

By Irvin Muchnik

George Gibney and the scandalously unprosecuted rape of 'Stella'

*Conjoined Irish and US
failures to combat youth
coach sexual abuse*

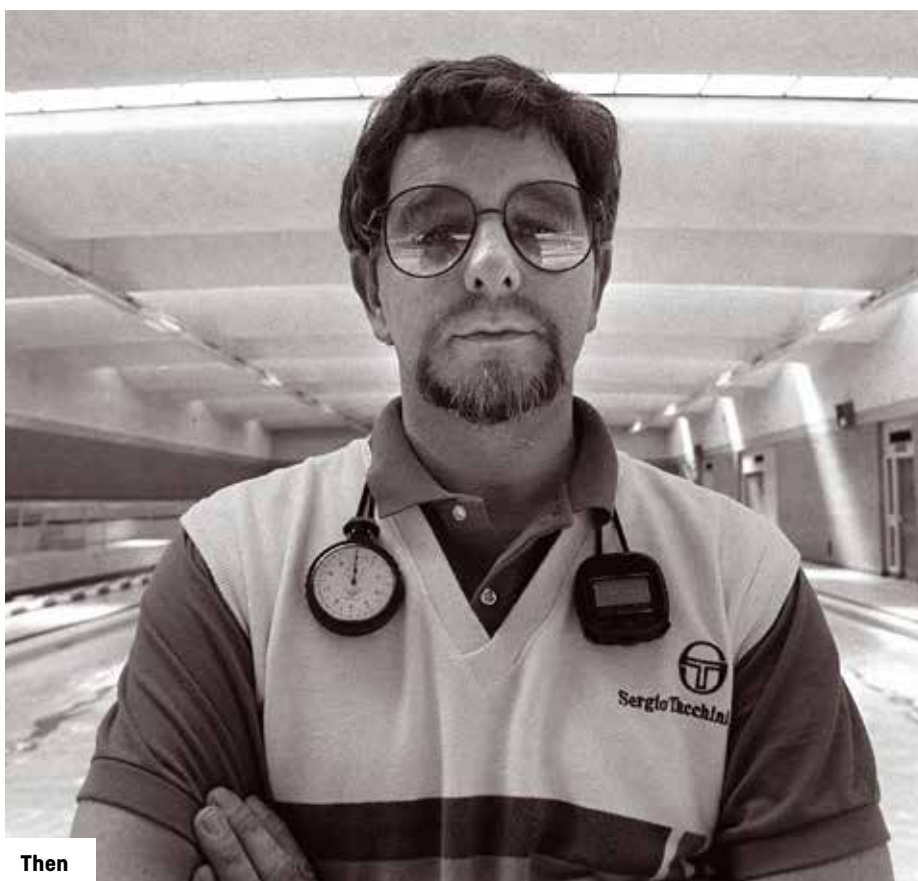
Of the uncountable examples of the unimaginable wholesale molestations of young people by George Gibney – coach of the 1984 and 1988 Irish Olympic swimming teams, whom I call the most notorious at-large sex criminal in sports history – none resonates quite like his rape and impregnation of a teenage swimmer during a training trip in the United States city of Tampa, Florida, in 1991. Let us call this victim “Stella”. (I know only her first name and I’ve changed it.)

Stella’s case has been in and out of historical news media coverage of periodic efforts to bring about a second criminal indictment of Gibney and his extradition from the US, where he has been a resident alien for nearly 30 years. The original Gibney prosecution got scuttled in 1994 by an Irish Supreme Court ruling, under a legal doctrine that has withered in intervening years, that Gibney’s 27 counts of indecent carnal knowledge of minors, some of them stretching back as far as the 1960s, were too old for him to have a fair chance to mount a defence.

In his popular 2020 BBC podcast series *Where Is George Gibney?*, Mark Horgan of *Second Captains* interviewed a member of Stella’s family. Horgan didn’t get around to informing listeners that Stella already had testified to the Tampa incident, in her own voice, to Clare Murphy of RTÉ television’s *Prime Time* in 2006. One suspects such a disclosure might have made Horgan’s breathless audio package seem staler than he wished to portray.

This opacity is part of an overall Irish problem when it comes to institutional memory. When I began reporting on all things Gibney nearly a decade ago, I assumed that the Murphy Report – a 1998 government inquiry, helmed by Justice Roderick Murphy, on abuses in youth swimming programmes – was a basic and easily accessible public text, analogous to America’s Warren Commission following the JFK assassination. Instead, I was able to track down the 160-page Murphy document only with great effort. When I asked Irish journalists and other friends about acquiring a copy, they responded cagily. A diligent clerk at the Oireachtas library finally provided a link to a painstaking download. (Where Is George Gibney? likewise had no time for the surrounding controversies of the dissatisfying Murphy report – most especially the conflict of its author, a member of the Glenalbyn Swimming Club of the Leinster Branch of the then Irish Amateur Swimming Association, all three layers of which were investigative foci.)

Getting my hands on the Gibney piece on



Then



The most notorious at-large sex criminal in sports history also raped and impregnated a teenage swimmer in Florida, in 1991, leading to an abortion

national TV eight years later proved equally challenging. What I thought would be simple queries to RTÉ were unavailing. Late in 2017, however, someone presumably inside the network caused the anonymous post to me of an envelope containing a thumb drive with raw video of the *Prime Time* segment.

