

1 THE INQUIRY RESUMED ON MONDAY, 21ST SEPTEMBER 2026 AS
2 FOLLOWS:

3
4 CHAIRMAN: Good morning, Mr. Greaney.

5 MR. GREANEY: Sir, good morning.

11:01

6
7 OPENING STATEMENT BY MR. GREANEY:

8
9 MR. GREANEY: On the 15th of August 1998, as everyone
10 knows, a car bomb planted by dissident republican
11 terrorists exploded on Market Street in Omagh.
12 Twenty-nine people, men, women and children, and two
13 unborn children were killed. What happened that day
14 was an atrocity by any measure.

11:01

15
16 The bombing occurred four months after the Belfast Good
17 Friday Agreement was signed, and three months after the
18 public, on both sides of the Border, had voted by
19 substantial majorities to approve the Agreement. That
20 the bombing was carried out at a time at which there
21 was optimism for peace in Northern Ireland, after
22 decades of violence, only makes what was done the more
23 wicked, if that were possible.

11:02

24
25 On the second of February 2024, so more than a quarter
26 of century after the attack, this Inquiry, the Omagh
27 Bombing Inquiry, your inquiry, Sir, was established by
28 the Secretary of State for Northern Ireland. The Terms
29 of Reference of the Inquiry require you, Sir, as its

11:02

11:02

1 chairman, to answer this central question: Could the
2 Omagh bombing have been prevented by UK State
3 authorities?
4

5 Although that question can be simply stated, it gives 11:03
6 rise to issues of great complexity. That complexity
7 manifests in a number of ways. And one of those ways
8 is through the sheer number of strands of potentially
9 relevant evidence. In our assessment, Sir, it's
10 important to identify what some - and we emphasise some 11:03
11 - of those strands are so that the nature and scale of
12 your task is understood by all.
13

14 1. The Inquiry will need to examine what could, and
15 should, have been established by the police 11:03
16 investigations into a series of terrorist attacks prior
17 to the 15th of August 1998, which the evidence suggests
18 were perpetrated by the same dissident republican
19 terrorist organisation, or organisations, which carried
20 out the Omagh bombing. 11:04
21

22 The Inquiry will need to ask and to answer this
23 question: what was, or could have been, known by the
24 police about those previous attacks, and should such
25 knowledge have resulted in the Omagh attackers being 11:04
26 disrupted prior to the 15th of August 1998?
27

28 2. As we've made plain, the Omagh bombing occurred
29 within months of the signing of the Belfast Good Friday

1 Agreement. The Peace Process, of which that Agreement
2 was such a crucial part, was accompanied by a period of
3 what has become known as "security normalisation," and
4 by that term, we mean simply put, the scaling down of
5 security measures that had been commonplace during the 11:04
6 Troubles. Sir, the Inquiry will need to investigate
7 whether that process of normalisation made it easier
8 for dissident republican terrorists to operate and, if
9 so, whether that is of relevance to what happened in
10 Omagh on 15th of August. 11:05

11
12 3. The Inquiry will need to assess intelligence that
13 was provided to the UK State by a man known publicly as
14 Kevin Fulton. It's acknowledged by the UK State
15 authorities that at relevant times the man going by 11:05
16 that name was an informant for the State and for the
17 RUC.

18
19 4. You, Sir, and your team, will need to assess
20 intelligence that was provided to the UK State by a man 11:05
21 called David Rupert. It is acknowledged by the UK
22 State that at relevant times he was an informant for
23 MI5, and in criminal proceedings in the Republic of
24 Ireland it was accepted that he was also a source for
25 the American FBI. 11:06

26
27 5. You will need to assess the significance of an
28 anonymous telephone call that was made to the RUC on
29 4th of August 1998, so 11 days before the bombing.

1 In that call, a claim was made that an attack was to be
2 carried out on police in Omagh on 15th of August.

3
4 6. Sir, you will need to consider any other relevant
5 intelligence or information which was, or should have
6 been, available to the UK State authorities prior to
7 the Omagh bombing, including any material emanating in
8 the Republic of Ireland. And, Sir, then determine
9 whether that material, either on its own or in
10 combination with other material and/or actions, could
11 have prevented the bombing in Omagh.

11:06

11:06

12
13 So, Sir, as we've made plain, that list that we have
14 just set out is not exhaustive.

15
16 An investigation as complex and wide-ranging as that we
17 have just described requires organisation and structure
18 if it is to be successful, and that much is obvious.
19 For that end, the Inquiry Legal Team has sought to
20 arrange the evidence that you will hear, Sir, in two
21 separate chapters as we describe them. The single
22 purpose between that arrangement is to ensure that you,
23 Sir, your team and the Core Participants are all in a
24 position to conduct as robust and probing an
25 investigation as is possible into each of the issues
26 with which we are confronted.

11:06

11:07

11:07

27
28 We, the Inquiry Legal Team, currently anticipate that
29 there will be a total of eight chapters, although that

1 will be kept under review. As matters stand, the eight
2 chapters are as follows: Chapter 1 has already
3 happened. That first chapter was the commemorative and
4 personal statement hearings and it took place, of
5 course, in January and February of last year. It was, 11:08
6 we hope, all agreed the fitting starting point for your
7 oral evidence hearings, placing the bereaved and the
8 survivors of the attack at the very heart of this
9 process.

10
11 Chapter 2 has also already happened having taken place 11:08
12 last summer. It involved, as all will recall, the Core
13 Participants delivering their opening statements to
14 you, Sir.

15
16 Chapter 3 is what we are embarking upon today. The 11:08
17 principal objectives of Chapter 3 are to seek to
18 understand how the bombing was carried out and by whom.
19 Chapter 3 will also set the scene for the chapters
20 which are to come and, Sir, over the course of today - 11:08
21 and it will take most, if not all of today - we will
22 set out what we anticipate Chapter 3 will cover.

23
24 Chapter 4 will consider the overt side of the police
25 investigations into the previous attacks to which we 11:09
26 have already made reference.

27
28 At an early stage, the Inquiry Legal Team prepared a
29 document and entitled it "Provisional List of Issues."

1 we did so with the intention that it should provide a
2 guide to the topics that will need to be investigated
3 in examining the Inquiry's Terms of Reference. The
4 list has been updated since first prepared and it's on
5 the Inquiry's website.

11:09

6
7 within the list, 32 attacks and attempted attacks that
8 are believed to have been carried out by dissident
9 republican terrorists are set out. They first involve
10 placing of a car bomb, fortunately defused, at the 11:10
11 Carrybridge Hotel near Lisbellaw on 31st of July 1997,
12 so just over a year before the Omagh bombing. And the
13 32nd in the list involved the detonation of a car bomb
14 in Banbridge on 1st of August 1998 resulting in many
15 injuries and extensive property damage.

11:10

16
17 Members of the Inquiry legal team - your team, Sir -
18 are currently working through the material relating to
19 each of those 32 attacks. In Chapter 4, when we reach
20 it, we will investigate whether those 32 attacks (or 11:10
21 any of them) were perpetrated, as is suspected, by
22 those who carried out the Omagh bombing, and if they
23 were, whether that was, or should have been, known by
24 the police such that disruption of the terrorist
25 activities before the 15th of August 1998 ought to have 11:11
26 occurred.

27
28 Chapter 5 will investigate the historical political
29 context of the Omagh bombing. It will be focused on

1 the Peace Process and the impact of that process on
2 security within Northern Ireland. We will explore,
3 during that chapter, whether the policy, development,
4 implementation and operational effect of security
5 normalisation had an impact on whether the Omagh 11:11
6 bombing could have been prevented.

7
8 Chapter 6 of the Inquiry oral evidence hearings, will
9 deal with intelligence which was, or should have been,
10 received in relation to those 32 previous attacks and 11:11
11 attempted attacks. And we will be exploring whether
12 sufficient intelligence arising from the previous
13 incidents was, or could have been, available to the
14 police, the military and the United Kingdom
15 intelligence community to identify and disrupt those 11:12
16 responsible for the Omagh bombing before it took place.
17 Sir, as will be obvious to you and everyone else,
18 Chapter 6 is interconnected with and co-relative to
19 Chapter 4.

20 11:12
21 Chapter 7 will involve an examination of other
22 intelligence. We will investigate whether there was,
23 or could have been, sufficient intelligence related to
24 any impending attack available to the police, military
25 and the United Kingdom intelligence community to 11:12
26 identify and then disrupt those responsible for the
27 Omagh bombing prior to that attack taking place.

28
29 And, finally, as we currently prepare for it to be,

1 chapter 8 will be the concluding chapter of the
2 Inquiry's oral evidence hearing, and that will involve
3 closing statements from Core Participants.

4
5 Sir, that brings us to today, 21st of September 2026,
6 and to Chapter 3.

11:13

7
8 Chapter 3, as we indicated, is concerned with the
9 attack itself and, in particular, how it was carried
10 out and who was responsible for it.

11:13

11
12 In order to be able to answer the question of whether
13 the Omagh bombing could have been prevented, it is
14 necessary, first, to identify which people and
15 organisation, or organisations, were behind it and the
16 reason for this is obvious: In order to investigate
17 whether preventative action taken before the August
18 1998 would have been effective to disrupt those
19 responsible for the Omagh bombing, it is necessary,
20 critically necessary, first to establish who was
21 responsible for that attack in Omagh. As such,
22 identifying those people and the organisation or
23 organisations of which they were part, is a central
24 matter for investigation by the Inquiry.

11:13

11:14

25
26 Furthermore, in order to identify which previous
27 attacks were carried out by the same group or
28 individuals, it's necessary to understand how the Omagh
29 bombing was carried out. From this may emerge features

11:14

1 in common with earlier incidents. The most well known
2 of these links to events before 15th of August is the
3 fact that the timer power unit or the TPU, was
4 discovered after the Omagh bombing to have come from a
5 batch which was the source of TPUs used in earlier 11:14
6 incidents. And while this is the most well known,
7 other such connections have also emerged.

8
9 One of the objectives of this chapter, of Chapter 3, is
10 to establish as good an understanding as possible of 11:15
11 the detail of how the attack was carried out so that
12 this knowledge could be applied to our investigation of
13 the 32 previous incidents in later chapters, namely
14 Chapters 4 and six.

15 11:15
16 Sir, it is highly likely, as all we hope and
17 appreciate, that for reasons of national security, not
18 all of the evidence on these issues will be capable of
19 being heard in full in public. Nevertheless, and
20 acting in accordance with your expressed determination 11:15
21 to conduct as much of the Inquiry in public as
22 possible, your team has assembled evidence from within
23 open material to make a start on addressing the issues
24 of how the Omagh bombing was carried out and who was
25 responsible for it. 11:16
26

27 we will examine that evidence over the course of four
28 weeks in September and October and then a fifth week in
29 November. And our aim across those weeks, Sir, is to

1 establish a working hypothesis which can be carried
2 forward into the subsequent chapters of evidence.

3
4 Sir, before we get to the working hypothesis, as we
5 will describe it many times in this opening address, 11:16
6 before getting to the working hypothesis itself, it's
7 important that we should make six observations about
8 the hypothesis and the evidence upon which it is based.

9
10 The first observation is this: The Inquiry is, at this 11:16
11 stage, conducting an investigation. In what we, the
12 Inquiry Legal Team, have to say, we are not presenting
13 findings of fact or firmly settled conclusions, and
14 that applies just as much to the working hypothesis as
15 to anything else. So, at the risk of repetition, no 11:17
16 one should think that we are making assertions of
17 determined facts in this opening statement. Indeed,
18 the only person capable of making findings of fact or
19 reaching conclusions is you, Sir. And we know that you
20 will not do so until you have heard all of the 11:17
21 evidence, which evidence will go far beyond what we
22 will hear during the balance of this year during
23 Chapter 3.

24
25 The second observation: Because the whole of Chapter 3 11:17
26 will be in public, we will not be adducing any evidence
27 that is described in your process as "provisionally
28 closed." As is publicly known from the hearing that
29 took place two weeks ago now on the 7th and 8th of

1 September, a number of UK State bodies have asserted
2 that the disclosure into open of documents falling into
3 various categories would damage national security.
4 They have, therefore, applied for Closed Material
5 Restriction Orders or CMROs which, if granted by you, 11:18
6 Sir, will involve those documents being considered in
7 closed hearings. You are yet to rule on the
8 applications and even once you have, as was made clear
9 during the open hearing, that ruling will apply only to
10 a sample of documents. There will follow a process of 11:18
11 applying the principles in your ruling to any and all
12 further provisionally closed material which is relevant
13 to your Terms of Reference.

14
15 The upshot is, that it is necessary to treat the 11:18
16 material as closed, at this stage, before the process
17 is complete because otherwise the damage to national
18 security that is claimed would be caused, or may be
19 caused, before you have made a determination of the
20 validity of those claims. 11:19

21
22 what all of this means for Chapter 3 is that the
23 evidence which is presented, and the working hypothesis
24 which is explored, will be based entirely on
25 information which is not national security sensitive. 11:19
26 And the Inquiry Legal Team has been most careful to
27 observe the divide which currently exists between open
28 material and provisionally closed material.

1 That said, historically the product of some
2 intelligence has been broken out into open - and we
3 emphasise that word "historically." This can be seen
4 in some of the RUC or PSNI material generated as part
5 of the investigation into the Omagh bombing. For 11:20
6 example, the fact that a particular person is the user
7 of a particular mobile telephone is sometimes said to
8 be "based on intelligence." When we adduce such
9 evidence during Chapter 3, as we shall, that should not
10 be understood as the Inquiry Legal Team having 11:20
11 unilaterally undertaken its own exercise of breaking
12 material out of closed into open. Resolution of the
13 CMRO process, as we've said just a moment ago, is to
14 come, and all applications will be considered and
15 determined by you, Sir. Instead, what we will be doing 11:20
16 in relation to material which is said to be based on
17 intelligence, is merely reporting where the product of
18 intelligence has been gisted by others in the past so
19 that it reached the investigators in that form. How
20 well founded such intelligence was is something which 11:21
21 will be the subject of later investigation.

22
23 Further, the Inquiry has broken out into open with the
24 agreement of the relevant equity holders, a significant
25 amount of material that was previously treated as being 11:21
26 confidential, sensitive or even national security
27 sensitive. We've done so, or have been able to do so,
28 through a collaboration with the UK Government, so HMG,
29 PSNI, Police Ombudsman of Northern Ireland (PONI),

1 counter-terrorism policing and the Government of
2 Ireland with a view to important documents being
3 fast-tracked ahead of the resolution of the CMRO
4 applications. As a result, this material is not
5 provisionally closed but is open. And, Sir, may we say 11:21
6 we are extremely grateful for the co-operation of all
7 of these organisations and for the thoughtful and
8 flexible approach to this disclosure into open by
9 agreement process. It has resulted in a substantial
10 body of material, which had previously never been made 11:22
11 public before being disclosed to Core Participants.
12 That material, that we've just described includes
13 almost all of what is known as the McVicker Review, the
14 Regulation 20 report prepared by the Police Ombudsman
15 in 2001, the report of the Police Ombudsman to the 11:22
16 Government of Ireland and the confidential version of
17 what is known as the Nally Report.

18
19 we'll return to some of those documents later in this
20 address but in the case of each of them, while limited 11:22
21 redactions remain, Core Participants now have them in
22 their original form. As that material - the material
23 we have just described - has been broken out into open
24 by agreement, we are able to rely upon it for the
25 purposes of Chapter 3. And that work of breaking 11:23
26 material into open by agreement will, where
27 appropriate, continue alongside the CMRO process.

28
29 The third observation: At the risk of stating the

1 obvious; this is not a criminal trial and it is not
2 civil litigation. Section 2 of the Inquiries Act 2005,
3 which governs your process, provides that a statutory
4 inquiry, such as this, is not to rule upon and has no
5 power to determine any person's civil or criminal 11:23
6 liability. However, that same statutory provision goes
7 on to make clear that you, Sir, are not to be inhibited
8 in the discharge of your functions by any likelihood of
9 such liability being inferred from any facts that you
10 determine. And, Sir, we know that you will not be so 11:24
11 inhibited.

12
13 The fourth observation is related to the third: An
14 important consequence flows from the fact that you,
15 Sir, are conducting a statutory inquiry, which is 11:24
16 inquisitorial in nature, as opposed to determining
17 criminal or civil liability. You are not bound by any
18 rules of evidence. The procedure is entirely for you
19 to determine. And subject to the statutory duty to act
20 fairly and with regard to the need to avoid any 11:24
21 unnecessary costs. Subject only to that, you can
22 receive any evidence that you wish to receive in any
23 form that you, Sir, consider to be appropriate.

24
25 The practical effect of this is that you can receive 11:25
26 evidence which would not be admissible in that form in
27 criminal or civil proceedings. Further, when you come
28 to make findings of fact in your report it will be a
29 matter for you to decide what standard of proof, if

1 any, to apply to that process. And you can be
2 flexible. Historically, some chairmen of statutory
3 inquiries have decided to apply the civil standard of
4 proof, namely the balance of probabilities to any facts
5 that they find. Others have simply stated that they 11:25
6 were satisfied in relation to any given facts that it
7 is, or was right, without expressly setting out by what
8 standard they reached those conclusions. And others
9 have expressly stated that they were not applying a
10 single standard of proof to their factual 11:26
11 determinations. As we have said, there is flexibility.

12
13 One of the great strengths of a statutory inquiry is
14 that the approach taken is determined by the chairman,
15 and is bespoke to the terms of reference that they are 11:26
16 investigating. But, Sir, all of that is for your
17 report. As we've said, what we are about to embark
18 upon is part of your investigation and as will be plain
19 to all, only one part. And we will do so, conduct that
20 investigation, through the presentation of a working 11:26
21 hypothesis which will act as a starting point.

22
23 Observation 5: The work of the Inquiry, we know, Sir,
24 will build upon that which has gone before but without
25 being bound by it. What has gone before includes legal 11:26
26 proceedings and other processes which occurred
27 subsequently to the Omagh bombing and which were
28 related in some way or another to it. It's well known,
29 of course, that no one stands convicted of carrying out

1 the bombing. Later in this address we'll say a little
2 more about three prosecutions which failed, but at this
3 stage we footnote them as having been against
4 Sean Hoey, Colm Murphy and Seamus Daly.

11:27

6 It's equally well known that in a landmark case some of
7 the bereaved families and survivors sued five people
8 and one organisation on the basis that they were liable
9 for the Omagh bombing. That case, the civil case, is
10 often referred to by way of a shorthand, namely

11:27

11 "Breslin." This shorthand is a reference to
12 Mark Breslin who was the First Named Plaintiff in those
13 civil proceedings which were brought by a total of
14 12 plaintiffs who were either, like Mark Breslin, a
15 relative of a person killed (in his case his wife
16 Geraldine), or injured in the bombing.

11:28

18 The Breslin litigation ultimately resulted in four of
19 the five men who were alleged to be responsible for the
20 Omagh bombing being found liable along with the
21 organisation that we've referred to. The four men
22 found liable were Michael McKeivitt, Liam Campbell,
23 Colm Murphy, and Seamus Daly. The man not found liable
24 was Seamus McKenna. And the organisation that was
25 found liable was the Real IRA.

11:28

11:29

27 In the course of the two judgments which established
28 liability for the Omagh bombing the judges who heard
29 the cases made findings of fact on the balance of

1 probabilities. Sir, we will be referring to those
2 findings of fact in support of some of our working
3 hypothesis. However, as we've made clear already the
4 Inquiry will not be bound by, or in any way limited by
5 what occurred in that litigation. In particular, the 11:29
6 fact that Seamus McKenna was not found liable is not an
7 outcome which binds this Inquiry. And, indeed, our
8 working hypothesis is that contrary to that finding he
9 (Seamus McKenna) played a key role.

10
11 By the same token, the Inquiry is not in any way bound
12 by the outcome of the criminal proceedings. No doubt
13 it will be important to understand on what basis the
14 prosecutions of Sean Hoey, Colm Murphy, and Seamus Daly
15 ultimately failed, but that will be so as to take 11:30
16 account of that when deciding what weight, if any, the
17 content and outcome of those proceedings should have on
18 your conclusions, Sir.

