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'We're not going to let our wee brother down now'

Suzanne Breen

The McCartney sisters are 'gutted' by the not guilty verdict in the trial of the man accused of killing their brother, but they have vowed that their campaign for justice for Robert will continue

They were drained and deflated, but not defeated. After the verdict, the McCartney sisters vowed their campaign would

continue. "Robert was our wee brother," said Paula. "From the day he was first allowed out to play on the street, we looked out for him. And no matter how old or big he got, he always remained our wee brother. We're not going to let him down now."

 Family photo of Robert McCartney and his son Conlaed

Hours after Terry Davison was found not guilty of murder – and Jim McCormick and Joe Fitzpatrick were acquitted of other charges – the sisters gathered in Paula's house. The phone went constantly. "All not guilty... Nothing, nothing, nothing... They walked," Paula told countless callers ringing to find out what had happened. "We're completely numb," she said. On her knee, she nursed two-year-old Robert, named after his murdered uncle.

"I'm very disheartened by the verdict," said Claire McCartney, "but our campaign has always been up against the odds." Away from talk of the trial, Robert McCartney's mother stood in the kitchen. She'd found it too distressing to go to court even one day.

Impossible to abandon the campaign

Immediately after the verdict, Donna and Gemma went for lunch in a nearby pub but had to leave. "We looked around and saw all these people enjoying themselves. We just couldn't face it," Donna said.

"I'm gutted by the verdict. I was far more optimistic than Paula or Catherine. When I heard 'not guilty', my heart sank. The police and the lawyers will move onto other cases. We're the ones left to pick up the pieces."

Gemma said she'd find it impossible to abandon the campaign. "I used to be one of those people who wondered why others couldn't 'move on'. When Sarah Payne, the English schoolgirl, was murdered, her mother waged a long campaign for justice. I remember saying she should give up and get on with life, that no campaign would bring Sarah back. That's easy to say when it's somebody else's loved one who is dead. When it's your own, the hunger for justice is a primal

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instinct."

The sisters found the five-week trial emotionally exhausting. Sometimes, only Catherine could face hearing the evidence of Robert's injuries. He died of a six-and-a-half inch stab wound to the stomach; his nose was broken; he had lacerations to his eyelid and injuries to his arm and leg.

Attending court every day created practical pressures too. Between them, the sisters have 19 children. Every afternoon at 2.45 pm, Catherine's husband Ed could be seen racing down four flights of stairs in the Laganside courthouse and up the road to pick up the kids from school.

The trial was an emotional rollercoaster. As it progressed, Paula and Catherine became increasingly pessimistic. Paula reckoned there was only a 30% chance of convictions; Catherine thought it even less. At one point, the sisters raised their concerns with crown counsel "about the evidence in the case and the strength of the arguments made by the prosecution."

Their campaign had taken them all over the world but it was never really Washington, Brussels, nor Downing Street that mattered. It was always about what would happen in a Belfast court.

74-page judgement handed to the press

Claire, Catherine and Paula hardly slept a wink the night before the verdict. Donna and Gemma took tablets to help them get some rest. Donna felt sick before she even left the house that morning.

In court, Lord Justice Gillen's 74-page judgement was handed to the press before he appeared in court to read it. Word drifted to the sisters that all three accused had been acquitted. They left the courtroom to talk to police. Only Paula and Catherine thought it worth returning to the public gallery. "I just had to hear the judge say the words 'not guilty'," Paula said. When the McCartneys left the court, nobody even bothered to give them a copy of Gillen's judgement.

The sisters handled the verdict with the dignity that has always characterised their campaign. Catherine said she understood the judge's decision: "The prosecution didn't prove a case beyond all reasonable doubt. Given the evidence in front of him, the judge could have come to no other conclusion."

She blamed Sinn Féin and the IRA for the lack of witnesses in the case: "That so few people have come forward shows the reality of life in working-class nationalist areas. The Provisionals say one thing in public about our campaign for justice and do the exact opposite in private. People are still frightened to give evidence; that's something I'd expect the DUP to raise with Sinn Féin now they are partners in government."

Paula said the IRA's cover-up following Robert's murder was no different to the British cover-up after Bloody Sunday. "Is Robert McCartney history?" one reporter asked. "Not to us!" Catherine replied.

Despite the initial huge political interest in the murder, SDLP Assembly member and justice spokesman Alex Attwood was the only politician in court to support the family. Raymond McCord, whose son Raymond Jnr was murdered by the UVF, sat beside the sisters. "I looked at those girls' faces as they learned the verdict and my heart went out to them. You don't know what it's like unless you've been there yourself," he said.

Catherine admitted it was difficult for the sisters constantly to curtail emotion. "Sometimes, you want to throw off the cloak of dignity and let your feelings out."

Paula said there were days during the trial she hadn't wanted to get out of bed. "It was painful hearing evidence that Robert didn't throw one punch, that he was no threat to his attackers. I'd sit in court and wonder what was going through his mind as the gang pursued him. I saw images in my head I never wanted to see. If Sinn Féin gets control of policing and justice at Stormont, God help us."

One of the women in court every day supporting the accused was once a close friend of Paula's. They were at each other's weddings and babies' christenings. "We've lost a lot of friends since Robert was murdered," Paula said. "There were no rows. People would just stop speaking, fail to acknowledge you on the street, or just wouldn't phone," she said.

