

# Britain: Dr. David Kelly death evidence suppressed for 70 years

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Medical records relating to the death of government scientist Dr. David Kelly will be kept secret for 70 years, it was revealed this week.

The *Daily Mail* on January 25 reported that Lord Hutton, who chaired the government inquiry that found Kelly committed suicide, had suppressed all medical records including the results of Kelly's post-mortem examination until 2073.

The unprecedented move prompted accusations that the suppressed evidence must point to the fact that Kelly was murdered.

The *Mail* stated that Hutton's restrictions were secretly imposed immediately after his inquiry in 2004. They only came to light in a letter from Oxfordshire County Council to a group of 13 doctors challenging the Hutton verdict.

A 30-year ban was placed on "records provided [which were] not produced in evidence"—believed to refer to witness statements given to the inquiry, which were not disclosed. In addition, Hutton made his order for all medical reports and photographs of Kelly's body to remain classified for 70 years.

Dr. Michael Powers QC, one of the 13 doctors, told the *Mail*, "The surprising thing to me is that if this report supports the conclusion that the medical cause of death was suicide, why does it need to be locked up for 70 years?"

David Halpin, another of the group of doctors and a trauma expert, said, "I am shocked but not surprised by this. It fits in with the subversion of due process we have seen for six years."

The Ministry of Justice has not explained the legal basis for Lord Hutton's order, and there does not appear to be one. A spokesman instead asserted that "Any decision made by Lord Hutton was entirely a matter for him." The 13 doctors have demanded to know whether government ministers were involved in the decision.

Hutton's move is in line with an orchestrated cover-up of the circumstances of Kelly's death, who many believe was assassinated. At the end of May 2003, Kelly, a leading Ministry of Defence microbiologist and former senior United Nations weapons inspector in Iraq, had told BBC reporter Andrew Gilligan and other journalists of his concerns over the misuse of intelligence material concerning Iraqi weapons of mass destruction by the Labour government of Prime Minister Tony

Blair. Kelly is supposed to have told Gilligan that Blair's communications director, Alastair Campbell, had personally "sexed-up" the September 2002 intelligence dossier—by inserting the claim that Iraq could deploy chemical and biological weapons within 45 minutes.

Kelly became the focus of a government and media campaign to expose his identity. He was named and then forced to testify at two parliamentary inquiries into whether the government had lied in its intelligence dossiers of September 2002 and February 2003—before the Foreign Affairs Committee on July 15, 2003, and in private to the Intelligence and Security Committee on July 16, 2003. He then disappeared from his home and died on July 17. His body was found on July 18.

On July 19, Thames Valley police declared that he had bled to death after he slit one wrist with a blunt gardening knife found at the scene. Superintendent David Purnell said a knife and an open package of co-proxamol tablets, a paracetamol-based painkiller, had also been found.

This scenario was hardly credible and, of necessity, had to be questioned and properly investigated.

There were, after all, many people whose interests were served by Kelly's death. Not least the Labour government, given that his statements raised the issue of deliberate deception of parliament and the possibility that the Iraq war was illegal. In addition, the claim that Kelly had acted alone out of conscience rested on his portrayal as a naïf. The reality was that he was someone with extensive contacts with the security services, who could well have acted alongside others in briefing against the government.

This author noted at the time that Kelly was in fact "a hard man at the top of his profession—first in developing chemical and biological weaponry at Porton Down, then debriefing Soviet defectors with his close contacts in the security services, then as Britain's top steely-eyed weapons inspector in Iraq and then as the man entrusted by the government to draft substantial sections of its September 2002 intelligence dossier and with whom Defence Secretary Geoff Hoon had consulted immediately prior to going to war against Iraq."

According to an article in the *Sunday Times*, January 25, 2004, by journalist Nicholas Rufford, Kelly was "sometimes...a consultant to the UN, sometimes a government scientist,

sometimes an oracle on germ weapons to trusted journalists, sometimes an undercover man for the intelligence services. When he went to Iraq, it was under the control of the Foreign Office. He worked closely with British intelligence, both the defence intelligence staff (DIS) and MI6.”

