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From [The Times](#) December 21, 2007

Omagh's Agony

The search for justice should not be abandoned now

The injury caused by the worst single atrocity in the history of Northern Ireland's Troubles has been compounded by the insult that, nine years on, no one has been convicted for any substantial part of this crime. The acquittal of Sean Hoey yesterday was not unexpected. Even relatives of the victims had to concede that the forensic science evidence deployed against him had been contaminated to the point where it was effectively inadmissible. Few directed criticism at Mr Justice Reginald Weir, who oversaw his duties doggedly and explained his decision carefully and persuasively. There is no reason to conclude that a conventional jury would have reached a different verdict. It is, instead, the Royal Ulster Constabulary and its former chief constable, Sir Ronnie Flanagan, that finds itself accused of rank incompetence.

Serious mistakes were certainly made but this case should be placed in context. One of the immense frustrations of this tale is that the names of those suspected of involvement in this atrocity have been aired freely across the Province and the Irish Republic from the days after the bombing. This speculation, and legally it is no more than that, has been fuelled by accounts of mobile telephone calls that were intercepted but which were of no value to prosecutors because Britain and Ireland are exceptions in Western Europe in not permitting that material to be allowed in court.

As a consequence, the police have frantically sought other means of securing convictions. The passage of time and, it has to be

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acknowledged, some slapdash basic policing work, have meant that what would always have been a challenge has become almost a farce in practice. It is a shocking state of affairs when a judge can all but declare that two police officers lied in an effort to make their evidence appear credible. In normal circumstances, an independent review of the police force concerned would be logical. But as the RUC no longer exists, there would be little to be secured today in initiating such an exercise.

This should not, nevertheless, be the end of the story. It is wholly unacceptable that the deaths of 29 people on August 15, 1998, be deemed beyond the reach of the law. There is an overwhelming argument for one final attempt to contact suspects and witnesses again and to look once more at the DNA data and explore whether it could form the basis of a prosecution. If there is to be the slightest prospect of progress, however, then an outside force and not the Police Service of Northern Ireland should take on such an investigation. This would mean more expenditure but this would pale into insignificance compared with the obscene cost of the Bloody Sunday inquiry.

If there is the remotest consolation in this saga it is that it is so firmly of the past, not the future. The Omagh assault was meant to be the "Real" IRA's call to arms, a warped protest against the mainstream IRA's willingness to enter the political process. It was intended to rally all dissident republicans to the hardliners' cause. It failed miserably. Public opinion on each side of the border was revolted by the senseless slaughter. Omagh was thus the Real IRA's first and last "spectacular". After nine long years, the political process has reached its fruition. Few in 1998 would have thought it possible that less than a decade later the Rev Ian Paisley and Martin McGuinness would preside together over a power-sharing executive. The search for justice for Omagh must continue unabated. The wider pursuit of peace, though, has been won.

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Sally Baker

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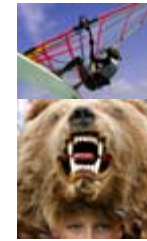
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