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## Questions will be left unanswered in Omagh

(Barry McCaffrey, [Irish News](#))

*A judge is due to rule within days in the case of a south Armagh man charged with the Omagh bombing murders. Barry McCaffrey reports*

A verdict in the one of the most high-profile murder trials of the Troubles is expected within days. But regardless of the outcome, major questions are likely to be left unanswered about the bombing of Omagh town centre in August 1998.

It is exactly four years since south Armagh electrician Sean Hoey (37) was charged with making the Real IRA bomb that killed 29 people, including a woman pregnant with twins.

The blast caused the single biggest loss of life during the Troubles.

When his trial opened in September last year Hoey – who is now the longest-serving remand prisoner in Northern Ireland penal history – faced 58 charges of involvement in a series of dissident republican attacks between 1998 and 2001.

During 56 days of evidence the non-jury trial heard from dozens of witnesses and saw nearly 500 exhibits.

The prosecution argued that forensic evidence would show Hoey was not only involved in making bomb timers but had also wired up devices.

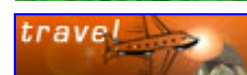
Lawyers also said that inference should be drawn from the fact that he had refused to give evidence on his own behalf during the trial.

Crucially, much of the prosecution case relied on a controversial form of forensic testing known as low copy number DNA profiling.

Doubt was cast over its credibility during the trial when it was shown that it had identified a 14-year-old English schoolboy as the maker of a device found in Lisburn city centre in 1998.

It was also revealed that the Association of Chief Police Officers had written to chief constables in England and

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Wales advising them it was ordering the retesting of more than 2,000 cases involving LCN DNA profiling because of concerns over inaccurate test results.

However, no cases were reinvestigated until after the Omagh trial had ended.

Belfast Crown Court also heard about a failure to protect evidence while it was stored at forensic science premises in Carrickfergus, Co Antrim.

A British army bomb disposal expert told the trial that one piece of evidence may have been "forensically altered" after black tape appeared on a bomb timer unit after it had been sent for analysis in England.

The court was told the tape had not been present when the device was originally photographed at the bombing scene or examined in Northern Ireland.

Trial judge Mr Justice Weir described the tape's appearance as "Houdini-like".

Another forensic scientist admitted that labels on evidence from one bombing scene appeared to have been altered, while other evidence had gone missing for five years.

However, the most serious threat to the prosecution case came when two police officers admitted that some of their superiors had encouraged them to "beef up" witness statements.

Detective Chief Inspector Philip Graham Marshall confirmed asking scenes-of-crime officer Fiona Cooper to change a statement relating to the discovery of a mortar bomb at Altmore Forest near Dungannon in 2001.

Ms Cooper admitted that Mr Marshall had asked her to add details to her original statement, about which she had no memory or notes.

She also told the court she could not have written the second statement as she had been in Zambia at the time it was allegedly written and dated.

Mr Marshall claimed he had been asked to "beef up" Ms Cooper's statement by an unnamed officer from the Omagh bombing team.

The court was told that the police officers' original witness statements had also gone missing.

Police Ombudsman Nuala O'Loan was subsequently asked to investigate the circumstances surrounding the statements and the disappearance of the original notes.

A number of the Omagh victims' families have also expressed concerns over the case.

Kevin Skelton, whose wife Philomena was killed in the bombing, described the trial as a "farce".

Mr Skelton said he did not believe that Hoey, from Jonesborough, could be found guilty based on the evidence he had heard.

"I watched the first two weeks of it through a video link in Omagh and I had to stop. It was a shambles," he said.

"It never should have gone to court and I wouldn't convict him [Hoey] on the evidence that was presented."

Legal insiders say they expect Mr Justice Weir to deliver his verdict early this month.

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