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1. "BEWARE OF IMITATIONS"

For quite some time past the SDLP has been floundering in the political slime of bogus compromise which British policy in the Six Counties had created for it. If some members of that party are now genuinely trying to dray themselves up out of the mess and edge themselves away from it, they should not be denied the opportunity and few will begrudge them the necessary change of political clothing, even if that be borrowed.

The agenda for the recent annual Conference of the SDLP indicated such an attempt. On the agenda were calls for a phased British withdrawal; an immediate withdrawal of the SAS; a repeal of Emergency Legislation; an ending of the Diplock Courts with a return to trial by jury; an inquiry into H-Block; the promotion of Irish Unity; the promotion of a Federal Ireland; the seeking of a permanent solution to end the division of Ireland. The borrowings were familiar. So, too, were the face-saving equivocations of the party leaders, forced now from within to confront the reality of their own bogus situation and trying to dilute its implications.

It demands a deal of patience to listen to these leaders presumably describing the SDLP as "a political party in the national tradition" when they have been so persistent in their attempts to kick the national tradition out of sight. It must be admitted that in a certain sense they do qualify as a political party in the national tradition insofar as they belong to that stream of Irish politicians who so readily lent themselves to British duplicity and deceit all down the years, deluding themselves, or at least others, that they served with better purpose their own cause.

It takes more than patience to listen to Austin Currie proposing "the withdrawal of the British" and describing

the motion as "an updating of SDLP policy" when he and his colleagues had voted solidly against that motion two years ago, castigating anyone who held such "simplistic notions". Twisted words and contradictions were meant to fill the gap of credibility—"The SDLP did not want 'withdrawal' but 'disengagement'; they did not want a 'United' Ireland but an 'agreed' Ireland; there must be no British withdrawal until there was an agreement; there could be no agreement while there was a British presence".

And the agreement? The permanent solution? SDLP policy demands that it be hammered out by the British Government—as if the body politic of Ireland had not lain long enough between the hammer and anvil of British force and British interests. But if the British fail to deliver the permanent solution so readily left to their design, the SDLP declare themselves available for a return to power-sharing on their road "to peace and reconciliation".

If their credibility is a bit missing their collective memory doesn't seem to serve the SDLP very well either: They had gone a long way down the road to British "peace and reconciliation". General Freeland pointed out that road in 1970: "The only way to peace is to be very stong on the ground—we have great manpower and great fire power". So did James Callaghan, then British Home Secretary: "There is no going back on British policy and the armed forces are an essential part of the policy. They are there to ensure the Constitution is sustained and maintained. The border will remain, there is no wavering on that. As far as the future is concerned we shall continue to do what we have done in the past". That future was more clearly defined by Callaghan the following year in an interview with "Fortnight" magazine: "We must seek a genuine alternative Government at Stormont based on an acceptance of the Border and the right of self-determination within the Six Counties".

As for power-sharing, Whitelaw in his "Future of Northern Ireland" (1972) questioned "whether, in addition to any heightening of their influence, it was desired and possible to secure the participation of the Northern Ireland minority in the actual exercise of executive powers. . . such an artificial coalition would provide weak and indecisive government. . . it would be dangerous to make complex arrangements which could be manipulated to produce deadlock and frustration. . . only a new party structure rooted in both communities could solve the problem". Cue on stage for Alliance, but the mere jingle of a promise of power was sufficient to keep the SDLP loyally trudging down

the British road to "peace", proving their bona fides by kicking out wildly at anything that might indicate them to be "a political party in the national tradition", endlessly talking of the British dimension and the Irish dimension, refusing to see the British problem and the Irish problem. For the Irish problem is to get Britain out of Ireland and the British problem is how to remain in Ireland. There is nothing simple about that except the stating of it—and that does not make it simplistic. Its complexities the SDLP have wrongly equated with the confusion of their own politically erratic course.

That course they have followed right up to March of this year when the SDLP leader, Gerry Fitt, was declaring that the RUC were fully acceptable to the Catholic community; that he would no longer listen to any criticisms of the SAS; that the Border was not an important issue; that the prisoners in Long Kesh need not expect any help from him or his party; that he had just voted at Westminster for the retention of the Emergency Powers Legislation—Yes, he agreed, such legislation was draconian, it was repressive, it was against human rights and, he realised, there was nothing more permanent than emergency legislation. But, he explained, he could never bring himself to vote against the Labour Government—his position would be untenable with his colleagues in the Socialist world in Britain.

