

Claim No.CO/2682/10

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

BETWEEN:-

ERICA DUGGAN

Claimant

-and-

H.M. CORONER FOR NORTHERN  
DISTRICT OF GREATER LONDON

Defendant

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CLAIMANT'S SKELETON ARGUMENT FOR HEARING 20<sup>TH</sup>  
MAY 2010

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**Note: This skeleton argument is served for the hearing listed on 20<sup>th</sup> May 2010. Counsel for the Claimant apologises sincerely for its late service on the Court. At the time of drafting there has been no response to the Claimant's grounds of claim filed on 25<sup>th</sup> February and, so far as the Claimant is aware, the application is not opposed by HM Coroner. In such circumstances, this skeleton does no more than incorporate the detailed grounds within this document so that it may stand as the skeleton argument for the hearing. There is no need therefore to read the Detailed Grounds at pp3-7q of the First Bundle.**

**Time Est: 1hr – ½ day**

**Essential Reading:**

- (i) this skeleton**
- (ii) Fiat of the Attorney General – p.8**
- (iii) Witness statement of Erica Duggan p.10-15**
- (iv) Documents specifically referred to in this skeleton argument by page reference.**

1. These are the Claimant's grounds in support of an application made under the authority of the Attorney General for an order pursuant to s.13 of the Coroner's Act 1988 that:
  - (a) the inquisition in respect of Jeremiah Joseph Duggan taken before Dr W.F.G. Dolman, one of Her Majesty's coroners for the Northern District of Greater London on 8<sup>th</sup> November 2003; be quashed; and
  - (b) that another inquest be held [by the coroner concerned or] by the coroner for another district in the same administrative area; and
  - (c) that there be an order as to the costs of and incidental to the application in such form as the Court thinks just.

#### **A. Facts**

2. The Claimant is the mother of the deceased Jeremiah Duggan who died on 27<sup>th</sup> March 2003. He was found dead on the B455 road leading into Wiesbaden, Hessen in Germany. Jeremiah was a 22-year old student at the British Institute and the Sorbonne in Paris. In the days leading up to his death, he had been attending a conference in Wiesbaden organised by the LaRouche movement, a cult-like organisation which Ms Duggan now knows espouses a fascist and anti-Semitic ideology and is headed by Lyndon LaRouche, a convicted fraudster. Jeremiah is

unlikely to have been aware of the political background. He believed he was attending a conference concerning the problems in Iraq.

3. In the early hours on the morning of Jeremiah's death, he had made a series of telephone calls to his mother, Mrs Duggan, and his girlfriend, Maya Villaneuve. The substance of these calls (set out more fully in the Memorial to the Attorney General) indicated that Jeremiah was in serious trouble and required help in escaping from LaRouche organisation which he referred to as Nouvelle Solidarite - the name of an anti-semitic journal published by the organisation.
4. Such investigations as were carried out by the German police swiftly concluded that Jeremiah's death was a "suicide by means of a traffic accident", although no post mortem was carried out by the German authorities, and the German Public Prosecutions Office halted proceedings into Jeremiah's death on the grounds that the drivers allegedly involved had stated that Jeremiah had jumped out at the cars and therefore, there was no evidence of any third party involvement in his death.
5. On 31<sup>st</sup> March 2003 Jeremiah's body arrived in the United Kingdom. A non-forensic post-mortem examination was carried out by Dr David Shove, Pathologist, on 4<sup>th</sup> April 2003.
6. An inquest into the death of Jeremiah Duggan was opened on 8<sup>th</sup> April 2003 by Dr William Dolman, one of Her Majesty's Coroners for the Northern District of Greater

London, and adjourned to 6<sup>th</sup> and 7<sup>th</sup> November 2003. The evidence available to the Coroner at the Inquest included evidence from the following witnesses:

- (i) Erica Duggan [File 2, Tab 1.5(a)];
- (ii) Maya Villeneuve [File 2, Tab 1.5(a)];
- (iii) Detective Inspector Jane Cowell

