



BT Total Broadband

[Click here to order now.](#)

BT
Bringing it all together

French for Kids

Free CD with The Times. Today's fun lesson is on Animals.

News Site of the Year | The 2008 Newspaper Awards

TIMES ONLINE



“Wouldn't it be great if men came with operating instructions” Ariel Leve

Send your views

[News](#) [Comment](#) [Business](#) [Sport](#) [Life & Style](#) [Arts & Entertainment](#) [Wimbledon](#) [Archive](#) [Our Papers](#) [Jobs & Classifieds](#)

[UK News](#) [World News](#) [Politics](#) [Environment](#) [Weather](#) [Tech & Web](#) [Times Online TV](#) [Photo Galleries](#) [Topics](#) [Mobile](#) [RSS](#)

[SHOP My Profile](#) [Sitemap](#)

[Where am I?](#) [Home](#) [News](#) [UK News](#) [Crime News](#)

From [The Times](#) June 28, 2008

Chaos as judge's verdict on Robert McCartney 'IRA killing' leaked



Explore UK News

- [Crime News](#)
- [Education News](#)
- [Health News](#)
- [Science News](#)
- [Scotland News](#)

Times Recommends

- [Glasto grows up but it's still exhilarating](#)
- [Write 'f*** off' on your exam and you get 7.5%](#)
- [Sat-navs to warn of dangerous roads](#)

[Pictures of the Week](#)

Patrick Griffin

The family of Robert McCartney stormed out of court in disgust yesterday after the media learnt that the man accused of his killing had been cleared of murder before the judge delivered his verdict.

A Northern Ireland Courts' Service official distributed full transcripts of the 74-page judgment to the dozens of reporters packed into Belfast Crown Court, fully 15 minutes before the judge arrived.

Today

- [Viennese waltz for Spain as Torres goal wins...](#)
- [Families' cash fears worst for 26 years](#)
- [Baby to be born free of breast cancer after...](#)
- [Farmer who exposed terror, Ben Freeth, is...](#)

Today

- [Heinz pulls mayonnaise ad over gay kiss...](#)
- [Even the Queen is feeling the crunch as...](#)
- [Cristiano Ronaldo: I do not need Ferguson](#)
- [Army 'vacuum' missile hits Taliban](#)

Today

- [The force is with Lego: record set for...](#)
- [George Best tribute egg's goal is...](#)
- [Markers award students for writing...](#)
- [Bishop of Manchester ordains his wife](#)

Focus Zone

Know on the Go:

How the new breed of location based mobile services can find your nearest

Within seconds, the reporters knew that one defendant, Terence Davison, 51, had been found not guilty of murdering 33-year-old Mr McCartney, a father of two, who had been beaten and stabbed outside Magennis's bar near Belfast city centre on January 30, 2005.

As news filtered back to the packed public gallery where Mr McCartney's family members were sitting, a sense of disbelief, frustration and anger filled the air.

Related Links

- ▶ We offered to shoot the killers of McCartney - the IRA
- ▶ McCartney sisters admit: IRA has won
- ▶ New arrest in Robert McCartney murder case

They had faced years of intimidation, despair and frustration in the 3½ years since Mr McCartney's killing and this was the final insult for them.

As the judgment was delivered, four armed police officers stood at the back of the courtroom while other armed officers were positioned in corridors, at the court entrance and in the streets outside.

Mr Davison had denied murder and looked relaxed in the dock as the judge — who had been sitting without a jury during the month-long trial — delivered his judgment.

The killing of Mr McCartney had sparked worldwide interest over claims of IRA involvement and the subsequent offer by the organisation to have those responsible shot, an offer the McCartney family flatly refused to countenance.

Mr Justice Gillen said he had found the defendant not guilty of murder because he could not be satisfied beyond a reasonable doubt that Mr Davison — who did not give evidence on his own behalf — was the killer.

Mr Davison's co-accused James McCormick, 39, and Joseph Fitzpatrick, 47, were also found not guilty of affray. Mr Fitzpatrick was acquitted on a further charge of assault.

