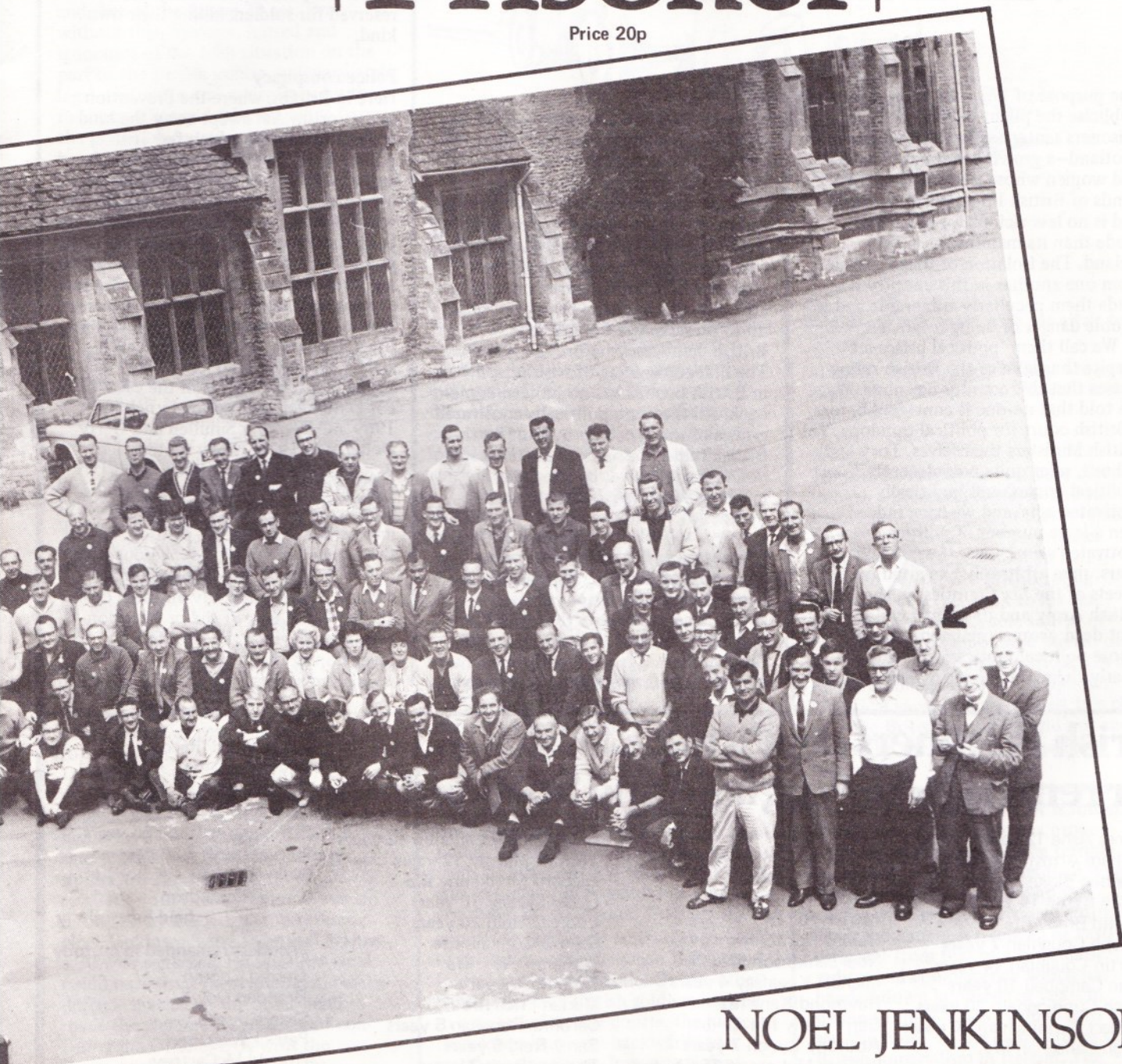


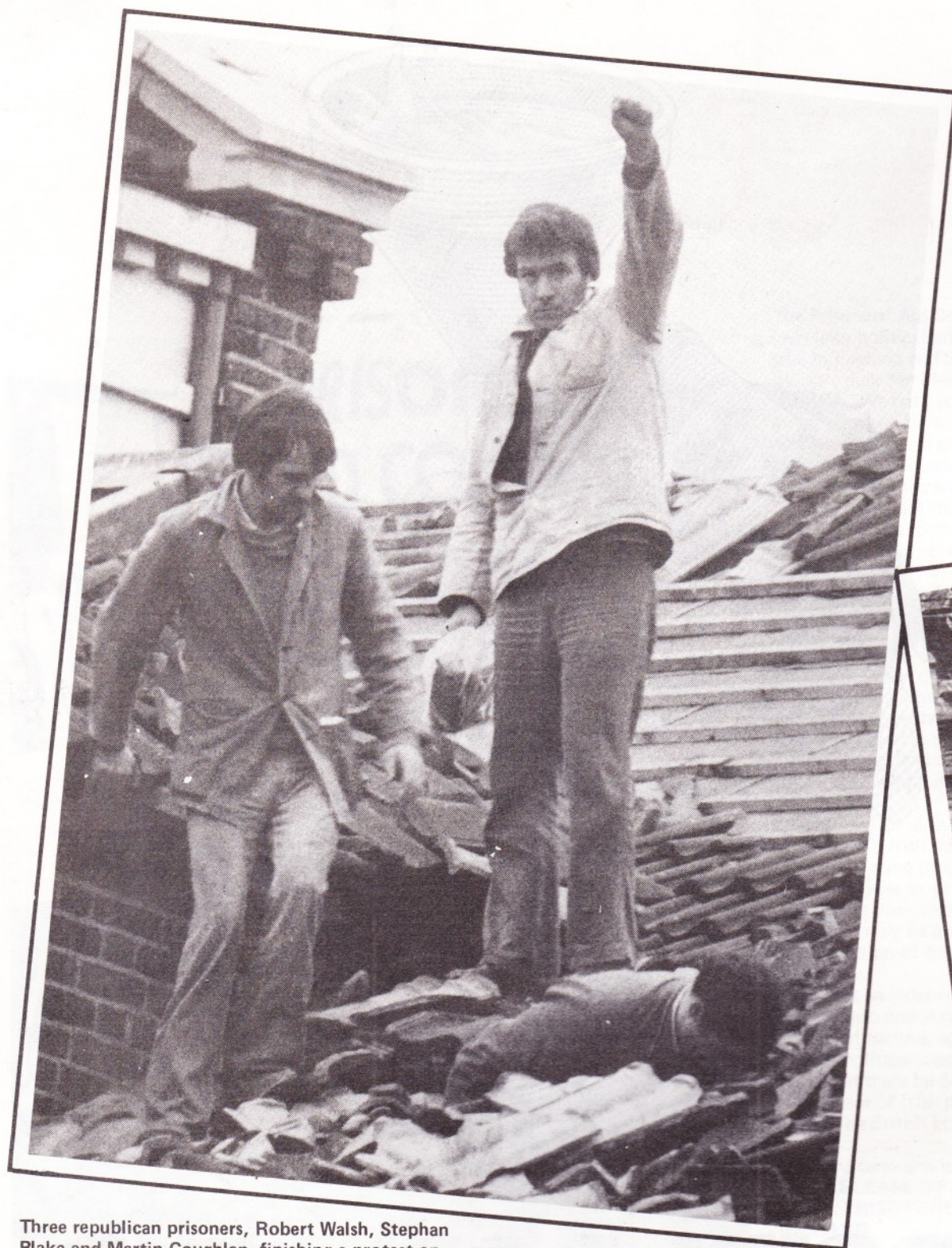
The Irish Prisoner

Price 20p



NOEL JENKINSON

at a T&GWU shop steward's conference in Chichester,
now serving a life sentence of "at least 30 years"
for a crime he did not commit



Three republican prisoners, Robert Walsh, Stephan Blake and Martin Coughlan, finishing a protest on the roof of Wormwood Scrubs prison. They had sat up there all night in an attempt to get humane visiting rights. The prison authorities and the media were more concerned about their roof tiles!



IS TORTURE

The Irish Prisoner

The purpose of *The Irish Prisoner* is to publicise the plight of Irish political prisoners sentenced in England and Scotland—a growing number of men and women whose treatment at the hands of British Imperialism has been and is no less vicious for being less crude than its manifestations in Ireland. The isolation of these prisoners from one another in this country has made them peculiarly vulnerable and in double danger of being forgotten.

We call them 'political prisoners' despite the claim of the British ruling classes that this country has none. We are told that no-one is convicted before a British court for political opinions. Yet British Ministers themselves, Tory and Labour, refer quite complacently to 'political crimes' and 'politically motivated acts' and we have indeed seen a large number of politically motivated crimes over the last few years: men arbitrarily executed on the streets of the Six Counties by the British Army and its agents; children shot dead; women maimed—all actions whose political motivation is quite clearly the maintenance of British rule

by terror.

Since 1971 we have also seen successive British governments publicly justify the politically motivated crime of imprisoning men, women and children without trial in concentration camps. We know of tortures carried out in these camps and police barracks. The perpetrators of these crimes have not appeared before the courts; instead government 'inquiries' have been set up to preserve the smooth face of British democracy before the world. The hideous beating of Irish prisoners in British prisons has no judicial comeback. All these are politically motivated crimes of the type approved of by the British ruling classes in the interests of defending its power by subduing and crushing a people rebelling against decades of tyranny.

Ritual trial

The ritual of the trial, a ritual which denotes its nature by physical appearance, centres on the victim-defendant isolated in the 'dock' with the judge bewigged and enthroned at a height, the lawyers grovelling in the

pit and the jurors penned in like cattle. Almost exclusively the seat in the dock is reserved for those who have offended against the existing order. You won't find the murderers of Bloody Sunday in the dock. Even where a judicial farce has been enacted the murderers of Kevin Heatley and Patrick McElhone and the torturers of Peter McKenna still walk the streets as free men. The licence to kill represented by the British uniform is a guarantee of immunity from the courts. How many 'inquests' have exonerated British soldiers from acts of cold-blooded murder? Their political motivation is in line with British rule. Rare convictions before the courts have characteristically been reserved for soldiers killing their own kind.

Police conspiracy

Here in Britain, where the Prevention of Terrorism Act swept away the kind of legal safeguards which few Irish political prisoners have ever enjoyed anyway, there has been since 1969 a long procession of political trials of which the most significant elements have been the atmosphere generated by police 'security' measures, ie intimidating jurors and witnesses by waving guns at them and sensational lies in the British press amounting to prejudging the defendants before the trial even starts. Even where no 'crime' has actually taken place, as in the cases of Pat O'Sullivan and Conor Lynch in 1969 and Eamonn Smullen and Gerry Doherty in 1970, heavy sentences of 7, 8 and 5 years respectively were handed down as a result of the atmosphere created in the court and the impression in the minds of the jury that they were dealing with dangerous 'IRA men'. The use of the iniquitous conspiracy charges in nearly all these cases has made the task of the prosecution easy enough given the heartfelt co-operation of the judges.

Irish prisoners have consistently been

Irish Prisoners convicted or remanded in England and Scotland

James Ashe **12 years**
William Armstrong **life**
Stephen Blake **15 years**
Eddie Byrne **14 years**
Martin Brady **life**
Joseph Coughlan **7 years**
Martin Coughlan **14 years**
Sean Campbell **10 years**
Hugh Cunningham **20 years**
Robert Cunningham **20 years**
Hugh Callaghan **life**
Sean Colley **4 years**
Kevin Dunphy **12 years**
Patrick Dowling **4 years**
Joseph Duffy **12 years**
Michael Egan **4 years**
Fr Fell **12 years**
Hugh Feeny **life**
Bobby Gallagher **6 years**
Ann Gillespie **14 years**

Eileen Gillespie **14 years**
Patrick Gulfoyle **15 years**
Paul Holmes **life**
James Harkin **12 years**
Patrick Hill **life**
Gerard Hunter **life**
Noel Jenkinson **life**
Michael Kneafsey **4 years**
Raymond Kane **life**
Gerry Kelly **life**
Anthony Lynch **7 years**
William McLarnon **15 years**
Michael MacLochlainn **5 years**
Patrick Mulryan **20 years**
Andrew Mulryan **20 years**
Anthony Madigan **10 years**
John McCabe **3 years**
Cornelius McFadden **20 years**
John Melia **20 years**
John McCluskey **20 years**

Raymond McLaughlin **12 years**
Michael Murray **12 years**
Richard McIlkenny **life**
Gerry Mealey **10 years**
Eddie O'Neill **20 years**
Sean O'Connell **life**
William Power **life**
Dolours Price **life**
Marian Price **life**
Caroline Ranehan **5 years**
Barry Reid **5 years**
Thomas Rush **7 years**
Joseph Riley **15 months**
Philip Sheridan **10 years**
James Sweeney **7 years**
Frank Stagg **10 years**
Michael Sheehan **9 years**
Gerard Small **12 years**
Peter Short **10 years**
John Walker **life**

Judith Ward **life**
Roy Walsh **life**
Mathew Ward **5 years**
Gerard Young **16 years**
Patrick Armstrong **35 years**
Patrick Conlon **30 years**
Paul Hill **life**
Carole Richardson
held indefinitely

Prisoners remanded in custody

Gerard Conlon
Brendan Dowd
Sean Kinsella
Patrick Maguire
Ronald McCartney
Noel Gibson
Joseph McGourgan
Donald McLaughlin
Stephen Nordonne
Paul Noaney
Robert O'Rawe
Sean Smith
Shane O'Doherty

held in punitive remand in custody under top security conditions, even where as in the case of three members of the Minority's Defence Association in 1972 serious charges were dropped against them when they eventually came to trial six months later. In the 'Hackney Arms Case' which came to trial in June 1972, the revelation of the fact that the prisoners were victims of a police conspiracy led only to their release. No police prosecutions followed and no compensation was paid.

Agents

In other cases police use of agents, provocation and planting has been more successful eg the case of Noel Jenkinson and that of the Luton Three. Even without this, hysteria, hatred and ignorance of the Irish situation on the part of the British public, judiciary and legal profession and conspiracy by the media and lies and false evidence from the police often extricated by torture have enabled Crown prosecutions to convict Irish prisoners on the flimsiest of evidence. Look at the Coventry Seven case, where bits of paper and a Barnes & McCormack banner were enough to convict. In a recent trial of nine men in Birmingham, a pair of rubber gloves were enough to get a man a heavy prison sentence.

The prisoners have often been the victims of their own lawyers as well as those of the prosecution. The extreme conservatism of the British Bar and its adherence to the fetish of the rules of the game means that in England, unlike for example the United States, the prisoner cannot expect his lawyer to make a political defence or even to draw upon the Irish situation to enlighten the jury. Some defendants have attempted this themselves—Michael Tobin was one, Jimmy Moore and Michael Gaughan others, only to be stopped by the judge and told that what was happening in the Six Counties was irrelevant to the defence of men charged with trying to get money for the homeless or persuade soldiers not to serve there.

In some cases the 'apolitical', ie grossly politically biased nature of the defence and prosecution has had a ludicrous if tragic quality. The fact that the Official IRA claimed responsibility for the Aldershot bomb in retaliation for Bloody Sunday was dismissed by the judge who refused Noel Jenkinson leave to appeal against a 30 year sentence. He said that Noel could have 'told them about it'. Noel's defence lawyer on the other hand made the elementary mistake of confusing the Official IRA with the Provisional IRA and so actually worsened Noel's case as his application for leave to appeal came up shortly after the London bombs of 1973. In the Coventry Seven case, a banner of Barnes & McCormack, wrongfully hanged in 1939 for a bomb they did not plant was used to show that the men possessing such a banner must be bombers also! All manner of political literature



It's really good of them to go to so much trouble to see that these Irish get a fair trial.

has been introduced into cases by the police from the Peking Review to Republican papers, yet the prisoners are continually told that their political opinions have nothing to do with the trial. A crude piece of British hypocrisy.

Even after sentencing the prisoners have often been denied the right to speak their minds from the dock; perhaps a result of the lesson learned from the powerful effect created by Roger Casement's speech from the dock. While they are prevented from putting their ideas to the jury and their own countrymen, the prosecution by the use of innuendo and suggestion as well as more crude devices is able quite easily to convey to the jury a biased and distorted image of the prisoners.

Isolation

The purpose of a British court is to isolate any incident whether it is a bomb, a demonstration or a robbery, from its historical and social context and to judge it in a vacuum of moral absolutes, of 'Right' and 'Wrong'. All appeals to the brutal facts of the history of the relationship between Britain and Ireland are brushed aside. On the other hand, whenever British soldiers happen to appear before the courts, the judges themselves lean over backwards to justify their actions, however violent, in terms of the strain on soldiers of service in the Six Counties, and the 'understandable' mistakes and tensions which arise. What about the understandable tensions of a whole community which has suffered for generations from chronic unemployment, appalling housing, grossly limited educational facilities as well as outright

brutality and thuggery? These are never explored in the courts of British imperialism.

