



Energy Performance Certificates Northern Ireland



Win a BMW 1 Series Coupé
Or one of 40 European City Breaks with **COOL FM**

CLICK HERE TO JOIN THE CHASE

ADVERTISEMENT

Search Site

Advanced Search

- [niCarFinder.co.uk](#)
- [Loadzajobs.co.uk](#)
- [Propertynews.com](#)
- [Belfast Telegraph TV](#)
- [Family Notices](#)
- [Ads For Free](#)
- **Belfast Telegraph**
 - Home
 - News**
 - Local & National**
 - World news
 - Politics
 - Environment
 - Education
 - Letters
 - Opinion
 - Technology
 - Breaking News
 - Business
 - Sport
 - Health
 - Features
 - Columnists
 - Entertainment
 - Homefinder
 - Weather
 - Archive
 - Calendar 2008
 - Telegraph Travel
 - Shopping Directory
 - Competition
 - Home Delivery
- Inside Belfast
 - Jobs
 - Training
 - Dating
 - Casino
 - Bingo
 - Reader Offers
 - Diners' Club
- Services
 - RSS
 - Media Kit
- Other Titles

[Home](#) > [News](#) > [Local & National](#)

Local & National

McCartney trial evidence 'influenced by IRA probe'

Wednesday, June 18, 2008

The murder of Robert McCartney and the alleged involvement of IRA members had "significant ramifications" for the peace process, Belfast Crown Court was told yesterday.

Patrick Lyttle QC, the barrister defending 47-year old Joseph Fitzpatrick, spoke of the "parallel investigation by a paramilitary organisation" which he said influenced the evidence of one of the main prosecution witnesses.

Ed Gowdy, a friend of Robert McCartney, has given evidence at the trial and claimed Fitzpatrick hit him on the face with a stick in Market Street. Fitzpatrick has denied the assault charge and a further charge of causing an affray on January 30, 2005.

Making a 'no case to answer' application to the court, Mr Lyttle said the only evidence against his client was identification evidence by Mr Gowdy. The barrister said it was unfair to try Fitzpatrick as Mr Gowdy's evidence "has been entirely filtered through the prism of an IRA investigation that has influenced this witness."

Speaking of the six to eight hours of meetings Mr Gowdy claimed had taken place with IRA members in the wake of the murder, the barrister said Fitzpatrick "cannot get a fair trial" because the contents of the meetings were not before the court.

Mr Lyttle said: "This was an incident that had very high publicity and very serious ramifications for what was then known as the peace process."

He also spoke of the credibility of Mr Gowdy's evidence, especially he said since the witness admitted drinking up to 32 pints that weekend. The barrister said that since the murder, Mr Gowdy has "given completely contrasting views" rendering him "unreliable".

Also making a 'no case to answer' application to the court was Eilish McDermott QC who is representing James McCormick (39). The accused has been charged with but denies causing an affray.

Ms McDermott said that while there "probably was an affray of some kind" in Market Street which followed from a row in Magennis's pub, Mr Gowdy's evidence did not establish "whether Mr McCormick was a party to it".

Mr Gowdy claimed he saw McCormick walking down Market Street with a group of men armed with bottles and sticks following Robert McCartney and his friend Brendan Devine. He claimed the last he saw of the two men was them about to walk onto East Bridge Street at the top of Market Street. This evidence, Ms McDermott said, provides "no support for the allegation of affray".

She told Mr Justice Gillen: "The Crown has got to prove that Mr McCormick unlawfully fought... there is no evidence whatsoever that he fought." At hearing.

More articles in Local & National

- [NI Water responsible for 261 cases of pollution in nine months](#)
- [Officer quizzed about brothel](#)
- [Sean Bean visits the Brandywell](#)
- [DUP saves Prime Minister from disastrous defeat in Commons](#)
- [£1bn Olympic budget may be inadequate](#)

-  Email Article
-  Print Version
-  Search
-  +Most Emailed
-  +Most Read

Don't Miss . . .