19
20 To return for a moment to the Breslin proceedings. 11:30
21 It's difficult to overstate the importance of that
22 litigation in the history relating to, and following on
23 from, the Omagh bombing. For the Inquiry, or at any
24 rate for the Inquiry Legal Team at this stage, the
25 analysis and findings of liability in the Breslin 11:30
26 litigation form an important part of the starting point
27 for the working hypothesis. However, we, the Inquiry
28 Legal Team, will, without fear or favour, seek to
29 establish both in open and in closed how far we can

1 take matters beyond that starting point.

2
3 observation 6, so the final preliminary observation:
4 And this observation will itself break down into a
5 number of parts. 11:31

6
7 Part of the working hypothesis of the Inquiry Legal
8 Team is based around the attribution of particular
9 telephones to particular individuals. That attribution
10 extends beyond saying merely that an individual was the 11:31
11 ordinary user of a particular number or that they owned
12 or were the subscriber to it. The working hypothesis
13 attributes particular calls to particular individuals.
14 Furthermore, at key points the working hypothesis
15 attributes particular calls to particular individuals 11:32
16 in particular vehicles. And by that, we mean that the
17 evidence currently appears to the Inquiry Legal Team
18 who indicate that the plotters took two cars to Omagh
19 on the 15th of August 1998. A scout car travelled
20 ahead, followed some distance behind by "the bomb car," 11:32
21 as we'll describe it from time to time.

22
23 There are sound reasons to believe that Seamus Daly was
24 in the scout car with a mobile telephone with a number
25 ending 585, quite possibly accompanied by at least one 11:32
26 other person, and that his job was to keep in contact
27 with the bomb car, alerting the occupants of that
28 vehicle to any issues on the route ahead. And,
29 furthermore, there are sound reasons to believe that

1 Seamus McKenna was in the bomb car with a mobile
2 telephone ending 980, accompanied by a second man.

3
4 Sir, we will get to the detail of all of that in due
5 course and investigate it in yet more detail during the 11:33
6 course of the evidence in Chapter 3. For now, a number
7 of things need to be made clear about the approach to
8 attribution that we propose to adopt.

9
10 All attributions, firstly, are expressly provisional. 11:33
11 And we emphasise that word "provisional." As with all
12 aspects of the working hypothesis, the attributions are
13 subject to other later evidence and an assessment of
14 their relevant strength by you, Sir, at the end of and
15 in light of all the evidence. 11:33

16
17 Secondly, all provisional attributions that we will
18 describe today and examine in Chapter 3, are on the
19 basis of open evidence.

20 11:34
21 Thirdly, attributing particular mobile telephone calls
22 to a particular individual on the basis of inference as
23 opposed to, for example, admissions, is routine in
24 legal proceedings and has been for many years now. In
25 such legal proceedings the assessment of the 11:34
26 reliability of any specific attribution must
27 necessarily be subject to a number of common sense
28 points. And, equally, those common sense points must
29 be applied to the Inquiry Legal Team's provisional

1 attributions.

2
3 And so what are those common sense points? They are
4 these: Most mobile telephone handsets are, at the risk
5 of stating again the obvious, portable and 11:35
6 transferable. An individual may lend their handset to
7 another person, as such, it's possible that a different
8 person from the owner may be using the handset at any
9 given time. And even within a short time period it's
10 possible for several people to use the same handset to 11:35
11 make different calls.

12
13 In the case of organised crime groups, moreover, the
14 possibility of phone sharing within that crime group is
15 a phenomenon that is well recognised within law 11:35
16 enforcement. Furthermore, we are concerned with a
17 number of calls made from cars whilst those vehicles
18 were in motion. In any such situation, there exists
19 the possibility that there will be more than one person
20 in the car, and that the occupants of the car take 11:35
21 turns driving. For that reason, without the sort of
22 handsfree capability that we have now in 2026, more
23 than one person in the car might make calls from the
24 same handset over the duration of the journey.

25 11:36
26 Eyewitness evidence that we will get to, supports the
27 conclusion that there were two men in the bomb car when
28 it parked on Market Street. It is entirely conceivable
29 that there were at least two people in the scout car as

1 well, given that before they set off the plan was
2 plainly for there to be regular contact between the
3 scout car and the bomb car as in fact proved to be the
4 case.

5
6 In terms of all of these common sense points, the
7 position of the Inquiry Legal Team is this - and this
8 needs to be plainly stated: Our focus is on
9 identifying those who took part in the plot to bomb
10 Omagh on the 15th of August 1998. If we provisionally 11:36
11 attribute a particular call to a named individual in
12 circumstances in which in fact that person did not make
13 the call but was instead driving the car as their
14 passenger made the call alongside them, well that
15 attribution is not properly described as wrong, it is 11:37
16 simply incomplete. It's incomplete because it does not
17 identify all of those who were participating in that
18 call and it doesn't identify its purpose. The person
19 driving and sitting beside the person making the call
20 is no less part of the plot because he did not make 11:37
21 that particular call. And that's because the
22 inevitable inference is that they're in it together.
23 Obviously, in an ideal world we would be able to
24 achieve clarity in relation to the precise role played
25 by each individual in relation to every aspect of the 11:38
26 plot, including the telecommunications. But experience
27 indicates that that is rarely, if ever, possible,
28 particularly in the context of organised and serious
29 criminality and terrorism.

1 what we do, however, believe we're able to do, is to
2 identify the plotters, or at least many of them, as
3 part of our working hypothesis.
4

5 As we've indicated already, some of the provisional 11:38
6 attributions arise from attributions recorded in the
7 work of analysts in the police investigation into the
8 bombing. On these occasions, based on the Inquiry
9 Legal Team's current understanding, the analysts were
10 recording what they were told by others, in other words 11:39
11 they were not making the attributions themselves. We
12 will, of course, seek to understand the basis for each
13 attribution but there exists, it seems to us, the
14 possibility that at this remove of time it is not
15 possible to say, with confidence, why particular 11:39
16 attributions were recorded as they were.
17

18 By the end of your evidential process, Sir, if this
19 remains the position and no other evidence has emerged
20 relevant to the provisional attribution, you will need 11:39
21 to take a view on the extent to which you can reach
22 conclusions based only on that information. If, as
23 we've said, that remains the position. And you will
24 also want to bear in mind, may we suggest, that one
25 analyst may have simply repeated the attribution 11:39
26 recorded by an earlier analyst and so, as such, a later
27 record of the attribution does not provide independent
28 corroboration for the earlier record. That is no more
29 than common sense.

1 Sir, having taken a little time, 40 minutes, to set out
2 those six observations, we will turn now to setting out
3 some of the detail of the working hypothesis that we
4 will begin to investigate in Chapter 3. Before doing
5 so, it is important - important in the highest degree - 11:40
6 that we emphasise that we are turning now to consider
7 the detail of the planning for, and the carrying out
8 of, the Omagh bombing. It's important that all of
9 those in the room here in Belfast, and those beyond,
10 whether watching on the link in Omagh or via the 11:40
11 broadcast on YouTube, should consider their own
12 wellbeing. And so, Sir, before continuing, we'll pause
13 for a short time, just 20 seconds or so to enable
14 anyone who wishes to leave this room or the room in
15 Omagh, or who wishes to switch off their feed can do 11:41
16 so. And, Sir, can we say it will not bother us at all
17 - and we know will not bother you - if anyone wishes to
18 take that opportunity.

19
20 [Short pause]. 11:41

21
22 Sir, we're going to turn, as I said we would, to the
23 working hypothesis, and the starting point of the
24 hypothesis involves an examination of the circumstances
25 of the theft of what we have described as the bomb car. 11:41
26

27 By the 12th of August 1998, at the latest, a plan was
28 in place for a car to be stolen for use as a vehicle to
29 transport a bomb. And it's clear that a particular

1 type of car had been identified for that purpose,
2 namely a Vauxhall Cavalier.

3
4 The Inquiry Legal Team's current working hypothesis is
5 that the person who took, who stole the car used in the 11:42
6 bombing was a man called Anthony Donegan, and, indeed,
7 in one of the police interviews conducted with him
8 after the attack, he accepted that this had been his
9 role, although he was later to retract that admission.

10 11:42
11 Anthony Donegan was connected to a terrorist through a
12 third party. That third party used a landline as part
13 of the plan to steal a Vauxhall Cavalier. The landline
14 was registered to a man called Paul Kelly, who was
15 known as "Jaws" or Paul Jones 'Jaws' Kelly. The 11:43
16 Inquiry Legal Team's current working hypothesis is that
17 the user of that landline, in making and receiving
18 relevant calls, was Paul 'Jaws' Kelly. Paul Kelly was
19 a longstanding friend of Anthony Donegan and
20 Anthony Donegan, moreover, worked for him. 11:43

21
22 Anthony Donegan was also an employee of another man,
23 and that man's name is Colm Murphy. Colm Murphy is a
24 key figure in the relevant events and we will return to
25 him shortly. As we shall see, the evidence suggests 11:43
26 that Colm Murphy sat like a spider at the centre of the
27 web of the plan to detonate a bomb in Omagh on 15th of
28 August 1998.

1 The Inquiry Legal Team's current working hypothesis is
2 that Paul Kelly was acting as an intermediary between
3 the man who was to take the car, Anthony Donegan, and a
4 terrorist. That terrorist was Seamus Daly. The
5 contact from Paul Kelly to Seamus Daly was by 11:44
6 Paul Kelly's landline to a mobile telephone which
7 Seamus Daly admitted to the police in interview was his
8 mobile telephone and that he was the sole user of it.

9
10 That telephone, which Seamus Daly admitted to being the 11:44
11 sole user of during this time, is an important
12 telephone in Chapter 3. We will be referring to it by
13 its last three digits, 076. And sometimes we will
14 describe it as "the green phone" - a colour given to it
15 by the Inquiry Legal Team in the timeline prepared for 11:45
16 this hearing and in the Electronic Presentation of
17 Evidence that we, I hope, will look a little of later
18 in this opening statement.

19
20 Seamus Daly is the user of the 076 phone, often we'll 11:45
21 refer to that as I have said, as "the green phone" or
22 as "the 076 green phone."

23
24 We've just described Seamus Daly as a terrorist and
25 we've used that description because, after the Omagh 11:45
26 bombing he was convicted in the Republic of Ireland of
27 membership in 2000 of the Real IRA. The Real IRA is
28 the terrorist organisation which subsequently claimed
29 responsibility for carrying out the Omagh bombing, and

1 the Inquiry Legal Team assesses that this violent
2 dissident republican terrorist group did indeed play a
3 key role in the attack on the 15th of August, as indeed
4 was the conclusion reached in the Breslin litigation.

11:46

6 On the basis of the Inquiry Legal Team's current
7 working hypothesis, call pattern analysis of the
8 telephone evidence establishes that Paul Kelly was in
9 contact with both Anthony Donegan, the car thief, and
10 Seamus Daly, the terrorist, on 12th August 1998. The
11 most striking of these contacts was at 11:21 p.m. on
12 the 12th August. At 11:21:03, Paul Kelly called
13 Anthony Donegan for 27 seconds, meaning that the call
14 ended at 11:21:30. Eighteen seconds after that call
15 ended, Paul Kelly called the green phone of Seamus
16 Daly, again for 27 seconds.

11:46

11:47

18 And, Sir, I referred just a short time ago to a
19 timeline that has been prepared for the Chapter 3
20 hearings and those calls that I've just referred to, we
21 can see in that timeline on the screen, Sir, that we
22 can start to get used to the format of that document.
23 So can we see please the timelines 36 and 37. Thank
24 you very much indeed.

11:47

11:47

26 Ms. Montgomery, thank you. So those two calls on 12th
27 August, the first 11:21:03, 23:21:03, a voice call from
28 the Paul Kelly landline to the mobile telephone of
29 Anthony Donegan. And then very shortly after that call

1 ended, the same landline number of Paul Kelly is
2 calling the green phone of Seamus Daly. And so what is
3 afoot here is starting to become apparent and, Sir,
4 what you will notice, that each of those calls, as
5 we've said, 27 seconds, so a meaningful period of time 11:48
6 for a call.

7
8 If we just leave those on the screen, Ms. Montgomery
9 for a moment.

10 11:48
11 The Inquiry Legal Team's current working hypothesis is
12 that these were key calls. The timing and proximity of
13 the calls, which contact was mirrored in the early
14 hours of the following day, supports the team's working
15 hypothesis that Paul Kelly's role was that of an 11:49
16 intermediary between the thief of the vehicle and the
17 terrorists who were to convert that vehicle into a car
18 bomb.

19
20 You can take that off the screen, Ms. Montgomery. 11:49
21 Thank you.

22
23 Within a matter of hours within those two calls, a
24 Vauxhall Cavalier belonging to a man called Paul Ward,
25 was stolen from the town of Carrickmacross in the 11:49
26 Republic of Ireland. Eyewitness evidence gathered by
27 the AGS investigation makes it clear that the target
28 car of those who ultimately took Mr. Ward's vehicle was
29 a Vauxhall Cavalier. So that's what they were after

1 stealing. Effectively, Paul Ward's car was stolen to
2 order. The evidence of the eyewitnesses reveals that
3 it's likely that three other Vauxhall Cavaliers on the
4 same street as the street that Mr. Ward's was taken
5 from or nearby were the subject of interference that
6 same night.

11:50

7
8 why a Vauxhall Cavalier in particular was the focus of
9 those looking to take a car in Carrickmacross is
10 revealed by what happened later and, Sir, we will come
11 to that in due course.

11:50

12
13 To return to the events overnight between the 12th and
14 13th of August. Paul Ward's Vauxhall Cavalier was
15 parked by him on the road not far from 56 Macartan's
16 villas, at about 11:00 p.m. on the 12th. So it was
17 parked up at that time. At 3:30 a.m. on the 13th, when
18 Paul Ward came out of 56 St. Macartan's villas with a
19 view to driving home, he discovered that his car had
20 gone. The weight of the eyewitness evidence provides
21 support for the conclusion that the theft occurred
22 sometime around 1:00 a.m. on the 13th of August, so
23 over two hours or more before Mr. Ward discovered that
24 his car had been taken.

11:50

11:51

25
26 In interview with the police, Anthony Donegan, the
27 thief, suggested that he had taken the Vauxhall
28 Cavalier to Dundalk, a town several miles to the east
29 of Carrickmacross and also in the Republic of Ireland.

11:51

1 Sir, we anticipate that we're going to hear a lot of
2 evidence in Chapter 3, indeed we're quite sure we're
3 going to hear a lot of evidence in Chapter 3, which in
4 one form or another relates to Dundalk. And that is
5 because it was the hometown and base of operations of 11:52
6 many of those whom the Inquiry Legal Team has
7 identified as being key individuals in this chapter.
8

9 Returning to the telephone evidence. At 22:08 a.m., on
10 the 13th, Anthony Donegan's phone called Paul Kelly's 11:52
11 landline for 12 seconds. Anthony Donegan's mobile used
12 a cell site mast - and we'll explain what that means in
13 due course - and that cell site mast served the Dundalk
14 area at this time. So, in general terms, the evidence
15 was consistent with Anthony Donegan calling Paul Kelly 11:52
16 at a time at which he was in the vicinity of Dundalk.
17 Then, less than two minutes later, Paul Kelly's
18 landline called the green phone, in other words having
19 been called by Anthony Donegan, he called Seamus Daly.
20 And then two further calls were made in quick 11:53
21 succession in the subsequent minutes from Paul Kelly's
22 landline to Seamus Daly's green mobile phone.
23

24 Again, I'm going to ask Ms. Montgomery, who is,
25 helpfully, operating the equipment, if we can see those 11:53
26 calls displayed graphically on the screen, it's back to
27 the timeline at lines 44. I'm told that the timeline
28 is not being displayed on the screen, it's in hand.
29 I'll just give that a few minutes, Sir, because I don't

1 want those in the public gallery to be deprived of
2 experiencing this. It's back up and running. Thank
3 you very much.

4
5 we were looking at those calls on the 13th. Remember, 11:54
6 Sir, we looked at calls on the 12th, Kelly and Donegan,
7 Kelly and Seamus Daly. Here, probably about an hour
8 and a half after the cavalier of Mr. Ward had been
9 stolen, what's happening; Mr. Donegan at 2:28 in the
10 vicinity of Dundalk is calling Paul Kelly, the 11:54
11 intermediary, and then in the five minutes that follow,
12 Paul Kelly, is telephoning the green 076 phone of
13 Seamus Daly, three such calls.

14
15 we can take that off the screen now, thank you. 11:54

16
17 Taken together, this evidence forms the basis for the
18 current working hypothesis of the Inquiry Legal Team
19 that Mr. Ward's Vauxhall Cavalier, once it had been
20 stolen, was taken to Dundalk and then made available to 11:55
21 Seamus Daly for collection by him or others in the
22 early hours of the 13th ready to be loaded with a bomb.

23
24 On the 12th and 13th of August, Seamus Daly's green
25 phone was not in contact only with Paul Kelly's 11:55
26 landline. That phone - so Seamus Daly's phone - also
27 made a number of calls to the Emerald Bar in Dundalk.
28 The Emerald Bar was owned by Colm Murphy, that man to
29 whom we've made reference already. And the Emerald Bar

1 was also a place that Seamus Daly's partner,
2 Sheila Grew, worked.

3
4 The green phone was also in contact that day with a
5 number which the Inquiry has provisionally attributed 11:56
6 to Joseph, known as Joe Fee. Joe Fee is another
7 terrorist with links to violent dissident
8 republicanism. We say that because he was convicted of
9 terrorism offences, namely possession of an explosive
10 substance in June 2003. He, too, was an associate of 11:56
11 Colm Murphy.

12
13 During the period of the 12th and 13th of August, the
14 mobile telephone the Inquiry has provisionally
15 attributed to Joe Fee, was in contact with a mobile 11:56
16 telephone which was subscribed to Colm Murphy. Sir, by
17 "subscribed," a term we've already used, we mean that
18 Colm Murphy had entered into a contract with a mobile
19 phone operator by which he was allocated a particular
20 number. And that mobile number is one of the key 11:57
21 telephone numbers in Chapter 3 and we will be referring
22 to it either by the last three digits of its number,
23 namely, 585, or as "the dark blue phone." So dark blue
24 phone, 585. Attributed initially to Colm Murphy but as
25 we're going to see, on the 15th it is in the current 11:57
26 estimation of the Inquiry Legal Team to be attributed
27 to Seamus Daly - 585, dark blue phone.

28
29 Sir, so far we've mentioned a number of telephones in

1 relation to which the Inquiry has made provisional
2 attributions. We've already identified two key phones,
3 076, the green phone, Seamus Daly, and 585, the dark
4 blue phony initially Colm Murphy. We do appreciate
5 that in this opening address we're going to be
6 referring to a number of numbers attributed to a number
7 of people. What we can assure, Sir, you of and all who
8 are watching is that we will do our best to communicate
9 whose phones they are in our provisional estimation, at
10 which points in time by using materials available to
11 us. But over the course of Chapter 3, experience
12 indicates that everyone will become most familiar with
13 these phones.

11:58

11:58

14
15 Sir, we've already in what we've said so far over the
16 course of nearly an hour identified those two key
17 phones, green, 076 and dark blue, 585. And at this
18 stage, the narrative requires the introduction of a
19 third key phone.

11:58

20
21 The mobile telephone with a number ending 430, has been
22 given by the Inquiry Legal Team the designation "the
23 red phone." And this was a telephone which subscribed
24 to a man called Oliver Treanor. Oliver Treanor, like
25 Colm Murphy, has connections with permeate across the
26 key individuals and organisations identified in the
27 working hypothesis of the Inquiry Legal Team.

11:59

11:59

28
29 Oliver Treanor was employed by a company owned by

1 Colm Murphy. That company is called Mountkern
2 Construction Limited, which, as the name suggests, was
3 a company involved in the building trade.
4 Oliver Treanor had a connection to another business and
5 that business was called Town Glass Limited. Town 12:00
6 Glass Limited was owned and operated by Oliver Treanor
7 and a man named Seamus McGrane. That business employed
8 three brothers; Liam Campbell, Peter Campbell, and
9 Michael Campbell. And for the purpose of these
10 introductory remarks we will largely focus on the first 12:00
11 of those men, Liam Campbell, albeit the two other
12 brothers will get a mention.

