

He is innocent  
He was tortured  
and framed  
Release him now



# NICKY KELLY NEWS

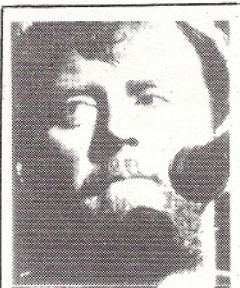
## The song that tells it all **BANNED BY RTE**

AMONG the many artists, singers and poets who have publicly supported Nicky Kelly, is internationally known folksinger, Christy Moore. His song, *The Wicklow Boy*, released as a single at the beginning of the hunger strike last May has been acclaimed by audiences up and down the country. RTE banned it, however, after playing it only four times.

*Seven years ago his torture started  
A forced confession  
he was made to sign  
Young Irishmen specially trained and chosen  
Were on the Heavy Gang  
that made him tow the line.*

was untrue, had been dictated by gardai and had been signed only after physical and psychological torture.

*Others in the Bridewell heard him screaming  
Even prison doctors could see  
His injuries were not self-inflicted  
Those who tipped the scales did not agree*



**Christy Moore, folksinger, whose song about *The Wicklow Boy*, is banned from RTE.**

NICKY was charged with the Sallins Mail Train Robbery in early April 1976. The only evidence against Nicky Kelly was an incriminating statement he signed after 44 hours of continuous interrogation having been in garda custody for over 60 hours. Nicky insisted his innocence from the beginning stating that the statement

DURING THE SECOND TRIAL several independent witnesses were produced who said they heard screams and cries in the Bridewell Garda Station. The gardai denied it. Prison doctors and independent doctors who examined Nicky all agreed that the injuries that covered his body (and that of his co-accused) could have been the result

## After 38-day fast Nicky says



## 'Campaign Goes On'

PORTLAOISE PRISON

*I would like to extend my sincerest appreciation and thanks to all those both at home and abroad who are working unselfishly day and night to highlight my situation and secure my freedom.*

*My position now is that there is a moratorium period for the authorities to act in an honest manner — that's if they want to. Without this so called claim... Blackmail by Hunger Strike. Should the authorities fail to act positively in my case during this moratorium, I will be embarking on hunger strike again and should this situation arise, nobody will be under any illusions about the attitude of the State, or, for that matter, that this whole conflict will have to be settled one way or the other. I am determined as ever in this regard. In some ways maybe even more so.*

*Your tremendous concern, support and solidarity is appreciated and gives me great strength.*

NICKY

Following, for the first time, is the inside account of the last seven days of Nicky's hunger strike, the various visits to him by his solicitor and Caoilte Breatnach, Campaign PRO and the callousness of the Government when faced with the death of this innocent young man.

WED June 1st:

Nicky's condition is much weakened and he is confined to a wheelchair. The hearing of his left ear is affected (an old wound due to his torture in 1976 by the Heavy Gang). Negotiations being conducted by a prominent religious organisation are cut off by the Government showing their callous lack of concern towards reaching a solution.

THURSDAY

A Limerick priest rings Campaign PRO: Noonan wants to meet you. He

Bernadette McAliskey



*asks will you visit Nicky. Ring him at 789060 ... Noonan's private secretary answered when*

● See back page

*Sickened by injustice he jumped bail  
In the Appalachian Mountains found a welcome  
Till his co-accused were both released from jail*

**THE JURYLESS** Special Criminal Court ruled that the Gardai had not caused any injuries, that the injuries were self-inflicted by Nicky and his co-accused and that his statement was voluntary!

During his trial Nicky suffered a nervous breakdown and fled to the USA. His co-accused were freed on Appeal 17b months later. The Appeal Court said they should never have been convicted. All of Nicky's Appeals, however, were turned down. The Appeal Courts dealt only with legal technicalities not with the central fact of his torture as they did not wish to be seen to be questioning the so-called truthfulness and fairness of the Gardai and the Special Criminal Court.

*As I walked past Portlaoise Prison  
Through concrete and steel a whisper came  
My Frame-Up is almost completed  
I'm innocent, Nicky Kelly is my name"*

THE FOLLOWING IS A LIST OF ORGANISATIONS AND INDIVIDUALS WHO HAVE EITHER CALLED FOR THE RELEASE OF NICKY KELLY OR A REVIEW OF HIS CASE.

