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Man cleared of McCartney murder

Friday, June 27, 2008

A man accused of murdering Belfast man Robert McCartney three years ago has been found not guilty.

Terence Davison, 51, was acquitted of the murder at Belfast Crown Court this morning. He had denied the murder charge during the month-long trial.

Davison was also cleared of causing an affray. 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.

Robert McCartney was stabbed to death outside Magennis' bar in Belfast city centre on January 30, 2005.

The judge said he realised the McCartney family would be frustrated and disappointed at his verdict, but the dead man's memory would be ill-served by the court failing to observe the highest standards of criminal justice and the burden of proof that prevails.

The law, he said, was not a feather for every wind that blows.

Mr Justice John Gillen added: "I have no doubt that the investigation into this crime will continue and if new evidence emerges in connection with this murder no one, including for that matter even the accused in this trial, will be beyond the reach of potential prosecution."

He said a witness known as 'C' was honest and courageous, but, although she had picked Davison from an identity parade as the man she saw making swiping movements, she had not recognised the same man from photographs taken of him in hospital.

The McCartney family have yet to respond to the verdict.

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