It strained all tolerance to listen to the shifty Fitt last week-end calling for a British withdrawal, an end to the partition of Ireland and an immediate repeal of the Repressive Emergency Legislation and condemning "the sordid deal in votes by which Unionists obtained extra seats at Westminster". An auction of one vote no less than ten votes implies a similar degree of sordidness.

It was an exhibition of hypocrisy equalled by Deputy Leader John Hume expressing his "humanitarian concern for the condition of the H-Block prisoners". He was moved to such concern "by his sympathy for the families of the prisoners". That piece of humbug should be well received as such. No one has campaigned louder and longer than Hume in denigrating the prisoners of Long Kesh, both at home and abroad, and no one has tried harder to cut off the financial aid as well as the sympathy which sustained their families. At the Conference he stifled all debate on the subject of political status, making clear his full accord with the criminalisation procedure of the British administration.

Full marks for reaching the depths—or exposing the depths—must go to Michael Canavan: "There was no moral issue involved in the quest for political status of the H-Block prisoners. When there was a political settlement, the

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SDLP should press for a review of the cases of those sentenced under the Emergency Powers Act”.

That is a clear admission and a clear confirmation that the prisoners of H-Block are political prisoners. In his speech at Liberty Hall last May, Fr. Des Wilson pointed out that it was not without significance that most of those young men who were picked up and imprisoned in Long Kesh were those who were politically active and who had most to offer their local communities. It is a significance not lost on the leadership of the SDLP who would have those men incarcerated as criminals “until after a political settlement had been realised”.

Whatever about the ordinary members of the SDLP, the motive of the leaders in this recent swing-about, push-and-pull scramble in the mess will be taken at face value by no one. Yes, voting time is coming around again. Perhaps they have become aware of how far they have been distancing themselves from their own people or, having served their purpose, perhaps they now call for a British withdrawal suspecting that it may be just themselves who are being phased out.

2. MASON ATTEMPTS NEW DRACONIAN LAW

For centuries Ireland has been the ‘guineapig’ of Britain’s colonial rule. Methods of conquest, used far and wide by Britain were all tried here. War, famine and emigration failed to compel the Irish to surrender their national rights, as the people consistently resisted British tyranny. Almost every generation witnessed at least one armed uprising, the most persistent being the present one—Britain now accepts the fact that she cannot contain, much less defeat, the IRA.

Why then does Britain continue with her war on Ireland? In recent years, drastic manipulation of the law, torture and civil harassment have been her weapons. In the Irish context these have failed but as far as Britain is concerned they remain good and worthwhile experiments and they are useful elsewhere, that is, wherever “law and order”—Imperial style—is needed. As Irish writer, Diarmaid Ó Súilleabhain, points out: “Riot squads using Belfast and Derry as baton-fodder would be all the more effective in a Cromwellian situation in say, London, Coventry, Liverpool or Manchester”.

That the Irish are the “guineapigs” of Imperialist ‘law and order’ policies is something that has become more clear this week with the removal, brief though it was, of one of the few remaining sanctions against abuse of prison custody to survive the Diplock no-jury courts. One commented on this added serious erosion of the law: “We have courts without juries. Now we are to have

courts without prisoners”. Mason, however, repented within a few days and the courts have prisoners again!

INSTANT JAILS

This was the most dramatic and most extraordinary piece of draconian legislation introduced for a long time in Ireland. There are special political courts—first introduced by the Dublin government and followed by similar courts in the British occupied Six Counties. Now legislation which provides for a number of “instant” jails to short-circuit court proceedings, the court remanding the prisoner in his absence. The new prisons were for the intake of people on remand without their appearance in court. The move followed two weeks of industrial action by prison warders who refused to accept further remand prisoners and this was the excuse being used by Mr. Mason, the British Secretary of State for Northern Ireland for the new emergency legislation. No one believes that Mason changed his mind because of the ending “of” the prison warders’ contentions. On the contrary he had hoped for a lasting experiment. But the resulting tumult of the legal profession changed his tune. It was victory for law and order in the true sense.

