.

Q. And we know that I think from the statements that were furnished by Ms. Kells to you that this account, the address given is Mr. H. Boland and Mr. C.J. Haughey, care of Mr. P O'Dwyer, that's somebody in the bank. Can we take it that you have never received account statements care of

A. No, I have never met Mr. O'Dwyer to my knowledge.

Q. And from any inquiries you have made, does that appear to be a Mr. Pat O' Dwyer of Guinness & Mahon Bank as far as

you know?

A. I haven't made any inquiries because I never heard of that until you mentioned it now.

Q. You never met the man?

A. Not to my knowledge.

Q. And you don't know anything about him?

A. No, no.

Q. Now, I am not casting any aspersion on Mr. O'Dwyer, just on the statement he appears to be an official of the bank who was the address, you can't see it there, perhaps you have the hard copies with you?

A. I didn't recognise that when I was looking at them.

Q. We will put that portion up, if we could. I think you will see it on the screen now, Mr. Boland.

A. I haven't seen it in any of the copies that I got.

Q. I see, but in any event, you didn't issue any instruction?

A. No.

Q. That Mr. Pat O' Dwyer would be your postal address for the receiving of statement?

A. As I say, I know nothing about this account whatsoever.

Q. But it does appear from the statements that your name was being used on a loan account?

A. So I see from the statements I received from Ms. Kells.

Q. And this has caused you surprise I take it?

A. Absolutely.

Q. And perhaps a little concern in that it was always in the red and on the face of it, you might have been liable or

jointly liable for it?

A. When I first checked to know whether the allowance of bank interest was still available at that stage and found that it wasn't in fact, so I know that if it had been I would certainly have been claiming it on my account.

Q. And can I take it that you were never asked either by Mr. Haughey to facilitate him in opening an account?

A. Never was, no.

Q. Nor by Mr. Traynor or anyone in Guinness & Mahon to do that?

A. No, certainly not.

Q. Or by anyone in your practice?

A. No.

Q. Thank you very much, Mr. Boland.

CHAIRMAN: Just one second, Mr. Boland, just in case, Mr. Curran, anything you wanted to clarify?

MR. CURRAN: No, Sir.

CHAIRMAN: Thank you very much indeed, Sir, for your attendance.

THE WITNESS THEN WITHDREW.

MR. HEALY: Mr. David Doyle.

MR. DAVID DOYLE, HAVING BEEN SWORN WAS EXAMINED AS FOLLOWS

BY MR. HEALY:

MR. COLLINS: I appear with Mr. James Devlin for Mr. Doyle

instructed by Brian O'Donnell.

CHAIRMAN: Thanks, Mr. Collins. Thank you, Mr. Doyle, sit down.

Q. MR. HEALY: Thank you, Mr. Doyle. You provided the Tribunal with a Memorandum of Evidence and I propose to take you through that memorandum firstly. Do you have a copy of it?

A. I do.

Q. Now, Mr. Doyle, you are at the moment resident outside the jurisdiction and you have come back to the jurisdiction to assist the Tribunal by providing this evidence and by assisting it with its inquiries, isn't that right?

A. Yes, that's right.

Q. You say that your name is David Doyle, that you are the son of the late P.V. Doyle. You say you have seen the Memorandum of Evidence prepared by Mr. George Carville in relation to a meeting at the Berkely Court Hotel with Mr. Desmond Traynor in March 1998 shortly after your father's death. That is a Memorandum of Evidence which was referred to in evidence last week when you weren't here for no reason that need reflect badly on you or anything like that but are you familiar with the other evidence given by Mr. Carville on that day?

A. I

Q. Well, if it becomes relevant, we can mention it later on. You say that you can confirm you were present at the

meeting and Mr. Carville's memorandum is an accurate account of what happened. You say that you were aware before your father died that your father had had dealings with Mr. Traynor and Guinness & Mahon but that you were not aware of the details of his personal accounts, either from your father or from any other source?

A. That's correct.

Q. You say that you can confirm that you had dealings in your own right with Guinness & Mahon and in particular, with Mr. Desmond Traynor in the 1980s?

A. Correct.

Q. At the time you say that you were greatly concerned for your personal security so you took precautions to preserve the safety and privacy of your personal finances. You sometimes gave monies to Mr. Traynor/Guinness & Mahon to invest on your behalf as you felt that your money would be safely kept and managed by the bank. You say that you understand from the Tribunal that one such transfer of monies to you from Mr. Traynor appears in the records of Guinness & Mahon for the 27th January, 1987. You also understand that this transfer is in some way linked in those records to a transfer of €2,000 to a loan account in your father's name, although you note that the €2,000 appears to come from an account which bears a different number to the accounts in which your own transaction was concerned. The Tribunal has asked if you have any knowledge as to the source of the €2,000. You say that you

have no recollection of ever being aware of the €2,000 transfer and you cannot offer any assistance as to the source of the money. You say that you understand from the Tribunal that in a transaction on the same day, a source of €13,000, a sum of €13,000 was also transferred to the loan account in your father's name and in relation to that, again you say that you have no recollection of ever having known about the €13,000 transfer and cannot offer any assistance as to the source of the money. You say that you trust that this addresses the specific issues raised by the Tribunal in two letters of the 18th and 24th June.

On a more general level, you say that you wished to state that you had never paid any money to Mr. Haughey or Mr. Lowry or any other politician.

If I could just come back to the second paragraph of your statement, when you say that you had dealings in your own right with Guinness & Mahon and in particular, with Mr. Desmond Traynor in the 1980s. Can I ask you whether your dealings with the bank were initiated with Mr. Desmond Traynor, in other words, did you have any dealings with the bank before you had dealings with the bank through Mr. Desmond Traynor?

A. No.

Q. So were your only dealings with the bank with Mr. Traynor although you may have met other members of the bank staff when you went into the bank to deal with one transaction or

another?

A. Just with Des Traynor.

Q. Just through him. So you went to Mr. Traynor at sometime in the 1980s for the purposes of having him deal with some of your finances; is that right?

A. Yes.

Q. And you wished those finances to be managed in Guinness & Mahon?

A. Yes, yes.

Q. And what did Mr. Traynor tell you he could do for you? Did you tell him your concerns for your personal security?

A. I did. He basically just said he could open an account and it would be a private account.

Q. Right. He said he could open an account and it would be a private account?

A. Yes.

Q. By that, do I take it that you understood that an account would be opened but that your name wouldn't be on it?

A. No. That an account would be opened and that it wouldn't have, because it was a singular, one branch I think, it wouldn't have access from outside.

Q. Are you saying that because this was a bank with one branch only, if the account was opened, there would be no other branches or no wider group of people to whom information would be available concerning your account, is that the point you are making?

A. Yes.

Q. Well, if an account was opened, one would assume therefore that the account would have been in your name?

A. It was mailed to me at my address with my name and my address on it, sorry, on the envelope anyway.

Q. You may be able to correct me on this, Mr. Doyle, but the Tribunal, on foot of requests to Guinness & Mahon, has not been able to turn up any account in your name.

A. No, I said it was posted to me at my address.

Q. Can we just take it slowly then. Am I right in

CHAIRMAN: Take your time, Mr. Doyle.

Q. MR. HEALY: Am I right in thinking that you are under the impression that an account in your name was opened in Guinness & Mahon?

A. Sorry

Q. Am I right in thinking that you are under the impression that an account in your own name was opened in Guinness & Mahon?

A. No, I knew it was a numbered account but

Q. Let's just take this more slowly.

A. But it was my account and it was addressed to me, the statements were.

Q. Maybe we will just go over this again. Your understanding is that as a result of conversation you had with Mr. Traynor, you told him you wanted to open an account in Guinness & Mahon, that your understanding is that an account was opened?

A. Yes.

Q. Now, I was concerned to know whether that account was opened in your own name. Can we just deal with that first. Was an account, as far as you were concerned, opened in your name, David Doyle, in Guinness & Mahon?

A. It was obviously applied a number on the account but it was always attributed to me.

Q. I see. So you had an account. It didn't have your name on it as far as you were concerned, whether there was some number on the account which was identified to you?

A. Exactly. I always got the statement in the post I believe.

Q. And I'll just put a document up on the overhead projector for the moment for no reason than just to identify a Guinness & Mahon type statement. It's a document that has already been put on the screen and you see the format of it. It's a statement of Guinness & Mahon in 1987. Now, there is the sort of time that we are talking about, did you receive statements in that format

CHAIRMAN: Sorry, you will probably find the banging beside you a little bit distracting, I will just see if we can get it stopped for a while whilst you are giving evidence.

