



REPUBLIC OF KENYA



KENYA LAW
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**In re Harry Roy Veevers (Deceased) (Inquest 3 of 2015)
[2025] KEMC 198 (KLR) (12 August 2025) (Ruling)**

Neutral citation: [2025] KEMC 198 (KLR)

**REPUBLIC OF KENYA
IN THE MOMBASA LAW COURTS
INQUEST 3 OF 2015
DO ODHIAMBO, SRM
AUGUST 12, 2025**

RULING

Part One: Introduction

1. Today is 12th August 2025. It is exactly 128 years since the English common law of general application was passed to British colonies all over the world. That date became known as the reception date and determines which English statutes of general application are considered part of Kenyan law. Specifically, only English statutes passed before the date and which are suitable for Kenyan circumstances are applicable. What was however not passed at that time was, among others, the law relating to disposal of bodies arising out of disputes among family members. Even so, Kenya as a recipient of English common law has not taken steps to enact laws to cover what was not passed to her.
2. Although the death of a loved one often brings the survivors closer through the inevitable grieving, the emotions associated with death can also tear survivors apart.¹ Grief is a subjective and emotional response that can lead to rupturing family relationships. It has been noted that where burial disputes occur, such feelings are intensified; the overwhelming sense of anger and despair will often be fueled by other emotions stemming from family histories, past relations with the deceased and the factual circumstances surrounding death. The resultant emotional maelstrom makes consensus difficult to achieve, especially when set against a backdrop of disarray and disorder as the family unit struggles to cope with the disruptive force of death, and individuals vie for priority within the family itself.²
3. Harry Roy Veevers was born in the UK in 1949 or thereabouts. From his previous marriage he had three children: late Allison Veevers, Richard John Veevers and Philip David Veevers. He then met Azra Parvin Din 1981 at Springfield Park where he used to play lawn tennis. Together with Azra they were blessed with two daughters: Hellen Veevers and Alexandra Veevers.

¹ Eloisa C Rodriguez-Dod, 'Ashes to Ashes: Comparative Law Regarding Survivors' Disputes Concerning Cremation and Cremated Remains' (2008) 17 Transnational Law and Contemporary Legal Problems 311, 312.

² Heather Conway & John Stannard, "The Honours of Hades: Death, Emotion and the Law of Burial Disputes" in UNSW Law Journal Volume 34(3) p. 869.



4. On 14th February 2013 when the rest of world was marking Valentine's Day and delivering flowers to their loved ones, the deceased left our midst and crossed to afterlife. It is not clear what plans Roy Harry Veevers had for 14th February 2013. But if he had a plan of delivering a flower anywhere then fate had it that, instead, his body would be delivered in the wee hours to Pandya Mortuary. What happened soon after his burial tore his family apart and marked the beginning of legal drama along the corridors of Mombasa Law Courts. Everyone wishes that the dead rest in peace but this son of Ruth Veevers called Harry Roy Veevers has neither known nor seen that peace; neither have the loved ones he left behind. Few days after his death, he was buried at a Muslim cemetery to the surprise and dismay of his sons: Philip David Veevers and Richard John Veevers. Being aggrieved with the decision to bury him and having doubts into the circumstances of his death, his sons reported to the police station on 15th March 2013 and then filed Miscellaneous Application No. 51 of 2013 seeking the exhumation of his body which was done several months later. The contention was that the sons had reasons to believe that one Azra Parvin Din (PW13) was responsible for his death and therefore they sought to know the circumstances under which he died.
5. The matter was subsequently investigated by the DCI and initial investigations concluded that Azra Parvin Din Veevers, Hellen Veevers and Alexandra Veevers were to be charged for the murder of the deceased. However, an about-turn decision was made that the matter had to proceed by way of inquest. That's why we are here today. It has been a treacherous journey and one wonders what would have transpired if the murder trial were to proceed as initially proposed.

Part Two: Prosecution's Case

6. The matter therefore proceeded with Azra Parvin Din as the prime suspect; a claim that she denied vehemently. Mr. Mogaka represented Azra and her daughters Hellen Veevers and Alexandra Veevers while Mr. Kinyua represented the sons Richard John Veevers and Philip David Veevers. The prosecution called 16 witnesses to explain the circumstances under which the deceased lost his life.
7. PW1 Philip David Veevers son of the deceased testified that he heard about the death of his father through telephone call from his sister Alison. He then left for Mombasa on 16th February 2014 and met Azra Parvin who was at the time married to his father. Azra then told him that she had been staying at the hotel since there was no water in the house. He also requested to see his father's body but Azra refused and told him he would see the body the next day. The following morning, they went to Pandya Memorial Hospital with his sisters. They went with his sister Alison (now deceased) and took some photos of the body. He stated that his mother Azra began shouting and making noise that they were not allowed to take photos at the hospital.
8. It was his testimony that they were not happy with the burial arrangements as they wanted the arrangements handled in a dignified manner. He stated that an ambulance was called and his father's body was taken to the nearest Muslim cemetery for burial and they were told that there was no need for postmortem. He stated that the body was washed by a religious person before burial and dressed well in white clothes. It was his testimony that after the burial, his brother and younger sister went for lunch and discussed the day's events. He added that they were unhappy about every arrangements and decided to speak to a friend of his father. They then planned for breakfast together and Azra wanted take the camera which had photos of their father. He refused to give her and she started screaming and created a scene. He stated that his sister Alexandra also joined in and demanded for the camera. He stated that he was assaulted by Azra and Alexandra as they tried to snatch the camera form him. The hotel management then realized the commotion and Alexandra started shouting that he had stolen their camera. She and her mother were pulling at his cloths demanding the camera and that he should delete the pictures he had taken.



9. It was PW1's testimony that Azra was never married to his father and that they met in the U.K before his father divorced his mother. He added Azra had two children with his father: Allen and Alexandra. He stated that the behavior of Azra and Alexandra about the camera was very suspicious and he felt unsafe. He stated that they left the hotel and began to inquire about the issuance of the death certificate. He then went to the hospital and requested to see the burial permit and the cause of death. They then engaged a lawyer and went to the High Court and obtained a Limited Grant where the surviving children were him, his brother, Alexandra and Ellen. They then went back to his father's house and could not get what was in the father's house. He stated that Azra claimed to be the wife of his father and had planned to inherit his father's property. He stated that his sisters kept saying that there was nothing much left for their father. He added that he knew them since they grew up and that money was their priority. It was his further testimony that at the mortuary, he used his medical knowledge and expertise when taking the photos (Exh. 1 a—d).
10. On cross-examination by Mr. Kinyua Kamundi, PW1 stated that on Monday 28th September 2015 at 9:30 am, he was outside the court gates with his brother and advocate. He stated that he was leaving the court compound while Alexandra & Hellen were coming in. He stated that as he met them, Alexandra took photos of him and his brother as they were walking back to the court and he was concerned because of security reasons as he had received death threats at Bamburi Beach Hotel. He reiterated that Alexandra told him to his face that he would be killed when he refused to give up his camera.
11. He stated that Azra Veevers accused him of corruption and shouting at him and at his brother Richard Veevers accusing them of threats. They then reported the cases. He stated that Hellen and Alexandra would call and threaten and scream at him on phone and they took these threats very serious and reported the death threats to the British Police. He stated that the British Police arrested Azra Parvin who was in the U.K then and placed surveillance and security measures at their homes and school for the children.
12. He stated that before they went for the body at the mortuary Azra and Alexandra told them that should they find any direction to the cause of death then they would be in danger. He further stated that at the burial his brother took a photo (Exh. 1e) of the grave stone which had the Akbar Harry Roy Veevers yet his father's name had no Akbar on it. He stated that he saw his father's passport when he was 17 years and his names were Harry Roy not Akbar. He added that his father never gave him a Muslim name and they were never brought up in Islam religion and never acted like a Muslim. He stated that they did not know and were not aware of his conversion to Islam. He saw the burial permit where Azra described herself as the wife of his father yet his father told them that he would never marry another woman. He added that he never saw any document for Nikkah celebration between his father and Azra. He further stated that he had asked for the burial permit after the burial but Azra said she didn't have it. He stated that they later saw the death certificate (Exh. 2) after they had gone back to the U.K. as per the death certificate Dr. Salim Omar said the cause of death is cardiac arrest. Being a combat medical practitioner, he stated that he saw the change on skin on the face was consistent with trauma.
13. He stated that Azra was present when his father died at his father's house at Shree Links House and moved the body from the house to the mortuary with Dr. Salim Omar who prepared the death certificate. He stated that the death was not reported to police before the movement as they did not have any death report. He stated that when they went to them they refused to enter the information later into the O.B. He stated that they were informed by the advocate that there was to be a report and there was to be investigations before the body was moved. It was his further testimony that Dr. Omar made a statement that he certified his father dead before the body was moved at 4 am. He stated that in April 2013 police obtained an exhumation order from court after a long struggle. He stated that



he had not seen any document belonging to his father. He added that his father had numerous bank accounts in Kenya and the U.K and that after his death money has left his father's bank accounts.

14. It was his further testimony that he had not seen any will of his father and that he was aware that Azra filed a case in the High Court that there could be a will in the U.K. he stated that he knew that Alexandra and Azra are proceedings with a Succession Petition with an assumption that there is no will. He added that Dr. Gachie never filed any will and that Dr. Alexander Richard Caren in the U.K made a report on 2nd October 2025 which was to be given to his advocate and the state counsel but the DCIO never received any communication. It was his testimony that they later appointed Dr. Moses Joy to take part in the post mortem and the Chief Government Pathologist in Kenya Dr. Oduor took part in the exhumation and Post Mortem. They went to the DCIO and none of those doctors were considered as witnesses. He added that Dr. Moses Joy took samples of the body to the government analyst and the samples were clear of any poison but there were wet samples which indicated that there was rat poison in the samples. The report dated 9th April 2014 showed that the pancreas had karate which is a highly toxic pesticide which revealed that the deceased was poisoned and never died a natural death. He stated that if he had seen this report on the 17th February 2024 he would not have participated in his father's burial. He stated that a similar report was given to the DCIO but nobody was charged. He stated that his lawyer has alerted the police about the movement of the body from the house to hospital without any report and that nobody was charged with arranging a burial before a post mortem. He stated that the police knew that there was a succession dispute between him, his brother and Azra. The police also knew that the deceased was admitted to Mombasa Hospital prior to his death but that turned out to be false after investigations. As regards the report by Alexander Richard Allan which is a lab test result, he stated that he did not include those in his report. It was his testimony that the deceased's parts can be moved from one police station to another and that the protocol in transportation of human parts from one point to another is first administrative then sworn declarations for movement under very high control. He stated that Dr. Gachie arranged to move the human tissues from Kenya to U.K by courier four months after exhumation. He stated that a letter from the DPP that the Government Analyst found something different from those given to the DPP but they are not any different and that the two government analyst reports were different hence the recommendation of the inquest. It was his assertion that his sister should not have any control of the estate and supported his brother's affidavit that his half-sisters and late sister are not entitled to his father's estate.
15. On cross-examination by Mr. Mogaka for Azra, Hellen and Alexandra Veevers, PW1 stated that he was born in 1978 while his late sister Alison was born in 1973 Deceased and brother Richard was born in 1977. He stated that his parents had separated by the time he was born and he was brought up by his mother alone though when he was 10 years, his father (the deceased) was granted visitation rights and he would spend weekends with him. He stated that the parents separated when his mother was pregnant with him and they eventually divorced in 1980. He stated that he did not know that his father started staying with Azra in Manchester and he would visit his father with his mother. He admitted that he was young and didn't know when his father met Azra. He stated that he was aware his father sold everything in Great Manchester and went elsewhere not in Kenya and he continued staying with his mother up to 16 years. He stated that he came to Kenya in 1991; again to Kenya in 1997 when he was 17 years; and the third time was when his father died. He stated that Hellen is over 25 years old while Alexandra is over 23 years old and he was too young when they were born. He stated that during his father's burial he saw some documents burning but he was not able to tell whose they were.
16. He stated that he joined the military at 24 years as a medical technician not a doctor. He stated that he is not in court to determine whether Azra was a wife or not to his father who died on 14th February 2013 when he was in the U.K with his brother Richard and sisters Hellen and Alexandra. He stated that his father was last in U.K in October, 2012 when he was in a military camp as from February, 2012.



He stated that his father never visited him in the military camp in October, 2012 and that he returned before Christmas 2012. He stated that he was not aware whether they travelled together back to Kenya but he knew they stayed together in Nyali. He reiterated that he only came to Kenya on three occasions and he knew his father was unwell and what he was suffering from. He stated that he was never treated in Kenya when sick though he lived with him for a very short time. He further stated that there were threats to his life though the reports made were never subjected to court. He stated that there was a report of threats to his brother's children and that he was also threatened after he came. He stated that he knew anybody could take money from his father's account while the letters of administration have been obtained. He admitted that he had no evidence that money had been removed from his father's account. He stated that he was not aware if his father had converted to Islam. He stated that he had been in Kenya for over 20 years but he had only been in Kenya on three occasions the last time being 2012. He stated that when his father died they all travelled to Kenya. They went to the mortuary and took photographs with his body when they were alone for about 15 to 20 minutes. He examined his hospital documents and physically examined the body. He stated that the grave diggers were not known to him as they found the grave ready. He stated that the police handled his claim of threats and closed the file because there was no sufficient evidence to press on a charge. He stated that he refused to show the camera because he was never asked to share the photos with his sister. He stated that he left Kenya on 2nd March, 2015 after the burial and visited the house after he got a court order to do so. He reiterated that he did not want Azra to inherit anything from his father.

17. On further cross-examination by PW1's advocate, he stated that his half-sisters and mother remained outside and they saw what was done on the body and if anything wrong went on inside they saw. He stated that they placed the body into the grave and entered inside the grave and the body was cleaned. He stated that he attended the burial of deceased at Sapphire Muslim Cemetery and that the body was washed by about 5 to 6 people and he was amongst them. He stated that they were led by a religious man. He added that they didn't carry any matter into the grave yard and that the water came from a tank next to a building at the grave yard taken from the tap form a tank warmed in a big sufuria and used to wash. He stated that if anybody came into contact with the water then they would suffer numbness of the skin or other ailments.
18. PW2 Richard John Veevers testified that he received the news of his father's death on 14th February 2023 when he was called by his elder sister. He was told that his father had died and that being a Muslim he was to be buried the following day. He stated that they tried to get the earliest flights to Mombasa through the assistance of the High Commission. He stated that he never knew anybody who was married to his father; but since Azra had children with his father then she was considered a wife. He was then informed by James Knight that Azra was waiting for their arrival before the burial. He then arranged to travel and flew to Kenya on 16th February 2013. They were then met at the airport by Juma Ali Mohamed who was former employee of his father who drove them to Bamburi Beach Hotel as their father's had no water as claimed by Azra.
19. He stated that they arrived at the hotel and waited for Azra who came 30 to 40 minutes later dressed in a buibui with her face covered. They asked her about their father but she got very agitated. His sisters then told him to stop asking questions because their father was in the mortuary. They then questioned why their father was being buried as a Muslim yet he was a Christian and he was told that if buried in an open cemetery people would dig him up and steal gold from his body. The following morning their sisters showed up dressed in buibui which they had never seen them in. they then said they wanted to inspect their father's body and take photos to show them to their sister Alison. He stated that they did not pursue the post mortem as Azra told them that the father had died of heart attack and being Muslim they did not require a post mortem. They were then informed by Hellen that they were to go and assist in washing the body of their father. At the burial he stated that none of his father's friends



known to him were there. They tried to get into the mortuary but we were told that in Muslim tradition they would be the last to see their father and they stayed outside. When they entered the room, his brother took some photos and they removed the pins which were fastened to the bed sheet and noticed redness in the face and the lips were purple and pink. He stated that Alexandra Veevers came in and found them looking at the body of the father and she asked why they had the camera. He stated that the discoloration of the skin did not ring into his head so much. It was his testimony that he prayed for his father while holding his hand but Azra pushed him off claiming that it was not allowed to say Christian prayers as they were Muslim. They were then pushed away and the body was carried and taken to the cemetery where they met John Whiteman, Boniface his father's gardener and Adhiambo the house help. He stated that the body was washed and then buried and they were asked to take pictures as their last memories. He stated that the grave had already been dug and they lifted the body and lowered it into the grave. He then placed a rock and placed behind the head and filled the sides and then filled up the grave. Later after the burial, Hellen and Azra invited them for dinner and Azra did not want them to say anything about their father. They later contacted Joseph Munyithia Advocate and explained to him what had happened. He stated that at the mortuary they saw a burial permit which indicated the cause of death as high blood pressure. They then decided to apply for a limited grant so that we can place a caution on the estate to guarantee its safety. He stated that the following day his sisters demanded for the camera they had used to take photos and informed the askaris that his brother had stolen their camera. They then downloaded the photos into their computers and sent the pictures to a doctor in the U.K who responded that the photos showed signs of poison. It was his testimony that on 25th February 2015, Joseph Munyithya filed their case and George Wameyo was the advocate for Azra. He stated that Azra claimed she was married to their father in 1983 but she did not have a marriage certificate. They then went back to the hotel gate but it was locked and they were denied entry. He then climbed over the wall and went to his room and found most items were missing. He was then threatened by Azra.

