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## McCartney: 'No one deserves this'

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Defendants sit expressionless through CCTV evidence as court hears of the final moments of Robert McCartney's vain fight for life, writes Alan Murray



Sunday May 25 2008

THE prone figure lying awkwardly on the pavement was the nearly lifeless body of [Robert McCartney](#). It was an image his sisters and partner had never seen, and fortunately their absence from Crown Court 12 last Thursday morning spared them the distressing image of the 33-year-old [Belfast](#) man's vain fight for life.

The city centre CCTV footage briefly captured some of the last minutes of Robert McCartney's life from 10.50pm on the night of

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January 30, 2005, after he had been fatally stabbed following a row in a Belfast city centre bar.

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Behind him in the grainy footage, his companion on that evening, [Brendan Devine](#), can be seen clutching his abdomen where he had been stabbed by the same gang following the incident at Magennis's pub.

In the dock, [Terence Davison](#), [James McCormick](#) and [Joseph Fitzpatrick](#) who deny all charges sat expressionless, arms folded staring at the CCTV images of Robert McCartney dying.

Davison, a 51-year-old from a well-known Belfast republican family, sat seats apart from co-defendants McCormick and Fitzpatrick in the glass and wood enclosed dock -- perhaps to emphasise that he is the defendant charged with murder while those in the dock with him face charges of affray. Fitzpatrick is also charged with assaulting one of the deceased's friends [Edward Gowdy](#).

Davison, the prosecution alleges, was the man who witness C, a woman motorist, says she saw deliver a fatal stab wound to Mr McCartney in Cromac Street.

The silent footage shown to the court could have come from any street in these islands on a Friday or a Saturday night after a violent ruck when the pubs emptied.

What has made this case stand out from the rest is the huge international interest shown in it, the embarrassment it has caused [Sinn Fein](#) and the difficulties it created for the halted [Northern Ireland](#) peace process for the two years after Robert McCartney's murder.

Last week was the first time the criminal legal case against Davison, McCormick and Fitzpatrick had been publicly outlined.

Other CCTV footage shown in Court 12 on Thursday depicted Davison's nephew Gerard 'Jock' Davison inside the [Royal Victoria Hospital](#) after the stabbing, with his right hand wrapped in a makeshift cloth bandage.

That footage is timed at 23.04pm, half an hour before Robert McCartney and his companion were ferried to the hospital. [Gerard Davison](#), a convicted [IRA](#) member, is not charged in connection with the McCartney murder but the footage of his presence at the RVH accompanied by his uncle Terry and veiled legal references suggest that he may feature more prominently in the proceedings at a later stage in the trial.

Robert McCartney's last words to his companion Brendan Devine were "no one deserves this", Crown Counsel Gordon Kerr QC told the court.

By the time two plainclothes detectives arrived at the scene where he lay critically injured close to the BT carpark near Hamilton Street, the father of two was unconscious.

Detective Constable Clarke recalled that [Mr McCartney](#) had suffered a two- to three-inch wound on the lower side of his abdomen which seemed clean and was not gushing blood. He applied a towel to the wound and placed him in the recovery position. He recalled that Robert McCartney regained "some measure of consciousness and mumbled some words. They were inaudible to me," he said. The ambulance arrived five minutes later and he then left the scene to travel to Magennis's bar to try to recover any CCTV footage of events inside the pub earlier that evening.

Constable Clarke informed the court that he spoke to the bar's manager who was called Simon but was informed that the CCTV footage had only commenced at 11.20pm, crucially, after the fracas had stopped.

On day three of the trial, the evidence of other police officers and surgeons at the RVH was read.

Reserve Constable Michael McMurray's statement outlined how he attended the dying man who he noted had blood on his hands, head and clothing.

He concluded that Robert McCartney was in a very serious condition but discovered that there were no field dressings in his police vehicle to apply to his wound.

He used one he carried on his person for such emergency situations and then put his fingers in the

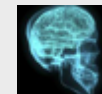
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wounded man's mouth to clear his airways. There was, he recorded, "a lot of blood coming from his mouth".

[Mr Justice John Gillen](#) had invited family members to depart the public gallery before the medical evidence was presented to spare them distress but McCartney's sister Paula and his partner Bridgeen remained throughout the sitting.



Evidence from [Consultant Surgeons Terence Irwin](#) and Dennis William Harkin at the Royal Victoria Hospital recorded that bleeding was heavy in Robert McCartney's abdominal area.

His heart was empty of blood but his abdomen was full of blood from a major haemorrhage.

At 7.15 on the morning of January 31 in an intensive care ward, Robert McCartney suffered a cardiac arrest and was pronounced dead 57 minutes later.

When the court adjourned until Tuesday, defendant Davison and his short blond-haired female partner, to whom Robert McCartney is alleged to have directed an insult on the night of his murder, squeezed past Robert's partner [Bridgeen Hagans](#) outside the courtroom, while the only other accused present [Jim McCormick](#) slipped past Paula McCartney on the other side. Neither man spoke to the other.

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