

CHAPTER FOUR

The Register Office

The Request for Copy Death Certificates

- 4.1 On leaving Dr Reynolds' surgery, Detective Inspector Smith drove to the Tameside register office at Dukinfield Town Hall. There, he saw Mr Loader, the Superintendent Registrar, and asked to be provided with copies of all entries in the registers of deaths relating to deaths certified by Shipman during the previous six months. DI Smith had decided to investigate the deaths over a period of six months, although the figures provided by the Brooke Practice covered only the previous three months. That was not an unreasonable decision although, in the event, it proved unfortunate, as it gave rise to considerable confusion.
- 4.2 DI Smith would have been entitled as of right (on payment of a fee) to obtain a certified copy of the entry in the register of deaths in relation to any identified deceased person. However, DI Smith did not know the names of the deceased persons in whom he was interested. He wanted the register office staff to search the registers to find all the deaths certified by Shipman. He wanted photocopies to be provided, preferably free of charge. Before Mr Loader could comply with his request, authority had to be obtained from the General Register Office (GRO) at Southport. Mr Loader advised DI Smith to contact the GRO direct, to obtain the necessary authority. He provided the telephone number and DI Smith wrote it in his daybook.
- 4.3 DI Smith then returned to the police station at Ashton and made two telephone calls to the GRO. As I have already said, the first of these was timed at 3.43pm. DI Smith had some difficulty in locating the right person at the GRO but it appears that, in due course, he was advised that photocopies of the relevant entries would be provided, free of charge, if a formal written request were received from a senior police officer.
- 4.4 DI Smith recalls that he typed an appropriate letter and had it signed by a senior officer. Both Chief Superintendent Sykes and Mr Postles claim that they signed it. DI Smith says he sent it to the GRO. No trace of that letter can be found either at the GRO or at Ashton police station. However, there is no reason to believe that it was not sent. It is not clear whether the letter was written in the late afternoon of 24th March and sent by post or was sent by fax during the late morning of the following day.
- 4.5 During the morning of 25th March, there were several telephone calls between the Tameside register office and the GRO in Southport and between DI Smith, the Tameside register office and the GRO. By about lunchtime, it appears that authority had been given for Mr Loader to provide the copy entries to DI Smith. Together with those of his staff who were available for the task, Mr Loader made a search of all the registers of deaths covering the last six months. Mr Loader said that all relevant entries were photocopied and were handed to DI Smith.
- 4.6 Each of these documents was a photocopy of the relevant entry in the register of deaths. Certified copies of the entry are provided to a deceased's family at the time of registration

and are commonly known as 'death certificates'; DI Smith used the same term to describe the photocopies he obtained. I shall therefore refer to them as 'copy death certificates'.

The Issue

- 4.7 Within the previous six months, Shipman had, in fact, certified the cause of death of 31 of his patients. DI Smith said that, on the morning of Thursday, 26th March, he received a bundle of copy death certificates from Mr Loader at the register office. Unfortunately, neither he nor Mr Loader made any record of how many were handed over. Before the Inquiry, an issue arose as to how many copy death certificates Mr Loader gave to DI Smith.
- 4.8 Mr Loader and his staff maintain that, as there were 31 relevant entries, he must have provided 31 copy death certificates. DI Smith has always claimed that he was not given 31 certificates. Until shortly before the Inquiry hearing, he contended that he had been given particulars of 19 deaths. Recently, he claimed that he was given 20 certificates but, for the moment, that slight difference does not matter. The issue is whether he was given 31 certificates or significantly fewer.
- 4.9 The question of how many copy death certificates Mr Loader handed over to DI Smith occupied a good deal of the Inquiry's time. The issue was of some importance to those concerned. The register office staff felt strongly that they had been wrongly accused of incompetence in failing to provide a complete set of certificates. They pride themselves on the accuracy and care with which they perform their duties.
- 4.10 DI Smith contended that his investigation was blighted from an early stage because he was misled by the register office into thinking that only 19 or 20 of Shipman's patients had died during the previous six months. If that were so, it would mean that Dr Reynolds' claim that 16 of Shipman's patients had been cremated in three months was probably wrong and that the death rate among Shipman's patients might not have been worryingly high. DI Smith might properly claim that he had been lulled into a false sense of security by the register office's mistake.
- 4.11 I have already indicated that, when DI Smith left Dr Reynolds' surgery on 24th March, he did not regard the number of deaths among Shipman's patients as a particularly important aspect of the investigation. He thought that Shipman had had 16 patient deaths in three months. That being so, it may be thought that, even if DI Smith had received 31 – rather than 19 or 20 – certificates in respect of the six-month period, he would probably not have appreciated that this figure gave rise to any cause for concern.
- 4.12 In the event, I have decided that, so far as possible, I must resolve the issue of how many certificates were provided. Apart from the position of DI Smith and the registrars, the number of deaths among Shipman's patients also came to the attention of Dr Banks, Medical Adviser to the WPHA. If he had been aware of the true number, it is possible that his level of concern might have been raised.

