INQUIRY LEGAL TEAM CHAPTER 3 FACTUAL EVIDENCE SUMMARY

PART 7: CLAIMS OF RESPONSIBILITY

1. This factual evidence summary is focused upon aspects of the claims of responsibility. The aim is to provide the Chairman, Core Participants and the public with a digest of accounts that are in the Inquiry's possession relating to this topic. This evidential summary is an overview and is not intended to provide an exhaustive recitation of the evidence.

2. Unless otherwise indicated, ranks of RUC and British Army officers are recorded as they were on 15 August 1998, to avoid confusion about the chain of command or the relative authority of the individuals at the time.

Claims of Responsibility[1]

Greg Hughes

3. Greg Hughes made identical statements to An Garda Síochána and RUC/PSNI dated 24 August 1998 and 19 May 2005 respectively. He recorded that he worked at RTE, Donnybrook in Dublin 4. He said that on 17 August 1998 at 16:26 he was working at the RTE Newsdesk.[2] The telephone started to ring and he took the call. He provided the number of the phone he answered the call on, which he said operated on the *"hunting line system"*.[3] Mr Hughes stated that he answered the call by saying *"RTE Newsdesk"*. He said that the male caller asked him his name and he gave it. He described the caller as being *"middle aged, 40 to 45 years*[4] *and a southern border accent"*.

4. Mr Hughes said that he was of the opinion that the caller made a note of his name, because the caller paused after he gave them his name. He said that he asked: *"And who is this?",* to which the caller replied:

> *"I have a statement to read out from Oglaigh Na hEireann, I want to make clear that we gave three forty five minute warnings and one to the Samaritans in*

[1] This section will detail what was said in the claims of responsibility. The content of those claims does not reflect the bomb warnings received by Hilary and Margaret Hall and which are contained in the Part 5 summary.
[2] The 24-hour clock is used for the timings that are referred to in this summary.
[3] The Inquiry understands that this is a system that routes incoming calls from a single number to a group of other extensions, to avoid missed calls when lines are busy.
[4] It is noted by ILT that another statement says *"40 to 50 years and a southern border accent"*.

Coleraine, and two to UTV the warnings were clearly read out and read back to us. The bombs were left three to four hundred yards away from the courthouse. This was made clear. It wasn't our intention to cause loss of life and injuries. We regret any loss of life or injuries caused."

5. He said that the caller then asked him, *"Have you everything clear?"*. Mr Hughes said he replied with a question: *"Was it three to four hundred yards, is that what you are saying?"*. He said that the caller said: *"Yes three to four hundred yards"*. Mr Hughes asked him: *"Was it the Samaritans in Coleraine and UTV?"*, to which the caller said *"Yes"*. Mr Hughes said that he asked him: *"Was it Oglaigh Na hEireann?"* and the caller said *"Yes"*. Mr Hughes said that at this stage, the caller *"just hung up. He did not give any codeword"*.

6. Mr Hughes said that before he took the caller's statement, he asked the caller *"to hang on"* because he had to clear the VDU[5] in front of him. He said that the caller waited a couple of seconds. He described the caller as being calm at all times, and he said there were no background sounds. He said that *"the call did not sound like one being made from a mobile phone"*. He said that when the caller was making his statement, he recorded it by typing it directly into his VDU. He described his process for doing this: by recording the main points of the statement as they were being given, as he was not able to keep up with the caller reading the statement. Mr Hughes said that once the caller had finished reading the statement and he was asking him questions, it was then that he filled out the body of the statement. Once the caller had hung up, he said that he corrected any misspellings and grammar that was required.

Suzanne Connolly

7. Suzanne Connolly provided statements dated 5 September 1998 and 6 October 2005. She said that she was formerly known as Suzanne MacManus. She said that during 1998 she worked as a journalist for Ireland International and she worked from the offices at 51 Wellington Quay, Dublin. She explained that those offices adjoined to the offices of the Dublin section of the Irish News for whom Michael O'Toole worked. She said that from time to time she would take phone messages for Mr O'Toole, and vice-versa.

[5] The Inquiry understands this to stand for "Visual Display Unit" i.e. a computer screen.

