

Transcript of Panorama interview with Ray White, former Assistant Chief Constable and Head of Crime and Special Branch for the Police Service of Northern Ireland.

John Ware	In Nineteen Ninety-Seven, a group of IRA dissidents try to destroy the peace process. Set out for me where these attacks were coming from and what form they took?
Ray White	Well the attacks were being carried out by a group of people, a fairly , fluid group of people, because different faces were coming in and out. Most of them were based in the Republic of Ireland in and around the Dundalk/North Louth area We relied an awful lot on what the Garda Síochána could tell us about these people, because being resident within their territory, they were more knowledgeable than we actually were, and when they weren't locally resident, then the gathering of intelligence, obviously, was that bit more difficult, and the conducting of surveillance was impossible, in that respect.
John Ware	And typically, what form would the attacks take?
Ray White [0m 20s]	Well, of the attacks that did take place, or those that were intercepted, they were all basically using home-made explosives. Towns such as Banbridge, Lisburn, Moira police station were all the focus of the attacks. A bomb planted, a

	warning given, and then damage to property.
John Ware	And then back to the Republic?
Ray White]	And back to the Republic was our, understanding of the MO being employed.
John Ware]	And not too far into the North?
Ray White	It was by and large coming down, and as analysis afterward would indicate to us, the Dundalk Newry / Banbridge, corridor and branching off, obviously, to targets in Lisburn and Moira around that, and then immediately back into the safe-haven, as far as they were concerned, of, just back across the border.
John Ware	In terms of penetration, because this was a smaller group of IRA people who were dissidents, who had broken away from the mainstream Provisional IRA, you had less intelligence on them than you had on PIRA?
Ray White	Because they were a new faction and they were coming from disparate parts of the Republican terrorism and had obviously former allegiances in different camps but, were all opposed to the peace process, as it was emerging. It

	<p>was very difficult for us to pin down exactly who was who, because people seemed to flow into the organisation, as far as I understood from my Special Branch colleagues and back out of it again. So pinning down, what you would call, a definitive group of people, was very difficult and it was very much down to the intelligence that the Garda Síochána security people, could give us that we were able to form our opinions as to how things were taking place.</p>
John Ware	<p>Was it your impression that the Garda Síochána had this group pretty well penetrated, or do you think they were having difficulties, as well?</p>
Ray White	<p>I think in a like fashion they were having difficulties, but because the bulk of the paramilitaries that were making up the dissident group were resident with themselves, they had the opportunity to put amongst them informants of their own, and were obviously better informed. I wouldn't say they were extremely well informed, in fact, I think our Garda colleagues would tell us that they struggled very hard at that time to gather intelligence, but I think you can judge that they were having some success, by the devices that were intercepted, going onto the car ferry in Dublin and interceptions that took place</p>

	<p>along the border. So, they were having success and were doing, as far I'd be concerned, their utmost best to try and stay in touch with these people.</p>
John Ware	<p>The Special Branch in the latter part of nineteen ninety-seven/early part of ninety-eight, tried to build a picture of who was involved. What role did the branch task GCHQ to do, in their attempts to build a picture?</p>
Ray White	<p>Well GCHQ would have been one of the departments that they would have sought to incorporate in their analysis. Obviously, every incident that took place was looked at very closely and each piece of intelligence was fitted in to create a picture of who actually was involved. GCHQ had a unique role in that, any telephone or mobile number that could be acquired, in relation to any of those that were suspects, then, that was, in essence a golden thread of enquiry in respect of it, and GCHQ had the capacity to create a base system in that respect.</p>
John Ware	<p>And to build up a matrix of numbers/individuals/subscribers?</p>
Ray White	<p>Well, obviously, if you've got one telephone, and you know that that's connected with a key suspect, then any telephone contact that he makes,</p>

	usually on that phone, has to be looked at to see: Well, is it family and friends, or is it with people of a like-mind to himself, or is it people in other groups, that can assist or provide support to him in the pursuit of the activities that he's following. So, in that sense, one telephone call becomes the core-number, and then the various contacts as they're mapped out from that, will start to give an intelligence picture, as to who these people are in touch with.
John Ware	But GCHQ has the capacity to build this matrix, much more quickly than the ordinary intercept capabilities that the Branch had at its disposal at the time?
Ray White	Well, that's my understanding. The Branch's capacity was entirely depending on services provided by others. [JW: Others being GCHQ?] Others being GCHQ and the Security Services.
John Ware	The Branch didn't do its own monitoring?
Ray White	Only in relation to, what you would call single-intercepts. The Branch had a limited capacity to deal with that sort of material.
John Ware	A limited capacity as in dealing with one line at a time as opposed to building a matrix?

Ray White	Exactly, exactly.
John Ware	Did GCHQ do this job well?
Ray White	Well I had limited contact, not being in Special Branch at that time, but my understanding from colleagues is that, certainly GCHQ has the capacity to, I mean, to build that matrix. And obviously - out of that information that was coming its way - to give the Special Branch the intelligence leads that it was looking for.
John Ware	GCHQ is a service provider; it needs targets to work on, and those targets are provided by the Branch?
Ray White	That would be the way it works. The Branch having identified the suspect, and if they can put a telephone number to that suspect, let's say, basically builds it from there, and it hands it over to GCHQ to do the technical work after that.
John Ware	In this particular case, the Branch had begun to send GCHQ a packet of targets to research the numbers?
Ray White	They would have provided a general package as to who they were keen to monitor the activities of. Now, they may not have had telephone numbers for those people, but using the one number

	<p>that they may have provided...From that, obviously, if contact was then made with those personalities and they could be identified, either by name or nickname or otherwise, then, straight away those particular contacts would in themselves, become the basis of building yet another matrix, and they would be overlapping, each, to see just how the network was spreading out, who was in contact with whom. And once you could break out of that the, what you would call, social contacts that those people would have, you'd be left with a nucleus of contacts and numbers that would be increasing, fairly substantively, one would think and those would be the key sets of numbers.. [JW: The core numbers?] core numbers that you'd be wanting to monitor?</p>
<p>John Ware</p>	<p>Because these car-bombings were originating from the Irish Republic, it was important to get coverage in the Republic - not something the Special Branch was allowed to do?</p>
<p>Ray White</p>	<p>Well, the Branch has no capacity to intercept, in [JW: In the Republic?].. in the Republic. Our jurisdiction stops at the border and we are totally reliant on the Garda Síochána, and its security branch, thereafter, to give us any intelligence feedback it can give us. But</p>

