

## 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

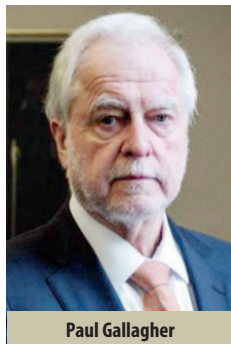
need to be worked through regarding the information requested. Therefore it is not possible to provide this information at this point in time."

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

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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](http://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 compulsory ticket agreement and it was left to [thejournal.ie](http://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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Published by Penfield Enterprises Ltd.

44 Lr Baggot St, Dublin 2.

Tel: (01) 661 1062 (No caller ID.) Fax: (01) 662 4532

Printed by Boylan Web Ltd.

Colour reproduction by Typeform Ltd. ISSN 0790-0562

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Jan-Dec 2018, 11,710

[www.abc.org.uk](http://www.abc.org.uk)

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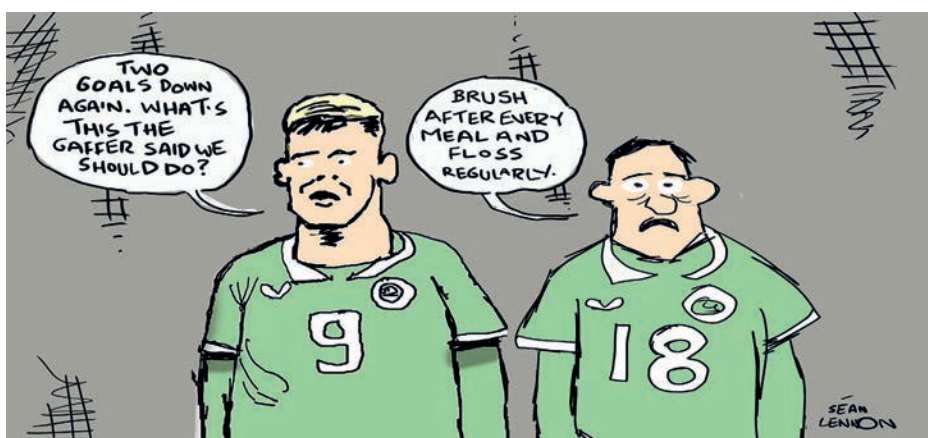
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Commission, the department released the information in June 2020, 14 months after it had been sought.

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.

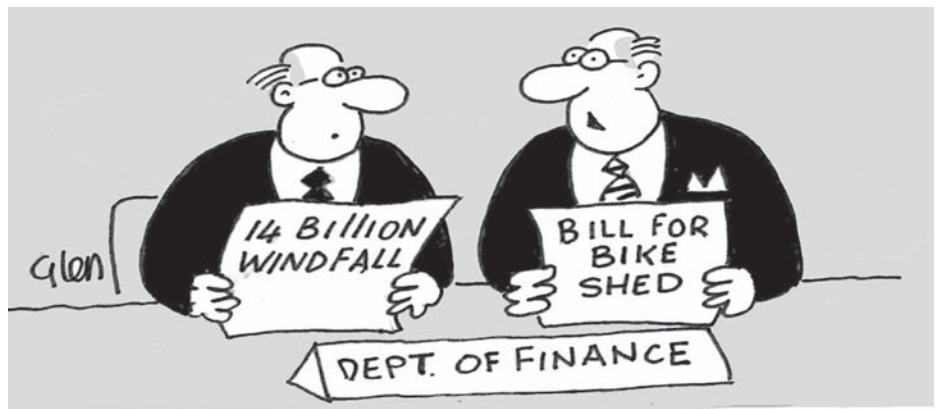
The amount paid up to March 2020 came to €8.429m, meaning that another €1.6m circa has been run up in legal fees since then. The heavy lifting in the multi-billion-euro case was of course carried out by Apple lawyers, so the fees paid to Irish legal eagles cannot be described as miserly.

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 exp-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 apology 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.



John Collison

## 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.

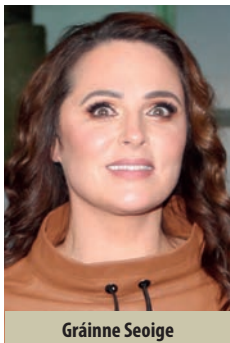
Unfortunately, the would-be candidates such as Daragh Ó Tuairisg and Dáithí Ó Cualáin had committed the major mistake of failing to win council seats in the June elections. The reaction was that if they couldn't win on their home base, their chances of making it on a bigger pitch were decidedly doubtful.

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 headhunted 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 Ó Gorman by the slur "O'Groomer". A December 2023 post on X by Dwyer showed a picture of Ó 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."

## 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



"They've installed privacy glass."

## 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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