

David Kelly (weapons expert)

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David Christopher Kelly, CMG (14 May 1944 – 17 July 2003) was a British scientist and expert on biological warfare, employed by the British Ministry of Defence, and formerly a United Nations weapons inspector in Iraq. He came to public attention in July 2003 when an unauthorised discussion he had off the record with a BBC journalist, Andrew Gilligan—about the British government's dossier on weapons of mass destruction in Iraq—was cited by the journalist and led to a major controversy. Kelly's name became known to the media as Gilligan's source, and he was called to appear on 15 July before the parliamentary foreign affairs select committee, which was investigating the issues Gilligan had reported. Kelly was questioned aggressively about his actions. He was found dead two days later.^[2]

British Prime Minister Tony Blair's government set up the Hutton Inquiry, a public inquiry into the circumstances surrounding the death. This concluded that Kelly had committed suicide, the pathologist who conducted the postmortem examination giving the cause of death as "haemorrhage due to incised wounds of the left wrist" in combination with "coproxamol ingestion and coronary artery atherosclerosis". Lord Hutton also decided that evidence related to the death, including the post-mortem report and photographs of the body, should remain classified for 70 years.^[3] In October 2010, Hutton claimed that he had done so to protect the wife and daughters of Kelly from the distress of further media reports about the death. "My request was not a concealment of evidence because every matter of relevance had been examined or was available for examination during the public inquiry. There was no secrecy surrounding the postmortem report because it had always been available for examination and questioning by counsel representing the interested parties during the inquiry."^[4]

In 2009 a group of British doctors who had not had access to the evidence, including Michael Powers, a physician, barrister, and former coroner challenged Hutton's verdict, offering their opinion based on published reports that the cause of death was untenable; they argued that the artery is small and difficult to access, and severing it would not have triggered sufficient blood loss to cause death.^[3] This opinion was challenged by several forensic pathologists, who told *The Guardian* that the combination of Kelly's heart disease and the overdose would have meant a smaller loss of blood could have killed him than would be needed to kill a healthier person.^[1] In August 2010 the former leader of the Conservative Party, Michael Howard, called for a full inquest,^[1] and Dominic Grieve, the Attorney General for England and Wales, confirmed that he was considering re-opening it.^[5]

In October 2010, the postmortem—including the pathologist's 14-page report and the six-page toxicology report—was made public, re-iterating the conclusion of the Hutton report.^[4] Powers maintains that questions remain about the amount of blood found at the scene and the number of pills taken.

	<div>David Kelly</div>
Born	14 May 1944 <div>Rhondda, Wales</div>
Died	17 July 2003 (aged 59) <div>Oxfordshire, England</div>
Cause of death	Suicide: haemorrhage from incised wounds of the left wrist, in combination with coproxamol ingestion and coronary artery atherosclerosis ^[1]
Body discovered	Harrowdown Hill, Longworth, Oxfordshire
Nationality	British
Education	BSc (Leeds), MSc (Birmingham), DPhil (Oxon)
<i>Alma mater</i>	University of Leeds, University of Birmingham, Linacre College, Oxford.
Occupation	Specialist in biological warfare; UN weapons inspector in Iraq
Employer	British Ministry of Defence
Religion	Bahá'í Faith
Spouse(s)	Janice Kelly

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Biography

Kelly was born in Rhondda, Wales. He graduated from the University of Leeds with a BSc, and subsequently obtained an MSc at the University of Birmingham. In 1971, he received his doctorate in microbiology from Linacre College, Oxford. In 1984, he joined the civil service, working at what is now Dstl Porton Down, as head of the Defence Microbiology Division. He moved from there to work as an *ad hoc* advisor to the MoD and the Foreign Office.

In 1989, Kelly was involved in investigations into the Soviet violations of the 1972 Biological Weapons Convention and was a key member of the inspection team visiting the former USSR on several occasions between 1991 and 1994. His experience with biological weapons at Porton Down led to his selection as a United Nations weapons inspector in Iraq following the end of the Gulf War. Kelly's work as a member of the UNSCOM team led him to visit Iraq thirty-seven times and his success in uncovering Iraq's biological weapons programme led to Rolf Ekéus nominating him for the Nobel Peace Prize.^[6] He was made a Companion of the Order of St Michael and St George in 1996. Although he was never a member of the intelligence services, the Secret Intelligence Service (MI6) regularly sought out his opinion on Iraq and other issues. David Kelly became a member of the Bahá'í Faith around 1999. He was introduced to this faith by Mai Pederson, a US military linguist and intelligence operative.^[7]
[8]

WMD dossier

Kelly's career specialisation led to confusion about his actual job, as he was frequently seconded to other departments. His job description included liaising with the media and he regularly acted as a confidential source, although rarely going on the record or appearing on-camera. In 2002, he was working for the Defence Intelligence Staff at the time of the compilation of a dossier by the Joint Intelligence Committee on the weapons of mass destruction possessed by Iraq. The government had commissioned the dossier as an element of the preparation for what later became the 2003 invasion of Iraq.

