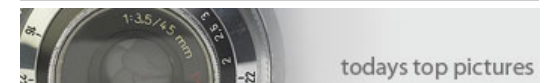


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## McKeivitt has no interest in case, Omagh trial told

By Staff Reporter

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CONVICTED Real IRA leader Michael McKeivitt has “switched off” from the Omagh bomb civil action, the High Court has heard.

A lawyer for the victims' relatives made the claim yesterday after being told McKeivitt had shown no interest in giving evidence even when proceedings move to Dublin.

McKeivitt, one of five men being sued over the August 1998 attack which killed 29 people, has video conferencing facilities installed at Portlaoise Prison to allow him to follow the multi-million-pound compensation case in Belfast.

But Lord Brennan QC, for the Omagh families, hit out at McKeivitt's level of participation compared with the effort being made by his clients.

"My clients have come to court day by day and are very conscious of the fact they are coming," he said.

"But this defendant has switched off literally. He's not taking part, save by consultation through video link."

His assessment followed confirmation by McKeivitt's barrister, Michael O'Higgins SC, that he had expressed no interest in taking part when the trial moves to Dublin later this month.

Lord Brennan said the judge in the case, Mr Justice Declan Morgan, could draw an adverse inference from anyone not giving evidence.

He made the claim amid continuing arguments over whether the testimony of FBI spy David Rupert, who played a key role in securing McKeivitt's conviction for directing terrorism in 2003, should be allowed.

Mr Rupert, now living in hiding at a secret location under a witness protection programme, has been forbidden from appearing in person or on a video-link, the court has been told.

Lord Brennan said up to 2,300 emails and documents, seven statements, corroboration from gardai and others who met and dealt with Mr Rupert, and the transcripts from his testimony at the criminal trial would all be available if his evidence is admitted.


But Mr O'Higgins questioned why a distinction should be drawn between the no-show of Mr Rupert and McKeivitt, who is being sued along with Seamus McKenna, Liam Campbell, Colm Murphy and Seamus Daly. All five deny liability.

He said the plaintiffs had "glossed over" his questioning of their legal right to introduce Mr Rupert as hear-say evidence and that this was "another inconsistency" in the prosecution's approach.

The trial continues.

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