

OMAGH BOMBING INQUIRY

SECRETARY OF STATE FOR NORTHERN IRELAND

OPENING STATEMENT

APPENDIX

1. The purpose of this Appendix is to provide an update dealing specifically with disclosure progress and processes. As indicated in the Opening Statement, the Secretary of State for Northern Ireland (SOSNI) core participant grouping includes a number of organisations, namely the UK Intelligence Community (UKIC), the Ministry of Defence (MOD), the Northern Ireland Office (NIO), the Cabinet Office (CO) and the Foreign, Commonwealth and Development Office (FCDO).
2. The Opening Statement explained that these organisations face particular difficulties in providing open updates about the detail of their disclosure exercises, particularly because of the restrictions on what can be said in open about certain kinds of material. Similarly, while there are a number of organisations under the SOSNI grouping, they will not all hold precisely same types of material, directed at the same issues, nor will they hold documents and information in the same way. There is, accordingly, variation within the SOSNI grouping as to what disclosure is held, what has been provided to date, and what stage the disclosure exercise has reached.
3. There have been a number of constructive and helpful meetings with the Inquiry Legal Team (ILT) about disclosure from the SOSNI grouping, and within those meetings the organisations have been able to be candid with the ILT about the progress in relation to closed disclosure, in a way which is impossible in an open forum.
4. Following receipt of the Opening Statement Protocol, very careful thought has been given to what can safely be revealed in open in an attempt to assure core participants that work continues apace. This Appendix provides some detail

about what work has been undertaken by various constituent parts of the SOSNI core participant grouping.

THE MINISTRY OF DEFENCE

5. The MOD has been working assiduously to assist the work of the Inquiry, by locating, collating, reviewing and disclosing documents. The paragraphs below are intended to provide some detail in relation to the work undertaken.

Dstl Rule 9

6. The Defence Science and Technology Laboratory Dstl corporate witness statement (CWS), in response to the Rule 9 dated 29 October 2024, was finalised on 28 April 2025 with exhibits and supporting disclosure. INQ013130

First Rule 9

7. The initial Rule 9 request was received by the MOD. Disclosure Request Letter's (DRL's) were then disseminated to 9 different repositories. The MOD Disclosure Coordination Unit also liaised with the PSNI to coordinate the retrieval of MOD material from them. Disclosure returns for this Rule 9 are complete apart from disclosure from Op Banner (38 Archive), for the reasons explained at paragraph 26.
8. Initial searches were conducted based on the first Rule 9, comprising of the original list of incidents. (For completeness, that list of incidents has since been overtaken and there is now a new version of the list of incidents). Searches focused on a week either side of the incident, and a number of repositories were contacted. To begin with searches were in relation to the deployment of 38 Brigade in Northern Ireland between December 1997 and August 1998, at the request of the Inquiry. However it was discovered that 38 Brigade did not actually exist.

9. An index of material previously held by 38x assisted the team in compiling the first indexes.
10. The MOD searches extended to include Explosive Ordnance Disposal (EOD) reports for each incident, as well as Daily Operations Briefs from December 1997 to August 1998. The retrieval on 8th August 2024 of the recording of the military radio transmissions on 15 August 1998 was slow to progress due to challenges of locating a Special Matters Expert capable of deciphering the content. Further searches were carried out, which attempted to take into account matters contained in the 'provisional list of issues' document. These later overlapped with searches related to the corporate statement Rule 9. This list also introduced a new incident for which additional searches were conducted. Tranche 1 of disclosure, which comprised of two indexes and encompassed EOD Reports along with Daily Operation Briefs, was uploaded to the Inquiry on 22nd November 2024. Additionally, classified material pertaining to the incidents has been uploaded on MOD's Secret IT system, which members of the ILT have been given accounts for. It is not possible to expand any further on that issue in open.

Corporate Statement Rule 9

11. MOD received the second Rule 9 on 29th October 2024. This was cross-checked with the provisional list and the first Rule 9 to identify outstanding topics that had not been covered in search requests already. Once identified, gaps in disclosure were addressed by sending Disclosure Request Letters (DRLs) to the repositories. A comprehensive search for commander diaries covering the period from December 1997 to August 1998 was conducted as part of the investigative procedures.
12. Concurrent to the disclosure discovery process, MOD reviewed the statement to plan the written response to the Rule 9. MOD identified that different teams should handle specific sections. The Rule 9 was outlined on a spreadsheet, assigning relevant MOD teams to narrate each section. Meetings were

conducted with these teams to inform them of the project, ensure resource availability, and discuss timelines.