Q. MR. HEALY: I was just drawing to your attention the format of the Guinness & Mahon bank statement. And can you tell me if that was the type of statement that you received from Guinness & Mahon?

A. I believe so, yes.

Q. With G and M on the left, something like that and Guinness & Mahon printed on the right-hand side and then the figures?

A. It is, yes.

Q. Now that statement in fact in your late father's name, it's already been mentioned in the evidence but would it have contained your name or just a number?

A. I can't say, I don't remember.

Q. Well, can you tell me so we can try to get to the bottom of this, can you tell me roughly when in the eighties this account would have been opened?

A. It could have been '81, '82, '83.

Q. That's what I mean, was it the early part of the eighties?

A. Yes.

Q. We are certainly agreed it was still existing up until 1987 in any case?

A. Yes.

Q. Did it continue long after that?

A. I don't think so.

Q. You don't think it continued long after that?

A. No.

Q. And during all that time, would you have received regular bank statements?

A. Every, to my recollection, sort of every two to three months.

Q. Do you have any of those banks statements still?

A. I don't.

Q. What did you do with them?

A. Well, I have moved twice, three times since and just binned.

Q. I see. Did you close the account at some point?

A. I did.

Q. Can you remember when you did that?

A. '87, '88, '89.

Q. Do you remember who closed it?

A. I asked Des to close the account.

Q. You asked Des Traynor?

A. Yes.

Q. Do you know whether he gave you any money as a result of closing the account? In other words, did he withdraw any balance on account?

A. He did, I believe.

Q. Do you remember getting money from him?

A. I don't remember the occasion but it's fair to say I would have been when I did get it.

Q. Do you remember the number of this numbered account?

A. I don't.

Q. Was it purely a deposit account or was it a current account?

A. I think it was just a deposit only I think.

Q. Just a deposit account?

A. I didn't I did not have a cheque book.

Q. There wouldn't be much point in having a numbered current

account in any case, would there, without your name on it?

Was Des Traynor the only person who knew of the existence of this account apart from you?

A. The only person I told I think.

Q. You didn't tell your father about it?

A. No.

Q. Or Mr. George Carville?

A. I may have, I don't remember.

Q. Did you have any other accountancy advice during that period?

A. No, no.

Q. Did you have any other financial advisor during that period?

A. No.

Q. Now when you say that you had a numbered account in Guinness & Mahon, if you wished to make deposits to that account, you would presumably have to identify the account when you went into the bank?

A. Yes. I didn't actually, I think I only ever went into the bank once.

Q. Who did you deal with?

A. I think I was just going in to make a lodgement and I think I dealt with Mr. Traynor's secretary.

Q. Did you know the number of the account at that point? How did you identify yourself and how did you identify the account?

A. Well, she knew me so...

Q. I see. Did you go into Mr. Traynor's private office; is that right?

A. I don't recall.

Q. You see I don't think Irish banks in general operate a system whereby customers of the bank are given the facility of operating numbered accounts.

A. I don't know, it's just by way of reference.

Q. Pardon?

A. It was just a reference number so

Q. But the account, in other words, had no name and simply a reference number with no name?

A. No, but I am presuming that the bank, if I got the statements, the bank had the forwarding address and name of the account.

Q. You think you closed the account in around 1988. Did you close it in the eighties or nineties?

A. It could have been late eighties and between '87 and '91, I don't remember exactly.

Q. When you closed it, do you remember whether there was a large balance or not on the account?

A. It was fairly substantial.

Q. You see, Mr. Traynor ceased to have any connection with the bank I think around 1986 or early 1987 so if you were receiving bank statements after that date, and if you were making lodgments, how could you have made them to Guinness & Mahon?

A. I only went into the bank, I believe, once. The rest of

the time I gave the money to Des Traynor whenever I met him.

Q. And where would you meet him?

A. He was, there was always a function or a dinner or lunch he was at.

Q. You simply walked up to him and gave him money?

A. No, I knew that he would be in, he came in most days for lunch so I knew the chances were one of several days I'd meet him.

Q. Where would that be?

A. Either in the Burlington or Berkely Court.

Q. And would you make an appointment with him?

A. No, no.

Q. But how would you know that he would be available to give him money to put into your account?

A. I wouldn't. He always waited. If he was meeting somebody for lunch, he was always there probably fifteen minutes before them.

Q. Why would he be coming to either of the two hotels you mentioned? They were Doyle hotels, is that right?

A. Yes.

Q. Who would he be meeting every day in those hotels?

A. I don't know, I never took any heed. He'd always whoever he was meeting, he'd always stand at the front door.

Q. Would it be executives of the Doyle Group or other people altogether, thirds parties?

A. Other people. He might be attending board meetings of companies that he was involved in or whatever.

Q. And if you didn't have an appointment with him, do you mean you'd just go up to him and say Mr. Traynor or Des or however you addressed him, I want to give you some money for my account?

A. Yes.

Q. Just like that?

A. Yes.

Q. And if you wished to make a withdrawal from the account, seeing as you didn't go into the bank, how would you do that?

A. I'd either phone him or his secretary.

Q. How would the funds be transferred to you?

A. I think by way of a draft, I don't remember exactly.

Q. Who would give it to you?

A. Probably Des himself.

Q. Physically?

A. Yes.

Q. Where would he meet you to give it to you and how would he arrange to give it?

A. If I rang him looking for money, he might say on Tuesday I will be there at a quarter to one and see you there in the lobby.

Q. During all this time, did you have any other bank accounts in your own name?

A. I did, yes.

Q. Presumably you didn't have any access to any other bank in the way you had access to this bank. In other case you had to go down to the bank to make a lodgement?

A. Yes.

Q. Or send somebody down on your behalf and to make a withdrawal you had to present yourself at the bank or send somebody along on your behalf to send the withdrawal?

A. Yes.

Q. Or else you had to do it by some transfer. You were therefore presumably familiar with the practices that governed ordinary day-to-day banking business in most banks?

A. Yes.

Q. Didn't it strike you as a most unusual way of conducting banking business?

A. No.

Q. It didn't strike you as unusual when you knew it was different to any other bank that you had any experience of?

A. I don't remember whether it struck me as unusual or not.

Q. Mr. Doyle, don't you know that there's no bank in Ireland or England or anywhere else for that matter where the general manager and chief executive of the bank walks around and takes money from people at lunch parties or gives money to them at lunch parties or simply when he is passing through the doors of a hotel? Don't you know that that doesn't happen anywhere, isn't that right?

A. I knew Des Traynor so

Q. I am not talking I am not suggesting for one moment what you have described didn't occur. What I am suggesting to you is that it was a most unusual way of dealing with any banker and that, I suggest to you that you have to agree, you can't imagine any other banker dealing with a customer like this?

A. It's coming back to the privacy element.

Q. There are banks that offer all sorts of private facilities to clients but I don't think they offer them in the way you described. Would I be right in that?

A. You could be. This is 1999, things have progressed a little.

Q. Could I suggest to you that at no time in the conduct of banking business in this country, at no time did banks operate the way you have described and that you know that yourself this was a most unusual arrangement. You see, you describe this as a system and I am trying to get to the bottom of it because I am slightly confused by one of the things you said to me. You describe this as a private banking facility operated by Guinness & Mahon and while I can understand that a bank might offer somebody some form of coded security, I'd be surprised if they covered the type of facility you just described but even so, wouldn't you expect to find a record in the bank of your account?

A. I would.

Q. And there is no record.

A. I know that now but I didn't know that then.

Q. Were you aware that Des Traynor ceased to have an association with Guinness & Mahon sometime in the late 1980s? Were you aware he was no longer the joint chief executive sometime after 1986?

A. No, I wasn't aware of that.

Q. You weren't aware of that?

A. No.

Q. After that time, you presumably still had contact with his secretary or you rang him on the telephone?

A. Yes.

Q. Well, you know that you couldn't have contacted him at Guinness & Mahon, isn't that right?

A. Yes, I contacted him in his office in Fitzwilliam Square.

Q. You contacted his secretary there as well?

A. Yes.

Q. Did you ever go to Fitzwilliam Square?

A. I did.

Q. Do you ever give money to his secretary in Fitzwilliam Square?

A. I don't recall, I don't think so.

Q. Did you ever collect money from his secretary in Fitzwilliam Square?

A. I could have, I don't recall.

Q. Where do you think the money was if it wasn't in Guinness & Mahon, if you didn't have an account in Guinness & Mahon, where do you think the money was?

A. Guinness & Mahon, that's where I got the statements from,

it was my

Q. But you couldn't have got statements from Guinness & Mahon surely after Mr. Traynor ceased to have any association with the bank or if you did, the bank have simply no records of these statements.

