

# PHOENIX

THE



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September 20 — October 3, 2024

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## ELECTION FEVER SHOCK!



I want a February election...

November it is!



**Apple tax lawyers' fees**

**Profile: Brian Polly**

**Young Blood: FG's John Cummins**

**Drew Harris and MI5**

**Gráinne Seoige's rivals**

**ALSO: John McGuirk v the Brogans; Sue Gray: Ireland's friend; Big Phil Hogan's gender-bender law; Matt Cooper's mighty moolah; Norah Casey orbiting once more**

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## AFFAIRS OF THE NATION

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## APPLE TAX LAWYERS' PRIVATE FEES

IT IS hard to think of a story whose publication could be more in the public interest than the multi-billion-euro Apple tax charade, involving as it does enormous sums of taxpayers' money. Ministers and other 'responsible' titans of industry are already sermonising against profligate demands to actually spend the dosh on trivial matters such as housing, health and so on. But even the normally phlegmatic Goldhawk was stunned when the department of finance responded – or rather refused to respond – to questions about which barristers and solicitors acted for the state in the legal action with the EU Commission over its tax ruling and how much each of them were paid. This follows official confirmation that the legal cost to the state and the taxpayer was in the region of €10m.

The questions that *The Phoenix* put to the department were as follows:

Which solicitors and barristers were employed by the government in the €13bn Apple tax legal action?

Which periods were the various, different lawyers employed for?

What fees were paid to each lawyer involved in this case?

The response to these basic, legitimate questions from this publication about huge sums of public money would shame any Eastern bloc country from any era. The department said: "There are necessary GDPR and data protection considerations which

need to be worked through regarding the information requested. Therefore it is not possible to provide this information at this point in time."

It is unclear from this statement whether the simple matter of identifying which legal eagles were employed to act for the state breached GDPR and data protection considerations or whether it was the level of fees paid – or both.

This response to a perfectly valid media inquiry into a most pressing matter of public concern is bad enough. But on cursory inquiries we learned that, back in April 2019, the same queries were made by journalist Ken Foxe, then writing for the *Irish Times*. The *IT*, too, was denied the information, with the department saying that GDPR forbade the release of the data. This edict came on the advice of then attorney general Séamus Woulfe following a Freedom of Information (FOI) request.

However, following a further FOI request from transparency group Right to Know, pressure from the Public Accounts Committee and consultation with the Data Protection

*Continued on page 4*



Paul Gallagher

*TO DESCRIBE the Nicki Minaj's July gig at Malahide Castle as a debacle would be something of an understatement. The Trinidadian-born rapper left fans waiting in pouring rain for nearly two hours and then performed for 40 minutes, causing fury among many ticket holders.*

*The interesting aspect of the disastrous evening was the media reaction, or virtual non-reaction. The Irish Independent ran a strongly worded article the next day with quotes from outraged fans – "the worst concert ever" – and repeated some people's demands for refunds. But it was left to online news site thejournal.ie to report that concert organisers MCD Productions had agreed to give those who complained free tickets "on a like for like basis to your original booking" but would not be offering refunds.*

*MCD doesn't often admit it got it wrong and the last time it offered refunds or free tickets was after the Barbara Streisand "rain-sodden farce" in 2007.*

*No print media picked up on this compensatory ticket agreement and it was left to thejournal.ie to record this almost unique act of contrition and penance by MCD.*

*Showbiz hacks are aware that editors do not mess with MCD as it is still a big print advertiser. And the company weaponises its control over media access to artists and even free tickets to gigs.*

## SUE GRAY: IRELAND'S FRIEND

THE RENEWAL of "friendship" between Britain and Ireland, the Aawrish edition of the *Sunday Times* recently reported, has much to do with the Irish influence on British Prime Minister Keir Starmer, as personified by his chief of staff, Sue Gray. Is this what the newspaper's security and intelligence sources – the *ST* is MI5's favourite Irish newspaper – want us to believe or is it a product of the perpetual gullibility of Iveagh House mandarins when dealing with their UK counterparts?

The irony is that it is British establishment politicians and various spooky sources in and around Whitehall who believe Gray is a spy for MI5. While Sinn Féin blocked her from becoming head of the north's civil service, it has been the remarks published in the British media that paint a picture of Gray as Whitehall's gendarme over the body politic.

Gray was for some years director general of the propriety and ethics team in the cabinet office, a sort of disciplinarian of the deep state keeping watch on dodgy characters like Boris Johnson and others who might undermine the authority of government, including the permanent government.

Ex British minister David Lowes said it took him years to discover that the "UK is actually entirely run by a lady called Sue Gray. The Chinese and Russians have been bugging all the wrong phones..." Remarks from other Whitehall personalities paint the same picture.

Gray's agenda at the right hand of the new British PM may be hard to divine. But there have been predictable concerns in the UK's security and intel sector for some time about how legacy inquiries under a Labour government might uncover high-level state collusion (see p9). Starmer's own links and empathy with MI5 are known (see *The Phoenix* 12/7/24). The two will make a formidable defence team against undue prying into state crimes during the Troubles.

Ireland's best friends?

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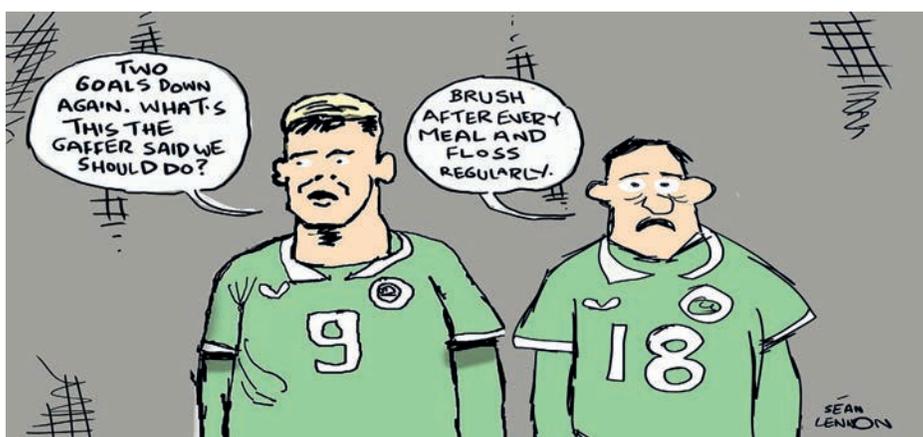
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AFFAIRS OF THE NATION

Continued from page 3

Commission, the department released the information in June 2020, 14 months after it had been sought.

It transpired that the total bill at that point amounted to over €8.4m, with four barristers each receiving more than €500,000, including one of Woulfe’s predecessors as attorney general, Paul Gallagher, doyen of the Law Library, who received €612,242. Another Law Library galactico, Maurice Collins, now a Supreme Court judge, was paid €671,664, while Philip Baker QC was paid €698,804 and barrister Barry Doherty received €581,467.

William Fry solicitors received the biggest single amount – €3.28m – and McCann Fitzgerald received €542,459, while barrister Aoife Goodman was paid €331,409, Catherine Donnelly was paid €140,141, Suzanne Kingston received €267,660 and Denis McDonald SC received €219,824. Other legal eagles also received payment for their work on the case.

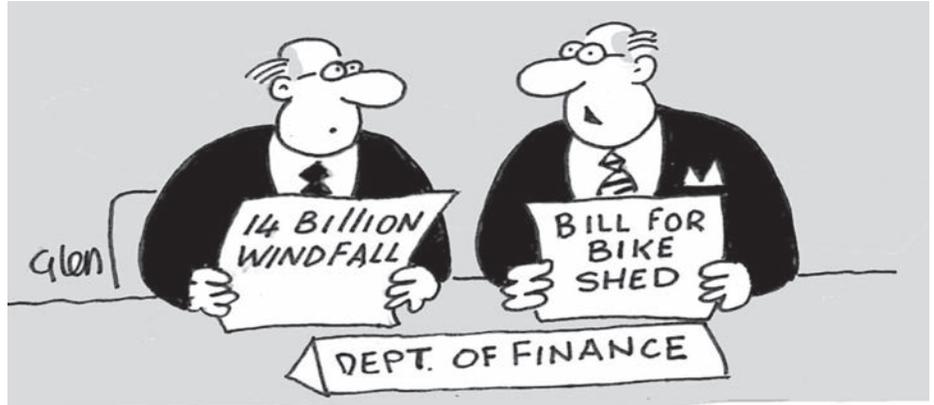
The amount paid up to March 2020 came to €8.429m, meaning that another €1.6m circa has been run up in legal fees since then. The heavy lifting in the multi-billion-euro case was of course carried out by Apple lawyers, so the fees paid to Irish legal eagles cannot be described as miserly.

The real question now is why the department is intent on going through procedures, already engaged in five years ago, in what appears to be a stalling device. The department says “it is not possible to provide this information at this point in time”. Will the current AG, Rossa Fanning, now be deployed to trawl through GDPR and data protection precepts – again – in an effort by the Government to stall release of the information, most of which is already on public record, until after the election and a time when there is less heat over the Apple tax circus?

**RECENT REPORTS of Palestinian detainees being brutalised by Israeli guards, in abuse ranging from beating to sexual torture, have recently been chronicled by the Israeli rights organisation, B’Tselem. Based on interviews with 55 Palestinians from Gaza, the West Bank and Israel, “the testimonies clearly indicate a systematic, institutional policy focused on the continual abuse and torture of all Palestinian prisoners held by Israel”, Reuters reported last month.**

Human Rights Watch also concluded in the same period that doctors, nurses and paramedics had been subject to serious maltreatment by Israeli prison officers, involving “torture, including rape and sexual abuse”.

There are differences between these reports and the far more lurid and startling allegations of mass rape by Hamas that were



...The first thing we need to do is make sure the OPW don't get their hands on any of it...

made following the October 7 invasion of Israel by Hamas. Apart from the difference in scale between the two sets of accusations, there are the sources of the allegations.

In the October 7 instance, the allegations were made by Israeli sources, including an Israeli Defence Forces reservist and a former Israeli Air Force intelligence official. These latter two either researched or presented at press briefings ‘evidence’ of the alleged atrocities. But in the recent reports of Israeli torture of Palestinians, the source of these claims is an Israeli rights group, B’Tselem.

Another comparison is that the October 7 allegations against Hamas – although later widely debunked and discredited – were given large-scale exposure in the media, including the Irish Times. Not so with the more recent allegations against Israeli prison authorities.

REGRESSIVE IRELAND

THINGS CAN only get better for Ivana Bacik. With New Labour back in power in London, the Irish Labour leader had to attend a football match at the Aviva Stadium to obtain an audience with her British counterpart, Sir Keir Starmer. Earlier in the week, perhaps out of a sense of reminiscence for all things 1990s, Ms Bacik found herself as the most senior politician attending the launch of the Progress Ireland ‘think-tank’ in Dublin’s Smock Alley Theatre. Policy wonkery, like Britpop and Blairism, is back, with brothers John and Patrick Collison stumping up €1m for some blue-sky thinking from Seán Keyes, Seán O’Neill-McPartlin, Luke Fehily and Fergus McCullough.

But nostalgia isn’t what it used to be. It won’t have passed the Labour leader’s notice that the tech bros only have one woman on their board, which is one more than the number of identifiable “progressives” involved in the think-tank. The politics behind Progress Ireland, much like Starmer’s new government, appear to be closer to Dominic Cummings than Dr Noël Browne.

While Progress Ireland promises to import a smorgasbord of fixes and “solutions” from Europe and the US across the piste of policy-making, housing and planning are in the spotlight.

One flagship proposal is a deregulatory

policy fix that allows homeowners with enough of a garden to build small homes, or “accessory dwelling units” (ADUs), as exempted developments Blarneyised as “seomraí”.

The idea is not only a bad one but an old one – and arguably more of an export than an import. The policy brief draws on evidence from Los Angeles and Seattle, the ground zeroes of suburban sprawl and corporate domination of planning processes, and amounts to a suburban form of the subdivision practiced on farms on this island until the mid-19th century.

Progress Ireland’s formation as a think-tank is actually a solution to the problem of the waning influence

of those inconvenienced by the demise of the Progressive Democrats. It is thought, apparently with some seriousness, that the presentation of deregulatory gimmicks disguised as research papers eases their upward passage more efficiently than organising politically or electorally.

Progress Ireland appears to be an attempt to consolidate the various strands of libertarian thinking in Ireland and unites at least two pre-existing cohorts.

On one hand there is the Better Planning Alliance, which sought to deregulate urban planning in favour of ADUs, was endorsed by the Department of the Taoiseach’s Stephen Kinsella and was informed *inter alia* by Vera Kichanova, a Russian libertarian ex-politician and researcher based in London.

Another group of Progress Ireland’s founders are based around a libertarian blog, a “journal” called *The Fitzwilliam*. It was here that the Better Planning Alliance’s “street plan” manifesto for planning deregulation was initially developed. Fergus McCullough is its managing editor and he has published such ideas as “Northern Ireland needs more Billionaires” and a Trump apologetics piece unedifyingly comparing his native Ballymena in Co Antrim to Tulsa, Oklahoma.

It remains to be seen whether this motley crew can produce an oasis of progressive camouflage for their libertarian ideas or whether their dark side points to evanescence.



## AFFAIRS OF THE NATION

## GRÁINNE SEOIGHE'S RIVALS

WHILE THE media fawn over broadcaster Gráinne Seoighe, who is the new Fianna Fáil Dáil candidate in Galway West, rumblings of discontent abound in the party organisation, from Connemara hopefuls who were ignored and activists in the east of Galway city who see the whole eastern part of the constituency being left without a party candidate.

When Éamon Ó Cuív announced his intention not to stand again, there was an immediate outbreak of interest, especially among Connemara councillors and would-be

councillors. After all, Ó Cuív's main base was in Connemara and, with no obvious successor, it looked like game on.

Unfortunately, the would-be candidates such as Daragh Ó Tuairisg and Dáithí Ó Cualáin had committed the major mistake of failing to win council seats in the June elections. The reaction was that if they couldn't win on their home base, their chances of making it on a bigger pitch were decidedly doubtful.

But, Ó Cualáin, who has worked assiduously in Connemara, was less than impressed with these arguments. Will he pull his weight for Seoighe when election day dawns?

Ó Cuív's running mate in 2020, Ollie Crowe, based east of Galway, was thought to have little appeal in Connemara, leaving Ó Cuív's seat wide open for the taking by Fine Gael's Seán Kyne (who lost his seat in 2020). Alternatively, former FF councillor Noel Thomas was tipped to fill the space.

Thomas stood in June's local elections for Independent Ireland – after facing disciplinary action in FF for anti-immigrant comments regarding Roscahill, where a building intended for asylum seekers was burned down – and topped the poll in Connemara South.

With Ó Cuív's votes up for grabs, there was a real fear that Thomas could take the seat on an anti-immigrant platform. He will still pose a serious challenge but Seoighe will



Gráinne Seoighe

sweep up votes in Connemara, especially because of her family's strong standing throughout the Gaeltacht.

Ó Cuív refutes suggestions that he head-hunted Seoighe but admits he discussed the possibility of her being a candidate with her. Locally, she is regarded as Ó Cuív's pick.

Crowe, who won a Seanad seat with an FF nomination in 2020, withdrew from the selection race, leaving John Connolly from the west of Galway city a free run for the nomination along with Seoighe. It is assumed that Crowe has been promised another Seanad nomination and a leading spokesperson role.

Seoighe, however, is a godsend to FF. She is known and respected across the constituency for her celebrity status as a broadcaster. No 'dumb blonde', she was a formidable interviewer on news programmes on TG4, RTÉ, TV3 and Sky.

While not previously active in FF or in politics in general – a point that rankles with passed-over potential candidates – she knows what she's about and is widely regarded in Connemara as a Máire Geoghegan Quinn mark II.

