

Sports Weekend



**When Tolka
lit up football**

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**Leader of the
football Tribesmen**

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George Gibney in May 1988 when Ireland swimming coach. Photograph: Billy Stickland/Inpho

NO JUSTICE, NO PEACE FOR THE VICTIMS OF GEORGE GIBNEY

Over 25 years after a court ruled the swim coach could not stand trial for sexually abusing children, the victims of Irish sport's most notorious abuser have still not had their voices heard



Johnny Watterson

George Gibney's name has become synonymous with child abuse in Irish swimming. The Olympic coach for the LA and Seoul Games fled the country in the 1990s when Irish courts said he could not face trial because of the time that had elapsed since the allegations of child abuse were made. Over a year ago a new allegation of the rape of a 17-year-old Irish swimmer in Florida in 1991 was made against Gibney, while last December US investigative journalist Irv Muchnick exhausted his efforts in the US courts to have him deported. More recently, Independent TD Maureen O'Sullivan wrote to two prominent US politicians urging them to become involved in the case of one of Ireland's most notorious abusers. After 25 years, the victims have still not had their voices heard.

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"I've resigned myself to the fact the ship has sailed. I will never receive justice in this country. I would have no faith in the system we have, to try Gibney, or find him guilty of any crime, if he was deported." – Tric Kearney.

On January 10th, 2018, Maureen O'Sullivan arrived into her Dublin office earlier than usual. Her purpose before her daily schedule began was to compose a letter to two prominent politicians in the US – congresswoman Jackie Speier, and US senator Diane Feinstein, the matriarch of the Democratic Party.

O'Sullivan put the two letters in official Dáil Éireann envelopes and posted them. She also sent emails to the staff of both US

legislators to press home the need for two of the most powerful women in America to take an interest in the case of former Irish Olympic swimming coach George Gibney.

In her letter, O'Sullivan made a number of points and cited the two American women's support for abuse victims in the US and the recent #MeToo campaign, which followed the Harvey Weinstein scandal.

The pressing issue was that the most notorious paedophile in Irish sporting history was living freely in Florida and had been resident in the US since 1994, when he attained an American diversity lottery visa.

O'Sullivan added that a new allegation of rape had also been made against Gibney over a year ago and pressed home the need for a concerted approach from the police in Hillsborough County in Florida, where Gibney now lives, and the Garda in Ireland.

O'Sullivan's letters followed the work of investigative journalist Irv Muchnick, at the end of 2017, who had exhausted his efforts in the Californian courts in his case, "Irvin Muchnick v United States Department of Homeland Security".

Having been alerted to Gibney's background, Muchnick had sought details of how he had come to be in the US. He asked who had helped him with employment, who had written letters of comfort, and why, given his past, he had been allowed to remain a long-time resident alien in the country.

Muchnick also sought information from Gibney's original US visa application, his subsequent alien residency, and details of the citizenship application.

What he uncovered was that Gibney failed to secure US citizenship in 2010 after his application seemingly concealed how he had been previously charged in 1993 in Ireland with 27 counts of indecency and carnal knowledge of children.

It struck a note with Californian judge Charles Breyer, who heard the case and questioned the US government's rationale for having imposed no consequences on Gibney. However, Breyer was passing judgment on what documents should be released to Muchnick – not how Homeland Security should act.

Still, he expressed an observation. "We're not a refuge for paedophiles," he

Who is George Gibney?

Swimming's star coach and media's go-to analyst

George Gibney was an Irish swimming coach who rose rapidly through the ranks in the 1980s to fill the most important job in the sport.

He led two Irish swimming teams to Olympic Games, in Los Angeles 1984 and Seoul 1988. Along the way he established Trojan Swimming Club, which consistently produced top-class swimmers, including its star performer, European silver medallist Gary O'Toole.

Gibney lived in south Dublin and ran his club in a swimming pool in Blackrock. He was the media go-to personality in the sport and an able performer on both radio and television, on which he appeared frequently.

During the 1992 Olympic Games in Barcelona, RTÉ asked Gibney to be their swimming analyst. On air, he proceeded to undermine and criticise the performances of O'Toole, who at that stage had left his former coach.

O'Toole had been made aware of the serious allegations against his former coach and went on to act as a catalyst for victims of Gibney to come forward and provide sworn statements to An Garda Síochána.

Gibney was a confident and personable individual when he wanted to be and was a board member of a number of Irish companies. He was as comfortable in the office in a suit and tie talking business as he was in a tracksuit on the deck of a pool.