The Rival Contentions: DI Smith

- 4.13 DI Smith advanced the following contentions. First, he said that, after he received the copy death certificates, he returned to Ashton police station, sorted them into chronological

order and made a list or chart of all the names. Later, the chart was transferred to the computer. The manuscript chart has not survived but the computer spreadsheet is available and contains 19 names. In August 1998, the spreadsheet was adapted for use in the later police investigation and four versions of it were made available to the Inquiry. However, I am satisfied that the only version which represents DI Smith's work during the first investigation is that reproduced at Appendix B of this Report. DI Smith initially claimed that, as his spreadsheet contained only 19 names, he must have received only 19 copy death certificates. Certainly, it is hard to see why, if he had received 31 certificates, he only ever entered 19 onto his spreadsheet. However, the position is not as straightforward as that analysis would suggest. Later on the afternoon of 26th March, DI Smith visited the premises of the WPHA and provided Mrs Parkinson with a list of 17 names. He has advanced explanations for why he did not give her all the names he had. The position is further complicated by the fact that DI Smith has, at times, suggested that he received the 19 certificates in two batches on two separate occasions and yet, ever since shortly before he gave oral evidence to the Inquiry, he has claimed that he received 20 certificates, all at the same time. These changes do nothing to enhance his standing as a reliable witness. I shall have to return to those issues later but I am impressed by the evidence that only 19 names were entered on DI Smith's spreadsheet and therefore, by inference, on the manuscript chart which he prepared soon after collecting the copy death certificates from the register office.

- 4.14 DI Smith's second contention was that it had been shown that members of the register office staff were capable of making errors when asked to search the registers of deaths. In August 1998, when the second police investigation was under way, the police asked the staff to search the registers for deaths certified by Shipman since the death of Mrs Lily Higgins. One entry (that relating to Mr Vernon Nield) was missed by the staff. Incorrect information was given in respect of another entry from February 1998 (that of Mrs Irene Berry). Because of concerns that there may have been more deaths among Shipman's patients within the six-month period than DI Smith had recorded on his spreadsheet, the police then sent in a team to search the registers for deaths which had occurred over the past year. The entry relating to Mrs Irene Chapman was not found but it was not clear whether this happened because the police were not given the relevant register or whether they were given the register and missed the entry themselves.
- 4.15 The point was also made that the register office had previously admitted that they had not provided a full set of certificates in March 1998. They could not now be heard to claim that they had in fact done so. The evidence showed that, at the time of the August 1998 searches, Mrs Brenda Clayton, Additional Superintendent and Mr Loader's deputy, appeared to have accepted that the register office had failed to supply a full set of copy death certificates in the March. She suggested that the shortfall must have been due to human error within the register office. I am satisfied that that admission was made. However, at that time, the attention of the police and register office staff was focussed on their current enquiries and I do not think it would be right to attach much weight to Mrs Clayton's admission. Also, it appears that Mrs Clayton may have believed that the register office had provided a list of entries rather than a bundle of copy certificates and so accepted, without further thought, that the mistake must have been that of the register

office staff. What was surprising, in view of the seriousness with which the register office staff treat the present suggestion that they made mistakes, is the low level of concern apparently felt by the staff in August 1998, when it was suggested to Mrs Clayton that they had missed a number of entries the previous March.