## NEW-RIGHT VIEW ON CHILD ABUSE

THE INVECTIVE of new-right agitators in Ireland, both on the streets and online, is often centred on depicting opponents as

"paedos", "groomers", "child abusers" etc. The strategy is designed to shut down political debate and vilify their critics. Strange then that when the scoping inquiry report into abuse in schools run by religious orders was recently published, there was a deafening silence from the same new-right activists. Stranger still was that John McGuirk of Gript Media, who certainly does not engage in such vituperation, was so trenchant in his critique of the scoping inquiry.

Irish Freedom Party (IFP) president Hermann Kelly is quick to roll out slurs related to child abuse. When the GAA facilitated celebrations of the Muslim festival of Eid at Croke Park in 2021, Kelly described on Facebook



John McGuirk

the Muslim religion as a "political ideology of conquest and violence founded by Mo the paedophile". Kelly too has castigated "the soft on child abuse, pro-paedophilia agenda at the heart of Official Ireland".

In the week following the release of scoping inquiry report, Kelly posted or shared content over two dozen times on his X account. But none of the posts related to the litany of depraved sexual abuse assaults carried out in church-run schools over decades. Even during an IFP Twitter Space, which lasted for one hour and 37 minutes and was hosted by Kelly and Eoin Lenihan, the issue was not discussed.

Similar to Kelly, leading Ireland First (IF) activists Derek Blighe and Philip Dwyer are quick to use abusive and derogatory terminology. On a regular basis Dwyer refers to children's minister Roderic O'Gorman by the slur "O'Groomer". A December 2023 post on X by Dwyer showed a picture of O'Gorman meeting with the national LGBTQ+ youth organisation, Belong To, which Dwyer described as "O'Groomer and his bunch of degenerate child grooming NGO stooges".

IF leader Blighe also claimed on X that the "Irish government is involved in child grooming".

Neither Dwyer nor Blighe made any reference to the scoping inquiry on their X or Telegram accounts in the week after its publication and Blighe avoided any reference to the issue on his new podcast.

Despite the reticence of others, McGuirk seemed to have been triggered by the scoping inquiry report. In an article, headlined "The Risk of a Witch-Hunt over Historic Sex Abuse in Schools", which published on the *Gript* website, McGuirk set out his misgivings about the report. He was also vociferous in his denunciation of the scoping inquiry on the September 6 episode of the *Gript's* podcast, *The Week That Really Was*.

When talking about newspaper coverage of the scoping inquiry, he asked the question: "Have we all sort of lost perspective here?"

McGuirk even went as far as to assert: "To me, the whole thing smells a bit bad and I don't think it is a coincidence and this may make me awfully cynical that this inquiry is being rushed out ahead of a general election so our politicians can give homilies about the terrible dark past of this country and how much we still have to set to rights."



Roderic O'Gorman



"They've installed privacy glass."

## Restaurant Recommendation

I love oysters – briny, fresh, and delicate. But these? Four steamed lumps, swollen like they have spent too long in a sauna. The antipasti di Lusso (€40) promises a "luxury selection" of meats, cheese and grissini, or, more accurately, a lazy assembly of clichés on a wooden board. The crab royale pasta (€43) arrives, with fettuccine spilling out of the crab's shell like a grotesque seafood piñata. The house-made fettuccine is thick enough to give your jaw a workout. A royale catastrophe.

Corinna Hardass on a new D4 restaurant, *Irish Times* 12/09/24

**AFFAIRS OF THE NATION**

**DREW HARRIS AND MI5**

DREW HARRIS became Garda commissioner in 2018, having served as deputy chief constable of the PSNI, 2014-18. His RUC/PSNI duties once involved liaison with MI5. The selection committee for his appointment included the interim chief constable of the Scottish police, Iain Livingstone.

In 2011, a report by the Historical Enquiries Team raised concerns about the involvement of an RUC Special Branch agent in the UVF's Glenanne Gang (GG).

A potential point of friction loomed due to Harris's knowledge of MI5 operations in the south. Like all UK police officers, Harris signed a life-long oath to uphold Britain's Official Secrets Act. In 2018, a number of commentators expressed concerns that his Garda appointment might generate a conflict of interest because Harris would have to remain silent about some of the intelligence secrets from his time in the north.

In response in October that year, Harris told the joint Oireachtas committee on justice and equality that "some of that commentary has been ill-founded".

Stephen Travers, who survived the Miami Showband massacre in 1975, disagreed. He and others were pursuing a legal action against the PSNI chief constable and the British defence ministry over the massacre, alleging state collusion with the UVF.

In 2018, Travers told RTÉ that, during the preceding eight years, "the Office of the Chief Constable, of which Drew Harris is the second most senior officer, has blocked, delayed and frustrated our every effort to access the files on those who murdered our three lads and who shot me. And just last week they gave us notice that they're seeking a Public Interest Immunity certificate to block us from getting their files on the notorious RUC Special Branch agent and mass murderer Robin Jackson, often referred to as 'The Jackal'."

The Jackal and others in the GG were also

responsible for the worst crime in the history of the Irish state, the 1974 Dublin-Monaghan bombings. The Irish government had asked London on various occasions for the GG files, only to be rebuffed. Livingstone and his colleagues missed the potential Dublin-Monaghan conflict of interest.

Livingstone has great faith in the *bona fides* of MI5. Hence, the notion that anyone – let alone Harris – might have discovered something untoward in the files did not occur to him. Yet, there must be something atrocious somewhere in the archives. Why else did the PSNI and defence ministry eventually pay the Miami litigants £1.4m in compensation?

On September 6 last, Travers tweeted: "Before his tenure ends, [Harris] must come before an Oireachtas committee to answer questions about The Glenanne Gang. Nobody knows more about those responsible for the Dublin and Monaghan bombings than him."

Alas, unless Kier Starmer's government gives Harris a dispensation, he will have to remain silent.



Drew Harris

**MEAT AND THE CITY**

A YEAR ago this month, the Environmental Protection Agency (EPA) issued a light-hearted tweet featuring a photo of Kim Cattrall of *Sex and the City* with the tagline: "Ready to be healthier, wealthier and more fabulous? Cut down your red meat intake." This was the proverbial red rag to the oh-so-touchy agri lobby, with "horrified" then-IFA president Tim Cullinan clutching his pearls as he explained the "huge rage" (really) among members.

The agri sector is constantly pushing out pro-meat and pro-dairy messaging, much of it of highly dubious provenance, through the media, advertising and directly into schools. But this does not inhibit it from wanting to censor others who express views at variance with industry talking points.

A chastened EPA duly complied and deleted the offending tweet, despite scientists

and medical experts agreeing that the basic advice to eat less red meat made sense from a health and climate standpoint.

Author of the ill-starred tweet, digital media specialist Aileen Moon, was hauled over the coals by senior EPA management. In a LinkedIn post she described the fallout as "horrible", adding that in an internal meeting she was made to feel like a "trouble-making little girl" and had lost faith in the EPA. She quit shortly afterwards.

In a stinging rebuff, Moon said: "There are some wonderful, whip-smart and passionate people working for the EPA. But they are not being well used currently."

In a recent interview, Moon confirmed that she had got approval to issue the controversial tweet from her "boss and boss's boss", so clearly the decision to pull the plug was taken at the highest level.

While EPA director general Laura Burke is not mentioned by name, the decision to capitulate on this tweet ultimately lies with her. The whole episode represents an ongoing embarrassment for the agency, first for its craven capitulation to sectoral bullying and second for its failure to stand by its own staff when attacked by vested interests.

A 2016 research paper by the Oxford Research Encyclopedia of Climate Science notes that the state's choice of person to head the EPA reflects how it ranks the environment and that Burke's previous role was in an incineration company, Indaver, while her immediate predecessor worked for industry lobby group Ibec before being appointed.

As Goldhawk previously reported (see *The Phoenix* 21/3/23), the EPA issues licences to operate large-scale pig and poultry farms but, thanks to a glaring loophole, giant livestock farms with hundreds of cattle producing tens of thousands of tons of slurry are exempt – an anomaly farm pressure groups are lobbying hard to maintain. Plugging this loophole might be a more useful objective for EPA management than policing social media posts.



Kim Cattrall





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## AFFAIRS OF THE NATION



## RTÉ: FIRST CASUALTY

MISSING IN action, presumed dead, the fate of Dubliner Alex Ryzhuk, a member of the Ukrainian Army's 3rd Assault Brigade, hit the headlines in late August. Much of the coverage was based on an RTÉ *Prime Time* interview with Ryzhuk, with other media reports following his disappearance quoting extensively from that programme.

These reports detailed Ryzhuk's family background and his motivation for fighting in Ukraine. But no consideration was given to the controversial unit he was serving with. Since its inception in 2022, the 3rd Assault Brigade has been linked to the Ukraine's Azov Brigade.

Formed from a group of ultras associated with football club Metalist Kharkiv who joined volunteer militias at the outbreak of the conflict with Russia in 2014, the then Azov battalion recruited many members from neo-Nazi groups. With a logo incorporating a Wolfsangel, which was an SS symbol in Nazi Germany, and a Black Sun widely used by neo-Nazis as a symbol, the Azov Brigade did little to hide its members' extreme politics.

Extreme right-wing organisations from across the US and Europe, including Atomwaffen Division and National Action – both proscribed as terrorist organisations in Britain – flocked to Ukraine to join the Azov Brigade and its affiliates. The Office of the UN High Commissioner for Human Rights has reported on Azov battalion involvement in rapes, mass looting, unlawful detention and torture during the conflict in 2014.

After Russia's invasion of Ukraine in February 2022, most of what was now the Azov Brigade's units found themselves on the frontline of the fighting in Mariupol and within months they were besieged and then captured by Russian forces. In the meantime the founder of the Azov Brigade, Andriy Biletsky, along with other Azov veterans, had begun to recruit for new units. Initially organised as the Azov Special Operations Forces,

these units were integrated into the Ukrainian Army in November 2022 but still under Biletsky's command.

The 3rd Assault Brigade has proved every bit as controversial as the Azov Brigade. Involved in extreme-right politics since the early noughties, Biletsky was leader of the fascist Patriots of Ukraine (PU) from 2005. He and other PU members were released from prison after President Yanukovich's government was overthrown in 2014. After founding the Azov battalion, Biletsky was interviewed in October 2014: "We have not changed. Azov's heart is based on its right-wing ideology". As leader of PU, Biletsky wrote in a 2013 book of the need to "cleanse"

Ukraine of all foreigners, while in an earlier speech he claimed it was Ukraine's destiny to "lead the white races of the world in a final crusade... against Semite-led subhumans".

A May 2024 report for French online newspaper *Mediapart* detailed how many members of the 3rd Assault Brigade training at the La Courtine camp in France had neo-Nazi symbols openly on display, with one even having an SS tattoo on his face.

There was outrage too when in July 2024 the brigade launched a recruitment tour around Europe. In conjunction with an NGO, Promote Ukraine, they planned to host information evenings encouraging Ukrainians to join the 3rd Assault Brigade. After protests centred on the politics of the leadership and membership of the brigade, meetings were cancelled in Berlin, Hamburg, Rotterdam and Brussels.

RTÉ has repeatedly turned a blind eye to the far-right politics of Ukrainian Army units such as the Azov and 3rd Assault Brigades. In March 2022 the station broadcast drone footage of destruction in Mariupol that had been supplied to RTÉ by the Azov Brigade (see *The Phoenix* 25/3/22). The station has also given prominence to Ukrainian 'human rights activist' Nadia Dobrianska in multiple interviews since 2022. In the same week as Ryzhuk was reported missing in action, Dobrianska was posting on X about the plight of "Azov POW fighters" in Russian courts (see *The Phoenix* 6/5/2022).

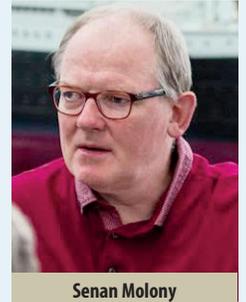
If the Irish media is unwilling to report the complexity of the situation in Ukraine, we should not be surprised when young men such as Ryzhuk end up in units like the 3rd Assault Brigade.



Nadia Dobrianska



In Lozère, Sophie felt oxygenated, freed from the claustrophobic city. This untamed place, and the wild creatures that inhabited it, spoke to her soul. She painted rocks, hills and sky, the stone farmhouses and spilling streams,



Senan Molony

wondering at the openness of the idyll that is the least populated department in France. **Senan Molony in his new book, *Sophie The Final Verdict*, submitted by reader**

My ambition is to be as popular as Vogue Williams and Joanne McNally. **Matt Cooper throws down the gauntlet, *Irish Examiner*, submitted by reader**

It's what he does best. "Ah yeah, livin' the dream", he laughs again, leaning his chair back into a beam of sunlight, his blonde head lit like a halo, spreading his arms to welcome the unaccustomed peace and quiet, the air and the space, the opportunity and the anticipation. **John Maguire on Patrick Kielty, *Business Post***

A spectacular adaptation of Jane Austen's *Emma*, boldly reimaged for the *Bridgerton* and *Brat* era. **The Abbey Theatre's description of Kate Hamill's adaptation of *Emma*, *Business Post***

To the cream cracker, the rasher and the cheese-and-onion crisp, we should add another great Irish invention: the cataract bus. For if you want to get the full flavour of this mad island, chew on this strange fruit of carelessness and clientelism. **Fintan O'Toole, *Irish Times***

I imagined a woman sitting outside Café de Flore, drinking her coffee, waiting for her boyfriend, looking very French. **Paul Costelloe talks about being inspired by the Left Bank in Paris, *Irish Independent***

A friend of mine said to me after they had seen me on the first one: 'If this is democracy show me the alternative.' It's vicious. That's all I'll say. **Former chair of the RTÉ board Siún Ní Raghallaigh on the Oireachtas committee hearings, *Irish Times***

I went through a Gabriel García Márquez phase. Interestingly, about a year ago, I went on holiday with mates and one of the wives looked at me and she goes, "You're actually reading *Love in the Time of Cholera* again." **David McWilliams literary tendencies, *Irish Examiner***

It feels like only yesterday I got teary-eyed while presenting my credentials at Áras an Uachtaráin, as the Army Band played the Israeli National Anthem. **Israeli Ambassador Dana Erlich, *Irish Independent***

Marty Morrissey – GAA broadcaster extraordinaire and one of the hardest-working people in show business. **Preface to an extract from the mighty man's memoir, RTÉ.ie**

Please send suitable contributions to: The Hot Air Brigade, The Phoenix, 44 Lr Baggot St, Dublin 2 or email: hotair@thephoenix.ie



## AFFAIRS OF THE NATION



## LOUGH NEAGH OWNER

THE EARL of Shaftesbury, a Dorset aristocrat and former DJ who somehow owns the bed of Lough Neagh, has been enjoying considerable kudos from his big announcement in June that he would “hand back” ownership of Ireland’s biggest lake.

Among coverage of the toxic blue-green algae that has turned the lake into an ecological dead zone have been lots of references to his benevolent gesture. John Manley in the *Irish News* even speculated the earl “may well turn out to be Lough Neagh’s saviour”.

But he never really promised to hand it back. What the earl, aka Nicholas Ashley-Cooper, actually said was he “would like” to transfer it to “a charity or community trust model”. It sounded like the way a parent “would like” to give a child’s



Nicholas Ashley-Cooper

toy back if the child behaved. The earl’s offer came in a 3,000-word blog post in which he also said that “this may take time”. He added: “There is currently no entity that is offering to take it or who can guarantee to improve the environmental health of the lough.”

There you have it – the Irish aren’t up to looking after it so I’ll hang on to it for now.

Frustration among the natives boiled over into some rather ungentlemanly conduct in August when a cup of lake water was thrown at the earl during a visit to Belfast.

Nick earns handsome royalties from the industrial dredging of over a million tonnes of sand from the lake bed annually, an ecologically harmful practice, but the causes of Lough Neagh’s problems are bigger than just dredging and colonial ownership.

A few days after Nick’s water incident came another unseemly spectacle – a ‘vomit protest’ outside a chicken slaughtering factory in Craigavon. Hundreds of activists from around Ireland, who had gathered for this year’s Climate Camp on the lake shore, appeared to throw up gallons of green sludge at the gates of the Moy Park factory.

