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Statement of Colonel Michael Hefferon, 67 B allytore Road, Rathfarnham, taken at Dublin Castle on Saturday, 30th. day of May, 1970, by Detective Inspector Edward J. O'Dea.

I was Director of Intelligence at Army Headquarters from October, 1962 until I retired on April, 9th., 1970. On Friday, 29th. May, 1970, I was given a written authorisation at my home by Detective Inspector O'Dea, and it was signed by the Attorney General Colm Condon, and it authorised me to communicate official information within the meaning of Section 2 (1) Official Secrets Act., 1963 to two named members of the Garda Siochana. Captain Kelly was already a member of the Intelligence Branch when I was appointed Director in 1962, and he has served in that Branch since with the exception of two periods, one of two years when he was in the Middle East with the United Nations Mission there, and a period of about nine months ending July, 1969 when he was attached to the Military College in the Curragh on a Command and Staff Course. He was on holidays during August, 1969, and he visited Derry and Belfast during the troubles there in Mid August, 1969. While there he met many of the catholic residents in these areas. When he returned off leave about the end of August, 1969, he reported to me on what he had seen and the contacts he had made.

[REDACTED]

In view of Captain Kelly's useful contacts he reported any new information he received direct to me. Due to the nature of his mission he was allowed a fair degree of freedom of movement in carrying it out. Captain Kelly usually contacted me about every second day, either personally or on the phone. I am aware that during this period several approaches were made by catholics resident in Derry and Belfast and the North generally to Army personnel asking that arms and ammunition should be supplied to them for their defence. The official view was and my view was that this could not be done under any circumstances. Some time in mid January, 1970 Captain Kelly came to me and told me that the Northern Defence Committees were without arms and were determined to

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were determined to /

negotiate the purchase of arms to defend the Catholic population in the event of Protestant extremists trying to wipe them out. This meeting with Captain Kelly was in my office. The Defence Committees requested Captain Kelly to assist them, and I got the impression that it was technical assistance they needed in the purchase. I pointed out to Captain Kelly that he could not as a serving ~~xxxxxx~~ Army Officer become involved in the purchase of guns, but that if he wished to become involved he would have to resign from the Army, and I did not see any necessity for him to become involved. He felt, however, that he would be acting dishonourably if he did not assist them. I got the impression that Captain Kelly was prepared to accede to the request of the Northern Defence people in giving them assistance. I advised him that he should look into the interests of his family and career, and to come back to me some time the following week. At this stage Captain Kelly did not tell me where the guns were to come from or where they were to come in to. He did not mention if any Minister had been approached for assistance in the purchase or import of guns for the Defence Committees. He did not discuss with me the Regulations governing the import of guns into the country. I am aware that Captain Kelly during the time he was on the Staff Course at the Curragh that the question of his retirement from the Army came up, but he did not go ~~xxxx~~ ahead with it. He did not approach me about it on that occasion. Colonel Carrol or some other member of the Curragh Command Staff mentioned it to me at the time. About the end of January, 1970, Captain Kelly came back to me and informed me that he was determined to retire and gave in his resignation form. I cannot recall if he asked me to be released on a particular date. He stated that he would be letting down the Defence Committees if he did not give them the assistance they asked for. I again spoke to him of his responsibilities to his family and to look for some suitable position before I let his application through. I did not let his application through, and I advised him to see either Mr. Blaney or Mr. Haughey, I cannot say which.

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He said he would do this. On this occasion I had no conversation with him about how the developments, if any, in the moves to get arms and ammunition for the Defence Committees were progressing. During the many conversations I had with Captain Kelly I became aware that he was in direct contact with Mr. Blaney and Mr. Haughey about aid for the Defence Committees in the North. I have no recollection that Captain Kelly ever mentioned to me that either Mr. Haughey or Mr. Blaney were specifically interested in the importation of the arms for the defence of the North at this time. About this time I mentioned to the Minister for Defence, Mr. Gibbons, that I had an application from Captain Kelly to retire from the Army. I informed the Minister that he would be as a serving officer by an embarrassment to the Army and that his resignation should be accepted. I informed him that I was holding it pending some indications that Captain Kelly would not suffer financially by his having to retire. Mr. Gibbons was sympathetic and he promised to see Mr. Haughey about it. I told Mr. Gibbons at this time about Captain Kelly's involvement with the Defence Committees in the North regarding the procuring of arms and ammunition for their defence. After this Captain Kelly came to me and informed me that he had been with Mr. Blaney or Mr. Haughey and that he had explained to them about his retirement, and they promised to see Mr. Gibbons about it. I told Captain Kelly, when I told him to go to either Mr. Haughey or Mr. Blaney that he should tell them of his involvement with the Defence Committees in the North, and that in my view he could not remain in the Army due to his involvements. Sometime around mid February, 1970, I was speaking to Mr. Gibbons in his office and he asked me not to proceed with Captain Kelly's retirement for the moment. This may have been the end of February. As far as I can recollect Mr. Gibbons said that something suitable was not as yet available for Captain Kelly in employment outside the Army. I impressed on Mr. Gibbons the urgency of doing something about it. [REDACTED]

