

Britain: Call to re-open inquest into death of Dr. David Kelly

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The call for a re-opening of an inquest into the July 2003 death of the Ministry of Defence's weapons expert Dr. David Kelly has been taken up by high-ranking establishment figures.

Kelly was originally said to have committed suicide. An inquiry headed by Lord Hutton reported in January 2004 that "the principal cause of death was bleeding from incised wounds to the left wrist".

At the weekend, the former leader of the Conservative Party and now peer Michael Howard called for a new inquest in Kelly's death. According to the *Mail on Sunday* (*MoS*), Howard's call is backed by Labour leadership contender, Diane Abbott, and senior Conservative, Labour and Liberal Members of Parliament, including two former defence ministers who had served in Tony Blair's cabinet.

On Friday a letter was published in the *Times* newspaper, signed by eight leading medical and legal experts, including Dr. Michael J. Powers, QC; Dr. Elizabeth Driver, a solicitor and fellow of the Royal College of Pathologists; and Sir Barry Jackson, a past president of the British Academy of Forensic Sciences. The letter was headed: "Time for a proper inquest into Dr. Kelly's death".

According to the *MoS*, the current Attorney General Dominic Grieve is prepared to meet with the eight.

Kelly was employed by the Ministry of Defence as one of the UK's leading experts on nuclear weapons. He had intimate connections with the security services. At one time he had worked in the development of chemical and biological weaponry at the high security establishment at Porton Down. He had helped draw up a government sponsored intelligence dossier on Iraq in September 2002 and advised then Labour Secretary of Defence Geoff Hoon just prior to the US-led invasion.

Journalist Nicholas Rufford reported in a *Sunday Times* article in 2004 that Kelly had been in Iraq just prior to the

war, working with defence intelligence staff (DIS) and MI6 as part of a United Nations team looking for "weapons of mass destruction (WMD)".

Iraq's supposed possession of WMD was the official justification given by the US and Britain for their decision to launch their pre-emptive and criminal invasion of Iraq. Prime Minister Tony Blair claimed that Iraq could deploy such weapons within 45 minutes, threatening British bases in Cyprus and elsewhere.

Kelly came to public attention in July 2003 when he was outed as the person who had given an off-the-record interview to Andrew Gilligan, a BBC reporter. Gilligan had filed a report on BBC's Radio 4, citing an unnamed source as confirming that the Blair government had "sexed up" claims over Iraq's WMD.

After he was named, Kelly was forced to attend a publicly televised, parliamentary inquiry before the Foreign Affairs Committee on July 15, 2003. On July 16 he was made to testify in private before the Intelligence and Security Committee. Kelly disappeared from his Oxford home on July 17, and his body was found the following day in woods not far from his home.

A local coroner's inquest was closed down after the intervention of Lord Falconer, then Lord Chancellor. He used a section in the 1988 Coroner's Act that allowed for a public inquiry conducted by a judge to carry out the function of an inquest.

In a coroner's inquiry, witnesses are under oath and subject to cross examination, neither of which applied to the inquiry into Kelly's death under Lord Hutton. The non-statutory public inquiry was supposed to show how Kelly had died. But Hutton accepted that Kelly had killed himself by self-inflicted wounds to his left wrist combined with the ingestion of co-proximal, pain killer tablets.

This conclusion and other events surrounding Kelly's death have subsequently come under close scrutiny.

Last year 13 specialist doctors launched a legal challenge to demand a new inquest. Dr. Michael Powers, *Times* letter signatory, is also one of the six medical experts who spent around a year researching and producing a report that challenges the official cause of death given by Hutton.

Their 12-page report was finalised in July 2009 and has been sent to Grieve. Among its findings is that a severing of the ulnar artery could not have resulted in enough blood loss to cause Kelly's death. The report states, "This artery has the width of a matchstick in its constricted state".

It adds, "It is not easily felt on the little finger side of the wrist...on the contrary, the radial artery pulse is easily felt beneath the skin on the opposite side of the wrist. It is thus more difficult to cut the ulnar artery".

The report also states that, given Kelly's height and weight, he would have had to have lost 2,700 ml of blood to threaten his life. "It was impossible for 2,700 ml of blood to have been lost through this small artery. Indeed, to lose 500 ml through it would have been unlikely".

Kelly is reported to have taken 29 of the co-proximal tablets, which, according to medical experts, does not constitute a lethal dose.

Writing in the *MoS*, Powers explained, "Any question of suicide or murder has to follow the determination of the cause of death. To do otherwise risks putting the cart before the horse.... Suicide used to be a crime.... That is why suicide has to be proved to the same high standard as murder".

Someone intent on suicide, he continued, would most likely cut their radial artery, which is closest to the skin's surface and the severance of which would lead to large blood loss. Kelly's radial arteries were not cut.

Powers goes on, "I have never met a single doctor who has disagreed with the proposition that it is extremely improbable that haemorrhage from a single, severed ulnar artery would ever be a primary cause of death". He continues by asking if it was not loss of blood from the ulnar artery, "then what did cause his death? Was it something Dr. Kelly did to himself, intending to cause his own death which has not yet been discovered? Was it part of some elaborate plan by others to end his life?"

There are other questions and circumstances surrounding Kelly's death that demand explanation. Kelly's body was found by two local people, Paul Chapman and Louise Holmes, who contacted the police and stood guard nearby the body whilst the uniformed police arrived. When questioned at the Hutton Inquiry

they spoke about seeing three suited men in the area. One of the suited men was Detective Constable Graham Coe of the Thames Valley Police.

When Coe was questioned at Hutton, he was insistent that there were only two men—himself and his partner Detective Constable Colin Shields. However, when interviewed in the *MoS* on August 8 (the first time he has spoken to the press), he admitted the presence of the third person, saying this third person was on training secondment but had now left the force. He refused to name him.

In the *MoS* interview, Coe explained how he was left alone to guard Kelly's body until paramedics arrived and he commented to the paper on the apparent lack of blood around the body.

Coe, who has now retired, also told the *MoS* how the day after he was part of a team sent to search Kelly's house. He told the *MoS*, "We were looking for politically sensitive documents".

David Halpin was a lecturer in anatomy at King's College London and a former consultant in orthopaedic and trauma surgery. He was involved in producing the medical dossier opposing Hutton's findings. Halpin has said, "We reject haemorrhage as the cause of death and see no contrary opinion which would stand its ground. I think it is highly likely he was assassinated".

Mai Pedersen, a United States Air Force officer, with ties to US security, had worked with Kelly in Iraq. She has questioned Hutton's conclusion, saying because of a hand and arm injury Kelly would not have been able to cut his wrist.

Other peculiarities of the case include the fact that the handle of the knife supposed to have been used by Kelly to cause the cuts had no fingerprints on, not even Kelly's, who was not wearing gloves. It took a Freedom of Information challenge to establish this fact.

Finally, it was revealed at the beginning of the year that Hutton had ruled medical records relating to Kelly's death be kept secret for 70 years and other evidence kept secret for 30 years.



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