**County Councils**  
 Longford, Clare, Leitrim, Kildare, Kerry, Roscommon, Sligo, Galway, Donegal.  
 Dublin City Council

**Urban District Councils**  
 Naas, Arklow, Bray, Longford, Cashel, Navan, Nenagh, Drogheda Corporation, Shannon Town Commissioners, Buncrana

**Trades Councils**  
 Carrick-on-Suir, Sligo, Waterford, Dublin, Limerick, Derry, Shannon, Drogheda, Bray, Navan.

**Trade Unions**  
 I.T.G.W.U., F.W.U.I., I.P.E.O.U., Irish Painters and Decorators Union, Psychiatric Nurses Association, Women Workers Union, Plumbers Union (Southern), A.U.E.W. 9D1 Branch, A.S.T.M.S. (Limerick), U.C.A.T. (Cork 2nd Branch), N.E.E.T.U. (Dublin No. 1 Branch), A.T.G.W.U. (11102 Branch), Irish Post Office Engineering Union.

**Prominent Individuals**  
 Siobhan McKenna, Ulick O'Connor, Prionias Mac Aonghasa, Robert Ballagh, Eamon McCann, Vincent Browne, Desmond Fennell, Con Houlihan, Tim Pat Coogan, Brendan O'Duill, Seamus Deane, John Mulcahy, Augustine Martin, Kader Asmal, Prof. Ivor Browne, Dr. Robert Daly, Dr. Rhona Fields, Fr. Denis Faul, Fr. Raymond Murray, Fr. Piaras O Duill, Fr. Des Wilson, T. O'Mahony, Sean Mac Mathuna, Papal Nuncio Alibrandi, Barry McAuley, Bernadette McAliskey, Jerome Connolly, Ramsey Clark, Robert Marle, Christy Moore, Joe Costello, Margueretta D'Arcy

John Mitchell, Gen. Sec. I.U.D.W.C., John Carroll, President I.T.G.W.U., Sam Nolan, Sec. Dublin Council Trade Unions, Carol Coulter, Irish Industrial Council, Tom Redmond, Exec. F.W.U.I., Noreen Greene, Exec. I.T.G.W.U., Kevin McConnell, Joint Gen. Sec. N.E.E.T.U., Sean Redmond, Gen. Sec. Municipal Workers Union, Michael Brennan, Gen. Sec. E.E.T.P.U., Kevin Duffy, Gen. Sec. Bricklayers Union, Seamus de Paor, Gen. Sec. I.P.E.O.U., Vincent Hunt, President Sligo Trades Council, Greg Maxwell, Chairman I.C.T.U. Public Service Committee.  
 Ben Kearney, Pres. Dublin Trades Council  
 Phil Flynn, Act. Gen. Sec. L.G.P.S.U.  
 Garry Fleming, Gen. Sec. Irish Nat. Painters and Decorators Union  
 Matt Merrigan, Dist. Sec. A.T.G.W.U.  
 Des Bonass, Exec. Dublin Trades Council

**POLITICAL PARTIES AND ORGANISATIONS**

**Free Legal Aid Centres**  
 Conradh na Gaeilge  
 Community Government Movement  
 Dublin South East Constituency Council (Labour Party)  
 T.C.D. Branch (Labour Party)  
 Ranelagh Branch (Labour Party)  
 U.C.D. Branch (Fianna Fáil)

Harry Boland Cumann (F.F.)  
 Eamonn O Murchu Cumann (F.F.)  
 Irish Sovereignty Movement  
 Mennonite Church  
 Northside Dublin Womens Group  
 Wicklow Comhairle Ceanntair (Workers Party)  
 Datsun Car Workers  
 Ranks Workers  
 Connolly Youth  
 Communist Party of Ireland

Communist Party of Ireland (Marxist-Leninist)  
 Dublin Anarchist Collective  
 Irish Republican Socialist Party  
 Irish Sovereignty Movement  
 League for the Workers Republic  
 Dublin Gay Rights Collective  
 Peoples Democracy  
 Revolutionary Struggle  
 Sinn Féin  
 Socialist Workers Movement  
 Spirit of Freedom Committee