And the following reports:

- (a) German Police Report dated 03.06.03 [File 2, Tab 1.5(b)];
- (b) Report of Robert Hawthorne (Accident Investigator) dated 08.09.03 [File 2, Tab 1.5(b)];
- (c) Post Mortem Report of Dr David Shove dated 04.04.03 [File 2, Tab 1.5(b)]; and
- (d) Toxicology Report by Dr Susan Paterson dated 30.04.03 [File 2, Tab 1.5(b)];

7. At the conclusion of the inquest, Dr Dolman delivered a narrative verdict (File 2, Tab 1.4) stating *“Jeremiah Joseph Duggan received fatal head injuries when he ran into the road in Weisbaden and was hit by two private motor cars. What other fact do we know that I must add? I really must add that he had earlier been in a state of terror. It is a word not commonly used in a Coroner’s court but no other word would reflect his state of mind at the time.”*

### ***B. New Information: Expert Evidence***

8. In the aftermath of the in uest, the Duggan family, unhappy with (i) the fact that the post-mortem had not established how Jeremiah's injuries were sustained, (ii) the insufficiency of the in uiry into the cause of death by the Coroner, and (iii) the outcome of the in uest, continued to investigate Jeremiah's death; engaged a series of experts to further investigate Jeremiah's death on the basis of the evidence gathered by the German authorities. As a result of this further investigation and analysis, new evidence has now come to light which contradicts the apparent assumption of the police, the German Public Prosecution Service, and Dr Dolman, the Coroner, that Jeremiah had run into the road with suicidal intent/'in a state of terror', was caught by one vehicle and then run over by another. That evidence is as follows:-

#### ***(1) Paul Canning: Forensic Photographer***

9. Mr Paul Canning is a Forensic Photographer, formerly of the Metropolitan Police. He produced two reports dated 22<sup>nd</sup> December 2005 (File 2, Tab 1.6) and 24<sup>th</sup> December 2006 (File 2, Tab 1.7). The first report was based on a series of photographs taken by Herr Jurgen Burg, German Accident Examiner, Police Officer Wittig and another unknown photographer. The second report is an addendum produced following a statement secured by Mrs Duggan from Herr Burg that the cars involved in the accident had been moved before he took the picture and before he had arrived on the scene.

10. Mr Canning, in his report dated 22<sup>nd</sup> December 2005, was struck by the lack of any biological traces on either of the cars that purportedly hit Jeremiah, which would indicate that neither had in fact collided with him. Mr Canning went on to conclude at page 59 of his report:

*“In my opinion the photographs taken on the B455 junction with Berliner Strasse do not adequately support the theory that Jeremiah Duggan ran against the Peugeot and was subsequently run over by the Golf. The images show an inaccurate confusing picture of events. I do not believe that they depict how Jerry came to meet his premature and alleged unlawful death. I believe that it is possible that Jerry lost his life elsewhere and was subsequently placed at the scene.”*

The report also contained the following significant observations (at p.59):-

- (i) *“I have never photographed a vehicle that has hit a person at speed and caused their death without there being some obvious signs that the body and vehicle have made contact.”*
- (ii) *“I have never seen or photographed a pointed / sharp dent in a car door that has been caused by an impact with a person. The dent is more likely to have been caused by contact from a heavy instrument, or even another vehicle.”*
- (iii) *“Both vehicles show the same light brown coloured, sandy substance that is seen on Jerry’s jeans and embedded in the treads of his training shoes – yet there is no sign of the sandy substance on the road ... it looks as though Jerry went through a significant quantity of wet sand.”*

11. His second report dated 24<sup>th</sup> January 2006 concluded, at p.20:-

*“The fact that the two vehicles had moved raises questions about the legitimacy of the investigation that was carried out, as there is no longer any scene integrity”*

***(2) Allan John Bayle – Forensic Scene Examiner report dated 3<sup>rd</sup> September 2005***

12. Mr Bayle provided a report dated 3 September 2005 (File 2, Tab 1.8). Mr Bayle is an independent forensic scientist of 30 years experience, formerly of the Metropolitan Police. Mr Bayle also examined the photographs of the scene of the accident and other photographs of Jeremiah's body.

