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justice

Former Police Ombudsman Dame Nuala O'Loan, who carried out a probe into the RUC handling of the bomb, says the families are unlikely see the killers ever brought to justice

Friday, 15 August 2008

Much has been written over the past ten years about the Omagh bomb. Even for those of us not directly affected, it was a terrible atrocity, the worst single incident of the Troubles, involving the murder of 29 people and unborn twin babies, and lasting injury to hundreds of people.

It has sometimes seemed to me that there is no-one in Northern Ireland who was not in some way affected by what happened on that August afternoon.

The RUC response was swift and impressive — an Omagh Bomb Investigation Team was established and the Chief Constable gave a strong commitment that “no stone would be left unturned until we bring

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these people to justice". I, and many others, had every reason to believe that every effort would be made to find and prosecute those responsible.

Some three years later on July 29, 2001, the Sunday People carried a headline claiming that a man they called Kevin Fulton, whom they said had been a former British security force agent, had "told cops about Omagh" and that nothing was done to prevent the atrocity.



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Many speculative stories appear from time to time in the media, but this story caused huge concern, and I decided that we had to investigate whether any information of relevance was available before the bomb, and whether such information had been properly responded to.

I initially had one concern — to establish whether Fulton had told the police about Omagh. Fulton, we were told, was a Walter Mitty character and unreliable.

What we found was a cause of great concern. As the investigation proceeded, we established that warnings had been received from Fulton and others. Fulton was a reliable source. He provided five sets of information about dissident Republican activities to his CID handler during July and August 1998.

These were given to Special Branch. The documents recording the two most important meetings, on July 23 and August 12, can not be found. Fulton did not tell the police about Omagh. He did tell them on August 12 that something was moving north.

One warning (not from Fulton) said that there would be an attack on police in Omagh on August 15, the date of the bomb. This report was not initially disclosed to us, was not immediately investigated by the RUC, and was not communicated to the officer in charge in Omagh at the time. It was subsequently found marked "does not refer to Omagh".

The source of that information is currently being investigated. Whether it was genuine or not, there can be no doubt that the officer who received it thought it was, and that had it been communicated there might have been a heightened state of alert in Omagh on August 15, 1998, which might have prevented the planting of the bomb.

We will probably never know whether this bomb could have been prevented.

I quickly began to have concerns about the bomb investigation and expanded my investigation to deal with this. There were serious deficiencies in the Omagh bomb probe.

The police were aware of many of them. Very little had been done about them.

There were hundreds of unexplored investigative opportunities. Large quantities of intelligence and information had not been given to the detectives. Months had passed without necessary action by the police. My concern always was to ensure that those responsible for the Omagh bomb would be, if it were possible, brought to justice.

However, I had to tell the Omagh families when I met them on December 12, 2001 that, although "it is in the interests of everyone that those responsible for this terrible atrocity are brought to justice, it may never happen. We may never know now; it may be too late to establish guilt". I went on to tell them they had "the right to know that a full unfettered investigation had occurred".

My Omagh investigation was difficult from the beginning. I had known of the difficulties which existed between RUC Special Branch and the rest of the RUC. Some members of the RUC referred to their Special Branch colleagues as "a force within a force", and some Special Branch officers, in their documentation, referred to their CID colleagues as "another organisation".

Detectives, at the most senior level, had told me that there were occasions on which they were sure that Special Branch must have had material relevant to investigations, but this was denied to them. There was reluctance on the part of some officers to cooperate, to let us have access to the material we needed, and we had to take exceptional measures to access to some material.

Some officers responded really well, giving us every assistance, but there were many who tried to avoid us, who would not make statements and who refused to expand on statements made.

There were officers who gave us one account and then inexplicably varied that account subsequently. In addition to the other failures there were missing documents, lack of written procedures and lack of

management and leadership and a lack of urgency.

The RUC became the PSNI in November 2001. I reported a month later. It was very clear that massive development was needed to enable the PSNI to function effectively.

I said that "there needs to be organisational and cultural change which offers better integration, more cohesive working and a positive strategic approach to intelligence management". Implementing Patten as proposed would not achieve this. Huge change has now occurred. Detectives now tell me that all has changed.

There is much more training, both for detectives and for Special Branch officers. There are now procedures for handling, managing and disseminating information, and for other facets of policing. A thorough investigation has occurred into the Omagh bomb.

Extensive efforts were made to find the bombers including the use of new investigative techniques. Most regrettably, the errors made in the very first hours after the bomb, and later, have made it most unlikely that anyone will ever be successfully prosecuted.

My Omagh Report was, I have been told, a most important moment in the development of policing in Northern Ireland. The occasional attacks on me and some of my staff have continued to this day. The Police Association attempt to get the report quashed in the High Court was withdrawn by the Police Association and dismissed by the judge, a year after the proceedings were launched.

I experienced many ominous warnings about my future and that of my office during the investigation. None of them came to fruition. Research shows consistently high levels of support in the whole community in Northern Ireland for the Police Ombudsman. Policing has developed enormously.

The challenge for us all now must be to ensure that our accountability structures remain independent, impartial, effective and strong.

That requires that policing be conducted effectively with the support of the people, so that never again will dissident republicans, or any other paramilitary group, wreak such carnage and destroy so many lives.

The Chief Constable, Sir Hugh Orde, warned this week of the threat that, in their current attempts to kill a police officer, the dissidents would have no issue "if ordinary people get in the way".

As a people surely the time has come for us all, whether in public office or not, to speak out in total rejection and condemnation of dissident republicans and of loyalist paramilitaries.

Nobody else should suffer as the Omagh families have suffered.

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