



# AGO

Attorney General's Office

20 Victoria Street  
London  
SW1H 0NF

Dr Richard Shepherd  
Department of Forensic Pathology  
Duncan Building  
Royal Liverpool House  
Liverpool  
L69 3GA

020 7271 2412

12<sup>th</sup> November 2010

Dear Dr Shepherd

**DR DAVID KELLY**

I am grateful to you for agreeing to take instructions in this case. I understand we are meeting on Monday and that will help clarify any issues you or we may have.

Essentially, what you are being asked to do is to examine all relevant material and advise on the following:

- Whether the conclusions set out in the death certificate are reasonable;
- Your own view on the cause of death;
- The legitimacy or otherwise of the criticisms that have been made of the forensic examination;
- Whether all proper steps were taken to determine whether the death was indeed self inflicted and no outside agency had been involved;
- How the material provided to Lord Hutton and Dr Hunt's examination in the Hutton Inquiry compared with what might have happened at an inquest

Clearly there is a degree of overlap. The final tiret is really based on the common complaint that an inquest would in some way be better than what happened at the Hutton Inquiry and we would be grateful for your views based on your own experience as a witness in many inquests. Of course, if there is any other comment you think would assist the Attorney General you should feel free to make it.

Whilst I have already asked whether you would be prepared to work with Dr Hunt, counsel has since advised that in order to ensure not only the undoubted fact of your review being independent, we should also be concerned to ensure the appearance of independence.

Counsel has advised that it would be desirable if you did not have any direct contact with Dr Hunt but seek any information or materials you require through Treasury Solicitors Department. Whilst the appearance of independence is clearly important, I simply don't know how this proposal will impact on your ability to carry out this work. I will speak to you about this on Monday.

I enclose a letter and a number of emails from a Dr Watt as well as one from Andrew Shuttleworth. These raise issues that are relevant to your considerations.

I will write to Thames Valley Police for a copy of the full police report plus witness statements from relevant witnesses. I will also ask whether reports that certain witnesses have changed their accounts are accurate and, if so, in what way has their evidence changed. I will provide this material to you when I have it. If there is any further information you need or think would be of use to you should let us know.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kevin McGinty', with a long horizontal flourish extending to the right.

Kevin McGinty  
[kevin.mcginity@attorneygeneral.gsi.gov.uk](mailto:kevin.mcginity@attorneygeneral.gsi.gov.uk)