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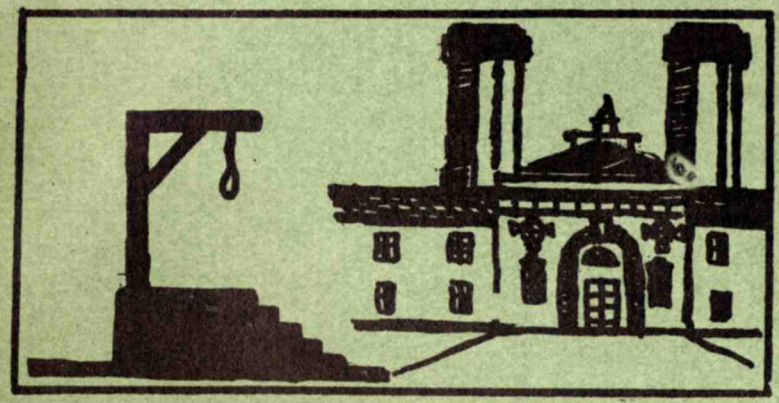
NO HANGING HERE



The case of Marie and Noel Murray

INTRODUCTION

This pamphlet has been written and published by the MURRAY DEFENCE COMMITTEE. It is a fact that for four days of the trial of Marie and Noel Murray the Press were not allowed to report on the court proceedings and the public are therefore unaware of what happened during that period. However, since the Death Sentence was passed on the two Murrays there has been total silence by the media on their case, except for an initial printing by the 'Irish Times' of a statement condemning the sentence of death. 'Hibernia Fortnightly Review' also printed letters condemning the death sentences and criticising the Special Criminal Court. Both these newspapers were promptly prosecuted by the state and charged with Contempt of Court. Since then there has been silence.

The setting up of the Defence Committee – its aims, its work, its patrons, its public meetings, the prosecution of nearly all the founder members, have all gone without a word of publicity. The wall of silence has been impossible to penetrate. The only way the Murray Defence Committee has been able to inform the general public of their activities has been through leafletting, posters and public meetings. If all of Ireland is to know that such a committee exists, then in this situation, all of Ireland must be postered and leafletted!

Further, the Murray Defence Committee has received such harrassment and intimidation by the police in Ireland, that we have had to employ a solicitor to defend us in the many court actions taken against members and supporters of the committee. Prosecutions have been for such things as putting up posters and walking on peace marches with leaflets calling for an end to the Death Penalty. The legal fees incurred by these actions are substantial.

Finally, despite every possible attempt, through every possible channel, the committee have been unable to get even ONE visit with neither Noel nor Marie by any friend or person in Ireland. Noel's mother and father (both over 70) are the only people allowed visit them. Nor have we succeeded in being able to get the authorities to give them any of the hundreds of letters which have been sent to them from at home and abroad. This includes letters from Noel's brothers in England. Since being sentenced to death on June 9th they have been kept alone, isolated from other prisoners with no visits from friends or relations with the above exceptions, and most important for them, they have had no visit with each other. Noel has since withdrawn his appeal to the Supreme Court and now awaits execution.

The above may paint a depressing picture but despite all the obstacles and harrassment the Murray Defence Committee has succeeded in establishing itself firmly in Dublin and new committees have been formed in Belfast, Derry, Limerick and Galway. Also there are many Murray Defence Committees throughout the world including Scotland and England. This pamphlet is an attempt to give the background to the Murrays and their trial in the Special Criminal Court which resulted in their being sentenced to death without a jury or a defence counsel.

The Government could have reprieved the Murrays at any time since June 9th but they are allowing the long drawn out mental torture to continue to the bitter end. They would appear to condone the most savage act of violence of all – Death by Hanging in a so-called democratic and civilised society – and torture as well.

Marie Murray *(Mac Phillips)*

Marie Murray was 27 when she was sentenced to death in the Special Criminal Court on June 9th 1976. Her political career started 8 years before that when she joined the Republican Movement in 1968. She was at that time employed in Roinn na Gaeltachta as a Civil Servant. She was interested in the Irish language movement and was an active member of Conradh na Gaeilge (during her detention on remand in Limerick prison she taught Irish to the other prisoners in Limerick prison). During 1969 there was a very strongly supported Housing Action Committee in Dublin and Marie was very active on this issue. Many people remember her enthusiastic work in the Drimnagh/Ballyfermot area during this time. She was a member of the Connolly Cumann of Sinn Fein and after the split in the Republican Movement in 1970 she went with Official Sinn Fein. She remained with them until 1973 when she resigned over disagreement with changes of policy in the Official Republican Movement. During her time with the movement from 1970 to 1973 she was a member of the Dublin Comhairle Ceanntair and was Finance Officer of the Comhairle Ceanntair (Regional Executive) from 1971–1972. She met Noel Murray during this time and they got married.
The other work she is most remembered for in the Republican Movement was her passionate support for political prisoners. The photograph we show above of her marching to Cork at Christmas 1970 to raise funds for prisoners in British Jails speaks for itself.
From 1973 onwards, although no longer a member of the Republican Movement Marie continued to fight for the ideals which motivated her to become politically involved in the first place – an independent socialist Ireland.

Marie Murray selling 'United Irishman' in 1970.

NOEL MURRAY

Noel Murray was 26 when he was sentenced to death by the Special Criminal Court on June 9th 1976. He was a metal fabricator and was employed in C.I.E. for several years. He first became politically involved in 1966 when he joined the Republican Movement. In those days Noel was one of the few people involved in the movement in the Celbridge area but he made up for it with hard work. He is well remembered in the Kildare area for selling Republican literature and later on Socialist and Revolutionary literature. After the Republican Movement split in 1970 Noel went with Official Sinn Fein and worked hard carrying out their policies. In 1971 Noel was arrested on a picket outside the American Embassy which was protesting over American involvement in Vietnam. He was arrested later on that year for occupying Fianna Fail headquarters over their failure to intervene in the Northern crisis at the time. During his time in the Celbridge cumann he covered most of the Kildare area selling the United Irishman and is remembered in places like Naas where he did his regular paper round.
He then moved to Dublin where he met Marie Mac Phillips and later married her. Both of them were in the Connolly Cumann of Official Sinn Fein in the Ballyfermot/ Drimnagh area until 1973. Noel resigned at this stage over disagreement with changes in the policy of the Official Republican Movement.
Since 1973, like Marie, he remained politically active, attending protests about prisoners conditions and repressive legislation continuing to fight for his ideal an independent socialist Ireland.

12 charged with damaging flag at U.S. embassy

Twelve young Dublin people appeared on remand in the Dublin District Court yesterday on a charge that last Saturday they wilfully and maliciously damaged, to an extent of not more than £200, the American flag and the rope attached to it, when it was being flown in the grounds of the American Embassy at Pembroke road, Ballsbridge, Dublin.

The defendants are Peter Kavanagh, of Howth road, Sean O Cionnaith, of Coolock avenue, Mairin de Burca, of Wilfield road, Ballsbridge, Mrs. Nuala Monaghan, of St. Patrick's road, Walkinstown, Martin Gaffney, of Lower Kimmage road, Gorenka Gaffney, of Lower Kimmage road, Fionnuala O'Connor, of Lower Baggot street, Tadek Gaj, of Lower Baggot street, Vladek Gaj, of Lower Baggot street, Marie McMahon, of Pembroke lane, Noel Murray, of Church road, Celbridge and Columba Longmore, of Foyle road, Fairview.

