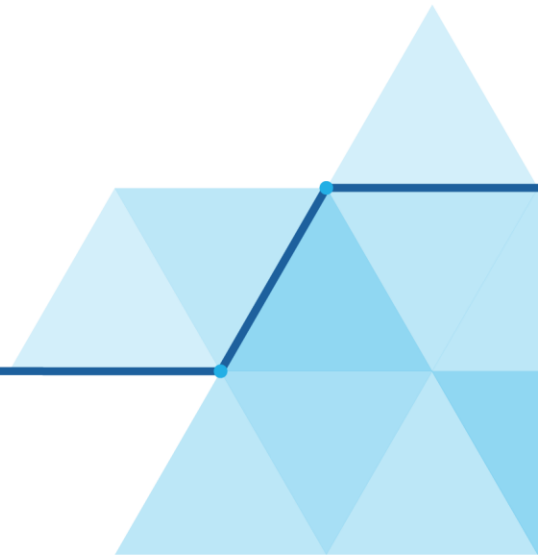




Ministry
of Justice

Stakeholder Roundtables: Death Certification Reform and the introduction of statutory medical examiners

7 and 9 August 2024



Agenda

Item	Speaker	
Welcome and introductions	Terry	5 mins
Communications on the Death certification reforms	Agata/Phil	10 mins
Role of the Medical Referee (incl Q&A)	Agata/Phil	10 mins
Cremation forms and guidance (incl Q&A)	Agata/Phil	10 mins
Medical implants (incl Q&A)	Agata/Phil	10 mins
Transitional arrangements (incl Q&A)	James	10 mins
AOB	Agata	5 mins

Communications on the death certification reforms

2023

14 December 2023 – e-mail sent relating to the implementation of the Medical Examiners system and draft DHSC regulations -

<https://www.gov.uk/government/collections/death-certification-reform-and-the-introduction-of-medical-examiners>.

Attached was a link to a plain language document, explaining the Government's death certification reforms,

<https://www.gov.uk/government/collections/death-certification-reform-and-the-introduction-of-medical-examiners>

21 December 2023 – e-mail sent sharing draft cremation guidance.

Communications on the death certification reforms

2024

15 February 2024 – e-mail attaching the draft Statutory Instrument to make the amendments to the Cremation, Coroners and Notification of Deaths Regulations.

15 April 2024 – e-mail sent announcing the **implementation date for the death certification reform and the statutory Medical Examiner system on 9 September. Attached was the DHSC's regulations,** along with the [impact assessment](#) and a [written ministerial statement](#).

21 May 2024 – e-mail sent announcing the laying of the Cremation, Coroners and Notification of Deaths (Amendment) Regulations 2024 - <http://www.legislation.gov.uk/id/uksi/2024/668>. Attached the final versions of the cremation guidance.

24 May 2024 – e-mail with a Q&A document attached, which outlines how the system will work **from the 9 September 2024 commencement date**.

30 July 2024 – e-mail announcement that the statutory medical examiners' system and associated death certification reforms will come into effect **on 9 September 2024**. Attached a link to the Government laid written ministerial statement [Written statements - Written questions, answers and statements - UK Parliament](#), which confirms that commencement date.

Role of the Medical Referee (MR)

MRs will continue to carry out a **vital statutory function** in the death certification process. They will authorise cremations by completing a slightly modified version of Form Cremation 10 (or the existing versions of 12/13 where relevant).

As at present, **the cremation will not be able to go ahead without the authorisation of the MR.**

The role of the MR will remain unchanged in relation to:

- Stillbirths
- coronial cases
- anatomical research cases
- the cremation of body parts and;
- deaths that occurred inside the British Islands (but outside of England and Wales).

Role of the Medical Referee (MR)

Following the commencement of the death certification reforms on 9 September, for deaths in England and Wales, MRs will no longer:

1. Be required to be satisfied that the fact and cause of death has been definitely ascertained - this scrutiny will take place earlier in the process by an ME;
2. Be able to consider form Cremation 4, which is being removed; or
3. Be able to commission a post-mortem examination of the body of the deceased person.

After the coming into force of the statutory regime there will be a **transition period** for MRs.

Cremation Forms and Guidance

Forms

- On 21 May 2024, we laid the Cremation, Coroners and Notification of Deaths (England and Wales) (amendment) Regulations 2024.
- Amended cremation forms can be found at the end of the regulations at <https://www.legislation.gov.uk/uksi/2024/668/contents/made>. These forms **should not be used** before 9 September.
- We will circulate these forms in due course and PDF versions will be available on gov.uk from 9 September.

Guidance

- Draft guidance was circulated for feedback in May.
- We will circulate PDFs of this guidance shortly, and it will be available on the cremation gov.uk page on the 9th September 2024.

Medical devices

Non-coronial cases:

- Under the new system, the Medical Certificate of Cause of Death (MCCD) will be completed by an attending practitioner (a doctor who has attended the deceased person in their lifetime)
- The attending practitioner will be required to state whether there is either a medical device or implant in the body of the deceased person, and if so, whether it has been removed.
- That information will flow from the AP (via the MCCD) to the registrar and to the MR via the 'green form'.

Coronial cases:

- In coronial cases, where the coroner has information on medical devices or implants present in the body as a result of examining medical notes or completing a post-mortem examination, they should provide this in form Cremation 6.
- Where that information is not known, the coroner may make enquiries to try and determine whether there are any medical devices.

It will be at the discretion of burial or cremation authorities to refuse to bury/cremate where information relating to medical devices is not known.



Transitional arrangements



We are preparing guidance on transitional arrangements, which we will share in advance of 9 September.

Useful links

Information about changes to the death certification process in England and Wales from 9 September 2024

<https://www.gov.uk/government/collections/death-certification-reform-and-the-introduction-of-medical-examiners>

National Medical Examiner's good practice guidelines

<https://www.england.nhs.uk/publication/national-medical-examiners-guidance-for-england-and-wales/>



New Cremation forms

[Form Cremation 1](#) [Form Cremation 6](#) [Form Cremation 10](#)

Cremation, Coroners and Notification of Deaths Regulations 2024

<https://www.legislation.gov.uk/uksi/2024/668/contents/made>

A list of medical devices which may cause problems during a cremation can be found at Annex B of the Guidance for Cremation Authorities and Crematorium Managers, which will be updated and will be available on 9 September 2024 at: <https://www.gov.uk/government/publications/crematorium-managers-guidance-on-cremation-regulations-and-forms>



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