

**Report of the Irish Forestry Certification Initiative Ltd. EGM on the  
28<sup>th</sup> August 2004  
Tullamore Dew Heritage Centre**

**Report written by: Ciarán Hughes, Secretary, The Woodland League**

Notice was given to all members in due time that the EGM was to be held, with the topic of the EGM as “to discuss Brendan Kelly’s position as director”. Brendan Kelly was initially informed that the meeting was to be held, but as he was not a member of the company, he was told he was not to attend the meeting. He was told he could submit a letter in defence by the 21<sup>st</sup> August 2004. He was not told what he was being charged with, and as such he did not submit a letter in defence.

The day before the meeting (27<sup>th</sup> August 2004), Brendan Kelly received a letter from IFCI Ltd. saying that he was to be allowed attend the EGM, and that he was to be given 5 minutes to defend himself. This was possibly due to a number of e-mails sent by Richard Auler and Ciarán Hughes to IFCI members from the point at which notice was received of the meeting to the date of the meeting.

The EGM, which was scheduled for 11.00 AM on the 28<sup>th</sup> August 2004, did not start until at least 25 minutes later (11.25). The first thing done was for Declan Little (before he took the top table) to state that non-members were not welcome at the meeting. People could fill the membership form, and pay the 5 Euro fee. However, because Andrew St. Ledger had previously resigned, he was told he would need to write a letter requesting the SC allow him to join again. Andrew St. Ledger was then asked to leave. Andrew St. Ledger refused, stating that he represents numerous FSC process stakeholders, that he was representing Brendan Kelly at this meeting, and that all IFCI meetings should be public, and therefore he refused to leave. Declan Little replied that "We'll see".

After Declan Little assumed his seat at the top table, the request for Andrew St. Ledger to leave was reiterated. Andrew St. Ledger again refused. There was question over the meeting at which the membership fee was introduced. Brendan Kelly and Andrew St. Ledger (who both attended the meeting) stated that Noel Feeley was not present at the meeting at which the membership fee was introduced, and therefore the vote should not have carried. The other SC members contested that Noel Feeley was present. After further debate on the public nature of the meeting (in which Tony Mannion said that the meeting was public, but Ruth McGrath finally said that it wasn't public), Liam Lysaght and Richard Auler both requested that Andrew St. Ledger should be allowed stay to represent Brendan Kelly.

Declan Little read out a long list of e-mails and incidents, which were supposed to have been written/committed, by Brendan Kelly. However, neither Brendan Kelly nor Andrew St. Ledger was furnished with this document either before or during the meeting. Declan Little asked did Brendan Kelly stand over all his remarks, and also said that some of the comments were libellous. Andrew St. Ledger stated that Brendan Kelly would stand over every remark he has made. Declan Little insisted that Brendan Kelly speak for himself. Tony Mannion asked was using Andrew St. Ledger as spokesperson a ploy so as not to be sued. Andrew St. Ledger asked was he

not allowed to represent Brendan Kelly, as was agreed at the beginning of the meeting. After further debate, Liam Lysaght and Richard Auler again requested that, under the circumstance, Andrew St. Ledger should be allowed speak for Brendan Kelly. Declan Little asked Ruth McGrath to note that Brendan Kelly (through Andrew St. Ledger) did not deny the allegations.

Andrew St. Ledger explained that as Brendan Kelly had only been given 24 hours written notice of being allowed attend the meeting, and that he was not told what he was to be charged with, and that he was to be given only 5 minutes to speak, it was decided that Andrew St. Ledger would ask only four questions. More debate as to whether Brendan Kelly should speak for himself (in which Tony Mannion questioned Brendan Kelly's health) ensued. After this debate, Andrew St. Ledger asked the first question.

Where did the £7,500.00 recorded in the IFCI accounts book come from?  
Tony Mannion stated that this had been dealt with several times and that everyone had been told where the money came from and asked was he being accused of improprieties. Declan Little stated that this was a waste of time, and that "these people" are continually wasting time going over the past. Ciarán Hughes stated that he would like an answer to the question. Andrew St. Ledger asked were they refusing to answer the question and, if so, he would ask the second question. Andrew St. Ledger explained that everybody's time was precious. Declan Little responded that (as Brendan Kelly was told several times before) this cheque was written by CONCERN for Tom Roche/Just Forests, and as such it had nothing to do with IFCI business. Andrew St. Ledger thanked him for his response and asked the second question.

How much money has Declan Little received from Coillte during the process, and how much has Tony Mannion received from IFCI during the process?  
Declan Little vehemently denied ever receiving money from Coillte, stating that he had received "not a penny". Tony Mannion replied that he received some where in the region of £5,000.00 from the process for preparing the consultation document, and that this was recorded. He said that Brendan Kelly was present when he received the contract, and Brendan Kelly agreed he should get the contract because he was the lowest tender. Andrew St. Ledger then asked the third question.

How much money did IFCI receive from Louisiana Pacific?  
After much debate, Tony Mannion finally stated that Louisiana Pacific gave IFCI IR£3,548 and also stated that others gave money. Andrew St. Ledger asked why did the treasurer's report (of the 19/02/01) (presented to IFCI at the meeting) state that IFCI received IR£6000 from Louisiana Pacific. Tony Mannion replied that the directors and the accountants (East and Co., Sligo) agreed the accounts. Tony Mannion queried whether Brendan Kelly was questioning the credibility of the accountants. Amid this debate, it was queried from behind Andrew St. Ledger as to whether the report was signed. This question was repeated several times by Declan Little and Tony Mannion until Andrew St. Ledger finally replied that the report was not signed. Andrew St. Ledger and Brendan Kelly were then accused of producing falsified documents. Andrew St. Ledger then asked to see the IFCI treasurers report dated 19/02/01, but Tony Mannion failed to produce this report. Andrew St. Ledger then asked the final of the four questions.

How many cheques were written for over the sum of £200.00 before the EGM that proposed to change the limit of IR£200.00 in the Articles of Association of IFCI Ltd.? Tony Mannion explained that he was not treasurer at that time and refused to give Andrew St. Ledger a copy of the treasurer's report.

Andrew St. Ledger then read out the statement from the Woodland League.

Six people then attempted to leave, including Brendan Kelly and Andrew St. Ledger. Declan Little asked Brendan Kelly was he going to resign as director, and was he standing over his e-mails/comments. Brendan Kelly responded (not through Andrew St. Ledger) that he was not resigning as director, and that he was standing over EVERY statement made by him regarding IFCI. Brendan Kelly then read (again, not through Andrew St. Ledger) from the minutes of the IFCI meeting dated 16/02/01 - "Coillte paid Declan Little to do five consultations when the draft standard was presented to stakeholders at five meetings around the country." Amid shouts of whether these minutes were signed or not, and other remarks, the Woodland League (representing numerous Social and Environmental NGOs and individuals) withdrew from the IFCI process.

We have since learned that, following the exit of the Woodland League, Brendan Kelly was voted off the board of Directors by the remaining members at the meeting, though he has not yet been removed as director.