13. Mr Bayle made the following observations in his conclusion (page 10):

- (i) *"The Blue Volkswagen car shows no evidence of hitting Mr Duggan, although there was damage to the front bumper, there were no fibres, hairs, blood or skin or any other evidence to prove that this car was involved in an accident."*
- (ii) *"The red / brown Peugeot 406 Estate car had considerable damage."*
- (iii) *"The windscreen has been hit with an instrument, possibly a crow bar or something similar. There was no evidence of any fibres, hairs, blood or skin on the broken glass."*
- (iv) *"The offside driver's door has been hit with probably the same instrument .... The dent in the side of the door was too sharp and pointed and therefore, could not have been made by the human body."*
- (v) *"Mr Duggan and the two cars were together in another place, possibly a builder's yard."*
- (vi) *"I could not find any evidence to show that these two vehicles ever came into contact with Mr Duggan. There appeared to be no tyre marks on Mr Duggan or his clothing"*
- (vii) *"The pathologist's report was very short and did not explain the lack of injuries consistent with a traffic accident."*
- (viii) *"I firmly believe this incident was stage managed and Mr Duggan met his death somewhere else and the body dumped in its position in the road."*

**(3) Terence Merston, Forensic Examiner (also ex-Metropolitan police)**

14. Terence Merston, a Forensic Examiner (also ex-Metropolitan police) visited the scene of Jeremiah's death in addition to viewing the photographs (File 2, Tab 1.9). Mr Merston states (page 6):

*“Based on my years of experience in attending thousands of crime scenes as a forensic scene examiner, it is my opinion that the evidence at the scene points towards Jeremiah's death being extremely suspicious and not a road traffic accident. It is also my view that the damage to the Peugeot car has been deliberately caused.”*

*“The alleged damage to the Volkswagen car (light lens missing and piece of lens hanging down) together with a total lack of physical evidence from Jeremiah on the vehicle, and vice versa, it is total (ibid) inconsistent with that vehicle having been involved in the alleged accident.”*

***(4) Herr Manfred Tuve – forensic scientist and engineer***

15. Herr Tuve a German forensic scientist prepared a report dated 19<sup>th</sup> September 2005 (File 2, Tab 1.10). His report is based upon the photographs of the incident and the notes and sketches of the positions at the scene prepared by Herr Burg (the German police accident investigator). Herr Tuve also examined the notes taken by the German police. He concludes as follows (page 8):

- i) *“The head injuries cannot be correlated to the damage on the right-hand side of the Peugeot vehicle”*
- ii) *“Had there been an impact or over-rolling, and considering the severe head injuries, then these traces should have arisen, and would per necessity have to have been discernible. The question therefore remains open as to from where the head injuries arise at all.”*



- iii) *“On the Peugeot, on the Golf and on the clothing of the deceased and in particular on the shoes there are mud coloured contaminations and adhesions. These do not correspond to the normal grey-black street dust .... It is necessary here to at least point to the possibility that all three objects, which are being discussed here, may, at some time prior to the described events, have been at some alternate location.”* [all Point 3]
- iv) *“Considerable reservations exist as to the course of events described in the accident report.”*

**(5) Dr Bernd Kopetz – German doctor of medicine**

16. Dr Kopetz carried out a preliminary medical comparison of the injuries sustained by Jeremiah in light of the eye witness description of the incident. The report was produced on 15<sup>th</sup> November 2005 (File 2, Tab 1.10). The report includes the following (pages 2-3):

