

The David Kelly mystery

John Booth

An Inconvenient Death:

How the Establishment Covered Up the David Kelly Affair

Miles Goslett

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Did you know that the body of Iraq weapons inspector Dr David Kelly, who died mysteriously in 2003 after being named by 10 Downing Street for criticising its war-promoting dossier, had been exhumed and his remains cremated?

Did you know that Prime Minister Tony Blair and his former flat-mate and Lord Chancellor, Lord Falconer, prevented an inquest – that would have had legal investigatory powers – by setting up the non-statutory Hutton Inquiry into his ‘suspected suicide’ (and that they did that before Dr Kelly’s body had been identified?)

Did you know that, a week before his death, when his wife said she and Dr Kelly had fled their Oxfordshire home for a West Country retreat to avoid the press, her ‘utterly traumatized’ husband was actually in his local pub that July evening winning a game of cribbage with his regular league teammates?

Did you know when she told Lord Hutton that they had resumed their journey to Cornwall after an overnight hotel stop in Weston-Super-Mare, Dr Kelly was actually visiting a fellow weapons inspector in Swindon just 20 miles from their home apparently unaccompanied by his wife?

Did you know that when a helicopter equipped with heat-seeking equipment searched the area where Dr Kelly’s body was discovered several hours later, it found no trace of him?

Did you know that Dr Kelly’s dental records disappeared on the day he was reported missing, but had been returned with unidentified fingerprints to his dentist’s files 48 hours later?

Did you know that much of the material supplied to the Inquiry was quietly sealed at Lord Hutton’s request for 70 years?

Did you know that a certificate with the alleged causes of Dr Kelly’s death,

but without its location, was issued five weeks *before* Hutton completed his Inquiry hearings?

Did you know that Dr Kelly's right arm, alleged to have held the penknife with which he fatally slashed his left wrist, was so weak after a riding accident that he couldn't use it to cut a steak or push open a heavy door?

Did you know that there were no fingerprints on that knife – one never produced at the Hutton Inquiry and whose effectiveness for the purpose was never established – or on the spectacles, watch, wallet and water bottle found near Dr Kelly's body?

Did you know that, after allegedly swallowing 29 Coproxamol painkiller tablets, the arms inspector carefully replaced the almost empty blister packs in his coat pocket?

Did you know that more than 20 people with important information on Dr Kelly, including police officers and many of their interviewees, were not called as witnesses by Lord Hutton?

Did you know that the Conservative Attorney General from 2011, who refused a request by medical experts and his former party leader for a full inquest, is now the chairman of Parliament's Intelligence and Security Committee?

Did you know that Dr Kelly, smeared as a 'Walter Mitty character' by No 10 official Tom Kelly in its 2003 Iraq war dispute with the BBC, was one of the world's leading experts on biological warfare?

Did you know that this Downing Street spokesman was promptly promoted?

Did you know that at a 2006 Labour Party fundraising evening a copy of the Hutton report, autographed by Cherie Blair and Alastair Campbell, raised £400 for the constituency of Labour Cabinet minister and now senior BBC executive James Purnell?

The purpose

Miles Goslett's book, the result of years of answering these questions and many others, has one purpose: to secure a full inquest into the death of one of the many victims of the Bush/Blair 2003 invasion of Iraq and thereby to shed light on this murky chapter of our history. The author methodically sets out the grounds for this request, one that has long been sought by many within and without the medical, scientific and legal professions – including former Conservative leader Michael (now Lord) Howard. In opposition, his party seemed minded to accede to this inquest plea. But the previously sympathetic Dominic Grieve firmly ruled it out when he became David Cameron's Attorney

General after the 2010 election.

The only Parliamentarian who has expressed any sustained interest in the fate of Dr Kelly is the former Liberal Democrat MP for Lewes, Norman Baker. His *The Strange Death of David Kelly*¹ was published in 2007. Goslett acknowledges the help of Baker, whose extensive efforts he builds on without trying to identify the possible murderers of Dr Kelly in the way the ex-MP attempts at the end of his book. Goslett impresses precisely because he doesn't venture into speculation of that kind, though his work stimulates questions and reflections with which I'll conclude.

His book is in two main parts: a summary of the events leading up to the death of Dr Kelly and the setting up of the Hutton Inquiry into them, followed by Goslett's concerns about that inquiry and its findings as a result of his own researches. He concludes with 'a calling to account'.

The author brings together two contexts: of the events that ended with the discovery of the 59-year-old scientist's body in a wood near his Oxfordshire home in July 2003; and the rapid institution of an inquiry into 'the circumstances surrounding' his death.

The man

The former head of microbiology at the government biological warfare centre at Porton Down, near Salisbury, Kelly had become a well-respected international figure not only in that field but also in weapons inspection.² At the time of his death he was working for the Ministry of Defence (MoD) and was about to set off on his 38th visit to Iraq, following many similar missions to Russia.

