

Exclusive interview with Shane Corr, the whistleblower who

THE HSE FILES

By Michael O'Farrell

INVESTIGATIONS EDITOR

IN MOST respects, Shane Corr is like any other guy. He's a Liverpool Football Club supporter, a Dublin GAA season ticket holder and likes a pint of the black stuff.

If anything, you could describe him as run-of-the-mill – a trait often unfairly associated with his chosen trade of accountancy.

His favourite movie is *The Good, The Bad And The Ugly* and when not watching spaghetti Westerns his idea of a good time falls far short of adventurous.

'A treat would be a train trip to somewhere I've never been,' he tells the Irish Mail on Sunday.

Another clue to his mindset is the way in which he became a vegetarian at just 20, dutifully compiling a spreadsheet to catalogue the air miles of his fruit and veg.

'I copied in the map of the world into the Excel sheet. And I started highlighting the countries,' he recalls.

'I remember as a kid we used to see the map of the world with the British Empire coloured in, and it was pretty appalling the number of countries they had managed to be in charge of.'

'This map I had, within two weeks, was

'We let the country down by not making enough of these issues'

far bigger and greater than the British Empire ever was. It was extraordinary.'

He may be forensic-minded and not particularly adventurous with his pastimes, but Shane Corr is far from ordinary.

He is certainly not like most of the 100,000 or so civil servants in the health system.

Instead of holding his tongue when he saw something untoward, he spoke up. Then, each time the system closed ranks to protect itself, he spoke a little louder. In the end, he had no option left but the nuclear one. So he went public. Now, Mr Corr is something he never thought he would be. He is a whistleblower. And he is proud of it.

Raised in Dublin's Raheny, his grandfathers on both sides were civil servants and his father was an accountant. It is no surprise then that his mother always encouraged him to enter public service.

After a spell studying in DIT, a stint on fruit farms in Germany and time served at several private accountancy practices, that's just what he did in January 2001.

'Getting a job at the office of the Comptroller & Auditor General was probably the most elated feeling I've ever had – including getting married and watching my favourite team win All-Irelands,' he says.

'That was a great moment for me, and it was exactly the job I wanted.'

The forensic nature of the work, auditing Government departments and public bodies, suited him. If anything, he was too good at digging down to discover abuses others wanted to keep hidden.

'It was from the get-go, and it was throughout the time that I was auditing,' he says of the financial irregularities he began to encounter as soon as he joined the C&AG.

'Within the space of a few weeks, I

THE LETTER THAT SET ALARM BELLS RINGING FOR CORR

By Michael O'Farrell

THERE is one document, above all others, that convinced Shane Corr to turn whistleblower.

It was a scathing August 2016 letter to then HSE boss Tony O'Brien from the then chairman of the HSE Audit Committee, Peter Cross.

The letter, written in an unusually frank manner, deals with the HSE's continued failure to fix systemic and ongoing financial control weaknesses in the health system.

Mr Cross wrote the letter in response to a damning set of findings by State spending watchdog, the Comptroller & Auditor General (C&AG), that year. He also pointed out that the 'disturbing control weaknesses' at the HSE are routinely criticised by the C&AG in this fashion every year.

'You'll be aware that the reports of the Internal Audit Division identify many tens of important control weaknesses each quarter and that the Audit Committee has repeatedly advised the Directorate to take strong action to rectify these weaknesses locally and systemically,' Mr Cross wrote.

'It seems to me we find weaknesses and breaches everywhere we look, and that the system of control needs to be addressed from top to bottom.'

Mr Cross added that no commercial entity would tolerate such practices. 'The controls issues described in the OCA's [Office of the Comptroller and Auditor General] report are

basic, extensive and, I believe, systemic,' he wrote, adding that they amount to 'a litany of internal weaknesses and breaches of controls including some of the most essential and fundamental to a system of internal financial control'.

'The fact that such simple and fundamental controls can be breached so regularly, and that calls for their remediation can apparently be ignored, must be a cause for deep concern to the Directorate in relation to the HSE's stewardship of its assets and indeed for the reliability of its accounting,' Mr Cross's letter added.

'These weaknesses go to the heart of the principles of propriety and regularity,' the correspondence continued. 'Each 1% of HSE funding lost through weak financial controls amounts to €140million lost to patient care annually. I am confident that the HSE's control weaknesses annually allow for at least that amount of waste.'

Detailing a list of 31 significant weakness requiring immediate attention to meet minimum control standards, Mr Cross asked whether HSE bosses care at all about their responsibilities, writing: 'In relation to the HSE's pervasive and extensive weaknesses in financial controls, the overwhelming concern is whether the responsible managers really care.'

