

Darrim Daoud Inquest

DOD: 15.11.2009

Pre-Inquest Review 11.1.11

Minutes of Outcome

Since the hearing it has been found that the tape recording of proceedings is unfortunately of extremely poor quality and unlikely to be sufficiently clear to transcribe. Further taking account of Mr Allman's request that the Coroner provide full reasons for her decision in respect of his application she has decided that she will provide Mr Allman and all PIPs with written reasons for her decision shortly.

Properly Interested Persons (PIPs)

- Ms Perry and Mr Daoud (parents) and BTP are considered properly interested persons.
- An application made by Mr Allman to be designated as a PIP was refused

Representation

- No PIP legally represented at present - Mr Daoud will notify the coroner's office if the position changes.

Scope of the Inquest

- Will include (a) background information about Mr Daoud's mental health and his contact with Mental Health Services and his GP. (b) consideration of his reports to others regarding harassment from 14 October onwards to include statements made to Mr Allman (c) events of 15.11.09.

Witnesses (provisional running order as below)

- Dr Wilkins – pathologist – ***pm report to be read under r.37***
- Mr Daoud (preparing statement to be provided by 1st February 2011)
- Dr Spoto or Dr Balakrishnan (psychiatrist) (statement already provided by Dr Spoto)
- Dr Donnelly (GP) (statement available)
- Mr John Allman (statement available)
- Ms Amanda Palmer (preparing a statement to be provided by 1st February 2011)
- Mr Muthuraman (shopkeeper) – ***statement to be read r.37***
- Mr Howse (rail worker) – ***statement to be read r.37***
- Mr Mohammed - **statement now obtained by BTP still to be provided to Coroner's Office**
- Inspector Ancell

Jury Exhibits bundle

- You Tube DVD -
- Email DD to Mr Allman Oct 18 2009 3:38pm
- Photographs of scene x 6

- Map of scene

Disclosure to PIPS

- All PIPs may have copies of the documents and statements of witnesses named above if they so wish

Further evidence/documents

- Psychiatric records from 2007 2008 provided by Sussex Partnership Trust
- GP records being sought - still awaited

Listing dates

5 and 6 May 2011 at Horsham Magistrates Court, 10 am

NB: Inspector Ancell must be heard on 5 May as unavailable 6 May

In the West Sussex Coroner's Court

Inquest touching the death of Mr Darrim Daoud

Pre-Inquest review hearing: 11.1.11

APPLICATION TO BE CONSIDERED A PROPERLY INTERESTED PERSON

Ruling

The Application

1. Mr Allman – who knew the deceased, Mr Darrim Daoud - has made an application to be considered a properly interested person at the inquest into Darrim's death. In making that oral application Mr Allman referred me to parts of his witness statement dated 10 January 2011 which I read and considered in its totality. He has also provided a number of documents on earlier occasions, which I have reviewed.

The Background

2. Darrim Daoud was found deceased in a remote place beside a railway line on 15 November 2009 having suffered multiple traumatic injuries. An inquest into his death is to be held by me before a jury on 5 and 6 May 2011. Witnesses who will be called at the inquest include a consultant psychiatrist who treated Darrim for delusional disorder, a taxi driver who recalls driving Darrim to a place near the railway line on the day of his death, and the British Transport Police (BTP) inspector who investigated the death. Mr Allman will also be called. Darrim's mother and father (separately) and the BTP have already been accorded the status of properly interested persons at the inquest.
3. Prior to his death Darrim is said to have believed that he was a "targeted individual" a victim of what Mr Allman describes as "organised stalking" and "electronic/electromagnetic harassment" whereby the victim is non-consensually subject to the deployment of technology that monitors or influences human thought and can also cause physical injury.
4. Mr Allman shares some of Darrim's beliefs and he has formed a group called "*Christians Against Mental Slavery*" which objects to the use of such technology against citizens. Mr Allman describes himself as "known as a support and contact in the UK for persons who identify themselves as victims of electromagnetic harassment and organised stalking".
5. Mr Allman has told the court that he wishes to be designated an interested person because of a promise he made to Darrim. Darrim believed unidentified persons wished to harm him and before his death Mr Allman discussed with Darrim appointing people to "make a fuss" if one is "killed" and the police or coroner appear to be trying to avoid investigating the death as a possible homicide. In a letter sent to the Coroner's Office shortly after the death in December 2009 Mr Allman stated that he had promised Darrim that if his body were to be found with signs of violent death, he would "intervene in the coroner's inquest to ensure that a true verdict of unlawful killing should be reached not a false verdict of suicide".

