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STARDUST SOLICITOR
Darragh Mackin delivers
justice for the long-suffering
families of the tragedy



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The **UGLY** **TRUTH**

'The truth is often ugly. That's why it gets buried.' Solicitor Darragh Mackin has finally helped to deliver justice for the Stardust families after a 43-year delay. He pulls no punches in his interview with Mary Hallissey

Truth, justice, and accountability for a troubled past – these are solicitor Darragh Mackin's watchwords. He has been described as the hero of the Stardust fire story. As the families' lawyer, Mackin has scored a notable victory in their long and dogged battle for justice and truth for their loved ones.


The solicitor believes that the truth is often ugly. That's why it gets buried, with processes used to subvert it.

But reconciliation to an often complex and ugly past means acknowledging wrongdoing and then apologising, he says. "Truth comes first, and it's the most important cornerstone of any functioning democracy and justice system. If you're not telling the truth, how can you say sorry for what has been done?"

The solicitor's grasp of the potential use of the inquest system to right historical wrongs was pivotal in finally wresting an apology from the State and Taoiseach Simon Harris. The apology came 43 years after the events of that tragic night on Dublin's northside, on 14 February 1981.

The Stardust families didn't have confidence in the justice system because they were shut out, and the truth buried deep, the solicitor says.

Mackin praises Simon Harris for taking the time to meet the families in person and to acknowledge the humanity of the dead. The Taoiseach read short biographies of each person who died in the blaze in his speech to the Dáil on 23 April. This engagement and response was a mark of humanity, Darragh Mackin says. "The State recognised that something really bad had been done."



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Making a difference

33-year-old Mackin is from Camlough near Newry, Co Down, equidistant from both Dublin and Belfast, and feels equally at home in both cities.

The married father of two grew up with a strong awareness of both human-rights abuses and State violence in the North in the years prior to the peace process. There was no tradition of law in his family but big community involvement – a park in Newry is named after his late grandfather, community volunteer Jack Mackin.

His primary-school principal father steered him towards law at the University of Ulster as a means of helping his community.

“I wanted to help people. I just liked the idea of working with people to make a difference,” Mackin says. “When I was growing up, I consistently heard stories about my grandfather. At a time of huge conflict, he was trying his best to ensure that children would have access to sport. He was a great believer in justice and children’s rights, at the time.”

Darragh spent a couple of college years “partying and having a great time” until he met his now wife Ciara.

“Ciara had a clear path for where she wanted to go. She helpfully brought me into line and made me start thinking about trying to get some legal practice,” he says.

In second year, Darragh’s college attendance was so poor that he was threatened with expulsion – a fact he now jokes about with former lecturers at University of Ulster dinners.

Changing everything

With no legal connections, Darragh secured an internship through Kevin Winters (KRW Law), a fellow alumnus of St Colman’s College in Newry.

“I emailed him out of the blue and said: ‘We went to the same school, is there any chance you’d take me in and give me a go?’”

That email resulted in two weeks’ work experience, which led on to summer work and, eventually, a full career in law.

Putting the black-letter undergraduate law he had absorbed into actual practice changed everything for Darragh: “Once I got into practice, it completely changed who I was and it changed for me what law was about,” he says. Using his legal knowledge to make a difference in people’s lives made it real.

He gave up on the idea of a corporate



lifestyle to focus on being a criminal lawyer, initially working with troubled youths and prisoners: “Human rights and criminal justice in prisons was where it started, and that spun naturally into human rights with a focus on the past,” he explains.

He acted in cases where the dead had been wronged by the State, such as the shooting in August 1976 of 12-year-old Majella O’Hare, and the killing of the Reavey brothers – Anthony, John Martin and Brian – in Armagh the same year.

“These were circumstances where, in a functioning democracy, you should never need a lawyer to get what the families wanted – truth, justice, and accountability. Unfortunately, in the North, it doesn’t happen like that, and you are forced to go to court.”

Sword or shield?