13
14 while that number, 430, the red phone was subscribed to
15 Oliver Treanor there is good reason to believe that 12:00
16 Liam Campbell was a user of that number. A person
17 called Daniel Hughes, known as "Danny Hughes," told the
18 police in interview that 430 was one of Liam Campbell's
19 telephone numbers. Furthermore, that provisional
20 attribution of red 430 to Liam Campbell does not depend 12:01
21 solely on the assertion of Danny Hughes. And that's
22 because in the address book in the mobile telephone of
23 Danny Hughes, he, Danny Hughes, had recorded 430 under
24 the name, "Liam C."

25 12:01
26 Analysis of the telephone calls between 430 and two
27 other numbers has led to the provisional attribution of
28 the user of 430 changing at some point on the 13th of
29 August from Oliver Treanor to Liam Campbell. The

1 detail of this provisional attribution will be
2 considered during the evidence in Chapter 3 but the
3 upshot of it is that by the 15th August, the
4 provisional attribution of the user of 430, the red
5 phone is Liam Campbell. There is necessarily or 12:02
6 inevitably one might say a degree of complexity in
7 relation to all of this, but for the purposes of the
8 narrative going forward we can fix 430 red as
9 provisionally attributed on 15th of August to
10 Liam Campbell. 12:02

11
12 Liam Campbell is another terrorist. He was convicted
13 in the Republic of Ireland of membership in 2000 of the
14 Real IRA. And he was also found liable for the Omagh
15 bombing in the Breslin litigation. 12:02

16
17 Turning away from the telecommunications evidence for a
18 moment, a number of witnesses came forward during the
19 investigation into the Omagh bombing, and so after the
20 attack itself had occurred, to say that they believed 12:03
21 that they had seen the stolen Vauxhall Cavalier during
22 the day of the 13th of August or at some point on the
23 14th of August. And, Sir, this is an area of the
24 evidence that you will have to grapple with during the
25 course of Chapter 3 and subsequently when you report. 12:03

26
27 we'll hear about these sightings by eyewitnesses in the
28 course of Chapter 3. Many of them contain details
29 which are striking, insofar as they suggest a close

1 match to the appearance and registration plate of the
2 stolen Vauxhall Cavalier. Some of this evidence
3 appears, on its face, to be broadly reliable. But as
4 we shall see when we plot these sightings on a map,
5 they cannot be so in relation to all of them.

12:03

6
7 Furthermore, and while casting no aspersions on any of
8 those who came forward to describe their sightings, the
9 risk of hindsight bias plainly exists. What we mean by
10 that is that the reports to the police, whether in
11 Northern Ireland or in the Republic of Ireland, took
12 place in the context of an appeal by the police which
13 set out the description of the car that had been used
14 in the bombing and its number plate. In those
15 circumstances, at the very least, there exists, it
16 seems to be the Inquiry Legal Team the possibility that
17 witnesses' recollections have been influenced by what
18 they have read about after the sighting they have
19 described. Sir, this is a well-recognised phenomenon
20 and does not require an individual to be acting in bad
21 faith for them to be incorrect, no matter how
22 compelling the detail of their account appears to be.
23 Sir, it seems that all of this will need to be allowed
24 for before reaching any conclusions as to the
25 reliability of the sightings, or indeed any of them.

12:04

12:04

12:04

12:05

26
27 There is an additional factor which will need to be
28 borne in mind in considering the bomb car and the
29 potential sightings of it.

1 As we've said, it seems likely that Paul Ward's
2 Vauxhall Cavalier was stolen to order. Support for
3 this comes from the fact that, as we've explained
4 already, other Vauxhall Cavaliers appear to have been
5 targeted for theft in the area of St. Macartan's Villas 12:05
6 on the night of the 12th to the 13th of August. But
7 there is further support for this hypothesis that a
8 Cavalier was deliberately selected. So further support
9 for the hypothesis is provided by the false number
10 plate that the Cavalier ended up on. So the idea that 12:06
11 we are developing, that a Cavalier was selected as the
12 bomb car is given further support by the number plate
13 that was later falsely fitted to it, which, as we'll
14 all know, is MDZ 5211.

15
16 But by way of background, the fitting of cloned number
17 plates on stolen vehicles used to transport bombs to
18 their place of detonation was a common thread in
19 dissident republican terrorist attacks in the late
20 1990s in Northern Ireland. By describing cloned number 12:06
21 plates, Sir, we're describing a tactic in which a car
22 would be stolen and then the number plate for a
23 legitimate vehicle of a similar make, model and
24 appearance would then be manufactured and applied to
25 the stolen vehicle. In this way it was calculated that 12:07
26 if the stolen vehicle were to be the subject of a check
27 on police systems, its status as stolen would be less
28 likely to be revealed. And as will be perfectly
29 obvious, those transporting bombs would wish to attract

1 as little attention as possible and this tactic, the
2 tactic of using cloned number plates, was part of the
3 terrorist trade craft.
4

5 A man with the name Bernard McGinn, worked in Dundalk 12:07
6 in the Republic of Ireland. And as will be recalled,
7 where certain, Dundalk, was the town the stolen
8 Vauxhall Cavalier was, we believe, taken to once it had
9 been stolen. Bernard McGinn owned, at the relevant
10 time, a maroon Vauxhall Cavalier. So a vehicle very 12:08
11 similar indeed to Paul Ward's car. Mr. McGinn's
12 vehicle bore the registration mark, MDZ 5211.

13 Mr. McGinn worked at a factory on the Finnabair
14 Industrial Estate in Dundalk. That industrial estate
15 is close to a main road called Coes Road and that road 12:08
16 runs through Dundalk and, indeed, Mr. McGinn was to
17 explain to the police that to get to work he would
18 drive along Coes Road.
19

20 The working hypothesis that we intend to explore in 12:08
21 Chapter 3, holds that Coes Road is a potentially
22 significant location. The company we have mentioned
23 already, Town Glass Limited, was based on that very
24 road. That business is associated with a number of the
25 key individuals in the working hypothesis; so 12:09
26 Oliver Treanor, Liam Campbell, Peter Campbell,
27 Michael Campbell and Seamus McGrane. Furthermore,
28 Seamus McKenna - a man we will say much more about
29 shortly - is associated with an address very near Coes

1 Road. And Phoenix Electrical, a business which
2 employed Sean Hoey, another of the key individuals in
3 the working hypothesis, well that business, Phoenix
4 Electrical, was also based on Coes Road.

5
6 All of that means that a number of key individuals, as
7 we've described them, will have had the opportunity to
8 see Mr. McGinn's Vauxhall Cavalier driving by or parked
9 up, make a note of its registration plate, and then
10 commission a theft of a vehicle that matched that make, 12:09
11 model and no doubt a similar colour.

12
13 whilst self-evidently not the only way in which the
14 number plate could have been identified as being useful
15 for the plot, it does provide, so it seems to the 12:10
16 Inquiry Legal Team at this stage, a credible potential
17 explanation for the selection of the vehicle used (or
18 the vehicle type used, at any rate) in the Omagh
19 bombing. If it is correct, as we provisionally assess,
20 that Paul Ward's Vauxhall Cavalier was stolen to order, 12:10
21 as a matter of common sense it would make it more
22 likely that the preparations for the number plate
23 switch would have been under way before Mr. Ward's car
24 was taken. In turn, this may mean that the stolen car
25 did not display its original plates for very long after 12:10
26 the theft.

27
28 Sir, we hope that line of reasoning makes sense.
29

1 And if that was so, if the switch took place quickly
2 after the theft, that then most of the subsequent
3 sightings by the eyewitnesses to whom we've referred,
4 which describe a number plate similar to Mr. Ward's on
5 a Cavalier could not, in fact, have been of his car. 12:11

6
7 There is, it seems to us, one further factor which is
8 capable of bearing on this issue, namely, the
9 experience, if that is the right word to use, of those
10 engaged in the plot to bomb Omagh. It is not 12:11
11 controversial to observe that those responsible for the
12 Omagh bombing had been engaged in a campaign of
13 violence which had begun many months before 15th August
14 1998. They were experienced terrorists and they were
15 motivated by desire not to be caught. The very fact 12:11
16 that they switched the number plate on Paul Ward's car
17 the some point reveals that they had developed a tactic
18 aimed at avoiding being detected or disrupted before
19 their plans reached their end point, that is to say the
20 detonation of the bomb. And this information alone may 12:12
21 support the conclusion that, as a matter of common
22 sense, they would have sought to change the number
23 plate as soon as they could. Though that is to say
24 rather than running a stolen car on its real number
25 plate, as a matter of common sense they would wish to 12:12
26 switch onto the cloned plate as soon as possible.

27
28 whether the totality of the evidence ultimately
29 supports, in your view, Sir, this conclusion will be a

1 matter for determination at a later stage. But this
2 possibility will, we suggest, need to be borne in mind
3 when considering the reliability of the various
4 sightings of a vehicle on the 13th and 14th of August,
5 that we will hear about in Chapter 3.

12:13

6
7 So far, our focus has been on the activities of those
8 who were part of the plot. And it's worth just pausing
9 in that review to consider what the authorities in the
10 Republic of Ireland did once they were notified, as
11 indeed they were, of the theft of Paul Ward's Vauxhall
12 Cavalier. And, Sir, just before I turn to the response
13 of the report I'm just going to check with the
14 Ms. Harrison, our stenographer, whether she's content
15 to carry on beyond her normal one hour and 15 minutes.

12:13

12:13

16
17 Mr. Ward, Paul Ward acted immediately upon discovering
18 his vehicle had been stolen, that discovery being made
19 at about 3:30 a.m. or just probably moments before. He
20 called the AGS straight away. The AGS record supports
21 a conclusion that on being notified of the theft the
22 response of the Gardaí was equally swift.

12:14

23
24 A handwritten record made by an AGS officer at
25 Carrickmacross Garda Station marks the theft as being
26 reported at 3:30 a.m.. immediately, officers were
27 dispatched to St. Macartan's Villas in order to speak
28 to Mr. Ward. A handwritten note that I have just
29 referred to also records that upon notification of the

12:14

1 theft, the guards at Carrickmacross station notified
2 mobile patrols, Castleblayney Garda Station and
3 Monaghan Garda Station of the fact that this crime had
4 occurred. Some officers went to speak to Mr. Ward and
5 other Garda Stations were notified.

12:15

6
7 A handwritten note made at the Monaghan Garda Station,
8 which was the Divisional Communication Centre, has been
9 provided to the Inquiry by the AGS. And this supports
10 the proposition that the report of the theft was
11 disseminated and disseminated swiftly.

12:15

12
13 Further, a fax timed at 3:40 a.m., so 10 minutes after
14 the first notification, from Monaghan Divisional
15 Communication Centre, was sent to all stations. The
16 fax was marked as urgent and it provided a description
17 of Mr. Ward's vehicle and its number plate.

12:15

18
19 So, further a form completed at Garda Headquarters in
20 Dublin and timed at 3:45 a.m. records details of the
21 stolen vehicle, again, including its number plate.

12:15

22
23 The next record which the Inquiry holds of relevance to
24 this issue, is timed later on the 13th of August. That
25 document is timed at 1:00 p.m. It records the
26 notification of Gardaí stations across the Republic of
27 Ireland to a number of vehicle thefts including, as
28 I've indicated and not limited, to that of the car of
29 Paul Ward. And it, so that record at 1:00 p.m. also

12:16

1 indicates that the list of stolen vehicles, including
2 Mr. Ward's, was provided to the RUC in Belfast. So at
3 1:00 p.m. the information about the theft is travelling
4 outside of the Republic of Ireland on the materials
5 we've seen and is reaching the RUC in Belfast.

12:16

6
7 The nature and timing of this information sharing is a
8 matter for investigation by the Inquiry, and in
9 particular by you, Sir, however, on their face the
10 documents support the conclusion that the AGS responded 12:17
11 immediately at a local level, quickly disseminated the
12 information across the Republic of Ireland and gave
13 notice to the RUC nine and a half hours after the theft
14 had been reported to them.

12:17

15
16 what happened to that information once received by the
17 RUC is plainly an important matter for investigation by
18 the Inquiry. A record, we will consider in Chapter 3,
19 indicates that within 20 minutes of receiving
20 notification, the RUC had created an entry on the 12:17
21 Police National Computer in relation to the theft of
22 Mr. Ward's car. That whole chain of events, Sir, will
23 be for close examination in Chapter 3.

24
25 Sir, having taken that detour into what the authorities 12:18
26 did in response to the notification of the theft, we
27 are going to turn back now to the working hypothesis of
28 the Inquiry Legal Team in relation to the people who
29 were responsible for carrying out the Omagh bombing.

1 Before we come to the day of the bombing itself, it's
2 relevant to note an event that occurred the day before,
3 the 14th of August.

4
5 At 1:00 p.m. that day, 1:00 p.m. on 14th of August, a 12:18
6 vehicle crossed the Border at the town of Aughnacloy.
7 When it did so it drove through a permanent vehicle
8 checkpoint known as a PVCP. And that checkpoint was on
9 the A5 Monaghan Road. The arrangements at that
10 crossing point will be explored in due course in the 12:19
11 course of Chapter 3, but what is clear as matters
12 stand, is that the vehicle in question was travelling
13 in a northerly direction. So that is to say it was
14 travelling through the checkpoint from the Republic of
15 Ireland and into Northern Ireland. We know this 12:19
16 because a camera at the checkpoint recorded the vehicle
17 crossing, pausing the camera for a substantial period
18 as the vehicle did so. In the police investigation
19 after the bombing, that vehicle was identified by the
20 RUC or PSNI officers, from the footage which had been 12:19
21 seized. So footage was seized and examined at that
22 stage.

23
24 Sir, what then may be the significance of this vehicle
25 crossing the Border from south to north at that point 12:20
26 and at that time?

27
28 well first, the vehicle: The vehicle was a white
29 Volkswagen Golf car. And it had a registration mark

1 91-MN-432. The officers' reports, the police officers'
2 reports made during the investigation into the bombing,
3 suggests that that Golf was associated with the
4 Campbell family and with Peter and Michael Campbell in
5 particular. And, Sir, that as may have struck 12:20
6 everyone, is the same Campbell family, members of which
7 were employed by Town Glass Limited, including
8 Liam Campbell. So that is the significance or
9 potential significance of the vehicle.

10
11 Second, the location: As we'll reach in due course,
12 when travelling from the Republic of Ireland into
13 Northern Ireland on 15th of August, the Cavalier
14 carrying the bomb crossed the Border somewhere in the
15 area of Aughnacloy. While its precise crossing point 12:21
16 has never previously been established, the cell site
17 evidence from the mobile telephone travelling in the
18 bomb car is consistent with it using either the same
19 road as the one driven by the VW Golf or one close by.
20 And we'll turn shortly to say more about the cell site 12:22
21 evidence.

22
23 So, what it comes to is that a vehicle with a strong
24 connection to one of those found liable for the bombing
25 in the Breslin litigation, crossed the Border in the 12:22
26 same area as the bomb car, travelling in the same
27 direction the day before the attack took place.

28
29 I hope this is making sense so far.

1 Third, what may be the significance of the time of this
2 crossing? As we've said, the Volkswagen Golf
3 associated with the Campbell family crossed the Border
4 into Northern Ireland at Aughnacloy at 1:00 p.m. on the
5 14th of August. Cell site analysis indicates that the 12:22
6 bomb car crossed the Border into Northern Ireland at
7 Aughnacloy a short period after 1:00 p.m. the following
8 day. As we will see in due course, calls from the
9 scout car to the bomb car at 1:13 p.m. and 1:29 p.m.
10 are consistent with the scout car performing its role 12:23
11 around the time the crossing occurred. That is the
12 significance of the vehicle, of the location and of the
13 time of the crossing.

14
15 So, it currently seems to the Inquiry Legal Team, the 12:23
16 ownership of the Volkswagen Golf and the location and
17 timing of its crossing into Northern Ireland at
18 Aughnacloy are consistent with a test run being
19 performed the day before the bombing.

20 12:23
21 Sir, having established those baseline data points,
22 whether this is, in fact, a matter of significance or
23 material coincidence, is something that the Inquiry
24 will certainly seek to understand further in the course
25 of Chapter 3. 12:24

26
27 In dealing with the events of the 15th of August, it's
28 now relevant to introduce a further key mobile
29 telephone. This number, the one that we are about to

1 deal with, ends with the three digits 980. And that
2 980 telephone has been given the colour orange by the
3 Inquiry Legal Team. The orange 980 phone travelled
4 from the Republic of Ireland to Omagh in the early
5 afternoon of the 15th August. And on the working
6 hypothesis of the Inquiry Legal Team that number, 980
7 orange, was in the stolen Vauxhall Cavalier containing
8 the bomb as it made its way to Omagh. So one of the
9 men in that vehicle had that orange 980 phone, is the
10 Inquiry's current assessment.

12:24

12:25

11
12 The orange phone, 980, was subscribed to a man who
13 lived in the Republic of Ireland, so the person who had
14 the contract for that number. The man who had entered
15 into that contract is called Michael McDermott.

12:25

16 However, although the contract was made in that man's
17 name, the application form for the phone, which we have
18 seen, made clear that Mr. McDermott's son-in-law,
19 Patrick Terence Morgan, known as "Terence Morgan,"
20 would be the ordinary user of the handset and the 980
21 number used by it. So we hope that's clear. The
22 contemporaneous material indicates that although
23 Michael McDermott had acquired the contract for that
24 phone, the normal user of it would be Terence Morgan.

12:26

12:26

25
26 Terence Morgan worked for Colm Murphy as the foreman at
27 Colm Murphy's construction company. And he was also
28 Colm Murphy's first cousin once removed.

1 The working hypothesis of the Inquiry Legal Team,
2 which, of course, is subject to the points and caveats
3 which we set out an hour or so ago, the working
4 hypothesis is that the provisional attribution of the
5 orange 980 phone on 15th August 1998 is to
6 Seamus McKenna.

12:27

7
8 Sir, before explaining the basis for that provisional
9 attribution, balance requires us to set out the
10 following:

12:27

11
12 Terence Morgan told the police after the bombing that
13 he had lent Colm Murphy the 980 orange phone on the
14 14th of August but in the Breslin litigation, as it
15 turned out, the Judge gave no weight to his account.

12:27

16
17 Furthermore, during an interview with the AGS, the
18 record of which was in fact excluded from his criminal
19 trial in Dublin, Colm Murphy was recorded as having
20 said that he borrowed the orange phone from
21 Terence Morgan on the 14th of August and gave it to
22 Seamus Daly.

12:27

23
24 In the Breslin litigation it was alleged that
25 Seamus McKenna was the user of the orange phone on the
26 15th of August. That claim, with which we the Inquiry
27 Legal Team provisionally agrees, was made in reliance
28 on a call made on the orange phone to the landline at
29 Seamus McKenna's home landline number at 3:41 p.m. on

12:28

1 the 15th of August. So little over half an hour after
2 the bomb had detonated.

3
4 Having heard evidence from the wife of Seamus McKenna,
5 and having found her to be unreliable, and so having 12:28
6 declined to give any weight to the account that she
7 gave to the police, the Judge in the Breslin litigation
8 was not satisfied, on the balance of probabilities,
9 that Seamus McKenna was proven to be the user of the
10 980 orange phone on the 15th of August. Nevertheless, 12:28
11 as we have just said, on our working hypothesis the
12 Inquiry Legal Team provisionally attributes the orange
13 980 phone on the 15th of August to Seamus McKenna. So
14 that is to say we attribute that phone, which was in
15 the bomb car on the 15th of August to Seamus McKenna. 12:29

16
17 The basis for this provisional attribution is
18 straightforward and will be one for you to assess the
19 accuracy of, Sir, in light of all of the evidence in
20 due course, but this is the basis for it. 12:29

21
22 First, Seamus McKenna was a man well known to
23 Colm Murphy. Colm Murphy sat, as we've said, at the
24 centre of the events surrounding the bombing.
25 Seamus McKenna was one of Colm Murphy's employees 12:29
26 through Mountkean Construction and he was also a
27 customer at Colm Murphy's Emerald Bar. But can we
28 clear; this is not an attribution about guilt by
29 association. And that is because, second, the evidence

1 is clear that the orange 980 phone travelled to Omagh
2 from the Republic of Ireland on the 15th of August and
3 then, once the bomb car had been left on Market Street,
4 travelled back to the Republic of Ireland, quite
5 possibly, by that stage, in the scout car.