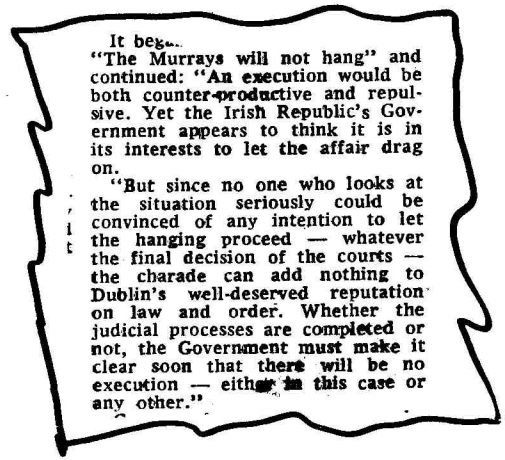
MINISTER OPENS

The case of Marie and Noel Murray

On Wednesday 9 Jun 1976 Marie and Noel Murray were sentenced to death by hanging on the charge of the capital murder of Garda Michael Reynolds at St. Anne's Park, Raheny, in the outskirts of Dublin on 11 September 1975. Their case was heard in the Special Criminal Court which sat without a jury and was presided over by 76 years old ex-retired Judge Pringle, who intoned the fatal formula: *"It is the duty of the court therefore, to order that you be removed to the prison in which you were last confined and there to suffer death by execution in the manner prescribed by law on July 9, 1976, and to be buried within the precincts of the said prison".*

There have been two postponements of the hanging, the first until the 26 July when their appeal against the death sentence was rejected by the Court of Criminal Appeal and the second to 1 November 1976 when the Supreme Court is due to hear an appeal on narrow grounds of the interpretation of a clause in the Act which defines capital murder.

When they were first sentenced in June of this year public shock was soothed by general media comment that there was bound to be a reprieve and inspired guesses that the cabinet would recommend clemency. Liberals were encouraged by the precedent of William Whitelaw who when faced as Northern Ireland secretary in 1973 with the judicial sentencing to death of Albert Browne and Liam Holden, reprieved them both and went on to abolish capital punishment in Northern Ireland when he introduced the package of repressive laws known as the Emergency Provisions Act 1973. The sanguine faith in the humanity of the Dublin government was well expressed by the editorial writer of the Belfast Telegraph on Thursday 10 June:–



It beg...
"The Murrays will not hang" and continued: "An execution would be both counter-productive and repulsive. Yet the Irish Republic's Government appears to think it is in its interests to let the affair drag on.

"But since no one who looks at the situation seriously could be convinced of any intention to let the hanging proceed — whatever the final decision of the courts — the charade can add nothing to Dublin's well-deserved reputation on law and order. Whether the judicial processes are completed or not, the Government must make it clear soon that there will be no execution — either in this case or any other."

The public compacency about the respect of members of the Irish Government for human life was further encouraged by recalling their liberal utterances in the past, their dedicated work for *AMNESTY* the international organisation to which our Minister for External Affairs, Garret FitzGerald; our Minister for Post and Telegraphs Mr. Conor Cruise O'Brien; our Minister for Transport and Power Mr. Justin Keating; our Minister for Finance, Mr. Richie Ryan and our Attorney General, Mr. Declan Costelloe belong, along with several other T.D.s in the Coalition Government. *AMNESTY* has as one of its fundamental statutes, total opposition to capital punishment in any circumstance. John Kelly, the government Chief Whip and noted legal authority as recently as December 1975, described the measures used by the Dublin government against political violence as *"the outer limit of what is acceptable in a civilised society"*. It was the last coherent attempt to resist British pressure to totally erode civil liberties in the 26 counties. *"It is time"*, he said, *"that the . . :–*

British were told a few simple facts about law enforcement in the Irish Republic and were asked to contrast some of its features with their own.

"This State operates against political violence through a Special Criminal Court, which imposes heavy sentences on verdicts found by three judge sitting without a jury. A good part of its work consists in hearing charges of I.R.A. membership in which the mere opinion of a police officer that the accused is guilty, if uncontradicted, will suffice for conviction.

"These measures represent the outer limit of what is acceptable in a civilised society, and indeed are thought by some to exceed that limit. We can imagine what long faces would be pulled in Birdcage Walk and the Middle Temple if measures analogous to our Offences against the State code were proposed in Britain; but evidently some British people believe that what they themselves would find intolerable is quite good enough for those who live along the Liffey or the Limpopo. Our basic attachment to a more moderate system of law is at least as strong as that of the British, and we simply will not take that attitude from them without protest.

"Our broadcasting system, moreover, is stringently controlled by a statutory directive, which has the effect of eliminating the presentation of points of view tending to violence and subversion. This, too, is used as a stick with which to beat the Government, but the Government naturally places human life and happiness above the duty of the media to present facts and opinions.

But there has been no government voice raised against the continuing psychological torture of Marie and Noel Murray. They are living on borrowed time for every second they are under sentence of death. They are the first persons ever sentenced to death by the Special Criminal Court in Ireland and the first persons to be sentenced to death by any court since the abolition of capital punishment for most cases of murder in 1964. In the light of the awesome punishment being meted out to Noel and Marie Murray one expects some heinous crime which outrages every civilised feeling such as the brutal murder of the very young or the very old.

The alleged crime

The Bank of Ireland in Killester, on the outskirts of Dublin was raided on a wet Thursday afternoon just after 4 p.m. The raiding party are said to have been two men and a woman who held the staff and the customers at gunpoint. It was subsequently described by a witness who was a bank official as a *"low key operation carried out very efficiently with the element of overt violence played down"* (Irish Times 30 April 1976). £7,000 was taken in bank notes. The raiders escaped in a Ford Cortina car.

Garda Michael Reynolds was driving past with his wife and four year old daughter in the passenger seat of his own private car. He was in plain clothes and off duty. The Irish Times of April 30 reports his widow's evidence:–

Mrs. Catherine V. Reynolds, Ardmore Drive, Artane, said that she and her daughter Eimeir were in her husband's car when he went to draw his pay at Raheny Garda station on September 11th last. As they were coming to the shopping centre at Howth Road where the Bank of Ireland was, a green Cortina swerved out suddenly in front of them. Her husband hooted the horn but the other driver ignored them and her husband followed the car.

They went down Dunsevrick Road and opposite St. Paul's College, the Cortina swung into the main avenue of St. Anne's Park. Her husband followed the car and almost at the end of the avenue, the Cortina swung across in front of their car and stopped. One man had jumped from the Cortina and ran to the left, while the driver got out and ran to the right.

Her husband had the driving door opened before he stopped the car and he jumped out and followed the driver of the Cortina.

She lost sight of them and a short time later she thought she heard a shot. She got out of the car and approached two men who were sheltering from the rain under a tree. As a result of a conversation they moved off in the direction her husband had taken.

The Irish Times (12 September) gives the following account of subsequent events:

Meanwhile, gardai who had been alerted by a telephone call from the bank arrived on the scene and found that a bullet had pierced the back of Garda Reynolds' head. He was taken to Jervis Street but was dead on arrival.

Other Garda patrols were surrounding the park as a helicopter and tracker dogs arrived for the search. Detectives from the Technical Bureau examined the scene and took a single bullet case which was found about 15 yards from where the Garda had been lying. A Garda van toured the park with an officer using the loudspeaker system to order all civilians to leave immediately.

Late last night gardai at the headquarters in Raheny issued descriptions of four people they wanted in connection with the killing and

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appealed for anyone who was in the area between 4 and 5 p.m. yesterday to contact them.

The fourth person, a Garda officer said, was believed to have been in the getaway car, and was a woman. She was described as in her late teens, wearing a blue mac with a red scarf, and she had red hair.