Although he was not responsible for writing any part of the dossier, Kelly's experience of weapons inspections led to him being asked to proofread sections of the draft dossier on the history of inspections. Kelly was unhappy with some of the claims in the draft, particularly a claim, originating from August 2002, that Iraq was capable of firing

battlefield biological and chemical weapons within 45 minutes of an order to use them (known as "the 45-minute claim"). Kelly's colleagues queried the inclusion of the claim but their superiors were satisfied when they took it up with MI6 through the Joint Intelligence Committee.

Kelly believed it was most likely that Iraq had retained some biological weapons after the end of inspections.^[9] After the end of the ground war, he was invited to join the inspection team attempting to find any trace of weapons of mass destruction programmes, and was apparently enthusiastic about resuming his work there. He made two attempted trips to Iraq. The first was on 19 May 2003, when he was prevented from entering Iraq from Kuwait because he did not have the proper documentation.

The second trip was from 5 June 2003 to 11 June 2003, when Kelly went to view and photograph two alleged mobile weapons laboratories as a part of a third inspection team. Kelly was unhappy with the description of the trailers and spoke off the record to *The Observer*, which, on 15 June 2003, quoted "a British scientist and biological weapons expert, who has examined the trailers in Iraq." The expert said:

They are not mobile germ warfare laboratories. You could not use them for making biological weapons. They do not even look like them. They are exactly what the Iraqis said they were - facilities for the production of hydrogen gas to fill balloons.^[10]

It was confirmed in the Hutton Inquiry that Kelly was the source of this quote.^[11]

Contact with Andrew Gilligan

On 22 May 2003, at the Charing Cross Hotel in London, Kelly met Andrew Gilligan, a BBC journalist who had spent some time writing about the war in Baghdad. Kelly was anxious to learn what had happened in Iraq, while Gilligan, who had discussed a very early draft of the dossier with Kelly, wished to ask him about it in light of the failure to find any weapons of mass destruction. They agreed to talk on an unattributable basis, which allowed the BBC to report what was said, but not to identify the source. Kelly told Gilligan of his concerns over the 45-minute claim and allegedly ascribed its inclusion in the dossier to Alastair Campbell, the director of communications for Prime Minister Tony Blair.

Gilligan broadcast his report on 29 May 2003 on the *Today programme*, in which he said that the 45-minute claim had been placed in the dossier by the government, even though it knew the claim was dubious. In a subsequent article in *The Mail on Sunday* newspaper, Gilligan directly identified Alastair Campbell as the person responsible. The story caused a political storm, with the government denying any involvement in the intelligence content of the dossier. The government pressed the BBC to reveal the name of the source because it knew that any source who was not a member of the Joint Intelligence Committee would not have known who had a role in the preparation of the dossier.

As the political fight ensued, Kelly knew he had talked to the journalist involved but felt that he had not said exactly what was reported. He also told his friend and work colleague Olivia Bosch that his meeting with Andrew Gilligan had been "unauthorised" and therefore outside his terms of employment. On 30 June 2003, he wrote to his line manager at the Ministry of Defence to report his contact with Gilligan, though he added "I am convinced that I am not his primary source of information."

Kelly was interviewed twice by his employers, who concluded that they could not be sure he was Gilligan's only source. Eventually they took the decision to publicly acknowledge the fact that an employee had come forward who might be the source. The announcement contained sufficient clues for alert journalists to guess Kelly's identity and the Ministry of Defence confirmed the name when it was put to them. This was not an everyday procedure (it usually refuses to comment on such matters), and it was alleged by some critics of the government that the Ministry of Defence was implementing a government decision to reveal Kelly's name as part of a strategy to

discredit Gilligan. Andrew Rawnsley has claimed that Blair on 8 July sanctioned a strategy designed to reveal Kelly's identity.^[12] Lord Hutton found that the decision was only to confirm that a civil servant had come forward, without giving a name, because there was uncertainty that Kelly was in fact Gilligan's source.^[13]

Kelly was extremely disturbed that the media had identified his role in the matter and arranged with a family friend to leave his home and visit Cornwall with his wife. He was asked to appear as a witness before two committees of the House of Commons that were investigating the situation in Iraq, and was further upset by the news that one of the appearances would be in public. He had been given a formal warning by the Ministry of Defence for an unauthorised meeting with a journalist, and had been made to understand that they might take more action if it turned out he had been lying to them.

