



News Release

25 September 2013

PPS NO LONGER SEEKS THE REVIEW OF ASSISTING OFFENDER'S SENTENCE

The Public Prosecution Service (PPS) today confirmed that it is no longer in a position to ask the court to review the sentence it imposed on Neil Hyde for his involvement in the murder of Martin O'Hagan and other offences.

Based on the initial evidence the specified prosecutor in this case had concluded that the assisting offender had knowingly breached his agreement under section 73 of the Serious Organised Crime and Police Act 2005, and that it was in the interest of justice that the case should be referred back to the original sentencing court.

However, following further examination of the evidence previously made available by police, extensive police enquiries and PPS consultation with the relevant witness, it is considered that the evidence which is now available is not sufficient to establish a breach of the agreement by Neil Hyde to the requisite standard. Accordingly there is no longer a basis to refer the matter to the court.

The court has therefore been informed that the PPS no longer seeks the review of the sentence.

The Director now intends to exercise his power under section 55 (4A) of the Police (Northern Ireland) Act 1998 to refer the matter to the Police Ombudsman for investigation.

Notes to Editors

In the course of the police investigation into the murder of Martin O'Hagan on 28 September 2001 a suspect, Neil Hyde, indicated that he was willing to enter an agreement under s 73 of the Serious Organised Crime and Police Act 2005 to assist the authorities.

As part of that process Neil Hyde was interviewed by police at length about the full extent of his involvement in the murder and his involvement in the commission of offences on other occasions.

Applying the test for prosecution the PPS has prosecuted Neil Hyde for a range of offences including an offence of conspiring to carry a firearm with intent to wound committed in connection with the murder of Martin O'Hagan.

On 3 February 2012 the sentencing court determined the starting point of 18 years imprisonment. It then applied a 75% discount for his assistance under SOCPA. The sentence was further reduced for his guilty pleas resulting in a sentence of three years.

In accordance with section 74 of the Serious Organised Crime and Police Act 2005, and on the basis of the then available evidence, the PPS sought review of the sentencing of Neil Hyde on the basis that he had acted in breach of his agreement to provide assistance to the authorities.

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