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Omagh bombing

Justice denied

Leader**Friday December 21, 2007****[The Guardian](#)**

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The Omagh bomb was the most terrible single event of the Troubles. The Real IRA attack in August 1998 killed 29 people and wounded hundreds more. It was, said Tony Blair at the time, an "appalling act of savagery and evil". He promised justice and truth. It will never come. Yesterday in Belfast the case against Sean Hoey, the only person ever charged with murder over the attack, was thrown out after the judge ruled that the police case rested on flawed evidence, the result of an incompetent and deceitful travesty of an investigation.

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From the start, Omagh victims' families have behaved with a decency lacking from the official handling of the case. Yesterday Mr Justice Weir poured scorn on the police. The case against Mr Hoey rested on forensic evidence that was shown to be of a disgracefully low standard. The collection of DNA samples was bungled. Some evidence was lost. The remains of the red Vauxhall car used in the attack were lost for a year, only to be found decaying in a police car park. Police officers lied about how they had handled forensic samples, and forensic scientists neglected to use even basic precautions such as hats and masks when handling evidence.

This would have been bad enough had failings not been reported before. It is worse that the police seem to have made little effort to correct errors exposed by the investigation of the ombudsman, Nuala O'Loan. She found that a failure of leadership ran through the police's handling of the atrocity. Instead of accepting this, the then head of policing in Northern Ireland, Sir Ronnie Flanagan, dismissed her report. "If these [findings] were true ... I would not only resign, I would go out and commit suicide," he declared. The Police Association for Northern Ireland attempted to block the report in court. Yesterday's miserable outcome shows that Ms O'Loan was right and Sir Ronnie was wrong. She is owed an apology. But the

position of Omagh families is far worse. They have been fighting to secure justice despite police ineptitude. Yesterday Michael Gallagher, whose son Aidan was one of those killed, accepted that they have little chance now of securing it.

Mr Justice Weir's ruling also has implications for other attempts to use the form of DNA evidence rejected yesterday. Low copy number DNA profiling depends on tiny samples. Yesterday the judge questioned its reliability in criminal trials, even when forensic samples are handled well. There must be an urgent study into the use of the technique, before other cases collapse. The families, who question why intelligence from informers was not used in the Omagh trial, want a cross-border inquiry into the whole disaster. But the bombers and those who helped them are still likely to go free.

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