The other descriptions were as follows. A man, aged about 25, medium height, black hair covering ears, drooping moustache possibly false, purple mac, platform shoes; another man also about 25, taller, fair to brown hair, wearing a grey sports jacket; and another woman, aged 19 to 20, wearing a green-blue jacket, carrying a folding green umbrella and with black ear-length hair and black shoes.

Gardai last night were working on the belief that he had caught at one of the raiders—the girl—and that another member of the gang came back and shot him.

The killing raised immediately the major political question of whether or not rank and file Gardai would call for arms whilst carrying out their duty. Jack Marrinan of the Garda Representative Body made an implicit appeal to public opinion:–

"Essentially we are an unarmed force and I think that the public outrage which will follow the killing of this officer will be a protection for our members in the future."

Although Garda Reynolds was off duty, driving without uniform with his wife and child, and may have been only reacting personally as a motorist to bad driving, the Irish Times editorialised on Friday 12th September:–

This country at present is plagued by thieves and murderers who rip their way into banks and post offices. Such persons are enemies of society. Garda Reynolds was a public servant who chose to stand against these obvious enemies. It is certain that there are many others like him in the Garda Siochana.

Garda Reynolds was accorded virtually a State funeral:–

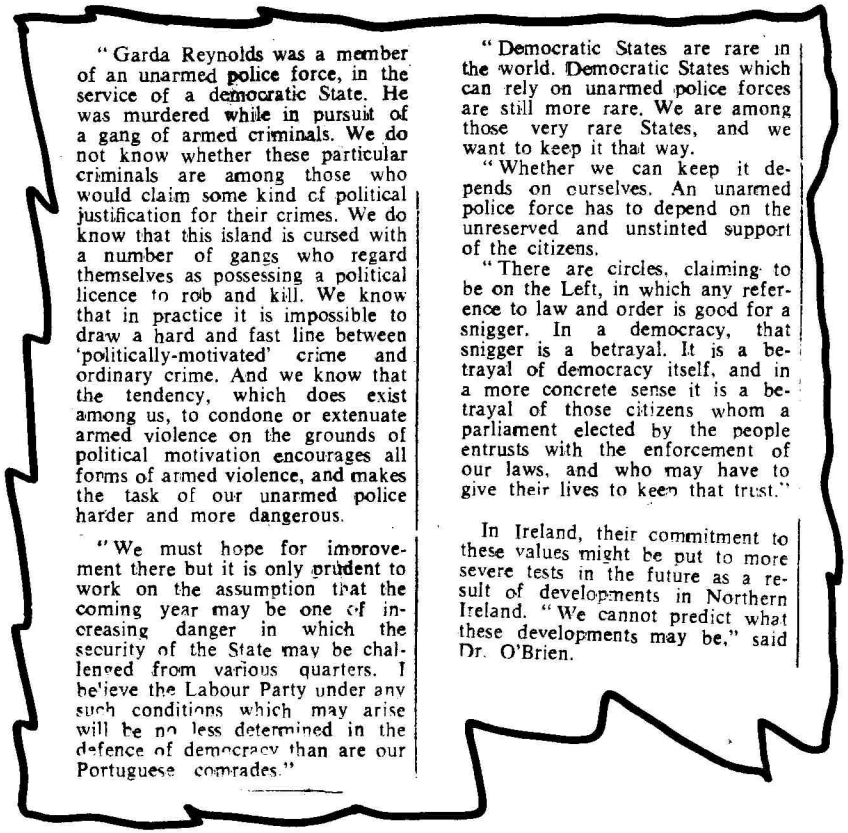
The attendance included the Taoiseach, Mr. Cosgrave; the Minister for Justice, Mr. Cooney; the Minister for Defence, Mr. Donegan; the Minister for Lands, Mr. Fitzpatrick, and the Attorney-General, Mr. Declan Costello. The Leader of the Opposition, Mr. Jack Lynch, T.D., was represented by Mr. David Andrews, T.D. Lieutenant Risteard Mac Ionraic, A.D.C., represented President O Dalaigh.

The Archbishop of Dublin, the most Rev. Dermot Ryan, presided at the Mass, and his auxiliary bishops were present in the sanctuary with members of the Passionist Order.

The Garda Commisioner, Mr. Edmund Garvey, headed the Garda representation, which included members from every section of the force.

The cortege, headed by the Garda Band, proceeded through the city to the Four Courts. The coffin, draped in the Tricolour and bearing Garda Reynolds' cap, was followed by 500 marching gardai, ban gardai, recruits, troops, and cars carrying the widow, his mother, sister, brothers and young daughter.

Conor Cruise O'Brien used the occasion of passing a vote of sympathy with the relatives of Garda Reynolds at the Clontarf Constituency Council of the Labour Party to rally the party behind a Law and Order stance and to ensure that the killers if they were apprehended would be treated as political offenders:–



"Garda Reynolds was a member of an unarmed police force, in the service of a democratic State. He was murdered while in pursuit of a gang of armed criminals. We do not know whether these particular criminals are among those who would claim some kind of political justification for their crimes. We do know that this island is cursed with a number of gangs who regard themselves as possessing a political licence to rob and kill. We know that in practice it is impossible to draw a hard and fast line between 'politically-motivated' crime and ordinary crime. And we know that the tendency, which does exist among us, to condone or extenuate armed violence on the grounds of political motivation encourages all forms of armed violence, and makes the task of our unarmed police harder and more dangerous.

"We must hope for improvement there but it is only prudent to work on the assumption that the coming year may be one of increasing danger in which the security of the State may be challenged from various quarters. I believe the Labour Party under any such conditions which may arise will be no less determined in the defence of democracy than are our Portuguese comrades."

"Democratic States are rare in the world. Democratic States which can rely on unarmed police forces are still more rare. We are among those very rare States, and we want to keep it that way.

"Whether we can keep it depends on ourselves. An unarmed police force has to depend on the unreserved and unstinted support of the citizens.

"There are circles, claiming to be on the Left, in which any reference to law and order is good for a snigger. In a democracy, that snigger is a betrayal. It is a betrayal of democracy itself, and in a more concrete sense it is a betrayal of those citizens whom a parliament elected by the people entrusts with the enforcement of our laws, and who may have to give their lives to keep that trust."

In Ireland, their commitment to these values might be put to more severe tests in the future as a result of developments in Northern Ireland. "We cannot predict what these developments may be," said Dr. O'Brien.

This climate of opinion and this type of political pressure probably explains why Ronan Stenson, Marie Murray and Noel Murray were charged with the murder of Garda Reynolds when they were brought before the Special Criminal Court which sits without a jury and was set up especially to deal with persons suspected of taking part in an armed conspiracy. No evidence to link them with such an armed conspiracy was produced at any stage but because of the preamble to the establishment of the Special Criminal Court and the general use of these courts, the mere fact that the Director of Public Prosecutions chose to use that form of trial would inevitably prejudice opinion against them on that point. The Chairman of the National Association for Clients of the Legal Profession wrote in the Irish Times of 12 September: *"A legal system, a respect for that system and a reasonable certainty that it will be administered impartially and without political prejudice, is essential to any civilised community".* The use of the Special Criminal Court in this case appears to have been in part at least, a politial decision and as such to cause disquiet about the impartiality which led to the sentencing of Marie and Noel Murray to death.

Raids on reputed Leftists and Anarchist sympathisers towards the end of September, included taking Ronan Stenson to Clontarf Garda station for an interview in connection with the investigation of the case on 23 September. He was interviewed by Inspector Edward Ryan of the Central Detective Unit who released him and *"did not become aware of any other matters which could result in Stenson's being arrested and held".* (Irish Times 5 May 1976).