CRISIS AT HEART OF CARE FOR DISABLED

CIVIL SERVANTS' STINGING VERDICT ON HEALTH CHIEFS

WASTE: How we covered the HSE's culture of profligacy exposed by Mr Corr

would have seen things that I would have thought should be reported to the Public Accounts Committee. There were things I thought merited further investigation or merited highlighting in a different way – or I thought that the public should have been informed of.'

In one instance, he unearthed correspondence that the outcome of a Government contract worth hundreds of millions of euro may have been fixed to suit a particular bidder. He brought the matter to the attention of his superiors and a senior former civil servant was hired to compile a report.

But nothing happened. Instead, Mr Corr was eventually told the issue had 'fallen between the cracks and the floorboards'.

'To me, ultimately, there were times when we let the country down by not making enough of these issues,' he says.

He resolved that the only thing to do was to 'dig deeper and to object more and to stand over yourself in a better way'.

But, as he soon realised, there were consequences to his actions.

'The civil service is a club,' he says, 'and the club doesn't like people going outside of the dressing room. They're just not geared up for that to happen.'

Since Mr Corr began to go public with his concerns, long-term friends and colleagues, some of whom used to accompany him weekly to Dublin matches, have vanished.

'You can be guaranteed you'll be vilified and disowned,' he says of the experience. 'But the important thing is to get the stuff out there. That's the target. The target isn't to make friends or keep friends, the target is to get the stuff out there.'

Mr Corr is complimentary about many of his colleagues saying many are 'hard-working and conscientious civil servants'.

But he is damning of the system they work in.

'There would have been a lot of people in the civil service who got into well-paid jobs pretty quickly and were very comfortable knowing

that they had a pension and they had great sick leave entitlements. And they weren't going to speak badly of the club. The club is pretty united in that you don't talk badly of the club. It's an Irish form of omerta,' he says.

A phrase that one boss in particular favoured – 'rank has its privileges' – encapsulates this.

'It doesn't matter terribly in the civil service what your abilities are,' he explains. 'People rose through the ranks almost by a timetable and not by merit. A lot of people would merit it but you didn't have to merit it to progress.'

There was something else Mr Corr

noticed as he checked payroll and employee files as a C&AG auditor.

Many employee files would contain issues they had tried in good faith to raise with their superiors.

'You would see recommendations going back to these people reminding them they would be better off thinking of their children or looking after their homes or considering their next promotion competition,' Mr Corr remembers.

'It was as blatant as that,' he says. 'Civil servants know these pressure points will be brought to bear.'

And so most never go as far as Mr Corr did. But even he may never have gone public had he not encoun-

SPEAKING OUT: Shane Corr says he is happy to have told his story



Response phoned in

ONE of Shane Corr's duties during the pandemic was to monitor emergency grants for private nursing homes. Staff bonus payments were ineligible under the Temporary Assistance Payment Scheme –

By Michael O'Farrell

which is now being audited – but many firms used it to buy One For All vouchers for workers. Some discussions by staff at the

has blown the lid on HSE waste and mismanaged spending

'The civil service is a club and if you go outside the dressing room, it's guaranteed you will be vilified and disowned'

broken here? These procedures are underpinned by the Constitution and the laws of the State. It's not just some book that you look at occasionally to see if you're doing the right thing.'

And in the health service, not doing the right thing has life-and-death consequences. It results in scandals such as the Kerry CAMHS drug misdiagnosis fiasco and the smear test controversy that this week took the life of campaigner and mother-of-two Vicky Phelan.

Mr Corr says: 'When things go wrong in finance and budgeting and planning in the Department of Health it affects everything and it affects outcomes all around the country. It would be incomprehensible for a private sector firm to behave like this – and for the person responsible to remain in their job.'

But in the health service that's precisely what happens.

Today, the only person out of work as a result of the scandals he has exposed is Mr Corr himself, who is suspended on full pay.

'I'm still a civil servant,' he says. 'A civil servant who'd like to go back to work. That's how I see myself. I'm a civil servant without work. Really, my ambition is to be a civil servant. That's what I've spent the last 21 years doing and that's what I want to keep doing.'

Despite the personal sacrifices – he describes being ditched by his friends as the worst day of his life – he insists he's content with his

Somebody should have said: 'Shane, tell us everything'

decision to turn whistleblower.

'I'm happy,' he says. 'I'm very happy I did it.'

He said last week's acknowledgement from Health Minister Stephen Donnelly that his actions were in the public interest, are heartening.

But he still wants the Department of Health to engage with his concerns. 'What should have happened is, somebody should have called me in and said, "Shane, tell us everything."

'I still hope that will happen. I still hope that the department will come and talk to me and listen to what I have to say and look at my transcripts and make it a part of their own record.'

Most of all, though, he is determined to reach out to others who are aware of matters of public interest that are being covered up internally. 'I'm not a victim here,' he says. 'I'm not going to be a victim. Bad things have happened to me in that they sort of trashed my reputation a bit. But what I've learned from other whistleblowers now is that we need to present whistleblowers in a very positive light and to action other people into coming out with their stories.'

