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Missing IRA files branded 'totally unsatisfactory'

Saturday, 7 February 2009

Police have so far failed to locate records on debriefing sessions with a convicted IRA murderer due to testify at the Omagh bomb civil action.

A lawyer for the PSNI confirmed yesterday that files on Sean O'Callaghan, which are being sought by jailed dissident republican leader Michael McKevitt, have still to be tracked down.

With McKevitt's legal team also demanding access to notes kept by any Garda officers who handled O'Callaghan after he turned informer, his planned evidence at the High Court on behalf of the victim's relatives could be in doubt.

O'Callaghan is to be called to answer questions about claims he made in a statement to the multi-million pound compensation case brought by relatives of some of the 29 people killed in the August 1998 Real IRA atrocity.

He has made a series of allegations about McKevitt, one of five men being sued over the bombing, which the convicted terror chief's lawyers will attempt to demolish.

O'Callaghan, who was sentenced to two life terms for the murders of a soldier and police officer, but later released from jail under a Royal Prerogative, was due to go into the witness box last month.

Those plans were put back after McKevitt responded to the decision to call him as a witness by requesting police notes from debriefings at Tunbridge Wells police station in England and then Gough Barracks, Armagh, in 1988 which the agent refers to in his autobiography, *The Informer*.

In court today Kevin Rooney, for the police service, said: "My instructions are that the PSNI have not been able to produce any of these documents.

"We have drawn a blank so far." Although Mr Rooney described it as a "totally unsatisfactory" situation, he stressed some headway could yet be made in tracking them down.

McKevitt is being sued along with Liam Campbell, Seamus McKenna, Com Murphy and Seamus Daly. All five men deny responsibility for the Omagh bombing. His lawyers have also made an EU regulations application for files kept on O'Callaghan as a Garda informant.

With neither request resolved, Michael O'Higgins SC, for McKevitt, raised the issue of potential unfairness to his client in allowing O'Callaghan to give evidence.

Mr O'Higgins said he wanted to probe claims made by O'Callaghan about his involvement in the murder of alleged Garda agent Sean Corcoran in 1985.

After setting a date early next month for the resumption of evidence, Mr Justice Morgan declared: "My objective is to ensure that evidence and submissions are finished this term."

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