A. Well

Q. The Tribunal has a duty to be fair to the bank as well. The bank has no record at all of an account in your name or an account in some other coded name in respect of which statements in that form went out to you. Now, to be fair to the bank, if the bank have no sufficient statements, something was happening of which the bank weren't aware but of which Mr. Traynor would have been aware or you may have been aware, wouldn't that seem to be so?

A. I received the statements from Guinness & Mahon.

Q. I may have to press you on this because my impression is if you received any statement at that time from Guinness & Mahon, it must have contained, it must have been in that form and are you certain that it was in that form with the words 'Guinness & Mahon' on it?

A. I believe so.

Q. And was it Guinness & Mahon of 17 College Green, Dublin, that sent you those statements?

A. I don't recall.

Q. As far as you were concerned, was it in Guinness & Mahon in Dublin that your money was?

A. As far as I was concerned, it was with the Guinness & Mahon

Bank.

Q. In Dublin?

A. In Dublin.

Q. Not anywhere else?

A. It could have been somewhere else. My understanding was it may have been eventually.

Q. We better clarify this. When you gave your money in the in the first instance to Mr. Traynor to keep for you, did you understand that the money was being kept in Dublin?

A. Yes.

Q. Now, I have no desire to stray into aspects of your personal finances unless this becomes absolutely necessary. As far as you were concerned, you were giving money to Mr. Traynor to put into a bank account in Guinness & Mahon in College Green because there was only one branch in that bank and if Mr. Traynor could guarantee security there, there would be no risk of information spreading into other branches; is that right?

A. Basically.

Q. Was that your impression or was it what Mr. Traynor told you?

A. It was an impression I formed from what he told me.

Q. And there was no question initially in any case but that your money was going into College Green?

A. I believe so.

Q. And when you continued to put money in, as far as you were concerned, you were putting it into College Green?

A. I was putting it into a Guinness & Mahon account.

Q. That's what I am trying to get at. Was it a Guinness & Mahon account in Dublin?

A. Initially I believe it was.

Q. Well, at some point did you form the impression that wasn't in Dublin?

A. I don't honestly know. It could have been in London. My understanding, Guinness & Mahon was a London based bank with Irish connections, so...

Q. But look, that doesn't have any sense, Mr. Doyle. You understood you were putting your money into Dublin, into a bank with one branch and that was the beauty of the transaction as far as you were concerned, you'd be guaranteed that nobody would know about your personal affairs outside that branch.

A. Yes.

Q. And you had the additional security, according to Mr. Traynor and according to yourself, that your account didn't have your name on it. Now, you say initially you believed that that was always the position. At some point, forget the dating of this point, but at some point did you form the impression that your money was not going into Dublin or that it was being taken out of Dublin and being put somewhere else?

A. It may have been the time you are intimating Des Traynor retired and moved on from day-to-day responsibility.

Q. Forget the timing of it. What did you think happened?

What do you think happened to your none?

A. It was still at Guinness & Mahon but I was still receiving basically the same statements. It was probably, it could have been in London.

Q. In London you think?

A. Yes, I can't recall exactly, I do know there was a connection with the London headquarters.

Q. Let's take it slowly. If you were getting statements from London, maybe they still had Guinness & Mahon written on them.

MR. COLLINS: I don't think he said he was getting statements from London. His evidence is consistent and he is speculating on Mr. Healy's invitation to do on a number of matters he has no knowledge but he is consistent his statements always came from Dublin, from Guinness & Mahon, the one branch.

CHAIRMAN: Is that the case, Mr. Doyle, the basis of the statements continued without any particular change even after Mr. Traynor ceased to hold a leading position in Guinness & Mahon?

A. My recollection is that the continuity of the statements continued.

CHAIRMAN: Yes.

Q. MR. HEALY: In what currency did the statements continue to come?

A. I think the eventual currency was dollars, because that was what I asked

Q. When did you ask that?

A. I can't recall, just asked it.

Q. Were your initial statements in dollars?

A. No, Irish pounds.

Q. So your initial statements were Irish pounds?

A. Yes.

Q. And at some point you were asked what currency did you want to hold the funds in. At what point was that?

A. I don't remember, I remember changing currency,.

Q. At some point in any case your statement came in a different form; is that right?

A. Similar statements.

Q. At some point did you receive a statement that wasn't in Irish pounds?

A. I believe so, yes.

Q. Where did you get that statement from?

A. Guinness & Mahon.

Q. Where?

A. I don't recall. It came as usual to the same address with the same name on it.

Q. And it wasn't in Irish pounds, it was in a foreign currency?

A. I believe so.

Q. And that was certainly during the eighties sometime?

A. Yes, eighties, or late eighties.

Q. And at that time you were living in Ireland?

A. Yes.

Q. Now, it's inconceivable, I think you'd have to accept this from me, Mr. Doyle, at least until we get further information from Guinness & Mahon, but it seems inconceivable or incredible that an Irish bank would send an Irish resident a statement of an account held by the bank for him in Ireland in dollars.

MR. COLLINS: Sorry, Sir,, I don't wish to object but the premise of the question, I respectfully submit, is wrong. Anyone can open an account denominated in foreign currency and plenty of Irish residents would get a statement in pounds sterling or dollars or whatever currency they chose to hold it so there's nothing remarkable.

CHAIRMAN: Certainly, Mr. Collins, let's simply see what recollection Mr. Doyle can provide and we can discuss any possible matters of debate in due course.

MR. COLLINS: May it please you, Sir.

MR. HEALY: I think Mr. I have to agree Mr. Collins may be right but not if you are withdrawing money from a current account on a regular basis, if, as this witness was.

CHAIRMAN: Well, that's a matter of comment.

Q. MR. HEALY: All of the money you put into this account was

Irish money; is that right?

A. I don't I had worked abroad during the late 'seventies and eighties.

Q. Leave the seventies out of it. You didn't have the account, is that right?

A. No, but the whole thing starts small so

Q. I don't understand you.

A. Well, I was obviously, I was working in America.

Q. That was in the seventies?

A. Yes, and I think again in the eighties.

Q. What time in the eighties were you working in America?

A. In the early eighties.

Q. Did you have a bank account in America when you were there during the early eighties?

A. I did, yes, a local bank account.

Q. But the money that you were putting into this bank account, where did you get it?

A. Savings and shares and salaries over the years and

Q. So it was money that was generated in Ireland?

A. Yes, to most extent.

Q. In what form would you put it into the account, in cash, drafts or cheques?

A. Normally drafts and cheques.

Q. Where did you get the drafts?

A. From the banks.

Q. How did you get the drafts?

A. I went to the bank.

Q. You went into a bank and said "Could I have a draft."

A. Wherever I had the local account, I would go in when there was a certain amount there and drawdown.

Q. You'd go into the bank and you'd get a draft, you'd pay for the draft over the counter or have the cost of the draft debited to your account?

A. Yes.

Q. So you'd, you'd take that draft and give it to Mr. Traynor or his secretary, one or the other?

A. Yes.

Q. And if you were using a cheque, where would the cheques come from? Could they be salary cheques?

A. Yes.

Q. Would you give him salary cheques?

A. I believe so, yes.

Q. How often do you think you'd give him salary cheques?

A. I don't know, maybe every three, four, five months.

Q. And how often do you think you'd give him drafts?

A. Probably the same.

Q. Would you give him more in draft? In other words, more money in drafts than in salary cheques?

A. I don't remember.

Q. If you were giving him these drafts, they were drawn on accounts presumably in your own name?

A. Well, it's some were there in that.

Q. Were they drawn in accounts in your name or accounts over which you had control?

A. Most of them were drawn by form of draft or wage cheques or whatever.

Q. But therefore you had accounts, other accounts, accounts other than your Guinness & Mahon account?

A. Yes.

Q. In your own name?

A. Yes.

Q. On which you could draw to purchase drafts?

A. Yes.

Q. Did you have any securities concerns with those accounts?

A. They are the accounts that I drew down from.

Q. So you drew down from those accounts and you gave it to Mr. Traynor to put it into Guinness & Mahon?

A. Yes.

Q. If you drew down from those accounts and you were paid salary cheques, they were all presumably in Irish pounds apart from the time you were working in the States?