13. Given the nature and scope of the task, it was apparent that the initial deadline of 9 January 2025 was unfortunately unattainable. MOD was, at this stage, still attempting to understand the volume of work which would be necessary and to seek to predict likely timescales. An extension of time was sought, resulting in a new deadline of 31 March 2025 to review progress. However, it did not prove possible to draft and deliver the entire statement by then, due to the hardcopy and electronic repositories located across different locations within Defence, and the complexity of the request.

14. MOD was conscious of the need to produce material which would help the Inquiry to further its work. Rather than hold the entire, complex, body of work, while the remaining disclosure was progressed, instead MOD focused on completing sections where disclosure was available. A further extension was sought, with the caveat that completed sections would be delivered by 31 March 2025 and the remaining by 30 June 2025. Completed sections were sent to ILT on 17 April 2025; a short extension being required to revise the sections in line with feedback from senior Counsel.

Other activity

15. A meeting was arranged between the MOD and the ILT on 27th September 2024, which was very productive. The discussions centred around the disclosure process so far, the collaborative working relationship between MOD and the Inquiry, and what to expect upcoming from the Inquiry e.g. the corporate witness statement.

16. The MOD is actively exploring which witnesses may be of assistance to the Inquiry. The MOD has shared information with the Inquiry team for consideration.

17. In March 2025, MOD received a list of 11 previous attacks, additional to those included in the 1st & 2nd Rule 9 requests. The MOD adapted to these additional requests, work and further searches. The disclosure exercise relating to these incidents is complete.
18. Accounts on the MOD Secret network were created for several members of the ILT in March 2025 to facilitate their review of classified documents.
19. The ILT visited 38 archive on 7 May 2025, which was helpful in allowing the ILT to see the organisation and the difficulties the team face in searching their archive.
20. MOD is aware of the importance of engaging with the Inquiry in relation to meeting deadlines, and if that is not possible (for example, because of the logistical scale of the task, which may well be (unavoidably) outside the knowledge of the ILT when deadlines are set), engaging with the Inquiry and working to find a solution that best assist the Inquiry's work. CSO and GLD are providing legal support to MOD by reviewing drafts and communicating with the ILT on our behalf. Internally identified resources are allocated to assist the Inquiry, including the Public Inquiries team and DCU, with resources from both London and NI.
21. MOD continues to take steps to comply with the Inquiry's directions and is focused on working towards the 30 June 2025 deadline for submitting MOD's corporate OPEN and CLOSED draft witness statements.
22. Considerable effort has been undertaken to search the electronic and hardcopy repositories.
23. A delivery timetable has been drafted and shared with stakeholders to keep all on track and progressing to comply with the deadline of 30 June 2025. The timeline provides a schedule for drafts of the statement to be provided and set deadlines for feedback from counsel.

24. Progress monitoring meetings are regularly scheduled with the authors of the statement to discuss progress, raise any challenges, and identify and resolve obstacles. Additionally, frequent catch ups with the Disclosure Coordination Team are scheduled to discuss outstanding disclosure. Those that are writing the response to the Rule 9 sometimes attend these disclosure meetings, to crosscut on areas that they are missing material to underpin the drafting process.
25. To assist the authors in reading the material, key documents are organised into easily accessible folders to streamline the drafting process. This approach to the disclosure and witness statement process means that MOD are currently on track, however there are possible challenges that could put compliance with the deadline at risk.
26. A potential risk to the current timeline is the return of material from Op Banner archives. ILT visited these archives on 7 May 2025 to review the organisation of their archive; the main purpose of this visit was for the ILT to see the method of hand searching that is required owing to the hard copy nature of the material, which is very time-intensive. Although the relevance of this material is deemed low, there is a requirement to search through it. Ways are being explored for meeting this requirement without overwhelming the archive and putting the deadline at risk.
27. Further to this, additional prior attacks were provided in March 2025, beyond those included previously. Although disclosure (bar Op Banner returns) is complete for these, the MOD has recently been notified that a written response to these incidents is also necessary. That was not factored into the initial timescales. The MOD is nonetheless on track for a complete response, and aims to include the additional prior attacks, to meet the submission deadline. However, if there are any delays or significant risks to the deadline, there is a possibility that responses to these incidents may need to follow as soon as possible after 30 June 2025 deadline.