The Rival Contentions: the Register Office Staff

- 4.16 The register office staff contended first that it was unthinkable that they could make so many mistakes as to miss 11 or 12 out of 31 relevant entries. They said that care and accuracy are fundamental requirements of their work. They might accept that, being human, one of them might have made the odd mistake. However, if as many as 12 entries were missed, they were missed from three different registers, which would suggest that more than one member of staff must have been at fault. That, they claimed, would be inconceivable.
- 4.17 Second, the register office staff suggested that DI Smith could have lost 11 or 12 of the certificates. It is common ground that they were handed to him in an envelope. It is not fanciful to suggest that DI Smith might have lost some of them. He explained that, although he was supposed to have an office to himself at Ashton police station, in practice, many other people used it and there were often piles of exhibits lying on the desk or even on the floor. On occasions, he would go to another office and work wherever there was an empty desk. From this description, it does seem to me possible that he could have mislaid some of the copy death certificates. However, I do not think that he had 31 certificates with him when he visited the premises of the WPHA in the afternoon of 26th March. If he lost any certificates, he had lost them by then. I think it is highly unlikely that he would have mislaid any certificates so quickly. I also think it unlikely that he would have lost them altogether. Had some been mislaid, I think it likely that they would have turned up later. If that had occurred, I think that DI Smith would have added the extra names to his chart.
- 4.18 The third argument advanced by the staff of the register office was that, if DI Smith had received only 19 or 20 certificates, he would immediately have recognised that this number was inconsistent with the information given to him by Dr Reynolds. She had told him that the Brooke Practice doctors had signed 16 cremation forms for Shipman in the previous three months. One would therefore expect that there had been about 32 deaths in the six-month period. In fact, one might have expected there to be more, because the deaths known to the Brooke Practice doctors would not have included any patients who had been buried or any patients whose Forms C had been signed by a doctor other than one from the Brooke Practice or any that had been certified by the coroner. On the other hand, one might have expected that the death rate would be higher during the winter months of January, February and March than in the previous three months. In any event, submitted Mr Geoffrey Tattersall QC, on behalf of the register office staff, the provision of only 19 or 20 certificates would have struck DI Smith as obviously wrong and he would have realised immediately that he had not been given as many as he had been expecting. Moreover, when he examined the dates of death, he would have realised that there were not 16 cremations (or deaths) in any three-month period. In short, if he had received only 19 or 20 certificates, it would have been so obvious that his bundle was incomplete that he would have either contacted the register office to see whether there should have been

more certificates or returned to Dr Reynolds to query the accuracy of her figures. Mr Tattersall submitted that the fact that DI Smith did neither of these things showed that he must, in fact, have received 31 certificates.

- 4.19 This last argument is attractive and would have much persuasive force if I thought that DI Smith had understood the significance of the numbers of cremations and deaths he had been given by Dr Reynolds or that he had formed any view as to the number of certificates he might expect to receive for the six-month period. But I am afraid that he did not. He does not seem to have been struck by the disparity in the figures even when he wrote them down. I cannot draw the inference that he must have received a full set of certificates merely because he did not realise that 19 or 20 deaths in six months was inconsistent with Dr Reynolds' figures.

The Search of the Registers

- 4.20 The arguments that I have just considered leave me quite undecided as to where the truth lies. The most persuasive factor is that DI Smith entered only 19 names onto his spreadsheet and gave significantly fewer than 31 names to Mrs Parkinson, when he visited the WPHA on the afternoon of 26th March. However, I must consider in detail the evidence about the way in which the search was conducted by the register office staff, to see whether it throws any light on the likelihood of a mistake or mistakes having been made.
- 4.21 In order to explain what happened at the register office, it is necessary to describe the system of entering and keeping records in the registers of deaths. In 1998, there were four registrars at the Tameside register office, each of whom had a separate register of deaths. The four registrars were Mrs Carol McCann, Miss Marilyn Partoon, Mrs Dorothy Craven and Mrs Caroline Dewhurst. The registers are lettered A, B, C and D. Each register has a number, as well as its initial, and contains the particulars of 300 deaths. There are two entries on each page, set out side by side. When the book is open, four entries are visible at the same time. Each entry contains particulars about the deceased person, the person reporting the death (the 'informant'), the causes of death and the identity of the person (i.e. the doctor or coroner) who has certified the cause of death. In 1998, each registrar's current register was kept in her own office. When a registrar was absent for any reason (and some staff worked part-time), a deputy registrar might use her office and carry out registrations using the absent registrar's current register. When a register was full, it was retained in the registrar's office for a few weeks, then transferred to a secure storeroom.
- 4.22 Mr Loader accepted that he organised the search of the registers for entries relating to the deaths certified by Shipman, although his memory of the event is patchy. I am satisfied that the search took place during the afternoon of Wednesday, 25th March. Mrs Margaret Burns (who did administrative work in the main office but who also worked as a deputy registrar when one of the registrars was absent) appeared to have a good recollection of the search. She said that it took place that afternoon. Mrs Sandra Brown (also an administrative worker and part-time deputy registrar) left the office at about 1.15pm that day; she is sure that she did not take part in the search and no one else recalls her doing so. I am satisfied that the search started shortly after 1.30pm. It seems likely that