On October 8th a search warrant under the Firearms Act was issued to search St. Aiden's Park Marino, where Ronan Stenson lived. The Gardai surrounded the house, forced the back door, and Sergeant Culhane arrested Ronan Stenson in the front bedroom.
In Court Mr. Patrick Mac Entee S.C. defending Ronan Stenson challenged the legality of the arrest on the grounds that the warrant authorised a search and arrest on the basis of what was found. As the arrest was made before a search could be carried out the arrest was illegal and an unconstitutional deprivation of lawful freedom. Stenson resisted arrest according to Garda evidence saying *"I am not going. I have been arrested already."*

Force was used and the arresting Detedtive Garda O'Malley and Stenson fell down the stairs together. The presiding judge, Mr. Justice Pringle ruled out that the search order was invalid and that *"there was no deliberate or conscious violation of Stenson's constitutional rights when he was arrested".*

Marie and Noel Murray got married in August 1973. She had worked as a civil servant in Roinn na Gaeltachta, he as a metal fabricator. Both had been members of the Republican movement adhering to the Official (Gardiner Place) leadership until the autumn of 1973 when they both resigned. In November 1974 they rented a house at No. 15 Grangemore Estate, Raheny from Mr. Sean Kiernan, in the names of Ann and John Finley. They lived there quietly with their young Alsation dog. On the morning of 8th October they took the dog for a walk in the early morning. Whilst they were out a force of some 20 armed Gardai and detectives surrounded and occupied the house and lay in wait for their return. They were under the direction of Detective-Inspector Myles Hawkshaw of the Special Detective Unit, Dublin Castle, with a search warrant under the Firearms Act. Detective-Garda Patrick

Byrne was positioned in the kitchen. According to the Irish Times 22nd May 1976:–

At about 8 a.m. he heard some people approaching the front door and he heard somebody laughing. The front door was opened and a woman walked into the kitchen. He recognised her as Marie Murray, and he grabbed and held her. Asked where did he hold her, witness said: "I caught her by the jacket, by the back of her neck. Her back was to me at the time."

In the hallway he saw a man, Noel Murray. He was standing in the hallway with an Alsatian dog on a lead. Other gardai were there and asked the man his name and he identified himself. Witness was still holding Mrs. Murray at this time and held her for about a minute until he saw Noel Murray had been held in the hallway. He was held and disarmed by Inspector Hawkshaw and Sergeant Culhane.

Marie Murray was asked if she was armed and she produced a screwdriver from her pocket. Witness was not holding her at this time.

Noel Murray was taken to Harcourt Terrace police station and Marie Murray to Coolock Police Station. At the time of his arrest there was a Bench warrant out of Noel Murray on the grounds of his not answering bail. He maintained that Detective-Inspector Hawkshaw and the arresting party were aware of this and should have brought him directly to the Bridewell or to the Special Criminal Court to answer his bail. The custody he was held in in Harcourt Terrace was illegal and so the statements alleged to have been made by him were extracted under duress. Noel Murray submitted (Irish Times 1 June) the following testimony about the circumstances which surrounded his making statements in Harcourt Terrace Police Station:–

The gardai, he said, knew of the existence of this warrant or it was incomprehensible that they did not know of it. The charges on which he was before the court on the former occasion included armed robberies, explosives and bank robberies.

SENIOR OFFICER

One of the senior officers in the present case was Inspector Finlay who was the man in charge of the case in July, 1974. He had reason to believe that Inspector Finlay was at a Garda conference on the night before he was arrested last October when the decision was made to arrest him and to bring him to Harcourt Terrace Garda Station. He had quite a lot to say about the time he was in custody at Harcourt Terrace station and before he had made the statement.

When he arrived at his house at 8 a.m. on October 8th and entered immediately armed police officers sprang from practically all over the house. It seemed to him that there were about 20 of them. He was held at gunpoint and the first words spoken were "Murray, you are dead." This was said by a police officer who was holding a machinegun. This oficer appeared to be nervous and the gun was shaking in his hand. "I was afraid he was going to shoot me." This officer also threatened to shoot his dog which was only a pup.

When taken to Harcourt Terrace station he was asked if he wanted anything and he told them he wanted a solicitor. He was told he would get a solicitor later. He was not told when arrested that he could have a solicitor or a friend present.

Inspector Ryan then came into the room and said he was investigating the bank robbery at Killester and the subsequent shooting of Garda Reynolds.

ASKED FOR SOLICITOR

Murray said he told the inspector that he knew nothing about it and again asked for a solicitor. The inspector asked if he was surprised when he was arrested and Murray said he said he was and would not

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have come to the house if he knew they were there. He told Inspector Ryan about the bench warrant out for his arrest and said that he knew "he would be arrested sooner or later." Inspector Ryan in his evidence took this statement out of its context and used it to the advantage of the prosecution.

He was again asked by Inspector Ryan about the robbery and murder and he again repeated that he knew nothing about it and wanted a solicitor.

Inspector Ryan asked him if he knew Ronan Stenson and he replied that he did. Inspector Ryan then said, "You are sold." After that Inspector Ryan left the room, came back after a short time and seemed to be in a bad temper. Inspector Ryan said, "Why did you not tell me about the gelignite in the fridge?" The inspector then told him the gelignite had gone off and killed a policeman and a little girl next door. The inspector then kicked him on the legs and stomach and kicked the chair from under him. He was beaten in the stomach, head, shoulders and arms. There were other police present, but they did not take part in the assault.

Inspector Ryan then left, but returned at about 12.30 p.m. and told him that his wife had made a statement involving him in the Killester bank robbery.

He said he had nothing to do with it and wanted to see a solicitor.

At about 5 p.m. Detective Gardai Byrne and, he thought, Hegarty of the Drug Squad, came in. Detective Garda Hegarty asked him if he had made a statement and when he replied that he had not and wanted to see a solicitor Hegarty struck him and ordered him to stand with his back to the wall and his feet wide apart. Detective Garda Hegarty then struck him in the kidneys, said Murray, as well as in the stomach and behind both ears. Murray said he told both officers he was not going to make a statement. Detective Garda Hegarty again asked him to make a statement and again struck him on the head. Detective Garda Hegarty then said he would be back in five minutes and if he (Murray) did not make a statement by then he would kill him.

MET WIFE

Murray said that he then had a meeting with his wife in the garda station. After that meeting Inspector Ryan asked him if it was not true that his wife had made a statement, and he agreed. However, Inspector Ryan had taken his reply out of context and had used it for the advantage of the prosecution case.

Some time later, after he had continued to ask to see a solicitor, Inspector Ryan came in with a telephone directory and asked him to find the number of his solicitor. He (Murray) could not find the number, but asked the inspector to contact either Mr. McEntee or Mr. Doolin. Later he agreed that he would make a statement as he realised that this was the only way he would get to see a solicitor or counsel. He did not intend to make a statement which would incriminate himself in any way.

Murray said that the inspector contacted Mr. Doolin who arrived at the station between 6 and 7 p.m. He explained what had taken place and Mr. Doolin left. After he left, Inspector Ryan came back into the room and again asked him to make a statement, and he again refused, saying that Mr. Doolin would be returning at 10 p.m. with a solicitor. Inspector Ryan said that Mr. Doolin or the solicitor would not be allowed in.

WRITTEN NOTES

Murray said that he was later shown a number of exhibits and made comments on them. This was the only time on which written notes were taken in his presence in Harcourt Terrace station.

Mr. Doolin and a solicitor, Mr. Carroll, arrived and Mr. Carroll wrote out a statement saying that he had been questioned in connection with the bank raid and death of Garda Reynolds, and that he did not wish to make a statement. This statement was given to Inspector Ryan by Mr. Carroll.