- (i) *“The damage to the vehicle, and in particular the damage to the upper part of the front passenger door, evidences a massive collision of material deformation. In such damages corresponding injuries to the body of the person must be expected. No such injuries exist ....”*

**(6) Report of Dr Ivaca Milosavljevic, MD, MSc, Fpath.**

17. Dr Milosavljevic is a Forensic Pathologist. He produced a report, dated 15 March 2007 (File 2, Tab 1.12). In that report, Dr Milosavljevic concludes *inter alia* that:

- (a) *‘Dr Shove has established [an] abundant quantity of fresh blood in all respiration tracts and stomach and extensive bruising of the lungs. [This indicates] the direct aspiration of blood in both lungs to the level*

*of alveoli and is most probably the consequence of haemorrhage from the hurt blood vessels around the fracture of bones at the base of the skull and bones of the face ... It also indicates the fact that the death....was not instant, which should be expected from a head injury due to overrunning ...*

- (b) The injury of the head did not arise at once...but by multiple action of some other mechanical force...*
- (c) The shape, volume, localisation and symmetric pattern of the injuries on both arms indicate their defensive character, ie that these injuries had been inflicted most probably by multiple actions of the blunt side of a mechanical tool (fists, feet with shoes on, and similar object) brandished onto the surface of both hands ...and forearms when these parts of the body were in an elevated position level with the head, aiming to protect it from the action of the blunt side of the mechanical tool'.*

18. In addition to these conclusions (and as noted in the Memorial to the Attorney General) the Coroner's pathologist, Dr Shove, did not give evidence at the Inquest, so no questions were ever asked of him as to what his Post Mortem meant. In subsequent discussions with Mrs Duggan, Dr Shove stated that Jeremiah was not killed in a road traffic accident and proceeded to refer to his report to justify this finding. When asked to make a written statement to this effect he stated that he signed nothing unless directed by the Coroner to do so.

19. In the light of this new information, on 8<sup>th</sup> May 2007, an application for a new inquest was made by Mrs Duggan, under s13 (1)(b) of the 1988 Act to the Attorney General (File 2, Tab A).

20. Although initially declined by the Attorney General, the Attorney General agreed to reconsider the Claimant's memorial following the grant of permission to apply for judicial review.

21. As part of that reconsideration, the Attorney General was provided with two further translated statements:

- (i) Maria Karpowski (dated 10<sup>th</sup> October 2009, File 1, Tab 5.5)
- (ii) A police interview with Ms Ursula Caberta (dated 11<sup>th</sup> January 2010, File 1, Tab 5.6)

In the police interview with Ms Caberta, she refers to her contact with a Mrs Ingrid Meyer, the mother of Neils Meyer who is a La Rouche member and suspected of being involved in the death of Jeremiah Duggan. In discussing the death of Jeremiah Duggan, she reports that Neils Meyer had told his mother:

*“we have hunted him down”* and

*“it is right that he is dead, he is a traitor and a spy”*

The statement records that the contents of this conversation were reiterated by Mrs Meyer to Ms Caberta on a number of occasions and had been causing Mrs Meyer a great deal of distress because she believed that her son was partly responsible for Jeremiah Duggan's death. This statement is corroborated by that

of Maria Karpowski in which it is recorded that Jeremiah Dugan was suspected to have been a “spy” and had accordingly had been “hunted down” by La Rouche members.

23. On reconsideration of all the underlying documentation, the Attorney General granted her fiat on 17<sup>th</sup> January 2010 (File 1, Tab 3.1) in the following terms:-

“I HEREBY AUTHORISE ERICA DUGGAN, to make an application to the High Court of Justice for an order under the provisions of Section 13(1)(b) of the [Coroners’ Act 1988], washing the inquisition in respect of JEREMIAH JOSEPH DUGGAN taken before Dr W.F.G. DOLMAN, one of Her Majesty’s coroners for the NORTHERN DISTRICT of GREATER LONDON on 8 NOVEMBER 2003 and directing another inquest to be held touching the death of the said JEREMIAH JOSEPH DUGGAN.”