20. He stated that he reported to Bamburi police station and he was told by one David Kagondo that his father wasn't dead as they had never report of his death. He stated that Emily who was their father's house help came to live with them and told them that all his father's belongings had been distributed by Azra. He got assistance from Nyali police station and found out that the house had been stripped completely and that Azra had applied to get a burial permit as the legal wife of his father. He was then advised that they needed to exhume the body and have examination on his body to ascertain the cause of death. It was his testimony that he received a call from a woman who warned him not to exhume the body of his father. He further stated that after filing Miscellaneous Application No. 51 of 2013 to exhume the body, he was attacked by a man and he reported to Bamburi police station and the case was directed to Central police station. Later the court file plus the court order obtained in the file disappeared and he had to make further complaints and got the second court orders. His uncle Christopher came to stay with him to open the box safe as directed by his father but it was empty. He stated that he knew he his father used to save money and was a less spender and also expected his fire arm in there but it wasn't.
21. He stated that on 28th April 2013 they obtained the exhumation order (Exh. 3) for the body which was done on 31st January 2014 after he paid a bill of Sh. 250,000 for the exercise. He stated that Juma Ali Mohamed had sold some of his father's properties after he had been forced to sell them by Azra who was very evil. He then came with a matatu full items belonging to his father.
22. On cross-examination by Mr. Kinyua Kamundi for the Philip and Richard, PW2 stated that Juma Ali refused to record a statement. He stated that he moved into one of the houses and rented the other two. He stated that in June and May, Alexandra would call him and threaten him that if their mother went to prison then he would die. He stated that they also threatened his wife and children life that if



- the exhumation happened then they would kill him and his children. He stated that Hellen took all the documents for the houses in Diani and she evicted tenants from the houses in No. 40 and 39 and 41. He stated that on 28th September 2013 he saw a court order which wanted him to be locked up in prison and he reported to his lawyer Kamundi Kinyua and they decided to proceed with the exhumation process. It was his testimony that all pathologists they approached (Dr. Mandawa, Dr. Manjoy and Mr. Mandia) refused to conduct post mortem and only the Government Chief Pathologist Dr. Johansen Oduor is the only person who agreed to be part of the exercise was done in the presence of O.C.P.D, DCIO and other officers. He stated that the body was decomposed and the fluid and soils around were filed in three containers to the hospital and samples from the body's remains were removed and taken away.
23. He stated that on 13th March 2014, he met Mr. Kinyua who told that toxic samples were found in his father's body tissues. He then received a call from the U.K from an English lady who threatened to kill him and he identified the caller using the police at the U.K embassy and found out it was Azra Parvin and she was arrested in the U.K.
 24. He added that the wet soil samples which were scooped from around the body and the samples that of the body tissue had similar toxic substance. He was then told that he should give the particulars of Alexandra and Azra who were in U.K so that they could be extradited to Kenya. On 4th November 2024 he was informed that his guard and house help had been thrown out of their house by Azra Parvin and Alexandra Veevers. He went there and Alexandra and one Ochieng stopped him from entering the compound. He then reported the incident to Nyali police station but no action was taken and Alexandra Veevers told him that she was a Kenyan and he could not stop them from getting the house. He stated that he was barred from entering his father's premises House No. 38 and House 40 though he was staying in House No. 39 with his friends.
 25. It was his further testimony that on 12th September 2012 his father had visited in the U.K and told him that he was in love and was going to get married and wanted more children. However, earlier he had said he would never get married after he divorced his mother. He further told him that Hellen and Alexandra were so upset when they heard that the father wanted to get married again and vowed to kill him if he did. He also informed him that he had acquired property and invited him to come to Kenya. He stated that they liquidated their properties in the U.K. and invested in Kenya though the father visited U.K. a lot of times and they would communicate once a week. He stated that he had a good relationship with his father and he attended his wedding in 2008.
 26. He stated that when he was attacked, he got a P3 form on 23rd March 2015 from Nyali police station under OB Ref. 10/23/03/15, OB No.10 (Exh. 5 a & b). He stated that his girlfriend Pauline Okuku was also assaulted by somebody unknown to her. He stated that had met Alexandra and Hellen had known her earlier. He stated that he was aware Veevers Azra and Alexandra had obtained a restraining order. He stated that he had been informed of his father's demise on 14th February 2013 by his sister Alison.
 27. He testified that prior to his father's death he used to meet his sisters and they had no had no specific issues. He stated that he stayed with Alexandra when she was 15 years and had issues at school and home. He stated that she absconded school and used to smoke bhang. He stated that she fought him first by trying to slash his neck because he ejected some men whom she had brought to the house though he did not prefer any charges because she required held. He however admitted that he never met eye to eye with Azra although she wanted to meet him and his family.
 28. It was his testimony that on 25th December 2012 he called his father and Azra answered his phone instead for him. He said his father told him he was not feeling well and he sounded drunk. Again on 17th



- January 2013 he called the father and the step mother answered. It was the last time he spoke to him. He stated that his step mother never called him to inform him of the death of the death of his father.
29. On cross-examination by Mr. Mogaka, PW2 stated that as at 24th March 2014 his advocate had received a report from the doctor that his father had been murdered. He asserted it was his step mother who was responsible for the death of his father. He stated that in September, 2012 his father had mentioned that he feared he could be poisoned by his step mother. He added that it was Azra Praveen who was the last person with his father and that the body was moved from the house to Pandya Hospital and that there was no name of his father on the list of those admitted at Pandya and that she did not report the death to the police. It was his further testimony that his father was given a name which was never his and was buried in a Muslim Cemetery while he wasn't a Muslim. He stated that the remains of his tested positive for poison. It was his further assertion that Azra or Dr. Salim Omar should have informed police who moved the body from the house to Pandya as there was no entry of his body being received at Pandya. He stated that Azra applied and obtained a burial permit without the police being informed which is unusual and claimed to be his father's wife when she was not.
30. PW2 continued to state that they checked and found the burial permit which then led them to a body which was moved from the house to the mortuary without involving police. He stated that his last rites were through Islamic religion yet attended church every Sunday as a Pentecostal believer as his other relatives.
31. As regards the marriage between his father and Azra he stated that he received a letter dated 11th March 2015 (Exh. 6) from the Registrar of Marriage showing that there was no record of marriage between his father and Azra as she had claimed. He stated that he was once threatened with a gun by a man of Asian origin who was a boyfriend of his step-sister and the police took no action when the matter was reported. He stated that the man identified as Bhaktash Akasha told him to leave the country.
32. He stated that there were no particulars found between 1980 and 1990 showing that his father married Azra Parvin. He stated that his father lived with nobody and Azra used to visit and stay with him when she lived in 48 Hartwood Close Basin Soap London. While his father lived in 59 Ilubekke Way in Manchester. He stated that Azra met his father in 1981 in Springfield Park when his father played tennis and introduced her to him. He stated that he met Hellen and Alexandra when they were born and they lived very well. He stated that his father mentioned a new girlfriend in September 2012 called Agenda though he did not meet her. He stated that his father told him that Azra was unhappy and threatened to kill him. He then called James Nike with British High Commissioner in Mombasa and informed him about the threats. Azra had said she was burying his father that day. He said he had no power to prevent the burial. It was his testimony that upon arrival, he asked Hellen and Alexandra where the body of the father was and they said they said they did not know and was told the mother was at Bamburi Beach Hotel and found her dressed in a buibui.
33. He stated that Azra informed him that the father had a heart attack. He also asked why they were not staying in their Houses No. 38, 39 and 40 in Nyalı and he was told that there was no water. The following day he was taken to Pandya Memorial Hospital and found the body in a green flowered bed sheet tied in safety pins. They then uncovered the head and saw a coloration from the ear downwards and the same coloration followed down to the fingers, eyes were milky and nose was colored. His sister Alexandra then entered mortuary and attempted take away the camera. He stated that he was surprised his father's friends were not there. He added that the appearance of body was not normal and the body was buried very fast by people employed by Azra Din, Alexandra and Hellen. Upon asking why his father was being buried him as a Muslim, they were told that they could not bury him in another cemetery as people might dig him out for gold. They then went to Bamburi Beach Hotel where they were not allowed to speak about the father.



34. It was his further testimony that he had been to Kenya 10 times and 3 times to the houses. They then consulted Joseph Munyithya who advised them to put a caveat on properties and bank accounts and then report to the police. He stated that his brother was attacked by Azra, Hellen and Alexandra physically to try and remove his camera. They then informed the guards that the brother was a dangerous person. They reported to the police station but there was no action. He reiterated that Azra did not give them death certificate but they found copy at Pandya Memorial Hospital. He then went to Nyali Police Station and obtained an exhumation order on 20th April 2014 after which post mortem was conducted at Coast Provincial General Hospital in the presence of Dr. Johansen Oduor, Dr. Gachie, Dr. Moses Njue and Mr. Kinyua and the remains were left at the Coast Provincial General Hospital mortuary pending investigations and this inquest. He added that a civil case is waiting the inquest and there is no dispute in court over the remains and that they want the body taken to U.K.
35. On cross-examination by Mr. Kinyua, PW2 stated that he was aware of a toxicology report dated 7th October 2014 by Dr. Alexandra Richard Allan. He reiterated that there are proceedings are going on relation to estate of his father and the beneficiaries are Alison Thatcher, his elder sister, Richard John Veevers, Philip David Veevers, Hellen Veevers and Alexandra Azra Veevers. He stated that they did not apply anything to the body of the deceased as there was no pump, no syringes.
36. On cross-examination by Mr. Mogaka, PW2 stated that he was prevented from taking the body even though there is no court order and it is the wish of the family to take him to the U.K. He stated that they came in the same flight with Hellen and Alexandra as they had spoken to their mother about deceased body before. He stated that his deceased sister informed him about his death after she was told by Azra Din. He stated that Alexandra was furious about them taking of photos to the body. He added that there were unusual features on the body and he did not know what happened from the morgue to the cemetery. He stated that women were not allowed to go in and they went in with his brother and other men and washed the body. He reiterated that Azra had threatened to kill the father if he married another woman. Though she was not prosecuted in England. He added that Azra, Hellen and Alexandra threatened him, his ex-wife and children and he made a report. They were never charged in court but were cautioned. It was his further testimony that Azra met his father in 1981 when he was 3 years old. He stated that his father had good health though he had high blood pressure and arthritis and once had a road accident in the U.K. he added that his father had also been attacked and the attacker was charged and jailed for 18 months. He stated that he was not aware that his father admitted to doctors that he wanted to commit suicide and was also not aware about chronic back pain he had.
37. PW3 Dr. Moses Njue Gachoki a Consultant Forensic Pathologist currently in private practice and a teacher at Kings Medical College in Nyeri. And a former chief government pathologist testified that he was called by Richard Veevers who alleged that his father had died in suspicious circumstances and had been buried. He stated that Richard wanted an exhumation and a full autopsy of the body which was interred in a Muslim Cemetery in Mombasa. On 31st January 2014 he participated in the exhumation in the presence of Richard Veevers, Joseph Kioko (DCIO), Dr. Johannes Oduor, a man in charge of the cemetery and a technician from Coast Provincial Hospital were present. The purposes of the exhumation were the identification of the deceased; to establish cause of death; to record any injuries and abnormalities; take samples for toxicology; to write a report; to prepare body for 2nd interment; and to interpret the results. He stated that the body was identified by in-charge of cemetery with the tomb stone indicated as Akbar Roy Veevers. He had died suddenly on 14th February 2014 and no post mortem was done. There was a death certificate which showed the cause of death as myocardial infarction meaning lack of blood into certain parts of the heart. He stated that it was not a diagnosis that can be made without a good autopsy and is caused by reduction of the artery taking blood to the heart. He stated that the same was signed by a family doctor called Dr. Salim Omar. He stated that the



exhumation order (Exh. 7) was obtained on 26th April 2024 and allowed exhumation for investigations. He stated that Dr. Gachie represented the family while Dr. Oduor represented the government. It was his testimony that exhumations are done in the morning but the parties caused delay up to about 11:00 am. The remains were wrapped in an old green flowery cloth. They found some soft tissue muscle around abdomen and complete skeleton was there. He was then provided with photographs of the deceased (Exh. 3 i—xiv) taken in the mortuary and noticed there was erosion of the skin. He stated that the reddening patches (skin peeling off) process occur during life. He then observed that the remains were of a human being; bulky adult male; no fractures of gunshot on the bones; no evidence of obvious disease i.e. rickets; time of death kept with the resume was not established then. He obtained the materials for D.N.A test; analysis of the spine muscles teeth and born form several parts; top soil of the grave; soil from outside cemetery and from the middle of the grave.

38. He stated that they sent them to the government chemist and got the results a month later. He stated that his batch was submitted because they are taken as blind samples as the chemist should not know they are related. He then filled a post mortem dated 31st January 2014 (Exh. 9) which was signed by all of the pathologists. He stated that the findings were concurrent but they could differ on interpretations. They were in agreement that cause of death could not be determined as per the serology/DNA receipt form and dated 11th February 2014 (Exh. 10).
39. He stated that he received two responses. The one dated e dated 19.3.14 (Exh. 12) was preliminary and said it was a report of wet sample soil, soil from position of stomach and dry soil from the top and soft body tissue all labeled Roy Veevers. The soft body tissue and wet soil was found to contain a pesticide called cyhalothrin which is locally karate or duduthrin used to kill pests. He stated that the same was not detected in dry soil sample and it meant there is no way one can find a pesticide six feet in the soil along the stomach unless it was ingested. He added that the concentration would be enough to cause death.
40. He continued to state that on 9th April 2014 the pesticide was detected on wet sample soil and not dry soil and other items submitted. The finding of the chemical stomach means it was ingested which meant poisoning. He explained that given the death was on a Wednesday and burial on Saturday, then there was 99.9% chance that it would not have been contamination as the position where the chemical was found, it was difficult to ingest. He added that it is impossible to put chemical in a dead person. He stated that he used the teeth for DNA and prepared a report on 7th February 2014 (Exh. 13).
41. It was his further testimony that they did not find fractures or gunshots. He stated that that the toxicology report of Dr. Allan Richard Allan Alexander raises important factual things and he contradicts himself. He added that Dr. Gachie's report dated 19th September 2014 (Exh. 14) had nothing beyond what was in his report though it was several months after post mortem was done. He downplayed the report by Dr. Alexander Richard Allan dated 7th October 2014 (Exh. 15) which was done two weeks after lifting samples to Britain. He stated that in terms of chemistry he was correct though his remaining argument was destroyed by conclusion. He stated that Dr. Allan did not tell state which sample he dealt with but went ahead to conclude the presence of cyhalothrin. He added that formalin is used to conserve the body and it should enter every part of the body and requires a pump or to be put very high in order to infuse into the body. He stated that there was no formalin and it is practically impossible to put drug in the stomach and a 64-year-old could have other complication or could on treatment. He added that the cyhalothrin is found in duduthrin and it is a synthetic material. He explained that if they did not find the poison, then cause of death would have not been ascertained and one had to look for heart and get the artery and say it was cyhalothrin death. It was his further testimony that Dr. Salim's report in real medicine real means nothing and he was heavily penalized by Medical Practitioners and Dentists Board and was fined Sh. 100,000 and Pandya accepted by releasing the body without referring to the police dated 25th April 2016 (Exh. 16).



42. He stated that the body was decomposed and only had small tissues and no physical injuries could be noted. He stated that if the deceased had arthritis it could not be seen because tissue were worn out. x-ray was not requested and was not necessary. If body was not decomposed and had a foreign body, then it was laborious to trace and an x-ray would be necessary. There was however was no indication of a foreign body. The poisons that would go to the bones would have taken a long time to deposit. He concluded that the most likely scenario was that there was constant exposure to poison but terminally a heavy doze was given and the fact that the deceased had other illnesses brought down the threshold of the doze that was required.
43. On cross examination by Mr. Kinyua, PW3 stated that stroke is paralysis or minimized functions of the brain and its diagnosis is made in life and it cannot be seen in a post-mortem. He clarified that what would be seen are evidence of blood clot or a tumor or purse normally occupying space of brain. He added that a trained pathologist would know results of samples after a long time and it depends on how they were stored and length of time and a delay of nine months was unacceptable. As regards the samples tested by Dr. Allan, he stated that the three of them (Dr. Oduor, Dr. Gachie and himself) agreed that the samples were of a human Caucasian origin though Dr. Allan's report did not indicate that samples were of a human body. He stated that in the cause of exhumation and postmortem mortem, identification is one the reasons for it. He stated that the deceased was tested for many things that were negative and admitted that poisoning can lead to similar symptoms in Dr. Allan's report. He added that if karate was ingested then the first doctor who attended would see the works on deceased. It was his testimony that discoloration should have informed Dr. Salim Omar to go for a post-mortem. The samples of dry soil were a control sample so that the test could be vindicated. He criticized Dr. Allan's analysis as he seemed to have been given direction to look for cyhalothrin and that could not be ascertained that what was collected from the deceased was what was sent to UK. He concluded that in the absence of any other injury then poisoning contributed significantly to the demise of the deceased.
44. On cross-examination by Mr. Mogaka, PW3 stated that he was instructed a week before January 31st 2015 to represent Richard Veevers, his brother and others. He stated that he was instructed by private counsel and he was paid for his services. He then paid for the samples as a private doctor and got the preliminary reports dated 19th March 2014 and 9th April 2014. He stated that reddening of skin would be one of the causes of poisoning by karate which is used in spraying vegetables and on house hold insects like cockroaches. He stated that concentration in nets would be minimal and may react as allergy and not big enough to cause death. He stated that the notification of death was given him by the parties who said they got it from the hospital. He stated that alcohol could affect other things and when deceased moves from his house, hospital and mortuary, body being washed may cause interference and dilute what one wants. He added that if the body is placed in the soil it would scatter the concentration and different types of soil can affect but not necessarily as there must be water. He stated that he was told the deceased was of good health as shown by the report. However, from the medical records he had hypertension which can be wild, moderate or severe though degree of severity was not indicated. He was also on medication of high blood pressure. He stated that Dr. Allan's report on cyhalothrin said it is not lightly toxic which was a ruling comment and is a certificate. He stated that karate has several brands and it is synthetic pyrethroids and the doctor missed to say the brand he was talking about. He further testified that he did not see in the report that the deceased had suicidal tendencies though the doctor noted that he was also very worried about his sex life as he could not obtain erections. He admitted that that may be one of the reasons commit suicide. He noted that the doctor concluded he had symptoms of psychiatric nature but had no brain damage.
45. On further examination-in-chief by Mr. Muteti for State., PW3 stated that he was instructed by Hellen Veevers to comment on toxicological aspects of the father's death. He stated that Dr. Allan had benefit



of seeing government chemist report. He stated that his only problem was the time they took to ferry the samples and writing the report. He added that hypertension may predispose one to suicidal incidences and erectile dysfunction may worry a young man and not a 64-year-old man. He stated that there was damage to the part of brain which would cause mental imbalance, forgetfulness, dementia or convulsions. It however may not bring suicidal tendencies. He stated that they took soil samples from several parts and two samples should be positive and soil in wider area should have been negative. He noted that finding of poison 6 feet under the ground could not have been an accident as toxicity is a doze related effect.