The judge said that he understood that the family of Mr McCartney would be "frustrated and disappointed" by his judgment, which he said reflected the rule of law.

Mr Justice Gillen said: "I recognise that the family of Mr McCartney and others who hold him dear will be frustrated and disappointed that whoever it was who cut this young man down in the prime of his life has — or have — not yet been brought to justice.

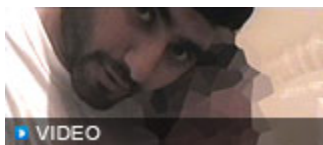
"However, the memory of Mr McCartney and the rule of law itself would be ill-served by this court failing to observe the high standards of criminal justice and the burden of proof which prevail in courts in Northern Ireland."



A selection of the best images from around the world

Slide Show

London terror



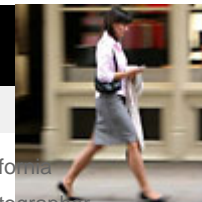
7/7 bomber with baby

Ringleader of July 7 attacks wishing his baby daughter farewell on video

cashpoint, restaurant or wi-fi hotspot



- ▶ Know on the Go
- ▶ Top 100 Films
- ▶ Sport Safety
- ▶ Perfect Pets
- ▶ Totally California
- ▶ Young Photographer
- ▶ Surprise Yourself
- ▶ James Bond
- ▶ Business Travel



QUICKLINKS

Sudoku



Now Interactive

Love Sudoku? Play our brand new interactive game: with added functionality and daily prizes

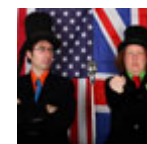
Career/Jobs



Forget burnout, boreout is the new office disease

Are you irritable when you return from work? Drained of emotion? You could be suffering from boreout

Podcasts



The Bugle - Dead Hill Walking

John Oliver and Andy Zaltzman beg Hillary to pack it in

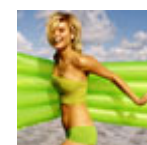
Driving



Jeremy Clarkson's greatest hits

Prepare for some shock and awe, petrol lovers. Despite the greens trying to wipe it out, the car is about to offer us the most exciting year ever

Travel



100 summer holidays for '08

We've trawled the brochures and websites to find this summer's best holidays for every taste and budget

Mr Justice Gillen said it had been clear that "acrimonious exchanges" had taken place between Mr McCartney and Mr Davison at Magennis's bar on the night in question but he questioned the accuracy of the key prosecution evidence from Witness C — a woman who spoke from behind a screen to protect her anonymity.

The witness, a motorist who had been stopped at traffic lights outside the bar, was described by the judge as "a transparently honest and extremely courageous woman".

However, the judge said that her failure to notice any weapon, the lack of blood on the pavement where she said the knife attack took place and inconsistencies in her recollection about what the defendant had been wearing and the length of his hair had led him to have "a gathering unease" about her evidence. Outlining a number of discrepancies between her initial statements to police and her evidence to the court, he concluded that "even the most honest, courageous and convincing of witnesses can be mistaken".

Hang on in 2005 the PIRA offered to shoot Robert McCartney's murderers - That more than seems to indicate that they know who is guilty of the crime. Why then have they not offered those names plus what evidence they have to the PSNI Officers investigating the case? Or charge them with obstruction.

Bill, Stavanger, Norway

The same institution that recently ruled against anonymous witnesses - dusty old lunatics divorced from the facts of life, sometimes a danger to society because of their curmudgeonly arrogance.

Joe, Manchester,

It's a fact of life in Northern Ireland, that cases such as this are still tried without a jury due to the intimidation that still exists there. With respect to the judgement being made available to the press - find and prosecute those responsible!

Mike C, London, UK

so now we have detention without trial, anonymous witnesses and murder trials without juries. are we still a free country?

will, grimsby, uk

Beyond a reasonable doubt is a phrase that has little meaning in the new Human Rights age. It has been replaced with "Beyond the realm of fantasy" and we need to accept that and not look for justice.

