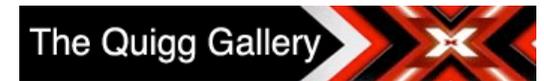


Most PopularMost Emailed

[Breaking](#)[Sport](#)[Business](#)[World](#)[Gossip](#)



Issue Changer:



[NEWS >](#)

## Not sharing Omagh GCHQ material 'would be affront'

By Staff reporter

16/12/08

IT would be an "affront to justice" if British intelligence services were not forced to reveal all material linked to

mobile phone conversations recorded on the day of the Omagh bombing, the High Court heard yesterday.

Lawyers for victims' relatives who are seeking any tapes, transcripts or notes as part of their multi-million pound compensation claim against five men they blame for the outrage

rejected claims that full disclosure could threaten national security.

Their application is based on a television documentary which claimed the British government listening agency General Communications Headquarters (GCHQ) monitored calls as the bomb team drove into the Co Tyrone town in August 1998.

It is not known if the exchanges which formed the basis of the BBC Panorama programme were listened to live or simply recorded.

The allegations provoked anger among relatives of those killed and led to Prime Minister Gordon Brown ordering a three-month intelligence review due to be completed this week.

Barristers representing the security services, GCHQ, present and former police ombudsmen Al Hutchinson and Dame Nuala O'Loan and four retired senior police officers all attended the civil action as Lord Brennan QC, for the Omagh families, opened his case for disclosure yesterday.

"This is a unique set of circumstances in which to apply for third-party discovery of the phone calls said to have been taped by the security services on the day of the Omagh bombing," he told Mr Justice Morgan.

Lord Brennan argued that the publicity surrounding the programme meant there was no evidence of any significant damage to national security or the work of the security services if a court order for disclosure was made at the civil trial, where Michael McKeivitt, Liam Campbell, Seamus McKenna, Colm Murphy and Seamus Daly all deny responsibility.

"We are about seeking discovery of that which is now well established in the public arena in relation to a major atrocity," he said.

Rejecting legal submissions for non-disclosure, the lawyer claimed the relevant third parties had not dealt adequately with evidence before the court and relied on generalities about the need for national security.

"The recurrent theme is that these matters are secret, they are protected by a legislative framework of secrecy which applies for all purposes and for all time," he said.

"The conclusion properly to be drawn by any objective observer is that the law of this country... is now in a position where there's going to be an affront to justice if the application by the plaintiffs is rejected."

Before opening an application which is expected to last three days, the court was told that discovery claims against Panorama reporter John Ware and Sir Joseph Pilling, a retired under-secretary at the Northern Ireland Office, were being discontinued.

Lord Brennan also made clear that it was not a general challenge to relevant legislation in force.

"We are not challenging the general apparatus of the practice of neither confirming nor denying," he said.

 Print  back to top

Bookmark:  Delicious  Digg  Reddit  Facebook  StumbleUpon

 Email this story