	<p>certainly the Branch did not have the capacity to monitor interceptions in that, live capacity.</p>
John Ware	<p>This would be a reason for bringing in GCHQ, who would have had the capacity to monitor in the Republic?</p>
Ray White	<p>I would say they had the capacity to monitor in the Republic, whether or not they would be prepared to sort of accept and admit to that. Obviously, the jurisdiction of the United Kingdom, no matter what services it has, goes as far as it's border. The warrants that would be issued, in relation to it, would go as far as the border. Now, telecommunications signals, obviously, don't respect what you would call land borders as such and I'm quite certain that if conversations that were south of the border happened, then they would be monitored</p>
John Ware	<p>This is not something that would be disclosed by agencies like GCHQ, even to senior officers like yourself, running the Special Branch. You wouldn't be told that?</p>
Ray White	<p>The technology was always extremely well-guarded and, in a sense, I didn't need to know, nor did any of my colleagues that followed on into Special Branch, need to know how the work was done. We were interested in the product.</p>

John Ware	But in terms of the political sensitivity as in monitoring the South, you wouldn't be told that anyway?
Ray White	I think that's a fair comment. I wouldn't expect to be told just exactly the details as to whether the conversation was taking place this side of the border, or the other. It was the content of the conversation that was [of interest].
John Ware	It must have been clear from Banbridge that the bombings were becoming more reckless....they were going to have a go at another town?
Ray White	Yes, I think that was the analysis that, certainly Special Branch have told me that they arrived at, at the time. They had two plans of action: one was, in a sense, a preventative plan, where, if some general intelligence came their way that indicated something was going to happen, then their uniform colleagues both in police and army, would have been used to disrupt that. The second plan of action was more specific; they had a dedicated surveillance capacity, stood by. That if they got the intelligence that they were looking for, in the timeliness, and in the degree of detail that they were looking for, then obviously that allows a much more precise surveillance operation to take place, and there's a greater likelihood

	that people can be intercepted and arrested in respect of the planned terrorist activity.
John Ware	Do you know specifically if that interdiction option was, in this case, dependent on a heads-up from GCHQ?
Ray White	Well, that was always the perception. Surveillance resources were extremely costly, and to 'trigger', to give them the opportunity they needed, a live monitoring and live intercept of the material is the best possible trigger, in that anything that came hours after the event, would be of little value in terms of surveillance, because the whole purpose was to interdict the plans of the paramilitaries, and you needed that in the quickest possible time that you could get it.
John Ware	By the time Omagh happened, are you able to say what sort of a picture the Special Branch had developed about who was involved in these bombings, and things of that sort?
Ray White [0m 39s]	I wasn't within Special Branch at the time, and I can only build a picture from the conversations I've had with the colleagues who were serving there. They would say it was a fragmented picture. They were heavily dependent on their Garda colleagues, to sort of keep them up to speed in relation to [it].

	<p>But they had a fair idea as to the group of people that were making up the dissident body, but not in any great detail as to who was pro-active in any immediate bomb team, as such, as it seemed to fluctuate a lot according to the information that was coming their way.</p>
John Ware	<p>By the time of Omagh, the Branch had discovered a nugget, in the form of a telephone, that was one phone that GCHQ were monitoring on the day?</p>
Ray White	<p>My understanding is that information came their way, sometime in the July period. The Branch were keen that it would lead to a strong line of enquiry. They certainly looked at it, as a breakthrough from the intelligence perspective.</p>
John Ware	<p>Do we know how many phone numbers they'd got?</p>
Ray White	<p>I understand at least one, there may have been another one, but certainly one number was referred to.</p>
John Ware	<p>There was monitoring by GCHQ of one or more telephones, on the day of the bombing?</p>
Ray White	<p>Their belief was that the telephone number provided, was a live monitoring number, and if it was connected with the Omagh bombing, then they certainly</p>

	<p>would have been expecting it to have been monitored over that period.</p> <p>Whether or not the people monitoring, of course, would have known what the parties using the phone were actually engaged in, on the day.</p>
John Ware	<p>There was GCHQ monitoring of at least one telephone, on the day of the bombing?</p>
Ray White	<p>That is my understanding, yes.</p>
John Ware	<p>Is it your understanding that a number of exchanges were recorded in the course of the bomb run?</p>
Ray White	<p>That, I think, came out, some time subsequent to the actual bomb run that day. There had been a number of exchanges. Now, what the detail of them is, I can't recall.</p>
John Ware	<p>Shortly before the bomb car was put into place, words to this effect were used by one of the bombers: The bricks are in the wall. Is that a phrase you've heard?</p>
Ray White	<p>It's a phrase I've heard recently. I can't recall hearing it at the time, but I've no reason to doubt what you're saying.</p>
John Ware	<p>We don't know whether this monitoring was real-time or live?</p>
Ray White	<p>No, but, I think it's a reasonable assumption, that if the telephone</p>

	<p>number was provided and there was a surveillance unit stood by to react to it, Special Branch would have expected to use that number as a trigger and live-time would have been the optimum way of using the number.</p>
John Ware	<p>Which would mean individuals having been briefed to know what to listen for?</p>
Ray White	<p>It's, difficult to say. as, conversations would probably be fairly short and crisp. They may be couched in common parlance, that would fit in with what you would call a generalised conversation, and wouldn't be using terminology such as, bombing or anything else like that [JW: Code?]would alert you. They'd be, sort of coded, and prearranged.</p>
John Ware	<p>You were talking about the likely nature of the exchanges?</p>
Ray White	<p>Well the paramilitaries never talked in direct terms.... identifiable language that would immediately alert a listener to the fact that they were engaged in paramilitary activities. You would never get the use of the word, "bombing", or anything else. They would have couched it in a parlance that would have been, maybe, connected with the construction industry, or with the taxi trade, something of that nature, so that</p>

	<p>anybody that was listening in would have difficulty just determining: 'Was this a genuine order for goods or services, or was it some coded signal? It's an extreme difficult task for anybody that's intercepting communications to hear, especially if there's been some conversation in advance, and then you're picking up on something that's a very brief conversation, in the middle, that appears to be fairly innocuous but that might be the key term that's required to trigger off other activities.</p>
<p>John Ware</p>	<p>This would explain why - if the monitoring was live - the people monitoring might not have recognised what they were hearing, as a bomb run?</p>
<p>Ray White</p>	<p>I would be a hundred percent that it would be very, very difficult, unless you got the use of a phraseology that would very quickly alert you to the fact that something untoward was going on here. If it was simply common parlance given what you would call accent difficulties; given the brevity of conversations; it's a very difficult task just to pick the issue out that you're listening for, unless you've been [given] some advanced information that this is the phrases and things, that you should listen for.</p> <p>Now, that would be a golden nugget, if</p>

	you got that sort of intelligence, in advance.
John Ware	Another reason the people monitoring might not recognise what they were hearing - the direction in which the phones were moving, was not consistent with the pattern of bombings that had taken place, prior to Omagh?
Ray White	The ones that had occurred, prior to Omagh, had been down that Dundalk/Newry corridor, [JW: North/South?] North/South corridor and, as you say, that's where the Special Branch focus was [put]. , if, in addition to the monitoring, you were having monitoring taking place at what you would call the cell-site movement. That once a phone is switched on, then, obviously, as it moves from one cell-site to another.. [JW: One mast?] one mast to another that is capable of being, sort of, tracked in, in similar fashion. So if it all was happening on the south side of the border, and you were not getting any conversation that was triggering anything in the listener's mind, then you could just think: Well, this is just general movement of people, you know, and that isn't coming down in the corridor of attack that has been a pattern in the past.
John	Until you hear the words: The bricks are