12:30

6
7 And it appears obvious to the Inquiry Legal Team that
8 this was a preplanned journey there and back for the
9 purpose of carrying out the attack and then escaping.
10 That call at 3:41 p.m. was the first call made by the
11 orange phone once it was back in the Republic of
12 Ireland. When it made that call it used a mast near to
13 Clontibret, which was in the same corridor that the
14 scout car used on the way to Omagh. The phone, at the
15 relevant time of that call was still travelling in a
16 southerly direction and it subsequently registered on a
17 mast to the south of Clontibret, at Castleblayney.
18 Castleblayney was the mast used at the start of the
19 scout car's journey to Omagh.

12:30

12:31

20
21 And from this, it may be inferred that the call was
22 made by one of those involved in the bombing at a time
23 at which they felt they were safe from the risk of
24 capture by UK State authorities because they were back
25 in the Republic of Ireland. That call at 3:41 p.m. was
26 to the landline number at the address at which
27 Seamus McKenna lived together with his wife,
28 Catherine McKenna.

12:31

12:31

1 Sir, in the circumstances as they currently seem to be,
2 the working hypothesis of the Inquiry Legal Team is
3 that the case against Seamus McKenna in the Breslin
4 litigation was in fact perfectly sound.

12:32

6 The inference which is available from the open evidence
7 is this; the 980 orange phone was given by its common
8 user, Terence Morgan, to his boss, Colm Murphy.

9 Colm Murphy gave that phone to Seamus Daly, who handed
10 it on to those in the bomb car including

12:32

11 Seamus McKenna, who was also an employee of
12 Colm Murphy, and that Seamus McKenna made a call to his
13 wife on that phone at 3:41 p.m. as he was travelling
14 back through the Republic of Ireland having left
15 devastation in Omagh. And the provisional attribution
16 of the 980 orange phone proceeds on this basis.

12:33

17
18 Having introduced, now, the 980 orange phone, we need
19 to return to a number that we dealt with much earlier,
20 so 585, the dark blue phone. As we've made plain
21 already, the working hypothesis of the Inquiry Legal
22 Team is that in the days leading up to the 15th of
23 August, the 585 number should be attributed to
24 Colm Murphy, given that he was the person to whom it
25 was subscribed.

12:33

12:34

26
27 So we are coming back, Sir, to something that we
28 mentioned earlier because, however, on the actual day
29 of the attack, the provisional attribution of 585, dark

1 blue, changes.

2
3 In interview with the AGS after the 15th of August,
4 Colm Murphy was recorded as having said that he gave
5 his dark blue phone to Seamus Daly at the same time as 12:34
6 he handed over Terence Morgan's orange phone. So in
7 other words, two phones, orange and dark blue, being
8 handed over is what he is recorded as having said at
9 the same time to Seamus Daly.

10 12:34
11 That assertion was excluded from Colm Murphy's criminal
12 trial in Dublin but there are, in fact, additional and
13 independent data points which support what Colm Murphy
14 was recorded as having told the AGS. The starting
15 point for this is the cell site analysis. Shortly, so 12:35
16 in a short time, we're going to set out in detail what
17 the cell site analysis contributes to the evidential
18 picture. For now, we need only indicate that it
19 reveals that the 585 dark blue phone, like the 980
20 orange phone, was taken on a journey from the Republic 12:35
21 of Ireland to Omagh and back again on the 15th of
22 August.

23
24 In the case of the 585 phone there is good reason to
25 think that it travelled in the scout car rather than in 12:35
26 the bomb car.

27
28 And, so, the working hypothesis of the Inquiry Legal
29 Team is that the 585 dark blue phone was transported by

1 those engaged in the plot for the purposes of that plot
2 just as with the 980 orange phone.

3
4 In the course of the return journey, just as was the
5 case with the 980 orange phone, the 585 dark blue phone 12:36
6 made a call that contributes to the attribution
7 picture. At 3:30 p.m., the 585 dark blue phone called
8 a man called Denis O'Connor. So this is a call 26
9 minutes after the detonation of the bomb, and at that
10 point 585 dark blue is calling that man, 12:36
11 Denis O'Connor.

12
13 Denis O'Connor subsequently confirmed that he had,
14 indeed, received that call. His account was that he
15 spoke, in that contact, to a man that he knew as 12:37
16 Seamus Healy, but upon being shown photographs
17 Denis O'Connor identified Seamus Daly as the man that
18 he knew as Seamus Healy. What is more, at 5:23 p.m.,
19 on that day, the 585 dark blue phone called another
20 number and this call also contributes to the 12:37
21 attribution picture. That call was to Seamus Daly's
22 home because the landline for that property was
23 registered in the name of his father namely a man
24 called Patrick Daly.

25 12:37
26 There is one further set of data points that may assist
27 in answering the question of who was using the 585 dark
28 blue phone during the period it was engaged in the
29 there and back journey to and from Omagh. We've

1 already mentioned the 076 green phone as being one that
2 Seamus Daly admitted in interview being the user of.
3 So, he accepted, 'Yes, 076 green, that is mine.' And
4 the point is that that phone, the green phone, stopped
5 being used during the period of the journey of the 585 12:38
6 dark blue phone into Northern Ireland and its return
7 back into the Republic of Ireland. And that, in the
8 current assessment of the Inquiry Legal Team, is
9 consistent with Seamus Daly having turned his attention
10 to the attack he was engaged in, including through the 12:38
11 use of 585 and only resuming the use of 076 once he was
12 safely back in the Republic of Ireland.

13
14 In other words, while engaged in the plot and while
15 using the 585 number, Seamus Daly did not use his own 12:39
16 076 number, and this is sometimes described in the
17 context of criminal proceedings where it is often seen
18 as the person's own mobile telephone that can be
19 attributed to them going dark.

20 12:39
21 For all of those reasons, in the working hypothesis,
22 the provisional attribution of the 585 dark blue phone,
23 is to Seamus Daly for the period of the journey of the
24 bomb to Omagh and the journey back of the plotters
25 after that bomb had been planted. 12:39

26
27 we'll turn next, and with thanks to Ms. Harrison our
28 stenographer, to set out some of the key data points in
29 relation to the first phase of the attack. Sir, I

1 should have checked that you were fine to continue up
2 until probably sometime near to one o'clock.

3 CHAIRMAN: Of course.

4 MR. GREANEY: Thank you. As I said, we'll turn to set
5 out some of the key data points in relation to the 12:40
6 first phase of the attack. But before we do so, we
7 need to say something more about technique, law
8 enforcement technique that we have referred to a number
9 of times already, namely cell site analysis, and we
10 promised that we would come to this and now we do so. 12:40

11
12 During the course of the evidence tomorrow, Mr. de la
13 Poer will establish much more from the Inquiry's expert
14 Dr. Matthew Tart, but for now we hope this summary will
15 do. 12:41

16
17 Mobile telephones work on radio technology. Their
18 operation depends upon the existence of a physical
19 network of radio receivers and transmitters, in other
20 words transceivers. Those transceivers are known as 12:41
21 "cell sites." Those cell sites, as probably everyone
22 knows these days, are commonly mounted on masts or on
23 the roofs of buildings. Each cell site provides
24 coverage over a geographical area, the extent of which
25 will be determined by a number of factors, including 12:41
26 the topography of the area and whether the cell site is
27 in a rural or urban location. All of this will be
28 explained no doubt.

1 when a mobile telephone makes a call it connects to a
2 particular cell site in a nearby area. Network
3 providers maintain a record of which cell site has been
4 contacted for that call. They do so in fact for
5 billing purposes, but for law enforcement, those 12:42
6 records, which these days we call "call data records,"
7 may be of value to an investigation. In particular,
8 perhaps, where a series of calls is made from a vehicle
9 that is on the move, cell site analysis will enable the
10 direction of travel of the vehicle and the period over 12:42
11 which the journey is made to be plotted.

12
13 In 1998, while there were fewer cell sites in Northern
14 Ireland and the Republic of Ireland than there are now,
15 there were, nonetheless, developed networks which 12:42
16 generated data sufficient for that purpose of cell site
17 analysis.

18
19 After the bombing, the police obtained cell site data
20 for many numbers. An analysis of that data presents a 12:43
21 clear, we suggest, picture, in relation to the
22 movements of the 585 dark blue phone and the 980 orange
23 phone on the 15th of August 1998.

24
25 The first cell site record which indicates that the 12:43
26 journey to Omagh had begun relates to the 585 dark blue
27 phone. So that is the phone we provisionally assess to
28 be with Seamus Daly in the scout car.

1 Sir, at the time of that call, the first important
2 record was 12:41 p.m. on the 15th. And the cell site
3 that the 585 dark blue phone used was located at
4 Castleblayney in the Republic of Ireland.

5 Significantly, that call was to the 980 orange phone 12:44
6 that we provisionally assess would have been with
7 Seamus McKenna in the bomb car. So, scout car to bomb
8 car at 12:41, at which time, 585 in the scout car is
9 utilising the cell site in Castleblayney in the
10 Republic of Ireland. We'll just look at that contact 12:44
11 so we become more and more familiar with this timeline
12 on the screen. Could we have line 183 please. Just a
13 little further down. I think it's 183 we're looking
14 for. There we are. Thank you very much.

15 12:45
16 That's the call that I've just referred to. So, there
17 we've got, 585, provisionally assessed to be with
18 Seamus Daly in the scout car, making a call lasting for
19 14 seconds to the 980 orange phone, provisionally
20 assessed to be with Seamus McKenna in the bomb car. So 12:45
21 later on, Sir, we're going to identify the direction of
22 travel of these calls as being of some potential
23 significance. And at the time at which that call is
24 made by 585 dark blue, it's located at Castleblayney in
25 the Republic of Ireland. And what I'm hoping to do 12:45
26 after lunch, if the technology is all set up - and I
27 can't promise that it is - we will look at these calls
28 on the Electronic Presentation of Evidence.
29

1 So, that's the first relevant call and we can take that
2 from the screen for just a moment. We'll come to
3 another line in just a moment. Thank you,
4 Ms. Montgomery.

5
6 The second relevant cell site record in the sequence
7 was also for the 585 dark blue phone. That call was
8 timed at 1:13 p.m., in fact we referred to this call a
9 little earlier when we were dealing with the Volkswagen
10 Golf going across the Border on the 14th. So this
11 second relevant cell site record is for a call timed at
12 1:13 p.m. and the cell site used was at Emyvale, also
13 in the Republic of Ireland. The two cell sites were
14 approximately 20 miles apart. So, 585 had travelled a
15 distance and we'll see in a moment, what direction.
16 Again, the 585 dark blue phone was calling the 980
17 orange phone. So, on the working hypothesis, it's
18 scout car to bomb car.

19
20 Can we have timeline, line 198 on the screen please?
21 Thank you very much. So 1:13 p.m., same direction of
22 travel; scout car, we suggest to bomb car. A short but
23 meaningful length of call, 17 seconds.

24
25 Thank you, you can take that from the screen.

26
27 Taken together, as I hope it will be possible to show
28 this afternoon, but this point can be starkly stated in
29 any event, taken together those two calls demonstrate

1 that between 12:41 p.m. and 1:13 p.m. on the 15th of
2 August, the 585 dark blue phone was travelling
3 north-west in, we suggest, the scout car, towards the
4 Border and towards Omagh.

5
6 On a provisional basis, for the reasons we've
7 explained, the Inquiry Legal Team assesses that these
8 calls involved Seamus Daly in the scout car travelling
9 ahead, calling Seamus McKenna in the bomb car
10 travelling behind.

11
12 Between these two events, so the calls at 12:41 and
13 1:13, another series of calls took place which appear
14 to be of relevance. Those calls were made from a
15 public call box at Barney's Filling Station just
16 outside Newry, a city 14 miles to the north of Dundalk
17 and just a short distance across the Border into
18 Northern Ireland. This sequence of calls from that
19 location started just minutes after the first call
20 between the 585 dark blue phone and the 980 orange
21 phone.

22
23 The first call from Barney's Filling Station, was to
24 the Irish News at 12:46 p.m. Shortly after, that the
25 Samaritans in Omagh were called. As soon as the
26 Samaritans call ended, at 12:50 p.m. the public phone
27 at Barney's Filling Station was used to call the 585
28 dark blue phone. And we know that at this time the 585
29 dark blue phone must have been somewhere between the

1 Castleblayney cell site and the Emyvale cell site. The
2 call from the call box to 585 dark blue lasted for
3 23 seconds. And we'll look at lines 187 to 189 in the
4 timeline to illustrate what was happening over this
5 period of time.

12:50

6
7 These calls are between the two calls from 585 to 980.
8 So if we can expand those please. So, there we see
9 12:46, the call box to the Irish News; 12:49 to the
10 Samaritans; and very shortly after the call to the
11 Samaritans, ends a 23-second call from that same call
12 box to the 585 number that we suggest is in the scout
13 car.

12:51

14
15 If we may just leave that on the screen because we are
16 going soon to line 191.

12:51

17
18 Less than two minutes after the call to the 585 dark
19 blue phone, the public call box at Barney's Filling
20 Station was used to call Ulster Television, and then it
21 called the landline of Town Glass Limited. Sir, we are
22 certain you'll recall that Town Glass Limited is the
23 business based on the Coes Road in Dundalk which was
24 owned and operated by Seamus McGrane and Oliver Treanor
25 and which employed the Campbell brothers, including
26 Liam Campbell.

12:51

12:52

27
28 Can we see lines 190 and 191 on the screen please.
29 Thank you very much, indeed. So that call box at 12:50

1 calls the 585 number, is on its way to Omagh. And then
2 very shortly afterwards, indeed, 97 seconds after the
3 end of the call to 585, that same call box makes calls
4 to Ulster Television and Town Glass Limited.

12:52

6 And then if we look at line 192 please, we can see that
7 almost straight away after that call box has been used
8 to call the landline associated with Town Glass
9 Limited, it calls a number ending 144 - called by the
10 Inquiry Legal Team "the purple phone" - it calls a
11 mobile number provisionally attributed to Town Glass
12 Limited.

12:53

14 So we hope that it is clear the call box is making
15 calls to Ulster TV, the Samaritans, and so on, and
16 dispersed calls to the 585 number and numbers
17 associated with Town Glass Limited.

12:53

19 So what is happening in this sequence of calls is a
20 question that many would ask and seek an answer to.

12:54

22 What is the significance of those calls from the public
23 call box at Barney's Filling Station? Sir, what we
24 suggest, at least as part of the working hypothesis,
25 this sequence reveals is that those engaged in the plot
26 to bomb Omagh were planning to make warning calls ahead
27 of the intended explosion. And this sequence of calls
28 was, it might be thought, clearly designed to check
29 that the warning calls would be answered because it

12:54

1 was, after all, a Saturday. And for that reason, we
2 will be referring to that sequence from Barney's
3 Filling Station, as "the test calls."

4
5 The warning calls, as we'll come to, were made to both 12:55
6 UTV, the actual warning calls to both UTV and to the
7 Samaritans in Omagh, two of the organisations which
8 received calls from Barney's Filling Station. And the
9 call to 585, it might be inferred was no doubt to check
10 with the progress of those who were travelling to 12:55
11 Omagh.

12
13 And what of the calls to Town Glass Limited? well,
14 again, it may be inferred that they were to a person or
15 persons who was or were in Dundalk during the attack 12:55
16 and who were in on the plot.

17
18 So, finally, before we break for lunch, we will return
19 to the journey to Omagh.

20 12:56
21 At 1:29 p.m., there was another call from the 585 dark
22 blue phone to the 980 orange phone. And that contact
23 was just over 15 minutes after the previous contact
24 between those two handsets. And, in fact, we have cell
25 site data for both phones in respect of that call, so 12:56
26 we know which cell site the phone making the call was
27 utilising and which cell site the phone receiving the
28 call was utilising. And, in fact, they both used the
29 cell site based in Aughnacloy, a town, as we've

1 indicated already and as everyone will know in any
2 event, on the Border on the Northern Ireland side. So
3 we'll show on the screen that call, the third, I think,
4 now between those two numbers during the journey in the
5 same direction, 585 to 980. So scout car to bomb car 12:57
6 and we promise we will get the significance of that in
7 due course.

8
9 So, 1:29 the scout car to bomb car and a longer call
10 this time providing the opportunity for more 12:57
11 information, it might be thought, to be passed one
12 minute and three seconds in the same direction. Thank
13 you very much.

14
15 As we noted when, Sir, we dealt with the journey of the 12:57
16 Campbells Volkswagen Golf on 14th of August 1998, there
17 were cameras at a British Army permanent vehicle
18 checkpoint at Aughnacloy at this time on A5 Monaghan
19 Road. Paul Ward's stolen Vauxhall Cavalier on its
20 false plates was not recorded on that footage on the 12:58
21 15th of August, however, the nature of the footage
22 which was not continuous, meant that the police
23 investigation which analysed it after the bombing,
24 could not exclude the possibility that the car carrying
25 the bomb went through that checkpoint. As the make and 12:58
26 model of the scout car has never been established, of
27 course it is not possible to say whether that vehicle
28 is captured on a footage viewed by the investigation.
29

1 Sir, as of today the Inquiry Legal Team has not yet
2 been able to perform its own review of that footage,
3 I'm talking here about the footage for the 15th of
4 August, but work is under way we know, by PSNI to
5 identify and digitise is for us for which we are
6 grateful.

12:58

7
8 It's also relevant to note that the checkpoint was
9 capable of being bypassed by anyone who did not wish to
10 drive through it and so, it is possible that the bomb
11 car and/or the scout car did not pass through the
12 checkpoint.

12:59

13
14 Sir, that may be a convenient moment to break for lunch
15 because we're about to embark upon separate section.
16 Could we return at two o'clock please

12:59

17 CHAIRMAN: Yes, just bear with me a second. Sorry, did
18 you say we should sit again at two o'clock?

19 MR. GREANEY: Yes, please.

20 CHAIRMAN: Thank you.

13:00

21
22 THE INQUIRY ADJOURNED FOR LUNCH AND RESUMED AS FOLLOWS:

23
24 CHAIRMAN: Yes, Mr. Greaney.

25 MR. GREANEY: Thank you, Sir. Just to give people an
26 idea of timescales before I return to the opening
27 statement. We intend to take a break sometime between
28 3:15 and 3:30, for 15 minutes and then when we return I
29 would hope to complete the opening statement at some

14:04

1 stage between 4:00 or probably more likely 4:15.

2
3 Sir, used the phrase "scout car" a number of times
4 during the course of our remarks earlier today. We
5 should say a little more now about how the evidence 14:04
6 gives rise, we assess, to the conclusion that in
7 addition to Paul Ward's Vauxhall Cavalier that was
8 carrying the bomb, another vehicle went with it and
9 ahead of it to Omagh.

10
11 The first point is an obvious one; both the 585 dark
12 blue phone and the 980 orange phone were in contact
13 with each other as they travelled to Omagh. It is, it
14 seems to us, not usual for two people sat next to each
15 other in a car to speak to each other by mobile 14:05
16 telephone, obviously there would be no reason for them
17 to do so. And so the contact between those two phones
18 would seem to reveal that two vehicles were in play.

