

Release Nicky Kelly Committee

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Who is Nicky Kelly?

We are writing to you to seek your help in securing the release of Nicky Kelly who is serving a 12 year sentence for a crime of which he is totally innocent. You may have heard of the notorious Sallins Mail Train Robbery Trial (1978) which resulted in the conviction of three innocent men. During the trials, which took place in the juryless Special Criminal Court, the accused made strong accusations of police brutality which were backed up by medical evidence. The court found in favour of the police and said that the injuries sustained were self inflicted or afflicted in collaboration with others. Nicky Kelly, suffering from anxiety neurosis, jumped bail some days before the end of the trial and was sentenced in absentia.

Fifteen months later, after a highly unusual delay the appeal of the IRSP 2 was heard. Observers were present from Amnesty International, International Commission of Jurists, International Federation for the Rights of Man, Pax Romana, International Assoc. of Democratic Lawyers and others. The court subsequently quashed conviction and sentence when it found the statements, the only evidence in the trial, inadmissible. A month later Nicky Kelly returned from the U.S. to clear his name. He was ordered to serve his sentence. It took 21 months of bureaucratic delays before his appeal was finally heard and on 2nd April last the Court of Criminal Appeal dismissed his appeal and confirmed his sentence, finding that he had co-operated with the police, was not ill treated and was properly convicted.

We see this as a political decision taken by the court, to counter-balance the public disquiet about the case, and the criticism of police conduct which followed the IRSP 2 appeal, the judiciary and the Special Criminal Court.

Of the IRSP 3, Nicky Kelly suffered most from the after-effects of his torture in 1976. He suffers from anxiety neurosis, claustrophobia, has difficulty in sleeping and reading. We ask you to use your influence (and to ask others to do so also) to secure the release of this innocent man.

We thank those of you who supported us in the past and hope that this time we will be successful also. This letter is being sent to organisations and individuals in Ireland and abroad.

What you can do

Publicity

1. In an effort to gain widespread publicity we are asking our supporters to allow us to use their names when contacting the media, trade unions, Government Depts. etc. We hope you will give permission to use your name.

Release

2. The Minister for Justice is empowered to release a prisoner under the Offences against the State Act and Article 13.6 of the Constitution. We ask you to contact the Minister and Mr Haughey to petition them for Nicky's release. We might also suggest you write to your local TDs and the national daily newspapers.

Funds

3. You will understand that our campaign, as detailed above puts us to some considerable expense. Therefore, we should be grateful, if you would make some financial contribution, however small, to help with our continuing work.

Amongst those who are sponsoring the Release Nicky Kelly Committee and/or who are taking an active interest in the campaign are Kadar Asmal, Irish Council for Civil Liberties, Prisoners Rights Organization, Amnesty International, Vincent Browne, Papal Nuncio Alibrandi, TDs Michael D Higgins, Tony Gregory, Michael Keating, Ruairi Quinn and Eileen Lemass, Father Denis Faul and Father Raymond Murray, Ivor Browne etc.

*Issued by the Release Nicky Kelly Committee
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