They were drawing attention to the main cause of the lake’s demise – a lethal combination of intensive farming and poor regulation, resulting in vast quantities of run-off from fertiliser and slurry flowing into waterways.

The Stormont government has massively incentivised food production while simultane-

ously underfunding environmental protection. Factory farms have proliferated in the counties around the lake. In Co Antrim alone, 20 million farm animals live in cages.

Moy Park, the north’s largest business by turnover, has breached environmental laws hundreds of times in relation to the discharge of effluent from its facilities, a BBC investigation revealed in June.

A basic first step in saving Lough Neagh, which supplies 43% of the north’s drinking water, would be an independent environmental protection agency (EPA) – something the north remarkably still doesn’t have thanks to the hugely powerful agri lobby.

When the first and deputy first ministers launched their draft Programme for Government last week, campaigners were dismayed to see no mention of an independent EPA in Michelle O’Neill and Emma Little-Pengelly’s document. The lobbyists can take a bow.

*MARIE DONNELLY has had some baffling media outings since taking over as Climate Change Advisory Council chair in 2021 but a recent comment on RTE’s Morning Ireland was her most baffling yet. On the subject of what consumers can do to help reduce agricultural emissions, she said we should eat less sugar and more fruit and vegetables.*

*Sugar? She didn’t mention red meat or dairy, by far the biggest culprits when it comes to emissions. Is she auditioning for a job as a health guru? Or could it be that old chestnut – fear of incurring the wrath of Ireland’s all-powerful agri-food lobby?*



## UNFULFILLED LEGACY

MANY PEOPLE presume that the British government’s decision to repeal the 2023 Legacy Act, which halted Troubles-related inquests and inquiries, is a major success for the Government here, all northern parties, and victims’ groups and human rights organisations in the north. Not so fast. Northern secretary Hilary Benn maintains the curious position of keeping in place the so-called Independent Commission for Reconciliation and Information Recovery (ICRIR).

The Legacy Act created the ICRIR, which relatives and victims groups have repudiated. Human rights groups such as Amnesty and the Committee on the Administration of Justice also maintain the ICRIR is incapable of acting independently and that the northern secretary retains too much control. For them, the ICRIR is fatally tainted by its origin in the Legacy Act, which Conservatives made no bones about admitting was designed to prevent investigation of killings and injuries committed by British soldiers.

Further criticism is levelled at the body because its chief investigator is the Northern

Ireland Office’s favourite former RUC man, ex-assistant chief constable Peter Sheridan. Critics ask how he can investigate actions of his former colleagues. Relatives For Justice called the recruitment of personnel with “intelligence experience” a “spookfest”.

It’s no good for the body’s chair, former lord chief justice Sir Declan Morgan, to talk about its “unprecedented powers” to compel individuals and organisations to provide information if its ability to investigate is inherently flawed. The ICRIR lacks any credibility. Benn admits it needs some changes but won’t say what. Even Tánaiste Micheál Martin said a fortnight ago that it needs “root-and-branch reform”.

Other credible figures have gone further. Former police ombudsman Baroness O’Loan says simply that the ICRIR should be scrapped, while victims groups and relatives are boycotting it.

After initially refusing to answer questions about its workload, the body issued an “accountability update” late on Sunday September 8, which was anything but accountability. Since it began operating in May, it seems there have been only 85 inquiries, which have initiated eight cases.

It appears that most of the inquiries have come from English victims of the IRA rather than from people in the north. The only case the ICRIR has said it’s investigating is the 1974 Guildford pub bombing with English casualties, although everyone knows who carried it out. Given there are 3,600 deaths and 40,000 injuries that’s hardly a rush of interest.

Compare the hundreds of cases with the

Police Ombudsman’s office and inquests that the Legacy Act shut down.

It’s pretty obvious the ICRIR won’t do and that Benn is keeping it on the stocks until something else is agreed. He can’t take action now anyway because there’s a legal challenge to the ICRIR to be heard in the Court of Appeal in the coming months. What Benn has made clear is that the long-promised public

inquiry into the 1989 murder of Pat Finucane will be the last one, despite a High Court judge recommending one into the LVF killing of GAA man Seán Brown.

In any case, inquiries are one-offs with each costing millions and which don’t take the legacy question any further on.

The question is what to replace the ICRIR with? Sinn Féin want to go back to the 2014 Stormont House agreement that was ratified by both governments in January 2020. Unionists don’t want to do

that but so far haven’t proposed anything else.

It looks like another round-table conference with both governments and all parties trying for the umpteenth time to devise a process. The difference this time is that – unlike the Conservatives, who are complicit in the most egregious cases of collusion and undercover security force killings in the 1980s – Labour’s excesses were mostly 50 years ago and concerned individual security force operations rather than political direction and securocrat connivance that the last Conservative government was anxious to conceal.

Nevertheless, the inevitable delay means more victims and relatives will die before they know the truth.



Hilary Benn



## BIG PHIL'S GENDER-BENDER LAW

BIG PHIL HOGAN'S return to the centre of Fine Gael, via its internal election committee, is not without irony as well as a ruthless logic given his formidable back-stage machinations that played out in the party's leadership fluctuations in recent years.

Just one of the problems facing FG's election team is the gender quota, as evidenced by the failure of FG's Cork constituency organisations to come anywhere near the 40% gender quota requirement necessary to avoid punitive financial penalties (see *The Phoenix* 23/8/24).

Election strategy discussions with and between party members now inevitably return to the gender quota and the intractable problems it is causing in candidate selection. And the man they all blame for this dilemma is the environment minister responsible for guiding the gender-bender legislation through the Oireachtas in 2012, one Big Phil Hogan. At the time, the unlikely 'woke' minister rounded on critics of his Electoral (Amendment) (Political Funding) Bill, calling them part of a "conservative culture".

The first casualty of Hogan's legislation was, temporarily at least, the esteemed enterprise minister Richard Bruton, whose Dublin Bay North party members – instructed by HQ to select one man and one woman – voted at convention in 2015 not to include him on the general election ticket (a decision that HQ reversed very quickly). That Bruton was the man who led the mutiny against party leader Enda Kenny in 2010, which Big Phil



Phil Hogan

put down with extreme prejudice, was just one of life's coincidences.

Further gender issues arose following Hogan's defenestration from the EU Commission in 2020 following his Dominic Cummings-type tour of quite a few of the 26 counties shortly after he attended that Oireachtas golf dinner in Clifden during the pandemic. This greatly annoyed EU commissar Ursula von der Leyen (especially his dissembling explanation) who, after expelling Phil, insisted on the government proposing two names – one male, one female – from which she could choose as Hogan's replacement commissioner. Ursula then chose Mairead McGuinness over economist Andrew McDowell.

Further leadership shenanigans followed, with Big Phil nursing a wounded ego and a variety of grudges, including one against the man he had helped to become party leader and taoiseach in 2017, Leo Varadkar.

Hogan regarded Vlad's capitulation to Ursula in the matter of his commissioner's post as extreme disloyalty under the circumstances and Heather Humphreys briefly became mentioned in party circles as a possible interim replacement for the dispirited Varadkar.

The real claimant to the throne, however, was always going to be Harris. Given what Hogan regarded as the ultimate betrayal by Simon 'Covetous' Coveney, who he believed had conspired to take his place on the EU Commission, Hogan rushed to Simon's side to offer good counsel.

The other contender, Helen McEntee, had by then become regarded as an empty vessel and so Harris would likely have seized the leadership regardless of Big Phil's support.

Wisely, however, Harris did not spurn the mentoring offered by Hogan in the dark art of political in-fighting and manoeuvring and now the two stand at the helm of the good ship Fine Gael – but circling each other warily.

## JENNIFER BENDS THE KNEE TO MARTIN

TÁNAISTE AND defence minister Micheál Martin has torn off the epaulettes and snapped the sword of Jennifer Carroll MacNeill, his junior officer or Minister of State at the Department of Defence. Control freak Martin, as some of his treasonous officers in Fianna Fáil describe him (out of earshot), had more than enough provocation to justify his disciplining of Thatcher MacNeill over

the summer period but it looks as though he has silenced his insubordinate officer for the time being.

The charge sheet against the seditious Jennifer begins with her mid-July *Sunday Independent* article in which she demanded that Ireland increase its military budget two-fold to €3bn. This is twice the Government's targeted level – by 2028 – of €1.5bn, itself a sharp rise in recent years due to pressure from EU militarists at home and abroad. But the minister stuck to her, em, guns, demanding extra money to spend on a fleet of at least 12 naval ships and combat aircraft. Thatcher MacNeill offered the rather statistical argument that, sure, haven't we budgeted €23.5bn this year for health by comparison.

In early August MacNeill repeated her demands verbatim with statements to the *Irish Mail on Sunday*, including

the strange health expenditure argument, saying: "I believe €3bn is a target we now need to be working steadily towards."

However, the *Mail* also published a stern statement – one that "rejected her calls" – from her department, in reality her boss and the real defence minister, Martin, saying that "consideration" would be given to adopting a level of ambition (LOA) 3, ie the €3bn target, in 2028.

The *Mail* also described the rift between MacNeill and Martin on this issue as "deepening tensions" between coalition partners Fine Gael and FF. This, the newspaper said, was underlined by Martin's refusal to heed calls from FG to devolve delegated powers to his junior minister.

She is the only one of 20 ministers of state with no delegated or executive functions, they claimed. Several anonymous Blueshirts and one identified junior minister – Martin Heydon – made some rather provocative statements about the "old boys brigade" and an institution that "is toxic for women".

A week later, on August 11, Thatcher MacNeill returned to the fray with a carefully crafted article in which she argued that we simply have to get to this next level of investment (LOA 3). She added that she was "pleased to say" that the recent defence policy review and Government policy was that "consideration" would be given to moving to LOA 3. This later statement, of course, is exactly what Martin and his department had said when rejecting her calls for a straight decision with no ifs, ands or buts.

If the junior defence minister's statement indicated a face-saving concession of defeat to Martin and FF, then another, follow-up declaration in the Aarwish edition of the *Sunday Times* was not unlike statements the Germans had to sign in the Treaty of Versailles. MacNeill began in usual belligerent form, railing against the dastardly Russians and telling gung-ho hack John Mooney that we had to increase military spending but, significantly, refusing to put a figure on it.

She then went on to protest rather too much, saying firstly that there was no



Jennifer Carroll MacNeill



....Lets up it to two apples a day and see how you get on from there...

## AFFAIRS OF THE NATION

difference between FG, FF and the Greens in Government regarding defence spending; secondly, there was no difference between herself and defence minister Martin; and thirdly, there was unity in the coalition's approach to defence.

In the annals of military history, Versailles seems like a compromise by comparison. But Taoiseach Simon Harris and the Tánaiste are aware of the scope for FG/FF disharmony as the general election approaches and the FF party leader, Martin, simply had to be backed by FG party leader Harris against the ambitious, would-be FG party leader Thatcher MacNeill.

The latter will not have improved her stock as a party leader among FG members with a misjudged campaign against her boss in the Department of Defence.

## HARRIS TO WIPE OUT FF IN WICKLOW?

**INTERNAL CONVULSIONS** in Wicklow Fine Gael, involving competition between two contenders for a place on the general election ticket with Taoiseach Simon Harris and resentment against Eoin O'Duffy-type discipline in the constituency organisation, led to a tense selection convention last weekend.

Former poll-topping councillor Shay Cullen had been expected to put his name forward but he failed to run in the local elections and did not put his name forward at convention. The main reason for the retreat of the ambitious and popular Cullen was that one of the first things Harris did when then taoiseach Leo Varadkar appointed him as director of elections last September was to tell Cullen that he would not be on the general election ticket. This led to Cullen throwing in the towel at local election level and, everyone presumed, in the general election.

However, with the resurgence of FG under the Harris leadership, Cullen and his supporters changed tack and he was nearly selected to run with Harris at the convention, being narrowly beaten on the night by councillor Edward Timmins – with the Taoiseach's backing.

Behind the scenes manoeuvring was, of course, more interesting than the actual convention result and the word put out by some interested parties beforehand was that, if Cullen was not selected, he could run as an Independent, thus stymieing FG's prospects of a second seat here, which has declined from five seats to four. So irked was Cullen by a report in Shay Fitzmaurice's *Wicklow Times* to this effect – just days before the convention – that he complained to FG head office that Timmins had leaked this 'spin' to the newspaper.

The reality is that, if Cullen does decide to run as an Independent, he could actually win



Shay Cullen



'I'm on a wellness detox.'

a seat should he agree an electoral pact with another poll-topping Independent councillor, Joe Behan, whose DNA is Fianna Fáil rather than FG. Cullen is perhaps electorally stronger than Behan but the vagaries of Wicklow voting patterns is such that it is hard to say which one would be best placed to win a seat if they combined their forces.

One reason why FG might pull off a coup with a second seat here, despite the constituency losing a seat, is that FF now has no councillors at all in either Bray or Greystones (the two most heavily populated centres in Wicklow county) and just one in Wicklow. At the same time, Social Democrat TD Jennifer Whitmore is on course to return to the Dáil, as is Sinn Féin TD John Brady, with SF wisely not running a second candidate with him.

FF senator Pat Casey will run with health minister Stephen Donnelly, but the latter is most unlikely to have a battalion of students bussed in from Dublin by Micheál Martin, as happened in 2020 when Donnelly had no canvassers of his own on which to rely. Casey will have the old guard of FF to rely on but this may not be enough.

All of this will likely see Harris, Brady and Whitmore re-elected with Cullen (if he runs) and Behan, leaving FG's Timmins and FF's Casey fighting over the fourth seat.

## WEAPONISING IRISH

THE DUP has once again raised the charge that Sinn Féin is "weaponising" the Irish language, as Belfast City Council issues a draft language policy for consultation with the public.

The draft includes proposals to allow for the use of Irish or English in correspondence with the council, along with Ulster Scots. It also sets out how the council plans to promote Irish and use the language across its services, including interpreting and translation, key documents and publications, signage at facilities, and on the council's official logo and website.

The DUP, however, has denounced the proposals as "divisive". It has been backed up in this stance by both the hardline TUV and the supposedly moderate UUP. It will be interesting to see whether the new leader of the UUP, Mike Nesbitt, is able to drive his reform programme to the extent that this opposition is dropped by his party.

SF, supported by the SDLP and the Alliance Party, are pushing through with the

consultation, arguing that instead of being 'divisive' the proposals are inclusive, citing in particular the provisions for Ulster Scots and for various minority languages spoken in the city.

The DUP is arguing that the whole issue has been driven by SF at a time when, according to Sarah Bunting, DUP leader on the council, recent violent events in the city have highlighted the need to come together on what unites the community rather than on what divides it.

Ms Bunting said the 2021 census shows 0.3% of the north's population say Irish is their main language and she asked: "What, then, is the reason for parity?"

"We have other priorities for our city that we believe the council ought to be focusing on at this time, rather than spending millions on unjustifiable changes to the identity of the council."

And there's the nub. The DUP argues that acknowledging the existence of Irish as an equal language to English in council affairs would change the identity of the city to what SF would like it to be.

SF, however, was badly caught out a few years ago when the independent An Dream Dearg movement came to the fore in 2019 to demand a language act (since brought in by the British government) and other measures to ensure language rights.

SF had assumed the Irish-language movement was in its pocket – a view obviously still held by the DUP – but Irish speakers themselves had grown increasingly frustrated at the lack of priority given by SF to the language and developed their own campaign.

It is this pressure, rather than any devious SF ploy, which has driven the consultation draft and which will see far-reaching language rights entrenched in council policy. This was shown yet again last week when demonstrators from An Dream Dearg filled the new Grand Central Railway station in Belfast, condemning the lack of Irish-language signage and demanding that SF infrastructure minister John O'Dowd intervene.



Sarah Bunting



## ONLY CATHOLICS ABUSE CHILDREN

MOST ABUSE survivors surely could not have been taken in by the restrictive terms of reference in the scoping inquiry to determine the form of a statutory investigation into abuse in schools run by “religious orders” – except those who do not realise that it is only Catholic clerics that are covered by the term ‘religious orders’. And, of course, those in the media, and in the *Irish Times* in particular, who believe that child abuse is primarily a Catholic phenomenon.

