

[HOME](#)

[History](#)

[NewsoftheIrish](#)

[Book Reviews
& Book Forum](#)

[Search / Archive](#)
Back to 10/96

[Papers](#)

[Reference](#)

[About](#)

[Contact](#)

"Telling police IRA business, do you think I'm f***ing nuts?"

(by Suzanne Breen, Sunday Tribune)

A disturbing picture of life in the North is emerging at the Robert McCartney trial reports Suzanne Breen, Northern Editor

Three years after Robert McCartney was brutally murdered, his best friend was still afraid. Ed Gowdy gave evidence from behind a heavy blue curtain about their last few hours together.

But it was his account of events after the murder that was most striking. Bit by bit, the 'rules' of life in a working-class nationalist area emerged. Gowdy, who lives in Belfast's Short Strand, was repeatedly asked by the prosecution why, in his initial police interviews, he didn't tell the truth about events that night.

"There were paramilitaries involved. I didn't know the situation, and what I should say and shouldn't say. That's why I lied. I know from where I live what I'm allowed to say and what I'm not allowed to say," he told the court.

Five times, he'd been visited by the IRA – the first time before Robert's body had even been returned to his family. Two visits were from Army Council representatives. Each meeting lasted about three hours.

When asked why he hadn't given a detailed account of these visits to detectives, Gowdy became angry: "I'm not going to sit and tell the police IRA business. What do you think I am f***ing nuts?" Then he remembered the judge had already told him to mind his language. "Sorry, my lord," he mumbled.

It was the second week of the Robert McCartney murder trial. Veteran socialist, Eamonn McCann, who is on trial in a neighbouring court for criminal damage to a US arms manufacturer's base in Derry – hugged the McCartney sisters in the court corridor. Raymond McCord, whose son was murdered by the UVF, was inside to support the women.

Terry Davison is charged with Robert McCartney's murder. Jim McCormick and Joe Fitzpatrick are charged with causing an affray; Fitzpatrick is also charged with assaulting Ed Gowdy.

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They deny the charges.

The defendants – whom he already knew – could see Gowdy but he was screened from the press and public gallery because he was afraid of "reprisals from others". Gowdy's wife Brenda sat in the public gallery to support him. They have three young daughters.

Gowdy said 15 or 20 pints was his norm on weekend nights. He'd downed 12 pints and was "very drunk" when the fight broke out in Magennis's bar on 30 January 2005. He admitted he couldn't remember 90% of events that night.

He'd been drinking with Robert McCartney, Brendan Devine and others. He recalled "fighting, mayhem, a lot of shouting and blood, people telling each other to f**k off, a lot of noise". Drinks on the table were smashed.

Gowdy didn't know Devine's throat had been cut but he saw him drenched in blood. He and Robert McCartney tried to get Devine away from Magennis's. The trio headed into Market Street but were followed by around 10 men "all well tooled up" with batons and bottles.

When asked by defence counsel who was carrying which weapons, Gowdy replied: "I didn't ask them to stand in line and let me count." He was "100% sure" Davison, Fitzpatrick and McCormick were among the group. His friends kept walking, but Gowdy turned back to mediate with the group. He said Joe Fitzpatrick hit him in the face with what he believed was a sewer rod. It left a four or five inch welt.

One reason he didn't fight back, which he admitted now sounded "ludicrous and embarrassing", was that he'd been wearing £360 glasses and he didn't want them broken.

After talking to one of the men pursuing his friends, he returned to the bar. Although the men were still in Market Street, he didn't believe his friends were in danger from them: "The IRA don't usually kill people on the street, they usually see them the next day." He didn't think Robert McCartney was "under threat" and he'd been told of Brendan Devine, "we'll sort him tomorrow".

Gowdy denied the suggestion by Davison's barrister, Orlando Pownall, that he saw his friends being assaulted in Market Street. He denied telling Robert's sister Donna hours later at the hospital: "I know who the c**t is who done this". He called Donna a liar.

Pownall said Gowdy was a liar. He suggested Gowdy lacked the courage to tell the McCartney sisters he did see their brother attacked on Market Street. "Big Ed the bouncer, stood by while Big Bert and Brendan Devine were beaten up. You'll never be able to live it down," Pownall said.

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Eilis McDermott QC, defending Jim McCormick, said Gowdy had admitted to police he'd been "yellow" that night. She suggested he was lying and "putting certain people in the frame now" to make amends. "If there was any yellowness that night, maybe I was lucky," said Gowdy, referring to what happened Robert McCartney.

Gowdy admitted he'd only made a full statement to detectives after getting "clearance" from the IRA. The court heard police had considered charging him with withholding information because of the discrepancy between what he was telling them and what he was telling the McCartney family. Gowdy said the IRA continued visiting him even after he'd made this statement.

With 12 pints already down him that night, Gowdy left Magennis's by taxi and arrived at a female friend's house with two bottles of WKD. He stayed there until 3 or 4 am. Gowdy read a text from his wife telling him Robert McCartney was in a bad way in hospital. Earlier, he'd ignored texts from his wife because he didn't want her "nagging him".

Paddy Lyttle QC, defending Joe Fitzpatrick, asked Gowdy if he'd been at his "girlfriend's house". Gowdy claimed he was only friends with the woman. Lyttle said Bridgeen Hagans, Robert McCartney's fiancé, had informed police that Gowdy told her at the hospital he'd been having an affair with the woman. Gowdy said Bridgeen was "mistaken".

The court heard how Gowdy had initially refused to give the woman's name to police, protesting that "he had a family". Gowdy believed the entire episode "irrelevant to what (had) happened outside Magennis's".

It was the wee small hours and Gowdy was with another woman. Had he ignored his wife's texts all night because he didn't want her knowing his whereabouts, Lyttle enquired. "What do you think Sherlock?" Gowdy declared, causing much hilarity. In the dock, Terry Davison laughed so hard, he put his head in his hands. Gowdy's wife Brenda left the public gallery in tears.

But it certainly wasn't one-way traffic for Lyttle. Gowdy responded strongly to his robust questioning. "Ach f**k, wise up!", "You're asking stupid questions aren't you?", and "Catch yourself on!" were among his replies.

In one encounter when Lyttle challenged him about what he'd said in court minutes earlier, Gowdy emerged the winner after the tape-recording of proceedings was replayed. "You ask me to remember three-and-a-half-years ago. You can't remember five minutes ago!" he declared delightedly.

Brendan Devine will give evidence tomorrow. After that, the

court will hear from 'Witness C', a passing motorist who saw the assault on Robert McCartney. To protect her identity, the public gallery will be cleared and she will be screened from lawyers, defendants, and press. As well as sitting behind the curtain, she will be physically disguised as an additional precaution. Fear, it seems, still stalks Northern Ireland.

June 2, 2008

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[HOME](#)

[BACK TO TOP](#)

[About](#)

[Home](#)

[History](#)

[NewsoftheIrish](#)

[Books](#)

[Contact](#)