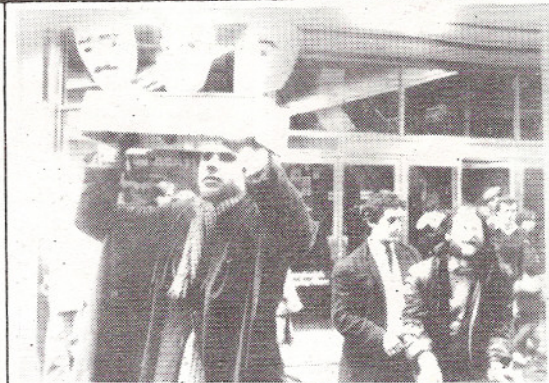
# Support Grows As

## Garda Raids — 39 Freed

The Sallins Mail Train Robbery stands out as the most notorious example of the 1973-77 Coalition Government's obsession with law and order. Following the upsurge of the troubles in the six counties, the Coalition Government on taking office in 1973 were determined to crush any political opposition to its policies in the 26 Counties. There was widespread and constant criticism of the need to give the police more powers.

Against this background of repression, the IRSP was founded in 1974. The 40 people arrested in the Sallins Robbery case were all members, friends or relatives of this newly formed political party. The Gardaí, given the green light to show results, were determined to undermine this organisation and any other political opposition to the Coalition — hence the birth of the "Heavy Gang" — a select group of detectives within all detective branches.

It is they the present Coalition Government are protecting by keeping Nicky Kelly in Prison. But unfortunately for them the truth is out — they were forced to free the other 39 and the majority of the people know Nicky Kelly is innocent — the Coalition Government is completely out of step and day by day more County and Urban District Councils, Trade Unions and many individuals are adding their voices to the call for Nicky's release.



The Dublin Street Theatre Group act out the Nicky Kelly story in Grafton Street, Dublin. The man at the table is being helped to give a totally "voluntary" statement by the actors playing the role of Garda Heavy Gang. The three masked represent the juryless Special Criminal Court.

## Where does Fianna Fáil stand?

In 1976 when Gerry Collins TD, was the Shadow Minister for Justice he called for a judicial inquiry and when Fianna Fáil won the 1977 General Election with the biggest majority ever gained by any Party since the foundation of the State many of the Heavy Gang detectives were promoted and some now hold quite senior positions within the force.

Nicky Kelly returned to Ireland in 1980 following the acquittal of his two co-accused on appeal. Many Fianna Fáil TD's expressed concern and support for his release or for a review of the case but when Nicky went on hunger strike on May 1, the response from Fianna Fáil was a deafening silence until four weeks into the hunger strike when Mr Michael Woods, Fianna Fáil Shadow Minister for Justice, in a badly publicised statement said that Fianna Fáil "would support the Minister for Justice, Mr Noonan if he decided to commute Nicky Kelly's sentence on humanitarian grounds" but they wouldn't be making a political issue out of it. In other words they would not be raising it within the Dáil.

A few days later on the television programme "Today Tonight" Mr Desmond O'Malley, former Fianna Fáil Minister for Justice said that the Coalition Government was quite right not to give in to a hunger strike, that Nicky Kelly had been convicted in the Special Criminal Court and his appeal had been rejected by the Supreme Court. Shortly before Nicky Kelly ended his hunger strike, Mr Sean Doherty, another former Fianna Fáil Minister for Justice said he was on the verge of setting up an inquiry into the case when the Fianna Fáil Government collapsed last year.

### WHO SPEAKS FOR FIANNA FÁIL

Many Fianna Fáil TDs and Councillors and a number of Fianna Fáil Cumainn publicly called for Nicky's release. Despite widespread support within Fianna Fáil for the release of Nicky Kelly a decision was taken at the highest level not to oppose the Coalition Government's stand. By so doing Fianna Fáil is guilty of Nicky Kelly's continued incarceration.

# Cover-Up Collapses

## The Labour Party's stand

While at the end of the day the Labour Party stood squarely with its Coalition partners a real unease existed within all levels of the Party on the issue, several branches passing motions supporting the call for Nicky's release.

It became obvious that many Party members did not want to be reminded about their Party's association with the repressive and anti-democratic aspects of the 1973-1977 Coalition Government's record. Some of them, including TD's and Senators, kept their Party Leader Mr Dick Spring under constant pressure during the hunger strike to persuade the Coalition cabinet to release Nicky Kelly. Why has that pressure stopped? And is it not clear that the pressure must in fact be increased? The Labour Parliamentary Party must take note of the widespread support that exists for Nicky Kelly's release within the Trade Union Movement. Many Trade Unions, Trades Councils, branches and leading Trade Unionists have joined the call for his release.

