

## **Call to see visa file of sex-case swim coach**

### **American lawyer demands to know if US swimming association supported George Gibney's green card application in the wake of abuse charges**

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An application is to be made in an American court for the release of the immigration file on George Gibney, Ireland's former national swim coach whose prosecution on child rape charges collapsed 17 years ago.

Jonathan Little, an Indianapolis attorney representing a number of US swimmers who are suing the sport's authorities over alleged molestation, expects his application to be heard by a judge in Virginia in early summer.

The lawyer has already been refused two applications under Freedom of Information legislation to obtain Gibney's official file, which he made to the the US Department of Homeland Security. The refusals were made on the grounds of privacy. The Gibney file is believed to contain three letters from supporters urging that he be granted a green card.

There has long been a mystery about how Gibney managed to gain entry to the US after escaping prosecution in Ireland. Little is interested in his case as he is trying to demonstrate American swim officials were lax about child protection, which they deny.

Gibney fled to the US after the High Court in Dublin ruled in 1994 that he could not adequately defend himself against 27 charges of rape and sexual abuse of underage swimmers because of the time lapse since the alleged crimes. Most of the charges referred to the 1960s and 1970s.

A former Irish Olympics coach, he ran Trojan swimming club at Newpark Comprehensive school in Blackrock, County Dublin, until a garda investigation into allegations against him began in 1992. After he went to the US, a second garda investigation commenced when more of his former swimmers alleged he raped and assaulted them. The Director of Public Prosecutions did not apply to the US courts for Gibney's extradition back to Ireland for trial.

Last January, Little raised the awarding of a green card to Gibney during the taking of a sworn deposition from Dale Neuburger, a former president of USA Swimming (USAS) and current vice-president of Fina, the sport's world governing body. Sexual abuse scandals involving 36 US coaches were uncovered in 2009 by an ABC News 20/20 investigation.

In the case of Jane Doe et al v United States Swimming Inc, the plaintiffs are arguing that swimming authorities facilitated Gibney's entry into America to work as a coach at North Jeffco Aquatics in Denver, Colorado, in the mid-1990s.

During the deposition taken in Santa Clara, California, Little asked Neuburger: "If George Gibney was charged with the rape and sodomy situation I just explained to you, which he was in Ireland, why would USA Swimming write a letter in support of his visa application?"

After an objection by the lawyer representing USAS, Little rephrased the question: "Did USA Swimming write a letter in support of his visa application?" Neuburger replied that he did not know.

Gibney has repeatedly switched homes and states in the US since his arrival there in 1994. He has lived at addresses in Denver, California and Florida. A circuit civil foreclosure order was filed in Florida on April 11 in relation to Gibney's latest home, a condominium in Orange City, Florida. The application was made by Bank of America in Fort Lauderdale and granted by Judge Robert K Rouse.

One of the complaints gardai investigated after Gibney quit Ireland was that he allegedly raped a teenage swimmer from Dublin during a club training camp in Florida in 1991. When the complainant was informed by gardai that Gibney would not face trial in relation to her accusation, she attempted suicide.

A number of US swim scandals emerged after Andy King, a San Jose coach, was jailed for 40 years on 20 counts of child molestation in 2009.

Last year, after widespread criticism, USAS published a list of more than 40 coaches and officials banned for life from the organisation, mostly for sexually abusing swimmers. Some commentators in America have proposed the establishment of a body similar to the US Anti-Doping Agency, to enforce child protection.