19
20 But there are at least two practical reasons why the 14:05
21 bombers would have wanted two vehicles. The first of
22 those practical reasons is that once the bomb car had
23 been left in Omagh, those who travelled in it would
24 have needed a means to get away quickly. And a second
25 vehicle provided that opportunity. 14:06

26
27 The second practical reason arose from the risk that
28 something on the road ahead might generate a risk of
29 detection; for example, the setting up of an RUC or

1 Army roadblock. And a car driving ahead, scouting the
2 road for potential road blocks was an obvious antidote
3 to that risk.
4

5 The remaining question in relation to this issue at any 14:06
6 rate, is whether or not the evidence reveals, or
7 otherwise gives an indication, as to which phone was in
8 which vehicle, and in our view it does. The first four
9 calls between the 585 dark blue phone, which has been
10 provisionally attributed to Seamus Daly, and the 980 14:06
11 orange phone, which has been provisionally attributed
12 to Seamus McKenna, were all, as we've pointed out
13 already, in one direction. The 585 dark blue phone
14 called the 980 orange phone. And this gives rise to
15 the strong inference that the 585 dark blue phone was 14:07
16 in the lead car reporting to the bomb car what it was
17 encountering on its journey.
18

19 The timings of those calls may also be of relevance to
20 this issue. The second call at 1:13 p.m. was made 14:07
21 using cell site shortly before the Border, the third
22 call at 1:29 p.m. was made at a time when both handsets
23 were using the cell site located in the Border town of
24 Aughnacloy.
25

26 The fourth call from the 585 dark blue phone to the 980
27 orange phone, which we come to now, was made at
28 1:57 p.m. And we'll show that call on the screen. So,
29 as I have said at 1:57 a voice call lasting for

1 28 seconds and, again, it's in that direction that we
2 are familiar with, 585 to 980. And we'll leave it on
3 the screen for a moment or two.
4

5 The cell site data for the 980 phone reveals that it 14:08
6 used a mast located on top of a hill in order to make
7 that call, or at any rate to receive that call. That
8 hill is known as "Pigeon Top," that's a reference that
9 we will become very familiar with, and is to the west
10 of Omagh town. Because that hill, Pigeon Top, was a 14:08
11 high point in the landscape, the use of that cell site
12 on its own tells us relatively little about exactly
13 where the 980 orange phone was when it received that
14 call. It could, in fact, on the evidence that we
15 expect you'll hear, have been anywhere within 14:09
16 35 kilometres in an easterly direction of the mast.
17

18 However, the 585 dark blue phone making that call at
19 1:57 p.m., used a mast with a much smaller range. That
20 mast was located on top of Omagh College in Bridge 14:09
21 Street in Omagh. The estimate, we apprehend you will
22 be told, sir, the estimate range of that mast was much
23 less, namely five kilometres. Meaning that the 585
24 dark blue phone which we assessed would have been in
25 the scout car, was very near, or indeed in, Omagh at 14:09
26 1:57 p.m.
27

28 As we said earlier, the Inquiry Legal Team has
29 prepared, or has had prepared on your behalf, sir, an

1 Electronic Presentation of Evidence, which we will
2 refer to as "the EPE" and use extensively during the
3 course of Chapter 3. Sir, so those that aren't
4 familiar with the EPE, we'll just show a short part of
5 it at this stage to illustrate the movements of
6 handsets 585 and 980 to Omagh between those times that
7 we've dealt with, 12:41 p.m. and 1:57 p.m. So what
8 we're going to show is a section of Part 4 of the EPE
9 timed between 13:30 - these aren't times of the plot,
10 these are counter times - timed between 13:30 and
11 14:00. This is the first time we've tried this with
12 many present and we hope it works. And I'll just let
13 this play without commentary, probably, Sir. [EPE
14 played to the inquiry].

14:10

14:11

15
16 Just pause there, please. I said I wouldn't make
17 commentary but I'll summarise just what we're seeing on
18 the screen. We've seen 585 at 12:41 at the
19 Castleblayney cell, by 1:13 p.m. it has moved
20 northwestwards, and is then utilising a cell site at
21 Emyvale. Sixteen minutes later, both the 585 and 980
22 phones are utilising a cell site at Aughnacloy at the
23 Border, and then at 13:57 hours, 980 is utilising that
24 cell at Pigeon Top which doesn't tell us a great deal
25 but there we have 585 using the cell site at Omagh
26 College and demonstrating that that phone is in, or in
27 the vicinity of, Omagh.

14:11

14:11

14:12

28
29 If we just play on to 14:00. [EPE played to the

1 Inquiry]. Thank you very much.

2
3 The 1:57 p.m. call between those two phones, 585 and
4 980, was not the only contact between these handsets
5 while they were in the vicinity of Omagh. At 2:09 p.m. 14:13
6 the situation was reversed. So for the first time now
7 the 980 orange phone, in the bomb car, called the 585
8 dark blue phone in the scout car. And this time, so at
9 2:09 p.m., the cell site situation was also reversed.
10 So the 585 dark blue phone used the Pigeon Top cell 14:13
11 site and now the 980 orange phone in the bomb car, used
12 the Omagh College cell site. So we know from combining
13 those two calls together that both handsets are either
14 in Omagh or in the near vicinity of Omagh because each
15 of them, at those different times, has used the cell 14:14
16 site at Omagh College. Just put the 209 call on the
17 screen please. Did I say 209? I mean 206, thank you
18 for being ahead of me. There we see a 33-second call,
19 at the time I've given, 982, attributed to
20 Seamus McKenna in the bomb car, calling 585, 14:14
21 provisionally attributed to Seamus Daly, in the scout
22 car.

23
24 Further support for the conclusion that the bomb car
25 was very near Omagh at 1:57 p.m. is found in two pieces 14:14
26 of closed-circuit television footage from within the
27 town itself. And during the course of Chapter 3 we'll
28 watch that footage, they're just two very short clips,
29 but what they show is a vehicle believed to be the

1 vauxhall cavalier shortly after 2:15 p.m., probably
2 about 2:18 p.m. in Omagh Town Centre.

3
4 within a matter of seconds of the end of the 209 call
5 between the bomb car and the scout car, the scout car 14:15
6 phone called the 430 red phone. So bomb car, scout car
7 and then scout car to 430 red. And as we've already
8 said a number of times, we provisionally assess that
9 Liam Campbell was, at that stage, the user of the 430
10 red phone and that he was the recipient of this call, 14:15
11 which is call 208 in the timeline.

12
13 So within two minutes, 585 in the scout car is calling
14 that phone that we provisionally attribute to
15 Liam Campbell. We'll just leave that on the screen for 14:16
16 a moment.

17
18 The purpose of this call to Liam Campbell from the
19 scout car can, we suggest, readily be inferred from
20 what happened next, because what that call appears to 14:16
21 have set in train were the so-called warning calls for
22 which we'll come shortly, warning calls which the cell
23 site evidence demonstrates Liam Campbell to have been
24 in the vicinity of when they were made. So bomb car
25 and the scout car are nearly in Omagh by this point in 14:16
26 time, and the scout car is now drawing Liam Campbell in
27 again, we provisionally assess, in order that the
28 warning calls can be made. And we can take that from
29 the screen.

1
2 Before we reach the warning calls, it's relevant to
3 deal with another potentially significant call that
4 occurred just a few minutes later, so a few minutes
5 after the Liam Campbell call.

14:17

6
7 At 2:14 p.m., the 980 orange phone, the phone
8 provisionally attributed to Seamus McKenna in the bomb
9 car approaching the centre of Omagh, well at that point
10 in time, that phone called a number ending 259. The
11 Inquiry Legal Team has given this handset, I think this
12 is the first time we've heard of this one, in fact I'm
13 sure it is, the colour yellow. So, we're now going to
14 see an important exchange between the 980 orange phone
15 in the bomb car and the 259 yellow phone.

14:17

14:18

16
17 So there we see it on the screen, 2:14, 44 seconds, so
18 meaningful period of time for a telephone call. And
19 the 980 bomb car phone is calling a number yellow, 259.
20 The name is attributed provisionally in the chart and
21 I'll deal with that now.

14:18

22
23 The provisional attribution of the 259 yellow phone is
24 straightforward, notwithstanding that it was
25 unregistered, so there is no subscriber information.
26 These days we would call such a phone a pay-as-you-go
27 phone but then it was known in some places as a Ready
28 to Go phone, and, Sir, we will see references to the
29 259 yellow in just that way, a Ready to Go phone.

14:18

1
2 The yellow phone was recovered from a man called Derek,
3 known as 'Shanty' Brady. Derek 'Shanty' Brady. It was
4 recovered from him when he was arrested by the AGS in
5 February 1999 and when subsequently interviewed by AGS 14:19
6 Derek 'Shanty' Brady admitted this was his phone and
7 that he was the user of it on the 15th of August 1998.
8 Furthermore, a piece of paper with the 259 number
9 written on it, was seized from another person's house
10 and on it the word, "Shanty" was written next to the 14:19
11 number.

12
13 So it appears, we suggest, to be a sound conclusion
14 that the call from the 980 orange phone, as it was
15 driving into Omagh with its bomb onboard, was to Derek 14:20
16 'Shanty' Brady. That call lasted, as we've emphasised
17 44 seconds. Given what the user of the 980 orange
18 phone was engaged in at the time of this call, it might
19 be thought, highly unlikely, that he would converse
20 with Derek 'Shanty' Brady for this period about 14:20
21 anything other than the plot to bomb Omagh. Human
22 nature being as it is, the idea that while driving in a
23 car containing a huge bomb, which was imminent to be
24 parked or while a passenger in that vehicle, any person
25 would speak for 44 seconds to someone about something 14:20
26 mundane may be thought offensive to common sense. And
27 so it is the strong inference is that this was a call,
28 the 2:14 call, between those involved in a plot to
29 attack Omagh and that it was a call about that attack.

1
2 Further support for this conclusion may, depending upon
3 the view, Sir, you ultimately take, be provided by the
4 fact that Derek 'Shanty' Brady was convicted after the
5 Omagh bombing of involvement in a bomb plot that took 14:21
6 place only a few months before the Omagh attack. So
7 convicted afterwards but the plot was before Omagh.
8 what happened in the simplest of terms was that Derek
9 'Shanty' Brady was caught red-handed with a very large
10 bomb and a stolen vehicle in March 1998, nonetheless he 14:21
11 was at liberty in August 1998, to take this call.
12

13 So, the position in relation to this 2:14 p.m. call
14 that we still have on the screen, appears to be that
15 the terrorists in the bomb car were calling another 14:22
16 person who was an active terrorist at that time, and
17 that these terrorists spoke to each other for
18 44 seconds just as the car bomb was about to be left in
19 Omagh. And, in those circumstances, it might be
20 thought that the inference as to the nature of that 14:22
21 call is beyond obvious.
22

23 And we can take that from the screen. Thank you,
24 Ms. Montgomery.

25 The 2:14 p.m. call was not the only call involving one 14:22
26 of the three handsets being used during the attack by
27 585, 980 and 430 and a number outside these three, so
28 259, yellow, Derek 'Shanty' Brady.
29

1 There is one more such call that it's important that we
2 should mention at this stage, it occurred just five
3 minutes after the contact between the bomb car and
4 Derek 'Shanty' Brady. At 2:19 p.m., a mobile telephone
5 number ending 456, so again this is a new number,
6 called the 430 red phone provisionally attributed to
7 Liam Campbell. The Inquiry has designated that 456
8 number as the brown phone.

14:23

9
10 The contact that lasted for 58 seconds, although, Sir,
11 you will see in some documents that we'll look at
12 during the course of Chapter 3, in particular, I think,
13 the PONI Report, you will see it's referred to as the
14 59-second call, but the call, in fact, appears to have
15 lasted for 58 seconds. It's line 215 and we'll see it
16 on the screen, please. So there we have 215, at 2:19,
17 the 456 brown number spends 58 seconds on a call with
18 the 430 number of Liam Campbell.

14:23

14:24

19
20 Keep that on the screen for a moment.

14:24

21
22 As we've explained, just nine minutes before the call
23 with the 456 brown phone, Liam Campbell had been in
24 touch with the scout car via the 585 dark blue phone,
25 so he had been in touch with those who were in Omagh in
26 that vehicle. This communication, so the communication
27 at 2:19 p.m., 456 to 430, was at a time at which the
28 scout car was in Omagh and the bomb car was preparing
29 to park up. So a critical time, it might be thought,

14:24

1 in the plot.

2
3 The Inquiry Legal Team provisionally attributes the 456
4 brown phone to a man called Patrick, known as

5 'Mooch' Blair. Patrick 'Mooch' Blair gave evidence to 14:25
6 the Smithwick Tribunal of Inquiry in the Republic of
7 Ireland, and during the course of his evidence this
8 2:19 p.m. call was put to him. In his evidence he
9 didn't deny making the call, on the contrary, although
10 this will be for your assessment, Sir, the substance of 14:25
11 his evidence, although somewhat vague, appears to have
12 amounted to an implicit admission that he did indeed
13 make that call.

14
15 Patrick 'Mooch' Blair is a terrorist. He was convicted 14:26
16 after the Omagh bombing of serious terrorist offending,
17 including offending related to bomb making.

18
19 What is more, Patrick 'Mooch' Blair is the person
20 described as "Man A" in the Police Ombudsman report of 14:26
21 December 2001. As that report records, Man A - or
22 Patrick 'Mooch' Blair as we will call him from now on -
23 was named by the avowed informant known as
24 Kevin Fulton, in his reporting to his handler.

25 Kevin Fulton's report to his handler on the 12th of 14:26
26 August 1998, so just three days before the bombing,
27 included that he had met with Patrick 'Mooch' Blair who
28 had said that the Real IRA was about to move something
29 north over the next few days. Earlier reporting by

1 Kevin Fulton was to the effect that Patrick 'Mooch'
2 Blair was a member of the Real IRA and that he had, on
3 one occasion, smelt of fertiliser, and on another said
4 he wanted a coffee grinder which could be used in the
5 making of a bomb.

14:27

6
7 The PONI Report of 2001 also mentioned a Man B as
8 having been involved in assisting Patrick 'Mooch'
9 Blair. Man B, we can confirm is a person called
10 Gary Jones.

14:27

11
12 This intelligence provided by Kevin Fulton may provide
13 highly significant context for Patrick 'Mooch' Blair's
14 58 seconds call on 15th of August to Liam Campbell.
15 That call was made just as Liam Campbell was travelling
16 in order to get himself into position for the warning
17 calls that were to be made, we suggest, by him just
18 10 minutes later.

14:27

19
20 That Patrick 'Mooch' Blair, a member of the Real IRA on
21 the reporting, a man who days earlier reportedly knew
22 about what was going to happen and a man who has been
23 proven to the criminal standard to be prepared to use
24 violence in pursuit of a terrorist cause, was calling
25 fellow terrorist, Liam Campbell, someone who we assess
26 was actively engaged in the plot to attack Omagh at the
27 time of the call, and speak to him for 58 seconds about
28 anything other than that plot, may be thought to beggar
29 belief.

14:28

14:28

1
2 Sir, we'll play just a very short part of the EPE to
3 illustrate that particular communication. This is
4 part 4, 2013 to 2023, and in 2023 we'll just pause it,
5 Ms. Montgomery, on the screen, please. [EPE played to 14:28
6 the Inquiry]. Much earlier, Sir, we described what was
7 occurring in the lead-up to it and at the time of the
8 bombing and subsequently as a spider's web and we trust
9 that why we adopted that description is now becoming
10 apparently to you, even if not perfectly apparent. 14:29

11
12 We are going to turn next to the events in Omagh
13 itself. So once more, we would invite everyone in this
14 room and beyond to reflect on their own wellbeing.
15 We'll pause for a short time once again to allow anyone 14:29
16 that wishes to leave this room or the room in Omagh, or
17 who wishes to cut their feed do so. [Short pause].

18
19 Sir, we are turning now to the events in the centre of
20 Omagh and the eyewitness evidence before moving on to 14:30
21 the warning calls.

22
23 The bomb car is seen in CCTV footage travelling along
24 Campsie Road in the direction of the centre of Omagh at
25 about 2:18 p.m. The only source of evidence of what 14:30
26 happened to the vehicle after that is provided by
27 eyewitnesses.

28
29 There are two possibilities on the evidence; either the

1 car containing the bomb was driven from Campsie Road
2 directly to where it parked outside the SD Kells store
3 near the bottom of Market Street, or it passed the
4 place it ultimately parked, drove up Market Street and
5 ended up doing a loop around the courthouse prior to 14:31
6 making its way back to the bottom of Market Street,
7 before parking outside SD Kells.

8
9 which of these two possibilities is the more likely
10 will be something we'll seek to consider in the course 14:31
11 of Chapter 3. As with all eyewitness evidence in any
12 process, at one end of the spectrum there exists the
13 possibility that that was reported to the police was
14 both truthful and reliable; at the other end of the
15 spectrum is the possibility that the eyewitness has 14:31
16 knowingly invented what they saw, and between those two
17 extreme positions the possibilities include witnesses
18 being mistaken, misremembering, being wrong about some
19 things but not about others, and so on.

20 14:31
21 we, the Inquiry Legal Team, will be looking to PSNI to
22 help in relation to whatever additional information
23 they can give us about the assessments that have been
24 made about each of the eyewitnesses whose accounts will
25 be presented in Chapter 3. whatever route the bomb car 14:32
26 ultimately took, based on all of the timings it appears
27 likely that by 2:25 p.m. the bomb car had been parked
28 up. The eyewitnesses who report seeing the bomb car
29 state consistently that there were two men in it,

1 although no eyewitness was able to make an
2 identification of the men they saw or either of them.

3
4 At 2:29 p.m., shortly after the bomb car had been left
5 parked outside SD Kells, a warning call was made to UTV 14:32
6 from a public call box at McGeough's Crossroads, a
7 location near Forkhill in Northern Ireland, near the
8 Border. It will be recalled that UTV had been the
9 subject of one of the test calls from Barney's Filling
10 Station earlier that day. 14:33

11
12 The warning call was taken by UTV employee,
13 Margaret Hall. Having taken the call, she telephoned
14 the police and spoke to PC George Mullan in the RUC
15 Regional Control. The recording of the call between 14:33
16 Ms. Hall and PC Mullan will be played during Chapter 3.
17 In that call, as we'll hear, Ms. Hall relayed what
18 she'd been told. She informed PC Mullan that there was
19 a bomb in Omagh Main Street, she reported that she had
20 been told it was set to go off in 30 minutes, and was 14:33
21 500 pounds. She said that a code word had been given
22 which she reported as "Malta Pope," although, plainly
23 the words for reasons which we'll turn, the words were
24 almost certainly, if not certainly, "Martha Pope."

25
26 PC Mullan then contacted PC William Hall at Omagh RUC
27 Station.

28
29 At 2:31 p.m., while PC Mullan was relaying the

1 substance of the warning call to PC Hall in Omagh,
2 Ms. Hall received a second warning call. The second
3 warning call was also made from a public call box.
4 That public call box was at Loyes Crossroads just a
5 short distance from McGeough's Crossroads. Having 14:34
6 received the second warning call, Ms. Hall again
7 contacted the police. And this time she spoke to
8 PC Wesley Francis in Belfast RUC Regional Control.
9

10 Ms. Hall informed PC Francis that she had received a 14:34
11 second warning call. Again, during the course of
12 Chapter 3 we'll hear the recording of that call played.
13 In it, Ms. Hall reported that she had been given the
14 same code word and been told that the bomb in Omagh was
15 going to go off in 15 minutes. She said that the 14:35
16 caller had said something about the IRA but she
17 couldn't make out exactly what he'd said due to his
18 accent.
19

20 As Ms. Hall was making her second report to the police 14:35
21 that afternoon, a third warning call was made also
22 timed at 2:31 p.m. This call was made from the same
23 call box as was responsible for the first warning call,
24 but this third warning call was to the Samaritans in
25 Omagh, just as one of the test calls earlier that day 14:35
26 had been. However, it was diverted to the Samaritans
27 in Coleraine, and we understand, Sir, that was because
28 the Samaritans in Omagh was closed that day.
29

1 In Coleraine a woman called Hilary took the call.
2 Having received the warning call, Hilary telephoned the
3 police. She spoke to PC Gary Murphy in the Coleraine
4 RUC Station. Again, that call was recorded and we'll
5 listen to it later in Chapter 3. In that call, Hilary 14:36
6 told PC Murphy that she had been told that a bomb was
7 going to go off in the centre of Omagh about 200 yards
8 from the courthouse. She said that she had been told
9 that this would happen in 30 minutes, the same period
10 as given in the first warning call, and she said that 14:36
11 the caller had given a code word, the code word she
12 gave was "Martha Pope."

13
14 From the first warning call received by Margaret Hall
15 to the end of the report of the third warning call by 14:36
16 Hilary, the report of that call by Hilary, only three
17 or four minutes had elapsed, with that first call being
18 received at 2:29 p.m. and Hilary's call to PC Murphy
19 being answered at 2:32 p.m.

20 14:37
21 The code word, "Martha Pope," had been used in warning
22 calls relating to earlier attacks, including in the
23 warning call relating to the attack on Banbridge on the
24 1st of August 1998. That name had not been chosen
25 randomly. Martha Pope had worked with and supported 14:37
26 Sen. George Mitchell in the course of his work on the
27 Peace Process. The choice of her name was, it can be
28 inferred, designed as a taunt to a process that the
29 dissident republican terrorists so vehemently opposed.

1 Communication of the first warning call to Omagh RUC
2 Station was received by PC William Hall. PC Hall then
3 contacted PC Martin Millar. PC Millar was then
4 contacted by PC Francis in Belfast to tell him about
5 the second warning call. He was then contacted by
6 PC Murphy to tell him by the third warning call.