Appearance before House of Commons committees

When he appeared before the Foreign Affairs Select Committee on 15 July 2003,^[14] Kelly appeared to be under severe stress, which was probably increased by the televising of the proceedings. He spoke with a voice so soft that the air-conditioning equipment had to be turned off, even though it was one of the hottest days of the year.^[15] His evidence to the committee was that he had not said the things Gilligan had reported his source as saying, and members of the committee came to the conclusion that he had not been the source.^[16] Some of the questioning was very precise. The Labour MP Andrew MacKinlay, in particular, used a forceful tone in his cross-examination. For example, when asked to simply list the journalists that he met, Kelly declined to answer and requested that such a list be sought from the MoD, which triggered a response: "...This is the high court of Parliament and I want you to tell the Committee who you met... You are under an obligation to reply".^[17] The Chairman of the Committee (Donald Anderson) underscored the validity of MacKinlay's question telling Kelly: "It is a proper question... If you have met journalists there is nothing sinister in itself about meeting journalists, save in an unauthorised way."^[17] Mackinlay offered his opinion that Kelly had been used by Gilligan telling Kelly: "I reckon you are chaff; you have been thrown up to divert our probing. Have you ever felt like a fall-guy? You have been set up, have you not?"^[18]

Kelly was deeply upset by his treatment before the Committee and privately described MacKinlay as an 'utter bastard'.^[19] During the hearing, he was closely questioned about several quotes given to Susan Watts, another BBC journalist working on *Newsnight*, who had reported a similar story. It later emerged that Gilligan had himself told members of the committee that Watts' source was also Kelly. Kelly denied any knowledge of the quotes, and must have realised that he would have serious problems if the Ministry of Defence believed he had been the source of them. On the following day, (16 July 2003), Kelly gave evidence to the Intelligence and Security Committee. He told them that he liaised with Operation Rockingham within the Defence Intelligence Staff.

Death

On the morning of 17 July 2003, Kelly was working as usual at home in Oxfordshire. Media coverage of his public appearance two days before had led many of his friends to send him supportive emails, to which he was responding. One of the emails he sent that day was to *New York Times* journalist Judith Miller,^[20] who had used Kelly as a source in a book on bioterrorism, and to whom Kelly had mentioned "many dark actors playing games."^[21]^[22] He also received an email from his superiors at the Ministry of Defence asking for more details of his contacts with journalists.

At about 15:00, Kelly told his wife that he was going for a walk, as he did every day. He appears to have gone directly to an area of woodlands known as Harrowdown Hill about a mile away from his home, where he ingested up to 29 tablets of painkillers, co-proxamol, an analgesic drug and to have then cut his left wrist with a knife he

had owned since his youth.^[23] His wife reported him missing shortly after midnight that night, and he was found early the next morning.^[24] Questioned on a flight to Hong Kong that day, Blair denied that anyone had been authorised to leak Kelly's identity.^[25]

Hutton Inquiry

Main article: Hutton Inquiry

The government immediately announced that Lord Hutton would lead the judicial Hutton Inquiry into the events leading up to the death. The BBC shortly afterwards confirmed that Kelly had indeed been the single source for Andrew Gilligan's report. The inquiry took priority over an inquest, which would normally be required into a suspicious death.^[26] The Oxfordshire coroner, Nicholas Gardiner, considered the issue again in March 2004. After reviewing evidence not presented to the Hutton Inquiry, Gardiner decided there was no need for further investigation. This conclusion did not satisfy those who had raised doubts, but there has been no alternative official explanation for Kelly's death. The Hutton Inquiry reported on 28 January 2004 that Kelly had committed suicide. Lord Hutton wrote:

I am satisfied that none of the persons whose decisions and actions I later describe ever contemplated that Kelly might take his own life. I am further satisfied that none of those persons was at fault in not contemplating that Kelly might take his own life. Whatever pressures and strains Kelly was subjected to by the decisions and actions taken in the weeks before his death, I am satisfied that no one realised or should have realised that those pressures and strains might drive him to take his own life or contribute to his decision to do so.