24. In the light of that decision, and by a letter dated 4<sup>th</sup> February 2010 (File 1, Tab 5.8), solicitors for HM Coroner Northern District have indicated that:

*“subject to receiving and considering the application, my client will not play any active part in the proceedings, save of course for circumstances where the Court so orders to the contrary.*

And that:

*“if your client’s application succeeds, and a fresh inquest is ordered, then my client is ready, willing and able to conduct that inquest if so ordered by the Court.”*

### ***C. Statutory Provisions***

26. Section 13 of the Coroners Act 1988 (File 1, Tab 6.1) provides:

*“13-(1) This section applies where, on an application by or under the authority of the Attorney-General, the High Court is satisfied as respects a coroner (“the coroner concerned”) either –*

- (a) that he refuses or neglects to hold an inquest which ought to be held; or*
- (b) where an inquest has been held by him, that (whether by reason of fraud, rejection of evidence, irregularity of proceedings, insufficiency of inquiry, the discovery of new facts or evidence or otherwise) it is necessary or desirable in the interests of justice that another inquest should be held.*

*(2) The High Court may –*

- (a) order an inquest or, as the case may be, another inquest to be held into the death either –
  - (i) by the coroner concerned; or*
  - (ii) by the coroner for another district in the same administrative area;**
- (b) order the coroner concerned to pay such costs of and incidental to the application as the court may appear just; and*
- (c) where an inquest has been held, quash the inquisition on that inquest.”*

#### **D. Authorities**

*(a) the power to order a fresh inquest under s.13 Coroners Act 1988*

29. In *R (Sutovic) v. HM Coroner for Northern District of Greater London* [2006] EWHC 1095 Admin (File 1, Tab 6.2), the Claimant was the mother of a young man who had died in Serbia. The mother of the Claimant was unhappy with the investigations that had occurred in Serbia and with the inquest which had taken place in the United Kingdom. The Claimant successfully petitioned for the inquest to be re-opened, the claim being brought by way of Judicial Review as well as an application under s.13. In considering the s.13 claim, Moses LJ reviewed the authorities and stated at [54]:

*“Notwithstanding the width of the statutory words, the factors of central importance are an assessment of the possibility (as opposed to the probability) of a different outcome, the number of shortcomings in the original inquest, and the need to investigate the matters raised by new evidence which had not been investigated at the original inquest”*

30. He also re-stated at [55] the principle from *R v. West Sussex Coroner ex p. Edwards* [1991] 156 JP 186 (File 1, Tab 6.3), which emphasises that it is the possibility of a different verdict rather than the probability of one which is significant:-

*“a new inquest may be ordered even if there is a high probability that the verdict would be the same”.*

Moreover, it is plain from a case such as *In Re Rapiet (dec'd)*, [1988] 1 QB 26 (File 1, Tab 6.4) that in considering the question whether it is “*necessary or desirable in the interests of justice*”, the Court’s consideration is on the issue whether the new evidence is such that if no fresh inquest is ordered, there is a real risk that justice will not have been done, and seen to be done. This is highly relevant because in the present case the new evidence opens new areas of inquiry which were not investigated at the inquest and might materially have altered the outcome.