28. MOD will continue to engage in the work required of it to the best of its capability. This is a difficult and complex disclosure exercise.

FCDO

29. Since the Inquiry's initial disclosure requests, the FCDO has undertaken extensive searches to identify material held in different locations (both in hard-copy and in electronic form) which is potentially relevant to the Inquiry.

30. FCDO has taken steps to ensure that such material is preserved, ordered and accessible. These searches and their subsequent review has required efficient collaboration and significant time commitment from FCDO and external counsel. Parties are committed to the Inquiry and providing all assistance in a thorough and timely manner.

First Rule 9

31. FCDO received the first Rule 9 request on 30 April 2024. This request identified FCDO as an organisation that is likely to be a material provider of documentation relevant to the Inquiry's Terms of Reference, as it was understood that FCDO:

- a. May hold a volume of material that is likely to be of relevance to the Terms of Reference; and
- b. This material may be comprised of both open and closed material, which is stored electronically, in hard-copy and potentially in other formats.

32. FCDO was invited to assist the Inquiry with the volume of materials held by the FCDO that may touch on the matters the Inquiry is investigating, as well as where and how it is stored.

33. The first rule 9, said not to be exhaustive, suggested three areas of particular interest:

- a. Discussions, correspondence or any other engagement between the UK and the Republic of Ireland about the security situation in Northern Ireland in the 6 months before the Good Friday Agreement and up to 15 August 1998.
 - b. Discussions, correspondence or any other engagement between the UK and the Republic of Ireland about cross-border policing and intelligence gathering on dissident republicans between 01 December 1997 and 15 August 1998.
 - c. Discussions, correspondence or any other engagement between the UK and the Republic of Ireland about the Omagh Bombing on 15 August 1998, the police investigations in both countries to identify those responsible and any changes to the law in both countries as a result of the bombing.
34. Searches were conducted of paper and digital files from the xFCO's Republic of Ireland Department, Western European Department, North America Department, Southern Europe Department, Counter Terrorism Policy Department, Legal Advisers, Research Analysts and the Private Office papers of former ministers and senior officials. Searches included files sent from the British Embassy in Dublin to the main archive.
35. The repositories searched are the main FCDO Archive at Hanslope Park and the FCDO Sensitive Archive in London for paper files. For digital files, searches were conducted in digital collections held on the xFCO's Aramis system. Searches were completed across all classification tiers, with the results returning a high volume of material supplied by other government departments. For completeness, the FCDO conducted searches on the paper and digital files held by the former Department for International Development, which merged with the then Foreign and Commonwealth Office in September 2020; no records were found.
36. Preservation was requested, as well as an index summarising the material above. An index of the individual documents within the paper files and the digital documents have also been completed at the appropriate tier of classification.

Second Rule 9

37. The FCDO received a second Rule 9 request on 29 October 2024. This was significantly richer in detail, and invited disclosure in 8 parts (A – I). The contents are known to the Inquiry so are not repeated here. Part F invited FCDO to provide an overview of the FCDO's understanding of 21 prior attacks, with dates ranging from 16 September 1997 – 01 August 1998.
38. Search terms were drafted consisting of the relevant information. The following repositories were searched: xFCO paper file titles and xFCO digital repositories as detailed above. Files from the former Department for International Development (xDFID) were not searched.
39. A large amount of FCDO material is held at Hanslope Park, near Milton Keynes. Members of the Inquiry Legal Team visited Hanslope Park on 8th October 2024. They were shown archive material in hard copy. Archive material is held in large red boxes, which each contain a number of folders. Within each folder there are several "folios", representing one document each.
40. FCDO created a detailed Excel spreadsheet, listing each file title (not folio). The spreadsheet contains 11 tabs, separating the material subject to specific departments within FCDO – for example Republic of Ireland Department, North America Department, Southern European Department, (as listed above) and so on. FCDO undertook an initial relevancy check based on dates and key words, and marked the spreadsheet accordingly.
41. On 11 February 2025, Junior Counsel first attended Hanslope Park. Travel to Hanslope Park takes approximately 2 hours each way from London. Junior Counsel began reviewing the material, populating each line of the spreadsheet. Within each line, where a file contains a relevant document, the spreadsheet indicates which folio therein is relevant in achieving the Inquiry's aims.