Dr Kelly had become the subject of heated public controversy because he was named as one of the sources – though it was never established that he was the main one – of BBC reporter Andrew Gilligan's 29 May story that the Blair government had 'sexed-up' its dossier claim that Saddam Hussein possessed weapons of mass destruction (WMD). His identification, authorised in July 2003 by No 10 Downing Street, was facilitated by Alastair Campbell, Blair's Director of Communications and Strategy. Campbell was a central figure

¹ Norman Baker, *The Strange Death of David Kelly* (London: Methuen, 2007)

² For background on Dr Kelly's eminent career, see

<[https://en.wikipedia.org/wiki/David_Kelly_\(weapons_expert\)](https://en.wikipedia.org/wiki/David_Kelly_(weapons_expert))>.

There is also interesting material on germ warfare and Dr Kelly's relationship with Wouter Basson, variously described as 'the South African Mengele' and 'Dr Death' during the apartheid years at <<https://www.youtube.com/watch?v=PquqlX8wnT0>>.

in the Government's promotion of the need for a war that was proving increasingly unpopular months after the invasion. Goslett writes:

'Campbell's personal animosity towards Gilligan seemed to have infected his professional judgement to such a degree that he would be happy to use Gilligan's source in whatever way necessary for victory in his clash with the BBC.'

The flavour of some of Campbell's behaviour in the month before Dr Kelly died is shown here in his appearance before the Commons Foreign Affairs Select Committee (FAC)³ and, after walking into the Channel 4 News studio, demanding to be interviewed.⁴ Goslett writes:

'The MoD – acting under orders from Downing Street – had taken the very unusual step of throwing Dr Kelly to the wolves by thrusting him into the limelight against his will.'

An apparent warning from the Ministry of Defence to Kelly on Wednesday 9 July, that a hungry press pack was about to descend on his village home, led to what his wife described as a rapid pack-and-flee flight to a quieter locale in Cornwall. When Dr Kelly returned to Oxfordshire the following Sunday it was not to his residence in Southmoor, but to his daughter's home in nearby Oxford. From there he travelled to London the following week to appear before two Parliamentary committees.⁵

On Thursday (17 July) of that week he was last seen alive seen by a neighbour as he sent off on an afternoon walk. Nine hours after he left, Dr Kelly's family reported him missing. Thames Valley Police initiated a search and his body was discovered two miles away on Harrowdown Hill the following morning.

The context

The second context Goslett details is that of the Blair government facing growing public criticism over the invasion of Iraq: British casualties were mounting and none of the alleged WMD had been found. With Prime Minister Blair's popularity ratings tumbling, the pressure on No 10 had increased after

³ Alastair Campbell before the House of Commons Foreign Affairs Select Committee on 25 June 2003 at <<https://www.c-span.org/video/?177185-1/war-iraq-day-5>>.

⁴ Alastair Campbell on Channel 4 News, 27 June 2003: <<https://www.youtube.com/watch?v=GBWE7QzADe8>>.

⁵ Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly CMG by Lord Hutton (The Hutton Report) 2004 contains transcripts of Dr Kelly's appearances before the two Parliamentary committees: <<https://fas.org/irp/world/uk/huttonreport.pdf>>

reports by the BBC's Gilligan on the 'sexed-up' dossier and by identifying Campbell for that effort in his *Mail on Sunday* follow-up article soon afterwards.⁶

Goslett synchronises Dr Kelly being questioned by MPs and peers about his role in briefing the press with the Prime Minister being praised in Washington for his war contribution. He then brings together the twin circumstances of Blair flying across the Pacific to visit Japan and the discovery, after many hours of police searching, of a body between Kelly's home and the River Thames on Friday 18 July. He writes:

'It remains very difficult to understand why [Lord Chancellor] Falconer – or whichever official in Whitehall was even told that the police were searching for Dr Kelly – was first associated with this matter at this very early stage. True, Dr Kelly had been in the eye of a media storm thanks to Alastair Campbell's obsessive behaviour towards Andrew Gilligan and the BBC, but that does not explain why a senior political figure was personally involved in the police operation to find Dr Kelly to the extent that he was being briefed by police so soon after the discovery of his body. Who instructed Thames Valley Police to inform Falconer, or one of his colleagues, the minute Dr Kelly was found?'

Falconer and Blair have both recorded that they were in phone contact during Blair's Pacific crossing and that the Prime Minister quickly instructed his former flat-mate to set up a public inquiry into Dr Kelly's death. This was a public inquiry, writes Goslett,

' . . . we are expected to believe, almost certainly established thanks to nothing more than a police officer looking at a dead body that was assumed to be Dr Kelly's, noticing he had an injured wrist, seeing a knife nearby, and merely joining the dots as he saw them to conclude that he had killed himself.'

As Blair and Falconer talked, Goslett tells us:

'Two paramedics had seen the body, but their job was to do nothing more than confirm the fact of death . . . Yet, as shall become clear, at no stage did these experienced professionals ever think that Dr Kelly did commit suicide, based on what they saw that morning. If the paramedics weren't sure how Dr Kelly has died, what made [Foreign Policy Adviser and then British Ambassador to the United States] Sir David Manning and, in turn, Tony Blair so certain that this was a "suspected suicide"?''

Without a note or identification with the body, it was being presumed by the

⁶ *The Mail on Sunday* 1 June 2003

Prime Minister from a plane thousands of miles away that the body found was actually Dr Kelly, and that he had taken his own life.

Goslett writes:

'It seems remarkable that so many assumptions were being made at this very early stage, and equally extraordinary that Blair's immediate instinct was to go to the trouble of setting up a public inquiry into a matter about which nobody had anything approaching a full understanding.'