14:38

7
8 Having been notified about all three of those warning
9 calls, at 2.35 p.m. PC Millar made a radio broadcast to
10 other officers in Omagh. In his radio broadcast he
11 instructed officers to go "well short of the courthouse
12 as there was a bomb warning in from about three
13 locations." He relayed the fact that the bomb had been
14 said to be 500 pounds and that the same code word had
15 been used as had been used in the Banbridge attack, as
16 indeed had been the case.

14:38

17
18 That Banbridge attack, as we indicated earlier,
19 occurred just 15 days before the Omagh bombing and
20 involved a car bomb which detonated in the Town Centre
21 causing many injuries and much damage to property.
22 We'll be looking at that attack, the Banbridge attack
23 in detail in a later phase of the Inquiry's oral
24 evidence hearings.

14:38

25
26 PC Millar's radio broadcast then set in train a
27 large-scale deployment of RUC officers across Omagh
28 Town Centre. Cordons were erected, shoppers, those
29 attending the festival that was taking place that day

14:39

1 and people working in Omagh, were ushered away from the
2 courthouse and down Market Street towards the junction
3 with Campsie Road. Unknown to the RUC officers doing
4 their best to protect life, very many of whom, along
5 with other survivors, remain terribly affected to this 14:39
6 day, as we heard in Chapter 1, they were directing
7 people towards the Vauxhall Cavalier with the bomb in
8 it, as it had been parked only a short distance up
9 Market Street from the Campsie Road junction.

10
11 As part of Chapter 3, we will be adducing an overview
12 of the RUC operation in response to the three warning
13 calls. We will be doing so as part of the essential
14 narrative of what happened on the 15th of August. But
15 we make clear, as we have said before, that the 14:40
16 investigation of the adequacy of the actions of those
17 on the ground is outside of, Sir, your Terms of
18 Reference.

19
20 As the RUC deployed across Omagh Town Centre, word of 14:40
21 the bombing warnings was spreading through the British
22 Army barracks in Omagh. Stationed at those barracks
23 were the 1st Battalion, the Queen's Lancashire Regiment
24 are 1QLR as they are sometimes known. One hundredth
25 entry was made in the Daily Occurrence Book in relation 14:41
26 to warning calls. The entry is timed at 1440 hrs. And
27 we'll read out, Sir, the main body of that entry
28 because it will need to be the subject of examination
29 during the course of Chapter 3. The main body reads as

1 follows:

2
3 "Overheard on the RUC net. RUC have received warnings
4 over bombs in several towns province wide, including
5 Omagh. The Omagh bomb is believed to be in the area of 14:41
6 the courthouse. It is believed to be in the region of
7 500 pounds. It was a Banbridge-type code word
8 warning."

9
10 That is the end of the main body of the entry. 14:41

11
12 The content of this entry will be the subject of
13 rigorous investigation during Chapter 3. On the face
14 of the text, it is asserted that there were bomb
15 warnings relating to "several towns" and not just 14:42
16 Omagh. If that record accurately captures what was
17 overheard at that time, and if it was what was
18 overheard was true, then this is something that has not
19 emerged before this Inquiry. For that reason, a number
20 of witnesses who may have relevant evidence to give on 14:42
21 this point, will be called.

22
23 Sir, we make the following preliminary - and
24 emphasising that they are preliminary - observations
25 and raise the following questions in relation to this 14:42
26 entry, in order that people can think about them:

27
28 First, we observe that significant parts of the entry
29 contain the same information as PC Millar's radio

1 broadcast, which occurred five minutes before the
2 timing of the entry. Those matters in common include
3 that the bomb was believed to be near the courthouse,
4 that it was believed to be in the region of 500 pounds,
5 and the same code worded been used, or similar, as had 14:43
6 been used in the warning call relating to the Banbridge
7 attack.

8
9 Second, PC Millar stated that there was a bomb warning
10 in from about three locations in his radio broadcast. 14:43
11 By contrast, the person filling in the 1QLR Occurrence
12 Book recorded that the RUC had received warnings over
13 bombs in several towns across Northern Ireland. Did,
14 we ask, the author of the 1QLR Occurrence Book
15 inaccurately record what PC Millar said, perhaps having 14:43
16 misunderstood what he had heard, or was he, instead,
17 listening to a different broadcast from that made by
18 PC Millar in the circumstances I've described.

19
20 Third, if it was an entirely different broadcast that 14:44
21 the person writing in the Daily Occurrence Book was
22 recording, why is there no record of PC Millar's
23 separate broadcast if that is what it was? There is
24 only one entry in the Daily Occurrence Book about
25 warning calls. 14:44
26

27 Fourth, when was the entry in the Daily Occurrence Book
28 made? It is timed at 2:40, or 1440 hrs, but the entry
29 above has the time 1521 hrs recorded against it in what

1 appears to be the same or a similar pen. The same
2 entry also appears to have a body of text in a
3 different pen and different handwriting. And so, in
4 order to get to the bottom of this potentially
5 important issue, we will need to know from witnesses in 14:44
6 1QLR at the time, whether they recall the towns other
7 than Omagh with the subject of bomb warnings on the
8 15th of August prior to 2:40 p.m.? We will also want
9 to understand how a document called the watchkeeper's
10 Log was compiled. That document contains no record of 14:45
11 warning calls for other towns having been received. We
12 will also need to hear from PSNI about whether in the
13 records which have been reviewed for the Inquiry, there
14 is any reference to any other town being the subject of
15 a warning call on the 15th of August. 14:45

16
17 And, finally, it may be important to understand how the
18 claims of responsibility fit in, if at all. They were
19 made by or on behalf of the terrorists who perpetrated
20 the attack. They unquestionably contain false claims 14:45
21 and so they must be approached with the highest degree
22 of caution. However, it may, to put it no higher than
23 that, at this stage, be noteworthy that the claims of
24 responsibility refer to only three warning calls and
25 not more. It will be necessary to reflect on what, if 14:46
26 any, significance this has and whether any record has
27 been identified of the Real IRA saying that they had
28 made more than three warning calls on the 15th of
29 August, and/or calls relating to targets other than

1 Omagh, so towns other than Omagh.

2
3 To return to the chronology of the day, the bomb threat
4 to Omagh was relayed up the chain of command to
5 Lisanelly Barracks in Omagh. At 2:40 p.m., 14:46
6 Cpt. Peebles, notified Maj. James. Also notified at
7 that time was Sgt. Adam Modd, he worked in Bomb
8 Disposal.

9
10 The British Army did not deploy to Omagh Town Centre 14:47
11 before the detonation. As the Inquiry currently
12 understands the position, the agreement at the time
13 between the British Army and the RUC was that soldiers
14 would only be mobilised onto the streets if a request
15 was made by the RUC and the RUC did not request the 14:47
16 British Army to deploy prior to the detonation.

17
18 while the RUC officers were on the streets of Omagh,
19 those who had travelled to Omagh to plant the bomb were
20 fleeing. At 2:38 p.m., the 585 dark blue phone, 14:47
21 provisionally attributed to Seamus Daly, called the 430
22 red phone, provisionally attributed to Liam Campbell.
23 The 585 dark blue phone used a cell site at Cranlome, a
24 place in Northern Ireland to the south and east of
25 Omagh. The use of this cell site is consistent with 14:48
26 the bombers having begun their journey back to the
27 Republic of Ireland, probably all in the scout car.
28 And we see that call, the 2:38 p.m. call at 234. So
29 585 which had been throughout in the scout car, a

1 10-second call to Liam Campbell.

2
3 No cell site data is available for the incoming call to
4 the 430 red phone at 2:38 p.m.. However, there is such
5 data for the calls made over the preceding half an 14:48
6 hour, including the 58-second call from the Patrick
7 'Mooch' Blair 456 brown phone at 2:19 p.m. That
8 analysis places the 430 red phone in the general area
9 of the two call boxes from which the warning calls were
10 made. Consistent with that phone, the 430 14:49
11 Liam Campbell phone being used as the point of contact
12 for those in Omagh, co-ordinating their actions with
13 the making of the warning calls.

14
15 Between the warning calls and the 2:38 p.m. call with 14:49
16 the 585 dark blue phone, Liam Campbell made a 17-second
17 call. So another call, when those responsible for the
18 attack were actively engaged in it. That 17-second
19 call was to a handset using the number ending 971,
20 this, too, is a new number in the narrative. 14:49

21
22 This phone, the 971 phone, has been given a dark pink
23 colour by the Inquiry and is provisionally attributed
24 to Peter Campbell, Liam Campbell's brother. That
25 provisional attribution is based upon AGS intelligence. 14:50
26 In interview, Sean Hoey said that it was possible that
27 he used that number to contact Peter Campbell. So this
28 is line 232.

1 At 2:37, Liam Campbell, 17 seconds to the number
2 attributed to Peter Campbell.

3
4 Peter Campbell is a person who had previously been
5 convicted of terrorist-related offending receiving a
6 14-year sentence.

14:50

7
8 The 430 red phone also participated in two more calls
9 of potential significance after the bomb had been left
10 on Market Street but before it exploded. At 2:47 p.m.
11 there was a 45-second call by a number ending 406, and
12 coloured light blue by the Inquiry Legal Team, to the
13 430 red phone. That number, the 406 light blue phone,
14 is attributed to Oliver Treanor on a provisional basis,
15 a person to whom we've made a number of references.
16 The number, the 406 number subscribed to him and we
17 therefore assess, on a preliminary basis, that he was
18 involved in the relevant call, which is 239 in the
19 timeline.

14:51

14:51

20
21 By this time, the Vauxhall Cavalier is in Omagh, parked
22 outside SD Kells and Liam Campbell, who we
23 provisionally assess as being heavily involved in the
24 plotting that day, is taking a 45-second call from a
25 number attributed to Oliver Treanor. Again, Sir, in
26 due course you may wish to consider how, given what we
27 assess he was involved in, Liam Campbell would have
28 been prepared to speak for that period of time to
29 anyone who was not within the circle of knowledge.

14:52

14:52

1 Less than two minutes after that conversation ended,
2 the mobile telephone provisionally attributed to Town
3 Glass Limited and which was called by the public call
4 box earlier that day as part of the sequence of test
5 calls, contacted the phone that Liam Campbell was using 14:53
6 at that time. And we will display line 240 on the
7 screen please. So, Town Glass to Liam Campbell. And
8 as we can see from the screen, this time the
9 conversation was substantial, lasting for one minute
10 and 36 seconds. It will be recalled that Town Glass 14:53
11 Limited was owned by a Real IRA leading figure,
12 Seamus McGrane and it was a business with which
13 Oliver Treanor was also associated. We can take that
14 off the screen please.

15 14:54
16 At 3:04 p.m., the bomb in the stolen Vauxhall Cavalier
17 which was parked outside SD Kells exploded. As we said
18 in our very opening remarks earlier today, and as
19 everyone knows, 29 people and two unborn children were
20 killed. A huge number of people were injured, and it 14:54
21 was an atrocity in the truest sense of that word. It
22 was a wicked and callous act. And the magnitude of the
23 devastation to lives, families and to the community is,
24 we know, impossible to quantify, so great is it.

25 14:54
26 In Chapter 1 of the Inquiry's oral evidence hearings,
27 the commemorative and personal statement hearing,
28 powerful and moving evidence was given about the
29 devastating effects of the bomb and we will not repeat

1 that evidence now, or even seek to summarise it, but we
2 will observe that it stands as testament to the
3 dignity, courage and humanity of all of those who
4 contributed and about all of those who were spoken of.
5 That evidence is publicly available for anyone who 14:55
6 wants better to understand the effects of what happened
7 that day. And nothing we could say now is capable of
8 adding anything to the power of that body of evidence.

9
10 Following the detonation, the emergency services and 14:55
11 the British Army descended upon the epicentre of the
12 blast. A phrase that has often been used about Market
13 Street and was according to my recollection used during
14 Chapter 1, is that it it looked like a war zone. In
15 the course of Chapter 3 we will see, after warnings 14:56
16 have been given, images of some of the damage caused
17 which will bear that description out.

18
19 Sir, we'll turn our attention, at this point, away from
20 those trying to save lives, to those who took them that 14:56
21 day. As those who travelled to Omagh that day fled,
22 there was further telephone traffic of relevance.

23
24 At 3:13 p.m., the 585 dark blue phone (Seamus Daly),
25 called the 980 orange phone (Seamus McKenna), those 14:56
26 being provisional attributions. The cell site used for
27 that call by the 585 dark blue phone, was in the
28 Republic of Ireland. Line 253.

1 The fact that one phone was calling the other is
2 consistent with the two men having separated once they
3 were safely across the Border. At 4:00 p.m. and
4 4:01 p.m. there were two further calls between those
5 two numbers (lines 260 and 261). But this time, as we
6 can see from the screen, the calls were initiated by
7 the orange phone. The cell sites used for those calls
8 were both in the Republic of Ireland. Just pause for
9 one moment.

14:57

10
11 The combined effect of those cell sites, is consistent
12 with the 980 orange phone being south of Castleblayney
13 and potentially somewhere near Dundalk.

14:58

14
15 By 5:30 p.m., the orange phone was using the cell site
16 in Dundalk and this call (line 269) may be of
17 particular significance as it was the second call that
18 day. It was a second call that day from that phone,
19 the 980 phone to the 259 yellow phone. And as we
20 indicated earlier, that phone is one that the Inquiry
21 Legal Team provisionally attributes to Derek 'Shanty'
22 Brady.

14:58

14:59

23
24 A 35-second contact between the two phones ensued and
25 it may be thought that this provides more evidence of
26 the involvement of Derek 'Shanty' Brady in the plot.
27 We can take that from the screen, thank you for your
28 help.

14:59

1 Over the course of that afternoon, in the wake of the
2 detonation there were multiple calls between those who
3 have already mentioned. On the basis of the
4 provisional attributions, these include Sean Hoey
5 speaking to Seamus Daly; Peter Campbell speaking to 15:00
6 Liam Campbell his brother, and Oliver Treanor;
7 Oliver Treanor speaking to Liam Campbell; the Town
8 Glass Limited mobile being in contact with
9 Liam Campbell; a call between Paul Kelly, or 'Jaws'
10 Kelly, the intermediary, and Anthony Donegan, the man 15:00
11 who had stolen the Cavalier; and a series of calls near
12 the end of the day between Liam Campbell and a man
13 called "Danny Hughes." We've mentioned him already.
14 Danny Hughes was someone who had worked for Colm Murphy
15 and had an association or close association with a 15:00
16 number of key individuals, including Sean Hoey,
17 Peter Campbell, Michael Campbell and Derek 'Shanty'
18 Brady.

19
20 So we are next going to turn, still at this stage 15:01
21 working with the working hypothesis, to what we'll
22 describe as news reporting.

23
24 In the course of Chapter 3 we will playing some of the
25 contemporaneous news reporting of the bombing so that 15:01
26 there is a record within this Inquiry of the reaction
27 of the press and the public, of the appalling thing
28 that had happened at that time. But that news footage,
29 or at least its importance, goes further than that, and

1 to take just one example of what we mean; on the
2 evening of the 15th of August, the BBC 2 News included
3 a piece from a journalist called Tom Coulter. In that
4 piece, Mr. Coulter suggested that the finger of
5 suspicion pointed at the Real IRA. He went on to 15:01
6 describe the leader of that organisation in a way that
7 can leave no doubt in the minds of any informed person
8 that he was talking about Michael McKeivitt.
9 Significantly, Mr. Coulter also reported a conversation
10 that he'd had a few days earlier with what he described 15:02
11 as "security forces" who had told Mr. Coulter that the
12 Real IRA was small in number but that they were
13 becoming increasingly concerned about the threat that
14 the group posed. Mr. Coulter also reported that he was
15 told that experienced members of the IRA were crossing 15:02
16 over to the Real IRA and bringing their experience,
17 their experience of terrorism with them.
18
19 He commented, furthermore, on the fact that the Real
20 IRA had carried out earlier attacks. The main news 15:02
21 feature on RTÉ on the 15th of August also reported that
22 it was believed that the Real IRA was responsible for
23 the attack in Omagh.
24
25 The fact that assertions of this nature were capable of 15:03
26 being made by reputable news organisations publicly
27 gives the context for the investigation we will be
28 conducting in later chapters about what was known,
29 before the attack, of those responsible.

1 Next, claims of responsibility: Sir, this is the final
2 topic under the heading of working thesis or theory.

3
4 On the 17th of August and 18th of August, journalists
5 at RTÉ and the Irish News received calls in which 15:03
6 claims of responsibility for the Omagh bombing were
7 made by the Real IRA. In those claims of
8 responsibility, it was asserted that two warning calls
9 to UTV and one to the Samaritans in Coleraine were
10 made. A false claim was made about the distance from 15:04
11 the courthouse given in the warning calls. A further
12 false claim was made about the length of time given in
13 the warning calls. It was asserted that injury and
14 loss of life was not intended. Instead, it was said
15 the target was commercial. The content of the calls 15:04
16 was all highly self-serving.

17
18 The claims of responsibility are, however, consistent
19 with other evidence and provide the starting point on
20 one issue subsequently confirmed in the Breslin 15:04
21 litigation, that the Real IRA was responsible for the
22 Omagh bombing. And this is a fact that has been fed
23 into the working hypothesis.

24
25 But for the Inquiry, that is the start, not the end. 15:04
26 The reporting of the informant, David Rupert, after the
27 bombing was that the Omagh bombing was a joint
28 operation between the Real IRA and the Continuity IRA.
29 The source of this claim, according to David Rupert,

1 was Michael McKeivitt, a man subsequently convicted in
2 Dublin of playing a leading role in the Real IRA on the
3 strength of David Rupert's evidence, and who was found
4 liable in the Breslin litigation for the Omagh bombing.
5 And so the working hypothesis to be considered in more 15:05
6 detail in Chapter 3 and even later, the working
7 hypothesis for Chapter 3 is that at an organisational
8 level, both the Real IRA and the Continuity IRA planned
9 and carried out the Omagh bombing. Furthermore, that
10 working hypothesis is that those we have set out so far 15:05
11 in this opening address, played significant roles in
12 the plot.

13
14 Having taken some time, Sir, to set out the working
15 hypothesis and emphasising again that is what it is, a 15:06
16 working hypothesis, no more, we're going to turn next
17 to explain the structure of Chapter 3 and the evidence
18 that will be heard during the course of it so that
19 everyone should know where we're going over the course
20 of these next four weeks and the further week in 15:06
21 November.

22
23 Chapter 3 has been divided by the Inquiry Legal Team
24 into ten separate parts.

25
26 Part 1 is this address. 15:06

27
28 Part 2 is also introductory. It will involve calling
29 evidence from a number of expert witnesses who will

1 provide important overview. And we'll also hear in
2 Part 2 of Chapter 3 from an experienced analyst,
3 Mark Safranauskas, who will introduce us to the key
4 individuals and their associates, and to the
5 attribution of the key telephone numbers.

15:07

6
7 In Part 3, we will start a sequence of a total of four
8 parts, each one focused on a particular period of time
9 starting two days after the bomb detonated and ending
10 in the immediate aftermath. Part 3 will consider the
11 period from the 12th to the 14th of August.

15:07

12
13 Part 4 will take in the period of the 15th of August up
14 to 2:28 p.m., in other words up to, just before the
15 first warning call at 2:29 p.m.

15:07

16
17 Part 5 will cover the period of the warning calls up to
18 the minute prior to the detonation, in other words it
19 will address the period from 2:29 p.m. to 3:03 p.m.

15:08

20
21 Part 6 will conclude that sequence of four. It will
22 address the moment of detonation at 3:04 p.m. and the
23 immediate aftermath. It's during this part that we'll
24 play the presentation of media reports that I referred
25 to just a short time ago, and we expect that to happen
26 next Thursday, the 1st October, if we run to plan. May
27 we say that we'll give plenty of warning before we play
28 that presentation but we would ask everyone to start
29 thinking now about whether they wish to be present to

15:08

1 view it, given the obvious risk that it will cause to
2 say the least, distress.

3
4 We will then move to a different phase of Chapter 3
5 turning to look at the police investigation into the 15:08
6 bombing and what we've described as the subsequent
7 processes. This will be Part 7. Our objective is to
8 complete Part 7 by the 15th of October.