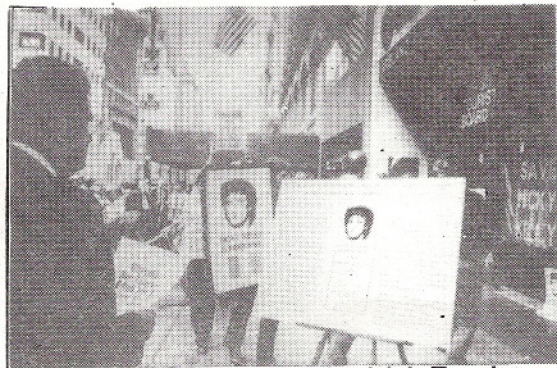


Nicky Kelly

## Government Refuses to Meet Amnesty

International Human Rights Group Amnesty International urged the Irish Government to intervene in Nicky Kelly's case. In a major statement published in June 1983 Amnesty said "serious doubts remain that Mr Kelly may indeed have been ill-treated". It expressed its concern about "standards of fairness applied to the case" and revealed that the Minister for Justice had refused an urgent request for a meeting with the Government in May saying there was "no point in such a meeting". Amnesty said the Irish government had an obligation in the case because of the doubts surrounding the confession made by Mr Kelly, and because of the standards of law applied for accepting that statement — the only evidence.

The Irish Government's refusal to meet Amnesty is worrying to Amnesty as other governments, for instance, dictatorships in South America, can now also refuse similar meetings saying "But the Irish Minister for Justice refused to meet you, why should we?". The Irish Government's refusal to meet Amnesty is carried in the organisation's newsheet which is circulated to over 50,000 members throughout the world and the media in all five continents. The Irish Government remain the only government in Western Europe unwilling to meet Amnesty.



New York picket on the Irish Tourist Board offices informing people of the injustice done to Nicky Kelly. Support abroad (see list on right hand column) came not only from the USA but also from Australia, Canada, and Europe. The Release Nicky Kelly Committee are planning tours in early September for USA, Europe and Canada to consolidate and expand support abroad.

## Clutching at Straws

During the course of Nicky Kelly's hunger strike support for his release came from all quarters of Irish society. As the support grew the Coalition Government's attempted cover-up collapsed. The so called liberals within Fine Gael were exposed, none of them were prepared to say where they stood publicly — human rights in South America and the Soviet Union is a much better bet for them. The Department and Minister for Justice initially accused the Release Nicky Kelly Committee of being propagandists, of misinforming and misleading those concerned people who made representations to them about the case. Later they toned this down stating simply that they could not release Nicky Kelly. Later again they stated that they could release him but that they would not. Now they say, privately, that some mysterious day soon, Nicky Kelly will be released for unknown reasons. In the meantime, no one need to anything. In other words the Coalition Government is clutching at straws to keep the lid on the cover-up.

No matter how hard they try to cover up the disgusting facts surrounding the unjust conviction of Nicky Kelly, an innocent man, the truth is out. The campaign will continue until Nicky Kelly is released.



### TRADE UNIONS

I.T.G.W.U.  
F.W.U.I.  
N.E.E.T.U.  
Irish National Painters and Decorators Union  
Psychiatric Nurses Association  
Women Workers Union  
Plumbers Union (Southern)  
A.U.E.W. 9D1 & No.1 Branches  
A.S.T.M.S. (Limerick)

U.C.A.T.T. (Cork 2nd Branch)  
A.T.G.W.U. (11102 Branch)  
Irish Post Office Engineering Union

Civil Rights Groups  
Prisoners Rights Organisation, Irish Council for Civil Liberties, Irish Commission for Justice and Peace, Irish Civil Rights Association, Amnesty International, Help the Prisoners Committee, Pax Christi.

