

Double murder charge dropped

By Brendan Anderson

A LEGAL storm is set to break following the collapse of two murder cases against Lurgan man Colin Duffy within 13 months.

Lawyers for Mr Duffy said they have been instructed to take legal action following his imprisonment for periods of three-and-a-half years and four months on separate murder charges subsequently dropped or overturned.

Crown lawyers indicated yesterday that Mr Duffy (29) from Drumnamoe Gardens will walk free from Lisburn courthouse this morning when charges of murdering two RUC officers are dropped.

Mr Duffy was arrested a week after Constable Roland John Graham and Reserve Constable David Johnson were gunned down at Church Walk, Lurgan, on June 16 this year.

The case against the father of one - his wife is expecting their second child within a week - was centred on a woman referred to as Witness D. It is believed the decision to drop the charges was taken after crown lawyers interviewed the woman described by her own family as unreliable.

In September last year, Mr Duffy was released from prison after serving three-and-a-half years of a life sentence. His conviction for the June 1993 murder of John Lyness was overturned in the appeal court after the discovery that the main eye-witness in his trial was a member of the UVF subsequently convicted for gun-running.

Colin Duffy's solicitor, Rosemary Nelson, said last night she was still furious that, despite statements from 12 people, it took four

Lawyer's fury at RUC over Duffy arrest

● How the Irish News reported Colin Duffy's arrest in June

months to establish that Witness D would not make a credible trial witness.

"In any democracy, the right to liberty is sacrosanct. Mr Duffy feels frustrated and angry that on two occasions this right has been denied. From his arrest and during his detention in Gough Barracks, both he and I complained about the manner of the police investigation.

"Various irregularities subsequently came to light and Mr Duffy feels they did not receive the scrutiny they merited. Police behaviour was questionable to say the least. It is clear, however, the situation relating to this prosecution remained unchanged from the date of charging since this remained a one-witness case and the credibility of the witness was unsustainable as was evidenced by numerous statements voluntarily supplied to police.

"Mr Duffy from the outset proclaimed his innocence and this was borne out by the number of alibi witnesses who again voluntarily provided statements to police. These factors were in place from the outset and it is difficult to see how anyone can

justify depriving this man of his liberty for almost four months.

"A bail application had been scheduled for tomorrow morning and we were confident at all times that the evidence of particular witness could not have been upheld. I must also point out that during the course of the investigation two solicitors from this firm had to complain about their treatment at the hands of police.

"I have very firm instructions to seek compensation in the civil courts and a case is currently pending in Europe. This matter has caused the gravest concern in legal circles, amongst international civil rights bodies and public representatives," she said.

Colin Duffy's pregnant wife Susan said she had been hoping that her husband's third bail application, scheduled for this morning, would be successful.

"I was in a shop up the town when I heard the news on the radio that charges were going to be dropped. Honest to God, I was really delighted, I could not believe it. I found out later Collie was ringing all

around the place for me. He was cracking up."

Mrs Duffy said she did not think she would be able to attend today's hearing in Lisburn courthouse.

"Hopefully this will be the last time we will have to campaign. I think we have come through enough. We should not have had to come through it in the first place. Because Collie is a republican does not mean he can be arrested for everything that

happens in Lurgan.

"Thankfully he will be here for the baby being born which is the important thing - unless I go tonight. He has had to miss the last three months."

Mrs Duffy said she and her eight-year-old daughter Catrina would wait at their Killywilde estate home for her husband to arrive today. She said she had recovered from an earlier ordeal this week when she was targeted by

hoaxers who sent a fake bomb to her house.

"I have got over it all right. I just said to myself, sure the people who sent it need the attention more than me," she said.

Mrs Cera Duffy said she "could not believe" her son was eventually being freed.

"I got a phone call to say that somebody had been listening to the radio and that the charges against Collie were being dropped. I did not

know anything about it. I rang Susan but she was not there.

"Then Collie himself rang me from the States. He just said, 'Hi Collie' and I said, 'Don't tell me you're not here, and he said he was on his way home tomorrow. The charges are all being dropped. I just hope Collie and Susan get a bit of peace now and settle down to family life when this wee child is born. He said

● Innocent man P2 editorial

Solicitor speaks of rury. Case brought to Europe. Pregnant wife delighted. Duffy set to walk free.