He said that after his legal advisers had left the garda station. Ronan Stenson was brought into the room where he was. They did not speak at that stage, but he noticed that Stenson's face was swollen, he had a cut behind one of his ears and "looked very unwell."

At about 11.30 p.m., he was taken to another room where he spoke to his wife for some moments before Ronan Stenson was brought in to see him. Stenson told him that he had been beaten in Rathmines Garda Station. He said he had been beaten across the back with a rope, struck with a hammer and had his hair pulled repeatedly.

Stenson told him that he had been forced to make a statement implicating himself and his wife in the affair and in another matter which had no relevance to the present case.

Mr. Justice Pringle ruled (Irish Times 2 June)*: "The court is quite satisfied that none of the cases of ill-treatment alleged by the accused in fact took place".* **In the** Irish Times 13 April 1976 **a statement was printed from Fr. Piaras O Duill which said:** *In our police stations people are being tortured and abused by being stripped naked, punched and kicked with their limbs painfully twisted . . . they are blackmailed into thinking that if they draw attention or publicity to their plight they will again be rearrested and given further beatings and jailed".*

Murray said that he was taken to another room and again asked to make statement. He refused. Garda Byrne told him that his wife had made a statement saying that what had happened to Garda Reynolds was an accident and that he should back his wife up. Later Garda Finn made him stand in the middle of the floor and asked if he would make a statement. He hit him a number of times and knocked him over a bench or a table. Detective Garda Finn went to the door and called in three other men. These four surrounded him and asked him to make a statement.

They pushed him from one to the other and punched him in the stomach from one to the other. He fell down and was picked up by the legs and dropped head first on the floor. He was then taken to the cells where there was a toilet in the corner which two of the detectives used.

He was made to stand with his back against the wall and punched in the stomach and the face. When he fell, he was picked up by the legs and carried over to the toilet. He was held up and his head put into the toilet. Detective Garda Finn threatened to drown him in the toilet.

'BEATEN IN STOMACH'

He was spreadeagled against the wall and beaten in the stomach and kidneys. Eventually he said that he would make a statement just to get out of the cell.

Murray said that he had no intention of making an incriminating statement. He was taken to a room by Detective Garda Finn. Inspector Ryan was there and he wrote out a statement, assisted by Detective Garda Finn. He (Murray) had nothing to do with this. He did not read the statement or sign it. He complained to Inspector Ryan that he had been beaten-up and forced to make the statement under duress. The initials on the statement did not compare with his signature.

At 3.30 a.m. he was given a can of minerals which he drank. This was the only thing he had taken that day. He had refused to take food or drink—except water—because he was afraid it might be "drugged or poisoned." He was taken from Harcourt Terrace to the Bridewell the following day.

He said that when he was in the Bridewell, a number of uniformed gardai came in. He did not say anything to them as they appeared to be in an "ugly humour" and he did not want to be beaten up again.

Murray said that the following morning Inspector Finlay came into his cell and told him that he was investigating the bank robbery. He (Murray) complained that he had been beaten. Inspector Ryan, who was also there said that if he had made a statement when asked to by him, it would not have happened.

Murray alleged that Inspector Ryan also said: "If you don't make a statement, I can have the Murrays branded as informers. I can have you dead in a week in any prison in the country".

His solicitor arrived, and he agreed to make a statement. In this statement he said that he had been assaulted and did not want to make any further statements. This statement was signed and his solicitor, Mr. Carroll, gave it to Detective Inspector Finlay.

PERJURY ALLEGATION

Murray said that Detective Inspector Finlay had denied all knowledge of receiving this statement and had attempted to cover up his own perjury by accusing Mr. Carroll of perjury. Mr. Donal Carroll was a highly respected member of the legal profession.

He alleged that a number of documents had disappeared and that some of these would not have been in evidence if his solicitor had not produced the originals.

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Murray said that most of the police giving evidence had committed perjury. Some had denied being involved in his interrogation, and he had named these people. The evidence of Inspector Finlay should be discounted because of his perjury and the evidence of all the other policemen who supported his evidence should also be discounted on these grounds.

He continued: "Some weeks ago when children were giving evidence here, you asked them did they know the meaning of the oath. Have you asked the police officers do they understand the meaning of the oath. As far as they are concerned, the oath is nothing more than a device to give credence to their perjury."

He told Mr. Justice Pringle that he did not expect to get justice from "this tribunal" and he did not think he would get a fair trial. However, he must say that for "far too long the police have been getting away with violence and perjury and will continue to get away with it as long as people like you continue to support them."

The statement which Noel Murray made about police brutality on 9 October and which his solicitor swore he gave to Inspector Finley was lost by the Gardai who said they never read it:—

(Irish Times 1 June 1976)

Mr. Justice Pringle said that the court was satisfied that Inspector Finlay was conscientiously telling the truth in saying that he could not recollect the matter. "In relation to the allegations of assault in the document, the court is satisfied, for the reasons it has already stated, that no such assault took place," [redacted]

Marie Murray explained the circumstances and importance of the statement she made in court. (Irish Times 9 June 1976)

"All that connects us to the raid and the death of Garda Reynolds are the statements made by us under duress: in my case mental torture, in Noel's case, physical torture."

She condemned the conduct of the police throughout the case, and said that they were encouraged in their ways by the fact that the judges believed every word that they said. It was no wonder that they carried on the way they did when they knew that they could get away with it.

"You, Mr. Pringle, said that we were making serious allegations against the police. Well, they made bloody serious allegations against us. I made a statement that was untrue. I suppose I laid it on a bit thick. But I felt I had to dramatise it to protect Noel. They wanted me to name a fourth person and suggested that I was protecting this person because I was carrying on with him. To put it in a nutshell, they called me a whore."

She ended: "This unholy inquisition is a fitting finish to their efforts."

An example of the judges intervening on the prosecution side followed. Mr. Noel Mac Donald S.C. was summing up for the Director of Public Prosecutions on the crucial point of whether Garda Reynolds was "on duty" within the meaning of the 1964 Act. The case for the Murrays being guilty of capital murder turned on this. The judges assisted the prosecution's case. First:–

> Mr. Justice Pringle: "Does it make a difference that the person should know he was a guard?"

Then:–

> Judge Frank Martin asked Mr. MacDonald if he could suggest why prison officers and gardai had been put in a special category by the legislature in the 1964 Act.
>
> Mr. MacDonald said that the gardai generally, the Garda authorities and successive Governments had maintained that our police force should be unarmed. This meant that the people were spared the street gun battles that would otherwise have been a possibility. With the police unarmed, there was a fear among criminals of carrying arms, "the cuter ones never do—because they are careful that they won't panic in some situation and use the weapon." The Gardai, in consequence of being an unarmed force, require the added protection and security provided by the legislature in the 1964 Act, he said.

This was an example of a judge intervening to ensure that the prosecution made a purely political case for hanging the Murrays. It was extraordinary as the Murrays were not defended by counsel at the time.

Some disquieting features

1. Marie Murray was visited neither by a solicitor nor a doctor nor a friend during the period she was held by the Gardai after her arrest.