Students  
Union of Students of Ireland, U.C.D.  
Students Union, T.C.D. Students Union, N.I.H.E. Students Union, Dundalk Regional Technical College Students Union, Edinburgh University Students Association, U.C.G. Students Union  
U.C.C. Law Society

145 Solicitors

### INTERNATIONAL

Association des Chrétiens pour l'abolition de la torture (ACAT) France  
Ireland Libre France  
Comite In/and France  
Comite de defence des prisonniers politiques Irlandais (C.D.P.P.I.)  
Daniel Guerin, writer, France  
Michel Leiris, writer, France  
Robert Merle, writer, France  
Autant Lara, President of the French Film Directors  
Dr. A. Minkowski, Director of Research for Biological, Fetal and Neonatal Development Institute, Paris.  
Henri Pascal, Sociologist, France  
Juan Andres, Basque M.P.  
Ierland Komitee Nijmegen, Netherlands  
Irelandskomiteen, Denmark  
Left Socialist Party Denmark  
Socialist People Party, Denmark  
26 M.P.s, Denmark  
Ireland Initiative, W.Germany  
Ireland Komitee Aachen, W.Germany  
Edinburgh University Students Association, Scotland  
Scotland Irish Freedom Action Committee  
Troops Out Movement  
South London Irish Solidarity Committee  
Young Liberals, Britain  
Gery Lawless, Cllr, London Borough of Hackney  
London Students Organisation  
Irish National Council, London  
National Union of Students, Britain  
Irish in Britain Representation Group  
Manchester Irish Solidarity Committee  
United Irish Societies, Wisconsin  
Marie Howe, State Representative, Massachusetts, USA  
American Indian Movement, USA  
African National Council, USA  
NORAI, USA  
H Block/Armagh Committees: New York, San Francisco, Minnesota, Pittsburgh  
James Delaney, Nat. Dir. Ancient Order of Hibernians  
Ronald Delums, New York Congressman  
Ramsey Clarke, former US Attorney General  
Fr Sean McManus, Head, Irish National Caucus  
Fr Daniel Berrigan  
Michael Flannery  
Release Nicky Kelly Coalition, New York  
Irene Ellenburer, President Montreal Central Council,  
David Fennario, Playwright, Canada  
Keith Wilcox, Pres. Union Provincial Ass. of Protestant Teachers, Canada  
Marcel Pepin, Pres. Mouvement Socialistes, Quebec  
G. Raymond Laluberte, Quebec Comite Quebec-Irlande  
Canadian Union of Postal Workers  
United Food and Commercial Workers International Union, Canada  
Toronto Trades Council  
H Block/Armagh Committees: Saskatchewan, Toronto, Vancouver  
H Block/Armagh Committee: Wellington, New Zealand.

# Campaign Goes On

the Campaign PRO rang. He told her *There is no point in my visiting Nicky unless I have something to offer him. I will not see the Minister on my own but only in the company of other committee members.*

## FRIDAY

Nicky's solicitor Garret Sheehan rings campaign PRO. *Nicky wants to see you. Are you willing to go down?*

*I'm not asking him to come off the hunger strike — that's his decision so make that clear to the Department.* replied the PRO.

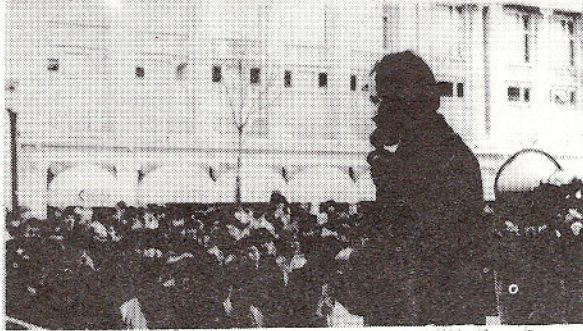
## SATURDAY

The visit was arranged for 6.30pm. Nicky is reported to be in severe pain and to have suffered a fainting fit. A car being driven by the PRO broke down on the Naas road at 6.15 pm near the Poutin Still. the PRO began hitching a lift.

Along the way they picked up a soldier. They were both dropped off at the back entrance to the Curragh Military Hospital.

## Arrested

As they turned a corner both were arrested. *They're supposed to have a guard at those gates and get mad when you're walking on your own* said the soldier. They are both asked their name 25 minutes later. The military police 35 minutes later take the PRO to see Nicky.



The Campaign PRO (above) Gerry Fleming, the Gen. Sec. National Painters & Decorators Union, Sinn Féin Vice-President Gerry Adams

M.P. (right) and (below) Osgur Breatnach, Nicky Kelly's co-accused, address Dublin G.P.O. rally.