46. PW4 Dr. Andrew Kanyi Gachie a consultant pathologist and a forensic specialist based at Kenyatta National Hospital testified that he holds Bachelor of Medicine and Surgery from University of Nairobi and Master of Forensic Medicine from University of Dundee UK. He stated that he was instructed by Hellen Veevers and Alexandra Veevers to represent them in exhumation of Harry Roy Veevers. He consulted the office of chief government pathologist to agree when exhumation was to be done. He stated that the body was identified by Richard Veevers a son to the deceased and there was a tombstone. He was with Dr. Johansen Oduor and Dr. Njue. They retrieved the body around 1.00 pm and noted that it had undergone extensive decomposition with little soft tissues. It was then placed in a body bag and taken to CPGH for post-mortem. They took soil samples from the grave, a control sample from the grave. At the mortuary they reconstructed the body into normal anatomical position of a human body. He stated that there was hardly any organ but their tissue was mounded together. He stated that they did not find any injuries to the bones. He stated that they took samples from soft tissue and bones for toxicology and they were unable to conclude the cause of death. They then took samples for DNA in any case paternity issue came up. He noted that the post-mortem form (Exh. 9) indicated cause of death could not be unascertained pending toxicological examination. He then prepared a report (Exh. 14).
47. He further stated that each pathologist took their own samples and they agreed that Hellen writes to the Home Office UK who recommended 3 laboratories (Exh. 17). He stated that the decision to contact UK Home Office was made jointly as they did not have total confidence in the government (laboratory) chemist whose report he questioned. He stated that he sent his specimen to the UK on 30th May 2014 which was about four months after collecting the samples which had been kept at Nairobi Hospital and refrigerated at -21^odegrees. He stated that there was no deterioration. The samples reached the laboratory in the U.K. On 2nd May 2013 and were delivered in good condition. He later received a report dated 7th October 2014 (Exh. 15) from Dr. Richard Allan. He stated that his report recommended exhumation and transportation to UK. In his report he concluded that the cause of death could not be ascertained. He explained that pyrethrines are pesticides and cyhalothrin is a compound of pyrethrine which have very low toxicity substance. He added that for cyhalothrin to kill someone 20 milligrams are needed in one intake. He agreed with Dr. Allan's conclusion that cyhalothrin may not have caused death of the deceased. The detected carbonate chemical called cyhalothrin is not carbonate but an insecticide which is a derivative of carbonide acid. He stated that carbonate is highly toxic by the nature of its molecule and it is highly regulated. He stated that from Dr. Allan's report cyhalothrin (karate) which is a highly toxic carbonate was detected on wet soil sample and soft body tissues and was not detected on dry sample. He criticized the report as a very simplified document with no methodology, procedure equipment used and quality control. He stated that once the toxicology report is prepared, it is put together with the preliminary report and analyzed. He concluded that the cause of death was undetermined and rejected the idea that the deceased died of cyhalothrin as there was no substance detected. He stated that the three doctors we were supposed to reconvene and make another report. His report indicated that there was no poison detected while Dr. Njue's report said there was poison. He admitted that the reports were contradicting and confusing.



48. He stated that for a Caucasian the photographs are crucial record. He stated that the reddish areas were not a sign of unusual death and it is part of post-mortem change. After death discoloration will occur on the lower part of face. He stated that depending on position body is placed, it tends to stagnate and gives bluish reddish discoloration. He stated that certain poisons may cause a skin rash. He stated that he didn't see the body of the deceased immediately after death neither did Dr. Kassim. Upon being shown photos of the deceased, he stated that they should have been part of the post-mortem which is to reconstruct what had happened to determine cause of death. He stated that whenever it is suspected they do not touch the body until scenes of crime personnel take photos. He stated that that Hellen was not present at the exhumation and that the people present were mentioned in his report as Lukas K. Tami of ODPP, Joseph Kioko DCIO Kisauni, Dr. Johansen Oduor chief government pathologist, Dr. Moses Njue, Dr. Gachie, Mr. Kinya and Baya Etabari and Dr. Joshua Kebera Chege.
49. On cross examination by Mr. Mogaka, PW4 stated that they did not indicate which part of the body soft tissue were taken from. He stated that the tissue could not be attributed to any part of the body as there was extensive decomposition. He stated that no photos were given to him as he would have mentioned and analyzed them. He asserted that it is unethical to withhold any information from pathologists either before or after death. He stated that he has trained in forensic toxicology and that the discoloration of skin may be because of post-mortem change caused by allergy in pre-post mortem. He observed that skin peeling is not clear in the photo and that the cause of death was not determined.
50. On cross-examination by Mr. Kinyua, PW4 stated that the most ideal situation in pathology is seeing a body immediately after death not a skeleton where an organ cannot be identified. He stated that if somebody died in unknown circumstances, then investigations are mandatory. He stated that he was shown records of deceased from the UK doctors but did not see any from Kenya and they did not know there were any medical records. He stated that the initial doctor certified death from natural causes. He added that one cannot see a body and known cause of death. He added that if a person with deceased declined to have a post-mortem, then he would not feel sure that he died of a certain cause if post-mortem was not done. He explained that myocardial infection/stroke myocardial infection is death to heart muscle leading to a heart attack. If a person dies suddenly police would need to be informed and investigation may be done. He stated that before visit of scene of incident by the police, the body should not be moved. He added that there is supposed to be a register at the hospital and the police were not informed and body not registered in the registry.
51. It was his further testimony that he was not aware whether there is a law in Kenya that controls trans-border movement of human tissue. He stated that he used Nairobi Hospital. to transport them to the UK and it was not necessary to escort them to the destination. He stated that there was an e-mail that the warehouse in UK did not have cold storage facilities and he had to put adequate dry ice all the way. He was then told they were received in good condition and the original point of origin was a grave in Mombasa. He then discussed his report with Hellen, Alexandra and their mother and he did not have reason to doubt what they told him. He stated that he was told the allegations surrounding death of deceased by Richard and David Veevers.
52. He stated that if the deceased left a will and excluded his siblings they would go to court and that he was never interested in the will. He stated that they collected dry samples and wet soil from the top of the grave and a control sample from near to grave. He stated that his report talked of wet and dry soil and control sample.
53. He added that he paid Sh. 36,000 to send the parcel and that the laboratory's observations did not know what to expect on composition of samples and they could have blind samples depending on the circumstances. He further stated that he did not know why Hellen would send them and hold for eight



- weeks. He stated that on 21st January 2024 he was out of the country and he had to be present when the samples were sent. He stated that the samples they only tested for cyhalothrin.
54. On cross-examination by Mr. Balala for Dr. Salim, PW5 stated that sudden death post-mortem is recommended and that not all sudden deaths are suspect for somebody who has been sick. He stated that the deceased had hypertension. He stated that he fill notification of death for purpose of obtaining a death certificate and that not every death must have a post-mortem. He added that accidental deaths or those that are not clean would require post-mortem to be done. He stated that if any family member wanted a post-mortem it would have been done and if no issue has been raised then the body can be interred.
55. He further stated that the complainant participated in washing the body and he would have stopped the burial. He stated that the toxicology report could not tell where the soil samples were removed from and that only Dr. Njue mentioned the samples. He continued to state that when they were given the samples they were not labeled and every doctor sealed and labeled their samples and that cyhalothrin according to Dr. Njue was found in the wet sample. He stated that there could be postmortem contamination especially where one was buried without a coffin. He added that at exhumation all organs were mingled up with the soil and contaminated solid would contaminate the body. He stated that skeletonized remains were reconstructed to be sure that body belonged to deceased. He admitted that DNA was not done so the remains may belong to the deceased and not another person. He stated that cyhalothrin are not soluble in water and it has to be mixed with another liquid before being given to another a person. He stated that it was very unlikely that deceased died of the chemical agreed with Dr. Allan that any cyhalothrin would have been a post-mortem addition.
56. On cross examination by Mr. Muteti for Republic, PW4 stated that they requested for toxicology analysis and DNA and added that one cannot rule out post-mortem addition after samples are taken by the doctors or persons handed over to. He stated that if he was in Dr. Omar's shoes, he would have no reason to perform a post-mortem. He stated that one cannot examine the body, look at treatment and fill notification of death. He stated that when body arrived at the hospital it has to be registered and relatives decide if they want a postmortem.
57. He stated that the preliminary report detected carbonate pesticide suspected to be cyhalothrin locally used as a pesticide. He stated that the pathologists should have indicated levels of toxicity and methodology used. For a myocardial infection or stroke, the body must be opened. He admitted that he would take the doctor's opinion because he had been seeing the deceased before he died. The said doctor was subjected to a board inquiry for his conduct in handling the matter. He reiterated that the cause of death of late Harry Veevers remains unascertained but one cannot ignore the doctor who saw him in life and death.
58. PW5 John Howard Whitehead stated that the deceased was his friend for 15 to 20 years and swore an affidavit to that effect (Exh. 18) and he would meet him occasionally. He stated that the deceased told him he had two families: two sons from his first marriage and two daughters from second marriage. He stated that he met the sons after his death. He stated that he divorced his first wife and met him when he was living with the second wife Azra who informed him of the death on 14th February 2013.
59. He stated that he was shocked because he had seen him a few days earlier and he was in good health. He then went to the mortuary on 17th February 2013. He stated that he met a lady whose house he had visited with the deceased. He then enquired what happened and the lady told him that she did not know. The lady also told her that she did not know whether there was a post-mortem which was mandatory under Kenyan law for sudden death. It was his testimony that she heard Azra say she could not believe how much it cost not to have a postmortem and that it cost an absolute fortune. He then



- advised Richard and Philip Veevers to have a postmortem but they had been told that being a Muslim burial the body had to be buried immediately. He stated that the deceased had told him that he was having problems with Azra and he had said that he wanted to get married and have children. He stated that he did not meet Azra's daughter before the death of Roy and that he had not changed his religion. He stated that the deceased announced in front of his friends and Azra that he was going to get married to Agenda. He stated that they thought it was a joke but then he put his hand around Azra who told him it was okay since he was a Muslim. He narrated an incident when Azra and the deceased argued and she broke a car mirror. Other than that incident he never had of any other incident. He stated that the deceased knew he had been divorced a few times and he always advised him to divorce.
60. It was his further testimony that the deceased had a voracious sexual appetite. He added that he was healthy though a moderate drinker but he did not smoke. He stated that he was not aware of any health issues he had. He stated that the deceased had prepared his own will without going to a lawyer and he gave him the details of his will. He stated that he bought three properties in Mombasa one for each of the children. He reiterated that he was basically unhappy in the presence of Ezra and he would not let a lady pass unless Azra was around. He stated that he was threatened by the two daughters after he recorded a statement with the police. He added that Hellen Veevers told him that he had accused her mother of murdering the deceased and that he was careful and she could make life very difficult for him in Kenya. He stated that he did not report the threats to the police. He also stated that Hellen tried to run over him using motor vehicle KBZ 399A and he reported to Bamburi police station. He stated that he also received a text message in Kiswahili from 91682366 which read "*chungu hiyo mdomo yako sana!!!*" and reported to the police vide OB 46/14/11/2016. He then suspected that the threats were related to this case.
61. On cross-examination by Mr. Kinyua for Richard and Philip Veevers, PW5 stated that prior to swearing in the affidavit, no one had threatened him in any way. He stated that he had not spoken to Hellen Veevers and Alexandra Veevers after the death of their father. He stated that he has a daughter whom he has not had any contact with since 1982. He added that when he was threatened he was not given details. He asserted the death of the deceased was connected to Azra.
62. On cross examination by Mr. Mogaka for Hellen, Alexandra Veevers and Azra Veevers, PW5 stated that the deceased and Azra visited him in UK. He stated that he did not mention the cause of death of Roy because he did not know. He stated that the deceased never talked about a daughter from the divorced wife. He admitted that he did not indicate in the affidavit that the deceased gave his daughter a car or a house. He stated that upon arrival in Kenya he called the deceased and he told him that he was not well but never gave details. He stated that he didn't meet the deceased after he told him that he was unwell. He stated that he advised Richard and Philip that they should do a post-mortem but they went on with the burial. He stated that Agenda got married to the Italian after Roy died and he didn't know his cause of death. He further admitted that he had no idea who was planning to knock him with a motor vehicle as he never made a search with the registration of motor vehicles over the incident. He reiterated that Hellen told him to be very careful with what he says to the police. He also admitted that he had no idea whose phone was used to send the threat to him on phone. He stated that he didn't have a copy of the will of the deceased and didn't know whether or not he was married to Azra though they were staying together in Kenya.
63. On cross-examination by Mr. Wangila, PW5 stated that Roy always referred to Hellen and Alexandra as his daughters. He added that according to him Roy was not married and he was single but had the intention to get children and was sharing a roof with Azra.
64. PW6 Dr. Salim Omar testified that he is a general practitioner with a clinic at Links Plaza and that the deceased was a patient who sought medication from him regularly since 2010. He stated that the



- deceased would go to him for different reasons but the most common reason was anxiety neurosis which was related to depression. He stated that the deceased was extremely anxious and he gave him a prescription for 10 days only because he needed to see a dentist. He added that the deceased suffered from a disease that affected one's balance. On further inquiry, he found that the deceased had trauma to the neck and he told him to do a CT scan but he declined. He also noted that his blood pressure was high and he advised him to change his medication but he declined. He added that the deceased was on anti-hypertensive and always had an inhaler which was using regularly.
65. He stated that the deceased mentioned that he had been diagnosed with post-traumatic stress disorder and mild depression and was using fluoxetine and zopiclone from time to time whenever he felt the condition was overwhelming. He suggested new drugs to him but he declined.
66. He noted that his hypertension was poorly controlled and was categorized as severe hypertension which requires at least three drugs but he was using only one. He noted that on 7th May 2012 when he saw him, his blood pressure was 185/95 and he complained of feeling anxious and that his heart was beating very fast due to anxiety. He then gave him another refill of 10 days and he told him that he would be going back home in the U.K. for further investigation. When he came back he complained of burning sensation while urinating. He then sent him for urine test which was normal and there was no bacterial infection. On 11th February 2013, the deceased went to the clinic and requested for his blood pressure to be taken as well as blood sugar which was normal. He stated that he was supposed to come back but he never did. He stated that the following morning at 4am he got a call from the wife that the deceased was not breathing well. He went to the house and tried to examine him but he was not breathing and there was no heartbeat. He then certified him dead. He stated that the wife told him that she had woken up to pray and heard him snoring. He stated that he advised the wife who was distraught, upset and confused that she needed to go to the mortuary to have a post-mortem done and to prepare for burial. He stated that he did not suspect foul play because hypertension could cause cardiac arrest at any time. He then realized that the wife did not appear to have any friends or relatives except her old Aunt whom she did not want to call her at that hour. The wife told him that the deceased had come back the previous day very upset because somebody scratched his car. He then called the morgue attendant Ngare of Pandya to pick the body. He then advised the wife to conduct post-mortem. He stated that if it was a criminal case, then police would normally come; but this was a normal case of normal death. He stated that the wife was advised at the British consulate that if the doctor hadn't insisted on post-mortem then she was free to inter the body as she wished. He stated that he was aware that the post-mortem was not done. He was then called upon to fill the burial permit as the doctor who certified the death. He stated that going by the history, the cause of death was high blood pressure which he indicated on the death notification form. He stated that he was not aware at that point that the police were involved in the matter.
67. It was his further testimony that after one month someone went to the clinic seeking to have medical documents for the deceased but they didn't find him. They were told to come back but they never did. Later the son of the deceased approached him seeking to know what transpired. He then explained to him what had happened and he was told that the case was being investigated by the DCI and that they would come for him. Later in June 2013, the police recorded his statement relating to the death of the deceased and he also received a letter from Medical Practitioners and Dentists Board accusing him of collusion in the death of the deceased. He stated that the Board found him guilty of unethical practice for failing to call the police. He produced the treatment documents for the deceased 20th December 2010 (Exh. 20a), 7th May 2012 (Exh. 20b), 17th December 2012 (Exh. 20c), 21st December 2012 (Exh. 20d), 11th February 2013 (Exh. 20e) and the payments made for the visits on 11/2/2013 for Sh. 500 (Exh. 21a); 18th December 2012 for Sh. 1,320 (Exh. 21b)); 17th December 2012 for Sh. 2,000 (Exh.



- 21d); urine test dated 21st December 2012 (Exh. 22); and the burial permit dated 16th February 2013 (Exh. 23).
68. On cross-examination by Mr. Kinyua for Richard John Veevers and Philip David Veevers testified that before 14th February 2013, he had met Azra on at least two occasions and the deceased introduced her to him as Mrs. Veevers. He stated that he didn't ask the religious affiliations of clients as they are relevant in the medical field. He stated that the name of the patient in the medical records are Harry Roy Veevers.
69. He stated that certain conditions come with age and a doctor can estimate the age of a patient. He stated that after the Board wrote to him forwarding complaint of Mr. Richard Veevers, he instructed an advocate who wrote a letter to Mr. Richard Veevers. He stated that the complaints made to the Board were baseless and unsubstantiated though he was found guilty of unethical practice.
70. He stated that he had three numbers on his doctor's card (XXXXXXXXXX, XXXXXXXXXXXX and XXXXXXXXXXXX) and he couldn't recall the number on which he received that call that morning. He stated that he didn't know whether Azra used her number or that of the deceased to call him. He stated that Roy Veevers was never called Akbar. He was suffering from mild depression but that couldn't present the same symptoms as poison. He stated that he saw him the last time on 21/12/2012. He added that the deceased came to the clinic on 11/2/2013 two days before he died but he did not see him. He stated that his death was not sudden because it was explainable.
71. He stated that he advised the deceased that the blood pressure would kill him as it was poorly managed. He stated that when he received a call from Azra that Mr. Veevers was not breathing well, he thought about the blood pressure he had. He stated that cardio pulmonary resuscitation was never done on the deceased and he did not attempt it because there was no sign of life as he was not breathing and had passed on. He stated that he had foam from his mouth. He explained that patient who dies form pulmonary edema usually has swelling on the lung and it is manifested as a symptom of congestive cardiac failure. He stated that the cause of death was myocardial infection or heart attack. He added that the most accurate way of determining the cause of death is the post-mortem but history can enable one determine the probable cause of death. He stated that he found the deceased lying directly under the fan and he was naked. He did not take his temperature and he could not tell his exact degree of heat as it may take 6 minutes for the body to be cold. The body was not cold but it could not have been the previous day because vigor mortis had set in.
72. He stated that the police should have been informed about the death as he advised Azra. He stated that being a foreigner, he thought the police and the British consulate should get involved. He admitted that he assisted Azra to move the body to the mortuary. He stated that he did not see anything wrong at that time but in retrospect he should have insisted on the post-mortem.
73. On further cross examination by Mr. Kinyua, PW5 stated that he was not aware that Richard Veevers was supposed to be locked up at Shimo La Tewa on false order for contempt of court after his advocate made a written threat to Mr. Richard Veevers. He stated that he was not aware that police preferred murder charges but somehow the case was turned into an inquest. He also stated that he was not aware that more than Sh. 100,000,000 has been withdrawn from the account of the deceased after his death (Exh. 23). He stated that stroke could be caused by bleeding in the brain or by a blood clot and that a blockage can also cause stroke. He added that cardio infection would be confirmed or excluded after examining the heart in a post-mortem.
74. He continued to state that it was his legal duty to sign the burial permit and give the probable cause of death. He stated that what he indicated is the most reasonable cause of death at the time of death. He added that pulmonary oedema is a symptom of cardiac infection and it is a contributory factor to cardiac infection. Pulmonary oedema and many other causes could not have been excluded without



- a post-mortem. A post-mortem can exclude a cause of death and even a probable cause of death. The apparent cause of death is not necessarily the real cause of death. He stated that the Kenyan law allowed him as a physician to come up with a reasonable cause of death where the family has not conducted a post-mortem.
75. He stated that the burial permit form was filled at Pandya hospital and he was in a hurry to beat the jam and that was why he did not complete everything on the form. He stated that the form should have been brought back to him to fill it adequately after filling the first part of the burial permit. He wondered why the form was never rejected by the Registrar of Birth and Deaths. He stated that he had no reason to suspect there was foul play and that when a person swallows poison a lot of saliva would be produced from the mouth. He denied that he rushed to sign the burial permit as to the cause of death because he knew that the deceased had been poisoned. He stated that it was Ngare the morgue attendant who told him that relatives had declined the post mortem though they could afford.
76. On cross-examination by Mr. Mogaka for Azra, Hellen and Alexandra, PW5 stated that Mrs. Veevers called him to her house to go and attend to Mr. Veevers. He found him laying on bed, naked, unresponsive with pulse and did not appear to be breathing. There was no cardiac or respiratory activity. He stated that the deceased was previously his customer and he understood his medical condition and he was not responding to the medical advice. He continued to state that the deceased was not a cooperative patient and he was not surprised that he had died. He therefore did not suspect any foul play and that was why he filed the burial permit.
77. He stated that he knew that a post-mortem was done after exhumation and none of the pathologists came for any medical record from him. He stated that the police did not have a court order for him to give them the medical records. He reiterated that the medical history of the deceased was life threatening if not managed well as he was non-complaint to medical advice. The blood pressure was very high when he was examined by his nurse but he left saying he was in a hurry.
78. He stated that he was paid Sh. 6,000 for the visit and recommended that a post-mortem be done as he had always recommended for all foreign clients. He denied colluding with Ngare to move the body very fast from the house. He stated that he used to call Ngare every time a death occurred. He stated that it was not his job to book the body in mortuary as it was the work of Ngare. He stated that it was not his responsibility to inform the police of the death and that was why he called Ngare to take the body to mortuary. He added that he did not fill a burial permit and attended to the deceased before his death and immediately after his death. He further added that he examined him before declaring him dead and that it was not his responsibility to conduct a post-mortem. He stated that he knew there was an attempt to exhume the body when he received the complaint from the medical Board and that nobody went to him with letters of administration demanding for the medical records of the deceased.
79. On re-examination by Mr. Wangila, PW5 stated that high blood pressure can kill directly when it is extremely high and can cause bleeding and rupture of vessels. He added that can determine the reasonable cause of death using the history of the patient. He stated that as he rushed to the home of the deceased, he did not know that he was dead. He stated that there was no need for ambulance when he arrived as the deceased had died. He stated that as a doctor he is not allowed to release the medical documents of a patient without a court order.
80. PW7 Alexandra Veevers testified that she first came to Kenya when she was about 2 years old. She stated that her father (the deceased) had two wives and he got divorced and then married her mother. She stated that she never got to know the former wife who was the mother of Alison, Richard and Philip. She stated that her mother called her when her father died on 14th February 2013.