The *IT*'s editorial the day after the report's publication referred repeatedly to “shocking” abuse but failed to endorse the report's proposal that all schools be part of the planned inquiry. This may indicate an anxiety about the cover up of abuse by Church of Ireland (CoI) institutions and the protection of its clerics who were moved around and away from scrutiny – thus free to reoffend – in the same manner as Catholic clerical offenders. The *IT* may also be concerned about a sharp focus on those in the media who invariably refused to expose this scandal unless it involved only Catholic clerics.

The latter's evasion of accountability was something the *IT* moralised about down the years – correctly – with vigour. Yet the newspaper minimised or turned a blind eye to many examples of corrupt behaviour by CoI individuals and institutions, despite being alerted to these on many occasions by Griffith College academic Niall Meehan and others, including Protestant survivors (see *The Phoenix* 29/1/21 and *passim*).

However, the scoping report and statements by others indicate that this censorship may no longer be possible. Even worse, the cover up by an inexplicably

dogmatic set of liberal journalists could come under fire, especially from Protestant survivors more concerned with their abuse than protecting the image of CoI institutions they suffered under.

Before he died in September 2023, Mark Ryan, who along with his brother, David, triggered the latest inquiry into child abuse, stated that a statutory investigation should include “all schools, not just Catholic schools. You can't differentiate because of religion. A whole generation has been affected.”

The *IT* and other media reported this month that senior counsel Mary O'Toole's scoping report had “made it clear that the new commission's work should not be confined to schools run by religious congregations” (ie not just Catholic schools). It is difficult to see how this demand can now be resisted but it will be interesting to see who insisted in the first place on religious congregations alone being investigated.

Equally interesting will be the reaction of the *IT*, which could – as more information about suppression of the truth tumbles out – become increasingly exposed to charges of censorship for professional reasons given its long-time identification with Protestant churches.

Another issue buried by the *IT* is that of the sparse contribution to compensation of survivors by *all* churches.

*IT* political editor Pat Leahy recently provided a breakdown of the miserly contribution of the ‘religious orders’ under an indemnity deal with the government 20 odd years ago to compensate victims of abuse in industrial schools. Leahy said the government deal with the orders initially meant that the estimated bill of €250m would be split 50:50, ie €125m each.

However, including €200m in legal costs, the actual sum eventually reached the dizzy heights of €1.45bn, over €1bn more than anticipated. Crucially, the deal meant the orders' contribution was capped at €125m. They promised another €120m or so in 2009 after the Ryan Report was published. This means that the orders promised €245m while the state has paid a cool €1.2bn.

Leahy was quite indignant in his arithmetic treatise about this travesty and the rip-off of public money by the orders. In typical *IT* mode, while a truthful account, it was not the entire truth.

In the period covered by this scheme due to abuse claims going back decades, the Protestant-run Smyly Trust that ran Mrs

Smyly's Church of Ireland Children's Homes was offered the same indemnity against prosecution granted to Catholic orders in return for a financial contribution to redress.

However, Smyly's application was rejected as it offered a miserly €100,000, which the department considered to be not “appropriate” (a nice euphemism). That did not bother the cynically astute Smyly trustees. Redress payments to Smyly's victims were a state obligation after which they were unlikely to individually pursue Smyly's in the Four Goldmines. The trustees were also probably aware that they would suffer little opprobrium compared to their Catholic counterparts and might even be forgotten.

Queue 20 years later and the *IT* is typically and selectively indignant.

Redress, the amounts to be considered and from whom, are issues that will again loom large as the statutory investigation proceeds. And it is unlikely that restrictive limitations of a religious nature will be again tolerated.

## MATT'S MIGHTY MOOLAH

FILLING IN for Pat Kenny recently on his *Newstalk* morning show, Ivan Yates titillated listeners with the exciting news that his long-time colleague, Matt Cooper, would shortly be on air to discuss the upcoming general election. Even more thrilling for listeners was the promise that Cooper would be discussing the “fabulous live podcast show” that the duo are hawking around the country.

When asked if his fee for coming off the bench to substitute for Kenny was the lengthy, free advertisement for his podcast, Yates listed off the live audience shows he and Cooper have lined up this month. But when Goldhawk mentioned Cooper's typically self-effacing claim that the podcast sponsorship deal with aviation leasing company Aercap could be “the biggest sponsorship deal ever done for an Irish podcast” and asked how much the deal was worth, the normally voluble Yates went all coy. He did, however, say that the podcast was now moving to a subscription-based model.

Goldhawk also put questions to Cooper, inquiring in particular what was the biggest sponsorship deal for an Irish podcast before Aercap sponsored *Path to Power* and if the Aercap sponsorship was still extant. However, Cooper maintained a dignified silence in response to these intrusive questions.

Matt was not always so shy about discussing his financial remuneration. He told the *Sindo's* Niamh Horan last December that he had never reached the heights of payment he used to receive in 2009. A month later, in January 2024, accounts for his own media company, Munster Square Productions Ltd, showed that he paid himself €438,929 in director's remuneration in 2022.

The question mark over the level of payment from Aercap's sponsorship of *Path to Power* is intriguing when you consider that Cooper and Yates gave their agent, Noel Kelly (he famously used to ride shotgun for Ryan Tubridy in dealings with RTÉ), unstinting praise in the interview with Horan. It was Kelly who negotiated the “biggest sponsorship deal ever” with Aercap.



Mark Ryan



"You have it all wrong. Mozart is for intelligence, Salieri is for vengefulness."

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# Brian Polly

MOST OBSERVERS were shocked at the revelations to the Committee for Public Accounts (PAC) by Darragh O'Loughlin, CEO of the Irish Horseracing Regulatory Board (IHRB), regarding questionable financial practices in the agency that oversees the regulation of the sport of horse racing. You would, however, get pretty long odds that former IHRB steward Brian Polly was among the bewildered. A fierce critic of the Bowler Hats and their policies, Polly has long questioned the agency's *modus operandi*, spending and accountability for public funds. The bolshy Downpatrick property developer has been rubbing the horse-racing hierarchy up the wrong way for years and a recent Government decision helps to vindicate his stance.

Hailing from a family synonymous with Downpatrick racecourse, Polly himself was a director of the track for no less than 34 years, up to 2012. He inherited the racing bug from his mother, Rita, who grew up on a farm over which Downpatrick racecourse runs. She hailed from an established national hunt family – her brother, Frankie Fitzsimons, having been a successful point-to-point rider. Both Rita and her husband, Willie, built a successful building company, as well as a hospitality business.

The dapper Brian Polly maintains his interest in the property game and has been a director of a number of companies. These days, one of the active entities is Crawfordsville Ltd, which was almost struck off the register during the summer for failing to file accounts. He is joined here as a 50% shareholder by his partner, Anne Gomes. Crawfordsville has inter-company dealings with another Polly firm, Glenallen Ltd, where his fellow director is Ballymoney-based businessman Alan Shields.

Rita Polly proved quite the player on the racecourse, with Jeremy Maxwell, John Oxx and Bunny Cox amongst the trainers who provided winners. She also forged a strong friendship and successful partnership with trainer Noel Meade, most notably with the prolific *Novello Allegro* and *Lear Fantastique*.

Her sons went on to be prominent owners in their own right, with Brian enjoying the most notable success – the Grade 1 win of the Charlie Swan-trained *Offshore Account* in Punchestown's Grade 1 Ellier Developments Champion Novice Steeplechase.

Brian's son, Philip, also a

property developer, is the latest member of the Polly dynasty to taste success on the turf, courtesy of his charge, *Pinkerton*, trained by Meade and ridden by Donagh Meyler, which recently won the Tote Galway Plate.

Brian was elected as chairman of the Association of Irish Racehorse Owners (AIRO) in March 2016, replacing John Weld in the high-profile role. During his tenure in the AIRO saddle, however, Polly voiced concerns about assorted corporate governance issues within the association and specifically questioned what he considered the liberal spending of members' monies.

As well as publicly voicing his concerns, Polly filed a complaint with the Garda National Economic Crime Bureau over the handling of a payment made by AIRO to cover the €1,200 admission fee for former chairman Weld to attend a bloodstock conference in far-off Mumbai, India, in January 2016.

Polly alleged the process was not transparent and the spend was difficult to identify in the accounts. Bloodstock consultant Weld told Goldhawk at the time that he had represented AIRO at the Indian event and that his attendance had been "rubber-stamped" by the membership. There

has been no recent sign of the boys and girls in blue pursuing an investigation.

Polly also forwarded his allegations about the AIRO board's actions to agriculture minister Charlie McConalogue, claiming that the organisation was "dysfunctional".

The going got heavier after a costly 2019 High Court case with outspoken board member James Gough, which resulted in costs of over €100,000 for AIRO members. The case saw Gough initiating proceedings and securing an injunction against his fellow AIRO directors over their refusal to allow him to put his name forward to the membership for a vote on who would represent owners on the influential board of the state funding agency, Horse Racing Ireland (HRI).

## CONCERNS

Then agriculture minister Michael Creed subsequently accepted Gough's claim that at least two candidates should have to be put forward to make the vote valid. As a result, it was Polly who finally ended up standing against Caren Walsh for election but the vote was overwhelmingly in Walsh's favour.

At the 2019 AGM, racehorse owner James Mescall raised concerns over the liability of the members in the event of legal costs or damages being awarded against the association for any reason (ie the Gough proceedings). As a result, the association restructured and changed its status to a company limited by guarantee.

The new company was incorporated by the Companies Registrations Office in March 2020 as AIRO Racing Company Ltd and the current listed directors are David Hyland, John Weld, Sandra Fox, Caren Walsh, James Fenton, Kevin Power, Sam Dunwoody, Richie Galway, Frances Crowley, Peter O'Reilly, Mark Molloy, Eleanor Manning and, the most recent arrival, John Connolly.

One of the issues that was raised at the 2019 AGM related to the status of the smaller owner in Irish racing and, having put themselves forward for election to the council, the critics withdrew their applications in order to register their protest on the night.

Polly had always been seen as supportive of the gripes from the smaller players in Irish racing and was vocal about the size of the slice of the taxpayers' pie that was directed by HRI towards the prize money for the more prestigious races, dominated by the biggest owners and trainers.

Although there was no sign of movement at the time, Polly and his supporters could



## AFFAIRS OF THE NATION

be said to have been vindicated as the powers that be in HRI are now struggling to deal with the concerns. The agency has just announced a new programme of 60 races that specifically excludes the top four Irish national hunt trainers from competing.

It is unclear what the odds are on its success but the backlash has been significant, with the bigger owners and assorted other players dismissing the idea as simply daft. Certainly, the HRI wheeze has caused a split within the ranks of the Irish Racehorse Trainers Association.

In the past there had been attempts to oust Polly from the chair of AIRO – as a result of his repeated criticisms – all of which proved unsuccessful. When he finally stepped down towards the end of 2021, Polly noted: “Many factors have contributed to my dissatisfaction as to how the association has been and is being run.” But he added that he would “continue to represent smaller owners in Irish racing to the best of my ability”.

Having certainly shaken up AIRO during his tenure, Polly’s exit cleared the way for one of his main critics, David Hyland, to move into the saddle at the March 2022 AGM.

It would be interesting to know what Polly made of the organisation’s recently published 2023 annual report. The accounts showed income of €270,000, yet the company, which boasts only one employee (Regina Byrne), managed to post a loss of €15,000.

The spending of membership subscription income included “awards expenses” of €54,000 at John Magnier’s swanky Cashel Palace Hotel. Recipients of the awards included Geneva-based JP McManus, fellow moneybags the Aga Khan, Sue Magnier (wife of John) and private equity player Barry Connell.

## RACE-DAY STEWARD

Following his departure from AIRO, Polly retrained his sights on the IHRB. As a race-day steward for the sport’s state-sponsored governing body, he was well positioned to question various aspects of the body’s *modus operandi*, including the selection process used to appoint its members.

When former IHRB boss Denis Egan assured TD Paul Kehoe at an Oireachtas committee hearing that it was relatively straightforward for any member of the public to join the IHRB as a “volunteer” steward, Polly took exception.

He pointed out that the so-called application process for individuals seeking appointment essentially relies on them being selected from within the IHRB’s ranks, which makes the organisation, in Polly’s opinion, a self-perpetuating, self-electing and self-policing state-funded private club. As a result, he claims, the IHRB suffers from a lack of diversity.

Polly was also a prominent critic of the costly redevelopment of the Curragh racecourse, questioning whether the taxpayers’ contributions were fairly reflected in the actual share of the course held by the state. His

concerns primarily related to the fact that the private IHRB had received its initial 30.8% shareholding in Curragh Racecourse Limited (CRL), even though the only contribution was the site (which was subsequently revealed to have been valued by Jordan Auctioneers at €12.17m) and a good will element.

Considering the original budget for the expensive revamp was set at €65m, funded by state finances and private investors, it is clear why Polly was concerned. Following the inevitable overspend, the IHRB shareholding was later diluted to 18.8%, although the

IHRB retains a 33% voting share in CRL.

Despite the vast sums expended on the project, the first structures to greet the paying punters at Ireland’s premier track are temporary ‘marquees’. The ticket ‘tent’ leads on to the ‘Paddock Bar Tent’ and its two canvas partners, which all border the parade ring – itself the subject of a €1/2m realignment fiasco.

Separately, Polly raised concerns about monies deducted by HRI from racehorse owners’ accounts and prize monies to help fund certain racing charities.

A 2022 transfer of funds by the IHRB from a jockey welfare fund administered by the regulatory body to a separate IHRB account turned out to be at the heart of “matters of grave financial concern” that incoming Bowler Hats’ boss Darragh O’Loughlin announced to a stunned PAC last year.

Clearly, the findings of the long-delayed report from Mazars, which was called in to examine the debacle, will provide interesting reading for Polly. Not that he remains too close to the action. Early last year, Polly was informed in writing and without warning that his appointment as a race-day steward had been “revoked”. The IHRB told Goldhawk that it “does not comment publicly on individual race-day stewards, current or former”.

Polly subsequently claimed he had been informed by telephone that the reason for his ousting was because he had “discussed and brought confidential IHRB matters into the public domain”.

He added: “I have always prided myself in being a person of the greatest integrity and my appointment as an IHRB steward hopefully reflected this... On my own behalf and on the behalf of smaller owners and trainers, I posed many wide-ranging questions about the concerns we had regarding the IHRB.”

In a nutshell, he had “sought to bring some transparency” to a publicly funded entity that receives over €11m per annum from the taxpayer.

Given the battering taken by the Bowler Hats in recent times, it is now clear that Polly was asking valid questions and five weeks ago the Department of Agriculture announced that, on foot of 2023 recommendations from the PAC concerning the €95m pa horse and greyhound fund, an external review will be undertaken. This will include an evaluation of “the use of the government funding to subsidise prize funds”, specifically whether this represents “the best value for money”.

And, with the Mazars report at the starting gate, there is more heaving going to come.