42. FCDO then arranged for files to be transported from Hanslope Park to London offices, expediting progress significantly. Further documents were reviewed remotely via MS Teams.
43. While the hard copy review was being undertaken, FCDO was drafting a working index with a title and date of each folio identified as being relevant. The FCDO hard copy searches are now complete.
44. On 31 March 2025, the Inquiry provided an updated list of prior attacks. This list has 31 prior attacks, with dates ranging from 31 July 1997 – 01 August 1998. One of these attacks is earlier in time to the original list of attacks. Digital searches were completed of all the key words (eg town or city of the attack). Separate searches of the file titles were completed to check if any were likely to contain individual folios relating to the prior attacks. No relevant results were found.
45. On 02 April 2025, FCDO met the Inquiry Legal Team at FCDO London offices. The meeting was used to outline FCDO's approach to the Inquiry Legal Team and answer any questions they had. Junior Counsel explained their approach to relevance, and FCDO discussed the methodology behind their searches. The Inquiry Legal team were provided a copy of the FCDO spreadsheet of search results, and this was discussed in some detail.
46. Incorporating each of the new attacks, Junior Counsel advised on the search terms for the CLOSED material. This document will not go into detail about those searches, which have now also concluded, both in hard copy and electronically.
47. Several meetings were held throughout the FCDO search process, with Counsel teams as well as FCDO clients. These meetings were used to ensure continuity of approach, share information internally and communicate the wishes of the Inquiry Legal Team.

48. FCDO is appreciative of the Inquiry's understanding so far, and remains committed to meeting the extended deadline for the Rule 9 – 23 July 2025. An extension has been required due to the sheer volume of material to be searched, reviewed for relevance and for sensitivity, due to where this material is housed, and its form (the vast majority being hard copy).

49. FCDO is actively working towards meeting the extended deadline for the Rule 9 statement, with Counsel attending meetings and dedicating time to drafting. The FCDO plans to meet the deadline by a continuation of this commitment, and will not be deterred by the difficulty sometimes resultant of exercises such as this one.

CABINET OFFICE

50. The Cabinet Office ('CO') received an initial Rule 9 request on 29 April 2024, and a further Rule 9 request on 28 November 2024 seeking a witness statement. The CO treats requests from the Inquiry with the utmost importance and has allocated additional resources – both in terms of personnel and facilities – to ensure they are met.

51. Comprehensive searches for potentially relevant documents have been conducted across CO digital and hard copy systems. The searches covered both OPEN and CLOSED material and a combined 5215 files were located for relevance review. Due to the historic nature of the files, many of them are archived paper files held in the Cabinet Office archive. The Cabinet Office has also reviewed material held in the National Archives. Searches were based on a list of key search terms – that list has been shared with ILT.

52. Relevance reviews of the material identified were then conducted by counsel, based on the Inquiry's Terms of Reference, List of Issues, and Rule 9 Requests. Indexes have been provided to ILT setting out the documents considered to be potentially relevant to the Inquiry. The CO is due to meet with ILT on 6 June 2025 to discuss the CO disclosure exercise.

53. The CO continues to work at pace to deliver the Corporate Witness Statement by 30 June 2025. As set out above, a considerable volume of hard and soft copy material has been reviewed, resulting in relevant documents being identified. A detailed chronology of the documents has been prepared to assist with drafting, with references to the location of relevant information within the documents. Based on current progress, CO expects to be able to meet the deadline of 30 June 2025.

54. Furthermore, the Cabinet Office facilitated the draft witness statement (CLOSED) of the Former Chair of the Joint Intelligence Committee (JIC) following an individual Rule 9 request from the Inquiry on 7 November 2024. This was submitted on 18 March 2025.

