



## News Release

25 January 2013

### **DECISION NOT TO PROSECUTE IN MARTIN O'HAGAN MURDER CASE: PPS**

The Director of Public Prosecutions, Barra McGrory QC today confirmed that after very careful consideration of all the available evidence, including that of an assisting offender, Neil Hyde, a decision has been taken not to prosecute in the Martin O'Hagan murder case.

**"I know this decision will be disappointing to Mr O'Hagan's widow, family, friends and colleagues but the evidence that can be given by an assisting offender must be carefully evaluated and the test for prosecution applied on a case by case basis. Every case is different and the question whether the test for prosecution is met can only be determined on the merits of each individual case",** explained Mr McGrory.

**"The approach in this case has been assisted by the detailed consideration given by Mr Justice Gillen in his judgment in the case of *R v Haddock and others* to the dangers of convicting on the uncorroborated evidence of an accomplice.**

**"The prosecution of any of the accused in this case would depend on the evidence of Neil Hyde. Having regard to all the circumstances it has been concluded that, in the absence of any corroboration, the available evidence is insufficient to provide a reasonable prospect of obtaining a conviction against any individual".**

## **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 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 knowledge of the murder and his own involvement in the commission of offences on this and 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.

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