Rather than being presented as a victim, Mr Corr wants to be known as someone who 'wanted to do something, knew the consequences and still went ahead'.

He said this is important for those who are 'wavering or afraid to come into the light' to understand.

'It's very, very important that whistleblowers come forward,' he says, adding that none of the other whistleblowers he's met have regretted coming forward.

'I would encourage them to do it and to get the right support, because the alternative is for things to remain as they are.'

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tered what he calls the 'mind-blowing, sheer madness' of the health system.

In January 2020, he was promoted to Higher Executive Officer rank and randomly allocated a new role in the Department of Health's finance unit.

Initially, he was delighted. But then, in his very first meeting with the HSE he encountered an organisation that had requested additional funds without proper explanation.

'The guys couldn't explain why they needed this,' he recalls. 'I mean, it was more than a third of a billion euros that they got as additional expenditure and they couldn't

explain why they needed it. They couldn't explain if they'd spent it or not – or what they'd spent it on. And they couldn't really advance any explanation as to why they couldn't explain any of this.

'I was staggered also that nobody seemed to know how this was going to turn out. I still can't get my head around it – that idea that accountants asked for more money and then can't tell you what was done with it.'

Sadly, the problem was nothing new as one letter Mr Corr came across demonstrated. That 2016 letter, from the chair of the HSE's audit committee to then-CEO Tony

O'Brien, estimated that the HSE's poor financial governance practices was resulting in more than €100m being lost annually. As he read the correspondence four years later, Mr Corr was aghast that nothing had changed.

'Nobody paid a blind bit of notice to the guy, and if they had acted on what he was urging – which was basically just looking for reliable

'Frequently we were told discussions weren't to go beyond the room'

financial control at the HSE – so much money wouldn't have been wasted.

'The greatest sin [is] to be told what's going wrong, and then to be given a way of fixing it, and then not fixing it but saying that you had fixed it. I mean what's the point of auditors? What's the point of anything?'

Initially, Mr Corr made his disclosures internally, and a barrister was

appointed to compile a report about his concerns. But once the report was completed he was not allowed to see it unless he signed a non-disclosure agreement.

He refused, on the basis that this would allow his concerns to be swept under the carpet as they had been at the C&AG.

And then Covid-19 came along, amplifying the problems tenfold.

Everywhere Mr Corr looked during the pandemic, he was encountering the same unresolved problems. Worse still, the civil service was often intent on hiding them completely.

'Frequently we were told that discussions we were having weren't for FOI [Freedom of Information]. They weren't to go outside the room, they weren't to be minuted.'

'As well as that there were times when we were told that something wrong was going to happen. We knew it was going to happen and we were going to look the other way. It was an active and frequent part of work in the Department of Health.'

'Every single week there was an issue where I had to ask myself had public financial procedures been

writing. That's FOI-able.'

Rather than respond by email, which would leave a publicly traceable record, the HSE instead drew up a response and called the finance unit to read it over the phone.

HSE and Department of Health finance unit were caught on tape by Mr Corr. And when a member of the finance unit referenced the issue in an email, a HSE official warned them: 'You shouldn't have put that in

to avoid public record

EXCLUSIVE

By Michael O'Farrell

INVESTIGATIONS EDITOR

HARROWING video evidence has emerged in the case of a vulnerable child who was left living with an abusive stepfather by child protection authorities.

Details of the shocking child protection failure are outlined in a new historical case review by child protection agency Tusla obtained by the Irish Mail on Sunday.

Despite the emergence of a video from 1986, in which the then ten-year-old victim gives a contemporaneous account of being abused, the DPP has declined to prosecute.

The video was made by doctors at the Rotunda's Sexual Assault Treatment Unit (SATU) when the victim was assessed after running away from home to seek help.

At the time, child sexual abuse experts concluded the child had 'quite definitively' been 'extremely sexually abused by her adoptive father over a period of 2/3 years'.

But a 1986/87 investigation by gardaí failed to obtain the video and at the time the DPP concluded there was not enough evidence to seek a prosecution.

The video was only discovered by the victim in 2020 after she asked the Rotunda for it. She then provided it to a fresh cold-case Garda investigation.

Astonishingly, the video had remained undiscovered and forgotten about for nearly 35 years by all those responsible for the victim's case until she found it herself.

'That's what victims have to do,' the survivor told the MoS. 'They don't come and say; "here's your files". You have to fight for them. If I hadn't done that I'd still be none the wiser.'

When the video was provided to the new Garda investigation in 2020, detectives

'The DPP office has a lot of things to answer for'

viewed it as a significant evidential breakthrough.

To have credible, contemporaneous testimony from the past available in this fashion is almost unprecedented.