A. Yes.

Q. That currency went into Guinness & Mahon, it was Irish currency you were putting into that account?

A. Yes.

Q. And may we take it that it was mostly Irish currency you were putting into the account?

A. I believe so, yes.

Q. And your bank statements therefore were presumably in Irish currency. That's not yours, don't be confused by it.

A. Yes.

Q. Until at some stage they were converted into dollars?

A. Yes.

Q. And did you ever draw dollars off these accounts?

A. I don't believe so.

Q. Did you ever draw any currency other than in Irish money off these accounts?

A. I can't remember.

Q. Did you ever get a draft or cash from Mr. Traynor that wasn't in Irish money?

A. I remember getting a draft or drafts in Irish money, I don't remember

Q. Do you remember getting drafts in any other currency?

A. No. Unless it was at the closing of account.

Q. At the closing of account. What currency did you get the money?

A. I don't know, but if I required a draft, it would have been probably for

Q. You say it was a very substantial sum of money you eventually got from Mr. Traynor?

A. Yes.

Q. Surely you can remember the currency you got that money in?

A. I can't. I mean, I am sure you will have the final balance, I don't have any of it in records.

Q. I don't have the final balance, Mr. Doyle, because Guinness Mahon (Ireland) in Dublin have no record of any account in your name. Could it have been an associate of Guinness & Mahon in the Cayman Islands?

A. It could have been.

Q. Do you mean you don't know?

A. I know that when Des Traynor changed, my recollection I think is that he transferred the account to London, I don't know, that the responsibility went to there, but the statements continued.

Q. Sorry, the statements

A. Continued.

Q. Yes, to come from Dublin?

A. As far as I recollect.

Q. And they continued to be on Guinness & Mahon Dublin notepaper?

A. Yes sorry, no, I don't know what the address was but I know they were on Guinness & Mahon, there was like grease proof papers, transparent and there was a back-up copy like a manila paper sheet with the balance on it.

Q. Was it always the same type of paper you got, you describe it as being manila coloured; is that right?

A. Yes.

Q. This was the bank statements on manila coloured paper?

A. Yes, at one stage it was transparent paper like very old last century and then it became more 1980s, if you want to call it that.

Q. That was the only change that occurred?

A. I think so.

Q. When it became the later paper, call it heavier paper, was it manila coloured?

A. I don't honestly remember. I just remember there was always a top copy and a statement of transactions I think.

Q. But the statements, in any case, continued in the same way and there was no question of you opening a new account when the time when you feel there was a London involvement and the time prior to the London involvement?

A. Not to my recollection.

Q. And during the time of the London involvement, did you have any contact with any bank in London?

A. No.

Q. When I said to you or when I suggested to you that there may have been a Guinness & Mahon Cayman transaction?

A. Yes.

Q. You said you thought there might have been or do I understand you correctly to say you thought there might have been?

A. Yes.

Q. Perhaps you will just expand on that a little for me. What Guinness & Mahon Cayman connection did you think there might have been?

A. My understanding is that Guinness & Mahon in London is probably Guinness & Mahon Cayman Islands.

Q. Are you saying that you thought that the London connection was in fact some form of cover or mask for a Cayman Islands connection?

A. No, no.

Q. Are you saying that the London bank was a branch of the

Cayman's bank or I don't quite understand what you mean by saying

A. I don't know. I know there was the branch in London, my understanding was the head branch, the UK based branch and they had branches else where.

Q. And you thought that one of those branches was in the Cayman Islands?

A. Yes.

Q. What connection did you think the Cayman Islands branch had with your money?

A. It could have been held on deposit, I don't know.

Q. You know that, for instance, Bank of Ireland, Allied Irish Banks, almost any major bank you care to mention in Ireland, probably has branches in England, Germany or wherever but surely if you had money in an Irish branch of an Irish bank, that wouldn't lead you to believe in some way the money was connected with a German branch of that bank or English branch of that bank, would it?

A. No. As far as I am concerned, the Guinness & Mahon was Des Traynor, if you want to put it that way, and as long as he was there that's my

Q. What I am trying to get at is in what way was Des Traynor Cayman?

A. Sorry?

Q. In what way you say Guinness & Mahon was Des Traynor or Des Traynor was Guinness & Mahon. In what way was Des Traynor the Cayman Islands? In what way was there a Cayman

Islands connection with Des Traynor?

A. If Des had moved across the road to the Bank of Ireland or Allied Irish Banks, I probably would have gone with him.

Q. You would have gone with him and you think your money would have gone?

A. Probably, yes.

Q. Where did you get the impression there was a Cayman Islands connection then?

A. Maybe from Des, I don't actually recollect.

Q. Did you continue to have dealings with Des Traynor up to the time he died in 1994?

A. We did, yes.

Q. And did he continue to operate bank accounts for you up to that time?

A. No.

Q. He didn't?

A. No.

Q. When did he cease to operate any bank account for you?

A. Sometime after my father's death, I just got worried something might happen to him.

Q. Why did you get worried something might happen to Mr. Traynor

A. He was the bank.

Q. As far as you were concerned, your money was in the bank and you had a private coded account in the bank and why would you be worried about Des Traynor death?

A. Wouldn't you be?

MR. COLLINS: He didn't call it a coded account. He said it was a reference number on the statement he got, no name but reference number. Never used the expression coded account which has pejorative implications.

CHAIRMAN: I am not interpreting it any way nefarious, I am taking it Mr. Healy is summarising the general de facto of the transactions.

MR. COLLINS: May it please you, Sir.

Q. MR. HEALY: So is it after your father's death or shortly after your father's death you ceased to have this bank account at all?

A. Something within a year, three years, I can't remember the exact year. It would have been the early nineties.

Q. It could have been the early nineties.

A. Yes.

Q. Where did you put the money after Mr. Traynor gave it to you?

A. I lodged it at another bank.

Q. In Ireland?

A. No.

Q. How did you make the lodgement? What did you get from Mr. Traynor to make the lodgement? What did Mr. Traynor give you?

A. I think a draft.

Q. And you took that draft and you lodged it in another bank?

A. Yes.

Q. Was it in Ireland?

A. No.

Q. And where was it.

MR. COLLINS: Sorry, this doesn't have connection with payments to politicians. This is his own affair.

CHAIRMAN: I think it probably is correct, Mr. Healy.

MR. HEALY: I simply don't know anything about these transactions, Sir.

A. Just to interrupt for a second, I did speak to Mr. Davis on the phone last summer and I told him, I believe twice and I did say if there's anything you want to ask me, I have no problem in telling him and I when I spoke to him I went into private hearings in May and again I said that I would cooperate with anything I knew and I have to say that on that occasion, I wasn't, when I referred to the fact that I had spoken to him last summer and offered to supply any information he required, he had been told, well I have been told I have to forget about all that, a court ruling or something and what I was trying to make clear, I have no problem in the private hearings making any information available and it wasn't sought off me, the information, but it is being done in a very public manner today.

CHAIRMAN: Well, it actually, Mr. Healy, Mr. Doyle's finances, after he has stated the relationship of Mr.

Traynor explicitly ceased may not directly fall within the purview of our inquiry.

MR. HEALY: In any case, leaving aside where you put that money or what you did with it, at that stage you were no longer concerned for your own safety, wouldn't that be right, that wasn't the primary concern you had at that point?

A. Sorry?

Q. When you decided to cease having anything to do with Mr. Traynor where the banking of your money was concerned, your personal safety, did that continue to be a consideration?

A. At all times, it always was, it's no different than any publican going home from the pub late at night, it was common in the seventies and eighties and nineties.

Q. Just look at some of the documents that were drawn to your attention. Do you have a bundle of those documents in front of you?

A. Yes, I have a sealed

Q. I presume you were sent a copy of various documents to which reference had been made to some extent in evidence.

I just want to make sure you have got the same bundle as I have. (Documents handed to witness.) The first of the documents I want to mention is a draft. I think you may have referred to some of these drafts earlier in the course of your own evidence. This is a draft issued by the Bank of Ireland Montrose branch, in the sum of €8,000 payable to

Brian Doherty. Sorry, I beg your pardon, payable to Mr.

Brian Doherty. It has a stamp as you can see on the face of it, suggesting that it was lodged to Guinness & Mahon Bankers in Dublin. I think we can go through these quickly because you are fairly familiar with them at this point; is that right?

A. Yes.

Q. The next draft is a draft payable to a Mr. Jim O'Sullivan and it's drawn on or it's issued by Bank of Ireland, Leeson Street. The next is a draft payable again to Mr. Jim O'Sullivan, it's for €5,000, and it's issued by Bank of Ireland, Pembroke branch. The next one is for €5,000 payable to Mr. Paul Doyle, issued by the Montrose branch and the last one is for, I think, €5,000 payable to Mr. Jim O'Sullivan and it's issued by the Pembroke branch. Now, can you tell me what you know of these drafts? You mentioned them earlier in your evidence. What do you know?

