



NEWS

Mother is granted new inquest over daughter's death from asthma

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A mother has been given permission to apply to the High Court for a fresh inquest into the death of her 9 year old daughter from asthma, after fresh evidence emerged linking it to pollution spikes above legal limits near her south London home.

Ella Kissi-Debrah, who lived by the congested South Circular Road in Lewisham, died in February 2013 after three years of seizures and 27 visits to hospital for asthma attacks. An inquest in September 2014 concluded that the cause of death was acute respiratory failure caused by a severe bronchial spasm.

But last year an expert linked her death to dangerously high levels of pollution breaching legal limits. Stephen Holgate, clinical professor of immunopharmacology at Southampton University, who has researched the role of pollutants in asthma exacerbation, was instructed to write a report on her case.

He noted a "striking association" between the times she was admitted to hospital and recorded spikes in nitrogen dioxide and PM10s (very small particulate matter) near her home. His report said that there was a "real prospect that without unlawful levels of air pollution, Ella would not have died," and he suggested that the death certificate should be amended to reflect air pollution as a contributory factor.

The consent or "fiat" granted by the attorney general for England and Wales clears the way for an application to the High Court to quash the inquest verdict and order a fresh inquest. One of the grounds is that fresh evidence has emerged.

The attorney general, Geoffrey Cox QC, said, "I have received several representations about Ella's case and acknowledge the wider interest that has been taken in it.

"However, I must assess the application based only on the facts of the case, and on whether there is enough new evidence available to merit opening the inquest process. I have concluded that there is new evidence which may alter the substantial truth of Ella's death."

His decision follows a campaign by Ella's mother, Rosamund Kissi-Debrah, who said, "I hope a new inquest will make those in power realise that our children are dying as a result of the air that they breathe. This cannot go on.

"Why is this not being taken more seriously by the government? What do we need to do to make them prioritise our children's lives over convenience and the rights of people to pollute?"

Jocelyn Cockburn of the law firm Hodge Jones and Allen, who represents Kissi-Debrah, said, "This is a major step on the path to justice for this family, which has been looking for answers on why Ella lost her life five years ago. An inquest will provide a better understanding of why she died and whether the death was avoidable. It will force the government and other bodies to account for their actions and, in many regards, their inaction on air pollution over this period."