Most previous pieces of repressive legislation (North and South) were described originally as being temporary. Yet they have remained on the statute books for years. It must be remembered though that such laws, though set aside, still appear on the statute books.

LAWYERS REVOLT

A revolt by lawyers over the new measures was being threatened. One prominent solicitor, Mr. Pascal O’Hare, made up his mind to boycott such courts. He said: “With all this emergency legislation in operation at present, people have little or no rights and this is one further attempt by the Government to erode the few rights people have left.

“I for one do not intend to give these remand courts any further respect. I am not going to attend them unless my client is present to see and hear for himself what is going on. In a word, the new measures are farcical in the extreme—a charade”.

But anger among alwyers about the new emergency measure, allowing prisoners to be remanded without appearing in court, was given an extra and distinctly bitter flavour by remarks made by Mr. Mason in the British House of Commons. Asked if it was true that lawyers were “seething” because of the new measure, Mr. Mason answered: “Of course I am aware that those defence counsellors who regularly defend Provisional IRA terrorists are seething with anger. That I understand, because they are the people that they want to be able to represent in the courts”. He said he expected protests from lawyers who “defended Provisional IRA terrorists”. One Belfast lawyer said he was “speechless” at Mr. Mason’s comments.

His words led to a meeting of a number of young barristers in Belfast, who called for Mr. Mason’s resignation and said he had shown nothing but contempt for the due processes of law.

The Incorporated Law Society said that it wished to refute any inferences adversely reflecting on the professional integrity of solicitors which might have been drawn from Mr. Mason’s remarks in the Commons, adding: “It is regrettable that such reported statements may have led to inferences that solicitors would be motivated by any considerations other than their professional duty.

The Law Society said that solicitor carried out their duties to make their services available to anyone who needed them. This included all people, regardless of offences with which such persons are charged, and regardless of the class, creed or political persuasion of the person charged”.

Individual solicitors have already made it clear how wrong they felt the new temporary legislation is, the Society statement said.

The Chairman of the General Bar Council, Mr. Pringle, Q.C., who speaks for 150 barristers in the North, said the rule was that a barrister was bound to accept any brief in the courts in which he practised, unless there was some outstanding reason.

PROBLEM DID NOT EXIST

In Belfast one solicitor, Mr. Ted Jones, said he would take steps to object to the order in council, and in Newry, another solicitor, Mr. Rory McShane, said that he and others were disturbed that prisoners’ rights could be terminated “by the stroke of a pen”. He described Mr. Mason’s remarks in the House of Commons as a “slight” on the profession.

A leading Belfast solicitor, Mr. Paddy McGrory, described Mr. Mason’s statement as a slur on the legal profession. “I regard it as an extremely sad business that the Secretary of State, speaking at Westminster, should make a remark of that kind, and particularly on the day after the Lord Chief Justice of Northern Ireland had himself emphasised in certain legal proceedings the importance of the underlying principle of the appearance of men in court.

“It is a very unworthy thing he has said, and I hope that the legal profession as a whole will shortly answer it”.

Mr. McGrory said that the Secretary of State had taken very drastic steps to deal with a problem which did not exist, because on the day the prisoners involved in the recent habeas corpus action were supposed to be brought to court, the prison officers were merely on a go slow and many prisoners did appear in court that day. “Had the court not risen at 1.20 and failed to resume in the afternoon, my understanding is that all of them would have appeared before 4 p.m.”, Mr. McGrory said.

A Belfast solicitor, Mr. Patrick Marrian, said on television that the administration of justice was degenerating to the position where there would soon be “trial by computer”. He said that it might as well be that the police and defence statements be fed into a computer and the legal profession dispensed with.

The new measure allows a magistrate to specifically order production of a

prisoner in court, if he thinks it desirable. This was the basis of the request to the magistrate, Mr. Daniel McLaughlin, last week, but he said he would remand prisoners in their absence unless a solicitor could give a specific and good enough reason for their appearance.

In another court, however, the resident magistrate, Mr. Albert Walmsley, ordered that a prisoner charged with murder and malicious wounding should be brought to appear in court for a preliminary examination. He suggested that the man should have the right to give evidence and call witnesses at his preliminary examination.

