

The Medical Examiner System



A Guide for Funeral Arrangers

New regulations concerning the Medical Certificate of the Cause of Death (MCCD) along with changes to the cremation documentation come into force at midnight on 9 September 2024. Under this system, all deaths in England and Wales occurring after this date will be independently scrutinised, either by a coroner or the Medical Examiner (ME). A ME is a senior medical doctor who provides independent scrutiny of all non-coronial deaths; they are supported by ME Officers who look after administration.

The New Medical Certificate of the Cause of Death

Any registered medical practitioner (now called the attending physician) who has attended the deceased person during their lifetime and can propose a cause of death to the best of their knowledge and belief, is eligible to complete the MCCD. This change represents a simplification of the previous attendance criteria. There is no requirement for the attending physician completing the MCCD to see the body after death. Where the attending physician cannot state the cause of death or the death needs to be legally investigated, it must be referred to the coroner. There is a separate MCCD for a child dying within the first 28 days of life. Stillbirths are certified in the existing manner.

The Procedure

The attending physician will propose a cause of death on the MCCD and email it to the ME. The ME will review relevant medical records and give the next of kin an opportunity to ask questions and raise concerns. Once the attending physician and the ME have made their declarations and the cause of death is finalised, and if there is no requirement to notify the coroner, the MCCD is emailed to the registrar in whose area the death took place. The informant is simultaneously notified so that they can make an appointment to register the death within five days of receipt of the MCCD by the registrar. The information the registrar requires is unchanged. It will not be possible for a death to be registered in non-coronial cases without the ME approving the MCCD. The cost of a Certified Copy of an Entry of Death is £12.50.

After registration, the registrar issues a green Certificate for Burial or Cremation which is emailed to the funeral director or the cemetery/crematorium; a paper copy will be issued if the funeral directors is undecided. This certificate will also contain details of implants.

Form 1 Application for Cremation

Funeral arrangers must ensure Form 1 is completed accurately. The Ministry of Justice (MOJ) guidance states that funeral arrangers must not complete and/or sign the application form on behalf of the applicant. Form 1 must be completed and signed by the applicant, supported by the funeral arranger. Funeral arrangers must inform the applicant about the consequences of making a false declaration. When communicating with bereaved people, the MOJ strongly suggest that funeral directors are considerate of sensitivities around language and avoid use of terms such as 'disposal'. The MOJ suggests that funeral arrangers keep in contact with all the parties concerned in the process.

The revised Application for Cremation (Form 1) for use on 9 September onwards replaces the version issued in 2018. There are a number of changes to Form 1: a space for the email address of the funeral director; email address for the registered medical practitioner who attended the deceased person; a data protection statement; a statement confirming that all relevant documentation has been provided; an amended question on the presence of implantable medical devices; and a new section covering the disposal of any metals remaining after cremation.

If there are objections to cremation, these must be resolved before Form 1 is submitted to the crematorium. The right of the applicant to inspect Form 4 (Medical Certificate) has been removed as this form will no longer exist (see below). An electronic copy of Form 1 can be completed with the applicant's electronic signature, or crematoria are obliged to accept an email of a scan or photograph of the original.

Form 4 Medical Certificate

The Medical Certificate has no longer be used from 9 September 2024.

Form 6 Certificate of Coroner

Form 6 will only be issued when the coroner investigates a death, with or without opening an inquest. Form 6 will no longer be issued by the coroner if, following a report of a death, they decide that their duty to investigate is not engaged (even where a post-mortem examination is conducted as part of those preliminary inquiries). Authorisation for cremation in that case will follow the route for a non-coronial death, so using the MCCD/ME outlined above.

A Summary of Cremation Documentation

Type of case	Documentation
Cases not investigated by the coroner	Form 1 Application for Cremation The green Certificate for Burial or Cremation (with implant form)
Cases investigated by the coroner (with or without a post-mortem)	Form 6 Certificate of Coroner (this replaces the green Certificate for Burial or Cremation) Form 1 Application for Cremation
Cremation following anatomical examination	Form 1 Application for Cremation Form 7 Certificate Following Anatomical Examination The green Certificate for Burial or Cremation (with implant form)
Stillborn child (born dead on or after the 24 th week)	Form 3 Application for Cremation of a Stillborn Child Form 9 Certificate of Stillbirth The white Certificate for Burial or Cremation
Cremation of body parts	Form 2 Application for Cremation of Body Parts Form 8 Certificate for the Release of body Parts Proof of registration

The Notice of Cremation/Statement of Understanding issued by the crematorium being used still needs to be completed. The Medical Referee will examine all forms submitted to the crematorium and authorise cremation (using Forms 10, 12 or 13).

Burial

The green Certificate for Burial and Cremation will continue to be issued for burial, as will the Coroner's Order for Burial, and Certificate of No Liability to Register a Death in England & Wales.

More information

A copy of the legislation, guidance notes for funeral directors and forms can be downloaded from: www.gov.uk/government/collections/cremation-forms-and-guidance

For queries concerning the procedure and cremation documentation, contact the Ministry of Justice Funeral Sector, Burial and Cremation Policy Team:

FuneralSectorBurialsandCremation@justice.gov.uk.

NHS England » The national medical examiner system