Justice

The words '*British justice*' have come to have a peculiarly bitter sound to Irish ears. They stand for bias, prejudice, hatred and ignorance. The prisoner confronts the judge, often an octogenarian relic of the British ruling classes eager to get back to his club, and the jurors whose sole source of information is the polluted stream of the British papers and media, across an unbridgeable gulf of totally distinct historical views and ideologies. It is clear that the British people should not and cannot be the judges of these Irish prisoners.

What is on trial in these courts is British rule in Ireland and it is found guilty every time. When the proper judgements are made on the terrible events of the last few years then it will be the people of Ireland who will decide what is just and where truth lies. Their judgement is likely to be vastly different from that of a systematic sadism and complacency which has handed down hundreds of years in prison to those whose 'crime' is to say 'No more' to the many crimes of British imperialism in Ireland. The transfer of these prisoners, from the isolation in which they are held here, to be near their families and comrades, can only be the first step on the road to securing their freedom. **Irish political prisoners must be released and their places taken by the real criminals who profit from this rotten society. Only then will justice have been done.**

Treatment of Irish political prisoners tried in England & Scotland 1969-1973

PART 1

Prisoners Sentenced To Less Than Ten Years

Eamonn Smullen was arrested on an arms charge in Huddersfield in September 1969 and taken to Wakefield prison where, for four weeks, he was not allowed to speak to **Gerry Doherty** who was charged with him. Both men were held as Category A prisoners in the hospital at Wakefield for 'security' reasons. They both had to wear the 'high security risk' prison uniform with a yellow band on it although Doherty was a first offender and Smullen had a previous conviction before a military court in Ireland which had later been squashed. They appeared in court handcuffed to the police at all remand hearings and when the trial started at Leeds Crown Court in February 1970 they were taken each day from Wakefield in police cars with headlights on and sirens blaring. There was an armed guard on the court which was also patrolled by police dogs.

After conviction (Smullen got 8 years for conspiracy to purchase arms and Doherty got 5, both reduced to 5 years and 3 on appeal) both men were classified as Category A prisoners although first offenders and serving less than ten years. Smullen had no relatives in this country and until July 1971 he was refused visits not only from all those who could not satisfy the police that they knew him before conviction but also from those who did, but for undisclosed reasons were not acceptable to the police. This left him with only one visitor who was allowed to see him.

During this time, which was spent like the bulk of his sentence in Gartree, there were frequent searches of his cell and his mail was subject to special censorship and was always late in coming down to him. It was not until Vanessa Redgrave applied to visit him to discuss a play that he had written that he was—nominally—taken off Category A. When Bernadette Devlin visited him in October 1972 she was told that he was still a Category A prisoner and that therefore the person who had accompanied her and who visited him during normal visiting times would not be allowed in with her. During her visit the governor took notes but the visit of the local Tory MP, Farr, was not supervised.

During this time, copies of Civil Rights and Republican papers were stopped on the grounds that they were not conducive to 'good order' or alternatively that they were 'connected' with his original offence. Eamonn pointed out that sex-offenders were allowed to have sex magazines. One paper that he was allowed to have in Gartree, *Rose Catha*, was stopped when he was moved to Nottingham prison after the riots in Gartree in which he took no part. His complaints about stopped papers and letters always met with the reply that they were against

the rules but repeated requests for copies of the rules met with no success.

He was refused parole two weeks after applying, and again one year later when he had got two 'A' levels and was starting the Open University course and had earned full remission. He was told that the reason he gave for wanting parole—so that he could work as he had done in England for the previous 15 years as a carpenter—was not satisfactory. He was also refused permission to take part in the hostel working-out scheme three weeks before his final release after representations to the Home Office by the NCCL and two MPs.

Pat O'Sullivan and **Conor Lynch** were tried on arms charges at the Old Bailey in September 1969. Despite their ages, 22 and 19 years, and the fact that they were first offenders they were both given seven year sentences and refused leave to appeal after what their solicitor described as 'severe obstruction by the Home Office'. They were charged with attempted robbery at an arms factory but during the trial guns which did not form part of the case against them were on 'display' in court. They were Category A prisoners during the whole of their sentences and Lynch was sent to Wakefield Prison despite his age and both were refused parole and home leave despite their good behaviour in prison and despite representations by MPs. With two weeks of his sentence to run, O'Sullivan was moved from Hull, where he had friends who had offered to take him for 'home leave', to Strangeways where he was kept in solitary confinement apparently as a punishment for the agitation which had gone on about his case. There he was threatened by warders who told him that he was not out yet and that if he put a foot wrong he wouldn't be leaving. Conor Lynch lost two weeks remission in Wakefield for shaking hands with Gerry Doherty.

Joe Farrington was sentenced to four years at Birmingham in March 1972 for possession of detonators and his appeal was turned down. He was told that if he had been older, he was 19, he would have been given a heavier sentence, but despite his age he was put in the adult wing of Stafford prison. He complained that the only education courses open to him were business and commercial courses. (He was an apprentice glass designer at the time of his conviction). His application for full-time education courses was refused, and he was allowed three afternoons a week to study for three 'A' levels. Two tutors from outside applied to visit him but they never received a reply. For much of this time the library at Stafford was closed for 'security' reasons.

In March 1973, he heard of his father's imminent death from cancer and requested parole on compassionate grounds which was refused as was his request for parole to visit his father in Birmingham for one day. Attempts to get the parole decision reversed by his solicitors, the family doctor and

WE EXAMINE the kind of treatment meted out to Irish political prisoners on remand, during their trial and after conviction in England and Scotland between 1969 and 1973. Obviously a great deal more could have been added about these particular prisoners and those tried after them; nevertheless the facts here presented amount to a damning indictment of the 'special treatment' given those who are charged with political offences.

friends continued for months until his father eventually moved to Dublin where he died. Joe was then refused parole to attend the funeral which was in December 1973, even though he was due for release in August 1974. On release, having served his whole time as an adult offender, he was told that he was a young offender and therefore came under the Criminal Justice Act, 1967, Sections 60 & ff and was out on licence until the end of his sentence and could be picked up at any time if his behaviour was 'unsatisfactory'.

Mathew Ward was given a five year sentence for possession of gelignite in Glasgow and served the first two years of his sentence as a Category A prisoner in Peterhead where he complained of continual harassment from all prison staff because of his political opinions. Attempts to have him moved to Belfast to be near his mother, or at least to the east coast of Scotland were unsuccessful until February 1974 when he was moved to Perth. On the move his glasses were lost and not replaced and on arrival his record player was taken from him and he was put in solitary under 'observation' apparently, according to the Scottish Home Office because the prison had received an anonymous phone call to say that he would try to escape.

Jim Flynn was given a two year sentence for illegal possession of a gun at Nottingham in December 1972. He complained that the Special Branch had threatened to have him shot in Northern Ireland (he is from Crossmaglen) if he did not pass on information. He refused to co-operate but the judge at his trial mentioned his 'co-operation' as the reason for giving him a 'light' sentence and as a result of this his family and friends in the Crossmaglen area, which is a very strong Republican area, had to issue denials on his behalf to all local papers. In Lincoln and Winson Green where he served his sentence he was refused all copies of *Rosc Catha* sent direct by the publishers. In Winson Green during Christmas of 1973 he was refused all cards sent by 'known IRA sympathisers'. Conversations over the phone with the assistant governor failed to reveal how this decision was arrived at but it also applied to **Frank Stagg** and **Anthony Lynch**, who were in Winson Green at the time. Flynn was refused parole.

James Sweeney and **Caroline Renahan** were sentenced to seven years and five years respectively for illegal possession of explosives at Glasgow High Court in May 1973. Newspapers in Scotland announced 'unprecedented' security during the trial. The court was surrounded by armed guards and patrolled by dogs and all visitors to the court were searched. Papers showed pictures of Caroline Renahan being taken to Court under heavy escort. Both prisoners were in their early twenties and were first offenders. Sweeney is now a Category A prisoner in Peterhead

where he has complained of delays in both outgoing and in-coming mail as well as of the length of time it takes the prison to pass him on money sent by relatives—complaints which have been denied by the Scottish Home Office which supplied a detailed list of the dates of all his in-coming and outgoing mail over the previous few months. His complaint that he had been stopped Irish papers was not denied by the Home Office, but they were apparently 'prejudicial to good order' even though they included national daily papers.

Finbar Kissane was charged with murder along with **Noel Jenkinson** (see below) at Winchester but acquitted in November 1972. He was given two years on a conspiracy to pervert the course of justice charge arising out of a false driving licence offence. He was held in solitary confinement from November 1972 until May 1973 when he was moved to Maidstone. While in the Scrubs, Irish papers were stopped on the grounds that they were 'inflammatory' as were four letters which he wrote. During this time the Welfare Officer refused to help Mrs Kissane on the grounds that he was 'mixed up with the IRA'.

Bobby Gallagher was sentenced to six years for having detonators 'under his control' in Leeds in February 1974 and his appeal was turned down. Before conviction, Bobby was a member of the National Executive of Clann na h-Eireann and an active member of UCATT. During August he wrote a letter which was smuggled out of Hull describing conditions of work in Hull for himself and **Father Fell** (see below). Part of the letter ran:

'We are being made to work in a shed 20yds x 10yds. There are six very big tables in it and sixteen prisoners are being made to make toy soldiers. Now listen to this, we are supposed to make up sixteen gross per week per man for a wage of 60p... It's the brain-child of the Deputy Governor Mr Williams who calls it an incentive bonus. He has worked it like this. First gross 9½p, and it goes up 2½p per gross until you reach 10 gross and, believe this or believe it not, after 10 gross you only get 1p per gross until you reach 16 gross... These soldiers are sold in the shops at 30p a time. 16 gross being £688.

On 21 September Bobby was dragged from his cell and thrown in a punishment cell by four warders who attacked him with batons. One tried to choke him as a result of which he lost consciousness. He was told by the Governor that he was being given 14 days solitary as a result of the publication of his letter in *Rosc Catha*. At the same time, **Father Fell** was given 14 days solitary for publication of a

letter in the *Irish Post*. To date, the only person allowed to visit Bobby are his wife and children. Those who visited him while he was on remand in Armley have been turned down by the Home Office after a delay of six months in processing their applications. Among those turned down are his brother-in-law, and two close friends one of whom had already been allowed in to visit him, although he was told afterwards that this had been a 'mistake'. His wife complained of seeing bruise marks on his throat when she visited him while he was in solitary, where he was only allowed a mat on the floor and where he only had one hour's exercise each day. Leading up to this, Bobby had complained of constant petty harassment—he was always served last with cold food and got cold bath water, and constant searches and checks were made on his cell and his uniform. His wife's home has been raided by Special Branch and local police four times since June, and on each occasion she has been questioned about Bobby, about who visits him and who visits her.

All the cases dealt with so far concern the treatment of prisoners serving less than ten years and all of whom were first offenders. Nevertheless, they have all been treated as dangerous prisoners whose escape would be a 'danger to the state'. Much of the treatment they receive in prison arises out of their trials when their political opinions were put before the jury and when the 'security' measures by the police were given wide publicity in the area from which the jurymen were drawn. Eamonn Smullen's defence counsel, Mr Platts-Mills, asked the judge, Mr Kilner-Brown, to disallow the putting before the jury of membership cards, including those of the Northern Ireland Civil Rights Association and Clann na h-Eireann (Official Sinn Féin). But the judge refused his request by saying: 'It is flying in the face of common sense when one is dealing with allegations of the purchase of firearms that there must be for want of a better term inevitably, as it were, a natural part of such a charge when is dealing with conspiracy, what might be called motive. What is the point of it? What is the purpose of it? Once one is involved in allegations of conspiracy, dealing with large quantities of arms, it seems to me to be highly relevant to that evidence, if it is available of membership of some organisation'. (Quote as in transcript).

Subsequently, he allowed copies of *The United Irishman*, *The Memoirs of General Grivas*, as well as arms pamphlets and membership cards and evidence of Eamonn's visit to Cuba were all produced by the prosecution. There is no doubt that this evidence must have served to prejudice the prisoners in the eyes of the Leeds jury and label them as IRA prisoners, although after the guilty verdict was returned the judge said it was to their credit that they had not been proved to be

members of the IRA.

During the trial of Pat O'Sullivan and Conor Lynch, the judge, Mr McKinnon, allowed the prosecution to ask Conor if it was true that his uncle had been Chief of Staff of the IRA in the thirties—twenty years before he was born. He allowed the prosecution to ask Pat who Cathal Goulding was. When he refused to answer, the judge told him: 'I must remind you that this is not a political trial, it is a criminal trial. You are withholding evidence from the jury. If you don't answer these questions I could send you to prison for a very long time.'

James Moore, however, who was given a seven year sentence for bank robbery at the Old Bailey in December 1971, was not allowed by the judge, Sir Carl Aarvold, to explain the situation in the North of Ireland and the need for relief for the homeless for which the money was to go. He said that this was irrelevant as it was a criminal trial and politics had nothing to do with it. Moore was sentenced along with Michael Gaughan who has since died on hunger strike. The first three years of his sentence were spent at the Scrubs with limited work and education facilities.

It is clear that political motivation and implications that prisoners are connected with the IRA work not only to prejudice them in the eyes of the jury, in a way that does not happen with Loyalists for example, but also that this prejudice follows them into the prisons and that men serving relatively short sentences are given a 'de facto' political or special status by being treated as dangers and by having their communications with the outside world subjected to political censorship. It is also clear that they are often the victim of bias on the part of prison officers and governors because of their political views, although it is encouraging to note that other prisoners do not often display hostility towards Irish prisoners as they did for example in the last century and during some of the more recent bombing campaigns.

In the case of prisoners who have faced more serious charges and who have consequently been given longer sentences, in many cases, the maximum, all the features outlined above are more pronounced.

PART 2

Prisoners Sentenced To More Than Ten Years

Noel Jenkinson was on remand at Winchester from March to October 1972 on seven counts of murder following the Aldershot explosion. His visits in this period were televised and were also 'closed'. He was refused permission to have the trial transferred to the Old Bailey and when he came to trial in Winchester, the whole city was under armed guard and the local barracks were on alert. The city centre was closed off and there were local complaints at the effect on trade. Local papers announced that armed plainclothes men were active in the area. At the hearing for leave to appeal, which was turned down, in June 1973, a Special Branch officer took the name and address of the only member of the public who was present and questioned her about her interest in the case.

In December 1972 Noel was moved to the high security unit at Leicester prison to serve his life sentence with a thirty year recommendation. The maximum accommodation in the unit is for eight prisoners but for most of the time there are no more than five who have no contact with the prison outside the unit. There are no facilities for working. All the other prisoners in the unit have either previously escaped or have long criminal records. Noel had a six month sentence for embezzlement.

So far, two years after conviction, only six people in England have been cleared to visit him, and three in Ireland, and this nine includes his wife, daughter, brother, sister and brother-in-law. Some applications have

been turned down on 'security' grounds, others without reason given and these include Noel's cousin in Ireland who did not even rate a visit from local Irish police.

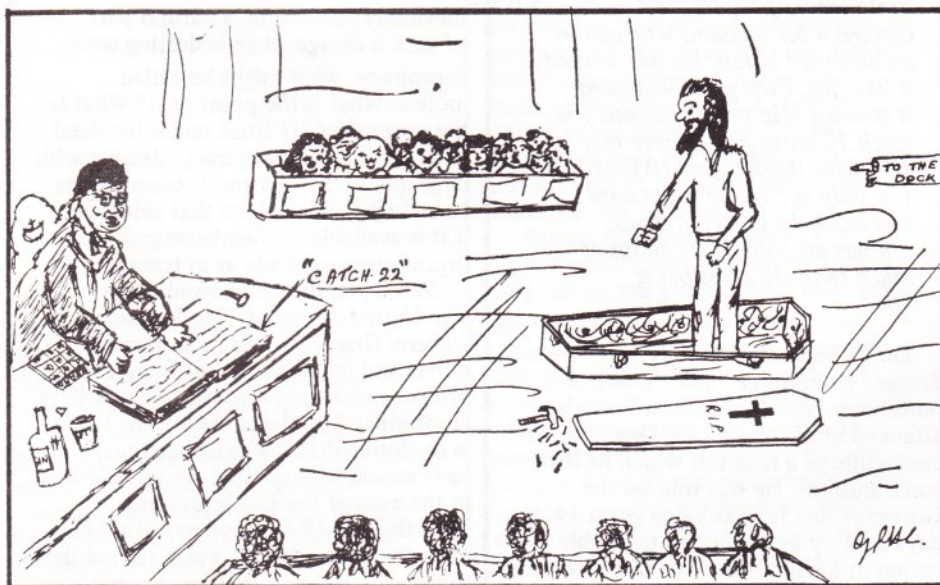
A regular feature of prison routine in the last two years has been the announcement to Noel that letters have come to him from people he does not know, although he is not allowed to know their names in many cases. This increases as his case gets more publicity abroad. Last Christmas, 50 of the cards sent to him were sent to the Home Office. He has been refused at various times—a calendar, a map of Ireland (on the grounds that it would help him escape from Leicester) books sent to him from the Connolly Association, copies of *Rosc Catha*, *Republican News*, *An Poblacht*.

