DEATH AND THE PROCURATOR FISCAL

Categories of deaths to be reported

The following deaths must be reported to the Procurator Fiscal.

(i) Sudden deaths

(a) any death where there is evidence or suspicion of homicide;
(b) any death by drowning;
(c) any death by burning or scalding or as a result of fire or explosion;
(d) any death caused by an accident involving the use of a vehicle including an aircraft, a ship or a train;
(e) any death resulting from an accident in the course of work, including voluntary or charitable work;
(f) any death where the circumstances indicate the possibility of suicide;
(g) any death following an abortion or attempted abortion whether legal or illegal;
(h) any death of a person subject to legal custody, including any death of such a person outwith a Police station or prison (for example during prisoner transport or in hospital);
(i) any death occurring in health premises in the community including a GP's surgery, health centre, dental surgery or similar facility;
(j) any death due to violent, suspicious or unexplained circumstances.

(ii) Deaths related to neglect or complaint

(a) any death where the circumstances seem to indicate fault or neglect on the part of another person;
(b) any death, if not already reported, where a complaint is received by a Health Board and the complaint is about the medical treatment given to the deceased with a suggestion that the medical treatment may have contributed to the death of the patient.

(iii) Deaths of children

(a) any death of a newborn child whose body is found;
(b) any death which may be characterized as sudden unexplained death in infancy (SUDI) or the like;
(c) any death of a child from suffocation including overlaying;
(d) any death of a child in foster care;
(e) any death of a child in the care of a Local Authority;
(f) any death of a child on a Local Authority "at risk" register.
(iv) **Public Health**

(a) any death caused by an industrial disease or industrial poisoning;
(b) any death due to a disease, infectious disease or syndrome which poses an acute, serious public health risk including:
   - any form of food poisoning
   - Hepatitis A, Hepatitis B (with or without delta-agent coinfection (Hepatitis D)), Hepatitis C and Hepatitis E
   - any hospital acquired infection
   - Legionnaires Disease

(v) **Deaths associated with medical or dental care**

(a) any death which was unexpected having regard to the clinical condition of the deceased prior to his or her receiving medical care;
(b) any death which is clinically unexplained;
(c) any death which appears to be attributable to a therapeutic or diagnostic hazard;
(d) any death which is apparently associated with lack of medical care
(e) death which occurs during the administration of a general or local anaesthetic;
(f) any death which may be associated with the administration of an anaesthetic;
(g) any death caused by the withdrawal of life sustaining treatment to a patient in a persistent vegetative state (This is to be distinguished from the removal from a life-support machine of a person who is brain stem dead and cannot breathe unaided.);
(h) any death occurring as a result directly or indirectly of an infection acquired while under medical or dental care while on NHS premises, including hospitals, GP's surgeries, health centres and dental surgeries.

These categories should not be regarded as exhaustive.

(vi) Any drug-related death (This category includes death as a result of ingestion of any drug where the death does not fall into any category above.)

(vii) Any death not falling into any of the foregoing categories where the cause remains uncertified or where the circumstances of the death may cause public anxiety.

If there is any uncertainty about whether a death should be reported the matter should be discussed with the Procurator Fiscal before any steps are taken to issue a death certificate.


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