81. She stated that they planned to travel and took the same flight to Kenya and arrived in Mombasa on 16th February 2013 and proceeded to Bamburi Beach Hotel from Moi International Airport. She stated that it was her mother who paid for the accommodation at the hotel. They were then informed that the body was at Pandya mortuary and she went to see the body but the others declined. She stated that they got the burial permit at Pandya and went to the grave yard and gave it out so that the grave could be dug. The following day on 17/2/2013 they went to the mortuary and the attendant opened the freezer for everybody to view the body. She stated that Richard and Philip came and told her that they wanted to have some time alone with their father and they left and they shut the door behind her. She stated that they went back in and found Philip was opening the eyes of their father as Richard was taking videoing and pictures. She asked them what they were doing and they said they had a right to look at their father's body. She stated that the body was then put in a vehicle and we went to the grave yard. Later in the evening their mother told them that their father had a heart attack and died in his house. It was her testimony that she had seen her father alive in November 2012 in her house in the UK. She added that Richard and Philip never said anything whether they had any problem with the body or burial or whether they wanted any procedures carried out. She stated that her mother said that she did not need an autopsy and no one had an objection. She stated that she did not see any marks on her father's body when she saw it the previous day and that she only saw the face since the body was wrapped in a cloth. She added that Richard and Philip took part in the washing and burial of the body.
82. She stated that they asked for the videos and pictures but Richard and Philip refused to give them out and she didn't understand why they did not want to share the photos. She stated that she was with her mother when she picked the death certificate (Exh. 24) on 20th February 2013. She stated that she saw another death certificate (Exh. 25) few months later when she was in the UK which her uncle Chris Veevers got from Richard. She stated that Chris also gave her the exhumation order. She stated that they engaged Mr. Mogaka Advocate who wrote to the Registrar of Births and Deaths (Exh. 26) and received a reply dated 23rd July 2013 (Exh. 27) and it indicated that the death certificate dated 20th February 2013 was the correct one.
83. It was her further testimony that it was her mother who paid for the hotel bills for Hellen, Azra, Richard and Philip (Exh. 28). She stated that on 22/2/2013, Richard and Philip served them with summons that she needed to go to court about the administration of the properties. It was Succession Cause No. 44 of 2013. Later Richard told her that he was thinking that their father might have been poisoned. She stated that when they were served with the exhumation order, they knew that the matter had been reported to the police and Richard was progressing with his conspiracy theories. She stated that she was called to give a statement to the police after the exhumation of her father's body. She then recorded the statement on 30th September 2014 at the advocates office. She also gave a similar statement to DCI Kisauni. She stated that she was represented by Dr. Gachie during the exhumation and they took samples to U.K for analysis.
84. She stated that on 17th February 2013 when the funeral was to be conducted, Richard Veevers was behaving inappropriately is as if he was celebrating and was inappropriately dressed (Exh. 29—photo). She asserted he was not upset that the father had died and he was celebrating. She stated that few months after the burial, Richard and Philip Veevers published articles in the British newspaper alleging that she and her mother had murdered their father she then found information that Philip Veevers had been charged in the UK with 12 child pornography pictures that were found in his lap top camera and two other devises (Exh. 30). She admitted that in 2006 she stayed with Richard in his houses for a short period. She stated that in November 2014 she came back to Kenya and found that Richard had broken into the house she used to stay in Kenya at Shree-Links. She stated the brother assaulted her and accused her of having killed their father. She took photos of him (Exh. 31) and made a report to



- Nyali police station (Exh. 32) after being treated at Agha Khan Hospital though he was never arrested. She added that in February 2017 Richard threatened her and she made a report to the police in U.K. and he was summoned and he signed a Pin Notice (Exh. 33) which is a harassment warning or bond to keep peace. She stated that the father's remains are still at Coast General Hospital and asked for the body to be released for re-burial.
85. On cross examination by Kinyua for Richard and Philip Veevers, PW6 stated that Richard was inappropriately dressed on the day of the burial and she took a photo of him. She stated that she didn't know how much money her mother paid Dr. Salim between 14th February 2013 and 17th February 2013. She stated that she had very little contact with Richard even before her father died and never called him for help in the U.K. she stated that he only came to her by chance and helped me to change car tyre. She stated that she didn't know how many medals he has won in martial arts though he taught her kick-boxing. She stated that three men intervened to stop Richard from cutting her on the neck with a machete. She stated that she stayed with Richard in a house where their father was paying rent for them. She denied ever smoking bhang or cocaine when she was staying with Richard Veevers.
86. On further cross examination, PW6 stated that she stayed with Richard briefly and never smoked bhang and was never called for disciplinary action while in school. She stated that Richard Veevers had many girlfriends when she was living with him. She denied ever trying to put a knife to cut his throat and that she was never thrown out of the house. She stated that she called the police when Richard locked her out of the house and that she had never been arrested in her life. She stated that she took a flight from Gatwick Airport on 15th February 2013 after learning of her father's death and they later instructed a law firm to do many things about their father's estate. She stated that they could afford a post mortem if they wanted but the whole family agreed that they did not need it. She stated that they paid Dr. Gachie, the pathologist for his expertise but didn't know who told him to describe the samples as biological samples and not human tissue.
87. It was her further testimony that at the time her father died, the pump in the estate was not working and that was why they stayed in a hotel. She stated that her father's remains were interned at a Muslim cemetery and they did not donate any money to that cemetery. She stated that she bought the headstone for her father. She denied ever collecting a briefcase from her grandmother and that Richard told her that he would file for bankruptcy after her father died but didn't know whether he actually filed for bankruptcy. She stated that her mother and father were married through a ceremony called Nikkah in Kenya south coast.
88. She stated that she was at Maasai bar in the evening when she saw Richard come in as she was with her friend Steve and his wife together with Bhaktash Akasha. She stated that it was not true that Bhaktash Akasha sent a waiter to call Richard three times. She denied that Akasha called her his girlfriend and that he threatened Richard with a gun. She stated that it was not true Akasha gave someone his gun to escape with it. She admitted that Bhaktash Akasha has picked her a few times from house in the company of Raje. She denied that Akasha threatened the life of Richard. She stated that it was Richard and John Veevers who harassed her on several occasions. She denied that Akasha was her boyfriend. She continued to stated that she did not write to Barclays Bank to change address of the account of her father and that the solicitors froze the account. She stated that she was not aware that after the death of her father some money was withdrawn from her father's account. She stated that her father had several bank accounts and she was not aware where the documents regarding accounts are.
89. On further cross-examination, PW6 stated that Steve and Bhaktash Akasha are her friends. She stated that she knew when Richard signed the PIN, he was not admitting that he had harassed her. She stated that Richard had been acquitted in the child pornography case. She stated that Philip refused to show them the photos they had taken at the burial and added that it was not true that they attacked him



after that. She stated that he did not bleed and that she did not instruct any guard to grab Philip by his hand. She stated that she was unaware that her mother and father lived in separate bedrooms. She added that she spoke to her father on 12th February 2013 and 13th February 2013. She stated that she knew the title deeds in the property in Shree-Links Nyali are in the names Henry Roy Veevers and that his accounts also bear the same names. It was her testimony that her father chose the name Akbar when he became a Muslim and he did not have to use the name Akbar in his financial documents. She stated that her brother had brother Christopher and Jess who died in India when she was still young. She stated that she was not aware that her name and that of her sister were included in the succession cause as beneficiaries in addition to the names of Alison, Philip and Richard Veevers. She stated that she was not aware of any succession cause in the U.K. as they have everything that is required in the U.K. she reiterated that they agreed that they did not need a post mortem. She stated that she got information that Richard Veevers stole a gun from her father's house and she was not aware that her father had a safe in that house. She stated that she was not aware that her grandmother had offered to transport the remains of her father to U.K. by paying the air charges and that her mother allegedly refused. She admitted that she knew of Succession Cause No. 44 of 2013 which their brothers filed to throw them out of Kenya so that they could inherit everything. She denied threatening any pathologist at Coast General Hospital not to conduct the post-mortem on the body. She continued to state that her father was a sick man and she was not in Kenya when her father died. It was her belief that that Richard Veevers and Philip Veevers tampered with her father's body on the day of the burial. She stated that her father did not have a will and didn't know why Dr. Gachie did not send samples to UK until four months later.

90. On cross-examination by Mr. Mogaka, PW6 stated that she did not attack Richard and her mother did not also attack him at Bamburi Beach Hotel. She stated that it was Dr. Salim who certified the reason for her father's death as he was the one who ordinarily treated him. She stated that she relied on Dr. Salim's records to prepare her affidavit as to the cause of death of her father. She stated that she was not in control of how Dr. Gachie sent samples to the U.K. she reiterated that there was a time when Philip and Richard Veevers were alone with the body and she don't know what they did with the body. She added that they did not object to the burial and they were the ones who actually buried their father. She reiterated that she was not present in Kenya when her father died and that she was 23 years old. She denied committing any crime at Maasai Bar and that the incident had nothing to do with her father's death. She stated that the allegations by Richard about her character in the U.K. had nothing to do with the death of her father. She stated that there is a succession case in court and the issues about inheritance or will will be dealt with in the case. She stated that there are no different medical record apart from that of Dr. Salim and from the U.K. and that her father was an old sickly man.
91. On cross examination by Mr. Muteti, PW6 stated that she has no pending criminal case in the U.K. she stated that she never had a tussle with her father and has never evicted from his house. She stated that she had a normal relationship with her father and she knew he suffered from high blood pressure and was under medication. She stated that she learnt weeks later that her brothers wanted her father's body exhumed for autopsy yet they had agreed that there was no need for autopsy before the burial. She stated that they were represented by Dr. Gachie during exhumation and she was not required by the police to record a statement. She stated that she had no reason to kill her father and that he died of natural causes. She stated that at the time of exhumation, the succession cause was pending. It was her wish that the remains of her father which are still at Coast General Hospital be put back to the grave where they belong.
92. PW8 Stephen Matinde Joel Weibe an assistant government chemist testified that he had 17 years' experience as a government analyst and his duties include identification of drugs and substances of abuse. He stated that he was required to perform toxicological analysis. He stated that 14th December 2014, a police officer by the name Joseph Kioko SSP submitted some items at the laboratories of



government chemist at Nairobi for examination vide exhibit memo dated 4th February 2014 (Exh. 35) from DCIO Kisauni. The items were ranked as follows A1- wet soil sample marked as collected from the tom of the deceased; A2- Dry soil sample marked as collected from the tomb of the deceased; A3- a soft body tissue with some hair markers as collected from the deceased one Henry Roy Veevers. He was required to ascertain whether there were any signs of poisoning. He stated that he detected cyhalothrin which is a highly toxic pesticide in the next soil sample and on the body tissue. The body tissue was item A3, a soft body tissue with hair from the deceased. The same pesticide was not detected on the dry soil sample. He completed his analysis on 9th April 2014 and prepared a report (Exh. 36) on his findings. He stated that he also received same samples from Dr. Moses Njue. The items were marked as follows: wet soil sample; dry soil sample; and body tissue with hair labeled as from the deceased. He stated that he was requested to carry out a forensic toxicology on the said items. He did an analysis and indicated in his preliminary report dated 19th March 2014 (Exh. 12) that the wet soil and the body tissue had been found to contain a carbonate pesticide suspected to be cyhalothrin locally trade as karate or duduthrin. He indicated in the preliminary report that the same pesticide was not detected in the dry soil sample. Further to the preliminary report he concluded in his analysis (Exh. 11) that the cyhalothrin was detected on the wet soil sample and on the wet body tissue. The same pesticide was not detected on the dry soil sample and that no other chemically toxic substance was detected on the items submitted. He stated that he worked with the forensic toxicology section and did not deal with the DNA aspect. He stated that karate is a broad spectrum pesticide to control insecticides that is easily available in the market and can be purchased across the counter.

93. On cross examination BY Mr. Kinyua for Richard and Philip Veevers, PW7 stated that he was supposed to ascertain whether the samples had chemically active substances. He explained that if a chemical is sprayed on the surface, it would not reach where the body is because the chemical is insoluble in water. He reiterated that cyhalothrin is highly toxic and is known to contribute to death. He stated that if cyhalothrin is sprayed on a mosquito net, then it would not be found on the body. He stated that he received two separate samples from Dr. Njue and Joseph Kioko and carried out independent tests and found the poison was present in both and the results were consistent. He denied that he was paid any money by anybody to influence his findings as scientific results are always consistent.
94. On cross examination by Mr. Mogaka for Azra Din, Hellen and Alexandra Veevers, PW7 stated that he prepared the report on the same day he signed it. He stated that the report does not indicate exactly where the samples were taken though they were obtained from the tomb of the deceased. There is no distinction as to the document.
95. He admitted that he could not tell where the dry soil sample was taken from and in practice they mark samples for control at the discretion of the client. He stated that the client did not indicate there was a control sample. He stated that he had received samples on 4th February 2014 and on 11th February 2014 respectively from Kioko and Dr. Njue and it was just by coincidence that by final reports came out on the same day on 9th April 2014. He stated that in the preliminary report, he indicated that there was a carbonate pesticide which he suspected to be cyhalothrin which can cause death. He stated that the pesticide is normally sprayed from food stuff and several other crops and is also used to control insects.
96. On re-examination by Mr. Muteti, PW7 stated that carbolic acid is one of the ingredients in different chemical compounds. He explained that cyhalothrin are compounds and carbonic acid is a toxic group. He added that the most common compound used in the preservation of bodies is formalin which contains metaphoric acid.
97. He stated that if the same samples were examined today, the results would be different depending on how they were stored as cyhalothrin would degenerate with time depending on the way the body was



- handled. He stated that cyhalothrin could have contributed to death depending on the concentration and that it is possible that the same chemical would be found in other body tissues.
98. PW9 Hellen Azra Veevers a daughter of the deceased testified that her father was living in Kenya with her mother after he divorced the mother to Richard and Philip lived in the U.K. she stated that she was about 4 years old when Richard was kicked out of their house and he came to live with them.
99. She stated that she tried to make all effort to create a relationship with Richard and Philip but they never reciprocated. It was her testimony that on 14th February 2013, she received a call from her mother in Kenya informing her that her father had passed away in the early hours of the morning out of heart attack. She stated that her father was in poor health prior his death and she had been visiting him in hospital when he was admitted in the U.K. and also accompanied him to doctors appointment for the illnesses like arthritis and high blood pressure. She stated that they made arrangements to travel to Kenya for the burial and contacted her half-sister Allison who gave her the contacts of Richards and Philips. It was her testimony that Richard didn't have a passport and had to get one immediately.
100. She stated that they left Gatwick on 15th February 2015 and arrived in Kenya on the early morning of 16th February 2013. They then travelled to Bamburi Beach Hotel as there was no water in their father's residence. They then had a family meeting during which we were told that the body was at Pandya mortuary. She then went to the mortuary to get the burial permit as Richard and Philip went shopping. She stated that her aunty who is deceased made arrangements for burial at the Muslim cemetery which was to take place on 17th February 2013. She stated that they viewed the body and left and her brothers were the last ones to view the body.
101. They then went back to the hotel for lunch and there were no issues raised. The following day on 18th February 2013 her sister called her to the reception of the hotel and she found her arguing with her brother Philip who was Philip was very violent to her mother and sister. She stated that her sister Alexandra told her that she had found her brothers taking photographs of their father. She then requested to see the photos but Philip refused.
102. She stated that they remained in the country for a week and did not meet Dr. Omar. Her mother then asked them if they wanted to take anything from the house but Richard and Philip declined. It was her testimony that before they went to the U.K. Richard and Philip had instructed a lawyer to serve them with some court documents in relation to the letters of administration of their father's estate and service was effected on their mother. She then went to the U.K and Richard told her that he had found some tenants for the house and he would be using the income to sustain himself.
103. It was her further testimony that Christopher Veevers who is her uncle and her father's brother did not participate in the burial and came to Kenya in April 2013. The uncle told her that Richard wanted them to take the safety box in the bank where he was named as the only relative. They then went to the bank and found the safe box empty. She stated that when she came back to Keya after few months her uncle gave her a death certificate (Exh. 38) and exhumation order (Exh. 39) which he had got from Richard. She also found out that Richard had rented the houses to other people and was collecting rent from them.
104. She stated that it was not true that her father was murdered and that it was a fabrication by Richard in an attempt to disinherit the widow of the deceased and his daughters. She stated that she had a good relationship with her father. She stated that her wish is that the remains of her father lying at Coast General Hospital mortuary be reburied at the place from where they were exhumed.
105. On cross examination by Mr. Kinyua, PW8 stated that Dr. Gachie sent her an email on 24th April 2014 and that he was an expert who advised her. She stated that she told Dr. Gachie that Kennedy Aloo



who was Richard's friend employed by Barclays Bank told her that Richard paid him to remove the document in the safety box which potentially disinherited Richard and Philip. She reiterated that Richard wanted to take control of their father's estate. She denied serving Richard Veevers with a fake court order to go to prison. She stated that there are three houses in Shree-Links in Nyalı and each of those houses has staff quarters. She stated that there was no water and that is why they stayed in Bamburi Beach Hotel. She stated that it was not true that her mother chose to keep them in a hotel so that Richard and Philip would not know when the father converted to Islam. She stated that she had seen her father's documents and Akbar is not in any of the documents. She stated that there were pornographic photos in Philip's camera and she suspected that was why he refused with his camera. She was told that the commotion was about the camera. She admitted that the only person who was present was her mother in that house when her father died. She added that since July 2013, the rent from the tenants is going to the court. She denied swearing an affidavit that her parents were presumed to have been married. She stated that she had applied for letters of administration in the U.K. on her father's estate. She stated that she was aware the police made a decision to charge her, her sister and mother and that the office of the DPP directed that they be extradited for trial in Kenya.

