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Judge accuses police of 'deception' in Omagh case

Dan Keenan and Gerry Moriarty

The judge who yesterday freed the man charged with the Omagh bombing has accused the police of "deliberate and calculated deception".

Mr Justice Weir described to Belfast Crown Court "a most disturbing situation" whereby two officers had "beefed up" their statements concerning the atrocity. Had evidence not been available to "gainsay" the "lies" of these two police witnesses the court could have been deceived, he said.

Before releasing Sean Gerard Hoey (38), Molly Road, Jonesborough, Co Armagh, the judge said he found "deliberate and calculated deception in which others concerned in the investigation and preparation of this case for trial beyond these two witnesses may also have played a part".

In a devastating critique of the police handling of the case, he said this was "deeply disquieting".

Transcripts of the trial are to be forwarded to the office of the Police Ombudsman for further consideration.

Throughout his verdict, which took 80 minutes to deliver, Mr Justice Weir also catalogued a series of failures and inadequacies which he said had failed to offer evidence of a standard needed to secure a conviction.

The judge described the prosecution case as one founded on three "strands". These were that the defendant had "authored" devices used in a series of dissident republican attacks in 1998 leading up to the bombing of Omagh; that fibre evidence also linked him to the devices; and that DNA evidence also associated him with the 56 charges he faced.

The judge's verdict systematically took apart the case against Mr Hoey in all three "strands".

In relation to the DNA evidence, the judge described the approach of police and scenes of crime officers as "thoughtless and slapdash". Items of evidence were "widely and routinely handled with cavalier disregard for their integrity", he said.

Staff at the forensics service must have been "very well aware of the risks of improper labelling, storage and examination".

Before freeing Mr Hoey, the judge said he was "acutely aware" of the feeling of the Omagh relatives, many of whom were in the public gallery alongside friends and supporters of the accused who applauded his release.

Outside the court, the defendant's mother, Rita Hoey, said her son was an "innocent" man while relatives spoke of their anguish.

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