

**US Elections**  
Full coverage of the US Presidential election

**Ireland**

**World**

**Pumping Up Prices**  
Pricewatch asks why petrol prices fail to fall as quickly as they rise

**Secure**  
and monetary structure, writes Tony Kinsella

Tuesday, October 21, 2008

## Court reserves judgment in Omagh case



Colm Murphy: claimed the delay in bringing the case prejudiced his right to a fair trial

THE SUPREME Court has reserved judgment on an appeal by Colm Murphy aimed at stopping his retrial on a conspiracy charge connected with the Real IRA Omagh bombing in which 29 people died.

At the High Court last year, Mr Justice Iarfhlaith O'Neill refused Mr Murphy's application to prevent his retrial.

Mr Murphy (54), a building contractor and publican who is a native of Co Armagh but with an address at Jordan's Corner, Ravensdale, Co Louth, appealed that decision to the Supreme Court. The DPP is opposing the appeal which concluded yesterday. The five judge Supreme Court, consisting of the Chief Justice, Mr Justice John Murray, presiding and sitting with Mr Justice Hugh Geoghegan, Mr Justice Adrian Hardiman, Mr Justice Nial Fennelly and Mr Justice Joseph Finnegan reserved its decision.

Mr Murphy claims his prosecution should not be allowed proceed on a number of grounds, including that the delay in bringing proceedings has prejudiced his right to a fair and speedy trial.

Michael O'Higgins SC, for Mr Murphy, argued that the High Court erred in holding the delays did not breach his client's rights.

Feichin McDonagh SC, for the DPP, denied any breach of Mr Murphy's right to a fair trial and said the trial should proceed.

Mr Murphy was freed on bail in 2005 after the Court of Criminal Appeal quashed his conviction and 14-year sentence for a conspiracy offence connected with the Real IRA bombing of Omagh in 1998. Twenty-nine people, including a pregnant woman with twins died as a result of the atrocity.

The appeal court overturned the conviction and ordered a retrial after finding the Special Criminal Court had failed to give proper regard to altered Garda interview notes. It found there was "an invasion of the presumption of innocence" in the judgment.

ADVERTISEMENT

IRISHTIMES.com

Take our brief survey to help us learn more about you and your use of this site.

**CLICK HERE**

Be in with a chance to win a 32" Flat Screen TV



Latest »

• 14:04

David Pipe's Celestial Gold retired

During his 25-day trial in 2001 and 2002, Mr Murphy had pleaded not guilty to conspiring in Dundalk with another person not before the court to cause an explosion in 1998.

© 2008 The Irish Times



This article appears in the print edition of the Irish Times

- 13:50 Cocaine usage continues to rise, report finds
- 13:45 Euro drops to 19-month low against dollar
- 13:43 Unholy row as minister booed at Age Action meeting
- 13:39 McCain adviser casts doubt on budget pledge
- 13:27 IMO welcomes medical card move
- 13:25 Global stock markets climb for a third day
- 13:21 Gilmore says climbdown 'humiliating' for Govt

## Popular Stories

### Most Read

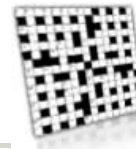
- 1 Man who was sexually harassed awarded EUR 49,700
- 2 Obama warns race is set to tighten
- 3 Taoiseach to stress party discipline as medical card vote looms
- 4 Sri Lankan army claims capture of more Tamil rebel territory
- 5 'Affordable housing' now more expensive than market

## Your Vote »

Do you think the Taoiseach should cancel his trip to China to sort out the medical card controversy?

« Yes | No »  
Results

## Crossword Club »



Today's Interactive Irish Times Crosaire and Simplex crosswords, plus 10 years of crossword archive.

ADVERTISEMENT

## Sudoku »



ADVERTISEMENT

CLASSIFIED

### Homes



59 Sutton Park, Sutton Price: €645,000

Bedrooms: 4 See More »

Select your categories

Next »



Superb space for all the family and not an ugly people carrier in sight

Find »



I am a

Looking for a

Located

Only with photos:

Next »

© 2008 irishtimes.com