Darragh says he quickly discovered the purpose of human rights – to make a real-life difference.

“Is the *European Convention on Human Rights* a sword or a shield? It’s effectively both – it protects people but, equally, when

the State does wrong, it can be used as a sword.”

Mackin saw the potential of the coroner system for uncovering the truth of what happened at the Stardust on that terrible night of 14 February 1981, when 846 patrons were admitted, some underage but most between 18 and 25.

“In my view, the wrong answer was being given because the wrong question was being asked,” he said of previous Stardust inquiries.

“I had seen at first-hand how the inquest system works. The coronial system, when it works, works very well because it puts families at the centre of the process. It now has the additional protections of the *European Convention on Human Rights*, which means that it has more teeth than we would ordinarily associate with an inquest.

“It would give the families access to the documentation at first hand, and access to their own experts. For me, it was an obvious avenue to take,” he says.

Entirely innocent

“The reality, when you look at the first inquiry, is that it just beggars belief how the



WHEN THE TAOISEACH APOLOGISED, HE MADE IT CLEAR THAT THERE WAS NEVER ANY EVIDENCE OF ARSON, AND THAT THESE PEOPLE WERE ENTIRELY INNOCENT. IN THE STORY OF THE STARDUST, THAT FACT IS ALMOST LOST. THE DAMAGE THAT HAS BEEN DONE IS UNTOLD. IT UNDERLINES THE IMPORTANCE OF TRUTH RECOVERY

conclusion of probable arson was ever reached. Looking at the report, it's clear there was no evidence of arson," he said.

"People forget the damage that the arson finding did. It criminalised all these families, and all these victims. People who had suffered life-changing injuries – was it one of them who had started this fire?

"People forget the damage that stigmatisation did," Mackin says. "When you speak to the families, it's the one thing that consistently stands out – the hurt that that caused.

"When the Taoiseach apologised, he made it clear that there was never any evidence of arson, and that these people were entirely innocent. In the story of the Stardust, that fact is almost lost.

"The damage that has been done is untold. It underlines the importance of truth recovery."

Locked doors

That the locking of nightclub exit doors was not uncommon in the pre-Stardust era is contested by Mackin.

"Firstly, it's debatable whether it was common practice. Secondly, there were clear bye-laws in place that it should not be done. Thirdly, the chains remained on the doors while people were on the premises, and that contributed to the loss of many, many lives.

"While people may say it was common practice, it was never acceptable to put metal plates over toilet windows – it was tantamount to a fortress. To this day, those photographs of handprints on the windows will never leave my mind."

Mackin believes that, given the evolution of human rights, people are more likely to stand up against the status quo and fight for truth and justice.

"The Keane Inquiry's greatest strength was its greatest weakness. It was fixated on expedition and expediency, turning this inquiry around within days. It was the wrong

approach in a case like this," he states.

The circumstances were that many families were either still grieving or physically recovering in hospital and were in no state to try and find or establish the truth, when their input would have been invaluable.

"That is a symptomatic factor, in the fact that the inquiry almost continued being driven by lawyers, rather than the families themselves."

The beauty of the rule of law is that the Stardust owners were fully entitled to test the lawfulness of the verdict, Mackin adds. However, the timing – after closing submissions, but before the jury went out – risked the jury being discharged and the entire process being halted, he says.

The timing of the second judicial review to halt the inquest finding of unlawful killing, taken by Stardust owner Eamon Butterly, was "disappointing and frustrating", he adds.

Redress mechanism

Redress has never been an important factor for the Stardust families, Mackin says. They wanted an acknowledgement and an apology for what happened.

"Given that an apology has been delivered and the truth has now been told, the next part in the reconciliation process is that the State ensures that they are compensated for the damage that has been done to them for all those years," he says.

His firm, Phoenix Law, is engaging with the Government to see what redress mechanism will work best in an unprecedented situation: "For me, this requires something totally different – and that payments are made to these families in a way that reflects what they've been through."