106. On cross-examination by Mr. Mogaka, PW10 stated that she had not been charged for murder and hadn't seen any recommendation for her to be extradited to Kenya to face trial for murder. She remembered there were orders that were made by Justice Odera and that some of the things were not returned as per the court order and an application to punish Richard was made and she signed the affidavit in support of that application.
107. She stated that she had nothing to do with her father's death. She reiterated that there was a commotion in Bamburi Beach Hotel relating to the photographs that had been taken at the mortuary. She stated that she met Aloo and he told her that he did business with Richard in regard with the safety box at Barclays Bank. She stated that Richard complained to the police leading to the exhumation of the deceased who was buried on 17th February 2013. She stated that no one demanded that a post mortem to be done at Bamburi beach Hotel and that Richard and Philip participated in the burial of their father. She added that they were at the cemetery and did not talk about a post-mortem.
108. She stated that her father was in poor health both in Kenya and in U.K and he was a patient of Dr. Salim. She stated that no one was restrained from visiting the house and Richard and Philip declined to visit the house when they were asked whether they wanted to take the personal belongings of the father. She stated that no letter of administration have been applied for in the U.K although she instructed a law firm and that without letters of probate, one cannot be able to withdraw any money from the account of a deceased person. She denied withdrawing money from the account of the deceased.
109. On cross examination by Mr. Muteti, PW18 stated that the samples were taken to U.K. for toxicological analysis which were interpreted by Dr. Allan. She stated that she did not come into contact with those samples in the U.K. She stated that Kennedy Oloo worked for Barclays Bank when the safety box was emptied by Richard safety box and it was Richard Veevers introduced her to him. It was her further testimony that Richard made threats to her life and she was forced to obtain an order from the High Court because Richard was collecting rent from her father's property.
110. On re-examination by Mr. Muteti, PW8 stated that her uncle Christopher Veevers told him that Richard was acting suspiciously and that it was not possible the father to pay for a safety box which was empty. She stated that the suspicions over her father's death were made about a month after burial of Richard. The report was made by Richard John Veevers on 15/3/2013 vide OB (Exh. 40). She asserted that her mother was married to her father through Nikkah which is a Muslim ceremony. She stated that her father became a Muslim before she was born. She stated that it was a lie that the burial was



- hurriedly conducted and confirmed that no post –mortem was done and the it was never raised by Richard or Philip.
111. She reiterated that she was not aware that the police recommended that she be charged with murder and there was no extradition request for her in the U.K. She stated that the succession cause filed by Richard three days after burial has not been resolved. It was filed 3 days after the burial of her father. She again confirmed that there was a probate and administration case in the U.K. and no money has ever been withdrawn from her father’s accounts in the U.K.
 112. On further cross examination by Mr. Kinyua, PW8 stated that the O.B indicated that her mother was living with her father at the time of his death and that the body was moved from the house without involving the police according to the O.B and was buried without an autopsy. She stated that Richard also alleged in the O.B that he suspected that the father was poisoned. She reiterated that her father was a Muslim though he was brought up as a Christian.
 113. PW10 Dr. Alexander Richard Allan a holder of PhD in Synthetic and Organic Chemistry from University of New Castle 1976 testified that he worked as forensic toxicologist. He stated that as an expert he has published several articles in forensic science journals and contributed to various books. He stated that he is a founder member of the UK and Ireland Association of Forensic Toxicologists. He stated that he was instructed by Mondove Forensics who had been instructed by Hellen Veneers to re-analyses two samples taken after the autopsy of the deceased.
 114. He then signed the report on 10th November 2016 in front of a notary. He stated that he did not receive the samples personally. The samples were analyzed by Dr. Richard Sykes under his instructions. He stated that he examined the report for presence of cyhalothrin and did not find any trace of cyhalothrin. He stated that they used gas chromatography mass spectrometry which is a very sensitive techniques and can detect traces of substances. He stated that a very low concentration of any substances would be detected. He stated that decomposition affects the presence of cyhalothrin which is unstable in biological materials and soils and it decomposes in these materials if the sample is kept chilled and refrigerated. He stated that if the sample was exposed to high temperatures, then decomposition would be faster.
 115. He was informed that the samples were taken after exhumation and that if they were kept chilled and refrigerated, he would expect decomposition to be minimal. He added that the analysis of the samples should represent their condition when they were taken at the autopsy. This could be explained by the fact that the cyhalothrin may have been present at the time of death and it may have slowly decomposed in the body to below detectable units; the cyhalothrin was not involved at all and there was mistaken identification; and the cyhalothrin was present due to contamination.
 116. He stated that cyhalothrin is not a carbonate but a pyrethroid pesticide/insecticide. For the third scenario in the exhumation he stated that there were three possible scenarios: there is extensive use of cyhalothrin to treat Mosquito nets; and control of pests on crops; and deliberate contamination after death.
 117. He stated that there was an allegation that the body was tampered with and therefore it was possible that cyhalothrin was added to the body and there is also a possibility that cyhalothrin was added to the samples after autopsy. He added that it was extremely unlikely that there would be any contamination in the laboratory due to very high standards in the U.K.
 118. He concluded in his report (Exh. 41) that he could not confirm the conclusion of the Kenyan government analyst report at cyhalothrin was found in the samples attributed to the body; if cyhalothrin had been confirmed he could not find any fatalities in the medical literature as it has



relatively low toxic level; he was unable to detect cyhalothrin in the body tissue and in the soil samples and cyhalothrin may not have been involved in the death; there were no analytical results, no details and a mistaken attribution of cyhalothrin as a carbonate pesticide as they have different chemical compositions; if cyhalothrin was confirmed, it would have most likely have been added after the autopsy after exhumation.

119. On cross examination by Mr. Kinyua, PW10 stated that he had received other samples from outside U.K. for deceased people. He stated that he did not make any inquiries from Hellen Veevers or Dr. Gachie on whether permission to ship these samples was obtained. He stated that he was concerned that there were no full details in the certificates and the information on what happened to the samples.
120. He stated that he could not personally guarantee the chain of custody from the post-mortem table to Dr. Sykes. He stated that he received medical records of the deceased from Hellen Veevers and he was supposed to confirm the presence or absence of cyhalothrin. He stated that as a toxicologist, it was his duty to put down any finding into context and one needs the medical history to do that. He stated that corrosive poisonous may cause faster decomposition of the body and he did not carry out a DNA analysis.
121. He added that he could not guarantee that cyhalothrin was not present in the first analysis and in what state the samples were received in the U.K. He denied suggesting that the pathologists and the police officers contaminated the samples by adding cyhalothrin. He clarified that it was alleged by Hellen Veevers that the step brothers may have tampered with the body. It was his testimony that if a post mortem had been done before the burial, then the cause of death would have been known.
122. On cross examination by Mr. Mogaka, PW10 stated that if he was assured by the chain of custody, then he would stand by his report. He stated that if cyhalothrin was on the grave, then it would be detected later. He stated that the people in custody of the body could have added cyhalothrin after death though he had no reason to doubt that the correct protocol was followed. He stated that spraying of the body with chemicals does not require sophisticated equipment though the analysis for such chemicals required sophisticated equipment. It was his opinion that cyhalothrin was unlikely to have caused the death. He stated that it is highly toxic to insects but not people. He continued to state that it was possible to confirm that the samples were the same one if the continuity has okay. He stated that the samples were properly preserved even though it took about 11 months before the body was exhumed and there must have been changes in the body. He stated that he had not received any additional information to revise his conclusions.
123. On re-examination by Mr. Muteti, PW10 stated that post-mortem addition may have been the cause of any confined cyhalothrin in the tissue. He stated that it would spread into the body if it is added after death. He stated that he focused on the absence or presence of cyhalothrin because those were his instructions and he could not go beyond the instructions. He added that post mortem addition may occur if the body is left unattended for sometimes.
124. He stated that there was an allegation that the body was washed by the half-brothers of Miss Hellen Veevers and the body was tampered with. He raised general concerns on how the samples were received, when they were received, and how they were transmitted. He stated that he didn't know how the samples were preserved before they reached Dr. Sykes but Dr. Gachie assured him that they were properly preserved.
125. PW11 Dr. Richard Sykes a principal analyst in Nest Yorkshire Analytical Services testified that he is a chartered Scientist and chemist and a member of the Royal Society of Chemistry. He stated that on 2nd June 2014 he received an insulated bag containing various samples in connection with the investigations with the death of Harry Roy Veevers and the seals on the container were intact. The



samples were accompanied by a form indicating that they had been dispatched on 27th May /2014. He then booked them in the system and gave them reference numbers BD03527/9, BD03527/8 and BDO3527/9. He stated that the first sample was labelled as hair and soft tissue toxicology by Dr. Gachie. He stated that it was a decomposed tissue which had hair protruding from the surface. The second sample BD03528 was submitted in a white container and was labelled control soil Henry Roy Veevers Dr. Gachie. The third sample BD03529 was in a white 500 g container labelled test soil beneath grave Henry Roy Veevers. He added that the samples were frozen in an insulated box and were transferred them to their toxicology laboratory freezer immediately after booking. He stated that they received instructions to test for cyhalothrin from Dr. Allan and used a technique called AC-MS which is standard technique used in enemy toxicology examination and is an excellent technique for identifying compounds and measuring compounds. He stated that the result of our exhumation were negative and they did not detect cyhalothrin in any of the three samples. He then appeared before Christopher Hugh Patrick Atkinson a Notary Public who prepared a two-page statement (Exh. 42)

126. On cross examination by Mr. Kinyua, PW10 stated that he had no direct contact with Dr. Gachie from Kenya or Kariuki of Nairobi Hospital. He stated that there was no lead in the dry soil sample. He stated that they completed the examination at 8th July 2014 when they carried the final analysis. He stated that they ran some background data on cyhalothrin. He stated that he did not ask Dr. Allan why it took four months for the samples to be sent and not inquire on how the sample were stored for the four months. He interpreted the results to indicate that there was no cyhalothrin in the samples. He stated that he could not tell whether it was wet when it was taken from the grave and that some compounds are unstable while other cannot be affected by change. He stated that the sample had decomposed tissue with hair protruding from the surface and he did not confirm by test whether that sample was from a human boy or another body. He stated that he was not shown a report of the Government Analyst in Kenya. He reiterated that he did not find the presence of cyhalothrin or any substances that would be of interest to a toxicologist.
127. On cross examination by Mr. Mogaka, P1W10 stated that he received the samples from Kenya for examination and the samples came for Nairobi Hospital. he stated that samples that are frozen for about four months will still give the required results and he had no doubt about the preservation state of the samples. He stated that the two soil samples were in plastic containers which had seals which were intact when they received them. He stated that cyhalothrin is highly toxic to insects but not to animals and it is easily detectable if it present.
128. On re-examination by Mr. Muteti, PW10 stated that the containers were in one polystyrene insulated containers and the samples were in frozen states and were suitable for analysis. He clarified that soil samples are not biological samples and that the transfer documents indicated that there were biological samples in the package which was the tissues sample.
129. PW11 Shadrack Kioko a retired senior superintendent of police stated that he was the DCIO Kisauni when he received a letter on 30th October 2013 instructing him to undertake investigations on the death of Henry Roy Veevers. He stated that upon receipt of those instructions, he went to the DPPs office and met Senior State Counsel Lukas Tanui. He stated that he found Richard Veevers and his counsel Mr. Kinyua there. He stated that on 2nd November 2013 he went to Nyali Police station with Chief Inspector Kengogo to check whether there was a report made on 14th February 2013 concerning the death of Henry Roy Veevers. They established that no report had been made about that death until 15th March 2013 when it was made by Richard John Veevers.
130. He stated that he contacted the former DCIO Shadrack Juma S.P. who was aware of the case but had not opened a file though they had started a process of exhumation of the remains of the deceased. He



- stated that there was an order for exhumation but the first attempt was not successful because Richard Veevers failed to provide transport for the body to be taken for postmortem. He stated that they went to record a statement from Dr. Salim Omar who had been adversely mentioned by Richard as the one treating the deceased and that he took part in his death.
131. He stated that he obtained the exhumation order and started the process of exhumation. He contacted the Government Pathologist Dr. Johansen Oduor based in Nairobi and organized for the exhumation on 31st January 2014 in the presence of Dr. Moses Njue for Richard and Dr. Gachie who stood for Azra Parvin Din. He stated that the complainant was present and he was the one who started digging the grave before the casual workers took over. He stated that the body was transported to Coast General Hospital where the team of pathologists conducted a post-mortem and a post-mortem form (Exh. 9) was filled. I 9). He stated that there were specimens removed from the body like flesh, hair and teeth for toxicology and DNA. He stated that he received the samples from Dr. Johansen Oduor with instructions to forward to the Government chemist Nairobi. Later on 28/4/2014. I recalled the results. He sent them using exhibit memo form dated 4th February 2014 (Exh. 3). The samples collected were Exhibit marked 1- A2 - soil collected from the tomb of the deceased; Exhibit marked A3 – Hair and soft tissue collected from the body of the deceased for toxicology; Exhibit marked B1 – hair and teeth for DNA; and Exhibit marked C- blood samples collected from Richard Veevers, the son of the deceased. He requested the government chemist to ascertain whether there were signs of poisoning in the body of the deceased and whether Richard Veevers is the son of the deceased.
132. On 28th April 2014 he sent P.C Langat of DCIO Kisauni to the Government Chemist to collect the report dated 9/4/2014 (Exh. 36). The conclusion was that cyhalothrin a highly toxic pesticide was detected on the soil sample and on the body tissue but the same pesticide was not detected on the dry soil samples. He stated that on 22nd April 2014 he received a letter (Exh. 43) from Mr. Kinyua Advocate with an analyst report from Dr. Moses Njue (Exh. 12) which was signed by S.J.M Maibe of Government analyst. He added that there was also another document purporting to be the request made by him to the government analyst referenced (Exh. 11) dated 9th April 2024 signed by S.J.M Waibe.
133. He stated that when he got the documents from Mr. Kinyua he had not received the report from government Analyst. It was his testimony that when he received the exhumation order, he contacted Dr. Salim who had been adversely mentioned and he wanted to know which part he had played. Dr. Salim informed him that the deceased was visiting his Clinic regularly but had been admitted to Mombasa Hospital. On 13th November 2013 (Exh. 44) he wrote a letter to the administrator of the hospital inquiring whether the deceased had ever been admitted in that hospital. he got a letter from the hospital dated 17th November 2013 (Exh. 45) informing the that the deceased had never been admitted at that hospital.
134. It was his testimony that Dr. Salim told him that the wife of the deceased had called him when the deceased became ill and he and found that the deceased had passed away. He then told her to make arrangement to take the body to the mortuary. The wife of the deceased made arrangements and the body was taken to Pandya mortuary. He stated that Richard and his brother Philip arrived in Kenya on 16th February 2013 together with the two step-sisters from U.K. they then went to the hotel where they stayed and then proceeded to Pandya hospital where they went to view the body. He stated that they stayed in the hotel because according to Azra Parvin Din there was no water in those houses so she could not accommodate the guests.
135. He stated that no post-mortem was done before the body was buried on 17th February 2013 and everything was arranged by Azra Parvin Din. He stated that he visited the cemetery where the deceased



- was buried. It was his testimony that before the burial was done there was misunderstanding between Azra Parvin and Richard and Philip about a post-mortem. He stated that Azra Parvin claimed that the deceased was a Muslim and should be buried according to Islamic rites. He continued to stated that there are two death certificates (Serial Number 259156 given out on 12th March (Exh. 38a) and Serial No. 259022 issued on 20th March 2013 (Exh. 38b) which he confirmed from the Registrar of Births and Deaths that they were all valid.
136. It was his testimony that after investigations he recommended for a charge of murder for three persons and submitted the file to the ODPP Mombasa (Exh. 46) through the normal channel. He stated that the file was returned and he advised on the areas to cover. He covered the areas and resubmitted the file to the ODPP together with his recommendations for the file be placed before a magistrate for an inquest vide letter dated 15th January 2025 (Exh. 47). Later he received the file with a direction that the file should be handled as an inquest (Exh. 48) vide letter dated 3rd March 2015.
137. On cross examination by Mr. Kinyua, PW11 stated that the deceased died at home in the presence of Azra Parvin Din. He stated that Dr. Salim Omar went to the house and pronounced the deceased dead. He added that if any death occurs at home a report should be made to the police before the body is moved. He stated that no report was made to the police and Azra Parvin Din had the responsibility to report to the police about the death. He stated that before Richard made report to the police, no other report had been made about the death. He stated that Richard John Veevers complained about poisoning of his father and he requested post-mortem to be done. He stated that there are circumstances in which a person can be excused for not reporting a death before removing the dead body which didn't exist in this case. He added that there was an allegation of poisoning and that the body was buried without any post-mortem. He stated that if the post-mortem had been done at Pandya, there could have been no reason to exhume the body. However, Azra Parvin stated that the deceased was a Muslim and there was no need for a post-mortem. He admitted that from his experience post mortem is never done on a Muslim as per their faith. He stated that at the cemetery the name of the deceased was Akbar Henry Roy Veevers while his documents were in the name Henry Roy Veevers. He stated that he made a recommendation that Azra Parvin Din, Hellen and Alexandra be charged with murder but the DPP recommended that he cover certain areas before returning the file to DPP.
138. He stated that the body was escorted to Coast General Hospital after exhumation and that it was Richard John Veevers who provided transport to Coast General Hospital. he stated that specimens had to be collected for each of the pathologists who pathologists signed the post-mortem forms. He stated that there were three reports from government analysist which were contradicting each other.
139. On cross examination by Mr. Mogaka, PW11 stated that he had initially recommended prosecution of the three people when before he collected all the evidence. He stated that after recording their statements, he did not find evidence to point a finger to any individual.
140. He stated that he never sent any samples on behalf of Dr. Njue and didn't know why they included his name in that report. He stated that the samples were given to him by the Government Pathologist Dr. Johansen Oduor in his capacity as the investigating officer. He stated that Exhibit 36 differs from Exhibit 43 (ii) which introduces Cyhalothrin (karate) and that the details are not the same. He reiterated that he did not forward the samples in respect of Exhibit 43 (ii) which he from Mr. Kinyua Advocate who was acting for Richard. He stated that by the time he recommended the three ladies to be charged, he had not recorded statements from them. He admitted that he ought to have recorded statements from the three ladies before making recommendations as to the charge of murder. He stated that his opinion changed after recording statements from the three ladies and other witnesses and the DPP then recommended inquest. He stated that the letter from DPP recommending extradition was based on his initial recommendation before he recorded statements from the three ladies. He stated