A. They were drafts lodged by me.

Q. Drafts lodged by you in Guinness & Mahon?

A. Yes.

Q. Were they lodged in the way you mentioned a moment ago by handing them to either Mr. Traynor or his secretary?

A. I believe so. They could always have been posted in, I am not too sure.

Q. They could have been posted?

A. Yes.

Q. Were you in the habit of sometimes posting drafts to Mr.

Traynor?

A. I can't honestly I am not eliminating.

Q. I just want to clarify one aspect of that, it's not a matter of major importance but I presume if you were posting them to him then from 1987 onwards, at least you were posting them to, not to Guinness & Mahon but to some other address?

A. I don't

Q. In any case, in giving this money to Mr. Traynor and as far as you were concerned, it was Mr. Traynor you were giving them to; is that right?

A. Yes.

Q. Either to him or his secretary but they were for him, isn't that right?

A. Yes.

Q. You understood that they were going to be lodged into your account?

A. Yes.

Q. Now, you personally presumably attended at each of these bank branches to get these drafts?

A. I believe so.

Q. And the funds you used to purchase these drafts came from your own accounts?

A. Well, they were my funds.

Q. Your funds.

A. Yes.

Q. You may not have had accounts in all of these branches?

A. No.

Q. Did you have accounts in some of them?

A. Yes.

Q. So you either paid for them by bringing a cheque with you or you paid for them out of accounts you had in some of these branches?

A. Yes.

Q. One or the other. When you gave them to Mr. Traynor, would you have given them to him one at a time or several of them at the one time?

A. I don't remember.

Q. Were there occasions when you would have given Mr. Traynor, you know, a number of drafts or a number of cheques?

A. I think so.

Q. I think your attention has already been drawn, if it hasn't, correct me if I am wrong, to the fact that these drafts all appear to have been lodged at the same time, if you look at the stamp on them. If you look at the stamp on any one of them, I think it will say the 26th January 1987?

A. Yes.

Q. I hope I am right in that. And I think the drafts themselves are all drawn in either January, December or I think one of them may have been drawn in October but I am not absolutely clear about that, of 1986, January of 1987, December and possibly October of 1986. Would you agree with that, that seems to be the situation? If you like I'll go through them slowly.

A. No, you are saying some of them are carried forward to January?

Q. Yes of the

A. Yes.

Q. I take it that if you gave Mr. Traynor money, you didn't expect him to carry it around in his pocket for a month or so. You'd assume if you gave him money to be lodged, that money would be lodged to your account where it was more or less right away?

A. Yes.

Q. Therefore, if all of those were lodged on the one occasion, presumably they were lodged because they were given to Mr. Traynor around about the same time as the lodgement?

A. Yes.

Q. And when you gave these to Mr. Traynor for the purpose of having them lodged, would you get any record from Mr. Traynor of the lodgement there and then?

A. No. I think what happened and I cannot remember exactly, that normally, depending on the calender month, whatever, within four weeks, it appeared, or six weeks, probably eight weeks.

Q. You got a bank statement but the bank statement was the only record that you had of, from the bank as you saw it, of having made these lodgments?

A. I think so.

Q. Now, if you wanted to get cash from Mr. Traynor or withdraw something from your bank account, how would he give it to

you? Would you ring him up and say "I'd like to withdraw some money from my account"?

A. I probably didn't put it in in most cases to withdraw it so if there's something coming up I needed it for, I probably knew ten or twelve or eight weeks in advance so I might ask him the next time he came and give him the amount, I don't actually recall but I presume it was a Guinness & Mahon draft.

Q. Now, you are aware that evidence was given that all of this money went into an account in Guinness & Mahon as you certainly were led to believe that was going to happen to it but it wasn't an account in your name?

A. Sorry?

Q. Are you aware that evidence was given at these hearings last week that this money went into or seems to have gone into an account in Guinness & Mahon although it wasn't an account in your name?

A. Yes, from Sandra Kells, yes.

Q. And that money from that account appears to have been used to pay off interest due on loans drawn down by your father for the benefit of Mr. Haughey?

A. Yes.

Q. Do you know anything about that?

A. I don't.

Q. Did you know anything about it at all until the Tribunal brought it to your attention?

A. Sorry, about it?

Q. Did you know anything about any connection between your account or rather between your money and paying off interest on loans drawn down for the benefit of Mr. Haughey?

A. I spoke to John Davis on the phone last summer and he, I think he told me about it or he asked it in such a way, he asked me what Amiens was, my name appeared there, the transaction went through it and from what he describes, it sounds like a suspense account of some sort and that was the only conversation I think I had with him on it and after that we got documentation.

Q. You said that you never paid, you said on a general level that you have never paid any money to Mr. Haughey or any other politician?

A. That's correct, I sponsored two holes in two golf tournaments.

Q. I quite understand you might have done that and I am sure that's what you intended to say when you say you never paid money to politician. What you stated was you never gave a politician direct money to support a politician.

A. No.

Q. And did you ever, were you aware that Mr. Traynor was providing assistance to Mr. Haughey?

A. Not until everybody else was. Sorry, actually, outside of what was brought up here last Friday.

Q. Were you referring to Mr. Carville's evidence?

A. Yes.

Q. You had a meeting with Mr. Carville and Mr. Corrigan and Mr. Traynor I think in 1988?

A. Yes.

Q. I don't want to confuse you, I take it you were aware at that point that Mr. Traynor was involved and that your father was involved in providing support for Mr. Haughey?

A. Yes, I understand there was a loan there.

Q. And your father had never mentioned that loan to you?

A. No.

Q. Nor the fact that he had paid off some of the interest on it?

A. No.

Q. And some of the capital on one of the loans?

A. No.

Q. Now, your money seems to have been used in the same way, isn't that right, judging from the evidence, it would seem that

A. You are telling me it does, I don't know.

Q. Well, I just want to make it clear that where your money seems to have been used in the same way as your father's money was used, your father appears to judge, from what Mr. Carville has told us, to judge from what you heard Mr. Traynor say about his dealings with your father, your father seems to have been aware his money was used in that way. Even though there's the same connection or possibly the same connection in your case, you are absolutely certain that you knew nothing about that?

A. Yes.

Q. Your money was used in the same way as your father's money?

A. Sorry, my money, as far as I was concerned, was for my benefit and I have said it at all times, it was not, my sworn statement says it did not go to any politician.

There was no permission given to any politician.

Q. I quite understand that and I am not, I am simply giving you the opportunity of saying it. I am not suggesting you are wrong or anything like that and if you were, I'd let you know. What I am anxious to establish is that when you had the meeting with Mr. Traynor, I think that was in, am I right that that was in 1988, in March of 1988? You remember it in any case.

A. Yes.

Q. Now, at that meeting Mr. Traynor explained presumably in some detail the situation he found himself in and he explained the history of the account as he understood it, is that right, in general terms?

A. Yes.

Q. He explained that your father's money had been used to provide financial support for Mr. Haughey and that there was interest added to the money that had been loaned to your father and that all that was going to have to be paid off.

A. Yes.

Q. That was all explained at the meeting?

A. Yes.

Q. Now, at that meeting, Mr. Traynor made no mention to you of any possibility that your money or there was no suggestion that your money had been used?

A. No.

Q. Now, the transactions we discussed a moment ago all took place, as I indicated to you, sometime in the, presumably the beginning of January of 1987, you gave Mr. Traynor four or five drafts and on the 26th January, Mr. Traynor lodged those drafts to an account in Guinness & Mahon?

A. Yes.

Q. And some of that money seemed to have been used to pay off interest due on Mr., on your father's loan taken out for Mr. Haughey's benefit. Now, do you understand, all of that occurred in January of 1987, and a year and a half later, you met Mr. Traynor and he made no mention of it, a year and three months later, in fact, he made no mention of it to you?

A. No.

Q. You are absolutely certain of that?

A. 99.9 percent. I'd remember it if he said it.

Q. Just one last matter, Mr. Doyle, did you ever give cash to Mr. Traynor to lodge?

A. Possibly, I can't say. I wouldn't rule it out.

Q. It could have happened?

A. It could have happened.

Q. The only reason I am asking you so you know where I am coming from, is that with that lodgement of monies that

included some of the monies of yours that I have mentioned a moment ago was a lodgement of œ2,000 cash and I am not suggesting you were aware of this but if you were in the habit of making cash lodgments or if you ever made cash lodgments, do you remember whether you, whether they would have been in the order of a few thousand pounds?

A. I can't

Q. I suppose it's unlikely you have been making lodgments of a few hundred pounds if you were going to deposit this money?

A. Yes.

Q. If you look at the overhead, or if you look at the monitor in front of you, you will see there's a loop connecting two figures of œ2,000. Do you see them?