In Pictures: Beach Party



In Pictures: Euro 2008



Video: Scoobfest



Video: Miss Northern Ireland



Video: Not so welcome



Fist-gate



Going GAA-GAA



In Pictures: Emeraldale bash



Miracle berry



In Pictures: Underground party



[Sunday Life](#)

[Community Telegraph](#)

[Ireland's Saturday Night](#)



on Tube before Boris's booze ban

In Pictures:
People that hid from the world



Plane captures first images of Amazonian tribes

ADVERTISEMENTS



CLICK HERE TO TAKE THIS CHANCE

TRIP BEGINS IN..

124 13 02 00
DAYS HR MIN SEC



Enjoy BUSHMILLS' Sensibly
Visit drinkaware.ie



Letters to the Editor
[Click Here](#)

ADVERTISEMENTS

Cinema Listings



[Click here](#) to find out what's showing at a cinema near you

BELFAST TELEGRAPH

ADVERTISEMENTS

World in Pictures

2008
[January](#)
[February](#)
[March](#)
[April](#)
[May](#)

2007
[Jan & Feb](#)
[March](#)
[April](#)
[May](#)
[June](#)
[July](#)
[August](#)
[September](#)
[October](#)
[November](#)
[December](#)

Video

Video: Titanic town
 Ship's Belfast beginnings celebrated in exhibition

BT Woman of the Year
 Applauding Ulster's most exceptional women

Omagh blaze tragedy
 Special report on Northern Ireland's worst house fire

Belfast Telegraph Property Awards
 Celebrating excellence at the inaugural awards gala

Best view in town
 Special multimedia report on Belfast Wheel

In Pictures . . .

News

[Ian & Marty in US](#)
[Crown Bar](#)
[Police chase](#)
[Belfast Marathon](#)
[Bertie at Boyne](#)
[Rangers fans riot](#)
[Quake wedding](#)
[China quake](#)
[Burma cyclone](#)
[Robert Dunlop](#)
[Paisley quits](#)
[Victoria Square](#)
[Building collapse](#)
[Ulster Fry event](#)
[The Twelfth](#)
[Bull Run](#)
[Award-winners](#)
[Flooded Ulster](#)
[Sunny Northern Ireland](#)
[Devolution Day](#)
[Assembly Elections](#)
[Maze tumbles](#)
[Blair quits](#)
[Last watchtower](#)
[Carrick-a-rede](#)

Events

[Business Awards](#)
[US:NI conference](#)
[Viking race](#)
[Lads' Night](#)
[Culture Carnival](#)
[Agent Provocateur](#)
[Wacky races](#)
[Top 10 Sexiest women](#)
[St Patrick's Day](#)
[Derry Xmas](#)
[Xmas: what a turn on](#)
[Property Awards](#)
[Halloween](#)
[Fantasy Fest](#)
[Balmoral Show](#)
[St Patrick's Day](#)
[Mardis Gras](#)
[Justin Timberlake](#)
[Brit Awards](#)
[Animal Olympics](#)

Concerts

[Bruce Springsteen](#)
[Boyzone](#)
[50 Cent](#)
[Enrique Iglesias](#)
[Rolling Stones](#)
[Oxegen](#)
[Beach Party](#)
[Justin Timberlake](#)
[Brit Awards](#)
[Live Earth](#)
[Razorlight](#)

Sport

[Euro 2008](#)
[Celtic: SPL champs](#)
[Man U v Chelsea fans](#)
[Man U Euro champs](#)
[Rangers fans](#)
[Euro 08: Norn Iron](#)
[N Ireland v Georgia](#)
[Spain 1 Norn Iron 0](#)
[Win over Denmark](#)
[Windsor win](#)
[Golf: Rory McIlroy](#)
[British Open](#)
[Copa America Final](#)
[N Ireland v Sweden](#)
[Six Nations](#)
[X Games](#)
[World in Sport](#)