

Ceoltóirí Chluain Tarbh

Official report confirms Clasac project was properly managed

On 8 September the Department of Community, Rural and Gaeltacht Affairs published its review of the Comhaltas development programme. The report confirms that the Clasac project, developed by the dissolved Clontarf branch, was properly managed and delivered in line with budget projections. The official report serves to expose Comhaltas' mischievous claims that the project was mishandled and had run significantly over cost. It also confirms that Clontarf had secured the necessary loans to complete the project, one of the many facts denied by Comhaltas. In short, the reasons advanced by Comhaltas for dissolving the branch were totally unfounded. Despite this, the Ardchomhairle (governing body) has continued its campaign of demonising Clontarf to prevent facts emerging that raise very serious questions about the conduct of those involved and the role of the Ardchomhairle itself.

Comhaltas claims wide support across the organisation for dissolving Clontarf. We don't believe this is true. A number of parties have been in touch with us recently saying Comhaltas has informed them that the dispute has been settled and has encouraged them to utilise the Clasac centre, another ploy to avoid addressing our case and to pretend that all is well. Clontarf has the support of all local politicians as well as all prominent traditional music press commentators and most followers of traditional music.

We ask everyone, including Comhaltas members everywhere, not to support the Clasac centre until the dispute is resolved. By not attending the centre you prevent Comhaltas from claiming wide support for their shameful treatment of Clontarf and the take over of the centre we created.

Report advises Comhaltas to resolve the dispute in its own interest

The official report found that *"it would be in the best interests of the Comhaltas development programme that the members of the dissolved Clontarf branch were actively involved in the usage and development of the Clasac centre"*. However, since its publication Comhaltas has continued to attack Clontarf through press release, on national radio and in Treoir. Claims by Comhaltas that the report vindicates their actions in relation to Clontarf are very clearly at variance with report itself. An article in the Irish Times on 3 October 2009, for example, noted *"the substance of the report is at variance with Comhaltas HQ's response"*. The official report concluded *"the current impasse is not only damaging to Comhaltas but has implications for the continued success of the Clasac centre"*.

No fair-minded person can have anything to fear from an independent mediator particularly given the integrity and community spirit that is at the core of the Comhaltas ideal.

The report recommends appointing an independent person to help resolve the dispute. It notes that the members of the dissolved Clontarf branch are willing to engage in mediation but that Comhaltas is not, citing constraints in its constitution. The Comhaltas constitution contains no such constraint, but to date Comhaltas has resisted all attempts at resolution, including rejecting requests for meetings and conciliation and refusing to respond to our formal appeal against dissolution, our right under the Comhaltas constitution and natural justice.

Report says no impropriety in VAT refund claim

Sen. O Murchú told Pat Kenny on RTE radio last February that the only reason Clontarf branch was dissolved related to a VAT refund. The official review examined the arguments of both sides and concluded that the VAT refund application “*was made in good faith*”..., and “*...the fact that the difficulties associated with obtaining the refund were identified in such a timely manner, were addressed by both sides and a refund made, indicates that there is no outstanding VAT issue in respect of Clasac at this stage which should concern the Department.*”

Since Comhaltas said the VAT refund is the only reason Clontarf branch was dissolved, and as the official report not only doesn't apportion blame but concludes both parties resolved the matter satisfactorily, then why was the branch dissolved and why is Comhaltas still attacking Clontarf?_

Comhaltas continues to deny its key role in preparing the VAT refund claim, yet documentary evidence supports Clontarf's position. Clontarf's solicitor set out the full facts on VAT in a letter to Comhaltas on 31 March 2009 - see http://www.cluaintarbh.net/docs/response_pkshow.pdf Key facts about the refund include:

- Sen. O Murchú requested Clontarf to make a VAT refund claim,
- Comhaltas HQ staff and auditor worked with Clontarf in preparing and lodging the application.
- Clontarf wrote to Sen. O Murchú setting out details of the claim at the time the application was made.
- The Revenue confirmed in writing that Clontarf properly managed the VAT refund.
- In April 2008 the Sen. O Murchú told the Department of Arts in writing that there was not, at any stage, a misappropriation of funds on the part of Clontarf.

In reality, the VAT issue is a red herring used by Comhaltas as just another device to draw attention from their own improper conduct and shameful treatment of Clontarf members.

The 400 members (including over 200 young people) of Clontarf were deprived of Comhaltas membership without any right of appeal and are still being subjected to malicious accusations for the “crime” of having the vision and drive to develop Clasac for no personal benefit. This must surely represent a very low ebb in the history of Comhaltas, and the Ardchomhairle is responsible for this shameful situation. Their failure to pursue the truth of what happened and to strive for an equitable solution represents a complete failure of governance and fair play in the organisation. Comhaltas members depend on the vigilance, integrity and courage of Ardchomhairle members to protect them and the constitution, and that trust must be honoured.

The Ardchomhairle must have the courage to ask:

- ***Is justice done by not hearing the appeal?***
- ***Was the Ardchomhairle fully and fairly briefed on the facts and the appeal, and if not why not?***
- ***Was a direction given to Clontarf by Comhaltas trustees that would have led to an illegal action?***
- ***If all documentary evidence at the time showed otherwise, why did Comhaltas management / Standing Committee wrongly allege project mismanagement and VAT impropriety?***
- ***Is there any conflict of interest preventing the facts emerging and the dispute being resolved?***
- ***As Clontarf has been shown to have acted properly in the Clasac project shouldn't the project now be restored to them?***

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