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Omagh trial farce prompts inquiry calls

Demands from victims' families that Ronnie Flanagan be held to account

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Rita Hoey, the mother of Sean Hoey, reads out a statement to the media outside Belfast crown court. Photograph: Peter Muhly/AFP/Getty Images

Renewed demands for a cross-border public inquiry into the Omagh bombing were growing last night after a judge made sweeping criticisms of the police and the evidence they brought against a man he acquitted of all charges in connection with the atrocity.

Sean Hoey, 38, was cleared of 29 counts of murder and 27 further terrorist charges by the trial judge, Mr Justice Weir, who issued a scathing judgment on the "slapdash" investigation into the 1998 bombing.

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The ruling, the victims' families believe, means no one will ever be convicted of the murders of the 29 people, including a woman pregnant with twins, who died in the deadliest single atrocity in the history of the Troubles.

The scale of the judge's criticism shocked relatives of the victims. The judge attacked the Police Service of Northern Ireland (PSNI), the province's forensic science service (FSNI) and an experimental DNA technique once heralded as a breakthrough in crimefighting.

Last night, the families also called for Sir Ronnie Flanagan, chief constable of the force at the time, to take responsibility for the failure of the police to bring convictions. Flanagan, who is now Chief Inspector of Constabulary, responsible for overseeing police forces across the UK, maintained his silence last night.

"He said years ago that he would fall on his sword if anything was found to be wrong with the investigation. Well I'll give him the sword," said Victor Barker, whose 12-year-old son James was one of 11 children killed in the bombing.

Michael Gallagher, whose 21-year old son Aidan was among those killed, said: "Now both governments, given what we have experienced today and over the last nine and a half years, cannot refuse the families a cross-border public inquiry so we can get to some degree of the truth."

The Northern Ireland Human Rights Commission also called for a cross-border review into the need for a public inquiry.

Ruling on a case described as a "disgrace" by one of the victim's families, the judge detailed a number of catastrophic failures by the PSNI and FSNI.

They included:

- Two "mendacious" police officers, one a detective chief inspector, who "beefed up" evidence and lied in court about how forensic material had been gathered.

- A "thoughtless and slapdash" approach to the investigation by the PSNI and scene-of-crime officers in collecting, storing and passing on evidence while showing a "cavalier disregard" for its integrity.
- Forensic scientists who failed to wear masks and possibly gloves while handling evidence, and who admitted losing key evidence, including a car.
- Failings in the "low copy number" DNA technique meant it should not be admissible as evidence in British courts.

Speaking outside the court after the verdict, Barker condemned the "appalling inefficiency" of the original investigation into the atrocity, conducted by Flanagan. "It is my view that Sean Hoey is one of the conspirators who made the Omagh bomb," he said. In court the judge quoted a ruling that referred to evidence "which might be true and to a considerable extent probably is true" but which did not reach the standard of beyond reasonable doubt.

Gallagher called the case "a disgrace by any standards". He added: "As a result there are people who will not be brought to justice. That is an awful price to pay."

The verdict was greeted in court by cheers from Hoey's supporters, to the distress of many of the victims' relatives who were also present.

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