

# free speech battle



**DEFEATED:** Meegan with a Kenyan colleague in Nairobi recently



**CHARITABLE:** Celia Larkin

By Sheila Flynn

FOR decades, the work of Kenyan charity ICROSS to combat Aids and poverty in Africa has attracted the support of well-known faces across the realms of entertainment and politics. The charity is led by the charismatic Michael Meegan, whose High Court defeat last week led to a string of serious allegations – which he denies – being repeated across Ireland and around the world.

Celebrities ranging from Pamela Flood and Caroline Morahan to Celia Larkin have attended fundraisers in aid of ICROSS over the years – oblivious of the concerns raised about Meegan's activities since 1986.

The Irish Mail on Sunday contacted 10 well-known individuals who supported the work of the charity with ICROSS and asked for their reactions to the series of allegations against Meegan this week.

Those people, contacted through their various representatives, were Andrea and Caroline Corr, Chris de Burgh and Rosanna Davison, former taoiseach Dr Garret FitzGerald, Elton John, Lorraine Keane, Senator David Norris, Liz O'Donnell and actress Victoria Smurfit.

Each was asked how and when they got involved with supporting ICROSS, what their support of the charity consisted of, and what their reaction was when these allegations surfaced.

Andrea and Caroline Corr, contacted through Andrea's representation at Independent Talent, did not respond to the questions. Chris de Burgh – whose wife Diane organised a celebrity art auction 10 years ago in conjunction with Showbiz Ireland to support ICROSS – was contacted through his management. 'We've no comment on this matter,' was the response.



**FUNDRAISING:** Pamela Flood and Caroline Morahan lent their support

## ICROSS was supported by the great and the good – what do they think of its boss now?

Rosanna Davison, contacted through Assets modelling agency, also did not respond to the MoS queries.

Dr Garret FitzGerald said he had 'no memory of ICROSS, or of Mike Meegan'. As far as he is aware, he said he had 'no dealings with either'.

Representatives for the Elton John Aids Foundation said the singer himself had no involvement with ICROSS and the foundation had cut ties with the organisation years ago.

The foundation's executive director, Anne Aslett, said: 'The funding relationship with Mike Meegan and ICROSS was exclusively with the Elton John AIDS Foundation, not Sir Elton personally.'

'This funding relationship was terminated almost 10 years ago.'

Former television presenter Lorraine Keane said she was distressed at the allegations but did

not elaborate. 'Over the years I have, in good faith, lent my support to many different charities and hearing any allegations of misappropriation of funds is deeply upsetting,' she said.

'I feel it would be inappropriate to publicly comment on the allegations made about Mr Meegan until the outcome of an investigation and/or legal proceedings.'

Former TD Liz O'Donnell also said she would not comment for legal reasons.

'As the questions posed relate to matters which are the subject of current legal proceedings, I do not intend to make any comment,' she said.

Senator Norris was travelling and unreachable for comment. Victoria Smurfit, contacted through her talent agency, also did not reply to the MoS requests.

There was no guarantee of success – and a loss would have placed a draconian universal reporting ban on all of the allegations against Meegan forever. It would also have landed the paper with a huge bill for the legal costs involved in fending off Meegan's gagging attempt.

A hearing was scheduled for the following Friday, April 9, before Judge Bryan McMahon. However, it was held over once more until the following Monday. After two further appearances before Judge Mary Laffoy, the case was set down for hearing on Friday, April 16. In the meantime, the MoS was hastily trying to get key

witnesses to swear signed affidavits to present in the court case. Sworn statements were taken in Kenya, Dublin and London. The MoS also received fresh evidence to counter claims being made by Meegan and his associates about the alleged campaign against him.

Then, just after noon on Friday, April 16, Meegan's barrister made what the judge would later say was a seriously misleading statement. The MoS had just learned the Kenyan police had been set on our witnesses: fearing for their safety, our barrister Liz Walsh asked High Court President Judge Nicholas Kearns to hear the case there and then.

Meegan's barrister Morgan Shelley, however, objected. He told Judge Kearns the case would take two days

to hear as it contained 60-page affidavits which would need to be considered in detail: and he warned the judge his decision could set a precedent for the future and so should not be rushed. On this basis, the judge agreed to postpone the hearing one

### 'A seriously misleading statement to the court'

more time – and set aside Monday and Tuesday to hear it in full.

When the two legal teams returned on Monday, however, the judge was livid. Having spent the weekend reading the case files, he realised that the case could have been heard the previous Friday. He said: 'I am particularly

angered by the fact that on Friday, when this matter was brought before the court at 12.45, I was assured by counsel for the applicant this was a matter that would take two days, with an affidavit running in length to some 60 pages,' the judge said in his ruling.

'This was a completely false representation, and this morning has been acknowledged as such. It did have the effect of putting off the hearing of the matter until today. The court deprecates in the strongest possible terms the making of the representation in question, which was manifestly untrue.'

It was a devastating rebuke; and worse was to come for Meegan's team. Judge Kearns emphatically rejected his attempt to gag the MoS, deciding the evidence produced by the newspaper was more than sufficient to prove any future libel case

had a reasonable prospect of being successfully defended.

Judge Kearns said the gagging order sought by Meegan would only be appropriate if the paper had insufficient evidence to back up its story.

He also ruled that the question of Meegan's sexuality – which Meegan had argued was a breach of his privacy – was an unavoidable by-product of the allegations against him and, as such, could be reported.

The judge awarded the full costs of the case against Meegan and also refused to place a ban on reporting of the case pending a possible Supreme Court appeal. Meegan's lawyers have since confirmed he will not appeal... and his court defeat was complete.

Now Meegan faces questions in the Dáil and growing demands in Kenya for an inquiry. He may well regret his decision to go to war on the MoS.