

**Breaking News - Wednesday 28 July 2010**

## **Suspended sentence for woman who posted sex ads for two unwitting people:**

A woman has been given a suspended sentence for posting sex ads on a classifieds website on behalf of two unwitting people.

Aishling Madden (aged 34) was convicted earlier this month following trial.

She had initially admitted posting the messages to the Gumtree website but then claimed she had brought a group of people back from a night out and that they had done it.

Madden of Monastery Drive, Clondalkin, pleaded not guilty to four counts of defamation against Mr David Henry and Ms Louise Vivash at her home between June 17 and 20, 2006.

She also denied a further two counts of publishing material which was grossly offensive, indecent or obscene.

The court heard that Madden was “a very fragile person”.

Defence counsel, Mr Sean Gillane SC, said she suffered from mental health issues and had to be continuously monitored by her parents who she continues to live with.

Judge Patrick McCartan sentenced her to 12 months on each count but suspended it in full for three years on condition she complies with the instructions of her medical team.

Sergeant Liam Coogan who was attached to the Computer Crime Investigation Unit told Mr Sean Guerin BL, prosecuting, that Madden said in interview that she was working as a temporary receptionist for Accenture in May 2006.

She said she came across Ms Vivash’s CV on the work computer and decided to email it to herself as she thought it was a good example of a receptionist’s C.V. and she wanted to study it to improve her own C.V.

Sgt Coogan said Ms Vivash’s C.V. appeared alongside the sexual comments and her contact details on the Gumtree website. He said the C.V. was also found on a hard drive seized from Madden.

Madden told gardaí she had met Mr Henry once when he working for the Office Angels recruitment company. Sgt Coogan said an email between Mr Henry and Madden was also found on her hard drive.

She initially told gardaí she did not know who put the comments concerning Ms Vivace and Mr Henry on the website. She said it was not her and could not have been anyone else.

She said she wrote some “rude” comments about Ms Vivace on the website but never “activated” the post.

In a second interview she told Gardai three males and one female were in her house on the night the posts were made and had access to her computer.

She said they had found Ms Vivace’s CV and posted it online along with the sexual comments but had not activated the post. She said they did this as a practical joke.

She said one of the group was also responsible for the comments about Mr Henry. She told gardaí she had since forgotten their names and only knew them through meeting them a few times in the city centre.

Mr Mark Gibson, who worked with Gumtree at the time, gave evidence of the two messages that were posted on June 18 or 19, 2006.

He said one gave Mr Henry’s phone number and work email. It said he was a “keen operator” who offered various sex acts and like to be called “Captain Caveman”.

The other message was titled “Diva with a heart of gold” and gave the phone number and email of Ms Vivash. It also offered various sexual services.

It continued: “Snell Snell Snell, I also speak good German during adult playtime.”

Ms Vivash gave evidence that she had been working as a receptionist for Accenture for several years and kept her C.V. under a password in her work computer.

She said she started receiving calls concerning the ad and her daughter then found it online.

She said she got 13 to 20 phone calls and five or six emails concerning it.

She said she had never heard of Gumtree before and none of the content of the ad was true.

Mr Henry gave evidence that he had interviewed Madden for temporary office jobs but she was not successful.

She said when he told her this she was “not best pleased” and hung up on him. He said he got two emails relating to the ad before he contacted the site and they took it down. None of the content was true.

In her defence, Mr Gillane submitted that “there was no sustained period of harassment” and Madden now accepted the verdict of the jury and was sorry for her actions.

“I am very relieved to hear she accepts the verdict of the jury,” Judge McCartan said.

“Two innocent people in this case were very meanly targeted and offended for little or no reason.”