We’re now more than half a year past the latest of the periodic bursts of reports in Irish media that gardaí have again redoubled their Gibney investigation. This time they are said to be confident they have both the goods on some of his crimes and the means to extradite him, and have forwarded a recommendation to the Director of Public Prosecutions.

Should the DPP ever break its familiar template and actually indict and extradite this time, the deep-past cases of Stella and of others, documented by past media reports and Justice Murphy, are unlikely to figure. The basis would probably be fresh testimony from entirely new cases, by other Gibney survivors who were inspired to come forward – to give full credit where it is due – by the BBC podcast.

There is an ultimate outrage from the 30 years of American hospitality for George Gibney – hospitality that has ranged from the probable arrangement of a job offer by the American Swimming Coaches Association, to continued acceptance of an application for a diversity lottery visa and a green card, later shown to be fraudulent for lying about his Irish past. Not to mention that job itself in Colorado upon landing, a position requiring certification by USA Swimming. The ultimate outrage is this: The climactic Gibney crime had already occurred several years earlier on American soil.

Schedule 13 of the Mutual Assistance Act of 2008 outlines protocols for transnational law enforcement cooperation under the legal treaty between the European Union and the US:

‘The Director of Public Prosecutions... may, in accordance with the relevant international instrument and without receiving a request to that effect, communicate information... for the purpose of current criminal investigations or criminal proceedings or of initiating either of them’.

In 2016-17, I was in contact with the office

of the county prosecutors in Florida. They were unaware of the 1991 Tampa incident but would endeavour to get up to speed via study of the 2006 RTÉ broadcast, including the interview of Stella, and other media coverage.

They told me something else of more than passing relevance: decades of distance from the alleged crime didn't necessarily preclude prosecution. In general, "there are statutes of limitations that apply to the prosecution of sexual battery cases except for capital offenses" but there were "also exceptions and circumstances that can extend the statute of limitations. The circumstances of a specific case would need to be analyzed to determine whether its prosecution would be time barred".

As to Ireland, a source inside Garda declined to address whether there have been communications with Florida prosecutors, nor even to comment on the theoretical mechanics of how Irish and American law enforcement might compare notes under the legal treaty. This source did say that cooperation "only operates on the basis of a charge, it is not possible on the basis of inquiry. The passage of time may be a factor too or the death of a complainant

or withdrawal of a complaint".

So what constitutes a 'charge' under this construction? It's known that Stella had at one point provided a sworn affidavit to gardaí. Indeed, written affirmations were required from all accusers by the publisher of Johnny Watterson, the reporter who broke the Gibney scandals in the early 1990s.

Over the years, the traumatised Stella has moved in and out of lucidity and hospitalisations. In a 2012 email interview, another root Gibney scandal reporter, Justine McCarthy (now, like Watterson, an Irish Times columnist, and author of the 2008 book 'Deep Deception: Ireland's Swimming Scandals'), told me:

"The girl who was raped by [Gibney] in Florida in 1991 has repeatedly tried to kill herself, once while on the phone to me. The High Court civil case she took for damages against Swim Ireland and the Irish Olympic Council was struck out on the grounds that the proceedings were too old. The court awarded costs to the two organisations. The girl made an undisclosed out-of-court settlement with the insurers of her former solicitor (lawyer) who failed to progress the case. She appealed the size of the Olympic Council's legal bill and it was cut this year

by the High Court Taxing Master by two-thirds. The Minister for Sport, Leo Varadkar, had urgent meetings with the two sports organisations about their heartless pursuit of the girl for legal costs after the Olympic Council's lawyer, Giles J Kennedy, attacked me on national radio nine months ago for reporting the details of it".

In 2015 in the Times, for which she was then writing, McCarthy detailed Stella having discovered, three months after the 1991 rape, that she was pregnant. Stella told "a high-ranking official" in swimming, "who is a professional person and knew Gibney". Stella added, according to McCarthy, that "the official obtained air travel tickets and accompanied her to England. She believes she was taken to an abortion clinic in London and remembers the official giving her pills that made her groggy during the trip".

In our 2012 interview, McCarthy had said that a key concern in the aftermath of the Murphy report was that "swim officials who played secondary roles in the cover-up have remained in positions of influence. I think this was made possible by the restrictive terms of reference for the Murphy inquiry, which means nobody was named in the report (not even Gibney, [Derry] O'Rourke, et al). The effect was to add to the secrecy and to allow individuals – such as Dr Moira O'Brien, the swimming association's honorary doctor and a former president who was personally told about abuse and did nothing – to elude any accountability".

Was Dr O'Brien the "high-ranking official" who chaperoned Stella to her abortion in England and drugged her along the way? [O'Brien did not respond to our request for comment.]

With or without a legal treaty, the international coordination of police-agency information is professionally mandated. The ways to fight the scourge of youth coach sexual abuse are two in number.

One way is to hound an individual villain until he gets the just desserts of wearing bus-tyre tread marks. The other way is to understand the accountability of all the enablers in his orbit, and to expose and change the organisational dynamics that make abuse something to huff about on cue but not to eradicate by the most aggressive means.

George John Gibney is a unique figure whose narrative connects the dots in a manner making both paths possible. But only if we have the will to connect them. **L**

Irvin Muchnick's book 'Underwater: The Greed-Soaked Tale of Sexual Abuse in USA Swimming and Around the Globe', which includes two chapters on George Gibney in Ireland and the US, will be published by ECW Press shortly after the Paris Olympics.



Ways to combat youth coach sexual abuse are to hound an individual villain or to understand the accountability of all his enablers in his orbit, and to change the organisational dynamics