A. Yes.

Q. That œ2,000 on that bank backing document represents a œ2,000 cash lodgement made, if you look at the right-hand column of the columns on the monitor represents a cash lodgement made on the same day as your drafts were lodged and that they were all lodged as part of the same transaction just for the benefit of yourself and your lawyers. If we can just pass to the left-hand side of that column, we can see go further to the left, if that's possible, it's very difficult to follow it on the overhead projector but if you look on the far left-hand side, there's a number 4037, do you see that number? I think it might be easier if I gave you this. (Document handed to witness.) You may have it but in case to make it clearer

for you, that's not an amount of money, it's simply the number of a transaction. It's a transaction number. It identifies a transaction and that same transaction number applies or was applied to all of the drafts, so the lodgement of all of the drafts that I mentioned to you a moment ago and also to the cash lodgement and what I am just asking you is whether you'd agree that it's possible that you could have given Mr. Traynor a €2,000 cash lodgement?

A. It's possible.

Q. And that it wouldn't have been out of the way to give him a cash lodgement, you mightn't have done it regularly but

A. Probably unlikely but it's probably unlikely but it could have happened.

Q. Thanks, Mr. Doyle.

CHAIRMAN: Mr. Collins?

MR. COLLINS: Just a few questions, Sir.

THE WITNESS WAS EXAMINED AS FOLLOWS BY MR. COLLINS:

Q. MR. COLLINS: Mr. Doyle, I think as of 1980 you were about 22 years of age?

A. Yes.

Q. And I think from an early age your father, who had a very successful hotel group and property development business, was very keen that his sons would get involved in the business, is that so?

A. Yes.

Q. And in particular he had it in his head that you would get involved in the hotelier side of the business and your brother Michael would get involved in the construction and property investment side of the business?

A. Yes.

Q. And as far as back as 1976, I think your father set up a company in which the Doyle holding company had a 51 percent stake and you and Michael were the other two shareholders which was to engage in property construction investment and matters of that sort.

A. Yes.

Q. And you were eighteen at that time so from an early stage you were in the fortunate position of having substantial investments and a salary and access to money, is that the case?

A. Yes.

Q. And I take it that your training was done on the ground so to speak in the context of the hotel group and it was anticipated that you would work in the Group and help build up the Group?

A. Yes.

Q. And at that time of which we are speaking in the early/mid eighties, you were in your twenties at that stage and you were working in the Group. There were other companies set up, we needn't go into the details of them of which you were given an interest and you were assisting your father

in the hotelier side; is that right?

A. That's correct.

Q. I think it was in that context that you came across Mr. Des Traynor. Mr. Traynor I think was an advisor to your father; is that right?

A. Yes.

Q. And he was an older man, obviously significantly older than yourself and obviously a very well respected figure in the community at the time. Did you become friendly with Mr. Traynor?

A. Yes, he was approachable.

Q. And your father went to him for advice in relation to affairs of the Group and in relation to financial affairs, isn't that so?

A. Yes.

Q. And I think you did likewise?

A. Yes.

Q. And that was a natural thing for you to do obviously given the role that Mr. Traynor was playing in your family and your family's business?

A. Yes.

Q. And am I right in thinking that your meetings with Mr. Traynor were never formal meetings in the sense of going into an office and sitting down across a desk. They were meetings at which you would bump into him in hotels and places like that when he was there?

A. Yes.

Q. The Group itself banked primarily with Bank of Ireland, isn't that so?

A. Yes.

Q. And it had branches in different branches around town and you yourself had some bank accounts with the Bank of Ireland also, isn't that so?

A. Yes.

Q. And in obvious places like the Montrose branch and Ballsbridge branch and Leeson Street and so forth and the Group itself also banked in those branches?

A. Yes.

Q. And I think as a young man and perhaps with more money flowing through those accounts than many young men of your age at the time would have had, you would also have been familiar with the people in the bank, staff and so forth, who would be of a similar age to yourself?

A. Yes.

Q. And I think you had something of a concern that if you were seen to be drawing down what would have been large amounts of money for your peer group, so to speak, you had a concern that that sort of news might become more public and you had a sensitivity in terms of any public receptions in having that amount of money in your own name, isn't that so?

A. I explained that again on the telephone to Mr. Davis last summer.

Q. Don't worry about Mr. Davis, just deal with this now. And

am I right in thinking that the various bank drafts which Mr. Healy has been asking you about, drawdowns from those particular accounts to substantially empty those accounts, is that the case?

A. I believe so, yes.

Q. And that was because you wanted to put the money with Guinness & Mahon whereas you have explained already in your direct evidence, it just had one branch and the scope for the wider knowledge in a small town like Dublin was less?

A. Yes.

Q. When the thought first occurred to you in relation to doing something and tidying up your financial affairs the way in which we have described, I take it you went to Mr. Traynor for advice in that respect?

A. Yes.

Q. Mr. Traynor told you he could open an account for you in Guinness & Mahon?

A. Yes.

Q. And I think Mr. Traynor looked after all the details and all of the paperwork in relation to that matter?

A. That's correct.

Q. He didn't or can you recollect, for example, going into the branch to sign a bank mandate and signatures and some of the ordinary things one might do when opening a bank account? Can you remember doing any of that?

A. No.

Q. Mr. Traynor I think looked after all of that and I don't

think you ever paid any attention to what name, if any, the account was going to be opened in?

A. No.

Q. Was Mr. Traynor diligent in furnishing you with statements of the money you entrusted to his care?

A. Yes.

Q. And I think the sort of statements you would get, Mr. Healy was showing you on the monitor the standard Guinness & Mahon ledger statement given to a client and I just want to spend a moment just asking about the type of statements you got and see what relationship they bear to the standard ledger statements. First of all, you described I think getting them originally on a semi-transparent paper with a backing paper, then that would be manila or more solid type of paper?

A. Yes.

Q. And the transparent paper you are referring to is the slightly old fashioned type of paper one used to see many years ago which would be more stylistic and for other reasons would look nice, isn't that so?

A. Yes.

Q. And if I just show you Mr. O'Donnell's note pad. Do you see that type of A4 sized yellow pad or manila or whatever colour one talks about, was that the sort of paper that you'd get the figures written down on?

A. I think so, yes.

Q. And you have told Mr. Healy Guinness & Mahon's name was on

the statements that you got. Can you remember whether what was on the statements was G and M in the ledger form that you have seen on the screen or whether it was notepaper with Guinness & Mahon written at the top of it in the way Mr. O'Donnell's name is on the top of that particular sheet?

A. No, I think it was similar to what the top copy was.

Q. Similar to the transparent type paper?

A. Yes.

Q. Was that notepaper from Guinness & Mahon?

A. I believe so, yes.

Q. So your statements came not in the form of what we might term the standard bank statement that a bank generates with a computer and dot matrix printer printing out the lines and so forth, you were getting statements on the notepaper of the bank itself, A4 manila type notepaper with the opaque sheet on the cover?

A. I believe so.

Q. And who was responsible for generating those statements and keeping you informed of your, of the state of your money with Guinness & Mahon?

A. Des Traynor.

Q. And I take it there that Mr. Traynor or somebody on his behalf generated these statements for you and sent them out to you?

A. Yes.

Q. Can you recollect whether your name was ever on those

statements, either as account holder or alternatively as addressee of the statement?

A. I can't. It was addressed me, name and address, Guinness & Mahon envelope at my home address.

Q. On the statement itself, would it have David Doyle and your address in the way that a letter would be written to you?

A. I can't recollect.

Q. All right. But you think there was a reference number of some sort on the letters or the statement?

A. Yes.

Q. If Mr. Healy tells you that there's actually no account with your name on it in Guinness & Mahon, you have no reason to disbelieve him that that is so?

A. Yes.

Q. Or to doubt the accuracy of his investigations. Did it occur to you or did you analyse or think about in any way at the time whether or not in fact there was an account in your name in Guinness & Mahon?

A. No.

Q. Mr. Traynor was going to open an account for you and you left the detail of it to him?

A. Yes.

Q. We now know as a matter of public record, Mr. Doyle, that Mr. Traynor had a system in Guinness & Mahon whereby he was operating accounts for a number of people who would entrust their money the way that you have described to him and he would deposit their money, sometimes mingling their money

in many different accounts or sorry mingling monies from many difference sources in a different account but he would keep track of whose money was who within those accounts and that tracking system has been referred to as memorandum accounts and you may know of this from the public investigations that have gone on so far to date. So that people would have money with Guinness & Mahon controlled by Mr. Traynor, but not necessarily having any account in their own name. You know of that system from the Tribunal's and the public records that have happened?

