



Oifig an Stiúirthóra um
Fhorfheidhmiú Corparáideach

Office of the Director
of Corporate Enforcement

STATEMENT

The Minister for Jobs, Enterprise & Innovation, Ms. Mary Mitchell O'Connor, TD, has requested the Director of Corporate Enforcement to provide her with a report under section 955(1)(a) of the Companies Act 2014 on issues arising from the investigation that led to the ruling delivered yesterday by His Honour Judge Aylmer in the case of DPP v. Sean FitzPatrick. That Report will be prepared and furnished to the Minister as a matter of the highest priority.

On foot of various directions given by the trial judge, ODCE personnel were excluded from large portions of the trial. Consequently, the ODCE is not at this time in possession of complete information as regards all aspects of the trial, including legal arguments made by the prosecution and defence, or the resultant rulings delivered by the judge. For that reason, and in order to facilitate the expeditious preparation of the aforementioned report, the ODCE has requested the Office of the Director of Public Prosecutions to furnish it with full transcripts of the trial. In making that request, the ODCE has asked that, if necessary, the Office of the DPP seek the Court's approval to release the transcripts to this Office.

The aforementioned report is the appropriate mechanism through which to make the full facts available to the Minister. Accordingly, the Director is not acceding to requests from the media for interviews at this time.

ENDS/

Note for Editors

Section 955 of the Companies Act 2014 provides as follows:

Director shall report as required

955. (1) Subject to *subsection (2)*, the Director shall—

- (a) provide the Minister with such information as the Minister may from time to time require about the performance of the Director's functions, and
- (b) when requested, account to an appropriately established Committee of either House of the Oireachtas for the performance of his or her functions.

(2) The Director shall not be required to—

- (a) provide the Minister or the Committee with information, or
- (b) answer a question by the Committee,

if the provision of the information or the answering of the question would, in the Director's opinion, be likely to prejudice the performance of any of his or her functions.