

Dental Records

1. X is a Dental Surgeon who at the time of the death had been Dr Kelly's dentist since 1994 and saw him roughly every six months for his check up, the last time being in December 2002.
2. Dr Kelly was due to see her again on 18th June 2003 however his wife called at the time of the appointment to cancel it, saying that he was in Baghdad.
3. On Friday 19th July the dentist heard of the death of Dr Kelly and went to look for his notes. There were two reasons for this; firstly it was the dentist's practice to telephone patients two days before an appointment to remind them, and the dentist didn't want to upset Mrs Kelly by such a call being made. Secondly the dentist had heard on the radio that Dr Kelly had been depressed, this surprised the dentist who then wanted to look through Dr Kelly's notes to see if depression was mentioned.
4. Dr Kelly's notes should have been stored in a cabinet, alphabetically but they weren't there. The dentist looked through about fifteen notes either side of where they should be but they were not found. Two other members of staff, also looked but couldn't locate them.
5. On Sunday 20th July the dentist went to the practice in the afternoon, still concerned by the absence of Dr Kelly's notes. The dentist again went to the cabinet and noticed that the records of the individual who would be next to those of Dr Kelly alphabetically were slightly raised, by about $\frac{3}{4}$ of an inch. Immediately behind, in their right place, were Dr Kelly's notes.
6. The dentist was surprised to see them there, and checked through them to see if everything was there, which it appeared to be, including a postcard he had once sent from Iraq.
7. The only other incident of significance that the dentist can recall was approximately nine days prior to this incident. The dentist noticed one of the windows at the practice was stuck open. Although it didn't seem as though

anyone had broken in, the window was warped and had to be left insecure overnight. The dentist cannot say if this had any connection with Dr Kelly's missing notes.

8. The Police were informed and enquiries were conducted by officers engaged in the investigation into Dr Kelly's death.
9. All members of staff were interviewed and their fingerprints and DNA obtained for elimination purposes. A scene of crime examination of the window was carried out as was an examination of the cabinet. Dr Kelly's notes and those from either side were seized for forensic treatment including fingerprints.
10. During the weekend contractors had been working in the surgery. They were also interviewed and relevant elimination samples obtained.
11. The only identified fingerprints found on the records related to the Hygienist who would have been the last person to have legitimate access to them. There were no scientific discoveries to assist with investigation.
12. There was no evidence of any break in to the dental surgery.
13. It is difficult to understand why anyone would want to access Dr Kelly's dental notes particularly as there had been no apparent attempt to obtain the medical notes held by Dr Kelly's doctor.
14. There are several possibilities which can be summarised as follows;
 - The notes were present in their right place and missed by the dentist and staff.
 - The notes were misfiled and then replaced.
 - A member of staff took the notes out for an unknown reason and replaced them after it was noticed that they were missing.
 - Illegal entry was gained to the office and the notes were stolen and later replaced.
15. Neither the interviews with staff or the scientific examination revealed anything which might usefully assist to implicate or eliminate any person.

16. Police enquiries failed to establish a conclusive explanation for the apparent temporary disappearance of Dr Kelly's dental records. If one were to explore possible uses of the dental records by any external party they are extremely limited.

17. Dental records are often used for identification purposes and the police investigation considered the unlikely possibility that the removal and possible alteration of the records was done to frustrate or bring into question the identification of Dr Kelly. DNA tests were conducted to establish that the body recovered was that of Dr Kelly. This was confirmed and is reported on by Roy Green.

18. There is no evidence to confirm any break in at the surgery either to take or replace the notes. Unfortunately we are therefore unable to explain this aspect of the enquiry and these findings were shared with Lord Hutton.