Later a group of solicitors walked out of the Crumlin Road courthouse in Belfast after a resident magistrate rejected a request for a prisoner to be produced in court.

What would be the anger on Britain's mainland if Her Majesty's government were to treat British prisoner-subjects like that? Could this happen with English courts?

The *Irish Times* editorial answers that question: "If it were to happen, there is no doubt at all that the Law Lords, masters of Oxford and Cambridge colleges, other stars of the Establishment firmament and all the public humbugs of the TV screen and radio would have been instantly in full cry. . . . as so often in the past, the experiment is being tried out in Ireland, where the woodkerns do not expect to raise the same sympathy as would similar accused in England".

But the woodkerns can be underestimated at times. Repression makes one recognise and count the freedoms he is left. Much has been learned too in the past ten years of revolution.

3. WHY THE NORTH'S CATHOLICS GO IT ALONE

For over fifty years, since the establishment of partition, members of the North's Catholic "minority" community looked to the South for hope, consolation and in the final analysis "protection". Nobody was exactly sure how far this commitment went. Still, Irish governments, both Fianna Fail and Coalition, indicated that elected spokesmen of the Northern minority would always receive a sympathetic ear. This situation continued after the SDLP had replaced the old Nationalist Party at Stormont; "minority" politicians for their part continued to look to Dublin to some extent doing business with the government of the day but also keeping the opposition fully informed. Even when it became clear in the early 1970s that there was very little the Dublin Government could do, no matter how difficult a situation arose, the illusion of the "second guarantor" still survived. Although it was quite obvious that Dublin would not risk a serious breach in Anglo-Irish relations, it was still hoped

by some in the North that the Southern Government would take some action following such disturbing developments as the introduction of internment on August 9th, 1971, and the Bloody Sunday shooting in Derry at the beginning of 1972. More than formal diplomatic protests were expected, and as it happened, were offered. Thus, when Ireland took the United Kingdom Government to the European Court of Human Rights, she did so not just as one other state which was concerned about human rights, but as the unofficial international voice of the Northern Catholic population, which in many respects, were recognised to be one of the real "Stateless people" of Europe.

In recent years, however, it has become increasingly obvious that considerable sections of the North's Catholic population have become dissatisfied with Dublin's performance in defence of their interests while the Southern Government itself seems to be increasingly reluctant to engage in any type of activity which would upset the normal friendly relations between Dublin and London. Thus, when Britain promised at the Strasbourg hearings that her army and security forces in the North would behave correctly from then on, there were sighs of relief all round—and a very great reluctance on the part of Ireland to examine subsequent developments in any great detail. Northern minority spokesmen continued to assert that little had changed. For example, the pleas of Northern M.P. for Fermanagh/South Tyrone, Frank McGuire, who had visited Irish prisoners in Long Kesh and in British jails, went largely unheeded despite the serious allegations he made. For good measure, Mr. McGuire was refused permission to visit some of his constituents in Portlaoise Jail by the last Coalition Government in Dublin—the only case in the EEC where an elected member of Parliament was so denied.

HUMAN RIGHTS PRIESTS DESPAIR OF DUBLIN

Allegations of continuing torture and brutality, especially while suspects were being interrogated, in certain barracks in the North, continued to be published by Fr. Denis Faul and Raymond Murray, so that these two priests became, in effect, the main spokesmen for the Northern minority in international eyes. They, too, despaired of Dublin long ago. Indeed there have been increasing complaints that Irish diplomatic staff abroad, and especially in America, have been entirely negative in attempts to have the performance of the British administration subject to outside and international scrutiny.

The real importance of the recent statement by the Archbishop of Armagh, Dr. Tomas O Fiaich, following his visit to the H-Blocks in Long Kesh, is not so much the interest it aroused domestically or in the rather predictable reaction from British politicians. It lies in the fact that the Archbishop is to present a factual account of conditions in Long Kesh for the Vatican—thus raising the whole issue to the level of international diplomacy. Dublin reaction has been

predictably cautious for the obvious reason that the issue of political status is almost as old as Irish history itself and is too close for comfort where the record of the Southern state is concerned. Historically the idea of labelling prisoners who claim a political motive for their actions has been an issue in the British conduct of Irish affairs, ever since Fenian times. Indeed, the two main issues on which the many struggles on the issue have been fought—refusal to wear convicts' uniform and refusal to do prison work—have a ring of Victorianism about them, coupled, of course, with the subtle implication of superior moral standards on behalf of those who operate the prison system. The Southern Irish authorities have got over this problem long ago by allowing prisoners to wear their own clothes and by not insisting that work be done by that category of prisoner who claims political motivation, while at the same time denying that any special category of prisoner exists!

