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## McIlveen judge explains why teen was acquitted

Wednesday, 14 January 2009

The acquittal of a teenager accused of murdering Ballymena schoolboy Michael McIlveen had to be explained to the Antrim Crown Court jury who found him "not guilty by direction".

The jury of eight women and three men were under the impression that the murder charge, and one of affray against the 17-year-old, who cannot be named for legal reasons, had simply been dropped by the prosecution.

Trial judge Mr Justice Treacy explained that charges were not dropped, but the jury, on direction of the court, had found the teenager "not guilty" of murder and affray.

Reading from a note from the jury, Mr Justice Treacy said they were under the impression the teenager would no longer be tried for criminal damage, which he pleaded guilty to, but were seeking clarification concerning the charges of murder and affray.

The judge explained to the jury that on Monday the prosecution said they were not going to rely on certain evidence and therefore were not going to proceed with the charges of murder and affray in respect of the teenager.

Mr Justice Treacy added that in "those circumstances you (the jury) were directed by the court to find him 'not guilty'" on both counts.

The acquitted teenager was identified, along with others, in the police interviews of a co-accused, Christopher Andrew McLeister (18), of being involved in the attack on Michael McIlveen on May 8, 2006.

At hearing.

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