it was completed before 3.27pm, at which time Mr Loader telephoned Mr David Trembath at the GRO. Mr Trembath was the manager whose authority was required before the photocopies could be provided.

- 4.23 Eight registers had to be searched, i.e. four current registers and each registrar's immediate past ('deposited') register. Errors could have occurred either when the registers were searched or during the photocopying process. If, as DI Smith has for the most part contended, he was given only 19 copy certificates, this would mean that 12 entries were missed during the search or not copied as they should have been. If he was given 20, 11 were missed or not copied. It is also possible that some copies were mislaid after they had been prepared but before DI Smith collected them.
- 4.24 Comparison between the spreadsheet on DI Smith's computer and the full list of deaths certified by Shipman during the six-month period permitted the identification of those entries that had or might have been missed, not copied or lost. The result was as follows:

Register A52 (Mrs McCann's deposited register)

All relevant entries were found.

Register A53 (Mrs McCann's current register)

Some relevant entries were found in this register but either three or four entries were missed, not copied or lost. If three were missed, they were the entries for Mrs Alice Black, Mrs Irene Chapman and Mrs Martha Marley (whose death had occurred on 24th March and had been registered by Mrs McCann on the morning of 25th March). If four were missed (i.e. if DI Smith received only 19 certificates, rather than 20) the entry for Miss Ada Warburton was also missed, not copied or lost. Her death had been registered by Mrs McCann on 24th March.

Register B50 (Miss Partoon's deposited register)

Three relevant entries were found but two were missed, not copied or lost.

Register B51 (Miss Partoon's current register)

All four relevant entries were found.

Register C46 (Mrs Craven's deposited register)

There was no relevant entry in this register.

Register C47 (Mrs Craven's current register)

Four relevant entries were found but six were missed, not copied or lost.

Registers D49 and D50 (Mrs Dewhurst's deposited and current registers)

All relevant entries were found in both registers.

- 4.25 The evidence to the Inquiry focussed mainly on who had been responsible for searching A53 (Mrs McCann's current register), B50 (Miss Partoon's deposited register) and C47 (Mrs Craven's current register). I also regarded the evidence about the photocopying process as significant.

How Long Did the Search Take?

- 4.26 Mr Loader said that the search was not difficult but it was very time-consuming and presented something of a problem, as he was short of staff at the material time. Mrs Craven was absent and I accept that the staff had a reasonably busy day and, to that extent, the office could be said to be short of staff. However, I do not accept that the task was as onerous as he suggested. The task of searching is simple because the layout of the registers is such that the position of the certifier's name is always the same. On each open double page of the register, the searcher can run a finger across the page, about two-thirds of the way down, where the certifier's name is readily visible. Moreover, as is a point of professional competence and pride among registrars, the writing in the registers I saw was always clearly legible.
- 4.27 Mrs McCann said that it was possible to search a register in about five minutes. She had timed herself. She said that, whenever she was asked to search a register, she would always do so twice. She was of the view that it would take about ten minutes to search a full register twice. Mr Loader said that it would take about 40 minutes to check a register once and agreed that normal practice would require a double check. Mrs Burns said it would take her about 15 minutes to do a double check of one register. Because of the differences between the various witnesses, I timed the task myself and found I could make one check in seven minutes. I think Mr Loader gave a gross overestimate. I think perhaps Mrs McCann works faster than I could and possibly faster than other register office staff. However, I do not think it would take more than about 15 minutes to do a double check of each full register and to note any relevant entries either by placing a marker in the register or by recording the entry numbers in a list. In fact, in this search, the current registers were not full and only part of each deposited register had to be searched, because DI Smith only wished the search to go back six months. I conclude that the search could not have taken more than two man-hours and, given the experience of the staff involved, may well have taken less. However, I do accept that there were other tasks to be carried out that afternoon and no one was free to sit down and go through registers without having to attend to other matters. It may well be that members of staff had to break off in the middle of a register to attend to another task. Opportunities for error arise in such circumstances, although a mistake should be picked up when the second check is made.