Ware	in the wall; words used in the previous week, in Banbridge?
Ray White	If that was the case, that conversation would be taking place, as the bomb car was actually, I believe, set into place, and, at that stage, they'd already achieved their objective; they'd got their bomb to their target, and were probably making an exit on their way back to their safe haven, in the south.
John Ware	It would explain why those monitoring might not have recognised what was happening, until that moment?
Ray White	Well, that trigger phrase having been used before, and having been picked up on before, and having been connected with the Banbridge bomb, that certainly, I think, would have set the alarm bells ringing, that something had taken place.
John Ware	Those words would have been used in Banbridge - my understanding is that the recording ceases; there are no further transcripts, from that point on. It is highly unlikely that, having heard that phrase, somebody would stop monitoring?
Ray White	I would sincerely hope that that was not the reaction, and if you have connected the phrase with a previous bombing; have just heard it again, that in actual fact, that you would be going into overtime, to try and monitor every conversation that the phone being used

	<p>to make that call, was connected with, and that you would continue to strain every nerve to make absolutely sure that that monitoring continued, and that the material, in a sense was analysed to the nth degree, to provide Special Branch with the intelligence leads that they needed.</p>
John Ware	<p>Not least because Special Branch was the customer?</p>
Ray White	<p>Special Branch, were the conduit and the customer. CID would have had no knowledge of anything that GCHQ would have been doing. Special Branch placed the initial telephone number with them. If that number was part of the sequence of events that occurred afterwards, then Special Branch have every right to expect a hundred and ten percent, with assistance and feedback, in relation to what was said, after that vital phrase was used on the phone.</p>
John Ware	<p>Did Special Branch get that feedback?</p>
Ray White	<p>To my understanding, Special Branch had one feed of intelligence which had its origins in GCHQ, and after that, absolutely nothing. [JW: What's your reaction to that?] Well, one of amazement and immense dismay that if</p>

	<p>Her Majesty's Government had that capacity to monitor the activities of the paramilitaries, post the planting of the bomb in Omagh, that it was the single biggest atrocity, that we have suffered - short of Lockerbie, that all the promises that the Prime Minister made; the Chief Constable made, Secretary of State made...all basically rang hollow. If it is the situation that GCHQ basically flicked a switch and were not in a position to provide any further feedback, in relation to the aftermath of the Omagh atrocity.</p>
<p>John Ware</p>	<p>In respect of whether this was/wasn't live, can you see why the public/families should not be told by the Government whether the monitoring was live, and if it was, that the people monitoring didn't pick it up?</p>
<p>Ray White</p>	<p>Well, it's ten years now, after the atrocity. We haven't succeeded in making anyone amenable before the courts where the conviction has been upheld, and persons are still in custody. So we don't know what the content of those transcripts are, if they're still there. We're now a decade on, and the debate over whether or not intercept evidence should be used evidentially in court has move on substantially, from where the situation was in nineteen and ninety-eight, and, and I think that, if there is</p>

	<p>that information still there, then I think, certainly, if it's not made public, it certainly should be released to those investigating the Omagh bombing for them to scrutinise, to see if there is a capacity to use anything that is still on record, or in transcript, to advance the investigation.</p>
John Ware	<p>A lot of people would find it astonishing that this information has not been released to the detectives/Senior Investigating Officer, don't you think?</p>
Ray White	<p>Well, you know as well as I do, that Section Nine of the Interceptable Communications Act of nineteen eighty-five, I think it is, puts an absolute bar and prohibition on the use of intercept evidence for evidential purposes, or even, in fact, any reference to it. So a conscious decision would have to be made by Government, that the interest of National Security should actually give way, in the interests of prosecution of those that were responsible for the Omagh bombing. If, on analysis, the material was deemed to be sufficient to advance and assist in the prosecution.</p>
John Ware [0m 9s]	<p>My understanding is that the Senior Investigating Officer did seek this material, and was told he was not authorised to have it?</p>
Ray	<p>Well, it could have happened. That</p>

White	would be the standard stock answer that he would get, given the effects of Section Nine.
John Ware	I'm told this material, from GCHQ, was sent to Belfast "within five or six hours" of the bombing. Does that accord with your knowledge?
Ray White	<p>Five to six hours? No. My understanding from my Special Branch colleagues, is that it was into the middle of the next week - the bombing having happened on the Saturday - I think it was either the late Tuesday or Wednesday, before the first information, was passed to Special Branch.</p> <p>And I think, within twenty-four hours, having agreed the form of wording that would go with it, that the information then was passed to CID.</p>
John Ware	<p>Is it possible to reconcile what I'm told, and what you're told by the SB people, that they didn't get it until the next week?</p> <p>Is it possible that the stuff was parked somewhere else?</p>
Ray White	The word of Special Branch, that they got it mid-week, is backed up by the Senior Investigating Officer who recalls that he didn't hear about it till the latter half of the following week. If it did arrive within five or six hours, then, I think there's only one place, in a sense, it could be parked up. If it wasn't parked

	<p>at headquarters with Special Branch, then it had to be with the Director Of Intelligence, the member of MI5, who was present at the Northern Ireland Office.</p>
John Ware	<p>Can you think of any good reason why the Director of Intelligence office might wish to hold onto this material, before passing it on to Special Branch/detectives?</p>
Ray White	<p>Well, I think the realisation would have been there on possibly two fronts. One, certainly, the effects of Section Nine, in other words, if we give this over now, and we give it over in such a timely period of five to six hours afterwards then, you don't need to be an Einstein to work it out that this had to come from an element of pre-monitoring and then, of course, the question would be asked: Well, if you were pre-monitoring, how come you missed the vital bit of activity? , and I think that analysis. {JW: The bombing itself?] the bombing itself and then because it would almost beggar belief that you could come up with the detail that they did come up with, in relation to the names of suspects, within five to six hours, if they hadn't had a heads-up in advance of it. And then, obviously, through the period of the bombing run itself, and the run back to</p>

the Republic. If you come out within five or six hours and disclose that, then I think there would have been such a clamour for that material to be in its most detailed form, made available, not only to Special Branch, but obviously to the CID investigators. [JW: The clamour would have come from].. The clamour, I think, would have come from CID because it would have been saying, directly back to its Special Branch colleagues: Well, if you've got this so suddenly, after the event, where is its origins, and how come you got it in such a precise format? [JW: Tell me, tell me,tell me?] Exactly. And I think that would have dawned very quickly on those who would have received it. The second part of it, obviously, could be to do with : 'Where were these targets being monitored, so that the international border issue would have come into it, in that, if there was any question of disclosure that they were monitoring signals across the border. And I think that has been brought home, in that the recent ECHR Chamber in Judgement there, in relation to Liberty, and British/Irish Rights Watch, in actual fact, challenged the monitoring of communications between Nineteen ninety and Nineteen ninety-seven. At