The author tells us that it was then rapidly decided that Lord Hutton,⁷ a 72-year-old Law Lord, Privy Counsellor and former Lord Chief Justice of Northern Ireland, 'was the man to head the public inquiry which Blair decided he wanted'. He asks:

'How did Blair, Falconer, [Permanent Secretary of the Lord Chancellor's department Sir Hayden] Phillips and [former Lord Chief Justice] Bingham know that Dr Kelly hadn't had a heart attack while walking, tripped and accidentally cut his wrist? Come to that, how did they know that Dr Kelly hadn't been the victim of a random assault by a psychopath? How did they know Dr Kelly hadn't been murdered in a premeditated attack by someone who knew him – or who didn't know him?

The answer is they didn't know because they could not possibly have known. Yet the speed of their reaction, and the decision taken to hold a public inquiry, suggests that *somebody* [author's italics] had some advance warning before 9.20 am, when the volunteer searchers found his body, that Dr Kelly was dead. . . .Well before midday on 18 July, it seems that the government had determined that Dr Kelly had killed himself, as opposed to having been unlawfully killed or dying of natural causes.'

Goslett concludes:

'Within twenty-one hours of Dr Kelly slipping out of his front door in Southmoor without saying goodbye to his wife as he left for his 3pm stroll, a public inquiry into his death had been ordered personally by Tony Blair while in transit and Lord Hutton had agreed to chair it – even though, technically, it had not yet even been established as fact that he had died, never mind when, where or how his life had ended.'

Hutton

I have quoted Goslett at length on the setting-up of the Hutton Inquiry because it is as near as he gets, in a calmly detailed account, to suggesting

⁷ <https://en.wikipedia.org/wiki/Brian_Hutton,_Baron_Hutton>

that the discovery and identification of Dr Kelly's body was not the first time some functionaries of the state had known about his death.

Curiously too, the start time of Operation Mason, the Thames Valley Police investigation into Dr Kelly's absence, is given as 2:30pm on the day he disappeared. That was half an hour before he left home for his walk and nine hours before his family reported him missing. In between, those attempting to reach Dr Kelly by phone – he was known to be invariably available by mobile – found it either turned off or not answering.

Speed in inauguration was not the only characteristic of what became known as the Hutton Inquiry. Its lack of legal constitution – no power to compel witnesses to attend, give evidence under oath or be subject to jury decision – was another, and this too was deliberate.

Goslett records that Falconer repeatedly intervened to prevent Oxfordshire coroner Nicholas Gardiner carrying out the inquest required by law in the event of a sudden, violent or unnatural death. By incorporating an 'inquest' into Hutton's Inquiry – not a formal public inquiry under the Tribunal of Enquiries (Evidence) Act 1921 – Goslett says the country was given 'in essence, a private inquiry which Blair and Falconer established. . . .the only thing that was public about it was the source of funds that would pay for it.'

Into this hastily assembled mechanism, headed by a hand-picked Establishment chairman with no previous coronial or major public inquiry experience, was then inserted the 'suicide' framing. This was launched via the London *Evening Standard*, to be promptly followed, as it often is, by the rest of the mainstream media. It was started by former BBC journalist Tom Mangold with a lunch-time ITV interview and an 870-word article for the London daily paper in which he claimed to be a great friend of Dr Kelly – 'David is often a guest at my home'. He assumed the role of unofficial spokesman for the Kelly family and 'advanced the theory that the scientist might have taken his own life'.

Mangold wrote that day that Dr Kelly was 'at his very best one on one, a cup of tea or a pint in hand', without telling his readers that as a convert to the Baha'i faith the weapons inspector was both teetotal and a principled opponent of suicide. The ex-BBC man did later concede that this 'close' friendship was 'not a frequent relationship'.

The *Standard* article said that Dr Kelly's wife, Janice, had told Mangold that Friday morning that her husband's appearance before Parliament's Foreign Affairs Select Committee earlier that week left him 'very stressed and physically sick'. Mrs Kelly never said anything publicly about her husband being 'physically sick', nor has anyone else, writes Goslett, adding that 'the FAC had exonerated him as Gilligan's primary source'.

Mangold continued to maintain that Dr Kelly had taken his own life, telling that day's BBC Radio 4 PM programme: 'I guess he [Kelly] couldn't cope with the firestorm that developed after he gave what he regarded as a routine briefing to Gilligan.'

This view happily coincided with that of No 10 and that of Lord Hutton, too, as his report published the following year was to show.

Once Hutton opened his inquiry in August 2003, it quickly became apparent that the actual cause of the weapon inspector's demise was far less important than the 'circumstances surrounding the death of Dr Kelly' brief given to him by Falconer. Hutton assumed from the outset that Dr Kelly had committed suicide. In 110 hours of evidence provided by 74 witnesses over 23 days, only a few hours of one day were devoted to the medical basis of Dr Kelly's alleged suicide. Contrast this, as many doctors, coroners and lawyers have since said, with a formal inquest where medical evidence constitutes an important – often the most important – part of the legal proceedings. Goslett observes: 'There was no reason why the Hutton Inquiry and the coroner's inquest into Dr Kelly's death could not have run in tandem.' Legally and logically he is right and if No 10 was so sure it was suicide, why set up the elaborate expense of the Hutton Inquiry anyway?