He also had a lot of energy. A vocal campaigner for building the first 50-metre pool in Ireland, he drove Irish swimming for a decade and became almost untouchable at the apex of power within the sport, so much so that the governing body for swimming in Ireland, the Irish Amateur Swimming Association, made him an honorary member. For years they refused to rescind the honour, even after his court appearances and explicit complaints of abuse made directly to them by his victims.

Swimmers often said that Gibney could not swim, or if he could it was barely strong enough to stay afloat. He was a modern, detail-led coach who encouraged his athletes to keep accurate diaries of their training and swims.

The reason for this was so that if any of his swimmers performed well at an event, they could refer to their previous training regime and repeat the process.

It was for this reason that bewilderment and disbelief greeted the judicial review decision that Gibney would not be able to defend himself because he could not be expected to remember details of events some years previously.

The judicial review took place in 1994, a year after Gibney was arrested and charged in Dún Laoghaire District Court with 27 counts of indecent carnal knowledge of minors.



Sideline Cut

Keith Duggan

Wenger not the only one struggling in City slipstream



Findings in sport are often brutal and cinematic and so it went for Arsene Wenger on Thursday night, as the snow fell across north London and the electronic scoreboard read Arsenal 0 Manchester City 3 and a mournful chorus of boos was directed at the Frenchman as he left the playing field; never so friendless, never so alone.

If there was empathy in Pep Guardiola's handshake, then maybe it was because he foresaw that that moment would some day

come for him, too. Just four days after Arsenal's other 3-0 whipping by City in the League Cup final, the game seemed to have hastened Wenger's slow eclipse. The scene was appropriately nocturnal and bleak and, of course, the drama of the story line helps to disguise the fact that the Premier League has been effectively over for months.

If Wenger is finally coaxed or forced or even decides to leave Arsenal this summer, it will mark the end of the epochal manage-

rial terms: Nicholson at Spurs, Ferguson at United, Clough at Forest. Wenger's staying power within a league culture that has become notoriously impatient for instant results has been miraculous; a benign dictatorship that won't be repeated.

The most lavishly praised contemporary managers – Guardiola and Klopp and Mourinho and, until recently, Zidane – have shamanistic qualities; they arrive, reinvigorate clubs with their physical energy, charisma, game-philosophy and – most importantly – the almost limitless spending power of the owners. They win stuff and then they move on. They have no interest in becoming figureheads even if club boards were willing to keep them around that long.

It's early March and Arsenal are a staggering 30 points adrift of Manchester City, the league leaders. Viewed in that light, their current standing leaves Wenger in an untenable position.

But then Chelsea, last year's champions, are 22 points off the pace while Manchester United are a shocking 16 points away from challenging for the title. The league has been an indictment of all the major clubs in their failure to put the faintest pressure on Guardiola's exceptional team.

The dazzling creativity informing the attacking play of Jürgen Klopp's Liverpool has left the critics purring all season long. And they are fun to watch. But Liverpool have only had three more Premier League wins than Arsenal this year.

City have scored three or more goals in

16 of their Premier League games. They beat Liverpool 5-0 when the "race" was just starting; Spurs fell 4-1. They pummeled Leicester for five, Stoke City for seven. In their sole defeat, in that return Liverpool game which convinced everyone that Klopp can be the answer, they still scored three goals. Stuffing teams is what they do.

When Arsene Wenger joined Arsenal in 1996, he was an exotic figure. It wasn't hard to achieve that status in English football then, which was still very much in its "beef-and-two-veg" state, the managerial carousel populated by redoubtable sorts like Joe Kinnear, Peter Reid, Graham Souness and Bryan 'Robbo' Robson.

Leeds were a Premier League side and managed by former Arsenal legend George Graham. It was, in short, a different world.

Distinctive figure

Wenger became such a looming distinctive figure in that period – the years of Cool Britannia and Tony Blair – that he could never fully escape it. And when Alex Ferguson – even Ferguson – figured it was time to bow out, Wenger looked somehow bereft. He had lost his nemesis and his main adversary.

For two full decades, Wenger's voice and image has been part of the routine of England's weekend life, on its newspapers, on the BBC; his reign has been twice as long as Margaret Thatcher's. A generation of football fans have moved from teenager to middle age and Wenger at Arsenal has

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been the one touchstone in a changing world.