Prisons apart, however, the South has other reasons for laying low in the current controversy, thus forcing the Northern Catholic community to appeal, over their heads as it were, to international opinion and to the alleged concern of Western democracies, led by President Carter of the USA for fundamental human rights and freedoms at this time. For the unpalatable truth is that in the human rights arena, the performance of the Dublin government has not been very impressive. Indeed, during the past difficult decade, it has been a sad, but nevertheless factually true, case of Dublin setting precedents which the Stormont and British authorities have been able to follow at a later date in their attempts to impose a military solution on the outstanding political problem that is Northern Ireland.

It is over seven years since internment without trial was introduced in the North. Few people now try to defend that decision. The blunt instrument approach was an absolute disaster, in spite of the attempt to prove otherwise which we find in the recently published memoirs of the late Lord Faulkner, who as Prime Minister in the North, was the main architect of the move. Yet it is an unfortunate fact of life that one of Brian Faulkner's main political scoring points at the time (and still was when he wrote the book) in justifying his action, was to recall that in fact the introduction of internment without trial was hinted at in the South some months before August 1971, by Mr. Lynch, the Taoiseach, and the then Minister for Justice, Mr. Desmond O'Malley. Not only that, but the then Tainiste, the late Erskine Childers, openly defended internment without trial as a policy was justified "in difficult times". It will be recalled that the Taoiseach's statement on the day internment was introduced in the North did not specifically condemn the policy, but rather the "disasterous policies which led to it being introduced". Many Northern Catholics felt at the time that had internment in the North been introduced against Loyalist suspects as well as Republican suspects, Dublin's criticism

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might even have been more muted. Indeed, some go so far as to suggest that if Mr. Faulkner had "played ball" by rounding up activists on both sides of the divide, Mr. Lynch and his government might have co-operated by introducing some form of internment measure on the Southern side of the border. Instead, we had the spectacle of some of the Northern Provisional leaders, who led the reaction to internment in Belfast and other centres, skipping it Southwards—following sensational press conferences to assure the world that Faulkner's move had failed. No charges were pressed against them—even if the Dublin government had the political will at the time.

DUBLIN SET PRECEDENTS

As it happened the South changed its laws in due course, not without considerable controversy, and some well-timed assistance from British bombers in Dublin to ensure that any Dail deputies who had reservations about the changes being proposed would quickly change their minds. The new law provided for the acceptance of the opinion of a Chief Superintendent of the Garda as evidence where membership of the IRA was concerned, and has been used extensively since the end of 1972 under both Fianna Fail and Coalition administrations. The "opinion clause" has been used as the sole basis for sending some people to jail, despite assurances at the time of the change of the law in the Dail, even where membership has been denied by the accused. Therefore, when the special nature of the Diplock Courts in the North was raised again following Archbishop O Fiaich's statement, Dr. Ian Paisley, M.P. for North Antrim, was quick to remind Southern listeners on RTE that at least in the North the unsupported opinion of a police officer did not have the power to lock people away, as it does in the South at present.

The Southern Government has also set bad precedents in other areas, especially as far as the Northern minority are concerned. It is said that Mr. Heath was very impressed with the sacking of the RTE Authority towards the end of 1972 and privately let it be known he only wished he had the same power in dealing with the BBC Board of Governors! Government censorship of RTE is such that most of the Northern minority areas have lost any faith in the Southern service as one which will present the truth about their plight to the world. They feel they get a fairer crack of the whip on BBC and UTV. Again, they see little hope that Dublin will press Stormont or London to publish the recent Amnesty International Report on the North in full, if only because Mr. Collins and his government refused to publish another Amnesty report on Southern jail conditions last autumn. All these developments over the past troubled decade have brought about a dramatic change in Northern thinking about the South, and in the approach of those who hold the traditional nationalist viewpoint in the North to efforts to air their case internationally.