Darragh O’Loughlin



## ‘THAT’S MY HASH’

CORK DISTRICT Court heard the case of Patrick Fennelly (63), who was charged with a number of public order offences arising from several incidents in May and June this year. On May 30 the defendant appeared at Mercy University Hospital (MUH) in an intoxicated state and became abusive towards staff. Sergeant John Kelleher told the court that Fennelly did not require medical attention and refused to leave. A small amount of cannabis was discovered on his person when he was arrested, prompting him to declare to gardaí: “That’s my hash.” A similar incident occurred at MUH several weeks later and Fennelly labelled arresting officers a “bunch of pricks” before proclaiming that he would “hammer” them. Fennelly was also involved in a drunken disturbance at Oliver Plunkett Street, Cork, where he told gardaí: “Fuck off’ye pricks”. Judge Mary Dorgan adjourned sentencing until November 25 for a probation report in advance of sentencing. *Echo*

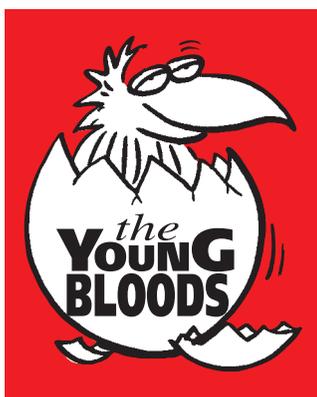
## SHOT DOWN

A MAN who contacted gardaí to falsely claim that he had been shot was fined at Naas District Court. Stephen Killeen (48), of 53 Ballyhagan, Carbury, was charged with criminal damage and a breach of the Public Order Act on November 30, 2023. Judge Desmond Zaidan heard that Killeen had contacted gardaí and claimed he had been shot. When officers investigated, they found Killeen in an intoxicated state and he told the gardaí to “fuck off”. The defendant was arrested after becoming more aggressive. In his cell, Killeen ripped the mattress on his bed and soiled the cell. The court heard that, contrary to Killeen’s claim, he had not been shot. Solicitor Seamus Boyle told the court that his client was apologetic and had ill-advisedly mixed alcohol with medication on the day in question. Killeen was fined €500. *Leinster Leader*

## ‘SKINNY TRAMP’

LEONA O’RIORDAN, of 84 Mangerton Close, The Glen, Cork, pleaded guilty at Cork District Court to charges of obstruction, engaging in threatening behaviour and public intoxication. O’Riordan came to the attention of gardaí at Cook Street, Cork, when they saw her shouting at staff outside the Rob Roy pub. Garda Karen O’Leary approached the defendant and noticed a strong smell of alcohol. O’Riordan became belligerent when informed that she would be searched and called the officer a “skinny fucking pig”. She then told Garda O’Leary she “will do fucking nothing” and concluded that the officer was a “skinny tramp”. Judge Mary Dorgan heard that the defendant tried to bite Garda O’Leary, while yelling: “You’re nothing but a rat bastard.” Judge Dorgan directed O’Riordan to do 75 hours of community service in lieu of a two-month custodial sentence and fined her €300 for engaging in threatening behaviour. *Echo*

• Suitable contributions to: *The Phoenix*, 44 Lower Baggot St, D2, or email [bogcuttings@thephoenix.ie](mailto:bogcuttings@thephoenix.ie)



# John Cummins

CAN 36-YEAR-OLD senator John Cummins win back a seat for Fine Gael in Waterford, after the party's wipe-out there in 2020. Heavy transfers from a phenomenal performance from Sinn Féin's David Cullinane saw the Green Party's Marc Ó Cathasaigh and Independent Matt Shanahan leapfrog two FG candidates and edge the party out.

FG is leading its Fianna Fáil rivals in the opinion polls and outscored it 24% to 15% in the recent local elections in Waterford. This has given it the confidence that it can outpoll FF's Mary Butler and win back the seat last held by FG in 2016 by John Deasy.

In 2020, FG scored 16.5% first preferences between Waterford City-based Cummins and Dungarvan-based Damien Geoghegan, but the bitter feuding between rival FG factions – inherited from the days of Deasy and former junior minister Paudie Coffey – saw Geoghegan transfer less than half of his votes to his FG 'colleague' on the final decisive count.

This feud is not as virulent as it was in the heady days of 2016 (when Deasy saw off Coffey to take FG's Waterford seat) but it's still a factor.

Given the failure of their two-candidate strategy in 2020, FG decided to nominate only one candidate, Cummins, at its selection convention when Declan Doocey, a former deputy mayor of Waterford and strident critic of the Greens, withdrew his candidacy at the last minute.

More to the point, Geoghegan, who topped the local election poll in Dungarvan, did not stand "in a gesture of unity" but no one expects too much commitment to the campaign from him or his supporters.

Geoghegan was only 300 votes behind Cummins in 2020 but head office made clear its preference for Cummins, despite Geoghegan's local election performance, and Taoiseach Simon Harris gave Cummins a ringing endorsement after his selection, saying: "I am delighted that John Cummins has been selected by members to run in the constituency of Waterford."

"John and I were both members of Young Fine Gael together and were elected to our respective councils in 2009. In that time, John has proven himself to be an exceptional public representative."

"While we take nothing for granted, I believe a dynamic, diligent and enthusiastic candidate like John is well positioned to win back a Dáil seat for Fine Gael in the Waterford constituency."

FG, of course, has another problem, namely meeting the gender quota of 40% women candidates, and it is possible that, despite announcing a one-candidate strategy, the party may add a token woman candidate to the list. Niamh O'Donovan, who took Doocey's Lismore council seat, is the most likely.

Such an addition, of course, would add to Geoghegan's angst.

Cummins is buoyed up by his family

pedigree and by a sense that the wind is behind the party's sails in this constituency following its local election triumph.

But there is no easy ride ahead. In 2020, SF's Cullinane scored 38.3% of first preferences, barely under two quotas. But without a running mate his surplus went to elect a Green and an Independent. Even if SF shed as much as 6% of its first-preference vote, it is still well placed to take two seats. In the locals, however, the party only scored 21% but everyone expects it to do far better than that in a general election.



John Cummins

In addition, SF has a good geographical spread, with Cullinane based in Waterford City in the east and Conor McGuinness, the party's standard bearer, from Dungarvan in the west.

With no Dungarvan candidate this time, FG might well feel the pinch.

Furthermore, FF's Mary Butler is based in Dungarvan and can be expected to pick up many party votes that might otherwise go to FG. She will, however, also feel the impact of SF's Conor McGuinness, who is likewise Dungarvan based, and given FG's strong showing in the locals, it seems that she will have a major fight on her hands to keep her seat.

With both SF and FG angling to win seats in this four-seater, there are three potential losers: Ó Cathasaigh of the Greens, Independent Shanahan and FF's Butler.

The Green wave that saw Ó Cathasaigh take a seat in 2020 (with SF help) has dissipated – in the locals, the Green vote

dipped to 4%, behind even the now-weakened Labour Party.

There is little prospect of there being a Green revival so Ó Cathasaigh is regarded as a favoured candidate for the drop.

Shanahan, too, benefited from SF transfers, which will not be forthcoming in the next election, but Independents in general are doing very well in Waterford and in the rest of the country.

In the locals, Independents scored 29% first preferences but it is hard to see Shanahan (who scored 8% in 2020) getting much more than 10% or half a quota. With few transfers coming his way, he looks to be weaker than Butler.

Shanahan, who was elected on campaigns to save the local hospital and to make Waterford DIT a university, is a professional market consultant and took a significant chunk of votes from FG in 2020. With a stronger FG campaign in his native Waterford City, Shanahan might find it difficult to repeat the trick.

One of his main campaign planks, the setting up of a Waterford university, has now been done with the establishment of the South East Technological University in Waterford, Wexford and Carlow. But it is FG that is getting the credit for that as it was Simon Harris, then the higher education minister, who set up the institution in 2022.

Furthermore, Waterford traditionally had two TDs from the east and two from the west – although in 2020 it was three east and only one west. With Cullinane and Cummins well placed in the east, and McGuinness in the west, Shanahan's base looks weaker and the odds favour Butler to edge him out in the final shake-out.

In the next election, Cullinane's personal vote will be well down but he will still poll ahead of party colleague McGuinness and is assured of a seat.

As a single FG candidate (or even one with a token female running mate) Cummins should easily outpoll Shanahan, leaving the marketing consultant fighting for survival.

It all comes back to how well Butler does in the west. In the locals in Dungarvan, FG actually outpollled FF by about three to one (another source of grievance for Geoghegan, for whom a two-candidate strategy would have made coherent sense whatever happened in 2020). But with no FG runner there, Butler should reap the benefit.

She won't hit Cummins's vote but should scrape through herself.

All of this is good news for Cummins, who looks set to do what his father, Maurice Cummins, never did and win a seat in the Dáil.



## FESTIVAL CASTING CALL

AFTER 13 years at the helm, **Willie White** is stepping down as artistic director and CEO of Dublin Theatre Festival (DTF). Would-be applicants have until the day after the curtain comes down on this year's shindig.

The decision on the new festival boss will essentially be down to the DTF's chairwoman, arts consultant and Arts Council (AC) favourite **Úna Carmody**, who was appointed a director in 2022 and moved into the chair



Úna Carmody

last October. She is joined on the board by the likes of filmmaker **Andrew Lowe**, historian **Catriona Crowe**, former AC chairwoman **Pat Moylan** and Unicef fundraiser **Donna Marie O'Donovan**.

Certainly, one of the skills that will be on the minds of the interview panel will be an ability to tap some moneybags and appeal to their philanthropic side. In the past, this has proved elusive for the DTF. This year the festival has been allocated a repeat grant of €1.125m from the AC but, taking into account other income streams, the overall revenue of €1.7m in 2023 was slightly down on the previous year.

A small surplus of just on €40,000 recorded in 2022 was reversed to a loss for the next 12 months of €30,000, while ticket sales were also down last year by €56,000. Meanwhile, charitable donations (mainly from patrons) were a paltry €56,000.

No wonder the board is looking for "a bold, fearless new leader" who can "develop

and maintain commercial and sponsorship opportunities and philanthropic giving revenue as a significant income stream".

## A MATTER OF PERSPECTIVE

### DÉSIRÉE FINNEGAN'S

Screen Ireland (SI) has just launched yet another funding initiative, Perspectives, which is intended to provide "a window into experiences and viewpoints that may not have been widely represented on the big screen before". Apparently, the scheme is particularly interested in stories that can "touch on a wide range of experiences across Irish life, culture and communities".

The film and TV funding agency says it is committed to "diversity, equity and inclusion across all of its production and development funding schemes, and would strongly encourage applications from underrepresented backgrounds". Up to 20 feature film projects will be selected for initial development.

While SI has been particularly focussed on gender in recent years and, increasingly, on ethnicity, research in Britain published a few months ago revealed that in

2020 more than half the people working in the film and TV industries across the Irish Sea and north of the border were from privileged backgrounds:

The report stated: "People from working-class backgrounds are significantly under-represented, with only one in four of the screen workforce from lower socio-economic backgrounds, compared to 38% of people across the economy."

The research highlights the class imbalance that is particularly pronounced in creative roles, including writers, producers and directors. Over 60% of these come from privileged backgrounds, "making it amongst the most elite occupations..."

There is nothing to suggest the situation in Ireland is any different. Many young people starting out in the industry now appear to have parents who can fund a period of unpaid 'interning' or have contacts or family in the business who can offer them paid traineeships to tide them over for the first year or two.

With no data available here, Goldhawk wonders how many of the "authentic stories" being sought by SI for its new scheme will end up coming from writers, producers and directors who would be deemed "privileged".



## STEVE PARKIN'S MOVES

**STEVE PARKIN'S** Irish 1,000 Guineas winner and dual Group 1 winner, *Fallen Angel*, has been sold to continue her racing career with Wathnan Racing.

The *Too Darn Hot* filly had raced in Parkin's Clipper Logistics colours for **Karl Burke**, winning four of her six starts. She first raced in the Wathnan colours of **Tamim bin Hamad bin Khalifa Al Thani** – the Emir of Qatar – in the €4m Coolmore America 'Justify' Group 1 Matron Stakes at Leopardstown, where she finished a close second to the **Donnacha O'Brien**-trained *Porta Fortuna*.

Although bred by Parkin's Branton Court Stud, the minted owner's ex-racing manager, **Joe Foley** (see *The Phoenix* 5/4/24), was very quick to tweet his part

in her Irish Guineas success: "Proud of this filly today!! Bought her grandmother, her mother (from **Eddie Lynam**) and arranged her mating."

Parkin, who built a near £1bn logistics company from scratch, must be wondering how he will manage without Foley's advice in the future.

Meanwhile, the legal proceedings relating to Parkin's attempt to remove assorted nags from under Foley's watch remain in train between the two sides.

At the end of May, Foley's solicitors lodged High Court proceedings against Parkin personally; the entity behind the Englishman's racing interests, Clipper BCS LLP; as well as a company controlled by Foley himself, Ballyhane (Rath-bridge).

Two weeks later, Parkin returned fire with a suit against Foley and Ballyhane Stud Ltd.

All has been quiet in relation to the case filed by Foley but the legal eagles have been active in the Parkin proceedings and there has already been an out-

ing in court that resulted in an amended plenary summons.

Following the total disintegration of the working relationship between the two parties, Parkin and his new advisors began to restructure his entire racing interests.

He offered nearly 50 horses at Newmarket's July sale, following on from the offloading of all his national hunt horses to focus solely on the flat.

Parkin's 206-acre stud in Rath-bridge, Co Kildare, is now listed for sale at offers in excess of €4.7m and will go to auction on October 24. The "truly unique and perfectly developed stud farm" includes a three-bedroom, single-storey cottage and features 46 loose boxes.

Separately, there has been no completion by Clipper of the planned almost £2m purchase of the Shadowfax & Craven House training stables in Newmarket from **Sheikh Mohammed al Maktoum's** Godolphin operation.

All these moves have been

justified in the context of Parkin's decision to focus his racing and bloodstock interests in Britain, where he made a killing from his business exploits.

**FANS OF Goldhawk will recall (see The Phoenix 27/6/24) that a video of an uncovered dead horse in an open builder's trailer, which was being towed by John 'Shark' Hanlon's Boyle-sports-sponsored horse box to a factory for disposal, went viral. While Shark apologised for any distress caused, stating that the tarpaulin that had been covering the horse came undone during the journey, he has not been shown much leniency by the regulators.**

**The video also attracted the attention of Restricted Trainers Association head John Fitzgerald, who promptly wrote to Boylesports informing the gambling company of its ambassador's behaviour.**

**The Irish Horseracing Regulatory Board slapped Hanlon with a 10-month ban and a paltry €2,000 fine earlier this month and the referrals committee, chaired by judge Tony Hunt, has now shot down his long-odds request to defer the suspension until next April.**



Steve Parkin



## INTERCEPTING JOHN STEWART

GOFFS SUPREMO **Henry Beeby** and his team will have their fingers crossed that the free-spending Resolute Racing founder, **John Stewart**, will get to participate at the upcoming autumn sales, rather than spending his dosh at Coolmore.

Former Toyota assembly line worker Stewart, who founded private equity firm MiddleGround Capital, went on a whirlwind spending spree in late 2023 at the US public thoroughbred sales but did not subsequently attend the Irish sales, claiming “**MV Magnier** intercepted us” beforehand.

In a recorded interview Stewart stated: “We would have come last year but me and **Gavin [O’Connor]** were over

there and MV Magnier from Coolmore intercepted us.”

According to Stewart, the two boys were on a tour of the famous Coolmore farm when the wily MV took the opportunity to sell some bloodstock.

“So, what happened was we ended up agreeing to buy horses and we spent all this money and then he [Magnier] goes to the Goffs sale and spends \$18m on the first day. This time, the Goffs people told me they want to get us before we get ‘kidnapped’ for their next sale.”

Stewart, through his bloodstock agent – O’Connor – had purchased his first horse, *Shiloh’s Mistress* (sired by Breeders Cup Classic winner *Vino Rosso*), for \$235,000 at the 2022 Keeneland September Yearling Sale. Since then, the moneybags, his girlfriend, **Chelsey Stone** (the pair met early last year) and O’Connor have been on quite the spending spree at the American autumn

2023 thoroughbred sales, splashing out an impressive \$25m.

O’Connor has previously filled various minor roles within the horse racing industry. His first foray into the horsey world was spending a breeding season at **Anthony and Chrissy O’Reilly’s** Castlemartin Stud, followed by a winter at Australia’s Widden Stud.

He also put in a few years as the stallion man at Winstar Farm



John Stewart

across the Atlantic, before assuming his current position two years ago as Resolute Racing’s bloodstock agent.

Stone, meanwhile, was recently appointed director of breeding and bloodstock for Resolute Farm, where the acquired nags now reside.