	<p>that time, they were obviously going through the business of making an application for a review by the Commissioner for Communications, and that would have been known, I would have thought, at that time, to both MI5 and GCHQ. So, those two things combined, could have put a halt on it for a period of time, till there was an element - for the want of a better phrase – of damage assessment, as to how much of this, if we do give it over at this time, are we going to be[asked for] or, if we delay, and give it over, in a period of a few days afterwards, can we pass that off, perhaps, as post-incident analysis. I can only speculate, in respect of that.</p>
<p>John Ware</p>	<p>Quite a high price has been paid for delaying this material/not disseminating it in the fullest possible extent?</p>
<p>Ray White</p>	<p>Well in ideal circumstances, let's assume that we did get it within the five to six hours afterwards, that would have been, in a sense, manna from heaven, as regards, CID and certainly Special Branch, in that, if you were able to say to your Garda colleagues: These are the key suspects that we want to get in touch with. You're still in that golden hour period, or golden hours period, where, if we had of been able to get , arrests made, at that point in time, we</p>

would have enhanced, one would have thought, opportunities to perhaps get physical evidence, in the form of telephones, perhaps, that they might have; telephone numbers that they might have, messages that they might have had, where, you know, where the information that was telephoned in to UTV, and to the Samaritans, might still have been written down in in a format somewhere.

Physical again, like forensic evidence, in terms of clothing that would have been worn; that could have been linked perhaps, to vehicles used.

So, there's a raft of what you'd call physical evidence there, in its widest sense. But, equally allied to that is that, if the Garda Síochána had been able to make arrests in the immediate hours afterwards, can you imagine the mental trauma, that these people would have been going through? , in terms of.. [JW: The perpetrators?]. the news coming through, of the immensity of the atrocities, the deaths that were there, the injuries that were there; that if they were being rounded up then, the first thing that would have come into your mind, as a suspect: 'Well, somebody,

	who's very close to the operation, has blown the details of it.
John Ware	Let's get back to the cell - the police have hit them hard/early; the suspects are in the interrogation room, police have some of the phones..?
Ray White	Well, you're off to an excellent start. over and above the forensics that might have come from the examination of clothing and phones. Then, immediately you have the phones, you can start your cell-site analysis work. If you have those people in custody, at such a short time afterwards. Well, the only rational thing, I think, that any of them could begin to think is: Well, somebody very close to our operation has blown the detail on this. The question in my mind is: 'Am I going to be left holding the can for what is really something I can't get my mind round? Twenty-nine people are dead now, and two hundred plus are being talked about, on the radio and the TV, as being injured. Immense. You can imagine just the turmoil those people would be in. Now, if CID investigators can get to that sort of mental frame of mind, and are able, fairly immediately, to start attaching the telephones to locations - either close to Omagh, or en route to Omagh - you can see the

	<p>pressure that's immediately building up in people's minds, to answer. And especially if they are getting an impression, directly from the investigators, that these people know what they're talking about here. That creates an excellent scenario, for CID people who are building the evidential case, to live in that environment, rather than trying to second-guess what these people were at or anything else.</p> <p>So, anything that would have given us those golden hours, with that possible quality of information, and that interview opportunity being afforded to our colleagues in the Gards then, you couldn't have asked, I suppose for a better start or wouldn't have been able to ask for a better start in the enquiry, short of actually having arrested them as they came back from the bombing mission, or even better still - if it had of been the case - in advance of them heading to do the bombing at Omagh.</p>
John Ware	The loss of this early opportunity was really when the Omagh criminal case was won or lost?
Ray White	If the scenario is, as you say, that within five or six hours, that the names - that subsequently were handed over in the following week - had of been handed

	over at time, then I think a golden opportunity has been lost, and lost irretrievably, in that respect.
John Ware	What is your understanding of the extent of the detail that came across, whether it came across in five hours or five days?
Ray White	From conversations with my CID colleagues, and the Special Branch colleagues, that were connected with the investigation at the time - because I had no connection with the investigation their recollection is of names. I'm not at all convinced that there is a recollection of actual telephone numbers coming, but certainly names in that initial week came across. Now, whether or not the numbers - through cell-site analysis work, and everything else - were connected to the names, at a later date as the picture built up, I can't comment on that, because I'm not conscious about that detail. But, the recollection I have, and they are fairly adamant, is that it was names only that they received, within the following week.
John Ware	I think they got transcripts too, did they not?
Ray White	I could not say; I did not see the material that they received.
John	But if they had names from the GCHQ

Ware	material, GCHQ would have had the numbers too?
Ray White	That is a fair analysis of it, but from conversations over a period of time, with colleagues that were connected with Special Branch, the only recollection that they have was the names that came across. I didn't hear any reference to transcripts. That might have come at some stage, and it may have come at the time but the only recollection they have is of names.
John Ware	Does it not follow that if they got names, somewhere in the system there also existed numbers and transcripts?
Ray White	I think that's a very fair analysis. The numbers certainly would have been what gave us the names so one would have followed, hand-in-glove, with the other.
John Ware	If the monitoring that day had begun with one telephone - the Murphy phone, which had eight or more exchanges with several other phones - GCHQ would have had a matrix of the calls that had been made that day by the bombers?
Ray White	Its a very fair assumption, If those calls were made - and we've no reason to doubt that because as they evidentially had to do the cell-site analysis work and that emerged, that those contacts were made - then, obviously the

	<p>conversations would have been recorded, and the detail of that would have been immensely beneficial to Special Branch and subsequently to CID.</p>
John Ware	<p>The sensitivity of the Irish Republic, at this stage in the Peace Process - would that have been something that government/those with responsibility for these matters, would have been seeking to protect, if they had been eavesdropping into the Irish Republic network?</p>
Ray White	<p>I think the Security Services and GCHQ would have been extremely sensitive of that read-over taking place, that immediately you give the initial information you have, you really are opening a Pandora's Box in that it would be very fair to speculate: Well, if you're capable of doing this against known terror suspects, what's to stop you doing it against those involved in the political process, in the government process? So it really rolls on from there, that if you give any inkling at all to the fact that you have this, say, capacity, under the warranty that has been granted to you, that it's unlimited, in that respect If you break silence on that then I think it would be open to fair speculation, or very informed speculation, thereafter,</p>

	<p>that if you can do that relative to the terrorist, you can do it in relation to many, many other targets.</p>
John Ware	<p>The people in these agencies, who are deciding the extent to which this intelligence should be sanitised/to whom it should be disseminated - all of those are considerations in their minds, when it comes to the wording/what form this material should be disseminated in?</p>
Ray White	<p>Well, I think the key concern in relation to that was always one of having the information come across in a sanitised format that didnt reveal that it was intercept communications, but information from good quality informants or sources would have been the picture that you were trying to convey elsewhere. Certainly, Special Branch would have been under heavy duty not to be disclosing the fact that it was intercept intelligence that they were working on. [JW: They would know that?] They would. And a form of words would be agreed between the security side. In other words MI5 and GCHQ - as to what exactly could be conveyed as intelligence material, not as evidential material, but as intelligence product because it was going outside Special Branch; they had no capacity to utilise it for arrest purposes or anything else. So</p>

