



News Release

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PPS STATEMENT: R v JOHNSTON & JOHNSTON

A decision has been taken to discontinue the prosecution of David and Sarah Johnston in respect of the tragic death of Rebecca McKeown on 24 March 2001.

“The Public Prosecution Service wishes to acknowledge the challenges which this trial has provided for Mrs McKeown and her family and the absolute courage and dignity they have demonstrated throughout the course of the investigation and trial.

“The decision to discontinue the prosecution has been taken as a result of the evidence given by a witness and medical experts at trial. On the morning that the witness was due to give evidence at Belfast Crown Court she provided an additional account of her examination of Rebecca which took place on 19 March 2001. This account had not previously been given by the witness to either the police or prosecution over the preceding 11 years. The additional account was immediately disclosed to the defence and the witness subsequently gave this evidence in court.

“In addition the prosecution has had to take account of Professor Crane’s concession given in evidence that the blood loss might not have caused the pneumonia from which Rebecca died. This has now been confirmed by Dr Elaine Hicks the consultant paediatric neurologist who had overall responsibility for Rebecca’s treatment and care.

“These issues have created a level of doubt in respect of the prosecution case which could not be excluded by the other medical experts due to be called on behalf of the prosecution.

“The prosecution must satisfy the court of guilt beyond a reasonable doubt. Given the doubt created by the further account given by the witness and the evidence of Professor Crane the prosecution has decided, having regard to the current state of the evidence and to expert medical opinion, that there is no longer a reasonable prospect of conviction. Consequently the prosecution cannot be continued.

“The PPS is satisfied that this case was properly brought. The above developments in this trial could not have been foreseen.”

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