But in 2021 the DPP informed the victim it could still not go to trial.

The DPP said this was due to legal difficulties in a situation where the DPP had previously decided not to prosecute and because 'no new significant evidence had come to light'.

However, this is flatly contradicted by investigating gardaí who had been confident the video was a vital breakthrough.

After the 2021 decision not to prosecute, the superintendent in charge of the investigation team confirmed in writing that the file sent to the DPP by his team had included the newly obtained video.

'This investigation file included a video recording and notes taken by HSE social workers,' he told the victim.

He also confirmed the 'video and notes had not been included in the original investigation file in 1986/87'.

Last night the victim of the abuse, to whom Tusla have given the pseudonym 'Karen', questioned why the DPP and gardaí are saying two different things.

She said: 'They are all contradicting each other. I think the DPP's office have a lot of things to answer for in relation to the low rate of prosecution for these kinds of crimes in our country.'

She also criticised the child protection workers who failed to protect her and left vital evidence gathering dust for decades.

'Every social worker involved with me got a promotion,' she pointed out.

The failures of the child protection authorities in Karen's case are outlined in a historical case review by Tusla.

The January 2022 report shows how Karen was left living at home with her abusing parent for nearly two years after she first disclosed being abused.

The confidential report also confirms five other children were left living in the home after Karen was removed.

Tusla's report into these failures is one of 13 such reviews that have been completed by the agency's Practice Assurance and Service

Monitoring (PASM) team in recent years. The report confirms Karen first reported being abused by a

neighbour in 1984 when she was nine. This abuse was reported to gardaí and the neighbour was pros-

ecuted and fined £75 under the laws in place at the time.

Despite the prosecution, child

protection authorities never became aware of the Garda case and no help was offered to Karen.

An official review admits major childcare failings, as a haunting tape and report from the past are uncovered, but still the DPP won't prosecute the stepfather who molested this girl. Here, she demands to know...

WHAT DOES A VICTIM HAVE TO DO TO BRING HER ABUSER TO JUSTICE?

HARROWING VIDEO OF CHILD

THE little girl in the black and white video appears almost removed from herself as she details what her stepfather did to her.

But her awful story is clearly told and utterly believable as she describes how she was repeatedly abused at home.

'Did your mum ever know this was happening?' a female psychiatrist gently asks.

The professional, a member of staff at the Rotunda's Sexual Assault Treatment Unit, is using dolls as an aid to help Karen explain things no child should have words for.

'I told her two or three times,' Karen says of her mum. 'I told her once first. And then I told a

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relative and all my aunts. And then I told them again.'

'Good girl,' the doctor reassures Karen. 'If you keep telling you'll get there.' 'Yeah,' shrugs Karen, her elbow on the table, hand tucked under her chin.

'It's hard that we have to tell so often, isn't it,' the therapist adds. Today, Karen is 48 and in the absence of justice she is still trying to tell her story.

Many of the details are simply too horrific to print.

As well as being abused by her stepfather, Karen was also

abused by a neighbour who asked her to watch a baby for a while.

'I went in and he made tea and cake and he asked me to cut the cake and I brought in the wrong knife and he lifted me back out and he said he'd throw me in the bath but he took me into the bedroom instead,' she says when asked to explain what the neighbour did.

'Was he cross with you or was he playing?' the therapist asks.

'He was playing,' Karen answers. 'He put me lying down in the bed facing him and he got down on top of me and he pulled down my pants,' she says before detailing the precise abuse. 'He was doing that for a few

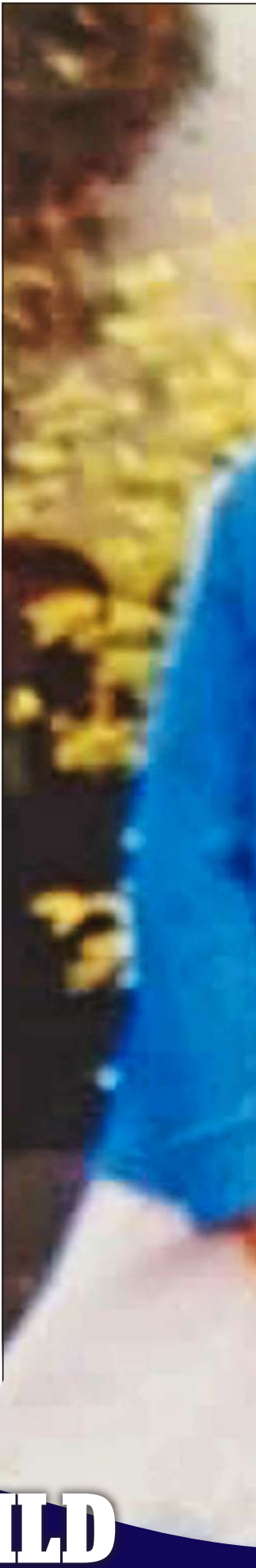
minutes and kissing me and everything and then he let me up and he told me not to tell anybody.'

