

AMNESTY INTERNATIONAL

Media Briefing

AI Index: EUR 45/010/2003 (Public)
News Service No: 144
18 June 2003

Embargo Date: 18 June 2003 13:30 GMT

The case of Private Cheryl James

Pte Cheryl James from Llangollen, North Wales, was only 18 years of age when her lifeless body was discovered in woodland outside the Deepcut Barracks with a single gunshot wound to her forehead on 27 November 1995. She had joined the Army six months earlier. Reportedly, her body was found 90 feet outside the perimeter fence with her rifle beside her, near some woods opposite the guard post where she had been alone on a routine patrol.

From the beginning the Army reportedly stated that she had taken her own life. In this connection, Pte Cheryl James's family has expressed concern about the inadequacy of the original SIB's investigation into their daughter's death. They maintain that they have Army documents dated 14 December 1995 which refer to Pte Cheryl James's death as a suicide. However, the inquest into her death was not actually convened until a week later on 21 December and eventually the coroner recorded an "open" verdict.

The family believes that the Army assumed suicide in the case of their daughter's death from the very beginning, although both the Army and the MoD have consistently denied having made any such assumption. The family has documents showing that the SIB referred to Pte Cheryl James's "apparent dislike of military life and personal problems" although in the very same document they also remark that she "showed no dislike of the Army whilst completing Phase 1 or Phase 2 [of her] training". The family considers that as a result of their assumption any subsequent investigation was flawed. In this connection they told Amnesty International: "If you 'know' it is suicide then you have no reason to 'prove' that is the case."

Another concern expressed to Amnesty International by Pte Cheryl James's family is the absence of basic forensic evidence connecting her death with her rifle. The family told Amnesty International that not even the most basic forensic evidence supporting the self-inflicted death theory was presented at the inquest into their daughter's death. They maintain that the police have confirmed to them that no such evidence was in fact collected. In early 1996 the family wrote to the MoD asking a number of questions in relation to the forensics, such as whether a thumb print of Pte Cheryl James had been found on her rifle -- a piece of evidence which would have corroborated the suicide theory by connecting her death with the reported weapon. However, in its reply the MoD dismissed the family's line of questioning by stating that the rifle was a group weapon and that, therefore, no advantage would have been gained by obtaining a thumb print.

A further concern expressed by the family to Amnesty International pertains to the procedures for disposing of items/evidence and the related absence of any form of audit trail regarding disposal. In their

daughter's case the bullet collected at the post-mortem examination has since disappeared. While there is a witness who says that the bullet was collected and labelled, no documentary evidence exists to indicate what happened to it subsequently.

In addition, Pte Cheryl James's family has expressed concern that the Army Board of Inquiry which followed the inquest was held in secret. Her parents were neither informed it was to be held, that it had been held, nor that it had been completed. It was only in September 1996, after nine months, that they received a copy of the report and realized that the Army Board of Inquiry had been held in January of that year and had reached the conclusion that Pte Cheryl James had committed suicide. Moreover, the conclusion of the Army Board of Inquiry was recorded despite one member of the three-person board registering a "Statement of Disagreement" on 19 January 1996. According to the family of Pte Cheryl James, who is in possession of a copy of such statement, the disagreement was on the basis that (1) the Board had intimated that Pte Cheryl James was immature, whereas the "Statement of Disagreement" states that there was nothing offered in evidence to support this assertion; and that (2) a recommendation regarding training had been deemed to be outside of the Terms of Reference of the inquiry. The "Statement of Disagreement" concluded:

"It is appreciated that the wider picture was looked at, however, there was nothing given in any form of evidence to suggest that the training of [Pte Cheryl James] was an inherent factor in her death. Therefore any suggestion of a recommendation for a radical review of training cannot be supported. I feel that the line of questioning from the outset was incorrect and improper, definitive statements were made of a misogynistic nature, which I felt were not conducive to the nature of the Board of Inquiry."

Amid allegations of a culture of bullying and ill-treatment being rife at Deepcut Barracks, in June 2002 it emerged that Pte Cheryl James had reportedly been forced into a sexual relationship with a senior officer. Terri Lewis, a former Lance Corporal at Deepcut Barracks, stated that "bullying at Deepcut was rife" and that sexual harassment by a sergeant may account for the death of Pte Cheryl James.

Since then, there have also been allegations that there had been 10 attempted suicides by young soldiers at Deepcut Barracks between the death of Pte Sean Benton in June 1995 and that of Pte Cheryl James in November of the same year. *Ibid.* The parents of Pte Cheryl James told Amnesty International that they are in possession of Army documents corroborating the allegations concerning the 10 attempted suicides. In this connection, the family expressed concern to Amnesty International that despite being faced with two alleged and 10 attempted suicides within a 19-week period the military authorities at Deepcut Barracks failed to instigate a thorough internal investigation. In addition, they also failed to ensure the involvement of the civil police in the SIB's investigation into their daughter's death. As early as 1995, Surrey Police had primacy over the Royal Military Police for the investigation of a death on military premises. Surrey Police have confirmed this to Pte Cheryl James's family. The family is also concerned that Surrey Police failed to adopt primacy over the investigation. Nevertheless, the family continues to insist that the military authorities at Deepcut should have insisted on the police being involved, particularly in light of the 10 attempted suicides in the short period between Pte Sean Benton's and Pte Cheryl James's deaths. The family of Pte Cheryl James told Amnesty International that the Commanding Officer at Deepcut failed to ensure the death was examined thoroughly; failed to give evidence to the Coroner's Court -- where the other attempted suicides were not even mentioned; and failed to give evidence to or attend the Board of Inquiry. He left Deepcut within two days of the Board of Inquiry's completion.

The family of Pte Cheryl James is prepared to accept that she may have committed suicide, but realizes now that they will never know for sure what happened. To them what is important is not only how she died but also why her death was not thoroughly investigated at the time.

"More than seven and a half years on, what we find most hurtful is that because of their ineptitude, we will never, ever know for sure how our daughter died." Des James, the father of Pte Cheryl

James.

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>