30. Further the Claimant considers that it is important not to give over-much emphasis to the question of the possibility of a different verdict, and to remember that the importance of a fresh inquest lies in a full and proper investigation of the facts surrounding Jeremiah Duggan’s death. This is because:-

- (i) *“The nature of a verdict and the scope of the coroner’s investigations are different matters”*<sup>1</sup>
- (ii) *R v Inner West London Coroner, Ex p Dallaglio* is authority for the proposition that that the scope of the investigation is always likely to be wider than the eventual verdict, and to limit the inquiry to the last link in the chain of causation would be to defeat the purpose of holding an inquest at all.<sup>2</sup>
- (iii) Although the decision in *Jamieson* limits the interpretation of “how”, it does not disapprove previous authoritative statements such as:
  - (a) *“the word ‘how’ is wide and it is not possible to foresee every way in which someone may meet his death”*;<sup>3</sup>
  - (b) *“The function of an inquest is to seek out and record as many of the facts concerning the death as [the] public interest requires.”*<sup>4</sup>
  - (c) *“Although the possible verdicts at an inquest under the 1988 Act are circumscribed and, in particular must not ascribe criminal or civil liability, that does not mean that the facts should not be fully investigated.”*<sup>5</sup>

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<sup>1</sup> *R (Hurst) v. HM Coroner for Northern District London* [2007] UKHL 13; [2007] 2 AC 189; [75] per Lord Mance.

<sup>2</sup> *R v Inner West London Coroner, Ex p Dallaglio* [1994] 4 All ER 139, per Simon Brown LJ, p.155 and Sir Thomas Bingham, p.164; *Hurst* [21] per Baroness Hale.

<sup>3</sup> *R v Southwark Coroner, Ex p Hicks* [1987] 1 WLR 1624, p.134, per Croom-Johnson LJ, quoted by Baroness Hale at *Hurst*, [21]

<sup>4</sup> *R v South London Coroner, Ex p Thompson* (1982) 126 SJ 625, per Lord Lane LCJ; see also the Brodrick Committee’s “Report on Death Certification and Coroners” (1971, Cmnd 4810), [16.40], quoted by Baroness Hale at *Hurst*, [21]

<sup>5</sup> *Takoushis*, [41] per Sir Anthony Clarke MR; quoted by Lord Mance at *Hurst*, [70]

- (iv) Rule 43 of the 1984 Rules might lead the coroner to undertake a wider investigation than is required by the verdict alone in order to produce a report with a view to preventing the recurrence of such a fatality.<sup>6</sup>

### ***E. Submissions***

31. The Claimant's submission is that this Court can be satisfied that by reason of insufficiency of inquiry, the discovery of new facts or evidence, or otherwise, it is (i) necessary and/or (ii) desirable in the interests of justice that another inquest should be held. (s.13 (1)(b) of the Coroners Act 1988).

32. Having regard to the factors of central importance to be considered by the High Court in an application under s.13 (see [54] of *Sutovic*), viz:

- (i) the assessment of the possibility (as opposed to the probability) of a different verdict
- (ii) the number of shortcomings in the original inquest;
- (iii) the need to investigate matters raised by new evidence which had not been investigated at the original inquest;

the Claimant submits as follows:-

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<sup>6</sup> *Hurst*, [74] per Lord Mance



**(i) possibility of different verdict**

33. Dr Dolman gave a short narrative verdict to the effect that Jeremiah Duggan ran into the road in a state of terror. He did not complete Box 4. on the Inquisition (the place for a traditional short-form verdict such as accidental death; suicide; etc). The verdict, such as it is, is therefore the short narrative account entered into Box 3. Clearly the new facts and evidence referred to above raise the possibility of a different verdict dealing with more of the material facts surrounding the death, and reaching a different conclusion as to how Jeremiah Duggan came by his death.

**(ii) The number of shortcomings of the original inquest**

34. There were a number of shortcomings of the original inquest which have led to the family's attempt to obtain a new inquest and further evidence. In particular:

- (i) the failure to accede to an adjournment request to allow the family to obtain further relevant evidence. The coroner was aware of the significant gaps in the evidence but refused an adjournment sought to seek to fill those evidential gaps.

- (ii) The failure to accede to the adjournment request to allow the family to seek to facilitate co-operation from the German Authorities with the Inquest. This might have allowed witnesses from abroad to attend (if necessary under court order) to attend and give evidence.
- (iii) The decision to proceed on the basis of what was known to be incomplete evidence when there was a real prospect that further evidence might soon come to light to assist in the Coroner's inquiry.
- (iv) The failure to call Dr Shove to give oral evidence to explain his post-mortem.

