



CROWN OFFICE AND PROCURATOR FISCAL SERVICE

POST MORTEM EXAMINATION

**INFORMATION FOR
BEREAVED RELATIVES**

Please contact the Procurator Fiscal's office if you would like this leaflet in another language, audio, large print, Braille or in another format.

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Introduction

The Crown Office and Procurator Fiscal Service (COPFS) has produced this information for bereaved relatives, to explain what happens when a death is reported to the Procurator Fiscal and a post mortem examination is required.

What happens after the death has been reported to the Procurator Fiscal?

The first task for the Procurator Fiscal is to find out the cause of death. The police will provide the Procurator Fiscal with full information about the circumstances of the death. They will normally interview relatives and others who can provide information about the circumstances of the death.

It is usual for the police to obtain information about the deceased person's recent medical history. In addition to information provided by the nearest relatives, the police may speak to the deceased person's doctor.

Identification of the deceased

The nearest relative may be asked to identify the deceased before the post mortem examination is carried out. This will normally involve going to the mortuary where the post mortem examination is to be carried out and identifying him or her to police officers or possibly to the pathologist. We appreciate that this can be upsetting but it is a necessary part of the investigation of the death and everything possible will be done to assist relatives through this process.

It may be necessary for the deceased person to be identified by two people who knew them. It is not essential that the nearest relatives identify the deceased person if someone else can do this instead. Identification may also be possible using a video link.

Procurator Fiscal post mortem

In some cases a post mortem examination is needed to find out the exact cause of death. If the Procurator Fiscal instructs that a post mortem examination must take place, the permission of the nearest relatives is not needed. The post mortem examination will be carried out as soon as possible. If the sudden and unexplained death is that of an infant or child, the Procurator Fiscal may be more likely to ask for a post mortem examination.

If you are the nearest relative of the deceased person and have any cultural, religious or other objections to a post mortem examination being carried out, please tell the Procurator Fiscal as soon as possible. There may be legal reasons

why a post mortem examination is unavoidable but, if possible, your wishes will be respected.

The Procurator Fiscal recognises that a delay in confirming the cause of death can be very distressing for a bereaved family and is also aware that it is a tradition in many cultures and religions to bury or cremate the deceased as quickly as possible after death. The Procurator Fiscal will try to deal with the death as quickly and as sensitively as possible. The Procurator Fiscal can provide an explanation to the family of the reasons for any delay in carrying out the post mortem examination. The funeral can take place after the enquiries are complete and the death certificate has been issued.

Where a post mortem examination is necessary, it will be conducted by pathologists who are aware of cultural traditions and sensitivities. The mortuary assistants who assist the pathologist before and after the post mortem examination in the preparation of the body of the deceased are also aware of the need for sensitivity and respect for the deceased.

A second post mortem may be carried out if it is requested by someone who has been charged with a crime connected to the death. If there is more than one accused person, each accused may request a separate post mortem examination.

Hospital post mortem

There are important differences between a post mortem examination instructed by the Procurator Fiscal and a post mortem examination for medical purposes (often referred to as “hospital post mortems”). Hospital post mortem examinations need the authorisation of the nearest relatives. Hospital post mortems may be carried out for a number of reasons, for example, for research or to assist with medical training. The hospital must obtain the permission of the nearest relatives for this type of post mortem examination.

Tissue samples

It may be necessary to take tissue and blood samples so that more detailed examination can take place. The samples will be taken during the post mortem examination and then sent to a laboratory for analysis. The scientific analysis of samples can take several weeks.

Samples of blood or small samples of tissue will be disposed of sensitively once enquiries are complete or will be retained as part of the post mortem records and eventually respectfully disposed of. If you are concerned about this or want to know more you should contact the Procurator Fiscal.

Retention of organs

In a very small number of cases it may be necessary to remove a whole organ so that more detailed examination can take place. The organ will be removed during the post mortem examination and then sent to a laboratory for further detailed examination. This examination may take several weeks to complete. The decision to remove an organ will be taken by the pathologist during the examination.

If this happens the Procurator Fiscal will contact you as soon as possible to tell you that the organ has been removed and retained and the options open to you.

If the Procurator Fiscal has told you that an organ has been retained, you can decide how you want the organ to be treated when the tests are completed. The Procurator Fiscal will explain the available options, which may include:

- Separate burial or cremation;
- Delaying the funeral until tests on the organ are completed; or
- Disposal by the pathologist in a sensitive manner

You do not have to make this decision immediately.

You should let the Procurator Fiscal know if you do not want to receive any further information or questions about the disposal of any retained organs.

Death certificate

If there has been a post mortem examination, the death certificate will be issued by the pathologist and will be available to the nearest relatives. If a temporary death certificate can be issued it will also be available from the pathologist.

There are variations in how you obtain the certificate from the pathologist. In some areas the police will collect the certificate from the mortuary and take it to the nearest relative; in others the funeral director will collect it; and sometimes you will have to go to the mortuary to collect it in person. Your funeral director will be able to tell you what happens in your area.

Post Mortem examination report

The post mortem examination report provides details of the medical examination carried out and will, in most cases, state the cause of death. A nearest relative, or solicitor acting on their behalf, may request a copy of the report. The Procurator Fiscal will arrange for a copy of the report to be made available, as soon as possible. Occasionally the report may not be available until the investigation and any criminal proceedings have been completed.

Organ donation

If the deceased person had expressed a wish to donate organs or tissue, every effort will be made to try and make this possible. However, if the deceased person died in suspicious circumstances, organ or tissue donation may not be possible.

Contact with the Procurator Fiscal's office

If you want to discuss matters relating to the death or require any further information about the post mortem examination, please contact the Procurator Fiscal's office.