The families are the heroes of this story, their lawyer states. "They became much, much more than clients to us, we were truly privileged to act for them. They would have done anything for us, to make us welcome. They genuinely

became lifelong friends.”

He salutes the dogged determination and unparalleled commitment of the families: “Many people would have given up after one decade, never mind four,” he says. “They are absolutely incredible people. When you are on the right side of the truth, you’re never going to lie down.

“These families are now at peace with what they have achieved, knowing that their loved ones are no longer a number. The truth has now been told. They were innocent and they were unlawfully killed. For me, that has brought all those victims home.”

Clear vision

Mackin was one of the founders of Belfast-based Phoenix Law, moving on from KRW Law in 2018. Then 27, Darragh had a clear vision of what he wanted – a niche human-rights law firm that would work on an international stage but retain a commercial feel.

The initial six-strong team has now grown to 37 and the firm has taken instructions globally. Phoenix Law has no one lawyer’s name above the door and operates a democratic structure. Every member of staff has a say in the direction the firm takes and, uniquely, none of the staff has a family background in law.

As the father of two infant daughters, Darragh wants to also acknowledge the wider family sacrifice for a lawyer taking on a long and intense case, such as the Stardust inquest.

“We can never forget the family members who *aren’t* on the front line – it’s the families who deal with that commitment, and don’t get the credit they deserve.”

The only way to take on the Stardust case was to commit the time and to work in Dublin from Tuesday to Friday each week, he says: “We basically ran everything from our hotel [the Mayson Hotel on Dublin’s quays], and the staff were so good to us.”

In from the cold

He pays warm tribute to Dublin City Coroner Dr Myra Cullinane, who “brought the families in from the cold”.

“The families had no faith in the system, and she restored that faith by making sure they were listened to and given a fair crack of the whip,” he says.

A GOOD MAN CAME ALONG

Antoinette Keegan is a Stardust survivor who has campaigned relentlessly for justice for the 48 dead, which included two of her sisters, Mary and Martina.

She sings the praises of Darragh Mackin for his endeavours on behalf of the families. “He came and rescued us,” she said. “My late mother actually adored him, she used to say ‘Darragh is going to win it for us’.”

Antoinette recalled the families’ efforts to raise money for legal representation in the dark days after the blaze. In those early days, they borrowed the then-enormous sum of €1,000 from the bank, paid back with interest, to pay their first solicitor. They later did bucket collections in “hail, rain and snow”, as well as running evening functions. Antoinette describes fundraising to pay expert witnesses, lawyers, researchers, and pathologists – all without legal aid.

Abandoned by the State

“We were on our own. We were left stranded, abandoned by the State, like lambs to the slaughter. I used to have nightmares if I walked down there [Stardust site],” said Antoinette. “And we’ve got justice now.”

She recalls her late father John, who was superstitious, asking his four eldest children not to go to the disco, because it fell on Friday 13th.

Antoinette said everyone looked beautiful that night, dressed up for the disco-dancing competition. “It was a night that we had built ourselves up for.”

No charge

In 2017, after years of fruitless campaigning, a good man came along.

Solicitor Darragh Mackin’s telephone number was given to Antoinette by Senator Lynn Boylan, saying he wanted to help.

“And I said, how much is he going to charge? And I was told, he’s not going to charge anything; he wants to help us.”

Antoinette brought all her paperwork to that first meeting with Mackin – the various reports, as well as the coroners’ reports on her sisters Mary and Martina. “I kept asking for reports because I was with them that night, I was the last person with [the dead] that night, and I wanted to know what happened to them,” Antoinette said.

Darragh Mackin looked through the reports and pushed them all aside.

He said: “We’re not going to look for a new inquiry from the Government. We’re going to look for the inquest to be reopened.”

“I said, ‘I’ve already done that, Darragh’, and he said, ‘let me try’,” recalled Antoinette.