	<p>there had to be a form of words agreed by Special Branch, that would enable Special Branch to give it to their CID colleagues, to pass it on to the Garda Síochána, to assist with the arrests thereafter.</p>
John Ware	<p>The form of words agreed between Special Branch and GCHQ?</p>
Ray White	<p>That would have been the ultimate agreement that Special Branch; being the recipients, and the channel through which the information would be released; would have to agree a form of words that GCHQ was quite satisfied with, that would not be revealing the origins.</p>
John Ware	<p>Even though SB is the customer, actually, GCHQ, the service-provider have a veto on the wording of how this product should be disseminated?</p>
Ray White [0m 37s]	<p>That's it, because they certainly would have agreed - the Special Branch - the wording, to make absolutely sure that the origins of the information was not, in any way, disclosed, so that the essence of the intelligence was capable of being released. If the end product was simply names, the names is all, in essence, that the Special Branch would have been allowed to pass.</p>
John	<p>As soon as it gets into the hands of the</p>

Ware	<p>detectives, there is no control, from the Special Branch, upwards, as to what discussions the detectives have with their counterparts in the Republic?</p>
Ray White	<p>In Nineteen ninety-eight/Ninety-nine, it was an unbridgeable gap that had to be maintained in the National Security interest. It would be very clear, if further details were added to the names, astute detectives would have been asking questions: Well, if you have this where did it come from? You would have been disclosing your hand ... that you had the capacity to monitor this in live-time, and then obviously, the question would have been asked: Well, if you were, what happened?</p>
John Ware	<p>How did you miss the bombing, even though there may be an innocent explanation for that?</p>
Ray White	<p>Even if there was an innocent explanation I don't think they would have been prepared to even answer that, or engage in answering it. [JW: Why not?] Well, I think, the capacity to hide behind the Section Nine protection, it's very absolute. <i>And that attitude of mind, still holds.</i></p>
John Ware	<p>Although Section Nine prohibits the use of intercept as evidence, that is not the same thing as saying that</p>

	intelligence/intercept can't be used to maximise a criminal enquiry?
Ray White	<p>This has been the delicate problem of managing intelligence, and using it to maximum effect, but stopping short of allowing it to become evidential.</p> <p>Because, once it becomes evidence, you're into the whole issue of disclosure; you're into the whole business of equality of arms under Section Six of the Human Rights Act, in relation to what the defence is being told and once you get into that, and open that door, of course, they have the right, then, to say: Well, where did the warrant come from.. what did it allow? So the trail backwards, is one that I think, the intelligence services, even to this day, fear that if they open that door, that this is the penalty they have to pay in relation to using intercept evidence, for evidential purposes.</p>
John Ware	Your suspicion would be that someone was boxing those avenues off, at an early stage?
Ray White	<p>I'm surmising that with an educated guess, that that would be the attitude of mind; that they would want to be crystal clear in their minds... I feel, whoever it was, that they certainly would have been immensely torn, in relation to what they would have to do with that intelligence,</p>

	<p>the desire to advance the investigation, balanced against the requirements of Section Nine, and to keep the the the capacity [of] GCHQ, to deal with intercept evidence tightly under wraps. That would have been bandied around between the people that received it - and one would have expected there would have been an element of legal advice taken on the whole issue - before it was agreed, at some stage, to make that release to Special Branch.</p>
John Ware	<p>There would be a record, somewhere, of who knew what and when?</p>
Ray White	<p>I would have thought, in the handling of intelligence, that that audit-trail certainly should exist.</p>
John Ware	<p>Do you think it ought to be made publicly known?</p>
Ray White	<p>, I would stop short of general publication. I would sincerely hope that ten years after it, and given the fact that people have not yet been made fully amenable for the atrocity, and given the hurt and the pain, that the Omagh relatives are still going through; given the immense number of man-hours from day-one that the RUC and subsequently PSNI have invested in this investigation; the officers who gave their heart and</p>

	<p>soul, really, to the investigation, throughout and still hold firm to the desire to see people made amenable; that all that , almost warrants that the.. that information, if it does exist, at least, should be made available to the current Senior Investigating Officer.. [JW: If it still exists?] if it still exists; that if we can have an assurance that it has been examined, and that the maximum use that can be made of it , is being made of it, and if it could still be of benefit to the investigation, then, that would be my feeling.</p>
<p>John Ware</p>	<p>A key person at that time was the Head of Special Branch; what does he say about that weekend?</p>
<p>Ray White</p>	<p>Well, in conversations with him his recollection, and obviously very vivid, as is those that were in the province, at the time. His recollection of the situation was that immediately he went to headquarters. , it was obviously a hive of activity, given the the incident that had happened. And as the information was coming through, as one death built on another obviously, Special Branch's key objective was, well - from any of our intelligence sources, and that's not only inclusive of the Special Branch</p>

	<p>intelligence sources, but - is there anything we can learn from our Garda colleagues; is there anything we can learn from the security services; anything from any other agency, at all, that they could possibly task.. [JW: Including GCHQ?] Including GCHQ, that was exactly the remit that he was working to, on that day. Because the Chief Constable I'm quite certain, would have been demanding hour-on-hour, an update, if there was anything possible, coming from the intelligence side to confirm who was responsible for this; if there were any claims being made; if there was any claim of responsibility being discussed. He would even have been anxious, in fact to find out what was the reaction of other paramilitary groups to this, because we were well into the Peace Process, at that moment in time. I'm quite certain the other groups would have been seeking to distance themselves. So there would have been a frenzy of activity to try and determine what was going on. And he recalls being in touch with as many people, as he could possibly think of, in terms of trying to seek it, as were] his staff and other colleagues.</p>
John Ware	<p>So there's the Head of Special Branch saying to MI5, GCHQ, Special Branch,</p>