UK INTELLIGENCE COMMUNITY

55. There is only a very limited amount that can be revealed in open in respect of UKIC's disclosure. However, UKIC have engaged meaningfully with the Inquiry from a very early stage, assisting the Inquiry with relevant materials in advance of any formal or rule 9 requests. A substantial volume of work has already been carried out in relation to disclosure. This is an extremely difficult disclosure exercise for UKIC in terms of scale and complexity. It is also logistically difficult, not least because of the vintage of the documents. Some searches were initially undertaken on the basis of the original version of the list of prior incidents. That list was subsequently amended in March 2025 and now covers 31 historic incidents as well as the Omagh bombing itself. Searches were also originally undertaken on the basis of the previous date range. The material held by UKIC is held in a variety of different ways. It includes hard copy material, which, if search terms are changed, requires to be re-searched again, against the new terms, by hand. UKIC understands why amendments to search terms are on occasion necessary - it is an unavoidable consequence that additional time will then be required to re-do previous searches.

56. UKIC continues to engage in detail with the ILT in respect of its disclosure and Rule 9 responses and have responded to a number of Rule 9 requests already, within the deadlines set by the Inquiry. UKIC are grateful for the engagement with the ILT to date, and meetings with the ILT to discuss documents and challenges have been productive and helpful.

NORTHERN IRELAND OFFICE

57. The Northern Ireland Office (NIO) is a small Department and is leading work on several challenging issues with limited resources. There is a small but dedicated team working tirelessly on identifying and disclosing potentially relevant material to the Inquiry.

58. The NIO received an initial Rule 9 request on 28 March 2024 and a further R9 requesting disclosure of the Bridger report on 13 May 2024. A third R9 request for a witness statement was received on 27 November 2024.

59. The NIO conducted initial searches following receipt of the first Rule 9 and provided the inquiry with a number of potentially relevant documents. The NIO also requested a meeting with the ILT to discuss the documents provided to discuss relevance and the provision of further material. A useful and productive meeting with ILT took place 16 October 2024 and the NIO is grateful for the further guidance provided by ILT in relation to specific issues of interest to the Inquiry.

60. Regarding the second Rule 9 requesting the Bridger Report, the NIO was able to provide a copy in June 2024 following confirmation from the Omagh Support and Self Help Group that they were content for the report, which was commissioned by them, to be provided to the ILT.

61. Following the guidance provided by ILT, consideration of the list of issues and receipt of the third Rule 9 requesting the Corporate Witness Statement, the NIO has undertaken comprehensive searches for potentially relevant material.

Further searches were carried out to account for amendments made to the list of issues in March this year and the additional prior incidents. A list of all hard copy NIO files containing documents from 1997 and 1998 was prepared and considered to identify those files which might contain potentially relevant information, for example, Talks process, meetings with the Irish and security statistics. These files are either held at the National Archives (TNA) or by the NIO. The NIO digital records were also the subject of comprehensive searches. This material is currently being reviewed for relevance based on the Inquiry's Terms of Reference, List of Issues, and R9 Requests.

62. In respect of the files held by TNA, the NIO can confirm that 37 files were initially assessed as potentially relevant. Of these 37 files:

- a. Copies of 26 of these TNA files are held electronically by the NIO and work is ongoing to extract potentially relevant documents. Each file is lengthy and contains extensive documents, not all of which are assessed as potentially relevant. Where the potentially relevant documents have been identified and extracted, the NIO proposes to provide just those documents to the ILT. For the remaining files, as well as for those files where the whole file is assessed as relevant, for completeness and expediency, the NIO proposes to provide the complete files to the ILT, as the process of extracting the individual documents and indexing separately would significantly delay their provision.
- b. The remaining 11 potentially relevant files and 6 irrelevant files requested by ILT are held at TNA.

63. Following the review of the initial files, around 40 other files were also identified as likely to contain potentially relevant material, and these files are now also now being reviewed in detail.

64. In respect of the NIO digital and hard copy systems, again, each file is lengthy and contains extensive documents. The potentially relevant documents from

the requested hard copy files are being extracted, scanned and indexed separately in order that they can be shared with ILT.

65. The NIO is conscious of the need to provide all potentially relevant material to the inquiry in a timely manner and is striving to ensure this takes place. The NIO will provide ILT with a further update as work progresses and would also welcome the opportunity to discuss the ongoing disclosure process with them and counsel for the NIO.

66. The NIO continues to work at pace to provide the Inquiry with its corporate witness statement by the deadline of 31 July 2025.