The longer he has remained in charge, the more opaque he has become. That early nickname, "the professor", hinted at a worldly type to whom football was just one of many interests. But it turned out that Ferguson was the one who made time for other pursuits – a horse lover, a wine buff, a US Civil War geek.

Wenger, meanwhile, seemed lost in the game and in the house of Arsenal, English football's version of Miss Havisham.

"I don't think Arsenal can let go, it's an addiction," said his former captain, Tony Adams, just after last season ended and the wolves were baying. Last year, Arsenal missed out on the fourth place Champions League spot to Liverpool by a single point. They also won the FA Cup. In fact, they have won the FA Cup three times since 2014.

Liverpool haven't won that trophy – or anything else apart from one League Cup – since 2006. But they are perceived as having the right man on the sideline; young and hip in football parlance.

In the coming months, Stan Kroenke, scion of the American Kroenke group who are majority shareholders at the Emirates, will spend time at the club amidst increasing conviction that Wenger's time has passed. The owners are almost certain to try and attract a younger manager – scarf-wearing and bestubbed and bristling with the sort of energetic conviction that will appease the fans and keep the turnstiles whirling. For a few seasons. Whether the club is willing to make the money required available for this new man to compete with the nouveau powerful City however is far from certain.

Three of the 13 league titles Arsenal won in their history were under Wenger; seven of their FA Cups claimed came under his watch. They've fluctuated between agonising and abject disappointment in Europe but, then, it was ever thus with the club.

The logic that Wenger should go may be sound. But getting stuffed 3-0 by Manchester City twice in a week is the wrong reason to sound the death knell.

The truth is that all of the other so-called contenders have tried to live with City's version of enlightened management and furious spending. And they have all been found wanting. Fixating on the slow eclipse of the Wenger era is a convenient distraction from that.

NO JUSTICE, NO PEACE FOR THE VICTIMS OF GEORGE GIBNEY

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noted at the October 2016 hearing.

Over 25 years after being charged in Ireland, Gibney's name had come up again, this time in a US court. The reason was the original 1993 charges were never heard, allowing Gibney to flee Ireland.

Gibney's counsel argued in an Irish Supreme Court judicial review at the time that he could not defend himself, as some of the allegations went back to the 1960s. That was true. But some of the charges were also from the 1980s, just 11 years earlier.

In an act that probably cost him a better performance in the 1992 Olympic Games, it was Gary O'Toole, who initially spoke out on behalf of the victims.

O'Toole was the Irish swimmer of his generation, the poster boy of the Irish Amateur Swimming Association (IASA), and he swam for the Trojan Swimming Club in Dublin that Gibney had founded.

A major talent, O'Toole won a 200 metres breaststroke silver medal at the 1989 European Championships in Bonn and a gold medal at the World University Games in 1991.

Gibney, who coached O'Toole until the swimmer became aware of the allegations, brazenly criticised his former pupil publicly during the 1992 Olympics.

Ultimately, it was the actions of O'Toole – who as a child rejected the advances of Gibney and told him to leave his bedroom during a trip to the United States – that resulted in seven swimmers, including Tric Kearney, Chalkie White and Ber Carley, coming forward to swear statements to Gardaí that Gibney had sexually assaulted them at various times between 1967 and 1981.

Judicial review

But the case foundered. The judicial review held that Gibney's right to a fair trial would be infringed if the prosecution continued. An order was granted in the High Court precluding the DPP from proceeding with the charges.

There was still hope. The seven swimmers believed there would be an appeal. They were prepared to stand up in court. They were prepared to face deeply personal and wounding material. They expected the State to stand up for them, represent them, and protect other children in swimming.

An opportunity to appeal the decision was declined by Eamonn Barnes, then director of public prosecutions. No reason was given.

"At the time I needed their help, all those people – the judiciary, the Irish Amateur Swimming Association (IASA), the Leinster branch of the IASA, and the people who didn't listen," says Chalkie White, a victim and a national swimming champion who represented Ireland, winning a European title in 1975.

"I was definitely let down at the time. That's the difficult part about it all. Now I look back and rationalise it to be able to live with myself and not take my life. I am not going to let that happen to me... you just gotta turn it around and you gotta not feel that way. Right?"

"But yeah, all of those groups let me down every single step of the way. The DPP didn't even come back to me... it was like... in their words we don't talk to the victims. They decide will they take a case and we are there being told by the police. Jesus, you know..."