But Karen did tell and the man was prosecuted. After the prosecution, her stepfather left her alone for a while. Inevitably, the abuse recommenced.

'I was out in the kitchen one night making tea and mammy was in the sitting room and he had the door closed and he started with the fingers again and then it got back to what the next door neighbour did.'

Much of the recording is difficult to listen to.

In one segment the girl describes how her abuser forced himself on her orally.





Karen has tried to tell her story for over 40 years

KAREN has been trying to tell her story for four decades.

She's been trying to do so since she was a short-haired little girl who kept running away from home.

The authorities believe her. There is no question of that.

Child protection agency, Tusla, has this year confirmed in a confidential case review that she was failed as a child by those who should have protected her.

When she sued the HSE for these failures, they settled, knowing her story was true.

Child sexual abuse experts at the Rotunda Hospital, who first examined her as a ten-year-old, concluded 'quite definitively' that Karen had been 'extremely sexually abused' by her stepfather.

The Garda detectives who first investigated her case in 1986 believed her as well – but back then society had not yet confronted these evils and the DPP decided not to prosecute due to 'insufficient evidence'.

The cold case team who reopened the case at her behest a couple of years ago also believed Karen.

They even travelled to take a statement from her in the UK, where she now lives, before completing a new file for the DPP to reconsider.

Perhaps, even the lawyers at the office of the DPP believe her – though in 2021 they concluded that a prosecution would not succeed.

'I would like to emphasise that it is not a question of belief,' the deputy chief prosecutor, Catherine Pierse, wrote to Karen. One problem, it

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seems, is 'a line of case law' that makes it unlikely the DPP can prosecute successfully in 'circumstances where it had previously directed no prosecution'.

Another issue, according to the DPP, was that 'no new significant evidence had come to light' since the original investigation in 1986.

But something has come to light that was not part of the original DPP's assessment and this questions the DPP's assertion that there is no new evidence.

In 2020 Karen uncovered the 1986 video in which she told her story to a trained child abuse expert at the Rotunda Hospital sexual abuse unit.

Karen has a letter from the superintendent in charge of the investigation confirming that the recent file that was sent to the DPP included this video. She also has notes from social workers dealing with the case at the time.

The superintendent wrote: 'This recording and the notes were not included in the original investigation file in 1986/87.'

He added he was unable to say why this material had not been included in the original 1980s investigation file that gardaí sent to the DPP.

Now Karen wants to know why the DPP is telling her there is no new significant evidence when cold case gardaí told her the video was vital new proof.

ongoing abuse to her mother in 1985.

After the family GP was consulted, Karen was temporarily sent to a local hospital.

The case files record the GP as saying: 'It would be best to admit her for a few days in order to relieve the situation at home.'

According to Tusla's review, this hospital stay was 'short term' and 'there was no evidence of a medical report in the case notes'.

Afterwards, Karen was 'discharged home and referred to a local Child Guidance Clinic.'

This was the equivalent of what is today known as a Child and Adolescent Mental Health Service (CAMHS).

But it appears the clinic did little to protect Karen, who was then subjected to further ongoing abuse when she was returned home.

This represents a second missed opportunity to protect Karen from further abuse at home.

The following year in 1996, when she was aged just ten, Karen made the last of several attempts to run away from home. She banged on the door of a country house in the rain and in the middle of the night to ask for help.

This time gardaí were notified about the abuse at home and Karen went to live temporarily with an elderly relative.

A file was prepared for the DPP. But in November 1986 the DPP

'There was no reference to a case conference'

decided against a prosecution. Evidence in the case file included the notes from Karen's attendance at the Rotunda's Sexual Assault Treatment Unit.

The files included details of medical examinations and clinical therapy undertaken which 'validated' Karen's disclosure of abuse.

But, crucially, they did not include the video of Karen's direct testimony.

The specialised doctors at the Rotunda unit concluded 'quite definitively that Karen has been extremely sexually abused by her adoptive father over a period of 2/3 years'.

The Rotunda's experts also noted 'Karen had developed 'bed wetting' and other associated issues (such as anxiety) relating to her alleged abuse and her experiences leading up to her admission into care'.

According to Tusla's review, the SATU clinic 'expressed concern about the safety of her half-siblings who remained in the family home.'

Tusla's PASM review 'could not find any consideration of the safeguarding arrangements for Karen's half-siblings, who appear to have remained in the family home'.

Instead, the review found only 'limited evidence of compliance' with child protection guidelines on the part of the health boards.

Tusla's review reads: 'There was no reference to a case conference in the case file records reviewed.'

'Karen's half-siblings appear to have remained in the family home, however, the safeguarding measures in this regard cannot be determined from the case file records we received.'