Hutton concluded that the Ministry of Defence was obliged to make Kelly's identity known once he came forward as a potential source, and had not acted in a duplicitous manner. Hutton criticised the MoD for not having alerted Kelly to the fact that his name had become known to the press.

During the inquiry, a British ambassador called David Broucher reported a conversation with Kelly at a Geneva meeting in February 2003. Broucher related that Kelly said he had assured his Iraqi sources that there would be no war if they co-operated, and that a war would put him in an "ambiguous" moral position.^[11] Broucher had asked Kelly what would happen if Iraq were invaded, and Kelly had replied, "I will probably be found dead in the woods." Broucher then quoted from an email he had sent just after Kelly's death: "I did not think much of this at the time, taking it to be a hint that the Iraqis might try to take revenge against him, something that did not seem at all fanciful then. I now see that he may have been thinking on rather different lines." According to an entry in one of Kelly's diaries, discovered afterwards by his daughter Rachel at his home, this meeting did not take place in February 2003, but in February 2002. According to Kelly's half-sister, Sarah Pape, the day after his daughter Ellen's wedding on Saturday 22 February 2003, he flew out to New York. Pape told the inquiry, "he certainly did not mention he was going to be flying almost straight back to visit Geneva."^[27]

Fatality of ulnar artery cuts

Although suicide was officially accepted as the cause of death, some medical experts have raised doubts, suggesting that the evidence does not back this up. The most detailed objection was provided in a letter from three medical doctors published in *The Guardian*,^[28] reinforced by support from two other senior physicians in a later letter to the newspaper.^[29] These doctors argued that the autopsy finding of a transected ulnar artery could not have caused a degree of blood loss that would kill someone, particularly when outside in the cold (where vasoconstriction would cause slow blood loss). Further, this conflicted with the minimal amount of blood found at the scene. They also contended that the amount of co-proxamol found was only about a third of what would

normally be fatal. Dr Rouse, a British epidemiologist wrote to the *British Medical Journal* offering his opinion that the act of committing suicide by severing wrist arteries is an extremely rare occurrence in a 59-year-old man with no previous psychiatric history.^[30]^[dead link] Nobody else died from that cause during the year.

In December 2010 *The Times* reported that Dr Kelly had a rare abnormality in the arteries supplying his heart; the information had been disclosed by the head of the Academic Unit of Pathology at Sheffield University Medical School, Professor Paul Ince. Ince noted that the postmortem had found severe narrowing of the blood vessels, and said that heart disease was likely to have been a factor in Dr Kelly's death as the cut to the wrist artery would not itself have been fatal. Vice-President of the British Cardiovascular Society Ian Simpson said that Kelly's artery anomaly could have contributed to the scientist's death.^[31]

Dave Bartlett and Vanessa Hunt, the two paramedics who were called to the scene of Kelly's death, have since gone public with their opinion that there was not enough blood at the location to justify the belief that he had died from blood loss. Bartlett and Hunt told *The Guardian* that they had seen a small amount of blood on plants near Kelly's body and a patch of blood the size of a coin on his trousers. They said they would expect to find several pints of blood at the scene of a suicide involving an arterial cut.^[32]^[33] Two forensic pathologists, Chris Milroy of Sheffield University and Guy Rutty of Leicester University, dismissed the paramedics' claims, saying it is hard to judge blood loss from the scene of a death, as some blood may have seeped into the ground. Milroy also told *The Guardian* that Kelly's heart condition may have made it hard for him to sustain any significant degree of blood loss.^[34]

On 15 October 2007, it was discovered, through a Freedom of Information request, that the knife had no fingerprints on it.^[35] And neither a bottle of water he is assumed to have drunk from, mobile phone, glasses and three empty blister packs of pills^[36]

Doubts about the suicide verdict, and alternative theories for Kelly's death

The BBC broadcast a programme on Kelly on 25 February 2007 as part of the series *The Conspiracy Files*,^[37] the network commissioned an opinion poll to establish the views of the public on his death. 22.7% of those surveyed thought Kelly had not killed himself, 38.8% of people believed he had, and 38.5% said they did not know.^[38] On 19 May 2006 Norman Baker, Liberal Democrat MP for Lewes, who had previously investigated the Hinduja affair, which led to the resignation of government minister Peter Mandelson, announced that he had been investigating "unanswered questions" from the official inquiry into Kelly's death.^[39] He later announced that he had uncovered evidence to show that Kelly did not die from natural causes.^[40] In July 2006, Baker claimed that his hard drive had been wiped remotely.^[41] Baker's book *The Strange Death of David Kelly* was serialised in the *Daily Mail* before publication in November 2007. Family members of Kelly expressed their displeasure at the forthcoming publication, the husband of Kelly's sister Sarah saying, "It is just raking over old bones ... I can't speak for the whole family, but I've read it all [Baker's theories], every word, and I don't believe it."^[42] In his book Baker argued that Kelly did not commit suicide and examined the many unanswered questions he says surround the incident.^[43]