[0m 22s]	everybody: What have we got? [R: That's my understanding] And what comes back from MI5/GCHQ?
Ray White	Nothing came back in that immediate period that, that Saturday; nothing on the Sunday, and as far as his recollection goes, it was midweek before one of his senior personnel got a contact from GCHQ, which provided the names that were ultimately given to Special Branch, or given by Special Branch to CID.
John Ware	The first knowledge that anybody in SB has of this material is when it arrives on the desk of the SB South, and what does the head of SB South then do?
Ray White	His recollection - and it's backed up by the recollection of the then Head of Special Branch, is that the regional head of Special Branch, in South region - , having received the information from GCHQ, and agreed that he could pass it on to his own authorities - came and spoke with the Assistant [and] Chief Constable, who was in charge of Special Branch at Headquarters. The action after that, was that an agreed form of words were agreed with GCHQ, because Special Branch was anxious, obviously, to get that information into the hands of CID, and my understanding is, from both those people, that that

	information passed within a twenty-four hour period..
John Ware	Am I right in saying that the head of SB did raise a question as to why this material hadn't been on his desk earlier?
Ray White	It was the regional head of SB I understood, asked the question, you know: What happened? Why am I only getting this now? To which, the comment, I understood, was made to him: We missed it.
John Ware	What did that mean?
Ray White	Well, I can only go on his interpretation of it, was that either the conversation was so short, or whoever was monitoring at that particular moment in time that the telephone was used didn't place any significance on the conversation, and had no trigger words in it or anything else.... that they missed it. Or else, missed the conversation in it's entirety and that it may have been some period afterwards in listening to tapes or reading transcripts that they actually picked up on that. It would be speculation on my part to, sort of, say what his impression was, but my impression from what he said was

	<p>that, that it had just had been missed in terms of, [JW: It could mean anything?]</p> <p>It could mean anything in that respect..</p>
John Ware	<p>I think you said that the head of SB South discussed the matter with the overall head of Special Branch who then briefed the Senior Investigating Officer. I want to point out that there was nothing in the enquiry system that shows that.</p>
Ray White [2m 17s]	<p>Nothing logged on the holding.. [JW: No] system [JW: No].. of that conversation? [JW: No] , well I couldn't answer in that respect, other than that the Senior Investigating Officer recalled being briefed, but all he's been briefed on , is five names. And obviously from an investigative point of view, whilst that's a start. but, five people, what was the role they played? Were they in Omagh? What other material can be attached to, to that initial piece of, evidence, to give him something, in essence, to interview these people in respect of? So obviously whilst it's a start from the CID perspective, I'm quite certain that the Senior Investigating Officer would have been hoping for much, much, more, that would have given him some material with which to work in an interview situation. Otherwise you would have to, sort of, almost park that information until such times as he got the material that</p>

	<p>would warrant him bringing people in for interview purposes, because if you go into an interview situation, as you will appreciate, with absolutely nothing more than guessing as to what the role(s) of those people were, very quickly you educate the terrorist that you just do not know. [JW: You're fishing] You're fishing, and they pick up on that immediately, and it almost reinforces their capacity to resist anything that's put that [way] so I, I would certainly say that that probably was the sort of situation that the Senior Investigating Officer was left in: Yes, I hear what you're saying, but, in what sense were these people involved? What were their roles? Who actually placed the device in the car? Who made up the bomb? Who drove it there? Who scouted it in? If he had none of this information coming his way, he had names, certainly a start but insufficient. Now, it did appear to my understanding, on the record, within the Holmes (police database) situation, some time later as you would appreciate, at the time with the vast volume of information that was flowing in, it could have been overlooked and that's something we have to accept.</p>
John Ware	The intelligence that SB was restricted to providing to the detectives, fills no

	<p>more than one page, and against at least four, maybe more, of the names there is simply the description: so-and-so played a central role in the Omagh bombing. That's not much use to an investigator is it?</p>
<p>Ray White</p>	<p>No. It certainly points them in the right direction, and keeps them focused on that, and obviously having shared that with their colleagues in the Garda Síochána they'd be hoping, and did hope, that they were able to add much more too it, in terms of building up the picture because without the picture of, exactly what roles were being performed when you're dealing with fairly hardened, terrorists - as these people were, who'd probably been through the interview processes before - you needed, as an investigator, to be crystal clear in your mind as to what roles attached to these people, so that you could actually interview the relative to the activities that they had been engaged in. If you started to disclose a fact that your knowledge was, imperfect in that respect, and you started to ascribe to them activities that they knew themselves they weren't engaged in.... that psychologically, sort of bolsters them up immensely, saying that these people, as you said before, are only</p>

	fishing.
John Ware	You say the head of SB South, briefs the Senior Investigating Officer. There's nothing to show that that took place but there is a record of the Senior Investigating Officer being briefed eight names, on September the ninth. I wonder whether the first briefing the SIO gets is what has been described as a 'hot verbal', and then the written document arrives later?
Ray White	Very easily. Obviously the anxiety was there on Special Branch to get this information verbally into the hands of their CID colleagues, and the 'hot verbal' terminology could certainly reflect to that, it simply reflects a conversation took place, in the immediacy of the information being received.
John Ware	Let's move on to the contribution of the intelligence agencies. What's your understanding about the extent of intelligence that was supplied to Special Branch, after the bombing, to assist the detectives?
Ray White	Well, on reflection this is the singularly most puzzling aspect of it in that, going by their recollections - as obviously I had no dealing directly with the security services - nothing flowed in any substantive nature, at all, that they can recall, from either GCHQ or the security

services, relative to the intelligence surrounding the suspects that were involved in the Omagh bombing. This is remarkable almost in a sense that if you have, and we're assuming, the live monitoring capacity, that one would have thought this was prime time as regards conversations that, if there had of been a natural, should we say, guardedness in respect of what people would use their telephones for, that , you know, as the detail of that atrocity was breaking, you can imagine the leadership of the organisation; , the panic, in a sense that they must have been in; the membership themselves: Who got it wrong? The blame game would have been going. Did you put the car in the right place? Was the right message passed over? , people would have been possibly discussing, alibis, there might have been discussions: Well, who is the weak link in the chain here, who, if they are arrested, is likely to break? Even outside that, in the outer circles of that, one would have thought the Continuity IRA, who were working in association, to some degree, with the RIRAwere they buying into ownership of this? , you know, was this something that they had signed up to in any way? Who was going to

	<p>acknowledge responsibility to the Press, for what happened? What was the PIRA's attitude to this whole issue? And even amongst the personalities themselves, would there have been any discussion in terms of setting up alibis for themselves? If you agree to be with me, I'll agree to be with you sort of thing, and can we get a third party to support it? You know, I'm speculating that one would have assumed, if ever there was a time when caution was down, in relation to the use of telephone communications; not wishing maybe to be seen with each other perhaps even having gone into hiding; the only means of sort of satisfying your craving for knowledge as to what actually is going on, is to be in telephone communication. This is what struck me that my Special Branch colleagues would basically say: We never got anything that would have resembled a feed, in relation to any activity, post the Omagh Bombing.</p>
John Ware	That could be because, theoretically, GCHQ weren't listening for it?
Ray White	That's a possibility.
John Ware	But not one you take seriously?