A. Yes.

Q. Did you know anything of that system or its operation at the time that you were entrusting your money to Mr. Traynor?

A. No, no.

Q. So you don't know but it's perfectly consistent with what we do know that if as Mr. Healy says, there was no account with your name on it in Guinness & Mahon, nonetheless, your money was still there with Guinness & Mahon being looked after by Mr. Traynor in the way I have just described

MR. HEALY: Sorry, if I could interrupt for a minute, I am not in any way seeking to prevent Mr. Collins from leading any of this evidence. What I am concerned about is that in endeavouring to ensure that people or entities who might be affected by evidence being given at the Tribunal, that people or parties who might be affected by evidence, that they should have notice of material likely to be adduced in

evidence which might affect them and I am concerned that some of this evidence is leading into an area where there are people who have no notice of it or certainly no notice of the details of it might be affected.

CHAIRMAN: It's far short of that I think at this juncture, Mr. Healy, and Mr. Collins has particular knowledge of Tribunal procedures and no doubt he is not intending to embark into matters that may impact upon persons who have not been notified and am I correct in that surmise

MR. COLLINS: I am very conscious of that, Sir, and I won't do that.

Q. When Mr. Traynor ceased to have any formal connection with Guinness & Mahon, you still continued however to deal with Mr. Traynor and he was still looking after your affairs and give you advice in relation thereto, isn't that so?

A. Yes.

Q. And you still maintained or still continued to receive your statements of the money that you would entrust to him that you understood to be with Guinness & Mahon?

A. Yes.

Q. And I think again and I don't think I am straying into Mr. Healy's concerns, I think we know as a matter of public record, that subsequent to Mr. Traynor's departure from Guinness & Mahon, he did in fact continue to operate the system that I have described and through an assistant in

the bank or a colleague that he had in the bank?

A. Yes.

Q. And can you recollect for how long you continued to receive those sort of statements from Guinness & Mahon?

A. I don't. It could have been late eighties, maybe 1991.

Q. All right.

A. My concern always was the balance in the account was correct, that was my main concern.

Q. Yes. And on that point, in relation to the cheques that Mr. Healy was asking you about that you entrusted to Mr. Traynor and which we now know from the banking evidence was lodged to an account in the name of Amiens, first of all, had you heard of or were you aware of Amiens or any account in the name of Amiens prior to the Tribunal?

A. No, I became aware of it last summer.

Q. In the context of tribunals or public inquiries but not at the time of your dealings?

A. No.

Q. And insofar as any statements that you received from Mr. Traynor subsequent to that lodgement was concerned, when you had cleaned or substantial cleaned out these other accounts and were centralising your funds with Mr. Traynor in Guinness & Mahon, are you satisfied that Mr. Traynor properly accounted to you for the money that you had entrusted to him?

A. It's a good question. I believe so anyway.

Q. So far as you can tell from having looked at the statements

that you received?

A. At that moment in time I was happy.

Q. Yes. You see, Mr. Healy is exploring very properly the fact that these particular cheques and drafts were lodged into the Amiens Account and that subsequently, there were debits from that Amiens Account which went to Mr. Haughey.

A. Yes.

Q. And it may be the case and it's not clear, Mr. Healy is not suggesting otherwise I think, your money may or may not have been actually been used for the purpose of therefore going ultimately to Mr. Haughey's benefit. I say may not because there was plenty of other money in Amiens Accounts which were being mingled together and therefore drawing money out, it's like drops of water in a swimming pool.

MR. COUGHLAN: Sorry, Sir, for the sake of clarification, whilst Mr. Collins can comment in general terms about what he has described as the memorandum or Ansbacher accounts and money mingled together, there has been no evidence led at this Tribunal that Amiens monies were mingled together at this stage, so it's just for clarification.

MR. COLLINS: I think it may have been dealt with in the McCracken Tribunal.

MR. COUGHLAN: Sorry, Sir, I wouldn't know.

Q. MR. COLLINS: In any event, Mr. Doyle, so far as you can recollect from any checks you may have done on the

statements that you have received, are you satisfied that the money that you entrusted to Mr. Traynor was utilized by Mr. Traynor for your benefit and it came back to you for your use?

A. I believe so, yes.

Q. Would it have been any part of your instruction or intention in giving that money to Mr. Traynor that he would have done anything with it other than use it for your own benefit?

A. No, no possibility.

Q. You told Mr. Healy that you had only attended the bank premises in Guinness & Mahon I think on one occasion, is that so?

A. It was one, two or three, but very seldom.

Q. A small number of occasions?

A. Yes.

Q. So I take it that most of your dealings therefore were conducted with Mr. Traynor, him or his secretary Ms. Williams?

A. Yes.

Q. All right. Mr. Healy was inquiring from you whether there was anything unusual about the fact that you were dealing with the person who was, I think deputy chairman or very senior role in Guinness & Mahon, in making lodgments and entrusting money to him and so forth as distinct from the way one would normally deal with a bank in the ordinary course of events. Am I right in thinking that it was Mr.

Traynor and the trust that you and your family reposed in Mr. Traynor that was the key characteristic that led you to deal with Mr. Traynor?

A. Yes.

Q. I think you said in, I think, direct evidence if Mr. Traynor moved to another bank you would have moved with him?

A. Or closed the account.

Q. And Mr. Traynor was frequently in the hotels where you were and where you were working as part of your job on the hotel side of the business?

A. Yes.

Q. And I think it was on those occasions when you'd have plenty of opportunity to meet him that you would, if you wanted to make lodgement, you would entrust the cheques or drafts to him as the case may be; is that right?

A. Yes.

Q. And if you wanted to withdraw money, what would you do?

A. I'd ask him for whatever amount.

Q. Would you ring him up with Fitzwilliam Square?

A. Possibly. If I didn't get him, I'd ask his secretary.

Q. If you met him in say the Berkely Court, for example, and you wanted say £5,000 in three weeks' time, is that the sort of things you would mention to him?

A. Yes.

Q. Would he then arrange it for you?

A. Yes.

Q. Mr. Healy was exploring with you connections or possible connections with either London or the Cayman Islands. Do I take it that you were, first of all, aware that Guinness & Mahon had a London connection?

A. Yes, I presume that's where the headquarters was.

Q. The headquarters was in London and that indeed was ultimately the way it came and insofar as you heard of the Cayman Islands, was that in the context of conversations with Mr. Traynor?

A. I do believe so.

Q. Now, I want you to distinguish here, Mr. Doyle, between the affairs of the bank as a bank and your own personal affairs in the context of any discussions or anything Mr. Traynor told you either about the fact that the bank had a connection with London or if it had a connection with the Cayman Islands, did you form the impression from what he told you that your own personal affairs or your own personal account were in any way tied up with a bank in London or a bank in the Caymen Islands?

A. I presumed that the headquarter bank, there was an Anglo Irish bank and the headquarter bank was in London.

Q. Did you infer from that fact that your account had been upped and moved from Dublin and transplanted to London?

A. No, but it may have been when he moved on, I don't know.

Q. Well, you see you have told Mr. Healy a couple of times it may have been and I just want to get clear as to when you are speaking of matters of which you do actually know and

when you are speculating as to what is theoretically possible.

Am I correct in thinking that the mere fact that the bank had a headquarters in London and that Mr. Traynor left the bank in an executive capacity sometime in the late eighties, that fact gave you no knowledge and you did not know of your own knowledge that any account of yours had been moved to any other jurisdiction, be it London or anywhere else?

A. I actually don't recall now. Des was the link at all times.

Q. And Des was still in Dublin?

A. Yes.

Q. And you were still dealing with Des in Dublin?

A. Yes.

Q. So far as you were concerned, am I right in thinking your account was still in Dublin?

A. Yes.

Q. I think you were at the meeting subsequent to your father's death with Mr. Traynor at which Mr. Traynor explained that there was this loan account outstanding which had been used to Mr. Haughey's benefit and that that now had to be repaid, is that so?

A. Yes.

Q. Was that the first occasion that you can recollect that you became aware of any connection between your father's affairs and Mr. Haughey's affairs in the sense of giving

Mr. Haughey any benefits?

A. I believe so, yes.

Q. Mr. Healy, when asking you about the various drafts that had been transferred into the Amiens Account referred and put it and I understand what he meant, your money was being used in the same way as your father's money in the sense there was at least the possibility perhaps that some of your money was being used for Mr. Haughey's benefit but just for clarity, I think it's true to say your money was not being used in the way your father's money was used in this sense, your father had apparently taken out a loan account which the evidence from Mr. Carville was he had expected would be repaid by Mr. Haughey and was allowing the money of the loan account to be used for that purpose.