White seems jaded by Gibney. He doesn't see anything concrete coming from the name of the former coach again appearing in the media. After 25 years, he sees the raising of hopes as good and purposeful in terms of awareness, but raising the past and what Gibney did to them as 11-year-old, 12-year-old and 13-year-old

swimmers doesn't come without considerable cost. The reminder that, as children, they were not protected in the pool, or given voice in the courts, has always been deeply unsettling. As he reflects on how their efforts crashed and burned, he feels the case failed because it may have come too soon. Had it arrived into the system four or five years later, it might have been heard. They might have got justice.

White believes this because of the fate of Derry O'Rourke – the Irish team coach who was appointed by the IASA after Gibney – who was also a notorious paedophile. In O'Rourke's case, the courts didn't accept the defence of elapsed time as a reason not to stand trial. In 1998, O'Rourke was jailed for 12 years for the sexual assault of young swimmers.

As it was, Gibney's victims fell into a system that in the early 1990s seemed not sufficiently disturbed about a paedophile walking free. There was little public or political outcry, although in time the scandal would lead to the government refusing to fund the sport in 1998, which in turn resulted in the disbandment of the IASA in 1999 for a reconstituted Swim Ireland.

Many in the swimming community, who watched the case build from the District Court in Dún Laoghaire to the Supreme Court, interpreted the decision not to proceed against Gibney as justification of their own inaction, confirmation of sound judgment in supporting the coach over victims who had actively sought their help.

"In your head it's what can I do, what can I do?," says Carley, who came into contact with Gibney at Guinness Swimming Club and also at Marian College where he was pool manager. "But we could have done nothing. We did something. It's all we could do. We did it," she says, taking shreds of comfort from the fact she tried, she acted. "It isn't fair that someone doesn't do time for something they did. I don't dwell on it. That's the way it was."

Soon after, in the summer of 1994, Gibney quietly slipped out of Ireland, firstly to Warrender Swimming Club in Scotland. Working for the *Sunday Tribune* as a sports writer, I informed the club about who they had employed.

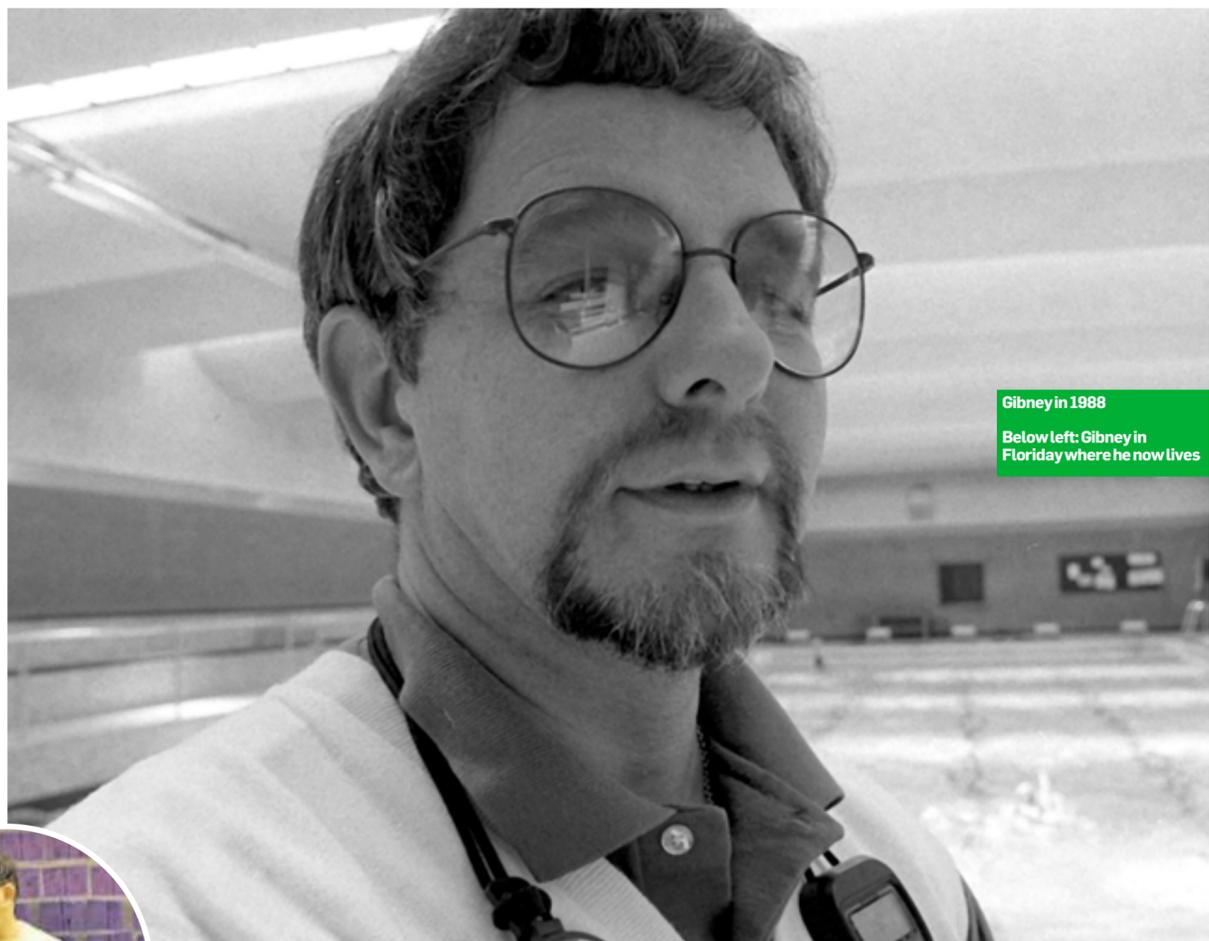
One of the committee members in Warrender was a medical doctor. She was part of the panel that had interviewed Gibney and said he had been an impressive candidate, that they had no idea about the court case in Ireland. They fired him.

