

Members will be aware of the report of the Infant Cremation Commission published on the Scottish Government website on 17th June 2014. The Institute welcomes the report and will be acting on the recommendations made in respect of training, education and assessment process. Further news on these and other matters will be relayed as progress is made.

This initial newsletter covers the following points, the first of which was described as the 'fundamental issue'.

Definition of Ashes

In the report the Rt. Hon Lord Bonomy recommended that the following definition of 'ashes' should be defined in legislation:

2.3 The "ashes" which the Cremation Authority is obliged to give into the charge of the person who applied for the cremation if he so desires should be defined in legislation as "**all that is left in the cremator at the end of the cremation process and following the removal of any metal**". That should not preclude the applicant from consenting in advance to the removal of metals, such as coffin nails and artificial joints, and their separate disposal, including as part of a metal recycling scheme.

The Scottish Government, in its response to the report, stated that it had accepted all of the recommendations without reservation therefore the definition above is likely to be written into legislation. Note also that it has been recommended that the Scottish Government should inform its counterparts in England & Wales about changes in legislation in Scotland to enable them to consider clarification of the definition of 'ashes' in identical terms. This is therefore a UK wide issue.

It was evident in the Mortonhall Investigation report that the perceived difference between 'ashes' and 'cremated remains' was the **fundamental issue**.

It is now clear that that the perceived difference between 'ashes' and 'cremated remains' is misguided and *all that is left in the cremator at the end of the cremation process* must be given to bereaved parents or disposed of in accordance with their written instructions. This should mirror exactly what is done with the ashes following the cremation of an adult with their being no logical reason why ashes from the cremations of babies should be treated differently. (In the case of an individual or shared cremation arranged by a hospital the applicant must be the designated person within the hospital. There are no occasions when a funeral director should be the applicant unless he/she is a parent of the baby or is acting at the specific request of the parent(s) and the reason given).

Sands – The stillbirth and neonatal death charity

All UK crematoria will have recently received a letter from Sands. The Institute supports this letter and recommends that members accept its content and act on it.

The Institute will continue to work with Sands on reviews of policy and guidance.

Removal of Metals

From the above recommendation 2.3 regarding the definition of 'ashes', it is clear that this definition is not restricted to the ashes in respect of baby and infant cremations but extends to ashes resulting from adult cremations.

It is evident from the last sentence of the recommendation that consent is required to remove metal from the ashes and its subsequent disposal.

Crematoria that recycle metal will already be obtaining the consent of the applicant for cremation to remove metal and therefore need do nothing else.

Those crematoria that bury metal within the grounds of the crematorium or dispose of the metal by any other method must obtain consent to remove the metal from the ashes. In the interest of openness and honesty such authorities should firstly obtain consent to remove metal and inform applicants for cremation that give such consent as to how the metal will be disposed of.

Now that the ICCM recycling scheme has generated £1.7 million for charities and has gained wide media attention, the potential exists for the bereaved to challenge those crematoria that bury the metal and to ask why consent was not asked for and why they were not informed of all methods for the disposal of metal and given a choice.

ICCM – Developing and promoting good practice in cemeteries and crematoria

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