



THE SUPREME COURT

Appeal No: 222/2013 &

24/2013

**Denham C.J.
Hardiman J.
O'Donnell J.
Clarke J.
Charleton J.**

Between/

Mark Nash

Applicant/Appellant

and

The Director of Public Prosecutions

Respondent

Judgment of Mr Justice O'Donnell delivered on the 29th day of January 2015

1 I agree with my colleagues that this appeal should be dismissed. Furthermore, I agree with much of what is said in the judgments of Hardiman, Clarke and Charleton JJ some of which address matters of more general application. However, I am not in a position to express concluded agreement with everything said in any one of the judgments, nor am I convinced that it would be useful or desirable to offer a fourth view as to more general matters which, it follows, need not be determined in order to resolve this case. I would accordingly reserve my consideration of those issues for a case in which any difference of emphasis between the respective judgments might lead in the particular case to a different result.