[REDACTED] I was aware that he had accompanied some of the Defence Committees members or members to the Continent to negotiate for the purchase of arms. I got this information from Captain Kelly.

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As far as I remember it was some where in Germany he went to. I believe I told the Minister for Defence, Mr. Gibbons, about this problem. Around mid March, 1970, Captain Kelly told me that it was proposed to have him seconded to some post in the Department of Agriculture. I think it was some anti-smuggling job, he was to be employed on. I was also told by Mr. Gibbons that this arrangement was being made. This arrangement never materialised. Around this particular time Captain Kelly told me that he might have to go to Germany again in connection with the arms and ammunition for the North, and that a lot of snags had developed in connection with them. About this time, as a result of my conversations with Captain Kelly I suspected that these arms were to be brought in some where in this State. I could not at this time gather whether they were to come in by sea or air. Captain Kelly mentioned at this stage that he would be travelling with somebody from the Defence Committee whose name was also Kelly. About this time I saw Mr. Gibbons again in his office and I told him that Captain Kelly intended travelling to the Continent again in connection with this arms deal. This would be in the end of March or early April. Captain Kelly thought he would be required as Duty Officer at G.H.Q. on the weekend he was going to the Continent. I told Mr. Gibbons that in the event of he not performing this duty ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ I would have difficulty in explaining his absence, and if he was not relieved of this duty he would be subject to the normal Army Disciplinary Action, unless some authority was given to relieve him of the duty. Mr. Gibbons was prepared to take the necessary steps to have him relieved off duty in order that he could travel to the Continent. As it turned out Captain Kelly made a mistake in his dates and he was not required as Duty Officer at G.H.Q. so that the question of Mr. Gibbons giving instruction to have him released did not materialise. I believe that Captain Kelly told me some time in March that Mr. Haughey knew about the importation of arms for the North. I cannot remember specifically if Captain Kelly told me that Mr. Blaney was aware of the importation, but my impression is that he did mention it at some stage. Captain Kelly, in conversation

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in conversation /

with me mentioned that there was some snag about Palgrave Murphy not bringing the cargo of arms. This was mentioned with his proposed trips to the Continent. He did not elaborate what the snag was, but that he had to travel to the Continent to sort it out. Captain Kelly rang me early in the morning of April, 4th, 1970, about 9 or 10 A.M. I do not know if I was in my office or at home. He said he was ringing from Dublin Airport and I understood from his previous conversation what his mission was. His purpose of ringing was to inform me of his absence. He did not say if he was travelling alone or whether he was accompanied by some other person. He did not say how long he would be away. I met Kelly when he returned from the Continent. This was before the 9th. April, 1970. Kelly told me that there was some difficulty about keeping the cargo at some Port and they would have to shift it. I gathered from him that the question of having it transported to this country was far from settled. On 8th. April, 1970, I visited Mr. Gibbons in his office and I was accompanied by my successor Colonel Delaney, and I was taking the opportunity of formally introducing him to Mr. Gibbons. I made the point that the only outstanding problem was what was to happen to Captain Kelly. Colonel Delaney took up the matter from there and left no doubt that he didn't want Captain Kelly to continue on his Staff. Mr. Gibbons listened to the representations and promised to look into it. I remember getting a phone call from Tony Fagan on Saturday afternoon the 18th. April, 1970, at my home. It was between 5 and 6 P.M. He said that he had been trying to get in touch with Captain Kelly without success. He asked me if I knew where he was. I informed him that I believed he was in the Continent. Captain Kelly visited me at my home on a few occasions after I retired. It may have been mentioned in the course of conversation that he would have to travel to the Continent again and he may have said that nothing was happening. This must be why I was able to tell Mr. Fagan that Captain Kelly was abroad when he rang me on 18th. April, 1970. I cannot recall telling Mr. Fagan

