



• Newsletter Sign up for email alerts and WIN a helicopter flight



### Are you selling your home?

You need an Energy Performance Certificate. It's the law.

Click here now to order yours online | Or Phone: 0845 602 7382

#### • News

- Jobs
- Cars
- Homes
- Other Titles
- Services

- Local News
- World News
- Politics
- Property
- Health
- Education
- Business
- Environment
- Technology & Gadgets
- Belfast Telegraph Television
- Family Notices

### Top police accept new charges over the massacre are unlikely

Wednesday, 9 July 2008

Two senior police chiefs today backed the decision not to suspend PSNI officers accused by a judge of deliberate deception in the Omagh trial – and confirmed the prospect of a new prosecution in the mass-murder case is unlikely.

The former police inspectors also queried controversial comments in the judgement of Mr Justice Reg Weir in the high-profile trial late last year which, they concluded, amounted to speculation.

Print Email

Search



#### Bookmark & Share

- Digg It
- del.icio.us
- Facebook
- Stumbleupon

#### Related Articles

- ▶ Omagh judge in court row

nibusinessinfo.co.uk is provided by Invest NI and part-funded by the European Regional Development Fund.

# NIBUSINESS INFO.CO.UK

## Practical Advice for Business

In acquitting Co Armagh man Sean Hoey – the first person to face a murder charge in connection with the Real IRA blast in 1998 in which left 29 people died — the judge was severely critical of the PSNI citing highly unreliable DNA evidence, chaotic police record-keeping and allegations of had falsified evidence.

What are these?

The judge accused a detective sergeant and a PSNI scenes of crimes officer of a "deliberate and calculated deception" and referred their evidence to the Police Ombudsman, whose report is still pending.

The pre-Christmas judgement described the evidence given by Detective Sergeant Fiona Cooper and Detective Sergeant Philip Marshall as "false and misleading" and "reprehensible" and they were both shifted to other positions within the PSNI.

But in the aftermath of the judgement, the Northern Ireland Policing Board instigated its own investigation headed by ex-chief constables Sir Dan Crompton and David Blakey.

Their report, accepted by a majority of Policing Bord members, today reinforced the view of PSNI chief constable Sir Hugh Orde that, in the absence of a confession or reliable witnesses, or good scientific evidence, it is unlikely a new prosecution could be launched at present.

They also noted, however, that a visit to the incident room at Omagh revealed that 70 "actions" are still not complete, some of them with the Garda for some time.

These relate to the interviewing of people who are of interest to the inquiry team or obtaining DNA samples and the inspectors said the "actions" should be pressed.

"Realistically," they said, "we accept this is a remote possibility but, perhaps, remoteness ought to be given a chance."

Commenting today, Board chairman Sir Desmond Rea said it accepted the finding of the review that there is no prospect of securing a prosecution.

The former inspectors said their provisional conclusion was that the PSNI officers criticised should have been suspended. "We have seldom seen more caustic criticism of police evidence since the officers were, in effect, branded as liars and their evidence declared totally unreliable.

"For a senior judge to 'throw out' all charges, partly on what he saw as discreditable police scientific evidence, is a matter of profound concern.

"The public have a right to expect certain standards in public life, particularly from the police, and the result of this case will have shaken public confidence."

Their more 'reflective view', however, was that not all arguments were "stacked on one side of the fence" and the Ombudsman's report, expected later this year, will take into account all the attendant circumstances surrounding the officers' evidence.

"There may or may not be criminal or disciplinary proceedings to be faced by the officers eventually, but if the latter is the end scenario, officers suspended would be recalled to duty having suffered the ignominy of suspension for months, and a possible infringement of their Human Rights.

"There may well be some issues arising from the evidence given by the two officers but it seems to us (our speculation again) that this is more likely to be of a disciplinary, or advice, nature. Our final judgement is that the arguments for the police officers not being suspended are as compelling as those 'for'. On balance, we believe the decision to re-position...was appropriate, even if the decision between the one and the other was marginal."

The former chief constables also commented: "This was a very difficult long running trial for Mr Justice Weir.

## Post a comment

Limit: 500 characters

Closing date  
**1 August 2008**  
For terms and  
conditions log onto  
[www.ulsterbank.ie/  
gaabusiness](http://www.ulsterbank.ie/gaabusiness)

Ulster Bank Ireland Limited  
is regulated by the  
Financial Regulator



[View all comments](#) that have been posted about this article

\* Name (only this field displayed)

\* Email

\* Town/City

\* Country/State

Offensive or abusive comments will be removed and your IP address logged and may be used to prevent further submissions. In submitting a comment to the site, you agree to be bound by BelfastTelegraph.co.uk's [Terms of Use](#)

\* Required field

Remember Me

## Also in this section

- [Meeting on Derry police station closure plan](#)
- [Ireland's ISPs report significant increase in child pornography](#)
- [Supermarket cuts prices at the pumps and urges its competitors to follow suit](#)
- [Durkan's Assembly plea is turned down](#)
- [Complaints on Iris gay row go to MP watchdog](#)

 [Advanced Search](#) ▶