Catherine said she didn't underestimate how tough continuing the campaign would be: "We've had letters – some obscene, others containing death threats – posted to us. There have been threats to burn our homes and businesses. Newspaper photographs of Robert have been covered in excrement and sent to us. We've been called whores and prostitutes. There were rumours we went to Palace Barracks to have sex with British soldiers. It's been claimed I swindled an old lady out of money. The Provos have tried to blacken us in every way possible. Of course it's hurtful, but not enough to run in and close the door."

Memories of Robert

Paula said memories of Robert will lift her over the months ahead: "I still see him bursting into my house, full of banter. I remember him playing with my children on the carpet – Robert the biggest kid of them all. I see him in the fur parka jacket he bought for his son's baptism. We teased him that it looked girly and he was so mortified he never wore it again. I remember him crying his eyes out once when Liverpool were beaten, and then dying of embarrassment and making me swear not to tell anyone."

Catherine recalls him as a child, riding his black BMX bicycle through the streets of the Short Strand. "I can still see us all, curled up on the sofa, watching TV on a Friday night – it was always fish-finger and chips night," she said.

Despite the sisters' determination to continue their campaign, there are few legal avenues open. Catherine agrees that a civil case, as the Omagh bomb families are taking, is "unlikely." Unless new witnesses come forward, the Robert McCartney murder investigation is going nowhere.

"I've no hope that anybody in Magennis's bar that night, who has declined to give evidence until now, will change their mind," said Gemma. "Everything that has happened since Robert's death has left me cynical about human nature. Sometimes the desire for an easy life, and not to upset certain people in the community leads to turning a blind eye to murder."

The one person who reaffirms the sisters' faith in humanity is Witness C, a passing female motorist who saw an assault on Robert. Her identity was protected in court and she gave evidence from behind a screen.

"This woman, who wasn't from our community, who didn't even know Robert, chose to make a statement to police, to get involved when she didn't have to," said Paula. "We wrote her a letter and asked police to deliver it to her the night before the judgement. We wanted her to know that, regardless of the verdict, we would be eternally grateful for her courage."

Robert just another dead Taig

Robert's murder was used by many politicians to increase pressure on Sinn Féin to sign up to policing and on the IRA to decommission. Now those objectives have been secured, the politicians are largely uninterested in the family's campaign. To many unionists in particular, Robert is just another dead Taig.

"We always knew that most politicians were fair weather friends," said Catherine. "And neither London nor Dublin delivered anything concrete in our search for justice. The British government was useless; the Irish government was polite and useless."

Paula said the Catholic Church had also lacked courage. "Robert's murder was mentioned at masses in the Republic. But not once in our two local parishes, St Matthew's and St Malachy's, was a word said about it, nor an appeal for witnesses to come forward. When we organised a vigil for Robert, we couldn't even find a local priest to pray at it. I had to ring the bishop and a priest from another part of Belfast was brought in."

Donna ran a bustling sandwich shop in Belfast city centre before Robert was killed. Police warned her of threats by "republican elements" to burn it down. She now talks of starting her own child-minding business but the justice campaign means she "can't concentrate on anything else."

Gemma, a nurse, was running a mobile cervical cancer screening unit in the Market area of Belfast, yards from where Robert was stabbed, when she was forced to leave the premises after an associate of those she believes killed her brother abused and spat at her.

"Since Robert's murder I've faced complaints about my work as a nurse which I believe are politically motivated. There are certain people who want to see me losing my job."

It's three-and-a-half years since the McCartney sisters gathered in Paula's living-room in the Short Strand telling their story for the first time to the Sunday Tribune. Paula was subsequently intimidated out of her home.

"We hadn't a clue then that trying to get justice for Robert would be so long and hard, or that it would turn our lives upside down," she said. "But despite the court verdict, we don't regret a thing. His attackers left him to die on the street like a dog, like he was worthless. We were never going to let that pass. Robert McCartney was somebody, and his life was precious."

June 29, 2008

Comments

#1 **ciaran caughey** commented, on June 29, 2008 at 11:21 a.m.:

Why no mention of Robert's dear friend Brenden Divine who had his throat cut,by any of the sisters?

#2 **ciaran crowley** commented, on June 29, 2008 at 7:37 p.m.:
The verdict was issued. The accused were acquitted. Justice was served. End of story.

#3 **Phil Arway** commented, on June 30, 2008 at 3:11 a.m.:
Ciaran, do you pronounce your name with the accent on the first syllable or the last syllable. My grandson has the anglicized spelling Kieran and we've been pronouncing his name Kear-in. However one of my son's students has the same name spelled like yours and he pronounces it Kear-Ran. His father was born in Dublin(Ireland) so that could explain it :) Shed some light please.
As for your comments. I can sympathize with the sisters on the loss of their brother. But I also feel for the young men who have apparently been falsely accused and dragged through this trial only to be found not guilty.
Where is the news article about this misccariage of justice?
is mise
Phil Arway, Dublin, OH, USA

#4 **John Kennedy, Strabane** commented, on June 30, 2008 at 11:40 a.m.:
Ciaran, it sounds like you have a problem with people seeking justice.

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