2. Solicitors and Counsel were treated scandalously in their attempts to see Noel and Marie Murray and reported this to the Special Criminal Court when they complained of not being allowed to see their clients (Irish Times 2 December 1975)

3. Constant references to the killing of Garda Reynolds as "murder" whilst the case was *sub judice* were unchallenged though charges of contempt of court were freely made after the Special Criminal Court passed the death sentence. Mr. Doolin, Counsel for the Murrays complained of a speech made by Conor Cruise O'Brien, Minister for Posts and Telegraphs during the debate on the Criminal Law Jurisdiction Bill:–

> Mr. Doolin said that the court had powers in relation to contempt of court.
>
> The Minister had referred to the murder of the garda and to the Herrema kidnapping. The murder case obviously referred to the alleged murder of Garda Reynolds. There had been no judicial evidence that the death of Garda Reynolds constituted a crime of murder. He did not want the words of Dr. Conor Cruise O'Brien to influence any trial in the court. He held that the Minister's reference was prejudicial to a fair trial and to the interests of justice. He was applying to the court to direct the Director of Public Prosecutions to bring this matter to the Ceann Comhairle.
>
> Mr. Justice Pringle said that the Court would take note of what Mr. Doolin said and not take any action at the moment.

Irish Times 2 Dec. 1976

4. There were difficulties in empanelling Counsel under the Free Legal Aid Scheme due to the dispute conducted by the Bar Council over the scale of fees. This restricted the Murrays' choice of counsel and led to delays in beginning the trial even though the Book of Evidence was ready by 2 December. The Minister for Justice's dispute with the Bar Council delayed the trial until 26 April and Noel and Marie were not allowed the joint consultations they requested to prepare their defence. Their request to have three junior counsel assigned to their defence was refused (Irish Times 10 April 1976):–

> Refusing the application, Judge Ryan said that the court was not going to set a precedent by assigning three junior counsel in a capital murder charge. The court not only had a responsibility to the public but to the accused in the case. If the two accused did not want a senior counsel, then it was on their own heads. If they wished to have a senior counsel for their trial, which would open on April 26th, the matter could be mentioned to the court in the interim.

5. At the opening of the trial Mr. Doolin tried to raise the question of the all-over competence of the Special Criminal Court to try cases of capital murder by pointing out the limitations of its powers – the case of the insanity of the defendants which could only be decided by a jury. He was ordered by the court to produce evidence on their mental state. The conditions under which the accused were detained did not facilitate their medical examination by independent doctors. It was argued that the determination of this issue by the Special Criminal Court would be in contravention of Article 38 (1) of the Constititution:– (Evening Press 28 April):–

> Mr. Justice Pringle said that 'Mr. Doolin had raised the issue of insanity without any evidence whatever and the result was that public, the court and everone else, were put to considerable expenes and delay.

6. Ronan Stenson was jointly charged with the capital murder of Garda Reynolds. He was separately defended:–

> Mr. Patrick McEntee, S.C., who represtend Stenson, said that althoung Mr. Doolin had not put an issue but raised the question of possible insanity, he had a seriuos apprehension that his client might be prejudiced and he asked for a separate trial for him. In refusing this, the court said that, if cerain circumstances arose during the trial, he could renew his application.

7. **THE PUBLIC DID NOT KNOW WHAT TRANSPIRED ON THE SEVENTH AND EIGHTH , ELEVENTH AND TWELFTH DAYS OF THE TRIAL. The following notice appeared in** The Irish Times (7 May 1976): *"The Special Criminal Court continued to hear evidence on the arrest and the making of Statements by the people accused in the Garda Reynolds murder trial, as the hearing entered its seventh day yesterday. On Wednesday Mr. Justice Pringle who presided requested the Press not to publish any evidence relating to the arrest or the statements until the court had ruled on their admissibility".* **On Monday May 10 Ronan Stenson collapsed during the evidence of Detective Sergeant Patrick Cleary of the Central Detective Unit who questioned him and took a statement from him in Harcourt**

Terrace Police Station on the night of 8 October. Stenson fell semi-conscious to the floor. The trial was adjourned to give him a chance to recover. The trial was resumed on 17 May when the military doctor reported that though he was still not sleeping and his tranquilliser dosage had been reduced and he was very tired, he was "alert" and fit to stand trial. The trial proceeded through the 11th and 12th day without newspaper coverage at the Judges' request. On the 13th day reporting restrictions were lifted and Stenson began to give evidence about his arrest and the circumstances leading to his making a statement to the police in Rathmines Police Station on 8th October.:–

After a short adjournment Stenson took the witness stand. He made an affirmation instead of taking the oath. He said that he was at home on the morning of October 8th last. He was awakened by shouting outside and he heard the glass in the back door being broken and the bolt being slipped back. He realised it must be the police and he began to get dressed.

His bedroom door was locked and someone shouted to open up. He did, and three or four men rushed into the room shouting at him to hurry up.

Mr. MacEntee: Did they inform you what they were there in connection with?

Stenson: I had been questioned some weeks previous about this case. I assumed that.

Mr. MacEntee: Did anyone tell you why they were there?

Stenson: They were shouting all the time "he is a fucking criminal" and "he got out last time. He would not get out this time."

Mr. MacEntee: What was the manner of the people who came into your room?

Stenson: Aggressive

Stenson said he was confused, but he put on his socks and was trying to put on his shoes but they would not let him. He was told sandals would do. He tried to put them on. They were shouting at him and one gripped his arm. Somebody else gripped his other arm and they took him out of the room. He asked to put his shoes on and somebody said: "You will not need them." He was trying to put his glasses on.

Mr. MacEntee: Were you informed where you were being taken?

Stenson: No, I just got the impression that I was being arrested.

He said that when he was being taken down the stairs, the man behind lost his grip on his arm and he slipped falling down two or three or maybe four steps. As far as he could remember just his left leg came in contact with the steps and he might have sat down, not, he thought, very heavily.

Stenson then described being placed in a car. There were four men in it. He assumed they were policemen. One was Det. Sgt. Culhane, another the man he now knew to be Hegarty, and, he thought, Guard Keane. Hegarty was driving. They drove to Rathmines. The driving seemed erratic, in a hurry. The car weaved in and out through the traffic.

Mr. MacEnttee: Were you frightened?

Stenson: Yes.

Mr. MacEntee: In the car, did anyone speak to you?

Stenson: They were all talking at some stage. I remember Keane was shaking the fist at me. He was saying "You will not be getting out this time." He was referring back to Clontarf where I had been questioned.

The accused man continued: "They said they would take me up the mountains. Culhane said, 'Take him up the mountains. Give him what he gave Reynolds.' He just called me names, 'bastard' and 'cunt,' Culhane did."

Stenson added that they mentioned some village. "Someone said: 'Take him up near the place' and implied I should be shot. They kept insisting I had been named as the gunman."

Mr. MacEntee: What was the atmosphere in the car?

Stenson: Aggressive.

Stenson described being taken

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into Rathmines barracks. He wore no shoes, just socks. He was taken into a room upstairs. Culhane was there and Hegarty. "I was made to stand against the wall, my arms stretched out, facing the wall. The person behind me put his leg around the bottom of my leg and was telling me to move my legs back further from the wall. I did that. I was in that position on a number of occasions for different lengths of time from 10 seconds to half a minute. I was made to sit down. They were saying friends of mine had been arrested. Culhane cautioned me. They were telling me I had been on the bank robbery. They were saying I had done the shooting. They asked me to tell them what they considered to be the truth. I just told them I did not know anything about it except what I read in the papers.

The court found that the accused needed the assistance of a psychiatrist and the hearing was adjourned. Mr. Justice Pringle, president of the court, said that in the event of Stenson not being able to continue, serious consideration would have to be given to having separate trials for the other two accused.

Stenson was not examined by the military doctor Commandant O'Shea until 10 October. His report and that of Dr. Mac Gee who examined him on 13 October were that he had injuries consistent with his allegations.

8. **When the court resumed on Thursday 20 May a psychiatrist reported that Ronan Stenson needed special treatment and his counsel asked for an adjournment of the trial.**

Mr. Justice Pringle. What you are really asking for is a separate trial.

