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Local & National

"Officers' lies encouraged wider probe"

Tuesday, January 22, 2008

By Chris Thornton

Northern Ireland's most senior judge has told Sir Hugh Orde that two of his own officers - accused of lying by a High Court judge - were responsible for sparking a wider misconduct probe in the Omagh investigation.

Lord Chief Justice Sir Brian Kerr indicated the Omagh trial evidence of Chief Inspector Philip Marshall and Constable Fiona Cooper raised the suspicion that other officers may have been involved in 'beefing up' evidence.

The two officers were named by trial judge Mr Justice Weir as being involved in a "deliberate and calculated deception" in the trial of Sean Hoey. He also referred to "their lies".

And last week the Police Ombudsman Al Hutchinson announced his investigators are looking into the judge's suspicions that more officers were involved.

After Hoey was cleared last month of 29 murders in the 1998 Omagh bombing, Sir Hugh, the PSNI Chief Constable wrote to the Lord Chief Justice to ask for "urgent clarification" of the judgment.

Sir Hugh said he didn't understand "the points made by Justice Weir in relation to other officers".

In the judgment clearing Hoey, Mr Justice Weir referred to the "deliberate and calculated deception in which others concerned in the investigation and preparation of this case for trial beyond these two witnesses (Marshall and Cooper) may also have played a part."

The Lord Chief Justice's office has confirmed that he has now responded to the Chief Constable's letter.

"In his letter to the Chief Constable, the Lord Chief Justice said that Mr Justice Weir considered that the nature of the evidence given by the two individuals he identified in the judgment raised the possibility of the involvement of others," a spokesperson said.

"The judge has not identified those other persons in the judgment nor has he reached any conclusion as to who they are.

"His concern is that there may be others who have not been identified whose actions may require to be investigated.






"Whether this is a well founded concern will depend on the outcome of investigations that others such as the Police Service, the Public Prosecution Service or the Police Ombudsman may deem necessary."

During his testimony, Mr Marshall named four other officers he had "dealings" with concerning statements, but the Ombudsman has not identified if they are looking at any specific individuals.

Last week the PSNI said one of the two officers named by Mr Justice Weir had been moved to other duties at the Ombudsman's recommendation. Previously the force said both officers remained in uniformed duties.

Files on both officers were passed to the Prosecution Service by the Ombudsman's office last August.

However, the widening of the investigation has put on hold any decision about whether the officers should face charges.

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