- that the house help (Exh. 49) told him that relationship between the deceased and Azra was good. He also recorded a statement from John Whitehead (Exh. 50) who met the deceased in January, 2013 and noted that he did not look well. She also recorded a statement from a lady called Gulbano Abdalachu (Exh. 51) who is deceased and could not be available to testify.
141. On further cross-examination, PW11 stated that he also recorded the statement from Joan Salome Agenda Halwenge (Exh. 52) and that his recommendation was also based on that statement who did not intend to get married to Henry Veevers because she has a married woman.
 142. On re-examination by Mr. Kemo for the State, PW11 stated that the purpose of exhumation was to establish the cause of death through forensic examination. He stated that he received Exhibit 36 from Government Chemist and it indicated that Cyhalothrin which is a toxic pesticide was detected on the body samples and the wet soil sample. He confirmed that Exhibit 41 is also a document that he received and the conclusion was that cyhalothrin could not be detected in the soft body sample and in the soil sample. He stated that based on the two reports, he decided that the file be placed before a magistrate for an inquest.
 143. PW12 Azra Parvin Din testified that the deceased was her husband of 36 years having meet in 1977. She stated that they had two daughters Hellen Veevers (born in 1987) and Alexandra Veevers (born in 1990). She stated that they lived in U. K. and also had a residence in Nyali in Kenya. It was her testimony that they came to Kenya in 1983 but did not come back to Kenya until 1993 though her husband would always be coming to Kenya in the company of his sons, Philip and Richard Veevers and they would stay in Hotels. She stated that her husband also had another daughter Alison Thakker who is now deceased. She added that the children from the first marriage were all older than her daughters and that they had been visiting Kenya regularly. She stated that her husband bought three properties in Nyali in 2004 and they would visit Kenya three months at a time during winter from December to March. It was her testimony that her husband had hypertension, arthritis, ulcers, back problems and other illness and was he was first diagnosed with hypertension in 1983 when we were in Naivasha.
 144. She narrated that on 13th February 2013 she was in Kenya together with her husband and went to bed at around 10.00pm. it was her testimony that her husband had severe headaches during the day and aches and pain all over his body. At around 3:45a.m, she heard a noise and when she called him he could not respond and was breathing very slowly. She then called Dr. Salim who was the family doctor who arrived in between 5 and 10 minutes. On arrival he examined her husband and said that his heart had stopped beating and that he had died.
 145. The doctor then told her that she should call for an ambulance to take him to the mortuary. He then called for the ambulance which carried the body to Pandya mortuary. She then informed a family friend Gulbano Acho that her husband had passed away and she agreed to arrange for the funeral. She then informed her daughter Hellen and Alexandra that their father had passed on. She stated that Hellen, Alexandra, Philip and Richard arrived in Kenya on 16th February 2013 and they stayed at Bamburi Beach Hotel.
 146. She then took Alexandra to Pandya mortuary where she viewed the fathers body. Thereafter they collected Madam Gulbano Acho who took them to the graveyard near Sapphire Hotel. She stated that Richard and Philip said that they wanted to be left alone with the father to do some exams and they closed the mortuary door for 10-15 minutes. She state that Alexandra then went into the room and Richard and Philip shouted for her to get out.
 147. She stated that after the burial they went back to the hotel and Philip told her that some people would think that she had poisoned their father. She stated that they went back Nyali after a week before she went to UK on 3rd March 2013. It was her further testimony that in April 2013 Richard got an order to



exhume her husband's body from the grave and the exhumation was done in January 2014 and they did not take part in the exhumation process. She stated that she came back in 2015 and was not summoned by police officers. She stated that she has been coming every year since then and she came with Richard in 2015 and recorded a statement at DCI Kisauni. She stated that the deceased was ill for more than 30 years. She added that he had high blood pressure and died of stroke. She stated that she never had any marital problems for the 36 years she lived with her husband. She asserted that she had nothing to do with the death of her husband.

148. On Cross-examination by Mr. Kinyua, PW12 stated that her husband was called Harry Roy Veevers and he chose the name Akbar in 1977 when he was in UK. She stated that her husband converted into Islam before the Imam who came from Brodshell mosque. She stated that she met the deceased in 1983 at a private home in Kwale that belonged to family friends. She remembered that she appeared before Lady Justice Odero in February 2013 and I talked about Nikkah though he could not remember who were the witnesses of the deceased in the ceremony.
149. She confirmed that she was aware that Helen stated in an email that they were married because of long cohabitation. She also reiterated that they had Nikkah in the U.K though she could not find it. She stated that they had a verbal Nikkah but It was not written. She stated that Gulbano Acha was related to her husband and she was looking after the property of the deceased for many years and would visit them in Nyali. She stated that Gulbano died on 16th September 2017. She stated that Gulbano Acho knew that her husband was a Muslim but he was not practicing Islam. It was her testimony that on 13th February 2013 the deceased stayed in the house and never went out as he was not feeling well. She added that the deceased complained of pains and aches all over the body. She further testified that they were sleeping in the same room in the main house.
150. She stated that she did not wake up in the middle of the night on 13th February 2013 to pray. She added that the deceased was not wearing anything in bed as there was no air conditioner on for the room. She stated that he was wrapped him with one of the bed sheets when he was taken to the mortuary. She stated that the body was not cold when Dr. Salim arrived. She stated that it was her decision that the deceased should be buried without post-mortem and did not consult anyone. She stated that it was Dr. Salim who called the ambulance to come and take the body to the mortuary.
151. She continued to state that John Whitehead came to the mortuary on the day of the funeral but they did not have any conversation with him on how much it cost to have a post –mortem. She called him when the toxicological tests were released by the government chemist. She stated that she was questioned by the British Police and she was not aware that there was an order for her not to contact Richard and Philip Veevers. She denied there being such threats.
152. She stated that she did not oppose the relationship between one of her daughters and Bhaktash Akasha and she didn't know he was a drug dealer. She denied ever receiving food from Akasha and she was not aware that he visited one of her daughters.
153. She confirmed being present when Dr. Salim examined the body of the deceased as he tested him with his stethoscope. She denied attacking Philip. She accepted that she asked Philip for the pictures he had taken at the funeral and was upset.
154. She denied instructing the house help to burn clothes on 14th February 2013 and that she gave her clothes to wash on that day. She stated that Henry Rosy Veevers was not foaming in the mouth and had not vomited. She stated that she put Philip , Richard and her two daughters at Bamburi Beach Hotel because she could not cater for them in the house where there was water. She stated that it was not true that she kept them at the hotel because she did not want them not to see evidence of poisoning.



155. She asserted that Richard never asked her where the body was when they arrived and she only took Alexandra to the mortuary on 16th February 2013. She denied that the deceased was not seeing other women from late 2012 and they had had no problems in their relationship.
156. She revealed that the deceased did not have much money on the day that he died. She stated that Richard Veevers broke into her house when she was in U.K and took all the things that were in the house. She added that there was a safe which was open in the storeroom and it was not being used. She stated that the deceased had a safety deposit box at Barclays Bank and she had no idea that it was found empty. She denied withdrawing any money from the accounts of the deceased in the U.K.
157. She stated that she was not aware that she had to report about the death to the police and that she accompanied the body to Pandya Memorial Mortuary. She stated that there was a register where the details of the body were entered and she was not aware that Pandya Hospital was found guilty of handling a body without records.
158. On cross examination by Mr. Mogaka, PW12 stated that John Whitehead is known to her. She denied attacking Agenda or breaking the windscreen of her husband's car. She stated that she never entered into the cemetery on the date of the burial and that Richard and Philip entered into the cemetery and never objected to the body being buried and never indicated that they required a post – mortem before the burial. She stated that they were left alone with the body at the mortuary. She stated that she has never been charged in U.K. and was not shown any order from the U.K restraining her from going near the children of Richard. She stated that there were no bank statements to prove that money was withdrawn from the account of the deceased.
159. She repeated that she was married to Henry Roy Veevers and lived with him for 36 years until he died in her presence. She stated that Helen and Alexander were not in Kenya when their father died. She also stated that she brought all the medical records from the U.K. and gave them to the prosecution and she was not shown any records to contradict the fact that her husband had been ailing for a long time.
160. She stated that after the burial, Richard threatened her with death if she did not give him the properties of his father. She asserted that Richard Veevers broke into her matrimonial house and moved things to House No. 39 and if there was any document or evidence, then it was taken by Richard.
161. PW14 Dr. Johansen Oduor produced a post – mortem form (Exh. 9) in respect of Henry Roy Veevers which he filled in after conducting on post-mortem. He stated that the body was a skeleton with some decomposing flesh. He stated that he did not see any injuries at all and they were unable to ascertain the cause of death. They took samples for toxicology and DNA samples of the hair and teeth. He stated that the skeletons had no injuries and he did not see anything unusual with the decomposing flesh.
162. On cross examination by Ms. Muyaa, PW13 stated that they took some soil samples and he met Dr. Njue and Dr. Gachie. He noted that he was not involved in the testing of the soil samples and that there must have been a government analyst who was handling the samples at the site. He stated that the samples were packaged in plastic containers which were sealed in the presence of the three Doctors. He reiterated that he never took any samples and he could not remember how many samples were taken. He stated that if the family wants samples sent out of the country, he did not get involved in the repackaging. He added that he had no control over samples once they are taken by the government analyst. He stated that pesticides like cyhalothrin are harmful to humans.
163. On cross-examination by Mogaka, P13 stated that no doctor in the case gave him the results of their analysis and that the government analyst never brought to him the samples they analyzed. He declined to testify on the samples that were handled by other doctors. He stated that the quantities of pesticides sprayed in the farms must be so huge so as to cause the death of a person. He reiterated that he was



- unable to ascertain the cause of the death and he had no knowledge of what caused the death. He stated that the toxicologist report is normally sent back to the police who can go back to him for any comments. He stated that he was never been given the toxicological report.
164. On re-examination by Mr. Mulamula for the State, PW13 stated that he could not comment on the report which was not given to him but was ready to look at if it was sent to him. He stated that it was still possible to conduct further toxicological reports and his opinion would be better after looking at the toxicological report.
165. PW13 Dr. Johansen Oduor on being recalled testified that he later perused the toxicological report of the deceased and that according to the report from government chemist dated 9th April 2014 there was a highly toxic substance called cyhalothrin in the samples. The said substance was detected in the wet soil samples and the remains of the deceased and was not detected in the dry soil sample. He added that according to the report by Dr. Njue of 19th March 2014, there was a carbonate pesticide detected and that it is suspected to be cyhalothrin locally traded as Karate or duduthrin. The said substance was not detected in the dry soil sample.
166. For Dr. Gachie, he did not detect cyhalothrin in the samples that were submitted. He stated that the method used to arrive at the conclusion was not indicated in the reports that came from the Government Chemist. He stated that one of the reports from Government Chemist indicated that Cyhalothrin is a carbonate pesticide which is wrong. Instead, he stated that Cyhalothrin belongs to a group of chemicals called pyrethroids. He reiterated that they took samples of soil from below the body, above the body and away from the body and the sample taken from the body was to be used as the control. He stated that he was very skeptical about this finding of cyhalothrin because in that period of time most of the samples given to government Chemist turned out to have cyhalothrin.
167. On cross examination by Mr. Kinyua, PW13 stated that it was still possible to take samples again and do an independent toxicological analysis if the body is still available. He stated that in the case of chronic poisoning the chemicals can be detected in the teeth, and bones. He stated that he could not remember the colour of the containers that were used for the samples. He stated that if the samples that were taken to U.K arrived in different containers other than the ones in which they were packed in Kenya, then there was likely some interference. He stated that pesticides can enter into the human body passively but in trace amounts.
168. He stated that when a body is exhumed when it has undergone a lot of disintegration after one year, it becomes difficult to determine the cause of death. He stated that the samples should have been taken to different laboratories.
169. On cross examination by Mr. Mogaka, PW13 stated that the cause of death of the deceased is unknown and that the reports from the government chemist are unreliable. He stated that the reports from government chemist gave the wrong description of cyhalothrin as a carbonate. He stated that the reports from the government chemist were scientifically wrong and cannot assist the court in determining the cause of death. He stated that he did not whether there was been interference since it was exhumed and he couldn't tell what transpired to the body before it was exhumed. He stated that he did not see any DNA report and he could not tell scientifically whether the body that was exhumed was that of the father to Hellen, Alexandra, Philip and Richard Veevers. He stated that the body was exhumed after almost eleven months since the time of burial and that there were few soft tissues in the abdominal regions.
170. On re-examination, PW13 stated that he was not aware whether DNA samples were taken. He added that he agreed with the report from the U.K which said that there was no cyhalothrin and that the



concentration of chemicals reduces with time. He reiterated that he was not able to ascertain the cause of death.

171. PW14 SSP Shadrack Ouma Juma a retired Senior Superintendent of police stated that around March 2013, while based at Kisauni as the DCIO, he received a report on 14th March 2013 from Richard Roy Veevers who reported the death of his late father Henry Roy Veevers. He was told that the father had died on 14th February 2013. He requested for a thorough investigation to be carried out to know what had caused the death of his father who died at home in Nyali estate. He then requested the OCS Nyali Police Station Chief Inspector Charles Otiende Otieno who had earlier on visited the scene to record witness statements for both witnesses. He was further told that the body had already been buried without a post-mortem examination. He then applied to court for exhumation of the body. He was also told that the body had been buried in accordance with Muslim rules while the deceased was a Christian. He stated that they got the order from court for exhumation but there some delay for the exhumation. He was then transferred to Embu in June, 2013 and handed over the matter to his predecessor IP Joseph Kioko. It was his testimony that the deceased had been unwell on 11th February 2013 and was taken to the hospital by the house help. The house help informed him that on 14th February 2013 she went to work and did laundry as usual and later Azra told her about the death of the deceased.
172. On cross examination by Mr. Mogaka stated that he was not hostile to Richard and he facilitated the investigations to take place. He stated that Richard went to him for the first time on 14th March 2013 and told him that the deceased had died a month earlier on 14th February 2013 and had been buried on 17th February 2013. It was his testimony that the main complaint was that the deceased had been buried without a report to the police. He was informed by Richard that he and his two sisters and the brother were present during the burial. I do not know how many brothers and sisters that Richard has. He stated that he did what he was required to do in this matter and was surprised that Richard was reluctant to facilitate the exhumation.
173. On cross examination by Ms. Muyaa, PW14 stated that he received the report at the DCIO Kisauni a month from the date of death. He then directed the OCS Nyali to take the statement as he was doing something else. It was his testimony that the body was removed from the house to the mortuary then to the Muslim cemetery without a report to the police. The body was taken to Pandya Hospital in Mombasa and the police were not involved in the movement of the body. He stated that the police had not received any initial report about the death of the deceased and that no post mortem was conducted before the burial. He stated that Richard told him that he suspected poisoning though he didn't know whether a certificate of death was issued. He stated that his successor Joseph Kioko confirmed that the deceased was not admitted at Pandya hospital before he died. He stated that Azra Parvin Din had not recorded her statement by the time the matter was reported to him and she was the last person who was with the deceased. He confirmed that no police officer attended the burial. He stated that one does not have to pay for exhumation to be done and that when a person dies in a house, the police usually visit the scene, examine the body, and take it for post-mortem to ascertain the cause of death before releasing it for burial. He added that if one blocks that process then he or she must be responsible. He further added that if a person takes a body to a morgue from outside, then he must inform the police and the protocol is known to doctors. He continued to state that he went for transfer before the body was exhumed. He clarified that it is not mandatory for every death at home to be reported to the police but it is necessary when the death is suspicious or the cause of death is not clear. For this particular case, he noted that the manner in which the body was moved from the house to the mortuary and buried hurriedly raised suspicion.
174. PW15 Emily Adhiambo Joshua testified that in the year 2012 he used to work for Harry Roy Veevers as a house help from 15th August 2012. She stated that the deceased had three big houses and a servant



quarter which she used to clean. She stated that she would report to work at 8 am and leave at 5 pm from Monday to Saturdays. She stated that in November 2012, the accused travelled to Britain and came back on 8th December 2012 in the company of Azra who was the mother to Hellen and Alex. She stated that Azra used to reside in the same house but in a different room. She stated that on 11th February at 1600 hours as she was about to leave, the deceased told her that he was not feeling well and complained that he was having a headache. He requested her to accompany him to hospital. They went to the hospital and all the tests were done and they went back home and she left him. It was her testimony that every Thursday, the deceased used to have dental appointment at night and she would also accompany him to the hospital. She stated that the deceased had informed her that he had suffered from arthritis and advised her what to do in case he sustained an attack. On 12th February 2013 she reported and worked as usual until 5 pm and then left. She saw him and he looked normal. She stated that on 13th February 2013, they went to Reef Hotel to go and rest. She stated they drove Azra to Reef Hotel and drove back. At around 4.30 pm, while she preparing to leave Azra came back by herself and they took their garden seats and she left them enjoying the sunset and she left for home.