After running away and making her third disclosure, Karen was placed into a foster home and later moved to a residential institution in Dublin.

In its recent review, Tusla was unable to find evidence of what, if anything, the child protection authorities did to safeguard Karen and her siblings at the time.

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COMMENT OVERLEAF

TELLING OF ABUSE AT HOME

SPEAKING OUT: Victim 'Karen' as a young girl

She also speaks of being threatened by her stepfather. 'When it started he said something awful would happen to me if I told anybody,' she says.

'Then when I told my mother when I came back from holidays, he told me that the marriage would break up and all the kids would be put into homes and everything. He got me that evening to tell her it was all a lie. 'So did you say to your mum then that it was a lie?' The psychiatrist asks.

'Yeah I did.'

'That was hard on you, wasn't it? How old were you then?'

'Ten,' Karen answers. She also speaks of

being forced into abusive acts. 'When I didn't want to do it, he kind of forced me to do it.' 'Did you ever ask him to stop?' She is asked.

'Yeah and I told him I didn't want to do it and he said it would help me to stop wetting the bed but I kind of wet the bed more then.'

At some point Karen's stepfather began rewarding her. 'When he did it he used to give me a pound for myself but I only figured out now that was for doing that,' she says.

'When I started saying no then he'd force me to do it and he'd give me the money afterwards.'

She is then asked: 'What's the worst thing about it all for you,

what's the thing that upset you most about it?'

'I don't know really,' Karen answers.

'Did you feel any different to everybody else?'

'Yeah,' she responds. 'But I didn't know if it was happening to everybody else, but I don't think it was. I always heard of stepfathers doing it, but I've never heard of fathers doing it to a child.'

'Then it really hit me when he said he wasn't really my father. It just all fit together.'

'You felt then that he was using you – which you didn't really feel until then?' the doctor asks.

'No I didn't – I thought it was for my own benefit.'

Tusla's review confirms: 'The Midland Health Board and Longford Westmeath Community Care

Area (CCA) was not involved and there was no record of therapeutic intervention with Karen.' This rep-

resented a missed opportunity to discover Karen had also been abused by her stepfather, a mem-

ber of the Defence Forces, since she was eight.

Karen eventually disclosed this



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THERE was a time when hundreds of thousands of chickens would have occupied the five cavernous grow houses on Alo Mohan's farm.

But today the Cavan facility lies idle, the red, wood-panelled chicken houses eerily quiet.

He's used to it now, but the silence is the first thing that struck Mr Mohan when he lost his contract supplying Manor Farm chickens almost a decade ago.

'I walked into my farm and there was no sound in it,' he recalls. 'That was a very low point. I was worried whether I'd have enough money to pay my loans and keep my family going and whether I'd have to sell the farm, so at the very start, that was very hard.'

Today, Mr Mohan is known in farming circles as a whistleblower, and he has paid dearly for it.

It's because of his refusal to be part of something he knew to be wrong: we now know chicken processors were able to manipulate and abuse the VAT regime to earn millions at the expense of taxpayers.

As revealed in last week's Irish Mail on Sunday, the authorities failed to act for years, despite Mr Mohan's warnings, as they allowed the sector to claim up to 1,000% more VAT than they should have.

In losing his business, Mr Mohan continues to pay a heavy price for

'I won't let politicians throw me to the wolves'

his stance. But despite his actions, he insists: 'No, I'm not a whistleblower – I'm a citizen who refused to be part of fraud.'

He is referring to tax abuses that have been branded a fraud in the Dáil and the EU Parliament, which involved VAT being claimed on the double through farming co-ops.

The co-op 'fraud' augmented another scam in which feed prices are manipulated to earn millions more in unjustified VAT. Processors denied this financial wizardry, at the cost of the Exchequer, was fraud when it was introduced.

But as then chairman of the Poultry Committee of the Irish Farmer's Association, Mr Mohan wasn't convinced. So he checked with his accountant, who told him he believed the system amounted to VAT fraud.

A second opinion, from a former Revenue Commissioner, came to the same conclusion. So Mr Mohan did what he regarded as the right thing. 'Every person that does their taxes correctly – or doesn't commit fraud – they're not whistleblowers,' he says.

'They're just ordinary citizens. And I'm just an ordinary citizen who refused to be part of fraud.'

Watching him in his yard, as he produces a flask of boiling water from the cab of his Toyota Hilux and dunks a tea bag into a mug with his fingers, he certainly looks every inch an ordinary citizen.

Fifty years old, a father-of-four, Mr Mohan is a Liverpool supporter and music fan who likes the The 4 Of Us. His eldest is sitting the Leaving Certificate exams this week.

Mr Mohan grew up in Clones, Co Monaghan, one of a family of six girls and three boys whose parents ran a small chicken farm.

