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Attack not much of a sectarian assault: QC

By Maeve Connolly

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A defence lawyer has told a witness to the murder of Catholic teenager Michael McIlveen that it was "not much of a sectarian assault".

After the key witness in the case agreed that he had not been hurt during the attack in Ballymena, Brian McCartney QC said: "All these assailants trying to get at your injured friend and you didn't get hit? Not much of

assault.”

The teenager replied: “I don’t know the reason. You may ask your clients.”

Mr McCartney, who is representing Aaron Cavana Wallace (20) from Moat Road in Ballymena, expressed surprise yesterday that the witness could have been standing over his friend, trying to push assailants away and with Mervyn Wilson Moon swinging a baseball bat, yet be left “without a scratch”.

The lawyer put it to the witness at Antrim Crown Court that had it been an “all-out confrontation along sectarian lines” then he too would have been attacked as the group would have known he was a Catholic.

Michael McIlveen died from head injuries in May 2006 and five people are charged with his murder, while a sixth faces lesser charges.

Moon (20), from Douglas Terrace in the Co Antrim town, has already pleaded guilty to murder.

He is said to have hit the 15-year-old victim with a baseball bat in an alley.

Earlier this week the court heard that the witness, who cannot be identified because of his age, describe how he, Michael and another friend had been subjected to sectarian abuse by a large group, including Mr Wallace, at a cinema car park and detailed how later he had seen several of them kicking his friend more than 60 times.

Comparing it to a fight in a school yard, Mr McCartney said Mr Wallace had been among a crowd that had gathered in the alley in expectation of a fight between Michael and Jeff Colin Lewis (19) of Rossdale in Ballymena.

“He never kicked Mr McIlveen. He never went near him,” the lawyer said of his client.

The witness said: “I still know what I seen and I’m sticking by it. I saw him putting the feet into Michael.”

Mr McCartney said the witness had exaggerated an earlier situation at the car park beside the town’s leisure centre.

The lawyer said that had it been as dangerous as the witness had made out, the young man would have sought help.

He said the witness had not done so because it had been nothing more than a “personal disagreement” between Michael McIlveen and Jeff Lewis.

“This was a personal difference of opinion, probably unhappily caused through a combination of alcohol and adolescent aggression” that led to Michael being chased, the lawyer told the court.

The trial continues.

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