Its quick establishment served the Government's immediate need to be seen to be doing something substantial about the fate of a figure who was front-page news. But while a slow-moving Kelly inquest on its own might not satisfy No 10's PR needs at a tense time, Falconer's decision had a second crucial importance. The rigour and transparency the law requires of an inquest were No 10's enemy when, in the view of Blair and Campbell, it already had one of those in the shape of the BBC and another in the disbelieving court of public opinion. The Inquiry allowed Blair to be seen to be doing something big, but it also served the politically useful purpose for No 10 of heavily focusing public and press attention on the BBC. This had been Campbell's diversionary tactic when, agreeing to attend the House of Commons FAC at the second time of asking, he was questioned three weeks earlier on the dossiers he had helped produce.

When Goslett names in an appendix the very long list of those Hutton did not call to give evidence, including the Thames Valley Police officers who led the search and the subsequent investigation, the inadequacy of Hutton is plainly confirmed. The list of absentees also includes those with medical expertise and evidence; those who spent time with Dr Kelly in the final days of his life; the helicopter crew who fruitlessly searched for the body hours before it was discovered; those cribbage-playing friends and the landlord of their Hinds Head pub who attest that Dr Kelly was with them on Wednesday 9 July;

and the two American friends of Dr Kelly, *New York Times* reporter Judith Miller and US Army sergeant Mai Pedersen.

Add to that the failure of Hutton and senior counsel James Dingemans QC (now High Court judge Sir James Dingemans) to seriously cross-examine those who did appear in Court 73 of the High Court, and contrast it with the rigorous interrogation in the formal, legal setting of a coroner's inquest. And that's before we come to Hutton's own conclusions, mysteriously leaked to *The Sun* the day before publication, in which the BBC became the main focus of his criticisms. The resignation of the chairman of the BBC, Gavyn Davies, and the removal of its Director-General, Greg Dyke, promptly followed.

Goslett's book reveals much more than a review can itemise and readers will draw their own conclusions when they digest its contents. I now offer a few thoughts that came to me on reading it. I will also attempt to put them into the wider context of Dr Kelly's death, the Iraq war and the handling of both by the New Labour government and its post-2010 successors.

One: the Hutton Report was the result of a publicly funded but essentially private inquiry led by a judge who had already concluded that Dr Kelly had taken his own life by the combination of a knife incision, the ingestion of Coproxamol and an underlying heart condition. Goslett's carefully assembled detail of the setting-up of that inquiry by the Blair government points us towards the strong possibility that Dr Kelly's demise was not unexpected, something a full inquest would have examined in detail. Goslett says of the consequences:

'Had any government acted responsibly, and indeed been willing to do the right thing by Dr Kelly, a coroner's inquest would have been held by now and there would probably be no need to re-examine this case. . . .It is overwhelmingly likely that if the Oxfordshire Coroner, Nicholas Gardiner, had been allowed to continue with his original inquest into the death of Dr Kelly, instead of being instructed by the government to suspend it, he would have been meticulous in investigating every relevant aspect – in sharp contrast to the approach the Hutton Inquiry was able to take as a result of its less stringent terms of reference.'

In plain terms, any continuing doubts about Dr Kelly's death result directly from the way Blair and Falconer responded to it. In the person of Lord Hutton and in the narrow way he interpreted the brief given him, the Government set itself up for a report that was widely dismissed as a whitewash within hours of its publication.

Two: the 26 July visit of Hutton and senior counsel Dingemans to Dr Kelly's widow and family before the opening of the Inquiry raises questions of

procedure and propriety. As there is no written record of what took place, we have no way of knowing what passed between them on that occasion, although Hutton later said he had acquired useful information from the meeting. What that was we do not know any more than we have a clue as to what was contained in the very many witness statements which were submitted to Hutton but not made publicly available.

What we do know is that at various times during the inquiry and afterwards, Hutton sought to minimize scrutiny by claiming he was seeking to avoid distress to the family. This included permitting Mrs Kelly and her family to be photographed entering the High Court, but not to have them in Court 73 to give their evidence and be questioned on it. This she did, says Goslett,

‘ . . . from a private room in a different part of the building via an audiolink. A still photograph of her was displayed on a computer screen in Court 73 while she was questioned by James Dingemans . . . This meant that the precious opportunity for those present to see Mrs Kelly’s face, and to view her body language as she spoke, was denied.’

Why would she and her family travel to London when an audiolink could have as readily been set up from their home? Goslett asks: ‘Was her arrival in London a staged event, perhaps to demonstrate that the inquiry had her support?’

Three: the evidence then given by Mrs Kelly herself raises many difficult questions. Why did her account of Dr Kelly meeting *Sunday Times* reporter Nick Rufford outside their home on Wednesday 9 July differ so radically from that of the journalist himself? She said that her husband had been angered by Rufford in a brief exchange, while the reporter described a much longer and even-tempered discussion with Dr Kelly in which he had provisionally agreed to write an article for Rufford’s newspaper.