After he became a weapons inspector in Iraq in 1994, “In London, Kelly became a key figure in an MoD [Ministry of Defence] unit called Operation Rockingham. Set up by John Morrison, deputy head of the DIS, its aim was to gather intelligence on Iraq from a multitude of sources and try to make sense of it.”

Kelly was initially placed in a safe house before being allowed to return home, yet there were apparently no police guards or MI5-MI6 spies outside his house to observe the movements of someone accused of being a major security threat and possibly breaking the Official Secrets Act.

There was no indication of any intent to commit suicide. On the morning of July 17, 2003, Kelly’s wife, Janice, said that he had worked on a report to the Foreign Office and sent e-mails to friends. In one sent to *New York Times* reporter Judith Miller, he spoke of “many dark actors playing games” with him, and that he was waiting “until the end of the week” before judging how his appearance before the House of Commons Foreign Affairs Committee had gone. Another e-mail to an associate stated his determination to overcome the scandal surrounding him and how he was enthusiastic about the possibility of returning to Iraq as a weapons inspector. No suicide note was left by Kelly.

On August 14, a coroner’s inquest under Nicholas Gardiner was closed down after a superficial investigation that consisted almost exclusively of hearing evidence from an amended medical report by Home Office pathologist Dr. Nicholas Hunt, claiming that death was the result of a slashed wrist combined with the ingestion of co-proxamol.

Gardiner ceded any further investigative powers over to the Hutton inquiry, which began that month, in response to an order from the lord chancellor, Lord Falconer (the government’s legal advisor). Falconer cited Section 17a of the Coroner’s Act of 1988 allowing a public inquiry chaired or conducted by a judge to “fulfil the function of an inquest.”

On January 28, 2004, Hutton published his findings exonerating the government of all blame for Kelly’s death, finding that the “principal cause of death was bleeding from incised wounds to his left wrist” and that “no other person was involved.” Though ostensibly set up to investigate Kelly’s death, the inquiry did not in fact do so. It only discussed the events leading up to Kelly being found dead, not how he died. While in their investigation police interviewed 500 people, took 300 witness statements and seized more than 700 documents, fewer than 70 statements were examined by Hutton.

Hutton also cleared Tony Blair of having manipulated and falsified intelligence in order to drag the country into an illegal war against Iraq, ruling that the veracity of the intelligence on

which the government made its case for war was “not within my terms of reference.” All that need be proved, he said, was that the government and the security services believed their intelligence to be true at the time—an impossibility in itself.

In March 2004, Gardiner considered whether to reconvene an inquest, but determined that there was no need for further investigation after Hutton.

In December 2004, two paramedics who attended the scene where Kelly was found dead queried the official verdict of suicide. Dave Bartlett and Vanessa Hunt, having arrived at Harrowdown Hill woods, saw that the left sleeves of Kelly’s jacket and shirt had been pulled up to just below the elbow and there was dried blood around his left wrist, but not very much.

“There was no gaping wound...there wasn’t a puddle of blood around,” said Hunt. “If you manage to cut a wrist and catch an artery you would get a spraying of blood...”

Bartlett added, “I remember saying to one of the policemen it didn’t look like he died from that [wound] and suggesting he must have taken an overdose or something else. There just wasn’t a lot of blood.”

In addition, Kelly is meant to have taken 29 co-proxamol tablets. But a toxicology report revealed the presence of only one third of the dose that normally causes death.

The paramedics also noted that whereas the Hutton report stated that Kelly’s body was found with his head and shoulders “slumped against a tree,” when they arrived he was lying flat, some feet from the tree.

The 13 doctors rejected Hutton’s conclusion and took up a campaign for a coroner’s inquest to be held. They pointed out that “The bleeding from Dr. Kelly’s ulnar artery is highly unlikely to have been so voluminous and rapid that it was the cause of death,” as was the non-fatal dose of co-proxamol tablets.

On October 15, 2007, a Freedom of Information request revealed that the knife Kelly is supposed to have used to commit suicide had no fingerprints on it.



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