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telling Mr. Fagan/

that I knew nothing was coming, but I may have said it. I cannot remember getting a call from Captain Kelly before he left for the Continent, before the 18th. April, 1970. I don't see any reason why he should ring me from the Airport before going abroad as I was then retired. Some after the 18/4/1970, Tony Fagan rang me at my home any he invited me down to see him in his office. It may have been Monday, 20th. April, 1970. Tony Fagan told me that he had been told by Mr. Haughey that the business Kelly was on had been called off. On that date Tony Fagan rang Captain Kelly in Vienna and I understood it was to relay the Minister's - Mr. Haughey's message to him. I did not hear the conversation, as I was in the outer office. I cannot recollect if Tony Fagan used the words arms or ammunition on that occasion. Captain Kelly called to my home on 28th. April, 1970, and he told me that he had been transferred from Intelligence at G.H.Q. to Recruit Training at Cathal Brugha Barracks. He felt he was under surveillance and mentioned he was going to retire. He told me that the arms deal was called off and that he had been in Vienna. He may have said that John Kelly was with him, he did not elaborate, and I did not press him on this point. He gave me the impression that he thought he was the victim of circumstances. He ^{was} in indignant and thought Mr. Gibbons had let him down. He tendered his resignation on 29/4/1970 and was given permission to retire on May, 1st., 1970. Subsequent to Captain Kelly's retirement I visited him at his home and I was introduced to John Kelly there. The attempted importation of arms was not discussed while I was there. This was the first time I met John Kelly. On Thursday, April, 23rd., 1970, Captain Kelly rang me and told me that Mr. Blaney would like to see me in his office around 3.p.m. I went with Captain Kelly to Mr. Blaney's Office in the Department of Agriculture. After a while Mr. Gibbons came down after Mr. Blaney rang for him. Mr. Blaney spoke about the fact that some of the Revenue Commissioners and Civil Servants were being questioned by the Special Branch, and they wondered on whose authority

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on whose authority/

this was being done, as Mr. Haughey who was Minister for Finance was seriously ill. Mr. Blaney said that he would try and see him that evening and inform him of the situation. Mr. Blaney did not as far as I can recollect mentioned anything about the arms deal being off, but it was understood by all present that it was off. Mr. Gibbons contributed very little to the conversation but agreed that Mr. Haughey should be made aware of developments if his Doctor permitted this. The main theme of the discussion was why the Revenue Commissioners were being questioned by the Gardai. Both Mr. Gibbons and Mr. Blaney left at 4.p.m. and agreed to meet again at 6.p.m. I came back at 6.p.m. and I told Captain Kelly that I was available if required. Captain Kelly went and met both men and they were breaking-up when I joined them. There was nothing new and Mr. Blaney decided he would try and see Mr. Haughey. This was the first and last time I met Mr. Blaney. I never discussed this arms importation with Mr. Haughey himself. Captain Kelly never told me that he would say he was from the Department of Finance at the Airport. Captain Kelly did say during our discussions that he expected that Mr. Haughey would arrange for Customs clearance. Mr. Gibbons never discussed the matter of Customs clearance with me, neither did he discuss the Regulations under the Firearms Act for importing firearms and ammunition into this country for the Army - Gardai. It is my opinion that Mr. Gibbons knew that Captain Kelly was involved in assisting the Defence Committees in the North to procure arms. Captain Kelly told me at some stage that a cargo of bullet proof vests came in for the Defence Committees. I cannot say if Mr. Gibbons knew this as I believe I only came to hear of it since I retired. I never made any approaches to anybody to facilitate the importation of arms for the Defence Committees. I met Captain Kelly before his appearance in Court. He called to my home and discussed his pension rights. He brought up the question of the arms and stated that they reverted to the original owner. I understood from his conversation that they were shipped to Spain. He never mentioned how much the arms cost or what amount of them were involved. Captain Kelly

Mr Gibbons says that he did.

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Captain Kelly/

never informed me who the guns would be consigned to here. I did not at any time attempt or assist any person to import arms illegally into this country. Mr. Gibbons rang me at my home on the date of his speech in Leinster House, and asked me if it was true that Captain Kelly had been reporting with decreasing frequency recently. I said No, that I got reports from him any time I wanted them.

I have heard this statement read over to me by Detective Inspector O'Dea and it is correct. I identify John Kelly from a photo now produced to me, as the John Kelly I met in Captain Kelly's home.

Signed. M. Hofferon.

Witness. Edward J. O'Dea. D/Inspector.
Patrick Docey. D/Inspector.

Dated this 30th. day of May, 1970.