6. He believes that interested person status at the forthcoming inquest would make him best able to fulfil the duty he feels he owes to Darrim arising from that promise. Further he informed me that he had dealt with many other people who like Darrim believe they are "targeted individuals" and have expressed a fear they would be "bumped off". He has previously reassured those people that their fear is groundless and he says "it is a shock" to him that the reassurances he has previously given "have now turned out not to be true". He stated it was important to him that the strategy he suggested of appointing others to in his words "make a fuss" is one that he can say does work to protect 'targeted individuals'.

History given by Mr Allman

7. Mr Allman's statement describes how he first came to know of Darrim in September 2008. In the following 14 months he received around 24 emails from Darrim and they also had some telephone conversations. They met on only two occasions: the first time at Darrim's home on 4 October 2009 and the second time at a public gathering in London on 14 October 2009 approximately a month before Darrim's death. That gathering was part of a "World Day of Protest" by those who believed they were being subject to organised stalking and electronic/electromagnetic harassment. The demonstration, which had been organised in part by Darrim through the internet, was attended by seven others including Mr Allman and his partner (Ms Palmer).
8. Mr Allman states that it was at their very first meeting on 4 October 2009 that Darrim and he (along with Ms Palmer) discussed together whether one could do anything to protect oneself from organised stalking. They particularly discussed the situation where a person was in fear of being killed in such a manner that his death appeared accidental or suicidal and where the person also believed that the police would not be motivated or able to offer protection. They discussed the solution as being "telling people and appointing those people to 'make a fuss' if the client is killed and the police or coroner appear to be trying to avoid investigating the death as a possible homicide".
9. Darrim reported to Mr Allman that he had received death threats from unidentified person(s) after the protest on 14 October 2009. Given the apparent circumstances of Darrim's death Mr Allman now appears to believe that a third party was involved in Darrim's death, although he also suggests other possible scenarios (which he describes as 'still unlikely') as being that Darrim harmed himself fatally either because he was driven to that action by the electromagnetic harassment to which he was being subject or, because he was reduced to a state of carelessness by sleep deprivation caused being stalked and electromagnetically harassed.
10. At the inquest I intend to call Mr Allman to give oral evidence as to matters within his witness statement. Mr Allman clearly has relevant evidence to give about Darrim's state of mind, his beliefs and his experiences near the time of his death. What Darrim said to Mr Allman in October 2009 and Darrim's beliefs and experiences near the time of his death in respect of electromagnetic harassment and organised stalking is relevant evidence for the jury consider. I also intend to introduce to the jury through Mr Allman the content of a number of email messages authored by Darrim in November 2009 which appear relevant to Darrim's state of mind and his sleep patterns in the few days before his death.
11. However Mr Allman wishes not only to assist the inquiry by giving evidence, but also to be able to challenge the evidence given by other witnesses. Mr Allman stated he is concerned that

something might be said in court that raises a question in his mind, in light of what he knows about Darrim, that ought to be asked but, because others do not know the information he knows, the question remains unasked. As an example he suggested he might wish to question the pathologist about a mark on Darrim's face and whether this could have been a burn caused by an electromagnetic weapon before the death he says this would be particularly important if the pathologist should erroneously assume this mark to have been caused by impact with a train.

12. Mr Allman sought to assure me that he would not abuse the privilege by questioning expansively or trivially or by being an annoying or troublesome 'litigant in person'. Having witnessed Mr Allman's very appropriate manner and approach in court today I have no doubt that he would conduct himself properly in court and accept my authority and rulings. Hence I can assure him that consideration of how he might behave in court forms no part of my decision as to whether he should be accorded the rights of a properly interested person.

Mr Allmans's submission

13. In support of his application Mr Allman submitted to me that I should first reach a finding of fact as to whether he is being truthful when he recounts his promise to Darrim. If I find his statement to be truthful, he submits I should then consider whether, in law, the wishes of deceased expressed before his death that certain person ensures his death is fully investigated are cause for a coroner to make that person a properly interested person.
14. He stated that if he were not an interested party I would be unable to hear from him no matter how relevant his questioning may be and hence I would be fettering my inquiry.

Decision

15. I have no reason to doubt Mr Allman's account of his conversation with Darrim on 4 October 2009. This being a pre-inquest review no evidence has been heard under oath, however Mr Allman has provided the court with a signed witness statement and he gave a consistent account in earlier correspondence very shortly after the death. I find that, on the balance of probabilities, that the promise he describes was given. Similarly, I accept his evidence as to the history of his relationship with Darrim.
16. The relevant statutory provisions I must consider are those of s.20 Coroner's Rules 1984 which provide, in subsection (1), that an entitlement to examine witnesses shall be given to any person who satisfies the Coroner he falls within the categories in subsection (2). Those categories are:
 - (a) a parent, child, spouse and any personal representative of the deceased;
 - (b) any beneficiary under a policy of insurance issued on the life of the deceased;
 - (c) the insurer who issued such a policy of insurance;
 - (d) any person whose act or omission or that of his agent or servant may in the opinion of the coroner have caused, or contributed to, the death of the deceased;
 - (e) any person appointed by a trade union to which the deceased at the time of his death belonged, if the death of the deceased may have been caused by an injury received in the course of his employment or by an industrial disease;