On 5 December 2009 six doctors began legal action to demand a formal inquest into the death,^[44] saying there was "insufficient evidence to prove beyond reasonable doubt he killed himself." In January 2010, it was disclosed that Lord Hutton had requested that all files relating to his postmortem remain secret for 70 years.^[45] In the summer of 2010, Attorney General Dominic Grieve was said to consider an inquiry to review the suicide finding.^[46] and Justice Secretary Ken Clarke considered a request from campaigning doctors to release medical files relating to Kelly's death.^[47]

In June 2010, *The Daily Mail* and *The Mail on Sunday* said they had found evidence of an alleged cover-up to hide a murder plot by persons unknown, for reasons unknown.^[48] Richard Spertzel, a UN weapons inspector, said Kelly was on a "hitlist" in the final years of his life. The former head of the UN Biological Section, who worked closely with Kelly in Iraq in the 1990s, wrote to Attorney General Grieve about "mysterious circumstances" surrounding Kelly's death.^[49] In July 2010 a former KGB agent Boris Karpichkov said he was told Kelly had been "exterminated" and his death made to look like suicide.^[50]

In early August, a group of nine experts, including former coroners and a professor of intensive-care medicine, wrote a letter to the British newspaper *The Times* questioning Lord Hutton's verdict.^{[51][52][53]} On 14 August 2010, Jennifer Dyson, a retired pathologist, amplified the criticism, saying that a coroner would probably have recorded an open verdict in the absence of absolute proof that suicide was intended. She cast further doubt on the circumstances surrounding the death of Kelly, and also criticized Hutton's handling of the inquiry. She joined other experts questioning the official finding that Kelly had bled to death and argued that it was more likely that he had suffered a heart attack due to the stress he had been placed under. This intervention came as Michael Howard, the former Conservative Party leader, became the most prominent politician to call for a full inquest into Kelly's death.^[54]

Confirmation of Hutton's finding of suicide

In October 2010, the postmortem that Hutton had requested to be sealed for 70 years to protect the Kelly family was made public by the new government. The report confirmed all the findings in the Hutton Report and undermined the other theories about Kelly's death that had been advanced in previous years. The original postmortem report by Dr Nicholas Hunt matched those in Hutton's original report. Hunt's report stated: "It is my opinion that the main factor involved in bringing about the death of David Kelly is the bleeding from the incised wounds to his left wrist. Had this not occurred he may well not have died at this time. Furthermore, on the balance of probabilities, it is likely that the ingestion of an excess number of co-proxamol tablets coupled with apparently clinically silent coronary artery disease would both have played a part in bringing about death more certainly and more rapidly than would have otherwise been the case. Therefore I give as the cause of death: 1a. Haemorrhage; 1b. Incised wounds to the left wrist; 2. Co-proxamol ingestion and coronary artery atherosclerosis."^{[4][55][56]}

Among prominent doctors who had raised doubts based just on published reports of the death, one physician and barrister, Dr Michael Powers QC, has not accepted the published postmortem and toxicology report and maintains that questions remain about the amount of blood found at the scene and the number of pills taken.^[57] Powers expressed scathing criticism of the lack of rigor of the Hutton enquiry, and asserted that the officially stated cause of death was highly implausible.

In popular culture

The death of Kelly and preceding events has served as an inspiration for artistic tributes and dramatisations including "Harrowdown Hill" by Thom Yorke^[58] and a painting titled *Death of David Kelly* (2008) by Dexter Dalwood.^[59] Simon Armitage's has published a poem, titled 'Hand-Washing Technique - Government Guidelines' and subtitled 'i.m. Dr David Kelly' - hinting at an internal cover up.

See also

- Downing Street memo
- Plame affair
- Hussein Kamel al-Majid
- Niger uranium forgeries

- Hans Blix
- Iraq Dossier
- Office of Special Plans
- Mobile weapons laboratory
- Iraqi aluminum tubes

Notes

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