4. BELFAST PRESS CONFERENCE ADDRESSED BY REPUBLICAN LEADER

During a visit to Belfast last week veteran Republican Joe Cahill was the main speaker at a widely-attended press conference, organised by Belfast Sinn Fein.

Joe, who is also vice-President of Sinn Fein, spoke on the issue of H-Blocks, Long Kesh concentration camp and the courageous struggle of the Republican prisoners of war. After the conference he slipped out of the building, on the Falls Road, while reporters were asked to stay behind. The press were not in fact told in advance that Mr. Cahill was to attend to announce an intensification of the campaign for political status for prisoners. In his address to the pressmen he said:—

"The situation in the H-Blocks, Long Kesh concentration camp, is not something to be seen in isolation from the present policy of the British War Machine in occupied Ireland. It is an integral part of its "Normalisation" programme manifested through the twin processes of "Criminalisation" and "Ulsterisation" and is the end result of a carefully manipulated "Legal system" which has been geared to suit the needs of the British War Machine. It begins at the main Torture Centre at Castlereagh, Belfast, through the Internment by Remand, into the non-jury Diplock Courts and finally H-Block.

"It is a 'system' exposed and well documented by independent sources and its results were severely challenged by the June report of Amnesty International which stated that between 70% and 90% of the convictions are based wholly or mainly on self-incriminating statements made to the police during interrogation. Only in a minority of cases is other evidence or testimony of witnesses produced in court to secure a conviction.

"The H-Blocks are a monument to and a manifestation of British Imperialist rule in Occupied Ireland. If the conditions in the H-Blocks existed anywhere else in the world diplomatic, religious and cultural voices would be raised in loud protest. Yet the daily excesses of the British War Machine through the 'legalised', systematic, Government-sanctioned torture technique involving almost 400 men can be eclipsed by the plight of two Russian dissidents.

"At present almost 1000 Republican political prisoners are engaged in actively combatting the process of 'criminalisation'. Almost 400 men are 'on the blanket' in the H-Blocks; 300 interned 'on remand' at Crumlin Road Jail and another 300 in the H-Blocks of Long Kesh. It is a process doomed to failure. It is enforced by the local agents of British Imperialism through the twin process of 'Ulsterisation'. This too is a process doomed to failure.

"The combined strength of the political prisoners and their comrades actively

engaged in the war of National Liberation will ensure this.

"Some of the political prisoners on the Blanket have now entered their third year of protest, and the full resources of the Republican Movement are being mobilised to ensure that they do not enter a fourth".

5. IRISH PRISONERS IN ENGLAND

According to An Cumann Cabhrach (the Republican Aid Committee for POW's) and the Prisoners' Aid Committee in England (PAC) conditions continue to deteriorate at Albany Prison, Isle of Wight, where four POW's commenced a Blanket protest on October 8th, demanding their right to serve their sentences in Ireland and against all the forms of discrimination reserved for them. Anthony Cunningham, Robert Cunningham, Pat Guilfoyle and Liam Baker are as a result of their action now locked in their stripped-cell 24 hours a day. Their mattresses have been taken from their cell and replaced with concrete slabs with hard boards on top. Because the four POW's are refusing to wash and slop-out the screws are hosing them and the cells down. The POW's continue to refuse to attend Mass in the temporary chapel set up in a cell rather than accept the lies that they are barred from the main prison chapel because of their improper behaviour during the Mass. These lies have been discounted in full by the Prison Chaplain, Fr. Parry. Yet the ban remains and another spurious reason has been introduced, "security". However, others who are classified as Category A prisoners use the main chapel, but then the rules are different for Irish Republican POW's.

FORCIBLE DRUGS

Following the protest against forcible drug treatment at Gartree maximum security prison on October 5th, when prisoners took control of three wings of the Gaol for 16 hours, nine Irish Republican POW's were without warning transferred to prisons throughout England. The prisons are as far apart as Exeter and Long Lartin. This news has been confirmed by both An Cumann Cabhrach, Birmingham, and the London-based Prisoners' Aid Committee.

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