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P.001

**dca**

Department for  
Constitutional Affairs  
Justice, rights and democracy

The Rt Hon Harriet Harman QC MP  
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Rt Hon Des Browne MP  
Secretary of State for Defence  
Main Building  
Whitehall  
London  
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Our ref: 158370

22 MAY 2006

Dear Mr Browne,

#### OXFORDSHIRE CORONER AND IRAQ DEATHS INQUESTS

I am concerned to ensure that coroners in all areas of the country carry out inquests in good time. I am particularly concerned that families of service personnel should not face a long period of time before the inquest is concluded.

I have been endeavouring over the past two weeks to get a full picture of the extent of the delay affecting inquests in Oxfordshire. I enclose a copy of the grid which has been compiled by my officials (who have spent time in Oxford this week) working closely with yours on producing information on inquests of fatalities repatriated to Brize Norton. We can now see whether delays in holding inquests in *operational* deaths in Iraq are because Board of Inquiry reports are not yet available or whether such reports have been produced but an inquest date has not yet been set. Last week an official from DCA Coroners Division went to the coroner's Oxford office to match the MoD information against the coroner's own records and to examine his files on non-operational and non military casualties whose bodies were repatriated to Brize Norton.

At present, according to the coroner's own records, which he says may not be wholly accurate, he has 39 military Iraq deaths and 5 civilian cases which are in his inquest queue. These figures exclude cases where he is awaiting evidential material from the MOD. The 5 civilian cases are held up because it is difficult to obtain any satisfactory evidential material from Iraq.

The earliest deaths where the coroner has yet to hold an inquest arises from the Sea King helicopter crash where the deaths of the 6 British service personnel occurred on 22 March 2003. The coroner has told my officials that he finds the technical complexity of the evidence in this case particularly daunting. He has not yet received papers relating to the earliest deaths (which occurred on the previous day - the CH46 Helicopter crash). The earliest civilian case is that of Terry Lloyd, the ITN journalist,



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DECLASSIFIED

DECLASSIFIED

P.002

whose death also occurred in March 2003.

Last week my officials were taken up with the task of finding out the details about the backlog. They are not yet in a position to tell me precisely how we should propose to the coroner that he deal with the backlog of Iraq deaths - which continues to increase with incidents in Iraq - in addition to his normal workload of some 2000 deaths reported and over 400 inquests annually. I have asked my officials to propose a timescale for the expeditious conducting of the backlog of inquests. As soon as I receive this - hopefully by the middle of this week - I will write again to you.

When I have that information we will need to address the issue of the additional resources that will clearly be needed to tackle the backlog. It is clear that the coroner needs additional resources and it would appear that neither Oxfordshire County Council nor Thames Valley Police can fund these unaided. Government has already given exceptional support to the coroner of £80K over this and the previous financial year. Having discussed this with the coroner my officials tell me that he considers that, provided the additional coroner's officer support continues, the main pinch-point is the studying of the pending cases and arranging and holding inquests - i.e. coroner time. The coroner says this would require an additional assistant deputy coroner working more or less full-time during the next two years, in other words £40k per annum for the officer support and £85k per annum for the additional coroner. We therefore estimate that the coroner may need additional staff costing in the region of £125K a year over a 2-year period. DCA is particularly poorly placed to fund this at present.

So far as other costs are concerned, the coroner is confident that the council chamber in Oxford is, and will continue to be, readily available except on those occasions that it is used by the council (5 times a year). Storage space for active papers is however limited. There does not appear to be a problem with the forensic pathology costs, which appear to be absorbed in the general costs of pathology services.

I will be able to let you know this week when each of the inquests which is in the backlog will be able to be held should those extra resources be able to be made available.

Without additional resources going in to Oxfordshire, I think we would need to consider moving away from the current position where all deaths, particularly individuals, repatriated to Brize Norton are handled by the Oxfordshire coroner without being transferred to other coroners to an arrangement where inquests are instead conducted by the coroner with jurisdiction in the home area of the deceased. I appreciate that this is not the preferred option of your Department. Though it would have the advantage of ensuring that inquests are heard earlier it would risk differing approaches for similar casualties.

I suggest we have a meeting to discuss this urgently.

HARRIET HARMAN

Approved by the Minister of State  
Signed in her absence

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