In August 1973 he asked for all papers in his property to be given to his wife and asked how many there were. He was told seven, in fact there were 32. His letters to his solicitors about his appeal and about a police investigation into missing property were censored. When he changed his solicitor his letter to a new one was sent to the Home Office where it stayed until the solicitor himself contacted them and asked for it—this took a month. He was also refused permission to write to his TD in Ireland—a decision which the Irish Embassy in this country accepted, taking exactly 12 months to reply to his letter. Noel has now been moved to Parkhurst's top security unit.

BELFAST TEN: Dolours and Marian Price, Martin Brady, William Armstrong, Hugh Feeney, Gerry Kelly, Paul Holmes Roy Walsh, William McLarnon and Roisin McNearney (the only one acquitted).

They were arrested at London airport and held for over 100 hours before being charged in April 1973. During this time their own clothes were taken away and as they refused to wear prison uniform they were held naked with only blankets which were very dirty. They were photographed like this and these photos were later produced at the trial. They were exercised in bare feet in the car park. Relatives, a priest and a solicitor were refused permission to see them during this time. When they had been charged, they were all moved into 'D' wing at Brixton including the three girls where they were held as Category A prisoners.

Many visitors and letters were turned down on the grounds that they could only be contacted by those who knew them before they were arrested. One letter from the Governor was headed 'IRA Prisoners'. During this time, they were referred to on a BBC news programme as the 'culprits' for the bombing for which they had not yet been tried. Remand hearings at Lambeth were ringed by snipers and guard dogs. All visitors entering the court were searched.



And what makes you think you're not going to get a fair trial?

The trial was set for Winchester, according to the magistrate Sir Frank Milton, in order not to prejudice them by drawing the jury from the location of one of the bombs—the Old Bailey. (The exact opposite reasoning from that in the case of Noel Jenkinson).

At the trial in Winchester, September/November 1973, visitors to the public gallery were made to undergo strip searches - this included babies nappies. Visitors to the prisoners at lunchtime had to shout to them down a corridor. Police at times turned away visitors from the court, and at other times told them wrongly that the public gallery was full. Special Branch officers travelled with the relatives daily between London and Winchester.

After conviction they were all given sentences of life and twenty years except McLarnon who got 15 years. The judge, Sebag-Shaw, had tried to give Dolours Price 30 years and Hugh Feeney 25, but was reminded by the Clerk of the Court that this exceeded the maximum sentence.

Although originally eight of them went on hunger strike in order to be transferred to prisons in the North of Ireland, four prisoners came off hunger strike shortly afterwards. **Paul Holmes** said his brother had been given some drugs on the Isle of Wight and had difficulty in putting his sentences together. **Roy Walsh** came off hunger strike because he could not stand the pain of force feeding. Since his move to Wakefield, Walsh has had screened or closed visits with his family and complained of the emotional strain which this places on him. His child has, on at least one occasion, been prevented by warders from running around the screen to embrace him. **Martin Brady** after being moved to Hull, was for a long time exercised separately from other prisoners. He had to wear the yellow striped uniform and to take off all his clothes and place them outside his cell door at night. To protest against being given closed visits with his wife he refused visits and went on hunger strike, but he was given only milk to drink and thus was forced to go on thirst strike as well. After a few days, he was force fed and the pain of this forced him to come off hunger strike. **Paul Holmes** went on hunger strike again in March 1974, with **Frank Stagg** and **Michael Gaughan** (see *HUNGER STRIKE*) but was persuaded to come off because of a heart condition. All three complained of bad conditions in Parkhurst where Holmes is still. As he refuses to work, although he has offered to do voluntary or charitable work, he is kept in total solitary confinement and at this moment is not even allowed out to exercise, but has to take it inside in a room adjoining to his cell.

William McLarnon had been in solitary confinement for his own 'protection' for two years until Spring 1975. Before

his trial, at which he pleaded guilty, he was also held in solitary confinement in the same prison, the Scrubs. Since November 1973 he has complained of the bad effect on his mental health of this isolation. He is not even allowed to line up for his food and is exercised separately in a compound with four dogs. He was offered some association with sex-offenders but refused to accept it. The Home Office thinks that his life is threatened by the IRA, although they have not said whether they expect the IRA to break into the Scrubs. They have refused to move him to a prison with no Republican prisoners in it. He is visited regularly, but not as frequently as the rules allow but on one occasion when his sister called at the prison she was not allowed to see him as she did not have a visiting order. Friends who have written to him have had letters returned on the grounds that he can receive no more than two letters a week. He is 20 years old, and was 19 at the time of his conviction. Only intervention by an MP eventually got him moved to Wakefield.

Hugh Feeney and Gerry Kelly were on hunger strike from 15 November 1973 until June 1974. They refused to wear prison uniform and were naked for the whole of this period. Feeney in Gartree and Kelly in the Scrubs. Before being moved to Gartree, Feeney was in Liverpool where he was batoned by warders and in Wakefield where the priest refused him the Sacraments. They were refused visits from their families on the grounds that they were not 'co-operating' with prison authorities. Robert Carr as Home Secretary allowed them one visit and subsequently Roy Jenkins allowed them another after force feeding had stopped and when doctors said they had about two weeks to live.

During this period when the only contact between the prisoners and their families was by letters which took at least a week between writing and delivery, telephone communications between the families and the prisons was deliberately hindered by prison authorities. The Governor at Gartree refused to speak to Mrs Feeney and the doctor was never there to discuss her son's condition. Eventually she was told that he had 'gone away' and no-one knew when he would be back and alternatively, that he had left the prison service. On one occasion when Mrs Feeney called Gartree prison from Belfast she was given a British Army Barracks. On another occasion when Gerry Kelly's wife asked the doctor at the Scrubs about the condition of her husband, she was told that it was no concern of hers.

After the end of the hunger strike, Hugh Feeney had screened visits. Before each visit he had to change into a complete set of different clothes and change back again at the end of the visit. During Gerald Kelly's first visit after the end of the hunger strike, the Governor sat at the table with himself

and his wife and took notes of the conversation. He was told that he could not whisper and that they could only kiss each other at the beginning and end of the visit. On asking why, he was told that it was part of the 'rules'. The question of responsibility for refusal of visits and indeed, whether they could in fact be refused to prisoners who did not wear uniform, was never resolved as prison governors and the Home Office passed the responsibility from one to the other.

Dolours and Marian Price were held in a special unit within Brixton prison where they are the only female prisoners and where 18 wardresses are employed in shifts. All visitors are searched and visits are conducted across a table with two warders on either side who occasionally ask visitors to speak up. In November 1974, they were moved to Durham where they were subjected to abuse and threats from other prisoners, many of whom were mentally disturbed. (See also *Hunger Strike*).

COVENTRY SEVEN: Father Patrick Fell, Anthony McCormick, Anthony Lynch, Frank Stagg, Herbert Kelly, Thomas Rush.

While on remand at Winson Green after their arrest in April 1973 they were held as Category A prisoners and kept in solitary confinement for 23 hours a day. When they came to trial the jury were told that they were under armed protection and they were given a number to ring in case they were threatened. The jury was not allowed to leave the court during the day.

A large area around the court was sealed off by the police both at remand hearings and during the trial. All shopkeepers in the vicinity of the court were 'screened' by the police. There was also an armed guard on the court and snipers were on duty. All visitors to the court were searched and these security arrangements were given wide publicity by the police chief responsible, Maurice Buck.

Fell, Lynch, Stagg and Rush were convicted on charges of conspiracy to cause explosions. The others were acquitted.

Father Fell was sentenced to 12 years, his appeal against conviction was refused and his appeal against sentence was held up by the resignation of his lawyer. While he was in Wakefield the Chaplain General to the Home Office, Major Cunningham, announced that Father Fell would no longer be allowed to say mass in his cell. This followed an announcement that he had said mass for the souls of those killed on Bloody Sunday on behalf of all Irish prisoners in England. There was a general outcry in Irish papers about this and Father Fell was moved to Hull. He has per-

sistently petitioned to be moved to a prison in Ireland to be near his parents who live in Donegal and who have a round journey of over 1000 miles to visit him. In August he was given 14 days solitary confinement because he had a letter published in *The Irish Post*.

Frank Stagg was moved after his hunger strike in Parkhurst to Long Lartin prison where he resumed his hunger strike in October in protest at strip searches before and after every visit which he had been told would continue indefinitely. His sister was also subjected to these searches when she visited him. Stagg came off hunger strike after assurances from the Association for Legal Justice would test the right of the prison to search him in the courts. It is clear that Stagg, who suffers from a kidney complaint, was severely weakened as a result of his hunger strike in Parkhurst and thus was very vulnerable to aggressive attitudes towards him on the part of prison officers. As in so many other cases, responsibility for authorising searches was passed between the prison and the Home Office. (See *Hunger Strike*).

THE LUTON THREE: Gerry Mealey, Philip Sheridan and Sean Campbell were remanded in August 1973 charged with conspiracy together to rob persons unknown and held in Leicester as Category A prisoners. They complained of being kept in cells where refuse from the prison was thrown. They were handcuffed to police at their remand hearings. They were tried at St Albans in November 1973 when police announced that they had received information from a woman who was worried about the safety of her husband. This was denied by all the families but it was not until the activities of Kenneth Lennon came to light the following April that this story was disproved. (See Geff Robertson, 'The Special Branch and Kenneth Lennon', *New Statesman*, 15 November 1974).

When Lennon was found shot dead in April 1974 all three were given screened visits subsequently. The reasons for this are obscure but persistent requests to the Home Office have elicited no reason and no time when they can expect them to end. After the death of Lennon, Campbell was moved from Bristol to Wakefield where he complained of victimisation by prison officers. In June he was accused of causing trouble by supporting the repatriation of the Price sisters and of striking an officer—charges which he denied. He was put in the punishment block. While there, he complained of a taste of paraffin in his food. The food was analysed and he was told that 'paraffin never killed anyone'. He then went on hunger strike for ten days until promised a

full investigation of his case. On 29 June his wife received a letter in which he said that the investigation had resulted in his losing three months remission.

CONCLUSION

There is evidence of petty harassment of Irish prisoners which is consistently to be found in the treatment of all Irish prisoners convicted after trials where their political views and motives were a major part of the prosecution case against them. The use of Category A status for men serving relatively short terms, interference with newspapers as well as more serious discriminatory kinds of treatment outlined above are part of a process which starts with remand hearings and trials where police security operations play such a significant part in the pre-trial publicity, a part which could be said to infringe very severely the prisoners' right to be treated as 'innocent until proved guilty'. In all the trials mentioned above there has been not a single threat of danger to witnesses, jurors or judges and the only illegal gun to make an appearance was in the possession of the arms-dealer, Gee, in Eamonn Smullen's case. There has been no attempt to free any of the prisoners from the outside except the 'escape attempt' organised by Kenneth Lennon at the instigation of the Special Branch and as a result of which Patrick O'Brien, sentenced for his part although Lennon was acquitted, was freed on appeal.

It would appear from the evidence that a 'special Category' of Irish political prisoner already has a de facto existence in British prisons.



Roger Casement's road to the scaffold of Pentonville prison where he was hanged on 3 August 1916 had led him through the jungles of Africa and South America and his exposures of the cruelty of colonial rule had embarrassed the British ruling classes as well as earning him their hatred. Casement's involvement with the attempt of his own country to cast off colonial rule and his belief that both Catholic and Protestant are equally Irish led him to the dock where he was charged under a treason law passed before the conquest of Ireland. He was subjected to the obscenity of being prosecuted by E E Smith, Lord Birkenhead, who although a member of the British government had been guilty of the treason of which Casement was accused—a treason which he had actually committed on the colonised soil of Ireland.

Casement's great speech from the dock serves to remind us of the real issues behind not only his case but that of those who had preceded and who would follow him. Casement addressed himself not to the bewigged nonentities who had just condemned him to be hanged, but to the ordinary people of England and Ireland. He appealed not to the legal niceties of mediaeval statutes but to the common sense of what is just. He stood before the court to defend his political actions and not to ask for mercy. He pointed out the fundamental injustice which had been committed against him:

And what is the fundamental charter of an Englishman's liberty? That he shall be tried by his peers. With all respect I assert this court is to me, an Irishman, not a jury of my peers to try me in this vital issue for it is patent to every man of conscience that I have an indefensible right, if tried at all under this statute of high treason, to be tried in Ireland, before an Irish court and by an Irish jury.

Thus Casement pinpointed the issue—the reversal of roles imposed by colonialism. What would have been patriotism for an Englishman, defence of his country, was treason for an

ROGER CASEMENT

Irishman. Casement was in the dock as a scapegoat and he knew it. The leaders of the Rising had been shot out of hand; now before the world England could by subjecting Casement to the sadism of a protracted trial for high treason followed inevitably by a 'guilty' verdict, justify the murders of which she was already guilty. In the same way today, every Irish political prisoner who is found 'guilty' by a British court, is used to 'justify' the brutality of the British Army in the Six Counties—they, like Casement, are found to have committed the 'crime' of giving their allegiance to Ireland and not to England. This, as Casement pointed out:

is the condemnation of English Rule, of English-made law, of English Government in Ireland, that it dare not rest on the will of the Irish people, but exists in defiance of their will—that it is a rule derived not from right, but from Conquest. Conquest gives no title, and if it exists over the body it fails over the mind. . . . It is from the law of Conquest without title to the reason, judgement and affection of my own countrymen that I appeal.

By the use of the notorious diaries, on the advice of Ernie Blackwell who was legal adviser to the Home Office, the British government could make it appear that Casement was to be hanged not as a patriot like the Czech nationalist Thomas Masaryk whom the English professed to admire, but as a pervert and a pederast. So Casement was punished for betraying his 'class' for having revealed what was going on in Putamayo and the Congo and for siding with the oppressed peoples of Ireland.

Casement was hanged after being 'degraded' from the knighthood and after spending time in the Tower of London where he was not even allowed to change the clothes which he had been wearing when he was captured in Tralee. In Pentonville his last letters to his family were stopped by Blackwell on the grounds that they contravened national security and he was refused the last letter from his sister. His treatment followed the pattern of brutality handed out to political prisoners by the British authorities which has still not ceased.

Casement should be remembered for what he represents as a victim of British 'justice' and in his own words in the last speech which was not only his final

testament but a message for future generations of Irish men and women:

If we are to be indicted as criminals, to be shot as murderers, to be imprisoned as convicts because our offence is that we love Ireland more than we love our lives, then I know not what virtue resides in any offer of self-government held out to brave men on such terms. Self government is our right, a thing born in us at birth, a thing no more to be doled out to us or withheld from us by another people than the right to life itself. . . . and Ireland, that has wronged no man, that has injured no land, that has sought no dominion over others—Ireland is treated today among the nations of the world as if she was a convicted criminal.'

Now over sixty years later, Ireland still has not won true self government and while the farce of Casement's trial has been repeated time and again this century, the true criminals continue to fatten indiscriminately on the spoils of colonialism and neo-colonialism brought to them by the exploited resources and labour of the peoples of the Congo, Putomayo and Ireland.



London crowds awaiting the outcome of Casement's trial.

HUNGER STRIKE

Yesterday I was sick again while the tube was still down. The doctor doing it would not take his hand away from my mouth and I thought that I was choking in my own vomit. It was horrible. However when I related what happened to the Doctor he said and I quote, 'Yes, quite, don't puke and you won't choke.' The very same thing happened today but I managed to shake my head free and puke into a basin.

Marian Price wrote the above letter to her mother on New Year's Day 1974 to describe the torture of force feeding inflicted on her by prison employees on the orders of the British government. Her elder sister Dolours suffered in the same way while they were held in Brixton's men's prison. Their comrades Hugh Feeney and Gerry Kelly in Gartree and Wormwood Scrubs were equally brutally treated. The two boys, as well as being force fed, were kept

totally naked in their cells in solitary confinement as a punishment for their refusal to wear prison uniform. The torture of force feeding lasted 166 days.