The family revolved around one of the girls who had cerebral palsy,

Poultry farmer Alo Mohan on how he lost his busin

'I am not a whistleblower or soft in the head – I'm a citizen who did not want to be part of a fraud'

and when his father took ill, Mr Mohan – who wanted to be an engineer – stepped up to run the farm.

'I realised that somebody had to take the farm at that stage and I done it,' he says simply. Certainly, he comes from a different world to that of the millionaire owners of the processors he blew the lid on. But there is little ordinary about this man. When informed the scam was improper, he did what no one else did. He refused to take part.

'I said, 'I'm sorry, I can't trade like that''.

Coming home to his wife and four children, he understood what the decision meant.

'I'd say, "We're in trouble here. We've a big decision to make. Are we going to do this knowing this is fraud?" She said, "We've always done the right thing and we're going to continue to do that".'

'We sat the kids down as well, and we said to them, "There's two things

– you can either have your father accused of being a participant in fraud or you can have him being the person that stood up to fraud".'

Once the decision was made, Mr Mohan never wavered. When he was asked to stay quiet, he refused to sign a non-disclosure agreement.

'Scariest thing was when we got a murder threat'

And since then, Mr Mohan has refused to remain silent. Instead, the silence is among the processors involved in the scam, farming leaders who knew about it and political representatives who allowed it to continue.

Scandi Standard, the massive Swedish PLC which now owns Manor Farm, has also remained

silent. Most within the sector would rather if Mr Mohan went away. But that's unlikely.

'I can tell you one thing,' he promises. 'I won't let civil servants and politicians throw me to the wolves. And if that means I'm taking them on; I'll take them on.'

True to his word, he is seeking to sue Revenue for malfeasance for its failure to heed his warnings. But his resolve has come at a price.

Mr Mohan was once a Fianna Fáil councillor, a board member of An Bord Bia and a leadership figure in the Irish Farmers' Association (IFA). He was part of the establishment that has now blacklisted him.

But Mr Mohan was not built for the cute hoor politics of Ireland.

'I was told by one of the ministers that I was too honest for politics,' he says of his old party, which he says once asked him to run for the Dáil. The kind of cronyism he encountered while in politics included a

STATE IGNORING FARM 'VAT SCAM' WORTH MILLIONS

HEADLINES: How the Irish Mail on Sunday broke the scandal last week

stint on the local Vocational Educational Committee, where politicians were lobbied by those seeking teaching jobs.

'I was one of the people that voted to take that power away from the political level and give it to the experts,' he says.

Some think of Mr Mohan as a sort of Holy Joe, but he doesn't regard himself any more or less religious than other people.

A leading IFA figure once told him, 'You did this for ecumenical reasons', in reference to the stand he took.

'It's a fantastic word,' says Mr Mohan. 'But I said no, I did it

Less for standing up to VAT scam



UNBOWED: Alo Mohan in one of the closed chicken barns on his Cavan farm this week

Hearings planned into State's failure to shut down scam

By **Michael O'Farrell**

INVESTIGATIONS EDITOR

THE Oireachtas Finance Committee plans to hold hearings into the Government's failure to shut down the massive farming tax scam in which the poultry sector over-claimed VAT by as much as 1,000%.

The revelation comes as the European Commission considers whether the Government's inaction amounted to a breach of EU rules. The State could face hefty fines if it is found the tax abuses amounted to illegal State aid.

The full scale of the VAT abuses in the poultry sector were revealed the Irish Mail on Sunday last week.

Our investigation showed how growers for household brands – such as Manor Farm and Western Brand – manipulated the flat-rate allowance (FLA) scheme to harvest millions of euro in extra VAT.

The scheme was supposed to allow farmers not registered for VAT to be compensated for their VAT costs.

But, according to Revenue files obtained by the MoS via the Freedom of Information Act, the scheme was 'universally' abused via a feed manipulation scam.

A second scam involved co-ops being established to allow VAT to be reclaimed on the double.

This manipulation enabled the poultry sector to claim between five and 10 times more VAT they were entitled to.

Revenue is also concerned the abuses could have migrated to other agricultural sectors, such as the larger beef sector – with far greater consequences for the Exchequer.

On foot of a request from Aontú leader Peadar Tóibín this week, the Oireachtas Committee on Finance, Public Expenditure and Reform is preparing to hold hearings into the matter.

The committee will meet in private on Wednesday to consider inviting officials from Revenue, the Department of Finance and the Department of Agriculture before public hearings.

Committee chair John McGuinness said he was in favour of public hearings and warned the issue could have 'wide-ranging' impacts.

The Carlow-Kilkenny Fianna Fáil TD told the MoS: 'There is something afoot there, that we do need to understand and investigate.'