Ray White	Not one I take seriously.
John Ware	So what happened to this chatter?
Ray White	I think that, immediately the names had been passed over, that a conscious decision must have been made somewhere. That's it. We've given them an investigative start, but we can't expose our hand any further, otherwise it raises the [spectre] of a demand coming for an intelligence product, to be used in an evidential format, and that is a bridge too far.
John Ware	What is intelligence for if it isn't to help solve an atrocity of this scale? There are twenty nine people dead.
Ray White	That is a question that has occupied my mind, certainly of recent date, as well as: What is a threshold? Whereby the interests of National Security give way to the interests of making terrorists amenable before the courts, for the singular most important atrocity that took place - in. certainly in relation to numbers of persons killed. We've other atrocities certainly in relation to Narrow Water, and other bombings that took place. All horrendous in their own right,

	<p>but here - you had twenty nine people killed, three foreign nationals, two unborn children, and somewhere in the region of two hundred people maimed now, that's over and above the psychological injuries and anything else that took place. So, so, it is a question that has exorcised me. At what point in time is there a line in the sand drawn and, it's deemed to be the threshold beyond which intelligence product becomes available as evidential material.</p>
<p>John Ware</p>	<p>The golden hours opportunity may have been lost. If it was live, could lives have been saved? Why wasn't golden hours opportunity maximised? What about the post bomb chatter? The analysis of telephones? We were never handed a list of numbers and names and told, look, those are the names; those are the numbers; that's what you need to concentrate on, it was - look, go and find them. The numbers we were looking at didn't have names beside them.</p>
<p>Ray White</p>	<p>Well, if the scenario was, as you've outlined it, within five or six hours, that names and numbers came across, and that they were available, and that they didn't finish up in the hands of CID and that all that Special Branch were given</p>

	<p>were basically the names. It set an immense task for those that conducted the cell-site analysis, and if my memory serves me right, I think it was something in the region of six million-odd [JW: Sixty-four] telephone calls, that is to say analysed. Now, you can imagine that, if those people had of been given every assistance in a sense from GCHQ, without stepping too far outside their intelligence agreement; if they were pointing the cell-site analysts in the right direction, what turned out to be months off[interruption]</p>
<p>John Ware</p>	<p>Talking about the failure to expedite the phone analysis..</p>
<p>Ray White</p>	<p>We were discussing, as I said, the issue of the names and numbers, and I was saying that if that information had come in the timely fashion. If it was in the Province, when you say it was..... had it been occurring in parallel, can you imagine the information that the interviewing officers would have had available so that they would have been able to confirm to individual suspects that: The telephone in your position, was at a given place, at a given time. Now, that is tremendously impactful in any interview situation. And even if you</p>

haven't got the words that were used when the phone was switched on, and used by an individual. But the very fact that you can use, evidentially, cell-site analysis, to put those facts to an individual having been arrested, one would have hoped, and still in possession of the telephones that were, let's say, used in the run-up to, and during the bombing operation, that is excellent in terms of interview material, in putting a fairly forceful picture to an individual, as regards his presence, perhaps, in Omagh, at the very point in time, and his telephone having being used.

Now if intelligence and the effects of Section Nine, keeps that conversation, out of the picture, at least you have a fairly weighty piece of information to interview a suspect in relation to. But on the cell-site analysis aspect itself there were tremendous man-hours used there by our analysts, who did extremely good work and broke new ground as far as we were concerned, in terms of the immensity of the task they took on, and the results that they actually came to. Months of work, could have been immensely short-circuited if we had of had that co-operation, which I think we

	were entitled to.
John Ware	Because as the weeks went by and grew to months and years, the trail was obviously getting colder?
Ray White	It was getting colder and the paramilitaries that had been involved in it were reconciling each day to themselves, what they had taken part in, and in a sense I suppose, coming to terms with it. If we had of had the opportunity in the days and even weeks, that followed it, I think our chances, or at least the chances of our colleagues in the Garda Síochána, would have been immensely improved, because most of the suspects, as you are aware, lived within their jurisdiction.
John Ware	Would Section Nine have prevented the detectives from being told that they had voice recordings, and therefore from saying to the person they were interrogating: Not only do we know your phone was in Omagh at two-thirty, but we also know that it was your voice?
Ray White	Its my belief it would because that whole interview process would have been subject to disclosure. All their written notes; all the recording that would have taken place in relation to it, would have been a disclosable package... so anything that would have given an indication, that the transcriptions

existed, of intercepted material, or the conversations - or words that are used in conversations - , were available would have been something that would have been a step too far. You would have been outside the security bracket of Section Nine, and that would have been material then that the defence, quite rightly, could have then probed, and obviously would have asked for sight-of-materials; so you don't even get to that point, . The best, I think, that the officers would have got, would have been the fact that the cell-site analysis would have been done in super-quick time, and if it was done in parallel with the investigation and the interview processes, you would have been in a position to say - through the evidential material that you had got, and were able to work at fairly quickly through the cell-site analysis, because you've been pointed in the right direction.. So if you'd a series of five persons arrested, five telephones, five cell-site analysis that indicates that two phones stayed south of the border; one stayed in South Armagh, close to the telephone boxes, from which the calls were made to UTV and the Samaritans, and that the other three phones, or two phones, went to Omagh and you were able to track those

	<p>through cell-site analysis.... that is evidential material that you can put on the table. Think how far forward your investigation might have been today.</p>
John Ware	<p>Whilst Section Nine would have prevented the Special Branch from disclosing the voice-intercept to the officers, there would have been nothing to prevent the SB from telling the detectives: Why don't you concentrate your cell-site analysis on this number/name?</p>
Ray White	<p>I think if you had the name and the telephone number, and that assurance that you were focused on the right people and that would have been used for guidance of those doing cell-site analysis then, to my mind, the PPS, they would have protected Special Branch from being pushed to disclose where they got the intelligence. So in that sense, I think, the protection would have been there okay.</p>
John Ware	<p>One officer said: We've been blindfolded and starved of essential intelligence. Do you agree with that?</p>
Ray White	<p>I think that, very succinctly, wraps up what was the situation presented to our CID officers, both North and South, in relation to the investigation.</p> <p>I think that sort of encapsulates it that,</p>

	<p>they were, in essence, left to go an immensely long path, to travel that path without assistance and support, that was rightly theirs, to ask for and rightly theirs to receive.</p>
<p>John Ware</p>	<p>A lot of criticism has been made about the staffing levels/failure to use Holmes (police database) properly. How do you set those criticisms against the loss of opportunity that we've discussed here?</p>
<p>Ray White [3m 58s]</p>	<p>I think the RUC has accepted and the PSNI have accepted, yes, there were shortcomings in terms of the [entering of] the material onto Holmes And I think the recent report produced by Mr Crompton and Mr Blakey, for the Policing Board, has acknowledged that, no matter what UK police force had been hit with that immensity of material if you didn't have available to you, the ultimate in terms of staff who were fully proficient in terms of Holmes that most forces would have stumbled in the sense that we did, in terms of not getting the material.</p> <p>But none of those record-keeping issues went to the heart of the investigation. The investigation was always focused on those that have recently appeared, or being cited in the civil-action in the South and on the people that appeared,</p>

in the South, relative to the Omagh bombing. So, the focus of the CID officers from the week after the incident took place, has never shifted from those people that were involved in it.