Mr. Macdonald: Yes.

Mr. Justice Pringle. It would appear to be in the interests of Mr. Stenson and also of the other two accused persons.

ADMISSIBILITY

Mr. Macdonald recalled that applications for a separate trial had been made earlier.

Mr. Brian Doolin, barrister-at-law, for Mr. and Mrs. Murray, said he had no objection to a separate trial but the difficulty facing Mr. MacEntee also faced him. Stenson would be an essential witness on behalf of his clients. Evidence would unfold that certain meetings took place between Stenson and his clients. He had been instructed that Stenson was willing and prepared to give evidence when the appropriate time came. He was not now in a position to give evidence. He considered him an essential witness when it came to the admissibility or inadmissibility of certain statements.

Mr. MacEntee said that the possibility of Stenson giving evidence was not discussed. "I would have had very strong views about it."

Mr. Macdonald: You could not compel him to witness.

Mr. Doolin: There is no question. On the question of the admissibility of a statement my clients are both willing to give evidence regarding Mr. MacEntee's client.

Judge Martin: If there be such a hurdle cannot the court meet it when it comes to it

Mr. Doolin said it should not proceed further if it was considered — and he considered it essential that Stenson should give evidence. It would not be proper for the court to go into evidence and find in four or five days time—.

Judge Martin asked him to answer his question and Mr. Doolin agreed that there was nothing to stop the court dealing with it at the time.

When the court resumed in the afternoon, Mr. Doolin said his clients had asked him to renew the application for the adjournment of the trial. "They feel, having regard to the seriousness of the charge, having regard to the fact that if they are convicted on a capital charge that the evidence which has come in relation to Stenson is prejudicial to them."

Contd.

Contd.

Mr. Justice Pringle: That would seem a reason to have a new trial altogether.

Mr. Doolin: Yes, my clients feel a new trial before a new court should be given to them.

Mr. Justice Pringle said the court could not accede to that application.

Mr. Doolin: Then my clients are not in a position to give me any further instruction and must ask that the assignment the court made be revoked.

Mr. Justice Pringle then asked Mr. Murray if it was his wish that the counsel assigned to him and the solicitor should withdraw.

Murray: That is correct. Since this trial or so-called trial started you three people on the Bench have shown yourselves to be members of the prosecution. You have bent and twisted . . .

Mr. Justice Pringle: I have asked a question. I want an answer.

Murray: I am giving you your answer. You show yourselves to be members of the prosecution. This is not a court of law. It is a sentencing tribunal of a Fascist State. I would not insult my solicitor or counsel by asking them to proceed further with a farce. They have been intimidated and submitted to searches coming to see me in my cell. They had to pass armed guards in the building and at the doorway. They came to see me at the Curragh and on the way back to the city the solicitor's assistant was arrested and held overnight by police.

'HANG THE MURRAYS'

"That is nothing but harassment and intimidation. I am not proceeding with this farce. The attitude in this farce has been 'hang the Murrays' because the Murrays — and the police know — the Murrays are anarchists. We are completely opposed to the State and to all the State's institutions. We will fight against these institutions with every means at our disposal and we will not submit to this farce any more."

Mr. Justice Pringle: I have asked you one question.

Murray: Mr. Walsh, Mr. Doolin, Mr. Carroll — I am very grateful to them and satisfied with the assistance they have given me so far, but I will not insult them by asking them to proceed with this farce.

Mr. Justice Pringle: Do you want to discharge your counsel?

Murray: Yes.

Mr. Justice Pringle: You intend to proceed . . .

Murray: I do not intend to proceed.

Mr. Justice Pringle: Wait. The court intends to proceed. The court is going to proceed with your trial.

Murray: It will have to proceed without me.

Mr. Justice Pringle: It will not proceed without you. You will remain in court during the trial.

Murray: I have not been given a fair trial by this so-called court. I will not submit to it.

Mr. Justice Pringle: What I am asking you is do you wish to carry on the case without counsel?

Murray: Not in any circumstances, not before this so-called court. I want a completely new trial.

Mr. Justice Pringle: Mrs. Murray, do you want to discharge your counsel and solicitor?

"WHITEWASHING"

Mrs. Murray: Yes. I am grateful to Mr. Carroll, Mr. Walsh and Mr. Doolin for their efforts in this case but I would consider it wrong to insult them by asking them to continue. For the past three weeks this has been a most entertaining circus, but the tragedy is that it is our lives or the best years of them, not to mention our marriage. It is a waste of these gentlemen's ability and an insult to their integrity to ask them to proceed in whitewashing what is no better than a lynching party. We are anarchists. We have no interest in the State except to abolish it. I agree with Noel: I do not wish to participate in a so-called trial because it is not fair. I have the right to be judged by my peers, the people of this country, not by three prosecutors appointed by a Fascist State to sit on the Bench. Again, thank you, to my solicitor and counsel. You can do what you like, but we want a new trial and a fair one if such is possible in this State.

The Murrays counsel withdrew.

Mr. Justice Pringle: The application of the accused for a new trial has been dealt with and refused. The trial will proceed.

Murray: I object. This is not a trial but a farce.

Mrs. Murray (to judges): They

Contd.

Contd.

are your laws. nforce them.

Murray: You destroyed Mr. Stenson's health.

Mrs. Murray: Yes. You want to hang us too. Do not break our ribs as well.

Mr. Justice Pringle: If you continue to behave in this manner you will be removed from the court.

"FASCIST TRIBUNAL"

Mrs. Murray: It makes no difference whether we are here or not. You will do what you want without regard to justice.

Murray: This is not a court. We are not getting a trial. I will not put up with it. It is a Fascist tribunal.

Mr. Justice Pringle: I am going to have you removed.

Mrs. Murray: The day will come when the people of Ireland will remove you and your likes.

Murray: This is not a court. This is not a trial.

Mrs. Murray: Take me away. I do not want to stay here. You are afraid of us.

The accused persons were then removed. As they were taken below to the cells cries and shouts could be heard, including "Fascists" and "Take your hands off Noel Murray."

There was a pause while microphones were tested to ensure that what was said in the court could be heard in the Murrays' cells.

Mr. Macdonald said there were four microphones, for the bench, the registrar, counsel and the witness. Each had been tested with the respective loudspeakers in the two cells below. Each accused person had been placed in a separate cell. If they wished to be placed in one cell there would be no objection in a joint trial.

Mr. Justice Pringle then spoke into a microphone: "Accused, I hope you hear me. In the ordinary way an accused person is entitled to be in court during the trial but as these accused have shown that they tend to disrupt the court so that it cannot be carried on, the court can order them to be taken to cells where they can hear the evidence. They will be brought up at the end of each witness to cross-examine. If they wish to change their minds at any time, come back and not interrupt and disrupt the trial, they will be brought back into court.

"FASCIST VULTURES"

Superintendent Thomas Goulding gave evidence of issuing a search warrant relating to 15 Grangemore Estate.

Mr. Justice Pringle ordered that the accused persons be brought back.

Murray asked on his return: are you going to give me a trial now?

I want a trial, not this farce. Are you going to give me a trial? I want a trial. I want three judges, not three Fascist vultures. You are only a sentencing tribunal, a Fascist sentencing tribunal. Your only purpose is to keep the State in existence, a Fascist State. I want a trial before a judge and jury of my peers. Are you going to give me a trial or continue with this farce? Are you going to answer? Why don't you go down and sit on the prosecution benches? You cannot answer. You are only Fascists. You can give no answer to the truth. Are you going to give me a trial or am I just wasting my time sitting here?