Students of Irish history over the last 800 years have noted many constant trends in each epoch of Ireland's subjection. The most frequent is undoubtedly the vicious treatment meted out to the Irish by the British ruling classes. Study of the present situation in the Six Counties shows that even in

the 1970s this has not changed. The nationalist population have seen their fathers and sons, their mothers and daughters kidnapped and interned in concentration camps. Hundreds have been shot in their own streets by British agents and their hired assassins.

On 15th November 1973 nine young people from working class areas of Belfast were sentenced at Winchester Crown Court to life imprisonment for 'conspiring to cause explosions' in



Michael Gaughan



Frank Stagg



Gerald Kelly

London. (The trial had been shifted to Winchester, despite defence protests, to guarantee a conviction). Eight of these prisoners: Dolours and Marian Price, Gerry Kelly, Hugh Feeney, William Armstrong, Paul Holmes, Roy Walsh and Martin Brady immediately went on hunger strike in support of their demand to be given political status and a transfer to the Six Counties. By the end of November, four of them had been tortured into giving up. The hunger strike by the four who were left, later joined by Frank Stagg, Michael Gaughan and briefly Paul Holmes lasted long enough to cause a sluggish stirring of conscience even in the long redundant British liberal mind.

Michael Gaughan's murder by the process of force feeding was the most striking illustration that British brutality would not be confined to the Six Counties. The recent torture of men charged with causing explosions in Birmingham has underlined this fact. The long hunger strike also illustrated that the British government is quite willing to resort to censorship and manipulation of the press as well as of independent professional bodies. For a long while the Home Office was nothing but a mouthpiece for distorted propaganda which purported to be the sole source of information on the condition of the prisoners. The actual demands from the hunger strikers were:

1. A return to Ireland to serve their sentences under the same special category conditions as their comrades jailed over there.
2. Full political status while they were in England, including the right to wear their own clothes and receive unlimited letters.
3. An open visit every week.
4. That they be all held together in one prison.



Marion Price

5. That they be exempted from prison work.

The Prisoners Aid Committee has consistently campaigned for political status for all Irish prisoners subjected to a British political show trial and for the right of all prisoners who wish to do so to serve their sentences in Ireland, especially if this will bring them closer to their families. The demand for a transfer was not a precedent as the course of the campaign revealed that many transfers between Ireland and England had been ordered by the British authorities since 1969, but mainly of soldiers or Loyalists. For the Joint Action Committee, waging a campaign with the full support of the prisoners' families, the daily courage of the prisoners was a great inspiration.

Torture

Day in and day out the four, Dolours and Marian Price, Gerry Kelly and Hugh Feeney, suffered the humiliation of being held down by prison warders, having their mouths wrenched open by a wooden clamp, a plastic tube thrust down their throats into their stomachs. The thick mixture which was poured into the tube frequently made the prisoners vomit but even their own vomit was poured back down their throats. Despite the virtual news black out in the British press, it was apparent by early 1974 that the prisoners were in poor physical condition. Claire Price said the girls were 'unrecognisable'. It was also clear that they were not going to give up or give in. The British government had a tough problem on its hands. Force feeding had failed to end the hunger strike and was causing uneasiness in many circles not renowned for their concern for the Belfast working class.

Ridiculous efforts had been made to



Hugh Feeney

discredit the four. These included the Vermeer art theft, the alleged finding by the Army in the Six Counties of a plan of Armagh prison which could not be revealed for 'security reasons' and idiotic efforts by the Home Office to suggest that the girls were only dieting. The two boys were denied visits from their families except for two occasions, one under the Tories and one under Labour. Visits by dignitaries like Lord Longford and Lord Brockway were however allowed for some reason. Even two Tory MPs who saw the girls, Derek Coombs and Dr Stuttford, demanded that they should be moved to Ireland and expressed concern at the long term effects of force feeding. Things were not all going the government's way.

Labour

The Labour government of February 1974 inherited the problem of the Tory Home Secretary, Robert Carr. Those who naively expected Roy Jenkins to be more 'liberal' than his predecessor were quickly disillusioned. While Carr had admitted that force feeding was 'horrible', Jenkins sought to justify it purely on medical grounds pretending that the prison doctors were not in his employ. This was at a time when a picket was being mounted by doctors on the British Medical Association for its silence.

Not until after force feeding had ended did the true politics of the situation come clear when Jenkins instructed his minions in the prison medical service not to force feed prisoners who were sane and the BMA passed a resolution saying that it was up to each individual doctor to decide on the ethical issue of force feeding. These two simple events were a clear proof that until then prison doctors had force



Dolours Price

fed on the instruction of the Home Secretary.

Throughout the spring and into the early summer Roy Jenkins continued to play dice with the lives of the prisoners; gambling with their lives and health to get the government off the hook. On 31 March the hunger strike spread to the Isle of Wight where Frank Stagg and Michael Gaughan, joined for a short while by Paul Holmes who was later persuaded by the other two to give up because of his poor health, began to refuse food. The brutality of the method of force feeding used on Stagg and Gaughan illustrate quite clearly that the prison regarded it as a punitive rather than a medical procedure.

Murder

Michael Gaughan was finally murdered on 3 June after 66 days on hunger strike. The Labour Home Office had moved him from one prison to another on the Isle of Wight but had not agreed to his being moved to a prison in the Six Counties or even to the mainland to be nearer to his family. It was revealed at his inquest that at the time of his death his throat and mouth had been badly cut and some of his lower teeth had been knocked out. His weight loss had not been great and could not therefore have been the cause of death which was conveniently put down as pneumonia. The coroner, who refused to allow counsel for Gaughan's family to cross-examine prison doctors, said he thought that the damage to the wall of his lungs was caused by the force feeding tube. These facts speak for themselves. Even the 'doctor' who had attended him commented on Michael Gaughan's courage.

On 1st June, only two days before Michael Gaughan's death exposed the myth of the safety of force feeding and the complacent lies of the Home Office about the deteriorating condition of the prisoners, Jenkins made a vicious attack on the Price family. He accused them of 'urging on' the girls as though they were anxious to see them die. Jenkins did not explain who was 'urging on' the two boys who were not being allowed family visits. This was the stuff which the British gutter press lapped up and Jenkins was certainly playing to the gutter.

With the actual death of one of the prisoners, Jenkins was now in a tricky position and this was worsened with the refusal by doctors at Brixton to continue forcefeeding the girls after nearly killing Marian. Jenkins however had set himself up an escape clause in his seemingly entrenched refusal to transfer the hunger strikers. Three 'mediators', Jock Stallard, Fenner Brockway and Paddy Devlin, had been visiting the prisoners to find a 'compromise' solution. These visits were stepped up, and on 6th June the girls were informed by these three that Jenkins had agreed to move them home before the end of the year.

In the same week the Home Office

put out a false statement that Hugh Feeney had ended his hunger strike hoping to trick the others into giving up. Gartree prison announced that he had eaten a meal which in fact he had eaten after 200 days without food would have killed him. They were forced however to withdraw this lie. It was the last feeble gesture in the propaganda campaign by the Home Office against the prisoners. A telephone call between all four prisoners led to them accepting the assurance of the Home Secretary that they would be moved and that in the meantime they would be allowed to write as many letters as they wanted and wear their own clothes.

The Home Office had been beaten, but going against vaunted British tenets of 'fair play' they still had a few dirty tricks up their sleeves. In the course of a statement in the Commons, Jenkins said that they would be sent home 'subject to security conditions'. The prisoners were told by the mediators that this had been said for political purposes only and that it was not part of the agreement with them—indeed how could it be as the prisoners were in no position to control security conditions either in England or Ireland?

Delay

A sporadic bombing campaign in England, despite large periods of time when Jenkins could perfectly well have moved them, provided Jenkins with an excuse for delaying. In November, following the Birmingham bombs which had of course nothing to do with them, Jenkins not only made a vicious attack on the basic human rights of all the Irish in Britain, but took punitive action against the helpless prisoners by announcing that he would not be moving them in the near future and by moving the girls, whose mother was seriously ill and soon to die without having seen them since June to the remote 'special women's prison' wing in Durham where they were in fact the only long term inmates.

The capitalist press was overjoyed by the actions of this Labour Home Secretary who had proved himself so worthy of the mantle of generations of perfidious colonialist administrators. He had even begun to rival Ernley Blackwell, chief legal adviser to the Home Office who masterminded the circulation of the Diaries which ensured Casement's death and who censored his last letters to his family because they contravened 'Defence Regulations'.

It was only in the Spring of 1975 that the girls were eventually moved to Armagh prison, having been callously refused permission to attend their mother's funeral. One month later, four months after the expiry of Jenkins' 'by the end of the year' deadline, the two boys were moved to Long Kesh.

Frank Stagg however was moved to Wakefield prison where he was held in solitary confinement in a seriously

weakened condition following a second hunger strike which was in protest as humiliating treatment being meted out to him and his visitors at Long Lartin prison. Amazingly, despite the fact that he had ended his strike, that he was seriously ill and that the Association for Legal Justice had announced the intention of having the issue of his treatment heard before the European Court, he was brutally force fed at Wakefield because he refused to drink milk. He was then physically assaulted to make him submit to a medical examination.

Victory

The return of Dolours and Marian Price, Gerry Kelly and Hugh Feeney to prisons in the Six Counties is the first clear cut victory for Irish political prisoners held in Britain and they had the support not only of other Irish prisoners but also of many English prisoners in their battle with the British government—a battle which they fought and won with only one weapon, their bodies. Despite the decision of the Labour government to break their word and to continue holding them as hostages, their eventual transfer which was accompanied by compensatory transfers of Loyalist prisoners had been won not only by their physical suffering but by the moral integrity which had given them the courage to bear that suffering. This capacity obviously made them incomprehensible to gross moral compromisers like Jenkins. Their victory has not yet helped other prisoners who should be in the Six Counties.

Of those convicted with them, many have relatives who face immense journeys to visit them. William Armstrong, for example, has five children and while the ultimate aim of any campaign on behalf of Irish political prisoners must be their release a short term aim must also be to have them moved close to their families and into prisons where they are amongst their comrades and not isolated and scattered as at present throughout dozens of top security prisons. The savage torture of Irish prisoners in Winson Green should be a warning to us of the dangers they face at the hands of British fascists in fancy dress.

The story of the hunger strikers exposes the peculiar combination of brutality and hypocrisy which the British ruling classes have developed as their favourite method for dealing with the 'natives'. They of course express horror and surprise when the same treatment is meted out to them by erstwhile colonial puppets like Idi Amin. The hunger strikers also showed that this sadistic treachery collapses in the face of a courageous and determined opposition, corrupted as it is from within by centuries of guilt.

This is a lesson which the working class of both England and Ireland can learn; those who have justice on their side will always be stronger than those who fall back on the hypocrisies of a rotting and corrupted class rule.

MICHAEL GAUGHAN



He was born in Ballina, Co Mayo. In December 1971 he was sentenced to seven years' imprisonment at the Old Bailey and spent the first two years of his sentence in Wormwood Scrubs when he was transferred to Parkhurst. He went on hunger strike in Albany Prison where he was moved after refusing to work. After refusing food for 23 days the Home Office ordered that he be force fed. On 31st May Mrs Gaughan visited her son and saw the condition of her son for herself. She said afterwards that 'his throat was cut and red raw and that a dry tube must have been used'.

When his mother knew he was on hunger strike she asked him to eat and look after himself, 'much to my shame', he wrote to his mother and said:

'Mum, why do you ask me to eat? Don't you know that you ask what the British can't achieve, with force feeding or any other way.

I know mum that your reasons are very different from mine in wanting it to end. The British hold my health and life in their hands, they may take both rather than

give way to my just demands, but I will stand by what is just—all the way. I ask you to bear your worry and stand by me. I don't want these words to sound hard, but only to help you understand that I am what I am, and there are no two ways in this. I have never been much of a one for showing my feelings about you all and I won't start now either. Don't think that I don't care deeply about you all, I do!'

That was part of a letter he wrote to his mother on the 7th May 1974. Mrs Gaughan then wrote to her son and told him 'I will stand by you, whatever you choose to do'. He then wrote on the 21st May 1974:

'I was glad to see you found my last letter a help in understanding my reasons for the hunger strike, like yourself I can only hope we have results soon.'

The last letter he wrote was on the 29th May 1974. Mrs Gaughan had begged Michael to let her see him, he said:

'The only thing I ask is that none of you try to ask me to give up

my hunger-strike. I would not like to refuse anything for any of you, but my code of life by which I live, would make me refuse anyone's attempt to give up what I believe in. I have not put this well, but I hope you understand what I mean.'

Mrs Gaughan received that letter the day after he died. RIP. After writing it he asked the Governor to phone his mother to go to see him, he knew the end was near.

The courage of Michael Gaughan as he faced death was described by a prison doctor: 'There is no doubt in my mind,' said Dr Brian Cooper, 'that Michael was a very brave man. He told me that he was going to die and was looking forward to it.' His last words to a relative were:

'The road to freedom knows no stop (sign) it is not a road for those who stop to rest.'

These are heart-breaking words especially in view of the fact that young Michael Gaughan knew that in his cell 'resting' would mean that he could go on living. He chose not to rest, therefore sacrificing his life on freedom's road.

What Marx & Engels said on Ireland



In any consideration of the struggle waged by the Irish for freedom and independence, the names of Karl Marx and Friedrich Engels can never be omitted. In the nineteenth century, from their base in England, Marx and Engels were to the forefront of this struggle, and provide an example for all democrats and socialists concerned with the fight against the domination of small nations by the more powerful, exploiter countries. This of course is no coincidence: the main goal which Marx and Engels set themselves, the liberation of all working men and women from capitalist exploitation, is inextricably linked with the struggle for independence of all those nations whose economic, social, political and cultural life is dominated by a foreign power. If Marx and Engels were living now, in England, they would be carrying out the present theoretical fight against British rule in Ireland.

Marx and Engels constantly spoke, in the meetings of the First International Working Men's Association and elsewhere, on the Irish question. The fact that their remarks have so much relevance today, one hundred years afterwards, is on the one hand a tribute to their perspicacity and on the other, a crying condemnation of the present reality. Britain is still up to its old games in Ireland, and still uses many of the same methods to maintain its presence there. These two great defenders of the working class also made many more practical contributions to the fight of the Irish working man and woman, such as encouraging them to unionise, attacking the

British press for its biased reports on the situation and, very significantly, denouncing the brutal treatment meted out to Irish prisoners rotting in British jails.

Invasions

Their interest in Ireland went so far as to produce a history of that nation (written by Engels but unfortunately not completed) in which, coupled to their admiration for the originality and liveliness of Irish culture and the combative spirit of the Irish people, they analysed the causes of Ireland's ills. We read of the Anglo-Norman invasions of the twelfth century, the brutal wars of the seventeenth, in which the British all but crushed for once and for all the Irish nation as a separate entity, the potato famine of 1845-7, the eviction of one million tenant-farmer families in 1855-66 to make room for one million head of cattle, the subsequent emigrations to America etc. It is quite clearly shown how the plunder of Ireland contributed to the British economic take-off in the times of the Industrial Revolution. The various major uprisings are chronicled for our admiration: that of 1798 by the Society of United Irishmen, the 1848 rebellion of Young Ireland and the Irish Confederation, the Fenian struggle of 1867, etc. In short, there was practically no aspect of Ireland with which Marx and Engels did not concern themselves.

Particularly striking is their condemnation of British brutality with respect to Irish political prisoners, such as the Fenians.

They describe how O'Donovan Rossa was left for thirty-five days in a black dungeon, with his hands tied behind his back and forced to eat his food like a dog. How Irish prisoners were sent mad by being sent to lunatic asylums or kept in solitary confinement. How no visits were allowed to certain prisoners. How many died from ill-treatment. The general treatment of Irish political prisoners is described thus:

The political prisoners are dragged from one prison to another as if they were wild animals. They are forced to keep company with the vilest knaves; they are obliged to clean the pans used by these wretches, to wear the shirts and flannels which have previously been worn by these criminals, many of whom are suffering from the vilest diseases, and to wash in the same water. (...) A visiting cage was installed for the Fenian prisoners. It consists of three compartments divided by partitions of thick iron bars; the jailer occupies the central compartment and the prisoner and his friends can only see each other through this double row of bars.

In the docks you can find prisoners who eat all sorts of slugs, and frogs are considered dainties at Chatham. General Thomas Burke said he was not surprised to find a dead mouse floating in the soup. The convicts say that it was a bad day for them when the Fenians were sent to the prisons (The prison regime has become much more severe.).

(p.165 of Marx and Engels on Ireland: The English treatment of Fenian Prisoners)

The treatment (frogs and slugs excepted) is not so different today, as can be seen from the PAC Bulletin: beatings by police and warders, long stretches of solitary, tight restriction on visits, encouragement given to other prisoners to attack the Irish, cells in the vicinity of the mentally deranged or sexually perverted, etc.