Why did she tell Hutton of the couple’s rapid departure from Southmoor shortly after meeting Rufford when, as Goslett records, many witnesses say that he couldn’t have made that journey with her? If Dr Kelly, as they confirm, played cribbage at the Kingston Bagpuize Hinds Head pub just up the road from their home that night, why wasn’t he confronted en route by the threatened press pack that Mrs Kelly says had forced them both to flee? If Mrs Kelly was not accompanied by her husband on her overnight stay at an unnamed hotel in Weston-Super-Mare, how did she, as a disabled person, get there that evening? (In Hutton’s report, a detail not included in Goslett’s book, it is simply stated, without corroboration, that the couple stayed in Weston-Super-Mare on Wednesday 9 July and then in Cornwall on 11 and 12 July. He does not say where the Kellys were on 10 July.)

Why did she not recall for the Inquiry the time she and her husband spent in conversation with John and Pamela Dabbs in Cornwall on the last Saturday afternoon of his life? This couple were interviewed by the police as two of the last people to spend time with Dr Kelly in a non-professional or family capacity, but they were not called by Hutton. In a formal inquest in which suicide is suspected, those with recent contact are routinely questioned by the coroner about the dead person's state of mind.

While it is clearly desirable that the Kelly family be not gratuitously upset, it is also important to remember that public inquiries are set up for the benefit of we citizens who fund them. Inquests routinely raise issues distressing to the bereaved and do so quite properly in the public interest. The search for truth is the ostensible purpose of public inquiry and this did not characterize Hutton's work.

Four: it is worth bearing in mind that Dr Kelly's suspicious 'suicide' was not the first such incidence of a scientist linked to the Ministry of Defence. A few miles from the Kelly home along the Oxford/Bristol A420 road lived Peter Peapell, a senior lecturer in metallurgy at the Royal Military College of Science (RMCS) Shrivenham. At their home early on Sunday 22 February 1987, his wife opened the garage door to find the car engine running and his body lying beneath the exhaust pipe of his car. Nicholas Gardiner, the Oxfordshire coroner who was expecting to conduct a full inquest into Dr Kelly's death, returned an open verdict on Mr Peapell having been told that the dead scientist had no apparent reason for ending his life and that he could not have squeezed himself into the position where his widow found him.⁸

I mention this not only as a reminder that death can come in a sudden and apparently inexplicable way to those possessing secret expertise. As Tony Collins writes in *Open Verdict*:

'Peter Peapell had returned from a one year appointment at America's foremost naval establishment. Perhaps he used his exceptional powers of scientific understanding to devise a way nobody had thought of to close his garage door from the inside and end up in a position in which he was found, lying on his back under the car. Perhaps there was no connection in the fact that Peter's expertise was unparalleled anywhere at the Royal Military College of Science and that he was a simulation expert in an area directly related to stealth and electronic warfare.'⁹

Perhaps, we may then speculate, that Dr Kelly also used 'his exceptional

⁸ The strange death of Peter Peapell was reported in *The Mail on Sunday* 5 April 1987.

⁹ Tony Collins, *Open Verdict: An account of 25 mysterious deaths in the defence industry* (London: Sphere Books, 1990) p. 191

powers of scientific understanding' to kill himself by using his weak right arm to sever the ulnar artery, one which rarely permits sufficient bleeding to cause death. Would a scientist with equally 'unparalleled expertise', who had survived the dangerous rigours of repeated arms inspections in hostile countries, rapidly become so mentally fragile following questions in Parliament that he would take his own life in a way suicide experts have described as better resembling a teenager's cry for help?

I also mention the Peapell case because it offers a possible insight into why the evidence given by Dr Kelly's widow may have been so inconsistent with that of many who Hutton failed to call but whom Goslett has interviewed for his book. Mr Peapell's widow, whom I knew and interviewed at length, initially contested the concerted attempts to persuade her that her husband had taken his own life. Some of those efforts she felt to be very threatening. She told me, for example, that she had spoken to the widow of a former RMCS colleague of her husband who had died shortly before and also of carbon monoxide poisoning in his garage. But when Mrs Peapell suggested a meeting, the other widow warned her against it, fearing that one or other of them would not arrive at their rendezvous. Friends say that not long afterwards Mrs Peapell began to deflect all discussion of her husband's death and did so for the rest of her life. Perhaps Mrs Kelly realized much earlier than Mrs Peapell that acceptance of the suicide verdict was the wisest course of action.

Of course, it is perfectly possible, as Mrs Kelly told both Hutton and campaigner Rowena Thursby, that her husband had indeed taken his own life: for anyone to suggest otherwise might be seen to reflect unfairly and insensitively upon her and her family. But the evidence assembled by Goslett forces us to question that view and also to challenge Dominic Grieve, whose 2011 refusal as Attorney General of a full inquest leaves so many questions in the air.

One very important one is that of Dr Kelly's whereabouts on the night he was alleged by his wife to have made a rapid departure with her from their home. Goslett writes:

'In the dossier Grieve produced in June 2011, he stated: "Dr Kelly was a member of the Hinds Head crib team. He last played for them on 9th July 2003. Every other member of that team was interviewed by officers from the investigation team.'"

This is in clear contradiction of Mrs Kelly's evidence to Hutton, a conflict that a properly constituted inquiry or an inquest would have been required to examine. It is one that Grieve, subsequently to chair Parliament's Intelligence and Security Committee, chose to ignore.

