

# Was David Kelly murdered on the orders of the British Government?

Dr David Kelly: Doctors Start Legal Action for New Inquest

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Six senior doctors have begun legal action to force a new inquest into the death of Dr David Kelly, the scientist who died days after being exposed as the source of a controversial BBC story on the Iraq war.

The action is being taken because six doctors [are convinced that the original verdict of suicide is unsafe](#) and should be overturned.

Some suspect that Dr Kelly, 59, was murdered shortly after it was revealed that he was the source of a BBC story which alleged that evidence against Iraq had been “sexed up” by the Government in order to justify the 2003 invasion.

The body of Dr Kelly, who was a UN weapons inspector, was found more than six years ago in woods near his Oxfordshire home after he went out for a walk. His wrist had been slashed. He also had painkillers in his bloodstream, although not at a lethal level.

At the time of his death, Dr Kelly was under pressure because it had emerged that he had provided confidential information for the BBC story.

However, in a 13-page dossier prepared as the basis for the legal action, the doctors argue that the bleeding from Dr Kelly’s ulnar artery in his left wrist is “highly unlikely” to have caused his death. They say a number of studies have shown that it is unusual for a patient to die from a single deep cut to the wrist.

The revelation of the move for a new inquest is embarrassing for the Government, particularly as it comes just two weeks into the inquiry chaired by Sir John Chilcot which is examining Britain’s role in the invasion of Iraq and its aftermath.

The doctors are applying to the Attorney General, Baroness Scotland for permission to go to the High Court for a new inquest, or the resumption of the previous inquest.

Their case rests on section 13 of the 1988 Coroners Act, which allows the High Court to order a new inquest, or to resume a previous inquest, in “special cases”, including cases where “it is necessary or desirable in the interests of justice”.

Unusually, no coroner’s inquest was ever held into Dr Kelly’s death. Instead, the official verdict of suicide was provided by the Hutton Inquiry, commissioned by Tony Blair, the then-Prime Minister.

Nicholas Gardiner, the Oxfordshire coroner, initially opened the inquest but it was Lord Falconer, then the Lord Chancellor, who ruled that Lord Hutton's inquiry would fulfil "the function of an inquest". It concluded that Dr Kelly died from a loss of blood after cutting his wrist with a blunt gardening knife, having earlier taken a cocktail of painkillers.

Dr Kelly had been one of the few to examine, prior to its publication, the Government dossier that declared that Saddam Hussein had Weapons of Mass Destruction (WMDs) which could strike Britain in 45 minutes. The claim was used by Mr Blair in 2002 as a central justification for a war against Iraq.

The Government was incensed when Dr Kelly emerged as the source for the BBC's story. He was forced to appear before television cameras giving evidence to a House of Commons committee. Later he was taken away to be interviewed by the British intelligence services in a safe-house. In a telephone call shortly before his death, Dr Kelly said he would not be surprised "if my body was found in the woods".

The doctors say the Hutton inquiry was "totally inadequate" as a means of identifying the cause of Dr Kelly's death and they are seeking to obtain Dr Kelly's autopsy report.

Their main argument is that the bleeding from Dr Kelly's ulnar artery in his left wrist is "highly unlikely" to have caused his death. They say a number of studies have shown that it is unusual for a patient to die from a single deep cut to the wrist.

They say the Hutton Inquiry lacked the powers of a full inquest because it did not hear evidence taken under oath, it did not have the power to subpoena witnesses and it did not have the power to summon a jury.

They also say that the proviso which enabled the Hutton Inquiry to replace an inquest has only previously been used for mass deaths, such as the Ladbroke Grove rail crash or the inquiry in the deaths of patients the hands of Dr Harold Shipman.

Many Government critics, including Norman Baker, the campaigning Liberal Democrat MP, have claimed that Dr Kelly was murdered. A film, *Anthrax War*, alleged that Dr Kelly, who was the head of biological defence at Porton Down, the Government's secret military research establishment in Wiltshire, "knew too much". The film claims he may have been murdered because of his links to the West's secret germ warfare programme.

Dr Stephen Frost, one of the six doctors, who has spend six years studying the case, said: "We are determined to get to the bottom of this death. We will pursue it to the very end."

Dr Michael Powers QC, a medical lawyer and another of the six experts to put their names to the 13-page dossier, has said that the evidence for Dr Kelly's suicide is "very thin". The other four signatories include consultants and experts united by a sense of concern over the lack of a full inquest: Martin Birnstingl, Dr Christopher Burns-Cox, David Halpin, and Dr Andrew Rouse.

At the time Dr Kelly's body was found on July 17 2003, an unopened letter marked "personal" lay on the desk of his study. It threatened him with the sack if he ever repeated his indiscretion and spoke publicly - or briefed journalists - about his work.

Government sources dismiss suggestions that Dr Kelly was murdered and they are convinced the Hutton Inquiry's verdict remains safe. His family has also supported the

findings of the Hutton Inquiry and does not believe that a new inquest is necessary.

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