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In Ireland Jobstown not Guilty verdict points to a Garda conspiracy

Andrew Flood

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The outraged media reaction to a jury doing its job and finding the Jobstown defendants not guilty is quite extraordinary. Rather than do the right thing and launch an investigation as to how 180 cops could produce evidence that was directly contradicted by video evidence, the media have gone on a rant against Twitter! Rather than finding it suspicious that nearly 3 million in public funds was spent by the DPP on a case that any proper check of available evidence should have indicated was never likely to convince a jury, the media suggest instead that the problem lay in the exact charges brought. The trial was part of a large scale state operation to suppress a mass anti-austerity community campaign.

As we look across our newspapers, TV channels and radio stations and see what appears to be coordinated messaging from politicians, journalists and other elite figures we should take this as a teaching moment. This isn't some exception, this is how it works. It's only visible in this instance because so many of us followed the

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trial in considerable detail, and that was only possible because of the large number of activists who provided court updates, mostly in a voluntary role. Those activists with access to social media allowed a collective challenging of the media framing. Hundreds of people not only read what they posted but shared and retweeted it.

The central story of the Jobstown Not Guilty verdict is how so much money could have been spent on what looks very much like a co-ordinated frame up. Who gave the orders for this? Not just the formal orders in terms of the DPP's office but also the informal ones that had to have come from government politicians for such a choreographed political show trial to get underway. The likelihood is that there was a conspiracy, that is what should be investigated. Instead the media are doing the complete opposite and rushing to insist a conspiracy would be impossible. The Irish Times editorial goes so far as to declare the "Office of the Director of Public Prosecutions, a scrupulously independent and respected institution". It's precisely that claim that should be under the journalistic microscope.

The sheer scale of garda evidence also demonstrates that this is not just a few bad apples. Around 180 Gardaí gave statements that formed part of the excuse for the DPP to press ahead with the show trial. Some 50 of these gave evidence and was noted by the defence the evidence later given in court often omitted the more outrageous elements of the earlier statements. Presumably because at that point they were aware of the video evidence and know they would be cross examined. In theory Garda evidence should simply consist of a truthful account of what happened. In practise it consisted of an attempt to spin and even invent things that were said or done in order to get a conviction. Claims were made about rocks being thrown or things being said by defendants that video evidence revealed to be false. The number of Gardaí involved and the fact that in some cases groups of Gardaí made identical false claims — suggesting they had co-ordinated in order to do so — points to

attention from them. We are entitled to draw the conclusion that this apparent conspiracy is business as usual. It's how wealth and power protects itself from the many and it's the way things have almost always worked. If we want things to continue to change for the better we have to organise together, to organise against them, and bring forth a society without such divisions and those that police them.

a conspiracy. And all this in a context where the gardai have been caught out again and again, right up to the current teflon commissioner. But the media, in particular the Irish Times has ruled to cover this up.

Instead the focus is on Twitter and whether what was said there might have influenced the jury. This shouldn't have been possible as standard direction to juries is not to look up the case on social media, doing so would result in a mistrial. The media know that full well so what is the actual reason for the focus on social media? It's simple. For a very long time the media in Ireland has functioned, with only a handful of exceptions, as the cosy sidekick of the ruling elite. Over and over again they have uncritically repeated claims coming from those with wealth and power and attacked those opposing them who do not.

The decade long struggle against Shell at Rosspoint was one where growing numbers of people came to see this in practise. They would see one thing happen in person – or increasingly on social media, then they would see the opposite being reported as fact right across the Irish media. With the water charges campaign this not only escalated it came directly into many housing estates across the island. Suddenly tens of thousands of people were seeing one thing happen on their own doorsteps as water meters were resisted only to see something quite different being reported in the media.

Faith in mainstream media collapsed. People stopped buying newspapers and started to refuse to pay TV licenses. Very many were outraged and angry about being lied to. There were some negative aspects to this. With the gatekeeper they had once trusted now discredited, some people tended to fall into right wing conspiracy theories. In Ireland because the left was active in popular struggles this was a small problem. In the US where there wasn't a radical left on the streets it became part of the reason Trump got elected as white voters came to believe all sorts of racist nonsense from conspiracy sites. Those on the soft left who rant about hard

left 'populism' might want to consider that reality and realise there is a reason why resistance to neoliberalism in Ireland took a different route.

The establishment hate social media because it has changed the game. It used to be that the cops could batter people, claim that they were putting down a riot, the media would faithfully report this and most of the population would applaud what they presumed was a job well done. I was on the streets the day that ended: Dame street 2002. That was the day when a pack of guards, batons swinging, came changing into a peaceful Reclaim the Streets on Dame street and proceeded to batter teenagers. The riot story was made and reported faithfully by RTÉ but, for the first time, activists not only had cameras to capture what had really happened but a (pretty primitive) infrastructure to transmit that footage. That was indymedia.ie and the footage that rapidly circulated online forced the media to change the story. No gardaí were ever held to account of course. However, considerable amounts were paid out in compensation in the years that followed with the traditional cyclical pattern of this happening before cases got to court — and so in silence, without publicity.

The technology greatly escalated in the years since so that nowadays the smartphone in many of our pockets can capture, transmit and distribute video in a way that you'd have needed 500,000 squids worth of equipment and satellite rental to do back in 2002. Videos of Gardai abusing people, whether that be political activists or homeless people trying to get some sleep on our cold streets, have become routine. They seldom make the mainstream media unless they have first been shared by enormous numbers of people. Of course, people notice this and it adds to the move away and distrust of mainstream media.

This is why it is so disturbing that the media have not only failed to cover the other elephant in the room but have run interference to stop it being spotted. Today the Irish Times carries a piece by ex Justice Minister Michael McDowell that has a curious point at

the end, but one that can be understood in the context of the paragraphs above. They reported him saying "Phone camera evidence could be edited to present any angle, he said and perhaps it was time for gardaí to be equipped with cameras so their actions could be monitored."

In the context of the trial this is very misleading, much of the video evidence was captured by the Gardai — e.g. the helicopter footage or of course from Burton's own phone. But let us leave the implicit attack on the jury's verdict aside. The Gardai have been running a campaign over the last couple of years to try to make it illegal to record their actions. We know from reports that the jury specifically requested to review video footage before making their 'Not Guilty' decision. In this case, where the claims of dozens of Gardai were contestable because the video showed otherwise, consider what the impact of that video's absence would have been. Would the Jobstown 6 be starting prison sentences of up to 14 years this morning?

That would suit the establishment. The politicians, garda and journalists who insisted there has been some sort of 'false imprisonment' and who are now outraged — not only that the jury found otherwise but that a huge section of the population know why. Indeed because the helicopter footage and the inside car footage made it onto social media, along with accounts of garda evidence, a very, very large number of people are going to draw the obvious conclusions, that they have seen and heard evidence that strongly points to a conspiracy. And — this is what upsets the media — like us many of those people are going to be asking why the journalists are not doing 'their job' and investigating this apparent conspiracy? Why are the politicians not demanding an inquiry? If it's just a rather large amount of rotten apples where are the Garda whistleblowers coming forward to expose the conspiracy within their ranks?

Those are very legitimate questions. As the clock ticks, the establishment not only fails to raise them but works hard to distract