Who Searched Which Register?

- 4.28 Initially, there was some uncertainty about who had taken part in the search. However, once the time of the search had been established, it was clear that only four members of staff were present during the Wednesday afternoon: Mr Loader, Mrs McCann, Miss Partoon and Mrs Burns. Mrs Burns, who, as I have said, seemed to have the clearest recollection, said that she remembered taking part in a search in the secure storeroom. Mr Loader was also involved and Miss Partoon was in the room at some stage.
- 4.29 Mr Loader said that, when organising the search, he would have asked all those members of staff who had the time to search the registers, to take photocopies of any

relevant entries and put them in a pile in the storeroom. The photocopier was situated in the storeroom. Mr Loader could not remember who had taken part in the search or whether he had actually searched any registers himself but accepted that he probably did. He was adamant that he would have searched only the deposited registers, not the current ones. He said that he would have asked each registrar who was at work that day to search her own current register. Mrs McCann, who kept Register A and Miss Partoon, who kept Register B, were both working that afternoon. Mrs Craven, who kept Register C, was absent from work at this time. Mrs Dewhurst, who kept Register D, worked part-time and was not at work on the day of the search, although she would have been in the office the following morning.

- 4.30 If Mr Loader is right, Mrs McCann and Miss Partoon would have searched their own current registers. Mr Loader maintained that it would not have been appropriate for him to search any current register, as he was not the custodian of the current registers, only of the deposited registers. The registrars were the custodians of their own current registers. The registrars agreed that they are the custodians of their current registers but said that they had never heard the suggestion that it would be inappropriate for Mr Loader to search their current registers if it was not convenient for them to do so themselves.
- 4.31 Mrs McCann was adamant that she did not search her current register or take part in the search at all. She had no recollection of doing so and believed she would have remembered such an unusual request. She was very busy that day. She registered six deaths during the day and also officiated at a marriage ceremony, which took her out of her office from shortly before 2.30pm until about 3pm. Mrs McCann was of the view that it was likely that someone came into her office while she was officiating at the marriage and searched her register. She said it would be entirely appropriate for someone else to search her register in her absence. She would have expected Mr Loader to do it. In passing, she pointed out that, considering her position hypothetically, had she been asked to search for entries relating to deaths certified by Shipman, she would hardly have failed to notice and include the entry for Mrs Marley, whose death she had registered that very day. Mrs McCann cannot remember whether that death was registered before or after she conducted the marriage ceremony but, from its position in the register, it seems very likely that it was before.
- 4.32 Miss Partoon also had a busy day. She registered nine births. She was also the 'nominated officer' for that day, which involved additional administrative tasks besides registrations. She said that she remembered walking into the storeroom and seeing Mrs Burns and Mr Loader engaged in a search of registers. Mrs Burns told her what was happening. She could not remember taking part in a search in that room. She thought it unlikely that Mr Loader would have asked her to help in the storeroom unless he was 'really struggling'. Nor did she think it likely that she would have offered to help, as she was so busy with registrations and her nominated officer duties. She acknowledged that her current register was searched and thought it likely that she searched it herself. She said that she did not recall searching either Mrs McCann's or Mrs Craven's current register and thought she would have remembered it, had she done so. When she checked her own register, her method of work would be to do a double check and to

put a marker in the relevant pages or make a list of entries. If she had put markers in the register, the logical thing would have been for her to take her register to the photocopier in the storeroom and make the copies herself. However, she has no recollection of doing that and believes it is more likely that she made a list of entries and gave it to someone else to photocopy. She said that registrars are trained to be very careful and accurate and she could not understand how anyone could check through a register and miss as many as six relevant entries.

