

**JOBSTOWN**

**NOT**

**GUILTY**

**PROTESTING IS  
NOT A CRIME**

**AN INJURY TO ONE IS AN INJURY TO ALL**

[www.jobstownnotguilty.com](http://www.jobstownnotguilty.com)

 Jobstown Not Guilty

## Protesting is Not a Crime

**J**udge John King found a 17 year old school student guilty of false imprisonment – a verdict a barrister described as “a recipe for totalitarianism”.

This related to an anti water charges protest in Jobstown, Tallaght in Dublin on 15 November 2014, where then Tánaiste Joan Burton’s car was delayed for 2 and ½ hours by a spontaneous community protest.

The 18 adults now awaiting trial from April 2017 face sentences up to life imprisonment. The trials, which will be six to eight weeks long, themselves will place enormous stress and strain on the defendants. If jailed, families would be left in very difficult situations, with jobs lost and parents in prison. If TD Paul Murphy is jailed for more than six months, he will be removed as a TD, denying the democratic choice of the people of Dublin South West.

The political establishment and the supportive media are desperate to tarnish the anti water charges movement as a violent,

anti-democratic mob. By grossly misrepresenting and using what happened in Jobstown they want to weaken our democratic rights and so make it easier to impose economic inequality.

The laws used to directly seize the Property Tax from wages or benefits as well the Financial Emergency Measures in the Public Interest (FEMPI) legislation used to rob the wages of public servants, show that this attack is real.

The definition of ‘false imprisonment’ is being changed and this affects you. Any temporary delay or obstruction at a protest or picket, which for example inconveniences a politician, could be deemed false imprisonment. This is about intimidating people and criminalising protest.

**Please read this information booklet. If you agree that a miscarriage of justice is being prepared, help us because together we can stop this attack on democratic rights and change Ireland for the better.**



# What is #JobstownNotGuilty?

**T**he Jobstown defendants have come together in #JobstownNotGuilty to build a campaign against this miscarriage of justice. We are asking trade unionists, community campaigns, students' unions, civil liberties activists, public and political figures to demand that the conviction of the 17 year old is overturned and that all the charges are dropped.



# No Evidence for Guilty Verdict – More Injustice to Follow?

**T**here was no allegation of any violence against the 17 year old. But in evidence Joan Burton and Gardai consciously used very emotive language to influence proceedings. A Detective Inspector said the protest was like a “rugby maul” and was “pure aggression”. Joan Burton said there was an “air of extreme hostility” and said the protesters were “very aggressive” and “very wild”.

Despite these claims there were no arrests at the protest and no charges until the following February.

The judge said the school student had led a “blameless life” but found him guilty of false imprisonment. Below are the factors that the judge himself stated were the basis of his judgement:



- He sat in front of a car and encouraged others to do so.
- He participated in a slow march.
- He used a megaphone to chant “No way, we won't pay”.
- He momentarily stood in Burton's way & said, “talk to us, Joan”.



Bizarrely, based on that “evidence” the judge stated that the State had proven its case beyond reasonable doubt. He also referred to it as an atrocious series of events and a terrible offence.

Specifically the judge found that his sit down protest and standing in front of Joan Burton momentarily, constituted false imprisonment.

In his verdict the judge stated, “the assembly was not peaceful and was contrary to public order and morality which means it did not attract the protection of the Constitution or the European Convention on Human Rights.” This is a further denial of rights.

Our right to protest should not be subject to such a clearly subjective and warped definition of morality and law.

The verdict, guilty of the very serious charge of “false imprisonment”, but then the sentence, a “conditional discharge” – where the 17 year old will not face imprisonment if of good behaviour for nine months – was clearly designed to minimise a reaction of sympathy for the Jobstown defendants. At the same time, it is designed to create a precedent and develop a momentum for a guilty verdict and jailings of the adults in 2017.



# What Really Happened in

1)

Word spread around the community the night before

that Joan Burton was likely to attend a graduation at An Cosan because graduates voiced their disgust.



5)

Gardai numbers also swelled

to close to 100, with around twenty Garda vehicles. The Gardai surrounded the car and then the community

slow marched it out of Jobstown.

2)

Initially 50 people attended the protest, and this included a sit-down protest behind Joan Burton's car.

3)

The graduation wasn't interrupted and the graduates were applauded by protesters as they passed by. Many of the students did not want Joan Burton to present them with their award and actually joined the protest.

6)

This was a spontaneous protest and so was initially disorganised, however chanting and marching was organised and negotiations took place between the police and protesters.



4)

Joan Burton was in the area for a considerable period and

word spread and quickly the protest swelled to more than 500, a clear majority were women from the community.



7)

There is video evidence that there were democratic and open discussions by those present as to the conduct of the protest.

8)

The protesters decided that they would continue to slow march the car out of the area and that when that was achieved the protest would end.

# Jobstown?

9)

There was anger but given the austerity that this community had experienced, it was justified anger at Labour. Protesters appealed to some young people who had gathered in the area not to be goaded or provoked. They actually deserve credit for ensuring that there was no incident of substance during the protest. There was never any threat to Joan Burton's safety, this was a peaceful protest.



10)

Coverage was given to a brick being thrown at a Garda car - that was an hour and a half after the protest had finished and after the Public Order Unit had provocatively gone into the area serving an outstanding warrant and using pepper spray against children.

## TIMELINE OF SHAME

### 15 NOVEMBER 2014

Spontaneous protest of 500 people delays Joan Burton's car.

### FEBRUARY 2015

Dawn raids start for two weeks with 6, 8 or 10 Garda used to arrest each individual protester.