Protests

The International Working Men's Association protested many times at the treatment and conditions suffered by Irish prisoners. This is what it quoted from a letter to the British press from an Irish Conservative MP: 'for the first six months no stranger whatever can be allowed to visit a convict undergoing the separate system at Pentonville (ie solitary confinement) . . . The prisoners are not 'allowed to see their friends outside the prison', nor are they allowed to see them inside the prison; nor are they allowed to see each other. Each prisoner has a solitary world of his own, thirteen feet by seven. A portion of this cell is occupied by a water-closet, and within two yards of this he takes his solitary meals, performs his solitary task work, and rests at night. If he omits to scrub and clean out his cell every morning, or if he breaks any other law of his little world, the directors can order him to be flogged, and put on bread and water for twenty-eight days in another little world where there is no light.' The effects of this, so the letter goes on, were that when the prisoners were put on ships to the penal colony of Van Diemen's Land, 'a number of them fell into fits, and it was only by associating them for a fortnight or so before they left Pentonville that these fits ceased on embarkation.'

Marx's daughter, Jenny, also concerned herself with Irish prisoners and had this to say, in an article written in 1870: 'Last Saturday a young Irishman called Gunner Hood left prison after serving four years. At the age of 19 he had joined the English army and served England in Canada. He was taken before a military tribunal in 1866 for having written seditious articles and sentenced to two years' hard labour. When the sentence was pronounced Hood took his cap and threw it into the air shouting 'Long live the Irish republic!'. This impassioned cry cost him dear. He was sentenced an extra two years in prison and fifty strokes for good measure. This was carried out in the most atrocious manner. Hood was attached to a plough and two strapping blacksmiths were armed with cat-o'-nine tails. There is no equivalent term in French for the English *knout*. Only the Russians and the English know what is meant by this. Like draws to like.' The so-called 'democratic' British regime is thus shown to be every bit as sadistic as the most savagely barbaric government in nineteenth century Europe. It hasn't changed much, has it? Ask those Birmingham prisoners. Jenny Marx continues with a reference to the Fenian Colonel Burke as having been 'reduced to a pitiful state in which he can no longer recognise his closest relatives' and further remarks: 'I could add many more names to this list of Irish martyrs. Suffice it to say that since 1866, when there was a raid on the *Irish People's* offices, 20 Fenians have died or gone mad in the prisons of humanitarian England.'

In another article to the same French republican newspaper, the *Marseillaise*, Jenny takes up the case of O'Donovan Rossa, and

quotes long extracts from a letter which he had managed to smuggle out of jail and in which he describes being beaten and stripped naked, put on bread and water, witnessing the slow death of a fellow-prisoner, John Lynch, from the cold, and being harnessed to a cart with a rope tied round his neck that all but strangled him. Rossa's letter is one of the most eloquent documents that has been penned against British savagery towards the Irish.

Marx and Engels point out also how the question of Ireland's right to independence (like the whole past history of the nation since the British invasion) is locked together with the fight in Britain carried out by the British people against their own ruling classes. Marx thought at first that Irish independence would be achieved through the victory of the British working class over their masters, and then came round to the opposite point of view, ie that a victory in Ireland would spark off the real fight of the British workers for socialism. Engels remarked that: 'the Irish are teaching our leisurely John Bull to get a move on' and was so impressed with the combative spirit of the Irish as to exclaim: 'Give me two hundred thousand Irishmen and I could overthrow the entire British monarchy'.

British workers

What the British workers have to learn, according to Marx, is that 'the national emancipation of Ireland is no question of abstract justice or humanitarian sentiment, but the first condition of their own social emancipation'. In fact 'any nation that oppresses another forges its own chains'. Why should this be so?

Firstly, by 'nation' Marx means the majority of the people, ie those who sell their labour power to the capitalist in return for their mere means of subsistence. By presenting the struggle of the Irish people in a false light as detrimental to the interests of all Englishmen, the English ruling classes are able to paper over the class interests of the English working man. They lead him to a chauvinist ideology which strengthens their hand over him, because he identifies their interests with his. Whilst English capital is allowed to exploit the Irish nation and whilst English troops are kept there, the English capitalists are doubly strengthened. Marx commented in 1870 (and how true this still is today!) that 'Ireland is the only pretext the English government has for retaining a big standing army, which, if need be, as has happened before, can be used against the English workers after having done its military training in Ireland'. In fact the British army is probably, through its presence in Ireland, now in 1975, the best equipped in the world to deal with urban guerrilla warfare, which is very likely one of the forms that the class struggle will take here in Britain in the near future.

All these are reasons for stating, as Marx did over one hundred years ago, that 'Irish history shows one what a misfortune it is for a nation to have subjected another nation'. No clearer analysis has been given (and that, so long ago) of the present plight of Ireland and its relation to the interests of the English man-in-the-street. Luckily Irish people are becoming more aware of the fact that they have staunch allies in a sizeable section of their fellow-oppressed, the English working class.

PRISON POEMS

TRIBUTE TO MICHAEL GAUGHAN

*This man whose courage knew no bounds
They tried hard to deride
But no amount of Fleet Street scorn
Could dent his passion or pride
For this great soldier of Ireland
Made the sacrifice supreme
Though the British murdered him slowly
Till death he remained serene.*

written by John Melia in Brixton prison

MOVING FROM BRIXTON TO WINCHESTER

*The light has gone out of my existence
No reason left but the great one,
The one that overrides all others,
That takes my whole being
Reserves and demands it.*

*Still there is a longing for the little ones,
The wave of your hand
That stirs my heart and makes me smile
To think that for me it is there,
The sound of your voice,
That I know from among many
That too is one of the little,
Perhaps it is the little that is great,
The great just is.*

*And I could say such things to you,
Could tell you of my dreams,
How once there was a little girl
Who danced in summer streams,
And sat upon a mountain,
And thought that she was God,
Knowing in her innocence,
All wrongs that she must solve.*

*Then I could show the woman,
Still so much the child
Who needs to hold your hands in hers,
If only for a while.
And would you gladly give yourself
To one who soon may die . . .
The child upon the mountain,
Looking at the sky.*

*Knowing the whole world secrets,
Seeing them at a glance,
And having seen her destiny
Was able still to dance.
Dolours Price*



NOEL JENKINSON

Of all the cases we have detailed in *The Irish Prisoner* none is worse than that of Noel Jenkinson who is at present serving a sentence of 'at least thirty years'. He was tried in October and November of 1972 ostensibly for the Aldershot barracks bomb but in effect the police had so little evidence against him that the trial hinged on Noel's political opinions and activities. Noel was born in 1929 and his most formative years were spent during the time of the revelations of the enormity of the results of Fascism in Europe. His political awakening, despite the fact that he was born into the privileged Protestant minority and into a culture which is intimately pro-British, dated from this moment as he himself explained in a letter from prison to his wife:

When I was seventeen (in 1946) and in the Boys Brigade I had the horrifying but in the event the useful experience of seeing the films of the opening of the German concentration camps in 1945. You have never seen those films (they should be required yearly viewing for all) but if you had you would have some idea of the effect it had on me. Coming as I did from a home which was happy and where I never wanted for anything necessary, and enjoying the remnants of privilege in education and jobs peculiar to Prods I was shocked to discover that such conditions could exist in what we were told was the best of all possible worlds. Well the result was I made a firm resolve to fight fascism wherever and whenever I met it. This resolve led me to read everything I could get my hands on about Fascism. Amongst the books I got was Connolly's Labour in Irish

History. It was then I discovered that what the Germans had done was merely a refinement and more efficient method of carrying out what had been British policy for centuries. Mass forced movements of population—first used by the Brits; genocide—practised continuously by the Brits; concentration camps—first used by the Brits in the Boer War; torture and arbitrary arrest, summary execution—every one of them used by the Brits against the Irish people. The reason for the obvious reluctance of the Brits to oppose Hitler now became clear for they had from the very beginning behaved as a professor urging restraint and cunning on a brilliant pupil. They had never opposed fascism as such but merely disputed the tactics used by Hitler.

Fascism

Noel's battle against fascism began when he was seventeen and continues to this day. When he emigrated to England to work he became involved in the trade union movement and while working for London transport he fought the lethargic, entrenched leadership of the Transport & General Workers Union to become secretary of the Highgate garage branch in 1964. This was at a time when the union leadership, despite militant talk, was busy collaborating with the bosses. Branch meetings were never called and Noel's request for rule book resulted in his being labelled a 'troublemaker'. When Noel had a meeting called, it was packed by the union reactionaries. But news of his treatment spread and the next meeting was full of members who supported his attempts to clean up the union. Noel, as a member of the Communist Party,

could not however stand for office.

Noel eventually resigned from the Party, despite many misgivings, after being disciplined for speaking on a platform in support of the Cuban Revolution. This was a terrible wrench for him because he had regarded joining the Party as the most important decision of his life. As he says, 'My whole life was bound up with the Party—but I could not submit to this apparent attack on the Cubans'. Having left the Party, however, Noel was free to stand for Union office and this he did being elected both branch secretary and shop steward. Noel later joined the Committee to defeat Revisionism for Communist Unity and paid a visit to Albania at the invitation of the Albanian Party of Labour. This visit gave him his first experience of 'peoples power'.

People's Power

Noel's trade union work, which showed concern for all workers not only in a fight for fair wages but in encouraging women to become drivers of buses and coloured members to stand for union office, has made him a still well-remembered figure at Highgate garage but not a man liked by union high-ups either then or now. In Albania he saw the effective use of a people's militia against the many attempted invasions, inspired by the British Secret Service and the CIA. (See Kim Philby's autobiography). He also saw a country which had suffered under Turkish domination for centuries and noted in particular the consequent repression of women because of the influence of Islam. He saw also how, in a few short years, entrenched, reactionary ideas and attitudes had been overcome in the

NOEL JENKINSON

battle to build socialism. Noel drew the obvious parallels with the Irish situation and it confirmed him in his belief that the working class could overthrow even well-established imperialist powers and build a society based on freedom instead of fear and superstition. Noel had come a long way by 1966 from the time when as a young officer in the Boys Brigade he had caused a scandal by refusing to stand up for 'God Save the King'.

When the Civil Rights agitation started in the Six Counties, Noel joined the Civil Rights Solidarity Campaign and became its chairman. He was in the forefront in London in exposing the brutality of British imperialism in the Six Counties which seemed to him another manifestation of the attack by fascism on the working class which had concerned him since his youth.

Arrest

This is the background to the arrest of Noel in early 1972 for the Aldershot barracks bomb which had been carried out by the Official IRA. Noel and his wife had had their home raided in one of the many 'routine' raids on politically active Irish people in London. It would be naive in the extreme to imagine that Noel's political views were not known to the police. A receipt from an Aldershot shop was 'found' in Noel's flat, and he was arrested and charged. His wife too was illegally arrested and Noel was threatened that she would be given a ten year sentence unless he 'co-operated'.

At the committal it was revealed that the receipt had been accidentally 'lost' in Noel's flat and that in fact it belonged to one of the Hampshire CID,

Detective Chief Inspector Smith.

Noel's trial continued however and turned into a trial of his political views in which the judge, the supposedly impartial referee, took an eager part in cross-examining Noel about his working class allegiance. At one point, Judge Sebag Shaw asked Noel if he would describe himself as anti-capitalist. Noel said he preferred to call himself pro-working class. All this took place before a jury in Winchester which is one of the most conservative cities in England and with a very strong regimental tradition. Noel was condemned out of his own mouth—as a working class militant and Socialist. The Aldershot bomb had been in retaliation for the deaths of 13 people in Derry on Bloody Sunday. The man who had led the paratroopers and commanded them to carry out the bloody execution of unarmed civilians was awarded an OBE by the Queen.

When Noel stood in the dock in Winchester, the judge and jury saw not the man who had carried out the Aldershot bombing, for the prosecution did not prove that Noel had ever been in Aldershot and the judge said they had no need to, but the typification of that Irish spirit of revolt against British rule which Bloody Sunday had been intended to curb. Noel was the embodiment of the determination of generations of Irish rebels who have made every English imperialist want to reach for a gun. Having no gun handy, and being committed to the pretence of a civilised ritual, they did the next best thing—the judge passed a life sentence on Noel with a recommendation that he spend at least THIRTY YEARS in prison.

They had tried to silence one voice

which had spoken out loud and clear for the freedom of the working people of England and Ireland. Exactly a year later, before the same judge and in the same court, a group of young people from Belfast were also given life sentences for 'conspiring to cause explosions'. On this occasion too, Sebag Shaw tried to add a thirty year sentence—but had to be told by one of the prisoners that he could not do that!

Victim

Noel, like all Irish political prisoners, is the victim of a desperate attempt by the British ruling classes to silence and destroy those who have opposed their brutal policies in Ireland—including those implemented by the neo-colonial government in the Free State. British socialists are increasingly feeling the effects of increased repression as capitalist policies totter and the two imprisoned pickets—Des Warren and Eric Tomlinson—have been treated in prison with the same callous brutality as Irish political prisoners. It is part of our job to make sure that these brave men and women are not silenced. In the case of Noel Jenkinson, the crudely manifest instances of victimisation have led the PAC to decide to take his case to the European Court of Human Rights in Strasbourg. Noel was refused leave to appeal in England and as usual in capitalist society, justice is only available for those who can pay for it. The cost of the Strasbourg case is £2000 at least, a small price for a man's freedom but one which has to come out of the pockets of ordinary working people in Ireland and England. We hope you will support it and help us free Noel and so enable him to continue his fight.

The Manchester Martyrs

'I am not astonished at my conviction. The Government of this country has the power of convicting any person. They appoint the judge; they chose the jury, and by means of what they call patronage—which is the means of corruption—they have the power of making the laws to suit their purposes.'

Michael O'Brien spoke these words from the dock in Manchester after being found guilty of murder and before being sentenced to death by the hanging judge, Justice Mellor. The events leading to the arrests, trial, conviction and executions of three Fenians in Manchester in 1867 are so similar in many respects to the treatment of Irish Political Prisoners by the British Government today that it forms a very relevant part of this booklet.

The Rising of the Fenian Revolutionary Brotherhood in 1867 had been a failure. Many of the leaders were arrested and sentenced to long periods in jail. The estimated membership of 80,000 in Ireland, 5,000 in England were badly disorganised and after March 1867 attempts were made to establish Revolutionary discipline. In England a meeting was called in the summer of 1867 in Manchester by Colonel Thomas Kelly who was one of the many Irish American officers in the Fenians. A new leadership in England was elected and Kelly was unanimously made the chief executive of the organisation. Shortly after the meeting, on the 11th September 1867 Kelly and Timothy Deasy were arrested by police in Manchester. They were remanded in police custody on a warrant backed only by a policeman's signature on a vagrancy charge. At the magistrates' hearing of 18th September they were once again remanded by the magistrates. After this remand warrants for their arrest from Scotland Yard for Kelly and from the RIC for Deasy were presented to the court; the men were wanted in Ireland on a felony charge and they were now held in custody on this charge. The illegality of their arrest under the Manchester Police Act for vagrancy was to play a vital part in the defence of the prisoners soon to be charged with the murder of Sergeant Brett. The police in the murder trial were unable to produce the original warrant for the arrest and Inspector Garner told the court that it had been torn up.

Shots

As the two prisoners were taken from the courthouse after the hearing on the 18th September and were being driven to the prison by six policemen the party was ambushed in Hyde Road near the Railway Arch by members of the Fenians. In releasing Kelly and Deasy shots were fired at the locked van door. Inside the van, Sergeant Brett was peering out to see what was happening and was hit in the head by one of the bullets and died later in hospital. Several Fenians were arrested immediately in the vicinity of the attack and in the next few days there followed a police witchhunt

against the Irish in Manchester with frequent raids and many arrests accompanied by much police brutality towards those arrested.

By evening of the 21st September, 50 Irishmen had been taken into custody. Troops were brought in to protect the police station, rewards were offered for the capture of Kelly and Deasy and any Fenian thought to have been involved in the rescue. A wave of hysterical anti-Irish sentiment swept the country and the British Press sunk to the same levels that we are now only too familiar with.

The London Times named one of the arrested men, William Allen, as the one said to have fired the shot that killed Brett.

Identification of the prisoners

The prisoners were held shackled in the police station where they were on display to the police witnesses in the case. Allen said later that a handkerchief was kept on his head all night to familiarise witnesses with him and that his clothes were taken in Fairfield Station and shown to witnesses that they could describe what he was wearing. At the Special Commission he said that of all the prisoners he was the only one without an overcoat, his having been taken, to help in his identification. At identification parades only prisoners arrested on this charge were lined up and witnesses identified prisoners to the police privately. All the other prisoners complained of similar treatment.

Magistrates Court

A preliminary hearing before magistrate

Robinson Fowler took place on 19th September. After the hearing the prisoners were taken from the court under heavy armed military guard with troops and hussars. Earnest Jones, barrister for four of the accused, complained to the magistrate about the prisoners being manacled in court and demanded that the chains be removed. The magistrate consulted the police and refused to remove the chains even though Jones argued that Fowler was the superior authority in the court. Jones also complained of the presence of armed troops in the court, some sitting on the bench and of the large number of soldiers in the vicinity of the court. The magistrate again consulted with the police and again refused to concede to either demand of the defence. Jones left the court saying that 'as a member of the English bar I decline to sit in any Court where the police override the magistrate.'

The preliminary hearing lasted nine days. A succession of witnesses for the prosecution gave evidence that they saw Allen fire the revolver at the locked door of the van. However much of this testimony against Allen was unreliable and contradictory, particularly the evidence of two women prisoners who were in the van with Kelly and Deasy and that of Francis Armstrong who had 48 previous convictions. One of the witnesses, Edwin Walton, wanted to see all Fenians hung and personally wished to attend the executions. At one stage the prosecution attempted to suppress evidence being presented before the court on the grounds that it was repetitive. Roberts for the defence said he had never heard of such a trick which aimed at presenting 'only part of the evidence before the magistrate and part at the trial'. Throughout the hearing the magistrate made no attempt to control the public gallery which was packed with people with strong anti-Fenian views who booed and jeered every time the defence was making a point. Finally 23 prisoners were committed for



trial before a Special Commission on 28 October 1867.

Coroners Court

On the same day the Coroner returned a verdict of 'wilful murder against Allen and others unknown'. There would be no protests in the national press about this verdict as happened in the Lord Lucan case when the coroner court returned a verdict of murder by Lord Lucan on 19th June 1975. There would be no inquiry by the Home Office into the Coroner's Court system.

Pre-trial strategy and Security

The defence attempted to have the trial postponed until after Christmas when it was hoped the men might have some chance of a fair trial in a less emotional atmosphere. The papers had published vicious attacks on Irish workers in Britain, they had called for the full severity of the law, they had named a prisoner as being responsible for an offence of which he was still technically innocent. The Home Secretary, Gawthorne Hardy, refused petitions for a postponement. Security was tightened. Soldiers were moved into Manchester and neighbouring towns and as far away as Liverpool, Leeds and Birmingham with heavy guns. In Manchester there was now more than 2000 soldiers and a large force of police and Special Constables.

Trial

At the opening of the trial Roberts tried again to have the case transferred from Manchester. He cited the extraordinary measures that the authorities had taken, and the high feeling still being stirred up by the national and local press. Justice Blackburne refused his request saying that 'Suppose that every word of the affidavit to be true, there is no reason whatever for removing the trial from the present Commission'.

The Grand Jury was now selected and in the course of challenging many of the names called Blackburne ordered the arrest of Roberts on the grounds of repeatedly challenging potential jurors. The concern of the defence is not hard to understand when the final jury was composed of six MPs and two baronets and members of the local aristocracy and businessmen: just the class of people who would give revolutionary Irishmen a 'fair and impartial hearing'. Blackburne then addressed the jury of upper class and aristocratic Englishmen and so as to ensure that any of them that might have had some liberal ideas about courts of law and innocent until proved guilty told them that 'Allen was the person who fired the shot'.

As the trial proceeded Roberts tried to have the charge reduced to manslaughter in view of the illegal arrest of Kelly and Deasy and the accidental nature of the death of Sergeant Brett.

Cottingham quoted the case of the Queen v Phelps where a charge of murder was dropped when it was made known that the dead policeman was acting in excess of his powers. Blackburne ruled that even if the escaped prisoners were illegally arrested this provided no excuse at all for attempting to free them and that 'whenever persons agree amongst each other, either expressly or tacitly, to take part in the performance of an unlawful action, every person concerned in such an unlawful act is equally guilty of murder, if the crime is committed, with the person who fires the fatal shot'; the stage was set for the judicial murder of five Irishmen.

The trained police witnesses proceeded each other into the box to give evidence often contradictory and the case developed against the prisoners.

Verdict

The jury retired on the 1st November and just over an hour later returned guilty verdicts in every case. Before sentence was passed the prisoners in the dock made speeches. Allen told the court that he more than any man in the court regretted the death of Sergeant Brett but that he was completely innocent of the charge of murder, 'I'll want no mercy—I'll have no mercy. I'll die, as many thousands have died, for the sake of their beloved land, and in defence of it. I will die proudly and triumphantly in defence of Republican principles and the liberty of an oppressed and enslaved people'.

Michael Larkin said that he had gone to give 'aid and assistance to those two most noble heroes that were confined in the van—and to help to extricate them'. That he would not take the life of a 'child let alone a man'.

Michael O'Brien made a long and powerful attack on British rule in Ireland 'that no man, except a paid official of the British Government, can say there is a shadow of liberty, that there is a spark of glad life amongst its plundered and persecuted inhabitants'. He attacked the hypocrisy of the British aristocrats who condemn despotism abroad and in Italy and Dahomey and make no mention of the relentless tyranny of the Government of Ireland. 'Let them look at London and see the thousands that want bread there, whilst those aristocrats are rioting in luxury and crime'. Blackburne interrupted O'Brien and tried to prevent him continuing with his political speech by threatening him with serious consequences but O'Brien continued. It is interesting that the British have ever been afraid of hearing Irishmen speaking from the dock as in the case of Casement and the case of Reginald Dunne and Joseph O'Sullivan in July 1922 who were prevented from speaking from the dock after they had been found guilty of murder at the Old Bailey, also the more recent case of the Belfast 10 where the judge ordered the prisoners to be removed from the court and interrupted the speeches made from the dock.

McGuire and Condon made speeches in similar vein.

The judge then sentenced all five to death by hanging.

Refusal of Appeal

Counsel for the defence continued with their efforts to have the charge changed to one of manslaughter and numerous precedents were presented to the trial judges. Blackburne and Mellor refused to consider an Appeal before the Court of Criminal Appeal saying 'We think it monstrous to suppose that, even if the magistrates did make an informal warrant, it would possibly justify the slaughter of an officer in charge of the prisoners, or reduce such slaughter to the crime of manslaughter'.

Some 30 members of the press signed a petition which stated that they believed that McGuire was innocent and that his conviction resulted from mistaken identity. British working class organisations and papers were quick to condemn the verdict. On the 20th November the defence's application for an Appeal before the Court for Crown Cases Reserved on the grounds of the wrongful detention of Kelly and Deasy was refused by Mellor and Blackburne. On the 21st an Irish MP attempted to have the exact legal position established by all the judges of England so as not to perpetrate 'a legal murder'. There was some support from MPs that the prisoners should have the right of an Appeal and that the objections of the trial judges should be overruled. However this was not the opinion of the Home Secretary and the Prime

Minister shared this view. Action through Parliament to save the men failed. On the 21st November the Home Office gave McGuire a free pardon and Condons sentence was commuted to penal servitude, after pressure from the American Government.

On 20th November an emergency meeting of the General Council of the International Working Mens Association was called when news of the refusal of the Home Secretary to reprieve the men came through. A resolution written by Karl Marx was unanimously adopted and supported by the working mens associations of America, France, Germany, Switzerland, Spain, Poland, Holland and Belgium; the resolution called for the commutation of the death sentence and described the Manchester verdict not as a judicial act but an act of political revenge which was tainted by the interference of the British Government. The resolution was ignored by the Home Secretary. The next day a demonstration of 25,000 British workers held a torch light procession from Clerkenwell Green and demanded a reprieve. The authorities again refused to yield to this and other petitions from other parts of the country.

Executions

On the morning of the executions a crowd of 10,000 were outside the prison. The prisoners drew up their final testimony in which they stressed their innocence, their love for their country and their allegiance to the ideals of the Fenian Movement. They saw their friends and relatives for the last time though even in this the authorities were cruel and Allen was refused permission to see his girl friend.

They were awakened at 5am. At 7.45am the hangman pinnioned their hands and they were led out to the gallows and executed just after 8am on the 22nd November. They showed no sign of fear. The crowd saw the men disappear into the hatches; they did not see that Allen died instantly but O'Brien and Larkin were still alive and struggling. The hangman killed Larkin by climbing on his back and as he was about to do the same with O'Brien the priest intervened and held O'Brien close to him until he died in his arms. British justice was done and was seen to be done.

Postscript

The last correspondence of the prisoners expresses their strength and determination.

Michael O'Brien wrote to his brother 'I will do judge and jury the justice of saying they believed me guilty of being—a citizen of the United States, a friend of liberty, a hater of relentless cruelty, and therefore no friend of the British Government as it exists in our beautiful island'. Allen told his Aunt and Uncle in his last letter on the day of his execution, 'A few hours more, and I will breathe my last, and on English soil. Oh, that I could be buried in Ireland; what a happiness it would be to all my friends, and to myself—where my countrymen could kneel at my grave.' His wish has still not been carried out and though the bodies were removed from the grounds of New Bailey prison to Strangeways jail when the former was demolished.

Like the Coventry Case in 1939 when Barnes and McCormick were found guilty and executed it was known at the time that they were not the people who carried out the operation though they were involved in it. British Justice is not concerned about the guilt or innocence of its victims only that some retribution be exacted particularly where Irish politics are involved. Years later senior members of the Fenian Movement confirmed the innocence of the executed prisoners.



Professional terrorists

WHENEVER somebody casts a shadow of a doubt on the impartiality of the 'security forces' in the six counties Merlyn Rees or one of his innumerable lackeys conjures up a stirring piece of rhetoric proclaiming 'what a wonderful job the Brit army is doing and what a terrible strain it is on them trying to maintain peace in the six occupied counties in North East Ireland.

Let us take a closer look at some of these 'wonderful men who are risking their lives' to save us from ourselves.

MOODY

In October 1973 at Hannahstown electricity sub-station, near Belfast, 41 year old Private Thomas Forsythe of the UDR was shot dead by David Moody (26) who was then attached to the second battalion Royal Regiment of Fusiliers. At his trial at Armagh Assizes on 27 January 1975 Moody was sentenced to 12 years imprisonment. A psychiatrist's report described Moody, a member of the so called peace keeping force, as an 'aggressive psychopath', a description that would fit a great number of Brits, serving in North East occupied Ireland today.

Following a riot in the Bogside, Derry, on 8 July 1971 a 28 year old welder, James Cusack was shot dead by a Brit soldier.

During his hearing of a claim for compensation by Mr Joseph Cusack, the dead man's father, the Brit responsible claimed that James Cusack was armed with a rifle and was taking aim at him. The Brit, whose identity was not revealed and subsequently became known as Private A, claimed that the shot which killed James Cusack was fired in self defence. Miss Nell McCafferty, an Irish Times reporter who witnessed the murder, was asked in the High Court if Cusack had been armed with a rifle replied, 'Absolutely NOT'. Miss McCafferty also denied that anyone had removed a rifle from near Cusack's body after he had been shot dead. The judge Mr Justice Gibson came to the conclusion that Cusack was unarmed, which ruled out Private A's claim of self-defence, but was 'GUILTY of contributory negligence'. Mr Gibson went on to say that Private A had a 'momentary error of observation'. Another momentary error by the security forces, an error that cost a man his life.

Mr Joseph Cusack was awarded the paltry sum of £375.00 damages plus £40 funeral expenses as compensation by the authorities for the loss of his son's life.

FOXFORD

On the 28 February 1973 a twelve year old schoolboy, Kevin Heatley, was shot down in cold blood on the streets of Newry.

The perpetrator of this foul murder was a Corporal Francis Foxford (22) of the Hampshire Regiment who was on his first 'tour' of duty in the six counties. At his trial at Belfast City Commission, in March 1974,

Foxford's counsel claimed that Kevin Heatley was armed and fired on Foxford whilst he was patrolling the Derrybeg Estate. Unfortunately Heatley's 'weapon' had disappeared into thin air after the incident and could not be produced in court.

On the 15 March Corporal Foxford was convicted of the manslaughter of Kevin Heatley and was sentenced to three years imprisonment.

Passing sentence Mr Justice Kelly said that he had found Foxford's evidence unreliable and unacceptable in many matters. He was satisfied that Foxford had fired an unaimed shot without cause of justification!

But then Mr Justice Kelly went on to express his sympathy with Brit soldiers who had to endure the daily threat of death or injury. Perhaps Mr Kelly thinks that ordinary working class Catholics and Protestants don't have to endure this daily threat from sectarian assassins and murder gangs such as the SAS. 'You have suffered all this', Mr Kelly continued, 'with cheerfulness, dignity and restraint'. We had a sample of Corporal Foxford's 'cheerfulness', as Mr Kelly puts it, when as he was walking away from Kevin Heatley's lifeless body he remarked 'Next please'. We could also see his dignity as he posed for heart-rendering photographs with his wife and their young son's teddy-bear for the British scab press and their propaganda exercise which was used to glorify their young murderer. And restraint? Well if shooting an unarmed schoolboy with an automatic 7.62 self loading rifle, is restraint I would advise anybody who knows Corporal Foxford not to get into dispute with him just in case he loses his temper.

Well at last it looked as if some justice was coming to North East Occupied Ireland, must to the dismay of the Tory party and the British Army, but it was too much to hope for. The Brits couldn't have one of their soldier lackeys languishing in one of HM prisons just for shooting somebody from the working class, and Irish at that. Within a week of being sentenced Foxford was transferred from the six counties to Liverpool prison for his own 'protection'. (Its amazing compared to Foxford's case how long it takes the British to transfer Irish political prisoners to their own country).

On 21 March 1974 Foxford was granted bail of £3000 in the Belfast High Court pending his appeal against conviction and sentence.

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Three months later on 21 June Foxford walked out of Belfast High Court a FREEMAN, after his three year sentence was quashed by the court of Criminal Appeal. The three men who freed Foxford were Lord Justice Curran and Jones and Lord Chief Justice Sir Robert Lowry who has popped up recently as Chairman of the ill fated conventional Assembly.

As NICRA said in a statement issued after Foxford was freed, 'This case is yet another in which it has been shown that there is one law for the security forces and another for civilians.'

JONES

On 7 August 1974 a Brit patrol called at a farmhouse in Limehill, Pomeroy Co Tyrone. After talking to Mrs McElhone, who ran the farm with her husband and their son Patrick, the Brits obtained permission to search the farm area. Approximately an hour after the patrol had arrived 23 year old Patrick McElhone, returned home from working in a hay field and passed a number of Brits in the farmyard on his way to tea. As he sat down at the table two Brits, with blackened faces opened the door and called him out. He left the table and went outside to see what they wanted. Mrs McElhone went to the window to observe what was happening as she was naturally concerned about what was going on. As Patrick left the house he was shaken by one of the British thugs and was then pushed towards the gate leading to the road. Thinking her son was going to be arrested Mrs McElhone summoned her husband who then went out to investigate. Mr McElhone saw Patrick been pushed into a field and 'shot in the back' by Lance Corporal Roy Jones of the Royal Regiment of Wales. When asked by Mr McElhone the reason for shooting his son a Brit murdered replied, 'Get in you fucking slobber or we'll shoot you too'.

At Jones' trial at Belfast City Commission in November 1974, where he was charged with murder, a Detective Inspector told the Court that when Jones was charged he replied 'NOT GUILTY'. 'It was an accident'. It was later stated in court by Corporal Gwynn Wood and other members of the patrol that when Jones was asked what had happened he said something like 'He was running away'.

As in most cases of this nature British Justice prevailed once again and Mr Justice McDermoth returned a verdict of 'NOT GUILTY'.

At the inquest on Patrick McElhone, Sgt Harry, who was Jones' platoon commander on the day of the incident, said that none of the stipulated circumstances in the 'Yellow card' (the Brit rule book regarding opening fire and designed to protect civilians) existed at the time of the shooting. The very first clause in the yellow card is that a soldier should only open fire on the orders of his on-the-spot commander. When asked if he had ordered Jones to open fire Sgt Harry replied 'NO.. Sgt Harry also stated that Patrick McElhone was UNARMED and that he had heard no warning given as McElhone was supposedly running away.

Patrick McElhone was regarded throughout the local community as a hard working young man who was devoted to his mother and father and had no connections with any political organisation yet his murderer, as in the cases of James Cusack and Kevin Heatley was deemed fit to walk the streets as you and I.

It seems that there is one law for the British Murderer's who occupy North East Ireland and one for the Irish working class.

If these legalised British terrorists (in and out of uniform) are your idea of Law and Order Mr Merlyn Rees then I suggest to you to take your 'peace keepers' and SAS killers and get the hell out of Ireland. Leave Ireland to the Irish working class.

Justice

THE law is an ass, the front end licking the corporate arse of the establishment, the back end kicking the face of any common man seeking justice.

Dickens wrote the first part of that some while ago; I have completed it today to dispel the illusion he created.

The law is not bumbling, easy-going, absent-minded, or essentially good. Indeed it is the very opposite; a sharp, keen weapon, which exists for use against the interests of the people.

CLASS LAW

Law in these islands exists to protect property, not people. The majority have no property; law therefore is the creature of the rich. The truth of this can be amply proved. For example, consider the actions of a Tory government minister, who acting as a pimp, escaped the consequences of his acts because of his position and his wealth. One of his confederates, without position and wealth could only escape the consequences by committing suicide. The minister has lately been honoured in the Queen's Birthday list (rather appropriate in his case I think).

I recall the actions of a former Home Secretary (many of whose former business associates are now in jail). He, involved up to the neck in the crimes for which they are doing time escaped any penalty by the simple expedient of blocking police enquiries into his 'business affairs'. That he was able to use the machinery of government to this end, was, as he stated privately: 'One of the perks of office'.

He is now back in favour with the funny-hat party having spent a penitential period in the political wilderness. 'Reinstated in the shadow cabinet', as Mrs Thatcher might have said: 'as a reward for long service and detected, but un-prosecuted crime'.

Those are two prime samples of our law-makers. They are leaders of a faction forever baying for more 'law and order'. They bay because they are aware that law will never be applied against them—whatever their crimes.

JUSTICE FOR THE IRISH PEOPLE

Now compare the cases of the ex-Home Secretary and the ex-Cabinet Minister with others.

Consider for example the case of

Noel Jenkinson, currently serving 30 years in jail for a crime he did not commit. Noel was found guilty on the evidence of a shopping receipt. The police, completely out of character for once, later admitted that this receipt was planted by one of their own men. Why then is Noel still in prison? Because of his former trade union activities? Because he is a Socialist? Because he is Irish? A common no account working man?

Take your pick of those reasons—there are no others.

Consider the case of the six Birmingham Irishmen. They were arrested last November (1974). Whilst in custody they were savagely beaten, firstly by the police, later by prison wardens. The mechanics of these beatings make interesting, if horrific reading. The six men were locked in separate cells. Later the heavy mob gathered outside the first cell, the door was thrown open and they rushed in. The prisoner was then shackled, wrists and ankles, and the beating commenced. It went on until the four men carrying it out were exhausted, their victim bleeding and unconscious upon the floor of his cell. Overeagerness on the part of the four braves caused them to mark the face of the prisoner; a mistake of amateurs the usual vade mecum on such occasions being to kick a man into insensibility without leaving tell-tale injuries. Boots, applied to the balls, the stomach, the solar-plexus, whilst dreadfully agonizing leave no marks.

The other five prisoners were beaten as the night progressed. The operation took a long time for their assailants needed rest periods after each assault. They drank to celebrate each completed attack and this caused them to repeat their initial mistake—they marked the faces of their last two victims also. For this they later got a rocket from their chief-officer, not for the beatings they had handed out but for leaving evidence of them—a fine point.

The six men they beat so savagely were charged and given life sentences. They may or may not be guilty of an offence. The men who tortured them through a long night certainly are. They have not been charged however and 'law and order' being what it is are unlikely to be. For you see, the criminals who serve the lawmakers are allowed—like cabinet ministers and home secretaries—some licence of law. They can bend it on all occasions, they can break it when dealing with any members

of the common herd.

There was nothing unusual about the beatings described above—they happen every day in the police stations, the prisons and the concentration camps. The beatings described were however, brought to the notice of the Home Secretary soon after they occurred. He has not as yet taken any effective action in the affair. He, of course is of the pack baying day in, day out, for more 'law and order'. I now say this to him: apply a little of the plethora of law already in existence to the four torturers—who are directly responsible to him—apply a little order to the many who assisted them.

And what of the conditions that political prisoners such as Noel Jenkinson have to endure in the prisons and concentration camps of these islands? They are vile. Torture is a commonplace and whatever else we fail at we can at least boast of the most effective torture system in the whole world. No? Well the Shah of Persia (no mean torturer himself) thinks we do, and flatters our system by imitating it—and you just can't get more sincere than that. On television the other night, replying to Lord Chalfont (a great fighter for freedom but dead against freedom fighters), the Shah said: 'We', the Persians, 'are now sophisticated enough to use the same methods that you people are using for interrogating the people you have to . . . you talk too much of your so called democracy, accusing people of not being democratic . . . remember that in our places of detention we have fewer political than you have. Fewer of them have died under interrogation than have died under the interrogation in your system'. Praise indeed.

Many will be pleased to note that our jailers and our torturers do not go without honour and reward. They appear quite frequently (like bent ex-cabinet ministers), in the Queen's Birthday honours list. The latest to appear is the Kommandant of Long Kesh concentration camp no less. Well, there is a Queen's award to successful manufacturers so why not one to the men whose work enables them to be successful? I presume of course that their success stems mainly from the employment of a docile workforce, whose natural leaders have been removed on one pretext or another, leaving the employer to exploit workers to the ninth degree. How can one fail to be a success if enabled to purchase a pound's worth of work for 25p?

v the Law

JUSTICE FOR TRADE UNIONISTS

Remember Tomlinson and Warren? Two building workers who demanded the rate for the job and to secure it tried to exclude lump-labour scabs from the building trade. The authorities freely admitted that these men had committed no crime; but no fuss, they charged them with talking about one and put them away for a number of years.

But, and here is the rub. If they had actually committed the crime for which they were jailed, instead of merely talking about it, then their maximum sentences would have been three months.

In fairness I must make known the fact that the two men have not been subjected to torture during their im-

prisonment. Both have been deprived of clothing for everyday wear on a number of occasions—sometimes for periods exceeding thirty days, but this was only uncomfortable during the months of the winter, now that the warmer weather is here it should prove to be of no great discomfort.

We have the words of the Home-Secretary Mr Jenkins on this score and as he goes to church every week he must therefore be believed.

CONSPIRACY CHARGE

The ruse being used by the authorities in substituting catch all conspiracy instead of specific charges against dissi-

dents is to be deplored. This 'trick of the trade' alters the whole basis of proof from the prosecution to the defendant. In effect the defendant charged under the conspiracy laws has to prove his innocence, the prosecution does not have to prove guilt. The substitution also effects the length of sentence. Warren and Tomlinson were liable to a maximum term of three months if they had been charged and found guilty of damaging property. Instead they were charged with conspiring to do so and received terms of two and three years—they could have been sentenced to life imprisonment, and that is the real evil of the application of 'law' in their case.

This evil is now poised above the heads of 15 people who face charges under the infamous Incitement to Disaffection Act. They have been charged, not with actually committing offences, but more alarmingly with conspiring to do so and so face the prospect of life imprisonment for their misguided belief in the principle of free speech.

CONCLUSION

The working class of these islands have never had anything going for them in the way of law. And now those of their class who dare to speak out and write of the injustices suffered by them are being hounded into jails up and down the country; the principle motivating the authorities being that cranks make revolutions and revolutions tend to displace those in power. In effect the law is being made use of by the executive, not for the containment of crime or the well being of the country, as a whole, but to imprison people they see as threats to their privileged positions, people who want changes in the social system.

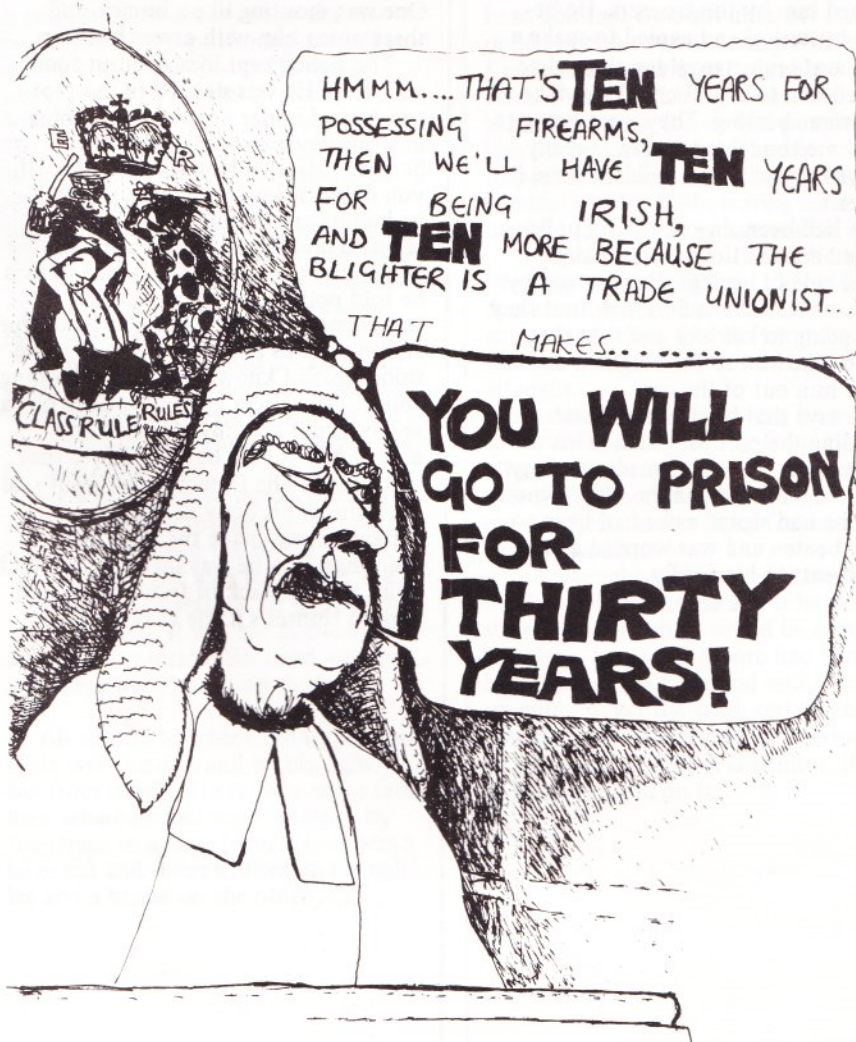
We have too much 'law' in this country at the present moment and it is being increased all the time.

Why not get rid of some of it and put justice in its place?

A start could be made by striking out from the statute books that most insidious 'Incitement to Disaffection Act'.

The 'Catch 22' conspiracy act should also go—if it doesn't I can see a time when it will be refined to the point where thoughts of illegality will make the thinker liable to imprisonment.

Yes, let us have more justice and less 'law', for if the former pertains then the latter is not required.



The Owen Inquiry

On the 27th June 1976, Judge Bridge ruled in the Lancaster bomb trial that certain statements be admitted as evidence. These statements admitting responsibility for the Birmingham bombs which killed 21 people on 21 November 1974 were made after the accused had been in police custody for four days and after they had been subjected to the most intense psychological and physical torture. In this article the 'admissions' of the prisoners made to the police are set out and the manner in which the 'confessions' were forced from the prisoners are described from the prisoners' own words.

(compiled from press reports of the trial)

William Power

Statement: That he had gone to the Mulberry Bush pub from New Street Station with a bag containing a bomb and placed it by the juke box.

William Power says that he was held in a small dark room with no windows or light at Morcambe police station. He had been punched and kicked on his head and chest by five policemen who were referred to by other policemen as the 'heavy squad'. He was spread up against a wall with his hands up high and pulled by the throat, one policeman shouted at him, 'You'll never have sex again' and a policeman grabbed him by the trousers. He became hysterical and agreed to make a statement saying anything the police wanted him to say. 'I could not take any more beating. They were going to throw me through a window. I really believed my wife and children were in danger.'

He had been shaken by the police, slapped around the head and kicked on the side of his legs. He was told by police officer Michael French that they were going to kill him and that they would take him to Birmingham and throw him out of the car.

He says that he signed the statement including the part that said, 'This statement is true and I made it of my own free will' and that he didn't know what he had signed as he had been so badly beaten and was worried about the threats to his family.

HUGH CALLAGHAN

Statement: That he and Gerard Hunter planted the bombs at the Mulberry Bush and named himself and John Walker, Noel McKenny and Gerard Hunter as members of the Provisional IRA.

Hugh Callaghan says that he signed statements during police interviews only because he was terrified. He was arrested on the 22 November in Birmingham. He was left in a cell for several hours with a police dog outside. He was beaten by the police. One policeman with his fist clenched near to his head said, 'You are going to sign a statement'. One was shouting like a lunatic and threatening him with severe beatings.

The police kept him without food and sleep. He was slapped in the face and kicked under a table on his shins in the interview room. Detective Sergeant Michael Hornby told him, 'If you don't make a statement you will be bashed around the cells'. He was terrified and feared fresh violence.

On his way to another police station he told police that, 'You can't let that statement go through because its untrue and implicates another person in something which I know completely nothing about'. An officer in front 'pulled out a revolver, put it at my stomach and said to me, 'You'd better stick to that statement'. The Detective Sergeant said 'let's throw his body in the lake'. A statement was made the next day. Callaghan says he was suffering stomach pains through lack of food. He picked Gerard Hunter's name at random.

PATRICK HILL

No Statement.

He says that when the interviews commenced at Morcambe he was pulled and kicked and called 'a murdering bastard'. When police were angry they dragged him along the floor by his hair and screamed at him. At one point the police were told to be quiet as there was a visitor at the police station. 'I couldn't count the blows. After a while my body went numb. One of the officers gave instructions not to mark my face'.

In a police car on the way to Birmingham police whipped him with a leather strap of a truncheon and Inspector Moore kept turning around to punch him in the chest. 'He had a revolver and he hit me on the head with it. He told me to open my mouth. He put the muzzle of the gun into my mouth and told me he was going to blow my head off'. He pulled the trigger. He started laughing and said, 'There must be something wrong with the ammunition'. He did the same again. He put the gun against my eye and said 'Third time lucky'. It clicked again.

The police demanded a statement from him. Sergeant Bennet pushed the butt end of a cigarette against his toe and punched him when he tried to pull his bare foot away.

He was told there was a crowd outside his house, screaming for his wife's blood. If he signed the police would take his wife and kids to a safe place.

After police attacks his left ear was badly swollen. It was cut at the back and bleeding inside. His head was sore and there were lumps on the back of it.

All around his chest and upper arms there were bruises and on his right hip from a kick. There were some faint lines where he had been whipped by the straps of a truncheon. There was a large cut and other bruises on his right leg and a bruise on the other leg.

GERARD HUNTER

No statement.

He was not allowed to sleep during his three nights in police custody, given no food from Friday morning until late Saturday night and was forced to look at a noose hanging in his cell door hatch. At times he was made to stand like a crucifix against a wall.

He was subjected 'at the hands of a number of police officers to a long mental and physical torture'.

Detective Chief Superintendent George Reade and Detective Chief Inspector John Moore interviewed him at Morcambe. 'I was punched on the head and face by both men. Mr Reade pulled my hair continuously'. When Reade was on his own he grabbed Hunter's hair and banged his head against the wall. Reade had punched him in the mouth, and when he tried to push him away Reade had grabbed handfuls of his flesh, leaving scratch marks and red blotches across his chest.

At Queen's Road police station, Birmingham, he had been kicked by a detective constable who said, 'Let me get at the fucker. I haven't touched him yet'. He was forced to stay awake all night.

On the Saturday morning he was interviewed continuously from 10am to 10pm and given nothing to eat until that night. There was always one or more officers in the room for more than 12 hours.

He was told there was a screaming mob outside his house and if he made a statement his family would be moved to safety. Inspector Moore had banged his head on the table and said, 'We are going to get the truth out of you'. One detective had shown him a doodle of a headstone with R G Hunter. Rest in Peace written on it.

NOEL McILKENNY

Statement: That he placed a bomb in the Tavern in the Town and then went to New Street Station.

He was taken to Queen's Road Police Station in Birmingham; in the main CID office in the presence of four or five officers including Detective Chief Inspector George Reade and Detective Constable Woodwiss. 'I was placed with my back to the wall. Woodwiss took out a revolver and aimed it at me. I was asked if I was going to make a statement. I said no and Woodwiss, still aiming the revolver, pulled the trigger. He was aiming at my head and the top of my body. There was a click'.

Woodwiss swore, half turned away, and fiddled with the revolver. 'He took aim again and asked if I was going to sign. I refused and he pulled the trigger again. The gun went off. I had one hell of a shock, my heart jumped and I thought I had it'.

Woodwiss fired three times. On the third occasion, McKenny says 'He pulled the trigger again and the same thing happened, the report, and out of the barrel of the revolver came some little pieces of black stuff, something like burnt cotton. It came out with some force, but didn't travel far from the barrel of the gun. I knew I was going to be shot dead. I had had a bit of a shock and was in a bit of a daze'.

He was taken to the interview room where he was punched in the nose by a police sergeant and started to bleed.

'I signed the statement because I didn't want anymore violence. At the time I didn't care what I was doing. All I wanted to do was lie down and rest. I was very dazed. I have no recollection of writing at the end of the statement that I have read it through and that the statement was true'.

