

Bailey 'suffered because of gardai's DNA lapses'

IAN Bailey suffered because gardai recovered virtually no DNA evidence from the scene of Sophie Toscan du Plantier's murder, a court has heard.

The 60-year-old's lawyers also branded France's new attempts to extradite him to Paris to stand trial 'an outrageous insult to the Irish State'.

They told three appeal judges that the French authorities should go straight to the DPP 'if they have enough evidence' against Mr Bailey.

The former journalist is appealing against a March 2015 High Court ruling that it would have been a dereliction of duty for gardai not to have twice arrested him over the French

By Paul Caffrey

filmmaker's 1996 killing. Mr Bailey was never charged and the crime remains unsolved.

Yesterday, the Court of Appeal heard that Mr Bailey 'as an experienced court reporter should have known there would be DNA evidence at the scene'. Mr Bailey's lead counsel, Martin Giblin SC, added: 'The scene was left a long time and I understand that very little DNA evidence was left at the scene, which was very damaging to Mr Bailey. He suffered by reason of that shortcoming in the police investigation.'

Last month, Mr Bailey was formally indicted by a French

judge for the 'voluntary murder' of Ms du Plantier.

He will face arrest tomorrow morning, when a High Court judge in Dublin is expected to endorse a European Arrest Warrant from France. He is expected to get bail. It will then take at least a year before the High Court decides if he should be extradited.

In March 2015, Mr Bailey lost his wrongful arrest civil action against gardai, leaving him facing a €5million legal bill. The appeal continues.

Mr Bailey - who has always denied involvement in the murder in west Cork - attended yesterday's appeal hearing with his partner Jules Thomas.

Dr Mark Dooley



MORAL MATTERS

The blooming flower teaches us how to live life to the full

THE Dooleys don't like change. It is not that we seek to cryogenically preserve the present, but simply that we don't appreciate life robbing us of our certainties. For those little certainties give us a sense that we have more than temporary status on this Earth.

I don't think anyone in their right mind would want to live forever. However, none of us can easily comprehend our extinction - the fact that, one day, the flame will be quenched and we shall be no more. And yet, death is the ever-looming horizon toward which we inevitably move.

That is why we dislike change. It is a painful reminder that nothing lasts perpetually, and that all things are on the path to extinction. Life and death: two sides of the same coin.

Our eldest is about to make his Confirmation - the last sacrament before he departs for secondary school. When I started writing for this newspaper, he was only aged one. Now he is 12 and about to make his first great transition since leaving the womb.

'I don't want to grow up,' he says ruefully. 'I am happy being a child.' With growth comes age, and with age comes decline. If only we could put a pause on time, steady its rapid rush towards the end. If only.

Like all those who resist change, our son is a natural worrier. Instead of living in the moment, he frets about the fact that it will soon be over. This does not mean that he fails to enjoy life, but that he sees it tinged with decay.

Without certainty, few of us could cope with a life that keeps us guessing. And so we construct our little routines and habits which convey a sense of endurance. Regularity and routine assure us that, for now at least, we are secure.

As always, nature comes to our rescue. The Roman emperor Marcus Aurelius wrote his Meditations simply by observing nature. Through the workings of our world, he discovered all the secrets there is to know about life.

We know the flower will soon fade. No matter how beautiful a creation, it has a limited life. But while it is alive, while it blooms for our

pleasure, the flower fills the whole world with delight.

We give flowers as symbols of our love, of our thanks and out of respect for the dead. We do so because nothing can match their beauty, their power or their sacred scent. A single bloom is often worth a million words.

We give them despite knowing that they are dying things. That, however, does not prevent us from loving them while they last. It does not stop us from marvelling at their beauty even when they are on the verge of oblivion.

The flower is a source of wonder, joy and life simply because, for the duration of its existence, it lights up the galaxy. It is a temporary thing, and yet what place is not transformed by its presence? A fresh flower seems to carry the sun inside itself.

Constantly changing, yet ever the same, a flower teaches us how to live life to the full. But it also teaches us why fighting change is a waste of precious energy. Change happens, things decay, but they are no less wonderful for all that.

The true secret is to learn how to embrace and integrate change into the well-worn certainties of life. Every day, the flower changes while remaining the same. The changes are integral to its beauty and charm.

OUR son is changing. The childhood to which he so desperately clings is inevitably fading. And yet, in all his mannerisms, habits and little ways, I still see clearly the tiny smiling infant. I see the little boy on his first day in school, making his First Communion, singing, acting and shining his light across my life. I see it all so clearly as I can still see the bud at the centre of the bloom. I see a person coming to fruition in a way I could never have imagined 12 years ago.

No, the Dooleys don't like change. What I have learned, however, is that, without it, the bud remains just that: a bud. We bloom because we change, and we change because beauty requires growth.

That is why, as we reach yet another milestone in our family history, I shall not look back in sadness, but see past and present fused in a bright and beautiful future.

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