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By Lesley-Anne Henry and Alan Erwin  
Friday, 3 October 2008

A tape of secretly recorded conversations with Real IRA leader Michael McKevitt may be heard in public for the first time, it emerged yesterday.

A multi million pound civil action being taken by relatives of six Omagh bomb victims took a dramatic turn yesterday after the tape of five alleged telephone conversations between the convicted terror boss and two MI5 agents, was presented to the High Court in Belfast.

Retired Scotland Yard detective, John Pearce told the court he believed the tape could connect McKevitt, one of five people being sued over the 1998 explosion, to the Real IRA.

It was compiled to be played at the 2002 trial of three Real IRA members accused of bombing Woolwich Crown Court but when Finton O'Farrell, Declan Rafferty and Michael McDonald pleaded guilty to conspiracy to cause an explosion in the UK and Republic of Ireland, the

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tape was never heard.

What are these?

Mr Pearce, a detective Chief Superintendent with the Metropolitan Police, confirmed that in February 2002 he played the recordings to FBI spy David Rupert, the American businessman who infiltrated the Real IRA.

He said Rupert identified the voice as belonging to McKevitt.

Mr Pearce told the court he had sought advice from the security services' lawyers before bringing a copy of the tape to Belfast.

He said he believed it showed McKevitt as a "co-conspirator and leader of the Real IRA".

Much of yesterday was dominated by legal argument over the admissibility of the tape to the civil case. Lord Brennan QC, a barrister for the families, claimed the tapes were taken from conversations security service agents had between January-April 2001 with a man named Karl, who would be identified by voice recognition as the alleged terrorist mastermind.

But Michael O'Higgins QC, for McKevitt — who is being sued along with Liam Campbell, Seamus McKenna, Colm Murphy and Seamus Daly — claimed disclosure of the recordings was unfair and argued Scotland Yard had no right to hand over what was the property of MI5. And he raised further concerns over the origins of the material which he suggested used interception techniques.

"This is information obtained covertly by the British intelligence services and in respect of which there's a bar disclosing it to third parties, save in criminal prosecutions," he said.

A ruling on whether to allow the tape to be played will be made later this month. The case was adjourned until October 15.

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