

Coma dad's family hit out at 'lenient' jail term

THE family of a young Tallaght dad who was left in a coma after he was shot in the face have hit out after the man who admitted stealing the getaway car used in the attack was jailed for just 20 months.

Robert Delany (23) was shot twice in Russell Rise, Tallaght, on October 22, 2008. He is still in a vegetative condition in hospital.

Speaking outside court after Robert Gaynor (22) was jailed this week, Terry Delany said: "In the circumstances I think the sentence was remarkably lenient.

"I appreciate the barristers are restricted in what they can say and the DPP is restricted in what they can do. Nevertheless, it is very frustrating from our point of view."

Mr Delany also paid tribute to the work of the Gardai in attempting to bring to justice those who attacked his son – who is in a permanent vegetative state and will never recover.

Gaynor admitted stealing the car used in the shooting – a white Honda Integra discovered on the

By Sonya McLean

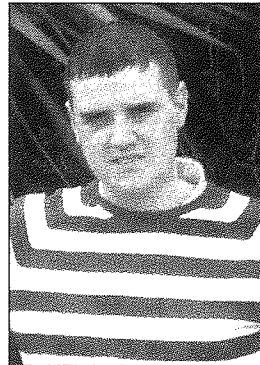
morning of the shooting abandoned in the driveway of a house in Montpelier View, Tallaght. The driver's window was smashed and the ignition was damaged.

Gaynor was linked to the car through forensic analysis of items, including a shotgun cartridge and the broken ignition, that had been left behind in the vehicle.

Gaynor, of Berryfield Drive, Finglas pleaded guilty at Dublin Circuit Criminal Court to unlawfully taking possession of a vehicle from Francis McCann Car Sales, Naas Road, Dublin on October 21, 2008. He has 23 previous convictions for road traffic and public order offences.

Judge Martin Nolan jailed Gaynor for 20 months after commenting that the car was taken for the purpose of the shooting, not joyriding.

"I am happy to accept that he did not know it was going to be used in a shooting, but knew it was going to be used in illegal



SHOT: Robert Delany

activity," the judge said.

Detective Garda Michael McGrath told Ronan Kennedy BL, prosecuting, that "the charge before the court is what the Director of Public Prosecutions had directed out of the entire incident". The maximum sentence available to the court was five years.

Gaynor was first arrested in March 2010 in relation to the shooting in Russell Rise but was released without charge after questioning.

Detective Garda McGrath said he was re-arrested on October 19, 2010 when DNA samples taken from the Integra's ignition "were consistent"

with Gaynor's DNA profile.

Gaynor admitted taking the car and said he had been told to do so. He told gardai it was his understanding that the vehicle would be used in an incident were "someone was to be given a fright".

Gaynor said he was dropped off at the car dealership by someone else driving a Toyota Avensis but that he was alone when he took the car. Detective Garda McGrath said Gaynor was very upset over the "whole event".

He agreed with Luigi Rea BL, defending, that Gaynor's father had died in "violent circumstances" in 1992 and his brother Daniel, died shortly after the car theft.

Detective Garda McGrath accepted Gaynor had shown "genuine remorse" during interview.

Mr Rea told the judge that his client has not come to garda attention since 2008 for anything "more sinister than road traffic offences".

He said he is in a stable relationship and his mother was in court to support him.

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