

Statement from the Chairman of the Omagh Bombing Inquiry, Rt Hon Lord Turnbull, on the Terms of Reference

My name is Alan Turnbull and I am the Chair of the Independent Public Inquiry into the Omagh Bombing, which took place on 15 August 1998.

That atrocity caused the loss of 31 lives and injury to hundreds more. The grief and devastation caused was inflicted on families from Omagh, across County Tyrone and the rest of Northern Ireland, elsewhere in the United Kingdom, as well as in The Republic of Ireland and as far away as Spain.

The purpose of my Inquiry is to determine whether there were steps which could reasonably have been taken by the United Kingdom state authorities to prevent the bombing. The responsibility for all that occurred on the day lies squarely with those terrorists who made, transported and planted the bomb. It is not my role to determine who those individuals were, and a Statutory Inquiry does not have the power to determine any individual person's criminal liability. It is, however, my role to establish the truth of whether the terrible events of 15 August 1998 could have been prevented.

After I was appointed last year, I visited Omagh to meet some of the family members affected by the bombing. I listened to their views about what the Inquiry should investigate. With the assistance of members of my team I then engaged in a process of discussion with the Secretary of State for Northern Ireland about the content of the Inquiry's Terms of Reference – the document issued by the Government that sets out what the Inquiry will look at.

The publication of the Terms of Reference, which you can find on the Inquiry's website, marks the formal start of the Inquiry. My team and I have much work ahead of us, and I will be giving more detail about how we will conduct the Inquiry as soon as I can. However, I want now to tell you a little more about my intentions. There are five matters to mention.

The first thing to stress is that the Inquiry is an entirely independent body. I and my team will decide which are the relevant and important issues to explore and which witnesses will be called. We will do so in a manner which is entirely free of influence from the government, or any of the United Kingdom authorities and agencies. The Inquiry is established under the provisions of the Inquiries Act of 2005 which means that I will have the power to require the production of documents and the attendance of witnesses. I shall make use of those powers to any extent necessary.

Second, I intend to ensure that the voices of those affected by the atrocity are heard. Whilst I have not yet defined the exact procedure the Inquiry will follow, it is my intention to invite families and survivors to commemorative hearings in Omagh at some point this year, so I can hear directly from those most affected by the bombing.

I recognise that for some, however, revisiting events of the past would be too traumatic and that they may have no wish to return to such a difficult time in their lives and the lives of their own loved ones. I will fully respect that view, and the Inquiry will recognise your privacy if this is your wish.

I also wish to reassure those concerned that the Inquiry will operate in as supportive a manner as it can and that sensitive arrangements will be put in place to assist those giving evidence and those who wish to attend at any of the Inquiry's public hearings. We are engaging with support groups and more details about these arrangements will be provided.

The third matter concerns how I intend to run the Inquiry. I am confident that the Terms of Reference and our legal framework will allow me to conduct a thorough and robust investigation.

An obvious aspect of the background to this Inquiry is that a number of other inquiries and investigations into the Omagh Bombing have already been carried out. Whilst I shall pay close attention to the reports of each of those inquiries and investigations, my Inquiry will be inquisitorial and impartial, will conduct its own investigations, and will reach its own conclusions.

The fourth matter concerns the process which will inform the work of the Inquiry. The first phase will involve gathering information and materials. Given the background to the bombing and the length of time which has passed this may be a difficult and time consuming exercise. Those organisations providing material will need to ensure that they can commit the time and resources required to allow the Inquiry to carry out its work promptly.

The bereaved families and survivors will expect the Inquiry to make progress as quickly as possible, and I will rely on organisations to provide material to the Inquiry team in order to do so. The process will inevitably involve the examination of a very large quantity of materials. I therefore ask for your continued patience whilst the members of my team diligently engage in this exercise.

As this phase progresses, I will identify a draft list of issues for the Inquiry to explore. It is not yet possible for me to state how long this initial investigation will last but I can undertake to publish regular updates on the Inquiry website.

The fifth matter is this. Once we are in a position to do so, the Inquiry will commence its second phase, the evidential hearings, where witnesses will appear and be questioned, and evidence will be presented.

My starting principle is that hearings will be held in public and broadcast live on the Inquiry's website unless it is necessary in the public interest and for reasons of national security that they be held in private.

The nature of the issues we are investigating will inevitably require us to look at sensitive information. Some of this work may need to be done in private and I may need to hold what are known as closed hearings, where the public and others engaged in the Inquiry may not be able to attend. I will only do this where I am satisfied it is absolutely necessary to get to the truth.

I will scrutinise every request and, if closed hearings are necessary, I will work to ensure that as much information as possible about the closed hearings is made public. There will be legal issues I need to consider but I intend to bring as many details as I can about the intelligence issues around the Omagh bombing that are within the Terms of Reference into the light.

I am required to report my conclusions and recommendations as soon as practicable. I am likely to produce a final report once the evidential phase has finished, which will provide a record of the Inquiry's conclusions as to the events surrounding the bombing, the context in which it took place and my findings as to whether there were any steps which could reasonably have been taken to prevent it from occurring.

But in light of the scale of the challenge ahead, that may be some time away. I will therefore consider whether to issue an interim report ahead of the Inquiry's conclusion. Once my team and I have established the exact way I will conduct the Inquiry I will give more detail on this matter.

My report or reports will set out any recommendations which are appropriate in light of the evidence and my findings. They will be published and available on the Inquiry website. Given the nature of some of the anticipated evidence, it may also be necessary to produce a closed report available only to a restricted readership. That decision can only be made at the appropriate time.

Having explained each of these matters I wish to make it clear that I and the members of my team will work with determination and focus to ensure that we progress through the phases of the Inquiry as quickly as possible.

I would like to conclude by mentioning two other points of crucial importance. The first is this. I would like to encourage anyone who wishes to contribute to the work of the Inquiry to do so. If you have any information which you think the Inquiry ought to be aware of please do contact the team through the Inquiry website.

Finally, I expect each of the participants in the Inquiry to co-operate in assisting it to undertake its task in a fully informed manner. That will involve providing requested information in an open and timely fashion. My Inquiry is backed by law which gives me powers of compulsion over UK participants.

However, the background to this Inquiry suggests that I will require information, evidence and potentially witnesses from within the Republic of Ireland.

I have been encouraged by statements made by members of the Irish Government about cooperation with my Inquiry and I look forward to their full participation in my work. In order to do a complete job and get to the truth of this atrocity once and for all, I expect the assurances of support for the work of the Inquiry given by politicians and others will be met. The bereaved families, survivors, and community of the town of Omagh deserve nothing less.