

## BBC reopens Kelly case with new film

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THE BBC is risking a new confrontation with Downing Street by launching an investigation into the death of David Kelly, the scientist at the centre of the storm over the “sexed up” dossier on Iraq’s supposed weapons of mass destruction.

It is reopening the case less than three years after its management virtually imploded with the resignations of Greg Dyke, the director general, and Gavyn Davies, its chairman, in the wake of Lord Hutton’s report into the affair.

The corporation is filming a programme about the alleged suspicious circumstances surrounding Kelly’s death in an Oxfordshire wood.

It has told officials who carried out a post-mortem and toxicology tests on Kelly’s body that it “wants to quash conspiracy theories” about the death. But it has interviewed independent doctors who point to unexplained discrepancies in the results of Kelly’s post-mortem. They suggest that neither the wound to his left wrist nor the drugs found in his body was sufficient to kill him.

The BBC has also spoken to legal experts who say the Hutton inquiry was a poor substitute for an inquest and that a coroner should now be asked to record a verdict on how Kelly died.

The 60-minute documentary is scheduled to be screened in January, just a month after the BBC hopes to have secured an inflation-beating licence fee rise.

The programme will examine in forensic detail the hours leading up to and immediately after Kelly’s death. The weapons inspector disappeared from his home in Oxfordshire on July 17, 2003, about the same time that MI6 withdrew information used in the dossier about the Iraqi arsenal. He was found dead the following day.

The inquest into how he died was adjourned indefinitely because of the Hutton inquiry. Nicholas Gardiner, the coroner, has declined to reopen it because he says there are no “exceptional reasons” to do so.

The BBC programme will examine whether Kelly’s body was moved after it was first found and whether anything was added to the scene.

Michael Powers, a barrister, former coroner and an expert on coroner’s law who has been interviewed by the BBC for the programme, said: “It is my opinion that on the evidence before Hutton, a conclusion that Kelly killed himself should not have been reached. This does not mean either that I am a conspiracy theorist. I am not. Or that I believe Kelly was murdered. I do not know. Suicide cannot be presumed. It has to be proved to the criminal

standard: beyond reasonable doubt.”

A spokeswoman for Nicholas Hunt, the forensic pathologist who performed the post-mortem on Kelly, said: “We were approached about a month ago but he is reluctant to take part in the programme. The BBC has a vested interest in the case. We believe the Hutton inquiry was satisfactory in its exploration and that the family should be left in peace.” Thames Valley police have also declined to take part in the documentary.

A BBC spokesman said: “It is too early in the production stage to say what will be in the programme but nobody has tried to prevent us from making it.”

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