The Campaign PRO in the presence of solicitor Garret Sheehan explains to Nicky what the European Commission for Human Rights is, how an application is made and what the various consequences could be. Nicky Kelly listens and then says he wants to think about it.

## SUNDAY

Nicky requests a further visit. The PRO and solicitor Garret Sheehan arrive to see Nicky. Nicky states he is highly sceptical of Courts and that he

will continue his hunger strike. If he dies the case can proceed posthumously.

## MONDAY

Limerick priest phones the PRO and tells him *Noonan won't talk to me anymore, he says there's no point.* The only remaining line of communication to the Government is cut off, clearly they are unconcerned with saving Nicky's life.

## TUESDAY

This is Nicky's 38th day on

hunger strike. The PRO and solicitor Garrett Sheehan see Nicky that evening. Nicky's speech is slow but it is clear that he is mentally lucid. A long discussion takes place. The vast amount of public support for Nicky's case is explained to him on request. Time, it is explained is not on the Campaign's side but that he can eventually win. Nicky Kelly's hair was completely grey and he looked like an old man. His face was small, his cheekbones prominent. He was propped up with cushions. At 9.30pm Nicky Kelly decided to end his fast. *It's over — for now he said. We'll see if there are new moves at this stage. If not I'll be back on again .... I'm not going to do time for something I didn't do.*

## NO DEAL DONE

At 9.00pm the Government issued a statement stating that Nicky should take a civil action, that he had not exhausted all domestic legal remedies. Nicky never heard this statement until the following day as he had no radio. It had nothing to do with his decision to end the hunger strike. He has a civil case pending since 1977, one year after his torture. A civil case is for *financial damages only* and would not affect his unjust imprisonment. The Government knew this and the Government statement was simply another trick to confuse the general public.

Since Nicky Kelly ended his hunger strike, the media have dropped publicising his case. The Government have opened up no new channels of mediation and have publicly stated they will not release Nicky Kelly.

# JOIN NOW

THE CAMPAIGN is growing but we still need YOUR help. You HAVE a part to play. You can help to secure Nicky Kelly's freedom. Contact us and we will immediately put you in touch with your local Action Group.

Telephone (01) 787801

# MUSIC

If you a musician and would like to help secure the release of Nicky Kelly then contact us at 787801. URGENT.

ITEMS AVAILABLE FROM NATIONAL COMMITTEE (Prices include p.&p.)

- T-Shirts £4.00
- Badge packs (30) £10.00
- Keyring packs (5) £3.50
- Record
- (The Wicklow Boy) £2.00
- 100 Stickers £2.50
- Action Group Parcels:
- 5 T-Shirts
- 30 Badges
- 10 Keyrings
- 1 Record
- 100 stickers £35.50

## Kelly Story

Copies of the Channel 4 Video Cassette *Open Those Gates* are also available on receipt of £16.00

# FUND DRIVE

Campaign funds urgently required for posters, leaflets, postage, public meetings etc. All donations acknowledged. Send something now, no matter how small, by Postal Order or cheque.

A/c No.59109377,  
c/o Bank of Ireland,  
Westland Row,  
Dublin 2

## What You Can Do

The ending of Nicky's hunger strike came as a surprise yet was greeted with relief by all concerned. His decision was taken at a time when it would have been physically and mentally easier for him to continue. After 38 days of isolation and suffering to come off without even a government promise was not altogether a satisfactory conclusion to his protest. The campaign was never a hunger strike campaign but a campaign for Nicky's release. By staying alive he allows the time needed by all those working for his release to continue building on the massive public support; adds a new dimension to the campaign and ensures Nicky remains a thorn in the Government's side so that they cannot cover-up this gross injustice.

The encouraging level of public support already attained is due to the tremendous work done by Action Groups and individuals throughout the country and abroad. As a result of this work, many people know the facts of this case for the first time

But these efforts must be inter- We must build on the massive level public support for Nicky's release with renewed energy and force the government to rectify this blatant case of injustice. The government has the obligation and the power to release Nicky Kelly and we must ensure that they do so because the implications of Nicky's case have far wider implications for us all.

We are a non party political group with one aim — the release of Nicky Kelly.

JOIN US NOW

**Title:** Nicky Kelly News

**Organisation:** Nicky Kelly Campaign

**Date:** 1983

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