New inquest

The families gathered 48,000 signatures requesting a new inquest in the public interest. In March 2019, an application was made to then Attorney General Seamus Wolfe.

A 37-page submission was filed by Phoenix Law on behalf of Antoinette Keegan and relatives of 42 of the 48 people who died in the fire. The Attorney General granted the request, saying the case was similar to Hillsborough.

Antoinette believes this wouldn’t have happened without Mackin’s input. “The Attorney General would never have done that if it wasn’t for Darragh Mackin. He’s an absolutely brilliant solicitor and I commend him. I will thank him until the day I die, for coming a long way, and helping us. We would never have done it without Darragh Mackin and all his legal team. We were always up against the State and we always lost.”

Antoinette also points to Mackin’s success in getting legislation through

for payment for a new inquest jury. Antoinette's campaign was always for her two sisters, and the 46 other victims, though many didn't know each other before the fire. "We became one big, huge family, united in grief for the biggest disaster in the history of the State."

After years of closed doors, knock-backs, and blank refusals to engage, Antoinette is now feeling stronger. "The insults that were thrown at us over the years were disgraceful. My mother was told by an official that she had two less mouths to feed.

"How dare they speak to my parents that way about their loved ones. That's what gave me the determination. It was shocking the way we were treated."

There were times Antoinette felt like giving up. She credits her parents' determination to never let the injustice go, and carried on their campaign after they died. "Darragh Mackin didn't leave a stone unturned. He was absolutely brilliant in everything he did for us, and never asked for one cent. He said, 'I don't care about money, I know I'm going to win this'.

"What a fantastic job he did for us, I'll keep thanking him until the day I die. He is one brilliant solicitor and I'll never take that away from him. No words can show the gratitude that my family has for him. It was a long road and it wasn't easy. It cost – emotionally, psychologically, physically, and financially, and it cost time," she said.

The most hurtful part was being told by officials to go home and get over it. "They knew quite well all along that this was all wrong. But they closed the door on us, until a human-rights solicitor came along. I just class him as the best solicitor I've ever met in my whole life.

"I recommend him to anyone who has a human-rights problem against the State. He helped us so much. It's immense."



The sharing of pen portraits of the dead was novel, and Mackin hopes that the practice will continue in future inquests.

Has the State learned lessons from this?

"Let's learn *this* lesson," Mackin says, pointing to the previous practice of garda selection of jury members for inquests.

"That was only changed for the Stardust [Inquiry] – it now needs to be changed across the board, as part of ongoing reform of the coronial process."

The law favours the truth, he adds, but a gap remains for legal aid in human-rights and access-to-justice matters.

Pointing to the Loughinisland massacre documentary *No Stone Unturned*, the human-rights lawyer says that the role of investigative journalists has been as important as that of lawyers as a truth-recovery mechanism.

"Information is power, and telling the truth is part of the process whereby the community fights back. This was a community that was repressed, with no access to justice, no access to truth. Through investigative journalism and litigation, they were telling their stories, and the truth was getting out," he says.

Mackin is a natural leader and politician, but fears he wouldn't have the necessary diplomatic temperament, despite the clear public hunger for politicians who truthfully speak their mind.

"I like the idea of making change, but I think it's better delivered from outside the box, as a lawyer, holding politicians and the State to account. But equally, I'd never say never!"

Mary Martina Hallissey is a journalist with the Law Society Gazette.

LOOK IT UP

- [Information on the Rights of Families at Inquests](#) (Irish Human Rights and Equality Commission, 6 May 2022)
- [PSNI apology to Loughinisland documentary duo](#) (Law Society Gazette, 17 July 2020)
- [Report of the Tribunal of Inquiry on the Fire at the Stardust](#), Artane, Dublin, on 14 February 1981 (Stationery Office, Dublin, 30 June 1982)
- [State apology delivered by Taoiseach Simon Harris in Dáil Éireann](#) (speech, Department of the Taoiseach, published 23 April 2024; last updated 30 April 2024)