8. She said that on Tuesday 18 August 1998 she was working from her office when, at 10:30, Mr O'Toole's phone in an adjoining office rang and continued to ring. She said that she was aware that Mr O'Toole was *"up north",* and said that after a few moments, she answered his phone. She said that a male caller asked for Michael O'Toole. She said: *"sorry he's not here, can I take a message".* Ms Connolly said that at this stage she knew that the caller's voice was distorted *"and that this caller was serious".* She said that the caller asked her if she knew where Michael was and she said, *"he's up North".* She again asked if she could take a message. She said that the caller asked her: *"Who is this"*; and she said: "*this is Michael's office".* She again asked if she could take a message. She said that at this point she thought that the caller asked her for Michael's mobile telephone number. She said that she gave the caller the number, which she provided in her statement, ending -7905.

9. She said that the caller then said: *"this is about the explosion".* She said, *"hang on a second"* and she got a pen and paper. She said that the caller then directed the following statement to her:

> *"This is about the explosion, this is Oglaigh Na hEireann, there were three warnings put in, 40 minutes warning on each of them, two to UTV and one to the Samaritans in Coleraine. Each time the call was made, it was very clear and the people talked back, the location was 300 yards (then the caller said 300 to 400 yards) from the courthouse on the Main Street. At no time was it said it was near the courthouse. It was a commercial target. Despite media reports it was not our intention at any time to kill any civilians. It was a commercial target, part of an ongoing war against the Brits".*

10. Ms Connolly said that she read the statement back to the caller, and she asked him if he wanted to say anything else. She said that at this point, he said: *"we offer apologies to the civilians".* She said that the caller then said: *"and the codeword is Martha Pope".* She stated that this codeword meant nothing to her, and she wrote it down on her notes as *"Mate Pope".* She said that at the end the caller asked her if the call was being recorded, and she said no. She stated that the call lasted 5 to 6 minutes.

11. She provided more information about the caller and the call as follows:

> *"The caller was male, not a Northern accent, not an extremely Southern accent either, an accent perhaps of a person coming from between Dublin and the*

border. The caller sounded as if he was in his early thirties, I thought he had distorted his voice, the line sounded as though it was mechanically distorted and the quality of his voice poor. It may have been a mobile phone. The caller also said that he had called RTE the day before and they didn't do anything about the call".

Rita O'Reilly

12. Rita O'Reilly provided a statement which is not dated. Ms O'Reilly stated that she is employed by Ireland International News Agency based at 51 Wellington Quay, Dublin. She said that she remembered 18 August 1998. She said that she was working in the Newsagency Office when she answered the telephone on Michael O'Toole's telephone. She said that the telephone rang for a while and the time was approximately 16:30. She said that *"there was a male caller on the phone, with what sounded like a mature voice and whose accent I could not determine".* She said that the caller told her that he had rang earlier and asked her whether she had passed on the message to Michael O'Toole. She said: *"I was pretty sure at this stage that it was a caller from Oglaigh nah Eireann and I said – Codeword? – to which the caller replied "Martha Pope".*

13. She said that she told the caller that Michael O'Toole had received the message and she was then asked when the report was going out. She stated that she told the caller that she believed that it would go out first thing the following morning, but if the caller wished to speak to Michael in relation to it he could. She said that the caller then asked for Michael O'Toole's mobile telephone number. Ms O'Reilly stated that she had to spend some time searching for it in the office before she found it. She said that when she returned to the telephone, the caller was still holding on and she passed on Mr O'Toole's mobile telephone number to him. She said that the caller then finished the conversation and hung up.

14. On 12 October 2006, during R v Hoey, this statement was read into evidence. It was said that the statement was dated 13 May 2005.

Michael O'Toole

15. Michael O'Toole provided an undated statement. In it he said that he was a journalist with the Irish News Newspaper, Belfast. He said that he was working in the Belfast

office on Tuesday 18 August 1998. He said that at approximately 10:40, his journalist colleague Suzanne McManus who was working in their Dublin Office at 51 Wellington Quay telephoned him and said: *"Michael they rang for you"*. He said, *"who",* and she said: *"Them the bombers"*. Mr O'Toole stated that Ms McManus said that they rang for him on his phone line and she picked it up, and she gave the phone number they rang.