In 1995, he turned up at the North Jeffco Swim Club in Jefferson County in Colorado. I again contacted the police in Arvada County and spoke to a detective called Joanne Xreppa. Soon after, Gibney moved on again to California and from there to Hillsborough County in Florida. And here we are again.

"I posted two letters to Congresswoman Speier and Senator Feinstein," says O'Sullivan. "I was asking them if they would be able to encourage co-operation between Hillsborough County in Florida and the

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Gibney in 1988

Below left: Gibney in Florida where he now lives

Garda here over the alleged rape of a 17-year-old Irish swimmer in Florida in 1991 by Gibney, which was not one of the allegations from the original 1993 case.

"I was asking if they would co-operate with the Garda here to seek the recent statement she made – over a year ago at this stage. I wrote the letters personally and I wrote to the staff members, who have access to Senator Feinstein and Congresswoman Speier.

"My understanding is Hillsborough County would look into it [the 1991 rape] again. It has also emerged that George Gibney lied in America in his application [for residency]. I think that's significant.

"I know every time Gibney comes up it causes great stress and distress to his victims and I know they are a long time waiting. I apologise for adding to that. But this is one last chance."

Easy to forget

The abuses happened in the 1960s, 1970s, 1980s, as well as the outstanding allegation of rape in 1991. Now adults with their own families, it is easy to forget to think of them as children, their fears as children, and the violence committed against them as children.

"Twenty-five years is a long time," says Kearney, who was abused by Gibney when a member of Trojan. "I was inspired by Lavina Kerwick, who named her rapist in 1992. When I was asked would I speak out, she had already paved the way. I followed.

"I was one of the 'youngest' to press charges against Gibney. I reported what he had done to me in 1992. Now I have three daughters and a son. I believe over the years there has been a domino effect and I and the others were the ones who set that in motion."

When they look back they see events differently. But there is a common thread in their collective sense of removal from the process. It was their sworn affidavits that triggered the Garda investigation and arrest of Gibney.

But by the end of it, they had been reduced to onlookers. They were voiceless but central to what was happening. Ultimately the crimes against them had no influence on the outcome.

They were never officially told what was happening. They were isolated and disempowered, at arm's length from a cold, tech-

nical apparatus called the law.

They watched as the law was used and interpreted in Gibney's favour.

The system favoured the Olympic swimming coach who said he could not possibly remember raping or abusing a child on a certain night, or day, in his car, or in a room at the swimming pool, or on an Irish swimming trip abroad, or in their own house, or in the back seat of a family car while one of their parents was driving. Gibney couldn't remember.

Hollowed by the experience, Kearney, White and Carley were discarded. On top of the spoil-heap of failed cases. They cannot find a way in their heads or hearts to call it justice.

"During my teens and early twenties I laughed and smiled without realising there was no depth to my happiness," recalls Kearney. "My second child was only a few weeks old when I heard the court decision. My heart broke a little and it took many years to recover.