- 4.33 Mrs Burns worked in the general office unless she was needed as a deputy registrar. On Wednesday, 25th March, it appears that her only duty as a deputy registrar was to assist Mrs McCann at the marriage ceremony at 2.30pm. Like Mrs McCann, Mrs Burns would have been occupied with that from just before 2.30pm until about 3pm. Mrs Burns recollected taking part in the search of deposited registers in the storeroom that afternoon. She remembered searching the register that recorded the death of Mrs Bianka Pomfret. She knew Mrs Pomfret and it came as a shock to learn of her death. Mrs Burns must have been searching register D49, Mrs Dewhurst's last deposited register. Mrs Burns could not remember whether or not she searched any other register. I think it likely that she did. She said that she certainly did not search any current registers. She thought she would have remembered that. She remembered that, at some stage, Miss Partoon came into the storeroom to give some help. Mrs Burns' method of searching a register would be to make a double check and to write down the numbers of the relevant entries on a piece of paper. She was adamant that she did not make any photocopies; she would definitely have made a list and given it to Mr Loader.
- 4.34 It is far from clear who checked each of the three registers from which entries might have been missed. It is possible, but unlikely, that Mrs McCann searched her own current register. If, as seems likely, it was searched while Mrs McCann was officiating at the marriage, Mrs Burns cannot have searched it, as she was with Mrs McCann. It is unlikely that Miss Partoon searched it. I think it is most likely that Mr Loader searched it. I do not think it was in any way inappropriate for him to do so. I reject his evidence on that point. I think it is far more likely that he would search it himself than that he would have asked a deputy registrar to do so, as he claimed he would have done. In any event, there was no deputy registrar available while the marriage was taking place. I reach the same conclusions in respect of Mrs Craven's current register; I think Mr Loader probably searched it. I note also that Mr Loader was the only person with no specific duties that afternoon. I am not saying that he did not have other duties but I think he had more time for the search than the others. As for Miss Partoon's deposited register, it seems likely that this was searched by either Mr Loader or Mrs Burns and I cannot say who was the more likely to have done so. If, as Mr Loader says, it is unlikely that more than one person would make an error, it would seem that he is the one most likely to have made any errors that occurred. However, that is not necessarily so. In any event, it is possible that errors arose, not at the checking stage, but during photocopying. I am satisfied that Mr Loader did most, if not all, of the photocopying. I am quite satisfied by Mrs Burns' evidence that she did not do her own photocopying.
- 4.35 Although all the register office staff stressed that care and accuracy are of fundamental importance in their work, I did have the distinct impression that the way in which this

task of searching was carried out left room for mistakes. I have little doubt that both Mr Loader and Mrs Burns had to break off from their searches to do other duties, including attending to members of the public who came into the office. Mrs Burns probably had to break off the search to undertake her duties at the marriage ceremony. It is quite likely that Mr Loader had to break off while photocopying. These interruptions do not make errors inevitable but they do make them more likely.

Conclusion

- 4.36 After reviewing the whole of the evidence on this topic, I conclude that it is more likely that there were errors in the register office, so that an incomplete bundle of copy death certificates was given to DI Smith, than that he lost some certificates soon after collecting them. However, my conclusion is not certain. If my conclusion is correct, it seems to me likely that Mr Loader was responsible for the errors. It is possible that Mrs Burns may have made some contribution.
- 4.37 I do not think that a high degree of blame should attach to Mr Loader. I am not sufficiently certain that he was directly responsible for the errors to suggest that he should be censured. I had the impression that he is generally a conscientious man who is something of a stickler for rules and regulations. I think it likely that he made an error or series of errors, most likely because he was under pressure.
- 4.38 I think it would have been prudent for Mr Loader to keep a record of which copy certificates he provided to DI Smith. He was aware that the police request was important and that a confidential investigation was being carried out, although I accept that he did not realise that the police suspected that Shipman might have been murdering a number of his patients. He regarded all searches performed for the police as important. He knew that this request was unusual and that the Coroner was involved in the enquiry. If DI Smith's request had been dealt with in a more formal manner, the later uncertainties would have been avoided.
- 4.39 For reasons that I shall explain in Chapters Five and Fifteen, I think it unlikely that the errors made in the register office had any effect on the outcome of the investigation.