You had no such loan account that you ever arranged for Mr. Haughey?

A. No.

Q. Thanks, Mr. Doyle.

MR. HEALY: Just two small matters or three small matters.

THE WITNESS WAS EXAMINED AS FOLLOWS BY MR. HEALY:

Q. MR. HEALY: Just to clarify one thing in relation to the evidence you have just given in answer to Mr. Collins, Mr. Doyle. You weren't aware, do I take it, that Mr. Traynor had left Guinness & Mahon at the time that that occurred?

A. My understanding is, sorry

Q. Sorry, were you aware at the time it occurred of Mr.

Traynor's having left Guinness & Mahon?

A. Sorry, at the time of what account?

Q. Sorry, Mr. Traynor left Guinness & Mahon sometime in 1986?

A. Yes.

Q. Were you aware at that time that Mr. Traynor had left

Guinness & Mahon?

A. I was, I presume I wasn't aware when he left but I knew

he became involved in other boards and I believe he

remained as director, whatever, his capacity almost

remained the same as far as I was concerned.

Q. Yes, that's what I understood your evidence to be. That at

the time that Mr. Traynor left, you were not aware of it?

A. No.

Q. It's only subsequently, perhaps even since his death that

you realised that he ceased to have an involvement with the

bank in Dublin?

A. I am only aware of it this morning.

Q. In Dublin.

A. Yes.

Q. He never told you that he had ceased to have an involvement

in the bank in Dublin?

A. No.

Q. You understood he continued to have an involvement in that

bank.

A. Yes.

Q. Did you understand sorry, I understand that your

evidence that Mr. Traynor was the person to whom you, whom you reposed considerable trust and do I take it that he was therefore the person who you told concerning your security fears and your safety fears and so forth?

A. Yes, it wasn't yes, when I told him what the problem was, he suggested

Q. Transferring the money?

A. Yes.

Q. And you say that in transferring the money from presumably various accounts in other banks, your intention was substantially to empty those accounts?

A. Yes.

Q. And to put that money into Guinness & Mahon?

A. Yes.

Q. In Dublin, as you understood it?

A. Yes.

Q. And Mr. Traynor was aware that that's what you were endeavouring to do?

A. Yes.

Q. And he never suggested to you that you simply close those accounts and transfer the balances to Guinness & Mahon?

A. No.

Q. Who came up with the idea that you would transfer the money in bits and pieces by drawing down drafts from these various branches for instance?

A. Nobody, it just happened that way.

Q. Was it you decided to do that or did Mr. Traynor tell you

to do it that way?

A. I think that's just the way it happened. I don't think it was a decision by me or him.

Q. Were those balances and those various branches, were they growing during the period of the eighties or did you stop putting money into them during the period of the eighties?

A. I put in whatever really I needed to live on and if there was an excess

Q. If there was an excess, yes?

A. Transferred it.

Q. What I am trying to get at; your desire was to empty those accounts, except to the extent which you needed them to live on?

A. Yes.

Q. Wouldn't it seem to follow therefore what you should have done and I am not saying that, I am not criticising you for not doing that, what you should have done is stop putting money into those accounts, except whatever to live on and you should have given all your money or most of it to transfer and you should have transferred most of those monies from the accounts to Mr. Traynor's in Guinness & Mahon banks?

A. In hindsight.

Q. I quite accept that but Mr. Traynor was aware of what you were doing and you didn't follow a course like that, Mr.

Traynor was aware your ambition was to empty those accounts and to cease to build up deposits in those accounts and

rather to put your money elsewhere where you would be guaranteed greater privacy. He was certainly aware that's what your objective was?

A. Presumably.

Q. I presume he must have been aware of it?

A. I can't remember.

Q. Did you not tell him?

A. I could have. I am not the initial reason was for security so the detail was that over a period of time the money was transferred in but obviously I didn't

Q. I am just concerned about something you said in evidence in response to Mr. Collins. You indicated that you were young then and perhaps rather a lot of money compared to the kind of money your peers might have had and you didn't want to be drawing attention to yourself by drawing off accounts sums of money that might draw attention to yourself?

A. Yes.

Q. Is that a fair summary of what you said?

A. Yes.

Q. And I don't think it's only with the benefit of hindsight that anyone can see that the thing to do in that case was not to put any more money into those accounts unless it was absolutely necessary for the purpose of living expenses, wouldn't that be fair?

A. Yes, obviously there was an ebb and a flow of money and obviously it was easier to put it into my own accounts rather than every time I got a payment say "Des Traynor,

can I see you".

Q. You would be seeing him every day, you could see him any day if you wanted to.

A. Yes.

Q. What I am trying to get at, who was it that put this way of dealing with things in place? Was it Mr. Traynor's idea you would do things this way or your idea?

A. I think it was a combination of both. I honestly don't remember.

Q. But if I were to look at the bank statements and your various accounts during the eighties, would I find the balances increasing steady through the eighties?

A. Perhaps, yes.

Q. So you weren't clearing out those accounts?

A. Sorry, it depends what level you are talking about.

Q. Well, you tell me.

A. Well, the balances were increasing, but there was always a balance there, yes.

Q. Of course you have indicated to me you always required a balance, your living expenses but were you building up funds in those accounts during the eighties or had you ceased to do that?

A. I had ceased probably to build up funds.

Q. And you, instead, put any further deposits you wished to enlarge, you put them in in Mr. Traynor's way.

A. I think so, yes.

Q. Just one last matter; you said in answer to Mr. Collins,

you say that you had asked Mr. Traynor for a sum of money, say £5,000 or so and he'd arrange to get it for you and you'd give him a few weeks' notice. If you needed money more urgently than that, how would you get it?

A. I don't know. I am presuming my father would make me a loan of it. It was really, it was if I saw something coming down the line that I needed money more, if there was a short-term emergency, I am sure I could borrow from my father.

Q. If it was the case it was a short-term emergency you wouldn't have been able to get the money from Des Traynor?

A. Just that probably if something happened I didn't plan, I would have just it didn't arise so it wasn't a case, I can't say.

Q. Did Mr. Traynor tell you he needed a few weeks' notice if you needed to drawdown money?

A. No.

Q. He never told you that?

A. No. I did on the basis if I went to him asking him did I need the money urgently and I didn't, I gave it back to him to relodge, he would probably say

Q. One would assume you weren't going to do that.

A. I'd want to make sure I need the money first before I asked him.

Q. Yes. But you only therefore ever asked him for money in circumstances where you, you only ever gave him a demand for money where you felt that you would need the money but

that you wouldn't need it immediately?

A. Yes, yes. If it exceeded a balance that I had that was going to be required in the future.

Q. And was there ever a case in which he said to you he needed more time than the amount of time you gave him?

A. No.

Q. He was always able to give it to you, how long or short the notice was?

A. I think I only asked him once.

Q. You only drew money down once?

A. Yes, I think so, I am not

Q. When was that, can you remember?

A. I think it was in 1989 or 1990.

Q. I see. Was that when you were clearing out the account, do you think?

A. Probably just before.

Q. You may have made a withdrawal of another sum prior to clearing out the account?

A. I think so, yes.

Q. Thanks very much.

CHAIRMAN: Thanks for coming, Mr. Doyle.

MR. HEALY: There is just one matter. It's a question of logistics and it may be that we can take this up with Mr. Doyle and with his advisers, it may be that Guinness & Mahon bankers may require some opportunity and I wonder would it be possible for Mr. Doyle and his advisors to

liaise with Mr. Davis afterwards in case Mr. Doyle's travel arrangement if not, I am sure there would be no difficulty, I am sure it would avoid bringing Mr. Doyle back on another occasion.

CHAIRMAN: Well, in general terms, Mr. Collins, your solicitors can cooperate and I am sure it would be probably to advisable and obviously I am conscious one wouldn't like to ask Mr. Doyle to make a further journey unless absolutely necessary.

MR. COLLINS: We will continue to cooperate.

CHAIRMAN: Thanks very much.

MR. COUGHLAN: That's the available witnesses today.

CHAIRMAN: It's intended we move on to aspects that need to be tidied up

MR. COUGHLAN: There will be a different issue being dealt with by the Tribunal, there will be an opening statement made.

CHAIRMAN: So be it Mr. Coughlan, it is exasperating we have been truncated to a half day in the context of what transpired at the start of the sitting and I am more than constant of the factors and seek to ensure this is not visited upon the sittings again. Very good, half ten tomorrow.

THE TRIBUNAL THEN ADJOURNED UNTIL THE FOLLOWING DAY,
WEDNESDAY, 14TH JULY, 1999 AT 10:30AM: