

Michael McKevitt - Justice Denied

By Michael Holden IRPSG.

On June 22nd 2006 a sixty page document was published by a committee charged with exposing the framing of Michael McKevitt who was at that time serving a 20 year sentence in Portlaoise Prison. The foreword in this document was written by the renowned human rights activist and clergyman Desmond Wilson. Wilson made it clear he was convinced beyond doubt that the prisoner Michael McKevitt was not only innocent but the victim of a frame-up, and laid the blame fairly and squarely at the doorstep of the Garda Siochana (Irish police), the British Special Branch MI5 and the American FBI.

“Reasonable people,” Wilson wrote “will read this account of what is happening to Michael McKevitt with a mixture of sadness and anger.” He went on to say - “people who value good legal systems and appreciate the courage of those who struggled to create them will read it with deep disappointment.” We know now that has certainly been proven to be the case.

The injustice openly displayed during the McKevitt trial was clear-cut even to those with only a basic knowledge of the legal system in either Britain or Ireland. All through Ireland’s long and tragic history justice was never considered an important factor by those in authority, and this was never clearer than at this trial. Police informers are hated and detested everywhere and none more so than in Ireland - even by those who pay them. Yet at the McKevitt trial the Irish state had no qualms using and paying a notorious informer imported into Ireland from the USA to give perjured evidence at this trial which resulted ultimately in the wrongful conviction of Michael McKevitt.

The informer in this case was David Rupert - a well-known criminal and petty crook with a history of embezzlement. He was a career informant who had worked for the FBI for thirty years. Despite this knowledge the Irish state agreed to use this man and convince others to believe the testimony he would give at the trial.

During his paid sojourn in Ireland Rupert claimed he forwarded all what he considered to be relevant information to his paymasters in London. He told MI5 that a republican group planned to bomb the town of Omagh in County Tyrone and on August 15th 1998 an explosion did occur in Omagh resulting in the deaths of thirty one people and many injuries.

A subsequent inquiry established that the Irish, British and American intelligence services had information prior to the bombing which could have prevented it happening - despite telephone warnings being given forty minutes beforehand. But the RUC (deliberately or otherwise) moved people towards the bomb - instead of away from it - and claimed later the information known to the intelligence services had not been relayed to them - even though intelligence headquarters GCHQ had been monitoring the conversations of the alleged bombers as they drove the bomb into Omagh town. The Police Ombudsman Report later slammed the RUC’s own investigation.

What transpired afterwards became a farce. The RUC



*The Irish Law & Democracy
Committee*

**Michael
McKevitt:**

**A Contemporary
Miscarriage of
Justice?**



**Room 2/25 Peter Froggart Centre
Queens University
Thursday 14th April 2011
At 7pm**

**Speakers include:
Peter Corrigan LLB (K. Winters Solicitors)
Brice Dickson (QUB School of Law)
&
A Member of the Justice for
Michael McKevitt Campaign**

had (according to themselves) obtained ‘circumstantial and coincidental’ evidence against some suspects. Colm Murphy a local businessman was tried and convicted but quickly released when it was revealed the Guarda (Irish police) had actually forged the interview notes used in his case. Another ‘suspect’ Sean Hoey was also put on trial and found not guilty - and Seamus Daly had the case against him thrown out!

It was against this background of muddle and incompetence that the McKevitt case was eventually conducted. Michael McKevitt was never at any time questioned about events in Omagh. In fact the charge against him was of ‘directing terrorism’ - the usual catch-all charge when there is no evidence of anything else. His trial turned into a farce and he was forced eventually to dismiss his council and refused to appear in court for sentencing. He was found guilty and sentenced to twenty years imprisonment. It’s worth mentioning here that when the informer David Rupert was first approached by MI5 his response was - “tell me what to do, make it worth my while, and as long as the benefit overrides risk in my view it will be done to the best of my ability.” And so it was!

Michael McKevitt was released from Portlaoise prison on Easter Sunday 2016 but his campaign for justice is on-going and his case will eventually be heard at the European Court of Human Rights. So far he has waited sixteen years. Justice delayed is justice denied. We wish him well and every success.

**“THERE MAY WELL BE TIMES WHEN WE FAIL
TO PREVENT INJUSTICE, BUT THERE MUST
NEVER BE A TIME WHEN WE FAIL TO PRO-
TEST.”**

“They have nothing in their whole imperial arsenal that can break the spirit of one Irishman who doesn’t want to be broken” - Bobby Sands

Irish Republican Prisoners Support Group

Newsletter No. 3 May 2016 Suggested Donation 50p
PO Box 59188, London NW2 9LJ, irpsgroup@gmail.com



The IRPSG is a group of comrades who campaign for political status for Irish political prisoners. We include those in political organizations and campaigns like the Mumia Abu-Jamal campaign and other individual anti-imperialist activists. We campaign for political status for ALL Irish Republican political prisoners regardless of political affiliations. Our pickets have been supported by many Republican and leftist organisations.

The struggle for political status and implementing the August 2010 Agreement in Maghaberry, particularly on the ending of strip searching and the use of the Boss chair, i.e. for the civil rights of Republican POWs in the north of Ireland and the Republic, goes on. As seen in this Newsletter the struggle in Ireland is by no means unique. In Palestine and Libya, in Turkey and India huge numbers of anti-imperialist prisoners are held, often without charge under horrific condition of deprivation and torture.

In Sri Lanka prisoners have been detained for 8 to 20 years as suspected supporters of the separatist Liberation Tigers of Tamil Eelam under the draconian Prevention of Terrorism Act (PTA) and Emergency Regulations, many of whom have never been charged in court.

And we highlight also the prisoners held in the imperialist heartlands of the USA and Britain. Mumia Abu Jamal and Leonard Peltier, an innocent Black man and a Native American incarcerated for decades although the whole world knows of their innocence and have named streets, roads and parks in their honour, as the world did for Bobby Sands. And the innocent British Black men and other held on Joint Enterprise legislation which the Supreme Court have just ruled had been ‘wrongly interpreted’ for 30 years. The IRPSG will be participating in the march called by the JENGBa on 16 May.

But our main focus has always been support for Irish Republican anti-imperialist POWs fighting against British occupation of the six north-eastern counties of Ireland and for Irish unity.

On the centenary of the 1916 uprising that revolution remains unfinished. The illegitimate state dubbed ‘Northern Ireland’ was formed by the British government’s 1920 Gov-

ernment of Ireland Act and in July of that year its character was defined by the massive pogrom by neo-fascist forces who drove 10,000 nationalist workers from the shipyards and 1,000 women from their workplaces by murdering 53 under hails of Belfast Confetti, metal disks, nuts, bolts and big ship rivets. James Connolly’s carnival of reaction, so accurately foreseen by him, came into being just four years after his execution.

Today the Irish Tricolour and the Easter Lilly are banned in the north. They are seized in Maghaberry and Poundland had to withdraw them from sale in its Donegal Place store “following complaints from customers” i.e. local Loyalist thugs. Weatherspoons in the north were forced to take down the tricolour from its display during this year’s Six Nations Rugby championship.

On 3 May the IRPWA tells us that:

Republican Prisoner, Kieran Lavery started his dirty protest yesterday the Riot Squad entered his cell, forcibly strip searched him and then moved him to the CSU. Kieran is now on the Punishment Block held under rule 32. As Kieran is a former Roe 4 Prisoner transferring him to the Republican Landing should not have been the difficult and lengthy process it has been; leading you to conclude that the administration’s refusal to move him is a deliberate attempt to isolate him... IRPWA support Kieran’s stance and call for his immediate transfer to the Republican Landing.

Fifteen people were held on 4 May after the funeral of IRA volunteer Micky Barr in Strabane for wearing of uniforms. He was a former republican prisoner and inmates in Maghaberry and Portlaoise prisons cancelled all visits to the jails yesterday as a mark of respect.

Lastly we must highlight the Justice for the Craigavon Two Campaign and the sterling work they have done to highlight

this appalling injustice. As ever the justice system of the illegitimate state forced on the Irish people in 1920-23 displays its bias and disregard for the international norms of fair trial. “Any Paddy will do” is the attitude.



“They have nothing in their whole imperial arsenal that can break the spirit of one Irishman who doesn’t want to be broken” - Bobby Sands



The JFTC2 committee held its AGM on 2 February, outgoing chair Packy Carty went over the work carried out in 2015 and the large volume that is already mounting up for 2016.

In keeping with the new sharing of work and democratic rotation within the committee Packy Carty stepped down as chair and called on the committee to elect a new chair for 2016. The Wootton and McConville families nominated outgoing sectary and popular campaigner Joanne Donnelly who was then elected unanimously

Joanne leads the campaign into a crucial year. Both Brendan and John Paul’s legal teams will soon submit applications for the Criminal Cases Review Commission to investigate the Craigavon Two case as a miscarriage of justice.

Joanne and the committee call on all who have helped us to redouble their efforts in the year ahead. It is crucially important we bring public pressure to bear to help overturn this gross miscarriage of justice that continues to rob two families of their loved ones and robs two men of their freedom.

The recent phenomenon that is the Netflix series Making a Murderer has put miscarriages of justice on the public agenda, we have seen a renewed interest in Brendan and John Paul as a result of this. JFTC2 will use this period of interest to intensify the campaign for Justice for the Craigavon Two.

What’s wrong with their conviction?

- The prosecution’s key witness, witness M, despite having a prescribed impairment of his sight, claimed that he seen Brendan McConville at a distance that would be medical impossible,
- It took witness M almost a year to come forward with this information and since that date he has been given anonymity and provided for in protective custody.
- Witness M’s eye-witness account described Brendan as wearing a coat of a different style and colour from that presented by the prosecution,
- This coat, recovered within hours of the shooting, was dry yet the weather conditions at the time were rainy,
- The forensic examination of this coat and the fire-arm recovered after the shooting did not match,
- Although multiple sources of DNA were found on the coat only Brendan’s were followed up on,
- A tracking device that had allegedly been planted on John Paul’s car by MI5 and was used as evidence to place us at the scene of the shooting, went ‘missing’ for a period of time, only to be returned in an altered state and “with data missing”,
- Although the assault rifle and several rounds of ammunition used in the shooting were recovered no forensic link was made with either of us.

ANOTHER VICTIM OF INSTITUTIONAL RACISM! SARAH REED FOUND DEAD IN POLICE CELL



A Black woman who was subject to police brutality and whose assault by a police officer was caught on camera has been found dead in her cell at Holloway prison in London. Sarah Reed was falsely arrested for shoplifting in November 2012. PC James Kiddie was caught on CCTV dragging her by the hair while punching her repeatedly in the face. Such was the ferocity of the attack that a fellow police officers provided key evidence against Kiddie.

Kiddie was eventually dismissed from the Police Service after having been found guilty of assault and initially suspended. Sarah who was convicted of shoplifting over the incident has suffered from mental health issues ever since the sudden death of her new-born baby in 2003. It was whilst a patient that she was detained under Section 3 of the Mental Health Act that her family says Sarah suffered a sexual assault in Maudsley hospital in 2014.

The family reported to Lee Jasper, a leading race relations activist, that Sarah had been a victim of an attempted rape and that when she fought off her attacker, injuring him, the staff called the police and arrested her. The fact that she had previously challenged a racist and violent police officer who was later sacked has led the family to strongly suspect that she was targeted for arrest under any pretence as an act of retribution.

According to Lee ‘this in addition to the obvious fact that she was clearly mentally ill, placing her on remand in jail, without recourse to the medical help she clearly needed, was an unforgivable act of brutality and cruelty’. The family have been told that she ‘strangled’ herself.

However given the treatment she has received and the institutional racism endemic in the police force it is hardly surprising that the family are extremely suspicious and desperately need to know what happened.

More on: leejasper.blogspot.co.uk

JENGbA Petition: To David Cameron

David Cameron please abolish the common law of Joint Enterprise and replace it with a fairer form of justice for everyone. Also please reform the tariff system in Schedule 21 of the Criminal Justice Act 2003 to reinstate the power of discretion back into Britain’s judges and proportionality back into the sentences they impose.

Why is this important?

Did you know right now, in 21st century Britain,

there are thousands of people imprisoned for life for crimes committed by others? These men, women and children - some as young as 13 - have been convicted of murder, despite the fact that prosecutors know they didn’t kill anyone. This epidemic is known as Joint Enterprise and was highlighted in Jimmy McGovern’s BBC drama, *Common*.