16. Mr O'Toole recorded:

> *"They said Oglaigh na hEireann, there were three warnings put in, there were 40 minutes warning on each of them, two to UTV and one was to the Samaritans in Coleraine. Each time the call was made it was very clear and the people talked back. The location was 300-400 yards from the courthouse on the main street. At no time was it said it was near the courthouse. It was a commercial target. Despite media reports, it was not our intention at anytime to kill any civilians. It was a commercial target, part of an ongoing war against the Brits. We offer apologies to the civilians"*.

17. Mr O'Toole said that he wrote down the message, he read it back, and Suzanne McManus said it was correct. He stated that he asked if they had given a codeword, to which Ms McManus said: *"yes they gave the code word 'Martha Pope'"*. Mr O'Toole said that he typed this message and it was forwarded to the RUC by Noel Doran to Dave Hanna, RUC HQ (Headquarters).

18. Mr O'Toole said that later that night, at 23:35, he received a phone call on his mobile phone, ending -7905. He said that the caller said *"Michael"* in a Dundalk, County Louth accent. Mr O'Toole stated that he said, *"whose this",* to which the caller said, *"I was passed on to you're* [sic] *people earlier on to say…"*. Mr O'Toole said that the phone appeared to be passed to somebody else with a different voice. He said: *"this voice was distorted and squeaky"*. He said that this caller said as follows:

> *"As a direct result of the Omagh tragedy and also in response to the appeals of Bertie Ahern and others we are currently embarking in a process of consultation on our future direction, in the meantime all military operations have been suspended from 12 midnight"*.

19. Mr O'Toole said *"…[so] 25 minutes time"* to which the caller said yes. Mr O'Toole stated that he asked how long the process of consultation will last and the caller said, *"there*

is no time frame". Mr O'Toole said that he said something like: *"What about the victims, do you regret killing these people";* to which the caller said: *"Of course we already said this today, we regret the deaths, we never meant to kill any civilians".* Mr O'Toole then said: *"what you're [sic] connection with the 32 County Sovereignty Movement".* He said that the caller said *"something like… "we rang you because we knew you wouldn't ask any questions"".*

20. Mr O'Toole described the voices of the two people he spoke to as follows:

> *"The first person who came on the phone was well over 40 years, at least 45 years, a thick accent, roughish accent but definitely a Dundalk area accent. The second person, in my opinion was again in his forties, accents similar, the voice was probably distorted and was squeaky. The first person wasn't the following persons, who I have previously spoken to, Michael McKevitt, Bernie Sands McKevitt, Fra Brown, Rory Dougan, Joe Dillon and Eamonn Flanagan, Michael Burke, Michael Ahern nor was it Stephen McKevitt".*

21. Mr O'Toole stated that the Irish News automatically gave out his telephone numbers. He went on to record that he was aware that a phone call from Oglaigh Na hEireann was received by Rita O'Reilly with Ireland International Newsdesk enquiring whether he had received the original message from Oglaigh Na hEireann. He also stated that all of his journalistic work is based in Dublin and he was sent to Northern Ireland to work on the Omagh bombing story.

22. Mr O'Toole's statement was read into evidence in R v Hoey on 12 October 2006. It was said to be dated 15 May 2005. Mr Justice Weir commented that it appeared to be a statement taken by the RUC but from its content it was probably taken by An Garda Síochána. Counsel agreed that that appeared to be the case.

Telephone investigation regarding the claims of responsibility

23. Detective Sergeant Officer 16's report R36N states that AGS investigated the claims of responsibility and found that the phone used was a "Ready to Go" phone ending -921 registered on 1 April 1998 and which had not been used in at least the last six months, as far as their records went back.

Detective Superintendent Baxter's report dated 14 May 2003

24. Detective Superintendent Baxter, Senior Investigating Officer of the PSNI Omagh bomb investigation, produced a report dated 14 May 2003 in which he stated:

> *"At present we are not in a position to place any evidence before a court that the RIRA was responsible for this bomb. It was claimed in the name of that organisation. However, the codeword used had been used by in INLA claims of responsibility. Some evidence exists that senior figures within the INLA and CIRA were in the "Command Chain" and "Operational Chain" in this terrorist attack. Intelligence supports existing evidence to that elements from RIRA, PIRA, CIRA and INLA all played a part to varying degrees in the organisation and execution of this attack. Knowledge prior to the bombing was held by members of all four organisations"* [sic].

The Inquiry Legal Team, 28 August 2026.