

## **Taking Lawful Control of a Body**

This leaflet is provided with the body, to fulfil a duty of care and to ensure you know that you must give the body, to anyone else who asks for it, if they have a greater right to it. Those most entitled are in order of priority as follows:

- (1) the coroner (procurator fiscal in Scotland) if the cause of death must be investigated
- (2) the person responsible for the Will, if the coroner is not involved
- (3) the nearest relative, if there is no Will
- (4) the person paying for the funeral, if there is no Will and no responsible relative

As long as you are the highest person up this list, you have a legal right to collect the body, whether or not any funeral arrangements have been made. The body can be moved to any place within England & Wales, in any vehicle at any time, without any documents being produced.

If you intend to move the body out of England & Wales, the law requires that prior notice be given to a Coroner. Free permission will be given quickly, unless the cause of death needs to be investigated.

A burial or cremation cannot take place, until the necessary documentation has been issued. For advice on that, contact your local registrar of births and deaths and any public cemetery or crematorium.

The nearest relative or other person must visit the registrar, to register the death. The local address is in the telephone directory. It is quicker to visit the registrar in the area where the death took place.

### **DECLARATION**

You will have full responsibility, if you remove from this hospital, the body of

\_\_\_\_\_

Whose address was \_\_\_\_\_

\_\_\_\_\_

and who died in this hospital or elsewhere on the \_\_\_\_\_ (date if known)

Bereavement charities may be able to answer some questions you have on funeral choices. More than 60 MPs signed Parliamentary statements, supporting the Alice Barker Welfare & Wildlife Trust, which is the only charity in the UK, with a solid track on giving detailed and

sound advice on relevant law. The Trust can be contacted on 01423 530900 & 01423 868121.