Five: Hutton not only failed to thoroughly examine the cause of Dr Kelly's death, he didn't even seriously investigate the role of the BBC. This didn't inhibit him from reaching the very critical judgement of the corporation and its 'editorial system' which led to the departure of its chairman and director-general.

Given that Gilligan's early morning (6:07am) two-way piece with John Humphrys on the Today programme was so central, it might be thought that its editor, Kevin Marsh, would have been summoned to appear before Lord Hutton. Marsh tells us in his 2012 book¹⁰ that he had intensively prepared for his expected examination in Court 73, but the call from Hutton never came. In his *Stumbling over Truth*, while critical over some aspects of Andrew Gilligan's professionalism – 'good investigative journalism marred by flawed reporting' – Marsh strongly defends his essential accuracy in that broadcast and others following it. He says of Sir Robin Butler's 2004 report into the use of intelligence on weapons of mass destruction:¹¹

'Taken together his findings couldn't have been more clear nor a greater condemnation of Hutton's work. The September dossier was not the carefully judged, carefully written, honest assessment of sound intelligence that Blair, Campbell and [chair of the Joint Intelligence Committee John] Scarlett argued and that Hutton believed it to be.'

Marsh's boss was Greg Dyke, who responded to the loss of his job as director general with the publication of *Inside Story*¹² less than a year later. Like Marsh he is critical of Gilligan's early Today piece, but says 'Campbell tried to discredit an entire story by denying a tiny detail' and saw his attack as revenge for Gilligan's Iraq war reports which 'were not always popular with Campbell'.

Both Marsh and Dyke put Campbell's attack on the BBC into the context of his years of constant complaint that the corporation would not bend to his will in the same way as much of the print media. Marsh, reminding his readers of New Labour's single-minded public relations onslaught, says it was necessary to be a 'truth creator' to survive at the top of New Labour. Dyke, who had been an early financial backer of Blair for the Labour leadership in 1994, concluded: 'I no longer regard Tony Blair as someone to be trusted'. He saw Campbell as 'a deranged, vindictive bastard . . . a complete maverick who had been given

¹⁰ Kevin Marsh, *Stumbling Over Truth: The inside story of the 'sexed-up' dossier, Hutton and the BBC* (London: Biteback, 2012)

¹¹ Review of Intelligence on Weapons of Mass Destruction: Report of a Committee of Privy Counsellors, Chairman Lord Butler of Brockwell (The Butler Report) 2004 <http://news.bbc.co.uk/nol/shared/bsp/hi/pdfs/14_07_04_butler.pdf>

¹² Greg Dyke, *Inside Story* (London: Harper Collins, 2004)

unprecedented power by Tony Blair.'

Clare Short, who had resigned from the Blair Cabinet in 2003, says in *An Honourable Deception*:¹³

'I am afraid that Dr Kelly's tragedy was that he got tangled up in the war that Alastair Campbell launched against the BBC. It is important to remember that the broadcast on the Today programme by Andrew Gilligan, which later became so notorious, was made on May 29th, long after Baghdad had fallen. And it took Alastair Campbell until the end of June, before he appeared before the Foreign Affairs Committee to make a public fuss about it.

My conclusion is that Alastair Campbell launched his attack on Gilligan in order to divert attention away from the question of whether the nation had been deceived in the rush to war . . . To use Dr Kelly in this way – to get at the BBC – was I fear a real abuse of power.'

Six: Goslett, after describing the odd circumstances in which Dr Kelly's body was exhumed from the churchyard of St Mary's Longworth, concludes with this tantalizing suggestion:

'As a result of the exhumation, I had a conversation with somebody who told me that they spoke to David Kelly at length during the month he was found dead, a fact I have been able to confirm independently. This person, who wishes to remain anonymous, explained to me that they have carried with them what they call a "burden" ever since.

They said that in July 2003 Dr Kelly told them something about his work, rather than his personal life, which had shocked them so profoundly that they believed they should have gone straight to the police to report his claim.

They never did so, for reasons best known to themselves, but they remain reluctant to let go of the likelihood that what he told them has some link to his death.'

This, without identifiable sources and corroboration, doesn't take us very far. But it does raise the broader issues of the fate of Dr Kelly on which Goslett takes a self-denying ordinance.

Norman Baker concludes his book with the suggestion that Dr Kelly had made enemies in Iraq and his murder might have been committed by them or people acting on their behalf. For that, to the best of my knowledge, we are also lacking corroborative evidence.

So where does that leave us? Is Kelly's death forever to remain a mystery

¹³ Clare Short, *An Honourable Deception?* (London: Free Press, 2004)

with only buffs left to pursue answers in much the same way as those intrigued by President Kennedy's assassination?

Goslett confines himself to the demand for an inquest, and his fine book eloquently spells out why all of us, including Dr Kelly's family, friends and colleagues, deserve one. This, after all, was the sudden death of a highly valued public servant, one caught in a firestorm created to divert attention from a Blair government that – we now know from the Butler and Chilcot reports¹⁴ – had sent the country to war on bogus grounds.