9
10 Part 8, and the two parts which follow, will be heard, 15:09
11 on our planning, in the week commencing the 9th of
12 November. Part 8 will consider the subsequent legal
13 proceedings, criminal, and civil; Part 9 will look at
14 changes to the law that followed the Omagh bombing; and
15 Part 10, which will be the final part of Chapter 3, is 15:09
16 entitled "suspects."

17
18 Part 10 will seek to draw together the strands of the
19 evidence we've heard and include evidence from police
20 officers in relation to who is suspected of involvement 15:09
21 in the Omagh bombing and why.

22
23 Having briefly introduced the part structure for
24 Chapter 3, we will next provide a little further
25 detail, Sir, in relation to how the oral evidence fits 15:09
26 within that structure. As we've said, Part 2 addresses
27 introductory evidence and it will start tomorrow
28 morning. In total, there will be four witnesses in
29 Part 2. First, in Part 2 we'll hear from Dr. John

1 Morrison. Dr. Morrison has provided two expert reports
2 on dissident republicanism - and by dissident
3 republicans we were principally referring to those who
4 in 1997 rejected the Peace Process and opposed it
5 actively, and in the cases of the Real IRA and
6 Continuity IRA, violently.

15:10

7
8 Dr. Morrison, is a senior academic in Criminology at
9 the School of Law and Criminology at Maynooth
10 University in County Kildare. He has researched and
11 published extensively on the topic of violent dissident
12 Republican organisations, membership and activities.
13 Dr. Morrison's evidence tomorrow morning in Chapter 3,
14 will take in only a small part of his reports. The
15 principal purpose in calling him at this stage is to
16 enable us all to gain a basic understanding - many I
17 know will already have more than a basic understanding
18 - of two organisations within the violent dissident
19 republican movement, namely those two organisations we
20 have mentioned a number of times, the Real IRA and the
21 Continuity IRA.

15:10

15:11

15:11

22
23 Sir, I said that we would take a break, I haven't quite
24 finished summarising Part 2, but I think everyone would
25 benefit from a short break at this stage and when we
26 return I will conclude these opening remarks. Could we
27 break please until 3:25?

15:11

28 CHAIRMAN: Yes.

29 THE INQUIRY ADJOURNED BRIEFLY

1 THE INQUIRED RESUMED AS FOLLOWS:

2
3 CHAIRMAN: Mr. Greaney.

4 MR. GREANEY: Sir, thank you. I was dealing with the
5 summary of Part 2 of Chapter 3, so introductory 15:28
6 evidence. After Dr. Morrison and still tomorrow,
7 indeed still tomorrow morning, we'll hear from
8 Prof. Angela Gallop. Prof. Gallop is a leading figure
9 in the world of forensic science. She has been
10 instructed by the Inquiry to lead a multidisciplinary 15:28
11 team of forensic scientists. That team has written two
12 reports for the Inquiry so far, one introducing their
13 forensic science disciplines and setting out the
14 standards in 1998; and the second focused on the
15 findings of the police investigation into the Omagh 15:29
16 bombing.

17
18 Prof. Gallop is one of the United Kingdom's most
19 eminent forensic scientists, known equally well for
20 setting up and running full-scale forensic science 15:29
21 laboratories as for leading scientific teams
22 responsible for solving so many of the UK's most
23 complex and high profile cold cases. She provides
24 advice and guidance to the UK criminal justice system
25 by devising strategies for the police, the Criminal 15:29
26 Cases Review Commission, and also for the families of
27 people affected by crime.

28
29 She co-chaired the Westminster Commission on the Role

1 of Forensic Science in Miscarriage of Justice which
2 reported last year.

3
4 In Part 2 of Chapter 3, Prof. Gallop will speak to the
5 content of the first report which has been written,
6 introducing on behalf of her whole team the various
7 investigative techniques which were available in 1998.

15:30

8
9 The third expert we'll hear from in Part 2, and
10 tomorrow afternoon I expect, is Dr. Matthew Tart.

15:30

11 Dr. Tart is an expert in cell site analysis. Like the
12 forensic science team, Dr. Tart has provided two
13 reports to the Inquiry: The first provides an
14 introduction cell site analysis in 1998 and the
15 principles more generally; and the second review is the
16 data gathered by the Omagh bombing police
17 investigation.

15:30

18
19 Dr. Tart has been a forensic scientist since 1993. His
20 work includes providing reports to the prosecution and
21 defence in criminal trials. He routinely conducts
22 research and development in the field of cell site
23 analysis. He is the lead author in a range of
24 scientific papers and chaired the cell site analysis
25 subgroup within the Digital Evidence Group advising on
26 the development of Forensic Science Regulator Codes.

15:30

15:31

27
28 In Part 2, Dr. Tart will be introduction the principles
29 of cell site analysis and providing background evidence

1 on the cellar network and capabilities in 1998.
2 The final evidence in Part 2 will be from
3 Mark Safranauskas. And, Sir, that's evidence that we
4 anticipate you will hear on Wednesday and Thursday of
5 this week.

15:31

6
7 Mark Safranauskas has been employed for over 20 years
8 within the Greater Manchester Police, or GMP. He works
9 in GMP's VERA Unit. VERA stands for video evidence
10 retrieval and analysis. VERA is national leader in the 15:32
11 field of video evidence retrieval and analysis and in
12 the presentation of complex evidence generally.

13
14 Among many other high profile investigations,
15 Mr. Safranauskas was involved in the aftermath of the 15:32
16 suicide bomber attack at Manchester Arena on the 22nd
17 of May 2017, and worked as part of the GMP team which
18 supported the Manchester Arena Inquiry. He specialises
19 in the analysis of video footage, alongside large
20 datasets, and in the creation of presentations that 15:32
21 bring huge amounts of data together.

22
23 Mr. Safranauskas has been instructed to prepare
24 presentations based on material supplied to him by the
25 Inquiry Legal Team and he will be called a number of 15:33
26 times in Chapter 3 to speak to the content of those
27 presentations. So he'll be called a number of times at
28 the appropriate point in Chapter 3 starting, as I've
29 said, on Wednesday.

1
2 The purpose of his presentations is to draw together
3 various strands of evidence and place them into the
4 Inquiry Legal Team's working hypothesis. But we make
5 clear that Mr. Safranauskas has not conducted his own 15:33
6 independent investigation, but instead has relied upon
7 the Inquiry Legal Team to direct him as to what should
8 be included in his presentations.

9
10 In Part 2 of Chapter 3, Mr. Safranauskas will be called 15:33
11 to deal with two introductory matters. The first
12 introductory matter relates to key individuals and
13 their associates. Building on the work of the police
14 investigations, the Inquiry Legal Team has identified,
15 as will now be plain, a number of individuals who 15:34
16 appear at this early stage of your investigation, Sir,
17 to be significant in the events of the Omagh bombing
18 itself. The identification of any particular
19 individual as being key, is not the same thing as
20 saying that they may have been knowingly involved in 15:34
21 the bombing. As we've said now a number of times, we
22 are conducting, on your behalf, an investigation and an
23 investigation must necessarily start somewhere and
24 Chapter 3 marks the start of that process.

25 15:34
26 Mr. Safranauskas will talk us through the presentation
27 that he has created in relation to those key
28 individuals and their associates, so that when we reach
29 the following stage of Chapter 3, a little about who

1 they are and what their connections are or may be will
2 already be established.

3
4 So his evidence in Part 2 will aid understanding.

5
6 The second introductory matter Mr. Safranauskas will
7 present, relates to the attribution of telephone
8 numbers. As we've already been at pains to stress, the
9 attributions are provisional. Mr. Safranauskas will
10 speak to the basis of the provisional attributions
11 which have been made identifying the open evidence
12 which is capable of supporting the conclusion that the
13 person in question was the user of a particular mobile
14 telephone at a particular time, though as we have
15 stressed, the final decisions in relation to those
16 attributions, sir, will be for you in light of all of
17 the evidence, not just the evidence in Chapter 3.

18
19 Once the introductory evidence within Part 2 has been
20 completed, we'll move to Part 3 which is concerned with
21 the events over the course of the 12th to 14th August.
22 Evidence in Part 3 comes from two sources; the AGS, and
23 a presentation by the Inquiry Legal Team. As to the
24 first of these, the AGS evidence, we need to pause at
25 this point and provide a summary, no more than that, of
26 how we've reached the stage we have in relation to
27 evidence originating from the Republic of Ireland.

28
29 The starting point with the formal arrangements with

1 the Government of Ireland is a Memorandum of
2 Understanding, an MoU which was signed last year
3 between the Irish Justice Minister and you, Sir, as
4 Chairman of this Inquiry. That MoU provides a
5 mechanism for disclosure of materials from the 15:37
6 Government of Ireland. As a result of that MoU, the
7 Inquiry has been able to disclose 756 documents at last
8 count, comprising 42,458 pages to Core Participants.
9 For reference, that represents approximately 20% of all
10 disclosure made by the Inquiry to Core Participants in 15:37
11 terms of the number of pages.
12

13 So, there should be no doubt about whether the
14 Government of Ireland has provided substantial
15 disclosure to the Inquiry; it has. Furthermore, core 15:38
16 members of the Inquiry team have also been able to read
17 sensitive Government of Ireland material, and may we
18 say that the Inquiry Legal Team is grateful for this
19 disclosure from the Government of Ireland. It provides
20 the basis for significant portions of the evidence 15:38
21 which will be heard in Chapter 3. The disclosure
22 process with the Government of Ireland will continue
23 beyond Chapter 3 and the Inquiry Legal Team believes
24 that a relationship of meaningful co-operation has
25 developed between the Inquiry an the Government of 15:38
26 Ireland.
27

28 Near the end of last year the Government of Ireland
29 consulted the Inquiry in relation to a bespoke piece of

1 legislation designed by the Government of Ireland as a
2 mechanism for oral evidence to be given to the Inquiry
3 from current and former members of the AGS, Government
4 officials in Ireland and their politicians. That
5 legislation allows the Inquiry to set out questions for 15:39
6 witnesses who, if the questions are accepted, will be
7 deposed through a court process conducted in front of a
8 judge in the Republic of Ireland. There is the
9 opportunity for follow-up questions to be asked by the
10 Inquiry Legal Team or you, Sir, and Core Participants 15:39
11 will be entitled to attend to hear this evidence.
12

13 As we, the Inquiry Legal Team, made clear in response
14 to the consultation, and on occasions before and after
15 that, the Inquiry's clear position is that it would 15:39
16 wish to receive evidence from Irish State-based
17 witnesses such as AGS officers, in the same way that
18 any oral evidence is received in this Inquiry, live and
19 at this hearing centre in Belfast under the Inquiry
20 Rules, 2006. Notwithstanding our position, following 15:40
21 the consultation in the early summer of this year, the
22 Government of Ireland enacted the legislation bespoke
23 to this Inquiry and we acknowledge that was their right
24 as a sovereign state. We know that it will have
25 disappointed the bereaved families and survivors just 15:40
26 as, to be frank, it disappointed us, but no one should
27 underestimate what has been achieved.
28

29 Ultimately, that is the mechanism which has been

1 established by the Government of Ireland for the
2 Inquiry receiving evidence from those who worked or
3 work for the Irish State.

4
5 However, concurrently with the development and 15:40
6 implementation of that legislation, the Inquiry Legal
7 Team engaged with Irish State officials with a view to
8 seeking an exception to this process for Chapter 3.
9 Last year, the AGS prepared a sequence of events
10 statement at the request of the Inquiry answering a 15:41
11 number of questions about what had happened between the
12 12th and 15th of August and the ensuing AGS
13 investigation. Accompanying that sequence of events
14 statement was a presentation.

15 15:41
16 The request the Inquiry Legal Team made was for an
17 exception to the statutory procedure permitting the
18 evidence in the sequence of events statement to be
19 adduced by questioning from the Inquiry Legal Team.
20 The Irish Justice Minister agreed, on an expressly 15:41
21 exceptional basis, for this to be done. The terms of
22 that agreement were that the Inquiry Legal Team would
23 carry this questioning out in Dublin and that it would
24 be recorded.

25 15:42
26 Following this agreement, the Inquiry Legal Team made
27 an additional request to be permitted to ask follow-up
28 questions arising from the presentation. The
29 Government of Ireland agreed to consider this, but

1 ultimately, declined that request save in respect of a
2 small number of questions. The refusal was expressly
3 made on the basis that the bespoke legislation that the
4 Government of Ireland have put in place will provide an
5 opportunity for such further questions to be asked.

15:42

6
7 The Inquiry Legal Team fully intends to take up the
8 opportunity to seek evidence from current and former
9 Irish State employees through the legislative scheme
10 which the Government of Ireland has put in place. In
11 the meantime, the Inquiry Legal Team took the
12 exceptional opportunity granted outside of the scheme
13 to question an officer from the AGS about the content
14 of the sequence of events statement and accompanying
15 presentation. And we're grateful for the opportunity
16 afforded by the Government of Ireland by this bespoke
17 mechanism notwithstanding the limitations in that
18 procedure, including, we acknowledge, in terms of Core
19 Participant participation.

15:42

15:43

20
21 In Part 3 of Chapter 3, the evidence in that statement
22 and presentation relating to the events of the 12th to
23 the 14th of August, which was recorded in Dublin two
24 weeks ago, will be played. The witness who gave
25 evidence on behalf of the AGS was
26 Detective Superintendent Emmet Casserly. The Inquiry
27 Legal Team is grateful to
28 Detective Superintendent Casserly for his assistance in
29 giving this evidence. And we consider that he and

15:43

15:43

1 those behind him engaged in a procedure in a spirit of
2 co-operation.

3
4 Once we've watched the part of the recording of the
5 evidence of Detective Superintendent Casserly that is 15:44
6 evidence to Part 3, Mr. Safranauskas will speak to the
7 presentation he has created in relation to the events
8 of the 12th to the 14th of August. That presentation
9 will carry forward the provisional attributions and set
10 out a number of telephone calls, including the cell 15:44
11 sites used on some occasions. It will also incorporate
12 other evidence relevant to this period such as
13 eyewitness evidence, documentary evidence and
14 closed-circuit television evidence.

15 15:44
16 Accompanying the presentation of Mr. Safranauskas, is
17 the timeline, some parts of which we looked at in an
18 earlier part of these opening remarks. Hard copies of
19 the timeline are, as we understand it, available in the
20 hearing room for reference by attendees and electronic 15:45
21 copies of the timeline have been disclosed to all Core
22 Participants.

23
24 There will be a third source of evidence interposed
25 during the presentation in Part 3, namely, extracts 15:45
26 from evidence summaries prepared by the Inquiry Legal
27 Team. These summaries provide more detail, based on
28 the accounts given to the police investigation, about
29 what eyewitnesses told that investigation. Core

1 Participants had the opportunity to review and comment
2 on these, and the Inquiry Legal Team is grateful for
3 their co-operation and assistance.
4 The timeline sets out, in tabular form, the events
5 captured in the presentation of Mr. Safranauskas. It's 15:45
6 intended that when used in conjunction with the
7 presentation the timeline will provide an "at a glance"
8 opportunity to lay what is on the screen alongside
9 other events which are taking place at that time.

10
11 All of this evidence together will begin to develop the
12 working hypothesis that we explained earlier in this
13 address as to what took place during this time.

14
15 Part 4 of Chapter 3 is concerned with the events of the 15:46
16 15th of August, up until 2:28 p.m. The first evidence
17 we'll receive in this part will be the recording of
18 Detective Superintendent Casserly's presentation of the
19 AGS sequence of events as it relates to this period of
20 time. 15:46

21
22 Mr. Safranauskas will follow this with his
23 presentation, alongside the timeline and extracts from
24 the Inquiry Legal Team, factual evidence summaries
25 which will be interposed and read out. 15:47

26
27 Two further witnesses will be called in Part 4 and they
28 are Col. Peter McMullan and Detective Chief
29 Inspector Ivan Gault.

1
2 Col. McMullan is the corporate witness on behalf of the
3 British Army. He has provided a number of statements
4 to the Inquiry. In Part 4 he will be called to speak
5 to two particular issues; the first is to provide an 15:47
6 overview of the development of the British Army
7 Northern Ireland in 1998. The purpose of this evidence
8 is to provide context for the events in Omagh on the
9 15th of August. And the second is to assist with the
10 issue of the Aughnacloy permanent vehicle checkpoint to 15:47
11 which we've made reference both in relation to the 14th
12 and 15th of August.

13
14 As we said earlier, the police investigation gathered
15 cell site evidence which reveals that the bomb car and 15:48
16 scout car both passed through Aughnacloy on their way
17 to Omagh. That occurred sometime between 1:00 p.m. and
18 2:00 p.m. within the period covered by Part 4. What
19 the cell site evidence is incapable of telling us is
20 whether either vehicle passed through the PVCP or 15:48
21 whether instead they went around it on a back road.

22
23 The police investigation also seized footage recorded
24 at the checkpoint from the British Army and analysed
25 it, seeking to establish whether either vehicle could 15:48
26 be seen passing through. The Inquiry Legal Team tasked
27 Col. McMullan with finding out all he could about the
28 checkpoint in Aughnacloy in order to assist our
29 understanding about this.

1
2 The final witness in Part 4 will be
3 Detective Chief Inspector Gault from the PSNI. DCI
4 Gault has conducted a similar exercise to Col. McMullan
5 with a view to helping the Inquiry understand the 15:49
6 position in relation to the checkpoint and footage from
7 it from the perspective of PSNI.

8
9 We'll then turn to Part 5, during which we'll hear
10 evidence relevant to the period from 2:29 p.m. to 15:49
11 3:03 p.m. on the 15th. That period has been selected
12 as it's the first time between the first warning call
13 and the detonation, but not including the moment of the
14 detonation.

15 15:49
16 The first witness we'll hear from in Part 5 will be
17 Prof. Heather Hamill. Prof. Hamill has been instructed
18 by the Inquiry to assist with the topic of warning
19 calls and has provided a report on this topic.
20 Prof. Hamill is a professor of sociology at the 15:50
21 University of Oxford and worked for over two decades on
22 the sociology of violence, paramilitarism, informal
23 systems of justice, extra legal governance and trust.
24 Her work combines what is described as ethnographic
25 field research, historical analysis, interviews with 15:50
26 paramilitary members, community activists, journalists
27 and security personnel.

28
29 Prof. Hamill has conducted research into the use of

1 code words by armed groups in Northern Ireland and has
2 been published on the subject in a book called The Code
3 Word Conundrum in the Northern Ireland Conflict.

4
5 Following the evidence of Prof. Hamill, there will be a 15:51
6 further presentation by Mark Safranauskas relating to
7 the events between 2:29 p.m. and 3:03 p.m.

8
9 Part 5 will conclude with a sequence of witnesses
10 dealing with the events at the Lisanelly Barracks in 15:51
11 Omagh during this time period. First in the sequence
12 will be Col. McMullan, again, who will provide a
13 corporate perspective on four matters; the British Army
14 deployment in Omagh on the 15th of August; the response
15 of the British Army upon learning about the threat of a 15:51
16 bomb; and then that topic we made reference to earlier,
17 the Daily Occurrence Book and then the Watchkeeper's
18 Log.

19
20 The first two of these topics are self-explanatory. 15:51
21 The third, the Daily Occurrence Book, we have mentioned
22 already in some detail. But the headline point is that
23 we will be investigating an entry which, on the face of
24 it, records that warnings were received in relation to
25 bombs in locations in addition to Omagh. The fourth, 15:52
26 the Watchkeeper's Log, is another document which has
27 entries which the Inquiry wishes to understand further.

28
29 The next witnesses in Part 5 in the sequence related to

1 events at the Lisanelly Barracks are three British Army
2 officers, all of whom held the rank of captain at the
3 time of the bombing. Cpt. Hodgson, Cpt. Park and
4 Cpt. Peebles. These three witnesses, who were based at
5 Lisanelly Barracks on the 15th of August will provide 15:52
6 evidence relevant to the latter two matters on which
7 Col. McMullan will be speaking, so that is to say the
8 Daily Occurrence Book and the Watchkeeper's Log.

9
10 The final witness in this sequence is from the PSNI, 15:53
11 DCI Neil McGuinness will give evidence about the RUC
12 Net which is referred to in the Daily Occurrence Book.