175. It was her testimony that on 14th February 2013, she reported to work as usual and did her chores including washing dirty laundering. She stated that she could hear some noise from inside as if someone was arranging households. She stated that since she had not seen Veevers, she knocked the door and Azra opened the door and appeared visibly shocked. She then asked her what the problem since she looked shocked and she was told to sit outside. She was then given a soda by Azra who then told her that “Roy has left us. Roy has gone.” She then enquired whether he had travelled but she told her that the deceased had died at 4 am and she had already taken the body to the mortuary. She stated that a lady by the name Gullie who used to keep the keys whenever Harry travelled came and Azra explained to the lady about the demise of the deceased. She also called her family members, and informed her about the death. She continued to state that on 17th February 2013, she viewed the body of the deceased at Pandya. She said she only viewed the head and was not able to scrutinize the body. She stated that the deceased was buried at Sapphire Cemetery. She stated that Azra and Roy were living as husband and wife and they used to be cordial and she never had of any grudges with any of them.
176. On cross examination by Mr. Kinyua, PW15 stated that Azra and Harry Roy visited her mother twice. She stated that her brother would also visit Roy’s home to help her draw water from the well since it was tedious. She narrated how she met the deceased when she had come from the hospital with her baby and the deceased offered her a job. She stated that she saw the two together for three months. She stated that Houses No. 38, No. 39, and 40 belonged to the deceased and he lived in the first house. She added that all the bedrooms are down stairs and that the kitchen, dining and one toilet are located on the ground floor. She stated that there was a time when she noticed the deceased was getting an arthritic attack and she ran and got him the crutches as Azra was inside. Azra then got to the door and assisted him. She stated that that was the only incident she witnessed the deceased get an attack and could not recall any day that he fell down and Azra asked her to help him. She stated that Azra and the deceased were sleeping in different bedrooms. She added that she used to clean both rooms but most of the times, Azra used to clean the rooms. She stated that the deceased used to sleep in the master bedroom while Azra’s bedroom was two rooms apart and the two bedrooms did not share wall.
177. As regards religion, she stated that she didn’t know the religion the deceased professed as she had never seen him going to church or to a mosque or praying any Arabic prayers. She stated that the deceased did not have Muslim friends who would visit to discuss the Quran. She stated that she knew him “Mr. Harry Roy Veevers” and he never told her that he was also known as Aqbar and never heard anyone call him “Aqbar”. She stated that she knows that Muslims pray five times a day but she never saw the deceased say Muslim prayers.



178. She continued to state that 11th February 2013 was the first time the deceased informed her that he was suffering a headache and they took him to a hospital. she stated that he walked normally to hospital without any support/assist him and walked back home normally. She stated that the dentist he use to visit was based at Nyali Cinemax and she used to accompany him to the dentist every Thursday and he would drive himself in his Peugeot. She would also accompany them when Azra came. She stated that she saw the deceased on 12th February 2013 and he would normally open the gate for her and did not have the support of crutches. She narrated that on 13th February 2013, the deceased open the gate for her while walking normally. Azra requested to be taken to Reef Hotel and they took her there around 8 am, dropped her there and came back and Azra came back at 4.30 pm from Reef Hotel. It was her testimony that the deceased used to eat mostly at home but he would eat from a hotel at Nakumat whenever they went out shopping. She stated that the deceased used also used to prepare his food and that on 13th February 2013, she left the deceased with Azra and he looked okay and she did not see any sign or illness on the part of the deceased.
179. On 14th February 2013, she stated that she reported to work at 8 am and began doing laundry which she got outside. She stated that she did not go behind the house and did not see any smoke, or smell any burning object. She stated that when she came in the morning, the gate was closed but not locked and she could hear noises from inside the house. She stated that she did not enter the house at all on 14th February 2013. She stated that Azra told her to accompany her to Bamburi Beach Hotel where the children would stay upon their arrival. She stated that there were also bedsheets among the dirty laundry which belonged to the deceased. She reiterated that she did not notice anything unusual on the bedsheets and couldn't recall if she cleaned Roy's clothes when she did the laundry. She stated that she was not aware that Roy had already died.
180. She continued to state that on 14th February 2013, she did not see any police officers. She stated that she knocked the door when she heard movements inside the house and Azra looked a little stressed she then offered her a drink. Azra then told her that Roy had died of a heart attack. She said she did not get anyone in the homestead and Azra was alone and she could not ask any more questions. It was testimony that Azra did not tell her who took the body to the mortuary. She stated that she was only aware of arthritis and dental issues and was not aware of any other health issues.
181. On cross examination by Mr. Mogaka, PW15 stated that on 14th February 2013 she did her laundry as usual and did not get any information if a doctor had visited the homestead that night. She reiterated that the deceased was in Kenya in September 2012 and travelled to UK, towards the end of November and travelled back on 8th December 2012 with Azra. She stated that she continued cleaning the house even when Azra was in the house.
182. She stated that she never discussed the issue of religion with the deceased and they never got to discuss his personal issues and she did not know if he was Aqbar. She added that the deceased would leave his keys to his house with Mamas Gullie whenever he travelled and she would also pay her when Harry was away as she was trusted by the family. It was her testimony that he was never being visited by friends in his house. She admitted that she was not privy to what the deceased did while inside the house. She would however accompany him whenever he left the homestead and he never left the homestead without her company. At Bamburi Beach Hotel, she stated that the boys and girls were staying in separate rooms.
183. It was her testimony that after the burial, Azra left and told her to hand over the keys to Christopher (Harry's brother) and leave. She was then called by Richard and told to go back since Harry was still her employer and Richard occupied one of the houses. She admitted that she did not know what caused the death of Harry Roy Veevers and that she was not present when a post mortem was done. At Sapphire



Cemetery she stated that all the ladies were barred from accessing the burial site and were stopped at a distance. She stated that she was aware the body was exhumed much later but she never got to see the body after exhumation.

184. The prosecution closed its case opening the way for parties to file their submissions. Shortly before the parties filed their submissions, they requested for typed proceedings to enable them file submissions. However, due to confusions and misunderstanding, the then trial magistrate having gone on transfer did write a ruling without the parties ever filing their submissions. Aggrieved by the ruling of the then trial magistrate, Mr. Mogaka filed a Revision No. 123 of 2024 challenging the ruling. The High Court by a ruling delivered on 13th May 2024 ordered for the file to be remitted back to the CM for re-allocation of the matter to a different magistrate to receive submissions and write a ruling.

Part Three: Written Submissions By Mr. Kinyua For Sons

185. Mr. Kinyua filed written submissions on 11th February 2025 and contented that the facts of the case point to a sudden death and that it was suspicions because the deceased had been well ten hours before he died and the subsequent events that were meant to cover up his death. He submitted that the death was not investigated due to the influence that Azra Parvin Din had on the DCI. He submitted that the level of cover up was further illustrated by the failure of the ODDP to call one Ngare who carried the body from the house to the mortuary without any record. He blamed Azra Parvin and Dr. Salim for not informing the police of the death for the police to commence investigation as required under Section 386 of the *Criminal Procedure Code*. He stated that under Legal Notice No. 174 of 1965, the registration of births and deaths occurring in Mombasa became compulsory with effect from 1st July 1965 and that registration is preceded by notification of death.
186. It was counsel's submission that Azra Parvin arranged for the burial without a burial permit. He stated that the hospital had no capacity to issue a burial permit and that under Rule 14(1) of the Births and Deaths Registration Rules, the burial permits are issued by the Registrar and not hospitals. He added that burial permits are issued after completion of Form 6 which is the register of death. It was his contention that Dr. Salim indicated the immediate cause of death but failed to indicate the antecedent causes or significant conditions. He stated that Dr. Salim ought to have completed Form 11 because the death was sudden and because he was not in attendance before the death. He stated that he was called when the deceased was unresponsive and was already dead and he didn't attempt resuscitation. He stated that Dr. Salim having seen the deceased 55 days prior to his death, he couldn't be said to have been in attendance before death.
187. Mr. Kinyua highlighted facts from page 51 to 55 of the written submissions which constituted reasonable suspicion and that the sudden death was not natural. He therefore submitted that the offence of perjury had been committed by Azra Parvin Din when she stated that the deceased had converted to Islam and that they got married through Nikkah and that they slept in the same room; that she called the doctor when the deceased was still breathing and the death was recorded at the hospital. He also cited Dr. Andrew Kanyi Gachie for perjury when he stated that the samples taken were the same ones which were sent to the U.K.; Dr. Salim for making a false statement as to the cause of death and failing to inform the police of the sudden death and failing to record the presence of the body at the hospital.
188. As to the disposal of the body, Mr. Kinyua submitted that there was no evidence that the deceased was married to Azra Parvin Din and that in Islam the body of a man cannot be released to a female and especially to a girlfriend. He submitted that in the absence of a Nikkah between the deceased and Azra, the union was haram and the children illegitimate and illegitimate children cannot bury their father. He further submitted that the deceased was a Christina as confirmed by his family members. Counsel



urged the court to repatriate the remains of the deceased to the U.K and that his son Richard would cater for the costs and that the court should direct that he be reimbursed from the rental income held by the High Court.

189. Mr. Kinyua further submitted that it would be prudent for the remains to be repatriated to the U.K. as the family of the deceased would find it difficult to fly to Mombasa to visit the grave in a Muslim cemetery where women are not allowed. Counsel observed that the powerful friends who prevented full investigation are serving jail terms in the U.K and that there is no powerful friend who may have influence over the DCI and the DPP as currently constituted. He urged the court to issue an order for warrant to search all bank accounts the deceased may have had in Kenya for purposes of determining whether any substantial monies were withdrawn shortly before and after his death. Counsel also urged the court to direct the Attorney General or the ODPP to seek assistance from the U.K. authorities and the police to search all accounts that the deceased had in the U.K.
190. Mr. Kinyua concluded that Harry Roy Veevers needs to rest and that he cannot rest in a Muslim cemetery chosen by his Muslim concubine and his daughters and that he cannot rest under a false name given to him posthumously. He stated that the wishes of the family are that the remains be taken to the U.K for a proper Christina burial. He admitted that the sudden and suspicious death remain unresolved due to perjury that limited the inquest to establish cause of death.

Part Four: Written Submissions Mr. Mogaka On Behalf Of Azra Parvin, Hellen Veevers And Alexandra Veevers

191. Mr. Mogaka filed written submissions on 3rd May 2025 and commenced by stating that Mr. Kinyua's submissions were full of speculations and distortions which seem to be his own imaginations not backed by evidence and that they strayed from the core purpose of the inquest proceedings. He stated that there seems to be concurrence that the cause of death is unknown and that the same was not occasioned through proceedings. On the alleged foul play in moving the body from house to the mortuary without making a report to the police station, Mr. Mogaka cited Section 386(3) of the *Criminal Procedure Code* which provides that "When the body of a person is found or a person has committed suicide or has been killed by another or by an accident or has died under circumstances raising a reasonable suspicion that some other person has committed an offence, a person finding the body or becoming aware of the death shall immediately give information thereof to the nearest administrative officer or police officer." He submitted that according to the evidence of those who were last with the deceased, there was no suspicion as to the cause of his death to warrant reporting the same to the police. He submitted that the evidence on record confirm that the deceased was ailing before his demise and that his previous health conditions included hypertension, blood pressure, Meniere's disease, arthritis and dental for which he was under medication both in Kenya and the U.K. MR. Mogaka submitted that in the absence of any suspicion as regards the death, there was no obligation to report its occurrence to the police.
192. As to the alleged foul play in conducting a burial before carrying out post mortem, Mr. Mogaka submitted all the children of the deceased took part in the burial. He submitted that there was no demand or request for a post mortem before from any of the family members including the two sons: Richard and Philip. He further submitted that the evidence on record does not disclose any objection to the burial of the body of the deceased on 17th February 2013 before a post mortem. He stated that there was no explanation as to why it took a month before a complaint was lodged.
193. On allegations that the deceased died out of poisoning, Mr. Mogaka submitted that PW12 (Joseph Kioko) admitted that earlier based on incomplete investigations he had recommended prosecution of PW7, PW9 and PW13 and that his opinion changed after recording their statements after which



- the DPP recommended inquest. He submitted that at the hearing the four children of the deceased PW1, PW2, PW7, PW9 as well DCI officers PW12 and PW15, the deceased's friend PW5 and the house help PW16 all admitted that they did not know the cause of death of the deceased. He further submitted that the pathologists and the government chemist did not concur on the cause of death. He submitted that there was evidence of collusion, connivance and conspiracy between PW3 (Dr. Moses Njue Gachoki with the staff of government chemist to come up with a report to the effect that the deceased died by poisoning. In furtherance of the conspiracy, he submitted that Dr. Njue created a record forwarding samples for tests to the government chemist falsely indicating that they were from DCI officer Joseph Kioko (PW12) who wondered why his name was included in the report relating to samples that he never sent.
194. Mr. Mogaka further submitted that there was doubt as to whether a pesticide called cyhalothrin ordinarily sprayed to kill insects is either a low or highly toxic chemical that cause death of a human being. He concurred with the chief government pathologist (PW14) who concluded that the cause of death was unknown and ruled out poisoning as cause of death. It was his assertion that just as the chief government pathologist had indicated, it is difficult to determine cause of death when a body has undergone extensive disintegration after a body is exhumed.
195. On alleged complaints lodged and not lodged with the police in Kenya and in the UK, Mr. Mogaka submitted that PW1 confirmed that the police closed their files on his complaints. For the complaints reported in the UK, counsel submitted that the same are and occurred outside the jurisdiction of the court and should be left to courts in Britain. For the complaints filed in Kenya, Mr. Mogaka submitted that there are established laws that provides for procedures on how they are to be handled.
196. On the religion of the deceased, Mr. Mogaka contented that suspected criminal acts were neither demonstrated or disclosed to have caused the death of the deceased. He submitted that PW1 and PW2 participated in the burial on 17th February 2013 and thereafter lodged a complaint as an afterthought without full disclosure. He submitted that nothing was concealed from PW1 and PW2 as they were duly informed and travelled to Kenya for the burial of their father.
197. On the issue of DNA, marriage of Azra Parvin Din to the deceased and who are entitled to inherit from the estate of the deceased, Mr. Mogaka stated that PW3 Dr. Njue and PW8 Stephen Matinde Joel Weibe did not produce DNA results to confirm that PW2 is a biological child of the deceased. He stated that this failure could be construed to mean that PW2 was not a biological son of the deceased. He however stated that the matter is to be considered before reburial and in the course of succession cause proceedings. Counsel contented that the issues of marriage and inheritance are a preserve of the family division and that the same should be dealt with in inquest proceedings. He added that the evidence adduced did not disclose that the issues occasioned the death of the deceased.
198. As regards the deceased's bank account in the UK and Kenya, Mr. Mogaka submitted that the matters touching on the estate are to be tackled by the family court and that upon full grant being obtained the administrators of the estate shall be entitled to procure complete bank statements. He submitted that PW2 purported to create an impression that there was money withdrawn from the accounts of the deceased. He submitted that PW2 and his uncle admitted to have accessed the deceased's safe deposit box from Barclays Bank and broke into it. He stated that the act was illegal and PW2 destroyed a will which most likely disinherited him and his brother. He contended that their actions amounted to meddling in the affairs of the deceased and is unlawful and actionable. It was his submission that there was no evidence that funds had been siphoned from the account of the deceased.
199. As regards the reburial of the exhumed remains of the deceased, Mr. Mogaka submitted the two daughters PW7 and PW9 together with their mother PW13 are against the release of the remains to



PW1 and PW2. He submitted that his clients intend to have the deceased reburied in Kenya as he and sold his assets in the U.K. and opted to settle in Kenya where he resided and invested in three houses. Counsel concluded his submissions by stating that the issue as to where and when the remains of the deceased are to be reburied was not for the determination of the inquest court. He stated that the nuclear family will have to agree or disagree on where and when to rebury the remains. He stated that in case of disagreement, then a dispute will be filed before the family and/or civil court for hearing and determination.

Part Five: Parties' Oral Submissions

200. On 24th June 2025, both Mr. Kinyua and Mr. Mogaka made oral submissions which did not introduce anything new and were verbatim replication of what they had filed as written submissions. As such I would not regurgitate them here. Both counsels agreed that the cause of death could not be established. According to Mr. Kinyua, the cause of death could not be established because PW13 spent a fortune and ensured that the deceased remained underground for months before he was exhumed. Mr. Mogaka on the hand submitted that the cause of death could not be ascertained because there was no poisoning as had been alleged.

Part Six: Submissions By The Prosecutions

201. Ms. Sombo for the State opted not to make any written or oral submissions as that would come with the risk of taking sides in case one is called upon to answer to a charge.

Part Seven: Analysis Of Issues

202. The purpose of inquest is to enquire into suspicious death of a person. An inquest is a judicial inquiry or investigation to ascertain the facts relating to an incident. "Inquest" is defined in [*Black's Law Dictionary*](#) to mean "an inquiry by a coroner or medical examiner sometimes with the aid of a jury into the manner of death of a person who has died under suspicious circumstances or who has died in prison."

203. In Kenya, the scope of the power of a magistrate in an inquest is found in Section 386 read together with Section 387 of the [*Criminal Procedure Code*](#) which provides:

- "(1) When a person dies while in the custody of the police, or of a prison officer, or in a prison, the nearest magistrate empowered to hold inquests shall, and in any other case mentioned in section 386(1) a magistrate so empowered may, but shall in the case of a missing person believed to be dead, hold an inquiry into the cause of death, either instead of or in addition to the investigation held by the police or prison officer, and if he does so he shall have all the powers in conducting it which he would have in holding an inquiry into an offence.
- (2) Whenever the magistrate considers it expedient to make an examination of the dead body of a person who has been already interred, in order to discover the cause of his death, the magistrate may cause the body to be disinterred and examined.
- (3) If before or at the termination of the inquiry the magistrate is of the opinion that the commission by some known person or persons of an offence has been disclosed, he shall issue a summons or warrant for his or their arrest, or take such other steps as may be necessary to secure his or their attendance to answer the charge; and on the attendance of the person or persons the magistrate shall



commence the inquiry de novo and shall proceed as if he had taken cognizance of an offence.

- (4) If at the termination of the inquiry the magistrate is of the opinion that an offence has been committed by some person or persons unknown, he shall record his opinion and shall forthwith send a copy thereof to the Director of Public Prosecutions.
- (5) If at the termination of the inquiry the magistrate is of the opinion that no offence has been committed, he shall record his opinion accordingly.”

204. The nature of an inquest was described by the court in *Kemei v. Director of Public Prosecutions & another* (Criminal Appeal 52 of 2020) [2022] KEHC 12153 (KLR) where Bwonwong’a J held that:

“An inquest is a judicial inquiry conducted to determine the surrounding circumstances and the cause of a person’s death of a deceased person. It is an inquiry that examines witnesses on oath who testify on any relevant matter or information in order to establish as to who the deceased was, how and under what circumstances he met his death. The inquest is an inquiry to establish material circumstances in respect of the death of the deceased. It is an investigative process. This is clear from the provisions of sections 387 (4) and (5) of the *Criminal Procedure Code*, which read as follows:(4)If at the termination of the inquiry the magistrate is of the opinion that an offence has been committed by some person or persons unknown, he shall record his opinion and shall forthwith send a copy thereof to the Director of Public Prosecutions (DPP).(5) If at the termination of the inquiry the magistrate is of the opinion that no offence has been committed, he shall record his opinion accordingly.”