Picking up where they left off at the US sales last autumn, Resolute registered a significant impact on the European sales circuit last month. Stewart, participating online, saw off his

Tipperary ‘interceptor’, Magnier, after outbidding him to land the top lot on the opening day at France’s Arqana Sale – a €1.4m *Wotton Bassett* colt out of *Dardiza*.

Magnier had the last word, however, when he secured the sale topper – a €1.7m *St Marks Basilica* filly out of *Prudenzia* later that week.

Meanwhile, the minted Stewart has been spreading the love. An article on the website americasbestracing.net last week noted that the bio at the top of his profile on X makes clear what he believes to be one of his roles in the industry: “Thoroughbred racehorse fan and horse player first! Racehorse owner/breeder second.”

In the article, Stewart said: “The sport is too mysterious. We need to embrace the fans because the fans are the key to the sport.”

As a result, ahead of this month’s Keeneland September Yearling Sale, Stewart and Resolute held a “VIP Sweepstakes” on X and invited five lucky winners to join him, Stone and O’Connor for a tour of Resolute Farm in the build-up to the big sale.

The idea might catch on here.

## HEBERT PARK’S NEW NEIGHBOUR

LAST WEEK, Ballsbridge residents were greeted with a sign, erected on the ugly fencing fronting the controversial site on the edge of Herbert Park, announcing the 103 swanky new apartments that are to be erected there, years after the first planning application was submitted.

The good news for the well-heeled potential purchasers is that 40 Park will be “a one-of-a-kind collection of exquisitely designed residences on Herbert Park, Dublin’s most desirable parkside address”. Regular users of the public amenity are unlikely to be all that excited by the imminent arrival of a scheme “perfectly positioned to rival the world’s most luxurious residences”.

The most controversial aspect of the proposed high-rise development dates back to September 2020, when No 40 Herbert Park – the former home of Michael Joseph O’Rahilly (aka The O’Rahilly) – was demolished (with the acquiescence of council planners) when still under consideration for addition to the Record of Protected Structures. Tánaiste **Micheál Martin** had described the house as “iconic and historic”.

The company involved,

Derryroe Ltd, is split between members of the Kennedy and McSharry families, who developed the nearby Herbert Park hotel: **John, Geraldine, Brian, Ann and Ruth Kennedy**, and **Liam, Frank and Peter McSharry**.

They have made various alterations over the years to their plans, which have included extending the aparthotel on the site’s boundary.

The most recent planning application submitted to Dublin City Council (DCC), lodged at the start of this year, sought to add two storeys to the scheme’s largest (12-storey) apartment block, for which permission was previously granted, and the addition of one new floor to the permitted seven-storey block.

Perhaps unsurprisingly, the archaeological impact assessment submitted on behalf of Derryroe and an associated company, Pembroke Pace Development Ltd, had little to say about the obliteration of 40 Herbert Park, stating merely: “Of note is No 40, demolished in 2020, where

The O’Rahilly (Michael Joseph) resided from circa 1909 until his death after being shot on Moore Street during the 1916 Easter Rising.”

The proposed development of over 100 luxury apartments



Development will ‘shrink’ the park

in leafy D4, adjacent to one of the city’s premier parks, presents the McSharrys and Kennedys with the opportunity to make a real killing. Prices for the units could

set records, which helps explain why they were willing to stump up a chunky €1.2m infrastructure levy applied by DCC.

Given the existing scale of the proposals, the attempt to add two floors, bringing the tallest block to a whopping 14 storeys, was always a bit of a long shot. Predictably, it attracted submissions from the Pembroke Road Association (PRA), which was signed off in February by Siobhán Cuffe, who died earlier this year.

Cuffe said the proposal would “shrink the park” and result in less useable space: “It will diminish the public amenity of Herbert Park that was a gift [by

the Pembroke Estate] to the citizens of Dublin. The usable part of the park will now shrink inwards... the windows of the new building will glare down on all park users.”

Maybe in an effort to contrast the plans of the Kennedy and McSharry families with those of the Pembroke Estate, Cuffe highlighted how the latter undertook “some of the most enlightened development and left a legacy to be celebrated and emulated.”

Cuffe also compared the new scheme to the likes of the (unloved) Ardoyne House, describing that 1960s 12-storey apartment block as “an outrageous imposition on the boundaries of the park”. But she noted that it is set back from Herbert Park by a considerable distance and placed at an oblique angle, stating: “It looks across the park and not into the park.”

In April, DCC refused permission to increase the height to 14 storeys for various reasons, including that the extra two floors would be “visually inappropriate in this predominantly low-rise location, adjacent to Herbert Park”.

It does beg the question: why did DCC consider the imposing 12-storey block appropriate?

Craic & Codology ... Craic & Codology ... Craic & Codology ... Craic & Codology

# Irish Independent

## What we must spend that €14bn on!



**Michael O'Leary**

"This government – in particular Eamon 'Hates Flynn' Ryan – are even bigger fools than I thought if they don't instantly use this money to build another four runways at Dublin Airport. If they don't, this shower clearly don't give a fiddler's about growing my bonus – er, I mean, Ireland's economy."



**Rory McIlroy**

"Sporting facilities are vital for a country's welfare. And with me not able to buy a win for the moment – even with €14bn – I propose building a state-of-the-art links course where the greens slope towards the hole. I surely won't be able to miss my putts then..."



**Kevin Bakhurst**

"This windfall couldn't have come at a better time. With RTE's finances in their most precarious position since last week, this money could help us continue providing our unique brand of widely ignored and underwhelming programming. At least for another two or three months."

### APPLE LAUNCH NEW TAX APP



Apple has launched a new app allowing multinationals to calculate how much tax they may owe under ECJ rulings. At a glitzy presentation in Silicon Valley, Tim Cook said the product proved hugely effective in totting up the €14 billion Apple owed Ireland in tax.

"It's also helpful for calculating the number of times Irish politicians put their foot in their mouth when discussing corporate tax," Cook told tech reporters. "You'll also be able to add up how many times Rascal Donohoe and Simon Harass are asked about the recent ruling. Unfortunately, we don't yet have the technology to calculate how many Nations League games the Irish football team have lost, but we're working on it."

[Learn more](#)
[Buy](#)

### MORE TRAVEL ADVICE FROM MINISTER CLUELESS

Following on from his suggestion to brand Shannon Airport as Shannon (Dublin), the Junior Minister for Going Places, James Clueless, has issued more travel advice on how best to travel to destinations in Ireland.

Minister Clueless advises drivers with appointments in Dublin to park the car in Galway and "make your way on foot" to the capital.



"Dublin is very low on parking spaces, whereas Galway has lots of them," explains the politician. "It's a great way to enjoy our beautiful scenery while benefiting from exercise."

However the minister remains adamant that if cycling to Cork, travellers should leave the bike in Paris and hitch to... *(That's enough travel solutions for now – Ed.)*



## HEIMIR HALLGRÍMSSON



*"What a grisly spectacle"*  
STEPHEN KENNY

*"A shambolic production"*  
ROY KEANE



### BOTTLEJOB BOTTLEJOB

2024 A.D.

WHEN A MYSTERIOUS DENTIST ARRIVES FROM OVERSEES, FEW PEOPLE REALISE THE HORROR, THAT IS DOOMED TO UNFOLD. AFTER PRESIDING OVER A SERIES OF MASSACRES, MANY ARE ALREADY ASKING: HOW SOON WILL IT BE BEFORE HE'S DEAD AND BURIED?

### Exclusive Leo memoir extract

It wasn't easy being the greatest Taoiseach of all time. As usual, the papers were full of stories about me supposedly leaking stuff. Didn't they recognise my unique leadership capabilities? The fact that I'd overseen an unprecedented period of social progress and incredible economic prosperity?

As if that wasn't enough, my concern was Ireland's growing layabout culture. I'd resolved to be the Taoiseach for people who got up early in the morning. And yet, whenever I looked around our weekly parliamentary party meeting, people



were half-asleep – or even fully asleep in Eamon Ryan's case.

"Hey Leo, that chair looks very comfy," my coalition partner Micheál Martin piped up. "I'm looking forward to sitting in it."

"Funny, I was just thinking the same thing," said Simon Harris, pausing between Instagram updates.

It was then time to discuss Brexit, during which I'd shown phenomenal leadership to rave reviews on the international stage. It was tough work, plus I had to write another letter to Kylie Minogue... *(That's enough Leo – Ed.)*

### APPLE WINDFALL PLANS



We're debating what to spend the €14bn on



A pair of Oasis tickets?

## Those Football Review Committee findings:

- GAA still don't get the point over pay-per-view games
- Towel to be thrown in on the provincial championships
- Jarlath Burns denies he's running for Áras an Uachtaráin
- Usual suspects to keep hurling criticism at organisation
- Moving All-Ireland finals to July was terrible solo run
- Organisation powerless to tackle *Sunday Game* blandness
- No penalties for laughing at the FAI

## THAT €336K BIKE SHED



## Give and take at UK-Ireland 'reset' negotiations

- Britain takes back Rory McIlroy
- Ireland eases off a bit at Cheltenham
- RTÉ must take Tubridy back three days a week
- King Charles to throw in the sliothar for the next 10 All-Ireland hurling finals
- Michael D's head to appear on British 50c coins
- Fine Gael to be gradually subsumed into the British Tory Party
- Britain to screen every episode of *Fair City* as retribution for 1916

## The genius of Sally Rooney – exclusive!

By all broadsheet reviewers

To imagine the genius of Sally Rooney's new novel, *Interoozoo*, one must first bring to mind the collected works of Flaubert, Dostoyevsky and Fitzgerald, combine them with *Citizen Kane* and *The Godfather*, and then add in the greatness of The Beatles and The Rolling Stones.



book, *Normal Rumpy-Pumpy*, results in viewers only wanting to discuss Paul Mescal's shorts.

Appalled by the cross reaction, she retreats from the spotlight to craft another stunningly original novel about Trinity graduates dismayed by the banality of modern life – with plenty of tastefully done sex scenes.

Such a description almost captures the epoch-defining majesty of Rooney's latest opus. The focus of the story is a 30-something Irish author, who becomes disillusioned with fame when the masterful TV adaptation of her classic

Rooney also scales new depths in the moving finale, in which the central character prays her new TV series isn't as spectacular a critical flop as *Riding With Friends*. (*That's enough Looney – Ed.*)

## Vape industry concerned by disposable politicians

The vape industry is proposing a ban on disposable politicians, with concern mounting about the damaging effects of 'no use' TDs. Cheap and addicted to power, the deputies are attempting to appeal to young people ahead of the next election.



"It's clear that the Government batteries are running low and they are entirely dependent on recycled policies.

"In addition, their ideas are flavour of the month and they repackage the same tired ideas in flashy manifestos that are quickly thrown out.

"Throwaway politicians like Stephen Donnelly need to be tackled," said an industry insider.

"At this stage, we feel throwing the whole lot of them in the bin is best for the public good."

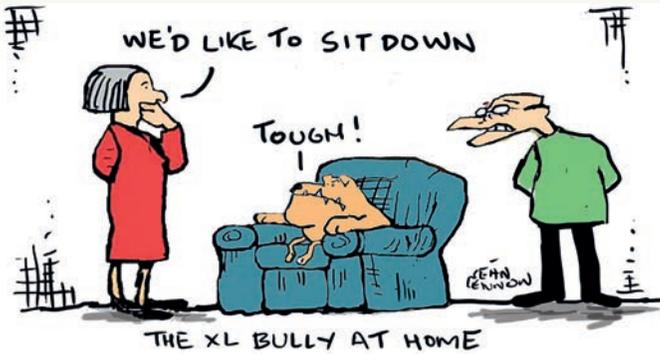
## CASEMENT PARK EUROS DISASTER



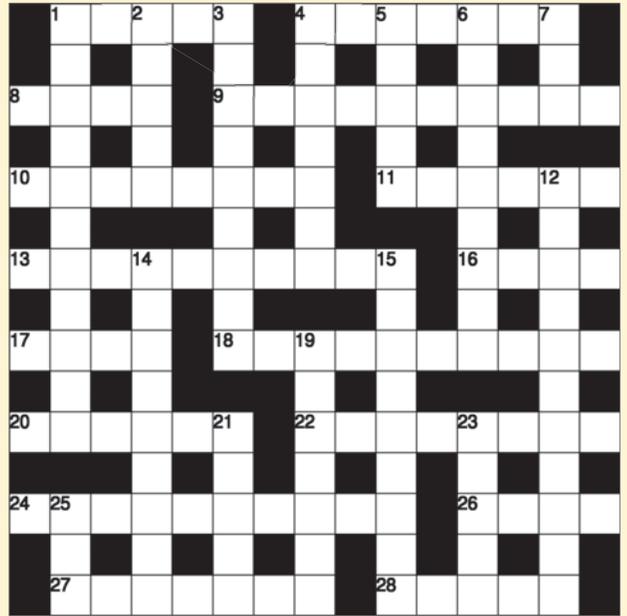
## THE ADVENTURES OF FESTY O'SEMTEX



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Crossword by Procrustes

## DUBLIN FRINGE FESTIVAL HIGHLIGHTS



### TOP GUN

High-flying motormouth Michael O'Leary sets himself on a collision course

with transport minister Eamon Ryan over the issue of passenger numbers. O'Leary's attacks soon reach kamikaze levels of fanaticism but Ryan is determined to remain on autopilot.

the deadwood politicians who are threatening his re-election chances. This inevitably leads to threats of splits but Simon hopes no one will twig.



### SMOKE AND MIRRORS

The Government decide to make a song and dance about

banning disposable vapes but strenuously deny that they are being breathtakingly populist. Success is virtually guaranteed though if their efforts to dispose of SláinteCare and housing targets are anything to go by.



### TREES A CROWD

In order to prove his credentials as a committed environmentalist, Simon Harris decides to start removing

# FRINGE

## HALLGRIMSSON APOLOGISES FOR UPCOMING LOSSES

Ireland soccer boss Heimir Hallgrímsson has already apologised ahead of next month's Nations League games against Finland and Greece, with his side expected to lose both to a second half strike from outside the box. Ireland have conceded 14 long-range goals over the past three years, and numbers 15 and 16 are likely to follow quickly.



"I would like to apologise for this dismal performance that has yet to take place," said Hallgrímsson. "From not watching the players in person, I am hoping for an improved display, but in all likelihood, a mildly promising first half will be followed by the inevitable second-half collapse. I would like to apologise also for our defenders going asleep and allowing the opposition to walk through for the decisive second goal."

Scribble Box

### ACROSS

- 1 Improper talk arising from careless language, not widely used in formal society. (5)
- 4 Contraption going very fast, heading 045°. (7)
- 8 In the end, to leave shrine full of rubbish and dirt means you're right. (4)
- 9 Sprawled listlessly, growing weaker, being led to this with great internal pain. (10)
- 10 Impolite bum fools around and just makes things rougher and less refined. (8)
- 11 After common ending to lighthearted text, it comes before a book title. (6)
- 13 Following sit-in, return and get around to ticking off the wrongdoers. (10)
- 16 Top people come round, though not all, when one is laid flat on the bathroom floor. (4)
- 17 Letters from Progressive Democrats name one who'd fit right in at monster meeting. (4)
- 18 When board is the same on all sides and all angles are right, then it's fair play for all. (6,4)
- 20 Work out a maths problem affecting breadth by the sound of it, but not length. (6)
- 22 Use it to challenge claim that Kim Kardashian's derriere in US is in real good shape. (8)
- 24 Rotten liar twists weather report, saying it's 'just showery' when it's absolutely not! (10)
- 26 When there's no snow in Cuba, skiers just lie in the sun and soak up the rays. (4)
- 27 Expunge charges of guilt from those opening letters, who'll figure out answer to puzzle. (7)
- 28 Absurd remake of musical about little orphan girl. (5)

### DOWN

- 1 In USA, GOP's British cleaner is upset at being late, may find herself in it. (11)
- 2 Native of Zagreb upset by having to work during play. (5)
- 3 Showing oversensitivity in such conditions interrupt visits to Louvre, Tate, Uffizzi, etc. (9)
- 4 Since I'm involved at the top level, fluids in tubes may be top, but they're never level! (7)
- 5 If stolen from the devil himself, his twisted reaction will be sadistically painful. (5)
- 6 Though well-protected against cold, feel offended about the day after New Year's Day. (9)
- 7 Was she First Lady during the seventies? (3)
- 12 Cruelly teases committed Islamist about his God being found in state capital in US. (11)
- 14 As they pursue Molly and similar clones in the field, PhD's sheer frustration is clear. (9)
- 15 Fishy one and hairless one get together for a great old guy in southern Europe. (9)
- 19 Getting near UK, I changed course and went somewhere else. (7)
- 21 Once a year, a drop into the void? (5)
- 23 It's hard to give up top class part and put it behind you like Colin Kaepernick famously did. (5)
- 25 Retrieve raw eggs from a movable feast. (3)

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LAST ISSUE'S SOLUTION:

Post only to: **CROSSWORD COMPETITION, Phoenix Magazine, 44 Lr Baggot St, Dublin 2, Ireland**

**Across:** 1. Flame. 4. Leg-over. 8. Smut. 9. Passionate. 10. Pendant. 11. Strobe. 13. Gastronome. 16. Toil. 17. Lava. 18. Yesterdays. 20. Fenced. 22. Bohemian. 24. Allegation. 26. Cite. 27. Mustang. 28. Scale. **Down:** 1. Femme fatale. 2. Aztec. 3. Expiatory. 4. Lesotho. 5. Grins. 6. Venerated. 7. Rot. 12. Dairy cattle. 14. Thatchers. 15. Elephants. 19. Sibling. 21. Drama. 23. Mecca. 25. Lam.