If the weapons inspector did take his own life under the intolerable pressures to which he had been cynically exposed, then an inquest would enlighten us in a way that Hutton signally failed to do. It could be, as some have suggested, that Dr Kelly, realising he had not been totally frank with the Foreign Affairs Select Committee and that his conversation on the dossier with BBC Newsnight's Susan Watts might cause problems for him and his family, chose to end his life.

If so, and in the face of all we know about Dr Kelly's character and resilience, we are left to wonder along with Goslett why Mangold, the first person to promote the suicide suggestion, said his death was ' . . . investigated by the local police, the county police, Scotland Yard, Special Branch, MI5; MI6 had a man present [at the scene where the body was found] and the CIA had a man present because the Americans were interested in this'.

Goslett continues:

'It is unclear how Mangold was able to make this assertion about these various intelligence agencies and impossible to know how accurate he was being, but as a journalist whose work had often been focused on security matters he would have expected anybody watching to have taken him seriously as he reeled off this list of official inquisitors.

However, given that Dr Kelly's death was regarded so quickly as a simple case of suicide – not least by Mangold himself – it seems extraordinary that so many British and American representatives of the spy world would have shown such an interest in it.

As it was, even before the full facts about the manner of Dr Kelly's death were known, and before his friend's blood was cold, Mangold maintained publicly that he had taken his own life. The parallel with Tony Blair's assumption is obvious. But who, or what, made both men so sure?'

If Dr Kelly didn't die by his own hand – and I find Goslett persuasive on that –

¹⁴ The Report of the Iraq Inquiry chaired by Sir John Chilcot, 2016.

<<http://webarchive.nationalarchives.gov.uk/20171123123237/http://www.iraqinquiry.org.uk/>>

then an inquest would provide the necessary platform for a police investigation into who and what did cause his death. Until that happens we can only guess at what befell Dr Kelly on his final fateful walk.

As Baker says, the weapons inspector had enemies in Iraq, including some who might have believed that their country was safe from attack once the inspectors, including Dr Kelly, had assured Washington and London that it possessed no weapons of mass destruction. A determined hit group familiar with his movements could have taken the weapon inspector's life before his scheduled 38th visit to Iraq.

But Dr Kelly had enemies elsewhere too. Here was a respected figure of international stature seen to be challenging the basis of the US/UK invasion of Iraq, which we now know was long planned by those advising President Bush. Dr Kelly was one of many within the defence, intelligence, foreign policy and political establishments not only with doubts about the Bush and Blair strategy but also the detailed knowledge with which to challenge it. It was expertise different to that of Robin Cook, the former Foreign Secretary who resigned from Blair's Cabinet over Iraq four months before Dr Kelly's death,¹⁵ but taken together their indictment of No 10 was devastating.

What if Kelly were to say more or write a book, something Baker says he had begun to consider? What if, as a convert to the Baha'i faith, he were to turn his back on his life as a loyal British civil servant and feel moved to spill the beans on what he knew lay concealed in our national life? After all, Cook was to do that in his *Point Of Departure*¹⁶ and Craig Murray was about to do something similar after a career devoted to the diplomatic service of his country.

As I read Goslett's book I reflected on the fate of Peter Peapell, like Dr Kelly a scientist with much valuable and secret information in his head and, also like Dr Kelly, a principled and disciplined man with a loving family and much else to live for. Peapell met a grim end when some agency decided that he, with whatever he knew, was potentially too dangerous to remain alive. Unlike Kelly, Peapell had not become a much-publicised figure causing serious concern to a government of controlling instincts finding itself in deep trouble. Would a government long committed to sending British troops to their death in a war without just cause shy away from allowing the disposal of a potentially troublesome senior insider?

In conclusion, let us step back a little and set Dr Kelly's death in the wider

¹⁵ Robin Cook's resignation speech 17 March 2003
<<https://www.youtube.com/watch?v=T9CqiiI2Irg>>

¹⁶ Robin Cook, *Point of Departure* (London: Simon & Schuster, 2003)

context of the world in the shadow of the events of 9/11.

When the weapons inspector's body was found in July 2003, the Commission which President George W Bush had finally agreed to set up under pressure from the families of 9/11 victims was slowly getting under way.¹⁷ When it reported six months after Hutton it too was heavily criticised, with its own joint chairmen later admitting that it had been 'set up to fail'.¹⁸

Much like Hutton, the 9/11 Commission had been entrusted into a safe pair of hands in the person of Philip Zelikow, a friend of then National Security Adviser Condoleezza Rice. Zelikow was later to join the Bush administration as an advisor to Rice when she was promoted to Secretary of State. Again like Hutton, the 9/11 Commission reported without serious forensic inquiry and without hearing the testimony of many in a position to inform it on important matters of public interest. Among many other deficiencies it failed to examine the anthrax attacks – we now know the deadly material was produced in a US military lab – that quickly followed 9/11. These killed five people, targeted two senior member of Congress who were critics of the Bush administration and added to the public panic following the destruction of the three World Trade Centre towers.

In keeping with Bush's words – 'You are either with us or you are with the terrorists' – governments in both the US and the UK drastically curtailed civil liberties. It was into that frenzied, intolerant, monochrome world that Dr Kelly – a senior civil servant with top secret clearance in both the UK and the US – found his life catapulted as a result of the Blair government's attack on the BBC.