205. In *R (On the application of Maughan v. Her Majesty’s Senior Coroner for Oxfordshire)* 2020 UKSC 46 Supreme Court of the United Kingdom an inquest was described in the following terms: “An inquest was a fact finding exercise and not a method of apportioning guilt. The procedure and rules of evidence which were suitable for one are unsuitable for the other. In an inquest it should never be forgotten that there were no parties, there was no indictment, there was no prosecution, there was no defence, and there was no trial, simply an attempt to establish facts. It was an inquisitorial process, a process of investigation quite unlike a criminal trial where the prosecutor accused and the accused defended.”

206. It has been stated that inquest is a way of the Officer of the Director of Public Prosecutions absconding its constitutional mandate when no clear decision can be made. In *Manyibe & 4 others v Office of Director of Public Prosecutions & 2 others* (Criminal Revision E001 of 2022) [2023] KEHC 2757 (KLR) (24 March 2023), W. M. Musyoka, J observed that

“...the inquest law, as it stands, belongs to a bygone era, and it is not in tune with current legal and constitutional dispensation, and it ought to be revised, to align it to current law and practice. The said law dates back to the colonial era, when the role of magistrates was vastly different from what obtains today. The provisions were introduced in 1959, and need an overhaul. Magistrates played administrative and police roles then; and courts were largely a department in the office of the Attorney-General, and did the bidding of the Executive, which is not the case today. It will be noticed, for example, that section 388(1) talks of the Director of Public Prosecutions, who was also the Attorney-General then, directing the magistrate, which ought not to be the case, as magistrates do not serve under the Director of Public Prosecutions, and should not be directed by him in any manner. Magistrates courts should have no role at all in criminal investigations, for the roles spelt out in sections 386, 387 and 388 point to that. Criminal investigations, under the *Constitution*, 2010, is the exclusive



role of the 1st and 2nd respondents, and the *Criminal Procedure Code* ought to be amended to align it to the *Constitution*, 2010, to take away involvement of magistrates in criminal investigations.”

207. From the testimonies of the prosecutions and the submissions by counsels representing both sides, the issues for determination and which everyone want answered are threefold: was there human hand in the death of Harry Roy Veevers on 14th February 2013? If there was, then whose hand was it? And who should claim and rebury the body of the deceased? However, Mr. Kinyua urged the court to delve into others issued that could certainly not be decided, delivered and/or guaranteed by this court. He urged the court to order for investigations of all the bank accounts that the deceased had in Kenya for purposes of determining whether any substantial monies were withdrawn shortly before and after the death of the accused. He argued that there cannot be complete investigations of any sudden death without looking into the financial records of the deceased. Counsel also urged the court to direct the Attorney General and/or Director of Public prosecution to seek assistance from UK authorities to investigate the accounts of the deceased in the UK. I wonder how this court would issue such an order and follow up on its compliance. Counsel knows all too well that the issue relating to the estate of the deceased are being actively litigated in a different forum and that this court has not strength, might or jurisdiction to poke its nose on the matter relating to succession dispute.
208. I would therefore restrict myself to the three issues identified above and which are required of an inquest court:

What led to the death of Harry Roy Veevers?

209. After the exhumation of the body of the deceased, samples were taken for post-mortem and further DNA and toxicology. Each side of the family was represented. PW3 Dr. Moses Njue Gachoki who was retained by PW7 stated that the samples he took to the U.K for analysis tested positive for cyhalothrin which he considered a highly toxic substance. His report was however questioned as the samples reached the U.K. four months later after exhumation and that they were not in the containers which they had been packed in. Dr. Richard Sykes testified that he didn't find traces of cyhalothrin in the three samples which were sent to him. Dr. Johansen Oduor testified that there was no trace of cyhalothrin.
210. The battle of wits among the pathologists and the government chemist further convoluted the case as they could not reach a common and definite finding as to what caused Roy's death. It is expected in Kenya's laws that the opinion of an expert under Section 48 of the *Evidence Act* is to guide the court in arriving at finding about any phenomena. In this case, the experts showed to us that there could be different interpretations about a subject that the lay person is left wondering what to believe. The undisputed conclusion was therefore that the cause of death of the deceased was unknown.

Who and/or what caused the death of the deceased?

211. Section 387(4) of the *Criminal Procedure Code* provides that “If at the termination of the inquiry the magistrate is of the opinion that an offence has been committed by some person or persons unknown, he shall record his opinion and shall forthwith send a copy thereof to the Director of Public Prosecutions.” From the testimonies of all the witnesses, it is apparent that soon after Harry Roy Veevers logged out of the world, a lot of things happened. A number of those things could be said to have been acts of omissions and commission. As to whether they were serious enough to constitute or lead to Roy's death was not determinable. Dr. Salim ought to have advised Azra and insisted on the death being reported. His inactions contributed to the suspicions on the circumstances surrounding the death of the deceased. It is however stated that Dr. Salim Omar faced some sort of disciplinary



action by the Kenya Medical Practitioners and Dentists Board. The person who picked Roy's body (Ngare of Pandya Hospital) should have been called to shed light on the role he played.

212. The balance of evidence in inquest is not proof beyond reasonable doubt as no one is on trial during inquest proceedings. Any finding of culpability is based on balance of probability. The inquest proceeding commenced and proceeded on the strong belief by PW1 and PW2 that their step-mother Azra Parvin Din was responsible for the death of their father. The evidence adduced has not pointed to her as someone who took the life of the deceased. Nothing done or not done by Azra Parvin Din could have been said to be harum-scarum enough to be considered the cause of death of the deceased. Azra having lived with Roy for 36 years knew or considered him a Muslim and opted to organize his funeral without conducting post mortem. She did this not knowing that she would carry the burden of being a murder suspect. No evidence has been adduced to confirm her as one.

Place of (re)burial

213. Virtually all societies and cultures have been found to have some form of funeral rites,³ and while these differ significantly throughout the world, there is enough similarity to suggest such rituals meet critical universal needs which exist at the time of the death.⁴
214. As regards disposal of the body, each side of the family sought to have the body of the deceased released to them for burial. Some of the reasons why people are buried include: Respect for the physical remains. If left lying on top of the ground, scavengers may eat the corpse, considered disrespectful to the deceased in many (but not all) cultures; Burial can be seen as an attempt to bring closure to the deceased's family and friends; Many cultures believe in an afterlife. Burial is sometimes believed to be a necessary step for an individual to reach the afterlife; Many religions prescribe a particular way to live, which includes customs relating to disposal of the dead; and a decomposing body releases unpleasant gases related to decomposition. As such, burial is seen as a means of preventing smells from expanding into open air.⁵ Currently Kenya has no comprehensive legal provision in Kenya on the procedure for handling, disposition or settling of disputes relating to dead bodies or burial of persons. The only provision is Section 137 of the *Penal Code* which makes it an offence to hinder burial of a dead body and provides that "Whoever unlawfully hinders the burial of the dead body of any person, or without lawful authority in that behalf disinters, dissects or harms the dead body of any person, or, being under a duty to cause the dead body of any person to be buried, fails to perform that duty, is guilty of a misdemeanour."
215. Most people make provision in their wills on how they wish their bodies to be disposed of upon demise but the executors of the wills are not bound if the wishes are unworkable or in conflict with the personal laws of the deceased. There is no ownership or property in a dead body that can be transferred to another through a will. The expressions in the wills therefore just remain that, expressions. Due to

³ Therese Rando, *Grief, Dying and Death: Clinical Interventions for Caregivers* (Research Press, 1984) 173.

⁴ Vanderlyn R Pine, 'Comparative Funeral Practices' (1969) 16 *Practical Anthropology* 49.

⁵ Concept Paper on Need for Disposal of Dead Body Legislation in Kenya. Available at <https://www.klrc.go.ke/index.php/klrc-blog/511-concept-paper-on-need-for-disposal-of-dead-body-legislation-in-kenya>. <Accessed on 23/07/2024>



conflicting wishes of the dead and the living, disputes⁶ often arise leading to court cases that drag for months or even years (like this) not forgetting the financial and emotional burden placed on the families involved.

216. In determining burial disputes between family members, courts are usually guided by the religion of the deceased (if he/she had changed religion); the will or wishes of the deceased; and the customs of the deceased. As stated, Kenya presently doesn't have a legislation guiding burial disputes in Kenya. Kenya Law Reform Commission has proposed that if such a legislation were to be enacted then the proposed legislation should address certain issues that revolve around the disputes.⁷

217. In sudden or violent deaths, English courts have occasionally favored the person who wants the deceased laid to rest, away from the scene of the tragedy.⁸ Kenyan courts have focused on common law principles like judicial precedence while attempting to interpret customary law in resolving burial disputes. To this extent jurisprudence in burial disputes have developed in four contradictory dimensions in the Kenyan Courts.⁹

1. The first dimension referred to as 'the binding custom principle' was best reflected in *Virginia Edith Wambui Otieno v. Ochieng Ougo & Anor* [1987] where the Court of Appeal held that "...the decision as to where and how an adult Luo will be buried rests with the clan from which he hails. Even if a man may have, in his lifetime, expressed a wish as to his place of burial, it is in evidence that the wish will be subject to the customs and traditions of his clan. The clan sages are not, necessarily, bound to comply with those wishes if they do not conform to the customs and traditions of that clan." The court therefore set precedent by giving the body to the clan for

⁶ The most common forms of disputes are usually around:

- a. Inter-ethnic marriages which bring about cultural conflicts where the customs of the deceased and his or her relatives and family members on burial differ from those of the widow or widower as the case may be.
- b. Where the deceased was polygamous, then an issue arises as to who among his families has the right to bury them, coupled up with cultural differences of the families. This is quite common in our society today.
- c. Where the deceased person, prior to his death, expressed certain wishes on where to be buried but his relatives prefer a different location for any other reasons.
- d. Religious conversion is also a factor that leads to such conflicts especially where the deceased person during his lifetime or prior to his death changed his religion for instance from being a Christian to a Muslim, this brings about the question of which religion should be followed in conducting the burial.

⁷ Critical questions that ought to be answered under the proposed legislation include:

- a. who should have the right to bury the deceased?
- b. Where should the deceased be buried?
- c. Does a dead body have value?
- d. When should the deceased be buried? (Time frame)
- e. Do the wishes of the deceased on where he or she where to be buried be given effect to?

⁸ Heather Conway, 'First Among Equals': Breaking the Deadlock in Parental and Sibling Funeral Disputes' in *Liverpool Law Review* (2018) 39:151–174. Available at <https://link.springer.com/article/10.1007/s10991-018-9212-3> <Accessed on 24th July 2025>

Ngira, D. O., 2018. Re-examining Burial Disputes in Kenyan Courts through the Lenses of Legal Pluralism. *Oñati Socio-legal Series* [online], 8 (7). Available from: <https://doi.org/10.35295/osls.iisl/0000-0000-0000-0982>

⁹



burial at his ancestral home in western Kenya. This precedence continued to impact on burial disputes in Kenya for a long time and was the ratio decidendi in *Kandie & 2 others v Cherogony* [2002] where the High Court ordered a woman to surrender her husband's body for burial to his Tugen clan based on customary law. The Judge pointed out that "... the customary law of the Tugens is that a man must be buried by his father and family members at his ancestral home. It was never suggested that such a custom is inconsistent with any written law and in *SM Otieno's* case, the Court of Appeal held that it is not repugnant to justice or morality."

2. The second dimension referred to as 'the doctrine of legal proximity' was coined by Justice Jacton Ojwang (as he then was) in *Ruth Wanjiru Njoroge v Njeri Njoroge & Anor* [2004] eKLR. The doctrine is based on the assumption that the decision as to the determination of the place of burial is based upon proof by the parties in the dispute of their proximity to the deceased. Accordingly, the right to bury a dead body can only be conferred to the person who is able to demonstrate the closest proximity to the deceased. Justice Ojwang noted that "...in social context prevailing in this country, the person, who is in the first line of duty in relation to the burial of any deceased person, is the one who is closest to the deceased in legal terms. Generally, the marital union will be found to be the focus of the closest chain of relationships touching on the deceased. And therefore, it is only natural that the one who can prove this fundamental proximity in law to the deceased, has the colour of right of burial, ahead of any other claimant.
 3. The third dimension is borrowed from the common law principle that the wishes of the deceased over his burial place should be paramount in determining his place of burial. It proceeds from the common law assumption that there is no property in a dead body. The argument formed the ratio decidendi in *Eunice Moraa Mabeche & Anor v Akinyi* (1994) where the High Court allowed the deceased's body to be buried in a Muslim cemetery based on his wishes and rejected his mother's attempt to bury him in his Kisii ancestral home subject to Kisii customs. The same position obtained in *Charles Onyango Oduke & Anor v Onindo Wambi* [2010] where the High Court held that "courts ought to give effect to the wishes of the deceased as far as possible".
 4. The fourth dimension considers the relationship between the deceased and the litigants in burial disputes and has been seen as an attempt by courts to develop customary law rather than interpret it. It is thus argued that a person with whom the deceased had a sour relationship cannot be allowed to bury him/her regardless of the position of customary law. It means that the mistreatment of the deceased (while still alive) by a litigant negates his/her customary rights to bury him/her. This was the ratio decidendi in *Edwin Otieno Ombajo v Odera Okumu* [1996] where the Court of Appeal pointed out that "We wish to observe here that customary law, like all other law, is dynamic. Because it is not codified, its application is left to the good sense of the judge or judges who are called upon to apply it. That is why, as its stated earlier Section 3(2) of the *Judicature Act*, Cap 8 Laws of Kenya above, is worded the way it is to allow for the consideration of individual circumstances of each case. So the conduct of the respondent and his attitude towards the deceased generally, were important considerations in determining the dispute between the parties here."
218. As stated at the onset of this ruling, there is no formal legislative provisions that guide burial disputes and formal legal systems are largely gapless systems and exclusively rely on statutes and precedents to resolve disputes. It is for this reason that deciding the final resting place for Harry Roy Veevers is quite nerve cracking. It is a tough decision that someone has to make anyway. It is tough because Harry Roy Veevers was a mzungu who did not subscribe or bind himself to any known custom; no concrete



evidence was adduced to remove any close family members from Harry Roy Veevers' legal proximity; no evidence was adduced in form of a will to show that Harry Roy Veevers wished to exit the world in a certain way; and no evidence was adduced to show that Harry Roy Veevers had a sour relationship with any of his close family members so as to exclude anyone from claiming his body. Oooh, Roy, son of Ruth Veevers!! You left us confused. But we won't disappoint you. Just wait!!

Part Eight: Conclusion

219. Section 387(4) of the *Criminal Procedure Code* states that “If at the termination of the inquiry the magistrate is of the opinion that an offence has been committed by some person or persons unknown, he shall record his opinion and shall forthwith send a copy thereof to the Director of Public Prosecutions.” In *Gabriel Wandere Waweru v. Republic* (Criminal Revision E187 of 2023) [2024] KEHC 2410 (KLR), Mwongo J., observed that “It is clear that the mandate of a Magistrate holding an inquest is, *inter alia*, to determine whether, in his or her opinion, an offence has been disclosed by a known person, and if so to issue a summons or warrant of arrest. The object of the power is to ensure that the person suspected of having committed the offence is secured to attend and answer the charge.”
220. When this case started, I was still in my initial years of legal practice pushing papers in the corporate world. I remember reading newspapers reports about the demise of the deceased and I had no idea that almost a decade later I would be presiding over the case. It has been a tiring journey and legal tussle for the family members who have invested their emotions and resources into this case. I hope and pray that this ruling marks the beginning of closure and that the deceased finally gets to rest in peace in the afterlife.
221. Before I pen off, I would wish to thank all the judges, judicial officers, judicial staff, prosecutors, advocates, DCI officers, government chemists and everyone who have played a role in this inquest. Hon. A. Gachie issued the order for exhumation on 26th April 2013 in Miscellaneous Application No. 51 of 2013 opening the way for this inquest. The matter began before Hon. J. D. Kwena at Shanzu Law Courts who has since retired. It came to Mombasa Law Courts and landed on the desk of Hon. Ombura. It then went to Hon. Viola Yator who reallocated it to Hon. Douglas Ogoti who is now a Chief Magistrate at Kisumu Law Courts. It then went to Hon. Charles Ndegwa and was once before Hon. Makori Evans (now Judge of the ELC at Malindi Law Courts) for directions. The file was also before Hon. Martha Mutuku who now sits in Kerugoya Law Courts. The file went to the High Court for revision before Hon. Lady Justice Anne Ong'injo who sent it to Hon. Alex Ithuku who saw it fit to send it to me. To Mr. Kinyua and Mr. Mogaka, I'm grateful for your rich input, spirited fight and professionalism exhibited in this matter. From the proceedings and grapevine, I'm told it was never easy at some point but you soldiered on. You put the best foot forward on behalf of your clients to present their sides of the story and to explain what transpired. To all the prosecutors who have been part of this file, I say thank you. Hon. Ollimo while still a prosecutor handled the matter when it was before Hon. Ombura. Hon. Justice Alexander 'the Great' Muteti played a crucial role in this matter at its infancy stage when he was with the ODPP. His insights into the matter gave it the much needed directions. I also note the contributions made by Mr. Peter Kiprop who recommended that the matter proceeds by way of inquest, Mr. Alloys Kemo, Mr. Hassan Abdi (former Coast RCs) and Mr. Renson Ingonga (current DPP) when the file was before court. I also recognize the sacrifice of the witnesses who came out of retirement to testify in this case. To the two beautiful and hardworking ladies who form part of the Coram of this court, thank you for the role you have played in this matter and for being the support system any judicial officer would ever wish for. To the members of the press both in Kenya and the U.K., thank you for telling the story of Harry Roy Veevers in the best way you could. And to everyone I have not mentioned, I sincerely thank you for advancing the course of justice for Harry Roy Veevers.



222. Now, in view of the foregoing and having considered the testimonies of all the witnesses and the submissions by the counsels for all the parties, I wish to close Inquest No. 3 of 2015 with the following findings and orders:

1. that due to the level of decomposition and the conflicting reports by the pathologists, government chemist and other experts, the cause of death of the deceased remains unknown and as such nobody can be called to answer to any charge;
2. that the investigations relating to the death of the deceased are hereby considered closed unless and until new information comes to light; and
3. that, in the absence of any lawful court order barring its release, the remains of Harry Roy Veevers which have remained at Coast General Teaching & Referral Hospital Mortuary for the last 11 years 6 months 1 week 5 days be released back to the family for reburial at a place of their choice after paying all the necessary mortuary charges.

223. It is so ordered. May Harry Roy Veevers find rest in eternal peace.

DELIVERED AT MOMBASA THIS 12TH DAY OF AUGUST 2025

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HON. DAVID O. ODHIAMBO

SENIOR RESIDENT MAGISTRATE

Mombasa Law Courts

In the presence of:

Ms. Sombo —Prosecutor

Mr. Kinyua for Richard John Veevers and Philip David Veevers

Mr. Mogaka for Azra Parvin Din, Hellen Veevers and Alexandra Veevers

Ms. Ayiti —Court Assistant

