 **NHS Education for Scotland**

**Transcript of ‘Death in Paradise - a particularly tragic event’ conference film clip recording**

**Speaker**: Dr C George M Fernie, Senior Medical Reviewer and Caldicott Guardian, Healthcare Improvement Scotland Appraisal Lead, National Services Scotland and Partner Organisation Vice Chair, UK Caldicott Guardian Council Visiting Professor, Centre for Contemporary Coronial Law, The University of Bolton.

Death in Paradise, a particularly tragic event. The Death Certification Review Service became fully

functional on the 13th May 2015 with our main purpose being to conduct a random proportionate review of Medical Certificates of Cause of Death (MCCDs) not reported to the procurator fiscal

with these essentially being natural deaths. More than 6,000 a year of the over 60,000 deaths, which

occur annually in Scotland and our primary drivers being improvement of quality and accuracy, better public health data, and enhance clinical governance.

However, a lesser known purpose is to approve burial and cremation of those who have died outwith the United Kingdom. Although we respect the arrangements of those who have died elsewhere in the four home nations. The repatriation deaths now include those going for burial as well as cremation,

in contrast to the previous process where Scottish Government only considered cremation applications. Despite these only being around 200 cases a year, you will see from the title of my presentation that because they are often sudden, they are especially tragic for the families concerned

who have lost a loved one in another part of the world. They also involve considerable extra work for the service, including on occasion viewing the remains to confirm the identity of the deceased.

So quite different to what we typically do. The requirement set out within the Certification of Death (Scotland) Act is to ensure the documentation is in order and comparable to that which one would expect to see had the death occurred in Scotland. One particular aspect that is different for the Death Certification Review Service from our usual work is that under Section 19 where no cause of death is available, DCRS may instruct an autopsy paid for out of the public purse, and this is currently undertaken by the University of Dundee.

Whilst DCRS initially had some problems with deaths abroad, which may have been criminal in nature,

the inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016, which I usually refer to as the 'etc' Act, this when it came into force the following year meant that any sudden, unexpected

or unexplained deaths of persons ordinarily resident in Scotland could be investigated by the Crown Office and Procurator Fiscal Service who potentially might hold a Fatal Accident

Inquiry in that situation. Although thus far, that has not come to pass. As well as having a memorandum of understanding with the Scottish Fatalities Investigation Unit, we've developed a close working relationship with them due typically to weekly reporting by DCRS on cases which may be accidental, suicidal, or criminal in nature, or indeed not being sure which category that death falls into.

These are understandably even more upsetting for those left behind trying to cope with different legal processes in another jurisdiction. Interestingly, there is no difference between the sexes and the preference for burials and cremation in those returned to Scotland, nor any difference in whether

or not normally resident here with just over half wishing burial, which contrasts with approximately three, three quarters opting for cremation when they die in Scotland.

However, when the deceased person was not normally resident in Scotland, they are more likely to be buried than cremated. Of course, if the deceased's family elects to have them cremated abroad

and their ashes returned to Scotland for disposal, no authorisation by DCRS is required

and the media reported that the greatest living Scotsman, as he was depicted by them, Sean Connery elected to return to his homeland in this way.

In conclusion, the Death Certification Review Service has a valuable role in supporting those who have lost a loved one firth of the UK who have decided to return to Scotland as their final resting place

for burial or cremation. We provide an improved understanding of what happened and a quality assurance of the process to ensure an equivalency to what they would've received in the home nation.

I hope that's helpful in understanding what this presentation is about.

The film was produced in September 2024 and can be found at <https://www.sad.scot.nhs.uk/conference/> or <https://vimeo.com/1015309545>

For more information visit [www.sad.scot.nhs.uk](http://www.sad.scot.nhs.uk) or contact supportarounddeath@nes.scot.nhs.uk

© NHS Education for Scotland 2024. You can copy or reproduce the information in this document for use within NHS Scotland and for non-commercial purposes. Use of this document for commercial purposes is permitted only with the written permission of NES.