



## **The Campaign for a Fresh Inquest into the Death of Geoffrey Thomas Campbell on September 11, 2001: A Summary**

The family of Geoffrey Thomas Campbell, a British national who died in the terrorist attacks of September 11, 2001, is seeking a fresh inquest under Section 13 of the UK Coroners Act 1988.

Mr. Campbell's family believes that a substantial amount of evidence was not presented to or considered by the Coroner at the first Inquest. The Campbell family believes that this new evidence contradicts key details in the Coroner's findings — specifically, that the impact of the aircraft into World Trade Center 1 (where Mr. Campbell was at the time of the attack) caused the building's subsequent total destruction. The Campbell family believes that the substantial evidence not considered at the first Inquest overwhelmingly supports the conclusion that the destruction of WTC 1 (as well as the destruction of WTC 2 and WTC 7) was caused by the use of explosives and incendiaries.

The Campbell family will take the first step toward obtaining a fresh inquest by submitting an application to the Attorney General for England and Wales in January 2021, seeking her authority to apply to the High Court for an order granting a fresh inquest.

The Campbell family is represented by Nick Stanage, a barrister at Doughty Street Chambers. Mr. Stanage specializes in actions and complaints against the police, inquests, public inquiries, human rights, and judicial review. He sits as an Assistant Coroner and as a Legally Qualified Chair of Police Misconduct Hearings. He is also an adviser to the United Nations, other international organizations, governments, judiciaries, prosecution, and police services on criminal justice, fair trial rights, and human rights.

### **Background**

Mr. Campbell was attending a Risk Waters conference on the 106<sup>th</sup> floor of WTC 1 when the building was struck by an aircraft at 8:46 AM on September 11, 2001. He later died in the destruction of WTC 1 at 10:28 AM. Mr. Campbell's fragmented remains were identified by DNA analysis in 2002, 2004, 2008, and 2013.

An Inquest into Mr. Campbell's death was held at West London Coroner's Court before Her Majesty's Coroner Alison Mary Thompson on January 29, 2013. In the same hearing the Coroner also heard and concluded inquests into the deaths of nine other British victims who died in the destruction of the Twin Towers and whose remains had been repatriated to the UK.

Inquests are fact-finding inquiries as to the medical cause of death, who the deceased was, when and where he died, and how he came by his death, i.e., what facts caused the death.

The Coroner's findings regarding the time, place, and circumstances in which Mr. Campbell sustained his injuries were as follows (underlining added):

*At 8.46 am on 11 September 2001 the deceased was on the 106th floor of the North Tower of World Trade Centre when an aircraft (AA11) was deliberately flown into the building, causing its collapse at 10.28am. This event was part of a coordinated attack by the Islamist militant group Al-Qaeda.*

On the basis of the substantial evidence not considered at the first Inquest, the Campbell family disputes the Coroner's finding that the impact of the aircraft into WTC 1 caused the building's subsequent total destruction. By extension, the Campbell family disputes the Coroner's conclusion of "Unlawful killing in an act of terrorism overseas" insofar as the act of terrorism that caused Mr. Campbell's death is understood to be the flying of an aircraft into WTC 1.

### **The Application for a Fresh Inquest**

An application for a fresh inquest cannot be made directly to a Court. Any application for a fresh inquest must be made directly to the Attorney General for England and Wales ("AG"), currently the Right Honourable Suella Braverman QC MP.

Although the AG is currently also an elected Member of Parliament (Conservative, the party in power since December 2019), she is under a duty to make her legal decisions based on evidence alone and therefore without regard to party or other politics. The AG is a senior law officer of the Crown whose constitutional role for the present purpose is to protect the public interest, which here means deciding upon applications for her authority (sometimes called "consent," "permission," or "fiat") to apply to the High Court for a fresh inquest. Without such authority, there can be no application to the High Court for a fresh inquest.

The AG must consider the application in order to determine whether she will grant authority for the Campbell family to apply to the High Court for two orders, namely: (1) an order quashing the previous inquest of January 29, 2013, and its Inquisition; and (2) an order that the Coroner's Court hold a fresh inquest into the death of Mr. Campbell, considering the new evidence and any other evidence the Coroner's Court may deem relevant.

The law upon which the application to the AG must be based is in Section 13 of the Coroners Act 1988, which provides as follows:

*the High Court, upon application made by or under the authority of the Attorney General, must first be satisfied ...*

*where an inquest [...] has been held by a coroner, that (whether by reason of fraud, rejection of evidence, irregularity of proceedings, insufficiency of inquiry, or the discovery of new facts or evidence or otherwise) it is necessary or desirable, in the interests of justice [...] that another inquest or investigation should be held.*

The Campbell family's application will be based on "the discovery of new facts or evidence." Under existing case law, the substantial evidence not considered at the first Inquest should constitute "new evidence" sufficient to satisfy Section 13 of the Coroners Act.

The High Court's interpretation and application of Section 13 will guide the AG's review of the Campbell family's application. The High Court observed in Attorney General v HM Coroner of South Yorkshire (West) [2012] EWHC 3783 (Admin) that if the AG's authority is given then:

*the 'single question' for the High Court is whether the interests of justice make a further inquest either necessary or desirable.*

This "single question" test was most recently applied by the High Court in Sylvia Rushbrooke v Coroner for West London [2020] EWHC 1612 (Admin), judgment of June 20, 2020. It is therefore current.

In the leading modern case on the "single question" test, which concerned the Hillsborough disaster inquests, the Court expressed it as follows (underlining added):

*The single question is whether the interests of justice make a further inquest either necessary or desirable. The interests of justice, as they arise in the coronial process, are undefined, but, dealing with it broadly, it seems to us elementary that the emergence of fresh evidence which may reasonably lead to the conclusion that the substantial truth about how an individual met his death was not revealed at the first inquest, will make it both necessary and desirable in the interests of justice for a fresh inquest to be ordered. The decision is not based on problems with process, unless the process adopted in the original inquest has caused justice to be diverted or for the inquiry to be insufficient.*

Where there is new evidence, the Courts in recent times have in substance relied on the test of whether there was a "real possibility" of a different verdict.

### **Evidence Not Considered at the First Inquest**

The Campbell family believes that the substantial evidence not considered at the first Inquest overwhelmingly supports the conclusion that the destruction of WTC 1 (as well as the destruction of WTC 2 and WTC 7) was caused by the use explosives and incendiaries. This evidence can be organized into the following five categories:

- Evidence of Thermite Reactions (thermite is an incendiary used to cut steel)
- Constant Near-Free-Fall Acceleration of WTC 1's Upper Section
- Explosiveness of the Destruction
- Seismic and Eyewitness Evidence of Explosions
- Demonstrable Inadequacy of the Fire-Induced Collapse Hypothesis

The Campbell family's application to the AG is expected to include several dozen peer-reviewed papers, original data, and expert testimony laying out this evidence.

Based on the strength of the evidence, which proves that the truth of how Mr. Campbell met his death was not revealed at the first Inquest, the Campbell family fully expects that the AG will grant her authority to apply to the High Court and that the High Court will order a fresh inquest.