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OIFIG AN AIRE DLI AGUS CIIRT AGUS CUMARSAIDE
(Office of the Minister for Justice and for Communications)

BAILE ÁTHA CLIATH 2.
(Dublin 2.)

AEW11

cc Michael Hellewell
Bryan McCloskey
For info
X
6/2

31 January, 1990.

Dear Private Secretary,


I am directed by the Minister for Justice and for Communications, Mr. Ray Burke, T.D., to refer to correspondence your Minister may receive from persons who are the subject of extradition proceedings.

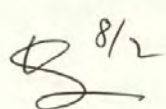
The Minister is already aware of correspondence which has issued to members of the Oireachtas in connection with the case of Mr. Desmond Ellis which is presently pending before the courts. A copy of that correspondence is attached for ease of reference. It will be noted from Mr. Ellis's letter that he styles himself a "political prisoner". From acknowledgements the Minister has received, it has come to his attention that some Departments in replying to Mr. Ellis have so styled him also.

This is a matter of some concern to the Minister since it is open to Mr. Ellis to challenge the orders made for his extradition in proceedings under the Extradition Acts 1965-87 by claiming that the offences for which his extradition has been ordered are political offences. More generally there is, of course, no question of any person undergoing imprisonment on account of their political beliefs. Anything that might give credence to that suggestion should obviously be avoided in official correspondence.

The Minister is therefore anxious to avoid any repetition of a similar lapse in future cases. I would be grateful therefore if you would bring this matter to the attention of all staff in your office dealing with Ministerial correspondence.

Yours sincerely,


Private Secretary

1/2
[This was an extraordinary
in letter to
- involved
not if.]
8/2


Private Secretary to An Taoiseach,
Government Buildings,
Dublin 2.

Political Prisoner,
Portlaoise Prison,
Portlaoise,
Co Laois.

22-11-89

A Chara,

I am writing to you in the hope that you might be able to help me in my plight and help prevent an injustice being visited upon myself and indeed my entire family.

My name is Desmond Ellis and I'm currently held in Portlaoise Prison on foot of two extradition warrants issued by Scotland Yard. One of the warrants alleges that I conspired with others to cause explosions in the UK between January 1981 and October 1983 and the second alleges that I was in possession of explosive devices in the UK between the same dates. Below I give a brief account of myself and outline a few facts relating to the period I'm alleged to have committed the above. I am convinced that having read the facts you will agree that the charges are without foundation and any attempt to extradite me would be a gross miscarriage of justice. Furthermore, given the very dubious nature of these conspiracy charges and the serious concerns regarding the system of justice in England, especially where Irish people are concerned, I think you will also accept that my fears about not getting a fair trial are well founded. We need look no further than the Birmingham Six for evidence of that.

To begin with I was never in or near the UK between the dates in question. On the 13th of May, 1981 I was arrested at my home, 19 Dunsink Road, Finglas West, Dublin 11. I was subsequently charged with possession of explosive devices. During the 3rd week of July 1981 I received bail and remained on bail reporting three times weekly at the local garda station as well as running my business until the 30th of January 1982. From this date I made my way to the United States and was subsequently arrested on the 6th of February 1982 while attempting to cross from Canada to the United States. As a result of this I spent a year in prison there. I was eventually deported to Ireland on the 3rd of March 1983 and upon my arrival here I was re-arrested at Dublin airport. Since then I have been in custody here having served six years of an eight year sentence. I was due for release on the 28th of April this year but was re-arrested two days beforehand on foot of extradition warrants.

Before my arrest in May 1981 I was employed full time at my T.V. company, Channel Vision LTD of 2 Church Street Finglas. I rented televisions as well as selling all sorts of electrical

items and repairing various electrical goods. It was impossible for me to have been absent as I was the only person capable of doing repairs and answering calls of every description.

There are questions to be answered as to why I was served with these extradition warrants at this particular time because there was ample opportunity to serve them on two previous occasions. My solicitor has repeatedly requested information from the authorities as to why I was served with the warrants. To date we have received no reply and under the new extradition act it appears there is no onus on the authorities to do so. I can state categorically and without fear of contradiction that I was not in or near the UK between the dates mentioned. Moreover, I'm convinced the authorities here know this to be the case.

The nature of the charge of conspiracy is deeply worrying, after all how does a person disprove involvement in a conspiracy and in cases such as this the onus is on the defence to prove the innocence of the person on trial? I am innocent of the alleged charges and do not believe I would get a fair trial in England. Given the nature of the charges I think you will agree that I shouldn't have been served with these extradition warrants in the first place.

I am aware you are a very busy person. However, given the seriousness of the situation, it is my hope that you will take an interest in my case and involve yourself in the efforts to prevent my extradition and the injustice which would result should the warrants be acted upon. Should you require any further details don't hesitate to contact me. In anticipation of a favourable response.

Is mise le meas,

Desmond Ellis

Desmond Ellis.