Everything that followed thereafter, in terms of information that was released, or allegedly discovered by the Ombudsman in relation to a discredited informant there, or in relation to, alleged telephone information or that came in, in essence has been, I think, subsequently, totally shown to be an absolute red herring. The focus was there.

If we made mistakes, and I accept we did make mistakes in relation to the Holmes aspect of it, and issues that were raised through our own review of the Omagh bombing - at least the bit of it that we owned, because, you know, bear in mind that, whilst we have the bomb scene and the injured people, we didn't have the suspects; they were in another jurisdiction, and we had to work through them to have these people interviewed - that the issues that were raised through that review were all put to the test afterwards, and didn't, throw up any new suspects, and tidied up the

	<p>investigation as it was.</p> <p>I think we did set the pace and adopted the best possible protocols in relation to handling the Omagh forensic evidence. Ultimately, at one stage, something in the region of twenty-two forensic scientists have been engaged in examining all that material. It's immensely regrettable that nobody has been made amenable for it, but, you know, whilst it has been said that unless witness evidence comes forward now, and people have a crisis of conscience and speak up on it.. I wouldn't lose hope entirely that there is a capacity, somewhere down the line, to make those that were responsible for Omagh, amenable to the courts.</p>
<p>John Ware</p>	<p>There have been criticisms of the SB that they didn't always share to the extent that they should have done, the intelligence with detectives; not just in this case, but in other cases as well.</p> <p>What's your response to that?</p>
<p>Ray White</p>	<p>We were fighting an intelligence war and it depends on what perspective you look at it. I had the good fortune to work on both sides. I worked, for many years in Special Branch. I also worked for many years in the CID side and in most operations - especially of a terrorist</p>

nature - there is a certain amount of intelligence that, in essence, is left on the shelf; that isn't passed over to CID. But it's done for the highest possible reasons. By and large it's usually those of source protection, in that CID needed the information, or the intelligence, that enabled it to investigate crime matters, but quite often there was a clash in terms of how much you could, from an intelligence perspective, put in the hands of a CID officer, [bearing in mind] issues of disclosure. Once it goes into that interview room scenario, it becomes examinable material. If you have received that information from an informant, and in the build-up to the prosecution case, perhaps it results in the arrest of two people in possession of explosives; it may well be there will be that in the build-up process, that there was a transportation issue, where the explosives were brought from.. or the material for the explosives was brought from one location to another; stored for a period of time; perhaps if it's fertiliser, ground down; moved from there to a third location where the actual bomb and it's put together.

Now, if there's been source contact with each of those locations it wouldn't be

very hard, in a post-arrest analysis by the security team of the IRA, to very quickly work out who the common denominator was.

So quite often, we had to suffer the loss of not being able to prosecute, perhaps, the person that owned the farm, where the explosives were ground down or stored, simply to preserve or create a break between what was revealed through the evidence presented in court, and the actual knowledge we had.

Now, it isn't that that information was lost, because that farm in itself would have become the target of surveillance operations, and we may well have tracked material from that location into other areas where we were able to capitalise on it.

So, a balancing act had to continuously go on, because you never knew when the terrorist activity was going to end.

And informants weren't easily acquired, and you owed a Section Two duty-of-care so that you didn't recklessly use their information in such a way that you rendered them immediately exposed.

So this was the narrow line that Special

	<p>Branch had to walk with its CID colleagues. Quite often, that discussion of what intelligence actually was, would have taken place at a senior level between heads of CID and heads of SB so that they knew where we were coming from.</p>
John Ware	<p>But in this particular case, you'd be prepared to accept the assurances from the SB people involved, that they did brief the SIO, as fully as they could, based on what they had been given by GCHQ, as soon as they could?</p>
Ray White	<p>, I am a hundred percent satisfied that Special Branch, on receipt of the material, and in agreement GCHQ, passed on what they were capable of passing on to CID, and that they were after, as intelligence came in from other areas and as intelligence came from their colleagues in the Garda Síochána, that was all fed into CID.</p> <p>There was no CID officer connected with the investigation has had any problem in relation to being assured that Special Branch had given them what they had.</p>
John Ware	<p>One obvious question which might arise is that if the SB had got a 'nugget' arising out of the picture building they'd been engaged in, in the run up to Omagh, why didn't they give that</p>

	nugget to CID in addition to the material they got from GCHQ.
Ray White	All you would have been giving them was a telephone number you couldn't have said at that stage whether that number was involved.
John Ware [0m 56s]	On the golden hours point, someone would have had to have spoken to the Gards. Would that have been permissible, under the law as it stood then/would it have necessitated telling the Gards that the basis of this information was Intercept?
Ray White]	It would have been permissible, in respect of passing the names, and the invitation to the Gards to act upon it. There's no bar on information exchange. Certainly Special Branch would have been prohibited in saying where it originated, but if it was passed to their colleagues in the Gards, with an assurance that it was coming as high-grade intelligence, I think that would have been accepted - and has been accepted in the past - by the Gards, as a sufficiency of information, to create in their minds, the reasonable suspicions that they required, under their law, to have, before they use the law that's given to them to make arrests and [permits] them to do so.

John Ware	In your judgement that would have been enough for the Gards, at that time, to have hit those houses, if the SB in the North had said: 'This is good stuff, don't ask where it came from - you think the gards would have said: We'll do it?
Ray White	I think, without a doubt that would have been the action.
John Ware	Intercept as evidence - the Government have finished a review on it, and the Prime Minister has said he's in favour of using intercept as evidence, but under certain strict conditions. As a principle, where do you stand?
Ray White	I think it's been an evolving process. Back in the Nineteen nineties, when, shall we say, mobile phone technology was still relatively in its infancy, and not a vast number of people had mobile communications equipment of that nature with it, but, as we've moved on, a whole decade, and it's almost an essential part of living now, to have that telephone there, and it's used , in such frequency, that I think the original fears you would be giving too much away, in terms of your intercept-capacity...if you were to start to use intercept material in an evidential capacity, I think those fears or that concern has diminished, that, given the use of intercept

technology by the Americans; , by the Israelis, in terms of the targeting of Al Q'aeda, it's in everybody's knowledge now, just how widespread telecommunications monitoring actually takes place. You no longer have a situation where those engaged in crime or terrorism have any doubts that there is a very strong possibility that what they're saying is being monitored, somewhere in the World. So I think that shifts the argument back to using intercept material now in a constructive fashion.

It doesn't mean that it has to be wholesale use of it. One of the big issues, obviously, is if you go the evidential path, it's the sheer volume of material that has to be transcribed that has to be poured over, in terms of picking out those one or two nuggets of material.

And if we do go down that road, there is a substantive bill for the criminal investigative process and equally well, in terms of legal aid and the defence process there's an immense amount of money has to be spent to make sure there's an 'equality of arms' when it comes to trial.

	Obviously, the Government will have to come up with some capacity to stop the probing back into the technologies that GCHQ has developed.
John Ware	But those costs might be offset by intercept encouraging guilty pleas?
Ray White	Very much so.