13
14 Part 6 covers the moment of detonation and the
15 immediate aftermath of the detonation. In this part, 15:53
16 we will hear from Hazel Hutson of the Forensic
17 Explosive Laboratory. She will give evidence about the
18 composition of the bomb. Unlike other evidence in
19 Chapter 3, the content of Ms. Hutson's evidence will be
20 governed by an operationally-sensitive Restriction 15:53
21 Order. The effect of that order is that her evidence
22 will not be broadcast and cannot be reported until it
23 has been reviewed for sensitivity. That is so as to
24 avoid the risk of material that may be helpful to
25 hostile actors who wish us arm, entering the public 15:54
26 domain. The press and Core Participants will be
27 entitled to be present for her evidence.

28
29 Subsequently, in Part 6, Mr. Safranauskas will deliver

1 his presentation in relation to the events connected
2 directly to the detonation. That evidence will involve
3 and include the telephone traffic between the handsets
4 which were involved, and a wider network of calls.

15:54

5
6 The final live witness in Part 6 will be Dr. Tart.
7 Dr. Tart's appearance, again, at this stage will be in
8 order to review the cell site evidence heard as part of
9 the presentations relating to the events of 12th to the
10 15th of August, and to provide his expert opinion on
11 the interpretation of that evidence.

15:55

12
13 Part 6 will conclude with the playing of compilation of
14 media reporting that we've mentioned now a number of
15 times.

15:55

16
17 Part 7 is concerned with the police investigation into
18 the Omagh bombing and subsequent processes. By
19 subsequent processes we are referring to investigations
20 outside the main track of the police investigations and
21 which we're concerned with or in some way connected to
22 the Omagh bombing.

15:55

23
24 First, we'll say something about the RUC and later PSNI
25 investigation into the attack. On the 15th of August,
26 the RUC commenced an investigation into who was
27 responsible for the Omagh bombing. A significant body
28 of the evidence which was gathered in that
29 investigation forms the basis for the presentations and

15:55

1 summaries that will be heard during Parts 2 to 6 of
2 Chapter 3.

3
4 During the course of Part 7, Sir, we're going to hear
5 from two PSNI witnesses who will, we expect, be able to 15:56
6 help with further detail about the police investigation
7 in Northern Ireland. Detective Chief Inspector Peter
8 Billingsley, and Detective Chief Inspector Neil
9 McGuinness are those two witnesses. As to the first of
10 those, DCI Billingsley was responsible for providing a 15:56
11 sequence of events statement to the Inquiry at an early
12 stage. He subsequently supplemented this with a
13 further statement on the same topic. As to the second
14 of these officers, DCI McGuinness will be recalled in
15 Part 7 to help with the use of the HOLMES or Home 15:57
16 Office Large Major Enquiry System database in the
17 course of the Omagh bombing police investigation.

18
19 Sir, it is not within the Inquiry's Terms of Reference
20 to investigate the adequacy of the police investigation 15:57
21 into the Omagh bombing by the police here in Northern
22 Ireland. However, the adequacy of the police
23 investigations into the previous 32 incidents, to which
24 we've made reference, is very firmly within our Terms
25 of Reference. That makes the adequacy of the 15:57
26 investigation into the Omagh bombing relevant to our
27 work in two ways:

28
29 First, the public would have expected the investigation

1 into the Omagh bombing to have been of the highest
2 standard. If there were, in fact, systemic or
3 structural failings in the approach taken to that
4 investigation, it gives rise to the possibility that
5 such failings were present in the investigations into 15:58
6 the earlier incidents the Inquiry is examining. And,
7 in turn, that gives rise to the possibility that
8 opportunities to identify and disrupt those who went on
9 to carry on the Omagh bombing were missed.

10
11 Second, the Omagh bombing investigation did examine
12 some of those earlier incidents, referring to them as
13 "linked incidents." Steps of investigation that had
14 not originally been taken in those earlier
15 investigations were then undertaken. And, Sir, we will 15:58
16 need to consider why those steps, taken after the Omagh
17 bombing, were not taken at the time and consider
18 whether, if they had been, that would have made any
19 difference.

20
21 Two competing factors may need to be borne in mind once
22 all the evidence has been heard. On the one hand the
23 Omagh bombing investigation was an investigation of
24 enormous size and complexity. That, inevitably, made
25 it more difficult than smaller and more straightforward 15:59
26 investigations and that may have made some shortcomings
27 more likely than in a simple investigation. On the
28 other hand, there are strong indications that the
29 police in Northern Ireland were determined to conduct

1 as thorough and comprehensive an investigation as
2 possible, and, as such, it might be expected that the
3 best people in the organisation would be given the time
4 and resources needed to do the very best job that can
5 be done.

15:59

6 Sir, we need to be clear that in saying this we are not
7 pre-judging the issue of whether there were any
8 significant failings in the investigation by the RUC,
9 and later the PSNI, into the Omagh bombing. We are
10 simply explaining why it will be necessary for this
11 issue to be explored over the course of the Inquiry's
12 oral evidence hearings. And that exploration will
13 begin in Chapter 3, but it will be a topic that we will
14 necessarily return to in detail in Chapter 4 when we
15 look in detail at the police investigations into the
16 attacks and attempted attacks perpetrated before the
17 Omagh bombing as listed in the updated provisional list
18 of issues.

16:00

16:00

19
20 One aspect of the police investigation we will be
21 considered in some detail in Part 7 is the outcome of
22 the work carried out by the forensic scientists in
23 Northern Ireland and we've already mentioned
24 Prof. Gallop and her multidisciplinary team in this
25 regard.

16:00

16:01

26
27 In Part 7 we expect to recall Prof. Gallop to deal with
28 matters contained in the second report prepared by her
29 and her team. We'll then hear from a number of the

1 forensic scientists who made a contribution to that
2 report.

3
4 Prof. Roger Robson, spent 20 years as a career
5 scientist in the Forensic Science Service. His 16:01
6 specialism is in trace evidence such as fibres, hair,
7 glass and paint. Within the multidisciplinary team he
8 has been instructed in relation to textile fibres.

9 Prof. Robson was the Managing Director of Forensic
10 Access, an independent forensic science provider for 16:01
11 10 years which involved him in national security
12 sensitive work. And he has recently been approached by
13 the UK Accreditation Service to take up a new role as
14 their trace specialist.

15 16:02
16 Dr. Philip Avenell is an independent science and
17 operations consultant specialising in DNA profiling, a
18 field he has been working in for 24 years. Before
19 becoming an independent consultant, he spent five years
20 as the Operations and Science Director, subject matter 16:02
21 expert, at Forensic Access.

22
23 Melanie Pugh specialises in handwriting and questioning
24 documents. She has examined literally thousands of
25 documents and dealt with many legal cases, both 16:02
26 criminal and civil. Her work includes
27 counter-terrorist investigations around she was part of
28 the working group for document examiners within the
29 European Network of Forensic Science Institutes.

1
2 Dr. Sarah Jacob is a consultant forensic scientist with
3 over 24 years of experience in marks and traces
4 evidence. She is experienced as a lecturer and trainer
5 in forensic science as well as having been involved in 16:03
6 numerous high profile criminal cases.

7
8 And, finally, in relation to the multidisciplinary
9 forensic science team from whom we'll hear,
10 Kevin Kershaw, has over every 45 years' experience 16:03
11 working in forensic science at an operational level
12 both in the UK and overseas. He specialises in the
13 topic of fingerprints. He served for 33 years in the
14 Greater Manchester Police, retiring in 2012 from the
15 role of Head of Forensic Identification Services. He 16:03
16 was seconded to the Metropolitan Police Terrorist
17 Fingerprint Department as a consequence of the
18 terrorist attack by the IRA in Manchester.

19
20 During Part 7, we will also be playing a further part 16:04
21 of the recording of the questioning conducted by
22 Counsel to the Inquiry of
23 Detective Superintendent Casserly at this stage
24 relating to the AGS investigation into the attack.

25 16:04
26 Turning away from the police investigation, the Inquiry
27 Legal Team has identified a total of 19 processes which
28 occurred after the bombing and which were in some way
29 related to the attack. A summary of each of these

1 processes has been prepared so that everyone can follow
2 how things evolved.

3
4 A number of important individuals within those
5 subsequent processes have been identified and will be 16:04
6 called to speak to their involvement in the processes
7 in which they took part. Those individuals are as
8 follows:

9
10 Detective Chief Superintendent Brian McVicker: In 16:05
11 March 2000, that officer was commissioned to conduct a
12 review of the Omagh bombing police investigation. It
13 was the first such review ever conducted by the RUC.
14 He reported later that year and identified a number of
15 shortcomings or further lines of inquiry. We'll hear 16:05
16 from Detective Chief Superintendent McVicker about his
17 experience of conducting this review and its
18 conclusions.

19
20 John Ware: John Ware is an acclaimed investigative 16:05
21 journalist. He will be called to give evidence about
22 two BBC Panorama programmes for which he was
23 responsible. The first was broadcast in 2000 and was
24 entitled, "Who Bombed Omagh?" The second was broadcast
25 in 2008 and was entitled, "Omagh: What the police were 16:06
26 never told."

27
28 The 2008 programme followed an article written by
29 John Ware which was published under the headline, "The

1 words that might have saved Omagh," albeit, as we
2 understand, Mr. Ware was not personally responsible for
3 that headline. And we will be asking Mr. Ware about
4 his work when he gives evidence.

5
6 Gregg Harkin is also a journalist. In July 2001, he
7 wrote an article which was published in The Sunday
8 People, the headline of the article was: "I told the
9 cops about Omagh." The substance of the article
10 contained an assertion by a man who was identified in
11 the piece by the name "Kevin Fulton." And, of course,
12 we've referred to that man a number of times already
13 today.

14
15 Kevin Fulton was reported as saying he was an
16 informant. The core allegation made in The Sunday
17 People article was that Kevin Fulton had provided RUC
18 Special Branch with information about the plan to bomb
19 Omagh three days before the explosion. So Mr. Harkin
20 will attend Chapter 3, Part 7 to give us some more
21 information about the circumstances surrounding his
22 article.

23
24 Next, Baroness Nuala O'Loan. Gregg Harkin's article
25 had significant fallout. It resulted in the Police
26 Ombudsman of Northern Ireland (PONI), Baroness O'Loan
27 as she is now opening an investigation. In due course
28 a report, which went substantially beyond the
29 allegations made by Kevin Fulton, was submitted

1 covering the matters which were investigated. So we
2 will hear from Baroness O'Loan about her role and her
3 key conclusions.
4

5 Sir Ronnie Flanagan, was Chief Constable of PSNI at the 16:08
6 time of The Sunday People article and at the time of
7 the subsequent report of the Ombudsman. Responding to
8 Baroness O'Loan, the Chief Constable gave what might
9 neutrally be described as a robust refutation to the
10 contents of Baroness O'Loan's report. Sir Ronnie will 16:08
11 be giving evidence to us about his response and about
12 the police investigation into Omagh which took place
13 under his leadership more generally.
14

15 Michael Tonge. Following the dispute which emerged in 16:08
16 between PONI and PSNI, the Northern Ireland Policing
17 Board (NIPB) became involved, and a number of further
18 processes were set in train, including one headed by
19 the then Deputy Chief Constable of Merseyside Police,
20 Michael Tonge. DCC Tonge produced a report to the NIPB 16:09
21 in April 2003. That reported had as its focus the
22 police investigation into the Omagh bombing and the
23 development of that investigation following the
24 McVicker Review that we have referred to already.
25

26 Finally, in terms of witnesses who will speak to
27 subsequent processes in Part 7 we will be calling,
28 Martin Bridger.
29

1 In 2012, Mr. Bridger was instructed to prepare a report
2 on behalf of the Omagh support and self-help group on
3 whether there were grounds for a public inquiry into
4 the Omagh bombing. Mr. Bridger will help us to
5 understand the approach he took to his report and his
6 conclusions. 16:10

7 Before we leave Part 7 as a topic, having explained
8 what those witnesses will be giving evidence about in
9 Chapter 3, it's important to say a word or two about
10 what some of them will not be giving evidence about. 16:10

11
12 In the cases of
13 Detective Chief Superintendent McVicker,
14 Baroness O'Loan, Sir Ronnie Flanagan and Mr. Bridger,
15 it's clear to the Inquiry Legal Team that beyond the
16 summary of the processes that they were involved in, 16:10
17 they are in a position to contribute in greater detail
18 to the work of the Inquiry. But that contribution, so
19 it seems to us, must only occur once there is absolute
20 clarity about the issues to which they can speak. 16:10

21
22 For that reason, it will be important for everyone
23 participating in Chapter 3 to have well in mind that
24 the opportunity for more detailed questioning of these
25 witnesses - whether in writing or orally - will come 16:11
26 later. Their purpose, the purpose of these witnesses
27 in Chapter 3 is to introduce the process with which
28 they were involved and set out their conclusions. The
29 detail of the basis of those conclusions, how

1 persuasive that basis is, and whether the conclusions
2 are, ultimately right or wrong, will, sir, be matter
3 for later chapters of your oral evidence process.
4

5 At this stage, we will provide only the briefest 16:11
6 introduction to the final three parts of Chapter 3,
7 Parts 8, 9 and 10. And the reason for this is that
8 there will be a break before the evidence in these
9 parts is heard. And because of that break, it's likely
10 we'll provide a more detailed introduction at the start 16:12
11 of that evidence, which will take into account the
12 evidence we'll be hearing over the course of the next
13 four weeks in September and October.
14

15 Part 8 is concerned with legal proceedings subsequent 16:12
16 to the Omagh bombing. The majority of these
17 proceedings are criminal cases. The criminal cases
18 fall into two categories. The first relates to the
19 three criminal cases concerned with the Omagh bombing
20 itself. As we said very much earlier today, the 16:12
21 defendants in those three trials, were Sean Hoey,
22 Colm Murphy and Seamus Daly. As we've said, not one of
23 those cases resulted in a conviction.
24

25 We will be reviewing, in Part 8, some of the detail of 16:12
26 those three criminal cases seeking to understand what
27 the evidence was, and what the reasons were for the
28 failures in the prosecutions.
29

1 The second category relates to what in criminal cases
2 would be called bad character evidence. That is to say
3 there is a body of evidence relating to the convictions
4 of key individuals which may make it more likely that
5 the key individual in question was involved in the 16:13
6 Omagh bombing. And we referenced, Sir, some of those
7 convictions earlier in this opening statement in the
8 course of setting out our working hypothesis.

9
10 But one example and to take just one of many, is the 16:13
11 conviction of Derek 'Shanty' Brady, caught, as we said,
12 red-handed with a bomb that was plainly about to be
13 loaded into a stolen vehicle just months before the
14 Omagh bombing.

15 16:13
16 It's not only criminal proceedings that we will be
17 considering in Part 8, we will also be assessing the
18 detail of the Breslin litigation seeking to understand
19 why particular defendants were found liable and why one
20 was not. 16:14

21
22 Part 9 will consider what laws were in place prior to
23 the attack as against those which were brought in
24 following the 15th of August 1998. And during Part 9
25 we will be receiving evidence prepared on behalf of the 16:14
26 Home Office.

27
28 Chapter 3 will conclude with Part 10, entitled simply,
29 "suspects." In this part we'll hear from a number of

1 witnesses. DCI McGuinness will assist the Inquiry by
2 providing a summary of what key individuals did or did
3 not say to the police when they were interviewed in
4 connection with the Omagh bombing. We will also hear
5 the final part of the AGS prerecorded evidence in which 16:15
6 Detective Superintendent Casserly sets out which
7 individuals are assessed by the AGS to have been
8 involved in the Omagh bombing.

9
10 DCI Billingsley will be recalled to present the 16:15
11 position in relation to suspects as far as the PSNI is
12 concerned. He has provided a statement which sets out
13 who were considered to be the main suspects at the
14 various stages of the investigation by the RUC and
15 later by the PSNI. 16:15

16
17 And, finally, in Part 10, we will hear from Detective
18 Superintendent Norman Baxter. Detective Superintendent
19 Baxter plays a central role in the history of the
20 police investigation into the Omagh bombing. He was 16:15
21 appointed as the senior investigating officer in May
22 2002, shortly after the McVicker finding. It currently
23 appears to the Inquiry Legal Team that, even at a
24 remove of time from the attack, he managed to
25 reinvigorate the investigation. Since his involvement 16:16
26 in the investigation, Detective Superintendent Baxter
27 has given evidence to the Northern Ireland Affairs
28 Committee (NIAC). He will be able to provide an
29 overview of his involvement in the investigation and

1 his conclusions in relation to suspects.

2 As with other witnesses who will be called in Part 7 of
3 Chapter 3, the Inquiry Legal Team's strong expectation
4 is that further and more detailed evidence will be
5 received from Detective Superintendent Baxter in
6 chapters after Chapter 3.

16:16

7
8 Sir, as we reach the end of these introductory remarks,
9 it's important to return to the enormous and
10 devastating impact the Omagh bombing had on so many
11 people. That impact must remain at the heart of the
12 work of all of us and must drive us forward.

16:17

13
14 The purpose of your Inquiry, Sir, if we may say so, is
15 to provide answers, whatever those answers may be. We
16 know that there are very many people who have been
17 waiting for those answers for nearly three decades and
18 they have waited too long.

16:17

19
20 They are entitled to those answers and we, the Inquiry
21 Legal Team, will do our best to play our part in
22 delivering them. Those answers will be reached
23 following a rigorous and comprehensive scrutiny of the
24 available evidence which bears upon the Terms of
25 Reference.

16:18

26
27 The Chapter 3 hearings are not the start of that
28 rigorous and comprehensive scrutiny. That is because
29 that process started the moment you, Sir, were

1 appointed. Since then, we have gathered in huge
2 quantities of documents which have been analysed and
3 disclosed on to Core Participants when relevant. We
4 have sought witness statements and made requests for
5 further information. Numerous legal, technical, and 16:18
6 international matters have been navigated to get us to
7 this point. And much of that benefits not only
8 Chapter 3 but will also benefit later chapters.

9
10 All of that work is ongoing and even as I am speaking 16:18
11 work is under way by members of the Inquiry Legal Team
12 away from this building, to prepare for the later
13 stages of the Inquiry.

14
15 And, Sir, we are grateful for the work of all of the 16:18
16 members of our team.

17
18 But Chapter 3 does represent a starting point of sorts.
19 It is the start of the public-facing investigation that
20 will provide answers to the Terms of Reference which so 16:19
21 many people desperately want.

22
23 Sir, we are taking that first public step now by
24 seeking to understand how this terrorist atrocity was
25 carried out and who was responsible. 16:19
26

27 Sir, before the proceedings for today end, and I should
28 say I'm very grateful, Sir, for the patience with which
29 everyone has listened to me so courteously, but before

1 the proceedings today end, we need to say something
2 about the emotional impact of this process.

3
4 The Inquiry Legal Team is very aware and indeed the
5 entire Inquiry Team including the secretariat is very 16:20
6 aware that we are investigating matters capable of
7 causing considerable distress to those affected by the
8 Omagh bombing. And we recognise that what we've said
9 today will have been very difficult for many to hear.
10 From the start of the Inquiry process, the Inquiry has 16:20
11 been committed to conducting its work in a trauma
12 informed manner. The Inquiry has implemented a range
13 of emotional support services to support those engaging
14 with the Inquiry, and this support is available both to
15 individuals who choose to engage with the Inquiry such 16:20
16 as the public and to those who are required to engage,
17 such as witnesses. Details of the support available is
18 provided on the Inquiry website and anyone wishes to
19 access it, will see the tab, "Emotional support."

20 16:21
21 Sir, that concludes our opening remarks and as I've
22 indicated, we will commence the evidence relevant to
23 Chapter 3 first thing tomorrow morning, at, we suggest,
24 10:00 a.m., with the evidence of Dr. John Morrison.
25 CHAIRPERSON: well, Mr. Greaney, before we rise today, 16:21
26 I'd like to extend my thanks to you and the Inquiry
27 Legal Team for preparing and delivering such a
28 comprehensive and informative account by way of
29 introduction to the evidence which we will hear in

1 Chapter 3.

2 In light of all that you've said today, I, and I'm sure
3 many others, will look forward with anticipation to the
4 evidence which we shall hear over the coming weeks. So
5 thank you, and we'll reconvene promptly at 10:00 a.m.
6 tomorrow. 16:21

7 MR. GREANEY: Thank you, Sir.

8
9 THE INQUIRY ADJOURNED UNTIL TUESDAY, 22ND SEPTEMBER
10 2026 AT 10:00 A.M.
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