



Údarás Forfheidhmithe Corparáideach  
Corporate Enforcement Authority

## Press Statement

### **Former Director and Secretary of Console convicted on indictment of company law offence spanning over eight years**

Ms. Patricia Kelly, who acted as both a Director of, and Company Secretary to, Console Suicide Bereavement Counselling Limited (“Console”), has pleaded guilty to an offence contrary to section 202 of the Companies Act 1990. The offence spanned a period of over eight years between 6 December 2006 and 31 May 2015. The offence to which Ms. Kelly has pleaded guilty is one of failing to keep proper books of account.

The collapse of Console, and its subsequent liquidation, impacted significantly on Console’s client base. Counselling and support services had to be transferred to other service providers at short notice. It also resulted in substantial reputational damage to the charity sector, with a consequential loss of donations to other charities in that sector.

Criminal conviction, on indictment, demonstrates that directors who disregard their duties and obligations under company law expose themselves to serious risk, including personal criminal liability. In addition to adversely impacting personal reputation, criminal conviction affects a person’s ability to travel, to secure debt finance, and to obtain certain insurance cover.

The conviction of Ms. Patricia Kelly is the culmination of a lengthy investigation, which involved the analysis of tens of thousands of items of documentary evidence and the taking of in excess of one hundred witness statements.

Judge Martin Nolan today, 22 February, imposed a fine of €1,500, with a consequential disqualification from acting as a director for five years.

**Ends//  
Corporate Enforcement Authority**

**22 February 2024**

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### **Note for Editors**

#### **Corporate Enforcement Authority**

The Corporate Enforcement Authority (CEA) is Ireland’s company law enforcement agency. The CEA’s functions include to:

- promote compliance with company law,

- investigate instances of suspected breaches of company law,
- take appropriate enforcement action in response to identified breaches of company law,
- supervise the activities of liquidators of insolvent companies, and
- operate a regime of restriction and disqualification in respect of directors of insolvent companies.

The CEA discharges its mandate to promote compliance with company law through a range of activities, including developing and publishing accessible guidance materials and through its outreach activities.

The CEA's enforcement remit is both civil and criminal in nature and, in discharging that mandate, the CEA has at its disposal an extensive suite of statutory powers including:

- the power to require the production of documents, including electronic documents, by companies and relevant third parties,
- powers of search and seizure,
- the power of arrest, i.e., by CEA officers who are seconded members of An Garda Síochána, and
- the right to request the Courts to approve/trigger certain additional investigative measures.

### **Original charges**

Following directions received from the Office of the Director of Public Prosecutions, in March 2020 Ms. Patricia Kelly was arrested and brought before Dublin District Court. The Court was informed that, at the DPP's direction, Ms. Kelly had been charged with:

- i. Fraudulent Trading contrary to section 297 of the Companies Act 1963 (one count),
- ii. Fraudulent Trading contrary to section 722 of the Companies Act 2014 (one count); and
- iii. Money Laundering contrary to sections 7(1)(a)(ii), 7(1)(b) and 7(3) of the Criminal Justice (Money Laundering & Terrorist Financing) Act 2010 (one count).

The Court was further informed that the DPP had directed that the accused be sent forward to the Circuit Court for trial on indictment.

**Ends**