Alo Mohan, the Cavan poultry farmer who lost his business when he refused to engage in the VAT scam, welcomed the prospect of Oireachtas hearings and

confirmed his willingness to attend. Meanwhile, the European Commission is investigating if the Government's failure to clamp down on abuses of the FLA scheme in the poultry sector amounts to breach of European tax law.

The EU first engaged with the Irish authorities in 2016 after then MEP Marian Harkin lodged a formal complaint.

But that process concluded in 2017 when Ireland passed a law empowering the finance minister to exclude any offending agricultural sector from the FLA scheme.

As the EU saw it, there was no longer a possibility of any EU breach since Ireland had amended its legislation.

But the Government never implemented the law, despite Revenue's concern about the abuses.

In April, when the MoS began investigating the abuses, an EU official said: 'In case new evidence comes to light on this matter, Commission services will examine it and decide about any further steps to take.'

This week, we forwarded all of the evidence released in Revenue and Department of Finance Freedom of Information records to the Commission.

In response, a Commission spokesman accepted the material and promised to respond once it has been considered.

If the Commission opens an infringement procedure, it can refer the matter to the EU Court of Justice.

A court ruling against Ireland would compel the authorities here to take action and Ireland could be fined to compensate for the loss of resources resulting from any breach.

Despite our revelations and the potential financial consequences for the Government, Agriculture Minister Charlie McConalogue continues to refuse to address the issue.

In 2021, Mr McConalogue was asked by Mr Tóibín in the Dáil about the poultry sector 'VAT fraud', and how it could amount to 'illegal State aid'.

But Mr McConalogue refused to comment, saying it would be inappropriate to do so.

This week, the MoS asked Mr McConalogue, via his department's press office, to comment on the VAT abuses, but he again declined.

because my accountant told me it was fraud.'

Many simply considered him mad, or tried to portray him as such.

'He's hit his head,' one political figure was fond of telling others. 'He's not well.'

'Poor Alo. I feel sorry for him,' one leading industry figure mockingly told the MoS in recent weeks.

'That is kind of a go-to thing that happens in Ireland,' Mr Mohan says.

'The quickest way is to say that the person is mentally unstable, which is a sad reflection for mental health. But it is also playing the man rather than the ball.'

'Nobody wanted to debate the issues; they all wanted to debate the person and this whole thing isn't about me. It's about the actual issues, and about how people are willing to cover up things.'

But being branded crazy and losing his business were not the worst

possible consequences. First, a garage and a veranda at one of his properties was set alight. 'That was kind of a signal,' says Mr Mohan.

But there was worse to come.

'I'd say the most scariest thing of all of this was when we ended up getting a murder threat,' he added.

The threat came as Mr Mohan was preparing court proceedings against the IFA and Revenue. There were many who did not want the spotlight any such case would bring.

'If you go to court, you'll be taken out the same way Liam Lawlor was,' was one warning conveyed to him.

'My fear was for my family, not for myself,' he says now with a shrug. 'I don't cower easily.'

'The guards, they confirmed that the threat was made, and they sent a squad car up to our house four times a day for a number of days.'

'My youngest girl was only starting school and she started to cry,

saying, "Daddy, what did you do wrong that the guards are up?" and that really hurt me. It hurt me to the bone because that meant I was the one being persecuted and here was the State protecting me.'

Ultimately, the threat was hollow. But nine people were arrested later

'Fear was for my family. I don't cower easily'

when Mr Mohan's home and another property were daubed with graffiti. None were prosecuted, although a number of juveniles were cautioned.

Others, including some public figures who supported Mr Mohan, were also threatened, and he believes they backed off as a result. But some, including public officials,

reached out to help privately.

There was a discreet call from a senior civil servant with earnest advice. Another individual quietly supplied paperwork to help Mr Mohan prove the scams.

'That let me know that they absolutely knew it was wrong,' he says.

Such files also enable the publication of articles like this one. But they were not enough for the Competition Authority, the gardaí, the Central Bank and various other State bodies to act.

'It really hurt me that people in regulatory bodies – in officialdom in Ireland – and politicians, could ignore all of these issues,' says Mr Mohan. Asked what he believes should happen now the true scale of the VAT scam has been exposed, Mr Mohan replies, 'I think at this stage now we have to outline exactly what has happened and why this is fraud, and let people make up their own judgement.'

According to Mr Mohan, the people who designed the scams and benefited – rather than the farmers who were forced into them – should have to fund any overcompensation. But he's not naive enough to think this will happen.

'Unfortunately, what will happen in Ireland if the EU Commission come in, is that the taxpayer will foot this,' he says.

That won't make him any more popular within poultry farming circles but Mr Mohan, who has already lost so much, will remain true to his word.

'Your word is the only thing that you really have in life,' he insists.

'That means something when you go into business, it means something when you're with your friends and it means something when you ask somebody to do something... I think that's very important.'

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