

State drops charges of sexual assault against Cork doctor

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<https://www.independent.ie/irish-news/news/state-drops-charges-of-sexual-assault-against-cork-doctor-37857455.html>

The State has dropped charges of sexual assault against a Cork doctor after a jury failed to reach a verdict in a trial earlier this month.

Kevin Mulcahy (61) of Creggane, Lombardstown, Mallow, Co Cork had pleaded not guilty at Dublin Circuit Criminal Court to sexual assaulting a woman in his surgery in Mallow, Co Cork on a date in February 1995.

He also denied a second count of sexual assault at the same location on a date between May 8, 1996 and December 31, 1996. This was the second time a jury had been sworn in on the case.

Today Maddie Grant BL, prosecuting told Judge Melanie Greally that the State was not going to proceed with a third trial and asked that a nolle prosequi be entered against both counts.

Judge Greally acceded to the request and discharged Mr Mulcahy from the indictment.

Jury fails to reach verdict in trial of doctor accused of sexually assaulting teen girl

February 12 2019

<https://www.independent.ie/irish-news/courts/jury-fails-to-reach-verdict-in-trial-of-doctor-accused-of-sexually-assaulting-teen-girl-37809626.html>

A jury has failed to reach a verdict in the trial of a doctor accused of sexually assaulting a teenage patient over 20 years ago.

Kevin Mulcahy (61) of Creggane, Lombardstown, Mallow, Co Cork had pleaded not guilty at Dublin Circuit Criminal Court to sexual assaulting a woman in his surgery in Mallow, Co Cork on a date in February 1995.

He also denied a second count of sexual assault at the same location on a date between May 8, 1996 and December 31, 1996.

The jury had heard that in early 1995 the complainant's brother took her to Dr Mulcahy and that he allegedly touched her breasts and "it didn't feel right".

The woman alleged that in the summer of 1996 she went back to Dr Mulcahy and he exposed himself.

The jury failed to reach a verdict after deliberating for over five hours. Judge Pauline Codd thanked the jurors for their care and attention during the trial. She adjourned the case for mention on February 26, next.

During the trial Maddie Grant BL, prosecuting, told the jurors that the State's case was that the woman was an honest and truthful witness who had never resiled from her allegations since first making them in 2005 to doctors treating her for a psychiatric condition.

She said the woman was very forthcoming about her bipolar disorder and her efforts to manage it. Ms Grant told the jurors they heard expert evidence that the complainant's illness did not contribute to her allegations.

In his closing speech Blaise O'Carroll SC, defending, said there was no evidence to corroborate the allegations. He said after attending Dr Mulcahy the woman made no disclosure to her older brother.

He said within a year she began seeing another GP, a woman, but never told this woman about her allegations. He said it was bizarre that the woman subsequently went back to Dr Mulcahy for treatment when he allegedly sexually assaulted her a second time.

He said that this evidence "doesn't have the ring of truth". In a statement to gardaí Dr Mulcahy said he didn't recall carrying out any physical examination of the complainant.

Mr O'Carroll said that the allegations emerged out of a state of acute psychotic disorder where the complainant at one point believed she was pregnant by immaculate conception with the baby Jesus.

"That would be a red flag that would make somebody extraordinarily cautious," he said.