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Omagh lawyer calls for GCHQ secrets

Intercepts of the calls between bomb plotters are 'absolutely central' to civil case against Real IRA

Henry McDonald, Ireland editor
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A lawyer running the Omagh civil case against several suspected Real IRA leaders has challenged the Northern Ireland Assembly to press Gordon Brown to give his legal team secret GCHQ surveillance transcripts of the bombers.

Jason McCue, whose firm H2O is behind the civil action, said the best thing the assembly could achieve for Omagh victims and their families would be to issue a united call for the Prime Minister to release the intercepts of conversations between the Real IRA plotters obtained in the Irish Republic.

The assembly will debate a motion on Tuesday calling for a cross-border investigation into the Omagh bombing. Alliance party leader David Ford said that 'given the cross-border aspects of the crime, many will not gain closure without a full cross-border investigation'.

He said any inquiry had to be legally binding to ensure no details or evidence would be withheld. The debate will start on Tuesday afternoon and relatives of some of the 29 people killed in the 1998 massacre will be in the chamber.

Speaking to The Observer last night, McCue said obtaining the evidence gathered by GCHQ, which was only revealed to the Omagh families via a Panorama investigation last month, was more important than any cross-border inquiry. 'The best thing the assembly can do is to ask for that evidence, the intercepts of the calls being made by the bombers on the day of the massacre, the ones tracked and recorded by GCHQ,' he said.

'The focus of the debate should be on that evidence being handed over to the civil trial. The assembly should unite to press Gordon Brown on that.'

McCue insisted that the GCHQ material could be used in a civil action even though under the Regulation of Investigatory Powers Act (Ripa) it would be illegal to use such material in a criminal case. However, he said that, once such intercepts were heard as evidence in the civil trial, there was an argument that their airing in open court could make them admissible in any criminal case.

'Obtaining this evidence for our civil action, therefore, is absolutely central and this is something the assembly can call for in Tuesday's debate,' McCue added. The lawyer will argue that because most of the intercepted calls were bugged in a different country - the Irish Republic - the Ripa act would not cover them. Relatives of those killed and injured in the 1998 atrocity have also demanded full disclosure of the new evidence from GCHQ, Britain's secretive listening station at Cheltenham.

Ford is seeking cross-party support for a cross-border inquiry: 'This bombing resulted in the biggest loss of life throughout the whole of the Troubles, and any right-thinking person should support this call for total disclosure of all information about the incident,'

he said.

'Clarity and a full account of events are the least that those affected by the bomb deserve. People's lives were ripped apart and victims continue to suffer because of all the unanswered questions.'

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