**(iii) the need to investigate matters raised by new evidence which had not been investigated at the original inquest**

35. The new evidence referred to above raises a host of new matters which should properly form part of the Coroners' investigation. These include the following (the list is not exhaustive):-

**Causation of injuries and death**

- (a) There is now evidence (e.g. Dr Milosavlevic) that there is no possibility that the injuries to the head occurred because a vehicle ran over the body. The new Coroner will need to reconsider how the deceased came by his injuries and his death, the fundamental function of the Coroner under the Coroners' Act 1988.
  
- (b) the photographic/forensic scene examiner evidence (e.g. Paul Canning and Terence Merston) suggests that there is a distinct possibility that Jeremiah Duggan lost his life elsewhere and was placed at the scene. This possibility of deliberate foul play and stage-managing the accident must be investigated by the new Coroner.
  
- (c) the forensic science evidence (Manfred Tuve) concludes that the head injuries cannot be correlated to the damage on the right hand side of the Peugeot alleged to have hit Jeremiah, tending to suggest that the Coroner's conclusion is not supportable on the evidence.
  
- (d) The medical evidence of Dr Kopetz, suggests that the injuries suffered by Jeremiah are inconsistent with the running down accident again, tending to suggest that the Coroner's conclusion is not supportable on the evidence

- (e) The medical evidence of Dr Milosavljevic concludes that death was not instantaneous, that the head injuries seem to have been caused by the multiple action of some mechanical force, and that the injuries inflicted are most consistent with a multiple actions on the blunt side of a mechanical tool (fists, feet with shoes on, and similar objects, when these parts of the body were in an elevated position level with the head, aiming to protect it from the action of the blunt side of the mechanical tool. None of these matters have been included into for the reason that this evidence was not available at the time of the earlier inquest. A new Coroner will be obliged to investigate this possibility if only to exclude it.
- (f) The evidence of Dr Shove, and what he is reported as saying to Mrs Duggan after the post-mortem. These are clearly important issues, and it is unfortunate that Dr Shove was not called to give evidence by the Coroner. There no reason to think he cannot now be called to give evidence before a fresh inquest.

#### **Evidence of foul play/deliberate killing/injury**

- (g) the evidence of Maria Karpowski and Ms Ursula Caberta suggests that there may have been a deliberate attempt to hunt down and kill Jeremiah Duggan by members of the Nouvelle Solidarite. Part of the purpose of the

inquest will be to investigate such matters, either to exclude them and therefore lay to rest suspicions, or conclude that they are sufficiently concerning to warrant the Coroner making report to the relevant authorities.

- (h) The credibility of the account that Jeremiah Duggan ran some 5 ½ kilometers prior to throwing himself under oncoming traffic (see paragraph 16 of the statement of Erica Duggan dated 24<sup>th</sup> February 2010, File 1, Tab 4.1).
- (i) The inconsistent accounts give of the circumstances in which those persons who last saw Jeremiah alive say he left them. Both of these matters go to the true cause of death and the possibility of deliberate foul play. Matters which ought to be properly investigated by the fresh inquest.

## **F. Conclusion/Relief sought**

36. For the reasons set out above, it is both necessary and desirable in the interests of justice that another inquest be held. The Claimant therefore seeks orders that:

- (i) the inquisition in respect of Jeremiah Joseph Duggan, taken before Dr W.F.G. Dolman, one of Her Majesty's coroners for the Northern District of Greater London on 8<sup>th</sup> November 2003 be quashed
- (ii) that another inquest be held [not by the same Coroner]
- (iii) there be an order as to the costs of and incidental to the application in such form as the Court thinks just.

**JEREMY HYAM**  
1 Crown Office Row

11<sup>th</sup> May 2010