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Arrests over soldier killings based solely on intelligence

By Barry McCaffrey and Rebecca Black

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SUSPECTS: Colin Duffy, above, about to leave Antrim police Station yesterday before being rearrested.

The arrest of three leading republicans over the murder of two British soldiers was based only on intelligence, it emerged yesterday.

Declan and Dominic Og McGlinchey and Co Armagh man Colin Duffy were among six people released from custody after Lord Chief Justice Brian Kerr ruled they had been unlawfully detained for more than 10 days.

However, Duffy was quickly rearrested and the murder inquiry team was last night awaiting delivery of forensic results from 100 swabs taken from the men's bodies and clothes.

The trio were first arrested along with a 21-year-old man on March 14 in connection with the murder of Mark Quinsey and Cengiz 'Patrick' Azimkhar outside Massereene army barracks in Antrim a week earlier.

Two other men, including another 21-year-old, were also held under the same anti-terrorism legislation in connection with the murder of police constable Stephen Carroll in Craigavon on March 9.

Yesterday morning Sir Brian ruled that the judge who granted an extension to the detention at the weekend should have examined the original arrests.

However, while the McGlinchey's walked free from Antrim police station, Duffy was dramatically rearrested.

His solicitors were last night preparing to launch another court challenge to secure his freedom.

Hours later a second of the six released following Sir Brian's ruling was also rearrested and charged with withholding information in connection with the murder of Mr Carroll.

Former Sinn Fein councillor Brendan McConville (37) appeared in court yesterday morning charged with the policeman's murder.

It emerged, meanwhile, that police had held the McGlinchey brothers, from Co Derry, and Duffy for 11 days without forensic evidence or admissions to link them to the soldiers' killings.

Detective Inspector Peter Farrar admitted during a private court hearing on March 14 that the evidence used to hold the men was based solely on "intelligence".

Police also confirmed that forensic tests had failed to connect any of the three republicans with the killings.

The court was told that evidence only existed against the 21-year-old suspect arrested over the Antrim attack. Despite this, he was released without charge along with the McGlinchey.

However, all three could face being rearrested after it emerged that their release came less than 24 hours before forensic results from 100 swabs taken from their bodies and clothes were due to be delivered to the murder inquiry team today.

Forensic results from the Vauxhall Cavalier car believed to have been used in the attack are expected to be completed early next week.

Duffy's rearrest has been criticised by his family, Sinn Fein and the SDLP.

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