"Until one day, about 18 months after, when I clearly remember holding my young son in my arms as I laughed out loud. For a moment I wondered what I was feeling. And then I realised I had laughed with my heart. If you have ever been deeply unhappy, you really appreciate what it is to feel joy and happiness again.

"I made a decision many years ago that Gibney had stolen a lot of my childhood. I was not going to allow him take another day. It hasn't always been easy. But I have learned to let go of hate. Be grateful every day that I escaped hell. Have the opportunity to be happy.

"Although, it is important to note I do not forgive."

Words like "extradition" and "new charges" have recently appeared in the papers. Radio programmes and podcasts have discussed the case, much of it in breathless incomprehension that Gibney walked free.

But the debate is too often accompanied by a disheartening pointlessness in that nothing ever changes, in that there are never consequences.

Occasionally a picture of Gibney appears, distressed and shying away from a photographer or cameraman who has made the trip to the sunshine state. Ireland's Olympic swimming coach hiding in plain view. He has festered at a distance, but never gone away.

There is, though, a glimmer of cold comfort that the name, Gibney, has doggedly followed him around for a quarter of a century. There is an understanding among those he abused that the peripatetic nature of the life he lives in the US is lonely

and distant, his forced transience a type of never-ending sentence in itself.

"Now people want to do something," says White. "But hopes get high and suddenly you are back in the middle of it all. You expect something and then realise nothing actually happens... you know, when this came up in the Dáil..."

"Many people have tried and not many have succeeded. Unless you are actually going to do something... you are taking people who were involved up to a level of expectation and then letting them down. That is emotionally hard.

Take control

"I managed to get on with it. You can actually not have it rule you. You take control and actually understand what went on. He's been chased again in the courts. He is in the news again. He's going to spend the rest of his life running. There are not many places he can end up, okay. He who was up there and we who were all down there is suddenly changed around. Suddenly it's him down there.

"The people who he thought he had control over and could do anything to are the people who brought him down. That's fine. He's running. He just has to look at the life he had and the life he has now. You try and take some comfort out of that."

Before Christmas, Kearney began routinely checking the website Concussion Inc, run by Muchnick. She found herself closely following the progress of his case with Homeland Security in the US and his quest to have details of Gibney's residency and status released.

Muchnick refers to Gibney as one of the most notorious, at large paedophiles in world sport.

It is always easy to be drawn back in, says Kearney. The name of Gibney for them all is always a resounding reminder

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And all over again we are silenced. And all over again I screamed he raped me and abused me. Don't tell me I can't say it happened."

of past fears and degradation. For Kearney, the name arising again had become an obsession.

"While the early years were traumatic, I have not had the dreadful experiences in life other victims have had," she says. "People say we didn't get justice. But I'm not so sure of that. Okay, we never got a chance to stand in court and let everyone know what he did. But if he had gone to court he would be out by now. He'd be sharing the same sky I live under.

"While others bay for blood, I do not. I am content to know he lives in exile, far, far away. I can remain calm when on occasions I think I smell his after shave in a shopping centre or think a stranger coming towards me looks like him. In reality, this nightmare has gone on for decades."

For her, Gibney's controlling behaviour went on for longer than the earlier abuses. As a teenager her career took her into nursing. It was then that he began stalking her. When she began practical work, he came into the hospital, found her ward, and went in allowing himself to be seen. He would say nothing. She feared him. It led to periods of deep anxiety and dread.

In a Dáil exchange with O'Sullivan before Christmas, Tánaiste Simon Coveney said the Government wants to see justice for victims of all cases of sexual abuse, including Gibney's. He added a case was taken against him but it was not concluded. As a result, he cautioned, we need to be careful about how we speak about the case in the context of any possible future prosecution.

As of this week, congresswoman Speier and senator Feinstein have yet to respond to the letters written by O'Sullivan in January.

"How do I feel about the lack of justice?" says Kearney. "The lack of justice was only difficult when others did not believe us. If I'm honest, I never really imagined him being tried. I always believed they'd find a technicality to let him off. It's all a game. You lose, I win.

"Last December, Gibney was spoken about in the Dáil. Maureen O'Sullivan spoke of the lack of justice for those of us who spoke up 25 years ago in a very different world. Despite the years, I feel tears rise as the hurt of our voices being silenced by our justice system was remembered.

"Then Simon Coveney, our deputy leader, replied reminding her and me that there was no criminal conviction and therefore we had to be careful what we say.

"And all over again we are silenced. And all over again I screamed he raped me and abused me.

"Don't tell me I can't say it happened."