LAST ISSUE'S WINNER: Richard Kincora, Clontarf, Dublin 3



## Aer Lingus in for a bumpy ride

AFTER THE high-profile industrial relations stand-off at Aer Lingus, the airline is in the bad books of its owner, International Airlines Group (IAG). The underwhelming performance of the Irish business in the first six months of this year reflects the turbulence and, with senior management focused on the other airlines in the group, Aer Lingus could be in for a pretty bumpy ride.

It was hard for Aer Lingus management to accept that a group of highly paid workers like the 800 airline pilots would effectively bypass the Labour Court and opt to strike at the start of the holiday season, resulting in the cancellation of 80,000 bookings.

The starting salary for the pilots is €60,000 pa, eventually hitting €207,000 annually for a senior captain. With add-ons for shift allowances along with other top-ups, this latter more typically works out at around €250,000 pa.

The bolshy pilots referred regularly to Aer Lingus's profitability, with the airline having made €225m in 2023, which reflects trading margins of 9.9% – the lowest of the four other airlines in IAG (Iberia, British Airways, Veuling and Level).

It is hard to imagine that Willie Walsh, whose own experience as a pilot gave him a particular insight, would have nodded through the deal, especially given the initial impact on Aer Lingus's order for six long-haul Airbus 321s, which were due to be deployed to expand its transatlantic routes at a capital cost of €750m. (The first two were instead diverted to Iberia.)

The whole IAG group made an operating profit of €3.5bn, nearly three times the €1.25bn it made in 2022 and nearly 10% up on the €3.25bn it made in the pre-pandemic 2019. This represented an average operating margin of 11.9% but Aer Lingus returned margins 2% lower.

If you go back to the pre-Covid era, Aer Lingus impressed within the group, returning sales of €2.1bn in 2019, an operating profit of €276m and trading margins of 13%.

In 2018, the airline was actu-

ally IAG's star performer, with sales of €2bn, on which it returned operating profits of €305m and margins of 15.5%. The return on capital worked out at over 30%.

Given that the group managed to lose over €10bn during the two worst pandemic years – 2020 and 2021 – it was probably touch and go at one stage whether IAG would survive at all. It would almost certainly have crash-landed were it not for the hugely damaging placing/rights issue Walsh pulled off in September 2020,



when he raised €2.75bn.

The heavily indebted group might not be around today without the three-for-two issue but the transaction resulted in 60% dilution damage for shareholders, with the shares priced at 92c a share – a 36% discount on the €1.44 price at the beginning of 2020.

In the same two Covid-impacted years of 2020 and 2021, Aer Lingus turned in a combined operating loss of €1bn – a point no doubt hammered home by management during the strike by Aer Lingus pilots.

The Irish airline is clearly flying at a lower altitude than its fellow group airlines. In the first six months of the current year, on sales up 8% to €14.7bn, IAG turned in a group operating profit up 4% to €1.3bn, to return trading margins of 10%. For Aer Lingus,



Luis Gallego

however, the operating profit in the first half of the current year to the end of June 2024 (which was mostly not affected by the strike as it only really kicked in around the end of June) fell to a near insignificant €9m, to return margins of under 1%. This looks pretty

damning when compared to IAG's margins of 10%. It is inevitable, given the extra costs associated with the pilots' pay of over €40m, that Aer Lingus is being closely examined at headquarters in London and the Irish airline is clearly no longer the darling of the group. Indeed, without Walsh's significant influence, Aer Lingus can hardly have

the sort of rosy future it had under during his reign as CEO up to late 2020.

Sean Doyle was plucked out of Aer Lingus to run British Airways three years ago, while Lynne Embleton was brought over from the UK to run Aer Lingus.

It seems likely that, if returns don't improve in the short term, the parent group will start to focus more on where the returns are greatest.

At this stage, it looks like the other four airlines in IAG are looking far more profitable than Aer Lingus and inevitably are going to dominate management's focus. It is clear that IAG has been focusing on increasing its profitability and is targeting operating margins of between 12% and 15% and a return on investment of 13%-16%, leaving little room for sentiment.

There is only one Irish director now on the board of IAG, Heather Ann McSharry, who was previously CEO of Boots Ireland and then Reckitts Ireland. She is also currently on the board of Jazz Pharmaceuticals.

The IAG board is now chaired by Spaniard Javier Ferrán, who is also the chairman of Diageo, while the CEO is also Spanish, 56-year-old Luis Gallego, whose appointment Walsh claimed was the best move he ever made in his career.

Given his age, Gallego could be in the IAG cockpit for many years to come and is presumably not one bit pleased by the wage increase the Aer Lingus pilots squeezed out of the group or the manner in which they achieved their goal.

### PASSENGER CAP

As he previously ran the Iberia airline, the Spanish business is probably where he is most focused, at a time when Dublin Airport's 32 million passenger cap means that Aer Lingus is already looking to cut back services.

It is starting with the dropping of one of the daily Dublin-Heathrow flights, with others presum-

*Continued on page 24*

Reference the Market Abuse Regulations 2005, nothing published by Moneybags in this section is to be taken as a recommendation, either implicit or explicit, to buy or sell any of the shares mentioned.

Stocks & Shares

# Oneview Healthcare in search for right medicine

IT WAS considered a surprising move when Darragh Lyons jumped ship from Malin Corp last Christmas, at a time when he seemed to be doing a decent job of sorting out the company's various ailments. It is surely even more surprising that he has joined up with Mark McCloskey's Blackrock-based Oneview Healthcare, taking over as finance director from Helena D'Arcy, whose resignation was announced a couple of months ago. Lyons is to join the board at the AGM on October 17 but the big question is what does Lyons actually see in the troubled company.

Oneview is an unusual example of an Irish company in that it listed on the Australian stock market and is still only listed there. As a result, it attracts little or no attention from the Irish investment community.

The company was set up in 2008 after founder McCloskey had been in hospital for a knee operation. He says he was struck by the fact that there seemed to be no systematic routine recording of patients' vital signs and no automatic feedback.

For example, having spent time in a four-patient ward (with one TV and one remote control), he noted: "Whenever a nurse or doctor came into the room, they asked the same questions over and over... and on top of being woken every morning at 6am... to decide what we wanted for breakfast, lunch and dinner... I would come back from physio and the lunch that I ordered would be on the tray and it would be cold."

McCloskey had spent most of his time in telecoms and financial services and so used these skills to set up Oneview to help develop solutions for the issues he had observed.

The obvious answer was to extend existing patient care records but he assumed that the big players in the field would not encourage a newcomer on to their patch to provide extra functionality to their systems. His strategy, therefore, was to build a separate system, independent of these big hospital systems, that would be easy to install.

McCloskey spent four years developing a suitable product for patient use and in 2012 managed to demonstrate it to the Epworth Healthcare group in Australia, which was suitably impressed and also suggested add-ons.

Back in Ireland, he met Australian financier James Fitter, who agreed to help him raise \$8m from family, friends and angel investors, and quickly started to

win contracts. The first deal was signed with the Lifehouse group in Australia and UCSF Medical centre. Epworth followed suit. Around this time, Fitter joined Oneview as CEO.

The company went on to supply entertainment systems for patients and demonstrated a medical tablet developed by Zebra at the World Healthcare (HIMSS) Conference, which showed that Oneview's bedside software was able to create a better patient experience.

The idea is actually a simple one – to bring all the patient-focused applications to one place. This included not just entertainment such as movies but also bedside video-calling technology. The



James Fitter

supply fully integrated electronic hospital systems. Although McCloskey and Fitter managed to win a few contracts in Australia and the US, it was always going to be difficult to satisfy the sort of software development demands hospitals would make on Oneview when agreeing to take its system onboard.

The company did prove successful at raising funds. After the initial \$40m at the 2016 flotation, a further \$25m was raised in 2019. Oneview, however, was bound to run into some cash-flow problems, given that it had only built up a revenue base of \$8m in 2018 and was still working on a software development programme costing \$12m pa, resulting in an operating loss of \$20m in 2018.

This scenario repeated itself

in 2019 but sales actually fell 15% to \$7m, while development costs were maintained at \$12m. There were inevitable cutbacks but Oneview still reported an operating loss of just on \$17m in 2019.

Although the company's system was in use for 9,000 hospital beds by 2020, it clearly had to find a way to stop losing money at the rate it had been and so a more significant cost-cutting programme was put in place, with the head count reduced by nearly 40% from 109 to 70, along with a slashing of development costs to \$7m. This, however, still resulted in an \$9m operating loss in 2020.

As the founder and president, McCloskey took responsibility and resigned in November 2020. It is difficult to understand why Oneview paid him a termination bonus of €410,000 when he was only entitled to €150,000 under his

*Continued on page 24*



tablet can be used to order meals and for service requests, rather than relying on the nurse call button. The system can also be used to control lighting and allow patients to access their electronic medical records.

Moreover, the Zebra tablets enable medical staff to pull up medical records, MRI and X-ray results etc, speeding up the information flow.

Oneview expanded from the initial three hospital groups in Australia, adding three in California, two in Dubai and the Laura Lynn children's hospice in Ireland. On the back of this, the company floated on the Australian stock market, raising AU\$40m in 2016.

It is clearly a significant challenge to get any system into hospitals when huge operators such as Epic, Cerner and McKesson



## Stocks & Shares

*Aer Lingus continued from page 22*

ably set to follow in due course.

Aer Lingus recorded an operating loss of €82m in the first three months of the year, admittedly the seasonally worst months, while the IAG group as a whole recorded a profit of €68m, albeit representing just 1% of its first-quarter turnover of €6bn.

In the second quarter, Aer Lingus turned in an operating profit of €91m, to bring its six-month total contribution to a mere €9m – almost 75% down on the corresponding period in 2023.

### SHARE PRICE

The whole IAG group recorded a half-year profit of €1.3bn, driven mainly by improving returns at British Airways, where Doyle appears to be doing a rather good job.

His performance stands up very well when compared with the 46% drop in Ryanair's profits for most recent quarter ending June 30 last.

Based on the first half returns,

IAG (despite Aer Lingus's underwhelming contribution) is on track to beat last year's record €3.5bn operating profit total.

The group's shares have recovered to £2 from £1.50 at the start of 2024, albeit just two-thirds of the £3 share price at the beginning of 2020.

This leaves it standing on a remarkably low price/earnings multiple of just 4.7, the sort of rating that would apply to a dud stock.

### CLEAR EYE

IAG, however, does have net debt of €9bn but, in the context of operating profits up at €3.5bn, this should be no problem.

That said, Warren Buffet has always eschewed airlines for two reasons – the industry's erratic record and the fact that not only are the companies flying depreciating assets, but they will always end up flying even more expensive (if more efficient) planes to replace these.

The fact that the suits in charge tend to have a dedicated airline background doesn't help.



Heather Ann McSharry

Although Gallego has an airline industry background, he appears to have a clear eye, which is good news for shareholders but not necessarily for Aer Lingus, as the Irish airline could be high

on his 'to do' list given recent developments – especially that pilots' strike.

Aer Lingus could have done with Walsh still calling the shots in London.

*Oneworld continued from page 23*

contract if he was sacked or given notice, so clearly there were major problems inside the company. Indeed, assorted other directors had resigned, with John Kelly, Mark Cullen and Daniel Petre going in January 2019.

The cancellation of the development of the Senior Living care management contract with the Australian Regis aged care operator was clearly a major setback, resulting in Oneworld initiating legal proceedings, seeking AUS\$21m for breach of contract.

### FUNDRAISING

During this period Fitter remained *in situ* as CEO to help keep the company afloat. Former chairman Joe Rooney was installed as interim chairman in July 2023 on the death of the previous chair, Irish lawyer James Osborne. Rooney is quite the high-flier and was head of legal strategy at Lehman Brothers and later a global strategist at Autonomy Capital.

Surprisingly, Mark Cullen rejoined the board after McCloskey's exit in October 2023, having previously resigned in 2019. He is another heavyweight investment banker, having worked with Deutsche Bank and DWS Asset Management.

Impressively, the new board managed to raise AUS\$23m in

July 2023 and planned significant growth courtesy of Oneworld's cloud-based virtual care integration package and software server business model. Fitter continued to steer the ship to the best of his abilities and landed a bonus last year to give him a total remuneration package of €557,000.

This is not to say that Oneworld had found itself totally out of the woods. The company reported a 4% increase in sales last year to just over €9m but, taking into account the cost of sales and administration as well as continuing high product development costs of €8.3m, the company ended up with an operating loss of over €8m last year. Given this scenario, it is hard to understand why Oneworld would pay its CEO a bonus of €195,000 but, possibly, it is partly down to the fact that he has stuck with the job in very trying circumstances.

In the most recent half-year to June 2024, sales for the six months were up 7% to €4.7m, while the net loss was 3% higher at €5.5m. Oneworld's technology was live in over 10,000 hospital beds, with contracts for a further 8,000 and its reseller agreement with the US Baxter Healthcare Inc has gone well, delivering several contracts under this agreement, representing a further 8,000 contracted beds. The roll-out of the beds pipeline will be essential to deliver the additional revenue required to give Oneworld any real chance of survival.



Darragh Lyons

In these circumstances, it is certainly surprising that Lyons jumped from what looked like a rapidly improving situation in Malin Corp to what looks like a rather hazardous position as CFO of Oneworld, a position he formally took up on September 9. He has experienced plenty of ups and downs both in Malin and, before that, in Elan and so he is not going into the current chaos lightly. Presumably, then, Lyons must see something in Oneworld that is not clear from the outside.

After floating off at AUS\$3.50 in January 2016, Oneworld hit a high of AUS\$5.50 by the end of that year but it has been on a dramatic ride since then. The

shares plummeted 99% in 2020 to 7c, after which they rose to hit 40c before dropping to the current 34c. This is, nevertheless, still down over 90% but the trend over the last few months appears to be rising. The addition of Lyons to the executive team has no doubt also helped to calm the markets a little.

If the experienced Lyons can see a future with Oneworld, investors may be tempted to back the horse, so it will be interesting to see what happens over the next few months. But unless sales dramatically increase and/or costs dramatically reduce over the next year, it is hard to see a future for this interesting outfit.

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# GOVERNMENT PLANS TO CLAMP DOWN ON VAPES WILL CAUSE CATASTROPHIC DAMAGE TO THE FUTURE HEALTH OUTLOOK FOR THOUSANDS



BY  
**JOE DUNNE**  
HALE VAPING

“ Remarkably, a Health Minister is proposing to remove the healthier choice of nearly 400,000 vapers that have successfully quit or reduced their smoking.

