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Duffy's new bid for bail rejected

By Brendan Anderson

THE CREDIBILITY of a "crucial" Crown witness in a double murder case came under heavy attack during a high court bail hearing in Belfast yesterday.

Lurgan man Colin Duffy, who denies murdering two RUC officers in the town last month, was refused bail for the second time in three weeks.

The decision was greeted with dismay by a Committee for the Administration of Justice spokesman who claimed police had ignored evidence contained in at least 12 statements made by alibi witnesses for Mr Duffy.

Mr Duffy, (29), of Drumnarnoe Gardens, is accused of killing Constable Roland Graham and Reserve Constable David Johnson at Church Walk on June 16. The father of one has already spent three and a half years in prison before being released nine months ago when the appeal court overturned his life sentence for the murder of John Lyness in June 1993.

According to a Crown lawyer: "crucial evidence against Mr Duffy" is contained in a statement made by a Lurgan woman, who is known only as Witness D and who has been taken into custody for her own protection. The accused, he said, was believed by the RUC to be "a senior member of the IRA".

Lord Justice Higgins heard the applicant's barrister, Arthur Harvey, claim that Witness D was an unreliable woman of "limited and low intellectual capacity." The witness's child, he said, had been taken into care by the social services "because of neglect and it's mother's drinking habit".

"She told police her father had abducted the child when in fact it had been taken by the social services because it was in need of care and attention," Mr Harvey said.

He said a member of Witness D's family was in court and, if called, would testify to her unreliability. Several defence witnesses would testify to seeing Mr Duffy near his home at the

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time of the killings.

Refusing bail, Lord Justice Higgins said there was not a "sufficiently substantial change in circumstances" since Colin Duffy's last bail application and he was not satisfied the accused would turn up for trial.

Speaking after the hearing, CAJ spokesman Paul Mageean said: "We would be concerned that Mr Duffy has been refused bail again.

"In the light of the submissions we have heard from his own barrister and in the light of what appears to be the unreliability of this witness, we are also concerned that the police investigation seems to be inadequate up to now and they don't seem to be interested in pursuing some of the lines put forward by Mr Duffy's solicitor."

Colin Duffy's solicitor, Rosemary Nelson, said she was disappointed that her client's application had been turned down for the second time.

"I trust that this matter will be dealt with expeditiously. The police have at least a dozen alibi statements given voluntarily on Mr Duffy's behalf, including one that was taken in Scotland from a witness on holiday. It has come to our attention that police video recordings from the police station will confirm events as underlined by the witnesses who have attested that witness D could not have been there," Mrs Nelson said.

Meanwhile, *the Irish News* has learned that Secretary of State Mo Mowlam, who has been lobbied by human rights groups about the Colin Duffy case, has asked to be kept informed of developments in the case.