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Debriefing notes with IRA killer-turned- agent found in civil case

OMAGH BOMBING TRIAL ROW

By Staff reporter

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Police have uncovered boxes full of interviews and debriefings with a convicted IRA murderer due to testify at the Omagh bomb civil action.

But a lawyer warned yesterday that the force may claim that some of the information within nearly 60 files held on Sean O'Callaghan is privileged.

The High Court was also told that prosecutors had assessed the killer-turned-agent's behaviour as being too "bizarre" to rely on him as a prosecution witness.

Records kept on O'Callaghan are being sought by Michael McKeivitt, the jailed Real IRA leader who is one of five men being sued by relatives of some of those killed in the atrocity.

Earlier this month Mr Justice Morgan, who is hearing the multi-million pound compensation case, was told that the PSNI had yet to locate the documentation on O'Callaghan.

The police notes being sought relate to debriefings at Tunbridge Wells in England and then Gough Barracks, Armagh, in 1988 which O'Callaghan refers to in his auto- biography, *The Informer*.

In the High Court yesterday Kevin Rooney, for the PSNI, confirmed that officers had now found 57 sets of interview notes.

"Police have located several boxes in Omagh and they have spent some time already going through those boxes," he said.

The barrister disclosed that most of the material related to the agent's involvement in the murders of Special Branch detective Peter Flanagan and British soldier Eva Martin during the 1970s.

O'Callaghan was sentenced to two life terms for the killings but released early under a Royal Prerogative.

According to Mr Rooney the files included extensive hand-written interview notes.

"It will take some considerable time and manpower to go through that documentation to establish whether or not the police intend to claim privilege in respect of the contents of any of the interview notes. I anticipate that may well be the situation," he said.

Mr Justice Morgan, who ordered that police hand over the documentation to McKeivitt's legal team within a set timeframe, also commented on its apparent focus on the two murders.

The judge said it "would appear to exclude quite a bundle of material which Mr O'Callaghan, it is said, refers to in his book which might well be material relevant to whether his evidence is undermined".

O'Callaghan is due to give evidence next month at the civil trial where McKeivitt, Liam Campbell, Seamus McKenna, Colm Murphy and Seamus Daly all deny responsibility for bombing Omagh in August 1998.

With life-sentence reports prepared on O'Callaghan having been handed over to lawyers for McKeivitt, barrister Kieran Vaughan revealed that one contained a deputy chief constable's letter in 1996 detailing information supplied by O'Callaghan over the years.

The court was told that the correspondence stated: "His bizarre behaviour whilst in prison precluded the Crown from placing reliance on O'Callaghan as a witness."

Mr Vaughan argued that any material in police possession which related to this assessment was relevant to the case.

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