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## Omagh civil case moves to Dublin

Monday, May 12, 2008

By Lesley-Anne Henry

The ground-breaking Omagh bomb civil action is making history again when it moves to Dublin — the first time a Northern Irish case sits outside its jurisdiction.

The £14m civil action being taken against five suspected bombers has been transferred to the Republic's Four Courts in a move at the request of the plaintiffs, the families of six victims.

When Mr Justice Morgan sits in court today, it will mark the first time a British judge has gone to the Republic on judicial business.

The action itself has made history in that it is the first time in the UK, and probably anywhere, that citizens have taken alleged terrorists through the courts.

The judge will head a commission assisted by an Irish judge to take hearsay evidence from an FBI spy and from Garda officers protected by immunity.

A spokesman for the Northern Ireland Courts Service said: "We believe this is the first time that a judge is to take evidence on commission in another jurisdiction under the Rules of the Supreme Court (Northern Ireland) 1980."

Michael McKeivitt, Liam Campbell, Colm Murphy, Seamus Daly and Seamus McKenna deny any part in the 1998 explosion that killed 29 people and unborn twins.

The trial is to stay in Dublin for four days and scheduled to return on May 27 for three days. Some 2,300 emails and other documents passed between the US trucker-turned-spy, David Rupert who infiltrated the Real IRA, and his security handlers will be read.

Applications to hear evidence from 50 Garda officers were lodged at Belfast High Court but it is thought not all will be called.

In a special ruling on taking the non-jury trial to Dublin, Judge Morgan said: "Although the rule clearly provides that a judge may take evidence on commission in another jurisdiction it is unusual for such a course to be followed."

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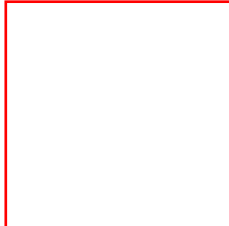
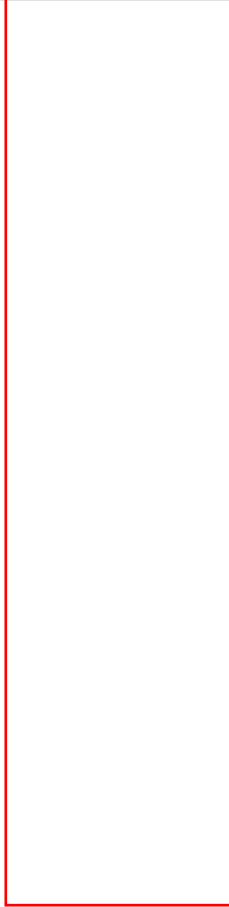
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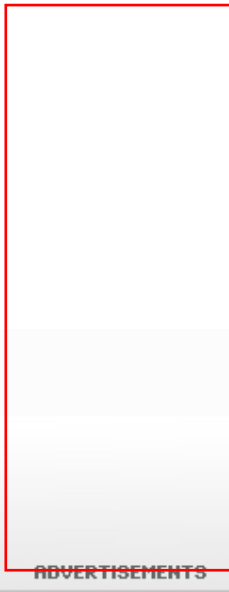
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