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## Fatal McCartney pub fight 'was just a bit of nonsense'

powered

Defendant in murder trial says dispute in bar that led to death was settled with a handshake, writes Alan Murray



Unison

By Alan Murray

Sunday June 15 2008

WHEN he was first questioned by police about the killing of [Robert McCartney](#), [Terry Davison](#) said that he wanted to place on the record that he had absolutely nothing to do with the murder or with

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the attempted murder of [Brendan Devine](#).

At the first police interview Mr Davison attended with his solicitor [Kevin Winters](#) on February 1, 2005, two days after the fatal stabbing, he declined to answer questions about his movements on the previous Sunday evening when he became involved in a row with the 33-year-old father of two.

The only thing he told detectives in subsequent interviews on that day was that he hadn't consumed alcohol for eight years and took medication for angina, which had been recently diagnosed.

It was to be four months before PSNI detectives began to elicit from Mr Davison his account of what happened in Magennis's Bar.

In interviews which began at 2pm on June 1, 2005, [Detective Constable Angus McComb](#) began to tease from the accused his role in the altercation with Robert McCartney.

At the outset Mr Davison again denied any involvement in the murder or the attempted murder of Mr McCartney's friend Brendan Devine.

He declined to answer questions until he was advised that witness statements placed him in the bar and that he was likely to be put in an identity parade. He then confirmed that he was aged 48, weighed about 14.5 stone, was about 5ft 10in in height and was divorced. He confirmed that his partner [Katrina Murdoch](#) was in Magennis's Bar on January 30.

Told that a witness would say that he was the man who stood over Robert McCartney gouging his face in Market Street, Mr Davison replied: "That is complete and utter nonsense." He denied being in the street that night.

He confirmed that he was the uncle of Gerard 'Jock' Davison who was a well-known republican, but continued to refuse to confirm that he had been in Magennis's Bar on the day of the Bloody Sunday Rally.

But during a fourth interview Mr Davison said he wished to place on record that he had never denied being in Magennis's Bar on the night Robert McCartney was killed and then said he had been there from around maybe 10pm and had been drinking only lemonade.

He admitted that he spoke to Robert McCartney although he denied having a heated argument with him.

He claimed he ended up in an "amicable discussion" with the deceased and he even shook hands with Robert McCartney.

He denied being involved in any fight, but admitted that there had been an altercation between his nephew 'Jock' and Brendan Devine.

In an interview on June 2, Terry Davison admitted that, in the bar, his partner Katrina Murdoch asked him if he knew Robert McCartney because she said he was "making sexual gestures and was just being a general nuisance".

He went to [Bobby Fitzsimmons](#), who knew Mr McCartney, and he introduced them. Robert McCartney denied making offensive gestures to [Mr Davison's](#) partner and Brendan Devine told him the gestures were being made to him (Mr Devine), Mr Davison told the detective.

Mr Davison claimed that he shook hands with Robert McCartney and went to his partner Katrina and said "it was a wee bit of nonsense and that was it".

He then spoke to his nephew 'Jock' at the bar who went over to Robert McCartney's table and was leaning over talking to him when a commotion erupted and Brendan Devine threw a punch at 'Jock'. Bottles were smashed and there was a general melee that lasted for 20 to 30 seconds with 'Jock' and Mr Devine fighting.

"He (Mr Devine) was shouting Provie bastards, scumbags, all that," Mr Davison said. "I didn't really get into

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
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the action," he added.

[Ed Gowdy](#), Mr McCartney's companion, came up to him and asked him (Terry Davison) if he wanted them to leave the bar.

"I said 'no, you are here to have a drink. We will get this sorted out and we can all have a drink'."

Outside the bar he heard Robert McCartney say "some oul' lad started the whole lot of that". Mr Davison said: "I tapped him on the shoulder and said 'mate, it was me'. I said there had been a mistake. I didn't start anything."

During his sixth police interview Mr Davison said: "People had been hurt on both sides. There were no winners and I was just hoping they would leave the scene and we could have gone straight to the hospital and everyone wakes up the following morning."

Mr Davison told detectives that he had been standing outside Magennis's Bar for about 20 minutes after the initial fight inside, just waiting around and trying to arrange a lift to the [Royal Victoria Hospital](#) for his injured nephew and trying to ensure no further fighting occurred.

Asked if he had pursued Robert McCartney, Mr Devine and Ed Gowdy along Market Street during that period, Mr Davison said: "I most certainly did not assault anyone in Market Street."

A fawn-coloured jacket was seized in a search of the home he shared with his partner and two daughters in the Markets area of [Belfast](#), but he told detectives that the jacket he had been wearing in Magennis's Bar on the night of the murder had earlier been thrown in the bin because it was 18 months old and was frayed at the collar and the cuffs.

Asked if he had been annoyed by Robert McCartney's behaviour in the bar he said: "I wasn't annoyed to any great extent."

Terence Davison, 51, is charged with murdering Robert McCartney and with causing an affray.

[James McCormick](#), 47, is charged with affray.

[Joseph Fitzpatrick](#), 39, is charged with affray and is also charged with assaulting Ed Gowdy.

- Alan Murray