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“ Today's judgement - a reasoned, lengthy and well considered judgement - completely vindicated this position that he maintained. Sean Hoey is an innocent man, ”

## Sean Hoey cleared of Omagh bombing charges

Thursday, December 20, 2007

By Gary Fennelly

A Co Armagh man has been cleared of the murder of 29 people in the 1998 Omagh bombing, the worst atrocity in over three decades of violence in Ulster.

Sean Hoey (38) of Molly Road in Jonesborough, was found not guilty of a total of 56 charges, including the murders of the 29 people. He had maintained his innocence throughout the trial.

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At Belfast Crown Court, Mr Justice Weir said there had been a "deliberate and calculated deception by police". Transcripts of the trial have been sent to the police ombudsman.

Mr Justice Weir said there had been "unspeakable carnage and utter devastation" in Omagh on the day the bomb exploded following three warnings which failed to give the exact location of the 500lb car bomb.

The judge added: "I am acutely aware that the stricken people of Omagh and every other right-thinking member of the Northern Ireland community would very much wish to see whoever was responsible for the outrageous offence of August 1998 and other serious crimes in this series of terrorist incidents convicted and punished for their crimes according to law."

But he also said he had to bear firmly in mind the cardinal principle of the criminal law.

He quoted a judgment by the Court of Appeal, which said justice demanded "proper evidence and not merely evidence which might be true to a considerable extent, probably is true, but which was so convincing in truth and manifestly reliable that it reached the standard of proof beyond reasonable doubt."

The judge said: "The evidence against the accused in this case did not reach that immutable standard. Accordingly, I find Mr Hoey not guilty on each of the remaining counts of the indictment."

During the 56-day trial, prosecutors tried to tie Hoey to the Omagh bombing and other explosions by using DNA evidence specifically a type called low copy DNA. But his lawyers challenged the evidence, claiming it was unreliable.

Hoey's defence team repeatedly argued that the police had tampered with evidence and that exhibits had been wrongly labelled. They said there had been a police 'conspiracy' to 'bury' evidence. They also challenged the integrity of some of the police and forensic witnesses.

Witness statements had been doctored, they said, to give the impression that forensic precautions had been taken at the scene when they had not. During the trial it was revealed that two police witnesses had lied about how they had gathered some of the forensic evidence.

Hoey's lawyer, Peter Corrigan, said there had been a "clear indication of a unity of purpose - a conspiracy" to beef up evidence. He said his client was an innocent man who had been completely vindicated.

"Today's judgement - a reasoned, lengthy and well considered judgement - completely vindicated this position that he maintained. Sean Hoey is an innocent man,"

Speaking outside the court, Hoey's mother Rita said: "I want the world to know that my son Sean Hoey is innocent."

"Authorities in the north and south have held two separate trials, but one witch-hunt."

Family members of the victims, who have led a long campaign for justice after initial police investigations drew a blank, were in court today to witness the verdict. After the judgement, they criticized the police for their handling of the investigation.

The PSNI said they would study Mr Justice Weir's judgement and work to ensure any shortcomings were addressed. A PSNI statement said: "We await the outcome of a Police Ombudsman investigation into two officers who gave evidence during the trial."

"Our primary focus will continue to bring all those responsible for these crimes, most notably the Omagh bombing, before the courts. Our investigations will continue and we would ask anyone with information about these crimes to come forward."

The father of a 12-year-old boy killed in the bombing blamed Northern Ireland's former police chief for the acquittal.

English lawyer Victor Barker, whose son, James, died in the attack, said: "It is the appalling inefficiency of Sir Ronnie Flanagan that has meant Chief Superintendent Baxter has not been able to secure a conviction."

He said the initial investigation by Sir Ronnie had been deeply flawed.

Mr Barker added: "He said he would fall on his sword if anything was wrong with this investigation - I will give him the sword."

Mr Barker, who attended the court with his wife and 13-year-old son, Oliver, said they were very disappointed at the judges decision which had to be based on the evidence put before him.

Mr Barker appealed to organisations such as the Real IRA to "put the past behind them or there would be no future for this island."

The car bomb attack on August 15 1998, killed 29 people including one woman who was pregnant with twins and left 220 wounded - many with horrific injuries. After the attack the Real IRA claimed responsibility.

It was one of the biggest murder trials in UK legal history and is believed police spent a total of £16m on their investigation.

Mr Justice Weir has taken 11 months to reach his verdict since the trial concluded on January 17. Among the victims of the 500lb car bomb were 11 children, including an 18-month-old girl, a mother pregnant with twins and a mother of 12 children.

The bomb went off in the Co Tyrone market town just after 3pm on Saturday Aug 15 1998 after several confusing warnings.

Only one person, Colm Murphy - a 48-year-old builder and publican from Co Louth, has ever been convicted of involvement in the blast, but that conviction was overturned in January 2005 after he had spent three years in jail.

In 2003, Michael McKeivitt, understood to be the leader of the Real IRA, was jailed by a Dublin court for 20 years for "directing terrorism", although the trial judge was explicit that the charges were unrelated to the Omagh bombing.

## Omagh bomb victims

James Barker, 12, Buncrana, Co Donegal. Originally Surrey, England

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 Breda Devine, 20 months, Donemana, Co Tyrone  
 Oran Doherty, 8, Bunrana, Co Donegal  
 Adrian Gallagher, 21, Omagh  
 Esther Gibson, 36, Beragh, Co Tyrone  
 Mary Grimes, 65, Beragh, Co Tyrone  
 Olive Hawkes, 60, Omagh  
 Julia Hughes, 21, Omagh  
 Brenda Logue, 17, Omagh  
 Ann McCombe, 45, Omagh  
 Brian McCrory, 54, Omagh  
 Samantha McFarland, 17, Omagh  
 Sean McGrath, 61, Omagh  
 Sean McLoughlin, 12, Bunrana, Co Donegal  
 Jolene Marlow, 17, Omagh  
 Avril Monaghan, 30, Augher, Co Tyrone  
 Maura Monaghan, 18 months, Augher, Co Tyrone  
 Alan Radford, 16, Omagh, Co Tyrone  
 Rocio Abad Ramos, 23, Madrid, Spain  
 Elizabeth Rush, 57, Omagh  
 Veda Short, 46, Omagh  
 Philomena Skelton, 49, Drumquin, Co Tyrone  
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