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## Devlin killing: 'Man to face charge'

Saturday, 21 March 2009

A north Belfast man who was due to be sentenced for involvement in the vicious knife attack in which 15-year-old Thomas Devlin was stabbed to death, will be charged with the boy's murder next week, a court has been told.

Prosecution lawyer Kate McKay told Belfast Crown Court that Nigel James Brown (25), whose address is given as c/o HMP Maghaberry, is also to be charged with "associated offences" arising out of the murder on August 10, 2005.

The parents of Thomas, Penny Holloway and Jim Devlin, were in court yesterday to hear of the latest development in the case, but left without speaking to reporters.

Brown was due to be dealt with by Mr Justice Hart for attempting to unlawfully and maliciously cause grievous bodily harm to Jonathon McKee, with intent to cause him grievous bodily harm, to which he had pleaded guilty.

Mr McKee was a friend of 15-year-old Thomas, who was stabbed to death close to his home.

However, Ms McKay applied to have this case adjourned as "it is anticipated that the accused will be charged within the next week" with young Thomas' murder.

Ms McKay said she believed the decision to charge Brown afresh was made "towards the end of last week". But the unexpected announcement by the prosecution brought immediate criticism from both Mr Justice Hart and defence QC Arthur Harvey. Mr Justice Hart asked why the court had "not been told about this", given that earlier applications to adjourn the case were refused. He added the prosecution had "had these matters under consideration for many months", and while he did not want to comment further, he wanted to "underline again that this matter has not been brought forward with the expeditiousness which such a serious matter requires".

Mr Justice Hart said he would adjourn the case for eight weeks, but warned that if Brown "has not been returned for trial before then, the matter will be relisted".

Brown's counsel Mr Harvey said he was only informed of the adjournment application "simply before coming into court" and added later that the prosecution's handling of the case "to date is deplorable".

An angry Mr Harvey also described as "extraordinary and outrageous" that a letter from the Public Prosecution Service, and dated March 12 last, outlining the development, should only be given to his instructing solicitor at the same time.

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