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The Rt Hon Des Browne MP
Secretary of State for Defence
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Dear Des,

14 March 2007

Legal representation at inquests

I am becoming increasingly concerned about the lack of legal representation for families at inquests where the military are represented. I understand that the MoD are currently represented in around 10 per cent of inquests overall and in 20 per cent of inquests into operational deaths.

Participants at the meeting I had with the families of servicemen and women on 4 December and those attending the All Parliamentary Group on Army Deaths on 27 February made the point very forcefully that they felt at a disadvantage when they came to the inquest where the military were represented and they were not. This can add to the distress of the inquest for bereaved families.

I am also mindful of Nicholas Blake's Review following the Deepcut inquests, which recommended (recommendation 31) that, 'as part of the Military Covenant with the soldier, the MOD should ensure that the family of a deceased soldier have access to legal advice and, where appropriate, legal representation prior to, and during, the inquest or FAI.' I understand, however, that the MoD has no present intention of implementing this recommendation.

As you will be aware, legal aid is only available in a very limited number of circumstances and this is generally subject to families' means.

One solution to the problem might be for neither the military nor the family to be legally represented. Alternatively, funding should be provided to families for representation in those cases where the MoD is represented. I would look to your Department to fund this. Our initial estimate of the costs falling to MoD would be in the region of between £50k and £100K a year.

I know you share my concern on this
Yours
Harriet

I would welcome an early meeting to discuss this.

HARRIET HARMAN



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