

# INDEPENDENT INQUIRY

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## Inquiry into Infant Cremations at the Emstrey Crematorium, Shrewsbury.

You have asked me to act as Chair of the Independent Inquiry into the policy and practice of child cremations in Shropshire. The terms of reference to which I have been asked to work are attached. I am ably supported in this task by John Doyle, an experienced independent investigator and researcher, whom the Council have appointed for the purpose.

This is my first update on progress with the inquiry, which I have been asked to provide at the end of January 2015.

I began work on 9<sup>th</sup> December, and I have now been to Shropshire for the purposes of the inquiry three times, on each occasion for three or four days. I have been engaged in regular correspondence and reading outside these visits. John Doyle, who lives in Shropshire, has been engaged consistently on the work since 9<sup>th</sup> December.

There can be no greater sense of loss than that caused by the death of one's own child. There are a number of parents in Shropshire who have suffered this awful loss, and who have then felt their grief made all the more intense by what they now perceive to be an unsatisfactory experience concerning the cremation of their child, at the Emstrey Crematorium, in that they have not had the opportunity of having their child's ashes returned to them. I have so far met two sets of bereaved parents, and it is very clear to me that their sense of anguish and anger arising from the lack of identifiable ashes is acute and real. I have arranged to meet more parents to learn of their experiences, in early February.

I have had explained to me in detail how crematoria work, and I have so far visited two.

I have met with the staff at the Emstrey Crematorium. My impression is that they are conscientious professionals, trying to do the best they can for bereaved families. Their view has been clear – that the cremation equipment they were entrusted with operating in the past

has not been capable of being operated in such a way as to enable the return of a child's ashes to the bereaved family.

I have met with a number of officers at Shropshire Council who have been involved with the Crematorium in a number of capacities, including its management, the regulation of emissions into the atmosphere, and the statutory registration of deaths. I have had a discussion with the Director of Public Health.

I have met with representatives of the local press and have given a number of interviews. The Council have set up for me an email address through which those who wish to make representations to me have been invited to do so. I am conscious that some parents will wish to take advantage of this opportunity while others will find the experience of their bereavement too painful to wish to reopen it.

I have met the Medical Director for Pathology Services at Shrewsbury Hospital.

I have met the lead adviser of the Local Government Association on bereavement services including crematoria, and also a number of other professionals practising in the field.

I have consulted the two major reports published in Scotland last year on infant cremations – Dame Elish Angiolini's Mortonhall Investigation Report, and the Report of the Infant Cremations Commission, chaired by the Right Honourable Lord Bonomy.

Council officers have prepared for me a chronology of the operating history of the Emstrey Crematorium, and also a very helpful summary of the relevant legislation under which cremations are carried out.

John Doyle has worked through the records of the child cremations over the last fifteen years that are within our terms of reference. He has established that there are some 60 relevant cases. The statutory register records "no ashes obtainable" for most of the individual cremations up to December 2012, when new higher specification cremators came into use. In all relevant cases after 2012, ashes are recorded as having been released to the funeral director, or retained at the crematorium. This investigation therefore needs to focus particularly on practice at the Emstrey Crematorium in the period up to December 2012, when Newton Cremators, manufactured by Furnace Construction, were in use.

We have written to Shropshire Council and to Cooperative Funeral Care, who have run the Crematorium under Contract to the Council since 2011, asking for particulars of their past and present policies and practices for the cremation of infants.

We have also written to the relevant professional associations concerned with crematoria, the Institute of Cemetery and Crematorium Management, and the Federation of Burial and Cremation Authorities, asking for their help in establishing what is regarded as good practice in the cremation of children. Both have promptly and helpfully replied.

I have visited the Ministry of Justice, and have spoken with relevant civil servants. I have been advised that although the Cremations Act creates a power for the inspection of crematoria, no Inspector of Crematoria has been appointed, and the power has rarely if ever been exercised.

The next tasks for us are to continue discussions with bereaved parents so as to learn more of their experiences; to consult with local undertakers as to their understanding and experiences of local practice for the cremation of infants; to consider the replies from the Council and Cooperative Funeral Care into past and present policies and practices, when we receive them; and to examine with representatives of both how these have been applied in particular cases, and why changes were not made earlier. We also propose to investigate the experience and practice of other cremation authorities with the type of equipment used at the Emstrey Crematorium.

I have contacted relevant officials from the government's Department of Food and Rural Affairs to examine with them relevant legislation on emissions into the atmosphere from crematoria and how if at all this has constrained practical options for conducting cremations of children's remains in a less aggressive and intense way than would be the case for adult cremations.

I have also asked the Council for a schedule of statutory permits for emissions into the atmosphere that have been issued for the Emstrey Crematorium over the last fifteen years, and for advice on how their requirements have constrained options that might otherwise have been available for gentler cremation processes.

I have met with relevant officers of the Council, sitting as an Inquiry Board, each time I have visited Shrewsbury, and I intend to continue to do so. Officers are in this way kept closely engaged in the progress of this inquiry.

You have asked me to provide my next update by the end of March.

David Jenkins  
Inquiry Chair