- (f) an inspector appointed by, or a representative of, an enforcing authority, or any person appointed by a government department to attend the inquest;
- (g) the chief officer of police;
- (h) any other person who, in the opinion of the coroner, is a properly interested person.
17. Mr Allman does not suggest that he falls within the categories at (a) to (g) above and I also find that he does not. The key provision is that at 20(2)(h), the issue being whether I am of the opinion that Mr Allman is properly interested.
18. The words "properly interested" in subsection (2)(h) are not further defined and should be given their ordinary meaning. In forming my opinion I have considered the cases of Exp Driscoll (1994) COD 91 and Al-Fayed [2000] Inquest Law Reports 50.
19. In Driscoll Kennedy LJ held that there were no general terms defined as to who should be considered properly interested under r.20(2)(h) but one must look at the rule as a whole and the circumstances of the particular case. Pill J, in the same case, considered that the categories (a) to (g) provide a "guide" to the types of interest envisaged in (h). Further the phrase 'properly' imported a notion that the interest must be "reasonable and substantial" and also directed at the proper scope of the inquest as defined under r.36.
20. I have firstly considered, with regard to the categories (a) to (g) of properly interested persons, whether there are any close similarities to the applicant's position. Only sub-section (a) is potentially relevant that category covering close family members and 'personal representatives' (those who have a legal duty in relation to the estate of the deceased). In comparing Mr Allman's position with those named in that category it is of relevance that the association between Mr Allman and Darrim was very brief they became acquainted through the internet and met on only two occasions for a few hours, once at a gathering in public and once at Darrim's own home. I am not satisfied that the relationship between Mr Allman and Darrim was close enough to have sufficient similarities with those mentioned in sub-section (a).
21. However as Mr Allman submits, I must also consider the promise I find he made to Darrim in forming my opinion. That promise is not sufficient to persuade me that Mr Allman should be considered properly interested within sub-section (h). Firstly because I note that this was a promise made by someone Darrim had never met before which was made on the first occasion that they met. Secondly, I have considered whether in using the 'interested person' status to fulfill that promise Mr Allman would have a "reasonable and substantial" interest directed at the proper scope of the inquest as defined under r.36.
22. Mr Allman's interest is in exploring and/or pursuing his own belief that Darrim's death may have been a homicide or in some way resulted from the use of electromagnetic weapons. I accept that in establishing how Darrim came by his death one matter the jury must consider is whether there is any evidence of third party involvement in the death. In the light of representations previously made by Mr Allman to the Coroner's office and the BTP the possible involvement of a third party has been investigated in detail in the course of the BTP investigation and no evidence of third party involvement found. In the material currently before the court there is no evidence of third party involvement save for the belief of Mr Allman. Further, beyond the firmly held beliefs of Darrim and Mr Allman there is no evidence of the existence or use of electromagnetic weaponry available to the court which could form a proper basis for challenging

- the evidence of any witness. In so far as Mr Allman's purpose is to explore or establish the truth of his and Darrim's beliefs about such weapons this is outside the scope of this inquiry as defined in r.36.
23. Finally that Mr Allman is an important witness of fact, or that he represents a group who share some of Darrim's beliefs is not sufficient to satisfy me that he should be accorded status of a properly interested person.
 24. Therefore I do not accede to Mr Allman's application, as in my opinion he is not a properly interested person. However I shall keep that decision under review and it is open to be revisited during the inquest proceedings should there be any relevant change of circumstances.
 25. As a post-script, on being informed of my decision Mr Allman asked whether it was instead permissible for him to put questions in writing during inquest to me for me to ask the witnesses. Whilst I have a wide discretion as to how to conduct this inquiry my view is that to accept such an approach would be tantamount to allowing Mr Allman to have the interested person rights I have declined to give him through the back door and I do not intend to adopt such a procedure.
 26. However I shall be conducting a full and frank inquiry into this death and I would not wish to prevent a potentially relevant matter being drawn to my attention by any person during the course of the inquiry. Therefore should Mr Allman (or any other witness) believe there is a relevant matter that he would wish to draw to my attention he will be at liberty to do so and I will then consider whether the matter should be put to a witness or before the jury.
 27. Further once the factual evidence has been heard I am prepared to consider re-calling Mr Allman to give any supplementary factual evidence should he identify to me any relevant matter in respect of which he can give evidence that has up until that stage been overlooked.
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BRIDGET DOLAN

ASSISTANT DEPUTY CORONER

14.1.11