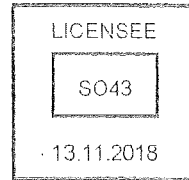


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Record no: 7167 2018

DUBLIN CIRCUIT

COUNTY OF THE CITY OF DUBLIN

IN THE MATTER OF SECTION 28, 30 AND 33 OF THE DEFAMATION ACT, 2009

BETWEEN

RACHEL MORAN

Applicant

and

GAYE DALTON

Respondent



AFFIDAVIT OF RACHEL MORAN

I, Rachel Moran, Executive Director, of [REDACTED] Baldoyle, Dublin 13 the Applicant herein, being 18 years and upwards hereby make oath and say as follows:

1. I am the Applicant in the within proceedings and I make this Affidavit from facts within my own knowledge save where otherwise appears and where so otherwise appearing I believe the same to be true.
2. I beg to refer to the Originating Notice of Motion and say that as appears therefrom the within proceedings relate to numerous false and defamatory articles and statements made and published by the Respondent of me, though in particular an email dated 9th April, 2018 [10:45] authored by the Respondent and which she sent to Admin; sct@amnesty.org.uk; jo@samaritans.ie and further courtesy copied same to the Minister for Justice Charles.flanagan@oir.ie. However, I say that the Respondent for a number of years has engaged in a campaign of false and defamatory statements of me. The said false and defamatory statements are contained in the documents and publications which are scheduled to the Originating Notice of Motion herein and at this time comprise, as best I can, the numerous publications

where I have identified such false and defamatory statements made of me by the Respondent.

3. By way of background I say that in my teenage years I became homeless due to mental illness within my parents. Within one year of becoming homeless and by the age of fifteen, I was engaged in prostitution on the streets of North and South Dublin, frequented by prostituted women and girls at that time, being the early 1990s, such as Benburb Street, Waterloo Road and Burlington Road. However, at the age of twenty two I managed to extricate myself from prostitution, return to education at the age of twenty four and thereafter received a degree in journalism from Dublin City University. I beg to refer to a true copy of the transcripts of my University results pinned together and upon which marked with the letters "RM1" I have signed my name prior to the swearing hereof.
4. Thereafter, in early 2012 I commenced blogging about my experience of prostitution in Ireland and from the commencement of this I was subjected to various unknown personnel casting doubt over my history and credibility, though in particular the Respondent. I say that in 2013 I published a Memoir "*Paid For*" and this only accelerated the false and defamatory statements made of me by the Respondent.
5. I say that over the years the Respondent has engaged in defamatory tweeting of me and I beg to refer to a series of these tweets epitomising the false and defamatory statements by the Respondent and upon which pinned together and marked with the letters "RM2" I have signed my name prior to the swearing thereof. As can be seen within these, the Respondent makes statements to the effect that I am a

"shameless fraud";

"think you can safely assume fraud at Rachel R. Moran";

"Moran is one of those crooks who will do literally anything for money – why should she care who hurts or does? She can't"

"@NickOsbaldiston Moran was never in the industry"

"@irishtimesvideo Moran isn't a "sex trade survivor" she is just a vicious self serving fraud"

"Rachel Moran you are a complete fraud profiting from harming sexworkers"

"NB Rachel Moran was never really in the "Dublin Sex Trade" it's all a lie"

"Well known @RachelMoran hopes she will be able to scam some money and five junkets out of Italy";*

"I wish @Daily Mirror would investigate and expose vicious, harmful, frauds like @RachelMoran and the NGOs that knitted her #KeithVaz".

"Yes, a pack of greedy, spiteful little frauds who sold #sexworkers lives out along with their souls"

"@amnesty Fraud @RachelMoran doesn't even stick to same lies – 2 days ago she claimed this – ignore her"

"Ignore her, she makes a good living with free travel and loads of attention out of bullying and persecuting sex workers and that is all she is capable of caring about. The fact that innocent women are seeing their lives destroyed because of her isn't even on her radar"

"@EleanorClift Sorry to bother you by Rachel Moran is a total fraud lying for gain"

"Everything Moran says is untrue"

"Rachel Moran's whole story is a fraud and I know it, as an eye witness. But she was trying to distract you from the truth"

"She is a liar, a bitch and a bully and she was never even a sex worker. It's all a big fraud...one of many in this issue"