### 12 AUGUST 2015

Protesters find out via a Garda leak to RTE that they will be charged with false imprisonment.

### 14 SEPTEMBER 2015

Summonses delivered by Garda. #JobstownNotGuilty formed.

### 2 NOVEMBER 2015

Case moved to Circuit Criminal Court as the prosecution wanted the possibility of maximum sentence of life in prison.

### 21 OCTOBER 2016

17 year old (15 at the time) found guilty of false imprisonment in Children's Court. Appeal due early 2017.

### 24 APRIL 2017

Seven adult defendants face trial for false imprisonment in the Criminal Courts of Justice.

### OCTOBER 2017

Trials start for 7 defendants.

### APRIL 2018

Trials start for 4 defendants.

# A TRUMPED-UP INVESTIGATION

Shortly after the protest, a decision was taken that the Jobstown community was guilty of false imprisonment and had to be made an example of.

The Gardai then went about trying to find evidence to prove that Jobstown was guilty. Six Gardai spent months going through CCTV footage with the view of manufacturing a case.

The total cost of the case will run into many millions of Euros. The whole process is a miscarriage of justice and an abuse of people's

rights as well as a waste of millions of euros of public money.

During the water charges campaign many communities experienced political policing with large numbers of Gardai facilitating private companies, like GMC Sierra owned by Denis O'Brien, to impose water meters, which is a step towards the privatisation of water services.

These are political trials, motivated for political and economic reasons and with major consequences.

## Jobstown Legal Team:

Guilty verdict is “a recipe for totalitarianism”





# HOW THE MEDIA & POLITICIANS FOUND US GUILTY BEFORE THE TRIAL

“You falsely imprisoned the Tanaiste”

— **Claire Byrne to Paul Murphy TD, *The Claire Byrne Show*, 9 Feb 2015**



”These were acts of violence and terrorism”

— **Olivia Mitchell, Former Fine Gael TD, *Pat Kenny Show*, 13 Feb 2016**

If the protests aren’t “nipped in the bud” the country faces “what is potentially an Isis situation in the Middle East if those people are allowed get on to do what they’re doing”

— **Noel Coonan, Former FG TD, *Dail Eireann*, 20 Nov 2014**



“I was so terrified as I watched it, I made many phone calls, both to the Guards and to RTE”

— **Now Minister Katherine Zaponne, *The Journal*, 26 June 2015**

“What everyone at home just saw, which was, you know, the Tánaiste, the deputy Prime Minister of the country, trapped in a car for two hours, against her will.”

— **Ryan Tubridy to Paul Murphy TD, *Late Late Show*, 20 February 2015**



■ A photograph was repeatedly published by Independent Newspapers showing a brick being thrown at a Garda car, with the caption “A rioter throws a brick at a garda car during a anti-water charges demonstration”. The brick was thrown and the photograph was taken over an hour after Joan Burton had left Tallaght!

■ The media also tried to make an issue out of legal aid. However, people have a right to a fair trial and the cost of defending a criminal case in the Circuit Court is massive – over €100,000, so as ordinary people all the defendants have a right to legal aid.

# Who are the Defendants?

**T**here has been a conscious attempt to portray the defendants as thugs. For example, it's not an accident that at a protest that was made up primarily of women, they chose to only arrest two women. Nothing could be further from the truth. The defendants are a group of ordinary people from Jobstown and Tallaght. They are workers, college students, pensioners, Councillors and a TD. They are involved in local sports clubs, work for the homeless and community activism.



## What We Need to Do

**W**e need your help to get the truth out about Jobstown and this miscarriage of justice. We need thousands of people to protest against it and demand that all the charges are dropped. If we can create broad awareness about this injustice it can positively impact on the appeal of the 17 year old and make it more likely that a jury will acquit in the upcoming trials.

If we can have successful events that mobilise thousands of people before and during the next trials, these events can act as a platform to send a clear message to the political and judicial establishment that a stitch up of Jobstown or an attack on the right to protest will not be accepted.

# How you can make a real difference...

# DEFEND JOBSTOWN & YOUR RIGHT TO PROTEST

Please fill in the form below and post it back to us, **30 Alpine Rise, Belgard Heights, Tallaght** or text us at **085 7221120** and list the letters **A – G** of the below that you might be able to do. Please include your home address as well your email address, as it helps us to organise our support in the best way possible.

**A** Could you send a letter or email of protest to demand that all charges are dropped to the Department Of Justice at [info@justice.ie](mailto:info@justice.ie) or phone them at 01-602 8202. Get your friends to do the same.

**B** Could you show your solidarity by attending #JobstownNotGuilty events? Please tick ☐

**C** Could you give out information leaflets and share our posts and information on social media? Please tick ☐

**E** Could you help fund raise so we can run the best publicity campaign possible, including taking a supporters 'Friends of Jobstown'

fundraising card? Please tick ☐

**D** Could you give a donation? Please tick ☐

**F** If you are a member of a trade union, a students union or a campaign or community group, could you raise the issue there and get some support. If so please tick the box and we and state what organisational you would like to raise it? Please tick ☐

**G** Could you help organise a public meeting in your area or a meeting among your workmates where a defendant or a representative of Jobstown not guilty could speak? Please tick ☐

Name

Phone

Address

Email

# JOBSTOWN

# NOT GUILTY

## UPCOMING NATIONAL EVENTS

⊙ **Saturday 25 March 2017**

National Conference?? of #JobstownNotGuilty  
in Liberty Hall, Dublin

⊙ **Saturday 29 April 2017**

National Demonstration in Dublin to co-incide  
with first week of trial

30 Alpine Rise, Belgard Heights, Tallaght, 085 7221120  
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