• [Book a holiday](#)



Photo Galleries

Pictures of the Week

A selection of the best images from around the world

[Sudoku](#)

[Driving](#)

[Career & Jobs](#)

[Travel](#)

[Podcasts](#)

[Photo Galleries](#)

Services

- [Business Directory](#)
- [Free Money Guides](#)
- [IFA Search](#)
- [Dating Business City Guides](#)
- [Free Credit Report](#)

Business City Guides

Overseas contacts and local business information



The Times Luxx

A treasure trove of baubles, booty and stylish quests



Beat the Price Rises

Compare energy prices from suppliers



SPECIAL

Know on the Go

More than mobile



Classifieds

Cars

Bentley Continental 6.0 GTC Convertible
2007/07

Terry, Radstock, England

Have your say

* Name * Email

* Town Country

* Required

Remember me

[Terms and conditions](#)

- Print
- Email
- Post to del.icio.us
- Post to Fark
- Post to Yahoo!
- Post to Digg

Also in Crime News

- [Police face shortage of handcuffs as manufacturer shuts up shop](#)
- [Teenager made a desperate mobile call to friend as his killers chased him](#)
- [Woman charged with murder](#)

Also in UK News

- [Jay-Z at Glastonbury](#)
- [Glasgow by-election is fresh headache for Brown](#)
- [So if it isn't bug eat bug, what is it that's killing the honey bees?](#)

£130,000
South East England

BMW M5
2006/06
£36,995
South East England

**Volkswagen Touareg
Altitude 3.0 V6 TDI**
2007/57
£35,000
South East England

Car insurance
Great car insurance deals
online

[Search for more cars and bikes](#)

Jobs

Kingston MBA
Kingston Business School
London

**Contingency and Event
Managers**
£23,716 + 12.5% shift
allowance
The Highways Agency
Nationwide

**ICT Manager - Service
Delivery**
£ Up to £66,000 per annum
Hertfordshire County Council
South East

Barclaycard Open Evening
£20-60k including excellent
benefits package

Picture galleries



Photojournalism

The best photography from around the world

Barclaycard
Northampton

[Search more Jobs](#)

Properties

[Rushmore Riverside Luxury Condos in Manhattan](#)

Great Investment, River Views

[The Gardens @ Riverside Quarter Luxury Appts in Wandsworth](#)

Beautiful Gardens w/ stunning Thames Views

[Ariel Condos NYC Condo Close to Central Pk](#)

Dining, Shopping & Riverside Pk

Barclays

Mortgages, bank acc & money transfers to help you buy abroad

[Search for more properties](#)

Holidays

[Classical Jordan guided tour](#)

Explore mystical Jordan
From £1030 for 7nts 4*

June Deals

June Deals from £227 Book Now

[Antigua Beach Club Holidays](#)

Book Now for Winter 08/09 and Get 10% off!

.....
Travel insurance

Great travel insurance deals online

.....
[Search for more holidays](#)

.....
Place your advert now

Search Ad Reference:

Where am I? [Home](#) [News](#) [UK News](#) [Crime News](#)

[Contact us](#) • [Back to top](#)

[News](#)[Comment](#)[Business](#)[Sport](#)[Life & Style](#)[Arts & Entertainment](#)[Wimbledon](#)

[Contact our advertising team](#) for advertising and sponsorship in Times Online, The Times and The Sunday Times. Search [globrix.com](#) to buy or rent UK property.

© Copyright 2008 Times Newspapers Ltd.

This service is provided on Times Newspapers' [standard Terms and Conditions](#). Please read our [Privacy Policy](#). To inquire about a licence to reproduce material from Times Online, The Times or The Sunday Times, click [here](#). This website is published by a member of the News International Group. News International Limited, 1 Virginia St, London E98 1XY, is the holding company for the News International group and is registered in England No 81701. VAT number GB 243 8054 69.