6. Additionally I say that the Respondent purportedly swore a Statutory Declaration on 26th February, 2014, again which accused me of engaging in deceit and making financial advantage out of my alleged deceits. I beg to refer to a true copy of this Statutory Declaration and upon which marked with the letters “RM3” I have signed my name prior to the swearing hereof.
7. Additionally, I refer to seven links to blogs/articles and/or statements of the Respondent Scheduled to the Originating Notice of Motion, which also engage in false and defamatory statements of me and I beg to refer to true copies of same upon which pinned together and marked with the letters “RM4” I have signed my name prior to the swearing hereof.
8. Furthermore I say that the Respondent has saw fit to upload onto YouTube a series of videos and again the references to these are given in the Schedule to the Originating Notice of Motion. However, I say that I have managed to make a compilation of the false and defamatory statements made by the Respondent in the course of these videos. I can arrange for the playing of this compilation at the hearing of my Application. However, in the course of these video clips the Respondent persists in continuing with her false and defamatory statements, with statements such as:

“Rachel Moran, a fraud, utterly without even conscience – just making money out of harming a couple of thousand women who are utterly desperate”;

“Everybody knows she’s a fake”;

“Rachel Moran is a fraud”;

“Rachel Moran is one lie among many”.

“Either sell sex or become Rachel Moran – a liar – for life”.

9. As a consequence of the ongoing campaign by the Respondent and in particular arising from the email of 9 April, 2018, which appeared three days after I had spoken on the Late Late Show, on Friday 6 April 2018, I say that I instructed my Solicitors to correspond with the Respondent calling on her to

desist from further publications and calling on the Respondent to apologise, amongst other things, and I beg to refer to a true copy of this correspondence dated 26 June 2018, and upon which marked with the letters "RM5" I have signed my name prior to the swearing hereof.

10. By email dated 26 June 2018, the Respondent replied to my Solicitors correspondence attaching a copy of the Statutory Declaration exhibited at "RM6" and stating that:

"That is the truth deposed on oath and penalty of perjury and I cannot retract or apologise for it, now or ever".

11. Arising from this it seems that the Respondent posted a copy of my Solicitors correspondence on her twitter account on 27 June 2018 and stated:

"I will never retract anything, except opinion and that only if shown hard or sworn evidence to convince me my opinion was mistaken."

12. On 28 June 2018, the Respondent posted a series of tweets to the effect that she was deleting any tweets relating to me that could be deemed pejorative or abusive rather than purely factual and commented:

"No intention of hiding or denying anything but I want to minimise what I may have to ask a Judge to accept to show respect for law".

I beg to refer to a true copy of the aforementioned tweets upon which marked with the letters "RM7" I have signed my name prior to the swearing hereof.

13. I say that on 29 June 2018, the Respondent also posted an article at My Myth Buster entitled "#Sue Me Moran" and referring to the aforementioned Solicitor's letter and I beg to refer to a true copy of this article and upon which marked with the letters "RM8" I have signed my name prior to the swearing hereof.

14. I say that as can be noted, I have appeared on Irish television recounting my experiences and indeed have also given interviews on television and radio, including radio in Britain, Europe and the United States, in this regard as well.

15. I say that the statements of the Respondent clearly refer to me and are untrue and defamatory of me and further are extremely damaging given my status as a qualified Journalist, public speaker, Executive Director and the author of the Memoir referred to.
16. I say and believe that the Respondent has no defence to this Application, epitomised by the fact that the Respondent in the more recent tweets acknowledges referring to deleting tweets. However, the truth of my being involved in prostitution is that now retired Garda Sergeant Alan Bailey, has confirmed that he arrested me at a brothel on 16 July 1992 for prostitution. I can arrange for the playing of a video of my meeting Garda Bailey and discussing my arrest at the hearing of my Application.
17. I say that the Respondent nevertheless has failed, refused or otherwise neglected to even formally reply to the said request for an apology, correction or retraction.
18. Consequently, I pray this Honourable Court for Orders pursuant to Section 28, 30 and 33 of the Defamation Act, 2009 as amended, together with such further or other Order as to which this Honourable Court may deem meet, including an Order providing for the costs of this Application.

SWORN by the said RACHEL MORAN
this 13th day of November
2018 at St James House,
Adelaide Road

in the County of the City of Dublin before
me, a Commissioner for Oaths/Practising
Solicitor and I know the Deponent/is
identified to me by Caral Leahy
who is personally known to me /
whose identity has been established by
reference to a relevant document
containing a photograph.

Rachel Moran
RACHEL MORAN

Donna Durkin
COMMISSIONER FOR OATHS /
PRACTISING SOLICITOR
Donna Durkin
Commissioner For Oaths

Filed by Lavelle Solicitors of St James' House, Adelaide Road Dublin 2 this day
of 2018 on behalf of the Applicant.

THE CIRCUIT COURT

Record no: 2018

DUBLIN CIRCUIT

COUNTY OF THE CITY OF DUBLIN

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BETWEEN
RACHEL MORAN
Applicant

And

GAYE DALTON

Respondent

AFFIDAVIT OF RACHEL MORAN

Lavelle Solicitors
Solicitors for the Applicant,
St. James House,
Adelaide Road,
Dublin 2.