While in the United States many insiders and whistleblowers have now come forward to shed light on 9/11, very little has emerged in the UK to tell us more about the death of Dr Kelly.

Goslett reminds us that Geoff Hoon, the Defence Secretary who helped identify the weapons inspector, did threaten to spill a few beans. He records *The Observer's* Andrew Rawnsley writing that Hoon, first relegated to Leader of the House of Commons and then removed by Blair in 2006, was so angry he '... planned to make a speech about the Kelly affair that he told friends could trigger the instant downfall of the Prime Minister'.

To the best of my knowledge Hoon has not since uttered a word to that effect. He left Parliament after expenses and lobbying controversies to sell

¹⁷ <<https://www.9-11commission.gov/>>

¹⁸ John Booth, '9/11: Fifteen years on' in *Lobster* 72, Winter 2016 at <<https://www.lobster-magazine.co.uk/issue72.php>>.

helicopters for AgustaWestland.¹⁹

Blair and Campbell continue in the public eye 15 years after Dr Kelly's death and both have reportedly become multi-millionaires. Their No 10 colleague, Tom Kelly of the infamous 'Walter Mitty' smear, remains in public service as 'strategic director for stakeholder engagement at HS2'.²⁰

Blair's trusty friend who set up the Hutton Inquiry, Lord Falconer, also remains in the public eye, but refused to be interviewed by Goslett for the book. John Scarlett was promoted from being chairman of the Joint Intelligence Committee, where he was deeply involved in dossier production, to head MI6. Now as Sir John, he is a director of Times Newspapers²¹ where Andrew Gilligan, as a journalist with *The Sunday Times*, reported the exhumation and cremation of Dr Kelly's remains.²²

Lord Hutton has retired. Goslett tells us that his senior counsel, Sir James Dingemans, was once asked by a reporter about the inquiry and his role in it.

'Dingemans told the journalist that he could only imagine one occasion on which he would ever discuss any aspect of the Hutton Inquiry. He said: "Perhaps on my deathbed."'

The Chilcot Report shed some critical light on the Blair government's role over Iraq but, according to Goslett, not as much as it might. He tells of Carne Ross, a former British diplomat and friend of Dr Kelly who was the UK's Iraq expert at the UN Security Council leading up to the Iraq war. He had lunch with Dr Kelly in New York shortly before his death.

Goslett writes:

'Mr Ross told me that when he gave verbal evidence to the Iraq Inquiry, chaired by Sir John Chilcot, in July 2010 he was warned by a senior civil servant overseeing it that if he mentioned Dr Kelly by name he would be asked to leave. "I was taken into the room where witnesses sat and shortly before I was to testify an official came and said: 'You are not to speak about Dr Kelly.' Mr Ross added: "Chilcot was incredibly tense. Clearly he feared I was going to say something.'"

The author concludes:

¹⁹ <https://en.wikipedia.org/wiki/Geoff_Hoon> Mr Hoon's current LinkedIn profile list his two main employments as 'Non-Executive Director, Offgrid Power Limited' and (primarily) 'Chairman, Twycross Zoo'. See <<https://www.linkedin.com/in/geoff-hoon-b3001125/>>.

²⁰ <<https://www.gov.uk/government/people/tom-kelly>>

²¹ <<https://tinyurl.com/y993z5qt>> or <<https://www.independent.co.uk/news/uk/politics/sir-john-scarlett-from-wmd-to-wonga-how-the-former-mi6-chief-has-cashed-in-a6729306.html>>

²² *The Sunday Times*, 29 October 2017

'Quite why this level of paranoia existed is not clear, but it shows, if nothing else, that Dr Kelly continues to haunt those who patrol the corridors of power.'

Fifteen years after the death of Dr Kelly it might be thought that we will never know how he died, that Blair and Falconer scuppered that opportunity once and for all by denying him a full inquest. But much longer ago, 96 Liverpool fans died in the Hillsborough disaster. Only after persistent campaigners fought hard for more than a quarter of a century did fresh inquests finally conclude that all had been unlawfully killed.

One change in British public life may in time, as with Hillsborough, help shed more light on the fate of Dr Kelly. The New Labour party, that in government took the country to war and exercised punitive control over its ministers, MPs and members, has gone. While some of its senior figures are still around, they are not in power and appear to wield diminishing influence when they make public appearances.

The new generation of Labour Party members, who in time will become its Parliamentary representatives and perhaps its ministers, are critical of the means and methods employed in the Blair years. Through social media these activists are often much better informed than their forebears.

Clare Short describes New Labour in her book as 'the project of a small group that captured power in the Labour Party and had little respect for democratic and constitutional decision-making', an operation 'obsessed with presentation rather than content and willing to be economical with the truth'. She records there her impression of the September 2003 Party gathering following the invasion of Iraq and the death of Dr Kelly: 'The atmosphere of this conference was very strange. It felt as though the stuffing had been knocked out of the party.'

That is not the state of today's Labour Party. Its more than half a million members are led by those who opposed the Iraq war and supported Robin Cook when he resigned in protest against it. Perhaps in this new confident condition, and fortified by such fine research as Miles Goslett has published here, we may yet learn more of the fate of Dr David Kelly, one of the early casualties of New Labour's deadly and dishonest alliance with President George W Bush.

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