JOHN WALKER

Statement: That he planted a bomb in the Tavern in the Town.

John Walker says he was punched and kicked and grabbed by the 'privates' and told his house was being wrecked. One detective hit him such a blow that it knocked him out and gave him a black eye. His foot was repeatedly stamped on by Sergeant Kelly who also made him pass out by holding a cigarette near a blister on the big toe. Kelly threatened to have him on the firing range 'for target practice'.

He was told that his wife had made a statement that he was responsible for the Birmingham bombs.

He says he signed a statement and he could take no more punishment. 'I felt awful and a bundle of nerves'. He had been without food all day.

On getting out of the van which brought him to the prison he found himself in mid air. 'I don't know whether I was pushed or kicked. I fell face forward and my face hit the ground.' He lost five teeth and had two more extracted later. 'I ached all over from top to bottom. I was in a bad state. My back was killing me, my foot was swollen, I could hardly walk my ulcer was nearly killing me. My head was aching with thumps and punches.'

His hand was guided by a detective as he wrote the statement, his hand was shaking as a result of the violence he suffered.

EXPOSURE OF OFFICIAL BRUTALITY

The Irish Press of 14 December 1974 reported that the six men were subjected to terrible beatings at Winson Green prison when they were handed over by the police. On the 19 December the Guardian carried the report and on the 20 December Roy Jenkins, Home Secretary, told Robin Corbett MP in the Commons that a police inquiry was being held into the reports. Corbett asked for an independent public inquiry.

The report of D Owen, Assistant Chief Constable of Lincoln, was completed in April. In June Shirley Summerskill told Corbett that the report had been submitted to the Director of Public Prosecutions. In July Sam Silkin told Corbett that the matter was sub judice. After the Lancaster trial the Home Office stated that the report would not be published until after the Appeal of the sentenced men.

The police beatings of the six prisoners set out above is outside the scope of the Owen Report. The judge has accepted the words of the police and has publicly praised them for their handling of the case. He violently attacked the prison doctor who gave evidence that the prisoners were bruised and injured twelve hours before they came to Winson Green. The men will spend the rest of their lives in jail unless what happened in police cells between Thursday night and Monday morning becomes known.

IT IS a standard practice of the British Prison System that a prisoner should be held in a prison near to his family and relatives and every effort is made to make this possible. After all it is only reasonable that the prisoner should not be in gaol far from his home and thus avoid further suffering to the prisoner's family caused by long, time-consuming journeys and big expense. Even with this tradition it is still not easy for a prisoner's family living in London to make the journey to the Isle of Wight which takes up a whole day of travelling by bus, tube, train, ferry, and coach with all the attendant delays compounded by the frustration of the possibility of missing connections and delays and bureaucracy at the prison gates. For the families of Irish Political Prisoners in Britain the difficulties and hardships are immense and some of the prisoners are permanently deprived of a visit from their families, parents and friends, by the cost of visiting and the great difficulties involved.

For example Noel Jenkinson sentenced to 30 years on 14 November 1972 has not seen his parents since before that time and the difficulties for them in getting to Parkhurst make it virtually impossible for his ageing father and mother to see him. Mrs Joan Fell has described her visit to her son Fr Patrick Fell in Wakefield Prison in February 1974. 'I am an arthritic with Parkinson's Disease and always in great pain, so much so that the journey to Wakefield has to be taken in stages with a day's rest between each. After the flight from Dublin and journey to friends who are kind enough to meet us, I have two days in bed before proceeding to Wakefield, another one hundred and ten mile journey. This entails another hotel stay before I can be brought back to the home of our friends for another two days' complete rest before the flight back to Dublin and another hotel stay before the long trek back to Donegal. In all we do a round trip of over 1000 miles.' Fr Fell has since been transferred by the Home Office to Hull Prison adding a considerable distance to the journey from Donegal.

At the present time there are 70 Irish Political Prisoners in 16 different jails in Britain and most of them are serving very long sentences. They all have family and

PRISON

relatives in either the Free State or the Six Counties. For many of the prisoners the chances of seeing their family ever again must be slim and for some it already is too late.

In March 1973 Joe Farrington was informed that his father was dying of cancer and he requested parole on compassionate grounds. It was refused as was his request for one day parole to visit his father. Mr Farrington died in December 1973 and Joe was then refused parole to attend the funeral, even though he was due for release in August 1974. Mr Henry Stagg died in February 1975 and Francis Stagg, his son who is serving ten years was refused compassionate leave to attend the funeral. Dolores and Marian Price were refused compassionate parole to attend the funeral of their mother, Chrissie Price in February 1975.

This cruel and vindictive policy towards Irish Political Prisoners and their families was carried to its finest expression during the long hunger strike last year. The torture of the hunger strikers by force feeding is well-known, but it is not so well known that the male prisoners were during this time naked in their cells apart from prison blankets and that for Hugh Feeney and Gerard Kelly there were but two family visits. Robert Carr, Tory Home Secretary allowed a visit on compassionate grounds for two hours on the 87th day of the hunger strike on the 9th February 1974; they had to wait another 105 days before the Labour Home Secretary Roy Jenkins would allow another visit when the prisoners were in a very serious condition. On several occasions the families having come from Belfast were refused permission to see their sons.

Top security classification, screened visits, searching of visitors, supplying photographs to the police before visiting is allowed, interview with the Special Branch are all part of the oppressive regime that effects both prisoner and family in addition to the long and expensive journeys they have to make from Ireland. After such a journey it is depressing to see your husband or son through a glass screen with no possibility of human contact. In August 1974 Mrs Mary Sheridan and her four children demonstrated in Gartree Prison against screened visits and received much publicity by picketing the

local police station while the children remained in the prison waiting room.

TRANSFERS

When on 2 June 1974 Roy Jenkins made his statement during the hunger strike that 'it would be possible and reasonable for them to serve the bulk of their long sentences near their homes in Northern Ireland' he was simply expressing what was British Penal policy. When he said that seven prisoners serving sentences in English prisons had recently been transferred to Northern Ireland he was merely illustrating that policy by examples. In fact Mark Carlisle had told the Commons the same information on the 2 December 1973. While on the 15 November 1973 Van Straubenzee told the Commons that 18 prisoners convicted and sentenced in Northern Ireland, were now serving their sentences outside it. They had been transferred at their own request.

Why then, in view of the fact that the transfer of prisoners between Britain and Northern Ireland and vice versa is a normal practice and the fact that it is part of the Home Office's own policy to transfer prisoners to jails near their families, has the present British Home Secretary, Roy Jenkins, failed to transfer any Republican prisoners (the transfer of Hugh Feeney, Gerard Kelly, Dolours Price and Marian Price while it was consistent with Home Office policy on transfers it resulted from an agreement between Jenkins and the prisoners); when Loyalist William Campbell was transferred from Peterhead, Scotland to the Six Counties in April 1975 he did not have to go on hunger strike for 206 days, neither did James Strutt also transferred from Scotland to the Crumlin Road in Belfast from which he had previously escaped. Neither did Robert Watt serving 13 years who was transferred from Albany, Isle of Wight on 18 March 1975.

The Home Office is not afraid of public reaction in the Six Counties as very clearly the transfer of Republican prisoners there would be very welcome to minority areas and could be balanced by the transfer of Loyalist prisoners serving sentences in Britain. Thirty-nine Loyalist members of the Convention led by Glen Barr supported the right of prisoners to be transferred to jails near their homes and Barr withdrew from the Convention on 8 May and immediately

received strong support inside and outside on the streets. On 30 July 1975, William Fulton and Darragh Gracey were transferred to Northern Ireland. The Loyalists also support the demand that there be no more ill-treatment of Loyalist prisoners awaiting trial in Britain as happened in March 1974 when nine UDA men were held in appalling conditions as Category A top security prisoners in solitary confinement 23 hours a day with lights burning in their cells night and day and with no recreation facilities in Risley Remand Centre.

There are some Loyalist politicians who regard their prisoners in Britain as criminals and who so kow tow to the Brits that they make no demands, not even for the few rights that prisoners have, and think that the prisoners should serve their sentences here. This attitude is very prevalent in the SDLP. The right of Loyalist prisoners to be transferred is a correct demand for the working class Loyalist to make and should be strenuously advanced in the Convention and elsewhere. The Loyalist already transferred, Campbell, Strutt and Watt, owe their move to the tremendous efforts of the four Belfast hunger strikers: William Fulton and James Gracey sentenced to three years at the High Court in Dundee on a possession charge in September 1974 were transferred through the efforts of the Loyalist Convention members urged on by the pressure of the Loyalist workers but the transfer of all Loyalist and Republican prisoners to the Six Counties will come from the united pressure of all the working class in the North and with the support of the British Labour and Trade Union Movement.

On 21 December 1916 Henry Duke the new Chief Secretary for Ireland told the British House of Commons that 'the time had come when the risk of liberating the prisoners would be less than the risk which might follow detaining them any longer.' The next day 600 prisoners were released from Frongoch Concentration Camp in North Wales. Britain was a power in the world then perhaps and her statesmen could afford to be magnanimous with other peoples' lives when it suited them; today's pigmy politicians in the Labour Party have neither the power nor the wit to solve the Irish Question and it is high time it was taken out of their incompetent hands.

TRANSFERS

On Thursday 1 November 1973 in Birmingham sentences totalling 39 years were passed in the Coventry 7 trial.

Fr Patrick Fell was sentenced to 12 years.

Francis Stagg was sentenced to 10 years.

Anthony Lynth was sentenced to 10 years.

Thomas Rush was sentenced to 7 years.

They had been charged variously with conspiracy to cause an explosion in the UK; conspiracy to damage or destroy buildings by fire; and conspiracy to damage buildings without lawful excuse.

Stagg and Fell were also charged with having taken part in 'the control and management of the Coventry unit of the IRA, which was organised and trained for the purpose of enabling its members to be employed for the use of physical force in promoting a political objective'.

Lynch was further charged with 'possession'.

There had been no explosion, no bombs had been found by the police, no gelignite existed, no firearms except a replica colt 45, no ammunition, no petrol bombs. Nobody was hurt or injured. They were not shown to have been members of the IRA, Fr Fell told the court that he was not a member of the IRA and that 'I have no time for the IRA'.

The trial opened on 8 October 1973 at Birmingham Crown Court before Mr Justice Ashworth. Over 150 police surrounded the court with what one paper described as 'a ring of steel'. Justice Ashworth opened the proceedings with a warning to the jury that they will be given police protection and police cars will bring them to and from the court each day; they would not be allowed to leave the court at lunchtime. They were to be placed under armed guard. 'Justice' Ashworth had got together with Chief Constable Maurice Buck before the trial to agree to this. Further, parking was banned near the court, bus routes were altered, all shop keepers and tenants living in the area had been screened by the police. The judge

told the jury that they shouldn't allow these measures to interfere with their judgement. They involve no reflection on any of the accused, but are to protect you from any attempt to influence you during the trial'. Special court passes were issued for solicitors, counsel and reporters. The security measures were announced in advance in the national press.

The Coventry 7 were arrested in the wave of police raids on Irish political activists that took place on 12 April. Over 500 of the British political police raided at 4.30am, nearly 100 homes. A public meeting called by the PAC at the time unanimously passed a motion condemning the raids and harassment and said, 'The British government is attempting to prevent the legitimate expression of political opinion by the Irish community and to stop political activity.' The Special Branch raided with warrants made out under the Criminal Damage Act of 1971 in England and Wales and under the Explosives Substances Act of 1875 in Scotland; no explosives were found by the police found enough evidence of the open political activity of people in Coventry to bring trumped up charges. Up and down the country diaries, notes, address books, papers and personal belongings were taken.

Raids continued in Coventry after the initial arrests of the Coventry 7. Over 50 Irish homes were searched and again the police found nothing more than evidence of dissent from the policy pursued by the Tory government and Republican literature. Twenty people were taken to police stations and questioned and nine more people charged with conspiracy. All these charges were later dropped by the police.

The repression in Coventry stifled the legitimate political activity of the Irish community there. Fr Fell was extremely popular with all sections of opinion. He had established a successful Youth Club in Bedworth. His concern for the youth in the Six Counties was reflected in the vast amount of work undertaken in Coventry on

their behalf. An interdenominational group was set up. Several groups of Protestant and Catholic children were brought to Coventry on holidays. After Bloody Sunday workers in the Triumph factory asked him to lead a march to the church to hold a commemorative Service. He organised locally for the Northern Ireland Relief Fund and Concerts to raise money were held. He helped to find homes in Coventry for refugees from the six counties. He was civic chaplain to the chairman on Bedworth Urban Council.

On 15 August, Frank McManus appealed to the Free State Minister of Foreign Affairs Fitzgerald to intervene on behalf of Fell, Rush and Frank Stagg to ensure they were given humane treatment. All of the prisoners had been in solitary confinement. The Dublin government, which has failed to intervene throughout all the raids, police intimidation and harassment of the Irish in Britain, failed to intervene in this case also, and the men remained in solitary confinement as Category A top security prisoners. In police custody after his arrest Fr Fell was denied food and drink for a considerable time, he was physically worn down by constant police questioning and was in so weakened a condition as to be unable to even write his own statement. He has asked several times for a solicitor and was told that he would not be getting one. The statement the police say he made is a fabrication and Fr Fell told the court that he had refused to sign it because it was untrue.

The Coventry 7 case shows to what extent the British government is prepared to go to attempt to stop the political activity of the Irish in Britain. The raids were used in Coventry against those active in their opposition to British Imperialism in Ireland and those working to expose the corrupt and sadistic oppression of the Irish people. Without organisation against police harassment, harassment, the Irish in Britain can expect nothing other than an increasingly vicious attempt to victimise all those who dare to speak out against British imperialism.

Conspiracy by WHOM?

Letter from JOE FARRINGTON, HM Prison, Stafford

My trial was a typical English show trial, I was portrayed first as a fanatical Irish nationalist, questions about the North were asked, and then my opinion on the 1939 bombing campaign. I answered that I wasn't born until 1951 therefore I had no knowledge of this campaign, and that I did not believe that the bomb and bullet would solve Ireland's problems. The prosecution realising he had 'lame duck' called on Justice Cooke to recall the murderers who came to England in '39 to blow up innocent women, children—the judge nodded his head solemnly. However the prosecution was not yet finished: I was asked about my appearance at a political trial one month before my arrest as a witness for the defence.

Having asked the necessary leading questions he then launched into a long speech to the jury, 'this man acting as a witness for communists who are attempting to pull down the pillars of our social order' ad nauseam. This blatantly anti-communist speech went down very well with the middle-class, middle-aged jury—I might add that a good few of them were ex-army!

There were also two Irishmen on the jury; one of these two gombeen men showed his hostility to me openly in the court by snarling. The police evidence (so called) was complete fabrication, in fact one of the police officers who gave evidence I had never seen before the trial! Two of the police officers contradicted themselves in the witness box but that didn't seem to matter to the court. The prosecution called an explosives expert to give his professional knowledge about detonators. He was asked would he keep such items in a shopping bag, his quite un-rehearsed answer, 'familiarity breeds contempt'!! Of course you realise this was not a political trial, they don't have such things in this country!

Before I leave this subject I will point out one more thing: at the end of the trial the judge did state that there was no evidence that I was or had any connections with any subversive organisation. There was no question of me being a 'criminal', therefore why was I found guilty and why did I receive four years' imprisonment.



The Prisoners' Aid Committee exists to help Irish political prisoners who stand trial in England and Scotland and to support their families in the problems they face. We have continually over the last three years taken up incidents of victimisation, both physical and psychological, with the prisons concerned, the Home Office, MPs and the National Council for Civil Liberties and we have often been able to improve visiting conditions and remove restrictions on mail, books etc. However, despite the value of this help to the prisoners, especially the financial help we can give towards heavy costs of travel for visits, our main aims are to expose the injustices which have been committed against these men and women who are the victims of a biased and vicious judicial system and whose trials and convictions reveal the political motivation of police prosecution and judiciary.

Our short term aims are:

1 That all Irish political prisoners be allowed to serve their sentences with their comrades in prisons in Ireland or together in one prison in England.

2 That they be given political status in recognition of the political nature of their trials.

3 That an independent public inquiry be held into police conduct, especially the use of torture, agents and informers in Irish political cases.

4 That there be an immediate end to harassment of Irish political prisoners within the British prison system.

Our long term aim is:

THE RELEASE OF ALL IRISH POLITICAL PRISONERS IN BRITAIN AND IRELAND

The Prisoners' Aid Committee publishes a regular Bulletin of information on the prisoners. If you would like to receive the Bulletin or to help us in our work, write to:

**Prisoners' Aid Committee
c/o 66 York Way
London N1**



FORCIBLE FEEDING IS TORTURE