What if we told you that people (including politicians) know all about it, that it is widely discussed

Irish Republican Prisoners Support Group List of POWs

Please correct and update prisoners’ list

Maghaberry Prison Old Road Ballinderry Upper Lisburn

BT28 2PT

ROE 4: IRPWA

- John Paul Wootton
- Brendan McConville
- Martin Kelly
- Tarlach Mac Dhomhnaill
- Barry Concannon
- Jason Ceulemans
- Damien Harkin
- Neil Hegarty
- Nathan Hastings
- Thomas Mellon
- Christopher O’ Kane
- Seamus McLaughlin
- Gerard McManus
- Kevin Barry Nolan

- Barry Petticrew
- Seamus Kearney
- Aidan Coney
- Gavin Coney
- Mark McGuigan
- Martin McGilloway (CSU)
- ROE 3: Cabhair
- Ciaran Collins
- Gabriel Mackle
- Eugene Mc Loone
- Martin McLoone
- Willie Wong
- ROE 3: Cogús
- Phil O’Donnell
- Eamon Cassidy
- Conor Hughes
- Ta McWilliams
- Gerard Flanagan
- Kevin O’Neill
- Robert O’Neill

Danny McClean • Kieran Lavery Hydebank Wood Hospital Road BELFAST BT8 8NA

Sharon Rafferty Portlaoise Prison Dublin Road Portlaoise, Co Laois

Portlaoise (E3 and E4)
• Eddie McGrath
• Kevin Braney
• John Brock
• Declan Phelan
• Michael Finlay
• Dean Byrne
• Sean Connolly
• Hubert Duffy

- Pierce Moran
- Bernard Dempsey
- Dessie Christie
- Brian Quinn
- Bob Day
- Nick McBennett
- Ciaran Burke
- Willie Jackson
- Stephen Hendrick
- Dean Evans:
- Tony Carroll
- Brian Walsh
- Nick Kendall
- Brian Cavlan
- Kevin Devlan
- David Rocket
- Tom Hughes
- Davy Jordan
- Michael Barr
- Cormac Fitzpatrick
- E4: Teach na Fáilte
- INLA

- Eugene Kelly
- Noel Mooney
- Non-INLA E4
- Michael Mc Hugh
- David Murphy
- E2:
- Patrick Tierney
- Dalton McKevitt
- Joe O’Brien
- Charles Anthony Deery
- Garret Mulley
- Paddy MacDonald
- David Gallagher
- E2: Unaligned
- Colin Brady
- John McGreal
- E1: Unaligned
- John Daly
- John Keogh
- Finton O’Farrell
- Declan Rafferty
- Seán Ryan

- E1: Limerick Real SF
- Dean Fitzpatrick
- Stephen Fogarty
- Joseph Kirwin
- Buddy Nolan
- Ken O’Reilly

Mountjoy Prison North Circular Road, Dublin 7

- Pat Barry
- Magilligan Prison
- Point Road, Co Derry
- BT49 0LR
- Tony Friel

Dóchas Centre, North Circular Road, Dublin 7

Éirígi

- Ursula Ni Sheanáin
- (Ursula Shannon)

WHAT DOES POLITICAL STATUS MEAN?

The five demands of the 1981 hunger strikers were:

- The right not to have to wear prison uniforms
- The right not to do prison work
- The right to free association among political prisoners
- Restoration of the right to earn remission (early release)
- The right to a weekly visit, letter, parcel and the right to organise recreation and education

To these we can add the demand

- for segregation of Republican and Loyalist prisoners and the right of prisoners to be represented by the person of their choice



and widely criticised, yet this government has failed to act. Joint Enterprise has been left largely unchecked and unregulated until our campaign brought the government to account. This petition will help us to force the government to abolish this unjust law and replace it with a fairer form of justice for everyone. This peti-

tion will also seek to reform the tariff system in Schedule 21 of the Criminal Justice Act 2003. This denies judges the discretion to sentence on the basis of genuine culpability and results in unfairness, particularly to defendants convicted under the doctrine of joint enterprise.