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Attorney General's Office

20 Victoria Street
London
SW1H 0NF

[REDACTED]
Ministry of Justice
Legal Directorate, 6th floor
102 Petty France,
LONDON
SW1H 9AJ

020 7271 2412

25th November 2010

Dear [REDACTED]

DR DAVID KELLY

As you are aware, a number of doctors with an interest in the circumstances surrounding the death of Dr Kelly have asked the Attorney General to exercise his powers under the Coroners Act 1988 to apply for a fresh inquest into the death. In support of their application they have submitted a memorial to the Attorney General setting out the matters they think support the view that a new inquest is "necessary and desirable in the interests of justice". One section of the Memorial is critical of the dual role of the Secretary of State for Justice and Lord Chancellor in setting up the Inquiry and in transferring the inquest proceedings to the Inquiry. It is also critical of the use of an Inquiry as substitute for an inquest. I enclose a copy of the relevant section of the Memorial.

It would assist the Attorney General in his consideration of this matter if he has the views of the Ministry of Justice on the issues raised by the doctors. The Attorney General will also want to write to Lord Falconer for any comments he may wish to make. In doing so, it would be useful to copy to him the Ministry of Justice response.

Please contact me if any further clarification would assist.

Yours ever

Kevin McGinty
kevin.mcginty@attorneygeneral.gsi.gov.uk