Mr. Justice Pringle: We are waiting for your wife to be brought up.

Murray: My wife has the same attitude.

Mr. Justice Pringle: She must speak for herself.

Murray: Then take me away. I am not going to sit through this farce.

Mr. Murray then tried to force his way out of the dock in the direction of the cells. In answer, apparently to one of his guards, he said: "I am perfectly calm. I just want to get away."

Then he began to kick the dock and kept up a loud drumming.

"Go on, twist my arms," he shouted. "The police did it and you might as well do it. Take me away. I don't want to stay here."

"ABLE TO WALK"

Four or five men started to carry Murray from the dock. "I am perfectly well able to walk," he shouted.

Mr. Justice Pringle: Let him walk down. Bring Mrs. Murray up.

Murray went down and shouting could be heard below.

Mr. Macdonald suggested that they be questioned over the public address system.

Mr. Justice Pringle said they had no way of communicating with the court.

Mrs. Murray was brought in and he asked her if she wished to cross-examine.

Mrs. Murray: I feel I have demeaned myself sufficiently by sitting through the past three weeks. I wish to participate no further in these contemptible proceedings.

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Contd.

Mr. Justice Pringle: You do not wish to cross-examine any witnesses who may be called?

Mrs. Murray: This is not a trial. I do not wish to participate in the proceedings of this sentencing tribunal.

Mr. Justice Pringle: I take it you do not want to cross-examine this witness. You are not prepared to take any part in this trial.

Mrs. Murray was taken down. Shouting and commotion could be heard after she left.

9. **When the question of the admissibility of Noel and Marie Murray's statements was considered the Judges did not consider the question of adjournment nor the calling of Ronan Stenson as a witness as had been agreed when Stenson was given a separate trial. Noel Murray's own sworn evidence about his ill-treatment in Harcourt Terrace Police Station was rejected because he insisted on calling the court a tribunal.**

October '75 to April '76

During this period the political settlement of the Northern Ireland problem agreed at Sunningdale in December 1973 finally collapsed. Inflation led to rising prices and greater income disparities between sellers and buyers with sellers mopping up fortuitous profits and buyers being squeezed out of the market. Inevitably this led to unemployment which is on an unprecedented scale in the 26 counties. Its effects are not diffused throughout all sectors through the total disappearance of jobs for school-leavers. The government had neither a policy nor a plan with which to meet the deepending economic crisis which threatens to dissolve the existing structure of society.

There is only one unified governmental response to the two features of the national crisis – the economic collapse and the instability of the six counties – and that is repression of anti-establishment individuals and groups both in Ireland and amonst the Irish community in Britain. The trade unions and the Irish working class insofar as they support the Labour parties in Ireland and Britain are supporting this policy and forging a tyranny ostensibly to deal with terrorists. But as surely as night follows day the National Emergency which the Irish government are now declaring will be used as the excuse to take away the gains and rights of the Irish working class and to ensure that in this economic crisis the working class alone pays for the mistakes in policy.

The sentencing to death by hanging of the Murrays and the repression of the Murray Defence Committee which is attempting to ensure that they do not hang, appears to be central to the tough counter-terrorist image that the government is determined to project. Whilst its policies are in ruins and Irish society is careering towards dissolution it has the most successful record among western democracies for dealing with (nationalist) alleged terrorists. The Herrema kidnapping attempt ended in the successful release of the hostage and the arrest of the participants; the Provisional Republicans' attempts to commemorate the Diamond Jubilee of 1916 has led to the imprisonment of its leaders; the body of Francis Stagg who died after a cruel hunger strike in Wakefield prison was impounded and buried by the State. Loyalist bombers and British agent provocateurs have been successfully undetected. The direct control of broadcasting and television has been supplemented by an efficient system of self-censorship practised by newspaper editors and the punishment of those who do not tailor their contents to suit the current government policy is severe; – witness the Contempt of court proceedings against the Irish Times and Hibernia for publishing criticism of the Murray's trial.

Almost three months has passed since Noel and Marie Murray were sentenced to death and despite the chorus of inspired leaks at the time that *"The government will never hang them"* there has been no word of their reprieve. Instead the present word is that the government won't even consider a repreive until their appeal has been heard and refused by the Supreme Court on 1 November. Their appeal is against conviction of capital murder not against the death sentence so it and the legal processes would in no way be affected by an instant reprieve. Every moment that ticks by between now and November is a moment when the government and the Irish people who support it, are inflicting the ultimate form of psychological torture on two defenceless human beings.

Why is this? It seems that the resistance of the Murrays since their arrest has damaged the repressive apparatus the state were forging, notably the torture and interrogation techniques of the Gardai and the procedures and personnel of the Special Criminal Court. For this they must be punished and be SEEN to be punished – they must be publicly BROKEN,

Prison conditions for the Murrays

The conditions under which the Murrays are held – Noel at the Curragh Military Detention Centre, and Marie at Mountjoy Gaol, Dublin – reinforces this grim judgement. After they were sentenced to death Radio Eireann broadcast information from the Government Information Services that they were enjoying all the privileges of the condemned cell which included unlimited visits, letters and parcels. This quieted humanitarian consciences and checked enquiries about the actual conditions. When enquiries were made the Government Information Service denied ever making such a statement and the Department of Justice said they were treated as ordinary prisoners. In practice this means that by the unlimited powers of discretion which the new prison rules *(Statutory Instrument No. 30, 1976)* give the Minister for Justice, Mr. Cooney has refused to allow Marie and Noel Murray ANY visits except fromNoel's mother and father both of whom are over 70 years and suffer from serious health complaints. They also only receive letters from Noel's mother and then only when the contents please the censor. They are not allowed write to friends of their choice. They are not allowed parcels or books. Nor are they allowed association with other prisoners. Noel is only allowed watch T.V. when the other prisoners are locked up and at the warders' discretion.

All this is in breach of THE STANDARD MINIMUM RULES laid down for the treatment of prisoners by the United Nations let alone falling short of the usual special treatment by governments in all circumstances to prisoners who are sentenced to death. They are only allowed to visit each other for legal consultation and since t heir appeal they have only been allowed ONE such consultation. THEIR PRIME DEMAND IS TO BE ALLOWED TO VISIT EACH OTHER.

It is up to us the Irish people to make our voices heard – to refuse to allow such barbarous practices to continue in our names. We must write to the Minister of Justice and all members of the Government, to our T.D. and county councillors and trade unions and papers and set up such a chorus of protest that humanity in the treatment of prisoners will prevail and Noel and Marie Murray's lives and minds will be saved.

SUPPORT THE MURRAY DEFENCE COMMITTEE

The Murray Defence Committee was established by a group of citizens who met to discuss their opposition to the death sentence passed on Noel and Marie Murray in a Dublin Hall on Monday 14 June 1976.

The objects of the Murray Defence Committee are:

1. **The total abolition of capital punishment in Ireland.**

2. **To ensure that the sentence of death is not carried out on the Murrays or any other Irish citizen.**

3. **To secure the establishment of an independent commission to enquire into all the circumstances surrounding the arrest, charging and sentencing of the Murrays to death.**

4. **To endeavour to have the trial of the Murrays reopened on the grounds of natural justice and human rights and that fresh scientific evidence not hitherto offered in Irish courts be admitted for the purposes of reconsidering the issues involved.**

The committee intends to achieve these objectives by the mobilisation of Irish and international opinion behind these demands.

FUNDS NEEDED MOST URGENTLY:

Please cross all cheques and postal orders and if possible register all post to : Murray Defence Committee, 155 Church Road, Celbridge, Co. Kildare, Ireland.