## Irish legislative developments

Health Minister Stephen Donnelly has announced Cabinet approval to commence the drafting of new legislation that proposes introducing the most draconian regulation of vaping anywhere in the developed world by:

- Prohibiting the import, manufacture and sale of single-use or disposable vapes.
- Limiting the c.15,000 available vaping flavours to just one: tobacco flavour.
- Prohibiting point-of-sale display and advertising in shops other than those who only or primarily sell these products.
- Prohibiting all flavour descriptors and language other than basic flavour names.
- Restricting colours and imagery on packaging and devices, as well as a ban on devices resembling or functioning as other products, such as toys or games.

This is despite the fact that the most recent Public Health Bill pertaining to vaping, which outlaws sales to under 18s, has only been in place for nine months, the accompanying licensing regime has yet to even be implemented and there is little to no enforcement.

The Health Minister conducted a public consultation on the further regulation of tobacco and nicotine-inhaling products at the end of last year.

The proposed measures bear no relation to the public consultation results:

Only **32.2%**

of respondents indicated that they supported vaping products being behind the counter and not on display.

Only **27.8%**

of respondents indicated that they favoured regulation of flavours in vaping products.

Only **34.6%**

of respondents indicated that the current laws on smoking should be extended to vaping.

## Recap on the Government's vaping facts



- **974,145** people in Ireland have **given up smoking** (Census 2022).
- **676,187** people in Ireland smoke today (Census 2022), and smoking remains the leading cause of preventable disease, causing **6,000 deaths a year**.
- **49%** of those that have smoked in the past year have tried to quit (Healthy Ireland Survey 2023).
- The **most successful aid** used by successful quitters is vaping / e-cigarettes (Healthy Ireland Survey 2023).
- Ireland has **c.400,000** vapers (Healthy Ireland Survey 2023).
- **87%** of e-cigarette users are either current or ex-smokers (Healthy Ireland Survey 2023).

## Bad legislation = worse outcomes

To illustrate how draconian Mr Donnelly's proposed measures are: today, 5% of vaping sales are tobacco flavour. The overwhelming majority of smokers attempting to quit are trying to avoid the taste of tobacco. Why else would Nicorette not have any tobacco flavour?

Therefore, these proposed measures are tantamount to an entire prohibition of the vaping sector. It seems perverse to deny access to vaping products that are helping hundreds of thousands of adult smokers quit and stay off cigarettes. The consequences will be catastrophic.

It's also irrational to suggest that an effective prohibition of the entire category is necessary to protect children. That is proven not to be the case with other sectors such as alcohol or gambling, where pragmatic regulation, effective enforcement measures and appropriate penalties ensure adults can make responsible choices while ensuring children are protected.

Moreover, prohibition won't work – in fact, it will make youth access much easier. This is clearly evident in the USA and Australia where excessively restricted access to vaping is resulting in over 90% of sales occurring on the illegal market.

## Facts matter

The Taoiseach this week repeated the often said phrase that vaping is 'Big Tobacco's revenge'. This is categorically untrue. Claims that the vaping sector in Ireland is owned or controlled by tobacco interests are false. Well over 90% of the Irish market selling and distributing vaping products are independent Irish companies that have no connection whatsoever to Big Tobacco. Globally, Big Tobacco controls less than 15% of the vaping market.

Instead, vaping has been the single biggest threat to Big Tobacco and their profits in decades.

Big Tobacco will be relieved and delighted with Minister Donnelly and the course of action he is proposing. Remarkably, a Health Minister is proposing to remove the healthier choice of nearly 400,000 vapers that have successfully quit or reduced their smoking, lining the pockets of Big Tobacco in the process.

## Sales of vapes should be regulated

The sale of vaping products should be regulated. Children should be protected. We passionately advocate more, not less, regulation along the following lines:

- **Vaping products should only be sold from premises that are familiar with age-verification and that are already specialist vape shops or are selling products such as alcohol and tobacco.**
- **The new licensing system for retail outlets selling vaping products must be introduced quickly.**
- **Packaging should be restricted such that it is not overtly child friendly.**
- **Vapes should be restricted to being sold behind manned counters.**
- **Disposable vapes should be subject to a deposit and return scheme.**

# GENUINE CONSULTATION?

**But what do vapers really think?  
We asked them to tell their story:**



### Ursula (52), Dublin

"I smoked up to 15 cigarettes a day for about 30 years. I was having breathing difficulties and frequent chest infections.

I first tried vaping in 2022. I no longer smoke. My breathing is better and I don't get chest infections any more. I vape disposables and prefer the Purple Grape flavour. My advice to other smokers is to go for it. It helped me, it should help you."

### James (38), Tipperary

"I smoked for 17 years and was smoking up to 30 cigarettes a day. I first tried vaping in 2019 because of the cost and the damage smoking was doing to my health. Since I started to vape my smoking has decreased a lot and I have completely stopped about six weeks ago. I am noticing less coughing in the morning. I vape rechargeables and my favourite flavour is watermelon."

### Caitriona (47), Tipperary

"I smoked for about 20 years and was up to 20 cigarettes a day. I tried vaping for the first time in 2015 because of the cost of cigarettes and the damage it was doing to me. I haven't smoked since I started to vape and I feel a lot healthier. I use a pod system and I like the Sun Stone flavour. My advice to smokers is to give vaping a try and find the flavour that works for you."

### Frank (73), Cork

"I smoked for 48 years and smoked about 15 cigarettes a day. It was affecting my health and causing me shortness of breath. I first tried vaping in 2018 and it changed my life. I don't smoke now. Before I had phlegm every day and shortness of breath.

But everything is normal now. I had tried to give up smoking loads of times over the years and failed. It was incredible, it was the easiest transition. Now I would never take a cigarette again. I use refillable vapes and my favourite flavour is Royal Velvet."

### Wendy (44), Dublin

"I was smoking for about 16 years at about 10 to 15 cigarettes a day. Smoking had become anti-social, and it was bad for your health. I first tried vaping in January 2024 and I haven't had a cigarette since. I have noticed that my skin has improved and I am able to train better without coughing. Everything is different, smoking is disgusting."

### Margaret (56), Cork

"I had been smoking for about 30 years at between 10 and 15 cigarettes a day. I first started to vape about five years ago because of the smell and the effect I feel it was having on my kids' health. And I haven't smoked since. I feel better and look better. My face isn't grey as I am not breathless. I use a rechargeable vape and my favourite flavour is Cool Fire. I would advise any smoker to give it a try, and you won't smell!"

### Karen (26), Clontarf

"I was smoking for about 6 years at about 50 rollies a week. I wanted to switch from smoking because vaping is cheaper, healthier and more socially acceptable. I found myself waking up after smoking and feeling quite sick. I started to vape in 2019 and now I don't smoke. I have found that my breathing is much better, and I am not as tired as I was when I smoked. I use an Inigon Slide vape and my favourite flavour is Blackcurrant."



## John McGuirk v the Brogans

THE HEATED reaction to the housing of ‘unvetted military-aged men’ has reached fever pitch in recent months, spear-headed by a few key personalities on social media. One such maven of the new right is **John McGuirk**, whose *Gript* news website got its knickers in a twist last month when reporting on Dundrum House in Tipperary, where a group of Ukrainian refugees were scheduled to be housed. The ensuing row featured some names who will be familiar to fans of Goldhawk.

In the headline for its story, *Gript* reported that “a famous



John McGuirk

Dublin GAA family” had “established” the company that owns the hotel – the site of protests by local “concerned citizens”. While it is true that **Bernard Brogan Sr** (father of **Bernard Jr** and **Alan**) founded Brogan Capital Ventures Ltd (BCV), the reality is the family hasn’t been involved since 2017, when they exited the business.

For some reason, the roving reporters at McGuirk’s organ seem to have not bothered to ask the Brogans for a quote or clarification.

After a pile-on by the usual suspects on X, an understandably peeved Bernard Brogan Jr replied to *Gript* on the social media platform, highlighting that neither he nor any of his family “are involved in this hotel or any other hotels!” *Gript* eventually updated the article to include Bernard Jr’s comment in a note at the very bottom of the story.

Into this melee stepped none other than Goldhawk’s old pal, **Niamh Parker**. Replying to



“Buzzer! Forgot me phone”

Brogan’s X post, Parker breathlessly wrote that the GAA star should have known better than to “get involved” with **Jeff Leo**, the sole director of BCV now listed in company documents.

Parker and her hubby, **Alan Beechinor**, will be familiar to readers of *The Phoenix* as the once-vaunted co-founders of artificial intelligence company Altada, which imploded in 2022 in a hail of litigation and recriminations.

The reason she was so exercised about the Dundrum House matter is because the Jeff Leo listed as the principal in BCV is the very same former Morgan

Stanley banker who invested in Altada once upon a time.

Leo subsequently played the opening notes of Altada’s funeral dirge when he petitioned the High Court to have a liquidator appointed to the embattled firm in late 2022. A subsequent investigation by liquidator **John Healy** found that Parker and Beechinor, who were co-chief executives at Altada until its collapse into liquidation/receivership, managed to lose a whopping €20m in a rather short space of time.

It’s no surprise that there is no love lost between Parker and Leo. Meanwhile, the exact details

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of how Altada's funds evaporated remain unclear and creditors were told in the summer of 2023 that a Garda and Corporate Enforcement Authority investigation into the matter was under way.

**FOXROCK-BASED money-bags Ger O'Leary had plenty to celebrate last month after the part-time racehorse trainer saddled Doyen For A Drink to land Cartmel's bank holiday Monday EWGA Handicap Hurdle on the 50th anniversary of the famous 'Gay Future Coup'.**

**O'Leary is best known for his control of the OKR Group, which includes high-profile franchises for Burger King and Apache Pizza. He also owns Lance Bloodstock Ltd.**

**The win by Doyen For A Drink, who is owned by his brother, Pat, was a sentimental one, given that the brothers father, Pa O'Leary, had been one of the players in a famous 1974 betting coup at the track.**

**Builder Tony Murphy and his pals had purchased Gay Future and 'sent' him to small-time Scottish permit holder Tony Collins with a view to landing a gamble over a busy bank holiday Monday. The horse sent to Col-**

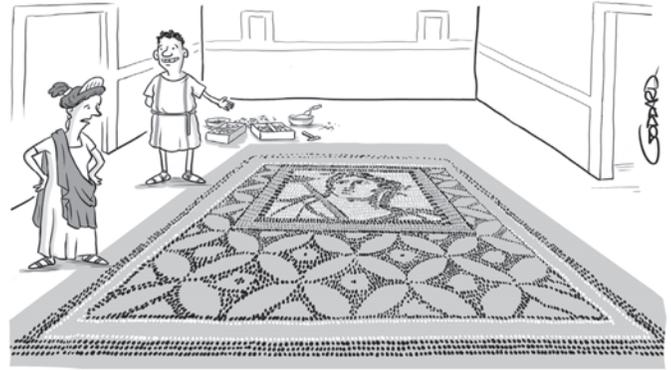
**lins was in fact a far inferior horse and the 'real' Gay Future remained in Ireland in training with Eddie O'Grady in preparation for the big day.**

**Collins entered three runners at three different meetings on that August bank holiday Monday and the readied Gay Future travelled over to Cartmel for the race, winning at an inflated price of 10/1.**

## Mark Quick's many hats

IT'S BEEN a challenging few years for entrepreneur **Mark Quick**, who has dipped his fingers in a great many pies but pulled up relatively few plums lately. His eclectic track record, however, suggests he won't be kept down for very long.

Fans of Goldhawk will recall that Quick's 9th Impact gaming company got a €170,000 wallop from the taxman recently. The company had previously been the subject of lavish coverage from hacks who rhapsodised about its Big Brother: The Game, developed over three years at a cost of around €1m (see *The Phoenix* 23/8/24).



"Any chance you could do it at a higher resolution?"

The company had another setback when the Workplace Relations Commission (WRC) ordered it to pay an Indian employee compensation on the grounds of racial discrimination. The complainant said 9th Impact cut off his salary for months due to financial problems at the company but did keep paying some of his Irish colleagues.

**Kumar Swapneel Shreyansh** is one of four workers who recently obtained orders for non-payment of wages this year. It is unclear why Quick *et al* at 9th Impact did not make any appearance at the WRC hearings but maybe it is because Mark has personal experience of that

particular forum.

In a hearing in 2022, Quick gave evidence in a case he took against Nephin Whiskey Ltd, a Mayo-based distillery company in which he was a co-founder along with **Jude** and **Paul Davis**. The distillery had raised a tasty €6m from investors but the pandemic brought about significant delays.

Quick subsequently claimed that he was unfairly dismissed and that his business partners had "concocted" a contract on which his signature had been forged. In his own evidence, Paul Davis described the claim

*Brief Cases continued on page 30*

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Brief Cases continued on page 29

as “quite simply rubbish... There was no need for me to concoct it” since Quick had “written the contract himself.”

Quick also sued the Davises, claiming shareholder oppression, while they, in turn, lodged proceedings against him for allegedly diverting business away from Nephin “in plain and obvious breach of his fiduciary duties”.

The case was settled in 2022 and Quick is now *in situ* as managing director of Kentucky Bourbon Barrel Ireland.

He was surely unfazed by his whiskey adventure, having a long career in business that exhibits an appetite for giving it a go. One example was Quick’s involvement with Blackhall Properties, which is owned by the **Cosgrave** veterinary family, who sold their Village Vet business to Mars Capital in 2022. Quick was a director here from March 2021 before exiting in January 2024.

He has been listed as a director of several software companies

that never seemed to get off the ground and was also a director for a couple of years of an interesting company called Sound of Water Ltd, set up with architect **Cathal Curtin**.



Mark Quick

This entity changed its name to Twin Spaces in 2015, having come up with what looks like a prototype of the (controversial) Portal on Dublin’s North Earl Street.

The Twin Spaces installation featured large video screens that sought to “connect [Trinity College’s] Front Square with Brooklyn”.

## Norah orbiting once more

ONE OF **Norah Casey’s** ventures is about to enter a new dimension as she gears up for the launch of *Planet Woman Travel*. Edited by her good self, this new quarterly magazine – aimed at “intrepid women travellers” – will “curate the best of female-focused travel and destinations for solo adventure, wellness retreats

and incredible experiences”.

Fans may recall Planet Woman Academy, which Casey launched to help women “fulfill their true potential” in life and business. She held events in high-profile venues such as the RDS and Mansion House circa 2017/8, but alas the venture ceased to operate in 2019.

Tumbleweed blew through the academy’s social media pages and *planetwomanacademy.com* went offline. By the end of 2022, a Casey company called Planet Woman Ltd was sitting on accumulated losses of a less-than-starry €425,000.

Happily, Norah cashed in elsewhere, when she sold most of her Harmonia magazine titles to Irish-American investor **Liam Lynch’s** Irish Studio in 2017, including *Irish Tatler*, *U Magazine*, *Food & Wine Magazine* and *Auto Ireland*. Business Post Group subsequently acquired some of the titles in 2019, which are now published as free supplements with the *Business Post*.

Norah retains assorted companies and kept *Woman’s Way*

magazine, which is edited by her sister, **Carissa Casey**. Family members have always featured in central roles. Norah’s late husband, Richard Hannaford, was editorial director of Harmonia, while brother **Ciaran** was CEO and niece **Shauna O’Halloran**, was editor of *Irish Tatler* and *Ireland of the Welcomes*.



Norah Casey

Carissa featured briefly in the news in 2014 when former subscriptions manager **Susan McDonald** claimed in the Employment Appeals Tribunal that her problems “really started” when Carissa took an active role in the company in 2012. (Almost a decade earlier, Carissa had

her own employment schemozzle and went to the High Court in 2003 seeking to stop Moranna Ltd from dismissing her as editor of *Business and Finance*, less than a year after she took that job.)

Happily, all that unpleasantness is long behind her and Carissa is now helming *Woman’s Way*, which is where her big sister’s “incredible experiences” have recently featured.

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