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**Legal Executive
Valerie Cronin**

In reply etc.

Your Ref:

Our Ref: GS/AMCH

Date: 9th November 1990

The Secretary,
Government of Ireland,
Government Buildings,
Upper Merrion Street,
Dublin 2.

Dear Sir,

We act for Desmond Ellis whose extradition case is presently before the Supreme Court awaiting judgement.

It is our submission that our system of Extradition Law is such that the Government has power to refuse the extradition of any citizen irrespective of the decision of the Courts.

Should it happen that the Supreme Court direct the extradition of Desmond Ellis to England or authorise the implementation of the existing District Court Orders made in that behalf we wish to apply on behalf of Desmond Ellis for an order that he not be extradited to England.

The grounds for so doing are:-


1. An unconscionable length of time has elapsed since the crimes alleged against Mr. Ellis were committed with the inevitable result that it is grossly prejudicial to preparing a defence and
2. that conditions are such in England that it is well nigh impossible for an Irish citizen charged with an explosives offence charge and believed to be of Republican sympathies to get a fair trial.

We believe that the depth and extent of the problem in this latter regard will be very well known to the Government through its diplomatic agents and other sources of information and that the

Government is in a better position to calculate the extent of this problem than the Courts.

It is of course essential that Mr. Ellis should not be removed from the jurisdiction until this application has been duly dealt with by the Government and we hereby request the Government to make the appropriate arrangements to ensure that Mr. Ellis is not delivered out of this jurisdiction until the Government has discharged its legal and constitutional functions in this regard.

Yours faithfully,


GARRETT SHEEHAN & COMPANY